

**BEFORE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI.**

M.A.No.05 of 2023

In

O.A.No.208 OF 2021 (SZ)

Srikanth Madhyastha

...Applicant

-Vs-

The District Collector

...Respondents

INDEX

S.NO.	DESCRIPTION	PAGE NO.
1.	AFFIDAVIT OF THE SENIOR ENVIRONMENTAL OFFICER – KARNATAKA STATE POLLUTION CONTROL BOARD	1
2.	LETTER OF REGIONAL DIRECTOR DATED 05.04.2023 IS ENCLOSED AS ANNEXURE - 1	4
3.	INSPECTION REPORT DATED 20.07.2023 IS ENCLOSED AS ANNEXURE -2 & 3	7
4.	CRZ MAP ARE ENCLOSED AS ANNEXURE – 4	13
5.	TRANSLATION OF THE LETTER OF REGIONAL DIRECTOR DATED 05.04.2023	14
6.	ADDITIONAL DOCUMENT – COPY OF THE CONSENT TO OPERATE	20

Dated at Chennai on this the 18th day of February, 2024



M.R.GOKUL KRISHNAN

COUNSEL FOR THE 5TH RESPONDENT
(KSPCB)

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

M . A. No. 05/2023

in

Original Application No. 285 of 2022 (SZ)

IN THE MATTER OF:

Srikanth Madyastha

....Applicant

Versus

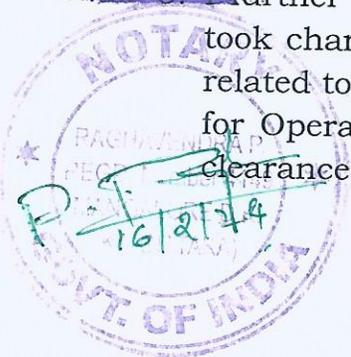
The Member Secretary, SEIAA
Bangalore and Ors.

.....Respondents

AFFIDAVIT

I, Vijaya Hegde, W/o. Narashimha Pandit, aged about 59 years, having office at Karnataka State Pollution Control Board, Parisara Bhavan, Block No 23, & 24, 1st Floor, 4th cross, Near ESI Hospital, Industrial Area, Baikampady Mangaluru, do hereby solemnly affirm and state on oath as follows:

1. I humbly submit that I am working as Senior Environmental Officer, Karnataka State Pollution Control Board, Parisara Bhavan, Block No 23, & 24, 1st Floor 4th cross, Near ESI Hospital, Industrial Area, Baikampady Mangaluru and as such I am well acquainted with the facts and circumstances of the case.
2. I humbly submit that the Consent for Operation (CFO) for the industry was issued on 14.08.2023 by the then Senior Environmental Officer (In-charge), Sri. Dr. Ravi. D.R. as I was on leave from 14.07.2023 to 15.08.2023. But, unfortunately Dr. Ravi, due to Cerebral Hemorrhage passed away on 23.01.2024 and hence, I am unable to furnish explanation as to what made Dr.Ravi to issue CFO with conditions.
3. I further humbly submit that I came back to office on 16.08.2023 and I took charge of SEO Mangaluru. When I verified the Consent documents related to the M/s. Yashaswini Fisheries, Unit-I, I found that the Consent for Operation was issued to the industry with condition to obtain CRZ clearance within 04 months period. The combined consent issued by



Members & Corrections etc., Nil

Handwritten signature

on 14.10.2022. As per the CRZ authority and distance criteria as mentioned in the above Table, Sl. No. 3 & 4 for the shed located in Sy.No.71 measuring 240 sq mt & 318 sq mt is out of the CRZ area. In view of the above facts, it is recommended to examine the issue of CFO for the period up to 30.09.2032 with applicable terms and conditions for Fish Cutting activity in Sy.No.71 only, as the permanent fish cutting shed and Temporary cement sheet roofing-2 are situated outside the CRZ area." (Copy of the inspection report dated: 20.07.2023 along with letter dated: 05.04.2023 of Regional Director and the related CRZ map are produced as **Annexure-2, 3 & 4** for kind reference.

5. Then I, on 03.01.2024 vide order No. KSPCB/SEO-MNG/CWL/2023-24/499, passed order withdrawing the consent issued to M/s. Yashwini Fisheries, Unit - I, based on the letter from the Environmental Officer, Udupi which stated that the industry authority have failed to comply with the consent conditions within the stipulated time.

I, therefore, humbly pray that this Hon'ble Tribunal may be pleased to record the above-mentioned facts and pass such order or orders as this Hon'ble Tribunal may deem fit and proper in the interest of justice.

Solemnly affirmed at Mangaluru
On this the 14th day of February 2024
and signed her name in my presence.

[Handwritten Signature]

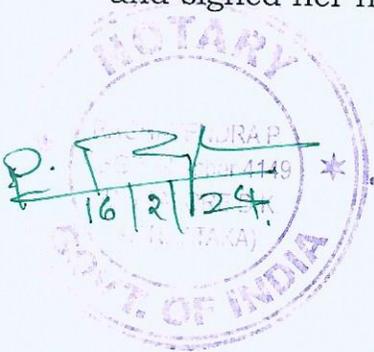
Before me

[Handwritten Signature]

Notary: Mangaluru

P. Raghavendra

Advocate and Notary
Athikari Acropolis, S-09,
Upper Ground Floor, Main Road,
Surathkal, Mangalore - 575 014



Errors & Corrections etc., No.

STRIAL REG. No. 1 | 046 / 24
16-2-24



ಭಾರತ ಸರ್ಕಾರ
ONE EARTH ONE FAMILY ONE FUTURE

ಇ-ಮೇಲ್ : udupi3crz@gmail.com

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

ದೂರವಾಣಿ/ ಫ್ಯಾಕ್ಸ್ : 0820-2574848

ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರ(ಪರಿಸರ) ಕಛೇರಿ,ಮೊದಲನೇ ಮಹಡಿ, 'ಸಿ' ಬ್ಲಾಕ್ "ರಜತಾದ್ರಿ" ಮಣಿಪಾಲ, ಉಡುಪಿ -576104

ಪ್ರಾನಿಪ/ವಿವ/ದೂರರ್ಜಿ 08/2016-17 |೦೮

ದಿನಾಂಕ: 05-04-2023

ರಿಗೆ,

ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿಗಳು

(ಜೀವಿಪರಿಸ್ಥಿತಿ ಮತ್ತು ಪರಿಸರ)

ಅರಣ್ಯ, ಜೀವಿಪರಿಸ್ಥಿತಿ ಮತ್ತು ಪರಿಸರ ಇಲಾಖೆ

ಬೆಂಗಳೂರು.

ಮಾನ್ಯರೇ,

ವಿಷಯ: ಮೆ|| ಯಶಸ್ವಿನಿ ಫಿಶರೀಸ್ ಘಟಕ ಅನಧಿಕೃತವಾಗಿ ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿರುವ ಬಗ್ಗೆ.

ಉಲ್ಲೇಖ: 1. ದಿನಾಂಕ: 05-04-2021ರಂದು ನಡೆದ ಜಿಲ್ಲಾ ಕರಾವಳಿ ವಲಯ ನಿರ್ವಹಣಾ ಸಮಿತಿ ಸಭೆಯ ನಡವಳಿಗಳು

2. ಈ ಕಛೇರಿ ಪತ್ರ ಸಂಖ್ಯೆ: ಪ್ರಾನಿಪ/ವಿವ/ದೂರರ್ಜಿ 08/2016-17 ದಿನಾಂಕ: 20-04-2021

3. ದಿನಾಂಕ: 14-03-2022ರಂದು ನಡೆದ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕರಾವಳಿ ವಲಯ ನಿರ್ವಹಣಾ ಪ್ರಾಧಿಕಾರದ ಸಭೆಯ ನಡವಳಿಗಳು

4. Before the National Green Tribunal, Southern Zone, Chennaiನ ಮೂಲ ಅರ್ಜಿ ಸಂಖ್ಯೆ: 208 of 2021 (SZ) ತೀರ್ಪು ದಿನಾಂಕ: 29-09-2022

