

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**  
**South Zone Bench at Chennai.**  
**MEMORANDUM OF APPEAL**  
**(Under section 18 (1) read with Section 16 of National Green Tribunal Act,**  
**2010)**

**Appeal No. 79 of 2021**

**Between:**

M/s. Safe Environ Technologies  
Represented by Sri V. Venkateswara Rao  
S/o Sri Nageswara Rao, aged 63 years  
R/o: D. No. 29-3-14, Venkateswara Rao Street,  
Governorpeta, Vijayawada  
Andhra Pradesh 520 002  
[Safenvironpl@gmail.com](mailto:Safenvironpl@gmail.com)

.... Appellant

AND

1. The Union of India,  
Rep. by its Secretary, Ministry of Environment, Forest, and  
Climate change,  
Indira Paryavaran Bhavan,  
Jor Bagh, Lodhi Colony,  
New Delhi-110001.  
Email id: [Secy-moef@nic.in](mailto:Secy-moef@nic.in)  
Contact No: 011-23392047, 24695262 and 5 others .....Respondents

**CHRONOLOGY DATE & EVENTS FILED BY THE 5<sup>th</sup> RESPONDENT**

**SEIAA A.P**



**M/s MADHURI DONTI REDDY**

ADVOCATE

STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH

A.P. POLLUTION CONTROL BOARD

T.T.D. SUPREME COURT OF INDIA

#S2, Royal Castle, 26, Gill Nagar Extension, Choolaimedu, Chennai – 600 094.

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[Counsel for 5<sup>TH</sup> Respondents](#)

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 Indira Paryavaran Bhavan,  
 Jor Bagh, Lodhi Colony,  
 New Delhi-110001.  
 Email id: Secy-moef@nic.in  
 Contact No: 011-23392047, 24695262
2. The Andhra Pradesh Pollution Control Board,  
 Rep. by its Member Secretary  
 Door No. 33-26-14 D/2, Near Sun Rise Hospital,  
 Pushpa Hotel Centre, Chelamalavari Street,  
 Kasturibaipet, Vijayawada - 520 008  
 Andhra Pradesh State.  
 Email id: membersecy@appcb.gov.in  
 Contact No: 0866-2463204
3. The Joint Chief Environmental Engineer,  
 Andhra Pradesh Pollution Control Board,  
 Zonal Office, Door No. 33-26-14 D/2,  
 Near Sun Rise Hospital, Pushpa Hotel Centre,  
 Chalamalavari Street, Kasturibaipet,  
 Vijayawada -520 008 Andhra Pradesh State.  
 Email id: unit2-Jcee@appcb.gov.in  
 Contact No: 0866-2463208.
4. The Environmental Engineer,  
 Andhra Pradesh Pollution Control Board,  
 Regional Office, 4-5-4/5C.4/3,  
 Navabharath Nagar, Ring Road  
 Guntur-522 006.  
 Email id: unit1eec1@appcb.gov.in  
 Contact No: 9866776738
5. The State Environment Impact Assessment Authority  
 Door No. 33-26-14 D/2, Near Sun Rise Hospital,  
 Pushpa Hotel Centre, Chalamalavari Street,  
 Kasturibaipet, Vijayawada 520 008

Andhra Pradesh State.  
 Email id: [apsciaachairman@gmail.com](mailto:apsciaachairman@gmail.com)  
 Contact No: 0866-24633202

6. M/s Y J Multi Clave rep. by its Proprietor, having its Office at D. No. 24-3-13, Telagapalem, Ponnur Mandal, Guntur District  
 Email id:  
 Contact No: 9177224400 .....Respondents

**CHRONOLOGY DATE & EVENTS FILED BY THE 5<sup>th</sup> RESPONDENT**

**SEIAA, A.P.**

<b>SNo</b>	<b>Date</b>	<b>Description</b>
1.	04.05.2016	M/s. Y.J Multiclav at Sy.No. 7/1 & 8/1, Tana Annavaram (V), Nuzendla (M), Guntur District, Andhra Pradesh submitted Application through online for Terms of reference (TOR) along with covering letter dt.11.04.2016.
2.	07.06.2016	The application was examined by the State Level Expert Appraisal Committee (SEAC) in its meeting held on 07.06.2016 and then the committee recommended the project proponent to obtain In principal permission from the APPCB for setting up of Common Bio-Medical Waste Treatment Facility (CBMWTF) as per the Guidelines par 6 on "Location Criteria" The location shall be decided in consultation with the State Pollution Control Board/Pollution Control Committee (PCC). The location Criteria for development of a CBWTF (the procedure followed then for granting Environmental Clearance (EC) for 2 <sup>nd</sup> facility in the district) and communicated same through a letter on 13.07.2016. Subsequently the SEAC raised ADS (Additional Documents Sought) on 19.07.2016 on line portal.
3.	23.05.2018	The In Principle Permission was given to M/s. Y.J. Multiclave on 23.05.2018 by APPCB as desired SEIAA, A.P which is prerequisite for applying for Environmental Clearance.
4.	28.05.2018	The proponent submitted In Principle permission letter from the APPCB on 28.05.2018 and in this letter it was noted <i>"the total number of Health Care Facilities (HCFs) and their bed strength as per the registering authority i.e., The District Medical &amp; Health Officer (DM&amp;HO), ( vide letter . dt.14.10.2016) – there are 541 Nos. of Private Hospitals with a Bed strength of 17,744 Nos. (excluding Government Hospitals i.e., HCFs covered under APVVP Area Hospitals, Director of Public Health and Family Welfare and Department of AYUSH). The existing Common Bio-medical Waste Treatment Facility (CBMWTF) in Guntur District is covering 700 Nos. of Health Care Facilities (HCFs) with 13,683 bed strength ( as per BMW annual report 2016 submitted to CPCB) . There are about 4061 numbers of beds uncovered by the existing CBMWTF. There are number of Veterinary Hospitals, Dispensaries, Dental Hospitals, Ayurvedic and Homeopathic Hospitals which need to be covered under BMW Rules, 2016."</i>
5.	04.06.2018	The project proponent submitted the letter issued by Office of the District Medical & Health Officer, Guntur vide letter Rc.No. Spl./A1/DRA/2018.

