

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTH ZONE BENCH AT CHENNAI

APPEAL No. 80 Of 2021

Between :-

M/s. A.P. Environ Technologies Pvt.Ltd.,
Common Bio-Medical Waste Management Facility
D.No.674-2, Remedicherla Village,
Bollapalli Mandal, Guntur District,
State of Andhra Pradesh
Rep. by its Managing Partner

.... Appellant

And
Union of India Rep. By its Secretary,
Ministry of Environment, Forest and
Climate change, Indira Paryavaran Bhavan Jor Bagh, Lodhi Colony,
New Delhi And others
Respondents

COUNTER AFFIDAVIT FILED ON BEHALF OF THE RESPONDENT No. 6

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Verified and Certified to be true copies of the Originals
at Hyderabad on this the 7th day of January, 2021

V.B. Subrahmanyam

Counsel for Respondent No.6

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTH ZONE BENCH AT CHENNAI

APPEAL No. 80 Of 2021

Between :

M/s. A.P. Environ Technologies
Rep. by Mr. T. Anil Kumar Appellant
And

Union of India Rep. By its Secretary,
Ministry of Environment, Forest and
Climate change, Indira Paryavaran Bhavan
Jor Bagh, Lodhi Colony, New Delhi And
others and others Respondents

COUNTER AFFIDAVIT FILED ON BEHALF OF THE RESPONDENT No. 6

I, Y. Sriramamurthy, S/o. Chalapathi Rao, aged about 52 years, R/o. Rama Mandiram Gudi, 1st Lane, Ponnur, Telagapalem, Ponnur Taluk, Guntur District, Andhra Pradesh, now having temporarily come down to Vijayawada, do hereby solemnly and sincerely affirm and state as follows :

1. I am the proprietor of Respondent No.6 / industry herein. I know the facts of the case.

2. I have read the Appeal under reply and I deny each and every allegation, except, such of those allegations that are specifically admitted here under. I submit that the Appellant herein has not made out any valid ground much less case for the grant of the relief prayed for in the present Appeal or any other relief. The Appellant is put to strict proof of all the allegations made in the Appeal under reply.

3. I submit that the present Appellant does not have any locus standi either in law or facts to question the proceedings impugned in the present Appeal as such the Appeal is liable to be dismissed at threshold itself. Further the present Appeal is not maintainable either in law or on facts for suppression of material facts and the Appeal is also liable to be dismissed in limine as the Appellant approached this Hon'ble Tribunal with un-cleaned hands and with an ulterior and malafide motive.


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4. Before advertng to the allegations in the Appeal under reply, the following facts are submitted for the consideration of this Hon'ble Tribunal.

5. It is respectfully submitted that the Answering Respondent herein proposed to establish and operate a second CBMWTF in an extent of Ac.3.30 cents situated at Sy.No.7/1 & 8/1, Tana Annavaram Village, Nuzendla Mandal, Guntur District, Andhra Pradesh and committed to invest a sum of Rs.2.32 crores for establishment and making operational of the proposed CBMWTF. In that process, the Answering Respondent made an application ID CAE 1502231 to the General Manager, District Industries Centre on 28.11.2015 got approved the Plans for construction of the project proponent by the Factories Department of Government of Andhra Pradesh on 01.12.2015. On 01.12.2015 the Answering Respondent submitted online application bearing No.CAE1502231 through Single Window Clearance System to APPCB/Respondent No.2 herein. Later on 28.12.2015 the APPCB/Respondent No.2 herein rejected the application for the following reasons:

(i) As verified by the Board Officials, there are 448 HCEs in Guntur District with bad Strength of 11149 only. As per the CPCB guidelines [Para "D"] regarding coverage area of CBMWTF is that in any area, only one CBMWTF may be allowed to cater up to 10000 beds at the approved rate by the Prescribed Authority. A CBMWTF shall not be allowed to cater healthcare units situated beyond a radius of 150 km. However, in an area where 10,000 beds are not available within a radius of 150 km, another CBMWTF may be allowed to cater the healthcare units situated outside the said 150km. Presently a CBMWTF (i.e., Safe Environ Private Limited) is in operation at Chinnakakani, Mangalagiri mandal, Guntur District catering to HCEs in Guntur District.

(ii) You (the Answering Respondent) have not obtained Environmental Clearance (E.C.).


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6. The Answering Respondent submits that in pursuance of the order dated 28.12.2015 the Answering Respondent in the process of obtain E.C.(Environmental Clearance) submitted an application for grant of TOR (Terms of Reference) on 04.05.2016 along with necessary annexures to SEIAA/Respondent No.5 herein. The same was accepted by the SEIAA (State Environment Impact Assessment Authority)/Respondent No.5 on 05.05.2016. The Answering Respondent was served with Acknowledgement slip of TOR Application on 10.05.2016 by the 5th Respondent(SEIAA).

7. The Answering Respondent submits that on 06.06.2016, it has made an application under R.T.I Act, 2005 to the Public information Officer, APPCB to furnish the information with regard to the available bed strength. On 30.06.2016 the requested information was furnished by the Public information Officer, APPCB stating that the available bed strength is 13,139. It is pertinent to submit here that the State Expert Appraisal Committee (SEAC), Andhra Pradesh, Vide letter dt.13.07.2016 requested the Answering Respondent to obtain in Principle Permission from the APPCB/2nd respondent herein for setting up of Second Common Bio Medical Treatment Facility (CBMTWF) for obtaining Environmental Clearance from SEAC & SEIAA . On 16.07.2016 the Answering Respondent submitted a request letter to the 2nd Respondent/APPCB for issuance of In Principle Permission in its favour. The request letter of the Answering Respondent was place before BMW Technical Committee meeting held on 22.05.2018 for issue of In-Principle Permission letter. The 2nd respondent/APPCB after considering the above, through its Lr.No.1/APPCB/HO/UH-IV/BMW/In-Principle/2018 dated 23.05.2018 was pleased to issue In-Principle Permission to the Answering respondent with a direction to obtain all the necessary clearances including Environmental Clearance (EC) from MoEF &CC, GoI/SEIAA, A.p.

8. After obtaining the In-Principle Permission from the 2nd respondent/APPCB, the Answering Respondent through its letter 28.05.2018 requested the SEIAA for issuance of Environmental


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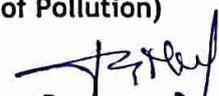

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Clearance. The issue was placed before SEIAA/5th respondent herein in its meeting held on 24.09.2018. The SEIAA/5th respondent agreed with the recommendations of the SEAC, of A.P. for issue of Standard Terms of Reference (TOR) with Public hearing and with additional TOR. The SEIAA/5th respondent further vide Lr.No.SEIAA/AP/GNT /IND/05/2016/84-1068 dated 10.10.2018 requested the Answering respondent to prepare EIA report based on the standard TOR & said additional TOR with Public hearing and submit to the SEAC, A.P. for Appraisal. Accordingly the Answering Respondent vide letter dated 27.02.2019 submitted the documents for Environmental Clearance to the 2nd respondent/APPCB. The 2nd respondent/APPCB vide Lr.No.G-2193/APPCB/RO-GNT/EPH/2019-909 dated 17.08.2019 has consented to conduct Public hearing for the Answering respondent for proposed establishment of Common Bio-Medical Waste Treatment and Disposal Facility (CBMWTF) on 19.09.2019. It is submitted that as per the directions of the 2nd respondent/APPCB, the Answering respondent gave paper Advertisement in Andhra Jyothi and Indian Express on 18.08.2019.

9. It is pertinent to submit here at this juncture, the Appellant herein with all frivolous and untenable grounds filed W.P.No.11945 of 2019 before Hon'ble High Court of Andhra Pradesh with the following prayer:

"It is therefore just and essential that this Hon'ble Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the impugned action of the 5th respondent in proposing to consider the application for grant of Environmental Clearance of the 6th respondent herein in furtherance to the In Principle permission granted by the 2nd respondent in favour of the 6th respondent herein vide its Lr.No.1/APPCB/HO/UH-IV/BMW/On-Principle/2018 dated 23.05.2018 treating the same as second facility in Guntur District is perverse, without application of mind, high handed, capricious, arbitrary, illegal, fundamental rights guaranteed to the petitioner herein under Articles 14, 19(1)(g) of the Constitution of India apart from being in violation of the provisions of the Water(Prevention and Control of Pollution)


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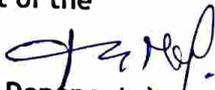
Act,1974 and the Rules made there under, the Air (Prevention and Control of Pollution) Act,1981 and the Rules made there under and the Environment (Protection) Act, 1986, the EIA,2016, the Bio Medical Waste Management & Handling Rules and also the CPCB Guidelines issued there under apart from being in violation of the principles of natural justice and fair play and consequently direct the Respondents herein not to grant the EC and proceed with grant of CFE and CFO for the proposed project of 6th respondent herein without completion of the process relating to the application of the petitioner herein and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

10. The Hon'ble High Court of Andhra Pradesh, while ordering notice before admission in W.P.No.11945 of 2019 granted interim orders as prayed for in I.A.No.1 of 2019 and I.A.No.2 of 2019 in W.P.No.11495 of 2019 on 28.07.2019. On account of the interim orders dated 28.07.2019 in I.A.No.1 of 2019 and I.A.No.2 of 2019 in W.P.No.11495 of 2019 the Public Hearing for grant of E.C. infavour of the Answering Respondent is stalled. Immediately the Answering Respondent herein filed I.A.No.3 of 2019 to vacate the interim orders dated 28.07.2019. The Hon'ble Court of Andhra Pradesh while disposing of I.A.Nos.1,2 and 3 of 2019 in W.P.No.11945 of 2019 on 13.09.2019 passed following order in I.A.Nos.1,2 and 3 of 2019

"12. Having regard to the facts and circumstances of the case, in order to avoid inconvenience to either of the parties including the authorities of PCB and the authorities of Public Hearing, we find it appropriate to allow the concerned authority to hold public hearing, which is scheduled to be conducted on 19.09.2019. But authorities concerned shall keep the proceedings of public hearing in a sealed cover and shall not pas any order for grant of EC until further orders"

11. The Answering Respondent submits that though the Public Hearing was conducted on 19.09.2019, on account of the


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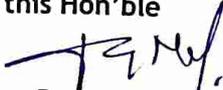

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above order/directions of this Hon'ble Court dated 18.09.2019 the entire process for obtaining EC is stalled. Later the W.P.No.11495 of 2019 was disposed of on 18.08.2021. The Answering Respondent submits that after disposal of the Writ Petition the 5th Respondent / SEIAA herein after considering the entire material and the order in W.P.No.11945 of 2019 dated 18.08.2021 was pleased to grant E.C.(Environmental Clearance) in favour of the Answering Respondent on 02.11.2021 strictly adhering to the Water(Prevention and Control of Pollution) Act,1974 and the Rules made there under, the Air (Prevention and Control of Pollution) Act,1981 and the Rules made there under and the Environment (Protection) Act, 1986, the EIA,2016, the Bio Medical Waste Management & Handling Rules and also the CPCB Guidelines

12. The Answering Respondent submits that the alleged Managing Partner of the Appellant is already running two Common Bio Medical Waste Treatment Facilities one at Srikakulam District in the name of style of M/s Rainbow Industries having its office at Sy.No.22/1, Patha Kumkam Village, Laveru Mandal, Srikakulam District, State of Andhra Pradesh and at Nalgonda District in the name and style of M/s.Roma Industries situated at Sy.No.103, Thokkapur Village, Bhongiri Mandal, Nalgonda District, State of Telangana.

13. The said T.Anil kumar who represents the Appellant as Managing Partner is a chronic litigant. The modus operandi of the said T.Anil kumar is that he makes a representation to the official respondents 2 to 4 herein. Under the guise of non-consideration of the said representations he files case after cases against the official respondents herein before Hon'ble High Courts and this Hon'ble Tribunal without impleading the new project proponents who refused to accept the terms of the said T.Anil kumar and stall the entire process of from the initial stage, though the new project proponents are legally and lawfully entitled to establish new CBWTF(Common Bio Medical Waste Treatment Facilities) by following the procedure as contemplated by CPCB Guide lines, Bio-Medical Waste Management Rules,2016. The xerox copies of the orders passed by this Hon'ble


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Tribunal and the Hon'ble High Court filed herewith and the same may be read as part of this Counter Affidavit for all purposes.

14. The Answering Respondent submits that the distance between the existing CBWTF by name M/s.Safe Environ Private Limited located at Chinakakani Village, Mangalagiri Mandal, Guntur District and the Answering Respondent is about 130 Kms.

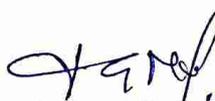
15. The Answering Respondent now adverting to the allegations made in the Appeal as BRIEF FACTS OF THE CASE, submits as follows :

16. With reference to the allegations in Para No.1 of the BRIEF FACTS OF THE CASE filed in support of the Appeal under reply, the Answering Respondent submits that these allegations are general in nature and need no reply.

17(i). With reference to the allegations in Para Nos.2 to 8 of the BRIEF FACTS OF THE CASE filed in support of the Appeal under reply, the Answering Respondent submits that the allegations are not correct. In fact from the reading of the CFE Rejection order dated 16.11.2015 of the Appellant, it is clearly elicited that the 2nd respondent Board rejected the CFE Application of the Appellant on 16.11.2015 under Section 25(4)(b) of the Water Act and Under Section 21(4) of the Air Act for the following reasons:

(1) As verified by the Board Officials there are 688 HCEs in Guntur District with bed strength of 11,149 only. As per the CPCB guide lines (Para "D") for Common Bio Medical Treatment facility(CBMWTF) regarding coverage area is that in any area only one CBMWTF may be allowed to cater upto 10,000 beds at the approved rate by the Prescribed Authority. BMWTF shall not be allowed to cater health care units situated beyond a radius of 150 KM. However, in an area where 10,000 beds are not available within a radius of 150 KM another CBMWTF


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may be allowed to cater the health-care units situated outside the said 150 KM. Presently a CBMWTF is in operation at Chinnakakani, Mangalagiri Mandal, Guntur District catering to HCEs in Guntur District.

ii) You have not obtained Environmental Clearance.

iii) A water body is located very close to the proposed site and reserve forest is abutting the proposed site. The water Body is located in the Downstream side and is likely to be contaminated by your activity.

It is pertinent to submit here that the said rejection order has become final since no appeal is preferred either before Appellate Authority Constituted under Water and Air Acts or before National Green Tribunal. Thus the said order dated 16.11.2015 has become final.

17(ii). From the allegations in the Appeal, it elicited that the Appellant herein submitted a letter to MoEF & CC, GoI/SEIAA/ Respondent No.5 herein to obtain Environmental Clearance and the 5th Respondent/SEIAA vide letter dated 17.02.2016 issued Terms of Reference (TOR) to the Appellant. As per the TOR the Appellant shall undergo public hearing in consultation with APPCB, submit final EIA, minutes of public hearing and response of the Appellant for issues emerged in the public hearing process to the 5th respondent for appraisal. But the Appellant has not taken any steps immediately after issuance of TOR.

17(iii). The Answering respondent submit that the Managing Partner Mr.T.Anil Kumar submitted an application 19. 03. 2018 for Consent for Establishment of CBMWTF in the name of M/s. Ravi Enviro Care, situated at Sy.No.394-1, 394-2, Pedanandhipadu (V & M), Guntur District. The said CFE application was rejected by the CFE Committee of the 2nd respondent/APPCB vide Order No.1/APPCB/VJA/GTR/HO/CBMWTF/2018 dated 17.07.2018 for the following reasons :


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i) The proposed site is within 75Km from the existing CBMWTF in Guntur District.

ii) The APPCB already issued in-principle permission to Y.J. Multi Clave to establish a 2nd CBMWTF in Guntur District as the application was received earlier.

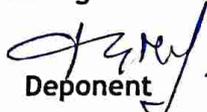
iii) The Board vide Lr. Dt.28.05.2018 rejected the request of M/s.Ravi Enviro Care in Principle Permission for establishment of 2nd CBMWTF in Guntur District.

From the reading of the above it is clearly established that as on the date of rejection, except the Application of the Answering respondent herein there is no other application is pending for consideration before the 2nd respondent/APPCB.

17(iv). Mr.T.Anil Kumar is not a partner in the Appellant prior to rejection of in Principle Permission for establishment of 2nd CBMWTF in Guntur District to M/s.Ravi Enviro Care on 28.05.2018. Mr.T.Anil Kumar who represents the Appellant herein along with Radhika Kolagani joined as partners in Appellant on 05.06.2018. Thereafter, Mr.T.Anil Kumar knowing fully aware of the fact that the Answering Respondent was given in-principle permission for establishment of 2nd CBMTWF in Guntur District, and the 2nd respondent Board already rejected the CFE Application of the Appellant on 16.11.2015 under Section 25(4)(b) of the Water Act and Under Section 21(4) of the Air Act and the said order has become final since no appeal was and is preferred by the Appellant, submitted draft EIA Report on 06.07.2018 to the 4th Respondent herein to conduct Environmental Public Hearing. Upon consideration of all the above stated facts, on 31.07.2018 the 2nd respondent/Board Vide its memo dated 31.07 .2018 by giving reasons while directing the that APPCB shall not conduct the public hearing for the Appellant. Further in the above said Memo in Point No.6 the 2nd respondent/Board observed as follows:

6. As per Rule 17(2) of the Bio-Medical Waste Management


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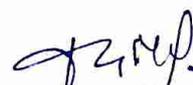
Rules, the selection of site to setting up of CBMWTF shall be made in consultation with the prescribed authority, other stakeholders and in accordance with guidelines published by the MoEF & CC of CPCB. But, M/s.A.P.Environment Technologies has not followed that procedure and neither it has obtained any permission from APPCB with regard to Establishment of the CBMWTF. Hence M/s.A.P.Environment Tech has apply afresh to A.P.Pollution Control Board.

The copies of the same are filed herewith and the Answering Respondent craves leave of this Hon'ble Tribunal to read the same as part of this Counter Affidavit for all purposes.

18. With reference to the allegations in Para No.3 of the BRIEF FACTS OF THE CASE filed in support of the Appeal under reply, the Answering respondent submits that the letter dated 04.06.2015 issued by the Forest Officer is contrary to the Regd.Sale Deed 11.12.2014 wherein the Western boundary is shown as "Forest". But the Letter of the Forest Officer it is showing the distance between the forest and boundary of the Appellant is 5mtrs. This it self speaks volumes about the correctness and genuineness of the said letter. Further when the then Managing Partner Smt. V Uppalapati Durga Mounika made a Application for conversion of the proposed land of the Appellant on 19.01.2017, the same was rejected by the RDO on 28.05.2017. The Copies of the Sale Deed dated 11.12.2014, Letter dated 05.06.2015 and Rejection letter dated 28.05.2017 are filed herewith and the same may be read as part of this Counter Affidavit for all purposes. Rest of the allegations in the para under reply are not correct hence denied intoto.

19. With reference to the allegations in Para Nos.7 & 8 of the BRIEF FACTS OF THE CASE filed in support of the Appeal under reply, the Answering respondent submits that though there exists no application for CFE is pending before the 2nd Respondent/APPCB on an erroneous view and without considering the above, basing on the alleged application by the Appellant the 5th respondent vide letter No.SEIAA/AP/GNT-156/2015 dated 17.02.2016 issued the Terms of

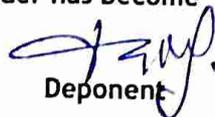

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Reference to the Petition which is valid for 3 years. The Appellant herein without any application and without following the procedure contemplated by Rule 17 (2) of the Bio-Medical Waste Management Rules,2016, requested for Environmental public hearing. The 2nd respondent after noticing the facts stated above vide Memo dated 31.07.2018 by observing that As per Rule 17(2) of the Bio-Medical Waste Management Rules, the selection of site to setting up of CBMWTF shall be made in consultation with the prescribed authority, other stakeholders and in accordance with guidelines published by the MoEF & CC of CPCB. But, Appellant neither followed that procedure and nor it has obtained any permission from APPCB with regard to Establishment of the CBMWTF. Hence M/s.A.P.Enviro Tech has apply afresh to A.P.Pollution Control Board and the 2nd respondent categorical held that it shall not conduct the Public hearing.

20. With reference to the allegations in Para Nos.9 of the BRIEF FACTS OF THE CASE filed in support of the Appeal under reply, the Answering Respondent submits that the W.P.No.2043 of 2019 is filed by suppression of facts and without impleading the Answering Respondent who is a necessary and proper party. Further the order in the Writ Petition No.2043 of 2019 dated 17.04.2019 is also obtained behind back the Answering respondent by suppressing the facts stated above. In fact the partner Mr.T.Anil Kumar who represents Appellant had the knowledge of granting of in principle permission to the Answering respondent herein. Because Mr.T.Anil Kumar made an application for establishment of 2nd CBMW TF in Guntur District in the name and style of M/s.Ravi Enviro Care. The 2nd respondent herein rejected the in principle permission to M/s.Ravi Enviro Care on 28.05.2018. After rejection of in principle permission to M/s.Ravi Enviro, Mr.T.Anil Kumar joined as a partner in Appellant on 05.06.2018. Thereafter, Mr.T.Anil Kumar knowing fully aware of the fact that the Answering Respondent was given in-principle permission for establishment of 2nd CBMTWF in Guntur District, and the 2nd respondent Board already rejected the CFE Application of the Appellant on 16.11.2015 under Section 25(4)(b) of the Water Act and Under Section 21(4) of the Air Act and the said order has become


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final since no appeal was and is preferred by the Appellant, submitted draft EIA Report on 06.07.2018 to the 4th Respondent herein to conduct Environmental Public Hearing. Upon consideration of all the above stated facts, on 31.07.2018 the 2nd respondent/ Board Vide its memo dated 31.07.2018 by giving reasons while directing the that APPCB shall not conduct the public hearing for the Appellant. For the reasons stated above, the Answering Respondent with due respect submit that the above decision is not binding on the Appellant. With reference to the other allegations in the paras under reply, the Answering respondent submits that these allegations are created and coined only for the purpose of the present Appeal and deprive the Answering Respondent to proceed further in obtaining CFE and CFO from the 2nd Respondent/Board. Further the Appellant herein has not challenged the Memo dated 31.07.2018 and the same has become final and binding on the Appellant.

Further from the Memo dated 04.08.2021 Served on the Answering Respondent in W.P.No.11945 of 2019 by the 2nd Respondent/APPCB, it is elicited that the Public Hearing of the Appellant was not conducted on 11.09.2019. The copy of the Memo dated 04.08.2021 is filed herewith for kind consideration of this Tribunal and the same may read as the part of this Counter Affidavit for all purposes.

21. With reference to the allegations in Para Nos.10 of the BRIEF FACTS OF THE CASE filed in support of the Appeal under reply, the Answering Respondent submits that these allegations are totally false, incorrect and coined for the present Appeal. In fact the 2nd Respondent/APPCB herein strictly adhered to the provisions of environmental laws and Rules and issued in principle permission to the Answering respondent and TOR was issued and the Environmental Public hearing was conducted on 19.09.2019 and Environmental Clearance(EC) was also issued infavour of the 6th respondent herein on 02.11.2021 after disposal of the W.P.No.11945 of 2019. The Answering Respondent further submits that there is no bar for making applications for Establishment of CBMWTF by any


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person either under Bio Medical Management Rules,2016 or under CPCB guidelines.

22. With reference to the other allegations in Para Nos.10 of the BRIEF FACTS OF THE CASE filed in support of the Appeal under reply, the Answering Respondent submits that as on date, the Appellant neither followed the procedure nor obtained any permission from APPCB with regard to Establishment of the CBMWTF much less filed fresh application for Renewal of TOR dated 17.02.2016. Further the Appellant had the knowledge that the APPCB already issued in-principle permission to Answering respondent /Y.J. Multi Clave to establish a 2nd CBMWTF in Guntur District as the application was received earlier. Further the application of the Answering Respondent is considered strictly adhering the New Bio Medical Waste Management Rules, 2016 and the guide lines issued by the CPCB (Central Pollution Control Board) and granted Environmental Clearance. With reference to the other allegations in the para under reply, the Answering Respondent submit that these allegations are totally false and created for the present Appeal and the Appellant is put to strict proof of the same.

23. The Answering Respondent further submits that the observation in the Order dated 17.04.2019 in W.P.No.2043 of 2019 that “ the Terms of Reference was within time” is contrary to the mandatory procedure contemplated by O.Ms (Office Memorandums) dated 22.08.2014 and 12.01.2017 for the following reasons:

24. Firstly the Appellant was given TOR by the 5th respondent/SEIAA on 17.02.2016 which is valid for Three years. The said TOR was expired by 16.02.2019. Secondly for conducting public hearing the TOR must be in force. Thirdly the Office Memorandum dated 12.01.2017 mandates that “This period of validity could be extended by the Regulatory Authority concerned by a maximum period of one year provided an application is made by the applicant to the Regulatory Authority, at least three months before the expiry of validity period, together with an updated Form -I based on proper justification and also recommendation of the EAC/SEAC” Further

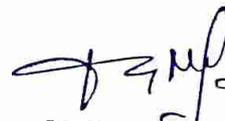

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the Office Memorandum dated 22.08.2014 Para No.2(3) mandates " The SPCBs shall also ensure that PH (Public Hearing) is held within the validity period of the TORs, and that no PH is held after the validity period of TORs is over. The PH conducted after the expiry of the TORs shall not be accepted by the Regulatory Authority for appraisal. The PH should be held well before the expiry of validity of TORs so that EIA/EMP reports are submitted by Proponent within the validity period of TORs. In the present case the Appellant has not filed any application as mandated by the above referred to office memorandums for extension as such, the Public Hearing to be held is in contravention of mandatory guide lines of Office Memorandums stated above.

25. With reference to the allegations in Para No.11 of the BRIEF FACTS OF THE CASE filed in support of the Appeal under reply, the Answering Respondent submits that these allegations are totally incorrect and coined for the present Appeal. In fact the Answering Respondent was given all the permissions strictly in compliance with environmental laws. When the Answering Respondent made an application for grant of CFE for establishment of 2nd BMWTF in Guntur District, except the application of the Appellant there is no application pending. The Application alleged to be filed by the Appellant was rejected by the 2nd respondent Board on 16.11.2015 under Section 25(4)(b) of the Water Act and Under Section 21(4) of the Air Act and the said order has become final since no appeal was and is preferred by the Appellant. Even then the Appellant submitted a draft EIA Report on 06.07.2018 to the 4th Respondent herein to conduct Environmental Public Hearing. Upon consideration of all the above stated facts, on 31.07.2018 the 2nd respondent/ Board Vide itsmemo dated 31.07.2018 by giving reasons, rejected for conducting of Public Hearing for the Appellant. Therefore for all purposes the Answering Respondent's application for CFE is earlier one and as on date there is no application by the Appellant for grant of CFE. Further Guide Line 8 of Revised guide lines for Common Bio Medical Waste Treatment Facilities issued by on 21.12.2016 CPCB deals with Coverage Area.


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Coverage area of CBWTF:

Suggested coverage area for development of a CBWTF is as follows:

a) A CBWTF located within the respective State/UT shall be allowed to cater healthcare units situated at a radial distance of 75 KM. However, in a coverage area where 10,000 beds are not available within a radial distance of 75 KM, existing CBWTF in the locality (located within the respective State/UT) may be allowed to cater the healthcare units situated upto 150 KM radius w.r.to its location provided the bio-medical waste generated is collected, treated and disposed of within 48 hours as stipulated under the BMW Rules.

b) In case, number of beds is exceeding > 10,000 beds in a locality (i.e., coverage area of the CBWTF under reference) and the existing treatment capacity is not adequate, in such a case a new CBWTF may be allowed in such a locality in compliance to various provisions notified under Environment (Protection) Act,1986, to cater services only to such additional bed strength of the HCFs located.

The Answering Respondent submits that at present the bed strength of Guntur District as reported in the 168th Minutes of the meeting dt24.10.2021 is 27,690. Considering the same the SEAC(State Level Expert Appraisal Committee) in addition to the Answering Respondent(2nd CBWTF) recommended for issuance of TOR with exemption of Public Hearing and with additional TOR to the third proposed CBWTF/M/s.Shuddh Enviro Logics , Plot No.6,9,17 & 18, Industrial Park, Nadikudi, Phase-II, situated in Sy.No.127/15 and 127/26, Nadikudi Village-522414, Dachepalli Mandal, Guntur District, Andhra Pradesh. The Answering respondent further submits that once the bed strength exceeding 10000 is available another CBWTF may be permitted irrespective of GAP Analysis is conducted or not. Here is a case where the total bed Strength is 27,690. Hence the objection of non-conducting of Gap Analysis is not a ground at all for setting aside the EC dated 02.11.2021 granted in favour of the Answering Respondent strictly adhering all the norms and provisions of Environment Laws .


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26. With reference to the allegations in Para Nos.12 to 14 of the BRIEF FACTS OF THE CASE filed in support of the Appeal under reply, the Answering Respondent submits that these allegations are totally incorrect and coined for the present Appeal. In fact the Appellant herein with all frivolous and untenable grounds filed W.P.No.11945 of 2019 before Hon'ble High Court of Andhra Pradesh with the following prayer:

"It is therefore just and essential that this Hon'ble Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the impugned action of the 5th respondent in proposing to consider the application for grant of Environmental Clearance of the 6th respondent herein in furtherance to the In Principle permission granted by the 2nd respondent in favour of the 6th respondent herein vide its Lr.No.1/APPCB/HO/UH-IV/BMW/On-Principle/2018 dated 23.05.2018 treating the same as second facility in Guntur District is perverse, without application of mind, high handed, capricious, arbitrary, illegal, fundamental rights guaranteed to the petitioner herein under Articles 14, 19(1)(g) of the Constitution of India apart from being in violation of the provisions of the Water(Prevention and Control of Pollution) Act,1974 and the Rules made there under, the Air (Prevention and Control of Pollution) Act,1981 and the Rules made there under and the Environment (Protection) Act, 1986, the EIA,2016, the Bio Medical Waste Management & Handling Rules and also the CPCB Guidelines issued there under apart from being in violation of the principles of natural justice and fair play and consequently direct the Respondents herein not to grant the EC and proceed with grant of CFE and CFO for the proposed project of 6th respondent herein without completion of the process relating to the application of the petitioner herein and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.