5. ಸರ್ಕಾರದ ಪತ್ರ ಸಂಖ್ಯೆ: ಅಪಜೀ 159 ಸಿಆರ್‌ಜೆಡ್ 2019 ದಿನಾಂಕ: 02-06-2022

6. ಸರ್ಕಾರದ ಪತ್ರ ಸಂಖ್ಯೆ: ಅಪಜೀ 159 ಸಿಆರ್‌ಜೆಡ್ 2019 ದಿನಾಂಕ: 20-12-2022

ಮೇಲಿನ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಮೆ|| ಯಶಸ್ವಿನಿ ಫಿಶರೀಸ್, ಹಂಗಾರಕಟ್ಟೆ, ಬಾಳ್ಕುದು ಬ್ರಹ್ಮಾವರ ತಾಲೂಕು, ಉಡುಪಿ ಜಿಲ್ಲೆರವರು ಬಾಳ್ಕುದು ಗ್ರಾಮದ ಸ.ನಂ. 71/6, 72/3 ಮತ್ತು 72/21ಬಿಯಲ್ಲಿ ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯದ ಅಧಿಸೂಚನೆಯನ್ನು ಉಲ್ಲಂಘಿಸಿ ಮೀನು ಸಂಸ್ಕರಣಾ ಘಟಕ ನಡೆಸುತ್ತಿರುವ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಪರಿಸರ ಸಂರಕ್ಷಣಾ ಕಾಯ್ದೆ 1986ರಂತೆ ಸೆಕ್ಷನ್ 5ರಡಿಯಲ್ಲಿ ನೋಟೀಸ್ ನೀಡಲಾಗಿರುತ್ತದೆ. ಸದರಿ ನೋಟೀಸಿಗೆ ಉಲ್ಲಂಘನೆದಾರರು ಸಮಜಾಯಿಷಿಯನ್ನು ಸಲ್ಲಿಸಿರುತ್ತಾರೆ. ಅದರಂತೆ ಸದರಿ ಸಮಜಾಯಿಷಿಯನ್ನು ಪರಿಶೀಲಿಸಿ ವರದಿ ಸಲ್ಲಿಸುವಂತೆ ಉಲ್ಲೇಖ(6)ರ ಪತ್ರದಲ್ಲಿ ನಿರ್ದೇಶನ ನೀಡಲಾಗಿರುತ್ತದೆ.

ಅದರಂತೆ ಉಲ್ಲಂಘನೆದಾರರು ಸಲ್ಲಿಸಿರುವ ಸಮಜಾಯಿಷಿ ಬಗ್ಗೆ ದಿನಾಂಕ:04-02-2023ರಂದು ಸ್ಥಳಕ್ಕೆ ಭೇಟಿ ನೀಡಿ ಪರಿಶೀಲಿಸಲಾಗಿ ಈ ಕೆಳಗಿನ ಅಂಶಗಳು ಕಂಡು ಬಂದಿರುತ್ತವೆ.

ಸದರಿ ಉಲ್ಲಂಘನೆದಾರರು ಸ್ಥಳೀಯ ಮೀನುಗಾರಿಕಾ ಸಮುದಾಯಕ್ಕೆ ಸೇರಿದವರಾಗಿದ್ದು, ಹಿಂದಿನಿಂದಲೂ ಮೀನುಗಾರಿಕಾ ವೃತ್ತಿಯಲ್ಲಿ ತೊಡಗಿರುವುದು ಕಂಡು ಬಂದಿರುತ್ತದೆ.

ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ಅಧಿಸೂಚನೆ 2019ರಂತೆ ಸದರಿಯವರು ಬಾಳ್ಕುದು ಗ್ರಾಮದ ಸರ್ವೆ ನಂ. 71 ಮತ್ತು 72ರಲ್ಲಿ ಹೊಂದಿರುವ ಮೀನು ಸಂಸ್ಕರಣಾ ಕಟ್ಟಡ ಮಾಹಿತಿ ಈ ಕೆಳಗಿನ ಕೋಷ್ಟಕದಲ್ಲಿ

ಕ್ರ. ಸಂ.	ಕಟ್ಟಡದ ವಿವರ	ಜಿ.ಪಿ.ಎಸ್ ದತ್ತಾಂಶ	ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ಅಧಿಸೂಚನೆ 2019ರಂತೆ ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ವರ್ಗ	HTL ಇರುವ ದೂರ (ಮೀ)	ಅಂದಾಜು ವಿಸ್ತೀರ್ಣ	ಸರ್ವೆ ನಂಬರ್
1.	ತಾತ್ಕಾಲಿಕ ಸಿಮೆಂಟ್ ಶೀಟ್ ರೂಫಿಂಗ್-1	A. N 13.44493° E 74.70233° B. N 13.44480° E 74.70240° C. N 13.44484° E 74.70245° D. N 13.44494° E 74.70237°	CRZ-III NDZ			
2.	ಶಾಶ್ವತ ಫಿಶ್‌ಕಟ್ಟಿಂಗ್ ಕಟ್ಟಡ (ನದಿಯ ಭರತರೇಖೆಯಿಂದ 50ಮೀ ಒಳಗೆ)	D. N 13.44494° E 74.70237° C. N 13.44484° E 74.70245° L. N 13.44495° E 74.70268° K. N 13.44506° E 74.70262°	CRZ-III NDZ	24ಮೀ	350 ಚ.ಮೀ	71 ಮತ್ತು 72
3.	ಶಾಶ್ವತ ಫಿಶ್‌ಕಟ್ಟಿಂಗ್ ಕಟ್ಟಡ (ನದಿಯ ಭರತರೇಖೆಯಿಂದ 50ಮೀ ಹೊರಗೆ)	K. N 13.44506° E 74.70262° L. N 13.44495° E 74.70268° H. N 13.44514° E 74.70284° G. N 13.44514° E 74.70281° F. N 13.44509° E 74.70272° E. N 13.44515° E 74.70269°	ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ವ್ಯಾಪ್ತಿಯಿಂದ ಹೊರಗೆ ಬರುತ್ತದೆ.	50ಮೀ	240 ಚ.ಮೀ	71
4.	ತಾತ್ಕಾಲಿಕ ಸಿಮೆಂಟ್ ಶೀಟ್ ರೂಫಿಂಗ್-2	E. N 13.44515° E 74.70269° F. N 13.44509° E 74.70272° G. N 13.44514° E 74.70281° H. N 13.44514° E 74.70284° I. N 13.44517° E 74.70297° J. N 13.44528° E 74.70289°	ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ವ್ಯಾಪ್ತಿಯಿಂದ ಹೊರಗೆ ಬರುತ್ತದೆ.	63ಮೀ	318 ಚ.ಮೀ	71

ಸದರಿ ಸ್ಥಳ ಪರಿಶೀಲನೆ ದಿನಾಂಕದಂದು ಉಲ್ಲಂಘಿತ ಕಟ್ಟಡದಲ್ಲಿ ಯಾವುದೇ ಮೀನು ಸಂಸ್ಕರಣಾ ಚಟುವಟಿಕೆ ನಡೆಯದೇ ಇರುವುದು ಕಂಡು ಬಂದಿರುತ್ತದೆ.

ಉಲ್ಲಂಘನೆದಾರರು ಸದರಿ ಕಟ್ಟಡವು 1986ನೇ ಇಸವಿಯಿಂದ ಅಸ್ತಿತ್ವದಲ್ಲಿರುತ್ತದೆ ಎಂದು ಉಲ್ಲೇಖ(4)ರ ಮಾನ್ಯ ಹಸಿರು ರಾಷ್ಟ್ರೀಯ ನ್ಯಾಯಪೀಠ, ಚೆನ್ನೈನ ಆದೇಶದ ಪ್ಯಾರಾ 15ರಲ್ಲಿ ತಿಳಿಸಿರುವ ಬಗ್ಗೆ ದಾಖಲಾಗಿರುತ್ತದೆ. ಅಲ್ಲದೇ, ಸದರಿ ಆದೇಶದ ಪ್ಯಾರಾ 24ರಲ್ಲಿ ಐರೋಡಿ ಗ್ರಾಮ ಪಂಚಾಯತ್ ಕಛೇರಿ ಪತ್ರ ದಿನಾಂಕ: 24-11-2004ರಲ್ಲಿ ಸದರಿ ಕಟ್ಟಡದಲ್ಲಿ ಫಿಶ್‌ಕಟ್ಟಿಂಗ್ ಇಂಡಸ್ಟ್ರಿ ಇರುವ ಬಗ್ಗೆ ಮತ್ತು ಕೈಗಾರಿಕಾ ಪ್ರಾಧಿಕಾರದ ದಿನಾಂಕ: 26-10-2004ರ ದೃಢೀಕೃತ ಪ್ರತಿಯಲ್ಲಿ ಸದರಿ ಕಟ್ಟಡದ 1989-90ರ ಕಟ್ಟಡ ತೆರಿಗೆ ವಹಿ ಇರುವ ಬಗ್ಗೆ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿರವರು ತಿಳಿಸಿರುವ ಬಗ್ಗೆ ದಾಖಲಾಗಿರುತ್ತದೆ.

