

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
CHENNAI BENCH**

APPLICATION NO: 221 OF 2015
(Public Interest Litigation)

Between:

IsanakaVedavathi
H.No.16-4-966, Pinakini Avenue,
Near Appolo Hospital,
Nellore-524 003

.....Petitioner

- Vs-

1. Union of India,
Rep by its Secretary,
Ministry Of Environment, Forest and Climate Change,
III Floor, Prithivi Wing, Indira ParyavaranBhavan,
JorBagh, New Delhi-110003
& 10 others

.....Respondents

**OBJECTIONS FILED BY THE 7TH RESPONDENT
TO THE COMMITTEE REPORT DATED 01.12.2020**

The seventh respondent respectfully states as follows as their objection to the Joint Committee report dated 01.12.2020 taken on file by this

Hon'ble Tribunal:

1. Pursuant to direction given by this Hon'ble Tribunal dated 16.03.2020, the Joint committee as appointed by this Hon'ble Tribunal had inspected the factory premises of the 7th respondent on 13.10.2020 apart from the adjoining units and had spent roughly about 3 hours, going round the unit. The Joint committee had filed the Report on 01.12.2020 before this Hon'ble Tribunal.

2. The Hon'ble Tribunal by order dated 16.03.2020 in the above OA NO 221/2015 has passed by the following order:

"So in order to ascertain the present status of the functioning of the edible oil refinery units and also to find out as to whether they are complying with the conditions of "consent" issued and whether the pollution control mechanism provided by them are proper and sufficient and whether they are complying with the norms and

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whether the "Zero Liquid Discharge" system said to have been established by them are properly functioning and whether there is any violation by any of the edible oil refinery units and if so, what is the action taken by Pollution Control Board in this regard, we appoint a joint committee, comprising of (1) a Senior Officer from the Central Pollution Control Board, Regional Office, Bangalore (2) Senior Officer from the Regional Office of MoEF& CC, Chennai and (3) Senior Scientist from Andhra Pradesh Pollution Control Board to inspect the units in question and submit a factual as well as action taken, if there is any violation found. The committee shall also go into the question as to whether the units are strictly complying with the conditions imposed either in the "consent to operate" or any other permission granted, whether there is any violation in the use of surface water and whether necessary permission has been obtained by the units for drawl of surface water for their purpose, whether pollution control mechanism provided to suppress the air pollution or water pollution are sufficient to meet the requirements as has been provided under the Environment (Protection) Act, 1984, whether these units are properly disposing the fly ash generated during their manufacturing process and if there is any violation found, what is the action taken, including the imposition of environment compensation against the erring units on the basis of the guidelines given by Central Pollution Control Board in this regard and also what is the status of the implementation of the action plan if any, evolved during the review meeting conducted by Pollution Control Board and whether those actions have been brought into action by the units, as undertaken by them and if not, what is the action taken by Pollution Control Board against those erring units and submit a comprehensive report to this Tribunal within a period of two months through e-mail at ngtszffiling@gmail.com."

3. The Joint Committee during their visit to Krishnapatnam, inspected 7 Industries in two days. The Committee had merely gone by the statements / views in the prior notices served by the local APPCB-Environmental Engineer and the entire exercise was driven towards the said agenda. The Joint Committee inspected our premises on 13.10.2020 between 11.30 hrs to 14.30 hrs and therefore they had hardly any time to inspect and note down the compliances. For Gemini Edibles & Fats India Pvt. Ltd.

4. The seventh respondent craves leave of this Hon'ble Tribunal to treat the counter filed in the above OA and other pleadings relied by them as part of this objection. The following are the para wise reply/objections of the seventh respondent to the said Report of the Joint Committee.

5. Page 5 Para h of the Report:

As per the report of the Joint Committee under the head "Coal and fly ash storage measures taken to control fugitive emissions", the unit has constructed separate shed for coal storage but however, it was observed during inspection that the size of the shed is small and coal was stored in open. The unit has installed water sprinklers in storage yard. The unit has installed fly ash silo of capacity 100 Tons (10 days storage capacity against the direction of APPCB to install silo for 30 day storage. The fly ash is sold to brick manufacturers, partially complied.

