

**BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL SOUTHERN
ZONE, CHENNAI**

In Original Application No. 232 of 2021 (SZ) order dated.15.02.2022

IN THE MATTER OF

Sri. Nakka Papa Rao

...Applicant (s)

Versus

Special Chief Secretary to Govt. of Andhra Pradesh,
Department of Environment Forest, Science and
Technology and others

... Respondent (S)

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Date: 14.03.2022.

REPORT OF ANDHRA PRADESH POLLUTION CONTROL BOARD IN THE MATTER OF O.A NO.232 OF 2021 (SZ) (EARLIER O.A NO. 296 OF 2021 (PB)) SUBMITTED TO THE HON'BLE NATIONAL GREEN TRIBUNAL, SOTHERN ZONE, CHENNAI ON M/S. MANIKANTA PAPER PRODUCTS, R.SY.NO.130/18P, MAIN ROAD, BODDAM (V), RAJAM (M), SRIKAKULAM DISTRICT.

Preamble:

The Hon'ble NGT issued orders in the matter of O.A NO.232 OF 2021 (SZ) on 15.02.2022 and directed the state pollution control Board to file further action taken report to the tribunal on or before 17.03.2022 by e-filing in the form of searchable PDF/OCR supportable PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per rules. Directions of the Hon'ble NGT as follows:

1. It is seen from the report that they have not obtained the Consent to Operate from the Pollution Control Board, as it falls under the “Green Category” and the unit is expected to obtain Consent from the Pollution Control Board. But, they have not mentioned as to whether any compensation has been fixed for the violation of environmental laws of not obtaining the Consent and also the sound that is being produced beyond the permissible limit in the residential area.
2. It is also not mentioned as to whether it is a permissible activity within the residential area and what is the nature of action taken by the Pollution Control Board on the basis of the observations made by the Joint Committee.
3. Further, it is seen from the report that show cause notice has been issued to the unit by the Pollution Control Board by their proceedings dated 06.12.2021, but it is not known as to what happened thereafter.
4. The State Pollution Control Board is directed to file a further action taken report including imposition of environmental compensation as directed by the Principal Bench of National Green Tribunal in several matters of this nature, applying the Central Pollution Control Board guidelines issued in this regard.
5. The State Pollution Control Board is also directed to inspect the unit in question again and submit a report as to whether the recommendations made by them in their proceedings dated 06.12.2021 have been complied with by them and if not, what is the nature of further action taken by them in this regard including the question as to whether operation of the unit without obtaining necessary Consent.
6. The 5th respondent is at liberty to file their statement and objections (if any) to the report and the State Pollution Control Board is directed to file a further action taken report to this Tribunal on or before 17.03.2022 by e-filing in the form of Searchable PDF/OCR Supportable PDF and not in the form of Image PDF along

with necessary hardcopies to be produced as per Rules and the parties are directed to get ready with the matter on 21.03.2022 for hearing.

Remarks of the A.P. Pollution Control Board on the NGT order:

1. M/s. Manikanta Paper Products is located at Boddam (V), Rajam (M), Srikakulam District and producing paper plates about 25,000 Nos./day by using machinery of Lamination machines, Corrugation machine with heaters, glue mixers, online pasting with cutting machine and plate moulds. The unit is located in residential area and established under Prime Minister's Employment Generation Program (PMEGP) by women entrepreneur financed by Khadi and Village Industries Commission (KVIC) in the year'2017. The activity of the unit falls under green category.
2. The Board received complaint from the District Collector, Srikakulam filed by Nakka. Papa Rao and others of Mokalla Street, Boddam Village, Rajam (M), Srikakulam District against the unit for causing nuisance to the surrounding residents. The Board Officials inspected the unit on 17.11.2020 and observed as follows:
 - i. The unit is located in residential area and operating to produce paper plates and it is surrounded by Residential houses and village road.
 - ii. The unit has obtained license from the Department of Factories on 06.04.2017 and submitted NOC from gram panchayat letter dt.18.02.2017. It was also observed that the unit has not obtained any kind of permission from the Board. The unit was stored huge quantity of paper waste which is generated after production of the paper plates within the premises.
 - iii. During the enquiry, the complainants informed that they are facing noise nuisance and smell nuisance during operation of the industry thereby causing health problems and requested to shift the unit from residential area.
 - iv. There is no source of water pollution from the industry. However, the industry is discharging domestic water outside the plant in Panchayat drains which is stagnated in front of the industry.
3. The Board addressed a letter to Village Secretary, Boddam village on 14.10.2020 & 20.11.2020 and requested to take necessary action against the paper plates unit under 133 of Cr.P.C for causing nuisance to the Surrounding residential houses. **(Annexure-I)**
4. The unit filed an application for consent to operation of the Board vide application dated 18.11.2020. The Board was rejected the application on 24.11.2020 as the unit is located in residential area as per G.O Ms. No.63, dt.02.05.1995, for causing sound pollution during the operation, storage of paper waste within the unit

premises, during the earlier visit complainants informed that they are facing noise nuisance. **(Annexure-II)**

5. The Govt. of AP issued G.O.Ms.No.63, dt.02.05.1995 by industries & Commerce (SSI) Dept., in Gram Panchayths, the small scale industrial units should not be set-up in residential area **(Annexure-III)**.
6. The industry was informed that establishment and operating of the industry without consent for establishment/operation of the Board would be violation of section 25/26 of Water (Prevention and Control of Pollution) Amendment Act, 1988 and Section under 21/22 of Air (Prevention and Control of Pollution) Amendment Act, 1987, which attract penal provision of the said acts.
7. The Board also directed the Tahsildar, Rajam (M) and Village Secretary, Boddam (V) to take necessary action against the unit under 133 of CrPC. The Board also submitted detailed report to the District Collector, Srikakulam with a request to instruct the Tahsildhar, Rajam, MPDO, Rajam and Village Secretary, Boddam (V) for taking necessary action against the unit. **(Annexure-IV)**
8. The Board issued notice to the unit on 06.12.2021 for exceeding of noise levels and causing nuisance in the surrounding area and operating the unit without having consents of the Board. The unit replied to the notice without any explanation on operating unit without consent of the Board and they have not submitted the remedial measures taken to control noise levels. **(Annexure-V)**
9. Hon'ble National Green Tribunal (NGT), New Delhi registered O.A No. 296 of 2021 based on a complaint received by email from Sri Nakka Paparao, Srikakulam District. The Hon'ble NGT in its order 10.11.2021, appointed a joint committee of state PCB and District Magistrate, Srikakulam to look into the grievance and take remedial action in accordance with law. The joint committee may visit the site and interact with the stake holders. The Hon'ble NGT, Southern Zone, Chennai in its order dt. 26.11.2021 in O.A. No. 232 of 2021(SZ) in E.A O.A No 296 of 2021(PB), instructed that the committee is appointed by the Principal Bench of National Green Tribunal is directed to submit the report to this Tribunal (Southern Zone) on or before 17.01.2022.
10. As per the Hon'ble NGT orders, the Member Secretary, A.P. Pollution Control Board nominated the Environmental Engineer, Regional Office, Srikakulam to represent APPCB in Joint Committee. The District Collector, Srikakulam nominated the Joint Collector (AW) and Revenue Divisional Officer, Palakonda Division as committee members on behalf of the District Collector to visit the site and interact with stake holders and to submit factual and action taken report to Hon'ble NGT. The Joint Committee along with the other District Officials visited

the area on 29.12.2021 and interacted with stake holders and submitted Joint Committee inspection report.