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27. The Hon'ble High Court of Andhra Pradesh, while ordering notice before admission in W.P.No.11945 of 2019 granted interim orders as prayed for in I.A.No.1 of 2019 and I.A.No.2 of 2019 in W.P.No.11495 of 2019 on 28.07.2019. On account of the interim orders dated 28.07.2019 in I.A.No.1 of 2019 and I.A.No.2 of 2019 in W.P.No.11495 of 2019 the Public Hearing for grant of E.C. infavour of the Answering Respondent is stalled. Immediately the Answering Respondent herein filed I.A.No.3 of 2019 to vacate the interim orders dated 28.07.2019. The Hon'ble Court of Andhra Pradesh while disposing of I.A.Nos.1,2 and 3 of 2019 in W.P.No.11945 of 2019 on 13.09.2019 passed following order in I.A.Nos.1,2 and 3 of 2019

"12. Having regard to the facts and circumstances of the case, in order to avoid inconvenience to either of the parties including the authorities of PCB and the authorities of Public Hearing, we find it appropriate to allow the concerned authority to hold public hearing, which is scheduled to be conducted on 19.09.2019. But authorities concerned shall keep the proceedings of public hearing in a sealed cover and shall not pas any order for grant of EC until further orders"

28. The Answering Respondent submits that though the Public Hearing was conducted on 19.09.2019, on account of the above order/directions of this Hon'ble Court dated 18.09.2019 the entire process for obtaining EC is stalled. Later the W.P.No.11495 of 2019 was disposed of on 18.08.2021. The Answering Respondent submits that after disposal of the Writ Petition the 5th Respondent / SEIAA herein after considering the entire material and the order in W.P.No.11945 of 2019 dated 18.08.2021 was pleased to grant E.C.(Environmental Clearance) in favour of the Answering Respondent on 02.11.2021 strictly adhering to the Water(Prevention and Control of Pollution) Act,1974 and the Rules made there under, the Air (Prevention and Control of Pollution) Act,1981 and the Rules made there under and the Environment (Protection) Act, 1986, the EIA,2016, the Bio Medical Waste Management & Handling Rules and also the CPCB Guidelines.


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29. With reference to the allegations in Grounds A, B and C of the Appeal under reply, the Answering Respondent submits that these allegations are totally false and created for the present Appeal. In fact the Officials Respondents from the stage of Application for CFE and also for EC strictly adhered the provisions of the Water(Prevention and Control of Pollution) Act,1974 and the Rules made there under, the Air (Prevention and Control of Pollution) Act,1981 and the Rules made there under and the Environment (Protection) Act, 1986, the EIA,2016, the Bio Medical Waste Management & Handling Rules and also the CPCB Guidelines and W.P.No.2043 of 2019 for granting of EC after disposal of Writ Petition No.11945 of 2019 on 18.08.2021.

30. With reference to the allegations in Grounds D, F, G of the Appeal under reply, the Answering Respondent submits that these allegations are totally false and created for the present Appeal. In fact Guide Line 8 of Revised guide lines for Common Bio Medical Waste Treatment Facilities issued by on 21.12.2016 CPCB deals with Coverage Area.

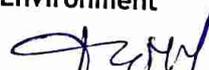
Coverage area of CBWTF:

Suggested coverage area for development of a CBWTF is as follows:

a) A CBWTF located within the respective State/UT shall be allowed to cater healthcare units situated at a radial distance of 75 KM. However, in a coverage area where 10,000 beds are not available within a radial distance of 75 KM, existing CBWTF in the locality (located within the respective State/UT) may be allowed to cater the healthcare units situated upto 150 KM radius w.r.to its location provided the bio-medical waste generated is collected, treated and disposed of within 48 hours as stipulated under the BMWM Rules.

b) In case, number of beds is exceeding > 10,000 beds in a locality (i.e., coverage area of the CBWTF under reference) and the existing treatment capacity is not adequate, in such a case a new CBWTF may be allowed in such a locality in compliance to various provisions notified under Environment


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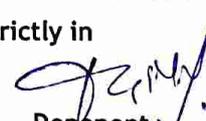
(Protection) Act, 1986, to cater services only to such additional bed strength of the HCFs located.

The Answering Respondent submit that at present the bed strength of Guntur District as reported in the 168th Minutes of the meeting dt24.10.2021 is 27,690. Considering the same the SEAC(State Level Expert Appraisal Committee) in addition to the Answering Respondent(2nd CBMWF) recommended for issuance of TOR with exemption of Public Hearing and with additional TOR to the third proposed CBWTF/M/s.Shuddh Enviro Logics , Plot No.6,9,17 & 18, Industrial Park, Nadikudi, Phase-II, situated in Sy.No.127/15 and 127/26, Nadikudi Village-522414, Dachepalli Mandal, Guntur District, Andhra Pradesh. The Answering respondent further submits that once the bed strength exceeding 10000 is available another CBWTF may be permitted irrespective of GAP Analysis is conducted or not. Here is a case where the total bed Strength is 27,690. Hence the objection of non-conducting of Gap Analysis is not a ground at all for setting aside the EC dated 02.11.2021 granted in favour of the Answering Respondent strictly adhering all the norms and provisions of Environment Laws .

31. With reference to the allegations in Ground E of the Appeal under reply, the Answering Respondent submits the Judgment referred to by the Appellant in W.P.No.11250 of 2018 is not binding on the Answering Respondent for the reason that the Answering Respondent was given in Principle Permission by the 2nd respondent/APPCB vide Lr.No.1/APPCB/HO/UH-IV/BMW/In-Principle / 2018 dated 23.05.2018. But the judgment in the above said Appeal was given on 17.04.2019 which is prospective in nature. Hence the allegations in the para are not correct.

32. With reference to the allegations in Grounds H and I of the Appeal under reply, the Answering Respondent submits the allegations are totally incorrect and devoid of truth. In fact, the Answering Respondent was given all the permissions strictly in

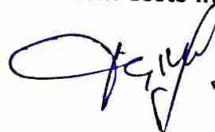

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compliance with environmental laws. When the Answering Respondent made an application for grant of CFE for establishment of 2nd BMWTF in Guntur District, except the application of the Appellant there is no application pending. The Application alleged to be filed by the Appellant was rejected by the 2nd respondent Board on 16.11.2015 under Section 25(4)(b) of the Water Act and Under Section 21(4) of the Air Act and the said order has become final since no appeal was and is preferred by the Appellant. In fact the partner Mr.T.Anil Kumar who represents Appellant had the knowledge of granting of in principle permission to the Answering respondent herein. Because Mr.T.Anil Kumar made an application for establishment of 2nd CBMW TF in Guntur District in the name and style of M/s.Ravi Enviro Care. The 2nd respondent herein rejected the in principle permission to M/s.Ravi Enviro Care on 28.05.2018. After rejection of in principle permission to M/s.Ravi Enviro, Mr.T.Anil Kumar joined as a partner in Appellant on 05.06.2018. Thereafter, Mr.T.Anil Kumar knowing fully aware of the fact that the Answering Respondent was given in-principle permission for establishment of 2nd CBMTWF in Guntur District, and the 2nd respondent Board already rejected the CFE Application of the Appellant on 16.11.2015 under Section 25(4)(b) of the Water Act and Under Section 21(4) of the Air Act and the said order has become final since no appeal was and is preferred by the Appellant, submitted draft EIA Report on 06.07.2018 to the 4th Respondent herein to conduct Environmental Public Hearing. Upon consideration of all the above stated facts, on 31.07.2018 the 2nd respondent/ Board Vide its memo dated 31.07.2018 by giving reasons while directing the that APPCB shall not conduct the public hearing for the Appellant.

33. In view of the facts stated above this Hon'ble Tribunal may be pleased to dismiss the Appeal No.80 of 2021 with costs in the interest of Justice.

Solemnly and sincerely affirmed
and signed his name on this
the 7th day of January, 2022
in my presence.



ADVOCATE :: (F. Mandarao Rao)

VERIFICATION STATEMENT

I, Y. Sriramamurthy, S/o.Chalapathi Rao, aged about 52 years, R/o. Rama Mandiram Gudi, 1st Lane, Ponnur, Telagapalem, Ponnur Taluk, Guntur District, Andhra Pradesh, Proprietor of Y.J. Multi Clave/Respondent No.6 herein acquainted with the facts do hereby verify and state that the contents of paras of the Counter Affidavit are true and correct to my personal knowledge and believed to be correct.

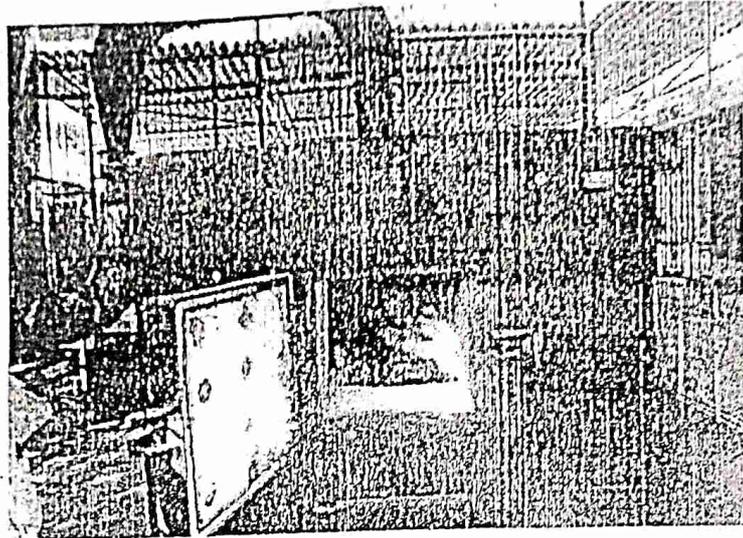
Verified at Guntur on this
the 7th day of January, 2022


DEPONENT

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16

Guidelines for Common Bio-medical Waste Treatment and Disposal Facilities



19.05.2019



Andhra Pradesh Pollution Control Board
D.No-33-26-14D/2. Near Sunrise Hospital, Pushpa Hotel Center,
Chalamalavari Street, Kasturibaipet, Vijayawada-520010
Website : www.appcb.ap.nic.in

— only A.P.

వారికి తెలియజేస్తుంది -

1. Introduction

The CPCB issued revised guidelines for CBMWTFs as per the Bio-Medical Waste Management Rules, 2016 on 21.12.2016. These guidelines were developed by the CPCB keeping in view of the entire India. The APPCB opined that there is an urgent need for further stringent guidelines for the CBMWTFs in the state of Andhra Pradesh for proper treatment and disposal of the Bio-Medical Waste generated in the state of Andhra Pradesh. In the state of Andhra Pradesh, health care facilities were developed in each and every corner including the remote areas. However the bed strength is more in the cities and densely populated districts. In order to facilitate the disposal of the bio-medical waste within 48 hours, certain changes were made in distance criteria in all being the new CBMWTFs.

2. Criteria for development of a new Common Bio-medical Waste Treatment and Disposal Facility for a locality or region.

Prior to allowing any new CBMWTF, should meet following criteria

- a. At least one CBMWTF shall be allowed in each and every district of Andhra Pradesh for disposal of Bio Medical Waste considering the increased bed strength in future, coverage of veterinary hospitals under BMW rules, reduction of the cost of the transport, biological waste & discarded medicines from the industries and better administrative control over the CBMWTFs.
- b. In the densely populated districts second facility is to be encouraged (as per annexure-1).
- c. In case, the existing CBMWTF fails to comply with the standards / directions / conditions stipulated by the CPCB / APPCB, repeatedly then closure order will be issued followed by cancellation of its authorization and a new CBMWTF shall be encouraged in each district irrespective of bed strength and distance criteria in order to dispose the Bio Medical Waste in compliance with the Bio Medical Waste Management Rules, 2016.
- d. In case, the existing CBMWTF continues to violate the standards / directions / conditions, closure directions shall be issued without any further notice and the authorization will be cancelled.

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3. Duties of the operator of a common bio-medical waste treatment and disposal facility

- a. No CBMWTF shall stop its operation without obtaining prior permission from the APPCB at least 15 days in advance, failing which the APPCB shall levy a penalty of not less than the charges collected from the entire HCFs in a day.
- b. The CBMWTFs are responsible for giving necessary training to the staff of HCFs on segregation of BMW. The CBMWTF shall ensure proper segregation of Bio Medical Waste at the time of collection itself.
- c. In case of improper segregation of BMW, the CBMWTF shall refuse collection of waste from the HCF and shall inform the concerned Regional Officer, APPCB. Also the monitoring officers as decided by the state level committee on bio-medical waste management.
- d. The CBMWTF shall regularly collect the BMW from all HCFs in the district irrespective of the distance from the CBMWTF.
- e. The CBMWTF shall ensure disposal of entire Bio Medical Waste within 48 hours of generation of the waste.
- f. The ash generated from incineration of Bio Medical Waste shall be disposed of at Common Hazardous Waste Treatment and Disposal Facility.
- g. No CBMWTF shall dispose incinerator ash to Municipal Landfill / onsite landfill.
- h. The incinerator ash shall be treated as Hazardous Waste and shall be disposed accordingly.

4. Applicability of these guidelines

- a. These guidelines are applicable to the existing CBMWTFs and also to the upcoming or new CBMWTFs. The existing CBMWTFs shall comply with these guidelines by 31st December, 2018 without fail.

5. Environmental laws applicable for commissioning or operation of a CBWTF

- a. The CBMWTF shall comply with the provisions of Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016 in order to dispose incinerator ash, ETP sludge, packing material used in the scrubber, wastes generated while replacing the incinerator linings i.e., refractory material etc.,

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- b. The CBMWTF shall comply with the provisions of Plastic Waste Management Rules, 2016 in order to dispose the Plastic Waste. The CBMWTF shall dispose the plastic waste to the agencies which were having valid CFO from the APPCB. The CBMWTF shall submit the details of Waste plastic disposed to Plastic recycling unit on monthly basis.
- c. The new CBMWTF shall obtain in-principle permission from the APPCB before initiating procedure of obtaining Environmental Clearance under EIA, Notification 2006.

6. Location Criteria

- a. The CBMWTF shall be 500m away from residential area.
- ✓ b. The CBMWTF shall be away as far as possible from residential area, eco sensitive areas, forest/reserve forest area, rich bio diversified areas, parks, resorts etc.
- c. The CBMWTF shall be located in an area where continuous hi-speed internet facility for transmission of data to CPCB/APPCB servers is available.
- d. Should have minimum buffer zone of 500 m from archaeological, tourist places & projects with national importance which may get impacted by CBMWTF (on case to case basis).
- e. The run-off of the storm water from the CBMWTF is to be taken into consideration. In no case, the storm water from the CBMWTF shall be allowed to mix into the fresh water body.
- f. The CBMWTF shall not be located in the midst of wet agricultural lands, like paddy fields, sugar cane etc. where there will be stagnation of water, which would cause spread of infectious material to the surroundings.
- g. The CBWTF shall be located near to its area of operation in order to minimize the transportation distance in waste collection, thus enhancing its operational flexibility as well as for ensuring compliance to the time limit for treatment and disposal of bio-medical waste as stipulated under the BMWM Rules (i.e., within 48 hours).
- h. If number of beds is exceeding 5,000 beds in a city and surroundings, in such a case, a new CBWTF may be allowed in such a locality within 75kms from the existing CBMWTF.
- i. In case of the locating the CBMWTF in industrial area, there shall not be any non-compatible industry (viz., edible industries, dairy, food processing etc.) within a radius of 100m.

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7. Land Requirement

- a. Sufficient land shall be allotted to new CBMWTFs as per the CPCB criteria i.e. Revised Guidelines for Common Bio-medical Waste Treatment and Disposal Facilities.

8. Coverage area of CBMWTF

- a. If bed strength of a district exceeds 10,000 nos, second facility shall be allowed in the district without disturbing the existing facility coverage.))
- b. In case the CBMWTF fails to collect the BMW from the remote area HCFs or any other HCFs on regular basis, new CBMWTF shall be allowed without considering the bed strength tie-up with the existing CBMWTF duly issuing the closure order and cancellation of authorization order.

9. Treatment equipment

- a. The CBMWTF shall have all necessary equipment like incinerator/plasma pyrolysis, Autoclave/hydroclave, microwaving, chemical destruction, shredder, vehicle /container washing facility, effluent treatment plant as mentioned in the CPCB's Revised Guidelines for Common Bio-medical Waste Treatment and Disposal Facilities.

10. Infrastructure set up

- a. The CBMWTF shall have all necessary infrastructure like Treatment Equipment Room, Main waste storage space, Treated waste storage room, Administrative Room, Generator set, Continuous emission monitoring system (CEMS), Vehicle Parking, Display and sign board, Washing Room, Site Security, Fire safety, First Aid Box, Green Belt, Website as mentioned in the CPCB's Revised Guidelines for Common Bio-medical Waste Treatment and Disposal Facilities.
- b. In addition to the above, the CBMWTF shall provide IP cameras covering entire area of the CBMWTF in consultation with the Regional Officer, APPCB and Environment Monitoring Cell, Board Office, APPCB, Vijayawada.

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11 Record keeping

- a. The CBMWTF shall maintain all records as mentioned in the CPCB's Revised Guidelines for Common Bio-medical Waste Treatment and Disposal Facilities.

12. Collection and transportation of bio-medical waste

- a. Generator of the bio-medical waste and CBMWTF are responsible for proper segregation of the BMW in accordance with the provisions of the Bio-medical Waste Management Rules, 2016.
- b. The coloured bags handed over by the healthcare units shall be collected in similar coloured containers with proper cover. Each bag shall be labeled as per Schedule IV of the Bio-medical Waste Management Rules as well as with bar coding system (to be complied by the occupier or operator of a CBWTF as per BMWM Rules) so that at any time, the healthcare units can be traced back that are not segregating the bio-medical wastes as per BMWM Rules.
- c. Transportation vehicle shall be fitted with GPS to track the movement of the vehicle and the GPS tracking shall be connected to the server of the APPCB and CBMWTF's website for public access.
- d. Bio-medical Waste Management Rules, 2016 notified on 28.03.2016 and as amended thereof under the Environment (Protection) Act, 1986, stipulates that it is the duty of every Health Care Facility (HCF) to establish a bar code system for bags or containers containing bio-medical waste (BMW) to be sent out of the premises or place for any purpose, by 27.03.2019.
- e. Every CBWTF shall establish bar code system for handling of bio-medical waste as per guidelines for "Bar Code System for Effective Management of Bio-medical Waste" issued by CPCB during April-2018.
- f. The other conditions mentioned in the Collection and transportation of bio-medical waste as mentioned in the CPCB's Revised Guidelines for Common Bio-medical Waste Treatment and Disposal Facilities.

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13. Disposal option of solid waste generated from the CBWTF

- a. Plastic wastes after disinfection and shredding shall be sent to registered or authorized recyclers (or) for energy recovery (or) for diesel or fuel oil recovery.
- b. Disinfected Sharps (including needles) after treatment by Autoclaving or Dry Heat Sterilization followed by shredding or mutilation combination of shredding cum autoclaving shall be sent for final disposal to iron foundries having consent for operation (CFO) from the APPCB.
- c. Incineration ash (ash from incineration of any bio-medical waste) shall be disposed through hazardous waste treatment, storage and disposal facility (TSDf).
- d. Other treated solid wastes like Glass waste shall be disinfected by soaking the washed glass waste after cleaning with detergent and Sodium Hypochlorite treatment or through autoclaving or microwaving or hydroplaning and then sent for recycling.
- e. Waste Oil & Grease shall be disposed by incineration.
- f. ETP sludge after drying in sludge drying beds or removal of moisture content using 'Filter Press' and such ETP sludge shall be given to the hazardous waste treatment, storage and disposal facility (HWTSDf) for disposal in Secured Landfill

14. Cost to be charged by the CBWTF Operator for the Health Care Facilities

- a. The CBWTF shall charge the cost as per the recommendation of the by the State Advisory Committee in consultation with the concerned APPCB, local Medical Association and the representatives of the CBWTF Association.

15. Check list for development of CBWTF

- a. As per the CPCB's Revised Guidelines for Common Bio-medical Waste Treatment and Disposal Facilities.

16. Periodic inspection/monitoring or performance evaluation of the CBWTF

- a. As per the CPCB's Revised Guidelines for Common Bio-medical Waste Treatment and Disposal Facilities.
- b. Monitoring officers as suggested by the state level committee headed by Principal Secretary, Health, Medical & Family Welfare.

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Annexure- 1

Weighted average $W = (W_1 + W_2 + W_3)/3$

W_1 = no. of beds (Max. weighted as 2)

If $W_1 = \text{Beds} \geq 10,000$ = 2

If $W_1 = \text{Beds} < 10,000$ = 0

W_2 = No of HCFs in the District (Max. weighted as 2)

If HCFs ≥ 550 $W_2 = 2$

If HCFs < 550 $W_2 = 0$

W_3 = Treatment capacity,

if Waste generation reached 75% of the existing capacity (8hrs working) then $W_3 = 2$

if Waste generation not reached 75% of the existing capacity (8hrs working) $W_3 = 0$

$W = (W_1 + W_2 + W_3)/3$

if $W > 1$, 2nd facility shall be allowed in that district.

30

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14. RESOLUTION NO. 174/2019 :

HOUSE BUILDING ADVANCE (HBA) - ENHANCEMENT OF THE CEILING LIMIT - REPRESENTATIONS RECEIVED FROM CERTAIN EMPLOYEES - REG.

Discussed. Resolved to approve to enhance the House Building Advance (HBA) eligibility as below:

S. No.	Pay Ranges in RPS, 2015	Enhanced maximum ceiling & eligibility	Request of the employees (triple the amount of the eligibility as per the existing GO)	The amount recommended for enhancement
1.	Upto the basic of Rs. 26,600 per month	Rs. 10 lakhs or 72 times of Basic Pay whichever is less	Rs.30 lakhs	Rs.30 lakhs
2.	Pay above Rs. 26,600 per month and upto Rs. 42,490/-	Rs. 12.30 lakhs 72 times of Basic Pay whichever is less	Rs.36.90 lakhs	Rs.36.90 lakhs
3.	Pay drawing between 42,490/- to Rs. 61,450/-	Rs. 15 Lakhs 72 times of basic pay whichever is less.	Rs.45 Lakhs	Rs.45 Lakhs
4.	Employees drawing basic pay of Rs. 61,450/- & above	Rs. 20 lakhs 72 times of Basic Pay whichever is less	Rs.60 lakhs	Rs.60 lakhs

The interest rate charged for the amount sanctioned by the Board over and above the ceiling as per G.O. would be at par with the lending rate of banks for house loans.

TABLE AGENDA ITEMS

15. RESOLUTION NO. 175/2019 :

GUIDELINES FOR COMMON BIO-MEDICAL WASTE TREATMENT AND DISPOSAL FACILITIES IN ANDHRA PRADESH - REG.

The Board has discussed and resolved to approve the draft guidelines for Common Bio Medical Waste Treatment and Disposal Facilities in Andhra Pradesh.

(31)

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G-2193

GOVERNMENT OF ANDHRA PRADESH
DEPARTMENT OF INDUSTRIES

COMMON APPLICATION FORM I
PART A
FOR ESTABLISHMENT

Application ID: CAE1502231

This form is to be filed with the Nodal Agency for the purpose of arranging site clearance, statutory approvals from Panchayat / Municipality, T.C. & P., Urban Development Authority, Factories, Alienation of land / Acquisition of land, Feasibility and Power connection from DISCOM, sanction of water supply from local bodies / HMWS & SB / Ground water supply in A.P.

(Enter serially required number of copies as per check slip including one for your record)

1. NAME & ADDRESS OF THE PROMOTER/INDUSTRIAL UNDERTAKING IN FULL

Name of the Industrial Undertaking	YJ MULTI CLAVE
Name of the Promoter/M.D./Mg. Partner with Surname first	Y SRIRAMA MURTHY
Site/Dir./Village	CHALAPATHI RAO
Age	44
Occupation	BUSINESS
AID (Aadhar ID)	840027913786



2. ADDRESS FOR COMMUNICATION

Door No.	24-3-13
Street Name	TELAGAPALEM
Village/Town	PONNUR
Mandal	PONNUR
District	GUNTUR
Pin Code	522124
E-mail	yjmulticlave@gmail.com
Telephone (incl. STD code)	09177224400

Handwritten note: "File E-c to be obtained"

Handwritten date: "01/12/2015"

Nature of Organisation : Proprietary

For Proprietary Units Only. Do you belong to : Others

Line of manufacture

1 BIO MEDICAL WASTE MA

TON 3600

Online Payment - 4933 0653 68661
Dt: 27/11/2015 Rn. 8.750/-

(32)

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Raw materials used in process

1 BIO MEDICAL WASTE FROM HOSPITALS TON 3600

4.3 Details of Plant & Machinery (Pl enclose list)

4.4 Brief description of manufacturing process : (Pl enclose separate sheet)

4.5 Type and Nature of wastes and effluents their Quantities and the methods of their disposal (Enclose Separate Sheet)

5.0 Estimated Project Cost.

	Estimated Project	New Unit
6.1	Land (in lakhs.)	5
6.2	Building (in lakhs.)	87
6.3	Plant and Machinery (in lakhs.)	140
6.4	Total cost of (6.1 + 6.2+6.3) (in lakhs.)	232

6.0 Probable Employment Potential : (In No. of persons to be employed)

Direct (On unit's payroll)	20	10
Indirect (On factory premises)	10	2

7.0 Details of existing Approvals of Factories dept Gram Panchayat / Municipality / Electricity / Water, if any

Reference No

Date

8.0 Proposed location of the factory

Proposed factory	Others
Location/Name of IE/IDA/EZ/PE	TANA ANNAVARAM
Survey No.	D.NO 7/1, 8/1
Extent	13635 Sq.Mts
Street Name	TANA ANNAVARAM
Village/Town	TELLABAU
Mandal	Nuzendla
District	Guntur
Pin code	522647
Tele Phone No	
Nearest Tele Phone No.	

33

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Power required for the unit	<= 100 HP (LT)
Contracted Load is	58
Contracted Load Maximum Demand in HP	58
Aggregate installed capacity of the transformer to be installed by the entrepreneur in case of H.T. (H.T. means above 150 H.P.)	58
Proposed maximum working hours	20 Per day
	600 Per month
Expected month and year of trial production	02 - 2016
Probable date of requirement of power supply	25/01/2016
Total HP of the machinery proposed to be installed	58
Is Power Installation above 650V	No

10 Water Supply and Sewer connection

Water Supply from	Others
Water requirement	
i) Drinking Water	0.50 KL/Day
ii) Water for Processing (Industrial Use)	0.001 KL/Day
Size of Water Supply connection applied for	15mm(1/2")
Size of sewer connection applied for	15mm(1/2")
Area for Survey	3.37 Acres
Permission to draw water	
Agency	Others
Requirement of Water Quantity	0.50KL/Day

I declare that the particulars given above are true to the best of my knowledge and belief. I shall obey the rules and regulations in force. If any deviation is found, suitable action may be initiated.

Place: _____ Signature of Promoter or authorised person only in Ink

Date: 27/11/2015

NAME (IN BLOCK LETTERS)

(DESIGNATION)

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GOVERNMENT OF ANDHRA PRADESH
DEPARTMENT OF INDUSTRIES

Application ID : POL1500815

FORM - I
PART C5

APPLICATION FOR CONSENT FOR ESTABLISHMENT
(Information to be furnished for the purpose of Issue of consent for Establishment by APPCB, vide G.O.Ms.No.43, EFS&T Dept, Dt. 25/4/1984 of Govt. of A.P.)

1. Name of the Industrial undertaking : YJ MULTI CLAVE

2. Process details

2.1 Production Schedule

2.1.1 List of main products proposed to be produced

Sl.No.	Item Description	Item Code	Designed Daily Prodn. Capacity	Unit
1	BIO MEDICAL WASTE MANAGEMENT		30	TON

2.1.2 Name of By-products

Sl.No.	Item Description	Item Code	Designed Annual Prodn. Capacity	Unit
--------	------------------	-----------	---------------------------------	------

2.1.3 Period of implementation in months : 3

2.1.4 Approximate time by which the factory will go into production. (Month/Year) : 02/2016

2.2 RAW MATERIALS CONSUMPTION

Sl.No.	Item Description	Item Code	Designed Daily Prodn. Capacity	Unit
2	BIO MEDICAL WASTE FROM HOSPITALS		30	TON

2.3 MANUFACTURING PROCESS

2.3.1 Source of process : In house,

2.3.2 Please enclose supplementary sheet giving brief description of process technology utilised along with a flow chart.

2.3.3 Have you any foreign collaboration : N

2.4 ENERGY CONSUMPTION

2.4.1 Source of energy : Public Supply,

2.3.2 Please enclose supplementary sheet giving brief description of process technology utilised along with a flow chart.

Sl.No.	Item Description	Item Code	Designed Daily Prodn. Capacity	Unit
--------	------------------	-----------	--------------------------------	------

3. LOCATION

3.1 Please attach a map indicating the site with approach roads including adjacent areas on all four sides for easy identification of site of the proposed plant, for inspection.

3.2 Area of land proposed to be acquired : 13635 Sq. Mts.

3.3 Area proposed to be developed : 13635 Sq. Mts.

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- 3.4 Present use of land : Industrial
- 3.5 Specify location : Landlocked
- 3.6 Is the land situated within any Municipality or Municipal Corporation/Cononment Jurisdiction : No
if Yes the Name of Municipality/Muncpal Corporatlon : NA
- 3.7 Is the land situated In approved industrial zone or estate : No
If yes. name of zone/estate : NA

3.8. Which of the following features exist within 20 kilometers radius of the site In respect of L & MI and 5 Kms in respect of SSI.

- 3.8.1 Crops: N/A
- 3.8.2 Other Features Exists N/A
- 3.8.3 No. of Large Industries existing in the area : 5
- 3.8.4 No. of Small Industries existing in the area : 10

3.9. Please enclose a topographical plan covering an area of 20 KM radius of the proposed industry in respect of L & MI and 5 Kms radius of the proposed Industry In respect of SSI showing the following details.

