

IN BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI BENCH

ORIGINAL APPLICATION No. 254 of 2020(SZ)

IN THE MATTER OF:

Smt. Sougandhi Shekhar

....Applicant

VERSUS

Union of India

..... Respondent

LIST OF DOCUMENTS

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REPORT OF THE JOINT COMMITTEE CONSTITUTED BY HON'BLE NGT (SZ) IN THE OA NO. 254 OF 2020 IN THE MATTER OF SMT SUGANDHI SHEKAR VERSUS UNION OF INDIA RELATING TO ESTABLISHMENT OF FISH MEAL (MILL) AND OIL COMPANY IN COASTAL AREA/RIVER BANKS ALONG THE BANKS OF UDHYAVARA RIVER, UDUPI DISTRICT, KARNATAKA.

1.0. PREAMBLE

In the OA No 254 of 2020, filed by Smt Sugandhi Shekar Versus Union of India, the Hon'ble National Green Tribunal (SZ), issued an Order dated 14.12.2020 with the following directions:

" 7. Considering the circumstances, in order to ascertain the real state of affairs and also the alleged violation, we feel it appropriate to appoint a Joint Committee comprising of (1) a Senior Officer from Ministry of Environment, Forests and Climate Change (MoEF&CC), Regional Office, Bangaluru (2) a Senior Officer from Central Pollution Control Board (CPCB), Regional Office, Bangaluru, (3) a Representative Officer of the Karnataka State Coastal Zone Management Authority (KSCZMA) and (4) a Senior Officer from Karnataka State Pollution Control Board (KSPCB) to inspect the area in question and submit a factual as well as action taken report, if there is any violation found.

8. The committee is directed to ascertain as to whether there was any violation of environmental laws in establishing such units in that area, including Coastal Regulation Zone (CRZ) violation, whether necessary permission have been obtained by them for the purpose of starting the units or continuing the units in that area, whether there is any pollution caused on account of functioning of those units and if there is any violation and environmental damage caused on account of their activities including pollution caused to air as well as water then, the committee is directed to assess the environmental compensation apart from taking action for violation in running the units under the respective statues.

9. The committee is also directed to ascertain the Ambient Air Quality (AAQ) and also water quality in that area and if there is any contamination or pollution caused suggest the remedial measures of rectifying the same as well."

The Regional Office of Ministry of Environment, Forest and Climate Change (MoEFCC), Bangaluru has been made as Nodal Agency.

2.0 MEETING OF THE JOINT COMMITTEE

In compliance of above mentioned order, the Integrated Regional Office, Ministry of Environment, Forests and Climate change (MoEF & CC), Bangaluru, vide letter No F. No. EP / 12.7 / 60/KAR/ dated 23.12.2020 has requested the concerned Departments / Authorities to nominate Senior official for the Committee to complete the task as assigned by the Hon'ble NGT.

It was brought to the notice that on the same matter an OA 27 of 2019 has been filed by Shri Kishore Kumar Vs Union of India & Ors. before the Hon'ble NGT (SZ). Hon'ble NGT(PB) vide order dated 11.10.2019 has constituted a Joint Committee (**herein after referred as JC-1**) comprising senior officers from Central Pollution Control Board, Karnataka State Pollution Control Board, Coastal Zone Management Authority, Karnataka, the District Commissioner, Udupi and District Magistrate, Udupi to inspect the area in question and the industries and submit the factual report. Accordingly, the JC-1 has submitted a detailed report including a report on Environmental Compensation.

In view of the above, in the matter of OA No 254 of 2020, on receipt of the nominations from CPCB and KSPCB, preliminary meeting of the Joint Committee constituted in OA 254 of 2020 (**hereinafter referred as JC-2**) was convened on 21.01.2021 to decide the further course of action. The JC-2 has carefully examined the issues and direction of Hon'ble NGT in both OAs- 27 of 2019 and 254 of 2020. The major issues raised in both the applications are operation of three fish meal industries viz 1) M/s Yashaswi Fishmeal and Oil Company, Pithrody, Udyavara, Udupi, 2) M/s Hindustan Marine Industries, Pithrody, Udyavara, Udupi and 3) M/s Unity Fishmeal and Oil Company, Pithrody, Udyavara, Udupi without valid consent for operation (CFO), violation of Coastal Regulation Zone in extending their area of operation and Udyavara is being polluted, the fish and other marine life are dying, one boy also died on account of unknown decease by name Neuro Melioidosis.

The JC-2 has also examined the mandate given by Honble NGT in OA 254 of 2020. It was noted that the only carrying out of ambient air quality monitoring is the additional mandate. The JC-2 noted that out of these three industries, M/s Unity Fishmeal and Oil Company, Pithrody, Udyavara, Udupi is not in operation since 2014 and others have valid Consent orders from KSPCB under Water and Air (Prevention and Control of Pollution) Acts. Further, these fish meal industries are water pollution potential activities, there are no process emission from these fish meal industries except boiler emission and the JC-1 has accordingly studied all relevant pollution aspects and submitted a detailed report. KSPCB is monitoring river water quality at two locations (one at upstream and another at downstream of these industries) every month and as per the analysis reports for the the river water quality confirms to the prescribed standards. All the three have violated CRZ provisions and the KCZMA has already initiated

action. Further, as per the Honble NGT, environmental compensation has also been calculated by the JC-1 and submitted.

The above was submitted to Hon'ble Tribunal. Hon'ble Tribunal vide order dated 15.03.2021 issued order with following directions to the Joint Committee:

“28. The joint committee in O.A. No. 254 of 2020 had submitted that they have considered all these issues in the report submitted by them in O.A. No. 27 of 2019 and since there is no air pollution arises on account of Fish Meal Industries, they may be exempted from conducting Ambient Air Quality (AAQ) Test in this case as no order to that effect was passed in the connected matters as there was no possibility of air pollution being caused on account of operation of these industries. They wanted some more time to file the detailed report regarding the environmental compensation to be assessed. We have considered this submission and the same is accepted and they are exempted from conducting ambient air quality test in this case.

29. The committee is directed to file a further report regarding the other aspects which they have not considered in this report.”

Accordingly, the Joint Committee met on 05.04.2021 and again on 08.04.2021.