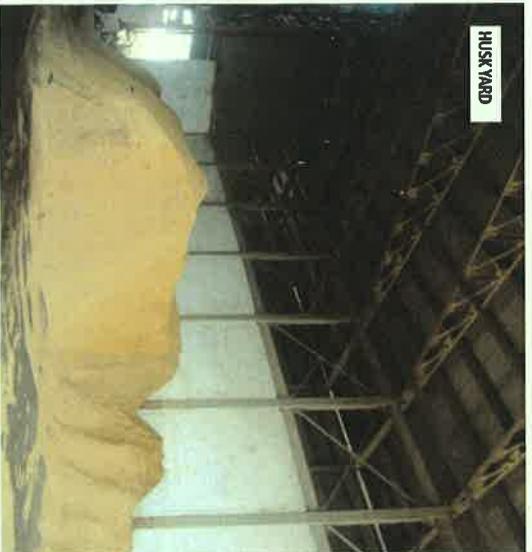
Objections/Response: The fact is that a closed shed is available since the year 2010 for storing coal and husk, which was seen by the Joint Committee during their inspection on 13.10.2020. Photo of the closed coal and husk shed is attached as annexure 1. The area for storing the coal and husk in the closed shed is 35 mtr x 41 mtr x 3 mtr, which is equivalent to 4305 Cubic MTR, where about 3000 tonnes of coal and husk is being stored. Approved layout copy signed by Director of Factories dated 22.02.2010 is attached as Annexure 2. The ash generation per day is around 10 Tons, which is also stored in a closed silo. The ash stored in the silo is disposed off regularly to brick manufacturing industries. Hence the accumulation of ash quantity in the silo does not exceed the maximum level at any given point of time. We have increased the silo capacity from 100 Tons to 150 Tons, which was communicated by us to APPCB vide

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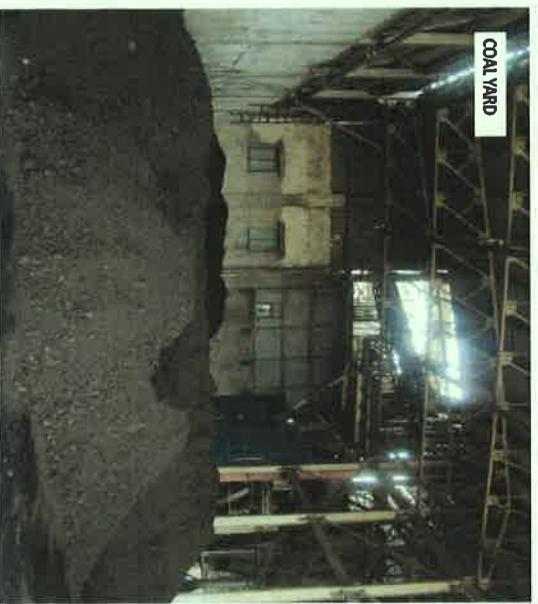

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letter dated 10.12.2020. However, as per the directions of APPCB one more silo of 150 Tons capacity also has been added to increase the capacity of ash storage to 30 days, that is, about 300 Tons. Picture of silos & truck loading arrangement is attached as Annexure 3. The photos enclosed in the report is showing a different view from inside displaying as if the same is a open shed. In view of theafore said facts, the storage capacity of 300 Tons in 2 (two) silos the Company has complied with the necessary requirement, hence this point shall be dropped.



Closed Husk shed



Closed Coal shed



Coal shed with sprinkler arrangement



Ash silo for 30 days storage facility

6. Page 5 Para I of the report:

As per the Joint Committee report under the head "Source of water and quantity of water used per day" through ~~water tankers~~ ^{of water tankers} ~~and~~ ^{at} ~~Madhore~~ ^{Madhore}. Ltd.

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wells. The total water requirement of the unit is 610 KLD/day including domestic requirement. Quality of water will be having TDS of more than 1200 ppm, which has to be treated through RO equipment. Ground water and water audit department has given permission to the unit to utilize 350 KLD of ground water through four bore wells but three of them have become dry and the unit has constructed three new bore wells and is drawing 180 KLD of groundwater and has obtained fresh permission to draw additional 70 KLD of water. The unit has permission to utilize 250 KLD of ground water by 10 hrs of pumping from the filter points. But however the major water requirement is met by procuring water through tankers.

Objections/Response: The fact is that as per the industrial policy, the Government of Andhra Pradesh has committed to the units to provide the basic infrastructure like power & water for operating the industry. Unfortunately, no water has been provided till now and the industries are running from one pillar to another pillar to secure water & as such industries are forced to purchase water from the available outside third party vendors, who sell water. The primary obligation of the government was not forth coming and the units have gone for purchase and not any illegal drawl of water as alleged. Though the unit has permission for 420 KLD from Ground water department, but the major water requirement is met by procuring through third party vendors. Approval copy from Ground water department for 420 KLD water is attached as Annexure 4.

In this situation purchases of water from the outside vendors cannot be termed as illegal drawl of water and any action on this front shall be dropped.