11. The Joint Committee suggested the following remedial measures for implementation to the unit:

- i. Instructed the proponent to provide hood over the heating machine for extraction of fumes and duct shall be provided with proper height of stack for dispersion of fumes.
- ii. Instructed to remove the exhaust fans provided towards west side which are causing smell nuisance to the residents located towards that side.
- iii. Instructed to provide acoustic chambers for noise generating machines i.e for sheeting cutting and paper plate punching machine.
- iv. Instructed provide proper toilet facilities for the labours working the unit.
- v. Instructed the proponent of the unit to not cause Noise and smell nuisance to the surrounding residents and directed to take all preventive measures to arrest them.

12. As per the instructions of the Hon'ble NGT, the Board Officials inspected the unit on 24.02.2022 and observed that the unit has not taken any remedial measures as suggested by the joint committee and not taken any measures as per the notice issued by the Board. The unit is also operating without having consents of the Board.

13. A.P. Pollution Control Board, Srikakulam issued **CLOSURE ORDERS** to the unit vide order dated. 09.03.2022 for the following reasons under Section 31(A) of the Air (Prevention & Control of Pollution) Act, 1981 and amendments thereof, in the interest of Public Health and protection of Environment. Also issued orders to SE, Operations, APEPDCL, Srikakulam for disconnection of power supply to the unit. (**Annexure-VI**).

- i. The unit is located within residential area by violating the G.O.Ms.No.63, dt.02.05.1995 by industries & Commerce (SSI) Dept. Govt. of AP.
- ii. The unit is operating without having Consent of the Board as required under Section 25/26 of Water (Prevention and Control of Pollution) Amendment Act, 1988 and Section under 21/22 of Air (Prevention and Control of Pollution) Amendment Act, 1987.
- iii. The unit not complied with the remedial measures suggested by the joint committee to control noise levels, even though the unit submitted commitment for implementation of remedial measures to control the noise levels vide email dated.01.01.2022.

14. The Board also imposed the Environmental Compensation is calculated according to CPCB formula $EC = PI \times N \times R \times S \times LF$ mainly prescribed standards / consented limits.

$$\underline{EC = PI \times N \times R \times S \times LF}$$

EC = Environmental Compensation in Rs;

PI = Pollution Index of industrial sector (30);

N = Number of days of violation took place (457 days from the date of issue of consent rejection order);

R = A factor in Rupees (100) for EC;

S = Factor for scale of operation (0.5);

LF = Location Factor (1.0).

The Environmental Compensation calculated for 457 days of violation and is amounted that **Rs.6,85,500/- (Rupees Six lakh Eighty five thousand five hundred only)** from date of issue of rejection letter of consent application (24.11.2020) to date of inspection (24.02.2022). The A.P Pollution Control Board issued notice along with Environment Compensation for Rs.6,85,500/- to M/s.Manikanta Paper Products, R.Sy.No.130/18P, Main Road, Boddam (V), Rajam (M), Srikakulam District on 14.03.2022. **(Annexure-VII)**

Submitted.

Sd/-
Member Secretary


ENVIRONMENTAL ENGINEER
A.P. Pollution Control Board
Regional Office, Srikakulam
ENVIRONMENTAL ENGINEER
A.P.POLLUTION CONTROL BOARD
REGIONAL OFFICE
SRIKAKULAM



ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE, SRIKAKULAM

Plot No.32, D. No. 16-13-25, 2nd Cross Road, Purushotham Naga
Gujarathipeta Village, Srikakulam - 532005,
Tel Ph. No. 08942-295090, Email : ruskm-ee1@appcb.gov

LT. No.104/PCB/ROSKLM/Comp/2020-21

Date. 20.11.2020.

Sub: APPCB-RO-Srikakulam - M/s. Manikanta Paper Products, R.Sy.No.130/1EP, Main Road, Boddam (V), Rajam (M), Srikakulam District - Complaint received by DRO, Collector Office, Srikakulam filed by Residents of Mokalla Street, Boddam Village, Rajam (M), Srikakulam District - Forwarded with a request to initiate action against the Paper plate industry - Regarding.

- Ref:
1. Complaint received through Spandana - CMO call center on 10.10.2020.
 2. T.O letter No. 01/APP/ROSKLM/Comp/2020-463, dt.14.10.2020.
 3. Complaint received by DRO, Collector Office, Srikakulam to this office on 16.11.2020.
 4. Officials of PCB inspected the unit on 17.11.2020.

It is to inform that Vide reference 1st cited, the Board is received complaint through Spandana-CMO call center. Vide reference 2nd cited, this office addressed a letter to the Village Secretary, Boddam (V) with a request to take necessary action against the paper plates unit under nuisance in the surrounding residential houses vide letter dt.14.10.2020 and action taken report may be communicated to this office. But no action taken report is received.

Vide reference 3rd cited, this office again received complaint through DRO, Collector Office, Srikakulam filed by Residents of Mokalla Street, Boddam Village, Rajam (M), Srikakulam District against to M/s. Manikanta Paper Products, R.Sy.No.130/1EP, Main Road, Boddam (V), Rajam (M), Srikakulam District for causing nuisance to the surrounding residents (copy enclosed). In this regard, the Board Officials visited the area and its surroundings on 17.11.2020 and observed that 1) The industry was in operation and located in residential area and manufacturing paper plates. 2) It was observed that the industry is causing sound pollution during the operation. 3) The unit has stored huge quantity of paper waste after processing of the paper plates in the unit premises. 4) During the inquiry, the complainants informed that they are facing lot of noise nuisance during operation of the industry there by causing health problems and requested to shift the unit from residential area.

In view of the above, the Village Secretary, Boddam (V) is once again requested to take necessary action against the complaint under 133 of Cr.P.C under nuisance for causing noise nuisance to the surrounding residents. The action taken report may be communicated to this office and also the Collectorate, Srikakulam.


ENVIRONMENTAL ENGINEER

To
The Village Secretary,
Boddam (V), Rajam (M),
Srikakulam District.

Encl: As above

- Copy submitted to the District Collector, Srikakulam for kind information.



ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE, SRIKAKULAM

Plot No.32, D. No. 14-13-25, 2nd Cross Road, Purushotham Nagar Colony,
Gujaratipeta Village, Srikakulam - 532005.
Tel Ph. No: 08942-295090, Email: rskm-ec1@appcb.gov.in

Lr.No.117/PCB/RO-SKLM/Ackw/2020-

Date: 24.11.2020.

Sub: APPCB-RO-SKLM- Application of M/s. Manikanta Paper Products, R.Sy.No.130/18P, Main Road, Boddam (V), Rajam (M), Srikakulam District – Complaints received for causing air pollution to the surrounding area – Unit located in the middle of residential area – Application rejected - Reg.

Ref: 1. Compliant received by this office on 16.11.2020.
2. Complaint received from CMO call center on 10.10.2020.
3. Board Officials inspected the unit surroundings on 17.11.2020.
4. AP OCMMS CFE Online Application ID No.1460230, dated.18.11.2020.

M/s. Manikanta Paper Products applied for consent of the Board for processing of Paper sheets – 1200 nos/day at R.Sy.No.130/18P, Main Road, Boddam (V), Rajam (M), Srikakulam District.

The Board vide reference 1st cited, received compliant against the unit from Collector's Office, Srikakulam filed by Boddam Villagers for causing air pollution and sound nuisance to the surrounding residential area.

The Board Officials visited the area and its surroundings on 17.11.2020 and made the following observations:

- 1) The industry was in operation and located in residential area and manufacturing paper plates.
- 2) It was observed that the industry is causing sound pollution during the operation.
- 3) The unit has stored huge quantity of paper waste after processing of the paper plates in the unit premises.
- 4) During the inquiry, the complainants informed that they are facing lot of noise nuisance during operation of the industry there by causing health problems and requested to shift the unit from residential area.

Earlier, the RO, Srikakulam received the same compliant through Spandan-CMO call center on 10.10.2020, the Board addressed a letter to the Village Secretary, Boddam village with a request to take necessary action against the paper plates unit under nuisance to the surrounding residential houses.

Based on the above observations, the Board decided to reject the application of M/s. Manikanta Paper Products as you are operate the unit in the middle of the Boddam (V) which is against to the G.O.Ms.No. 63, dt 02.05.1995 issued by industries & Commerce (SSI) Dept., Govt., of A.P.

It may be noted that establishment and operation of the industry without consent for Establishment/ Consent for Operation of the Board would be violation of section 25/26 of the water (Prevention and Control of Pollution) Act,1974 and section 21/22 of Air (Prevention and Control of Pollution) Act,1981, which attract penal provisions of the said Acts.

It is also informed that no construction or developmental work should be carried out without consent for Establishment (CFE) of the Board as per notification dated.23.12.1996, 30.04.1999 of the Board.

Sugali
Shankar Naik
Digitally signed by
Sugali Shankar Naik
Date: 2020.11.24
12:58:16 +05'30'
ENVIRONMENTAL ENGINEER
Regional Office, Srikakulam

To
M/s. Manikanta Paper Products,
R.Sy.No.130/18P, Main Road, Boddam (V),
Rajam (M), Srikakulam District.
Ph.No.9704570525
Email: dgpr.tax123@gmail.com

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Industrial Development – Effective development of Cottage, Tiny & Small Scale Industries in the State Simplification of procedures for exemption of approvals and clarifications by various departments, like Urban Development Authority, Municipalities and Gram Panchayats etc., for setting –up of Small Scale Industrial Units –Orders-Issued.

INDUSTRIES & COMMERCE (SSI) DEPARTMENT

G.O.Ms. No. 63.

Dated Second May, 1995

Read the following :-

1. G.O.Ms. No. 611, Industries & Commerce (SSI&SP) Department, Dt. 01.12.1986
2. From the Commissioner of Industries, Lr. No. 642/desk-14(1)/89, Dated:28-9-
3. From the Commissioner of Industries Lr.No. 642/desk-14(1)/89, Dated 22.2.1995
4. From the Commissioner of Industries Lr.No. 642/desk-14(1)/89, Dated 21.3.1995
5. G.O.Ms. No. 41, Inds & Commerce (SSI) Department, Dated 29.3.1995

ORDER:

Further liberalization of various Licensing procedures for accelerated development in getting-up of Small Scale and tiny Industries has been under the Consideration of the Government for some time.

2. The Commissioner of Industries in this letter 4th read above has submitted proposals for extending exemptions from obtaining all clearances to all Small Scale Industrial Units operating without power of Small Scale Industrial units operating with power up to 30HP and employing up to 30 persons.
3. To establish in an industry, an entrepreneur is required to obtain clearances/approvals from the following agencies before starting the unit:-
 - i) Approval of Gram Panchayat under Section 125 of the Andhra Pradesh Gram Panchayats Act, 1964, if the industry is proposed to be located in a Panchayat area. Approval from the Municipality under Section 264 of the Andhra Pradesh Municipalities Act, 1965 if the industry is to be located in Municipal area and approval under Zoning Regulation of Urban Development Authorities concerned wherever applicable;

ii) Approval from the Director of Town Planning under Section 125(4) of the Andhra Pradesh Gram Panchayats Act, 1964;

iii) Approval from the Director of factories and Boilers for the plans for construction under the Factories act, 1948;

4. After careful consideration of the proposals sent by the Commissioner of Industries and based on the discussion held with the various Industry Association, the government have decided, in suppression of the orders issued in the G.O.s 1st and 5th read above and pending modifications of rules and provisions under relevant Acts, that all Small Scale and Tiny Industries operating without power or operating with power up to 30 HP and employing up to 30 persons be exempted from obtaining clearances /approvals mentioned in Para 3 above, subject to the following conditions:-

- i) In Gram Panchayats, the Small Scale Industrial Units should not be set-up in residential areas;
- ii) In Municipal areas, where Zonal regulations are in force, the industrial units should not violate the regulations;
- iii) The Small Scale Industrial Units do not utilize boilers in the manufacturing process;
- iv) The Small Scale Industrial Units have taken necessary measures to ensure the health and safety of the workers.

5. The Small Scale Industrial Units at the time of registration will have to certify before the District Industries Centers that the above conditions have not been violated. The format of the certificate is given in Annexure. The Commissioner of Industries will ensure that the registration of the units is done only after this certificate is obtained from the entrepreneur on a Stamp Paper of Rs. 10/- (Rupees Ten only)

6. This liberalized procedure is applicable only to those Small Scale Industrial Units which register with the District Industries Centers. Those units which do not register themselves with the District Industries Centers will have to take prior clearance of the concerned authorities.

7. Consequent on the issue of above orders, the Municipal Administration & Urban Development, Panchayat Raj, Rural Development & Relief, Energy & forest and Health, Medical & Family welfare Departments are requested to issue necessary amendments to the existing Acts, Rules, government Orders, etc.,

8. Notwithstanding these exemptions from obtaining clearances/approvals, all the relevant laws will be applicable for operation of these industries.

