

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI**

ORIGINAL APPLICATION NO. 111 OF 2023

Suo Motu case based on News item published in the newspaper The Hindu dated 10.02.2023 entitled " 7 asphyxiated while cleaning edible oil tank at factory in Andhra Pradesh's Kakinada district"

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Date: 24.02.2023

Narandhu Asok
Environmental Engineer,
A.P. Pollution Control Board,
Regional Office, Kakinada.

**ENVIRONMENTAL ENGINEER
A.P.POLLUTION CONTROL BOARD
Regional Office, KAKINADA**

A.P. Pollution Control Board Report submitted in compliance Hon'ble NGT, Principal Bench, New Delhi Notice dt. 10.02.2023 in the matters of O.A. No. 111 of 2023 - Suo Motu case based on News item published in the newspaper The Hindu dated 10.02.2023 entitled " 7 asphyxiated while cleaning edible oil tank at factory in Andhra Pradesh's Kakinada district".

* * *

It is to submit that the Hon'ble NGT, Principal Bench, New Delhi taken up on suo motu in re: News item published in the newspaper The Hindu dated 10.02.2023 entitled " 7 asphyxiated while cleaning edible oil tank at factory in Andhra Pradesh's Kakinada district" and issued notice dated 10.02.2023 to the Member Secretary, APPCB, Director of Factories, Government of Andhra Pradesh, Collector / District Magistrate, Kakinada, Andhra Pradesh, M/s. Ambati Subbanna & Co. Oils Mills, PDP Road, Opp: SBI Bank, Samalkot-533440, Andhra Pradesh that this matter will be listed on 28th February, 2023 and to appear before the Hon'ble Tribunal either in person or by pleader duly instructed, with their response.

In this connection, it is to submit that an accident was occurred in M/s. A.S. Agro Industries, D.No.9-74 (9-87 Old), G.Ragampeta Village, Peddapuram (M), Kakinada District, A.P., on 09.02.2023 and the officials of Revenue, Police, Factories, Labour, APPCB immediately rushed to the site and observed death of seven workers on spot and seized the unit by Revenue Department.

The District Collector, Kakinada has constituted a committee on 09.02.2023 for detailed enquiry into the incident with the following officials headed by Joint Collector, Kakinada.

1. Deputy Commissioner of Labour, Kakinada
2. Deputy Inspector of Factory, Kakinada
3. Environmental Engineer, Kakinada
4. District Industries Officer, Kakinada
5. Revenue Divisional Officer, Peddapuram

In pursuance of the proceedings of the District Collector, Kakinada, the Environmental Engineer, A.P. Pollution Control Board, Regional Office, Kakinada along with other Committee members headed by Joint Collector inspected M/s. A.S. Agro Industries, D.No.9-74 (9-87 Old), G.Ragampeta Village, Peddapuram (M), Kakinada District on 10.02.2023 and the details are submitted below:

1. M/s. A.S. Agro Industries, D.No.9-74 (9-87 Old), G.Ragampeta Village, Peddapuram (M), Kakinada District leased out the unit to M/s. Ambati Subbanna & Co., Oil Firm.