ಅಲ್ಲದೇ ಉಲ್ಲಂಘನೆದಾರರು ಸಹ 5ನೇ ಐರೋಡಿ ಗ್ರಾಮ ಪಂಚಾಯತ್‌ರವರು ನೀಡಿರುವ ಕಟ್ಟಡ ವಹಿಯನ್ನು ಈ ಕಛೇರಿಗೆ ಸಲ್ಲಿಸಿರುತ್ತಾರೆ. ಸದರಿ ದಾಖಲೆಗಳ ಆಧಾರದ ಮೇಲೆ ಉಲ್ಲಂಘಿತ ಕಟ್ಟಡವು 1989-90ನೇ ಇಸವಿಯಲ್ಲಿ ಇರುವ ಬಗ್ಗೆ ಕಂಡು ಬರುತ್ತದೆ.

ಮುಂದುವರೆದು, ಉಲ್ಲಂಘನೆದಾರರು 5ನೇ ಐರೋಡಿ ಗ್ರಾಮ ಪಂಚಾಯತ್ ಕಾರ್ಯಾಲಯ ದಿನಾಂಕ: 24-11-2004ರಂದು ದೃಢೀಕರಣ ಪತ್ರ ನೀಡಿದ್ದು, ಸದರಿ ದೃಢೀಕರಣದಲ್ಲಿ ಅಂದಿನ ಕಾರ್ಯದರ್ಶಿಯವರು ಸದರಿ ಉಲ್ಲಂಘಿತ ಕಟ್ಟಡ ನಂಬ್ರ. 1-41ರಲ್ಲಿ 1989ರಿಂದ ಶ್ರೀಮತಿ ಕಮಲ ಜಿ. ಪಣಕರ್‌ರವರು ಮೀನಿನ ಸಂಸ್ಕರಣಾ ಘಟಕವನ್ನು ನಡೆಸುತ್ತಿದ್ದಾರೆಂದು ದೃಢೀಕರಿಸಿರುತ್ತಾರಾದರೂ, ಸದರಿ ಕಟ್ಟಡದಲ್ಲಿ 1990ಕ್ಕಿಂತಲೂ ಹಿಂದೆ ಮೀನು ಸಂಸ್ಕರಣಾ ಚಟುವಟಿಕೆ ನಡೆಯುತ್ತಿರುವ ಬಗ್ಗೆ ಯಾವುದೇ ನಿರ್ದಿಷ್ಟ ದಾಖಲಾತಿಗಳು ಇರುವುದಿಲ್ಲ.

ಸದರಿ ಕಟ್ಟಡದಲ್ಲಿ ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ಅಧಿಸೂಚನೆ 2011ನ್ನು ಉಲ್ಲಂಘಿಸಿ ಮೀನು ಸಂಸ್ಕರಣಾ ಚಟುವಟಿಕೆಯನ್ನು ಉಲ್ಲಂಘನೆದಾರರು ನಡೆಸುತ್ತಿರುವುದು ಕಂಡು ಬಂದಿದ್ದರಿಂದ ಮತ್ತು ಉಲ್ಲಂಘನೆದಾರರು ಯಾವುದೇ ಸಮರ್ಪಕ ದಾಖಲೆಗಳನ್ನು ಸಲ್ಲಿಸದೇ ಇರುವುದರಿಂದ ಸದರಿಯವರಿಗೆ ನೋಟೀಸ್ ನೀಡಿ, ದಿನಾಂಕ: 05-04-2021ರಂದು ನಡೆದ ಜಿಲ್ಲಾ ಕರಾವಳಿ ವಲಯ ನಿರ್ವಹಣಾ ಸಮಿತಿ ಸಭೆಯಲ್ಲಿ ಪ್ರಸ್ತಾಪಿಸಿ ಉಲ್ಲಂಘನೆ ಪ್ರಕರಣವೆಂದು ಪರಿಗಣಿಸಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕರಾವಳಿ ವಲಯ ನಿರ್ವಹಣಾ ಪ್ರಾಧಿಕಾರಕ್ಕೆ ಸಲ್ಲಿಸಲಾಗಿರುತ್ತದೆ. ಸದರಿ ಸಮಯದಲ್ಲಿ ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ವ್ಯಾಪ್ತಿಯು ನದಿಯ ಭರತರೇಖೆಯಿಂದ 100ಮೀವರೆಗೆ ಇದ್ದು, ಸಂಪೂರ್ಣ ಕಟ್ಟಡವು ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಇರುತ್ತದೆ.

ಪ್ರಸ್ತುತ ಉಲ್ಲಂಘನೆದಾರರು ಸರ್ಕಾರಕ್ಕೆ ಸಲ್ಲಿಸಿರುವ ದಿನಾಂಕ: 20-10-2022ರ ಸಮಜಾಯಿಷಿಯಲ್ಲಿ ಸದರಿ ಕಟ್ಟಡವು ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ಅಧಿಸೂಚನೆ 2019ರ ಪ್ರಕಾರ ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ವ್ಯಾಪ್ತಿಯಿಂದ ಹೊರಗಿರುತ್ತದೆ ಎಂದು ತಿಳಿಸಿರುತ್ತಾರೆ. ಆದರೆ ಮೇಲಿನ ಕೋಷ್ಟಕದಲ್ಲಿ ತಿಳಿಸಿರುವಂತೆ ಸದರಿ ಕಟ್ಟಡವು ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ಅಧಿಸೂಚನೆ 2019ರಂತೆ ಭಾಗಶಃ ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ವ್ಯಾಪ್ತಿಯಲ್ಲಿದ್ದು, ಭಾಗಶಃ ಕಟ್ಟಡವು ಹೊರಗಿರುತ್ತದೆ.

ಸದರಿ ಪ್ರಕರಣವನ್ನು ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ಅಧಿಸೂಚನೆ 2011ರಂತೆ ದಾಖಲಿಸಿದ್ದರಿಂದ ಮತ್ತು ಸದರಿ ಉಲ್ಲಂಘಿತ ಕಟ್ಟಡದಲ್ಲಿ 1990ಕ್ಕಿಂತಲೂ ಮುಂಚಿತವಾಗಿ ಮೀನು ಸಂಸ್ಕರಣಾ ಘಟಕ ನಡೆಸುತ್ತಿರುವ ಬಗ್ಗೆ 5ನೇ ಐರೋಡಿ ಗ್ರಾಮ ಪಂಚಾಯತ್ ಇವರು ದಿನಾಂಕ: 24-11-2004ರಂದು ನೀಡಿರುವ ದೃಢೀಕರಣದಲ್ಲಿ ತಿಳಿಸಿದ್ದರೂ, ಈ ಬಗ್ಗೆ ನಿರ್ದಿಷ್ಟವಾದ supporting ದಾಖಲೆಗಳು ಇಲ್ಲದೇ ಇರುವುದರಿಂದ 1990ಕ್ಕೂ ಹಿಂದೆಯೇ ಮೀನು ಸಂಸ್ಕರಣಾ ಚಟುವಟಿಕೆ ನಡೆಸುತ್ತಿರುವ ಬಗ್ಗೆ ಕಂಡು ಬಂದಿರುವುದಿಲ್ಲ ಎಂಬ ವಿಷಯವನ್ನು ತಮ್ಮ ಆದ್ಯ ಗಮನಕ್ಕೆ ಸಲ್ಲಿಸಿದೆ.