9. The commissioner of industries is requested to take effective action to implement these orders with immediate effect.

10. This order issues with the concurrence of the following Departments of Government:-

- i) Health, Medical & Family Welfare Department.
- ii) Municipal, Administration & Urban Development Department.
- iii) Panchayat Raj, Rural Development & Relief Department.
- iv) Energy & Forest Department.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHEELA BHIDE,
SECRETARY TO GOVERNMENT.

To,

The Commissioner of Industries, A.P., Hyderabad.

The Health, Medical & Family Welfare Department.

The Municipal Administration & Urban Development Deptt

The Panchayat Raj, Rural Development & Relief Department.

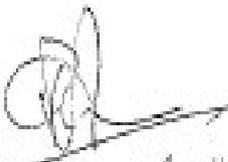
The Energy & forests Department.

All other Departments of Secretariat.

//FORWARDED : BY ORDER//

Sd/-

SECTION OFFICER,



// True copy //

Joint Chief Environmental Engineer
A.P. Pollution Control Board,
Paratyvara Division,
A-3, Industrial Estate, Somathiguda,
Hyderabad-500 018.



ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE, SRIKAKULAM

Plot No.32, D. No. 16-13-25, 2nd Cross Road, Purushotham Nagar Colony,
Gujarathipeta Village, Srikakulam - 532005.
Tel Ph. No: 08942-295090, Email: roskm-ee1@appcb.gov.in

Lr.No.01/PCB/RO-SKLM/Comp/2021- 69/

Dated:22.03.2021.

To
The Collector & District Megistrate,
Srikakulam District.

Sir,

Sub: APPCB- RO – SKLM - Media report appeared in Andhra Jyothi daily against M/s. Manikanta Paper Products, Sy.No.130/18P, Main road, Boddam (V), Rajam (M), Srikakulam District - Report –Submitted -Reg.

Ref: 1) Complaint received from collector's Office, Srikakulam through Whatsapp on 19.03.2021.
2) T.O Lr.No.104/PCB/ROSKLM/Comp/2020-510, Dt.14.10.2020 & 20.11.2020 to Village Secretary, Boddam (V), Rajam (M), Srikakulam District.
3) Inspection of Board Officials on 20.03.2021.

* * *

With reference to the above, it is to submit that news item was published in Andhra Jyothi daily with a caption "Parishrama Nirvahana pai Aandolana" on 13.03.2021. As per the instructions of the District Collector, Srikakulam, the AEE and Analyst of this office attended the complaint on 20.03.2021 and inspected M/s. Manikanta Paper Products, Sy.No.130/18P, Main road, Boddam (V), Rajam (M), Srikakulam District. The unit is manufacturing paper plates by using Kraft Paper as raw material. Details are reported as follows:

1. As per the CPCB revised Classification of industrial sectors paper products is categorized as **Green category** industry. This unit is not using any kind of water in the process and no waste water generated from the unit.
2. Previously the Board is in receipt of complaint through Spandana – CMO call center on 10.10.2020 and from DRO, Collector Office, Srikakulam on 16.11.2020. Based on the complaint the Board Officials inspected the unit and its surroundings on 17.11.2020 and observed that, the industry was in operation and located in residential area. The latitude, Longitudes of industry is 18°24'23.9"N 83°37'47.9"E and the surroundings of the Industry are East: Residential houses, West: Residential houses, North: Residential houses & south: Residential houses followed by Viziangaram to Palakonda road at a distance of 30mts.
3. The unit has obtained license from the Department of Factories on 06.04.2017. The unit has stored huge quantity of paper waste after processing of the paper plates in the unit premises.
4. During the enquiry, the complainants informed that they are facing noise nuisance and smell nuisance during operation of the industry there by causing health problems and requested to shift the unit from residential area.
5. During the inspection, noise levels were monitored at a distance of 5mts away from the unit and the values are recorded as L_{min} 48 dB (A), L_{max} 84 dB (A) and L_{avg} 69 dB (A) against the standard of 55 dB (A) for residential area. No smell nuisance is observed in the surroundings.

6. There is no source of water pollution from the industry. However, the industry is discharging domestic water outside the plant in Panchayat drains which is stagnated in front of the industry.
7. This office addressed a letter to Village Secretary, Boddam village on 14.10.2020 & 20.11.2020 and requested to take necessary action against the paper plates unit under nuisance for causing nuisance to the Surrounding residential houses.
8. During the inspection the Board Officials contacted Village Secretary and he informed that the MPDO, Rajam inspected the industry and its surroundings.

In view of the above, the Tahsildar, Rajam, MPDO, Rajam and Village Secretary, Boddam village are requested to take necessary action against the unit under 133 of CrPC.

Submitted for kind information.

Yours Faithfully


ENVIRONMENTAL ENGINEER
W

Copy submitted to the Tahsildar and MPDO, Rajam (V) for information and taking necessary action against the unit.

Copy submitted to the Village Secretary, Boddam (V), Rajam (M) for information and taking necessary action against the unit.



ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE, SRIKAKULAM

Plot No.32, D. No. 15-13-25, 2nd Cross Road, Purushotham Nagar Colony,
Cujarathipeta Village, Srikakulam - 522005.
T-1 P. No: 08942-295690, Email : roskm-ee1@appcb.gov.in

Notice No. APPCB/RO-SKLM/Comp/2021- 228 dt. 06.12.2021

NOTICE

Sub: APPCB – RO - Srikakulam – M/s. Manikanta Paper Products, R.Sy.No.130/187, Main Road, Boddam (V), Rajam (M), Srikakulam District - Complaint filed by Residents of Mokalla Street, Boddam Village, Rajam (M), Srikakulam District – Causing noise nuisance to the surrounding area - Notice – Issued - Reg.

- Ref:**
1. Complaint received through Spandana – CMO call center on 10.10.2020.
 2. T.O Lr.No.104/PCB/ROSKLM/Comp/2020-510, Dt.14.10.2020 to Village Secretary, Boddam (V), Rajam (M), Srikakulam District
 3. Complaint received through DRO, Srikakulam on 16.11.2020.
 4. Board Officials inspected on 17.11.2020.
 5. T.O Lr.No.104/PCB/ROSKLM/Comp/2020-510, 20.11.2020.
 6. AP OCMMS CFE online application ID N.1460230, dt. 8.11.2020.
 7. T.O rejected Lr.No.117/PCB/RO-SKLM/Accw/2020-, dt.24.11.2020.
 8. Complian: received from Collector's Office through whatsapp on 19.03.2021.
 9. Board Officials inspected the unit on 20.03.2021.
 10. T.O Lr.No.01/PCB/RO-SKLM/Comp/2021-641, Dt.22.03.2021 to the District Collector & Magistrate, Srikakulam.
 11. Hon'ble NGT orders dt.10.11.2021 in O.A.No.296/2021.

