

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE  
BENCH AT CHENNAI**

**APPEAL No. 4 of 2022**

Between

**VASIPILLI NUKARAJU**

S/o Kodayya Age: 34yrs,  
R/o Boyapadu village,  
Rajaya Peta Post, Nakkapalli Mandal,  
Visakhapatnam District- 531081  
Phone: 8978098072  
Mail: [vnookaraju\\_1988@gmail.com](mailto:vnookaraju_1988@gmail.com)  
and 1 others

..Appellants

Vs

**UNION OF INDIA**

Rep. by its Secretary,  
Union Ministry of Environment, Forest & CC  
Indira Paryavaran Bhavan  
New Delhi-110003  
Mail: [secy-moef@nic.in](mailto:secy-moef@nic.in)  
Phone: 011 24695262, 24695265 and 5 others

... Respondents

**COUNTER AFFIDAVIT FILED BY THE 5<sup>TH</sup> RESPONDENT CRZ**  
**DATE-04-05-2023**



**M/S MADHURI DONTI REDDY  
ADVOCATE**

**STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH  
A.P. POLLUTION CONTROL BOARD  
T.T.D. SUPREME COURT OF INDIA**

#26, S2, Royal Castle, Gill Nagar Extension, Choolaimedu, Chennai – 600 094.  
Mobile: 98407 98460 / 63831 21322, Email: [reddymadhuri09@gmail.com](mailto:reddymadhuri09@gmail.com)

**COUNTER FILED BY THE 5<sup>TH</sup> RESPONDENT**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE  
BENCH AT CHENNAI**

**APPEAL No. 4 of 2023**

Between

**VASIPILLI NUKARAJU**

S/o Kondayya Age: 34yrs,  
R/o Boyapadu village,  
Rajaya Peta Post, Nakkapalli Mandal,  
Visakhapatnam District- 531081  
Phone: 8978098072  
Mail: [vnookaraju\\_1988@gmail.com](mailto:vnookaraju_1988@gmail.com)  
and 1 others

..Appellants

Vs

**UNION OF INDIA**

Rep. by its Secretary,  
Union Ministry of Environment, Forest & CC  
Indira Paryavaran Bhavan  
New Delhi-110003  
Mail: [secy-moef@nic.in](mailto:secy-moef@nic.in)  
Phone: 011 24695262, 24695265 and 5 others

... Respondents

**INDEX**

<b>Sl.No.</b>	<b>Date</b>	<b>Description of the Document</b>	<b>Page No.</b>
1.	29-03-2023	<b>5<sup>th</sup> Respondent Counter</b>	1 - 6
2.	28-02-2019	<b>Annexure -I</b> APCZMP 2011 approved by MoEF&CC, New Delhi	7
3.	09-11-2022	<b>Annexure -II</b> APCZMA recommendations to MoEF&CC, New Delhi.	8 - 14
4.	11-01-2023	<b>Annexure -III</b> CRZ clearance issued by the MoEF&CC, New Delhi.	15 - 20
5.	19-02-2021	<b>Annexure-IV</b> OM issued by the MoEF&CC prescribing the procedure for dealing with violations arising due to not obtaining a prior CRZ Clearance for permissible activities.	21 - 24
6.	04-01-2007	<b>Annexure-V</b> CRZ clearance issued by MoEF&CC, New Delhi.	25 - 28
7.	25-10-2010	<b>Annexure-VI</b> Environmental & CRZ clearance issued by MoEF&CC, New Delhi.	29 - 36

It is certified that all the documents contained in the above annexure are true copies.

Date: 29.03.2023

  
**MEMBER SECRETARY,**  
**Andhra Pradesh Coastal Zone**  
**Management Authority (APCZMA)**  
**Vijayawada, Andhra Pradesh.**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE  
BENCH AT CHENNAI**

**APPEAL No. 4 of 2023**

Between

- 1) **VASIPILLI NUKARAJU,**  
S/o Kondayya Age: 34yrs,  
R/o Boyapadu village,  
Rajaya Peta Post, Nakkapalli Mandal,  
Visakhapatnam District- 531081  
Phone: 8978098072  
Mail: [vnookaraju\\_1988@gmail.com](mailto:vnookaraju_1988@gmail.com).
- 2) **MYLAPALLY GIRISH,**  
S/o Bangarraju Age: 25 yrs,  
R/o: Pedateenarla village,  
Nakkapalli Mandal,  
Visakhapatnam District- 531081.  
Phone: 9177914195  
Mail: [vnookaraju1988@gmail.com](mailto:vnookaraju1988@gmail.com)

..Appellants

-Vs-

**1. UNION OF INDIA**

Rep. by its Secretary,  
Union Ministry of Environment, Forest & CC  
Indira Paryavaran Bhavan  
New Delhi-110003  
Mail: [secy-moef@nic.in](mailto:secy-moef@nic.in)  
Phone: 011 24695262, 24695265

**2. STATE OF ANDHRA PRADESH**

Rep. By its Chief Secretary, Secretariat,  
Velagapudi Guntur District, AP-522503  
Mail: [cs@ap.gov.in](mailto:cs@ap.gov.in), Ph: 08632444461

**3. CENTRAL POLLUTION CONTROL BOARD**

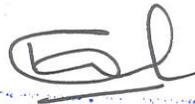
Rep. by its Member Secretary Parivesh Bhawan,  
CBD- Cum Office Complex East Arjun Nagar,  
Delhi-110032.  
Mail: [mccb@cpcb.nic.in](mailto:mccb@cpcb.nic.in),  
Phone: 01122307078

**4. ANDHRA PRADESH POLLUTION CONTROL BOARD,**

Rep. by its Member Secretary,  
D.No. 33-26-14/D2, Pushpa Hotel Center Chalamvari Street,  
Kasturibaipet, Vijayawada,  
Andhra Pradesh-520010,  
Mail: [membersecy@appcb.gov.in](mailto:membersecy@appcb.gov.in),  
Ph.08662463202

**5. ANDHRA PRADESH COASTAL ZONE MANAGEMENT AUTHORITY,**

Rep. by its Chairman,  
Chalamvari Street, Kasturibaipeta ,  
Vijayawada-520010  
Mail: [apczma2016@gmail.com](mailto:apczma2016@gmail.com)  
Phone: 0866-2463200

  
**MEMBER SECRETARY,**  
**Andhra Pradesh Coastal Zone**  
**Management Authority (APCZMA)**  
**Vijayawada, Andhra Pradesh.**

**6. M/S. HETERO INFRASTRUCTURE SEZ LTD & HETERO LABORATORIES LTD**

Rep. by its Managing Director  
N-Narasapuram (V), Nakkapalli Mandal  
Visakhapatnam-531081  
Mobile No. 9490793284  
Mail: [kullayireddy.s@heterodrugs.com](mailto:kullayireddy.s@heterodrugs.com)

...Respondents

**COUNTER AFFIDAVIT FILED BY THE 5<sup>th</sup> RESPONDENT**

I, Pravin Kumar, S/o Nityananda Sharma, Aged about 43 years, Occ: Member Secretary, Andhra Pradesh Coastal Zone Management Authority (APCZMA), Andhra Pradesh do hereby solemnly and sincerely affirm and make oath and state as follows:

1. I am the 5<sup>th</sup> Respondent herein and as such I am well acquainted with the facts of the case.
2. This respondent denies each averment made in the affidavit filed in support of the appeal as false and incorrect except those that are specifically admitted herein in this counter affidavit.
3. With regard to the averments made in **paragraphs 1& 2 of the appeal** is not related to this respondent and hence there are no remarks.
4. With regard averments made in **paragraphs 3 & 4 of the appeal** is denied as false. It is submitted that M/s. Hetero Infrastructure SEZ Ltd. at N. Narasapuram (V), Ch. Lakshmipuram (V), Rajaihpetta (V), Peda Teernala (V), of Nakkapalli (M), Visakhapatnam District, Andhra Pradesh submitted the proposal to the APCZMA for laying of new marine disposal pipeline in place of existing two lines (Treated Effluent and desalination plant rejects) & also increase of marine discharge quantity.
5. It is submitted that the APCZMA is appraising the project proposals as per the CRZ Notification 2011 for which the Coastal Zone Management Plan (CZMP) of Andhra Pradesh was approved by MoEF&CC, New Delhi on 28.02.2019 (*Annexure-I*).
6. It is submitted that the applicant submitted the fresh proposal with required documents, as per the paragraph 4.2 (i) of the CRZ Notification 2011 for laying of new pipeline as the old marine outfall pipelines is damaged due to following reasons:
  - (1) Chocking up of the pipelines due to barnacle growth in the pipelines,
  - (2) Entanglement of more fishing nets around the diffuser
  - (3) Some of the diffuser ports got disoriented in treated effluent pipeline



**MEMBER SECRETARY,  
Andhra Pradesh Coastal Zone  
Management Authority (APCZMA)  
Vijayawada, Andhra Pradesh.**

- (4) Diffuser ports of Brine reject pipeline of desalination plant got completely buried below the seabed.

The APCZMA placed the proposal in the APCZMA meeting held on 13.10.2022 and considered to recommend the proposal to the MoEF&CC, New Delhi vide letter dated: 09.11.2022 (*Annexure-II*) for laying of new pipeline in place of old pipeline for disposal of treated effluents, with a specific condition to remove the existing treated effluent pipeline, after commissioning of the new pipeline (PART A: Specific conditions (iii)). The MoEF&CC, New Delhi vide dt: 11.01.2023 (*Annexure-III*) issued CRZ Clearance.

7. It is submitted that actually the applicant submitted the applications to APCZMA for CRZ recommendations of 3 proposals i.e. (1) Proposal laying of new pipeline in place of old pipeline for disposal of treated effluents (2.366 MLD) through marine discharge; (2) Proposal for regularization of existing desalination plant in CRZ area & (3) Proposal for disposal of mixing of treated Effluents and desalination plant rejects in a common new marine disposal pipeline. The same was placed in APCZMA meeting held on 13.10.2022 and the APCZMA considered recommending only one proposal to MoEF&CC, GoI, New Delhi i.e. (1) for laying of new pipeline in place of old pipeline for disposal of treated effluents, with a specific condition to remove the existing treated effluent pipeline, after commissioning of the new pipeline. The other two proposals i.e. (2) - *regularization of existing desalination plant in CRZ area* & (3) - *disposal of mixing of treated Effluents and desalination plant rejects in a common new marine disposal pipeline* were not considered by APCZMA at that time.
8. It is submitted that the erection and operation of the Desalination plant in the CRZ area without obtaining required clearances is a violation and hence the APCZMA not recommended the proposal. The MoEF&CC issued Office Memorandum dated 19.02.2021 (*Annexure-IV*) prescribing the procedure for dealing with violations arising due to not obtaining a prior CRZ Clearance for permissible activities as under. For regularisation of the constructed desalination plant in CRZ area, the Project Authorities submitted the proposal to the APCZMA as per OM dt: 19.02.2021 and the same is under process at APCZMA.
9. It is submitted that the existing old pipeline, M/s. Hetero Labs Limited obtained CRZ permission from MoEF&CC vide dated 04.01.2007 (*Annexure-V*) for marine disposal of 190 KLD through dedicated pipelines. Later, M/s. Hetero Infrastructure SEZ Ltd. obtained Environmental & CRZ clearance from MoEF&CC vide order dated 25.10.2010 (*Annexure-*

  
 MEMBER SECRETARY,  
 Andhra Pradesh Coastal Zone  
 Management Authority (APCZMA)  
 Vijayawada, Andhra Pradesh.

