

August 9, 2021

To
The Joint Committee Members
(Constituted Pursuant to NGT order dated: 02.06.2021)
SPSR Nellore

Respected Members

Sub: Preliminary Written objections / Representation before the Joint
Committee Members, Hon'ble NGT order dated: 02.06.2021 in OA
No.144 of 2020 - Reg

Ref: Venkata Narayana Active Ingredients Pvt Ltd, Chandrapadiya (V),
Vinjamur (M), SPSR Nellore District.

I have applied under Right to Information Act for certain information to substantiate my allegations made before various authorities and the information yet to receive from the respective authorities.

I would further request to extent time for submission of final objections / Representation another 4 weeks' time.

I would like to bring your kind notice the following few lines for your kind consideration and appropriate action.

1. **The Company has already completed construction activities for expansion of 142 TPA to 500 TPA**
 - a) By Constructing huge building around 5/6 Floors without prior approval of Panchayat, DTCP, Some of the documentary evidence are attached in **annexure -1**
 - b) Environment Clearance (EC) issued after Construction instead of prior approval
 - c) Consent for establishment issued after Construction instead of prior approval
 - d) It seems that trial runs or commercial production started by seeing the factory from our land, North side of Factory without CFO during the month of April 2021.
2. **Minutes of the CFO Committee held on 19.05.2021, Item No.11, *there are 10 non-compliances***, among one non-compliance is that green belt developed 5 acres as against 11 acres (33% of total area)

The Industry is operating since 2006-07, after 15 years also could not able to develop planation as required.

“In point No.14 states that an accident was occurred on 11.05.2021 due to leakage of methanol from scrubber vent, as the scrubber was not functioning. Due to this 5 workers got suffocation, out of them 3 workers died and 2 workers severely injured”.

“This happened due to lack of safety measures in the factory”

3. APPCB, Vijayawada, Order No.71/APPCB/UH-II/TF/NLR/2021 dated: 26.05.2021, ordered stop production to the Industry *for continuous non-compliance observed and new construction works being taken up by the Industry under expansion project without obtaining EC from MoEF& CC, GoI & CFE of the Board.*

In the same letter observed that “This Office received several complaints against the odour nuisance particularly during night times

4. Minutes of the CFO Committee held on 16.06.2021, Item No.12, *recommended to defer the issue of CFO & HWA to the Industry till next meeting* and will take a decision as per the findings of the District Collector, SPSR Nellore for extension of CFO
5. **On 25.06.2021, APPCB issued consent order No.APPCB/VJA/NLR/10725 /HO/ CFO.**

On 16.06.2021 the CFO Committee *recommended to defer the issue of CFO and what circumstances the* Committee has approved with in short span of 9 days. What miracle happened during the short period? The Industry could not able to do certain compliances for years together. How compliance was made?

We are not finding any improvement in environmental governance, because of the expert committees. These committees are not serving public interest at large.

6. **Consent order for establishment order No.174/APPCB/CFE/RO-NLR/HO/2011 DT:25.03.2021**

On 11.03.2020, the Industry has applied for Building permission to Panchayat Secretary and on payment of taxes, approved on 13.09.2020, for completed building

It seems that Building permission applied after construction of Building. After construction, applied for Consent for establishment. It should be before construction.

In each and every stage of operations there are several clear-cut violations.

7. **Consent Order for establishment order No.174/APPCB/CFE/RO-NLR/HO/2011 dated: 25.03.2021**

The proponent shall obtain consent for operation (CFO) from APPCB before commencement of the trail runs. Whereas actual commencement took place from 24.04.2021

8. The Hon’ble NGT vide order dated 27.11.2020 (OA No.144/2020) directed that the allegations in the complaint need to be looked into by APPCB. Accordingly Joint Inspection Committee constituted and report dated: 23.01.2021.

In this report the Committee didn’t bring to the notice of Hon’ble NGT that Major accidents took place on (massive explosion) 29.07.2020 and died 3 persons.

The fact of known information is hided (concealed) and not disclosed in the report. But everything narrated about the company till approval of 500 TPA.