ಅಡಕ: 1. 1989-90ರ ಕಟ್ಟಡ ತೆರಿಗೆ ವಹಿಯ ಪ್ರತಿ

2. 5ನೇ ಐರೋಡಿ ಗ್ರಾಮ ಪಂಚಾಯತ್ ಇವರು ದಿನಾಂಕ: 24-11-2004ರಂದು ನೀಡಿರುವ ದೃಢೀಕರಣ ಪತ್ರದ ಪ್ರತಿಯು

ತಮ್ಮ ನಂಬುಗೆಯ

(ಶ್ರೀಪತಿ ಬಿ.ಎಸ್)

ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರು (ಪರಿಸರ)

ಉಡುಪಿ

818

KARNATAKA STATE POLLUTION CONTROL BOARD



Regional Office: Udupi
"ParisaraBhavana"
Plot no.36-C, Shivalli Industrial Area,
Manipal, Udupi -576104,
Email-udupi@kspcb.gov.in, Telephone : 0820-2982016

KSPCB/EO(UDP)/2023-24/ 607

Date: 20/07/2023

To

The Regional Senior Environmental Officer
Mangalore
Block No. 23&24, Parisara Bhavana,
1st Floor, 4th cross, Near ESI Hospital,
Baikampady Industrial Area,
Mangalore -575011.

Sir,

Sub: Issue of CFO renewal to M/s Yashaswini Fisheries (Unit I) located at Sy. No-71/6, 72/3, 72/1B of Balekudru Village, Hangarkatte, Udupi Taluk & District- reg.

Ref: 1. Inspection of the industry made on 10.07.2023.
2. CFO renewal application submitted to this office on 14.07.2023

With reference to the above, M/s Yashaswini Fisheries (Unit I) have submitted CFO renewal application seeking renewal of CFO for fish cutting activity at Sy. No-71/6, 72/3, 72/1B of Balekudru Village, Hangarkatte, Udupi Taluk & District vide ref (1). The said location was inspected by undersigned along with AEO of this office on 10.07.2023. The inspection report, application along with other details are herewith forwarded with a recommendation to of issue CFO.

This is for your kind information and further needful.

Yours faithfully

ENVIRONMENTAL OFFICER
RO- UDUPI

Encl: As above

Inspection Report of Dr. K.M Raju, Environmental Officer, Regional Office, KSPCB, Udupi.

Officer Accompanied: Dr.Amritha A.S. – AEO

Name of the industry	M/s. Yashaswini Fisheries (Unit I), Sy. No. 71/6, 72/3 and 72/1B, Balekudru Village, Hangarkatte, Udupi Taluk & District.
Category & classification of industry	Small-Orange
PCB ID	17390
Capital Investment	83.52Lakhs
Fees paid with amount and date	Rs.75,000/- Ref.No: YHMP1989948398 dated 12.07.2023
Date of inspection	10.07.2023
Persons contacted & discussions held	Sri. Keshav Kundar – Proprietor. Sri Prajwal – Proprietor's Son
Consent status	CFO under Water Act is expired on 30.09.2022 and applied for the renewal which was queried in the XGN software.
Activity	Fish cutting of capacity 750TPM
Reference	Industry letter to this office inward dated 10.07.2023

Preamble: M/s Yashaswini Fisheries (Unit-I), is located at Sy. No. 71/6, 72/3 and 72/1B of Balekudru Village, Hangarkatte, Udupi Taluk & District. They have obtained the CFO from the Board, No: W-314247 dated 13.08.2019 for the fish cutting activity of capacity 750TPM which was expired on 30.09.2022. Then the industry authorities have applied for revalidation of consent under Water Act on 23.08.2022 well within the expiry of consent period and same was queried on 23.08.2022.

The industry authority also obtained the corrigendum (No: PCB/SEO-MNG/SO-UDP/Corrigendum/2021-22/71 dated 12/08/2021) to the Consent for Operation vide order No: W-314247 dated 13.08.2019 regarding to treat the overflow generated from the settling tanks at their sister concerned unit M/s Yashaswini Fisheries Unit-II where 30KLD ETP is provided.

The Hon'ble NGT in the O.A No. 208/2021 pronounced the judgment on 29.09.2022 and issued the following directions to KSPCB:

- 1) The Pollution Control Board is directed to consider the orders of CZMA and consider the fact that the fish cutting activity is a prohibited one and take appropriate decision in this regard and pass suitable order with respect to CFO.
- 2) The Pollution Control Board is advised to be cautious before issuing any CFO particularly on the CRZ zone.

During the time of visit to Udupi Regional office, Hon'ble chairman, KSPCB inspected the unit on 19.12.2022 and directed as below:

- 1) To issue notice to the industry and to obtain CRZ clearance issued from competent Authority.
- 2) Action taken to segregate storm water and effluent generated from the floor washings.

As per the Hon'ble Chairman's inspection note, this office has issued a notice to the industry on 04.03.2023 with a direction to submit the point wise compliance. Meantime, Sri. B.Tilak Narayan, Advocated has served the Legal notice to this office on behalf of Sri. Srikanth Madhyastha (Applicant-O.A No. 208/2021) stating that, industry was started its operation after 16.02.2023 by violating Hon'ble NGT order dated 29.09.2022.(copy of the of the complaint is herewith enclosed). This office has replied to the Advocate on 20.03.2023.

To know the latest compliance, the industry was inspected by AEO on 14.03.2023, as per the NGT directions; fish cutting activity is prohibited in the said location and based the non compliances observed by AEO, it was recommended for issue of NPD. The detailed inspection report of AEO forwarded to ZSEO on 18.03.2023 with a recommendation to issue of NPD.

Industry authorities replied to the notice on 15.03.2023, same was not satisfactory, hence this office again issued the notice to the unit authorities on 27.03.2023. The industry authorities submitted the reply for the Chairman's directions on 03.05.2023 and same was forwarded to Board office on 12.05.2023. Copies are enclosed.

The Regional Director (Environment) Udupi has mentioned in their letter dated 05.04.2023 that, the permanent fish cutting shed measuring 240SQM and temporary shed measuring 318SQM situated at Sy.No-71, Bundar Road, Balekudru, Hungarkatte belongs to M/s Yashaswini Fisheries-unit 1 is falls outside the CRZ range. Now the industry authority calming that, Sy.No-71 is out of CRZ area, hence requested to issue of consent to operate the fish cutting activity in the Sy.No-71 vide their letter dated 07.07.2023.

Copy of letter addressed to Principal Secretary, Forest, Environment & Ecology Department, Government of Karnataka, M.S Building, Bangalore is enclosed for kind reference. The highlights of the letter are as follows:

Sl.No	Building details	GPS reading	Zone as per CRZ Notification, 2019	Distance from HTL	Area	Sy.No
1	Temporary cement sheet roofing -1	A.N13.44480 ⁰ E 74.70233 ⁰ B.N13.44480 ⁰ E 74.70240 ⁰ C.N13.44484 ⁰ E 74.70245 ⁰ D.N13.44494 ⁰ E 74.70237 ⁰	CRZ-III NDZ	19m	130SQM	72
2	Permanent fish cutting shed (distance from river within 50mts HTL)	D. N13.44494 ⁰ E 74.70237 ⁰ C. N13.44484 ⁰ E 74.70245 ⁰ L. N13.44495 ⁰ E 74.70268 ⁰ K. N13.44506 ⁰ E 74.70262 ⁰	CRZ-III NDZ	24m	350SQM	71 & 72
3	Permanent fish cutting shed	K.N13.44506 ⁰ E74.70262 ⁰ L. N13.44495 ⁰ E 74.70268 ⁰ H. N13.44514 ⁰ E 74.70284 ⁰	Out of CRZ area	50m	240SQM	71



	(distance from river outside 50mts from HTL)	G. N13.44514 ⁰ E 74.70281 ⁰ F. N13.44509 ⁰ E 74.70272 ⁰ E. N13.44515 ⁰ E 74.70269 ⁰				
4	Temporary cement sheet roofing -2	E. N13.44515 ⁰ E 74.70269 ⁰ F. N13.44509 ⁰ E 74.70272 ⁰ G. N13.44514 ⁰ E 74.70281 ⁰ H. N13.44514 ⁰ E 74.70284 ⁰ I. N13.44517 ⁰ E 74.70297 ⁰ J. N13.44528 ⁰ E 74.70289 ⁰	Out of CRZ area	63m	318SQM	71

The industry authorities submitted the letter to this office on 10.07.2023 and informed that, CRZ has revised its distance criteria from 100mts to 50mts from High Tide Line and requested to approve in the XGN for revalidation of consent. Hence approved in XGN, the applicant has paid the requisite consent fee of Rs 75,000/- under water Act vide Bank reference no. YHMP1989948398 dated 12.07.2023 against the Capital investment of RS. 83.52lakhs and submitted the following documents.