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2. The unit established and carrying two activities i.e., i) steeping and processing of sesame grains and ii) Oil Storage & Packaging unit. There is no manufacturing of oil in the premises. Oil procured from the outside is being stored in MS tanks and packed in bottles in packaging unit.
3. As per the information from Industries Department, the total cost of the project is Rs.575 Lakhs (Land-Rs.10 Lakhs, Building –Rs.150 Lakhs and Plant & Machinery – Rs.415 Lakhs). As per the records, the Eastern Power Distribution Corporation released power supply to the industry on 16.12.2017.
4. APPCB vide Resolution No. 948, in its 78th meeting held on 07.08.1995, authorized, Industries Department to issue acknowledgement to non polluting SSI units other than 60 categories notified in G.O.Ms. No.1 & 2, dated 23.01.1995. Subsequently, the EFS & T department amended the G.O.Ms. No.1 & 2 time to time and added 6 more polluting industries to 66 in total. The 66 categories of polluting industries requires Consent to Establish (CTE) / Consent to Operate (CTO) of the Board under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and under section 21/22 of the Air (Prevention and Control of Pollution) Act, 1981. From 07.08.1995 onwards, Industries Department issued one time acknowledgement to treat it as Consent of the APPCB to other than 66 categories of industries. Subsequently, the EFS & T Department vide G.O.Ms. No.42, dated 01.08.2017 withdrawn the power delegated to General Manager, District Industries Centre to issue acknowledgement from pollution angle to SSI units, other than 66 categories polluting SSI units. **Accordingly, Board Office, A.P. Pollution Control Board issued instructions to all Regional Officers of APPCB vide Memo dated 08.08.2017 directing that to issue acknowledgements to the non-polluting SSI units, other than the 66 categories of polluting SSI units within 5 days in the enclosed format with the following condition without any inspection and clarification.**
 - The industries shall not be located in residential areas as per G.O.Ms.No.63, dt.02.05.1995 issued by industries & Commerce (SSI) Dept., Govt., of A.P.
5. As per CPCB classification of industries, the activity i.e., steeping & processing of grains falls under Green category and the above two activities i.e., steeping and processing of sesame grain and Oil Storage & Packaging unit are not covered under 66 categories of polluting SSI industries. One time acknowledgement is required to establish and operate the unit. But the unit has neither obtained Acknowledgement of the APPCB nor applied for the same and continuing its operations without permission.

6. The unit stored oil in the premises for packaging, for which the unit has provided 8 no.s of MS storage tanks. The capacities of storage tank No.1, 2 & 3 is each 12 Tonnes capacity, Tank no.4 & 5 are each of 45 Tonnes capacity, Tank no.6 & 7 nos is of each 90 Tonnes capacity and Tank no.8 is of 12 Tonnes capacity, without providing dyke walls in order to prevent water & soil pollution due to leakages.
7. Carrying of steeping and processing of sesame grains generates wash water and the unit has not provided adequate Effluent Treatment Plant (ETP) to treat the effluent generated during the steeping and washing operations. Provided one sludge drying bed only. The unit has been storing untreated effluent in unlined lagoons. Storage of untreated wash water in unlined lagoons led to contamination of ground water.
8. Wastewater samples were collected and the results of analysis reports are submitted below:

S.No.	Parameters	Values (mg/l)		Discharge Standards
		Untreated wastewater sample collected from collection pit (Gingelly Seeds pulping)	Untreated wastewater sample collected from lagoon located at North-East corner of the plant	
1.	pH	7.65	7.44	5.5 – 9.0
2.	Total Suspended Solids (TSS)	174	160	200 mg/l
3.	Total Dissolved Solids (TDS)	2440	2420	2100 mg/l
4.	Chemical Oxygen Demand (COD)	576	412	250 mg/l
5.	Biochemical Oxygen Demand (BOD)	170	130	100 mg/l

9. As per the above analysis results, the concentration of Total Dissolved Solids (TDS), Chemical Oxygen Demand (COD) & Biochemical Oxygen Demand (BOD) in the wastewater are exceeding the discharge standards prescribed. A show cause notice was issued to the unit for payment of Environmental Compensation of Rs. 69,37,500/- for the period from 16.12.2017 (date of power release) to 09.02.2023 (date of accident) for non-compliance of discharge standards, based on CPCB Formula, as detailed below:

$$\text{CPCB Formula for EC} = \text{PI} \times \text{N} \times \text{R} \times \text{S} \times \text{LF}$$

PI - Pollution Index (30 for green category)

8

N - Number of days of violation (1850 days i.e., from the date of power release i.e., on 17.12.2017 to 09.02.2023.

