

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

APPEAL NO. 68 OF 2021

M/s Sri Mahalakshmi Hatcheries,
Rep by its Proprietor Mr. D. Sagar Reddy,
S/o D. Venkata Ramana Reddy,
Office at Doruvukatta Village, Kota Mandal,
Sidavaram Post, Nellore- 524411.

.... APPELLANT

-Vs-

-VS-

The Member Secretary,
State Level Environment Impact Assessment Authority (SEIAA)
S.No.33-26-14D/2, Near Sunrise Hospital,
Pushpa Hotel Centre, Chalamavari Street,
Kasturibaipet,
Vijayawada - 520010. & 1 Others.

... RESPONDENTS

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

Date: 29-03-2022

M/S Madhuri Donti Reddy
M/S MADHURI DONTI REDDY
ADVOCATE

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

#S2, Royal Castle, 26, Gill Nagar Extension, Choolaimedu,
Chennai - 600 094. Mobile: 98407 98460 / 6383121322

COUNSEL FOR 1ST RESPONDENT

Chy
Member Secretary
State Environment Impact
Assessment Authority,
Govt. of Andhra Pradesh

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

APPEAL NO. 68 OF 2021

M/s Sri Mahalakshmi Hatcheries,
Rep by its Proprietor Mr. D. Sagar Reddy,
S/o D. Venkata Ramana Reddy,
Office at Doruvukatta Village, Kota Mandal,
Sidavaram Post, Nellore- 524411.

.... APPELLANT

-Vs-

1. The State Environment Impact Assessment Authority (SEIAA)
Represented by its Chairman,
No.33-26-14 D/2, Near Sunrise Hospital,
Pushpa Hotel Centre,
Chalamalavari Street, Kasturibaipet.

2. Andhra Pradesh Pollution Control Board,
Rep by its Member Secretary
No. 33-26-14 D/2 Near Sunrise Hospital,
Pushpa Hotel Centre,
Chalamvari Street, Kasturibaipet,
Vijayawada- 520010

3. M/s Divis Laboratories Limited
Rep by its Managing Director
303, Divis towers, Cyber Hills,
Gachibowli,
Hyderabad- 500 032

..... Respondents

COUNTER AFFIDAVIT FILED BY THE 1st RESPONDENT

I, Pasala Venkata Chalapathi Rao, S/o Pasala Laxmaiah, Aged about 53 years, Member Secretary, State Level Environment Impact Assessment Authority (SEIAA), Andhra Pradesh do hereby solemnly and sincerely affirm and make oath and state as follows:

1. I am the 1st Respondent herein and as such I am well acquainted with the facts of the case.
2. This respondent denies each and every averment made in the affidavit filed in support of the application as false and incorrect except those that are specifically admitted herein in this counter affidavit.
3. With regard averments made in paragraphs 1 & 2 of the affidavit is denied as flash. It is submitted that the industry filed application on

01.07.2020 for Environmental Clearance from SEIAA, MoEF&CC, Govt. of India. The proposal was appraised in the SEAC meeting held on 8th to 11th December 2020 and in the SEIAA meeting held on 15.12.2020. The SEIAA Referred the proposal to SEAC to examine the proposal after receipt of CRZ clearance (NOC from APCZMA) .

4. It is submitted that the Andhra Pradesh Coastal Zone Management Authority (APCZMA) vide Ir. no.233/CRZ/IND/2020 dated. 04.02.2021 communicated the No objection under the provisions of the CRZ Notification, 2011 to the SEIAA with specific conditions. Copy of CRZ clearance enclosed.

5. It is submitted that the SEAC in the meeting held on 04.03.2021 & 05.03.2021 examined the EIA report, EMP, Prefeasibility report, Form-I and Form-II of the proposal. The committee after examining the project proposal presentation, MoEF&CC OMs, APCZMA recommendations and detailed deliberations recommended for issue of Environmental Clearance to M/s. Divis Laboratories Limited., for the project proponent to manufacture of Bulk Drug and intermediates for the production quantity- 10483 TPM and CRZ Clearance for the proposed to discharge of treatment effluent - 1727 KLD into sea through a proposed pipeline. The SEIAA in its meeting held on 20.06.2021 examined the proposal and recommendations of SEAC and decided issue EC for production of Bulk Drug and intermediates for production quantity - 10483 TPA as per the application. Accordingly the EC order was issued vide order dated 28.06.2021 with certain conditions.

6. With regard to the averments made in paragraphs 3 to 8 of the affidavit is not related to this respondent and hence there are no remarks.


Member Secretary
State Environment Impact
Assessment Authority,
Govt. of Andhra Pradesh

7. With regard averments made in paragraph 9 of the affidavit is denied as flash. It is submitted that the entire file has been submitted for consideration.
8. With regard to the averments made in paragraphs 10 & 11 of the affidavit is not related to this respondent and hence there are no remarks.
9. 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 pass an appropriate order in APPEAL No.68 of 2021 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
 Andhra Pradesh on
 this the 01st day of February , 2022
 and signed his name in my presence



BEFORE ME

Advocate

VERIFICATION

I, Pasala Venkata Chalapathi Rao, S/o Pasala Laxmaiah, Aged about 53 years, Member Secretary, State Level Environment Impact Assessment Authority (SEIAA), 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 01st day of February 2022 at

DEPONENT
Chalapati
 Member Secretary
 State Environment Impact
 Assessment Authority,
 Govt. of Andhra Pradesh



0/c

Andhra Pradesh Coastal Zone Management Authority (APCZMA)
Andhra Pradesh
Ministry of Environment Forests & Climate Change
Government of India
D.No.33-26-14 D/2, Near Sunrise Hospital, Pushpa Hotel Centre,
Chalamavari Street, Kasturibaipet, Vijayawada-520010

Letter No. 233/CRZ/IND/2020 532

Date: 04.02.2021

To
The Member Secretary,
State level Environment Impact Assessment Authority (SEIAA),
D.No.33-26-14 D/2, Near Sunrise Hospital,
Pushpa Hotel Centre, Chalamavari Street,
Kasturibaipet, Vijayawada - 520010, A.P.