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7. Page 6 Para j of the Report:

As per the Joint Committee report under the head "Effluent Generation" Around 30 KLD of effluent is generated from physical refining and is Low TDS effluent which is treated in ETP of capacity 200 KL. ETP comprises of collection tank-> oil recovery system-> primary settling tank-> DAF aeration tank-> secondary clarifier-> RO. Raw water is treated in two stage RO system and RO rejects (70 KLD) is also treated in MEE. Outlet effluent from ETP is treated in RO of 200 KLD capacity. RO permeate is taken to cooling tower and for dust suppression. RO reject is taken to MEE. 20 KL of HTDS effluent is generated from chemical refining section and after oil recovery it is treated in MEE followed by ATFD. ATFD salts sent to TSDF. MEE condensate is used for gardening and dust suppression. There is no proper effluent conveyance system, the open drains carry both effluent and storm water. Though the effluent generation is only 30 KLD and capacity of ETP is 200 KLD. The industry has not given justification for providing higher capacity of the ETP and RO even the industry is generating 30 KLD and 20 KLD of LTDS and HTDS effluents, hence it prevails the industry is operating ETP in phased manner. During storage in collection tank, settling and putrefaction of effluent takes place which is likely to emanate odour. There is no proper mechanism for sludge collection and transferring to sludge drying beds. Sludge was haphazardly stored in ETP area. Part of sewage generated from the unit is also treated in ETP even the industry provided STP of 30 KLD capacity. Not complying.

TableVI.a 1: Analysis results of samples collected by APPCB during

30.06.2020

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S.N	Parameter	APPCB Standard	Inlet of ETP	Outlet of ETP	MEE feed	MEE condensate	MEE Concentrate	RO permeate	RO Reject
1	pH	5.5-9.0	7.2	7.5	8.85	8.53	10.09	6.74	8.35
2	TSS	200	184	136	201	12	186	4	76
3	TDS	2100	3256	4018	10170	2486	52500	90	7240
4	COD	250	960	196	928	192	19680	<10	116
5	BOD	100	364	62	350	56	6152	BDL	34
6	Oil & grease	10	12.6	8.4	25	47	226	BDL	4.0

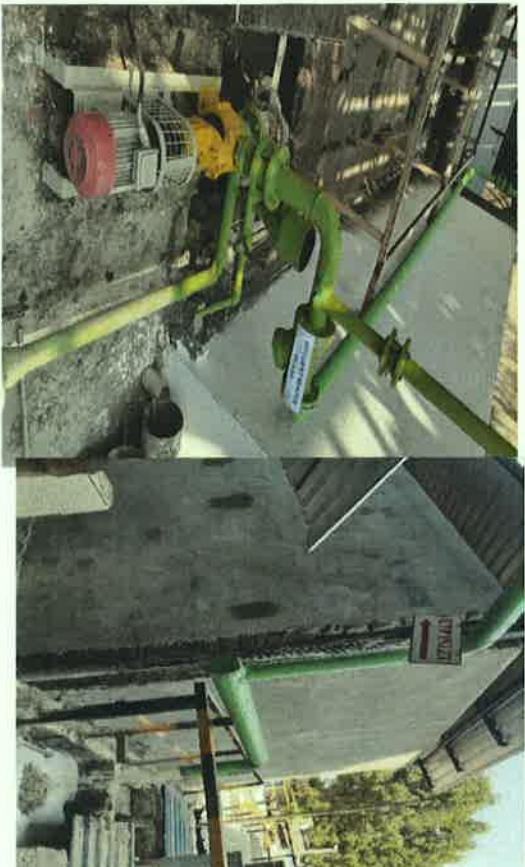
The results indicate that MEE condensate is not complying with discharge standards stipulated by APPCB. Therefore MEE condensate shall be treated in RO. ETP outlet is around 30 to 35 KLD and RO capacity is 200 KLD, treated effluent is stored in a tank and RO is operated once in a week during which oxidation may take place resulting in BOD & COD reduction. RO reject is having TDS of 7240 mg/L against APPCB stipulated standard of 2100mg/L. Hence RO reject will be treated in MEE.

Objections/Response: The fact is that process effluent water is directly pumped to the ETP collection tank through dedicated pipelines and the photo of the same is attached. Storm water drain is connecting to the rain harvesting pond. The picture of the same is attached as Annexure 5. The unit has installed 125 KLD ETP in 2010 & upgraded to 200 KLD in 2013 for better performance to handle the shock loads in the influents. Along with the trade effluent of 30 KLD, 35 KLD of fresh RO reject water is mixed in the collection tank to feed the microbes &

maintain MLSS/BOD/ COD in the total system. This will also help to avoid shock loads in the ETP running. The unit has reduced 40 % of aeration tank volume due to this lower ETP load and are running the ETP/MEE plants continuously but not in phased manner as mentioned by the Joint Committee. If the unit is operated in phased manner, the microbes will die & the MLSS values will be dropped & COD/BOD values will increase than the APPCB standards. Mass Flowmeters & Energy meters are installed and their readings are attached as Annexure 6. Further, after the filter press the sludge is removed & stored in the bags, which are kept on an elevated platform which is extremely near, i.e., 3 mtr away and are transported through trolley. The unit has sludge filter for sludge separation. Before installation of STP, sewage water was treated in ETP, but after the installation of STP in June 2020, sewage water is treated in STP only. STP and ETP purchase orders and ETP log sheets with energy meter readings are attached as Annexure 7. Normally the unit is maintaining MEE condensate TDS within the APPCB standard limit of 2100 mg/lit. There is no intermediate storage facility for ETP treated water, so ETP treated water is treated in RO on daily basis & reused. RO reject water is treated in MEE & MEE condensate is recycled for cooling tower level top up uses. As per the above information given, we are continuously running the ETP plant & maintaining the APPCB standards.