R - Compensation Factor in Rs. (Rs. 250/-)

S - Scale of the Industry (0.5 for Small Scale)

LF - Locational Factor (1 for less than 1 million

population) $EC = 30 \times 1850 \times 250 \times 0.5 \times 1 = \text{Rs.}$

69,37,500/-

10. Industrial accidents covered under Factories Act, 1948 and the Deputy Chief Inspector of Factories, Kakinada issued showcause notice to the Lessee & Lessor for launching prosecution.
11. Not provided manholes to storage tanks for removal & cleaning of tank bottom sediments. Improper handling of tank bottom sediments led to accidents. Spillages of tank bottom sediments were observed near the storage tanks.
12. While cleaning and removing of tank bottom sediments at tank no.5, seven workers were died on spot due to anaerobic conditions inside the tank. Oil sediment samples were collected from MS storage tank No.5 in which accident occurred and MS Drum containing oil sediment. As per the analysis results, the concentration of Sulphide (as H₂S) in the MS storage tank no.5 is 1.2 mg/kg and 5.5 mg/kg in the MS Drum. As per the analysis report, it was evident that the toxic gas in the storage tank is Hydrogen Sulphide (H₂S).
13. The A.P. Pollution Control Board has issued Closure Order to the industry for operating without permissions of the Board and without proper pollution control measures on 10.02.2023 and same was implemented.

This report is submitted to the Hon'ble NGT in due compliance of the notice issued by this Hon'ble Tribunal. The APPCB will abide by all such directions as this Hon'ble Tribunal may deem fit and appropriate.

Date: 24.02.2023

Narashankar

Environmental Engineer,
A.P. Pollution Control Board,
Regional Office, Kakinada.

ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
Regional Office, KAKINADA

NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH
FARIDKOT HOUSE, COPERNICUS MARG
NEW DELHI- 110001

Date: - 10.02.2023

To,

1. Member Secretary, Andhra Pradesh Pollution Control Board,
(0866-2463204, membersecy@appcb.gov.in)
2. Director of Factories, Government of Andhra Pradesh,
(9000905701, dfhyd-ap@gov.in)
3. Collector/ District Magistrate, Kakinada, Andhra Pradesh,
(0884-2365424, collector-kkd@ap.gov.in)
4. Ambati Subbanna & Co. Olis Mill, PDP Road,
Opposite SBI Bank, Samalkot - 533440, Andhra Pradesh,
(6304121345, customercare@asbrandoils.com)

Subject: - Notice of hearing in Suo Motu matter In re: News item published in the newspaper The Hindu, dated 10.02.2023 entitled "7 asphyxiated while cleaning edible oil tank at factory in Andhra Pradesh's Kakinada district".

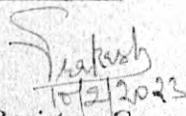
NOTICE

Take notice that **OA No. 111/2023** (Copy enclosed) Titled "**7 asphyxiated while cleaning edible oil tank at factory in Andhra Pradesh's Kakinada district**". will be listed before the **Hon'ble Tribunal at Faridkot House, Copernicus Marg, New Delhi- 110001 on 28th February, 2023** through Physical Hearing (With Hybrid Option), when you may appear before the Hon'ble Tribunal either in person or by a pleader duly instructed, with your response.

Take further notice that in default of your appearance on the date above mentioned, the said Application will be heard and determined in your absence.

Given under my hand and the seal of this Tribunal, on this 10th February, 2023.

Note: (For Orders, Cause Lists & other information, please visit our website www.greentribunal.gov.in)


10/2/2023
Registrar General
National Green Tribunal

Encl. As Above



Government of Andhra Pradesh
Collectorate, Kakinada District: Kakinada

Computer No. 25230

Dt.09.02.2023

**PROCEEDINGS OF THE COLLECTOR & DISTRICT MAGISTRATE,
KAKINADA DISTRICT: KAKINADA**

PRESENT:: DR.KRITIKA SHUKLA, I.A.S.

Sub: Accidents - Kakinada District - Peddapuram Division & Mandal - G.Ragampeta Village - 7 (seven) factory workers died on 09.02.2023 between 7.30 AM and 9.00 AM while cleaning the boiler tanks at Ambati Subbanna & Co edible oils - Enquiry into the cause of the accident and other aspects - Constitution of Committee with officials - Orders issued.