Sir,

Sub: APCZMA - CRZ - M/s. Divis Laboratories Limited, Krishnapatnam Unit, Krishnapatnam Industrial Area (KIA), Kothapatnam village, Kota Mandal, SPSR Nellore district, Andhra Pradesh - Proposal for discharge of treated effluent (1727 KLD) by Laying of treated effluent discharge pipeline - Recommendation of No Objection under the provisions of CRZ Notification, 2011- Communicated - Reg.

Ref: 1. M/s. Divi's Laboratories Limited, Krishnapatnam Unit of SPSR Nellore district, letters received on 25.08.2020 & 29.10.2020
2. NOC from the APPCB Order dated: 28.10.2020.
3. APCZMA meeting held on 30.12.2020 at APPCB, Head office, Vijayawada

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In the reference 1st cited, M/s. Divis Laboratories Limited, Krishnapatnam Unit has submitted the proposal for discharge of treated effluent (1727 KLD) by Laying of treated effluent discharge pipeline at survey no. 397, 401, 402, 403, 446, 676, 681, 682, 683, 700 to 709, Krishnapatnam Industrial Area (KIA), Kothapatnam village, Kota Mandal, SPSR Nellore district, Andhra Pradesh and sought CRZ clearance under the provisions of CRZ Notification, 2011. The estimated capital cost of the project is indicated as Rs.150 Crores.

2. The Project proposal of M/s. Divis Laboratories Limited, Krishnapatnam Unit was placed in the Andhra Pradesh Coastal Zone Management Authority (APCZMA) meeting held on 30.12.2020 at APPCB, Head office, Vijayawada. After examination on the remarks,

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comments/suggestions received from the Members, the Authority decided to send the recommendations of No Objection to SEIAA, A.P. pertaining to the proposal of M/s. Divis Laboratories Limited for discharge of treated effluent (1727 KLD) by Laying of treated effluent discharge pipeline under CRZ Notification 2011 with the following specific and general conditions:

PART A: Specific Conditions:

- (i) The Consultant viz., M/s. Indomer Coastal Hydraulics (P) Ltd., has to supervise the construction of the proposed pipeline and on completion, submit a certificate to the APPCB that the pipeline is constructed as per the design conditions and the conditions imposed in the clearances.
- (ii) The following mitigation measures suggested in the Marine EIA report shall be complied with:
 - a) To mitigate the Impact on marine environment during lying of pipeline, the industry shall take the following measures to minimize the disturbance to pipeline working corridor.
 - (i) Laying operation shall be done in shortest duration.
 - (ii) Barricading the water has to be avoided.
 - (iii) Installation of marker buoy to warn the fishermen.
 - (iv) Installation of proper marker lights indicating obstructions if any.
 - (v) The outfall pipeline may be laid on the sea floor without causing hindrance to fishing and navigation. The pipeline should be anchored to the bed for good stability.
 - b) To mitigate the Impact on marine environment during the installation of diffuser in sea, the industry shall take the following measures:
 - (i) The outfall diffuser has to be designed with proper number and size of ports, which would enhance the jet mixing of the plume discharge which in this case will be 3 nos. x 150 mm dia. ports with one spare port, and be placed on the seabed and the top of the ports should remain well below the water sea surface, should not have any sharp projection.
 - (ii) Regular monthly monitoring of seawater quality, seabed sediment quality and biological parameters are to be carried out.
 - (iii) A marker buoy has to be placed close to the outfall as per the norms of Directorate General of Lighthouses and Lightships. This will help boats to avoid collision while en route.
 - (iv) The route of pipelines laid on the seafloor has to be furnished to Naval Hydrographic Office, Dehradun in order to mark on the Naval Hydrographic Charts as a warning for navigation

- c) To mitigate the impact on marine environment during discharge of treated effluents, the industry shall take the following measures to minimize the impact on marine environment:
- (i) The industry shall comply with the standards stipulated by APPCB in the CFE / CFO Order for discharge of treated effluents.
 - (ii) To mitigate the impact on marine environment due to discharge of treated effluent and to ascertain the effectiveness of ETP in treating the raw wastewater, the industry has to plan sampling program during the discharge and non-discharge time at three locations close to outfall point to ascertain that the water quality parameters are within the acceptable limits for coastal waters on both the occasions.
- d) 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.
- (iii) 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, like NIO / NEERI for water quality near the proposed outfall locations.
 - (iv) 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.
 - (v) 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.
 - (vi) The Project Proponent shall treat the effluents before discharging into sea duly complying with the APPCB and MoEF&CC norms.
 - (vii) 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.