- Clear demarkation of nearest water source and agricultural lands.
- Source of water supply to the villages nearby
- Residential areas and villages nearby
- Information on broad uses of land.
- Monuments/Summer Resorts/Sanctuary/Zoo Parks/Others.

4. TOWN PLANNING :

- 4.1 Do you propose to build Township/housing/Quarters for your employees : No
- 4.2 If yes
 - 4.2.1. Area allocation for the above in Sq. Mts. N/A
 - 4.2.2. Population to be accommodated (Number)(Including Employees & Families) N/A
 - 4.2.3 Distance from township to plant site in kilometers N/A
 - 4.2.4. Services provided in township:
 - Is Water Supplied : No
 - Water supply Daily consumption (K. Litres)
 - Sewer system : No
 - Sewage treatment : No
 - Disposal point : No

5. WATER REQUIREMENTS :

- 5.1. Source of water : Public Supply

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- 3.4 Present use of land : Industrial
- 3.5 Specify location : Landlocked
- 3.6 Is the land situated within any Municipality or Municipal Corporation/Condonment Jurisdiction : No
if Yes the Name of Municipality/Municipal Corporation : NA
- 3.7 Is the land situated in approved industrial zone or estate : No
If yes, name of zone/estate : NA

3.8. Which of the following features exist within 20 kilometers radius of the site in respect of L & MI and 5 Kms in respect of SSI.

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- 3.8.2 Other Features Exists N/A
- 3.8.3 No. of Large Industries existing in the area : 5
- 3.8.4 No. of Small Industries existing in the area : 10

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- Clear demarkation of nearest water source and agricultural lands.
- Source of water supply to the villages nearby
- Residential areas and villages nearby
- Information on broad uses of land.
- Monuments/Summer Resorts/Sanctuary/Zoo Parks/Others.

4. TOWN PLANNING :

- 4.1. Do you propose to build Township/housing/Quarters for your employees : No
- 4.2. If yes
 - 4.2.1. Area allocation for the above in Sq. Mts. N/A
 - 4.2.2. Population to be accommodated (Number)(Including Employees & Families) N/A
 - 4.2.3. Distance from township to plant site in kilometers N/A
 - 4.2.4. Services provided in township:
 - Is Water Supplied : No
 - Water supply Daily consumption (K. Litres)
 - Sewer system : No
 - Sewage treatment : No
 - Disposal point N/A

5. WATER REQUIREMENTS :

- 5.1. Source of water : Public Supply

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CHEMICAL

Acidity (CaCO3)(mg/litre)	N/A	Alkalinity (CaCO3)(mg/litre)	N/A
Hardness (Total)(ppm)	N/A	B.O.D. (mg/Litre)	N/A
C O D (mg/litre)	N/A	Oils & Greases(mg/litre)	N/A
Total Nitrogen Phosphates (mg/Litre)	N/A	Sulphates(mg/litre)	N/A
Total phosphates(mg/litre)	N/A	Sodium (%)	N/A
Total Chloride(mg/litre)	N/A	Calcium(mg/litre)	N/A
Potassium(mg/litre)	N/A	Magnesium(mg/litre)	N/A

6.8. What other specific toxic substance is discharged ?
(Please give name of pollutant and quantity in mg/litre)

Phenol(Quantity) :	N/A	Lignin(Quantity) :	N/A
Mercaptans(Name) :	N/A	Mercaptans(Quantity) :	N/A

7. SOLID WASTE

- 7.1. Total quantity of solid Waste N/A
- 7.2. Nature of Waste : N/A
- 7.3. Approximate composition eg. Organics/Granules/Metal/Others
- 7.4. Methods proposed for disposal including disposal of treatment plant sludge : N/A
- 7.5. Have you considered the possibility of recovery and reutilisation of any portion of the solid waste? No
- 7.6. Have you got any problem regarding collection, handling and transport of solid waste? No
- 7.7. Are there any problems of subsequent pollution of air, water or soil likely at the place of disposal of solid wastes? No

8. Atmospheric Emissions.

- 8.1. Emissions from fuel burning
 - 8.1.1. Expected quantity of stack emissions in Cubic M/sec. N/A
 - 8.1.2. Composition of emissions

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Gases

Gas	Quantity
Sulphuric dioxide	0
Nitrogen Oxides	0
Hydrocarbons	0
Carbon monoxide	0
Moisture	0

8.2. Emission from process

8.2.1. Expected emissions qty.cubic M/sec. N/A

8.2.2. Temperature (Degree C.) 0

8.2.3 Composition of emissions

Gases:

Gas	Quantity
Sulphuric dioxide	0
Nitrogen Oxides	0
Hydrocarbons	0
Carbon monoxide	0
Moisture	0
Ammonia	0
Halogens	0
Acid Mists	0
Mercaptans	0

8.2.4. Height of stack(s) in Mtrs. 0

8.2.5. Proposed air pollution control system : N/A

8.2.6. Proposed method of handling and disposal of waste trapped by pollution arresting equipment.

8.2.7. Are any standards of emission prescribed for or adopted by your industry?

9. Other sources of pollution

9.1. Is your industry likely to cause noise Pollution? No

9.2. Is there odour problem likely to occur from your industry? No

9.3. Is there any thermal pollution of surface waters likely to occur from the industrial discharge? No

(If reply is yes, please enclose separate sheet detailing measures proposed in each case)

10. Pollution control management

- 10.1. Give details of organisational set up for pollution control you propose to have?
- 10.2. What is the level of experience of the persons incharge of pollution control.
- 10.3. Do you propose to monitor the pollution from your industry?
- 10.4. Give details of Laboratory facilities proposed
- 10.5. Give details of operation and maintenance of facilities you propose to have for Pollution control equipment and treatment plant

11. Cost of Pollution Control

- 11.1. Total Capital Investment proposed for pollution monitoring and Control N/A
- 11.2. Percentage of Capital Investment on pollution control to total fixed capital of the unit N/A
- 11.3. Recurring cost per annum N/A

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ANDHRA PRADESH POLLUTION CONTROL BOARD
Paryavarana Bhavan, A-III, Industrial Estate,
Sanathnagar, Hyderabad-500 018
Phone : 040-23887500 Website : www.appcb.ap.nic.in

BY RPAD

Lt.No. APPCB-VIA/GTR/3/HO/CBMWTF/2015-

Date: 28.12.2015

Sub:- APPCB - BMW - Single desk CFE application of M/s. Y.J. Multi Clave,
D.No.7/1, 8/1, Tana Annavaram, Tellabadu Village, Nuzendla Mandal,
Guntur district - CFE application - Rejected - Reg.

01.01.2016

Ref:- Your CFE application received at RO-Guntur on 01.12.2015.

@@@

The Board is in receipt of the Consent for Establishment (CFE) application submitted by M/s. Y.J. Multi Clave, D.No.7/1, 8/1, Tana Annavaram, Tellabadu Village, Nuzendla Mandal, Guntur district vide reference cited seeking Consent for Establishment (CFE) for setting up a common bio medical waste treatment facility under Water Act and Air Acts.

The Board after careful examination of the issue and your CFE application seeking Consent for Establishment (CFE) for setting up a common bio medical waste treatment facility under Water Act 1974 and under Air Act, 1981, hereby reject the CFE application cited under section 25(4) (b) of the Water Act and under section 21 (4) of the Air Act for the following reasons:

- i) As verified by the Board officials, there are 488 HCEs in Guntur District with bed strength of 11,149 only. As per the CPCB guidelines (para "D") regarding coverage area of CBMWTF is that in any area, only one CBMWTF may be allowed to cater up to 10,000 beds at the approved rate by the Prescribed Authority. A CBMWTF shall not be allowed to cater healthcare units situated beyond a radius of 150 km. However, in an area where 10,000 beds are not available within a radius of 150 km, another CBMWTF may be allowed to cater the healthcare units situated outside the said 150 km. Presently a CBMWTF is in operation at Chinnakakani, Mangalagiri mandal, Guntur District catering to HCEs in Guntur District

APCB
19/1/15
P.K.C.P.
19/1/15

(41)

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ii) You have not obtained Environmental Clearance.

You may note that establishment of the facility without valid consents of the Board would be a violation of section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and Section 21/22 of the Air (Prevention & Control of Pollution) Act 1981, which is punishable under Section 44 and 37 of the above said Acts.

Sd/-
MEMBER SECRETARY

To

M/s. Y.J. Multi Clave,
D.No.7/1, 8/1, Tana Annavaram,
Tellabadu Village,
Nuzendla Mandal,
Guntur district
E-mail:

Copy to:

1. The JCEE, APPCB, Zonal Office-Vijayawada for information and necessary action.
2. The EE, APPCB, Regional Office- Guntur for information and necessary action.

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

o/c
Wlas
30/12/15
Joint Chief Environmental Engineer

Unit Head-IV

17
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State Level Environment Impact Assessment Authority (SEIAA)
Andhra Pradesh
Government of India
Ministry of Environment, Forests & Climate Change,
A-3, Industrial Estate, Sanathnagar, Hyderabad-500 018.

By Speed Post

Lt.No. SEIAA/API/AP/GNT/IND/05/2016/84-

Dt:13.07.2016

To
Y.J Multiclave,
Sri.T Hari Krishna, Manager,
H.No.1-12-52, R&B Road, Ponnur,
Guntur District - 522124,
Ph. +919885322270,
email-harikpnr@gmail.com

Sa,

Sub: SEAC - A.P. - YJ Multiclave, Bio Medical Waste Treatment Facility at Sy.No. 7/1 & 8/1, Tana Annavaram (V), Nuzendla (M), Guntur District, Andhra Pradesh - Environmental Clearance - Terms of Reference (TOR) - Reg.
Ref: Your TOR Application received on 04.05.2016

*In Principle
Permission*

In continuation of the above, it is to inform that your application was examined by the State Expert Appraisal Committee (SEAC) in its meeting held on 07.06.2016 and the Committee recommended that the Project Proponent shall obtain in principle permission from A.P. Pollution Control Board for setting-up of Common Bio-Medical Waste Treatment Facility.

In view of the above, you are requested to submit "in Principle permission from A.P. Pollution Control Board for setting-up of Common Bio-Medical Waste Treatment Facility as per the provisions of Bio Medical Waste Management Rules, 2016.

Yours faithfully,
Sd/-

MEMBER SECRETARY,
SEAC, A.P.

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

K. Uma Sanyal
SENIOR ENVIRONMENTAL ENGINEER (EC)
(UH-III)

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Bank of America Bank

RTT# 1-228 215
RHN# 6487-203 216 003 61

MEMBER SECRETARY SELVA RAMDASAN P. RAJESH

MEMBER SECRETARY ONLY

CB 112010K0116

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30760 0000150001: 45081, 318

P. SATHI MOHANA
SP NO: 23232

Delon...

Bank of America Bank

VOID FOR OTHER PURPOSES

44

M Gmail

38

harikrishna thanikonda <harikpnr@gmail.com>

Fwd: Acknowledgement Slip for TOR application

1 message

y.s.murthy murthy <y.s.murthy786@gmail.com>
To: harikrishna thanikonda <harikpnr@gmail.com>

Tue, May 10, 2016 at 6:21 PM

----- Forwarded message -----

From: <monitoring-ec@nic.in>
Date: Wednesday, May 4, 2016
Subject: Acknowledgement Slip for TOR application
To: y.s.murthy786@gmail.com
Cc: monitoring-ec@nic.in

Acknowledgement Slip for TOR

This is to acknowledge that the proposal has been successfully uploaded on the portal. The proposal shall be examined by MS of SEIAA to ensure that required information has been submitted. An email will be sent for seeking additional information, if any, within 5 working days. Once verified, an acceptance letter shall be issued to the project proponent.

Following should be mentioned in further correspondence

- 1. Proposal No. : SIA/AP/MIS/11338/2016
- 2. Category of the Proposal : Infrastructure and Miscellaneous Projects + CRZ
- 3. Project/Activity applied for : 7(d) Common hazardous waste treatment, storage and disposal facilities (TSDFs)
- 4. Name of the proposal : YJ Multiclave
- 5. Date of submission for TOR : 04 May 2016
- 6. Name of the Project proponent along with contact details
 - a) Name of the proponent : YJ MULTICLAVE
 - b) Mobile No. : 9177224400
 - c) State : Andhra Pradesh
 - d) District : Guntur
 - e) Pincode : 522124

(45)

M Gmail

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harikrishna thanikonda <harikpnr@gmail.com>

Fwd: Acceptance Letter for TOR Application(SEIAA)

1 message

Tue, May 10, 2016 at 6:23 PM

y.s.murthy murthy <y.s.murthy786@gmail.com>
To: harikrishna thanikonda <harikpnr@gmail.com>

----- Forwarded message -----

From: <asp5760@gmail.com>
Date: Thursday, May 5, 2016
Subject: Acceptance Letter for TOR Application(SEIAA)
To: y.s.murthy786@gmail.com
Cc: monitoring-ec@nic.in

Acceptance Letter for TOR application
F.No.- AP GNT IND 05 2016 84
State Environment Impact Assessment Authority
Andhra Pradesh
Sciences and Technology Department, Government of Andhra Pradesh,
Member Secretary
Dated: 05 May 2016

To,
YJ MULTICLAVE
, Guntur
Andhra Pradesh , 522124

Subject : YJ Multiclave

Sir,

This has reference to your proposal No. SIA/AP/MIS/11338/2016 dated 04 May 2016 regarding grant of TORs for the above mentioned proposal.

2.0 This is to acknowledge that the proposal has been received in the SEIAA along with Form 1 and pre-feasibility report. You are requested to submit a hard copy (signed) of the documents in the SEIAA(at the address given below) within a week, along with email alert generated by the system(through speed post). Each page of the application including Annexures should be duly signed by the authorized signatory within a week.

Address:

Sciences and Technology Department, Government of Andhra Pradesh, Member Secretary

3.0 The project shall be listed for further consideration only after receiving the above desired documents in hard copy. Andhra Pradesh SEIAA shall not be responsible for the delay in listing in next agenda meeting due to non-submission of the hard copy of application form by applicant after due date

Yours Sincerely
SEIAA, Andhra Pradesh

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From
Dr. J. YASMIN, MBBS, DCH, DPH, MBA (H. Admin)
District Medical & Health Officer,
GUNTUR.

To
The Member Secretary,
State Level Expert Appraisal Committee,
Andhra Pradesh Pollution Control Board
Andhra Pradesh

RC NO SPL/EPID/2018, DATED: 01.05.2018.

Sir,

Sub:-Epidemics - proposal of Common Bio Medical waste Treatment
Facility (CBMWTF) Establishment by M/s Y.J. Multi Clave in Guntur
District. reg.

Ref:-L.R.No. APPCB/GTR/IND/2018-J44, Dated: 30.05.2018 of the Member
Secretary, State Level Expert Appraisal Committee, Andhra Pradesh
Pollution Control Board, Andhra Pradesh

2. L.R.No 1/APPCB/HO/UH-IV/BMW/In principle/2018 Dated : 23.05.2018
of Andhra Pradesh Pollution Control Board, Vijayawada.

As per the reference 2nd cited above, it is observed that bed strength in
Guntur District is exceeded 10,000 and the proposal by the M/s Y.J. Multi Clave for
establishing 2nd facility, may be considered for further appraisal.

Despite having one established Common Bio Medical waste treatment Unit,
there is necessity of one more Common facility in the District since there are No. of
Upcoming Private Nursing Homes, Dental Colleges, Hospitals and central Laboratories
which need to be covered under BMWM Rules, 2016 for which Guntur District which
require safe disposal of bio Medical waste generated.



Yours faithfully

J. Yasmin
DISTRICT MEDICAL & HEALTH OFFICER
GUNTUR 16/18
District Medical & Health Officer
GUNTUR.

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OFFICE OF THE DISTRICT MEDICAL & HEALTH OFFICER :: GUNTUR ::

Re.No.Spl./A1/DRA/2018,

41

Dated: 04.06.2018

Sub: A.P.Pollution Control Board - M/s Y.J.MULTICLAVE, Bio Medical Waste Management - Request for issue of Private / Govt., Hospitals list along with Bed strength - Reg.

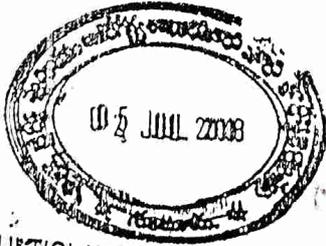
Ref: 01. Representation dated: 4.7.2018, M/s s Y.J.MULTICLAVE, Bio Medical Waste Management, Rama Mandir Raod, Telagapalem, Ponnur, Guntur District.

:: - ::

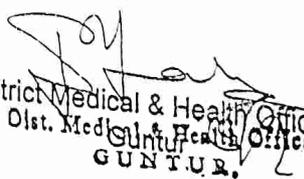
It is to submit that, Sri Y.Sree Ramamurthy, M/s.Y.J.MULTICLAVE, Bio Medical Waste Management, Rama Mandir Raod, Telagapalem, Ponnur, Guntur District is requested to issue of Private Medical care establishments like Hospitals, Nursing Homes, Clinics, Diagnostic Centres and Government Hospitals in Guntur District.

In view of the above, particulars of Private medical care establishments like Nursing Homes, Hospitals, Clinics, Diagnostic Centres and Primary Health Centres in the district are given below.

<u>No.of Institutions</u>	<u>No.of Institutions</u>	<u>No.of Beds</u>
1. Hospitals / Nursing Homes	540	17019
2. Clinics	286	-
3. Dental Clinics	150	-
4. Diagnostic Centres	356	-
5. Primary Health Centres	80	480
Total :		17499



To:
M/s. Y.J.MULTICLAVE, Bio Medical Waste Management,
Rama Mandir Raod, Telagapalem, Ponnur, Guntur District


District Medical & Health Officer
Dist. Medical & Health Officer,
GUNTUR.

(418)

	ANDHRA PRADESH POLLUTION CONTROL BOARD D.No.33-26-14d/2 Near sunrise hospital, pushpa hotel center, Chalamalavari street, Kasturibaipet, Vijayawada -520 008. Website : www.appeb.ap.nic.in
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L.No.1/APPCB/HQ/VII-IV/BMW/In-Principle/2018- Dt. 23.05.2018

Sub:	APPCB - UHIV - BMW - M/s. Y.J. Multi Clave, Sy.No. 7/1, 8/1, Tana Annayaram, Tellabadu Village, Nuzendla Mandal, Guntur District - <u>In-Principle Permission</u> - Issued - Reg.
Ref:	1. CPE application of M/s. Y.J. Multi Clave received at RO, Guntur on 01.12.2015 2. T.O. Lr No APPCB/VJA/GTE/3/HO/CBMWTF/2016 dt 28.12.2015. 3. Lr.No. SEIAA/AP/AP/GNT/IND 05/2016/84- dt 13.07.2016, 4. Industries request letter dt 16.07.2016. 5. District Medical and Health Officer letter dt.14.10.2016. 6. Minutes of 15 th Bio Medical Waste Technical Committee Meeting held on 22.05.2018.

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This has references to the above cited, wherein you have requested the Board for issue of the In-Principle Permission for Establishment of Second Common Bio Medical Treatment Facility at Sy.No. 7/1, 8/1, Tana Annayaram, Tellabadu Village, Nuzendla Mandal, Guntur District for obtaining Environmental Clearance from the SEAC & SEIAA, Andhra Pradesh.

Based on the EE: RO Guntur report dated 19.10.2016 it was noted that the Total no. of Health Care Facilities (HCFs) and their bed strength as per the registering authority i.e. The District Medical & Health Officer (DM&HO) (vide lr 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 Treatment Facility (CBMWTF) in Guntur District is covering 700 Nos of Health Care Facilities (HCFs) with 13,683 bed strength (as per the BMW annual report 2016 submitted to CPCB). There are about 4061 numbers of beds uncovered by the exiting CBMWTF. There are number of Veterinary Hospitals, Dispensaries, Dental Hospitals, Ayurvedic and Homeopathic Hospitals which need to be covered under BMW Rules, 2016.

After careful examination on the bed strength as per the registering authority i.e. The District Medical & Health Officer (DM&HO) and the reports dt.13.02.2017 and 17.04.2018 submitted by the JCEE: ZO-Kurnool, EE:RO-Guntur respectively, the Board is hereby issues In-Principle Permission for the establishment of second Bio Medical Treatment Facility at Guntur District. Further, the proponent shall obtain all the necessary Clearances including Environmental Clearance (EC) from MoEF&CC, GoI / SEIAA, AP under the relevant Environmental Laws in force.

Sd/-
Member Secretary

To
M/s. Y.J. Multi Clave,
Sri T Hari Krishna, Manager
H.No. 1 - 12 -52, R&B Road,
Ponnur, Guntur District - 522 124.
harikpnr@gmail.com.

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Copy to:

The JCEE, ZO Vijayawada for information and necessary action.
The TL, RO: Guntur for information and necessary action.

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

K. S. Rao
24/5/18

Joint Chief Environmental Engineer
UH-IV

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State Level Environment Impact Assessment Authority (SEIAA)
Andhra Pradesh
Ministry of Environment, Forests & Climate Change,
Government of India
D.No.33-26-14 D.C. Near Sunrise Hospital, Pushpa Hotel Centre,
Chalamayari Street, Subbarbapet, Vijayawada-520010

By Speed Post

Lr.No. SEIAA/AP/GNT/IND/05/2016/84- 1068

Dt:10.10.2018

To

✓ Sri T. Hari Krishna, Manager,
M/s. YJ. Multiclave Bio Medical Waste Treatment Facility,
H.No.1-12-52, R&B Road,
Ponnur, Guntur District - 522124,
Andhra Pradesh.

Sir,

Sub: SEAC - A.P. - SEAC - A.P. - M/s. YJ Multiclave, Bio Medical Waste Treatment Facility at Sy.No. 7/1 & 8/1, Tana Annavaram,(V), Nuzendla (M), Guntur District, Andhra Pradesh - Terms of Reference (TOR) - Issued - Reg.

Ref: 1. Your TOR Application received on 04.05.2016 (Proposal No. SIA/AP/MIS/11338/2016).
2. T.O.Letter dated. 13.07.2016 & 23.08.2018.
3. Your lr.dt. 28.05.2018.

In continuation of the above, it is to inform that your application was examined by the State Expert Appraisal Committee (SEAC) in its meeting held on 25.08.2018. *The project proponent and their consultant M/s. ENPRO Enviro Tech and Engineers Pvt. Ltd., have attended the meeting and presented their case.*

The Committee noted that M/s.Y.J. Multi Clave proposes to establish the Common Bio-medical Waste Treatment Facility (CBMWTF) of capacity - 7000 kg/day at Sy.No. 7/1 & 8/1, Tana Annavaram (V), Nuzendla (M), Guntur District, Andhra Pradesh. The project proponent submitted the In-Principle permission letter from the Andhra Pradesh Pollution Control Board only. (Lr.No.1/APPCB/HO/UH-IV/BMW/In-Principle/2018, dated 23.05.2018) and in this letter it was noted

"the total number of Health Care Facilities (HCFs) and their bed strength as per the registering authority i.e., The District Medical & Health Officer (DM&HO), (vide letter . dt.14.10.2016) - there are 541 Nos. of Private Hospitals with a Bed

Bej

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P.T.O

strength of 17,744 Nos. (excluding Government Hospitals i.e., HCFs covered under APWV 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."

The project proponent submitted the letter issued by Office of the District Medical & Health Officer, Guntur vide letter Rc No. Spl/A1/DRA/2018, dated 04.06.2018. The Committee noted that the proposed project falls under Item 7(da) of the schedule of the EIA Notification 2006- Common Bio-medical Waste Treatment Facility (CBWTF).

The Committee recommended for issue of Standard Terms of Reference (TOR) with public hearing and with additional TOR: The project proponent shall comply with the Bio-medical Waste Management Rules, 2016 and its amendments and the Central Pollution Control Board Revised guidelines - 2nd December, 2016.. to this Common Bio-Medical Waste Treatment Facility (CBMWTF) of Capacity - 7000 kgs/day proposed at Sy.No. 7/1 & S/I, Tana Annavaram (V), Nuzendla (M), Guntur District, Andhra Pradesh, without prejudice to the orders of any Hon'ble Courts.

The issue was placed before the SEIAA in its meeting held on 24.09.2018 and the Authority agreed with recommendation of the SEAC, A.P for issue of Standard Terms of Reference (TOR) with public hearing and with additional TOR.

In view of the above, you are requested to prepare EIA report based on the standard TOR & said additional TOR with Public hearing and submit to the SEAC, A.P. for appraisal. The Terms of the reference are valid for a period of three years.

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

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

P. Murali Rao
SENIOR ENVIRONMENTAL ENGINEER (EC)

YJ MULTICLAVE

BIO-MEDICAL WASTE TREATMENT FACILITY
Thana Annavaram (Village), Nuzendla

7724400
multiclave@gmail.com

Ref: YJM/PH-DRFTE EIA/01

The Environmental Engineer (EE),
Andhra Pradesh Pollution Control Board,
Regional Office, Guntur, AP

Dear Sir,

Sub: Environmental Clearance documents for the proposed Common Bio Medical Waste Treatment Facility by YJ Multiclave - 102

Ref: TOR Letter: SEAA/ AP/GNT/IND/05/2016 dated 10.10.2018

We herewith submit 18 copies of Environmental Impact Assessment report: English executive summary and Telugu executive summary for proposed Common Bio Medical Waste Treatment Facility at Sy. No. 77 and 8/1, Thana Annavaram Village, Nuzendla Mandal, Guntur District, Andhra Pradesh.

Kindly process the application at the earliest for the public hearing and acknowledge the receipt of the same.

Thanking you,

Yours sincerely,
YJ Multiclave

Encl:

- 1. Environmental Impact Assessment Report (18 Copies)
- 2. Executive Summary Telugu & English (20 Copies)
- 3. Soft Copy of EIA Report (20 CDs)



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Y.J.MULTICLAVE

BIO-MEDICAL WASTE MANAGEMENT

Ref.No.YJM/PH-DRFTE-EIA/01

27.02.2019

To

The Environmental Engineer (EE)
Andhra Pradesh Pollution Control Board
Regional Office, Guntur, AP

Dear Sir

Sub.: - Environment Clearance Documents for the
proposed Common Bio-Medical Waste Treatment
Facility by YJ Multiclave - Reg.

Ref.: - TOR Letter SEIAA / AP / GNT / IND/05/2016
Dated 10.10.2018

We herewith submit 18 copies of Environmental Impact Assessment report, English executive summary and Telugu executive summary for proposed Common Bio-Medical Waste Treatment Facility at Sy.No.7/1 and 8/1, Tana Annavaram Village, Nuzendla Mandal, Guntur District, Andhra Pradesh.

Kindly process the application at the earliest for the public hearing and acknowledge the receipt of the same.

Thanking you

Yours sincerely
Sd/-
YJ MULTICLAVE



ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE :: GUNTUR

D.No. 4-5-4/5C, 4/3- Navabharath Nagar, Ring Road, Guntur - 522 006

V.R. Maheswara Rao, M.Tech.,
Environmental Engineer

e-mail: rogtr-ee1@appcb.gov.in
Phone : 0863 - 2215537

Lr. No. G-2193/APPCB/RO-GNT/EPH/2019- 909

Dt. 17.08.2019.

To
The Proprietor,
M/s. Y.J. Multiclave
D.No. 24.3-13, Near Ramamandram,
Telagapalem, Ponnuru
Guntur District - 522 124.

Sir,
Sub.: APPCB - Regional Office, Guntur - M/s. Y.J. Multiclave - Proposal for establishment of Common Bio Medical Waste Treatment Facility (CBMWTF) at Sy. No 7/1, 8/1, Tana Annavaram Village, Nuzendla Mandal, Guntur District with proposed investment of Rs.2.32 Crores - Environmental Public Hearing scheduled on 19.09.2019 at 11.00 AM near Project site, Tana Annavaram Village, Nuzendla Mandal, Guntur District -- Arrangements to conduct public hearing - Intimation - Reg.

- Ref.: 1. EIA Notification Dt: 14/09/2006 & amendments thereof.
2. Terms of reference (TOR) issued by the MoEF&CC (SEIAA, Andhra Pradesh) vide letter dated, 10.10.2018.
3. Note orders of the Collector & District Magistrate, Guntur on 09.08.2019
4. Mail instructions received on 02.08.2019 & 16.08.2019 from Head Office, APPCB, VJA.

Adverting to the above, it is to inform that the competent Authority has consented to conduct Public hearing for the proposed establishment of new Common Bio-Medical Waste Treatment and disposal facility (CBMWTF) in the name of M/s. Y.J. Multiclave at Sy. No 7/1, 8/1, Tana Annavaram Village, Nuzendla Mandal, Guntur District on 19.09.2019 at 11:00 AM, near Project site, Tana Annavaram Village, Nuzendla Mandal, Guntur District.

The date, time & venue for the Environmental Public Hearing for the above project was published in the "Andhra Jyothi (Telugu)" and "The Indian Express (English)" news dailies on 17.08.2019 for public information & invited suggestions, views, comments & objection on the above project within 30 days and also requested the public, NGOs, & bonafide residents to participate in the EPH scheduled on 19.09.2019 for the above project.

In view of the above, it is requested to make necessary arrangements to conduct public hearing on the above scheduled date, time & venue and other arrangements as per the procedure prescribed under the provisions of EIA Notification 2006 & amendments therein. It is requested to acknowledge the receipt of the above by return post.