Following Members were attended:

1. Dr. Dinesh Kumar Y K, Regional Director (Env't) Karnataka Coastal Zone Management Authority.
2. Smt Vijaya Hegde, Environmental Officer, Karnataka State Pollution Control Board, Udupi .
3. Smt Sowmya. D, Scientist 'D', Regional Directorate, Central Pollution Control Board, Bengaluru.
4. Shri E. Thirunavukkarasu, Scientist 'E', Integrated Regional Office, Ministry of Environment, Forest and Climate Change, Bengaluru.

Shri Ramesh D. Naik, Senior Environmental Officer, Zonal Office, Karnataka State Pollution Control Board, Mangalore could not attend as he was under Covid treatment.

3. DELIBERATIONS OF THE COMMITTEE

In order to deliberate on the given Terms of References (ToR), the Committee, had examined various documents like the latest monitoring reports, update on the action taken by KCZMA on CRZ violations etc., The Committee noted that these projects have been inspected by the

CPCB, KSPCB and KCZMA as part of JC- 1 and periodically inspected / monitored by KSPCB. Based on the above, each ToR has been deliberated in detail and following are the observations/comments:

3.1 Whether there was any violation of environmental laws in establishing such units in that area, including Coastal Regulation Zone (CRZ) violation,

As per the records and findings of JC-1, all these three projects -1) M/s Yashaswi Fishmeal and Oil Company, Pithrody, Udyavara, Udupi, 2) M/s Hindustan Marine Industries, Pithrody, Udyavara, Udupi and 3) M/s Unity Fishmeal and Oil Company, Pithrody, Udyavara, Udupi have violated CRZ Notificaiton, 2011 and KCZMA has issued notice under section 5 of Environment (Protection) Act, 1986. All the Fish meal processing units challenged the Section 5 notice issued by KSCZMA before different forums as below:

M/s Yashaswi Fishmeal and Oil Company, Pithrody, Udyavara, Udupi: Challenged the impugned notice before Hon'ble High Court of Karnataka vide Writ Petition No.14808/2018. Whereas, the Hon'ble High Court of Karnataka disposed of the Writ Petition with liberty to the Petitioner, the Fish meal Processing unit to approach Hon'ble NGT. Hence, M/s Yashaswi Fishmeal and Oil Company approached Hon'ble NGT(SZ) Chennai in Original Appeal no. 5/2020 and obtained interim stay until further orders.

M/s Hindustan Marine Industries, Pithrody, Udyavara, Udupi: The unit has preffered an Appeal No. 56/2018 before Hon'ble National Green Tribunal, Principal Bench, New Delhi. Wherein, Hon'ble NGT directed the Applicant, the Fish meal Processing unit to first approach the concerned authority. Hence, the applicant approached the KSCZMA requesting to issue NOC for construction of Effluent Treatment Plant. Since the ETP and other structures were already constructed in- violation of CRZ notification 2011, the KSCZMA reconfirmed its section 5 notice directing the Fish Meal Processing unit to comply with demolition order. The fish meal unit so far has not complied with the direction. Therefore, the process is pending for action under section 19 of Environment (Protection) Act 1986.

M/s Unity Fishmeal and Oil Company, Pithrody: The Unit had approached Hon'ble High Court of Karnataka vide Writ Petition No. 30725/2018 against section 5 notice issued by KSCZMA. The Hon'ble High Court disposed of the Writ Petition with liberty to the petitioner, the Fish meal proecessing unit to approach NGT in 3 months. As per available records, the petitioner fish meal processing unit has failed to comply with the above orders.

Therefore, this case is also pending for action under section 19 of Environment (Protection) Act 1986.

3.2 Whether necessary permission have been obtained by them for the purpose of starting the units or continuing the units in that area,

The earlier Joint Committee (JC-1) has examined the matter in detail and submitted the report, which holds good hence there is nothing to add.

3.3 Whether there is any pollution caused on account of functioning of those units and if there is any violation and environmental damage caused on account of their activities including pollution caused to air as well as water then, the committee is directed to assess the environmental compensation apart from taking action for violation in running the units under the respective statues.[Study on Ambient Air quality exempted vide order dated 15.03.2021]

3.3.1 Environmental pollution on account of functioning of the industries:

The earlier Joint Committee(JC-1) has examined the matter in detail and submitted the report. Based on the report, the KSPCB has issued Notices / directions to M/s. Yashaswi Fish Meal & Oil Company and M/s Hindustan Marine Industries, Pithrody, Udyavara, Udupi. M/s Unity Fishmeal and Oil Company, Pithrody was not in operation for **more than five years**. The compliances /corrective measures taken by these industries have been detailed in the report submitted by JC-1.

The JC-2 has examined the analysis report of the treated industrial effluent collected during the year 2020 and in January, 2021 (JC-1 carried out analysis till December, 2019) from M/s. Yashaswi Fish Meal & Oil Company and M/s Hindustan Marine Industries and also the analysis report of the river samples collected at the both upstream and downstream of these industries during the same period. The details are given below:

Table: 1 Analysis results of effluent samples collected from ETP outlet of M/s Yashaswi Fish Meal & Oil co, Pihrody, Udupi

Date of Sampling	PH	SS	Oil& Grease	BOD	Sulph ide	COD	Ammo nical Nitaog	TKN	Free Ammo nia	TRC

							en			
23.12.2019	6.4	16	BDL	20	BDL	142	11	22	0.0198	BDL
30.01.2020	6.6	18	BDL	4	BDL	46	7	12	5	BDL
27.02.2020	6.9	70	BDL	31	2	110	43	63	0.043	BDL
26.08.2020	6.9	22	BDL	7	BDL	72	2	5	0.0113	BDL
30.09.2020	5.5	22	BDL	3.9	1	42	5	7	0.0095	BDL
28.10.2020	7.1	20	BDL	6	2	96	8	10	0.1384	BDL
20.11.2020	6.6	82	2	25	3	183	48	82	0.2717	BDL
17.12.2020	6.5	26	BDL	7	1	68	41	60	0.0745	BDL
07.01.2021	6.5	68	2	25	2	120	48	63	0.0864	BDL
Standards	5.5-9.0	100	10	100	1000	250	50	100	5	1

Table: 2 Analysis results of effluent samples collected from ETP outlet of M/s Hindusthan Marine Industries, Udupi

Date of Sampling	pH	SS	Oil & Grease	BOD	Free Ammonia	TRC
23.12.2019	6	18	BDL	18	122	5.5
30.01.2020	6.8	20	BDL	7	68	6.2
27.02.2020	7.6	18	BDL	10	121	2.23
30.09.2020	6.4	18	BDL	6.6	46	1.63
07.01.2021	7	48	BDL	19	188	9.8
Standards	5.5-9.0	100	10	100	5	1

From the above tables, it can be seen that the treated effluent is meeting the discharge standards prescribed by KSPCB.