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 concerned District Collector and the APPCB.
- (xiii) The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the Andhra Pradesh 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 clearance conditions and shall also be sent to the AP Pollution Control Board Regional Office, APCZMA and APPCB by e-mail.
- (xiv) The project activity shall be carried out strictly as per the provisions of CRZ Notification, 2011, and shall not affect the coastal ecology of the area including flora and fauna. The Project Proponent shall submit the half - yearly compliance reports of CRZ regulations compliance duly audited by the accredited consultants detailing the degree of compliance by the project proponent during and after construction of the project.
- (xv) No construction or reconstruction of the existing structures may be taken up in the No Development Zone. The proponent to submit a compliance report in this regard every six month duly audited by an accredited third-party agency. However, if any permitted activity is to be taken up, the proponent may apply to the competent authority separately.
- (xvi) The Project Proponent shall ensure that there is no destruction of mangroves during the construction as well as the operation phase of the project.
- (xvii) There shall be no dressing or alteration of the sand dunes and natural features, including landscape changes for beautification, recreation and other such purpose.
- (xviii) The project proponent shall obtain all necessary clearances/ permission from the concerned authorities as applicable.
- (xix) No permanent labour camp, machinery and material storage shall be allowed in CRZ area
- (xx) There shall no ground water drawal within CRZ without prior approval of the State Ground Water Authority.

(xxi) 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.

3. In view of the above, Recommendation of No Objection for the proposal of M/s. Divis Laboratories Limited, Krishnapatnam Unit for the discharge of treated effluent (1727 KLD) by Laying of treated effluent discharge pipeline into the sea, subject to the fulfillment of safety norms and the norms stipulated for the marine discharge of treated effluent, in accordance with CRZ Notification, 2011 and subject to the conditions as mentioned at Para No.2 above, is hereby communicated to the State level Environment Impact Assessment Authority (SEIAA), Andhra Pradesh for further necessary action.

Yours faithfully,
Sd/-
Member Secretary
APCZMA

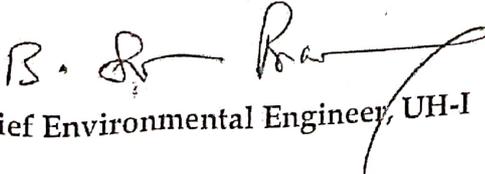
Encl:

1. CRZ Form-I
2. EIA Report
3. Marine EIA Report
4. LTL- HTL and CRZ demarcation report
5. Copy of the Minutes of the APCZMA Meeting

Copt to the Secretary, Ministry of Environment and Forests and Climate Change, Indira Paryavaran Bhavan, Jorbagh Road, New Delhi - 110 003 for information.

Copy to the Sri Madhu Sudhana Rao Divi, Director Projects, M/s Divi's Laboratories Limited, 1-72/23(P)/Divis/303, Divi's Towers, Cyber hills, Gachibowli, Hyderabad-500032, Telangana for information

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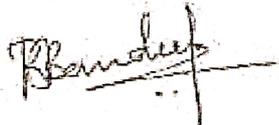

Joint Chief Environmental Engineer, UH-I



MINUTES of 157th MEETING OF STATE EXPERT APPRAISAL COMMITTEE (SEAC), A.P., HELD ON 4th MARCH, 2021 to 5th MARCH, 2021 AT VISAKHAPATNAM, A.P.

157th SEAC, A.P.

MINUTES OF THE 157th MEETING OF
THE STATE EXPERT APPRAISAL COMMITTEE (SEAC), A.P.,
HELD ON 04.03.2021 & 05.03.2021 AT
VISAKHAPATNAM
A.P.





	<p>The proposed project falls under Item 5(f) of the schedule of the EIA Notification 2006- Synthetic organic chemicals industry (dyes & dye Intermediates & bulk drug and Intermediates).</p> <p>The Committee noted that the PP has proposed the Bulk Drug & Intermediates manufacturing unit for expansion of with production capacity: from 2.0 TPM to 9.0 TPM. The project proponent has submitted the EMP, PFR, Risk Assessment Reports and self compliance report.</p> <p>The Committee noted that earlier the issue was examined by the SEIAA, A.P., in its meeting held on 15.12.2020 and refer to SEAC to examine the certified compliance report and specific recommendations may be sent to SEIAA.</p> <p>The proponent and the consultant has informed the SEAC this project has obtained EC from EAC, New Delhi during the times of the absence of the SEIAA/SEAC of Andhra Pradesh and hence this proposal was applied for withdrawal in PARVIESH Portal.</p> <p>The committee after detailed deliberations, recommended for withdrawal, as requested by the project proponent.</p>
<p>Agenda No.157.09</p>	<p>M/s Divis Laboratories Limited., at Survey No. 397, 401, 402, 403, 446, 676, 681, 682, 683, 700 to 709, Krishnapatnam Industrial Area, Kothapatnam Village, Kota Mandal, SPSR Nellore District, Andhra Pradesh – Proposed Bulk Drug & Intermediates manufacturing Unit.</p>
<p>SIA/AP/IND2/153S18/2020</p>	<p>Category –B2.</p> <p>The Proposal of M/s Divis Laboratories Limited., is for Environmental Clearance for production of the bulk drug & Intermediates– 10483 TPM.</p> <p>This issue was earlier examined by the SEAC in its meeting held on 8th -11th December, 2020.</p> <p>MoEF&CC, Gov. New Delhi Issued notification vide S.O. No. 1223(E), dated 27.03.2020 and MoEF&CC Office Memorandum dated 13.04.2020, wherein " All proposals for projects or activities in respect of Active Pharmaceutical Ingredients (API), received up to the 30th September 2020, shall be appraised, as Category 'B2' projects provided that any subsequent amendment or expansion or change in product mix, after the 30th September 2020, shall be considered as per the provisions in force at that time." Further it is extended up to 30th March, 2021 vide S.O. No. 3636(E), dated 15.10.2020.</p> <p>The proposed project falls under Item 5(f) of the schedule of the EIA Notification 2006- Synthetic organic chemicals industry (dyes & dye Intermediates & bulk drug and Intermediates).</p> <p>The Committee noted that the PP has proposed the Bulk Drug & Intermediates manufacturing unit with production capacity: from 10483 TPM. The project proponent has submitted the EMP, PFR, Risk Assessment Reports.</p> <p>The Committee noted that earlier the Issue was examined by the SEIAA, A.P., in its meeting held on 15.12.2020 and refer to SEAC to examine the proposal after receipt of the CRZ clearance.</p> <p>Now, the representative of the project proponent and their Consultant M/s.</p>

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MINUTES of 157th MEETING OF STATE EXPERT APPRAISAL COMMITTEE (SEAC), A.P., HELD ON 4th MARCH, 2021 to 5th MARCH, 2021 AT VISAKHAPATNAM, A.P.