Yours faithfully


ENVIRONMENTAL ENGINEER

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A.P. POLLUTION CONTROL BOARD

REGIONAL OFFICE, GUNTUR
D.No. 4-22/SC/23, Nayabharath Nagar, GUNTUR-522009; Ph: 0863-2218337

ENVIRONMENTAL PUBLIC HEARING NOTIFICATION

In accordance with the notification No. S.O.1333 of 14th September, 2008 and its subsequent Amendments thereof by Ministry of Environment, Forests & Climate Change, Government of India, we hereby notify Environmental Public Hearing for the proposed establishment of Common Bio Medical Waste Treatment Facility (CBMWTF) in the name of M/s. Y.J. Multiclave, at Sy.No. 7/1, Tana Annavaram Village, Nuzendla Mandal, Guntur District with proposed investment of Rs. 2.32 Crores. The details of the project are as follows:-

1	Name with address of the Company	M/s. Y.J. Multiclave, D.No.24-3-13, Near Ramamandiram, Telagapalem Ponnuru, Guntur District -522124						
2	Location of the proposed project with Survey Numbers and site's coordinates	M/s. Y.J. Multiclave, Sy.No. 7/1, 8/1, Tana Annavaram Village, Nuzendla Mandal Guntur District. Extent of land acquired - 3.30 Acres. <table border="1"> <tr> <th colspan="2">Coordinate</th> </tr> <tr> <th>Latitude (N)</th> <th>Longitude (E)</th> </tr> <tr> <td>15° 59' 52.12"</td> <td>77° 41' 25.35"</td> </tr> </table>	Coordinate		Latitude (N)	Longitude (E)	15° 59' 52.12"	77° 41' 25.35"
Coordinate								
Latitude (N)	Longitude (E)							
15° 59' 52.12"	77° 41' 25.35"							
3	Name of authorized person to be contacted with address and Phone numbers	Sri Y.S. Murthy, Proprietor M/s. Y.J. Multiclave, D.No:24-3-13, Near Ramamandiram, Telagapalem, Ponnuru, Guntur District - 522124. Mobile: 9177224400 E-Mail ID : yjmulticlave@gmail.com						
4	Total estimated Capital Cost for the proposed establishment	Rs. 2.32 Crores						
5	Line of Activity and capacity	Proposal for establishment of new Common Bio Medical Waste Treatment Facility (CBMWTF) for treatment of bio medical waste generated from the various health care facilities such as Hospitals, Clinics, Dispensaries, Medical Institutions, Veterinary Hospitals, Health Camps, Blood Banks, Ayush Hospitals etc. in Guntur District.						
6	Date, Time & Venue of Public Hearing	Date : 19-09-2019 Time : 11.00 A.M. Venue : Near project site, Sy.No. 7/1, 8/1, Tana Annavaram Village, Nuzendla Mandal, Guntur District						
7	Places of availability of EIA and Executive summary of the proposed project							

1. O/o. The Collector & District Magistrate, Guntur.
2. O/o. The Principal Secretary, Environment, Forest, Science & Technology Department, Govt. of Andhra Pradesh, Secretariat, Veerapally, Guntur District.
3. O/o. The Member Secretary, A.P. Pollution Control Board, D.No. 33-26-14, D.2, Near Sunrise Hospital, Pushpa Hotel Centre, Chaitanya Sireel, Kastunbapet, Vijayawada-522 010.
4. The Regional Officer (South Zone), Ministry of Forests Environment & Climate Change, GOI, Southern Region, 1st & 2nd Floor, HEF, Cathedral Garden Road, Nugalambekam, Chennai - 600034.
5. O/o. The Joint Environmental Engineer, A.P. Pollution Control Board, Zonal Office, Kanaka Durga Officer's Colony, Guntur.
6. O/o. The Joint Environmental Engineer, A.P. Pollution Control Board, Regional Office, 4th Lane, Nayabharath Nagar, Ring Road, Guntur.
7. O/o. The District Medical & Health Officer, Guntur.
8. O/o. The Chief Executive Officer, Zita Parishad Office, Guntur.
9. O/o. The General Manager, District Industries Centre, Guntur.
10. O/o. The Divisional Forest Officer (Territorial), Guntur.
11. O/o. The Revenue Divisional Officer, Nuzendla Mandal, Guntur District.
12. O/o. The Tahsildar, Nuzendla Mandal, Guntur District.
13. O/o. The Panchayat Secretary, Tana Annavaram (V), Nuzendla (M), Guntur District.
14. O/o. The Panchayat Secretary, Inayolu (V), Nuzendla (M), Guntur District.
15. O/o. The Panchayat Secretary, Patacherukurupalem (V), Nuzendla (M), Guntur District.
16. O/o. The Panchayat Secretary, Chikatapalem (V), Vinukonda (M), Guntur District.
17. O/o. The Panchayat Secretary, Raimkoddypalem (V), Vinukonda (M), Guntur District.

Suggestions, views, comments and objections of the public, if any, are invited within 30 days from the date of publication of notification from all persons including bonafide residents, environmental group & others located at project site/areas likely to be affected by the proposed project. All the above persons are requested to send written suggestions/objections/opinions/ views to the under signed officer of A.P. Pollution Control Board and may also participate in the Public hearing on the date, time and venue specified above.

Place : Guntur
Date : 18-09-2019
Sd/- ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
Regional Office, Guntur.

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Date: 13/08/2019

To
The Environmental Engineer (EE),
The Pollution Control Board, Regional Office,
4th lane, Nava Bharat Nagar Ring Road,
Guntur.

Respected Sir,

Sub: M/s A.P Environ Technologies - Public Hearing - Intimation - Reg

It is bring to your notice that M/s A.P Environ Technologies Pvt.Ltd had applied for Public Hearing.

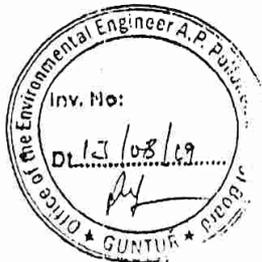
In this connection the following is submitted for further necessary action.

1. The TOR(Terms Of Reference) issued by the SEIAA expired.
2. The APPCB rejected the application on the grounds of non suitable land.
3. As per MoEF & CC the TOR should be in force for conducting public hearing.
4. The proponent applied hon'ble High Court with false information & got the order for conducting public hearing.
5. The proponent M/s A.P Environ Technologies Pvt.Ltd Submitted false information to the Hon'ble Court of Law. The proponent obtained path may not be conducted.
6. The proponent M/s A.P Environ Technologies Pvt.Ltd not obtained INPRICIPLE PERMISSION from The APPCB

So, Kindly Stop the Public Hearing of M/s A.P Environ Technologies Pvt.Ltd, Sy.No 674-2, Remidicharla (V), Bollapalli Mandal, Guntur district.

Thanking you,

Yours faithfully,



(59)



Date: 12/08/2019

To,

The Chairman,

Andhra Pradesh Pollution Control Board

D.No. 33-26-14 D/2, Near Sunrise Hospital,

Pushpa Hotel Centre, Chalamalavari Street,

Kasturibalpet, Vijayawada - 520 010

Respected Sir,

Sub: M/s A.P Environ Technologies - Public Hearing - Intimation - Reg

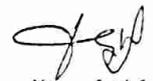
It is bring to your notice that M/s A.P Environ Technologies Pvt.Ltd had applied for Public Hearing.

In this connection the following is submitted for further necessary action.

1. The TOR(Terms Of Reference) issued by the SEIAA expired.
2. The APPCB rejected the application on the grounds of non suitable land.
3. As per MoEF & CC the TOR should be in force for conducting public hearing.
4. The proponent applied hon'ble High Court with false information & got the order for conducting public hearing.
5. The proponent of M/s A.P Environ Technologies Pvt.Ltd Submitted false information to the Hon'ble Court of Law. The proponent obtained path may not be conducted.
6. The proponent of M/s A.P Environ Technologies Pvt.Ltd not obtained INPRICIPLE PERMISSION from The APPCB

So, Kindly Stop the Public Hearing of M/s A.P Environ Technologies Pvt.Ltd, Sy.No 674-2, Remidcharla (V), Bollapalli Mandal, Guntur district.

Thanking you,


Yours faithfully,

(60) (6)

(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT OF ANDHRA PRADESH
TUESDAY, THE TWENTY SEVENTH DAY OF AUGUST
TWO THOUSAND AND NINETEEN

:PRESENT:
THE HONOURABLE THE ACTING CHIEF JUSTICE C.PRAVEEN KUMAR
AND
THE HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY

WRIT PETITION NO: 11945 OF 2019

Between:

M/s.A.P. Environ Technologies, Represented by Mr. T. Anil Kumar S/o Sri Somaiah, aged 38 years, R/o. D. No. 12-222, Adarsh Nagar Opp. IDPL Colony, Qp.thbullapur Medchal District, Telangana. Having its office at Sy. No. 674-2 Remidicherla Village, Bollapalli Mandal Guntur District

Petitioner

AND

1. UNION OF INDIA, Rep. by its Secretary, Ministry of Environment, Forest, and Climate change, Indira Paryavaran Bhavan, Jor Bagh, Lodhi Colony, New Delhi 110001.
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, Chelamvari Street, kasturibaipet, Vijayawada. - 520 008 Andhra Pradesh State.
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, Chelamvari Street, Kasturibaipet, Vijayawada - 520 008 Andhra Pradesh State.
4. The Environmental Engineer, Andhra Pradesh Pollution Control Board, Regional Office, 4-5-4/5C.4/3, Navabharath Nagar, Ring Road Guntur - 522 006.
5. State Environment Impact Assessment Authority, Rep. by its convener, Door No. 33-26-14 D/2, Near Sun Rise Hospital, Pushpa Hotel Centre, Chelamvari Street, Kasturibaipet, Vijayawada - 520 008 Andhra Pradesh State.
6. Y J Multi Clave, Rep. by its Manager, D. No. 7/1, 8/1, Tana Annavaram, Tellabadu Village, Nuzendla Mandal, Guntur District Having its office at H. No. 1-12-52, RandB Road. Ponnur, Guntur District 522121.

Respondents

WHEREAS the Petitioner above named through its Advocate Sri P VENKAIHAH NAIDU presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the 5th respondent in proposing to consider the application for grant of Environmental Clearance of the 6th respondent' herein in furtherance to the In Principle Permission granted by the 2nd respondent in favour of the 6th respondent herein vide its Lr.No.1/APPCB/ HO/UH-IV/BMW/On-Principle / 2018 dated '23.05.2018 treating the same as second facility in Guntur District is perverse, without application of mind, high handed, capricious, arbitrary, illegal, the fundamental rights guaranteed to the petitioner herein under Articles 14, 19(1)(g) of the Constitution of India apart from being in violation of the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Rules made there under, the Air (Prevention and Control of Pollution) Act, 1981 and the Rules made there under and the Environment(Protection) Act, 1986, the EIA,2016, the Bio Medical Waste Management and Handling Rules and also the CPCB Guidelines issued there under apart from being in violation of the principles of natural justice and fair play and consequently direct the Re'spondents herein not to grant, the EC and proceed with the grant of CFE and CFO for the proposed project of the 6th respondent herein without completion of the process relating to the application of the petitioner herein

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri P VENKAIHAH NAIDU Advocate for the Petitioner, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

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1. The Secretary, Ministry of Environment, Forest, and Climate change, Union Of India, Indira Paryavaran Bhavan, Jor Bagh, Lodhi Colony, New Delhi 110001.
2. The Member Secretary, Andhra Pradesh Pollution Control Board, Door No. 33-26-14 D/2, Near Sun Rise Hospital, Pushpa Hotel Centre, Chelamvari Street, kasturibaipet, Vijayawada. - 520 008 Andhra Pradesh State.
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, Chelamvari Street, Kasturibaipet, Vijayawada - 520 008 Andhra Pradesh State.
4. The Environmental Engineer, Andhra Pradesh Pollution Control Board, Regional Office, 4-5-4/5C.4/3, Navabharath Nagar, Ring Road Guntur - 522 006.
5. The Convener, State Environment Impact Assessment Authority, Door No. 33-26-14 D/2, Near Sun Rise Hospital, Pushpa Hotel Centre, Chelamvari Street, Kasturibaipet, Vijayawada - 520 008 Andhra Pradesh State.
6. The Manager, Y J Multi Clave, D. No. 7/1, 8/1, Tana Annavaram, Tellabadu Village, Nuzendla Mandal, Guntur District Having its office at H. No. 1-12-52, RandB Road, Ponnur, Guntur District 522121.

are directed to show cause on or before 09-09-2019 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2019

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to DIRECT the 5th Respondent consider the representation of the petitioner herein dated 08.08.2019 by way of objections for consideration of the application of the 6th respondent herein for grant of Environmental Clearance for issuance of Consent for Establishment new facility thereby implementing the Revised Guidelines for the Common Bio Medical Waste Treatment and Disposal Facilities as approved by the Central Pollution Control Board, 2016, pending disposal of WP No. 11945 of 2019, on the file of the High Court.

IA NO: 2 OF 2019

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to DIRECT the Respondents not to consider any other applications for conduct of public hearing in Guntur District including the 6th respondent till the application of the petitioner herein for grant of Environmental Clearance is granted for which a public hearing is proposed to be conducted on 1.09.2019 at 11.30 AM or on any subsequent dates as the same if conducted would be without appreciating the adequacy of the proposed facility of the petitioner herein as is mandated under the Revised Guidelines for the Common Bio Medical Waste Treatment and Disposal Facilities as approved by the Central Pollution Control Board, 2016 in its letter and spirit and the decisions of this Honourable Court, pending disposal of WP No. 11945 of 2019, on the file of the High Court.

The Court made the following: ORDER

Notice before admission.

Learned counsel for the petitioner is permitted to send notice to the 6th respondent by RPAD and file proof of service.

Post on 09.09.2019.

Pending further orders, there shall be interim direction as prayed for.

**Sd/- K. TATA RAO
ASSISTANT REGISTRAR**

//TRUE COPY//

For ASSISTANT REGISTRAR

(62)

To

1. The Secretary, Ministry of Environment, Forest, and Climate change, Union Of India, Indira Paryavaran Bhavan, Jor Bagh, Lodhi Colony, New Delhi 110001.
2. The Member Secretary, Andhra Pradesh Pollution Control Board, Door No. 33-26-14 D/2, Near Sun Rise Hospital, Pushpa Hotel Centre, Chelamvari Street, kasturibaipet, Vijayawada. - 520 008 Andhra Pradesh State.
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, Chelamvari Street, Kasturibaipet, Vijayawada - 520 008 Andhra Pradesh State.
4. The Environmental Engineer, Andhra Pradesh Pollution Control Board, Regional Office, 4-5-4/5C.4/3, Navabharath Nagar, Ring Road Guntur - 522 006.
5. The Convener, State Environment Impact Assessment Authority, Door No. 33-26-14 D/2, Near Sun Rise Hospital, Pushpa Hotel Centre, Chelamvari Street, Kasturibaipet, Vijayawada - 520 008 Andhra Pradesh State.
6. The Manager, Y J Multi Clave, D. No. 7/1, 8/1, Tana Annavaram, Tellabadu Village, Nuzendla Mandal, Guntur District Having its office at H. No. 1-12-52, RandB Road, Ponnur, Guntur District 522121. (1 to 6 by RPAD- along with a copy of petition and affidavit)
7. One CC to SRI. P VENKAIAH NAIDU, Advocate [OPUC]
8. One CC to SRI. B KRISHNA MOHAN, asst. Solicitor General, High Court of Andhra Pradesh (OPUC)
9. One spare copy

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(64)

HIGH COURT

HACJ & MSMJ

DATED:27/08/2019

NOTICE BEFORE ADMISSION

WP.No.11945 of 2019

POST ON 09.09.2019

(65)



HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

**WEDNESDAY, THE EIGHTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND NINETEEN**

:PRESENT:

**THE HONOURABLE THE ACTING CHIEF JUSTICE C.PRAVEEN KUMAR
AND
THE HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY**

I.A Nos.1, 2 & 3 of 2019

IN

WRIT PETITION NO: 11945 OF 2019

Between:

M/s.A.P. Environ Technologies, Represented by Mr. T. Anil Kumar S/o Sri Somaiah, aged 38 years, R/o. D. No. 12-222, Adarsh Nagar Opp. IDPL Colony, Quthbullapur Medchal District, Telangana. Having its office at Sy. No. 674-2 Remidicherla Village, Bollapalli Mandal Guntur District

Petitioner

AND

1. UNION OF INDIA, Rep. by its Secretary, Ministry of Environment, Forest, and Climate change, Indira Paryavaran Bhavan, Jor Bagh, Lodhi Colony, New Delhi 110001.
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, Chelamvari Street, kasturibaipet, Vijayawada. - 520 008 Andhra Pradesh State.
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, Chelamvari Street, Kasturibaipet, Vijayawada -520 008 Andhra Pradesh State.
4. The Environmental Engineer, Andhra Pradesh Pollution Control Board, Regional Office, 4-5-4/5C.4/3, Navabharath Nagar, Ring Road Guntur - 522 006.
5. State Environment Impact Assessment Authority, Rep. by its convener, Door No. 33-26-14 D/2, Near Sun Rise Hospital, Pushpa Hotel Centre, Chelamvari Street, Kasturibaipet, Vijayawada - 520 008 Andhra Pradesh State.
6. Y J Multi Clave, Rep. by its Manager, D. No. 7/1, 8/1, Tana Annavaram, Tellabadu Village, Nuzendla Mandal, Guntur District Having its office at H. No. 1-12-52, R & B Road. Ponnur, Guntur District 522121.

Respondents

IA NO: 1 OF 2019

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to DIRECT the 5th Respondent consider the representation of the petitioner herein dated 08.08.2019 by way of objections for consideration of the application of the 6th respondent herein for grant of Environmental Clearance for issuance of Consent for Establishinent new facility thereby implementing the Revised Guidelines for the Common Bio Medical Waste Treatment and Disposal Facilities as approved by the Central Pollution Control Board, 2016, pending disposal of WP No. 11945 of 2019, on the file of the High Court.

IA NO: 2 OF 2019

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to DIRECT the Respondents not to consider any other applications for conduct of public hearing in Guntur District including the 6th respondent till the application of the petitioner herein for grant of Environmental Clearance is granted for which a public hearing is proposed to be conducted on 1.09.2019 at 11.30 AM or on any subsequent dates as the same if conducted would be without appreciating the adequacy of the proposed facility of the petitioner herein as is mandated under the Revised Guidelines for the Common Bio Medical Waste Treatment and Disposal Facilities as approved by the Central Pollution Control Board, 2016 in its letter and spirit and the decisions of this Honourable Court, pending disposal of WP No. 11945 of 2019, on the file of the High Court.

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IA NO: 3 OF 2019

Between

Y J Multi Clave, Rep. by its Manager, D. No. 7/1, 8/1, Tana Annavaram, Tellabadu Village, Nuzendla Mandal, Guntur District Having its office at H. No. 1-12-52, R & B Road, Ponnur, Guntur District 522121.

Petitioner
Respondent No.6 in WP No,11945 of 2019
On the file of the High Court

AND

1. M/s A.P. Environ Technologies, Represented by Mr. T. Anil Kumar S/o Sri Somaiah, aged 38 years, R/o D. No. 12-222, Adarsh Nagar Opp. IDPL Colony, Qp.thbullapur Medchal District, Telangana Having its office at Sy. No. 674-2 Remidicherta Village, Bollapalli Mandal Guntur District.
2. UNION OF INDIA, Rep. by its Secretary, Ministry of Environment, Forest, and Climate change, Indira Paryavaran Bhavan, Jor Bagh, Lodhi Colony, New Delhi 110001.
3. 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, Chelamvari Street, Kasturibaipet, Vijayawada - 520 008 Andhra Pradesh State.
4. 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, Chelamvari Street, Kasturibaipet, Vijayawada - 520 008 Andhra Pradesh State.
5. The Environmental Engineer, Andhra Pradesh Pollution Control Board, Regional Office, 4-5-4/5C.4/3, Navabharath Nagar, Ring Road Guntur - 522 006
6. State Environment Impact Assessment Authority, Rep. by its convener, Door No. 33-26-14 D/2, Near Sun Rise Hospital, Pushpa Hotel Centre, Chelamvari Street, Kasturibaipet, Vijayawada - 520 008 Andhra Pradesh State.

Respondents
Petitioner & Respondent Nos. 1 to 5 in WP No,11945 of 2019
On the file of the High Court

Petition under Section 151 CPC praying that in the circumstances stated in the Counter affidavit filed in support of the petition, the High Court may be pleased to vacate the interim order dated 27-08-2019 passed in IA Nos.1 and 2 of 2019 in WP No 11945 of 2019.

These petitions coming on for hearing, upon perusing the petitions and the affidavit and counter affidavit filed in Writ Petition No. 11945 of 2017 and the interim orders of the High Court dated 27-08-2019 made in IA Nos.1 & 2 of 2019 in WP No 11945 of 2019 and upon hearing the arguments of Sri P. Venkaiah Naidu, Advocate for Petitioner in IA Nos 1 & 2 of 2019 and Respondent No.1 in IA No 3 of 2019 and of Sri B. Krishna Mohan, Asst. Solicitor General for Respondent No.1 in IA Nos 1 & 2 of 2019 and Respondent No.2 in IA No 3 of 2019, Sri Gurram Ramachandra Rao, Advocate for Respondent Nos.2 to 5 in IA Nos.1 & 2 of 2019 and of Respondent Nos 3 to 6 in IA No.3 of 2019 and of Sri V.B. Subrahmanyam, Advocate for Respondent No.6 in IA Nos.1 & 2 of 2019 and Petitioner in IA No.3 of 2019

The Court made the following ORDER:

(67)

THE HON'BLE THE ACTING CHIEF JUSTICE C. PRAVEEN KUMAR
AND
THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

I.A.NOs.1, 2 & 3 of 2019
In
WRIT PETITION No.11945 of 2019

ORDER: {Per the Hon'ble Sri Justice M. Satyanarayana Murthy }

1. I.A.No.1 of 2019 is filed for grant of interim direction to the 5th respondent to consider the representation of the writ petitioner dated 8.8.2019 by way of objections for consideration of the application of the 6th respondent herein for grant of Environmental Clearance and for issuance of consent for Establishment new facility thereby implementing the revised guidelines for the common Bio-Medical Waste Treatment and Disposal Facilities as approved by the Central Pollution Control Board, 2016 pending disposal of the above writ petition.
2. The petitioner also filed I.A.No.2 of 2019 seeking a direction to the respondents not to consider any other applications for conduct of public hearing in Guntur District including the 6th respondent till the application of the petitioner for grant of Environmental Clearance is considered.
3. This Court upon hearing arguments of the Counsel passed the following order on 27.8.2019:
"Notice before admission.
Learned Counsel for the petitioner is permitted to send notice to the 6th respondent by RPAD and file proof of service.
Post on 9.9.2019.
Pending further orders, there shall be interim direction as prayed for."
4. Respondent No.6 entered appearance and filed I.A.No.3 of 2019 to vacate the aforesaid interim order, dated 27.8.2019 on various grounds.

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HACJ
I.A. No.
In WP No.11915/

5. For the sake of convenience, the status of the parties will hereinafter be referred to as arrayed in the writ petition.

6. The petitioner filed an application for grant of EC and after issuance of TOR, when there was an inaction on the part of the authorities in fixing a date for public hearing, the petitioner approached this Court by filing W.P.No.2043 of 2019. This Court by order dated 17.4.2019 disposed of the said writ petition while holding that in view of the law declared in **Hanuman Laxman Aroskar V. Union of India** and **Federation of Rainbow Warriors V. Union of India**¹, public hearing is mandatory, and directing the respondent-authorities to hold public hearing as mandated by the judgments referred to supra. It is brought to the notice that a date for public hearing was fixed by the Pollution Control Board, but it could not be held on account of certain contingencies and still 45 days notice is required to be issued for holding public hearing. Therefore, the application of the petitioner is in process for consideration at the stage of public hearing.

7. Whereas respondent No.6 approached the PCB authorities for grant of E.C. and for one reason or the other in-principle permission was granted by PCB and proceedings were also issued to hold public hearing on 19.9.2019. But for the interim order is subsisting, the public hearing will not be held and in such case the 6th respondent will be put to serious inconvenience and therefore, he requested to vacate the interim order granted on 27.8.2019.

8. Interim prayers in I.A.Nos.1 and 2 of 2019 are specific and they are extracted hereunder:

"Prayer in I.A.No.1 of 2019: It is therefore prayed that this Hon'ble Court may be pleased to direct the 5th respondent to consider the representation of the petitioner dated 8.8.2019 by way of objections for consideration of the application of the 6th respondent herein for grant of Environmental Clearance for issuance of consent for Establishment new facility

¹ Civil Appeal Nos.12251 of 2018 & 1053 of 2019 dated 29.3.2019

thereby implementing the revised guidelines for the common Bio-Medical Waste Treatment and Disposal Facilities as approved by the Central Pollution Control Board, 2016 pending disposal of the above writ petition."

"Prayer in I.A.No.2 of 2019: It is therefore prayed that this Hon'ble Court may be pleased to direct the respondents not to consider any other applications for conduct of public hearing in Guntur District including the 6th respondent till the application of the petitioner for grant of Environmental Clearance is considered, for which a public hearing is proposed to be conducted on 1.9.2019 at 11.30 a.m., or on any subsequent dates as the same if conducted would be without appreciating the adequacy of the proposed facility of the petitioner herein as is mandated under the Revised guidelines for the common Bio-Medical Waste Treatment and disposal facilities as approved by the Central Pollution Control Board, 2016 in its letter and spirit and decisions of this Hon'ble Court pending disposal of the above writ petition."

9. Taking advantage of the relief claimed in I.A.No.2 of 2019, the learned Standing Counsel for the Pollution Control Board contended that the application of the 6th respondent was received even prior to the order dated 27.8.2019 passed by this Court and the order granted by this Court will have no effect on holding public hearing. If the petitioner strictly abides by the relief in I.A.No.2 of 2019, it is clear that the direction was sought against respondents Nos.1 to 5 not to consider any other applications for conduct of public hearing in Guntur District including 6th respondent till the application of the petitioner for grant of EC is considered. Therefore, holding of public hearing is a part of the process in considering the application of the 6th respondent. But the contention of the learned Standing Counsel for PCB is otherwise. In any view of the matter, mere holding public hearing will not amount to passing any order granting EC and even if public hearing is held on the application of the 6th respondent, issuing TOR, this would only be a step in the process of application for granting EC, and by holding of public hearing on the application of the petitioner, the entire process of granting EC will not be terminated or completed.

10. At this stage, the learned Counsel for the petitioner contended that if public hearing is held on the application of the 6th respondent, the application of the petitioner will become useless, and any exercise of holding public

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IA No. 11945/
in WP No. 11945/19

hearing on his application is a purely academic or futile exercise and, therefore, he requested not to vacate the interim order.

11. As discussed, holding of public hearing is a part of process in considering the application of the 6th respondent for grant of EC and it is not a final disposal of the application for grant of EC, since, it is one of the steps in the process. Further, mere holding of public hearing on the application of the 6th respondent will not bar the PCB or the competent authority i.e., District Collector, Guntur to hold public hearing on the application of the petitioner.

12. Having regard to the facts and circumstances of the case, in order to avoid inconvenience to either of the parties including the authorities of PCB and the authorities of Public Hearing, we find it appropriate to allow the concerned authority to hold public hearing, which is scheduled to be conducted on 19.9.2019. But authorities concerned shall keep the proceedings of public hearing in a sealed cover and shall not pass any order for grant of EC until further orders.

13. With the above direction, the above applications are disposed of. No costs.

SD/- G. SRINIVAS REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The Secretary, Ministry of Environment, Forest, and Climate change, Union Of India, Indira Paryavaran Bhavan, Jor Bagh, Lodhi Colony, New Delhi 110001.
2. The Member Secretary, Andhra Pradesh Pollution Control Board, Door No. 33-26-14 D/2, Near Sun Rise Hospital, Pushpa Hotel Centre, Chelamvari Street, kasturibaipet, Vijayawada. - 520 008 Andhra Pradesh State.
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, Chelamvari Street, Kasturibaipet, Vijayawada - 520 008 Andhra Pradesh State.
4. The Environmental Engineer, Andhra Pradesh Pollution Control Board, Regional Office, 4-5-4/5C.4/3, Navabharath Nagar, Ring Road Guntur - 522 006.

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5. The Convener, State Environment Impact Assessment Authority ,Door No. 33-26-14 D/2, Near Sun Rise Hospital, Pushpa Hotel Centre, Chelamvari Street, Kasturibaipet, Vijayawada - 520 008 Andhra Pradesh State.
6. One CC to SRI. P VENKAIAH NAIDU, Advocate [OPUC]
7. One CC to Sri V.B. Subrahmanyam, Advocate (OPUC)
8. One CC to Sri Gurram Ramachandra Rao, Advocate (OPUC)
9. One CC to SRI. B KRISHNA MOHAN, Asst. Solicitor General, High Court of Andhra Pradesh (OPUC)
10. One spare copy

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HIGH COURT

HACJ & MSMJ

DATED:18-09-2019

I.A Nos.1, 2 & 3 of 2019
IN
WRIT PETITION NO: 11945 OF 2019

DISPOSED OF



~~(73)~~ (73)

IN THE HIGH COURT OF ANDHA PRADESH AT AMARAVATHI

W.P.NO. 11945 of 2019

Between:

M/s A.P. Environ Technologies, rep. by Mr.T.Anil Kumar

...Petitioner

And

The Union of India rep. by its Secretary, Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhavan, Jor Bagh, Lodhi Colony, New Delhi-110001 & Others

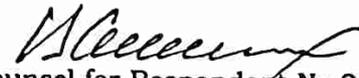
...Respondents

MEMO FILED BY THE APPCB IN SHEER COMPLIANCE OF THE
ORDER DATED 22.07.2021

May it Please Your Lordships:

This Hon'ble Court on 22.07.2021 directed the Andhra Pradesh Pollution Control Board herein after APPCB to place the Minutes of the Public hearing took place on 19.09.2018 at 11.00 AM at the project site in Sy.No.7/1, 8/1, of Thana Annavaram Nuzendla Mandal, Guntur District, on the proposal for establishment of Common Bio Medical Waste Treatment Facility (CBMWTF) by M/s Y.J.Multiclave. The said public hearing was under stay for the last two years nearly. This Hon'ble Court pleased to direct the APPCB on 22.07.2021 to place the said minutes of public hearing took place on 19.09.2019. In sheer obedience to the Hon'ble Court, the minutes of the said Public hearing received from the Joint Collector, Guntur District today i.e., 04.08.2021 and filing the same of the photo copy of the minutes in sheer obedience to the order dated 22.07.2021 for placing before this Hon'ble Court for kind appreciation. Hence this memo along with the minutes photo copy.