* * *

WHEREAS you are operating the unit in the name of M/s. Manikanta Paper Products, R.Sy.No.130/18P, Main Road, Boddam (V), Rajam (M), Srikakulam District to produce paper plates by using Kraft paper as raw material.

WHEREAS vide reference 1st cited, complaint received through Spandana-CMO call center. Vide reference 2nd cited, this office addressed a letter to the Village Secretary, Boddam (V) with a request to take necessary action against the paper plates unit under noise nuisance to the surrounding residential houses.

WHEREAS Vide reference 3rd cited the Board again received a complaint through the DRO, Collector Office, Srikakulam filed by Nekka. Papa Rao and others of Mokalla Street, Boddam Village, Rajam (M), Srikakulam District for causing nuisance to the surrounding residents by your unit. In this regard, the Analyst of this office inspected your unit and its surroundings on 17.11.2020 and reported as follows:

- a. During inquiry, proponent of the unit produced the permissions obtained from the Department of Factories and NOC from gram panchayat. The unit has not taken any kind of permission (acknowledgment) on behalf of the Board from GM, DIC, Srikakulam or from APPCB.
- b. The unit was in operation and located in residential area and producing paper plates.
- c. It was observed that the unit was causing noise nuisance during its operation.
- d. The unit has stored huge quantity of paper waste generated within the premises after production of the paper plates.
- e. During inquiry, the complainants informed that they are facing noise and smell nuisance during operations of the unit. They also informed that they are facing health issues and requested to shift the unit from residential area.

WHEREAS vide reference 5th cited, this office again addressed a letter to the Village Secretary, Boddam (V) with a request to take necessary action against the paper plates unit. Accordingly,

the village secretary issued a notice and instructed to take necessary preventive measures regarding noise nuisance.

WHEREAS vide reference 6th cited, the proponent of the unit filed an application to the Board under green category and the application was scrutinized and rejected on 24.11.2020 as the unit established within residential area as per the above observations.

WHEREAS vide reference 8th cited, the Board is in receipt of adverse news item published in Andhra Jyothi daily through whatsapp from Collector's Office. In this regard the ABE & Analyst of the Board inspected the unit and reported as follows:

1. The industry was in operation and located in residential area. The latitude, Longitudes of industry is 18°24'23.9"N 83°37'47.9"E and it is surrounded by East, West & North: Residential houses & south: Residential houses followed by Vizianagaram to Palakonda road at a distance of 30mts.
2. As per the unit operations observed, there is no use of water in the process and no wastewater is generated from the unit. However, the unit is discharging domestic water outside the plant in Panchayat drains which is stagnated in the premises of the unit.
3. During the inspection, contacted Village Secretary and he informed that the MPDO, Rajam also inspected the unit and its surroundings.
4. Noise levels were monitored at a distance of 5mts away from the unit and the values are recorded as L_{min} 48 dB (A), L_{max} 84 dB (A) and L_{avg} 69 dB (A) against the standard of 55 dB (A) for residential area. No smell nuisance is observed in the surroundings.

WHEREAS vide reference 10th cited, this Office submitted a detailed report to the District Collector, Srikakulam and requested Tahsildar, Rajam, MPDO, Rajam, Village Secretary, Boddam (V) are requested to take necessary action against the unit under Cr.PC.133.

WHEREAS vide reference 11th cited, the Hon'ble National Green Tribunal (NGT), New Delhi registered O.A No. 296 of 2021 based on a complaint received by email from Sri Nakka Paparao, Srikakulam District against operation of M/S. Manikanta Paper Products at Boddam (V), Rajam (M), Srikakulam District in violation of environmental norms.

Hence, you are directed to why action should not be initiated against your industry under section 31(A) of Air (Prevention and Control of Pollution) Amendment Act, 1987 for causing noise nuisance and health issues in the surrounding area and operating the unit without having consents of the Board. Your reply should reach this Office within 15 days from the date of receipt of this notice otherwise action shall be initiated against your unit which includes disconnection of power supply and water supply and closure of your unit or Prosecution may initiated without further notice in the interest of public health and environment.


ENVIRONMENTAL ENGINEER

To
M/s. Manikanta Paper Products,
R.Sy.No.130/18P, Main Road, Boddam (V),
Rajam (M), Srikakulam District.

- Copy submitted to the District Collector, Srikakulam for kind information.
- Copy submitted to the JCEE, Zonal Office, Visakhapatnam for kind information and necessary action.
- Copy submitted to the SEE, Legal section, Board Office, Vijayawada for kind information and necessary action.



ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE, SRIKAKULAM

Plot No.32, D. No. 16-13-25, 2nd Cross Road, Purushotham Nagar Colony,
Gujarathipeta Village, Srikakulam - 532005.
Tel Ph. No: 08942-295090, Email : roskm-eel@appcb.gov.in

Order No.S-117/APP/RO-SKLM/2022-

Dt.09.03.2022.

CLOSURE ORDERS

Sub: APPCB - RO - Srikakulam - M/s. Manikanta Paper Products, R.Sy.No.130/18P, Main Road, Boddam (V), Rajam (M), Srikakulam District - Complaint filed by Residents of Mokalla Street, Boddam Village, Rajam (M), Srikakulam District - Causing nuisance to the surrounding area - Operating industry without consents of the Board required under section 25/26 of the water (prevention and control of Pollution) Act,1974 and section 21/22 of the Air (prevention and control of Pollution) Act,1981 - Closure Orders - Issued - Reg.

- Ref:**
1. Complaint received through Spandana - CMO call center on 10.10.2020.
 2. T.O Lr.No.104/PCB/ROSKLM/Comp/2020-510, Dt.14.10.2020 & 20.11.2020 to Village Secretary, Boddam (V), Rajam (M), Srikakulam District.
 3. Complaint received by DRO, Collector Office, Srikakulam to this office on 16.11.2020.
 4. Board Officials inspection on 17.11.2020.
 5. G.O.Ms. No.63, dt.02.05.1995 of industries & Commerce (SSI) Dept., Govt., of A.P.
 6. AP OCMMS CFE online application ID N.1460230, dt.18.11.2020.
 7. T.O Lr.No.01/PCB/RO-SKLM/Comp/2021-641, Dt.22.03.2021 to the District Collector & Magistrate, Srikakulam.
 8. Hon'ble NGT orders dt.10.11.2021 in O.A.No.296/2021.
 9. Notice No.117/APP/RO-SKLM/Comp/2021-228, dt.06.12.2021.
 10. Joint Committee visited the site on 29.12.2021.
 11. Lr.No.117/PCB/RO-SKLM/NGT/2022, dt.11.01.2022.
 12. Hon'ble NGT orders dt.15.02.2022 in O.A.No.232 of 2021(SZ).
 13. Board Officials inspection on 24.02.2022.

* * *

WHEREAS you are operating the unit in the name of M/s. Manikanta Paper Products, R.Sy.No.130/18P, Main Road, Boddam (V), Rajam (M), Srikakulam District for processing of paper plates by using Kraft paper as raw material.

