

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

APPEAL No.79 of 2022 (SZ)

IN THE MATTER OF:

M/s.TumkuntaNarsa& Others

...Appellants

Versus

State Level Environment Impact
Assessment Authority & Others

...Respondents

**REPORT FILED BY THE STATE LEVEL ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY (R1)**

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1.	Report dated 03.02.2023 by the State Level Environment Impact Assessment Authority (SEIAA) (R1)	1
2.	Schedule on List of Projects or activities requiring prior Environmental Clearance	3

Place:Hyderabad

Date03.02.2023

Report on IA No. 204 of 2022 in Appeal No.79 of 2022 in Hon'ble NGT-Chennai filed by Sri Tumkunta Narsa Reddy & Others, Gajwel Town, Gajwel (M), Siddipet District.

In this regard the following is submitted:

M/s. Telangana State Industrial Infrastructure Corporation Ltd., (TSIIC) has proposed to develop "Special Food Processing Park" (SFPP) at Sy.No1495 & 1510, Wargal (V&M), Siddipet District in an area of 466.17 acres (188.65 Ha.) with 190 Plots. The proposed SFPP is for establishment of the following category of units:

- Food Processing Industries
- Milk Processing
- Dairy Products
- Rice Mills
- Oil Processing Units
- Cold Storages
- Dry Warehouses
- Packing Units
- Ripening Chambers
- Quality Control/Testing Lab
- R&D Center

The activities of above proposed units does not fall in "the list of projects or activities requiring prior Environmental Clearance" notified in the schedule of EIA Notification, 2006 & its amendments. Further, the proposed units are proposed to adopt "zero liquid waste discharge system" individually and obtain Consent for Establishment from TSPCB under Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981. Hence, the proposal of development of "Special Food Processing Park" (SFPP) in an area of 466.17 acres (188.65 Ha.) falls under "8(b) – Area Development project". Accordingly, the proponent obtained TOR dt.02.07.2022 for undertaking detailed EIA study for the purpose of obtaining Environmental Clearance in accordance with the provisions of EIA Notification, 2006 & its amendments.

Subsequently, the proponent submitted application through Parivesh portal for prior Environmental Clearance along with EIA report on 15.07.2022. The proponent submitted Compliance on Standard Terms of References attached to the TOR order dt.02.07.2022 in Chapter-1, table 1-4 of EIA report. It was submitted that SFPP is to be located in Sy.No.1495 & 1510 and total land area of 466.15 acres is under possession of TSIIC. The proposal was examined by the State level Expert Appraisal Committee (SEAC) during its meeting held on 22.07.2022 and noted that the nearest human habitation viz., Wargal (V) exist at a distance of 0.82 km from the proposed site. It was noted that nearest water body viz., Wargal Village Pond exists at a distance of 1.15 km

from the boundary of the site. It was also noted that nearest RF viz., Wargal RF exists at a distance of 2.18 km from the boundary of the site. Further, it is proposed that water requirement of 2126 KLD is sourced from "Konda Pochamma Reservoir intake point canal" passing through the project site. After careful consideration of the EIA report, EC dt.29.07.2022 was granted to the project with the following specific conditions:

1. The individual industries, upon establishment, will have their own STP/ETP for liquid waste treatment / disposal and hazardous waste storage facility, within their plots as per the norms of CPCB/SPCB; and No waste water will be discharged to the rivers/streams or water bodies i.e., Zero Discharge.
2. The proponent shall provide 9 mts buffer on both sides of the Canal which is passing on South-East corner of the site.
3. The proponent shall leave adequate buffer zone on either side of the Canal as per the norms of G.O.Ms.No.168, dt.07.04.2012 and no developmental activities shall be undertaken in the buffer zone.
4. The treated or untreated waste water / effluent / solid waste shall not be discharged into the Canal, under any circumstances and shall take adequate measures for the same.