I mailed to Hon’ble NGT, New Delhi previous year June instead of making petition. But the Hon’ble NGT has taken one point only ie., Ground Water issue.

At present Hon’ble NGT, requesting to club other points in the report or make a fresh application for allowing petition.

9. Inspection order or notice dated: 08.11.2020, R.No.22694/2020 by Dy. Chief Inspector of Factories, Nellore

Certain lapses like

- a) Failed to provide certain equipment's in emergency control centre (18 points)
- b) No registers regarding earth pit maintenance are produced to Dy.FAC
- c) Failed to open and maintain over time register and failed to produce the same at the time of inspection on demand.
- d) In this report most of the rules reproduced and **no further action**.

All above are petty thing written. However, we suspect that main content not disclosed in the report. As and when accidents, then reporting some non-compliance.

10. The following problems faced during the past few years and the existing unit itself faced several problems like

a) indulging ground water:

CPCB vide letter dated. November 25, 2019, not installed flow meters and not installed online monitoring systems by June 30, 2015, in case of Zero Liquid Discharge (ZLD) and directed to pay environmental compensation charges to the extent of Rs.85,50,000/- to CPCB.

Damages to the nearest people and compensation paid to Central Pollution Control Board, Delhi for environmental compensation charges, which is unfair and un-justice.

The Ground Water Dept. approved 2 bore wells with 10 hours drawing only but practically used 4 to 5 bore wells more than 10 hours. The Dept. advised to close other bore well and that didn't happen so far. No body checked or taken any remedial measures.

During the year 2018-19 and 2019-20, The Unit purchased water tankers from different farmers in the Village. Apart from tankers, direct agricultural bore wells also taken on lease by paying huge amount on monthly. These some of the bore wells are used 24 hours power to draw water for production purpose.

Instead of treating water thru effluent plants, fresh water bought and used water thrown in either recharged to idle bore wells or pumped to forest area thru pipe lines.

Faced lot problem to get water to the existing requirement of 173.8 KLD.

Now increased to 320.4 KLB may be serious.

The above may be examined to find out factual by checking books of accounts.

The Industry is established in agriculture and residential area which may not be sustainable for longer term.

In a view of detailed explanation on different points in this representation may be examined.

We have several options are available to make our presentation If justice is not done to the surrounding villages.

b) air pollution

The distance from Chemical factory to village about 0.30 km. we are aware that as and when wind direction from south to north, it always strong odour (smell) and difficult to breach. It is well known fact that it breach for longer period of time, inter alia, lungs may damage and causes for cancer.

The odour generating from some of the product process gets irritates and causing severe odour nuisance in the surroundings areas.

Heavy bad smell coming from the factory during night times which creates throat and eye irritations.

It is not one hour or one day and it is continues process for life time to the people of villagers. Its 24/7.

In a view of above, living in the village not only adults but also children's and aged person have to inhale the odour throughout the day.

Potential threat to cause adverse effect on the air quality

Whereas employees just 8 hours duty only but odour not too much in the premises (inside the factory except near ETP).

It may spread in the air surrounding areas and dilute if the village more than 3 or 4 km.

c) Effluent treatment not done properly.

The water harvesting pit is using for dumping waste water instead of rain water. Its red soil, water may penetrate into the ground. In fact, water harvesting pit always full tank. They discharged untreated trade effluents on to the open lands and now it was closed.

The above may be examined to reveal facts.

d) Skilled Labour/ unskilled labour

Most of the labour uneducated/ inexperienced in the field and these people are used for production works. Consequently the accidents took place very frequently knowing or unknowingly.

The innocent (illiterate) people are cheated by Contractors by taking Casual Labour employment. The Chemical Industry allocated some labours to each contractor to support the Industry and create unrest among the Villagers by dividing people.

Contractors bank accounts, salaried paid to workers may be reviewed/ audit by the concerned departments, like ESI, PF, IT and other welfare departments.

Equal wages not paid to women and men may be examined to find out truth.