1. Form-XIII application, forwarding letter and online payment receipt.
2. Capital compliance certificate.
3. CFO compliance report.
4. Applicant ID proof.

In view of the above, inspected the unit on 10.07.2023 and following observations are made:

Manufacturing activity: The details of the manufacturing activity consisting of procurement of raw materials (fish), cutting, packing and dispatch of capacity 750MT/month .

Water Pollution Control Management: The source of water to the unit is from open well. The details of water consumption, generation of effluent, mode of treatment and disposal are as follows (in KLD):--

Requirement of water	Consumption of water	Generation of effluent	Mode of treatment and disposal
Domestic purposes	2.0	1.8	Sewage generated from the industry is treated in septic tank followed by soak pit.
Manufacturing process	5	5	Overflow of setting tanks is treated in the ETP of M/s Yashaswini Fisheries Unit-II of capacity 30KLD, which is the sister concerned unit located adjacent to the Unit-II.

Air Pollution Control Management: There are no air pollution sources in the industry.

Observations:

- The industry was not in operation.
- The industry authorities have provided the settling tanks, overflow of setting tanks is treated in the ETP of M/s Yashaswini Fisheries Unit-II of capacity 30KLD, which is the

sister concerned unit located adjacent to the Unit-II for the treatment of the trade effluent and trade effluent is not observed in the settling tanks.

- As per the Hon'ble Chairman's directions ---i) industry authorities have made separate line for storm water drainage and for effluent generated from the floor washings. ii) The industry authorities submitted the letter to this office on 10.07.2023 and informed that, CRZ has revised its distance criteria from 100mts to 50mts from High Tide Line. Copy enclosed for reference.

As per the copy of the Board office letter addressed to RSEO, Mangalore vide No. KSPCB/SEO-NEIA/1630/2022-24/583 dated 03.05.2023, following points were noted,,

- ZSEO observations - As per the matter is already resolved at Hon'ble NGT & it is already directed the industry to stop its operation in O.A. No.208/2021, issue of NPD to the industry at this point may not be required as the industry is violating the Hon'ble NGT order. Hence, it is desirable to clamp closure order at once directly from the Head office.
- Board directions - The issue was discussed with the legal cell of Board. Hence, it informed to follow the due procedures and report the same with clear recommendations.

Compliance to the Hon'ble NGT direction in the O.A No. 208/2021 dated 29.09.2022:

Sl.No	Directions	Compliance
1	The Pollution Control Board is directed to consider the orders of CZMA and consider the fact that the fish cutting activity is a prohibited one and take appropriate decision in this regard and pass suitable order with respect to CFO.	As per the letter dated 05.04.2023 by Regional Director (Environment) Udupi to Principal Secretary, Forest, Environment & Ecology Department, permanent fish cutting shed measuring 240SQM and temporary shed measuring 318SQM situated at Sy.No-71, Bundar Road, Balekudru, Hungarkatte belongs to M/s Yashaswini Fisheries- unit 1 is falls outside the CRZ area as per the CRZ notification, 2019 and its implementation dated 02.09.2022.
2	The Pollution Control Board is advised to be cautious before issuing any CFO particularly on the CRZ zone	Agreed.

Consent fee details:

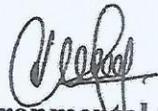
C.I	Category	Consent fee details	Reference	Remarks
83.52 Lakhs	Small Orange	WPC:12000/year WPC:12000*6=72000/- CFE-Exp : 8.45Lakhs WPC:3000/- Total fees to be paid =75,000/- Total fees paid =75,000/-	YHMP198994 8398 dated 12.07.2023	Fees paid is adequate.

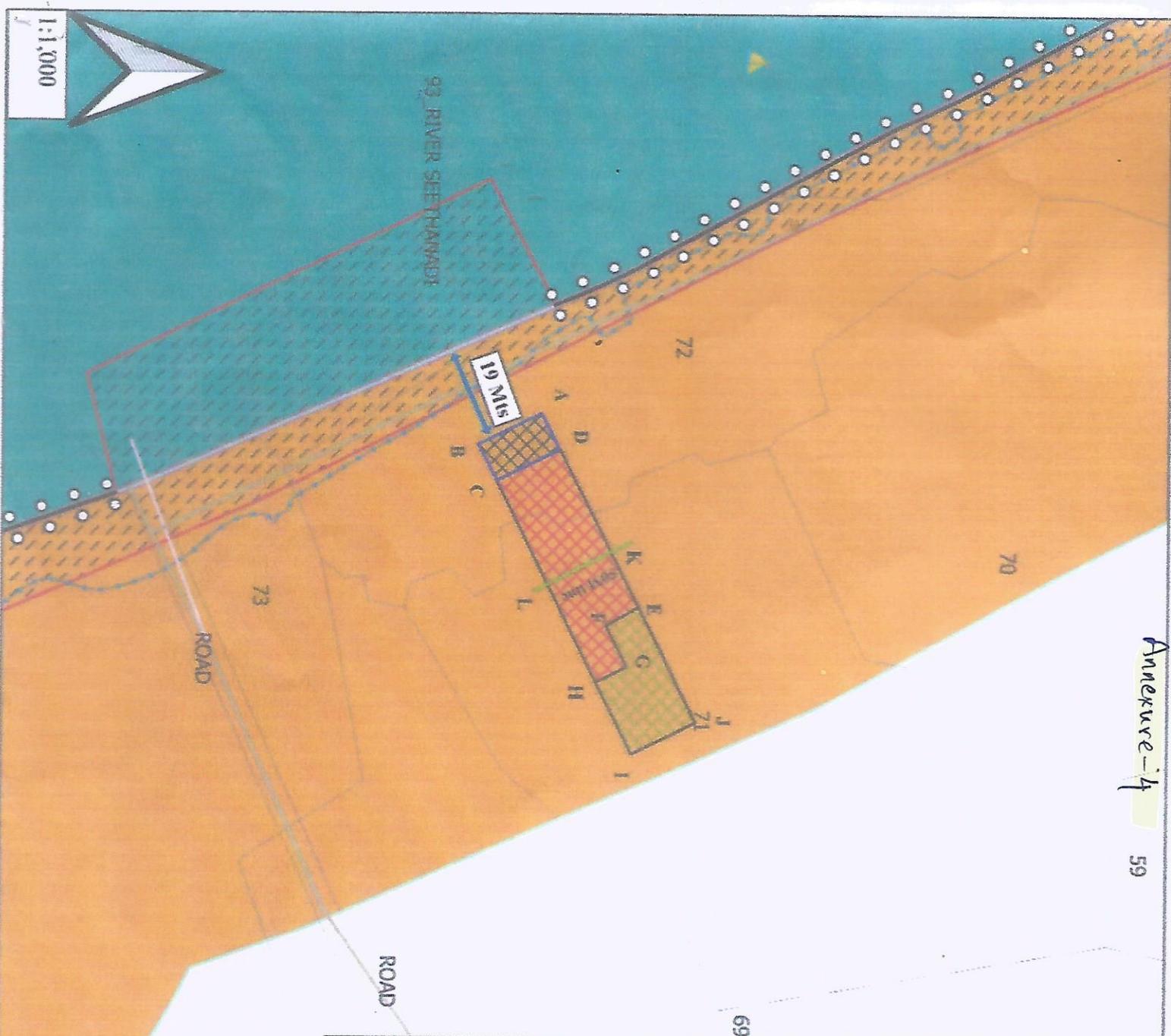
 2017

Recommendation:

Previous consent was expired on 30.09.2022. As per the CRZ Notification,2019 -the distance criteria revised from 100mts to 50mts from High Tide Line. The Coastal Zone Management Plan is approved on 02.09.2022 by Central Government and same was informed by Regional Director (Environment), Udupi vide letter No-1051 on 14.10.2022. As per the CRZ authority and distance criteria as mentioned in the above Table, Sl. No. 3&4 for the shed located in Sy. No. 71 measuring 240SQM & 318SQM is out of the CRZ area.