**Sd/-
Member Secretary,
State Level Environment Impact Assessment Authority
Telangana**

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


Joint Chief Environmental Engineer

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(1)	(2)	(3)	(4)	(5)								
1(b)	Offshore and onshore oil and gas exploration, development & production	All projects in respect of off-shore and onshore oil and gas development and production except exploration		<p>Note 1: Seismic surveys which are part of Exploration Surveys are exempted provided the concession areas have got previous clearance for physical survey</p> <p>Note 2: All project in respect of off-shore and onshore oil and gas exploration are categorized as 'B2' projects"</p>								
1(c)	(i) River Valley projects (ii) Irrigation projects	(i) ≥ 50 MW hydroelectric power generation; (ii) $\geq 50,000$ ha. of culturable command area	<p>(i) ≥ 25 MW and < 50 MW hydroelectric power generation; (ii) > 2000 ha. and $< 50,000$ ha. of culturable command area.</p> <table border="1" data-bbox="981 1303 1335 2005"> <thead> <tr> <th data-bbox="981 1303 1141 1374">Irrigation system</th> <th data-bbox="1141 1303 1335 1374">Requirement of EC</th> </tr> </thead> <tbody> <tr> <td data-bbox="981 1374 1141 1511">(a) Minor Irrigation system (≤ 2000 Ha)</td> <td data-bbox="1141 1374 1335 1511">Exempted</td> </tr> <tr> <td data-bbox="981 1511 1141 1758">(b) Medium irrigation system (> 2000 and $< 10,000$ ha.)</td> <td data-bbox="1141 1511 1335 1758">Required to prepare EMP and to be dealt at State Level (B2 category).</td> </tr> <tr> <td data-bbox="981 1758 1141 2005">(c) Major irrigation system ($\geq 10,000$ to $< 50,000$ ha.)</td> <td data-bbox="1141 1758 1335 2005">Required to prepare EIA/EMP and to be dealt at State Level (B1 category).</td> </tr> </tbody> </table>	Irrigation system	Requirement of EC	(a) Minor Irrigation system (≤ 2000 Ha)	Exempted	(b) Medium irrigation system (> 2000 and $< 10,000$ ha.)	Required to prepare EMP and to be dealt at State Level (B2 category).	(c) Major irrigation system ($\geq 10,000$ to $< 50,000$ ha.)	Required to prepare EIA/EMP and to be dealt at State Level (B1 category).	<p>General Condition shall apply. Note: - (i) Category 'B' river valley projects falling in more than one state shall be appraised at the Central Government Level. (ii) Change in irrigation technology having environmental benefits (eg. From flood irrigation to Drip irrigation etc.) by an existing project, leading to increase in Culturable Command Area but without increase in dam height and submergence, will not require amendment/revision of EC.</p>
Irrigation system	Requirement of EC											
(a) Minor Irrigation system (≤ 2000 Ha)	Exempted											
(b) Medium irrigation system (> 2000 and $< 10,000$ ha.)	Required to prepare EMP and to be dealt at State Level (B2 category).											
(c) Major irrigation system ($\geq 10,000$ to $< 50,000$ ha.)	Required to prepare EIA/EMP and to be dealt at State Level (B1 category).											

1(d)	Thermal Power Plants	<p>≥ 500 MW (coal /lignite / naphtha and gas based);</p> <p>≥ 50 MW (all other fuels except biomass).</p> <p>≥ 20MW (using municipal solid non hazardous waste, as fuel).</p>	<p>≥ 5 MW to < 500 MW (coal/lignite/ naphtha and gas based);</p> <p><50 MW ≥ 5MW (all other fuels except biomass and municipal solid non hazardous waste).</p> <p><20MW >15MW (using municipal solid non hazardous waste, as fuel).</p> <p>≥ 15 MW plants based on biomass fuel.</p>	<p>General Condition shall apply.</p> <p>Note:-</p> <p>(i) Thermal Power plants up to 15MW based on biomass or non hazardous municipal solid waste using auxiliary fuel such as coal / lignite /petroleum products up to 15% are exempt.</p> <p>(ii) Thermal Power plants using waste heat boiler without any auxiliary fuel are exempt.</p>
1(e)	Nuclear power projects and processing of nuclear fuel	All projects	-	

(1)	(2)	(3)	(4)	(5)
2		Primary Processing		
2(a)	Coal washeries	≥ 1 million ton/annum throughput of coal	<1million ton/annum throughput of coal	<p>General Condition shall apply</p> <p>(If located within mining area the proposal shall be appraised together with the mining proposal)</p>
2 (b)	Mineral beneficiation	≥ 0.5 million TPA throughput	< 0.5 million TPA throughput	<p>General Condition shall apply</p> <p>(Mining proposal with Mineral beneficiation shall be appraised together for grant of clearance.</p>

3					Materials Production	
3(a)	Metallurgical industries (ferrous & non ferrous)	<p>a) Primary metallurgical industry</p> <p>All projects</p> <p>b) Sponge iron manufacturing ≥ 200TPD</p> <p>c) Secondary metallurgical processing industry</p> <p>All toxic and heavy metal producing units $\geq 20,000$ tonnes /annum</p>	<p>Sponge iron manufacturing <200TPD</p> <p>Secondary metallurgical processing industry</p> <p>i.) All toxic and heavy metal producing units $<20,000$ tonnes /annum</p> <p>ii.) All other non-toxic secondary metallurgical processing industries >5000 tonnes/annum</p>	General Condition shall apply.	<p>Note:</p> <p>(i) The recycling industrial units registered under the HSM Rules, are exempted.</p> <p>(ii) In case of secondary metallurgical processing industrial units, those projects involving operation of furnaces only such as induction and electric arc furnace, submerged arc furnace, and cupola with capacity more than 30,000 tonnes per annum (TPA) would require environmental clearance.</p> <p>(iii) Plant / units other than power plants (given against entry no. 1 (d) of the schedule), based on municipal solid waste (non-hazardous) are exempted.</p>	