Consequently, the Contractors contravened the provisions of Right to get Equal Remunerations and minimum wages, working hours etc.,

Detailed Enquiry Report in connection with fire accident occurred on 29.07.2020, which states that contract workers are involving in the Hazardous process of charging chemical power into the Reactors. ***But these contract workers should involve loading and unloading of goods only.***

Further states that the Management is negligent in training the personnel, negligent in its operations and also have not installed proper safety equipment, keeping in view the hazards that may cause in its operations to the surroundings

e) Other points

- ✓ You may examine Environmental Management Budget and actual expenses
- ✓ Further also examine Corporate Environmental Responsibility Budget and actual expenses
- ✓ The Villagers are not aware of what is happening in the factory which has not complied with several laws and it is not duty of the Villagers whether the Industry is complying or not.
- ✓ Everyone wanted safety in terms of health, environment and peace of mind. Recent COVID attached several people. No one could have saved lives of people.
- ✓ We lost all above since establishment of Industry, all these years. We wanted peace of mind by shifting the Industry or not approving enhanced capacity to 500 TPA. Existing Industry may continue some years and shift to Industrial Area or where is no village in surrounding areas.
- ✓ In our guava plantation labour are not coming due to strong odour. For regular works like weeding out plants, to give fertilisers, to cut ripened fruits etc.
- ✓ Major accidents took place on (massive explosion) 29.07.2020, (poisonous gas leakage) 11.05.2021 and 7/8 workers lost their lives. Again in June 2021, one worker lost his eye vision completely and unknown damages not aware.
- ✓ If above leakage spread over the village, then who will be responsible for any damages and nearby there were no Corporate Hospitals like Vizag.
- ✓ The nearby villagers did Dharma's for several days and disputes between the factory and Villagers and fought each other, filed several cases.
- ✓ Villagers suffered a lot without food, shelter to escape arrest from Police.
- ✓ Cases withdrawn by the Management for their safety to run the factory in big way again
- ✓ At present trying to get approval by influencing in different methods which may not be safe to the public at large without complying various laws.
- ✓ Very recently the Chemical Factory gave several works to several people in the Village to manage the things to control the agitation which is unfair and unethical without complying with various laws.
- ✓ As per information, on the date of the accident, the factory people called the contractors and advised them not to create any problem and manage things without further complications.
- ✓ Hence, we the villagers of Chandrapadiya village urge you to bring the above issues to the notice of other members of the committee and reject the above said EC proposal, Consent for operations etc.,

Many complaints were registered on this Factory and each department know that how many complaints filed by general public. Some of the complaints are ;

1. National Human Rights Commission,
2. National Green Tribunal,
3. Ministry of Social Justice, Govt of India,
4. Ministry of Labour and Employment, Govt of India,
5. MoEF & CC,GoI,
6. Central Ground water Authority, Ministry of Jal Shakthi,GoI
7. Central Pollution Control Board, APPCB, District Collector, RDO etc.,

It has been observed that in several approvals given subject to fulfilment of certain compliances. Even subsequent approvals also issued in similar fashion without examining previous approval/ compliance conditions.

Each and every department, committees etc., writing adverse reports as and when something wrong happened.

After few days every one forgets and makes good comments and issues further order for running of Industry.

In a view of above several lapses in establishing and operating the Industry, you may kindly take appropriate action against the Industry and accordingly report to Hon'ble National Green Tribunal (NGT) for the time being.

With regards

Bhaskara Rao Vemuri, Applicant/ Neighbour landlord
NGT-Case No.OA-144/2020

Phone No.0861- 2326811

GOVERNMENT OF ANDHRA PRADESH

OFFICE OF THE DISTRICT TOWN
AND COUNTRY PLANNING,
SPSR NELLORE DISTRICT.

Endt.Memo.No.47/2021/DTCPO/NLR,Dated 03.07.2021.

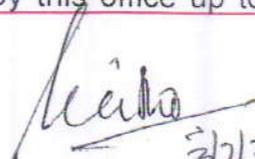
Sir,

Sub:- A.P Right to Information Act - 2005 –O/o District Town and Country
Planning Officer, Nellore Request for want of certain certified
Information Issued- Reg.