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Direct effluent water pumping Water inlet line to ETP arrangement to ETP



Elevated sludge storage room

Hence, the Company has complied with the APPCB directions and this point shall also be dropped.

8. Page 7 Para k of the Report:

As per the report of the Joint Committee under the head "Installation of magnetic flow meters with totalizer", partially complied. The unit has installed flow meters and totalizer at the inlet and outlet of ETP but however the unit has not installed flow meter at raw water inlet.

Since both ground water and water from tankers is utilized, the unit

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has not quantified the total water consumption and water used for various utilities.

Objections/Response: The fact is that the unit has installed magnetic flowmeters at the inlet point for the raw water purchased and drawn from the tube wells and also has installed flowmeters for raw water consumption to get the actual water usages. At the same time industry has installed magnetic flowmeters in all the inputs & outputs related to ETP operations.

The Photos of the same are attached as Annexure 8



Raw water input flowmeter



ETP inlet flowmeter



ETP outlet flowmeter



ETP- RO flowmeter

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MEE flowmeter



- ATFD flowmeter

9. Page 7 Para 1 of the Report:

As per the report of the Joint Committee under the head "Air pollution sources and type of APCDs, status of stack, porthole, OCEMS installation, location"

Boiler of capacity 20 TPH Thermic fluid heater of capacity 16.0 Lakh k.cal/hr (2Nos.-6.0 Lakh K.cal/hour + 10 Lakh K.cal/hour capacity)	Multi cyclone dust collector followed by Bag filters
3x 1000 KVA DG Sets	Acoustic enclosures with silencer & Muffler

OCEMS has been installed at 24 mtr height of chimney. Not complying

TableVI.a.2: Stack monitoring at M/s Gemini Edibles by APPCB on 30.06.2020

Source	SPM measured value	APPCB emission standards
Stack attached to 20 TPH Boiler	129.7 mg/Nm³	115 mg/ Nm ³

TableVIA.3: Ambient air quality monitoring at M/s Gemini Edibles by

APPCB on 30.06.2020

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Source	PM 10 measured value	APPCB emission standards
Near the main gate within unit premises	132.2 µg/m³	100 µg/m ³

Objections/Response: The fact is that the unit has bag filters and MDC (Multiple Dust collector) to handle the flue gas particulate emissions and also conducts regular preventive maintenance for the pollution control equipment and maintains adequate numbers of inventory of filter bags. As per APPCB direction, the unit has installed stack monitoring system in the chimney & connected with APPCB online portal to access the live data from the website. The Suspended Particulate Matter (SPM) data from APPCB website is attached as Annexure 9. The stack emission quality at all times is maintained well within the norms. Only on the occasions of power outages and interruptions there will be slight fluctuations in the SPM levels, due to drop in the flue gas temperature below 200 deg C. After restoration of power supply in few seconds, the flue gas temperature will raise above 200 deg C by which the flue gases will pass through bag filter which runs in auto mode and accordingly SPM levels fall within the stipulated range. As such there is no violation in the quality of stack monitoring.

Ambient air monitoring device is placed near the factory main gate, which is very near to the Krishnapatnam Port entrance, the main road connecting the port to the national high way, where there is heavy vehicular movement on the port road and also at the industry main gate entry. As many vehicles are plying within the near vicinity of the ambient air monitoring device, increase in

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levels of dust emission & smoke discharge, intern increases the value of PM 10 value. Further, AAQ data are checked monthly through NABL laboratory and the same are submitted periodically to APPCB RO-Nellore office. Accordingly, the ambient air quality readings are not attributed to the unit but is mainly due to outside factors like heavy vehicular movement all through the day and night leading to increased levels of SPM that are uncontrollable by the unit.

10. Page 8 Para m of the Report:

As per the report of the Joint Committee under the head "Status of installation of online stack monitoring equipment", the unit has installed online continuous stack monitoring system to measure SPM and it is connected to APPCB server portal.

Objections/Response: The fact is that the unit has continuous stack SPM (Suspended Particulate Matter) monitoring system, which is connected with APPCB portal. The live data can be tracked from the APPCB portal and the same is attached as Annexure 9.