In view of the above facts, it is recommended to examine the issue of CFO for the period up to 30.09.2032 with applicable terms and conditions for Fish cutting activity in Sy. No. 71 only, as the Permanent fish cutting shed and Temporary cement sheet roofing -2 are situated outside the CRZ area.


20/11/23
Environmental Officer
KSPCB, Udupi



CZMP 2018	
	Cement Sheet Roofing Within 50 mts(Approximate 130 Sq mts)ABCD
	Fish Cutting Building Within 50 mts(Approximate 350 Sq mts)CDKL Beyond 50 mts(Approximate240 Sq mts)KEFGHL
	Cement Sheet Roofing ² Beyond 50 mts (Approximate 318 Sq mts) EFGHIL
	50 Mts Line
	River Bank protection wall
	Distance Line
	Fish Landing Centre
	Fishing Road
	Roads
	Hazard Line
	Low Tide Line (LTL)
	High Tide Line (HTL)
	CRZ Boundary
	Survey Plots
	Village Boundary
	Port Area
	No Development Zone
	CRZ - IVB

Name : Yashaswini Fisherees
Village : Balkudru

English true translation of Annexure - 1.

GOVERNMENT OF KARNATAKA

E-mail: udupi3crz@gmail.com

Tel/Fax: 0820-2574848

**OFFICE OF THE REGIONAL DIRECTOR (ENVIRONMENT), FIRST
FLOOR, 'C' BLOCK, "RAJATADRI",
MANIPAL, UDUPI-571604**

No.PraNiPa/ViVa/Doorarji 08/2016-17/08 Dated:05.04.2023

To:

The Prl. Secretary to Government
(Ecology and Environment),
Forest, Ecology and Environment Department,
Bengaluru.

Sir,

Sub: Unauthorized functioning of M/s. Yashaswini
Fisheries Unit – reg.

- Ref:**
1. Proceedings dated 05.04.2021 of the District Coastal Zone Management Committee.
 2. This office letter No.PraNiPa/ViVa/Doorarji/2016-17 dated 20.04.2021.
 3. Proceedings dated 14.03.2022 of the Karnataka State Coastal Zone Management Authority.
 4. Order dated 29.09.2022 of the National Green Tribunal, Southern Zone, Chennai passed in Original Application No.208/2021 (SZ).
 5. Government Letter No.APaJi 159 CRZ 2019 dated 02.06.2022.
 6. Government Letter No.APaJi 159 CRZ 2019 dated 20.12.2022.

With reference to the above subject, in the background of M/s. Yashaswini Fisheries, Hangarakatte, Balkudru, Bramhavara Taluk, Udupi District running a Fish Processing Unit in Sy.No. 71/6, 72/3 and 72/21B of Balkudru Village in violation of the Notification of the Coastal Regulation Zone, a notice was issued under Section 5 of the Environment Protection Act, 1986. The violators have submitted their explanation to the said notice. Accordingly, vide letter at reference (6) above, it has been directed to examine the said explanation and to submit a report thereof.

Accordingly, when a spot inspection was conducted on 04.02.2023 with regard to the explanation submitted by the violators, the following aspects have been observed.

It is learnt that the said violators belong to the local fishing community and have been into fishing occupation since a long time.

The information with regard to the Fish Processing Unit they are having in Sy. No. 71 and 72 of Balkudru Village as per the Coastal Regulation Zone Notification 2019 is given in the following table.

Sl. No.	Building Details	GPS Coordinates	Category of Coastal Regulation Zone as per the Coastal Regulation Notification 2019	Distance from HTL (Meters)	Approximate Extent	Sy. No.
1	Temporary Cement Sheet Roofing-1	A.N13.44493°E74.70233° B.N13.44480°E74.70240° C.N13.44484°E74.70245° D.N13.44494°E74.70237°	CRZ-III NDZ	19 Mtrs	130 SqM	72
2	Permanent Fish Cutting Building (within 50 meters from the edge of the river)	D.N13.44494°E74.70237° C.N13.44484°E74.70245° L.N13.44495°E74.70268° K.N13.44506°E74.70262°	CRZ-III NDZ	24 Mtrs	350 SqM	71 & 72
3	Permanent Fish Cutting Building (outside 50 meters from the edge of the river)	K.N13.44506°E74.70262° L.N13.44495°E74.70268° H.N13.44514°E74.70284° G.N13.44514°E74.70281° F.N13.44509°E74.70272° E.N13.44515°E74.70269°	Falls outside the limits of the Coastal Regulation Zone	50 Mtrs	240 SqM	71
4	Temporary Cement Sheet Roofing-2	E.N13.44515°E74.70269° F.N13.44509°E74.70272° G.N13.44514°E74.70281° H.N13.44514°E74.70284° I.N13.44517°E74.70297° J.N13.44528°E74.70289°	Falls outside the limits of the Coastal Regulation Zone	63 Mtrs	318 SqM	72

No fish processing activity is seen at the violating building on the date of spot inspection.

At paragraph 15 of the order of the National Green Tribunal as at reference (4) above, it is recorded that the violators have stated that the said building is in existence since the year 1986. Further, it is recorded at paragraph 24 of the said order that there is reference in the letter dated 24.11.2004 of the Irody Gram Panchayat about a fish cutting industry being in existence in the said building and that the Karnataka State Pollution Control Board have informed that in the certified copy dated 26.10.2004 of the Industries Authority, there is building tax register for the year 1989-90 pertaining to the said building.

Besides, the violators have produced to this office the building register issued by the 5th Irody Gram Panchayat. On the basis of the said documents, it is seen that the violating building was in existence during the year 1989-90.

Further, the violators have submitted the confirmation letter dated 24.11.2004 issued by the 5th Irody Gram Panchayat and although the then Secretary has confirmed in the said confirmation letter that one Smt. Kamala G. Panicker has been operating a fish processing unit in the said violating building bearing No.1-41 from 1989, no specific documents are available to the effect that fish processing activities are being carried out in the said building since prior to the year 1990.

Since it is found that the violators have been conducting fish processing activities in the said building by violating the Coastal Regulation Zone Notification 2011 and since the violators have not submitted any proper documents, a notice was issued to them and the matter was brought up before the District Coastal Zone Management Committee meeting held on 05.04.2021 and it was considered as a case of violation and submitted to the Karnataka State Coastal Zone Management Authority. During that time, the range of the Coastal Regulation Zone was up to 100 meters from the edge of the river and the entire building comes within the range of the Coastal Management Zone.

In the explanation dated 20.10.2022 now submitted by the violators to the Government, they have stated that the said building is situated outside the range of the Coastal Regulation Zone as per the Coastal Regulation Zone Notification 2019. However, as mentioned in the above table, the said building is situated partially within the range of the Coastal Regulation Zone as per the Coastal Regulation Zone Notification 2019 and partially outside its range.

Since the instant case has been registered as per the Coastal Regulation Zone Notification 2011 and even though it is stated in the confirmation letter dated 24.11.2004 issued by the 5th Irody Gram Panchayat that a fish processing unit was in operation at the violating building since prior to 1990, since no specific supporting documents are available in this

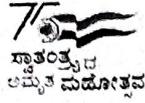
regard, it is hereby brought to your kind notice that nothing is found to the effect that fish processing activities were being carried out since prior to 1990.

Encl:

1. Copy of the Building Tax Register for the year 1989-90.
2. Copy of the confirmation letter dated 24.11.2004 issued by the 5th Irody Gram Panchayat.

Yours faithfully,

Sd/-
(Sripathi B.S.)
Regional Director (Environment),
Udupi.