Ref:- RTI Act filed by Sri V. Bhaskara Rao, Flat No. 105,Badam
Sohana Apartments, Ribhavan road, Somajiguda, Hyderabad.

It is to inform that, this office was established on 01.06.2007 in Nellore District. Regarding your required information i.e., approved Installation of Venkata Narayana Ingridients Pvt. Ltd., (Formals Nutra Specialities Pvt. Ltd.,) Chandrapadiya village, Vinjamur Mandal, SPSR Nellore District of Andhra Pradesh State. After verified the office record from 01.06.2007 to till to date the above mentioned Installation is not traced in this office.

Therefore, the above said Installation is not approved by this office up to till
date.


Public Information Officer,
Office of the District Town and
Country Planning Officer, Nellore.

To
Sri V. Bhaskara Rao
Flat No. 105, Badam Sohana Apartments,
Ribhavan road,
Somajiguda,
Hyderabad – 500082.

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10/07/2024

నుండి
బి. నరసింహ నాయుడు
బుక్కాపురం గ్రామ పంచాయతీ కార్యదర్శి
వింజమూరు మండలము
SPSR నెల్లూరు జిల్లా.

వరకు
వి. భాస్కర్ రావు
plot No.105 Badam
Sohana Apts
Rajbhavan Road , Somajiguda,
Hyderabad, 500082.

బుక్కాపురం గ్రామ పంచాయతీ మజరా చంద్రపడియ గ్రామములో ఉన్న శ్రీ వెంకట నారాయణ యాక్టివ్ ఇంకేడియంట్స్ Pvt Ltd కంపెనీకి సంబంధించి సవరించబడిన ప్లాన్ Layout Approval కాలాని 11-March-2020 న అర్జీ దాఖలు చేసినారు. వారు ఇచ్చిన ప్లాన్లు పరిశీలించి గ్రామ పంచాయతీకి 12,53,844 రూపాయిలు చెల్లించిన యడల మేము ప్లాన్ అప్రూవల్ ఇవ్వగలము అని 19-08-2020 న నోటీస్ ఇచ్చినాము వారు 09-09-2020న అమౌంట్ ను పంచాయతీకి జమచేసినారు. మేము 13-09-2020 న ప్రొసీడింగ్స్ ఇచ్చినము.

- కంపెనీ వారు 2015-16 సంవ్సరమునకు 37,220 రూ
- 2016-17 సంవ్సరమునకు 41,870 రూ
- 2017-18 సంవ్సరమునకు 45,337 రూ
- 2018-19 సంవ్సరమునకు 48,774 రూ
- 2020-21 సంవ్సరమునకు 66821 రూ
- 2021-22 సంవ్సరమునకు 3,96,417 రూ

గ్రామ పంచాయతీకి Property Tax జమ చేయడమైనది.

ఇట్లు
పంచాయతీ కార్యదర్శి
B. V. S. R.
Panchayat Secretary
BUKKAPURAM (V)
Vinjamur (M)
SPSR NELLORE DISTRICT

July 15, 2021

To
The Bukkapuram Panchayat Secretary
Bukkapuram, Chandrapadiya - Post
Vinjamur (Mandal)
SPSR Nellore Dist- 524 228

Dear Sir

Sub: M/s. Venkata Narayana Active Ingredients Pvt Ltd, Chandrapadiya Village

Ref: 1) Your letter Nil dated....., in response to under Right to Information Act.
Ref: 2) Endt.Memo No.47/2021/DTCP/NLR, dated: 03.07.2021, Office of the
District Town and Country Planning Officer, Nellore

With reference to the above subject, we would like to bring your kind notice that the **Venkata Narayana Active Ingredients Pvt Ltd** ("The Company") has approached the above said office, for expansion/ construction of new building permission on 11.03.2020 after completion of about 70-80% works.

We came to know that the Panchayat Secretary with permission of the higher authorities, has levied penalty to the extent of Rs.12,53,844/-. Accordingly, the Company has paid and approved without any authority ie., Panchayat is empowered to approve up to 3 floors.