11. Page 8 Para n of the Report:

As per the report of the Joint Committee under the head "Status of green belt", partially complied. The unit has developed green belt in an area of 3.5 acres against the requirement of 5.0 acres (33%) with avenue plants. It was informed to the committee that the unit has taken compensatory plantation in their own 32 acres of land in other area. Rain water harvesting pit of 50Mtr X 40mtriseestablished inside the plant.

Objections/Response: The fact is that the unit has green belt area measuring 5.6 acres and not 3.5 acres which is more than 33% of the total

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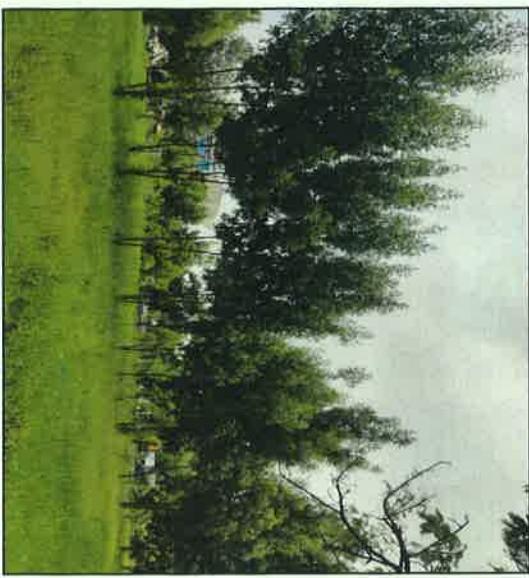
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Manager

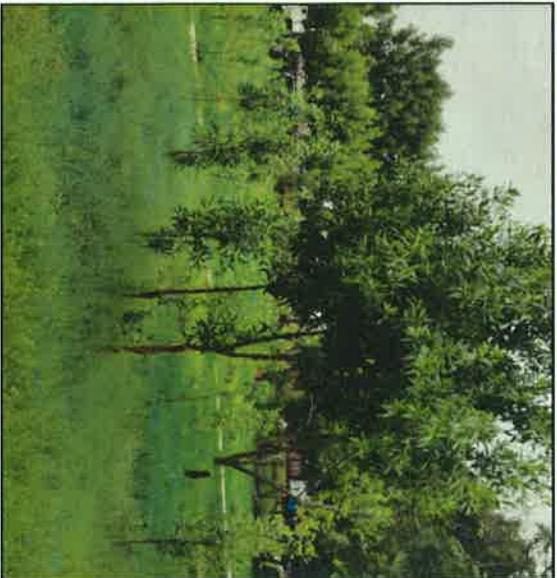
factory area and cona carpus trees and other plants are planted in that green belt area. The unit has one rain harvesting pond measuring 50 Mtr X 40 mtr. All the roof structure water is collected in the raw water sump & excess rain water is stored in rain harvesting pond with dedicated pipelines. The photos of green belt & rain harvesting pond is attached as Annexure 10. The constructed area as per factory plan is appended - Annexure 11. The Company has also purchased additional area of about 32 acres in the near vicinity and is also partly converted/ reserved to develop green belt.



Green belt



Green belt



Green belt

Green belt

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Green belt throughout boundary wall Green belt throughout boundary wall

12. Page 8 Para O of the Report:

As per the report of the Joint Committee under the head "Hazardous waste generation", Unit is generating MEE salts, ETP sludge, used oil and spent nickel catalyst. MEE salts and ETP sludge are disposed to TSDF. The quantity of MEE salts & ETP sludge sent to TSDF is around 9 to 10 MT every three months against consented quantity of 10 MT / month. ETP sludge is not properly removed and stored. Used oil and oil recovered from ETP is sold to soap manufacturers/ oil reclamation units, however no records were shown to committee. No records were shown to the committee on disposal of spent nickel catalyst. There is no proper covered shed for hazardous waste storage.

Objections/Response: The fact is that the unit is sending the ETP salt & MEE salt on monthly basis to Government authorised TSDF agency, not on quarterly basis. Sludge disposal details are sent to APPCB periodically. MEE salt & ETP sludge are being disposed to TSDF agency. In 2020 the unit has disposed 119 MT sludge to TSDF Ramky, which shows a generation of 13 MT/month. ETP sludge is being stored in closed room on an elevated

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platform & dispatch to authorized TSDF Ramky. As per the design, there is no oil in the effluent stream, which can be recovered from ETP. Spent Nickel catalyst is primarily used for effective reaction in the hydrogenation process. This catalyst is reused multiple times, hence there is very less generation. MEE salt & ETP sludge and Spent Nickel catalyst disposal data are attached as annexure 11.

13. Page 8 Para p of the Report:

As per the report of the Joint Committee under the head "Actions taken by APPCB during last one year", The APPCB has issued directions to the industry 15.02.2018, 27.12.2018, 17.01.2020. The APPCB has forfeited Bank Guarantee of Rs.5.0 Lakhs on 17.01.2020 for non-compliance of Board directions. Directions were again issued on 28.09.2020. The APPCB has again forfeited Bank guarantee of Rs. 10.00 lakhs on 28.09.2020 for non compliance of the Board directions.