Karnataka State Pollution Control Board

HEAD OFFICE : "Parisara Bhavan",
No.49, Church Street, Bengaluru-560001
Tel No: 080-25589112/113, 080-25581383/388,
Website: <https://kspcb.karnataka.gov.in>

ZONAL OFFICE : Mangaluru
Plot No.10B, Parisara Bhavana, Baikampady Industrial
Area, Mangaluru-575011
Tele : 0824-2408420

Consent For Operation(CFO-Air,Water) - (CfO-Renewal)

As per the provisions of
The Water (Prevention & Control of Pollution) Act, 1974
&
The Air (Prevention & Control of Pollution) Act, 1981

To
KARNATAKA
Yashaswini Fisheries, Hangarkatte, Udupi Tq & District

for the Facility located at,
Yashaswini Fisheries, Sy.no.71/6, 72/3 and 72/1B, Balekudru Village,
, Hangarkatte, Udupi Tq & District
Udupi

16/8/23
1268
HTEB

Consent Order No	PCBID	INW ID	Industry Colour/Scale	Date of Issue
AW-339002	17390	170353	ORANGE/SMALL	14/08/2023

This Consent is granted for the Products/ Activity/Service name indicated in the annexure along with the terms & conditions attached to this order

Validity through : 20/07/2023 to 30/09/2023

Combined Consent Order No: AW-339002 PCB ID: 17390 GSC No : PBOXG0000160353 Date: 14/08/2023

Combined consent for discharge of effluents under the Water (Prevention and Control of Pollution) Act , 1974 and emission under Air (Prevention and Control of Pollution) Act , 1981

Ref: 1. Application filed by the industry / organization on 12/07/2023
2. Inspection of the Industry/organization/by RO, on 20/07/2023

Consent is hereby granted under Section 25(4) of the Water (Prevention & Control of Pollution) Act, 1974 (herein referred to as the Water Act) & Section 21 of Air (Prevention & Control of Pollution) Act, 1981, (here in referred to as the Air Act) and the Rules and Orders made there under and subject to the terms and conditions as detailed in the Schedule Annexed to this order.

The Occupier is authorized to operate /carryout industry/activity & to make discharge of the effluents & emissions confirming to the stipulated standards from the premises mentioned below:

Location:

Name of the Industry: Yashaswini Fisheries
Address: Sy.no.71/6, 72/3 and 72/1B, Balekudru Village,, Hangarkatte, Udipi Tq & District
Industrial Area: Not In I.A, Balekudru,
Taluk: Udupi, District: Udupi

Discharge of effluents under the Water Act:

Sr	Water Code	WC(KLD)	WWG(KLD)	Remark
1	Domestic Purpose	2.000	1.800	Septic Tank & Soak Pit
2	Manufacturing Processes	5.000	5.000	To be used for gardening after due treatment

Discharge of Air emissions under the Air Act from the following stacks etc.

Sl. No.	Description of chimney/outlet	Limits specified refer schedule
---------	-------------------------------	---------------------------------

The details of Sources, control equipments and its specification, type of fuel, rate of emissions, constituents to be controlled in emissions etc. are detailed in Annexure-I.

The consent for operation is granted considering the following activities/Products;

Sr	Product Name	Applied Qty	Unit
1	fish cutting	750.0000	Tonnes

This consent is valid for the period from 01/10/2022 to 30/09/2032

To,
Yashaswini Fisheries
Udupi

NOTE:

The following Conditions A (2b, & 3b) E(b, c & d) mentioned above are not applicable.

83

COPY TO:

- 1. The Regional Officer, **Udupi** [redacted] for information and necessary action.
- 2. Master Register.
- 3. Case file.

Consent Fee paid [redacted] : Rs. 75000

SCHEDULE

TERMS AND CONDITIONS

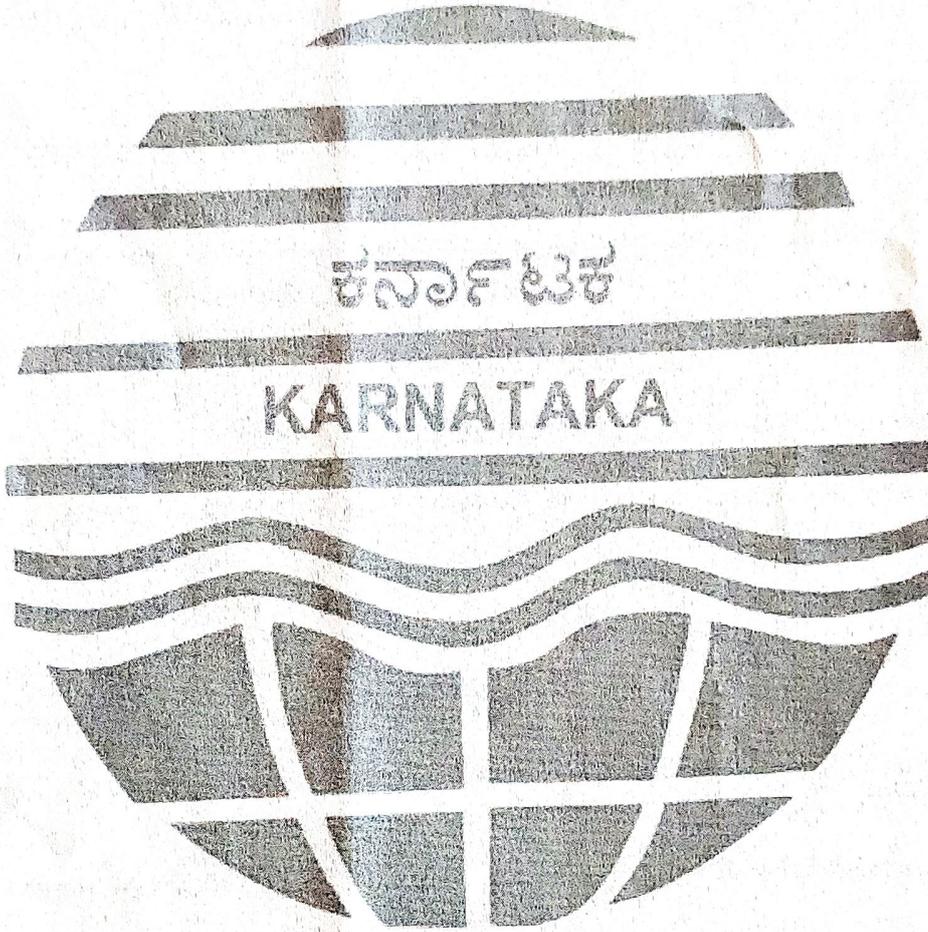
KARNATAKA

A. TREATMENT AND DISPOSAL OF EFFLUENTS UNDER THE WATER ACT.

- 1. The discharge from the premises of the occupier shall pass through the terminal manhole/manholes where there under. from
- 2(a). The sewage/domestic effluent shall be treated in septic tank and with soak pit. No overflow from the soak pit is allowed. The septic tank and soak pit shall be as per IS 2470 Part-I & Part-II.
- 2(b). The treated sewage effluent discharged shall conform to the standards specified in Annexure-I.
- 3(a). The trade effluent generated in the industry shall be treated in the ETP and treated effluent shall confirm to the standards stipulated by the Board in Annexure-1.
- 3(b). The trade effluent shall be handed over to CETP and maintain logbook of effluent generated & sent every day.

Additional Conditions:

1. The applicant shall obtain CRZ clearance from the department of Ecology & Environment with 4 months, failing which this consent issued will be deemed to be withdrawn. 2. The applicant shall carry out only fish cutting activity of capacity 750 TPM. 3. This consent is issued without prejudice to pending court cases, if any, at Hon'ble NGT, Hon'ble High court or any other juridical magistrate court. 4. This consent is issued for the permanent fish cutting building to extent of 240 sq.mt and permanent cement sheet roof building -2 to an extent of 318 sq. mt which is situated at Sy No. 71 only, for which opining has given by Regional director (Environment) CRZ office Udupi stating that, this Sy No. falls beyond CZR range vide letter No. 233 dtd: 05.08.2023. 5. As per the clear opining given by Regional Director (Environment) CRZ authority regarding Sy No. 71, which falls outside the CRZ rang shall only used for carrying out industrial activity as this Sy no. fall outside the CRZ range. 6. The trade effluent generated from unit -I shall be taken through dedicated pipe to 30 KLD ETP established at Unit-2, which is adjacent to this industry. The treated water shall conform to the standard stipulated in the consent issued to Unit-2 & shall disposed in the mode for which consent as ben issued to Unit-2.