V) to utilise the existing effluent discharge pipeline of M/s. Hetero Drugs Limited for the discharge of the treated effluents of SEZ i.e. 1040 KLD into the sea near Dondawaka (V) near Rajaiahpet village, Nakkapalli Mandal, Visakhapatnam Dist.

10. It is submitted that in O.A. No. 23 of 2022 (SZ), the Hon'ble NGT has constituted a Joint Committee dated 21.02.2022 consist of senior member/officer from the MoEF&CC, IRO, Vijayawada; from CPCB, RO, Chennai; from APPCB; from APCZMA; from DFO, Visakhapatnam and Scientist from NIO, Goa to inspect the area in question and submit a factual as well as action taken report, if there is any violation found. The Committee inspected the site on 29.03.2022 & 30.03.2022 and submitted the report to Hon'ble NGT. As per the Joint Committee report, the construction of new pipeline was started without obtaining necessary clearances, however the same was removed.
11. With regard to the averments made in **paragraphs 5 of the appeal** is not related to this respondent and hence there are no remarks.
12. With regard averments made in **paragraphs 6 of the appeal** it is submitted that as per the Joint Committee report, the construction of new pipeline was started without obtaining necessary clearances. The RO:Visakhapatnam, APPCB issued notice for laying of the new pipeline. On receipt of the notice, the applicant stopped the activity and the same was removed. The Joint Committee has also noticed that the industry has stopped laying of new pipeline and removed the new pipeline laid in the forest area as well as in industry own land.
13. It is submitted that the Desalination Plant: M/s. Hetero Infrastructure SEZ Ltd. obtained Environmental & CRZ clearance from MoEF&CC vide order dated 25.10.2010 for development of industrial plots for manufacturing of bulk drugs (API) and lifesaving drugs. This project includes 15 MLD Desalination Plant (15 MLD sea water intake and discharge of 10 MLD rejects). The quantities of sea water intake, treated effluent and rejects permitted are 15 MLD, 1040 KLD (1.04 MLD) and 10 MLD respectively.
14. It is submitted that the Joint Committee constituted by the Hon'ble NGT in their report stated that "The Project Authorities have installed a desalination unit in the CRZ area without obtaining prior approval from MoEF&CC". Erection and operation of the Desalination plant in the CRZ area without obtaining required clearances is a violation and hence the APCZMA not recommended the proposal. The MoEF&CC issued Office Memorandum dated 19.02.2021 prescribing the procedure for dealing

  
MEMBER SECRETARY,  
Andhra Pradesh Coastal Zone  
Management Authority (APCZMA)  
Vijayawada, Andhra Pradesh.

with violations arising due to not obtaining a prior CRZ Clearance for permissible activities as under. For regularization of the constructed desalination plant in CRZ area, the Project Authorities submitted the proposal to the APCZMA as per OM dt: 19.02.2021 and the same is under process at APCZMA.

15. With regard averments made in **paragraphs 7 of the appeal** is denied as false. It is submitted that in this counter Para 6 and 7 we have answer.
16. With regard to the averments made in **paragraphs 8 to 13 of the appeal** is not related to this respondent and hence there are no remarks.
17. With regard averments made in **paragraphs 14 of the appeal** is denied as false. It is submitted that in this counter Para 6 to 10 we have answer.
18. With regard to the averments made in **paragraph 15 of the appeal** is not related to this respondent and hence there are no remarks.
19. It is submitted that this respondent craves leave of this Hon'ble Tribunal to raise additional counter in the course of proceedings, if required.

In the above circumstances, it is humbly prayed that this Hon'ble Tribunal may be pleased to dismiss the above the APPEAL No. 4 of 2023 and pass such further or other orders, as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case and thus render justice.

Solemnly affirmed Vijayawada  
Andhra Pradesh on  
this the 29<sup>th</sup> day of March 2023  
and signed his name in my presence

**BEFORE ME**



Advocate

#### VERIFICATION

I, Pravin Kumar, S/o Nityananda Sharma, Aged about 43 years, Occ: Member Secretary, Andhra Pradesh Coastal Zone Management Authority (APCZMA), Andhra Pradesh do hereby verify that the contents of Para's of Counter Affidavit are based on record and information are true to the best of my knowledge and belief.

Hence, verified on the 29<sup>th</sup> day of March 2023 at Vijayawada.



DEPONENT

**5<sup>th</sup> RESPONDENT**

Member Secretary  
APCZMA

MEMBER SECRETARY,  
Andhra Pradesh Coastal Zone  
Management Authority (APCZMA)  
Vijayawada, Andhra Pradesh.



F. No. 12-9/2018-1A-III  
Government of India  
Ministry of Environment, Forest & Climate Change  
\*\*\*

Telephone: 011-24695338,  
e-mail: w.bharat@nic.in  
Indira Paryavaran Bhavan, Jor Bagh,  
Lodi Road, New Delhi-110003.  
Dated: 28.02.2019

To,

**The Member Secretary,**  
Andhra Pradesh Coastal Zone Management Authority  
Government of Andhra Pradesh  
D.No. 33-26-14 D/2, Near Sunrise Hospital,  
Pushpa Hotel Centre, Chalamvari Street, Kasturibaipet  
Vijayawada – 520 010.

**Sub: CZMPs of Srikakulam, Vizianagaram, Visakhapatnam, East Godavari, West Godavari, Krishna, Guntur, Prakasam and Nellore districts, in Andhra Pradesh - reg.**

Sir,

This has reference to letter no. 12/APCZMA/2019-1677, dated 21.01.2019 regarding Coastal Zone Management Plans (CZMPs) of Srikakulam, Vizianagaram, Visakhapatnam, East Godavari, West Godavari, Krishna, Guntur, Prakasam and Nellore districts, in Kerala, drawn as per the provisions of the Coastal Regulation Zone Notification, 2011.

2. In this regard, it is to state that based on the recommendations of the National Coastal Zone Management Authority (NCZMA) in its 37<sup>th</sup> Meeting held on 25.02.2019 and recommendations of the Technical Scrutiny Committee held at NCSCM, Chennai on 18.02.2019, the Ministry of Environment, Forest and Climate Change hereby conveys its approval of the CZMPs of the districts of Srikakulam, Vizianagaram, Visakhapatnam, East Godavari, West Godavari, Krishna, Guntur, Prakasam and Nellore, in Andhra Pradesh.

This issues with the approval of the Hon'ble Minister (EFCC).

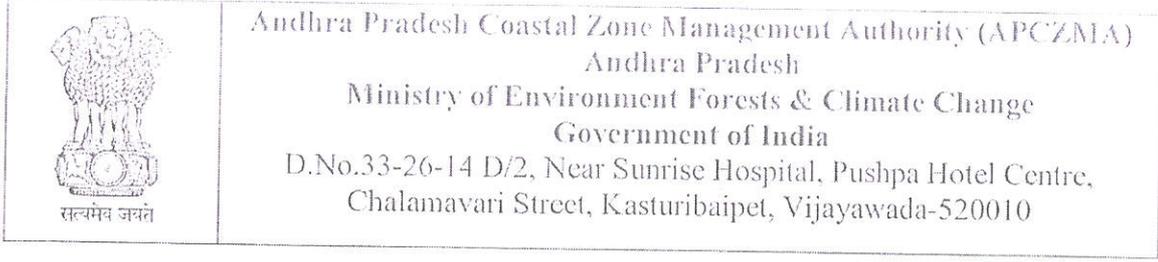
Yours faithfully,

(W. Bharat Singh)  
Director (CRZ)

Copy to:

1. The Principle secretary, Department of Environment, Forest, Science & Technology, Government of Andhra Pradesh, Secretariat, 4<sup>th</sup> Block, Government Interim Complex, Velagapuddi – 522 503, Guntur District, Andhra Pradesh.
2. The Additional Principal Chief Conservator of Forests (C), Ministry of Environment, Forest and Climate Change, Regional Office (SEZ), 1st and 2nd Floor, Handloom Export Promotion Council, 34, Cathedral Garden Road, Nungambakkam, Chennai – 34
3. The Director, National Centre for Sustainable Coastal Management, Anna University Campus, Chennai – 600025, Tamil Nadu.
4. Guard File.

(W. Bharat Singh)  
Director (CRZ)



Letter No. 382/CRZ/IND/2022 - 595

Dated: 11/11/2022

To  
 The Secretary,  
 Ministry of Environment and Forests and Climate Change,  
 Indira Paryavaran Bhavan, Jorbagh Road,  
 New Delhi – 110 003.

Sir,

**Sub:-** APCZMA – CRZ – M/s. Hetero Infrastructure SEZ Ltd. at N. Narasapuram (V), Ch. Lakshmipuram (V), Rajaihpetta (V), Peda Teernala (V), of Nakkapalli (M), Visakhapatnam District, Andhra Pradesh – Proposal for laying of new marine disposal pipeline in place of existing two lines and increase of marine discharge quantity – Recommendations of No Objection under the provisions CRZ Notification, 2011– Communicated – Reg.

**Ref:**

1. Proposal received from M/s. Hetero Infrastructure SEZ Ltd, Visakhapatnam on 25.03.2022.
2. T.O. Ir to 13.04.2022.
3. Information furnished by the application on 02.08.2022.
4. APCZMA meeting held on 13.10.2022 at Vijayawada.