(1)	(2)	(3)	(4)	(5)
3(b)	Cement plants	≥ 1.0 million tonnes / annum production capacity	< 1.0 million tonnes / annum production capacity. All stand alone grinding units	<p>General Condition shall apply</p> <p>Note:</p> <p>1. Fuel for cement industry may be coal, petcoke, mixture of coal and petcoke and co-processing of waste provided it meets the emission standards.</p> <p>2. The manufacturing of composite cement by plants having environmental clearance for manufacturing</p>

				Ordinary Portland Cement(OPC), Portland Pozzolana Cement(PPC) and Portland Slag Cement(PSC) shall be exempt provided the production is within sanctioned capacity.
4		Materials Processing		
4(a)	Petroleum refining industry	All projects	-	-
4(b)	i) Coke oven plants ii) Coaltar processing units.	$\geq 2,50,000$ tonnes/annum	$< 2,50,000$ and $\geq 25,000$ tonnes/annum. All projects.	General Conditions shall apply.
4(c)	Asbestos milling and asbestos based products	All projects	-	-
4(d)	Chlor-alkali industry	≥ 300 TPD production capacity if a unit located outside the notified industrial area/ estate.	(i) All projects irrespective of the size, if it is located in a notified industrial Area / Estate. (ii) < 300 tonnes per day (TPD) and located outside a Notified Industrial Area /Estate.	General as well as specific Conditions shall apply. No new Mercury Cell based plants will be permitted and existing units converting to membrane cell technology are exempt from the Notification.
4(e)	Soda ash Industry	All projects	-	-
4(f)	Skin / hide processing including tanning industry.	New projects outside the industrial area or expansion of existing units out side the industrial area	All new or expansion of projects located within a notified industrial area/ estate	General as well as specific Conditions shall apply.

(1)	(2)	(3)	(4)	(5)
5		Manufacturing/Fabrication		
5(a)	Chemical fertilizers	All projects including all Single Super Phosphate with H ₂ SO ₄ production except granulation of chemical fertilizers.	All Single Super Phosphate without H ₂ SO ₄ production and granulation of chemical fertilizers.	General condition shall apply. Note: 1. Granulation of single super phosphate powder is exempt. 2. Neem coating of fertilizers is exempt provided that the total production does not exceed the sanctioned capacity in EC plus the weight of the coating material used. 3. Fortification of fertilizers is exempt provided that the total production does not exceed the sanctioned capacity in EC plus the weight of the fortification material used.
5(b)	Pesticides industry and pesticide specific intermediates (excluding formulations)	All units producing technical grade pesticides	-	-
5(c)	Petro-chemical complexes (industries based on processing of petroleum fractions & natural gas and/or reforming to aromatics)	All projects.	-	-
5(d)	Manmade fibres manufacturing	Rayon	Others	General Condition shall apply
5(e)	Petroleum products and	Located out side the notified industrial area/	Located in a notified industrial area/ estate	General as well as specific condition shall

	petrochemical based processing such as production of carbon black and electrode grade graphite (Processes other than cracking and reformation and not covered under the complexes).	estate		apply. Note:- Manufacturing of products from polymer granules is exempt.
(1)	(2)	(3)	(4)	(5)
5(f)	Synthetic organic chemicals industry (dyes & dye intermediates; bulk drugs and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates)	Located outside the notified industrial area/ estate except small units as defined in column (5).	(i) Located in a notified industrial area/ estate. (ii) Small units as defined in column (5).	General as well as specific Condition shall apply. Small units: with water consumption <25 m ³ /day, fuel consumption < 25 TPD and not covered in the category of MAH units as per the Management, Storage and Import of Hazardous Chemical Rules, 1989.
5(g)	Distilleries	Molasses based distilleries > 100 KLD Non-molasses based distilleries > 200 KLD	Molasses based distilleries ≤ 100 KLD Non-molasses based distilleries ≤ 200 KLD	General Condition shall apply. “(a) Except for the projects falling in item 5(ga) of this Schedule; (b) Expansion of sugar manufacturing units or distilleries for production of ethanol, having Prior Environment Clearance (EC) for existing unit, to be used completely for Ethanol Blended Petrol (EBP) Programme only, as per self-certification in form of an affidavit by the Project Proponent,