	<p>Ramky Enviro Services Pvt Ltd., have attended the meeting.</p> <p>The committee noted that the Project Proponent has submitted the land documents. The committee observed the land documents submitted by the PP is in compliance with the MoEF&CC Office Memorandum F.No. 22-76/2014-IA-III, dated 7th October, 2014.</p> <p>The committee noted that regarding CRZ clearance, the APCZMA vide letter No.233/CRZ/IND/2020 dated 04.02.2021, issued the No Objection Certificate (NOC) for the proposal for discharge of treated effluent 1727 KLD into sea through proposed pipeline at Survey No. 397, 401, 402, 403, 446, 676, 681, 682, 683, 700 to 709, Krishnapatnam Industrial Area, Kothapatnam Village, Kota Mandal, SPSR Nellore District, Andhra Pradesh.</p> <p>The Committee after examining the project proposal, presentations, MoEFCC' OMs, APCZMA recommendations and detailed deliberations recommended for issue of Environmental Clearance to M/s Divis Laboratories Limited., for the proposed project to manufacture of Bulk Drug and Intermediates for the production quantity - 10483 TPM and CRZ Clearance for the proposal to discharge of treated effluent - 1727 KLD into sea through a proposed pipeline.</p>
<p>Agenda No.157.10</p>	<p>M/s. Saketh Laboratory at Sy. No. 172, Obulapuram Village, D. Hirehal Mandal, Anantapuramu District, A.P. - Proposed bulk drug & intermediate manufacturing unit.</p>
<p>SIA/AP/IND2/165365/2020</p>	<p>Category -B2.</p> <p>The Proposal of M/s. Saketh Laboratory, is for Environmental Clearance for production quantities of the bulk drug & Intermediates- 105.0 TPM.</p> <p>This project proposal was again appraised in this SEAC meeting held on 8th -11th December, 2020.</p> <p>MoEF&CC, Gov, New Delhi issued notification vide S.O. No. 1223(E), dated 27.03.2020 and MoEF&CC Office Memorandum dated 13.04.2020, wherein "All proposals for projects or activities in respect of Active Pharmaceutical Ingredients (API), received up to the 30th September 2020, shall be appraised, as Category 'B2' projects provided that any subsequent amendment or expansion or change in product mix, after the 30th September 2020, shall be considered as per the provisions in force at that time." Further it is extended up to 30th March, 2021 vide S.O. No. 3636(E), dated 15.10.2020.</p> <p>The proposed project falls under Item 5(f) of the schedule of the EIA Notification 2006- Synthetic organic chemicals industry (dyes & dye Intermediates & bulk drug and Intermediates).</p> <p>The Committee noted that the PP has proposed the Bulk Drug & Intermediates manufacturing unit with production capacity: 105.0 TPM. The project proponent has submitted the EMP, PFR, Risk Assessment Reports.</p> <p>The Committee noted that earlier the issue was examined by the SEIAA, A.P., in its meeting held on 15.12.2020 and refer to SEAC to examine the ZLD & land conversion documents.</p> <p>Now, the representative of the project proponent and their</p>

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MINUTES of 153rd MEETING OF STATE LEVEL ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY (SEIAA), A.P., HELD ON 20th, 22nd and 23rd June,
2021 AT Vijayawada, A.P.

153rd SEIAA, A.P.



MINUTES OF THE 153rd MEETING OF
THE STATE LEVEL ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY (SEIAA),
HELD ON 20th, 22nd and 23rd June
AT VIJAYAWADA, A.P..

MINUTES of 163rd MEETING OF STATE LEVEL ENVIRONMENT IMPACT
 ASSESSMENT AUTHORITY (SEIAA), A.P., HELD ON 20th, 22nd and 23rd days
 2021 AT Vijayawada, A.P.

	<p>withdrawal in PARVIESH Portal.</p> <p>The committee after detailed deliberations, recommended for withdrawal, as requested by the project proponent.</p> <p>Decision of SEIAA:- Agreed with recommendation of the SEAC, recommended for withdrawal as requested by the project proponent.</p>
<p>Agenda Item: 157.09 & 153.11</p>	<p>M/s Divis Laboratories Limited., at Survey No. 397, 401, 402, 403, 446, 676, 681, 682, 683, 700 to 709, Krishnapatnam Industrial Area, Kothapatnam Village, Kota Mandal, SPSR Nellore District, Andhra Pradesh – Proposed Bulk Drug & Intermediates manufacturing Unit.</p>
<p>SIA/AP/IN D2/153518/2020</p>	<p>Recommendations of the SEAC 04.03.2021 & 05.03.2021</p> <p>Category –B2.</p> <p>The Proposal of M/s Divis Laboratories Limited., is for Environmental Clearance for production of the bulk drug & Intermediates– 10483 TPM.</p> <p>This issue was earlier examined by the SEAC in its meeting held on 8th -11th December, 2020.</p> <p>MoEF&CC, GoI, New Delhi issued notification vide S.O. No. 1223(E), dated 27.03.2020 and MoEF&CC Office Memorandum dated 13.04.2020, wherein " <i>All proposals for projects or activities in respect of Active Pharmaceutical Ingredients (API), received up to the 30th September 2020, shall be appraised, as Category 'B2' projects provided that any subsequent amendment or expansion or change in product mix, after the 30th September 2020, shall be considered as per the provisions in force at that time.</i>" Further it is extended up to 30th March, 2021 vide S.O. No. 3636(E), dated 15.10.2020.</p> <p>The proposed project falls under Item 5(f) of the schedule of the EIA Notification 2006- Synthetic organic chemicals industry (dyes & dye intermediates & bulk drug and intermediates).</p> <p>The Committee noted that the PP has proposed the Bulk Drug & Intermediates manufacturing unit with production capacity: from 10483 TPM. The project proponent has submitted the EMP, PFR, Risk Assessment Reports.</p> <p>The Committee noted that earlier the issue was examined by the SEIAA, A.P., in its meeting held on 15.12.2020 and refer to SEAC to examine the proposal after receipt of the CRZ clearance.</p> <p>Now, the representative of the project proponent and their Consultant M/s. Ramky</p>