\*\*\*

1. M/s. Hetero Infrastructure SEZ Ltd. at N. Narasapuram (V), Ch. Lakshmipuram (V), Rajaihpetta (V), Peda Teernala (V), of Nakkapalli (M), Visakhapatnam District, Andhra Pradesh submitted the proposal for (i) laying of new marine disposal pipeline in place of existing two lines (Treated Effluent and desalination plant rejects); (ii) increase of marine discharge quantity from 11.230 MLD to 12.366 MLD. The cost of the project is Rs. 15 Cr for pipeline. The applicant sought clearance under the provisions of CRZ Notification 2011.
2. Earlier, M/s. Hetero Labs Limited obtained CRZ permission from MoEF&CC vide dated 04.01.2007 for marine disposal of 190 KLD through dedicated pipelines. M/s. Hetero Infrastructure SEZ Ltd. also obtained Environmental & CRZ clearance from MoEF&CC vide order dated 25.10.2010 for development of industrial plots for manufacturing of bulk drugs (API) and lifesaving drugs. This project includes 15 MLD Desalination Plant (15 MLD sea water intake and discharge of 10 MLD rejects). The quantities of sea water intake, treated effluent and rejects permitted are 15 MLD, 1040 KLD (1.04 MLD) and 10 MLD respectively. As per the Environmental & CRZ clearance issued by MoEF&CC, it is mentioned that

Desalination plant shall be installed in SEZ area and outside CRZ area. But, the existing Desalination plant is located in CRZ-III (NDZ).

3. The applicant submitted copy of the Form – I; EIA Report; Marine EIA report including mitigation measures prepared by M/s. Indomer Coastal Hydraulics (P) Ltd; HTL/LTL Demarcation Report prepared by M/s. Institute of Remote Sensing (IRS), Anna University, Chennai and copy of the NOC Obtained from APPCB dated 14.12.2021.
4. M/s. Institute of Remote Sensing (IRS), Anna University, Chennai is authorized agency of MoEF&CC was carried out demarcation of HTL, LTL and CRZ area and submitted the report vide No. IRS/AU/IRS /KSR/208-2022 Dt. 09.03.2022 with map. As per the report the details are as follows:

- The proposed effluent pipeline originates from existing plant of M/s. Hetero Infrastructure SEZ facilities in Rajauyyapeta village and passes through various survey numbers in Rajauyyapeta and Pedateenarla village and crosses a creek. The existing marine disposal Pump house, Tank falls in Pedateenarla village Proposed landfall point falls within intertidal area and proposed outfall diffuser falls within Bay of Bengal.
- The proposed effluent pipeline and associated facilities falls partly inside bay of Bengal, Intertidal Area and between HTL and 200m setback from HTL for Bay of Bengal, Between 200 m and 500 m setback lines from HTL as well as between HTL and 100 m setback line from HTL of creek as pr approved CZMP (Map Nos. AP 122 and 123). Hence the proposed effluent pipeline facilities falls partly inside CRZ-III, CRZ-III (NDZ), CRZ – IB, CRZ – IVA & CRZ – IVB.
- CRZ classification of area of proposed project site is as below:

Sl. No.	CRZ – Classification	Length in Meters
1)	CRZ – IB (Sea front) – 100 m CRZ – IB (creek) – 29 m	129
2)	CRZ – III (NDZ)	821
3)	CRZ – III	346
4)	CRZ – IVA	1931
5)	CRZ – IVB	17
6)	Outside CRZ	1278
	<b>Total</b>	<b>4522</b>

5. The Project proposal of M/s. Hetero Infrastructure SEZ Ltd. was placed in the 52<sup>nd</sup> Andhra Pradesh Coastal Zone Management Authority (APCZMA) meeting held on 13.10.2022 at Vijayawada. The Project Proponent along with their consultants M/s. Indomer Coastal Hydraulics (p) Ltd attended the meeting and explained about the proposal:

- (1) M/s. Hetero had laid one seawater intake pipeline of 560 mm dia. to draw 15 MLD seawater and also laid two marine outfall pipelines i.e. i) 355 mm dia. for discharging 10 MLD brine reject from the desalination plant and ii) 200 mm dia. for discharging treated effluent of 1.23 MLD (0.19 MLD + 1.04 MLD) from its existing manufacturing unit.
- (2) Over the period of 12 years, both of these two marine outfall pipelines got damaged due to following reasons:
  - Chocking up of the pipelines due to barnacle growth in the pipelines,

- Entanglement of more fishing nets around the diffuser
- Some of the diffuser ports got disoriented in treated effluent pipeline
- Diffuser ports of Brine reject pipeline of desalination plant got completely buried below the seabed.

(3) Now, M/s. Hetero Infrastructure SEZ Ltd is proposing to replace the damaged two independent marine outfall pipelines into a single marine outfall pipeline of 500 mm dia. combining both the discharges of treated effluent and brine reject (mixing tank at desalination plant). The total discharge through the proposed single outfall pipeline will be 12.366 MLD and details as follows.

- Treated Effluents from CETP (both SEZ & non SEZ) - 2.366 MLD
- Brine Rejects - 10.0 MLD
- 2.0 Km pipeline from HTL to Discharge point.
- Length of marine disposal pipeline is 4.3 Km. Out of which 2.3 Km is on land and balance 2.0 Km will be in sea.
- Duck-bill valves in place of diffusers to be proposed at a depth of 17 m in the sea.

(4) The proposed pipeline passing through CRZ-IB (sea front and creek), CRZ-III (NDZ), CRZ-III, CRZ-IV A, CRZ-IV B and Outside CRZ.

(5) The Coordinates of Proposed Effluent Pipeline is as follows:

Label	Latitude	Longitude
Landfall point	17° 21' 33.3" N	82° 44' 11.5" E
Outfall Diffuser	17° 21' 01.13"N	82° 45' 10.3" E

(6) Source of water is sea water through desalination plant. The total Water requirement is 3.533 MLD (as per EC Orders dated 25.10.2010; 10.09.2012; 10.09.2012) ; 1.315 MLD (as per CFO order dt. 11.12.2017) and 1.64 (as per the CFE (Expansion) order dt. 15.07.2020). The wastewater generation is 0.535 MLD (as per CFO order dt. 11.12.2017) and 1.13 MLD (as per CFE (Expansion) dt. 15.07.2020). The effluents are treated in CETP in the premises of M/s. Hetero Infra & after treatment discharged through marine outfall in the presence of APPCB officials.

6. The Committee noted that as per the CRZ Notification, 2011 the proposed project of laying of new pipeline for marine discharge is a

**Permissible activity:** The proposed activity i.e., the construction directly related to waterfront and directly needing foreshore facilities is a permitted activity as per paragraph 3 (i)(a) of CRZ Notification, 2011 & Discharging of treated effluents into the water course with approval under the Water Act, 1974 is a permitted activity as per paragraph 3 (v)(a) of CRZ Notification, 2011.

**Regulated activity:** The proposed activity is within CRZ and requires waterfront and foreshore facilities is a regulated as per the paragraph 4(i)(a) of CRZ Notification, 2011. And Laying of pipelines for discharge of treated effluent is a regulated activity as per the paragraph 4(ii)(d) of CRZ Notification, 2011.

7. The committee noted that there is a proposal of mixing of treated effluents and desalination plant rejects before discharging into Sea and as of now there is no specific study. The CPCB has existing marine discharge standards but not having standards for mixing of both. Hence there is need to entrust a study with IICT &

NEERI to examine the mixing of treated effluents and desalination plant rejects properties, before discharge into the sea. After receiving report from the IICT & NEERI, the same needs to be examined with reference to CPCB norms. APPCB also needs to verify the SoPs for marine discharge as the proposal is to join the desalination plant rejects after guard pond near to the Sea.

8. After examination on the remarks, comments/suggestions received from the Members, the authority considered to recommend the proposal to MoEF&CC, GoI, New Delhi for laying of **new pipeline in place of old pipeline for disposal of treated effluents (2.366 MLD) through marine discharge** at N. Narasapuram (V), Ch. Lakshmipuram (V), Rajaihpetta (V), Pedda Teernala (V), of Nakkapalli (M), Visakhapatnam District, Andhra Pradesh with the following specific and general conditions:

**PART A: Specific Conditions:**

- (i) *The proposed constructions shall conform to the norms prescribed in CRZ Notification issued by the Ministry of Environment and Forests, Government of India S. O. No. 19(E), dated 06-01-2011 and shall not affect the coastal ecology of the area.*
- (ii) *No activity on ground shall be undertaken without obtaining Environmental Clearance from the Ministry of Environment and Forests, Government of India as per S. O. No. 19(E), dated 06-01-2011.*
- (iii) *The treated effluent existing pipeline is to be removed, after commissioning of the new pipeline.*
- (iv) *During accidental breakage of pipeline, the necessary mitigation measures like immediately attending the repair of pipeline has to be taken up. Necessary spares of pipeline segments with bends/tees and divers with experience in salvation operation irrespective of sea condition have to be kept ready always within the industrial unit*
- (v) *The industry should install flow meters to record the quantities of treated effluents discharge. Regular annual monitoring of coastal waters is to be carried-out by the reputed institutions, for water quality near the proposed outfall locations*
- (vi) *A Continuous monitoring system should be put in place by the applicant to find out the impact on marine life/flora/fauna, due to discharge*
- (vii) *The project Proponent shall conduct the bio-assay test for the treated effluent discharges from the marine outfalls as per the MoEF&CC Guidelines. Bio-assay analysis shall be conducted every six months to establish the toxicity levels and report to be submitted to APPCB.*
- (viii) *The Project Proponent shall treat the effluents before discharging into sea duly complying with the APPCB and MoEF&CC norms.*
- (ix) *The activity is a continuous and every day the industry discharges for about 8-10 hours. Over a long period, the industry should ensure all the precautions mentioned and also see that this activity should not create any bacterial and virus vectors.*
- (x) *No solid waste shall be disposed in the Coastal Regulation Zone area. The solid waste shall be properly collected, segregated and disposed as per the provision of Solid Waste (Management and Handling) Rules, 2000 and amendment thereof*

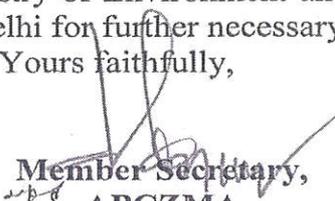
- (xi) *The green belt shall be maintained to improve aesthetic value of the area.*
- (xii) *The proponent shall allocate enough budget for regular maintenance in all aspects i.e., drainage, garbage, effluent discharge and other activities*
- (xiii) *The proponent shall implement all the mitigation measures as mentioned in the EIA report.*
- (xiv) *Groundwater shall not be tapped in the CRZ area.*
- (xv) *The Project Proponent shall submit the half-yearly compliance reports of CRZ Clearance duly audited by the accredited consultants on the degree of compliance by the project proponent during and after construction of the project.*