Table 3: Analysis results of Papanashini (Udyavara) River Water, Sample Collected at backside of M/s Yashaswi Fish Meal Industry

Date of sampling	Parameters			
	PH	BOD, (mg/L)	DO, (mg/L)	Turbidity, NTU
23.12.2019	7.2	2	6.7	1
27.02.2020	7	2	6.9	1
18.04.2020	7	2	7	1
27.05.2020	7	2	7.1	1
27.07.2020	7.2	2	7.2	1
26.08.2020	6.9	2	7.1	1
30.09.2020	7.2	2	6.8	1
28.10.2020	7.1	2	6.9	1
20.11.2020	7	2	6.8	BDL
17.12.2020	6.9	2	7.1	BDL
07.01.2021	7.4	2	7.1	0.5
Standards	6.5-8.5	Max 3	Min 4	Max 30

Table 4: Analysis results of Papanashini (Udyavara) River Water, Sample Collected at backside of M/s Hindusthan Marine Industries

Date of sampling	Parameters			
	PH	BOD, (mg/L)	DO, (mg/L)	Turbidity, NTU
23.12.2019	7	2	6.4	1
27.02.2020	7.1	2	6.9	1
18.04.2020	6.7	2	6.9	1
27.05.2020	7.1	2	7.1	1
27.07.2020	7.3	2	7.1	1
26.08.2020	7	2	7	1
30.09.2020	7	2	6.9	1
28.10.2020	7.2	2	7.1	1
20.11.2020	7.2	2	6.8	BDL
17.12.2020	7.1	2	6.8	BDL
07.01.2021	7.5	2	7.2	0.3
Standards	6.5-8.5	Max 3	Min 4	Max 30

From the above tables, it is it can be seen that the river water is confirming to the primary water quality standards for sea water i.e. Class SW-II Waters - For Bathing, Conduct Water Sports, Commercial Fishing, as per the Water Quality Standards for Coastal Waters Marine Outfalls.

3.3.2. Environmental compensation

The JC-1 has submitted a separate report on Environmental Compensation calculated EC till December, 2019. It is noted from the reports submitted by the JC-1, that the EC has been calculated based on the certain non-compliances/ violations. On the directions/ SCN issued by KSPCB, these industries have taken remedial measures. The details of compliances /corrective measures taken by these industries have been reported by the JC-1 in its report. Details are given below:

Table 5: M/s Yashaswi Fish Meal Industry

Non- Compliances	Status of compliance	Comments of KSPCB
Water consumption and effluent generation exceeded the permitted capacity	Submitted water consumption, recycling of treated effluent and reduction in fresh water consumption. Requested for corrigendum on consent condition.	Records verified and accordingly KSPCB, has amended the consent order, considering actual consumption and recycling records.
Non- Compliance of treated effluent w.r.t discharge standards	Taken necessary measures to rectify the ETP.	On verification of the analysis report of the treated effluent collected for past six months by the KSPCB, the treated effluent is meeting with the stipulated standards
Not having NOC for drawing ground water	Applied to Karnataka Ground Water Authority.	Copy of the application and acknowledgment is submitted to KSPCB and copy of permission is yet to be submitted.
Non- compliance to Hazardous Waste Management Rules	Upgraded the HW storage area	Provided secured area for the storage of HW and obtained required Authorisation.
To stop discharging canteen wastewater in to Land and connect the same to ETP.	Canteen Wastewater is connected to ETP for further treatment. Domestic sewage is managed through septic tank.	Direction is complied by the project authorities.

Table 6: M/s Hindusthan Marine Industries

Non- Compliances	Status of compliance	Comments of KSPCB
Water consumption and effluent generation exceeded the permitted capacity	Submitted water consumption, recycling of treated effluent and reduction in fresh water consumption. Requested for corrigendum on consent condition.	Records verified and accordingly KSPCB, RO, recommended for CFO renewal considering actual consumption and recycling records. Corrigendum issued.
Non- Compliance of treated effluent w.r.t discharge standards	Taken necessary measures to rectify the ETP.	On verification of the analysis report of the treated effluent collected for past six months by the KSPCB, the treated effluent is meeting with the stipulated standards
Not having NOC for drawing ground water	Applied to Karnataka Ground Water Authority. Flow meter installed for water consumption.	Copy of the application and acknowledgment is submitted to KSPCB and copy of permission is yet to be submitted.
To keep the odour in control	Waste Vapour generated from steam driers of fish meal are treated through scrubber, condenser and bio filter.	The industry has taken measures to change the media for bio-filter and install scrubber condenser and found working effectively. After the bio filter, due to high temperature the water vapour is generated from the bio filter, need to be improved further to reduce the smell nuisance. However, the industry is not under operation since January 2021.

In view of the above, the JC-2 has concluded that imposition of additional Environmental Compensation does not arise.

3.3.3 Other Aspects: Hon'ble NGT (SZ) has issued a direction to the committee to file further report regarding the other aspects which is not considered in the earlier report. The Committee examined the directions of the Ho'ble Tribunal in OA 27 of 2019 and 254 of 2020 and found that all the aspects have been covered in the reports. However, in view of above,

the Joint Committee requested the KSPCB to provide present status of the pollution control and the compliance of the earlier recommendations of the Joint Committee. The RO, KSPCB, Udupi again inspected the projects on 27.04.2021 to ascertain the present operational status of the Industry, compliance made to the Joint Committee directions in the matter of OA 27 of 2019 and made the following observations:-

M/s Yashaswi Fish Meal Industry

Provisions, earlier made for discharge of effluent in to sea through pumps and pipes are disconnected by the Factory Authorities. The entire treated effluent is consumed for boiler feed, cooling tower make up, washing and gardening /forestry only. They have started sending treated water for watering the plantations planted along the National Highway. Treated effluents are collected every month for analysis & as per the reports analysed parameters are meeting with the standards. Industry has complied with the Hon'ble NGT (SZ) committee observations and directions.

Even though, the industry has disconnected the connection of pipeline and recycling the treated water completely, to avoid any suspicion of discharge of effluent from the industry into the river/sea, industry occupier may be directed to submit an action plan of year long complete recycling of treated water and to remove the pipeline laid to discharge treated water into the sea permanently.