	<p>Enviro Services Pvt Ltd., have attended the meeting.</p> <p>The committee noted that the Project Proponent has submitted the land documents. The committee observed the land documents submitted by the PP is in compliance with the MoEF&CC Office Memorandum F.No. 22-76/2014-IA-III, dated 7th October, 2014.</p> <p>The committee noted that regarding CRZ clearance, the APCZMA vide letter No.233/CRZ/IND/2020 dated 04.02.2021, issued the No Objection Certificate (NOC) for the proposal for discharge of treated effluent 1727 KLD into sea through proposed pipeline at Survey No. 397, 401, 402, 403, 446, 676, 681, 682, 683, 700 to 709, Krishnapatnam Industrial Area, Kothapatnam Village, Kola Mandal, SPSR Nellore District, Andhra Pradesh.</p> <p>The Committee after examining the project proposal, presentations, MoEFCC OMs, APCZMA recommendations and detailed deliberations recommended for issue of Environmental Clearance to M/s Divis Laboratories Limited., for the proposed project to manufacture of Bulk Drug and intermediates for the production quantity - 10483 TPM and CRZ Clearance for the proposal to discharge of treated effluent - 1727 KLD into sea through a proposed pipeline.</p> <p>Decision of SEIAA:- Agreed with recommendation of the SEAC, A.P. Recommended to issue Environmental Clearance for production of the bulk drug & Intermediates- 10483 TPA as per application.</p>
<p>Agenda Item: 157.10 & 153.12</p>	<p>M/s. Saketh Laboratory at Sy. No. 172, Obulapuram Village, D. Hirchal Mandal, Anantapuramu District, A.P. - Proposed bulk drug & intermediate manufacturing unit.</p>
<p>SIA/AP/IN D2/165365/2020</p>	<p>Recommendations of the SEAC 04.03.2021 & 05.03.2021</p> <p>Category -B2.</p> <p>The Proposal of M/s. Saketh Laboratory., is for Environmental Clearance for production quantities of the bulk drug & Intermediates- 105.0 TPM.</p> <p>This project proposal was again appraised in this SEAC meeting held on 8th -11th December, 2020.</p> <p>MoEF&CC, Govt. New Delhi issued notification vide S.O. No. 1223(E), dated 27.03.2020 and MoEF&CC Office Memorandum dated 13.04.2020, wherein "All proposals for projects or activities in respect of Active Pharmaceutical Ingredients (API), received up to the 30th September 2020, shall be appraised, as Category 'B2' projects provided that any subsequent amendment or expansion</p>



State Level Environment Impact Assessment Authority (SEIAA)

Andhra Pradesh

Ministry of Environment, Forests & Climate Change

Government of India

D.No.33-26-14 D/2, Near Sunrise Hospital, Pushpa Hotel Centre,
Chalamavari Street, Kasturibaipet, Vijayawad-520010

REGD.POST WITH ACK.DUE

Order No. SEIAA/AP/VSP/IND/07/2020/1971/157.09/153.11-312 . Dt:28.06.2021

13.09.2021
DESPATCH
Sub:

SEIAA, A.P. - M/s. Divi's Laboratories Limited at Survey No. 397, 401, 402, 403, 446, 676, 681, 682, 683, 700 to 709, Krishnapatnam Industrial Area, Kothapatnam (V), Kota (M), SPSR Nellore District, Andhra Pradesh - Environmental Clearance - Issued - Reg.

1. This has reference to your EC application submitted through online on 01.07.2020 (SIA/AP/IND2/153518/2020), seeking Environmental Clearance for manufacturing of Bulk Drugs Manufacturing Unit at Sy.Nos. 397, 401, 402, 403, 446, 676, 681, 682, 683, 700 to 709, Krishnapatnam Industrial Area, Kothapatnam (V), Kota (M), SPSR Nellore District in favour of M/s. Divi's Laboratories Limited. The nearest human habitation viz., Yamadhinnepalem (V) exists adjacent to project site from the premises. The total area of the site is 81.74 Ha (202.0 Acres). The total cost of the project is Rs.150 Crores. The details of the production capacities of the project is as follows:

List of products and Quantities:

S. No.	Product Chemical name	Production Capacity (MTPA)
1.	1-(6-methoxy-2-naphthyl)ethanone	5000
2.	2-(S) - Acetoxy propionylchloride	72
3.	ATIPA DICHLORIDE	300
4.	3- Hydroxy acetophenone	320
5.	p-methoxy phenyl acetic acid	780
6.	2-(1-cyclohexenyl)ethylamine	540
7.	Octamandalate	780
8.	Dextromethorphan HBr	420
9.	4-(4-chlorophenyl) cyclohexanecarboxylic acid	50
10.	Benzyladrinone HCl	500
11.	2(n-butyl)-4-chloro-5-formyl imidazole	300
12.	Z-L Valine	180
13.	C10-Dialdehyde	150
14.	1,2,3-Tri-O-Acetyl-5-deoxy-D-ribofuranose	50
15.	N-Hydroxysuccinimide	60
16.	Dimethylacetylene di carboxylate	60

S. No.	Product Chemical name	Production Capacity (MTPA)
17.	DL-2,2-dimethylcyclopropane carboxylic acid	10
18.	ACT-IONIDE	132
19.	1-Pentanol	84
20.	Astaxanthin	60
21.	B-Carotene	150
22.	Beta-iodidine ethyl triphenyl phosphene bromide	380
23.	Lycopene	25
24.	Canthaxanthin	5
25.	APO Carotenol	25
26.	Lutein	50
	Total	10483

This proposal has been referred to SEAC, A.P along with all the documents submitted by the proponent for their appraisal and for their specific recommendations on EC aspect. The proposal has been examined and processed in accordance with EIA Notification, 2006 and its amendments thereof. The State Level Expert Appraisal Committee (SEAC) examined the application in its meetings held on 04.03.2021 & 05.03.2021. The Proposal of M/s Divis Laboratories Limited., is for Environmental Clearance for production of the bulk drug & Intermediates- 10483 TPM. This issue was earlier examined by the SEAC in its meeting held on 8th-11th December, 2020. MoEF&CC, GoI, New Delhi issued notification vide S.O. No. 1223(E), dated 27.03.2020 and MoEF&CC Office Memorandum dated 13.04.2020, wherein " All proposals for projects or activities in respect of Active Pharmaceutical Ingredients (API), received up to the 30th September 2020, shall be appraised, as Category 'B2' projects provided that any subsequent amendment or expansion or change in product mix, after the 30th September 2020, shall be considered as per the provisions in force at that time." Further it is extended up to 30th March, 2021 vide S.O. No. 3636(E), dated 15.10.2020. The proposed project falls under Item 5(f) of the schedule of the EIA Notification 2006- Synthetic organic chemicals industry (dyes & dye intermediates & bulk drug and intermediates). The Committee noted that the PP has proposed the Bulk Drug & Intermediates manufacturing unit with production capacity: from 10483 TPM. The project proponent has submitted the EMP, PFR, Risk Assessment Reports. The Committee noted that earlier the issue was examined by the SEIAA, A.P., in its meeting held on 15.12.2020 and refer to SEAC to examine the proposal after receipt of the CRZ clearance. Now, the representative of the project proponent and their Consultant M/s. Ramky Enviro Services Pvt Ltd., have attended the meeting. The committee noted that the Project Proponent has submitted the land documents. The committee observed the land documents submitted by the PP is in compliance with the MoEF&CC Office Memorandum F.No. 22-76/2014-IA-III, dated 7th October, 2014. The committee noted that regarding CRZ clearance, the APCZMA vide letter No.233/CRZ/IND/2020 dated 04.02.2021, issued the No Objection Certificate (NOC) for the proposal for discharge of treated effluent 1727 KLD into sea through proposed pipeline at Survey No. 397, 401, 402, 403, 446, 676, 681, 682, 683, 700 to 709, Krishnapatnam Industrial Area, Kothapatnam Village, Kota Mandal, SPSR Nellore District, Andhra Pradesh. The Committee after examining the project proposal, presentations, MoEFCC' OMs, APCZMA recommendations and detailed deliberations recommended for issue of Environmental Clearance to M/s Divis Laboratories Limited., for the proposed project to manufacture of Bulk Drug and intermediates for the production quantity - 10483 TPM and CRZ Clearance for the proposal to discharge of treated effluent - 1727 KLD into sea through a proposed pipeline. The committee in the appraisal

report clearly stated that they have approved the Form-III, PFR/DPR and EMP for compliance by the proponent. The State Level Environment Impact Assessment Authority (SEIAA), in its meeting held on 20.06.2021 examined the proposal and the recommendations of SEAC and decided to accept SEAC recommendations aforesaid for strict compliance by the proponent and to issue EC for production of Bulk Drug and intermediates for production quantity - 10483 TPA. The SEIAA, A.P hereby accords Environmental Clearance to the project as mentioned at Para no. 1 under the provisions of the EIA Notification 2006 and its subsequent amendments issued under Environment (Protection) Act, 1986 subject to implementation of the following specific and general conditions:

III a Part A. Special Conditions:

1. The proposal shall not attract the following Acts & Rules:
 - a. Forest Act 1980,
 - b. Wild life (Protection) Act, 1972;
 - c. The Eco sensitive areas as notified under Environment (Protection) Act, 1986;
 - d. Critically polluted areas as notified by CPCBand also shall not harm live stocks and human beings and disturb their activities.
2. The industry shall comply with the provisions of CRZ Notification, 2011 and its amendments thereof.
3. The industry shall segregate effluents into different streams i.e. High TDS and High COD, High COD and Low TDS, Low COD and High TDS, Low COD and Low TDS in case of the industry sending the effluent to CETP.
4. The industry shall implement monitoring of waste factors for different streams of effluent and solid waste.
5. The industry shall establish suitable scrubbing system in consultation with the APPCB.
6. The industry shall provide effective solvent recovery system.
7. The industry shall provide hazardous waste container (drums) cleaning/washing system (Container detoxification).
8. The industry shall provide flow meter to measure quantity of steam consumed for MEE system.
9. The industry shall provide magnetic tamper proof flow meters to measure quantity of different streams of effluents generated and routed through the treatment systems.
10. The industry shall provide steam stripping system to handle volatile matter in the effluents.
11. The industry shall send hazardous waste to the authorized cement industries/ TSDF/ authorized recyclers by properly maintaining the system.