WHEREAS vide reference 1st cited, complaint received through Spandana-CMO call center. Vide reference 2nd cited, this office addressed a letter to the Village Secretary, Boddam (V) with a request to take necessary action against the paper plates unit under nuisance to the surrounding residential houses vide letter dt.14.10.2020 and action taken report may be communicated to this office. Accordingly the village secretary issued a notice and instructed to take necessary preventive measures regarding noise nuisance.

WHEREAS vide reference 3rd cited, this office again received complaint through DRO, Collector Office, Srikakulam filed by Nakka. Papa Rao and others of Mokalla Street, Boddam Village, Rajam (M), Srikakulam District through the DRO, Collector Office, Srikakulam against to M/s. Manikanta Paper Products, R.Sy.No.130/18P, Main Road, Boddam (V), Rajam (M), Srikakulam District for causing nuisance to the surrounding residents.

WHEREAS vide reference 4th cited the Board Officials inspected the unit and observed the following:

1. The industry was in operation and located in residential area. The latitude, Longitude of industry is 18°24'23.9"N 83°37'47.9"E and the surroundings of the Industry are East: Residential houses, West: Residential houses, North: Residential houses & south: Residential houses followed by Vizianagaram to Palakonda road at a distance of 30mts.
2. The unit has obtained license from the Department of Factories on 06.04.2017 and submitted NOC from gram panchayat letter dt:18.2.2017. It was also observed that the unit has not obtained any kind of permissions from the Board. The unit has stored huge quantity of paper waste after processing of the paper plates in the unit premises.
3. During the enquiry, the complainants informed that they are facing noise nuisance and smell nuisance during operation of the industry there by causing health problems and requested to shift the unit from residential area.
4. There is no source of water pollution from the industry. However, the industry is discharging domestic water outside the plant in Panchayat drains which is stagnated in front of the industry.
5. This office addressed a letter to Village Secretary, Boddam village on 14.10.2020 & 20.11.2020 and requested to take necessary action against the paper plates unit under nuisance for causing nuisance to the Surrounding residential houses.
6. During the inspection the Board Officials contacted Village Secretary and he informed that the MPDO, Rajam inspected the industry and its surroundings.
7. As per the CPCB revised Classification of industrial sectors paper products is categorized as Green category industry. This unit is not using any kind of water in the process and no waste water generated from the unit.

WHEREAS vide reference 5th cited, as per G.O.Ms.No.63, dt.02.05.1995 issued by industries & Commerce (SSI) Dept., Govt., of A.P, In Gram Panchayths, the small scale industrial units should not be set-up in residential area.

WHEREAS vide reference 6th you have filed an application for consent to operation of the Board and the application was scrutinized and it was rejected on 24.11.2020 for the following reasons.

- 1) The industry was in operation and located in residential area and manufacturing paper plates.
- 2) It was observed that the industry is causing sound pollution during the operation.
- 3) The unit has stored huge quantity of paper waste after processing of the paper plates in the unit premises.
- 4) During the inquiry, the complainants informed that they are facing lot of noise nuisance during operation of the industry there by causing health problems and requested to shift the unit from residential area.

WHEREAS vide reference 7th cited, the RO, Srikakulam submitted detailed report to the District Collector, Srikakulam with a request to instruct the Tahsildhar, Rajam, MPDO, Rajam and Village Secretary, Boddam (V) for taking necessary action against the unit.

WHEREAS vide reference 8th cited above, the complainant filed a complaint before the Hon'ble NGT against operation of the unit for causing noise, air, water pollution is being caused to the determinant of the Environment and public health. The Hon'ble NGT, Southern Zone, Chennai in its order dt.26.11.2021 in O.A.No.232 of 2021 (SZ) in E.A O.A No 296 of 2021 (PB), instructed that the committee is appointed by the Principal Bench of National Green Tribunal is directed to submit the report to this Tribunal (Southern Zone) on or before 17.01.2022 by e-filing in the form of searchable PDF/OCR supportable PDF and not in the form of image PDF along with necessary hardcopies to be produced as per rules.

WHEREAS vide reference 9th cited above, the Board issued notice to the unit on 06.12.2021 for exceeding of noise levels and causing nuisance in the surrounding area and operating the unit without having consents of the Board under section 33(A) of the Water (Prevention and control of pollution) Act, 1974 and amendments thereof & under Section 31 (A) of Air (Prevention and Control of Pollution) Act, 1981 and amendments thereof and & under Section 5 of Environment (Protection) Act 1986 and its amendment.

WHEREAS vide reference 10th cited, as per the orders of the Hon'ble NGT, the District Collector, Srikakulam nominated Joint Collector, Srikakulam, Revenue Divisional Officer, Palakonda Division and Environmental Engineer, APPCB, RO, Srikakulam to visit the site and interacted with the stake holders and submit the report to Hon'ble NGT. Accordingly, the Joint Committee along with the other District Officials visited the area on 29.12.2021 and interacted with stake holders.

WHEREAS vide reference 11th cited above, the RO, Srikakulam submitted Joint Committee inspection report in the matter of O.A.No.232 of 2021 (SZ) in E.A O.A No 296 of 2021 to the Standing Council of A.P. Pollution Control Board, Hon'ble NGT, Southern Zone, Chennai and also to Hon'ble NGT in searchable PDF. The Joint Committee suggested the following remedial measures:

1. Instructed the proponent to provide hood over the heating machine for extraction of fumes and duct shall be provided with proper height of stack for dispersion of fumes.
2. Instructed to remove the exhaust fans provided towards west side which are causing small nuisance to the residents located towards that side.
3. Instructed to provide acoustic chambers for noise generating machines i.e for sheeting cutting and paper plate punching machine.
4. Instructed provide proper toilet facilities for the labours working the unit.
5. Instructed the proponent of the unit not to cause Noise and smell nuisance to the surrounding residents and directed to take all preventive measures to arrest them.

You have submitted a letter vide email dt.01.01.2022 for compliance above measures.

WHEREAS vide reference 12th cited above, the Hon'ble NGT, Southern Zone, Chennai in its order dt.15.02.2021 in O.A.No.232 of 2021 (SZ), directed SPCB to file a further action taken report including imposition of Environmental Compensation, applying the Central Pollution Control Board guidelines issued and submit the report to this Tribunal (Southern Zone) on or before 21.03.2022 by e-filing in the form of searchable PDF/OCR supportable PDF.

WHEREAS the Hon'ble supreme court of India in W.P. No.375 of 2012 vide order dated 22.02.2017 directed to issue closure order to the industries who are operating without valid Consent for Operation (CFO) and without having primary Effluent Treatment Plant.

WHEREAS vide reference 13th cited above, the Board Officials inspected the unit and observed that the unit has not taken any remedial measures as suggested by the joint committee and operating the unit without having consents of the Board.