M/s Hindusthan Marine Industries

It is noticed that the industry was not engaged in any production activities from several months. Only finished fish meal bags are stored in the industry premises. The proprietor of the industry informed that they have stopped the production activity from January, 2021 and now only stored the finished fishmeal transported from their sister concern fish meal industry located in Gujarath. At present the effluent generated from the M/s Hindustan fish cutting unit located adjacent to the industry was being treated in the existing ETP of 30 KLD. ETP was working during inspection and they have maintained Logbook for ETP and the treated water is being used for gardening purpose within the industry. Provision, earlier made for discharge of effluent in to sea pumps and pipelines laid in the river are removed. Waste Vapour generated from steam driers of fish meal are treated through scrubber, condenser and bio filter. After the bio filter, due to high temperature the water vapour is generated from the bio filter and this need to be improved further to reduce the smell nuisance. The Industry shall ensure efficient operation of bio-filter and scrubber by periodical replacement of filter media /scrubbing solution for effective odour removal. Copy of the inspection report dated 27.04.2021 are enclosed at **Annexure-I &II**

4.0 CONCLUSION AND RECOMMENDATIONS

After detailed deliberation, the Joint Committee has made the following conclusion and Recommendations:

4.1 CONCLUSIONS:

1. As per the records and findings of earlier Joint Committee constituted in OA 27 of 2019 (JC-1), all these three projects -1) M/s Yashaswi Fishmeal and Oil Company, Pithrody, Udyavara, Udupi, 2) M/s Hindustan Marine Industries, Pithrody, Udyavara, Udupi and 3) M/s Unity Fishmeal and Oil Company, Pithrody, Udyavara, Udupi have violated CRZ Notificaiton, 2011 and the KCZMA has issued notice under section 5 of Environment (Protection) Act, 1986. All these projects have challenged the notice issued by KCZMA before the court of law. The Original Appeal No. 5/2020 filed by M/s Yashaswi Fishmeal and Oil Company is pending in NGT, Chennai and other two cases are pending for action to be taken under section 19 of Environment Protection Act 1986.
2. As regards, the permission for the establishment and operation of these industries, the earlier Joint Committee (JC-1) has examined the matter in detail and submitted the report, which holds good hence there is nothing to add.
3. As regards the Environment Compensation, it is noted that based on the recommendations of the reports of earlier Joint Committee constituted in OA 27 of 2019 and directions of Hon'ble Tribunal, the KSPCB has issued Notices / directions to M/s. Yashaswi Fish Meal & Oil Company and M/s Hindustan Marine Industries, Pithrody, Udyavara, Udupi. M/s Unity Fishmeal and Oil Company, Pithrody was not in operation for more than five years. The compliances /corrective measures taken by these industries have been detailed in the report of JC-1. In view of the mitigative measures taken by these industries, the JC-2 has concluded that the Compensation imposed by earlier Committee is enough and imposition of additional Environmental Compensation does not arise.
4. The JC-1 has collected ground water, surface water and industrial treated effluent samples in December, 2019 and results are reported in its first report. Therefor, the JC-2 has examined the analysis report of the treated industrial effluent collected by KSPCB during the year 2020 and January, 2021 (JC-1 carried out analysis till December, 2019) from to M/s. Yashaswi Fish Meal & Oil Company and M/s Hindustan Marine Industries reveled that the treated effluent is meeting the discharge standards prescribed by KSPCB.

5. Similarly, the analysis report of the river samples collected during the year 2020 and January, 2021 (JC-1 carried out analysis till December, 2019) at the both upstream and downstream of these industries is confirming to the primary water quality standards for sea water i.e. Class SW-II Waters - For Bathing, Conduct Water Sports, Commercial Fishing, as per the Water Quality Standards for Coastal Waters Marine Outfalls.

4.2 RECOMMENDATIONS:

Based on the above observations, the following recommendations **in addition to the recommendations made by the earlier Joint Committee**, are proposed for the implementation :

1. **To follow up and obtain NOC from the Karnataka Ground Water Authority (KGWA) for usage of groundwater for industrial purposes by the industrial units.**
2. **Bio filter media to be replaced at suitable interval/ period so as to effectively control the odour nuisance**
3. **All these industries to ensure proper housekeeping, prevent spillages, ensure adequate and secured storage for wastes and Hazardous wastes till disposal to authorised agency**
4. **All these industries to comply with the instructions/ directions if any issued by KSPCB in time without fail so as to prevent environmental damages.**
5. **All these Industries to comply with CRZ provisions/regulations without fail so as to conserve and protect the coastal environment.**
6. **Even though, M/s Yashaswi Fish Meal Industry has disconnected the connection of pipeline and recycling the treated water completely, to avoid any suspicion of discharge of effluent from the industry into the river/sea, industry to submit an action plan of year long complete recycling of treated water and to remove the pipeline laid to discharge treated water into the sea permanently.**

6. To control smell nuisance, M/s Hindusthan Marine Industries has taken measures to change the media for bio-filter and install scrubber condenser and found working effectively. The Industry shall ensure efficient operation of bio-filter and scrubber by periodical replacement of filter media /scrubbing solution for effective odour removal.

Regional Director (Env)
Karnataka Coastal Zone
Management Authority.

Senior Environmental Officer,
Zonal Office, Karnataka State
Pollution Control Board, Udupi

Scientist D,
Regional Directorate
(Bengaluru)
Central Pollution Control Board,
Bangaluru

Scientist 'E',
Integrated Regional Office,
Ministry of Environment, Forest
and Climate Change, Bangaluru.