Part B. Specific Conditions:

1) Air & Noise Environment:

1. The emissions from the coal fired Boiler of capacity - 1 x 24 TPH shall be routed through cyclones separator followed by bag filters with the stack type and height fixed in consultation with the APPCB. Adequate stack height shall be provided for D.G. Sets - 5 x 1500 KVA, 4 x 1250 KVA, 1 x 1000 KVA, 1 x 320 KVA as per CPCB norms & for hazardous waste incinerator - 9.0 TPD.

2. The process emissions containing the HBr, HCl, NH₃, HF, H₂S and Mercaptans shall be routed through two stages scrubber system. The packing media in the scrubber is 25 mm poly propylene rings. Scrubbed liquid shall be treated and reused or subjected to MEE.
3. Strict measures shall be taken to control odour with appropriate odour abatement methods. Sub coolers for brine circulation shall be installed to reduce solvent evaporation losses into the atmosphere. All the solvent storage tanks shall be connected to vent condensers with chilled water circulation to minimize the solvent loss. The proponent shall install VOC meter in the plant to monitor
4. The solvents shall be recovered by installing fractional distillation columns. The recovered solvents shall be reused in the process or sold to recyclers authorized by APPCB. The volatile vapours generated during process shall be routed through condensers and the condensate shall be reused in the plant.
5. The area of the greenbelt shall not be less than 33% of the total area of the site. Greenbelt with tall growing trees shall be developed along the boundary of the site.
6. Fugitive emissions from storage tanks shall be avoided by providing air condensers.
7. The proponent should provide appropriate PPE to the persons working in the unit and suitable to their work place environment.
8. The proponent shall establish adequate number of air monitoring stations, including one online station, in consultation with the APPCB and take appropriate measures to ensure that the GLC shall comply with the NAAQM norms notified by MoEF&CC, GoI on 16.11.2009.
9. Measures shall be taken to comply with the provisions made under "Noise pollution (Regulation and control) amendment rules 2010 dated 11-01-2010 issued by MoEF.

Water Environment:

10. The total water requirement shall not exceed 3200 KLD (Fresh water - 2500 KLD & Recycled water - 700 KLD) which includes for Process - 810 KLD, Reactor and Floor Washings - 200 KLD, Boiler - 500 KLD, Cooling Tower - 700 KLD, RO / DM plant- 200 KLD, Domestic Needs - 100 KLD, Hostels - 170 KLD, & for Greenbelt - 520 KLD.

Waste water generation:

11. The total waste water generation is 2470 KLD, Out of that; 1002 KLD is from Process; Reactor and Floor Washings - 180 KLD, Boiler - 425 KLD, Cooling Tower - 420 KLD, RO / DM plant- 200 KLD, Domestic Needs - 90 KLD, Hostels - 153 KLD shall be treated effluent meeting sea discharge limits shall be disposed into sea through a dedicated marine outfall.
12. High COD & Low TDS shall be sent to incinerator / stripper, Low COD & Low TDS shall be sent to conventional ETP and the Low COD & High TDS effluents are routed to-MEE and rejects of MEE shall be sent to ATFD. High TDS & High COD effluents

shall be sent to Stripper with scrubber followed by MEE & ATFD. Stripper condensate shall be sent to authorized vendors/cement plants. The condensate of the MEE shall be sent to RO/ conventional ETP and treated along with LTDS & LCOD Effluents. The permeate from the RO plant shall be used in the plant and rejects to MEE/Conventional ETP. The domestic waste water shall be disposed into the septic tank followed by soak pit

13. The proponent shall provide separate storm water drains and harvest the rainwater from the rooftops to recharge the ground water.
14. Regular monitoring of ground water level and quality should be carried out by establishing a network of existing wells in and around project area in consultation with the competent Ground Water Department. Data thus collected should be sent at regular intervals to MoEF&CC, CGWA and CGWB, Southern, Region, Hyderabad.
15. Suitable conservation measures to augment groundwater resources in the area shall be planned and implemented in consultation with GWB. Suitable measures should be taken for rainwater harvesting.
16. In case of Ground water usage, Permission from the competent authority should be obtained for drawl of ground water, if any, required for this project.

Solid Wastes:

17. Hazardous waste generated from the industry such as organic residue, salts, spent solvents waste oils, used oils etc., shall be disposed as per the Hazardous and other Wastes (Management and Tran boundary movement) Rules, 2016 and its amendments thereof.
18. The Process residue – 11739 kg/day shall be sent to the authorized cement plants for co-processing/ incineration at onsite / TSDF; Process Salts - 1152 kg/day shall be sent to TSDF/ Authorized Vendors; ETP Sludge – 200 kg/day Shall be sent to TSDF for secured land filling; Multiple effect evaporation or forced evaporation salts – 13658 kg/day shall be sent to TSDF Authorized vendors; Incineration Ash – 75 kg/day shall be sent to TSDF; Containers & Container liners of Hazardous chemicals & hazardous Wastes - Container 2000 no's/month and Liners 5000 no's/ month shall be sent to outside agencies / authorized vendors after detoxification; Spent Carbon – 134 kg/day Shall be recovered within the premises / to authorized re processors or recyclers; Used oil/Waste lubricant oil - 100 Ltrs/month shall be sent to authorized re processors /recyclers; Spent Solvents - 200 kl/day Shall be sent to recovered within the premises / to authorized re processors or recyclers; Mixed spent Solvent - 40 kl/day Shall be sent to authorized agencies / for Co-incineration in cement industries; Spent acids - 187 kl/day Shall be sent to authorized agencies; Spent Catalysts - 200 kg/day Shall be sent to authorized re processors/ recyclers; Ash (fly and bottom) - 30 Tons/day Shall be given to Brick/Tile/Cement manufacturers.
19. The Organic and Inorganic solid wastes, Spent Carbon, process residues shall be sent to the authorized users or recyclers approved by the APPCB.