				<p>shall be appraised as category 'B2' projects.</p> <p>Provided that subsequently if it is found that the ethanol, produced based on the EC granted as per this dispensation, is not being used completely for EBP Programme, or if ethanol is not being produced, or if the said distillery is not fulfilling the requirements based on which the project has been appraised as category B2 project, the EC shall stand cancelled”;</p>
5(g a)	<p>Grain based distilleries producing ethanol, solely to be used for Ethanol Blended Petrol Programme of the Government of India</p> <p>Note: Grains include wheat, rice, maize, barley, sorghum.</p>	Projects without Zero Liquid Discharge	Projects with Zero Liquid Discharge	<p>Note:</p> <p>(i) Projects under category B shall be appraised as B2 category project and in terms of para 4(iii) of this notification.</p> <p>(ii) Applicable for projects who file application for grant of EC upto 31st March 2024 or till further notification whichever is earlier provided that any subsequent amendment or expansion or change in product mix after 31st March 2024, shall be considered as per the provisions inforce at that time.</p> <p>(iii) The project proponent shall file a notorised affidavit that ethanol produced from proposed project shall be used completely for EBP Programme.</p>

				Provided that subsequently if it is found that the ethanol produced, based on the EC granted as per this dispensation, is not being used completely for EBP Programme, or if ethanol is not being produced, or if the said distillery is not fulfilling the requirements based on which the project has been appraised as category B2 project, the EC shall stand cancelled”.
5(h)	Integrated paint industry	-	All projects	General Condition shall apply
5(i)	Pulp and paper industry	Pulp manufacturing and Pulp and Paper manufacturing industry except from waste paper.	Pulp manufacturing from waste paper and paper manufacturing from waste paper pulp and other ready pulp.	General Condition shall apply Note:- Paper manufacturing from waste paper pulp and ready pulp without deinking, bleaching and colouring is exempt.
5(j)	Sugar Industry	- -	≥ 5000 tcd cane crushing capacity	General Condition shall apply

(1)	(2)	(3)	(4)	(5)
6		Service Sector		
6(a)	Oil & gas transportation pipe line (crude and refinery/ petrochemical products), passing through national parks /sanctuaries/coral reefs /ecologically sensitive areas including LNG Terminal	All projects -		
7		Physical Infrastructure including Environmental Services		
7(a)	Air ports	All projects including airstrips, which are for commercial use.	-	Note: Air Strips, which do not involve bunkering /Refueling facility and or air Traffic Control, are exempted.
7(b)	All ship breaking yards including ship breaking units	All projects	-	-
7(c)	Industrial estates/ parks/ complexes/ areas, export processing Zones (EPZs), Special Economic Zones (SEZs), Biotech Parks, Leather Complexes.	If at least one industry in the proposed industrial estate falls under the Category A, entire industrial area shall be treated as Category A, irrespective of the area. Industrial estates with area greater than 500 ha. and housing at least one Category B industry.	-Industrial estates housing at least one Category B industry and area <500 ha. Industrial estates of area > 500 ha. and not housing any industry belonging to Category A or B.	General as well as specific Conditions shall apply. Note: 1. Industrial Estate of area below 500 ha. and not housing any industry of Category 'A' or 'B' does not require clearance. 2. If the area is less than 500 ha., but contains building and construction projects > 20,000 Sq.mtr. and or development area more than 50 ha it will be treated as activity listed at serial no. 8(a) or 8 (b) in the Schedule, as the case may be.

(1)	(2)	(3)	(4)	(5)
7(d)	Common hazardous waste treatment, storage and disposal facilities (TSDFs)	All integrated facilities having incineration & landfill or incineration alone	All facilities having land fill only	General Condition shall apply
7(d a)	Bio-Medical Waste Treatment Facilities	-	All projects	-
7(e)	Ports, Harbours, break waters, dredging.	≥ 5 million TPA of cargo handling (excluding fishing harbours)	< 5 million TPA of cargo handling capacity and/or ports/ harbours ≥10,000 TPA of fish handling capacity	General Condition shall apply. Note: 1. Capital dredging inside and outside the ports or harbours and channels are included. 2. Maintenance dredging is exempt provided it formed part of the original proposed for which environment Management Plan (EMP) was prepared and environmental clearance obtained.”
7(f)	Highways	i) New National High ways; and ii) Expansion of National Highways greater than 100 km involving additional right of way or land acquisition greater than 40m on existing alignments and 60m on re-alignments or by-passes.	i) (All New State Highway Projects.) ii) State Highway expansion projects in hilly terrain (above 1,000 m AMSL) and or ecologically sensitive areas.”	General Condition shall apply. Note: Highways include expressways.
7(g)	Aerial ropeways	(i) All projects located at altitude of 1,000 mtr. And above. (ii) All projects located in notified ecologically sensitive areas.”	All projects except those covered in column (3).	General Condition shall apply
7(h)	Common Effluent Treatment Plants (CETPs)	-	All projects	General Condition shall apply. Note: Environmental Clearance for CETPs for setup or within projects or activities