**Inspection Report of Smt. Vilaya Hegde, Environmental Officer, Regional Office, KSPCB,
Udupi.**

Staff Accompanied: Vivek, AEO

Name of the Industry	M/s. Yashaswi Fish Meal & Oil Company. Sy. No.110/4B, 110/15, 110/5B, 110/9C2B2, 110/4A, 110/15, 110/9C2B1-P1 and 110/9C2B1-P2 Udyavara Village, Pithrody, Udupi Tq & District.
Category and classification	Large Orange
Capital Investment	Rs. 48.38 Crores
Date of Inspection	27.04.2021
Person Contacted	Sri. Pradeep Quality Control manager Sri. Laxman, Production & ETP I/C
Status of consent and validity	Consent for Operation (CFO) obtained under Water & Air Act is valid up to 30.09.2029
HWM Status	The F/A has obtained authorization under H&OWM Rules, 2016 vide authorization No: H-110476, dt: 03/07/2019, which is valid up to 30/06/2021 and now applied for Authorization renewal.
Consented Activity/Production capacity	Manufacturing of Fishmeal 3500 MT/Month and Fish oil 250 MT/Month

M/s. Yashaswi Fish Meal & Oil Company located at Sy. No. 110/4B, 110/15, 110/5B, 110/9C2B2, 110/4A, 110/15, 110/9C2B1-P1 and 110/9C2B1-P2, Pithrody, Udyavara, Udupi Taluk & District and engaged in Manufacturing of Fishmeal & Fish oil. The F/A has obtained CFO of the Board under Water & Air Act vide Combined Consent Order No.AW-321288, dt:05.11.2020 which is valid up to 30.09.2029 with condition that Industry shall recycle the treated effluent completely as far as possible. In case due to heavy downpour/practical difficulties, discharge to sea can be made with prior permission from the concerned authorities.

O.A. NO. 27 OF 2019 filed in the NGT

In the matter of Original Application (O.A.) No 27 of 2019 (SZ), Sri. Kishore Kumar Vs Union of India & Ors., the Hon'ble National Green Tribunal (NGT), Principal Bench, New Delhi has passed an order dated 11th October, 2019 and appointed a Joint Committee consisting of the Coastal Zone Management Authority, Karnataka (KSCZMA), Central Pollution Control Board (CPCB), Karnataka State Pollution Control Board (KSPCB), the District Commissioner, Udupi District and District Magistrate, Udupi District and further directed to inspect the area in question and the industries and submit the factual report regarding the allegation made in the application and if there is any violation action if any to be taken and if any action is taken that also should be mentioned in the report. The KSPCB was made the nodal agency for compliance of co-ordination.

Accordingly, the Joint Committee has inspected the location in question during December 10th and 11th, 2019 (2 days) and submitted its report before the Hon'ble NGT, Chennai. The Hon'ble NGT after hearing the case further passed an order on 07.02.2020 to assess the environmental compensation for the violations applying the principles and guidelines given by the Central Pollution Control Board.

The committee based on the methodology evolved by the CPCB, has assessed the environmental Compensation(EC) for each of the units identified in Udyavara, Udupi and again submitted a detailed report to the Hon'ble Court on 19.03.2020. Hon'ble NGT(SZ) heard the said matter on 25.08.2020 and directed the statutory authorities to take action on the violators and report back.

Further, the petitioners have filed objections to the committee's report and Hon'ble NGT (SZ) took up this matter for hearing on 05.10.2020 and has directed the joint committee to submit its parawise reply to the objections filed and also implement the recommendations of the committee. The Joint committee again submitted the parawise replies to all objections filed by the petitioners on 7.12.2020.

In the meantime, in OA No 254 of 2020 filed by Smt. Sugandhi Shekar V/s Union of India the Hon'ble NGT(SZ) issued an order dated 14.12.2020, where, it is directed to appoint a Joint committee to inspect the area in question and submit a factual as well as action taken report, if there is any violation found, wherein MoEF&CC is made the nodal agency.

On receipt of the nomination from CPCB and KSPCB, preliminary meeting of the Joint committee in matter of OA 254 of 2020 was convened on 21.01.2021. The committee has carefully examined the issues and directions of NGT in both OA Nos-27 of 2019 and 254 of 2020 and made the following conclusions and recommendations;

Since for the similar matter i.e. OA 27 2019 , a joint committee had been constituted with members including CPCB, KSPCB and KCZMA and committee has already submitted its report in all relevant pollution aspects which is similar to the issued reflected in OA No 254 of 2020 which is under consideration of Hon'ble Tribunal (SZ). Hence the joint committee recommends to appraisal the above facts to Hon'ble NGT(SZ) for perusal and further orders.

The applicant has filed an objection to this report and the Hon'ble NGT (SZ) has issued a direction to the committee to file further report regarding the other aspects which is not considered in the earlier report.

In view of above, the industry was again inspected on 27/04/2021 to ascertain the present operational status of the industry and compliance made to the Joint Committee directions in the matter OA. 27 of 2019 and made the following observations;

I. Production capacity:

Consented production capacity of the industry is;

Fish Meal - 3500 MT/Month
Fish oil - 250 MT/Month

However, during inspection, only one out of three lines was put into operation. Raw fish of 80 Tonns were received in the morning were under processing. Industry has a capacity to process 520 MT/Day of raw fish.

Brief manufacturing process:

- Fish Meal -----> Cooking, Screw press, Drying, Grinding, Sieving and Packing
- Fish Oil -----> Cooking, Screw press, Tricanter, Centrifuge, Storage vessel

II. Air Pollution Control Status:

Chimney attached to	Fuel	Chimney height and APC measures stipulated	Chimney height and APC measures provided
Boiler 6 TPH-2 No's	Fire wood	Combined chimney of 30 meter Above Ground Level(AGL) with individual dust collector to Boiler	Combined chimney of 30 meter Above Ground Level (AGL) with individual dust collector to Boiler
Boiler 8 TPH - 1 NO			
Evaporator 12KL/Hr & 8 KL/HR & Deodorizer.			
Evaporator 8 KL/HR			
Steam Driers - 6 No's			
Pulverizer/Grinder - 9 No's	-	Closed type cyclone & Bag filter	Closed type cyclone & Bag filter
DG-Sets 625KVA-2 No's	Diesel	6.00 Above roof level (ARL) with acoustic enclosure each.	6.00 Above roof level(ARL) with acoustic enclosure each.
DG-Set 500 KVA-1No	Diesel	6.00 Above roof level (ARL) with acoustic enclosure each.	6.00 Above roof level (ARL) with acoustic enclosure each.