Amaravathi,
Date: 04.08.2021


Counsel for Respondent No.2

MINUTES OF THE PUBLIC HEARING HELD ON 19.09.2019 AT 11.00 AM AT PROJECT SITE, THANA ANNAVARAM, NUZENDLA MANDAL, GUNTUR DISTRICT ON THE PROPOSAL FOR ESTABLISHMENT OF COMMON BIO MEDICAL WASTE TREATMENT FACILITY (CBMWTF) BY M/S. Y.J. MULTICLAVE, SY. NO. 7/1, 8/1, TANA ANNAVARAM VILLAGE, NUZENDLA MANDAL, GUNTUR DISTRICT.

Panel Members:

1.	Sri A. S. Dinesh Kumar, IAS., Joint Collector & Additional District Magistrate, Guntur	Representative of the Collector & District Magistrate, Guntur District.
2.	Sri V.R. Maheswara Rao, Environmental Engineer, A.P. Pollution Control Board, Regional Office, Guntur	Representative of the State Pollution Control Board (APPCB)

Project proponent :

1.	Sri Y.S.Murthy	Representative of M/s. Y.J. Multiclave CBMWTF
2.	Sri Srinivasa Reddy	Consultant M/s. Enpro Enviro Tech and Engineers Pvt Ltd., Surat
3	Sri Siva Rama Krishna	Consultant M/s. Enpro Enviro Tech and Engineers Pvt Ltd., Surat

The list of Public participated in the public hearing is appended.

At the outset, the Environmental Engineer, A.P. Pollution Control Board, Regional Office, Guntur welcomed the Joint Collector & Additional District Magistrate, Guntur and public gathered at the venue. He informed that Environmental Public Hearing (EPH) is convened under the provisions of the EIA Notification. 1533 (E), Dated. 14.09.2006 & amendments thereof, notified by the Ministry of Environment, Forest & Climate Change (MoEF & CC), Gol on the proposal by M/s. Y.J. Multiclave, Sy. No. 7/1, 8/1, Tana Annavaram Village, Nuzendla Mandal, Guntur District. The proposal is meant for establishment of second common biomedical waste treatment facility, in addition to one facility already existing in Guntur District. Further informed that the MoEF & CC (SEIAA, GoAP) issued Terms of Reference (TOR) to the project proponent vide letter dated. 10.10.2018 to prepare draft Environmental Impact Assessment (EIA) for obtaining Environmental Clearance, to undergo the process of

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public hearing in consultation with APPCB, to furnish final EIA along with minutes of the public hearing and response of the proponent on the issues emerged in the process of public hearing for further appraisal. The estimated project cost is Rs. 2.32 Crores for the proposed Common Bio Medical Waste Treatment Facility. The draft EIA reports and executive summaries (in Telugu & English languages) of the proposed project has been circulated to various Government offices and local panchayats surrounding to the project site for wide publicity and public access. Further informed that Environmental public hearing notification was published on 17.08.2019 in "Andhra Jyothi" and "Indian Express" news dailies inviting the public to express their views, comments, suggestions and objections, if any within 30 days and to participate in the EPH scheduled on 19.09.2019 at project site. Further, informed that 14 No.s of representations were received so far in response to the EPH Notified for the above project, recommending for commencement of activities. He requested the Joint Collector & Addl. District Magistrate, Guntur to chair the public hearing proceedings.

Sri A.S. Dinesh Kumar, IAS., Joint Collector & Additional District Magistrate, Guntur stated that the Environmental public hearing is proposed for establishment of new Common Bio Medical Waste Treatment Facility with proposed investment of Rs. 2.32 Crores. He informed that the M/s. Y.J. Multiclave has proposed for collection, reception, Treatment and disposal of Bio Medical wastes. He explained the provisions of Public Hearing Notification issued by the Ministry of Environment, Forest & Climate Change vide S.O. 1533, dated 14th September, 2006. He informed that entire proceedings of the Environmental Public Hearing will be video recorded and minutes will be furnished to the MoEF & CC along with written representations received from public. The project proponent, Villagers, NGOs, Revenue Department staff attended the meeting. He requested the gathered public to express their views, comments, objections and suggestions on the proposed Common Bio Medical Waste Treatment Facility.

With the permission of the Chair, the Environmental Engineer, APPCB requested the representatives of the project proponent and their consultant carried out EIA for the above project to explain the salient features of the project and study findings of EIA studies.

Sri. Srinivasa Reddy, Coordinator represented the consultant M/s. Enpro Enviro Tech and Engineers Pvt Ltd., informed that they have prepared EIA to undertake feasibility studies for establishment for Common Bio Medical Waste Treatment facility and completed studies on environmental impacts from the proposed activity. He

further added that the project proponent acquired 3.3 Ac of land with an estimated project cost of Rs.2.32 Crores. He informed that a common bio medical waste treatment facility is required for every 10,000 bed strength of Hospitals. As per the registered Health Care Establishments in Guntur District, the Bed strength is 17,600 in the Guntur District as on 2016. Hence, there is need for second common bio medical waste treatment facility and obtained ToR to prepare draft EIA report on impacts of the proposed project. Further, informed that the EIA was prepared based on the baseline studies of Soil, Air, Water on the impact on surrounding environment.

He informed that the facility proposed to install 330 Kgs/hr Incinerator, 750 Lts autoclave and 2 No.s X 150 Kg/hr Shredder to treat the biomedical waste, the facility proposed water requirement is 28 KI/Day will be met from the borewell and generates at about 17.3KLD waste water. The facility proposed to provide ETP to treat the waste water and the treated waste water is proposed to recycle. The facility proposed to provide Ventury scrubber and packed Bed Scrubber as Air pollution control equipment to the Incinerator. The Incineration ash and ETP sludge will be disposed to TSDF for scientific disposal, Plastic waste after autoclave and Shredder will be disposed to Authorised recyclers. Sharps after autoclave will be send to iron foundry/TSDF for scientific disposal, Diesel generator set of 65 KVA will be installed as alternative power backup. The proposed capacity of Common Biomedical waste treatment facility is about 7.0 Tons /day to treat and dispose the Bio Medical Waste. He informed that alternative approach road to the facility will be provided in coordination with R&B Department. Further, he added that total employment generation would be 20 members, among 20 members 12 members would be appointed from local & 8 members Technical peoples from outside. Also proposed to allocate Rs.4.0 Laths under Corporate Social Responsibility (CSR) for development of social development the activities and Medical camps etc.

Later, the Environmental Engineer, APPCB, Guntur with the permission of the Chair requested the gathered public to express their suggestions, views, comments and objections about the proposed project.

1. Sri Srinivasa Rao, T. Annavaram Village, Nuzendla Mandal, Guntur District, Andhra Pradesh. While welcoming the proposed project, he informed that the proposed facility shall not cause any Air and Water Pollution problems to the surrounding agricultural fields and to the nearby village.
2. Sri Nageswara Rao, T. Annavaram Village, Nuzendla Mandal, Guntur District, Andhra Pradesh. He raised concerned on potential for pollution generation from melting of plastic waste from the above activity and requested to implement



requisite measures to prevent any impacts of air and water pollution problems to surrounding environment. He welcomed the project and request to address the above concerns.

3. Sri K. Nageswara Rao, Ex Sarpanch, T. Annavaram Village, Nuzendla Mandal, Guntur District, Andhra Pradesh. He welcomed the proposed project and requested the project proponent not to cause any Air and Water Pollution problems to the surrounding agricultural fields and to the nearby village.
4. Smt K. Eswaramma, T. Annavaram Village, Nuzendla Mandal, Guntur District, Andhra Pradesh. She requested the project proponent to implement necessary measures and not to cause any Air and Water Pollution problems to the surrounding environment.
5. Sri N. Anjaiah, NGO. He welcomed the proposed project and informed that the line of activity of the proposed project is collection of Bio Medical Waste (BMW) generated in the Guntur District and proposed to treat the BMW as per the Rules, without causing any pollution problems to the surrounding agricultural fields and to the nearby village. He expressed that the project proponent is ability to run the facility without causing any water and air pollution problems to the nearby surroundings. He opined that the proposed project proponent is utilizing the lands of the village, hence employment shall be given to local people only. He recommended to grant Environmental Clearance to the proposed project.
6. Sri B.V. Reddy, NGO, Ananthapuram, Andhra Pradesh. He welcomed the proposed project and informed that the line of activity of the proposed project is collection of Bio Medical Waste (BMW) generated in the Guntur District and to provide treatment to the BMW as prescribed. Further informed that the villagers are welcoming the project, since the project proponent has implemented several social activities in the village. He requested the project proponent to operate the facility without causing any water and air pollution problems to the nearby surroundings. He informed that the project proponent shall develop minimum 33% of greenbelt. He requested to recommend Environmental Clearance to the proposed project.
7. Sri. Y. Chennakesava Reddy, Social Activist, Kadapa, Andhra Pradesh. He welcomed the proposed project. He requested the project proponent to maintain same ambience even after establishment and operation of the facility without causing any water and air pollution problems to the surrounding environment. He requested to establish Effluent Treatment Plant (ETP) to treat the waste water generated and shall utilize the treated waste water. He requested the project proponent to explain disposal mode of incinerator ash. He further requested to develop thick greenbelt around the facility and also requested to give employment to the local people, to organize Medical camps periodically in the



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surrounding villages. Finally, requested the project proponent to utilize latest technology to treat the Bio Medical Waste as per the norms and informed to recommend to MoEF&CC for grant of Environmental Clearance to the proposed project.

8. Sri T. Hussain Naidu, NGO. He welcomed the proposed project. He requested the project proponent to cover the Bio Medical Waste with tarpaulin sheets. He requested the project proponent to inform the nature of chemicals proposed to utilize to treat the Bio Medical Waste. He informed that the proponent shall dispose solid waste generated to M/s. Ramky Pharma City for scientific disposal. He requested the project proponent to develop thick greenbelt with local near species, which will give oxygen and filter air pollution.
9. Sri S. Venkateswarlu, NGO. He welcomed the proposed project. He requested the project proponent to provide RO Plant for supply of drinking water to the nearby villages since drinking water is not sufficiently available, and to provide medical health camps to the nearby villages periodically.
10. Sri. Sudarshan, Cheyutha, NGO. He welcomed the project and requested the proponent to give employment opportunities to the local youth.

Sri. Srinivasa Reddy, Coordinator representing M/s. Enpro Enviro Tech and Engineers Pvt Ltd., on behalf of M/s. YJ Multiclave, replied to the objections / suggestions raised by the public during Public Hearing. The details are as follows:

- a) As per the Bio Medical Waste Management Rules, 2016, Bio Medical Waste shall be treated within 48 hours and they will comply the norms without causing Air and Water pollution to the nearby Agricultural fields and human habitation.
- b) The proposed project is a Bio Medical Waste treatment facility and abide by all the Rules stipulated. The proposed project will not burn plastic. The plastic waste will be sterilized and treated plastic waste will be disposed to authorized plastic recyclers.
- c) The proposed project will provide incinerator with primary chamber and secondary chamber for incineration of Bio Medical Waste. Primary chamber will maintain at a temperature of more than 850°C and secondary chamber is maintained at a temperature of more than 1050°C. The incineration ash will be disposed to M/s. Ramky Pharma, TSDF for scientific disposal.
- d) The proposed project will provide Effluent Treatment Plant to treat the waste water generated from the treatment of Bio Medical Waste. The treated waste water will be recycled.

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- e) The project proponent will provide alternative arrangement for movement of Bio Medical Waste carrying vehicles without entering into the village roads.
 - f) The incineration ash will be disposed to M/s. Ramky Pharma city through closed vehicles which are provided with GPS tracking system.
 - g) The proposed project will provide Online Continuous Emission Monitoring System in compliance with the Central Pollution Control Board norms.
 - h) The proposed project will give employment to the local people and shall comply CSR norms.

After repeated call to the gathered public to express their views if any, the Joint Collector & Additional District Magistrate, Guntur concluded the public hearing informing that the entire proceedings of the Environmental Public Hearing held on 19.09.2019 was video recorded and minutes will be furnished to the authorities for further examination & to take decision in the matter. The details of the 14 No. of written representations received in response to the EPH notified for the above project are tabulated below -

S. No.	Name & address of the persons submitted representations	No. of pages	Gist of the representation
1	Sri. T. Hussain Naidu, National Environment Committee, NGO, Hyderabad.	01	Expressed No objection for proposed project & requested to develop greenbelt and to support social development in the nearby villages
2	Sri. P. Ramarao, NGO, Green Field Environment Organization, RR District	01	Expressed No objection for proposed project.
3	Sri. K. Ramakrishna reddy, NGO, Jatiya Paryavarana Panrakshana - Ganula Bhugarbha jalamula Samrakshana Samithi	01	Expressed No objection for proposed project
4	Sri. B. Kota Naik, NGO Sri Vivekananda Environment Organization	01	Expressed No objection for proposed project.
5	Sri Sd Rashid Pasha, NGO Gramina Hantha Kala Parishat, Suryapet	01	Expressed No objection for proposed project.
6	Sri M. Krishna Prasad, NGO Prudvi Environment Organization, Vajnepalli Village, Suryapet	01	Expressed No objection for proposed project.
7	Sri Ch. Sasi Kumar, NGO Paryavarana Panrakshana Samithi, Chintalapalem, Suryapet	01	Expressed No objection for proposed project.
8	Sri M. Rama Krishna, NGO Rythu Mithra Paryavarana Sangham, Huzur Nagar, Suryapet	01	Expressed No objection for proposed project.
9	Sri S. Muninder Reddy, NGO	01	Expressed No objection for

BB & BB

			proposed project.
10	Mithra Foundation Neredcherla, Suryapet Sri T. Manikanta Naidu, NGO Bharathi Paryavarana Mandali, Macherla	01	Expressed No objection for proposed project.
11	Sri. J. Venkateswarlu, NGO Dharani Paryavarana Vikasa Samstha, Chintalapalem, Suryapet	01	Expressed No objection for proposed project.
12	Sri Y. Nageswara Naidu, NGO Palnadu Paryavarana Samrakshana Samithi, Rentachintala, Guntur District	01	Expressed No objection for proposed project.
13	Sri M. Sambasiva Rao, NGO Mother Thressa Rural Development Trust, Neredcherla, Suryapet	01	Expressed No objection for proposed project.
14	Sri V. Ravi Teja, NGO Avani Paryavarana Vedika, Huzur Nagar, Suryapet	01	Expressed No objection for proposed project.


Environmental Engineer,
APPCB, RO, GUNTUR


Joint Collector &
Additional District Magistrate
Guntur

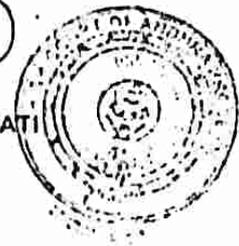
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IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(Special Original Jurisdiction)



THURSDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND TWENTY ONE

:PRESENT:
THE HONOURABLE SRI JUSTICE JOYMALYA BAGCHI
AND
THE HONOURABLE SRI JUSTICE K. SURESH REDDY

WRIT PETITION NO: 11945 OF 2019

Between:

M/s A.P. Environ Technologies, Represented by Mr. T. Anil Kumar S/o Sri Somaiah,
aged 38 years, R/o. D. No. 12-222, Adarsh Nagar Opp. IDPL Colony, Quthbullapur,
Medchal District, Telangana. Having its office at Sy. No. 674-2 Remidicherla Village,
Bollapalli Mandal Guntur District

Petitioner

AND

1. Union of India, Rep. by its Secretary, Ministry of Environment, Forest, and Climate change, Indira Paryavaran Bhavan, Jor Bagh, Lodhi Colony, New-Delhi 110001.
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, Chelamvari Street, Kasturibaipet, Vijayawada. - 520 008, Andhra Pradesh State.
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, Chelamvari Street, Kasturibaipet, Vijayawada - 520 008 Andhra Pradesh State.
4. The Environmental Engineer, Andhra Pradesh Pollution Control Board, Regional Office, 4-5-4/5C.4/3, Navabharath Nagar, Ring Road, Guntur - 522 006.
5. State Environment Impact Assessment Authority, Rep. by its convener, Door No. 33-26-14 D/2, Near Sun Rise Hospital, Pushpa Hotel Centre, Chelamvari Street, Kasturibaipet, Vijayawada - 520 008 Andhra Pradesh State.
6. Y J Multi Clave, Rep. by its Manager, D. No. 7/1, 8/1, Tana Annavaram, Tellabadu Village, Nuzendla Mandal, Guntur District Having its office at H. No. 1-12-52, R & B Road, Ponnur, Guntur District 522121.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the 5th respondent in proposing to consider the application for grant of Environmental Clearance of the 6th respondent herein in furtherance to the In Principle Permission granted by the 2nd respondent in favour of the 6th respondent herein vide its Lr.No.1/APPCB/ HO/UH-IV/BMW/On-Principle / 2018 dated '23.05.2018 treating the same as second facility in Guntur District is perverse, without application of mind, high handed, capricious, arbitrary, illegal, the fundamental rights guaranteed to the petitioner herein under Articles 14, 19(1)(g) of the Constitution of India apart from being in violation of the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Rules made there under, the Air (Prevention and Control of Pollution) Act, 1981 and the Rules made there under and the Environment(Protection) Act, 1986, the EIA,2016, the Bio Medical Waste Management and Handling Rules and also the CPCB Guidelines issued there under apart from being in violation of the principles of natural justice and fair play and consequently direct the Respondents herein not to grant, the EC and proceed with the grant of CFE and CFO for the proposed project of the 6th respondent herein without completion of the process relating to the application of the petitioner herein.

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IA NO: 1 OF 2019 : Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to DIRECT the 5th Respondent consider the representation of the petitioner herein dated 08.08.2019 by way of objections for consideration of the application of the 6th respondent herein for grant of Environmental Clearance for issuance of Consent for Establishment new facility thereby implementing the Revised Guidelines for the Common Bio Medical Waste Treatment and Disposal Facilities as approved by the Central Pollution Control Board, 2016, pending disposal of WP No. 11945 of 2019, on the file of the High Court.

IA NO: 2 OF 2019 : Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to DIRECT the Respondents not to consider any other applications for conduct of public hearing in Guntur District including the 6th respondent till the application of the petitioner herein for grant of Environmental Clearance is granted for which a public hearing is proposed to be conducted on 1.09.2019 at 11.30 AM or on any subsequent dates as the same if conducted would be without appreciating the adequacy of the proposed facility of the petitioner herein as is mandated under the Revised Guidelines for the Common Bio Medical Waste Treatment and Disposal Facilities as approved by the Central Pollution Control Board, 2016 in its letter and spirit and the decisions of this Honourable Court, pending disposal of WP No. 11945 of 2019, on the file of the High Court.

The petition coming on for hearing, upon perusing the petition and affidavit filed herein and Order of High Court dated 27-08-2019 made herein and upon hearing the arguments of Sri P Venkaiah Naidu Advocate for the Petitioner, Sri N. Harinath, Asst. Solicitor General for Respondent No.1, Sri V. Surendera Reddy, Advocate for Respondent Nos.2 to 4, Sri Ramachandra Rao Gurram, Advocate for Respondent No.5, Sri V.B. Subrahmanyam, Advocate for Respondent No.6, the court made the following

ORDER

(Proceedings taken up through video conferencing)

Heard parties.

We are informed that the public hearing has been conducted in terms of earlier direction of this Court.

The Andhra Pradesh Pollution Control Board is directed to place the proceedings of the public hearing before this Court.

Adjourned.

Post on 5-08-2021.

Sd/- B. Chitti Joseph
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

- To
1. The Member Secretary, Andhra Pradesh Pollution Control Board, Door No. 33-26-14 D/2, Near Sun Rise Hospital, Pushpa Hotel Centre, Chelamvari Street, Kasturibaipet, Vijayawada. - 520 008 Andhra Pradesh State. (by Special Messer/SPEED POST)
 2. One CC to Sri. P Venkaiah Naidu, Advocate [OPUC]
 3. One CC to SRI. N. Harinadh, Asst. Solicitor General, High Court of Andhra Pradesh (OPUC)
 4. One CC to Sri V. Surendera Reddy, Advocate (OPUC)
 5. One CC to Sri Ramachandra Rao Gurram, Advocate (OPUC)
 6. One CC to Sri V.B. Subrahmanyam, Advocate (OPUC)
 7. One spare copy
- SkM

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HIGH COURT

JB,J & KSR,J

DATED: 22-07-2021

NOTE: POST ON 5-08-2021

WP.No.11945 of 2019

DIRECTION

Spl. Memo

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**FAIR LIST CASE ON 05.08.2021
BEFORE THE HON'BLE DIVISION
BENCH-II**

GUNTUR DISTRICT

**IN THE HIGH COURT OF ANDHA
PRADESH AT AMARAVATHI**

W.P.NO. 11945 of 2019

**MEMO FILED BY THE APPCB IN SHEER
COMPLIANCE OF THE ORDER DATED
22.07.2021**

Filed on: 04.08.2021

Filed by:
V.SURENDRA REDDY (22278)
Counsel for Respondent Nos. 2 to 5
#9440011417/ vrsurendra@gmail.com

For Petitioner: Sri.P.Venkaiah Naidu
For R1 : Asst.Solicitor General
For R6 : Sri.V.B.Subramanyam

85

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HON'BLE SRI JUSTICE JOYMALYA BAGCHI
AND
THE HON'BLE SRI JUSTICE K. SURESH REDDY

WRIT PETITION NO: 11945 OF 2019



Between:

M/s.A.P. Environ Technologies, Represented by Mr. T. Anil Kumar S/o Sri Somaiah, aged 38 years, R/o. D. No. 12-222, Adarsh Nagar Opp. IDPL Colony, Quthbullapur Medchal District, Telangana. Having its office at Sy. No. 674-2 Remidicherla Village, Bollapalli Mandal Guntur District.

AND

...PETITIONER

1. Union of India, Rep. by its Secretary, Ministry of Environment, Forest, and Climate change, Indira Paryavaran Bhavan, Jor Bagh, Lodhi Colony, New Delhi 110001.
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, Chelamvari Street, kasturibaipet, Vijayawada. - 520 008 Andhra Pradesh State.
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, Chelamvari Street, Kasturibaipet, Vijayawada - 520 008 Andhra Pradesh State.
4. The Environmental Engineer, Andhra Pradesh Pollution Control Board, Regional Office, 4-5-4/5C.4/3, Navabharath Nagar, Ring Road Guntur - 522 006.
5. State Environment Impact Assessment Authority, Rep. by its convener, Door No. 33-26-14 D/2, Near Sun Rise Hospital, Pushpa Hotel Centre, Chelamvari Street, Kasturibaipet, Vijayawada - 520 008 Andhra Pradesh State.
6. M/s.Y. J. Multi Clave, Rep. by its Manager, D. No. 7/1, 8/1, Tana Annavaram, Tellabadu Village, Nuzendla Mandal, Guntur District Having its office at H. No. 1-12-52, R&B Road. Ponnur, Guntur District 522121.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the 5th respondent in proposing to consider the application for grant of Environmental Clearance of the 6th respondent herein in furtherance to the In Principle Permission granted by the 2nd respondent in favour of the 6th respondent herein vide its Lr.No.1/APPCB/ HO/UH-IV/BMW/On-Principle / 2018 dated 23.05.2018 treating the same as second facility in Guntur District is perverse, without application of mind, high handed, capricious, arbitrary, illegal, the fundamental rights guaranteed to the petitioner herein under Articles 14, 19(1)(g) of the Constitution of India apart from being in violation of the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Rules made there under, the Air (Prevention and Control of Pollution) Act, 1981 and the Rules made there under and the Environment(Protection) Act, 1986, the EIA,2016, the Bio Medical Waste Management and Handling Rules and also the CPCB Guidelines issued there under apart from being in violation of the principles of natural justice and fair play and consequently direct the Respondents herein not to grant, the EC and proceed with the grant of CFE and CFO for the proposed project of the 6th

(86) 2

respondent herein without completion of the process relating to the application of the petitioner herein.

IA NO: 1 OF 2019

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the 5th Respondent consider the representation of the petitioner herein dated 08.08.2019 by way of objections for consideration of the application of the 6th respondent herein for grant of Environmental Clearance for issuance of Consent for Establishment new facility thereby implementing the Revised Guidelines for the Common Bio Medical Waste Treatment and Disposal Facilities as approved by the Central Pollution Control Board, 2016 pending disposal of the above writ petition.

IA NO: 2 OF 2019

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents not to consider any other applications for conduct of public hearing in Guntur District including the 6th respondent till the application of the petitioner herein for grant of Environmental Clearance is granted for which a public hearing is proposed to be conducted on 1.09.2019 at 11.30 AM or on any subsequent dates as the same if conducted would be without appreciating the adequacy of the proposed facility of the petitioner herein as is mandated under the Revised Guidelines for the Common Bio Medical Waste Treatment and Disposal Facilities as approved by the Central Pollution Control Board, 2016 in its letter and spirit and the decisions of this Honourable Court pending disposal of the above writ petition.

IA NO: 3 OF 2019

Between:

M/s.Y. J. Multi Clave, Rep. by its Manager, D. No. 7/1, 8/1, Tana Annavaram, Tellabadu Village, Nuzendla Mandal, Guntur District Having its office at H. No. 1-12-52, R&B Road. Ponnur, Guntur District 522121.

...PETITIONER/RESPONDENT No.6

AND

1. M/s.A.P. Environ Technologies, Represented by Mr. T. Anil Kumar S/o Sri Somaiah, aged 38 years, R/o. D. No. 12-222, Adarsh Nagar Opp. IDPL Colony, Quthbullapur Medchal District, Telangana. Having its office at Sy. No. 674-2 Remidicherla Village, Bollapalli Mandal Guntur District.
2. Union of India, Rep. by its Secretary, Ministry of Environment, Forest, and Climate change, Indira Paryavaran Bhavan, Jor Bagh, Lodhi Colony, New Delhi 110001.
3. 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, Chelamvari Street, kasturibalpet, Vijayawada. - 520 008 Andhra Pradesh State.
4. 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, Chelamvari Street, Kasturibalpet, Vijayawada -520 008 Andhra Pradesh State.
5. The Environmental Engineer, Andhra Pradesh Pollution Control Board, Regional Office, 4-5-4/5C.4/3, Navabharath Nagar, Ring Road Guntur - 522 006.
6. State Environment Impact Assessment Authority, Rep. by its convener, Door No. 33-26-14 D/2, Near Sun Rise Hospital, Pushpa Hotel Centre, Chelamvari Street, Kasturibalpet, Vijayawada - 520 008 Andhra Pradesh State.

...RESPONDENTS

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to vacate the

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THE HON'BLE SRI JUSTICE JOYMALYA BAGCHI
AND

THE HON'BLE SRI JUSTICE K.SURESH REDDY

WRIT PETITION No.11945 of 2019
(Taken up through video conferencing)

ORDER: (Per Hon'ble Sri Justice Joymalya Bagchi)

Copy of Minutes of the Public Hearing dated 19.09.2019 is placed on record. It appears from the Minutes of the Public Hearing, no objection to the proposed site was raised by the representatives of the local community except for requesting the development of green belt and support to social development in the nearby villages. The representative of the petitioner-Industry undertook to comply with the various requirements under the Environmental Laws and specifically gave assurance in the Public Hearing as follows:

- a) As per the Bio Medical Waste Management Rules, 2016, Bio Medical Waste shall be treated within 48 hours and they will comply the norms without causing Air and Water pollution to the nearby Agricultural fields and human habitation.
- b) The proposed project is a Bio Medical Waste treatment facility and abide by all the Rules stipulated. The proposed project will not burn plastic. The plastic waste will be sterilized and treated plastic waste will be disposed to authorized plastic recyclers.
- c) The proposed project will provide incinerator with primary chamber and secondary chamber for incineration of Bio Medical Waste. Primary chamber will maintain at a temperature of more than 850°C and secondary chamber is maintained at a temperature of more than 1050°C. The incineration ash will be disposed to M/s Ramky Pharma, TSDF for scientific disposal.
- d) The proposed project will provide Effluent Treatment Plant to treat the waste water generated from the treatment of Bio Medical Waste. The treated waste water will be recycled.
- e) The project proponent will provide alternative arrangement for moment of Bio Medical Waste carrying vehicles without entering into the village roads.

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interim order dated 27.08.2019 passed in I.A No.s 1 and 2 of 2019 in W.P No. 11945 of 2019 in the interest of justice.

IA NO: 4 OF 2019

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to receive the Documents more fully shown in the petition in the interest of justice.

IA NO: 5 OF 2019

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the official Respondent Nos. 2 to 6 herein to release the proceedings / minutes of the Public Hearing conducted on 19.09.2019 kept in sealed cover for grant of Environmental Clearance.

Counsel for the Petitioner : SRI P. VENKAI AH NAIDU

Counsel for the Respondent No.1 : SRI N. HARINATH, Asst Solicitor General

**Counsel for the Respondent Nos.2 to 5 : SRI V. SURENDRA REDDY,
SC FOR APPCB**

Counsel for the Respondent No.6 : SRI V.B. SUBRAHMANYAM

The Court made the following: ORDER

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- f) The incineration ash will be disposed to M/s Ramky Pharma city through closed vehicles which are provided with GPS tracking system.
- g) The proposed project will provide Online Continuous Emission Monitoring System in compliance with the Central Pollution Control Board norms.
- h) The proposed project will give employment to the local people and shall comply CSR norms."

Under such circumstances, Writ Petition is disposed of directing that the Minutes of the Public Hearing be placed before the 5th respondent-State Environment Impact Assessment Authority 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.

With these observations, the Writ petition is disposed of. There shall be no order as to costs.

As a sequel, Miscellaneous Petitions, if any, pending in the Writ Petition shall stand closed.