*PART - B: General Conditions:*

- (i) A copy of the clearance letter shall also be displayed on the website of the AP Pollution Control Board. The Clearance letter shall also be displayed at the AP Pollution Control Board Regional Office, District Industries Centre and District Collector Office/ Mandal Revenue Office for 30 days.
- (ii) The funds earmarked for environmental protection measures shall be kept in separate account and shall not be diverted for other purpose. Year-wise expenditure shall be reported to the Andhra Pradesh Coastal Zone Management Authority (APCZMA) and AP Pollution Control Board Regional Office.
- (iii) Concealing factual data by the project proponent, any officer on behalf of the project proponent and consultants hired by the project proponent or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.
- (iv) Consent for Establishment (CFE) and Consent for Operation (CFO), as may be applicable, shall be obtained from State Pollution Control Board under the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974.  
All waste (liquid and solid) arising from the proposed development shall be disposed of as per the norms prescribed by State Pollution Control Board. There shall not be any disposal of untreated effluent into the sea/coastal water bodies.
- (v) Full co-operation shall be extended to the officials from the APCZMA, APPCB and Regional Office of MoEF&CC, during monitoring of implementation of environmental safeguards stipulated. It shall be ensured that documents/data sought pertinent is made available to the monitoring team. A complete set of all the documents submitted to APCZMA shall be forwarded to the AP Pollution Control Board Regional Office.
- (vi) In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by the APCZMA.
- (vii) The APCZMA reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the CRZ clearance under the provisions of the Environmental (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time bound and satisfactory manner.
- (viii) All other statutory clearances shall be obtained, as applicable by project proponents from the respective competent authorities.

- (ix) The project proponent should advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded CRZ Clearance and copies of clearance letters are available with the AP Pollution Control Board and may also be seen on the website of APCZMA. The advertisement should be made within Seven days from the date of receipt of the Clearance letter and a copy of the same should be forwarded to the AP Pollution Control Board Regional Office.
- (x) This Clearance is subject to any order passed by any Hon'ble Courts, as may be applicable to this project.
- (xi) A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, ZillaParisad/Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the company by the proponent.
- (xii) The proponent shall upload the status of compliance of the stipulated conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the AP Pollution Control Board Regional Office and the APPCB, Head Office.
- (xiii) The Project Proponent shall ensure that there is no destruction of mangroves, if any, during the construction as well as the operation phase of the project.
- (xiv) There shall be no dressing or alteration of the sand dunes and natural features, including landscape changes for beautification, recreation and other such purpose.
- (xv) No permanent labor camp, machinery and material storage shall be allowed in CRZ area
- (xvi) There shall no ground water drawal within CRZ without prior approval of the State Ground Water Authority.
- (xvii) Disposal of muck during construction phase should not create any adverse effect on the neighboring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in approved sites with the approval of competent authority.
9. In view of the above, Recommendations of No Objection for the proposal of M/s. Hetero Infrastructure SEZ Ltd. for laying of new marine discharge pipeline in place of old pipeline for disposal of only treated effluents (2.366 MLD) at N. Narasapuram (V), Ch. Lakshmipuram (V), Rajaihpetta (V), Peda Teernala (V), of Nakkapalli (M), Visakhapatnam District, Andhra Pradesh, in accordance with CRZ Notification, 2011 and subject to the conditions as mentioned at Para No.8 above, is hereby communicated to the Ministry of Environment and Forests and Climate Change, Govt. of India, New Delhi for further necessary action.

Yours faithfully,

  
Member Secretary,  
APCZMA

Encl:

- 1) CRZ Form I;
- 2) EIA Report;
- 3) CRZ Report;

4) Copy of the Minutes of the APCZMA Meeting.

✓ Copy to the Sri. S. Kullayi Reddy, Associate Vice- President – EHS, M/s. Hetero Infrastructure SEZ Ltd. at N. Narasapuram (V), Ch. Lakshmipuram (V), Rajaihpetta (V), Peda Teernala (V), of Nakkapalli (M), Visakhapatnam District, Andhra Pradesh for information.

F.No.11-45/2022-IA.III  
Government of India  
Ministry of Environment, Forest and Climate Change  
IA-III Section (CRZ)

Indira Paryavaran Bhawan  
Jor Bagh Road  
New Delhi - 110003  
Dated: 11<sup>th</sup> January, 2023

To

M/s Hetero Infrastructure SEZ Ltd.  
N. Narasapuram (V), Nakkapalli (M)  
Visakhapatnam District - 531081  
Andhra Pradesh

Email: [kullayireddy.s@hetero.com](mailto:kullayireddy.s@hetero.com)

**Subject: Laying of new marine disposal pipeline in place of existing two lines and increase of marine discharge quantity at N. Narasapuram (V), Ch. Lakshmipuram (V), Rajaihpetta (V), Pedda Teemala (V) of Nakkapalli (M), Visakhapatnam District, Andhra Pradesh by M/s Hetero Infrastructure SEZ Ltd - CRZ Clearance - regarding.**

Sir,

This has reference to your proposal No. IA/AP/CRZ/407123/2022 dated 23<sup>rd</sup> November, 2022 on the above mentioned project proposal for CRZ Clearance, in accordance with the provisions of the Coastal Regulation Zone (CRZ) Notification, 2011 issued under the Environment (Protection) Act, 1986.

2. The Ministry of Environment, Forest and Climate Change has examined the proposal for CRZ Clearance to the project for Laying of new marine disposal pipeline in place of existing two lines and increase of marine discharge quantity at N. Narasapuram (V), Ch. Lakshmipuram (V), Rajaihpetta (V), Pedda Teemala (V) of Nakkapalli (M), Visakhapatnam District, Andhra Pradesh by M/s Hetero Infrastructure SEZ Ltd.

3. The proposal was considered by the Expert Appraisal Committee (EAC) for Infrastructure Development, Coastal Regulation Zone, Building/Construction and Miscellaneous projects, in its meeting held on 29<sup>th</sup> November, 2022. The project proponent and their consultant made detailed presentation and informed as under:

(i) The existing pipelines details as:

Location	Geographical Coordinates	
	Latitude, N	Latitude, E
Intake Depth= 6 m Distance from LFP = 682 m Volume = 15 MLD	17°21'12"	82°44'04"
Effluent Outfall Depth= 12 m OD= 330 mm Distance from LFP = 993.4 m Volume = 10 MLD	17°21'04"	82°44'36"
Brine reject outfall OD= 200 mm Distance from LFP = 1155 m Volume = 1040 KLD	17°21'07"	82°44'31"

- (ii) The CRZ clearance earlier was obtained on 4<sup>th</sup> January 2007, for disposal of 190 KLD of treated effluent outfall pipeline in the name of Hetero Labs Ltd.
- (iii) Over the period of 12 years, intake pipeline is in good condition, but two outfall pipelines got damaged due chocking up of the pipelines due to barnacle growth in the pipelines, entanglement of more fishing nets around the diffuser, some of the diffuser ports got disoriented and diffuser ports got completely buried below the seabed etc.
- (iv) The CRZ map of 1:4000 has been prepared by Indian Institute of Remote Sensing (IRS), Anna University.
- (v) The APCZMA committee recommended the proposal to MoEF&CC for laying of a new pipeline in place of old pipeline for disposal of treated effluent (2.366 MLD) through marine discharge. There is no change in the existing intake pipeline as it is in the good condition.
- (vi) The location of the proposed pipeline coordinate are:

Location	Geographical Coordinates (WGS 84)		UTM Coordinates (Zone 44)	
	Latitude, N	Longitude, E	X (m)	Y (m)
Landfall Point (LFP)	17°21'33.3"	82°44'11.5"	684508	1920133
Outfall pipeline (500 mm dia.) Distance from LFP = 2000 m Depth= 14.8 m CD	17°21'01.1"	82°45'10.3"	686254	1919158

- (vii) The total pipeline length is 4522.44 m, out of total 3244.85 m falls in CRZ area and 1277.59 m falls in non CRZ. The detail CRZ Classification as:

CRZ Classification		Length of pipeline (m)
CRZ I B	Area between Low Tide Line (LTL) and High Tide Line (HTL)	129.37
CRZ III A	No Development Zone (HTL to 200 m)	821.37
CRZ III B	Area between 200 to 500 m from HTL	346.12
CRZ IV A	Area between LTL and 12 Nm into the sea	1930.64
CRZ IV B	Tidal influenced water body from mouth of the water body at the sea upto the influence of tide which is measured as 5 ppt during driest part of year	17.35
<b>Total in CRZ</b>		<b>3244.85</b>
<b>Outside CRZ</b>		<b>1277.59</b>
<b>Total</b>		<b>4522.44</b>

- (viii) The details of outfall: Volume of Brine Discharge-10MLD, Volume of treated effluent-2.366 MLD, Salinity of Brine Reject-58 PPT, Ambient Salinity-35 PPT, No. of Ports-4 Nos., Diameter of Ports-each 250 mm, Initial Dilution-92 times in 3.5 minutes.
- (ix) The total employment generation by the project about 30 workers during construction and operation phase.
- (x) The total cost of the project ₹15.0 Crore and the EMP cost is about 25 Lakh per year for Environmental Monitoring Programme, Environment Management Cell, Labour, Safety and Cleanliness Management etc.

- (xi) The Andhra Pradesh Pollution Control Board has recommended NOC vide letter No.219/APPCB/CFE/RO-VSP/HO/2010 dated 14/12/2021.
- (xii) The Andhra Pradesh Coastal Zone Management Authority has recommended the proposal for CRZ clearance vide its Letter No. CRZ 382/CRZ/IND/2022-575 dated 09/11/2022.

4. The EAC made detailed deliberated on the proposal. The Committee noted that the Andhra Pradesh Pollution Control Board has recommended NOC for the project and APCZMA recommended the project and intimated that the activity is a permissible under Para 3(i) (a) and Para 3(v) (a) of CRZ Notification 2011. The Committee also suggested that PP shall ensure that the treated effluent discharge into sea / marine outfalls as per the prescribed standards of by CPCB / SPCB. The Committee further also advised to PP forward immediately by e-mail to all EAC Members a comparative fish catch data prior and post of CRZ clearance 2007 by using available secondary sources of data, due to laying of marine disposal pipeline. The same has been submitted by PP vide e-mail / letter No. HIS/MoEF/2022-23/02, dated 30/11/2022 and same has been circulated to all EAC members including MoEFCC and same has been accepted by EAC while approving the minutes.