Whereas the above said Company constructed illegally 4th to 6th Floors which are unauthorised floors.

Any construction whether residential or commercial above 3 floors is authorised/ approved by the **District Town and Country Planning Officer**, Nellore (DTCP). DTCP office has confirmed that they have **not given any approvals** to the said Company.

We would like to bring further that the Panchayat has also no right to give any approval after construction is being completed unless **Building Regularisation Scheme** is in force (BRS).

At present there is no such BRS in the state of Andhra Pradesh.

Hence the approval is issued by Panchayat Secretary for completed building **is null and void**. The approval for construction is before any activity. But not after construction is completed, even though the Company has paid for penalty, **it doesn't regularise the default or make good**.

It seems that the company has violated several conditions prescribed by the APPCB, other departments. Consequently two major accidents took place on 29.07.2020 (massive explosion), on 11.05.2021 (poisonous gas leakage) and 7/8 workers lost their lives.

The Company has already completed construction activities for expansion of 142 TPA to 500 TPA (Huge building around 5/6 Floors) without approval of Environment Clearance (EC), without prior approval of Panchayat, DTCP etc., and it seems that trial runs or commercial productions are going on.

V.R. [Signature]

At present they are trying to get approval's by influencing in different methods which may not be safe to the public at large without complying various laws.

Exiting capacity itself created lot of problems but expansion more than 2 times may not visualise the future of village environment, purity of underground water, safely and health of the villagers.

Prayer:

- 1) Request to demolish the unauthorised construction from 4th floor to 6th floors by giving proper notice
- 2) Request to file legal cases against the company for illegal construction

Sincerely


Bhaskara Rao Vemuri
Flat No.105, Badam Sohana Apartment
Rajbhavan Road, Somajiguda
Hyderabad- 500 082, Telangana
Mobile No.9392399570

Encl: a) Panchayat Secretary Letter and b) DTCP letter

Cc to:

- ✓ 1) the MPDO, Vinjamur, SPSR Nellore Dist – 524 228
- ✓ 2) DTCP, D.No.908/39 Bhakta Vatsala Nagar, Near RTO Office, SPSR Nellore -524 003
- ✓ 3) Sri. KVN Chakradhar Babu, IAS, Collector and District Magistrate, Achari vari Street, SPSR Nellore- 524001
- ✓ 4) Chief Secretary to Government of A P, Building #1, 1st Floor, Interim Government Complex, A.P. Secretariat, Velagapudi, Guntur, Andhra Pradesh
- ✓ 5) Sri Gopal Krishna Dwivedi, I.A.S., Principal Secretary, PR & RD, Block No. 5, A.P. Secretariat. Velagapudi, Amaravathi - 522237
- ✓ 6) Sri M. Girija Shankar, I.A.S., Commissioner, PR & RD, No. 12-47, P.V.S. EMPIRE, Near Pratur Cross Road, Tadepalli, Guntur District -PIN: 522 501
- ✓ 7) Directorate Of Town And Country Planning, Government Of Andhra Pradesh, MGM Capital, Ground Floor, Near NRI Flyover, Beside little Village Restaurant Chinakakani, Mangalagiri, GUNTUR-522508

4

Phone:0861-2326811

GOVERNMENT OF ANDHRA PRADESH

From:
The District Town and Country
Planning Officer,
D.No.908/39, B V Nagar,
Near RTO Office,
Nellore – 524004

To
The Panchayat Secretary,
Bukkapuram Gram Panchayat,
Vinjamur Mandal,
SPSR Nellore District.

Lr.Roc.No.78/2021/DTCPO/NLR,dated 19.07.2021.

Sir,

Sub:- Complaints - O/o. District Town and Country Planning Officer, Nellore -
Complaint against the Unauthorized Construction for Company in the
name & style of "Veenkata Narayana Active Ingredients Pvt. Ltd.,"
with 6 floors - Detailed report along with details of previous approvals -
Called for - Reg.