III. Water Pollution Control Status:

Source of Water: Well water and through tankers

Number of Employees: 300 (with full capacity)

Purpose	Water Consumption in KLD		Waste Water Generation in KLD	Mode of Disposal	
	Fresh Water Consumption	Treated Water Utilization			
Domestic	15	0	10	Septic Tank & Soak Pit	
Industrial Purpose					
Process	0	0	282*		
Boiler Feed	30	0	2		
Cooling Water	0	250	0		
Machinery	8	0	8		

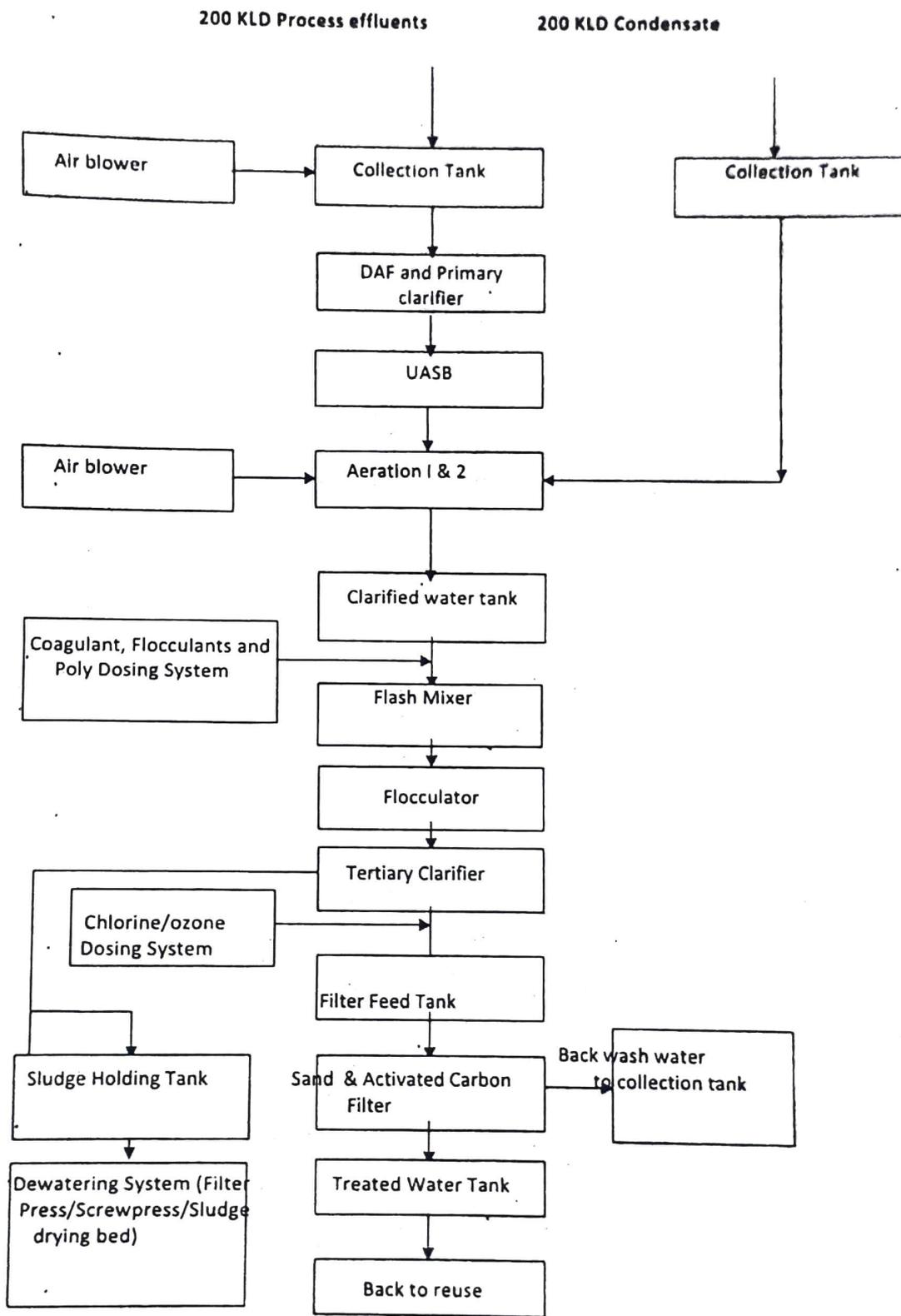
Washing				treated water being discharged to Sea.
Floor Wash	0	39	39	
Garden	0	42	0	
Total	53	331	341	

* 312 KLD of Stick Water is taken to evaporator, from which 282 KLD condensate generated. Condensate water is taken into the ETP for further treatment. During inspection, evaporator and drier were operating.

ETP-400 KLD consists of following units:-

Particulars	Size
Coarse Bar Screen	5m x 1.2m x 1.75m
Mechanical Fine Bar Screen	5m x 1.2m x 1.75m
Collection cum Equalization Tank -1 (For Process Water)	5m x 4m x 1.75m
Collection cum Equalization Tank -2 (For Condensate)	8.4m x 6.7m x 1.75m
Cavitation Air Floatation	25 cum per hour
Dissolved Air Floatation	25 cum per hour
Up flow Anaerobic Sludge Blanket	-
Gas Liquid Solid Separator (GLSS)	6.5m dia x 9 M height
Aeration 1	9m x 4m x 4m 4m x 4m x 4m 4mx 1m x 4m
Aeration 2	5.75m x 6.m x 3.5m
Settling Tank 1	3.65m x 3.6m x 2.85m
Settling Tank 2	4.65m x 3.0m x 3.3m
Clarified Water Tank	2.25m x 1.7m x 2.75m
Flash Mixer	20 m ³ /hr
Flocculator	1.8m dia x 1.7m Hos
Tertiary Clarifier	3.85m x 3.85m x 2.5m
Pressure Sand Filter	1600mm dia x 1500mm HOS
Activated Carbon Filter	1600mm dia x 1800mm HOS
Sludge Holding Tank	1.3m Dia x 2m Ht
Sludge Drying Bed - 3 No's	2.7m x 2m x 1.5m
Filter press & Screw Press	-

ETP Flow Chart :-



I. Hazardous Waste Management:

The Factory Authorities has applied & obtained renewal of authorization under Hazardous & other Waste (Management & Transboundary movement) Rules, 2016 which is valid up to 30/06/2021. The hazardous waste generation is from the DG set. The details are given below:

Sl. No.	Name of the waste	Category No.	Consent Quantity	Quantity stored at the time of inspection	Mode of storage & disposal
1.	Used oil	5.1	1.0 KL/A	0.015 KL	Collected & Stored in barrels and proposed to dispose to KSPCB authorized vendor.

Now, the factory Authorities, have sought renewal of authorization under Hazardous and other Waste (Management, handling & Transboundary) Rules, 2016 and the application is under process at this office.