5. Based on the recommendation of the Andhra Pradesh Coastal Zone Management Authority and considering the submissions made by the project proponent, the Ministry of Environment, Forest and Climate Change, in acceptance of the recommendations of the Expert Appraisal Committee (CRZ), hereby accords CRZ Clearance to the project for **Laying of new marine disposal pipeline in place of existing two lines and increase of marine discharge quantity at N. Narasapuram (V), Ch. Lakshmipuram (V), Rajaihpeta (V), Peda Teemala (V), of Nakkapalli (M), Visakhapatnam District, Andhra Pradesh by M/s Hetro Infrastructure SEZ Ltd**, under the provisions of the CRZ Notification, 2011 and amendments thereto, subject to the compliance of terms and conditions as under:-

**PART A – SPECIFIC CONDITIONS:**

- (i). All construction shall be strictly in accordance with the provisions of the CRZ Notification, 2011, as amended from time to time.
- (ii). M/s Hetro Infrastructure SEZ Ltd. should strictly ensure disposal of treated effluent discharge into sea or marine outfalls to the prescribed standards of CPCB / SPCB.
- (iii). The existing pipeline is to be removed after commissioning of the new pipeline
- (iv). No brine discharge is permitted currently in the new pipeline. A detailed study to be undertaken on the effluent characteristics due to mixing of brine and treated waste water and its impact and mitigation. PP will apply separately for allowing discharging of brine along with effluent upon completion of such studies.
- (v). Any temporary physical infrastructure setup and excavated material during laying of Pipelines shall not be dumped in water bodies or adjacent areas and the site shall be restored to its original condition after completion of construction of work.
- (vi). Intake and outfall with 3 km radius to be monitored for water quality and marine ecosystem through a nationally reputed institute having expertise in the subject and reported and same should be submitted to IRO.
- (vii). No storage reservoir for sea water shall be permitted and only pipelines conveyance system shall be installed.
- (viii). No groundwater shall be extracted within the CRZ area to meet the water requirements during the construction and/or operation phase of the project.

*[Signature]*

- (ix). Permanent labour camp, machinery and material storage shall not be set up in the CRZ area.
- (x). All the conditions stipulated by the Andhra Pradesh Coastal Zone Management Authority for CRZ clearance 2019 *vide* its Letter No. CRZ 382/CRZ/IND/2022-575 dated 09/11/2022 and commitments made by the PP before the APCZMA and EAC shall be followed in letter and spirit.
- (xi). All necessary clearance from the concerned authority, as may be applicable should be obtained prior to commencement of project or activity.

**PART B - GENERAL CONDITIONS:**

- (i). Management of solid waste in accordance with the Solid Waste Management Rules, 2016 shall be strictly implemented.
- (ii). 'Consent to Establish' and /or 'Consent to Operate' shall be obtained from State Pollution Control Board under the provisions of Air (Prevention and Control of Pollution) Act, 1981 and / or the Water (Prevention and Control of Pollution) Act, 1974, as may be applicable.
- (iii). Disposal of muck during construction phase should not create any adverse effect on the neighbouring communities and be disposed taking the necessary precautions for general safety and health aspects of people, only in approved sites with the approval of Competent Authority.
- (iv). All liquid waste arising from the proposed development will be disposed of as per the norms prescribed by Central / State Pollution Control Board. There shall not be any disposal of untreated effluent into the sea / coastal water bodies. It shall be ensured that the wastewater generated is treated in the STP as committed by the project proponent. The treated waste water shall be reused for landscaping, flushing and / or HVAC cooling purposes etc. within the development. The project proponent should also make alternate arrangement for situation arising due to malfunctioning of STP. There shall be regular monitoring of standard parameters of the effluent discharge from STP under intimation to the SPCB.
- (v). Any hazardous waste generated during construction phase, shall be disposed off as per applicable rules and norms with necessary approvals of the State Pollution Control Board.
- (vi). A copy of the clearance letter shall be uploaded on the website of the concerned State Coastal Zone Management Authority/State Pollution Control Board. The Clearance letter shall also be displayed at the Regional Office, District Industries Centre and Collector's Office / Tehsildar's office for 30 days.
- (vii). A six-monthly monitoring report shall need to be submitted by the project proponent to the concerned Regional Office of this Ministry regarding the implementation of the stipulated conditions.
- (viii). The Ministry of Environment, Forest & Climate Change or any other Competent Authority may stipulate any additional conditions or modify the existing ones, if necessary in the interest of environment and the same shall be complied with.
- (ix). Full co-operation shall be extended to the officials from the Regional Office of MoEF&CC, during monitoring of implementation of environmental safeguards stipulated. It shall be ensured that documents/data sought pertinent is made available to the monitoring team. A complete set of all the documents submitted to MoEF&CC shall be forwarded to the concerned Regional Office of MoEF&CC.
- (x). In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by this Ministry.

*[Handwritten signature]*

- (xi). The Ministry reserves the right to add additional safeguard measures subsequently, if considered necessary, and to take action to ensure effective implementation of the suggested safeguard measures in a time bound and satisfactory manner, including revoking of the environment clearance under the provisions of the Environmental (Protection) Act, 1986, for non-compliance.
- (xii). All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, Forest Conservation Act, 1980 and Wildlife (Protection) Act, 1972 etc. shall be obtained, as applicable by project proponent from the respective Competent Authorities.
- (xiii). The project proponent should advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded CRZ Clearance and copies of clearance letters are available with the State Pollution Control Board (SPCB) and may also be seen on the website of the Ministry of Environment, Forest and Climate Change at <https://parivesh.nic.in/>. The advertisement should be made within Seven days from the date of receipt of the Clearance letter and a copy of the same should be forwarded to the concerned Regional Office of this Ministry.
- (xiv). A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zilla Parishad / Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal.
- (xv). The proponent shall upload the status of compliance of the stipulated conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF&CC, the respective Zonal Office of CPCB and the SPCB.
- (xvi). The environmental statement for each financial year ending 31<sup>st</sup> March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the project proponent along with the status of compliance of clearance conditions and shall also be sent to the respective Regional Office of the Ministry by e-mail.

6. This Clearance is subject to final order of the Hon'ble Supreme Court of India in the matter of Goa Foundation Vs Union of India in Writ Petition (Civil) No.460 of 2004 as may be applicable to this project.

7. The Ministry reserves the right to stipulate additional conditions, if found necessary at subsequent stages and the project proponent shall implement all the said conditions in a time bound manner. The Ministry may revoke or suspend the CRZ clearance, if implementation of any of the above conditions is not found satisfactory.

8. Concealing factual data or submission of false / fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of the Environment (Protection) Act, 1986.

9. Any appeal against this CRZ clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

10. The above conditions shall be enforced, *inter-alia* under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other

*Handwritten signature*

orders passed by the Hon'ble Supreme Court of India / High Courts and any other Court of Law relating to the subject matter.

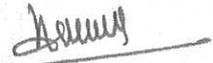
11. This issues with approval of the Competent Authority.



(Dr. H. Kharkwal)  
Scientist 'E' (CRZ)

**Copy to:**

1. The Principal Secretary, Environment, Forests, Science and Technology Department, Government of Andhra Pradesh, 4th Block, 1st Floor, A.P Secretariat Office, Velagapudi, Andhra Pradesh.
2. The Deputy DGF (C), MoEF&CC, Integrated Regional Office Vijayawada, Green House, Gopalareddy Road, Vijayawada - 520010, Andhra Pradesh.
3. The Member Secretary, Andhra Pradesh Coastal Zone Management Authority, Department of Environment, H.No. 33-25-14/D/2, Chalamalavari Street, Kasturibaipet, Near Sunrise Hospital, Pushpa Hotel Road, Vijayawada – 520010, Andhra Pradesh.
4. The Member Secretary, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi – 110032.
5. The Member Secretary, Andhra Pradesh Pollution Control Board, D.No. 33-26-14 D/2, Near Sunrise Hospital, Pushpa Hotel Centre, Chalamalavari Street, Kasturibaipet, Vijayawada – 520 010.
6. Guard File/Monitoring File/Website/Record File.



(Dr. H. Kharkwal)  
Scientist 'E' (CRZ)

**F.No.19-27/2015-IA.III**  
**Government of India**  
**Ministry of Environment, Forest and Climate Change**  
**IA-III Division (CRZ)**

Indira Paryavaran Bhawan  
Jor Bagh Road,  
New Delhi-110003  
Dated: 19<sup>th</sup> February, 2021

**OFFICE MEMORANDUM**

**Subject: Procedure for dealing with violations arising due to not obtaining a prior CRZ clearance for permissible activities –regarding.**

For the purpose of protecting and improving the quality of the coastal environment and abating coastal environmental pollution, it is necessary that all entities not complying with Coastal Regulation Zone notifications be brought under compliance of the environmental statutes in an expedient manner. This Ministry has received several requests from the coastal state governments for proposals, under Coastal Regulation Zone (CRZ) Notification, 2011, for considering CRZ clearance in respect of permissible activities which have commenced work without a prior CRZ clearance due to inadequate knowledge of the regulatory regime and other factors. Bringing such projects and activities in compliance with the environmental laws at the earliest point of time is therefore essential, rather than leaving them unregulated and unchecked, which will be more damaging to the environment.

2. Reference is invited to order dated 28<sup>th</sup> November, 2014 of the Hon'ble High Court of Jharkhand in the matter of Hindustan Copper Limited Versus Union of India, wherein the High Court held that the conditions laid down under Office Memorandum dated 12<sup>th</sup> December, 2012 in paragraph No. 5 (i) and 5 (ii) were illegal and unconstitutional and had further held that action for alleged violation would be an independent and separate proceeding and therefore, consideration of proposal for environment clearance could not await initiation of action against the project proponent. The Hon'ble Court further ruled that the proposal for environment clearance must be examined on its merits, independent of any proposed action for alleged violation of the environmental laws. Also, Hon'ble Supreme Court of India in Civil Appeal No. 1526 of 2016 Alembic Pharmaceuticals Ltd. Vs Rohit Prajapati & Ors., in its order dated 1<sup>st</sup> April, 2020, has mentioned that the closure of the industries are not warranted, however, order for payment of compensation as a facet of preserving the environment in accordance with the precautionary principle has been imposed and proposal for environment clearance must be examined on its merits, independent of any proposed action for alleged violation of the environmental laws.

3. To this effect, it is therefore necessary to establish a process for appraisal of such cases of violation arising due to not obtaining of prior clearance for permissible

activities in CRZ areas and for prescribing adequate environmental safeguards on such entities and provide an enabling process to deter violation of provisions of CRZ Notification, 2011 and the damage to environment is adequately compensated for.