6.	17.07.2018	The APPCB vide its Order No. 1/APPCB/VJA/GTR/HO/CBMWTF/2018-634, dated 17.07.2018 rejected the BMW-CFE application of M/s. Ravi Enviro Care, Sy.No.394-1, 394-2, Pedanandipadu (V&M), Guntur District observed that M/s. Y.J.Multiclave application is a earlier one and in principle permission was accorded for establishment of 2 <sup>nd</sup> CBMWTF in Guntur District.
7.	25.08.2018	M/s. Y.J.Multiclave application was examined by the SEAC,A.P. in its meeting held on 25.08.2018. The committee examined the proposal and recommended to issue TOR with Public HearingThe project proponent shall comply with the Bio-medical Waste Management Rules, 2016 and its amendments and the Central Pollution Control Board RevisedGuidelines - 21 <sup>st</sup> December, 2016, to this Common Bio-Medical Waste Treatment Facility (CBMWTF) of Capacity – 7000 kgs/day proposed at Sy.No. 7/1 & 8/1, Tana Annavaram (V), Nuzendla (M), Guntur District, Andhra Pradesh, without prejudice to the orders of any Hon'ble Courts.
8.	24.09.2018	The recommendation of SEAC,A.P.was examined by the SEIAA on its meeting held on 24.09.2018 and agreed with recommendations of SEAC,A.P. to issue Terms of References with Public hearing.
9.	10.10.2018	TOR Issued for Common Bio-Medical Waste Treatment Facility (CBWTF) of M/s. Y.J Multiclav at Sy.No. 7/1 & 8/1, Tana Annavaram (V), Nuzendla (M), Guntur District on 10.10.2018 with a condition that the proponent shall prepare EIA report along with Standard TOR and said additional TOR with Public hearing and submit to the SEAC,A.P. for Appraisal.
10.	21.08.2019	The W.P.11945 of 2019 filed by A.P. Enviro Technologies Pvt Ltd against M/s. Y.J.Multiclave in the Hon'ble High Court with regard to establishment of 2nd CBMWTF in Guntur District in Hon'ble High Court.
11.	19.09.2019	Public Hearing was conducted by Regional office APPCB, Guntur on 19.09.2019.
12.	22.07.2021	The Hon'ble High Court directed APPCB to place the proceeding of the public hearing before court on 22.07.2021.
13.	18.08.2021	The Hon'ble High Court please to dispose the matter on 18.08.2021. “Writ Petition is disposed of directing that the Minutes of the Public Hearing be placed before the 5th respondent-State Environment Impact Assessment Authority (SEIAA) which shall pass appropriate order relating to grant of consent in favour of the 6th respondent Industry in accordance with law. We keep all issues open to be decided by the 5th respondent strictly in accordance with law, keeping in mind the necessary parameters relating to Environmental Policy and other allied issues. Needless to mention, the 5th respondent shall take decision in the matter at the earliest.”
14.	23.09.2021	M/s. Y.J Multiclave submitted final EIA report along with Public hearing for Environmental Clearance.
15.	22.10.2021	The application was examined by the SEAC,A.P. in its meetings held on 22.10.2021 to 24.10.2021 and then the committee after examining the project proposal, Presentation and Final EIA report and Hon'ble High Court

		Order, Public Hearing Minutes, MoEF&CC notifications and OMs, Common Bio-Medical Waste Treatment Facility (CBMWTF) guidelines and detail deliberations recommended to issue Environmental Clearance to M/s. Y.J. Multiclave to this project proposal for setting up of New CBMWTF facility of capacity - 7000 kgs/day at Sy.No. 7/1 & 8/1, Tana Annavaram (V), Nuzendla (M), Guntur District, Andhra Pradesh.
16.	02.11.2021	The recommendation of SEAC was examined by the SEIAA in its meeting held on 02.11.2021 and decided to issue Environmental Clearance (EC).
17.	22.11.2021	The SEIAA issued Environmental Clearance (EC) on 22.11.2021

In Hon'ble high court directions in WP No 14181 of 2019 ( CBMWTF association vs union of India), No specific directions to SEIAA on the subject application except carrying of gap analysis study in the state as desired by petitioner within 4 months by APPCB and hence the application was processed as the application was filed in the year 2016 and APPCB issued in principle permission letter for establishing the 2<sup>nd</sup> CBMWTF in Guntur district and in accordance with law .

Dated at Vijayawada on this the 12<sup>th</sup> day of April 2023

Member Secretary,  
State Level Environment Impact Assessment Authority  
Andhra Pradesh

**Member Secretary**  
**SEIAA, AP**