The compliance status to the directions given by the Hon'ble NGT Committee are as follows:

S.NO.	Directions	Status of Compliances	KSPCB comments
1.	To obtain NOC from the Karnataka Ground Water Authority (KGWA) for usage of ground water for industrial use	<ul style="list-style-type: none"> Applied to Karnataka Ground Water Authority(KGWA) Action taken to install Flow meter for water consumption. 	<p>Copy of Application with acknowledgment submitted to this office and the permission letter (NOC) of Ground Water Authority is yet to be received in this office.</p> <p>Factory authorities has kept the water consumption details.</p>
2	Not to exceed the permitted quantity w.r.t Water Consumption and Effluent Generation	Submitted water consumption, recycling of treated effluent and reduction in fresh water consumption. Accordingly, the unit requested for corrigendum on consent conditions.	Records verified and accordingly KSPCB, has amended the consent order, considering actual consumption and recycling records.
3.	To stop discharging canteen wastewater in to Land and connect the same to ETP.	Canteen Wastewater is connected to ETP for further treatment. Domestic sewage is managed through septic tank.	Direction is complied by the Factory authorities.
4	To comply with effluent discharge standards	Taken utmost care in operation of ETP to comply with stipulated discharge standards.	On verification of the analysis reports of treated effluent collected for the past six months by KSPCB, the treated effluents are meeting with the stipulated standards.
5	To up-grade the H.W. Storage areas with spillage collection pit.	<ul style="list-style-type: none"> ETP sludge contains more NPK, hence used partly as raw material for fish meal and partly as manure. 	Industry's claim that ETP Sludge from Fishmeal industries is non-hazardous can be accepted since Schedule I of Hazardous & other

S.NO.	Directions	Status of Compliances	KSPCB comments
		<ul style="list-style-type: none"> Up-graded the H.W. storage area for used oils. 	<p>waste (Management & Handling & Transboundary Movement) Rules, 2016 lists chemical sludge from waste water treatment as hazardous.</p> <p>As verified, there is no mixing of used oil with rain water, industry has provided secured storage for used oil and obtained authorization for handling this waste.</p>
6.	To keep the odour in control	Industry is discharging vapors from drier through boiler chimney after waste heat recovery to control the odour.	As verified, odour is under control and de-odorizing systems are working satisfactorily. However, industry can explore the possibility of condensing the drier vapors after waste heat recovery and take it to ETP for further treatment.
7	To stop open burning of Solid Wastes	Strictly implemented the environment management system including solid waste management without any deviation as per operational control procedure (OCP) prescribed in our EMS (ISO 14001:2015) manual, Certificate of the standard and procedures.	Industry has stopped open burning and disposing the solid waste through agency approved by local body.

General Observations:

1. The industry was under operation during inspection and single line production was going on with 80 Tons of raw fish with the operation of 2 Boilers of 8TPH and 6TPH capacities.
2. ETP was working at the time of inspection.
3. ETP is provided with inlet & outlet flow meters and also provided separate energy meter to ETP.
4. Logbook maintained regarding operation of ETP units.
5. F/A have made separate storage facility to store the used oil generated from DG sets. Provision made for collection of any spillage.
6. F/A have displayed display board as per **Hazardous and other Waste (Management, handling & Transboundary) Rules, 2016** les at the entrance.
7. Provision, earlier made for discharge of effluent in to sea through pumps and pipes are disconnected by the Factory Authorities. The entire treated effluent is consumed for boiler feed, cooling tower make up, washing and gardening /forestry only. They have started sending treated water for watering the plantations planted along the National Highway.

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8. Treated effluents are collected every month for analysis & as per the reports analysed parameters are meeting with the standards.
9. Industry has complied with the Hon'ble NGT (SZ) committee observations and directions.

Recommendation:

Even though, the industry has disconnected the connection of pipeline and recycling the treated water completely, to avoid any suspicion of discharge of effluent from the industry into the river/sea, industry occupier may be directed to submit an action plan of year long complete recycling of treated water and to remove the pipeline laid to discharge treated water into the sea permanently.


Environmental Officer
KSPCB, Udupi.

Inspection Report of Smt. Vijaya Hegde, Environmental Officer, Regional Office, KSPCB, Udupi.

Staff Accompanied: Vivek, AEO

Name of the industry	M/s. Hindustan Marine Industries. Sy. No. 193/2Pitrody, Udyavara, Udupi Taluk & District.
Category and classification	Medium Orange
Date of Inspection	27.04.2021
Person Contacted	Sri. Balraj, proprietor
Status of consent and validity	CFO obtained under Water & Air Act is valid up to 30.09.2023.
Consented Activity/Production capacity	Manufacturing of fishmeal powder & fish oil of capacity 250MTPM & 25MTPM respectively.

PREAMBLE:-

O.A. NO. 27 OF 2019 filed in the NGT

In the matter of Original Application (O.A.) No 27 of 2019 (SZ), Sri. Kishore Kumar Vs Union of India & Ors., the Hon'ble National Green Tribunal (NGT), Principal Bench, New Delhi has passed an order dated 11th October, 2019 and appointed a Joint Committee consisting of the Coastal Zone Management Authority, Karnataka (KSCZMA), Central Pollution Control Board (CPCB), Karnataka State Pollution Control Board (KSPCB), the District Commissioner, Udupi District and District Magistrate, Udupi District and further directed to **inspect the area in question and the industries and submit the factual report regarding the allegation made in the application and if there is any violation action if any to be taken and if any action is taken that also should be mentioned in the report. The KSPCB was made the nodal agency for compliance of co-ordination.**

Accordingly, the Joint Committee has inspected the location in question during December 10th and 11th, 2019 (2 days) and submitted its report before the Hon'ble NGT, Chennai. The Hon'ble NGT after hearing the case further passed an order on 07.02.2020 to **assess the environmental compensation for the violations applying the principles and guidelines given by the Central Pollution Control Board.**

The committee based on the methodology evolved by the CPCB, has assessed the environmental Compensation(EC) for each of the units identified in Udyavara, Udupi and again submitted a detailed report to the Hon'ble Court on 19.03.2020. Hon'ble NGT(SZ) heard the said matter on 25.08.2020 and directed the statutory authorities to take action on the violators and report back.

Further, the petitioners have filed objections to the committee's report and Hon'ble NGT (SZ) took up this matter for hearing on 05.10.2020 and has directed the joint committee to submit its parawise reply to the objections filed and also implement the recommendations of the committee. The Joint committee again submitted the parawise replies to all objections filed by the petitioners on 7.12.2020.