SD/-SHAIK MOHD RAFI
ASSISTANT REGISTRAR

//TRUE COPY//

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SECTION OFFICER

- To,
1. The Secretary, Union of India, Ministry of Environment, Forest, and Climate change, Indra Paryavaran Bhavan, Jor Bagh, Lodhi Colony, New Delhi 110001.
 2. The Member Secretary, Andhra Pradesh Pollution Control Board, Door No. 33-26-14 D/2, Near Sun Rise Hospital, Pushpa Hotel Centre, Chelamvari Street, kasturibaipet, Vijayawada. - 520 008 Andhra Pradesh State.
 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, Chelamvari Street, Kasturibaipet, Vijayawada -.520 008 Andhra Pradesh State.
 4. The Environmental Engineer, Andhra Pradesh Pollution Control Board, Regional Office, 4-5-4/5C.4/3, Navabharath Nagar, Ring Road Guntur - 522 006.
 5. The Convener, State Environment Impact Assessment Authority, Door No. 33-26-14 D/2, Near Sun Rise Hospital, Pushpa Hotel Centre, Chelamvari Street, Kasturibaipet, Vijayawada - 520 008 Andhra Pradesh State.
 6. The Manager, M/s. Y. J. Multi Clave, D. No. 7/1, 8/1, Tana Annavaram, Tellabadu Village, Nuzendla Mandal, Guntur District Having its office at H. No. 1-12-52, R&B Road. Ponnur, Guntur District 522121.
 7. One CC to Sri P. Venkalah Naidu, Advocate [OPUC]
 8. One CC to Sri N. Harlnath, Asst Solicitor General [OPUC]
 9. One CC to Sri V.Surendra Reddy, SC for APPCB (OPUC)
 10. One CC to Sri V.B. Subrahmanyam (OPUC)
 11. Two C.D. Copies.

Cnr
ssb

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HIGH COURT

DATED: 18/08/2021



ORDER

WP.No.11945 of 2019

DISPOSING OF THE W.P.
WITHOUT COSTS

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3/9/21
JS

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ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE :: GUNTUR

D.No. 4-5-4/5C, 4/3- Navabharath Nagar, Ring Road, Guntur - 522 006

Lr No. G-129/PCB/RO-GNT/RTI/2019- 648

Dt. 02.07.2019

To
Sri.D. Hemanth,
H.No 24-8-1/2,
OPP.Nageswara Rao Hospital,
GBC Road, Ponnur (V&M)
Guntur District.

Sir,

Sub: AP Pollution Control Board -Regional Office-Guntur - Right to Information Act' 2005- Information pertains to M/s.A.P Environ Technologies Remidi charla (V) Bollapally (M), Guntur District - Payment of fee -Furnishing the requested information - Reg.

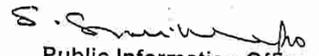
- Ref:
1. Right to Information Act application filed by Sri.D. Hemanth, H.No 24-8-1/2, OPP.Nageswara Rao Hospital, GBC Road, Ponnur (V&M), Guntur District received by this office on 29.05.2019. T.O.Lr No.129/PCB/RO-GNT/RTI/2018-1194 Dt 18.09.2018.
 2. T.O.Lr No. G-129/PCB/RO-GNT/RTI/2019-20.06.2019
 3. Your fee payment letter received at this office on 25.06.2019

You have submitted an application under RTI Act to get information regarding copies of pertains to M/s. A.P Environ Technologies Remidi charla (V) Bollapally (M), Guntur District. vide reference 1st cited.

This is office has requested you to pay the fee for furnishing the copies of the requested information vide reference 2nd cited. Accordingly you have paid the fee vide reference 3rd cited.

The copies of Desired information is here with enclosed.

Yours faithfully,


Public Information Officer

Encl: As above

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APDCB

No. [] [] [] [] [] []

COMMON APPLICATION FORM I PART A FOR ESTABLISHMENT

This format is to be filed with the Nodal Agency for the purpose of arranging site clearance, statutory approvals from Gram Panchayat, Municipality, TC & P, Urban Development Authority, Factories, Alienation of land / Acquisition of land, Power feasibility and Power connection from DISCOM, sanction of water supply from local bodies / HMWS & SB / Ground water for setting up of industrial units in A.P.

(Please go through instructions carefully to fill in this form given separately)
(Please submit required number of copies as per check slip including one for your record)

1.1 NAME & ADDRESS OF THE PROMOTER/INDUSTRIAL UNDERTAKING IN FULL (BLOCK LETTERS)
Name of the Industrial Undertaking:

M S A P ENVIRON TECHNOLOGIES

Name of the Promoter/M.D./Mg. Partner with surname first

~~Shri/Smt./Bam.~~ (Please strike off those not applicable)

V. SRAVYA

MADHAVA VARMA

Age 24

Occupation BUSINESS

1.2 ADDRESS FOR COMMUNICATION

Door No.

54-16-5/5

Street Name

SIVARAMA RAJU

Village/Town

LOYOLANAGAR

Mandal

NIKAYAWADA

District

KRISHNA

STREET, OPP. LOYOLA COLLEGE,

Pin Code

E-mail

APENVIRONTECHNOLOGIES@gmail.com

Fax

[] [] [] [] [] [] [] []

Telephone (incl. STD code)

9848782735

2. Nature of Organisation:

(Please Tick)

Proprietary

Partnership

Private Limited

Public Ltd.

Co-Operative

Others

3. For Proprietary Units Only. Do you belong to : (Please Tick)

SC

ST

OBC

Women

93

17 54

1.0 Registration Particulars

4.1 Category of Registration (PI tick whichever is applicable) Prov.SSI IEM EOU LOI

4.2 Registration No. and Date

D	M	Y		

4.3 Expiry Date

D	M	Y		

5.1 Line of manufacture

Sl.No	Item Description	Annual Installed Capacity	
		Units	Quantity
<input type="checkbox"/>	COMMON BIO MED	MTS	<input type="text"/>
<input type="checkbox"/>	ICAL WASTE TRE	<input type="text"/>	<input type="text"/>
<input type="checkbox"/>	TREATMENT FACILIT	<input type="text"/>	<input type="text"/>
<input type="checkbox"/>	y	<input type="text"/>	<input type="text"/>
<input type="checkbox"/>		<input type="text"/>	<input type="text"/>

5.2 Raw - materials used in process

Sl.No	Name of the Raw Material	Annual Requirement	
		Units	Quantity
<input type="checkbox"/>	SERVICE ACTIVITY	<input type="text"/>	<input type="text"/>
<input type="checkbox"/>		<input type="text"/>	<input type="text"/>
<input type="checkbox"/>		<input type="text"/>	<input type="text"/>
<input type="checkbox"/>		<input type="text"/>	<input type="text"/>
<input type="checkbox"/>		<input type="text"/>	<input type="text"/>

5.3 Details of Plant & Machinery (Pl. enclose list) COPY ENCLOSED.

5.4 Brief description of manufacturing process : (Pl. enclose separate sheet)

5.5 Does your unit fall under the category of 65 polluting industries Yes No

5.6 Type and Nature of wastes and effluents their Quantities and the methods of their disposal (Enclose Separate Sheet) - NIL

94

6.0. Estimated Project Cost.

55 New Unit

Substantial Expansion

6.1 Land (In Rs.)

550000

6.2 Building (In Rs.)

2150000

6.3 Plant and Machinery (In Rs.)

9800000

6.4. Total cost of (6.1 + 6.2+6.3) (In Rs.)

12500000

7.0. Probable Employment Potential :
(In No. of persons to be employed)

Male

Female

7.1. Direct (On unit's payroll) :

13

02

7.2. Indirect (On factory premises) :

08

01

8.3. Details of existing Approvals of Factories dept
Gram Panchayat / Municipality / Electricity / Water, if any

Reference No. R.C.NO. 11/B-2015

Date: 06/01/15

9.0 Proposed location of the factory : IE IDA EZ PE others

9.1 Location/Name of IE/IDA/EZ/PE

9.2 Survey No. Extent Sq.Mts.

Street Name

Village/Town

Mandal

District

Pin code

Tele Phone No

Nearest Tele Phone No.

10. Power required for the unit

10.1. Contracted Maximum demand in KVA

50 HP

10.2. Connected load in KW

50 HP

10.3. Aggregate installed capacity of the transformer to be installed by the entrepreneur in case of H.T. (H.T. means above 150 H.P.)

10.4. Proposed maximum working hours

Per day

Per month

08

200

10.5. Expected month and year of trial production

	M			Y

10.6. Probable date of requirement of power supply.

	D		M		Y

11.1. Water Supply from Gram Panchayat Municipality HMWS & SB APIIC

11.2. Water requirement Quantity (in KL / Day)

				0	.	1
--	--	--	--	---	---	---

i) Drinking Water
ii) Water for Processing (Industrial Use)

				9	.	9
--	--	--	--	---	---	---

11.3. Size of Water Supply connection applied for
15mm (1/2") 20mm (3/4") 25mm (1") 40mm (1 1/2") 50mm (2")
If the size is not covered in the above mentioned sizes, indicate the size of connection required

11.4. Size of sewer connection applied for
100mm (4") 150mm (6") 200mm (8")

12.0. Permission to draw water

12.1. Agency Ground Water Irrigation

12.2. Requirement of Water Quantity (in KL / Day)

				1	0
--	--	--	--	---	---

I declare that the particulars given above are true to the best of my knowledge and belief. I shall obey the rules and regulations in force. If any deviation is found, suitable action may be initiated.

Place: Guntur
Date: 08.01.2015

For AP ENVIRON TECHNOLOGIES
V. Sravya
Signature of Promoter or
authorised person only. **PARTNER.**
V. SRAVYA
NAME (IN BLOCK LETTERS)
MG. PARTNER.
(DESIGNATION)

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2.2 RAW MATERIALS CONSUMPTION :

Sl.No.	Item Description	Item Code (ITC/NIC)	Daily consumption at full Capacity	Unit
<input type="checkbox"/>	SERVICES			
<input type="checkbox"/>	ACTIVITY			
<input type="checkbox"/>				

(Please enclose supplementary sheet if more no. of items are listed)

2.3. MANUFACTURING PROCESS :

2.3.1. Source of process knowhow : (Please tick)

In house National Laboratory Foreign Other

2.3.2. Please enclose supplementary sheet giving brief description of process technology utilised along with a flow chart.

2.3.3. Have you any foreign collaboration : (Please tick) Yes No

If yes, enclose supplementary sheet giving details of know how and equipment for pollution control available under the terms of foreign collaboration.

2.4. ENERGY CONSUMPTION :

2.4.1. Source of energy . (Please Tick)

Inplant Generation Public Supply

2.4.2. If energy is generated in plant, fuel used with consumption for eg. Coal/Fuel oil/Diesel/Natural Gas/Wood/ Others (Please Specify)

Name of Fuel	Daily Consumption	Unit
DIESEL PLANT	150	LITERS
VEHICLES	100	LITERS

6.8 What other specific toxic substance is discharged?
(Please give name of pollutant and quantity in mg/litre)

	Name	Qty.
Inorganic	<input type="text"/>	<input type="text"/>
	<input type="text"/>	<input type="text"/>
	<input type="text"/>	<input type="text"/>
Organics including Pesticides :	<input type="text"/>	<input type="text"/>
	<input type="text"/>	<input type="text"/>
Organic Chlorine Compounds :	<input type="text"/>	<input type="text"/>
	<input type="text"/>	<input type="text"/>
Phenol :	<input type="text"/>	<input type="text"/>
Lignin :	<input type="text"/>	<input type="text"/>
Mercaptans :	<input type="text"/>	<input type="text"/>
Heavy Metals :	<input type="text"/>	<input type="text"/>
	<input type="text"/>	<input type="text"/>
	<input type="text"/>	<input type="text"/>

7. SOLID WASTE

Process & Treatment Plant
In M. Tons

7.1. Total quantity of solid Waste

7.2. Nature of Waste : (Please Tick)

Lumps Granules Dust Slurry

7.3. Approximate composition eg. Organics/Granules/Metal/Others

Item	Quantity in mg/litre
<input type="text"/>	<input type="text"/>

7.4. Methods proposed for disposal including disposal of treatment plant sludge : (Please Tick)

Land fill Dumping Composting
Incineration Deep Burning

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7.5. Have you considered the possibility of recovery and reutilisation of any portion of the solid waste? (Please Tick)

Yes No
(If yes, give details on supplementary sheet to be enclosed)

7.6. Have you got any problem regarding collection, handling and transport of solid waste? (Please tick)

Yes No
(If yes, specify on supplementary sheet to be enclosed)

7.7. Are there any problems of subsequent pollution of air, water or soil likely at the place of disposal of solid wastes? (Please Tick)

Yes No
(If yes, please enclose supplementary sheet indicating method proposed for prevention.)

8. Atmospheric Emissions.

8.1. Emissions from fuel burning

8.1.1. Expected quantity of stack emissions in Cubic M/sec.

--	--	--	--	--	--	--	--	--	--

8.1.2. Composition of emissions : (Qty. should be in units mentioned in brackets)

Particulars :

Nature of Dust (Mg/Cubic NM)

Gases (Please fill the one applicable)

Sulphuric dioxide (mg/cubic NM)

Nitrogen Oxides (mg/cubic NM)

Hydrocarbons (mg/cubic NM)

Carbon monoxide (mg/cubic NM)

Moisture (%)

Others (Specify)

--	--	--	--	--	--	--	--	--	--

8.2. Emission from process

8.2.1. Expected emissions qty. cubic M/sec.

--	--	--	--	--	--

8.2.2. Temperature (Degree C)

MA

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10 Pollution control management :

- 10.1 Give details of organisational set up for pollution control you propose to have?
- 10.2 What is the level of experience of the persons incharge of pollution control.
- 10.3 Do you propose to monitor the pollution from your industry?
- 10.4 Give details of Laboratory facilities proposed
- 10.5 Give details of operation and maintenance or facilities you propose to have for Pollution control equipment and treatment plant

(Please enclose a separate sheet giving details on each of these paras)

11 Cost of Pollution Control

- 11.1 Total Capital Investment proposed for pollution monitoring and Control.
- 11.2 Percentage of Capital Investment on pollution control to total fixed capital of the unit.
- 11.3 Recurring cost per annum

Rs 200000/-

□□

Rs □□□□□□□□

We hereby declare that we will install and operate pollution control equipment required to meet the standards prescribed by the Board and we will not commence production, until such pollution control equipment is installed and ready for operation we will obtain a second No Objection Certificate from the Board before going into production.

For AP ENVIRON TECHNOLOGIES

V. Sranya
Signature of Promoter or authorised person or PARTNER.

V. SRANYA

Name in (BLOCK LETTERS)

M. U. PARTNER

Designation

Place BUNTUR

Date 08/01/2015

- NOTE :
- 1. Site location plan (para 3.1)
 - 2. Topo plan (para 3.9)
 - 3. Information sheets (No) (paras 2.2/2.3/2/3.3/3.8/5.3/6.3/6.7/7.5/7.6/7.7/8.2.5/8.2.6/8.2.7/9.1/9.2/9.3/10.1/10.2/10.3/10.4/10.5)
 - 4. EIA Report (To be submitted by Industries indicated at 4.6 of guidelines).
 - 5. Risk analysis report/HAZOPS/MCA/On site management Plan (To be submitted by industries manufacturing/handling/storing Hazardous Chemicals listed in the scheduled 1, 2&3 of manufacture, storage and import of Hazardous Chemicals Rules 1989).

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Lr.No. APPCB/VJA/GTR/2110/HO/CBMWTF/2015 Date: 16.11.2015

- Sub: - APPCB - BMW - CFE application dated 13.01.2015 of M/s. A.P. Environ Technologies, Sy. No 674-2, Remidicherla Village, Bollapalli Mandal, Guntur District - Rejected - Reg
- Ref:
1. Your CFE application received at RO-Guntur on 13.01.2015 & 27.01.2015.
 2. BMW Technical Committee meeting held on 25.02.2015, 27.05.2015 & 24.08.2015.
 3. T. O. Lr. No. APPCB/VJA/GTR/2110/HO/CBMWTF/2015 - 3827, Dt. 06.09.2015.
 4. ZO, Vijayawada Lr. No. G-687/APPCB/ZO-VJA/2015-1239, dt. 23.08.2015.

@@@

The Board is in receipt of the Consent for Establishment (CFE) application submitted by M/s. A.P. Environ Technologies Sy. No 674-2, Remidicherla Village, Bollapalli Mandal, Guntur District vide reference 1st cited seeking Consent for Establishment (CFE) for setting up a common bio medical waste treatment facility under Water Act and Air Acts.

The issue was reviewed in the BMW Technical Committee meetings held at Head Office, APPCB, Hyderabad on 25.02.2015, 27.05.2015 and 24.08.2015.

The Board vide ref. 3rd cited informed that your application will be further proposed after obtaining Environmental Clearance as per the MoEF&CC Notification vide S.O.1142(E) dated 17.04.2015. But it is observed that you have so far not submitted application for obtaining Environmental Clearance.

The officials of Zonal Office, Vijayawada inspected your proposed site on 22.08.2015 and submitted report vide ref. 4th cited. The Board re-examined the issue and your CFE application (ref 1) seeking Consent for Establishment (CFE) for setting up a common bio medical waste treatment facility under Water Act 1974 and under Air Act, 1981 are hereby rejected by the Board under section 25(4) (b) of the Water Act and under section 21 (4) of the Air Act for the following reasons:

file
26/11/2015

- 1) As verified by the Board officials there are 488 HCEs in Guntur District with bed strength of 11,149 only. As per the CPCB guidelines (para "D") for Common Bio Medical Waste Treatment facility (CBMWTF) regarding coverage area is that in any area only one CBMWTF may be allowed to cater up to 10,000 beds at the approved rate by the Prescribed Authority. A CBMWTF shall not be allowed to cater healthcare units situated beyond a radius of 150 km. However, in an area where 10,000 beds are not available within a radius of 150 km, another CBMWTF may be allowed to cater the healthcare units situated outside the said 150 km. Presently a

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CRMOVF is in operation at Chinakalani, Mangalagiri Mandal, Guntur District catering to JCEs in Guntur District. You have not obtained Environmental Clearance. A water body is located very close to the proposed site and reserve forest is abutting the proposed site. The water body is located in the downstream side and is likely to be contaminated by your activity.

You may note that establishment of the facility without valid consents of the Board would be a violation of section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and Section 21/22 of the Air (Prevention & Control of Pollution) Act 1981, which is punishable under Section 44 and 37 of the above said Acts.

Sd/-
MEMBER SECRETARY

To
M/s. A.P. Electron Technologies,
#34-16-5/3, Sivaramaraju Street,
Loyola Gardens, Near Loyola College,
Vijayawada-520008,
Krishna District
E-mail: apenvrontechnologies@gmail.com

Copy to:

1. The JCES, APFCR, Zonal Office - Vijayawada for information and necessary action
2. The EE, APFCR, Regional Office - Guntur for information and necessary action

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

6/11/15

JOINT CHIEF ENVIRONMENTAL ENGINEER
(UNIT HEAD-IV)

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F.No. J-11013/41/2006-IA-II (I) (part)
Government of India
Ministry of Environment, Forests and Climate Change
IA Division

Indira Paryavaran Bhawan,
Jor Bagh Road,
New Delhi-110 003

Dated the 22nd August, 2014

OFFICE MEMORANDUM

Subject: Validity of Terms of Reference (TORs) prescribed under EIA Notification, 2006 for undertaking detailed EIA and EMP studies for developmental projects requiring environmental clearance and other related issues-clarification regarding.

The Ministry of Environment and Forests vide Office Memorandum No. J-11013/41/2006-IA.II(I) dated 22.03.2010 prescribed a time limit for validity of Terms of Reference (TORs) for a period of two years for submission of EIA and EMP reports after public consultation and also that this period would be extendable to third year, based on proper justification and recommendation of the EAC/SEAC, as the case may be. Thus an outer limit of three years for the validity of TORs has been prescribed for any developmental project, except River Valley and HEP Projects, where the outer limit validity of TOR is four years, as prescribed vide O.M. No Z-11012/1/2013-IA.I (Pt.) dated 12.12.2013. The aforesaid OM dated 22.03.2010 also clarifies that the primary data in the EIA/ EMP report submitted after public consultation should not be more than three years old.

2. Based on experience gained in implementation of aforesaid OMs, issues like linkage of validity of TORs with public hearing, the issue of further extension of validity of TORs, etc. has emerged. The matter has been examined in detail and the following has been decided in order to provide more clarity on the subject:

- (i) The TORs prescribed for a project or activity will be valid for a period of two years for submission of EIA and EMP report, except for River Valley and HEP projects, where the validity of TORs will be for three years. The TORs will specifically mention the date of expiry of validity and state that TORs will lapse after that date.
- (ii) This period of validity could be extended by the Regulatory Authority concerned by a maximum period of one year provided an application is made by the applicant to the Regulatory Authority, atleast three months before the expiry of validity period, together with an updated Form-I, based on proper justification and also recommendation of the EAC/SEAC.

2/-

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- (iii) Some cases have come to the notice of this Ministry where an application for extending the validity of TORs, as stated at (i) above, was made by the project proponent and instead the project proponent submitted complete proposal with EIA / EMP reports within the period for which it could have obtained extension of TORs as stated at (ii) above, for grant of environment clearance. Strictly speaking, all such proposals, not being in line with the existing instructions, should not be considered by the Regulatory Authority. However, requests have been received for considering such proposals citing the reasons that EIA / EMP reports have been submitted within the prescribed outer time limit for validity of TORs, efforts put-in for preparing these reports, etc. It has been decided that while such proposals received till the date of issuance of this O.M. may be considered by the Regulatory Authority, any such proposal after the issuance of this O.M., shall not be considered by the Regulatory Authority. The State Pollution Control Boards (SPCBs) shall ensure that the public hearing (PH) is conducted within the timeline of 45 days as prescribed in the EIA Notification, 2006. The SPCBs shall also ensure that PH is held within the validity period of the TORs, and that no PH is held after the validity period of TORs is over. The PH conducted after the expiry of the TORs shall not be accepted by the Regulatory Authority for appraisal. The PH should be held well before the expiry of validity of TORs so that EIA / EMP reports are submitted by proponent within the validity period of TORs.
- (iv) Extension of Validity of TORs beyond the outer limit of three years for all projects or activities and four years for River Valley and HEP projects shall not be considered by the Regulatory Authority. In such cases, the project proponent will have to start the process *de novo* and obtain fresh TORs in case the proponent is still interested in pursuing the clearance for the project. Re-use of old baseline data (provided it is not more than 3 years old) for the purpose of preparation of fresh EIA and EMP report will be considered subject to due diligence by the EAC/SEAC which may make appropriate recommendations including the need for revalidation. Baseline data older than 3 years will not be used for preparation of EIA / EMP report. In any case, the PH shall have to be conducted afresh in such cases.
- (v) Instances have also come to the notice of this Ministry, wherein, though the EIA / EMP report is submitted by the proponent within the validity period of TORs, the case remains pending for want of additional information from the proponent, State Government, etc., as sought by the EAC / Ministry. This Ministry has already decided vide OM No.J-11013/5/2009-IA-II (Part) dated 30.10.2012 that such cases will be delisted in case such information is not received within six months. In some cases the proponents have

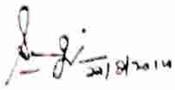
3/3/-

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been requesting for re-listing of their projects after the requisite information has been submitted after considerable lapse of time. For such cases, it has been decided that they could be considered provided the date of public hearing is not more than 3 years old and the data used in preparation of EIA / EMP report is not more than 3 years old. In case these conditions are not met, the proponent will have to start the process *de novo* after obtaining fresh TORs.

5. This issues with the approval of the competent authority.


(Dr. Satish C. Garkoti)
Scientist 'F'

Copy to:

1. All the officers of IA Division
2. Chairperson/ Member Secretaries of all the SEIAAs/SEACs
3. Chairman of all the Expert Appraisal Committees
4. Chairman, CPCB
5. Chairpersons/ Member Secretaries of all SPCBs/ UTPCCs

Copy for information:

1. PS to MOS (Independent Charge)
2. PPS to Secretary (E&F)
3. PPS to AS (SS)
4. PS to JS (AT)
5. Website, MoEF
6. Guard File

Issued to all
by Speed/ABR
25/8/14

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No. J-11015/109/2013-IA.II (M)
Government of India
Ministry of Environment, Forest and Climate Change
Impact Assessment Division

Indira Paryavaran Bhavan,
Jor Bag Road, Allganj
New Delhi-110 003

Dated the 12th January, 2017

OFFICE MEMORANDUM

Subject: Validity of Terms of Reference (TORs) prescribed under EIA Notification, 2006 for undertaking detailed EIA and EMP studies for developmental projects requiring environmental clearance and other related issues-clarification regarding.

Reference: Office Memoranda No. J-11013/41/2006-IA-II (I) (Pt.), dated 22.08.2014; 08.10.2014 and 07.11.2014.

The Ministry of Environment, Forest and Climate Change vide Office Memoranda No. J-11013/41/2006-IA-II (I) (Pt.) dated 22.08.2014; 08.10.2014 and 07.11.2014 prescribed a time limit for validity of Terms of Reference (TORs) for a period of three years for submission of EIA and EMP reports after public consultation and also that this period would be extendable to fourth year, based on proper justification and recommendation of the EAC/SEAC, as the case may be. Thus an outer limit of four years for validity of TORs has been prescribed for any developmental project, except River Valley and HEP Projects, where the outer limit validity of TOR is five years.

2. The para 2 (ii) of OM No. J-11013/41/2006-IA-II (I) (Pt.) dated 22.08.2014, mentioned that "This period of validity could be extended by the Regulatory Authority concerned by a maximum period of one year provided an application is made by the applicant to the Regulatory Authority, atleast three months before the expiry of validity period, together with an updated Form-I, based on proper justification and also recommendation of the EAC/SEAC".

3. The matter has been examined in the Ministry and it has been decided that if the project proponent make the application for extension of the

...2/-

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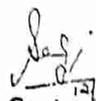
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validity of TORs before its expiry, it should be considered and accordingly para 2(II) of OM No. J-11013/41/2006-IA-II (I) (Pt.) dated 22.08.2014, may be amended and read as,

"This period of validity could be extended by the Regulatory Authority concerned by a maximum period of one year provided an application is made by the applicant to the Regulatory Authority before the expiry of validity period, together with an updated Form-1, based on proper justification and also recommendation of the EAC/SEAC".

4. The other stipulations stated in OM dated 22.08.2014 will continue to apply.
5. This issues with the approval of the Competent Authority.


(Satish C. Garkoti)
Scientist 'F'

Copy to:

1. All the officers of IA Division
2. Chairman of all the Expert Appraisal Committees
3. Chairperson/ Member Secretaries of all the SEIAAs/SEACs
4. Chairman, CPCB
5. Chairpersons/ Member Secretaries of all SPCBs/ UTPCCs

Copy for information:

1. PS to MEFCC
2. PPS to Secretary(EFCC)
3. PPS to SS(RRR)
4. PS to JS(MKS)
6. PS to JS (GB)
7. Website, MoEFCC
8. Guard File

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ANDHRA PRADESH POLLUTION CONTROL BOARD
D.No-33-25-14D/2, Near Sunrise Hospital, Pushpa Hotel Center,
Chalamalavari Street, Kasturibaipet, Vijayawada-520010

Website : www.pcb.ap.gov.in

Lt.No: APPCB/HO/UH-IV/RTI/2019-347

Date:04.06.2019

Sub: APPCB — UH-IV - Right to Information Act, 2004 application - Information -
Furnished - Reg.,

Ref: 1. Your RTI application dated 08.05.2019.
2. U.O. Note No. APPCB-11039/30/2019 - TECHNICAL SECTION-RTI-
APPCB-117 dated 13.05.2019.

With reference to your RTI application vide reference 1st cited, the following
information is herewith attached.

1. A copy of the CFE rejection order dated 17.07.2018 issued to M/s. Ravi
Enviro Care.
2. A copy of the TOR dated 17.02.2016 issued by SEIAA addressed to
M/s. A P Environ technologies Pvt. Ltd.
3. A copy of the letter dated 22.04.2016 issued by SEIAA addressed to
M/s. A P Environ technologies Pvt. Ltd.
4. A copy of the memo dated 31.07.2018 addressed to the EE, RO,
Guntur regarding public hearing for proposed CBMWTF by M/s. A P
Environ technologies Pvt. Ltd.

JOINT CHIEF ENVIRONMENTAL ENGINEER
(UH-IV)

By
04/6

To
Sri. Y. Rama Murthy,
H.No. 24-3-13, Near Rama Mandiram,
Telagapalem (V), Ponnur(M),
Guntur district.

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ANDHRA PRADESH POLLUTION CONTROL BOARD
D.No.33-26-14D/2, Near Sunrise Hospital, Pushpa Hotel Centre,
Chalamalavari Street, Kasturibalpet, Vijayawada - 520 010
Phone. No.0866-2463200, website : www.appcb.ap.nic.in

Member Secretary

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BY RPAD

Date:17.07.2018

Order No. 1/APPCB/VJA/GTR/HQ/CBMWTF/2018-

Subj:- APPCB - BMW - CFE application of M/s. Ravi Enviro Care, Sy No: 394-1,
394-2, Pedanandhipadu (V&M), Guntur District - CFE application -
Rejected - Reg.

Refs:- 1. Your CFE application received at RO, Guntur on 19.03.2018.
2. CFE committee meeting held on 05.07.2018.

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The Board is in receipt of the Consent for Establishment (CFE) application submitted by M/s. Ravi Enviro Care, Sy No: 394-1, 394-2, Pedanandhipadu (V&M), Guntur District vide reference 1st cited seeking Consent for Establishment (CFE) for setting up a common bio medical waste treatment facility under Water Act and Air Acts.

The issue was placed in the CFE committee meeting held on 05.07.2018 and the committee noted the following.

1. The CPCB issued guidelines for establishment of CBMWTF. Further the CPCB vide letter dt. 08.03.2018 reiterated that "the Coverage area vis-à-vis CBMWTF located within the respective state / UT shall be allowed to cater healthcare units situated at a radial distance of 75km with 10,000 beds"
2. The proposed site of M/s. Ravi Enviro Care is at a distance of about 46 km from the existing CBMWTF i.e M/s. Safenviro, Chinakakani unit.
3. It is not advisable to establish a new CBMWTF within a distance of 75km from the existing CBMWTF for better allocation of coverage area among the CBMWTFs by the APPCB in future.
4. Moreover, the BMW Technical Committee recommended to issue In-Principle Permission to M/s. Y.J. Multi Clave, to establish a 2nd CBMWTF in Guntur District as the application was received earlier. Accordingly, the A.P. Pollution Control Board, vide Ir. dt: 23.05.2018 also issued In-Principle Permission to M/s. Y.J. Multi Clave, Guntur District for establishment of 2nd CBMWTF.
5. The Board vide Ir. dt: 28.05.2018 rejected the request of M/s. Ravi Enviro Care, for In-Principle Permission for establishment of 2nd in Guntur District.