Objections/Response: The fact is that the Industry has addressed all the queried points, certain directions & submitted the replies in compliance with the APPCB directions dated 15.02.2018, 27.12.2018, 17.01.2020. These letters have been sent to APPCB-RO Nellore, Zonal Office/ HO-Vijayawada dated 06.04.2018, 10.01.2019 & 09.03.2020 respectively. The same points were repeated in many of the notices and the Industry was not given an opportunity to be heard, represent and justify each of the case during forfeiture of the Bank guarantees on two occasions. These kinds of decisions were taken by APPCB, to establish their actions against the industry. The reply letters are attached as Annexure 12.

14. As per the report of joint committee report at page 9 under the head "Overall Compliance status" APPCB issued directions to the unit vide order dated 15.02.2018. The unit has taken steps for improvement but partially

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complied with few of the directions as detailed above. But the committee observed that APPCB has not received specific complaints against the unit for discharging of effluent outside the industry premises. As per OCEMS records available with APPCB, the unit is not complying with APPCB standards for Particulate Matter. ZLD system installed. The actual water requirement of the unit is more than available water resources in the region. Since the unit is partially complying the committee calculated environmental compensation using CPCB formula $EC=PI \times N \times R \times S \times LF$

S.N	Period of noncompliance	PI	S	LF	R (Rs)	N (days)	Environmental compensation (Rs)	
1	17.01.2020 to 13.10.2020*	80	1.5	1	250/-	270	81,00,000/-	
Total EC for violation							270	81,00,000/-
Compensation levied by APPCB from 17.01.2020 onwards								15,00,00
Net Compensation to be paid by M/s Gemini Edibles								66,00,000/-
Rupees Sixty-Six Lakhs Only								

Objections/Response: The fact is that the Industry had replied to all the notices and updated status to APPCB RO- Nellore, ZO & HO- Vijayawada dated 06.04 2018 & submitted the copy of the same. The stack emission quality is maintained well within the norms. On the occasions of power outages and interruptions there will be slight fluctuations in the SPM levels, due to which the flue gas temperature drops below 200 deg C. After restoration of power supply within few seconds, the flue gas temperature will increase above 200 deg C levels and the flue gas will pass through bag filters which runs in auto mode, and that the SPM levels will be maintained within the APPCB norms. The Industry has installed the continuous stack

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SPM monitoring system, which is connected with APPCB portal. The live data can be tracked from the portal and the same is attached as Annexure 9.

As per the industrial policy, the Government has committed to provide the basic infrastructure like power & water for operating the industries. Unfortunately no water facility has been provided till now, the industries are running from one pillar to another pillar to secure water & as such industries are forced to purchase water from the available outside vendors, who sell water. Though we have permission for 420 KLD from Ground water department, but the major water requirement is met by procuring through third party vendors. The approval copy from Ground water department for 420 KLD water drawing is attached as Annexure 4.

In this situation purchases of water from the outside vendors cannot be termed as illegal drawl of water and any action on this front shall be dropped.

15. Regarding the list of major non-compliances at page 9 of the Joint Committee Report,

- stack emission and ambient air not complying with APPCB standards w.r.t SPM and PM 10 respectively.

Objections/Response:

The fact is that the stack emission is maintained well within the norms. On the occasions of power outages and interruptions there will be slight fluctuations in the SPM levels, where the flue gas temperature drops below 200 deg C. After power is restored, the flue gas temperature will raise above 200 deg C, and the flue gas passes through bag filter. Always the bag filter runs on auto mode maintaining the SPM levels within APPCB norms, when the flue gas temperature is maintained above 200 deg C. The Industry has

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installed bag filters and MDC to handle the flue gas emissions and the Company also conducts regular preventive maintenance for the pollution control equipment and maintains adequate quantity of inventory of filter bags.

Ambient air monitoring device is placed near the factory main gate, which is very near to the Krishnapatnam Port entrance, the main road connecting the port to the national high way, where there is heavy vehicular movement on the port road and also at the industry main gate entry. As many vehicles are plying within the near vicinity of the ambient air monitoring device, increase in levels of dust emission & smoke discharge, intern increases the value of PM 10 value. Further, AAQ data are checked monthly through NABL laboratory and the same are submitted periodically to APPCB RO-Nellore office. Accordingly the ambient air quality readings are not attributed to the unit, but is mainly due to outside factors like heavy vehicular movement all through the day and night leading to levels that are uncontrollable by the unit. Therefore, the Ambient Air monitoring device has to be installed closer to the plant instead off on the road side nearer to the Port entrance.

- MEE condensate and RO reject which is used for green belt development/ dust suppression is not complying with APPCB discharge standards w.r.t TDS and O&G.