20. The proponent should strictly comply with the E-Waste Management Rules, 2016, and report compliance.

Environment:

1. The Project Proponent shall ensure that the transportation activity of the unit should not cause any inconvenience to the public and comply with the local norms, if any;
2. The project shall implement the commitments, if any, made in the public hearing;

Part C: General Conditions:

1. This order is valid for 7 years.
2. No further expansion, increase in production; or change in product mix or technologies/land use shall be made without prior approval of the SEIAA.
3. The project proponent shall submit the copies of the Environmental Clearance to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
4. The project authorities should advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and SEIAA, A.P.
5. The Prior Environmental Clearance issued to this project along with the Approved Environmental Management Plan (EMP) and the Approved DPR should be uploaded in the project's web site and be made available in the public domain.
6. The PEC main contents be displayed on permanent boards at the main entry of the premises and at other prominent places.
7. The project proponent shall strictly adhere to its Environmental Policy approved by the SEIAA, and shall be made available in their web site.
8. A separate "Environmental Management Unit" (With a laboratory) shall be set up with all monitoring facilities.
9. A Separate Bank account need to be started for the budget allocated for the EMP and the amount committed should be deposited before the project obtains CFE/CFO as the case may be. The amounts allocated should not be diverted for any other purpose.
10. The funds earmarked for environmental protection measures (Capital cost Rs.3050.0 Lakhs & Recurring cost of Rs.275.0 Lakhs/annum) should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the Ministry and its Regional Office located at Bangalore.

11. The proponent before starting the operations, shall obtain all other mandatory clearances from respective departments, including the CHE and CFO from the APPCB.
12. The project proponent shall meticulously follow the Form-1/2 of the application; and approved EMP, for the purpose of all compliances.
13. Four ambient air quality-monitoring stations should be established in the core zone as well as in the buffer zone. Location of the stations should be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets and frequency of monitoring should be undertaken in consultation with the State Pollution Control Board.
14. Data on ambient air quality should be regularly submitted to the Ministry including its Regional Office located at Bangalore and the State Pollution Control Board/ Central Pollution Control Board once in six months.
15. The project proponent shall ensure that no natural watercourse and/or water resources shall be obstructed due to any mining operations. Necessary safeguard measures to protect the first order streams, if any, originating from the mine lease shall be taken.
16. Personnel working in dusty/polluted areas should be provided with protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects.
17. Occupational health check up program for the workers should be undertaken periodically. A separate environmental management cell with suitable qualified personnel should be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
18. The project proponent shall submit Half-yearly reports on the status of compliance of the stipulated Environmental Clearance Conditions including results of monitored data (both in hard copies as well as by e-mail) to the Ministry of Environment & Forests, its Regional Office, Chennai, SEIAA, A.P., Zonal Office of Central Pollution Control Board, Bangalore, and A.P. Pollution Control Board.
19. The proponent shall upload the status of compliance of the environmental clearance conditions including results of monitored data on their websites and shall update the same periodically.
20. Officials from the Regional Office of MOEF&CC, Chennai / The SEIAA, Andhra Pradesh through the Regional Offices of Andhra Pradesh Pollution Control Board, who would be monitoring the implementation of environmental safeguards, should be given full co-operation, facilities and documents/data by the project proponents during their inspection. A complete set of all the documents shall be submitted to the CCF, Regional Office to MOEF&CC, Chennai.
21. SEIAA reserves the right to cancel the EC issued at anytime, if EC has been obtained by the proponent through suppression of any information or furnishing false information upon which the project is appraised.

22. Concealing the factual data in the compliance reports, or failure to comply with any conditions mentioned above may result in withdrawal of the EC and attract action under the provisions of Environment (Protection) Act, 1986.
23. The SEIAA reserves the right to alter/modify the above conditions or stipulate any further conditions from time to time, in the interest of environment protection.
24. Any appeal against this Environmental 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.

Sd/-
MEMBER SECRETARY,
SEIAA, A.P.

Sd/-
MEMBER,
SEIAA, A.P.

Sd/-
CHAIRMAN,
SEIAA, A.P.

To

M/s. Divis Laboratories Limited.
Sri Madhusudhan Rao Divi, Director (Projects),
7-1-77/E/1/303, Divi Towers,
Dharam Karan Road, Hyderabad,
Telangana-500015.

Copy to:

1. The Chairman, SEAC, A.P. for kind information.
2. The Member Secretary, APPCB for kind information.
3. The EE, RO: Nellore, APPCB for information.
4. The Regional Officer, MOEF&CC, GOI, Chennai for kind information.
5. The Secretary, MOEF&CC, GOI New Delhi for kind information.
6. Monitoring cell, MoEF&CC, GOI, New Delhi for kind information.
7. The District Collector, Nellore District, Andhra Pradesh for kind information.

//T.C.F.B.O//

P. Mura Swamy Reddy
SENIOR ENVIRONMENTAL ENGINEER (EC)