

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
CHENNAI.**

APPLICATION NO: 221 OF 2015
(Public Interest Litigation)

Between:

IsanakaVedavathi
H.No.16-4-966, Pinakini Avenue,
Near Apollo Hospital,
Nellore-524 003.

.....Petitioner

-Vs-

1. Union of India,
Rep by its Secretary,
Ministry of Environment, Forest and Climate Change,
III Floor, Prithivi Wing, Indira ParyavaranBhavan,
JorBagh, New Delhi-110003
& 10 others

.....Respondents

**OBJECTIONS FILED BY THE 9TH RESPONDENT TO THE ACTION TAKEN
REPORT DT.17/11/21 FILED BY THE JOINT COMMITTEE**

I, M.V. Narayana Murthy, S/o. Mr.M.GopalaKrishniah, Hindu, aged about 47 years, having office at M/s. Emami Agrotech Limited, Sy. Nos. 501, 502/1, Pantapalem (V), Muthukur (M), SPSR Nellore district, have temporarily come down to Chennai and do hereby solemnly affirm and sincerely state as follows: -

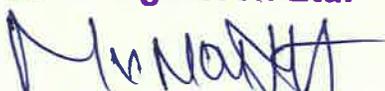
1. I am the Unit Head of the 9th Respondent herein and as such I am well acquainted with the facts deposed hereunder. I am competent to file this Affidavit and authorized to do so.
2. The quantum of compensation has been arrived without going through our detailed objections filed on 16.02.2021 to the Joint committee report on 01.12.2020 as well as our objections dated 05.09.2021 to the join committee report dated 10.08.2021. The relevant issues are clarified as follows:-

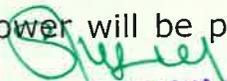
1. **Fly ash storage capacity:** Our consented capacity of production of palm oil is 2500 MT per day if the production is full of the capacity it would have generate 41 tpd of fly ash but our production was only 1200 tpd on average from 2018 onwards and generated 15MT Per day only. This aspect has been brought to the notice of APPCB through our annual report 2018 and 2019 and our monthly report from March to September 2020. The third member of join committee was aware of this reports but still has given a finding that storage capacity was not sufficient to the production capacity 2500 MT, this has been deliberately done by 3rd member.

2. Source of water and quantity of water used:

In our objections we have incorporated AP government GO MS No. 111 dated 30.10.2010 (industry and commerce department)making the promise like infrastructure water, road, power will be provided at our

For Emami Agrotech Ltd.


Authorized Signator


SYED MAHABOOB BASHA B.Com., B.L.
ADVOCATE & NOTARY
23-166, Mulanet, NELLORE-524 003.
Appointed By Govt. of Andhra Pradesh, INDIA
Cell: 9440206786, 7337592455

14/12/21

door step but failed to provide. Therefore we are forced to buy water through tankers. If supply of water through tankers is stopped we have to close down the industry. The allegations that we are utilizing more than the consented quantity is baseless as we have enclosed entire data of water utilized in the paper book filled along with objections dated 16.12.2021. This has not been considered by the Joint Committee, they have calculated the quantity of water as per the consented production of 2500 mt per day. As submitted earlier total production did not exceed 1200 mt per day in the last three years .

3. **Excess Effluent generation and not matching production:**

The fact is that our total production capacity for the past 3 years average was 1200 MT per day whereas the joint committee calculated effluent generation based on consented 2500 TPD and concluded mishandling of effluence which is not correct. The Effluent's generation / Salt disposal has been periodically submitted to APPCB vide monthly and yearly reports. Moreover we have installed advanced technology MEE.

4. **Installation of Magnetic Flowmeters not in Place & quantities not quantified**

Magnetic flowmeters and totalizers both at ETP and STP Plants were installed. The photographs has already been sent to the Chairman APPCB on 18.02.2020. Further maintaining of Registers for quantity of water treated in the plant was also submitted monthly to APPCB.

5. **ETP Not Maintained well / Aeration system not working**

Our Aeration system and ETP are maintained properly and running well. We are using closed shed to store salt and sludge and there is no chance of mixing drain water with ETP effluents. Industry is continuously removing the Oil sludge and grease from the trap and also strictly adhering to all the Parameters laid down by APPCB.

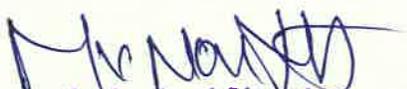
6. **The unit is not complying with Stack emissions and Ambient standards**

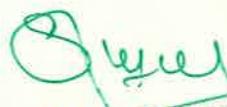
We are operating stack Emission system for all boiler chimney and the same is accessed by the APPCB through their online portal. The APPCB have not sent us any complaint for the last 3 years about stack Emissions violations which proves that we are adhering to the APPCB standards.

7. **Unit Not complying Green belt norms**

We have planted more than 7000 trees across the unit thereby complying 33 % of the unit is of green belt area as per the norms of APPCB. Photographs of the green belt area has also been submitted to APPCB.

For Emami Agrotech Ltd.


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8. Unit not complying Hazardous waste generation and disposal.

Hazardous waste generation and disposal was submitted to APPCB periodically through the monthly and yearly reports. Joint committee calculated the waste based on consented production capacity of 2500 MT per day but the unit produces on an average of 1200 MT per day.

9. Double penalty imposed as no reply from Unit against 31.01.2020 & 4.02.2021 APPCB OBSERVATIONS –

The fact is that this respondent has replied to APPCB on 18.02.2021 for the observation raised on 31.01.2020 and 04.02.2021 but the same was not taken into consideration. We have spent almost Rs. 2Crores towards Environmental improvements in the last 3 years.

10. Unit not achieved ZLD system through Existing MEE Plant and non-complying APPCB norms –

The fact is that the unit has spent all most Rs. 1crore for installing latest technology ZLD system which is also certified by local APPCB. The Plant is strictly adhering to all the norms laid down by the APPCB but this was also not taken into consideration.

3. The objections in this affidavit shall be read as part and parcel of the main affidavit filed by this respondent.
4. It is therefore prayed that this Hon'ble Tribunal may be pleased to set aside the environmental compensation of Rs.1,32,50,000/- levied by the APPCB since this respondent has complied with the Pollution control norms as per the Act and pass such further or other order or orders in the circumstances of the case and thus render justice.

Solemnly affirmed at Chennai
on this 11th day of December 2021
and signed his name in my presence

BEFORE ME

For Emami Agrotech Ltd.

ADVOCATE, CHENNAI


Authorized Signatory


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