4. The occupier shall install flow measuring/recording devices to record the discharge quantity and maintain the record.
5. The occupier shall not change or alter either the quality or the quantity or the place of discharge or temperature or the point of discharge without the previous consent/ permission of the Board.
6. The Occupier shall not allow the discharge from the other premises to mix with the discharge from his premises Storm water shall not be allowed to mix with the effluents on the upstream of the terminal manhole where the flow measuring devices are installed.

B. EMISSIONS:

1. The discharge of emissions from the premises of the applicant shall pass through the air pollution control equipment and discharged through stacks/chimneys mentioned in **Annexure-II** where from the Board shall be free to collect the samples at any time in accordance with the provisions of the Act and Rules made there under.
2. The occupier shall provide port holes for sampling of emission, access platforms for carrying out stack sampling, electrical points and all other necessary arrangements including ladder as indicated in Annexure-II.
3. The Occupier shall upgrade/modify/replace the control equipment with prior permission of the Board.

C. MONITORING & REPORTING:

1. The occupier shall get the samples of effluents & emissions collected and get them analyzed once a month for the parameters.

D. SOLID WASTE (OTHER THAN HAZARDOUS WASTE) DISPOSAL:

1. The Occupier shall segregate solid waste from Hazardous Waste, Municipal Solid Waste and store it properly till treatment/disposal without causing pollution to the surrounding Environment.
2. The solid waste generated shall be handled & disposed by scientific method without causing eye sore to the general public and to the surrounding environment.

E. NOISE POLLUTION CONTROL:

The applicant shall ensure that the ambient noise levels within its premises during construction and during operational period shall not exceed w.r.t Area/Zone as per Noise Pollution (Regulation and Control) Rules, 2000 as mentioned below:-

- a) In Industrial Area 75 dB(A) Leq during day time and 70 dB(A) Leq during night time.
- b) In Commercial Area 65 dB(A) Leq during day time and 55 dB(A) Leq during night time.
- c) In Residential Area 55 dB(A) Leq during day time and 45 dB(A) Leq during night time.
- d) In Silence Zone 50 dB(A) Leq during day time and 40 dB(A) Leq during night time.

Note: - * Day time shall mean 6 am to 10 pm and Night time shall mean 10 pm to 6 am.

- * dB(A) Leq denotes the time weighted average of the level of sound in decibels on scale A which is relatable to human hearing.
- * A "decibel" is a unit in which noise is measured.
- * "A", in dB(A) Leq, denotes the frequency weighting in the measurement of noise and corresponds to frequency response characteristics of the human ear.
- * Leq: It is an energy mean of the noise level over a specified period.

F. GENERAL CONDITIONS:

1. The applicant shall obtain prior permission from the competent authority for drawing of water from Surface/Ground water source and submit a copy of the same to the Board.
2. The Board reserves the right to review, impose additional conditions, revoke, change or alter terms and conditions of this consent.
3. The Occupier shall forthwith keep the Board informed of any accidental discharge of emissions/effluents into the atmosphere in excess of the standards laid down by the Board. The applicant shall also take corrective steps to mitigate the impact.
4. The Occupier shall provide alternative power supply sufficient to operate all Pollution control equipments.
5. The entire premises shall always be kept clean. The effluent holding area, inspection chambers, outlets, flow measuring points should made easily approachable.
6. The Occupier shall display the consent granted in a prominent place for perusal of the inspecting officers of the Board.
7. The Occupier his heirs, legal representatives or assigns shall have no claims what so ever to the continuation or renewal of this consent after expiry of the validity of consent.
8. The Occupier shall make an application for consent at least 120 days before expiry of this consent.
9. The occupier shall maintain register recording the ambient air quality and stack monitoring. The register shall be open for inspection by the Board Officers at all time.

Note: All efforts should be made to remove colour and unpleasant odour as far as practicable.

Annexure-II

Chim. No.	Chimney attached to	KVA Rating/ Capacity	Minimum chimney height to be provided above ground level (in Mtr)	Constituents to be controlled in the emission	Tolerance limits mg/NM3	Air pollution Control equipment to be installed, in addition to chimney height as per col.(4)	Date on which air pollution control equipments shall be provided to achieve the stipulated tolerance limits and chimney heights conforming to stipulated heights.
1	D.G. Sets	Not Applicable		PM, SO ₂ , NO _x	150, 100, 50	N.A	—

Note:

N.A : Not Applicable

Note:

- The Noise levels within the premises shall not exceed 75 dB(A) leq during day time and 70 dB(A) leq during night time respectively.
- The DG set shall be provided with acoustic measures as per SI.No.94 in Schedule-I of Environment (Protection) Rules.
- There shall be no smell or odour nuisance from the industry.

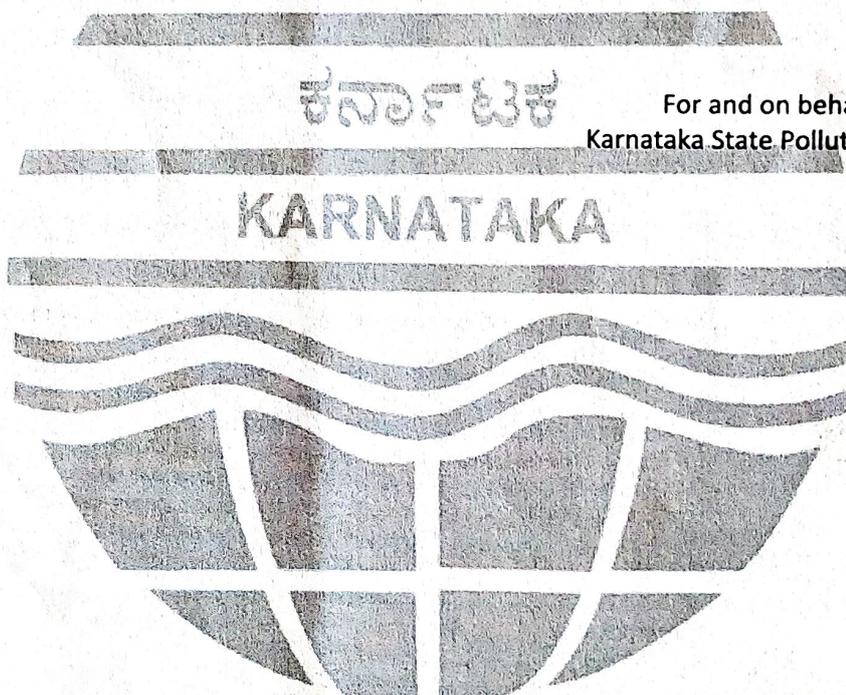
LOCATION OF SAMPLING PORTHOLES, THE PLATFORMS, THE ELECTRICAL OUTLET.

1. Location of Portholes and approach platform:

Portholes shall be provided for all chimneys, stacks and other sources of emission. These shall serve as the sampling points. The sampling point should be located at a distance equal to atleast eight times the stack or duct diameters downstream and two diameters upstream from source of low disturbance such as a Bend, Expansion, Construction Valve, Fitting or Visible Flame for rectangular stacks, the equivalent diameter can be calculated from the following equation.

$$\text{Equivalent Diameter} = \frac{2 (\text{Length} \times \text{Width})}{(\text{Length} + \text{Width})}$$

- 2. The diameter of the sampling port should not be less than 3". Arrangements should be made so that the porthole is closed firmly during the period when it is not used for sampling.
- 3. An easily accessible platform to accommodate 3 to 4 persons to conveniently monitor the stack emission from the portholes shall be provided. Arrangements for an Electric Outlet Point off 230 V 15 A with suitable switch control and 3 Pin Point shall be provided at the Porthole location.



For and on behalf of the
Karnataka State Pollution Control Board

Signature Not Verified
Digitally signed by
Date: 2023.08.14 20:15:24
+05:30

**BEFORE NATIONAL
GREEN TRIBUNAL**

**SOUTHERN ZONE,
CHENNAI.**

M.A.No.05 OF 2023

In

O.A.208 of 2021

Srikanth Madhyastha

...Applicant

-Vs-

The District Collector

...Respondents

AFFIDAVIT FILED ON
BEHALF THE 5TH
RESPONDENT

M.R.GOKUL KRISHNAN

Karnataka State Pollution
Control Board

COUNSEL FOR 5th
RESPONDENT