Objections/Response: MEE condensate & RO reject is not used for green belt development. But MEE condensate is used for cooling tower top up and RO reject water is treated in MEE plant.

- No proper effluent conveyance system from production block to ETP.

Objections/Response: Process effluent water is directly pumped to the ETP collection tank through dedicated pipelines. Storm water drain

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is directly connected to the rain harvesting pond and the photo of the same is attached as Annexure 5.



Direct effluent water pumping Water inlet line to ETP arrangement to ETP

16. With respect to the Conclusion of the Joint Committee report at page 39, the Industry has already installed electromagnetic flow metres with totalizer. Spent Nickel catalyst is primarily used for effective reaction in the hydrogenation process. This catalyst is reused multiple times, hence there is very less generation for disposal.

The industry has a closed pipelines to transfer process effluent to ETP. The open drains are used for storm drain water only and not for effluent water. Records relating to disposal of by products are attached as annexure 13. The industry is not purchasing crude oil from any Industry, it is directly imported from other countries and getting the same through port's pipe line.

The fly ash silo capacity is for 30 days storage and is effectively functioning in the industry. The fly ash is directly loaded into the truck from silo and despatched.

The industry has more than 33% of the total area as green belt and is voluntarily carrying out various CSR activities in the nearby vicinity of the unit.

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17. I state that as per the report of Joint Committee report at page 9, images were added under the head "Open drains used for carrying both effluent and storm water", the fact is that it is the storm drain and not the effluent drain. The drainage's curbe stone got damaged due to vehicle movement and which was pointed out to the industry during the inspection and it has been rectified immediately and the photos were shared via email dated 02.11.2020 to the Joint Committee. Despite this the Joint Committee did not appreciate the compliance made by industry and went on to point out the same issues in the report, which was already rectified and informed to the Joint Committee.



Broken curbe stone was rectified within 24 hrs & shared in whatsapp to members of Joint committee

18. I state that as per the report of Joint Committee report at page 9, images were added under the head "Stack" The fact is that the stack emission quality is maintained well within the norms. On the occasions of power outages and interruptions there will be slight fluctuations in the SPM levels, when the flue gas temperature drops below 200 deg C. After few seconds of restoration of power supply, the flue gas temperature will raise above 200 deg C and will pass through bag filters which runs in auto mode and the flue gas emission quality falls within the stipulated range. The

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industry's stack monitoring devices is connected with APPCB server which is transferring live data. During inspection, the Industry had 10 days facility as storage capacity of fly ash, now we have increased the silo capacity from 100 Tons to 150 Tons, which was communicated by us to APPCB vide letter dated 10.12.2020. However, as per the directions of APPCB one more silo of 150 Tons capacity also has been added to increase the capacity of ash storage to 30 days. So, presently the industry has 30 days facility as storage capacity.



Stack connected with chimney



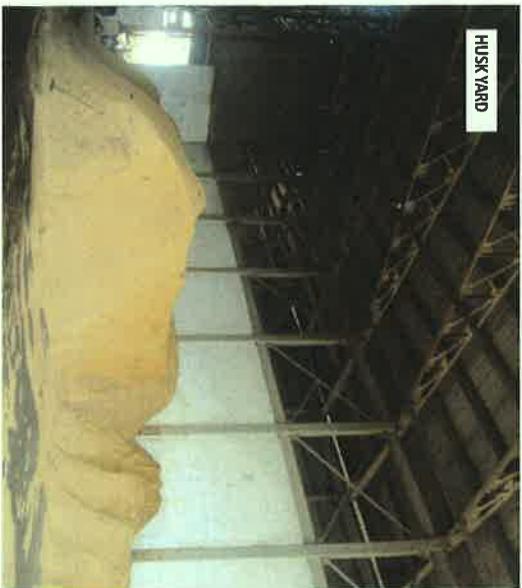
Stack monitoring devices

19. I state that as per the report of Joint Committee report at page 9, images were added under the head "Rice husk storage shed" The fact remains that closed shed is available from the year 2010 for storing coal and husk and the same are stored in the closed shed accordingly. This was also seen by the Joint Committee during their inspection on 13.10.2020. Photo of the closed coal and husk shed is attached as annexure 1. Moreover the area for storing the coal and husk is 35 mtr x 41 mtr x 3 mtr, which is equivalent to 4305 Cubic MTR, where about 3000 tonnes of coal and husk can be stored in the closed shed. Approved layout copy signed by Director of Factories dated 22.02.2010 is attached as Annexure 2. For vehicular movement for coal receipts, one small area is open.