After detailed discussions, the committee recommended to reject the CFE application.

The Board after careful examination of the issue and your CFE application seeking Consent for Establishment (CFE) for setting up a common bio medical waste treatment facility under Water Act

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1974 and under Air Act, 1981, hereby reject the CFE application cited under section 25(4) (b) of the Water Act and under section 21 (4) of the Air Act for the following reasons:

- i) The proposed site is within 75 km from the existing CBMWTF in Guntur district.
- ii) The APPCB already issued in-principle permission to M/s. Y T Multi Clave, to establish a 2nd CBMWTF in Guntur District as the application was received earlier.
- iii) The Board vide letter dt 28.05.2018 rejected the request of M/s. Ravi Enviro Care In -Principle Permission for establishment of 2nd CBMWTF in Guntur District.

You may note that establishment of the facility without valid consents of the Board would be a violation of section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and Section 21/22 of the Air (Prevention & Control of Pollution) Act 1981, which is punishable under Section 44 and 37 of the above said Acts

VIVEK
YADAV

Digitally signed by VIVEK
YADAV
Date: 2018.07.17
16:27:00 +05'30'

MEMBER SECRETARY

To
Sri. T. Anil Kumar,
D.No. 15-21-163/1, Balaji Nagar,
Kukatpalli, Hyderabad - 500072.
E-mail: punisoandustries@rocketmail.com

Copy to

1. The ICEE, APPCB, Zonal Office-Vijayawada for information and necessary action.
2. The EE, APPCB, Regional Office- Guntur for information and necessary action.

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File No. APPCB-11033/23/2018-TEC-EC-APPCB

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ANDHRA PRADESH POLLUTION CONTROL BOARD
D. No. 33-26-14D/2, Near Sunrise Hospital, Pushpa Hotel Centre,
Chalamalavari Street, Kasturibaipet, Vijayawada - 520 010
Phone. No. 0866-2463200, Website : www.appcb.ap.nic.in

Member Secretary

Memo. No: APPCB/VJA/GTR/2110/HO/CBMWTF/2018 - 31/07/2018

Sub: APPCB - BMW - M/s. A.P. Environ Technologies, Sy. no 674-2, Ramidicherla Village, Bollapalli Mandal, Guntur District - Request for conduct of public hearing - No considered - Reg.

Ref: EE, RO, Guntur e-mail dated 18.07.2018 with a request to fix up date, time and venue of the public hearing

The EE, RO, Guntur vide reference cited, requested the Member Secretary, APPCB to fix up date, time and venue of the public hearing for the proposed CBMWTF by M/s. A.P. Environ Technologies, Sy. no 674-2 Ramidicherla Village, Bollapalli Mandal, Guntur District.

In this regard, the following points are noted:

1. The CBMWTF proposes to handle infectious bio-medical waste like human anatomical waste, animal anatomical waste, items contaminated with blood, body fluids, expired pharmaceutical waste like antibiotics, cyto-toxic drugs, chemical waste, micro biology, bio technology wastes etc. The CBMWTF proposes to install incinerator, auto-clave, shredder, etc for treatment and disposal of the above bio-medical waste. The emissions from the incinerator of proposed CBMWTF contains HCl, Dioxines & Furans, Mercury, particulate emissions and NO_x.
2. The proposed site is located adjacent to the reserve forest which needs to be protected. Establishing a CBMWTF adjacent to reserve forest is not acceptable keeping in view of the toxic emissions and handling of infectious waste.
3. A major natural freshwater tank is located in the downstream at a distance of about 100 meters from the proposed project site. Proposed site is at a level of 650 - 660 feet and fresh water tank is at a level of 630 - 635 feet. The drainage flow is also towards fresh water tank. As the CBMWTF handles infectious waste, there is every chance of joining of contaminated run off into the fresh water tank during rains thereby contaminating the fresh water tank. In addition, the CBMWTF also proposes to use the treated waste water for development of plantation.
4. Earlier, M/s. A.P. Environ Technologies applied for CFE on 13.01.2015 for establishing CBMWTF at the A.P. Pollution Control Board had rejected CFE on 16.11.2015.
5. The MoEF&CC vide notification no. GSR 343 (I) dated 28.03.2016 notified BMW Management Rules, 2016 suppressing the Bio Medical Waste (Management & Handling) Rules, 1998. An CBMWTF shall comply with the new Bio Medical Waste Management Rules, 2016, and shall comply with the new standards for treatment and disposal of BMW as stipulated in Schedule-II of the

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File No. APPCB-11033/23/2018-TEC-EC-APPCB

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notification. State PCB is the prescribed authority for enforcement of these rules and for permitting CBMWTF.

6. As per the Rule 17(2) of the Bio-medical Waste Management Rules, 2016, the selection of site for setting up of CBMWTF shall be made in consultation with the prescribed authority, other stakeholders and in accordance with guidelines published by the MoEF & CC or CPCB. But, M/s. A. Environ Technologies has not followed that procedure and neither it has obtained any permission from APPCB with regard to establishment of the CBMWTF. Hence, M/s. A. P. Environ Tech has applied to the A. P. Pollution Control Board.

In view of the above, the A. P. Pollution Control Board shall not conduct the public hearing for the proposed project. The EE, RO, Guntur shall apprise the same to the Collector and District Magistrate, Guntur. After apprising the Collector and District Magistrate, the EE, RO, Guntur shall stop the process of conduct of the public hearing.

VIVEK YADAV IAS

MEMBER SECRETARY

To
The Environmental Engineer,
APPCB, Regional Office,
Guntur.

Copy to the JCEE, Zonal Office, Vijayawada for information and necessary action.

Copy to the JCEE, Unit Head-III, Board Office, Vijayawada for information and necessary action.

Signature valid

Digitally signed by VIVEK
YADAV
Date: 2018.07.27 16:51:16:51 IST
Reason: I am approving this



118

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Note No. #1


State Level Environment Impact Assessment Authority (SEIAA)
Andhra Pradesh
Government of India
 Ministry of Environment, Forests & Climate Change
 A-1, Industrial Estate, Sanathnagar, Hyderabad- 500 018
 By Speed Post

By No. SEIA/AP/GNT-156/2015-

Dt: 17.02.2016

To
 M/s. A.P. Environ Technologies Pvt.Ltd.,
 Common Bio-Medical Waste Management facility,
 D. No. 674-2, Remedicherla village,
 Bollapalli Mandal, Guntur district.
 Ph.9848782835 / 9948727222.

Sir,

21/02/16
 21/02/16

Sub: SEAC - A.P. -- M/s. A.P. Environ Technologies Pvt.Ltd., Common Bio-Medical Waste Management facility, Sy. No. 674-2, Remedicherla (V) Bollapalli(M) Guntur District, Andhra Pradesh. -- TOR Issued - Reg.

Ref: Your EC Application received on 24.12.2015.

In continuation of the above, it is to inform that your application was examined by the State Expert Appraisal Committee (SEAC) in its meeting held on 22.01.2016 and the representative of project proponent attended the meeting. The Committee recommended for the Issue of Standard TOR with all terms included.

In view of the above, you are directed to prepare EIA based on the standard TOR and undergo public consultation including public hearing and submit to the SEAC for appraisal. The terms of the reference are valid for a period of Three years.

Yours faithfully,
 Sd/-
 MEMBER SECRETARY,
 SEAC, A.P.

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


 SENIOR ENVIRONMENTAL ENGINEER
 (UI-III)

Attachment:AP ENVIRON TECH_Guntur_Dist_EPH_TOR dt 17022016.pdf

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State Level Environment Impact Assessment Authority (SEIAA)

Andhra Pradesh
Government of India

Ministry of Environment, Forests & Climate Change,
A-3, Industrial Estate Sanathnagar, Hyderabad-500 018

Le.No. SEIAA/AP/GNT-156/2015-

By Speed Post

Dt:22.04.2016

To
M/s. A.P. Environ Technologies Pvt. Ltd.,
Common Bio-Medical Waste Management facility,
D. No. 674-2, Remedicherla village,
Rollapalli Mandal, Guntur district,
Ph.9848752535 / 9948727222

Sir,

Sub: SEAC - A.P. - M/s. A.P. Environ Technologies Pvt. Ltd., Common Bio-Medical Waste Management Facility at Sy. No. 674-2, Remedicherla (V) Bollapalli (M) Guntur District - TOR Issued - Reg.

DESPD
No. 27/2016

- Ref:
1. Your EC Application received on 24.12.2015 & 24.02.2016.
 2. F.O.lr.dt. 17.02.2016.
 3. Your letter submitted on 11.03.2016.
 4. M/s.Safe Environ, letter dt. 30.03.2016.

It is to inform that your request letter submitted on 11.03.2016 exempting from public hearing was examined by the State Expert Appraisal Committee (SEAC) in its meeting held on 26.03.2016 and the committee also noted that the existing CBMWTF -M/s.Safenviton, Chinakakani (V),Mangaligir (M) Guntur District made a representation and requested to re-consider the TOR issued to M/s.A.P.Environ Technologies Pvt. Ltd (APETPL)and objecting issue of EC to another CMBWT Facility in the same district as the existing facility is enough to process the bio medical wastes generated in the Guntur District.

The Committee recommended that the new CMBWT Facility i.e. M/s.APETPL shall comply with standard TOR duly following the Bio Medical Waste (Management and Handling) Rules 1998 and amendments & MoEF circulars/guidelines issued thereof

P.T.O

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The SEIAA, A.P. in its meeting held on 10.04.2016, was examined the issue and the Authority decided to obtain comments of DMHO on representations made by the M/s.Safe Environ and also details of hospitals and beds strength in the District.

This is for information.

Yours faithfully,
Sd/-

Encl:a/a

MEMBER SECRETARY,
SEAC, A.P.

(1) The DMHO, Zilla Praja Parishad, Panchayat Raj Office, Panchayat Raj, Engg. Infrastructure, Inugation, G.T. Road, Guntur District- 522004 for information and requested to send the comments on representation of M/s.Safe Environ, Chinakakani (V),Mangaligir (M) Guntur District and also details of hospitals and bed strength.

(2) The M/s.Safe Environ, Chinakakani (V),Mangaligir (M) Guntur District for information.

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

P. Mune Srinivas Reddy
SENIOR ENVIRONMENTAL ENGINEER (EC)
UH-III

(121) 784-

	ANDHRA PRADESH POLLUTION CONTROL BOARD D.No.33-26-14D/2, Near Sunrise Hospital, Pushpa Hotel Centre, Chalamavari Street, Kasturibaipet, Vijayawada - 520 008 Phone : 0866-2436212, Website : http://appcb.aprnic.in
---	---

BY REGISTERED POST WITH ACKNOWLEDGEMENT DUE
BY RPAD

Order No. APPCB/VJA/GTR/HQ/CBMWTF/2018-278

Dt:28.05.2018

Sub- APPCB - UH:IV - BMW - M/s Ravi Enviro Care, Sy.No:394-1,394-2,
Pedanandhipadu (Village & Mandal), Guntur District. - CFE Applications for
establishment of Second CBMWTF in Guntur District - DECISION OF THE
COMMITTEE COMMUNICATED - Reg.



1. CFE application received at RO, Guntur on 19.03.2018. ✓
2. EE:RO - Guntur verification report dt.23.03.2018.
3. Minutes of 15th Bio Medical Waste Technical Committee Meeting held on 22.05.2018.

@@@@@@

The Board is in receipt of the Consent for Establishment (CFE) application submitted by M/s Ravi Enviro Care, to set-up a second Common Bio Medical Waste Treatment Facility (CBMWTF) at Sy. No: 394-1, 394-2, Pedanandhipadu (Village & Mandal), Guntur District vide reference Ist cited seeking Consent for Establishment. The EE:RO-Guntur inspected the site on 22.03.2018 and forwarded the CFE verification report along with the application to the Head Office.

The Board after careful examination of the CFE verification report of the EE:RO-Guntur and the BMW Rules and its amendments issued thereof notified by the Ministry of Environment & Forests (MoEF&CC) under the Environment (Protection) Act, 1986. The issue was discussed in the 15th Bio-Medical Technical Committee meeting held on 22.05.2018. The request for issue of Consent for Establishment (CFE) for establishment of second Common Bio-Medical Waste Treatment Facility at Sy.No.552, Perecherla (Village), Medikonduru (Mandal), Guntur District is hereby not considered for the following reason:

M/s. Y.J. Multi Clave, Sy.No. 7/1, 8/1, Tana Annaram, Tellabadu Village, Nuzendla Mandal, Guntur District was issued In-Principle Permission vide T.O.L.No.1/APPCB/HO/UH:IV/BMW/In-Principle/2018 - dt. 23.05.2018 for submission to the SELAA/SEAC for obtaining Environmental Clearance as the application was received earlier.

AE
11/06/2018

True copy of the record/document
supplied under RTI Act.

Sd/-
MEMBER SECRETARY

S. Srinivasulu
Public Information Officer
APPCB - RO, Guntur

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To
M/s Ravi Enviro Care,
Sy. No: 394-1, 394-2,
Pedanandhipadu (Village & Mandal),
Guntur District.

Copy to:

1. The JCEB, APPCB, Zonal Office-Vijayawada for information and necessary action.
2. The HE, APPCB, Regional Office- Guntur for information and necessary action.

[/E.C.E.B./]

[Signature]
Joint Chief Environmental Engineer
U.H-IV

True copy of the record/document
supplied under RTI Act.

[Signature]
Public Information Officer
APPCB : RO, Guntur.

123 9 86



ANDHRA PRADESH POLLUTION CONTROL BOARD
D.No.33-26-14D/2, Near Sunrise Hospital, Pushpa Hotel Centre,
Chalamalavari Street, Kasturibalpet, Vijayawada - 520 010
Phone. No.0866-2463200, Website : www.appcb.ap.nic.in

Member Secretary

BY READ

Order.No. 1/APPCB/VJA/GTR/HO/CBMWTF/2018- 634

Date:17.07.2018



APPCB - BMW - CFE application of M/s. Ravi Enviro Care, Sy No: 394-1, 394-2, Pedanandhipadu (V&M), Guntur District - CFE application - Rejected - Reg.

Your CFE application received at RO, Guntur on 19.03.2018.
CFE committee meeting held on 05.07.2018.

@@@

The Board is in receipt of the Consent for Establishment (CFE) application submitted by M/s. Ravi Enviro Care, Sy No: 394-1, 394-2, Pedanandhipadu (V&M), Guntur District. vide reference. 1st cited seeking Consent for Establishment (CFE) for setting up a common bio medical waste treatment facility under Water Act and Air Acts.

The issue was placed in the CFE committee meeting held on 05.07.2018 and the committee noted the following:

1. The CPCB issued guidelines for establishment of CBMWTF. Further the CPCB vide letter dt: 08.03.2018 reiterated that "the Coverage area vis-a-vis CBMWTF located within the respective state / UT shall be allowed to cater healthcare units situated at a radial distance of, 75km with 10,000 beds".
2. The proposed site of M/s. Ravi Enviro Care is at a distance of about 46 km from the existing CBMWTF i.e M/s. Safenviron, Chinakakani unit.
3. It is not advisable to establish a new CBMWTF within a distance of 75km from the existing CBMWTF for better allocation of coverage area among the CBMWTFs by the APPCB in future.
4. Moreover, the BMW Technical Committee recommended to issue In-Principle Permission to M/s. Y.J. Multi Clave, to establish a 2nd CBMWTF in Guntur District as the application was received earlier. Accordingly, the A.P. Pollution Control Board, vide lt. dt: 23.05.2018 also issued In-Principle Permission to M/s. Y.J. Multi Clave, Guntur District for establishment of 2nd CBMWTF.
5. The Board vide lt. dt: 28.05.2018 rejected the request of M/s. Ravi Enviro Care, for In-Principle Permission for establishment of 2nd in Guntur District.

ACE
28/05/2018

After detailed discussions, the committee recommended to reject the CFE application.

The Board after careful examination of the issue and your CFE application seeking Consent for Establishment (CFE) for setting up a common bio medical waste treatment facility under Water Act

True copy of the record/document
supplied under RTI Act.

[Signature]

Public Information Officer

(124)
1087

1974 and under Air Act, 1981, hereby reject the CFE application cited under section 25(4) (b) of the Water Act and under section 21 (4) of the Air Act for the following reasons:

- i) The proposed site is within 75 km from the existing CBMWTF in Guntur district.
- ii) The APPCB already issued in-principle permission to M/s. Y.J. Multi Clave, to establish a 2nd CBMWTF in Guntur District as the application was received earlier.
- iii) The Board vide Ir. dt: 28.05.2018 rejected the request of M/s. Ravi Enviro Care In -Principle Permission for establishment of 2nd CBMWTF in Guntur District.

You may note that establishment of the facility without valid consents of the Board would be a violation of section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and Section 21/22 of the Air (Prevention & Control of Pollution) Act 1981, which is punishable under Section 44 and 37 of the above said Acts.

VIVEK
YADAV

Digitally signed by VIVEK
YADAV
Date: 2018.07.17
18:27:00 +05'30'

MEMBER SECRETARY

To
Sri. T. Anil Kumar,
D.No. 15-21-163/1, Balaji Nagar,
Kukatpalli, Hyderabad - 500072.
E-mail: rainbowindustries@rocketmail.com

Copy to:

1. The JCEE, APPCB, Zonal Office-Vijayawada for information and necessary action.
2. The EE, APPCB, Regional Office- Guntur for information and necessary action.

True copy of the record/document
supplied under RTI Act

S. Srinivas

Public Information Officer
APPCB :: RO, Guntur.

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AP18 54585767

GOVERNMENT OF ANDHRA PRADESH
REGISTRATION AND STAMPS DEPARTMENT
THE REGISTRAR OF FIRMS
VIJAYAWADA (EAST)

Acknowledgement of Registration of Firm

The Registrar of Firms, VIJAYAWADA (EAST) hereby acknowledges the receipt of the statement prescribed by section 58(1) of the Indian Partnership Act, 1932.

The statement has been filed and the name of the firm AP ENVIRON TECHNOLOGIES, has been entered in the Register of Firms as No. [No : 200 of 2014] at VIJAYAWADA (EAST).



VIJAYAWADA (EAST)

Date: 14 June 2018

Certified copy of

REGISTRAR OF FIRMS

Signature invalid

Digitally signed by Gu...
Kri...
Date: 2018.06.14
19:37:57 IST

Note: This is a Digitally Signed Certificate, does not require physical signature and this certificate can be verified at www.ap.mee.gov.in by furnishing the application number mentioned in the Certificate.

126

89 12

GOVERNMENT OF ANDHRA PRADESH
FORM - A

SEE RULE - 5

(Maintained Under Section 59 of the Indian Partnership Act, 1932)

1. Serial Number of Firm :	[No : 200 of 2014]
2. Name of the Firm :	AP ENVIRON TECHNOLOGIES
3. Duration of Firm From :	08/12/2014
4. Duration of Firm To:	At the Will

Principal Place of Business for the Firm

54-16-5/5/ Sivaramaraju Street/ Vijayawada/ Vijayawada Urban/ Krishna/ Andhra Pradesh/
India/

Partner Details for the Firm

Name	Address	Joining Date
ANIL KUMAR TAMALAPAKULAN	12-222/ Adarsh Nagar/ Balanagar/ H No 12- 222,Adarsh Nagar,near Kodali Nursing Home,bala Nagar,rangareddy Dt-500037/ India/	05/06/2018
RADHIKA KOLAGANI	16-5-145/ Christain Pet/ Guntur/ Guntur/ Guntur/ Andhra Pradesh/ India/	05/06/2018

null

a)

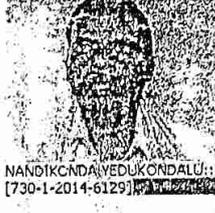
128

5945
2014

Presentation Endorsement:

Presented in the Office of the Joint Sub-Registrar, Vinukonda along with the Photographs & Thumb Impressions as required Under Section 32-A of Registration Act, 1908 and fee of Rs. 2300/- paid between the hours of 3 and 6 on the 11th day of DEC, 2014 by Sri Nandikonda Yedukondalu *NOS in 9/10/14*

Execution admitted by (Details of all Executants/Claimants under Sec 32A):

Sl No	Code	Thumb Impression	Photo	Address	Signature/Ink Thumb Impression
1	CL		 KALIDINDI SIVAJI [R] UPPALAPATI [730-1-2014-6129]	KALIDINDI SIVAJI [R] UPPALAPATI MOUNIKA , VAMSI SIVARAMARAJU DNO 7-1-45/501 VENKATESWARA TOWERS AMEERPET, HYDERABAD	<i>K. Sivaji</i>
2	CL		 UPPALAPATI DURGA MOUNIKA [730-1-2014-6129]	UPPALAPATI DURGA MOUNIKA [R] M/S AP ENVIRON TECHNOLOGIES, VIJAYAWADA DNO 54-16-5/5 LOYOLA GARDENS COLONY, VIJAYAWADA	<i>K. Sivaji</i>
3	EX.		 NANDIKONDA YEDUKONDALU [730-1-2014-6129]	NANDIKONDA YEDUKONDALU S/O. ANJANEYULU REMIDICHERLA VG BOLLAPALLI MD, GUNTUR DT	<i>N. Yedukondalu</i>

Bk - 1, CS No. 6129/2014 & Doct No
5945/2014
Joint Sub Registrar 14
Vinukonda
Sheet 1 of 13

Identified by Witness:

Sl No	Thumb Impression	Photo	Name & Address	Signature
1		 UPPALAPATI HANUMANTHARA [730-1-2014-6129]	UPPALAPATI HANUMANTHARAO S/O VENKATESWARLU TALARLAPALLI VG NUZENDLA MD	<i>Uppalapati Hanumantharao</i>
2		 KONAKANCHI ANKARAO: 11/12 [730-1-2014-6129]	KONAKANCHI ANKARAO S/O KOTAIAH GANTAVARIPALEM VG SAVALYAPURAM MD	<i>Konakanchi Ankarao</i>

11th day of December, 2014

Signature of Joint Sub Registrar 14



Generated On: 11/12/2014 07:50:58 PM



సాందినటువంటిన్నీ, తదాది నాటి నుండి సేటి వరకు నాకు దాన విక్రయాది సర్వ సంపూర్ణ స్వాధీన అనుభవ హక్కు భుక్తములు గల ఈ క్రింది షెడ్యూలు దాఖలా స్థిరాస్తిని నా కుటుంబ అవసరముల నిమిత్తము M/s. AP Environ Technologies, Vijayawada తరపున మీకు రు.2,30,000-00లకు విక్రయించి విక్రయ ప్రతి ఫలము రు.2,30,000-00లు అక్షరాల రెండు లక్షల ముప్పది వేల రూపాయలు ఈ రోజున మధ్యవర్తుల సమక్షములో M/s. AP Environ Technologies, Vijayawada తరపున మీరు నాకు రొఖ్ఖము యిచ్చినందున విక్రయ ఆస్తి యొక్క పూర్తి ప్రతిఫలం నాకు ముట్టినది. విక్రయ ఆస్తిని M/s.AP Environ Technologies, Vijayawada తరపున మీకు నేను ఈ రోజుననే స్వాధీనము చేయడమైనది. సదరు ఆస్తికి ఇంతటి నుండి సర్కారు శిస్తులు, వగైరాలు M/s.AP Environ Technologies, Vijayawada వారే చెల్లించుకుంటూ వారి యిష్టానుసారం దాన దమన వినిమయ విక్రయాధి సంపూర్ణ సమస్త పూరా హక్కులు కలిగి ఆచంద్రార్క స్థాయిగా అనుభవించు కొనవలసినది. అలా అనుభవించే యెడల ముందు M/s.AP Environ Technologies, Vijayawada వారిని గాని, వారి ప్రతినిధులను గాని, నేను, నా వారసులు గాని ఎన్నటికి యే విధమైన తగాదాలు పరచగలవారముకాము. సదరు విక్రయ ఆస్తిని గురించి ముందు యెవరి వల్ల యెట్టి తగాదాలు వచ్చిననూ అవి అన్నియూ నా స్వంత ఖర్చులతో నివారించి ఈ విక్రయ ఆస్తిని M/s. AP Environ Technologies, Vijayawada వారి క్రింద నిరాటంకముగా చెల్లించగలను. విక్రయ ఆస్తిని యిది వరలో ఏ విధమైన అన్యాయక్రంతములు చేసివుండలేదు. రెనిన్యూ లెక్కలలో సంస్థ పేరు చేరుటకు యిందు వెంట పట్టా ట్రాన్స్ఫర్లు దాఖలు చేయడమైనది. యీ ఆస్తి 9/77 చట్టం ప్రకారం గవర్నమెంటు వారి వలన అసైన్మెంట్ కాబడినది కాదు. యీ దస్తావేజుద్వారా బదిలీ చేయు భూమిలో మామిడి, బత్తాయి, నిమ్మ, కొబ్బరి, టేకు వగైరాలు తోటలుగాని, చెవల చెరువులు, మిషనరీ, గ్రానైట్, రాతిగనులు వగైరాలు ఏమీలేవు. అటువంటివి కప్పి సుచ్చినట్లు ముందు కనుగొన్నచో తరుగు సుంకము చెల్లింపునకు మాపై ప్రాసిక్యూషన్ నెరపుటకు నేను అంగీకరించుచున్నాను. యీ ఆస్తి ప్రభుత్వమునకు గాని, దాని అనుబంధ సంస్థలకు గాని, చెందినది కాదు. మరియు తాకట్టు వగైరా అన్యాయక్రంతములు చేసి వుండలేదు. భారతస్థాంపు (ఆంధ్రప్రదేశ్ సవరణ) చట్టము నెం.16/2002 పరిచ్ఛేదము 41ఎ ప్రకారము మరియు భారతస్థాంపు (ఆంధ్రప్రదేశ్ సవరణ) పరిచ్ఛేదము 70 ఉప పరిచ్ఛేదము (2) ప్రకారము దస్తావేజులలో వాస్తవ విషయములను కప్పిపుచ్చునట్లు గాని, చట్టము యొక్క ఏవేని నిబంధనలు ఉల్లంఘించుట వలన గాని ఏర్పడిన తగుస్థాంపు చెల్లించనపుడు అట్టి రుసుమునకు మూడు రెట్లు సమానమైన అవరాధ రుసుముతో సహా చెల్లించుటకు అంగీకరించుచున్నాను. ఇది నా సమ్మతిన వ్రాయించి యిచ్చిన స్థిరాస్తి విక్రయ దస్తావేజు -

N.వి.డుక్కండ్ల

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Vinukonda

Endorsement:						
Description of Fee/Duty	In the Form of					
	Stamp Papers	Challan u/s 41 of IS Act	Cash	Stamp Duty u/s 16 of IS act	DD/BC/ Pay Order	Total
Stamp Duty	100	11400	0		0	11500
Transfer Duty	NA	3450	0		0	3450
Reg. Fee	NA	2300	0		0	2300
User Charges	NA	100	0		0	100
Total	100	17250	0		0	17350

Rs. 14850/- towards Stamp Duty including T.D under Section 41 of I.S. Act, 1899 and Rs. 2300/- towards Registration Fees on the chargeable value of Rs. 230000/- was paid by the party through Challan/BC/Pay Order No ,21 dated ,11-DEC-14.

Date
11th day of December,2014

Signature of Registering Officer
Vinukonda

Bk - 1, CS No 6129/2014 & Doct No
 Joint Sub-Registrar 14
 Vinukonda
 Sheet 2 of 13
 11-12-2014

CERTIFICATE OF REGISTRATION

Registered as document No. 5965
 of 2014 of Book-1 and assigned the
 identification number 1-730-5965
 2014 for scanning on 11-12-2014.

REGISTERING OFFICER
 K. RAMA MOHAN RAO
 Joint Sub-Registrar-14



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5. షెడ్యూలు:- గుంటూరు డి., నర్సరావుపేట లి.డి. వినుకొండ సబ్.డి., బొల్లపల్లి మండలం, రేమిడిచర్ల గ్రామ పంచాయతీలోని రేమిడిచర్ల గ్రామ డి.నెం.674 రు సబ్ డివిజన్ కాబడిన రీత్యా అమలులో గల డి.నెం.674-2రు దాఖలా ఈ రోజున మీకు విక్రయించిన య.2-30ట్లు లేక 0-929 హెక్టార్లు శేరి మెరక భూమికి హద్దులు -

తూర్పు:- బొంజ్జా దండయ్య భూమి.

పడమర:- ఫాడెస్సు.

ఉత్తరం:- కనకరాజు దానయ్య భూమి.

దక్షిణం:- బొంజ్జా పెద వెంకయ్య భూమి.

యా హద్దుల మధ్యగల య.2-30ట్లు రెండు యకరముల ముప్పది సింట్లు శేరి-మెరక భూమిని మీకు విక్రయించి స్వాధీనం చేయడమైనది. మామూలు మార్గం హక్కులున్నా. ఈ ఆస్తిపై ఈరోజు వరకు ఎటువంటి వన్ను బకాయిలుగాని, లోను బకాయిలు గాని, కోర్టు వివాదములు కాని లేవు.

గ్రామము	సర్వే నెంబరు	ద. విస్తీర్ణం	మార్కెట్ విలువ	దస్తావేజు విలువ
రేమిడిచర్ల	డి.నె.674-2రు	య.2-30ట్లు	య.1కి రు.1,00,000/-	రు.2,30,000-00

ఇండ్లుకు సాక్షులు:-

1. V. చానయ్యలరావు

2. నాగకందులయారాజులు

N.విద్యసాగండుల

చి.వి.కె.వి. -
Siva bala
9032 922032
(R) V.N.K.