4. The Ministry hereby, prescribes the following procedure for dealing with violation arising due to not obtaining a prior CRZ clearance for permissible activities as under:

- i. All activities, which are otherwise permissible under the provisions of Coastal Regulation Zone Notification, but have commenced construction without prior clearance, would be considered for prospective clearance only in such cases wherein the project proponent applies for such a clearance to the concerned Coastal Zone Management Authority (CZMA) along with required documents as given in para number 4.2 of the said CRZ Notification, 2011 such as: (a) Form-I; (b) CRZ map in 1:4000 scale drawn up by any of the agencies identified by the Ministry of Environment, Forest and Climate Change *vide* its Office Order number J-17011/8/92-IAIII, dated the 8<sup>th</sup> August, 2019; (c) Marine EIA Report and/or Terrestrial EIA Report, as may be applicable; (d) NOC from SPCB, as may be applicable etc.
- ii. As the project commenced construction and / or operations without a prior CRZ clearance, the CZMA shall assess the environmental damages caused by such an action and shall give **specific recommendation** in respect of activities, corresponding to the environmental or ecological damage assessed, to be taken up by the project proponent within a period of three years from the date of clearance, under Compensatory Conservation Plan (CCP) and a Community Resource Augmentation Plan (CRAP). The said plans may comprise of indicative activities as in the **Annexure**. The cost for assessment of environmental damage, if any, may be guided by the Ministry of Environment, Forest and Climate Change *vide* O.M No. 19-125/2019-IA.III, dated 05/03/2020 and / or project specific assessment by the CZMA.
- iii. The CZMA shall also give **specific recommendations** and shall certify that there is no violation / contravention of the CRZ norms, while making such recommendations and that the project is in consonance with the approved CZMP as per CRZ Notification, 2011.
- iv. On fulfilment of the provisions as prescribed above, the project proponent shall apply for consideration of clearance to the Ministry of Environment, Forest and Climate Change, in the 'PARIVESH' online portal, along with all documents as submitted to the concerned CZMA and the specific recommendation of the CZMA.
- v. The project thereafter will be appraised for appropriate recommendation by the Expert Appraisal Committee (CRZ) constituted by the Ministry of Environment, Forest and Climate Change.
- vi. The Expert Appraisal Committee shall examine the adequacy of the Environmental Management Plan, Comprising Compensatory Conservation Plan and Community Resource Augmentation Plan and endorse the specific recommendation of SCZMA in this regard and suggest other suitable remedial measures, if any. The Expert

Appraisal Committee shall also decide the percentage of total project cost required to be utilized for implementation of the above said plans.

- vii. The concerned CZMA / State Environment Department shall oversee implementation and enforcement of the Compensatory Conservation Plan and Community Resource Augmentation Plan.
- viii. Further, action should be taken by the respective State Government or Union Territory Administration or SPCB or UTPCC, as the case may be, under respective provisions of the Environment (Protection) Act, 1986, for violation of not taking prior approval.

This issues with the approval of the Hon'ble Minister (EFCC).



(Dr. Sujit Kumar Bajpayee)

Joint Secretary to the Government of India

To,

1. The Principal Secretaries (Environment) of all Coastal States / UTs.

Copy to:

1. PS to Minister (EFCC)
2. PS to MoS (EFCC)
3. PPS to Secretary (EFCC)
4. PPS to AS (RSP)/AS (RA)/AS(UD)
5. The Member Secretaries, CZMAs
6. The Member Secretaries, IA Division, MoEFCC
7. The Chairman, EAC (CRZ & Misc Projects)
8. Office copy / Guard file.

ANNEXURE**INDICATIVE LIST OF ACTIVITIES:****1. Activities for Compensatory Conservation Plan:**

- (a) Mangrove replantation / regeneration;
- (b) Sea grass replantation / regeneration;
- (c) Protection of sand dunes, mudflats;
- (d) Measures for regeneration of beach sand;
- (e) Soil remediation;
- (f) Setting up of small infrastructure for coastal erosion control measures;
- (g) Construction and maintenance of cyclone shelters;
- (h) Protection measures and maintenance of heritage sites located in coastal areas;
- (i) Setting up of solar and other non-conventional energy source at village or habitations;
- (j) Restoration of water bodies and setting up of rain water harvesting systems;
- (k) Beach cleaning and development of beach amenities etc.

**2. Activities for Community Resources Augmentation Plan:**

- (a) Adoption of nearby coastal village and providing civic amenities;
- (b) Creation of Self Help Group and Cooperative Society for marketing of local community produce;
- (c) Creation of micro financing for vocation of the local community, in particular fishermen community;
- (d) Identification and training of unemployed youth in the nearby villages for eventual absorption in the company;
- (e) Sustainable community solid waste management strategy and programme;
- (f) Installation and maintenance of organic waste collector;
- (g) Disbursement and disposal of fishing nets with financial incentives;
- (h) Renovation and maintenance of village wells etc.

\*\*\*\*\*

S2E

FROM :

REF. NO. : 011273-41558

Jan. 11 2007 08445AM P1

No. 11-54/2006-IA.III  
Government of India  
Ministry of Environment and Forests  
(IA-III Division)

Paryavaran Bhavan,  
CGO Complex, Lodhi Road,  
New Delhi - 110003.

Dated the 4<sup>th</sup> January, 2007

**Sub: Marine disposal of treated effluent through dedicated pipeline to Bay of Bengal from the proposed bulk drug unit at Nallamattipalem village, Nakkapalli Mandal, Visakhapatnam District by M/s Hetero Labs Limited - regarding.**

\*\*\*\*

Reference is invited to letter No.3012/SADA/2006, dated 22.9.2006 forwarded by Environment Forests Science and Technology Department, Government of Andhra Pradesh. Similarly, information furnished vide letter No.Nil, dated 5.12.2006 from M/s Hetero Labs Limited (Unit-V). No Objection Certificate from Andhra Pradesh Pollution Control Board vide Order No.137/PCB/RO-VSP/CFE/HO/2006-476, dated 22.6.2006 on the above-mentioned subject have been considered. The main project of /s Hetero Labs Limited is located outside Coastal Regulation Zone area which has been accorded environmental clearance under Environment Impact Assessment Notification, 1994 vide letter No.J011011/253/2006-LAI(I), dated 22.9.2006.

The project involves laying and operate an outfall pipeline to discharge treated effluents into the sea from their proposed bulk drug unit located in S.Nos.120, 125, 119 Part, 138 Part of N. Narsapuram (V), Nakkapalli Mandal, Visakhapatnam District. Total area envisaged for setting up of project is 60 acres, 24 ha. The industry proposed to manufacture 20 compounds in three groups with a capacity of 2 tons/day, while one group of products is manufactured at any given time. The entire plant facility is located outside the Coastal Regulation Zone area. The estimated quantity of effluent is 190 cu m per day from the proposed unit at the initial stage. The treated effluents is proposed to be discharged into the sea through a common pipeline connecting the existing jetty as recommended by the National Institute of Oceanography, Visakhapatnam. The entire route of the pipeline is passing through Coastal Regulation Zone-III including No Development Zone before entering inter tidal zone. The width of the inter tidal zone varied between 130 and 175 mts at the outfall point.

National Institute of Oceanography, Visakhapatnam recommended the discharge point at 13 m water depth i.e., at 17°21'07"N latitude and 82°44'31"E longitude which is 981 m from the High Tide Line after considering the prevailing physico-chemical and bathymetry of the area. The assessed field dilution of effluent was 216 times with multiple port diffuser system of 0.07 m diameter with a jet velocity of 2 m/sec at a depth of 13 m. NIO carried out the demarcation of Low Tide Line, High Tide Line and Coastal Regulation Zone area including the firming up outfall point. NIO suggested suitable disposal point to facilitate quick dispersal of treated effluents basing on detailed field studies.

There are no ecologically sensitive areas such as mangroves or national parks are present in the vicinity of the proposed outfall point or along the route of the pipeline. The project does not involve dredging. The capital cost of the project is 12.6 crore.

The proposal has been examined and environmental clearance to this project is hereby accorded subject to effective implementation of the following environmental safeguards and conditions:-

**A. SPECIFIC CONDITIONS:**

- (i) All the conditions stipulated by Environment Department, Government of Andhra Pradesh as contained in their letter No.3013/SADA/2006, dated 14.9.2006 should be effectively implemented. The project shall be implemented in such a manner that there is no damage whatsoever to the mangroves/other

sensitive coastal ecosystems. If any damage to mangroves is anticipated/envisaged as a result of project activities then the clearance now being accorded shall stand cancelled and the proponents may seek fresh approval from the Ministry.

- (ii) All the conditions stipulated by Andhra Pradesh Pollution Control Board vide their Order No.137/PCB/RO-VSP/CFE/HO/2006-476, dated 22.6.2006 should be effectively implemented.
- (iii) A continuous and comprehensive post-project marine quality monitoring programme should be taken up. This should include monitoring of water quality, sediment quality and biological characteristics covered in the EIA studies.
- (iv) It should be ensured that no activities are taken up in the forest area till necessary forest clearance is obtained and furnished to this Ministry. Adequate measures for compensatory afforestation must be taken accordingly.
- (v) It shall be ensured that there is no displacement of people, houses or fishing activity as a result of the project.
- (vi) It shall be ensured that due to the project, there is no adverse impact on the drainage of the area and recharge of groundwater. No groundwater should be tapped in the project area falling in Coastal Regulation Zone.
- (vii) The project proponent must ensure that the effluents /liquid waste discharged are as per the standards laid down by the Andhra Pradesh Pollution Control Board.
- (viii) The camps of labour shall be kept outside the Coastal Regulation Zone area. Proper arrangements for cooking fuel shall be made for the labour during construction phase so as to ensure that mangroves are not cut/destroyed for this purpose.
- (ix) The entire stretch of the pipelines shall be buried underground except at the booster pumping station, which will be properly fenced and the station would be manned round the clock. The buried lines will be protected with anticorrosive coaltar based coating. The coating will be tested in accordance with prescribed standards.
- (x) Markers shall be installed at every 30 m to indicate the position of the line. Regular patrolling of the pipeline needs to be done. This will help in identifying any activity that have the potential to cause pipeline damage or to identify small leaks whose effects are too small to be detected by instrument.
- (xi) There should be display boards at critical locations along the pipeline viz road/rail/river crossings giving emergency instructions as well as contact details of M/s Hetero Labs Limited. This will ensure prompt information regarding location of accident during any emergency. Emergency Information board should contain emergency instructions in addition to contact details.
- (xii) All issues raised in the Public Hearing conducted for the project on 16.2.2006 should be comprehensively addressed.