In the meantime, in OA No 254 of 2020 filed by Smt. Sugandhi Shekar V/s Union of India the Hon'ble NGT(SZ) issued an order dated 14.12.2020, where, it is directed to appoint a joint committee to inspect the area in question and submit a factual as well as action taken report, if there is any violation found, wherein MoEF&CC is made the nodal agency.

On receipt of the nomination from CPCB and KSPCB, preliminary meeting of the joint committee in matter of OA 254 of 2020 was convened on 21.01.2021. The committee has carefully examined the

issues and directions of NGT in both OA Nos-27 of 2019 and 254 of 2020 and made the following conclusions and recommendations:

Since for the similar matter i.e. OA 27 2019 , a joint committee had been constituted with members including CPCB, KSPCB and KCZMA and committee has already submitted its report in all relevant pollution aspects which is similar to the issued reflected in OA No 254 of 2020 which is under consideration of Hon'ble Tribunal (SZ). Hence the joint committee recommends to appraisal the above facts to Hon'ble NGT(SZ) for perusal and further orders.

The applicant has filed an objection to this report and the Hon'ble NGT (SZ) has issued a direction to the committee to file further report regarding the other aspects which is not considered in the earlier report.

In view of above, the industry was again inspected on 27.04.2021 to ascertain the present operational status of the Industry and compliance made to the Joint Committee directions in the matter of OA 27 of 2019 and made the following observations:-

- i) M/s. Hindustan Marine Industries located at Sy. No. 193/2 of Pitrody, Udyavara, Udipi Taluk & District and engaged in Manufacturing of fishmeal & fish oil of capacity 250MTPM & 25MTPM respectively. The F/A has obtained CFO of the Board under Water & Air Act vide Combined Consent Order No: AW-307053, Dt: 28.07.2018 which is valid up to 30.09.2023.
- ii) Further a corrigendum was issued vide letter No. PCB/SEO(MNG)/SO/Amendment/2020-21/120, Date: 21.11.2020 considering actual consumption and recycling records in compliance to the joint committee recommendations constituted by Hon'ble NGT in the matter of O.A. No 27 of 2019 (SZ).
- iii) Brief manufacturing process: Cooking, Screw press, Drying, Grinding, Sieving, Packing
- iv) Working status: Operating
- v) Number of employee: 22

Air Pollution Control Status:

Chimney attached to	Fuel	Chimney height and APC measures stipulated	Chimney height and APC measures provided
Boilers - 4.5 TPH - 1 No	Fire wood	30 meter AGL with dust collector	30 meter AGL with dust collector
Steam drier 50 TPD-2No's	-	Deodorizers and Wet scrubber	Condenser and wet scrubber
Pulverizer (Grinder)-1 No	-	Cyclone and Bag Filter	Cyclone and Bag Filter
DG Set of capacity 200 KVA and 125 KVA	Diesel	5 meter ARL with individual Acoustic enclosure	5 meter ARL with individual Acoustic enclosure

Water Pollution Control Status:

Purpose	Consumption	Waste water generated	Treatment Methods/ Disposal stipulated	Provided
1 Domestic	700LPD	600LPD	Septic tank and Soak Pit	Septic tank and Soak Pit
2 Industrial process(washing s, floor & equipment washings, condensate, boiler feed)	19.5 KLD	15.5 KLD	Treated through ETP and then discharge to Sea	Treated in the ETP and finally the treated effluent is used for irrigation.

Compliance status to the directions to the joint committee recommendations constituted by Hon'ble NGT in the matter of O.A. No 27 of 2019 (SZ) and the comments of KSPCB are as follows:

S.NO.	Directions	Status of Compliances	KSPCB comments
1.	To obtain NOC from the Karnataka Ground Water Authority (KGWA) for usage of ground water for industrial use	<ul style="list-style-type: none"> • Applied to KGWA for NOC. • Flow meter installed for water consumption. 	Copy of Application with acknowledgment submitted and the permission letter (NOC) yet to be received by the KSPCB.
2	Not to exceed the permitted quantity w.r.t Water Consumption and Effluent Generation	Submitted water consumption, recycling of treated effluent and reduction in fresh water consumption. Requested for corrigendum on consent condition.	Records verified and accordingly KSPCB, has amended the consent order, considering actual consumption and recycling records.
3	To comply with effluent discharge standards	Taken necessary measures to rectify the ETP.	On verification of the analysis reports of treated effluent collected for the past six months by KSPCB, the treated effluents are meeting with the stipulated standards.
4	To keep the odour in control	Waste Vapour generated from steam driers of fish meal are treated through scrubber, condenser and bio filter.	The industry has taken measures to change the media for bio-filter and install scrubber condenser and found working effectively. After the bio filter, due to high temperature the water vapour is generated from the bio filter, need to be improved further to reduce the smell nuisance. However, the industry is not under operation since January 2021.

General Observations:

1. The industry was not in operation.
2. From the observations of the industry premises, it is noticed that the industry was not engaged in any production activities from several months.
3. Only finished fish meal bags are stored in the industry premises.
4. The proprietor of the industry informed that they have stopped the production activity from January, 2021 and now only stored the finished fishmeal transported from their sister concern fish meal industry located in Gujarath.
5. No workers are present at the time of inspection.
6. The industry has installed following machineries
 - A. Cooker
 - B. Press
 - C. Drier provided with scrubber
 - D. Cooler
 - E. Miller (Pulverizer) provided with bag filters
 - F. Boiler of capacity 4.5 TPH provided with Chimney of height 30 meter.

G. Condenser

7. At present the effluent generated from the M/s Hindustan fish cutting unit located adjacent to the industry was being treated in the existing ETP of 30 KLD. ETP was working during inspection and they have maintained Logbook for ETP and the treated water is being used for gardening purpose within the industry.
8. Provision, earlier made for discharge of effluent in to sea pumps and pipelines laid in the river are removed.
9. Factory Authorities shall improve the bio filter & scrubber efficiently before starting production activities.

Recommendation:

This is a small scale fish meal production unit. As of now, for the past four months, unit is not working and kept closed. As informed by the Industry Authorities they have removed pipelines laid to sea disposal and using treated waste water for scrubbing, cooling and gardening purpose. However, the industry is not under operation since January, 2021.


Environmental Officer
KSPCB, Udupi.