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5545-TE224 Joint Sub Registrar 14
Vinukonda



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డికరేషన్

ఈ డిక్లరేషన్ ద్వారా తెలియ జేయునది ఏమనగా ఈ దస్తావేజు తయారు చేయు సందర్భములో దస్తావేజులోని ఆస్తి లాలూకు, పాలముల లాలూకు పాస్ పుస్తకములు, అడంగలు కాపీలు, లింకు దస్తావేజులు లోని పార్టీల వివరాలు, పార్టీల చిరునామాలు, పార్టీల ఫోటోలు, ఆస్తి వివరాలు మొదలగు కావలసిన అన్ని అంశాలను మేము సమగ్రంగా పూర్తిగా పరిశీలించుకొని ఈ దస్తావేజులో పొందుపరచి దస్తావేజును తయారు చేయించుకొనుట జరిగినది. వ్రాయవలసిన లేక పొందు పరచవలసిన ఏ అంశాలు కూడా ఈ దస్తావేజులో వదిలి వేయబడి యుండలేదు. షెడ్యూలు ఆస్తిని భౌతికంగా పరిశీలించుకొని కొలతలు వేయించుకొని దస్తావేజును వ్రాయుచుకొనుట జరిగినది. భవిష్యత్తులో నడరు దస్తావేజులోని ఆస్తిని అధికారులు (రిజిస్ట్రేషన్ & స్టాంపు డ్యూటీ) తనిఖీలో కనుగొనిన ఆస్తి యొక్క లోటు స్టాంపునకు మాత్రం మాదే పూర్తి బాధ్యత. సబ్రిజిస్ట్రార్ గారికి ఏ విధమైన సంబంధం లేదు. ఇది యదార్థము.

వ్రాయించి ఇచ్చినవారు:-

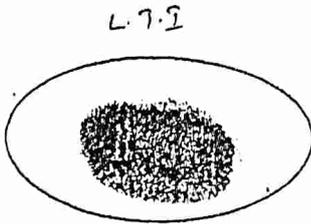
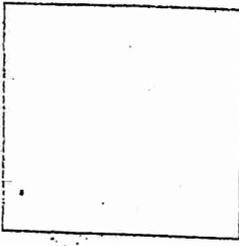
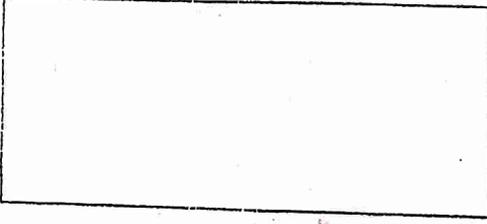
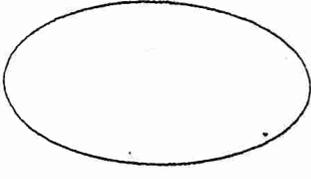
N. వి. ద. శిం. ౧౦౨౦

వ్రాయించుకున్నవారు:-

Rep. K. శిం. ౧౦౨౦

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PHOTOGRAPHS AND FINGER PRINTS AS PER SECTION 32A OF REGISTRATION ACT 1908

PASS PORT SIZE PHOTOGRAPH (BLACK & WHITE)	NAME & PERMANENT POSTAL ADDRESS OF PRESENT/SELLER/BUYER/ REPRESENTATIVE	FINGER PRINT IN BLACK INK (LEFT THUMB)
	<p>ದ್ರವಿಲವಾಟ ಸುರಾ ವಾನ್ W/o ವಂಜಿ ನವರಾವರಾಜು. ಲಯಲವಾಟಿ ಕ್ರೀಡ. ಎನಯವಾಡ.</p>	<p>L.T.I</p> 
	<p>ತೆಲಸೂರಿ ಕವಾಜಿ 4/0 K. ಬಂಗಾಡಿ ರಾಜು. 7-1-45/501. (೧) - ಮಂಜೇಶ್ವರಿ ಕುವಳ್ಳಿ. H.K. Road. ಅಮೆರಿಕಾ ಪ್ರದೇಶ. ತೆಲಸೂರಿ ಗ್ರಾಮ.</p>	
		

SIGNATURE OF THE WITNESSES

1. ವಿದ್ಯಾನಂದರಾವ್
 2. ಶ್ರೀಕುಮಾರಪ್ಪ

SIGNATURE OF THE EXECUTANT(S)

N. S. Srinivasulu

Note: If the Buyer(s) is / are not present before the Sub Registrar, the following request should be signed.

I/We send herewith my/our photograph(s) and fingerprints in the form prescribed, through my representative Sri ದ್ರವಿಲವಾಟ ಸುರಾ ವಾನ್ / ತೆಲಸೂರಿ ಕವಾಜಿ as I/We cannot appear personally before the Registering officer in the office Sub-Registrar of Assurance Vinukonda.

Signature of the representative

Signature of Witness:
 1. ವಿದ್ಯಾನಂದರಾವ್
 2. ಶ್ರೀಕುಮಾರಪ್ಪ

Signature(s) of Buyer (s)

N

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TRANSLATION OF RELEVANT PORTION

Document No:

1. For Rs.2,30,000/- Land Sale Deed
2. Date:11-12-2014
3. Infavour of: On behalf M/s.AP Enviorn Technologies, Vijayawada Its Managing Partner Uppalapati Durga Mounika W/o Vamshi Sivaramaraju, age 24 years R/o.Door No.54-16-5/5, Sivaramaraju Street, Near Layola College, Layola Gardens Colony, Vijayawada City, Krishna District.
4. By : Yedukondalu S/o. Nandikonda Anjeneyulu age 37 years R/o.Redimicherla Village, Bollapalle Village, Guntur District.
5. The Schedule property is was earned by my ancestors and all the rights are obtained by hereditary and a Pataa No.773 Dhakala No.G 507235 (unique No1722021057000773), Patta Pass Book. Since then from that date to till date the said land is in possession and enjoyment as an absolute owner with all rights and title. Due to family needs the property shown in the schedule is sold to M/s.AP Enviorn Technologies, Vijayawada for total sale consideration of Rs.2,30,000/- (Rupees Two Lakhs and Thirty Thousands only). Taking the said amount in cash, the possession is given to M/s.AP Enviorn Technologies, Vijayawada to day itself. From now onwards you can enjoy the schedule property with full rights and title by paying cist, taxes etc., to the Government. Further neither my self nor my legal heirs create any disputes, if any disputes arise we will clear those disputes with our expenses and hand over the possession to M/s.AP Enviorn Technologies, Vijayawada. The schedule and in not alienated in favour of any other persons prior to this deed. The schedule land is not assigned land under Act 9 of 1977. There are no trees like lemon, orange, coconut, Take etc, Fish Ponds, Machinery, granite, quires etc., in the schedule land now transferred. If anything found to be there we are liable for prosecution. The Schedule land neither belong to Government nor its ancillary organizations nor alienated. It is agreed that if any deficit stamp duty is found under Section 41(a) or stated wrong things by suppression, we will pay the penalty of three times the stamp duty after rectifying the mistakes. This deed is executed with my full consent.

Present:

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The following members were present. (Through Video Conference)

1.	Dr. G. V. R. Srinivasa Rao, Professor, Civil Engineering Department, Andhra University, Visakhapatnam.	Chairman
2.	Dr. Dinesh Sankar Reddy, Registrar (I/C), Professor of Chemical Engineering, NIT, Tadepalligudem, West Godavari.	Member
3.	Prof. G. Gnana Mani, Retd., Professor of Zoology, Andhra University, Visakhapatnam	Member
4.	Prof. U. Shameem, Chairman, BoS Dept. of Zoology, Andhra University, Visakhapatnam	Member
5.	Dr. Kiranmai, Assistant Professor, Dept. of Bio Technology, Vikrama Simhapuri University, Nellore District	Member
6.	Prof. C. Sasidhar, Professor, Civil Engineering Dept, JNTU, Anantapur	Member
7.	Prof. N. Siva Prasad Reddy, Director (Academics), Brindavan Institute of Technology & Science, Kurnool	Member
8.	Prof. D. Bharathi, Professor Dept. of Bio Sciences & Sericulture, Sri Padmavathi Mahila Viswa Vidhyalayam, Tirupati	Member
9.	Sri Katamneni Venkata Ramana, Head of Mining Dept. Government Polytechnic, Narsipatnam	Member
10.	Dr. M. Sunandana Reddy, Associate Professor, RGM College of Engineering & Technology (Autonomous), Nandyal	Member
11.	Sri Matli. Chandra Sekhar Professor, Head of Department of Civil Engineering, NIT, Warangal	Member
12.	Dr. G. Madhavi, Associate Professor Department of Chemistry, Sri Venkateswara University, Tirupati	Member
13.	Prof. K. Thyaga Raju, Professor of Bio-Chemistry, S. V. University, Tirupati	Member
14.	Dr. Gummalla Prasanthi Professor, Vijaya Institute of Pharmaceutical Sciences, Vijayawada.	Member
15.	Sri. B. Siva. Prasad, Chief Environmental Engineer, Andhra Pradesh Pollution Control Board. Vijayawada.	Member Secretary.

M/

Agenda Item No: 168.28 M/s. Shuddh Enviro Logics Proposed Common Bio-medical Waste Treatment Facility at Plot No. 6, 9, 17 & 18, Industrial Park, Nadikudi, Phase-II, situated in Sy.No. 127/15 & 127/26, Nadikudi Village - 522414, Dachepalli Mandal, Guntur District, Andhra Pradesh (SIA/AP/MIS/62556/2021)

Category : B1
 This project proposal was earlier examined in the SEAC/A.P., meeting held on 26th-28th May, 2021 and minutes of the meeting is as follows:
 The proposed project is for establishment of Common Bio-medical Treatment Facility with a treatment capacity of 7 TPD.
 The Committee noted that the proposed project falls under Item 7(da) of the schedule of the EIA Notification 2006- common biomedical waste treatment facility.
 The Committee noted that the project proponent has not submitted the Technical Feasibility Report for the proposed Common Bio-medical Treatment Facility in Guntur District.
 The Committee after examining the project proposals, presentations, MoEF&CC Notifications & OMs and Common Bio-Medical Waste Treatment Facilities (CBMWTF) guidelines and detailed deliberations, recommended to Def. this project proposal. The project proponent shall submit the Technical Feasibility Report for the proposed Common Bio-medical Treatment Facility at the proposed site as per MoEF&CC Notification G.S.R.343(E), dated, 28.03.2016 (New Bio-Medical Waste Management Rules, 2016).
 M/s. Shuddh Enviro Logics vide letter dated 23.08.2021 furnished the information on Technical Feasibility Report.
 The issue was discussed in the SEAC meeting held on 26th-28th May, 2021. During the meeting, the Committee noted that earlier SEIAA, A.P., issued Terms of Reference (TOR) with public hearing to M/s. Y.J.Multiclave vide Lr.No. SEIAA/AP/GNT/IND/05/2016/84-1068, Dated 10.10.2018 for the proposed Common Bio-medical Treatment Facility at Sy.No. 7/1 & 8/1, Tana Annavaram (V), Nuzendla (M), Guntur District.
 M/s. Y.J.Multiclave vide letter dated 06.07.2021 addressed to the SEIAA, A.P., being a party to the Writ Petition No.11945 of 2019, to reject the application of the project proponent namely M/s. Sudha Enviro Logics for grant of Environmental Clearance for securing CFE and GEO from the Board and stated that
 i. The in Principle Permission was given to M/s. Y.J.Multiclave on 23.05.2018 by APPCB as directed SEIAA which is prerequisite for applying for EC.
 ii. The APPCB vide its Order No. 1/APPCB/VJA/GTR/HO/CBMWTF/2018-634, dated 17.07.2018 while rejecting the B1W-CFE application of M/s. Ravi Enviro Care, Sy.No.394-1, 394-2, Pedanandipadu (V&M), Guntur District observed their application is an earlier one and in principle permission was accorded for establishment of 2nd CBMWTF in Guntur District.
 iii. TOR was given to M/s. Y.J.Multiclave on 10.10.2018 by SEIAA.
 iv. The Writ Petition No.11945 of 2019 filed by M/s. A.P.Enviro Technologies Pvt. Ltd., against M/s. Y.J.Multiclave in the Honble High Court with regard to establishment of 2nd CBMWTF in Guntur District.
 v. Public Hearing was conducted on 19.09.2019 and application

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MINUTES of 168th MEETING OF STATE LEVEL EXPERT APPRAISAL COMMITTEE (SEAC), A.P., HELD ON 22.10.2021, 23.10.2021 & 24.10.2021 AT VIJAYAWADA, A.P.

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I.A.No.5 of 2019 was filed to release proceedings kept in sealed cover. The same is pending for consideration. The Standing Counsel of SEIAA, A.P., vide Lr dated 18.08.2021 informed that the W.P.No.11945 of 2019 filed by A.P. Environ Technologies against Y.J. Multiclave regarding Biomedical Waste Treatment Facility in Guntur District was under stay of public hearing. All these days. Today i.e. 18.08.2021, the Hon'ble High Court pleased to disposed of the matter directing the State Environmental Impact Assessment Authority (SEIAA) to consider the minutes of Public Hearing with the true spirit of the said minutes and also under the scheme of environmental laws in the case of Y.J. Multi Clave in accordance with law.

The Committee after examining the project proposals, representations and detailed deliberations, recommended that M/s. Shuddh Enviro Logics shall submit (i) The availability of No. of beds and their MOU with the HCFs and details of location of this proposed project with respect to the other sites of CBMWTFs. Also to address a letter to the District Medical & Health Officer, Guntur with regard to No. of HCFs and their tie-up the existing CBMWTF in the Guntur District.

Accordingly, letters addressed to the M/s. Shuddh Enviro Logics and DM&HO, Guntur on 08.10.2021. Subsequently, M/s. Shuddh Enviro Logics submitted the availability of No. of beds as per the DM&HO, Guntur and their MOU with HCFs and details of location of the proposed project with respect to the other sites of the CBMWTFs, vide letters dated 21.10.2021 and 24.10.2021.

As per the DM&HO, Guntur letter dated 23.02.2021, the total no. of beds available is 27,690 of Govt. and Private HCFs. As per CPCB, New Delhi guidelines, one CBMWTF can be allowed upto 10,000 beds; One CBMWTF is already in operation in Guntur District and the SEAC recommended for EC for one more CBMWTF i.e. Y.J. Multi Clave in this meeting. The SEAC committee observed that after allowing 2nd CBMWTF in Guntur District, still there is availability of 7,690 beds (27,690-20,000) in Guntur District.

M/s. Shuddh Enviro Logics further requested for exemption of public hearing. The proposed site is located in notified industrial estate i.e., Nadikudi Industrial Park which notified on 09.03.1998 and hence requested for exemption of public hearing.

The committee noted that the PP proposed CBMWTF in the Naidikudi, Industrial Park and the exemption of public hearing is covered as per the MoEF&CC Office Memorandum dated 16th May, 2014 under the provisions of EIA Notification, 2006.

The Committee after detail discussions and based on details available, recommended for issue of Standard Terms of Reference (TOR) with exemption of public hearing and with additional TOR: The PP shall take measures for protection of nearby surface water. The project proponent shall comply with the Bio-medical Waste Management Rules, 2016 and its amendments and the Central Pollution Control Board Revised guidelines - 21st December, 2016., to this Common Bio-Medical Waste Treatment Facility (CBMWTF) of Capacity - 7000 kgs/day proposed at Plot No. 6, 9, 17 & 18, Industrial Park, Nadikudi, Phase-II, situated in Sy.No. 127/15 & 127/26, Nadikudi Village - 522414, Dachepalli Mandal, Guntur District, Andhra Pradesh, without prejudice to the orders of any Hon'ble Courts.

Agenda Item No: 168.29 1.392 Ha Colour Granite and Road Metal Mine of M/s. Bethen Granites, Mg.p. Sri K. Balaji, Sy.No.221/P of Ananthavaram Village, Thullur Mandal, Guntur District, Andhra Pradesh

BEFORE THE NATIONAL GREEN TRIBUNAL**SOUTHERN ZONE, CHENNAI****Application No.130 of 2017 (SZ)**

In the matter of

M/s.Rainbow Industries
Partnership Firm rep. by its
Managing Director T.Anil Kumar,
Sy.No.22/1, Patha Kunkam Village,
Laveru Mandal,
Srikakulam District.

.. Applicant

Vs.

1. State of Andhra Pradesh rep. by its
Principal Secretary, Environment, Forest
Science and Technology,
Secretariat, Amaravathi,
Guntur District.
2. The Andhra Pradesh State Pollution
Control Board, rep. by its
Member Secretary,
Pariyavaran Bhavan, A-III, Industrial
Estate, Sanathnagar, Hyderabad
3. The Joint Chief Environmental Engineer (FAC)
Unit Head IV, Andhra Pradesh Pollution
Control Board, Zonal Office, Visakhapatnam.
4. The Environmental Engineer,
Regional Office,
Andhra Pradesh Pollution Control Board,
Main Road, Madhavadhara VUDA Colony,
Visakhapatnam.
5. M/s.Vasishta Environ Care
Rep. by its Authorised person
Sri M.Gopala Krishnam Raju
Royal Heights Apartments,
Dolphin Appa Rao Lane,
P & T Colony, Seethammadhara,
Visakhapatnam.

.. Respondents

Counsel appearing for the appellant

M/s.P.Venkaiah Naidu & Associates.

Counsel appearing for the Respondent

Mrs. Yasmeeen Ali for R1
M/s. T. Sai Krishnan for R2 to R4
M/s. V. B. Subrahmanyam for R5

ORDER

Present

Hon'ble Shri Justice Dr. P. Jyothimani, Judicial Member

Hon'ble Shri P.S.Rao, Expert Member

11th October, 2017

This application is filed against the order of the State Pollution Control Board viz., 2nd respondent for granting in-principle permission to the 5th respondent for establishment of common Bio Medical Waste ^{treatment} facility at Plot No.27A25, De-notified Area, AP SEZ, Atchutapuram, Rambilli Mandal, Vizhakatnam District. Admittedly, after the EC was granted by SEIAA, the 2nd respondent has issued 'consent to operate' in favour of the 5th respondent on 08.09.2017. It is this consent which is being challenged by the party in a separate application in Application No.218 of 2017.

In view of the same, the prayer in the Application No.130 of 2017 will also have to be considered. We make it clear that it is always open to the applicant in the present application that if he is affected, he is advised to implead himself in the other application which is filed before this Tribunal.

With the above direction, the application stands closed.

Sd/-
Justice Dr.P.Jyothimani
Judicial Member

Sd/-
Shri P.S.Rao
Expert Member



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BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

Appeal No. 110 of 2018

M/s. Rainbow Industries Vs. State of Andhra Pradesh & Ors.

CORAM : HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER

Present: Applicant /Appellant Mr. P. Venkatesh Naidu, Adv.

Date and Remarks	Orders of the Tribunal
Item No. 05 July 11, 2018.	<p>This Appeal has been preferred against the order of the Andhra Pradesh Pollution Control Board, Vijayawada, restricting the operations of the appellant to Vizianagaram and Srikakulam districts. The appellant wanted permission to include, Visakhapatnam.</p> <p>The Appellant had earlier proposed to set-up a Bio-Medical Waste Treatment Facility for which consent was granted by Andhra Pradesh Pollution Control Board. The said consent for operation was granted for Vizianagaram and Srikakulam districts with certain conditions.</p> <p>The case of the Appellant is that as per the Central Pollution Control Board's revised guideline for Common Bio-medical Waste Treatment Facilities (CBWTF) if 10,000 beds are not available within a radial distance of 75 Kms. existing CBWTF in the locality may be allowed to cater the healthcare units situated upto 150 Kms radius.</p> <p>The proponent of M/s. Rainbow Industries vide letter dated 28th November, 2017 requested to include Visakhapatnam District in CFO Order for additional bed strength along with existing Vizianagaram and</p>

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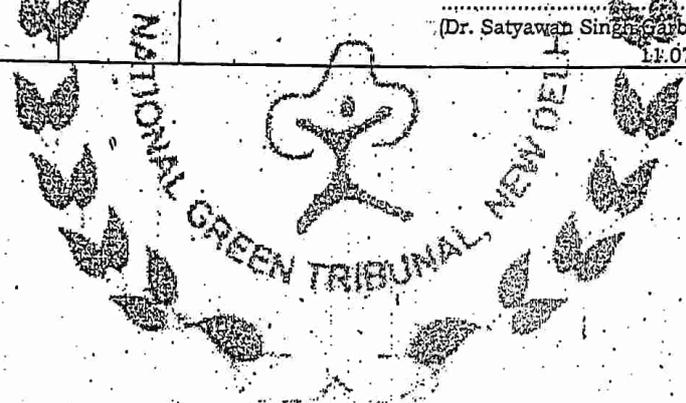
<p>Item No. 05 July 11, 2018 "</p>	<p>Srikakulam District.</p> <p>The appellant approached this Tribunal by filing Appeal No. 279 of 2017 before the Southern Zonal Bench, Chennai. The Southern Zonal Bench, NGT passed an order on 02nd January, 2018 directing the respondent the Andhra Pradesh Pollution Control Board that the representation dated 28th November, 2017 of the petitioner i.e. M/s. Rainbow Industries with regards to issuance of CFO for Visakhapatnam District along with Vizianagaram and Srikakulam District may be disposed as per law.</p> <p>The EE RO, Vizianagaram vide letter dated 30th December, 2017 submitted the status report of HCFs covered by M/s. Rainbow Industries (CBMWTF) in Vizianagaram and Srikakulam Districts. The report clearly mentioned that there are 456 no. of HCFs not tied up with the CBMWTF i.e. M/s. Rainbow Industries. The issue was discussed in the 15th Bio-Medical Waste Technical Committee meeting held on 22nd May, 2018. The Committee recommended that M/s. Rainbow Industries should cover all the Clinics, HCFs & Veterinary Hospitals/Veterinary Institutions/ Animal Houses/ Pathological Laboratories/R&D Institutions and other Clinical Establishments and report of the EE RO, Vizianagaram. The Appellant restricted to Srikakulam District and Vizianagaram, District. They do not have 10,000 beds.</p> <p>Therefore, we are of the view that guidelines relied upon do not guarantee that a plant set up for bio-medical waste treatment will always cover 10,000 beds. No such guarantee was given at the initial stage when the plant</p>
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<p>Item No. 05</p> <p>July 11, 2018</p> <p>ss</p>	<p>was set up by the Appellant:</p> <p>Accordingly we do not find any ground of interfere in it.</p> <p>The Appeal No. 110 of 2018 is dismissed.</p> <p>....., CP (Adarsh Kumar Goel)</p> <p>....., JM (Dr. Jawad Rahim)</p> <p>....., JM (Raghuvendra S. Rathore)</p> <p>....., EM (Dr. Satyawan Singh Garbyal)</p> <p>11.07.2018</p>
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(69) 1 (145)

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Application No.118 of 2017 (SZ)

In the matter of

Kommana Lakshmi Bala Ganeswara Rao
Jagannaikulapalem
East Godavari Dist
Andhra Pradesh



.. Applicants

1. The State of Andhra Pradesh
Rep. by its Chief Secretary
Secretariat, Amaravathi
Andhra Pradesh

2. The Andhra Pradesh State Pollution Control Board
Rep. by its Member Secretary
Sanathnagar, Hyderabad

3. The Joint Chief Environmental Engineer
Andhra Pradesh State Pollution Control Board
Zonal Office Hyderabad

4. The Environmental Engineer
Andhra Pradesh State Pollution Control Board
Regional Office, Kakinada, East Godavari Dist

5. M/s. Godavari Bio-Management
Rep by its Managing Partner
Y. Papa Rao, Reddada, Pedapudi
East Godavari Dist, Andhra Pradesh

.. Respondents

Counsel appearing for the applicant

M/s. P. Venkaiah Naidu, Syed Sadiq & Associates

Counsel appearing for the respondents

For respondent No.1 .. M. H. Yasmeen Ali

Present

Hon'ble Shri Justice Dr. P. Jyothimani, Judicial Member
Hon'ble Shri P.S.Rao, Expert Member

5th July, 2017

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Whether judgment is allowed to be published on the Internet .. Yes/No

Whether judgment is to be published in the All India NGT Reporter .. Yes/No

We have heard the learned counsel appearing for the applicant as well as the respondents.

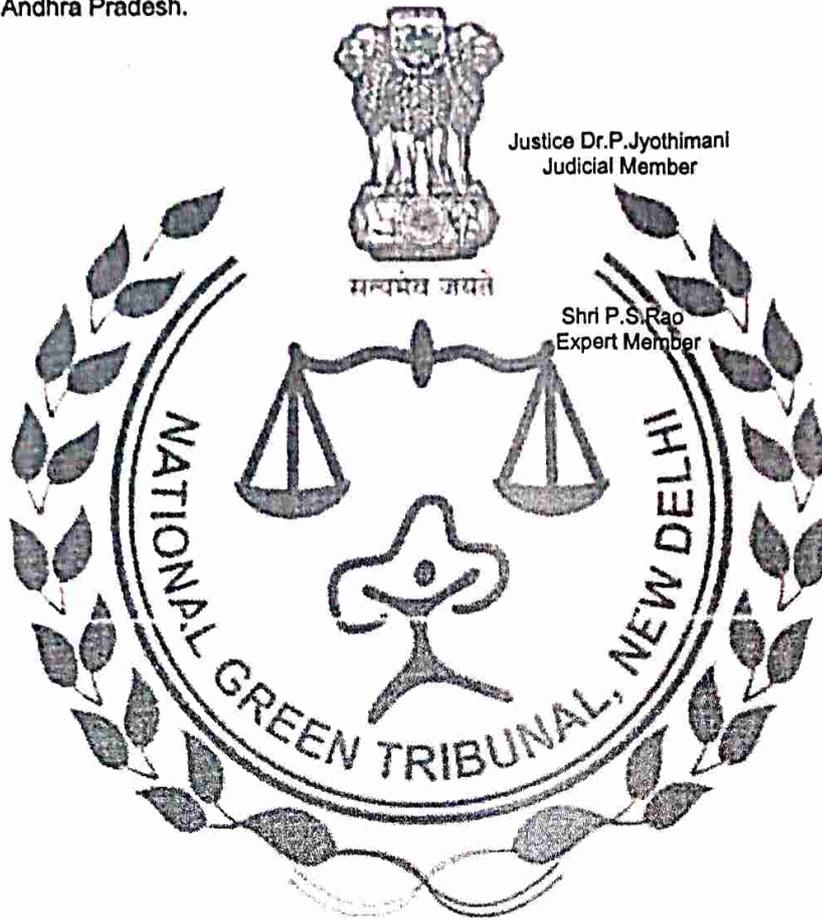
The application seeks for a direction against the Andhra Pradesh Pollution Control Board not to allow the applications for establishment and operation of Bio Medical Waste Treatment Facilities in the State of Andhra Pradesh to collect, transport, treat and safe disposal of Bio-Medical Waste generated from the hospitals/HECs situated in the Districts of Andhra Pradesh without considering the full capacity of the existing Common/Bio Medical Waste Treatment Facilities in operation and its potential enhancement of the production and the need for establishment of fresh Common Bio Medical Waste Treatment Facilities in the State of Andhra Pradesh.

2. It is admitted that the State of Andhra Pradesh has already framed the guidelines for the purpose of granting the Bio Medical Waste Treatment Facilities. Needless to state that considering the same, the State Pollution Control Board can always have its own guidelines.

3. In such view of the matter, it is always open to the State Pollution Control Board to implement the various guidelines framed by them for the purpose of granting facility for the Bio Medical Waste Treatment. In cases where illegality has been committed for the purpose of not granting such facility, without following the guidelines, it is always open to the Pollution Control Board to approach this Tribunal challenging the same.

4. In view of the same, we dispose of the application with a direction to the Board to strictly follow its own guidelines and the guidelines framed by

the Central Pollution Control Board in accordance with the Bio Medical Waste Management Rules, 2016 in respect of the installation and operation of the Common Bio Medical Waste Treatment Facilities in the State of Andhra Pradesh.



NGT

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

APPEAL No. 80 of 2021

Between:

M/s. A.P. Environ Technologies Rep. by Mr.T.Anil Kumar

.... Appellant

AND

**The Union of India Rep. By its Secretary, Minstry of Environment, Forest,
and Climate Change and others**

.... Respondents

**I/We M/s. Y.J.Multi Clave,Sy.No.7/1,8/1, Tana annavaram,Tellabadu Village,
Nuzendl Mandal, Guntur District,Andhra Pradesh Rep. By its Proprietor
Y.Srirama Murthy the undersigned /RESPONDENT NO.6 in the above Appeal
do hereby appoint and retain**

V.B.SUBRAHMANYAM - AP/2455/1995

**Advocates of the High Court, to appear for ME/US in the above Appeal /
Petition and to conduct and prosecute or defend the same and all
proceedings that may be taken in respect of any application connected with
the same or any decree or order passed therein, including all applications for
return of documents or the receipt of any moneys that may be payable to
me/us in the said Appeal/Petition and also to appear in all applications under
Clause XV of the Letters Patent and in all applications for review and for
leave to the Supreme Court of India and in all applications for review of
Judgment.**



**I certify that the contents of this Vakalath were read out and explained
in Telugu / English in my presence to the executants who appeared perfectly
to understand the same and made his/her/their signatures or marks in my
presence,**

Executed before me on this the 7th day of January, 2022

**
Advocate, Hyderabad
(E. Hanochra Rao)**

S.R.No.

BEFORE THE HON'BLE NATIONAL
GREEN TRIBUNAL, SOUTHER ZONE,
AT CHENNAI

APPEAL NO. 80 OF 2021



VAKALATH

ACCEPTED :

Accepted
V.B. Subrahmanyam
07.01.2022

Appellant
Counsel for Petitioner
Respondent-6

Date : 07.01.2022

Appellant
Counsel for Petitioner
Respondent-6

Address for service of the said
Advocate is :

V.B.SUBRAHMANYAM -
AP/2455/1995
ADVOCATE,
GROUND FLOOR, 2-2-186/53,
TRIMURTHY, NILAYMA,
RAMAKRISHNA NAGAR,
BAGH AMBERPET,
HYDERABAD - 500 013,
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