In view of the above, after careful consideration of material facts of the case and A.P. Pollution Control Board, Srikakulam hereby issues **CLOSURE ORDERS** to the unit for the following reasons under Section 31(A) of the Air (Prevention & Control of Pollution) Act, 1981 and amendments thereof, in the interest of Public Health and protection of Environment.

1. The unit is located within residential area.
2. The unit is operating without having Consent of the Board as required under Section 25/26 of Water (Prevention and Control of Pollution) Amendment Act, 1988 and

Section under 21/22 of Air (Prevention and Control of Pollution) Amendment Act, 1987.

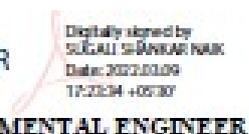
3. The unit not complied with the remedial measures suggested by the joint committee to control noise levels.

You are directed to take note that if you continue to operate your unit even after receipt of this order, you will be liable for prosecution in the court of Metropolitan Magistrate or Judicial Magistrate of the first class under section 37 (1) of Air (Prevention and Control of Pollution) Act, 1981 and amendments thereof, the punishment for which includes imprisonment for a term which shall not be less than one year six months which may be extended to six years and with fine.

You are further directed to take note that the APEPDCL has been ordered to disconnect Power Supply to your unit with immediate effect. Should you resort to run your unit by means of diesel generator or any mechanical device, you will be attracting prosecution under Section 37(1) of Air (Prevention and Control of Pollution) Amendment Act, 1981 and amendments thereof.

This order comes into effect from today i.e., 09.03.2022.

SUGALI
SHANKAR
NAIK
ENVIRONMENTAL ENGINEER



Digitally signed by
SUGALI SHANKAR NAIK
Date: 2022.03.09
17:22:34 +05'30'

To
M/s. Mamikanta Paper Products,
R.Sy.No.130/18P, Main Road, Boddam (V),
Rajam (M), Srikakulam District.

Copy to:

1. Copy submitted to the Member Secretary, APPCB, Board Office, Vijayawada for favour of kind information.
2. The Chairman/Managing Director, A.P Eastern Power Distribution Company Ltd, Visakhapatnam for favour of information.
3. The Collector and District Magistrate, Srikakulam for favour of information.
4. The Joint Chief Environmental Engineer (UH-2), APPCB, Board Office, Vijayawada for information.
5. The Joint Chief Environmental Engineer, APPCB, Zonal Office, Visakhapatnam for information.



**ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE, SRIKAKULAM**

Plot No.32, D. No. 16-13-25, 2nd Cross Road, Purushotham Nagar Colony,
Gujarathipeta Village, Srikakulam - 532005.
Tel Ph. No: 08942-295090, Email : roskm-eel@appcb.gov.in

Notice No.5-117/APP/RO-SKLM/2022-

Dt.14.03.2022.

NOTICE

Sub: APPCB – RO - Srikakulam – M/s. Manikanta Paper Products, R.Sy.No.130/18P, Main Road, Boddam (V), Rajam (M), Srikakulam District - Complaint filed by Residents of Mokalla Street, Boddam Village, Rajam (M), Srikakulam District – Causing nuisance to the surrounding area - Levy of Environment Compensation for Rs. 6,85,500/- - Orders - Issued - Reg.

Ref:

1. Complaint received through Spandana – CMO call center on 10.10.2020.
2. T.O Lr.No.104/PCB/ROSKLM/Comp/2020-510, Dt.14.10.2020 & 20.11.2020 to Village Secretary, Boddam (V), Rajam (M), Srikakulam District.
3. Complaint received by DRO, Collector Office, Srikakulam to this office on 16.11.2020.
4. Board Officials inspection on 17.11.2020.
5. AP OCMMS CFE online application ID N.1460230, dt.18.11.2020.
6. T.O rejected Lr.No.117/PCB/RO-SKLM/Askw/2020-, dt.24.11.2020.
7. T.O Lr.No.01/PCB/RO-SKLM/Comp/2021-641, Dt.22.03.2021 to the District Collector & Magistrate, Srikakulam.
8. Hon'ble NGT orders dt.10.11.2021 in O.A.No.296/2021.
9. Notice No.117/APP/RO-SKLM/Comp/2021-228, dt.06.12.2021.
10. Joint Committee visited the site on 29.12.2021.
11. Lr.No.117/PCB/RO-SKLM/NGT/2022, dt.11.01.2022.
12. Hon'ble NGT orders dt.15.02.2022 in O.A.No.232 of 2021(SZ).
13. Board officials inspection on 24.02.2022.

* * *

WHEREAS you are operating the unit in the name of M/s. Manikanta Paper Products, R.Sy.No.130/18P, Main Road, Boddam (V), Rajam (M), Srikakulam District for processing of paper plates by using Kraft paper as raw material.

WHEREAS vide reference 1st cited, complaint received through Spandana-CMO call center. Vide reference 2nd cited, this office addressed a letter to the Village Secretary, Boddam (V) with a request to take necessary action against the paper plates unit under nuisance to the surrounding residential houses vide letter dt.14.10.2020 and action taken report may be communicated to this office. Accordingly the village secretary issued a notice and instructed to take necessary preventive measures regarding noise nuisance.

WHEREAS vide reference 3rd cited, this office again received complaint through DRO, Collector Office, Srikakulam filed by Nakka. Papa Rao and others of Mokalla Street, Boddam Village, Rajam (M), Srikakulam District through the DRO, Collector Office, Srikakulam against to M/s. Manikanta Paper Products, R.Sy.No.130/18P, Main Road, Boddam (V), Rajam (M), Srikakulam District for causing nuisance to the surrounding residents.

WHEREAS vide reference 4th cited the Board Officials inspected the unit and observed the following:

1. The industry was in operation and located in residential area. The latitude, Longitudes of industry is 18°24'23.9"N 83°37'47.9"E and the surroundings of the Industry are East: Residential houses, West: Residential houses, North: Residential houses & south: Residential houses followed by Viziangaram to Palakonda road at a distance of 30mts.

2. The unit has obtained license from the Department of Factories on 06.04.2017 and submitted NOC from gram panchayat letter dt:18.2.2017. It was also observed that the unit has not obtained any kind of permissions from the Board. The unit has stored huge quantity of paper waste after processing of the paper plates in the unit premises.
3. During the enquiry, the complainants informed that they are facing noise nuisance and smell nuisance during operation of the industry there by causing health problems and requested to shift the unit from residential area.
4. There is no source of water pollution from the industry. However, the industry is discharging domestic water outside the plant in Panchayat drains which is stagnated in front of the industry.
5. This office addressed a letter to Village Secretary, Boddam village on 14.10.2020 & 20.11.2020 and requested to take necessary action against the paper plates unit under nuisance for causing nuisance to the Surrounding residential houses.
6. During the inspection the Board Officials contacted Village Secretary and he informed that the MPDO, Rajam inspected the industry and its surroundings.
7. As per the CPCB revised Classification of industrial sectors paper products is categorized as Green category industry. This unit is not using any kind of water in the process and no waste water generated from the unit.