#### **B. GENERAL CONDITIONS:**

- (i) Construction of the proposed structures should be undertaken meticulously conforming to the existing Central/local rules and regulations. All the construction designs/drawings relating to the proposed construction activities must have approvals of the concerned State Government Department/Agencies.
- (ii) The project authorities should take appropriate community development and welfare measures for the villagers in the vicinity of the project site, including drinking water facilities. A separate fund should be allocated for this purpose.

- (iii) To meet any emergency situation, appropriate fire-fighting system should be installed. Appropriate arrangements for uninterrupted power supply to the environment protection equipment and continuous water supply for the fire fighting system should be made.
- (iv) A separate Environment Management Cell with suitably qualified staff to carry out various environment related functions should be set up under the charge of a Senior Executive who will report directly to the Chief Executive of the Company.
- (v) The funds earmarked for environment protection measures, should be maintained in a separate account and there should be no diversion of these funds for any other purpose. A year-wise expenditure on environmental safeguards should be reported to this Ministry's Regional Office at Bangalore.
- (vi) Full support should be extended to the officers of this Ministry's Regional Office at Bangalore and the officers of the Central and State Pollution Control Board by the project proponents during their inspection for monitoring purposes, by furnishing full details and action plans including the action taken reports in respect of mitigative measures and other environmental protection activities.
- (vii) In case of deviation or alteration in the project including the implementing agency, a fresh reference should be made to this Ministry for modification in the clearance conditions or imposition of new one for ensuring environmental protection. The project proponents should be responsible for implementing the suggested safeguard measures.
- (viii) This Ministry reserves the right to revoke this clearance, if any of the conditions stipulated are not complied with to the satisfaction of this Ministry.
- (ix) This Ministry or any other competent authority may stipulate any other additional conditions subsequently, if deemed necessary, for environmental protection, which shall be complied with.
- (x) A copy of the clearance letter shall be marked to the concerned Panchayat/local NGO, if any, from whom any suggestion/representation has been received while processing the proposal.
- (xi) State Pollution Control Board/Committee should display a copy of the clearance letter at the District Industries Center and Collector's Office/ Tehsildar's Office for 30 days.
- (xii) The project proponent should advertise at least in two local newspapers widely circulated in the region around the project, one of which shall be in the vernacular language of the locality concerned informing that the project has been accorded environmental clearance and copies of clearance letters are available with the Andhra Pradesh State Pollution Control Board and may also be seen at website of the Ministry of Environment & Forests at <http://www.envfor.nic.in/>.
- (xiii) The project proponents should inform Regional Office Bangalore as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities and the date of start of work.
- (xiv) The project proponent will obtain the Forest clearance for the land passing through the Reserved Forest area before commencement of the project activities in forest area.
- (xv) So as to maintain ecological features and avoid damage to the ecosystem, movement of vehicles in the Inter Tidal Zone shall be restricted to the minimum.
- (xvi) Budgetary break up for Environmental Management Plan for the project to be mentioned.

The above mentioned stipulations will be enforced among others under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (protection) Act, 1986, the Hazardous Chemicals (Manufacture, Storage and Import) Rules, 1989, the Coastal Regulation Zone Notification, 1991 and its subsequent amendments and the Public Liability Insurance Act, 1991 and the Rules made thereunder from time to time. The project proponents should also ensure that the proposal complies with the provisions of the approved Coastal Zone Management Plan of

FROM :

FAX NO. : 01127341956

Jan. 11. 2007 08:47AM P4

4

Andhra Pradesh and the Supreme Court's order dated 12<sup>th</sup> April, 1996 in the Writ Petition No.664 of 1993 to the extent the same are applicable to this proposal.

  
(Dr. A. Senthil Vel)  
Additional Director

To

The General Manger,  
M/s Hetero Labs Limited,  
"Hetero House" H.No.8-3-166/7/1,  
Erragadda, Hyderabad-500018.

## Copy for information to:

1. Chief Conservator of Forests, Ministry of Environment & Forests, Regional Office (SZ), Kendriya Sadan, 4<sup>th</sup> Floor, E&F Wings, 17<sup>th</sup> Main Road, 1 Block, Koramangla, Bangalore - 560034.
2. The Chairman, Central Pollution Control Board, Parivesh Bhavan, CBD-cum-Office Complex, East Arjun Nagar, Delhi - 110032.
3. Principal Secretary, Government of Andhra Pradesh, Environment Forests Science and Technology Department, Secretariat, Hyderabad - 500022.
4. The Chairman, Andhra Pradesh State Pollution Control Board, 2<sup>nd</sup> Floor, Maitrivanam, Huda Complex, S. R. Nagar, Hyderabad - 500038.
5. DIG (SU), Regional Office Cell, Ministry of Environment & Forests, New Delhi.
6. Guard File
7. Monitoring Cell
8. Director (EI), Ministry of Environment & Forests, New Delhi.

  
(Dr. A. Senthil Vel)  
Additional Director

No. 21-641/2007-IA.III  
Government of India  
Ministry of Environment & Forests  
(IA-III Division)

Paryavaran Bhawan,  
CGO Complex, Lodhi Road,  
New Delhi-110 003

Dated: 25<sup>th</sup> October, 2010

To,  
M/s Hetero Infrastructures SEZ Ltd,  
H.No.8-3-166/7/1  
Hetero House, Erragadda  
Hyderabad - 500 018

**Subject: Environmental & CRZ Clearance for the development of SEZ for Pharmaceutical and Chemical manufacturing units intake and outfall and for desalination plant at Sy. No. 215, 286/1, 286/2, 283/1, in Ch. Lakshmi Puram, 312/1 to 312/5, 312/10 to 312/12, 313/1 to 313/7 of Rajaihpeta, 19(qart) in Pedda Teernala, 117/1 to 117/3, 119/1, 119/2, 120/1, 120/2, 125,126, 129/1 to 129/9, 138, 142, 150, 215 N. Narasapuram village, Nakkapalli Mandal, Visakhapatnam District, Andhra Pradesh by M/s. Hetero Infrastructure SEZ Ltd. - Reg.**

Sir,

This has reference to your application No. Nil dated 26.6.2007 and letter no. SEIAA/AP/VSP-14/2008-1234 dated 4.8.2008 and subsequent letters dated 2.3.2009, 20.8.2009, 5.9.2009, 15.12.2009, 22.2.2010, 9.4.2010 and 17.5.2010 seeking prior Environmental and CRZ Clearance for the above project under the EIA Notification, 2006 and CRZ Notification 1991. The proposal has been appraised as per prescribed procedure in the light of provisions under the EIA Notification, 2006 as amended in 2009 and CRZ Notification 1991 on the basis of the mandatory documents enclosed with the application viz., the Questionnaire, EIA, EMP, recommendations of SCZMA and the additional clarifications furnished in response to the observations of the Expert Appraisal Committee constituted by the competent authority in its meetings held on 3.3.2009, 15.4.2009, 6-7<sup>th</sup> October, 2009, 27-29<sup>th</sup> January, 2010, 25-26<sup>th</sup> February, 2010 & 28-29<sup>th</sup> June, 2010 & 21-23<sup>rd</sup> September, 2010.

2. It is, interalia, noted that the project involves the development of SEZ for Pharmaceutical and Chemical manufacturing units on a total plot area is 138.51 ha. It is proposed to develop 17 plots, which include 4 plots for which EC was already issued earlier. All the units will be manufacturing bulk drugs (API) and chemicals (Life saving drugs). The total built-up area proposed is 1,12,942.50 sq. m. The total water requirement is 1.644 MLD (Source-YLBC Canal). The total effluent will be 1130.6 KLD (trade effluent - 1040.6 KLD and domestic effluent - 90 KLD). The treated waste water to be used for boilers - 290 KLD, AC cooling -424 KLD and washings -175 KLD.

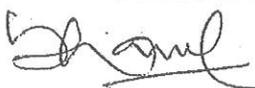


Total solid waste generation will be 96 T/day. The power requirement is 10 MW. The total area proposed for parking is 19,200 sq.m. Total cost of the project is Rs 126.00 Crores.

3. The proposed Special Economic Zone (SEZ) is located outside the CRZ area. The industry proposed to utilize the existing effluent discharge pipeline of M/s Hetero Drugs Limited for the discharge of treated effluent of SEZ into the sea near Dondawaka (V) near Rajaiahpet village, Nakkapalli Mandal, Visakhapatnam District. The estimated quantity of effluent is 1040 cu.m. per day.

The National Institute of Oceanography (NIO), Visakhapatnam, a notified agency of Government of India has carried out the demarcation of LTL/HTL and CRZ area including the firming up of outfall point. The entire route of pipeline is passing through CRZ-III INCLUDING No Development Zone (NDZ) before entering inter tidal zone i.e. the area lying in between HTL and LTL which is classified as CRZ-I (ii). The NIO also carried out field studies to generate baseline and site specific data and also suggested suitable disposal point to facilitate quick dispersal of treated effluent. The width of the inter tidal zone varied between 130m to 175 mtr. at this stretch. The National Institute of Oceanography, Visakhapatnam after considering the prevailing physico-chemical and bathymetry of the study area, recommended the discharge point at 13 mtr. water depth i.e. at 17°21' 07" N latitude and 82° 44' 31" E longitude which is 981 M from the HTL. The NIO assessed the filed dilution of effluent was more than 100 times with one port diffuser system of 0.11 m. diameter with a jet velocity of 2 m/sec. at a depth of 13 m. The dilution can be enhanced to more than 200 times by using a 2 port diffuser of 0.07 m. diameter. The NIO recommended the diffuser system with Jet velocity of 2.0 m/sec. to avoid bio fouling and accumulation of the particulate matter inside the pipeline.

The proposal also includes 15 MLD desalination plant located within the SEZ area and outside the CRZ. The National Institute of Oceanography (NIO) firmed up the intake and outfall locations. Two separate pipelines are proposed each for intake of sea water of about 15 MLD and the estimated discharge of plant reject of about 10 MLD. The suggested length of intake pipeline is about 1.20 Km. from HTL and discharge pipeline is about 2.0 Km. The NIO suggested the intake location at 17° 21' 12" N latitude and 82° 44' 04" E longitude to draw 15 MLD sea water which is about 980 m. from the HTL at a depth of 6 m. The discharge location is indicated at 17° 21' 07" N latitude and 82° 44' 31 E longitude which is about more than 2 Km. from the HTL. The distance between the intake point and outfall point is maintained around 1.0 Km. The discharge point provides for 30 times dilution by using a diffuser of 5 port with a velocity of 3 m/s at each port and the corresponding rise in salinity will be about 1 ppt above the ambient at release site. It is indicated in the RMEIA report that the ports will be separated by 3 m. distance and each port will make 45° angle with horizontal plane with a raise of to 2-3 m. above the bed to increase the dilutions. The salinity of treated water is indicated as 65 ppt. No ecologically sensitive areas such as mangroves or national parks are present in the vicinity of the proposed land fall point or along the route of the pipeline.