Ref:- 1. Your Lr. No. Nil, dated Nil addressed to the applicant under RTI Act
2. Representation of Sri Vemuri Bhaskara Rao, Hyderabad dated
15.07.2021

With references to the above, I forward here with a copy of Representation
submitted by Sri Vemuri Bhaskara Rao, Somajiguda, Hyderabad. I request you to
take action against the unauthorized construction in the name & Style of Veenkata
Narayana Active Ingredients Pvt. Ltd., and submit the detailed report along with
details of previous approvals issued by the Gram Panchayat at the earliest so as to
take further necessary action in the matter.

Yours faithfully,

M. Himabindu
20/7/21.

District Town and Country
Planning Officer, Nellore (FAC)

19/7/2021

Encl:- References 1st & 2nd

Copy to the applicant for information.

Copy submitted to the Director of Town and Country Planning, AP., Mangalagiri for
kind information.

Copy submitted to the Collector & District Magistrate, Nellore, SPSR Nellore District
for kind information.

26/07/2021

6
RN037289285IN IVR:8278037289285
RL SOMAJIGUDA S.O (500082)
Counter No:5,15/07/2021,11:27
To:THE COMMISSIONER,PRRD
PIN:522501, Tadepalle S.O
From:V.BHASKARRA RAO,COMPANY SEC
Wt:24gms
Amt:27.00(Cash)
(Track on www.indiapost.gov.in)
(Dial 18002666868) (Wear Masks, Stay Safe)

1
RN037289339IN IVR:8278037289339
RL SOMAJIGUDA S.O (500082)
Counter No:5,15/07/2021,11:27
To:THE MPD,VINJAMUR
PIN:524228, Vinjamur S.O
From:V.BHASKARRA RAO,COMPANY SEC
Wt:33gms
Amt:27.00(Cash)
(Track on www.indiapost.gov.in)
(Dial 18002666868) (Wear Masks, Stay Safe)

2
RN037289342IN IVR:8278037289342
RL SOMAJIGUDA S.O (500082)
Counter No:5,15/07/2021,11:27
To:THE MDIR,DTCP
PIN:524003, Dargamitta S.O
From:V.BHASKARRA RAO,COMPANY SEC
Wt:26gms
Amt:27.00(Cash)
(Track on www.indiapost.gov.in)

15/07/2021
B

(Dial 18002666868) (Wear Masks, Stay Safe)

3
RN037289325IN IVR:8278037289325
RL SOMAJIGUDA S.O (500082)
Counter No:5,15/07/2021,11:27
To:DR.NARSIMHA MAIDU,BUKHA PURAM
PIN:524228, Vinjamur S.O
From:V.BHASKARRA RAO,COMPANY SEC
Wt:36gms
Amt:27.00(Cash)
(Track on www.indiapost.gov.in)
(Dial 18002666868) (Wear Masks, Stay Safe)

4
RN037289311IN IVR:8278037289311
RL SOMAJIGUDA S.O (500082)
Counter No:5,15/07/2021,11:27
To:THE CHIEF SEC,BOVT OF AP
PIN:522237, Tulluru S.O
From:V.BHASKARRA RAO,COMPANY SEC
Wt:25gms
Amt:27.00(Cash)
(Track on www.indiapost.gov.in)
(Dial 18002666868) (Wear Masks, Stay Safe)

3
RN037289308IN IVR:8278037289308
RL SOMAJIGUDA S.O (500082)
Counter No:5,15/07/2021,11:27
To:THE COLLECTOR,SPSR
PIN:524001, Nellore H.O
From:V.BHASKARRA RAO,COMPANY SEC
Wt:25gms
Amt:27.00(Cash)
(Track on www.indiapost.gov.in)
(Dial 18002666868) (Wear Masks, Stay Safe)

7
RN037289299IN IVR:8278037289299
RL SOMAJIGUDA S.O (500082)
Counter No:5,15/07/2021,11:27
To:THE COMMISSIONER,DTCP
PIN:522508, Namburu S.O
From:V.BHASKARRA RAO,COMPANY SEC
Wt:26gms
Amt:27.00(Cash)
(Track on www.indiapost.gov.in)
(Dial 18002666868) (Wear Masks, Stay Safe)