WHEREAS vide reference 5th cited, as per G.O.Ms.No.63, dt.02.05.1995 issued by industries & Commerce (SSI) Dept., Govt., of A.P, In Gram Panchayths, the small scale industrial units should not be set-up in residential area.

WHEREAS vide reference 6th you have filed an application for consent to operation of the Board and the application was scrutinized and it was rejected on 24.11.2020 for the following reasons.

- 1) The industry was in operation and located in residential area and manufacturing paper plates.
- 2) It was observed that the industry is causing sound pollution during the operation.
- 3) The unit has stored huge quantity of paper waste after processing of the paper plates in the unit premises.
- 4) During the inquiry, the complainants informed that they are facing lot of noise nuisance during operation of the industry there by causing health problems and requested to shift the unit from residential area.

WHEREAS vide reference 7th cited, the RO, Srikakulam submitted detailed report to the District Collector, Srikakulam with a request to take instruct the Tahsildhar, Rajam, MPDO, Rajam and Village Secretary, Boddam (V) for taking necessary action against the unit.

WHEREAS vide reference 8th cited above, the complainant filed a complaint before the Hon'ble NGT against operation of the unit for causing noise, air, water pollution is being caused to the determinant of the Environment and public health. The Hon'ble NGT, Southern Zone, Chennai in its order dt.26.11.2021 in O.A.No.232 of 2021 (SZ) in E.A O.A No 296 of 2021 (PB), instructed that the committee is appointed by the Principal Bench of National Green Tribunal is directed to submit the report to this Tribunal (Southern Zone) on or before 17.01.2022 by e-filing in the form of searchable PDF/OCR, supportable PDF and not in the form of image PDF along with necessary hardcopies to be produced as per rules.

WHEREAS vide reference 9th cited above, the RO, Srikakulam issued notice to the industry for causing noise nuisance to the surrounding area and operating without consent of the Board under section 33(A) of the Water (Prevention and control of pollution) Act, 1974 and amendments thereof & under Section 31 (A) of Air (Prevention and Control of Pollution) Act,

1981 and amendments thereof and & under Section 5 of Environment (Protection) Act 1986 and its amendment.

WHEREAS vide reference 10th cited, as per the orders of the Hon'ble NGT, the District Collector, Srikakulam nominated Joint Collector, Srikakulam, Revenue Divisional Officer, Palakonda Division and Environmental Engineer, APPCB, RO, Srikakulam to visit the site and interacted with the stake holders and submit the report to Hon'ble NGT. Accordingly, the Joint Committee along with the other District Officials visited the area on 29.12.2021 and interacted with stake holders.

WHEREAS vide reference 11th cited above, the RO, Srikakulam submitted Joint Committee inspection report in the matter of O.A.No.232 of 2021 (SZ) in E.A O.A No 296 of 2021 to the Standing Council of A.P. Pollution Control Board, Hon'ble NGT, Southern Zone, Chennai and also to Hon'ble NGT in searchable PDF. The Joint Committee suggested the following remedial measures:

1. Instructed the proponent to provide hood over the heating machine for extraction of fumes and duct shall be provided with proper height of stack for dispersion of fumes.
2. Instructed to remove the exhaust fans provided towards west side which are causing smell nuisance to the residents located towards that side.
3. Instructed to provide acoustic chambers for noise generating machines i.e for sheeting cutting and paper plate punching machine.
4. Instructed provide proper toilet facilities for the labours working the unit.
5. Instructed the proponent of the unit to not cause Noise and smell nuisance to the surrounding residents and directed to take all preventive measures to arrest them.

You have submitted a letter vide email dt.01.01.2022 for compliance above measures.

WHEREAS vide reference 12th cited above, the Hon'ble NGT, Southern Zone, Chennai in its order dt.15.02.2021 in O.A.No.232 of 2021 (SZ), directed SPCB to file a further action taken report including imposition of Environmental Compensation, applying the Central Pollution Control Board guidelines issued and submit the report to this Tribunal (Southern Zone) on or before 31.03.2022 by e-filing in the form of searchable PDF/OCR supportable PDF.

WHEREAS the Hon'ble supreme court of India in W.P. No.375 of 2012 vide order dated 22.02.2017 directed to issue closure order to the industries who are operating without valid Consent for Operation (CFO) and without having primary Effluent Treatment Plant.

WHEREAS vide reference 13th cited above, the Board Officials inspected the unit and observed that the unit has not taken any remedial measures as suggested by the joint committee and operating the unit without having consents of the Board.

WHEREAS, The Board also imposed the Environmental Compensation is calculated according to CPCB formula $EC = PI \times N \times R \times S \times LF$ mainly prescribed standards / consented limits.

$$EC = PI \times N \times R \times S \times LF$$

EC = Environmental Compensation in Rs;
PI = Pollution Index of industrial sector (30);
N = Number of days of violation took place (457 days from the date of issue of consent rejection order);
R = A factor in Rupees (100) for EC;
S = Factor for scale of operation (0.5);
LF = Location Factor (1.0).

WHEREAS, the Environmental Compensation calculated for 457 days of violation and is amounted that Rs. 6,85,500/- (Rupees Six lakh Eighty five thousand five hundred only) from date of issue of rejection letter of consent application (24.11.2020) to date of inspection (24.02.2022).

WHEREAS, the Board hereby levies an Environmental Compensation of Rs. 6,85,500/- (Rupees Six lakh Eighty five thousand five hundred only) for operating the unit without consent and complaints received against the unit for causing noise nuisance in the surrounding residential area.

You are hereby informed to pay an amount of Rs.6,85,500/- (Rupees Six lakh Eighty five thousand five hundred only) towards Environmental Compensation for operating the unit without consent and complaints received again the unit for causing nuisance in the surrounding residential area. The amount shall be in the form of Crossed Demand Draft in favour of the Member Secretary payable at Vijayawada. Your reply shall reach this office within 15 days from the date of the receipt of this notice failing which necessary orders will be issued levying the Environmental Compensation, without any further notice.

SUGALI
SHANKAR
NAIK
ENVIRONMENTAL ENGINEER

Digitally signed by
SUGALI SHANKAR NAIK
Date: 2022.03.14
16:07:01 +05'30'

To
M/s. Manikanta Paper Products,
R.Sy.No.130/18P, Main Road, Boddam (V),
Rajam (M), Srikakulam District.

Copy to:

1. Copy submitted to the Member Secretary, APPCB, Board Office, Vijayawada for favor of kind information.
2. The Joint Chief Environmental Engineer (UH-2), A.P. Pollution Control Board, Board Office, Vijayawada for favor of kind information.
3. The Joint Chief Environmental Engineer, Zonal Office, Visakhapatnam for kind information.