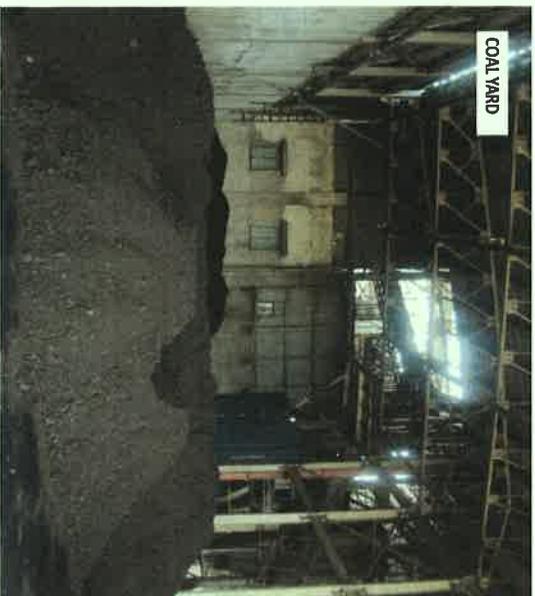
For Gemini Edibles & Fats India Pvt. Ltd.


PRIYADARSHEN
Gen. Manager Legal & Taxation

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Closed husk storage



Closed coal storage

20. I state that as per the report of Joint Committee report at page 9, images were added under the head "fly ash loading into silo" The ash generation per day is only around 10 Tons, which is also stored in the closed silo. The ash stored in the silo are disposed regularly to the brick manufacturing industries. In this situation, the accumulation of ash quantity in the silo does not exceed to the maximum level at any given point of time. To be precise only 25% of the installed capacity of Silo are in use. As per the direction of APPCB one more silo has also been erected to increase the capacity for 30 days storage and the same is also in function. Picture of silo & truck loading arrangement is attached as Annexure 3.



For Gemini Edibles & Fats India Pvt. Ltd.

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Prayadarshe
PRIVADARSHEN
Gen. Manager - Legal & Taxation

Silo for 30 days ash storage facility Ash loading arrangement from silo to truck

21. The industry has received the repetitive notices with same points & all have been replied timely with due compliance to the APPCB offices. But the same points with the same wording, like closed shed for husk & coal, magnetic flowmeters, 33 % green belt etc., have been received in the Joint Committee report also.

22. I state that both Industry and environment has to be balanced and it is very clear that the seventh Respondent is complying all the norms prescribed by the APPCB. The Government has to keep its promises towards the industries and in all the objections mentioned in the monthly review meetings with the APPCB has been complied regularly by the Industry and the same is also reported to APPCB.

23. I further state that it is made clear that the Agricultural lands have not been affected at all, the Joint Committee should have taken time to visit the surrounding area and should have conducted a soil test to ascertain to have any environmental hazards due to the industrial activity. It has become a new trend to extort from the industries a huge amount.

24. I further submit that this Respondent has not left any stone unturned from complying with the pollution control norms. This industry is always open for any surprise inspection on any given day.

25. It is therefore prayed that this Hon'ble Tribunal may be pleased to take on record the above objections / reply to the report of the Joint Committee, reject the proposed net compensation of Rs. 66, 00,000/- suggested in the report to be levied by the APPCB against **Respondent No.7** and pass such

For Gemini Edibles & Fats India Pvt. Ltd.

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PRIVADARSHEN
Gen. Manager
Legal & Taxation

further or other order or orders in the circumstances of the case and thus render justice.

Dated at Hyderabad on this the 17th Day of February 2021

For Gemini Edibles & Fats India Pvt. Ltd.


PRIYADARSHEN
Gen. Manager
Legal & Taxation

Counsel for the Respondent No. 7

Respondent No. 7

VERIFICATION

I, PRIYADARSHEN, S/o Late Basava Reddy, working as General Manager (Legal and Taxation), the Authorised signatory of Respondent No. 7, do hereby verify and declare that the facts stated above in para no.1 to 25 are true and correct to the best of my knowledge and ability. The documents submitted are photocopies of the Originals.

Dated at Hyderabad on this the 17th Day of February 2021

For Gemini Edibles & Fats India Pvt. Ltd.


PRIYADARSHEN
Gen. Manager
Legal & Taxation
Respondent No. 7

Counsel for the Respondent No. 7

**BEFORE THE HON'BLE NATIONAL GREEN
TRIBUNAL,
CHENNAI**

APPLICATION NO: 221 OF 2015
(Public Interest Litigation)

Between:

Isanakavedavathi
H.No.16-4-966, Pinakini Avenue,
Near Appolo Hospital,
Nellore-524 003.

.....Petitioner

-Vs-

1. Union of India,
Rep by its Secretary,
Ministry of Environment, Forest
and Climate Change,
III Floor, Prithivi Wing,
Indira ParyavaranBhavan,
Jor Bagh, New Delhi-110003
& 10 others

.....Respondents

OBJECTIONS FOR RESPONDENT – 7

D. SREENIVASAN

COUNSEL FOR RESPONDENT – 7