4. The proposal was examined by the Andhra Pradesh Coastal Zone Management Authority ON 13-05-2010 and opined that the pipeline passes through areas classified as CRZ-III followed by CRZ-I (ii) i.e. inter tidal zone before entering into the marine zone and recommended the proposal vide letter no. 1617/CZMA/2010 dt. 21-05-2010.

5. The Expert Appraisal Committee, after due consideration of the relevant documents submitted by the project proponent and additional clarifications furnished in response to its observations, have recommended for the grant of Environmental & CRZ Clearance for the project mentioned above. Accordingly, the Ministry hereby accord environmental & CRZ clearance as per the provisions of Environmental Impact Assessment Notification - 2006 and CRZ Notification 1991 its subsequent amendments, subject to strict compliance of the terms and conditions as follows:

**PART A - SPECIFIC CONDITIONS**

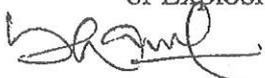
**I. Construction Phase**

- (i) "Consent for Establishment" shall be obtained from Andhra Pradesh Pollution Control Board under Air and Water Act and a copy shall be submitted to the Ministry before start of any construction work at the site.
- (ii) Sufficient dilution shall be ensured to meet the ambient parameters within 50 m. distance from the outfall.
- (iii) Regular Independent monitoring of marine water quality including temperature and salinity at the outfall shall be undertaken through a authorized agency and submitted along with six monthly monitoring report to the Ministry.
- (iv) Filters in the way of extruders shall be provided at the intake point to prevent fishes entering in to the system.
- (v) All the recommendations of EIA and DMP shall be strictly complied with.
- (vi) Lighted buoys shall be provided at intake and out fall locations as indicators
- (vii) The pipeline shall be buried at least 2 m depth in the onshore area and 4 mts. in the offshore area. Necessary permission with regard to the pipeline burial and laying shall be obtained from Maritime Board to ensure that the pipeline route does not fall in the navigation channel. Accordingly, the details of the laying of the pipeline shall be provided.
- (viii) The pipeline shall not pass through any Sand dunes, mangroves. The project shall be implemented in such a manner that there is no damage whatsoever to the mangroves/ other sensitive coastal



ecosystem. If any damage to mangroves is anticipated / envisaged as a result of project activities then the clearance shall stand cancelled and the proponents shall seek fresh approval from the Ministry.

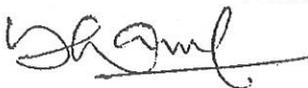
- (ix) The reject shall meet the standards prescribed by Andhra Pradesh Pollution Control Board before disposal.
- (x) A continuous and comprehensive post-project marine quality monitoring programme shall be taken up. This shall include monitoring of water quality, sediments quality and biological characteristics and report submitted every 6 months to Ministry's Regional Office at Bangalore.
- (xi) It shall be ensured that there is no displacement of people, houses or fishing activity as a result of the project.
- (xii) There shall be display boards at critical locations along the pipeline viz. road / rail/ river crossings giving emergency instructions. This will ensure prompt information regarding locations of accident during any emergency. Emergency Information Board shall contain emergency instructions in addition to contact details. Proper lightning shall be provided all along the road.
- (xiii) There shall be no withdrawal of ground water in CRZ area, for this project.
- (xiv) No other activities except the permissible actions under CRZ Notification 1991 shall be carried out within CRZ areas.
- (xv) Soil and ground water samples will be tested to ascertain that there is no threat to ground water quality by leaching of heavy metals and other toxic contaminants.
- (xvi) Construction spoils, including bituminous material and other hazardous materials, must not be allowed to contaminate watercourses and the dump sites for such material must be secured so that they should not leach into the ground water.
- (xvii) Any hazardous waste generated during construction phase, should be disposed off as per applicable rules and norms with necessary approvals of the Andhra Pradesh State Pollution Control Board.
- (xviii) The diesel generator sets to be used during construction phase should be low sulphur diesel type and should conform to Environment (Protection) Rules prescribed for air and noise emission standards.
- (xix) The diesel required for operating DG sets shall be stored in underground tanks and if required, clearance from Chief Controller of Explosives shall be taken.



- (xx) Vehicles hired for bringing construction material to the site should be in good condition and should have a pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.
- (xxi) Ambient noise levels should conform to residential standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase. Adequate measures should be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB/ SPCB.
- (xxii) Fly ash should be used as building material in the construction as per the provisions of Fly Ash Notification of September, 1999 and amended as on 27<sup>th</sup> August, 2003.
- (xxiii) Ready mixed concrete must be used in building construction.
- (xxiv) Storm water control and its re-use as per CGWB and BIS standards for various applications.
- (xxv) Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other best practices referred.
- (xxvi) Permission to draw ground water shall be obtained from the competent Authority prior to construction/operation of the project.
- (xxvii) Regular supervision of the above and other measures for monitoring should be in place all through the construction phase, so as to avoid disturbance to the surroundings.
- (xxviii) Under the provisions of Environment (Protection) Act, 1986, legal action shall be initiated against the project proponent if it was found that construction of the project has been started without obtaining environmental clearance.

## **II. Operation Phase**

- i) The installation of the Effluent Treatment Plant (ETP) should be certified by an independent expert and a report in this regard should be submitted to the Ministry before the project is commissioned for operation. Treated effluent emanating from ETP shall be recycled/ reused to the maximum extent possible.
- ii) The solid waste generated should be properly collected and segregated. Wet garbage should be composted and dry / inert solid waste should be disposed off to the approved sites for land filling after recovering recyclable material.
- iii) Diesel power generating sets proposed as source of back up power for elevators and common area illumination during operation phase should



be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets. Use low sulphur diesel. The location of the DG sets may be decided with in consultation with Andhra Pradesh State Pollution Control Board.

- iv) Noise should be controlled to ensure that it does not exceed the prescribed standards. During night time the noise levels measured at the boundary of the building shall be restricted to the permissible levels to comply with the prevalent regulations.
- v) The green belt of the adequate width and density preferably with local species along the periphery of the plot shall be raised so as to provide protection against particulates and noise.
- vi) Weep holes in the compound walls shall be provided to ensure natural drainage of rain water in the catchment area during the monsoon period.
- vii) Rain water harvesting for roof run-off and surface run-off, as plan submitted should be implemented. Before recharging the surface run off, pre-treatment must be done to remove suspended matter, oil and grease. The borewell for rainwater recharging should be kept at least 5 mts. above the highest ground water table.
- viii) The ground water level and its quality should be monitored regularly in consultation with Central Ground Water Authority.
- ix) Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized.
- x) A Report on the energy conservation measures confirming to energy conservation norms finalise by Bureau of Energy Efficiency should be prepared incorporating details about building materials & technology, R & U Factors etc and submit to the Ministry in three months time.
- xi) Energy conservation measures like installation of CFLs/TFLs for the lighting the areas outside the building should be integral part of the project design and should be in place before project commissioning. Use CFLs and TFLs should be properly collected and disposed off/sent for recycling as per the prevailing guidelines/ rules of the regulatory authority to avoid mercury contamination. Use of solar panels may be done to the extent possible.

#### **PART - B. GENERAL CONDITIONS**

- i) The environmental safeguards contained in the EIA Report should be implemented in letter and spirit.



- ii) The project proponent shall also submit six monthly reports on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by e-mail) to the respective Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB.
6. Officials from the Regional Office of MOEF, Bangalore who would be monitoring the implementation of environmental safeguards should be given full cooperation, facilities and documents/data by the project proponents during their inspection. A complete set of all the documents submitted to MoEF should be forwarded to the CCF, Regional office of MOEF, Bangalore.
7. In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by this Ministry.
8. The Ministry reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the environment clearance under the provisions of the Environmental (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time bound and satisfactory manner.
9. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, Forest Conservation Act, 1980 and Wildlife (Protection) Act, 1972 etc. shall be obtained, as applicable by project proponents from the respective competent authorities.
10. These stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and control of Pollution) act 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification, 2006.
11. The project proponent should advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded Environmental Clearance and copies of clearance letters are available with the Kerala Pollution Control Board and may also be seen on the website of the Ministry of Environment and Forests at <http://www.envfor.nic.in>. The advertisement should be made within 10 days from the date of receipt of the Clearance letter and a copy of the same should be forwarded to the Regional office of this Ministry at Bangalore.
12. Environmental clearance is subject to final order of the Hon'ble Supreme Court of India in the matter of Goa Foundation V/s Union of India in Writ Petition (Civil) No.460 of 2004 as may be applicable to this project.
13. Any appeal against this Environmental Clearance shall lie with the National Environment Appellate Authority, if preferred, within a period of 30 days as prescribed under Section 11 of the National Environment Appellate Act, 1997.

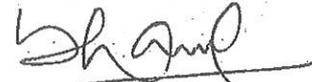


14. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zilla Parisad/Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the company by the proponent.

15. The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely; SPM, RSPM, SO<sub>2</sub>, NO<sub>x</sub> (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.

16. The environmental statement for each financial year ending 31<sup>st</sup> March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of EC conditions and shall also be sent to the respective Regional Offices of MoEF by e-mail.

Yours fathfully,



(Bharat Bhushan)  
Director (IA)

25.10.2010

Copy to:

- (1) Special Secretary (Environment), Government of Andhra Pradesh, Secretariat, Hyderabad- 500 022
- (2) The Chairman, Andhra Pradesh Coastal Zone Management Authority and Environment, Forests, Science & Technology, Government of Andhra Pradesh, Hyderabad
- (3) The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi - 110 032.
- (4) The Member Secretary, A.P. State Pollution Control Board, Paryavaran Bhavan, A-3, Industrial Estate, Sanath nagar, Hyderabad - 500 018
- (5) The CCF, Regional Office, Ministry of Environment & Forests(SZ), Kendriya Sadan, IVth floor, E&F wings, 17<sup>th</sup> Main Road, Koramangala II Block, Bangalore - 560 034.
- (6) IA - Division, Monitoring Cell, MOEF, New Delhi - 110003.
- (7) Guard file.

(Bharat Bhushan)  
Director (IA)