Ref: C/24/2023, dt.09.02.2023 of the Tahsildar, Peddapuram Mandal.

ORDER

The Tahsildar, Peddapuram Mandal in the reference read above has reported that 7 (seven) factory workers died on 09.02.2023 between 7.30 AM and 9.00 AM while cleaning the boiler tanks at Ambati Subbanna & Co edible oils, G.Ragampeta Village of Peddapuram Mandal. There were 7 factory workers working at the time of the incident, and 7 individuals have died.

In order to cause detailed enquiry into the incident, a committee is hereby constituted with the following officials headed by the Joint Collector, Kakinada

1. Deputy Commissioner of Labour, Kakinada
2. Deputy Inspector of Factories, Kakinada
3. Executive Engineer, APPCB, Kakinada
4. District Industries Officer, Kakinada
5. Revenue Divisional Officer, Peddapuram

The above committee shall conduct detailed enquiry into the cause of the incident with reference to the compliance of all safety and security requirements by the Management and suggestions/ recommendations for the measures to be taken for not to incur such incidents in future anywhere in the District.

The Committee shall submit report to the undersigned within 3 (three) days without fail.

Kritika
District Collector
Kakinada District: Kakinada

2/9/23 *CHS/9/2/23*
DRO

To
The Officers concerned
Copy to the Tahsildar, Peddapuram
Copy to CC to Collector / Joint Collector / DRO



**ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE**

Plot No.2, IDA, Ramanayyapeta, Kakinada-533005

N.Asok Kumar,
Environmental Engineer

Ph: 0884 -2374066
E-mail:rokkd-ee1@pcb.ap.gov.in
Website:appcb.ap.nic.in

CLOSURE ORDER

Order No/APPCCB/RO-KKD/2023- 2087

Date: 10.02.2023

Sub: APPCB - RO - KKD - M/s. A.S. Agro Industries, D.No.9-74 (9-87 Old), G.Ragampeta Village, Peddapuram (M), Kakinada District being operated by M/s.Ambati Subbanna & Co Oil firm on lease basis - Operating without CTE/CTO of the Board & without adequate pollution control systems - Closure Order - Issued- Reg.

Ref: APPCB Memo No. APPCB/UH-II/TF/Review Meeting/2018-799, dated, 21.03.2018.

* * *

WHEREAS, you have established a steeping and processing of grains unit with packaging facility of oils in the name and style of M/s. A.S. Agro Industries at D.No.9-74 (9-87 Old), G.Ragampeta Village, Peddapuram (M), Kakinada District and is being operated by M/s. Ambati Subbanna & Co Oil firm on lease basis and engaged in sesame seeds steeping and processing & sesame oil packaging facility.

WHEREAS, you have established and operating the industry without obtaining CTE/CTO of the Board as required under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and under section 21/22 of the Air (Prevention and Control of Pollution) Act, 1981.

WHEREAS, " the Hon'ble supreme court in the W.P. No.375 of 2012 has directed to issue closure orders to the industrial units who are operating without valid Consent for Operation (CTO) and without having functional effluent treatment plant for the treatment of the effluents".

WHEREAS, an accident was occurred in your unit on 09.02.2023 leading to death of seven number of workers.

WHEREAS, the Board Officials along with other committee members inspected the unit and its surroundings on 09.02.2023 & 10.02.2023 and observed the following:

1. The unit is operating a steeping and processing of sesame grains and oil packaging unit at G.Ragampeta Village, Peddapuram (M), Kakinada District without obtaining CTE/CTO of the Board, as required under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and under section 21/22 of the Air (Prevention and Control of Pollution) Act, 1981.
2. The unit stored sesame oil in the premises for packaging, for which the unit has provided 8 no.s of MS storage tanks. The capacities of storage tank No.1, 2 & 3 is each 12 Tonnes capacity, Tank no.4 & 5 are each of 45 Tonnes capacity, Tank no.6 & 7 nos is of each 90 Tonnes capacity and Tank no.8 is of 12 Tonnes capacity, without providing dyke walls in order to prevent water & soil pollution due to leakages.
3. Operation of steeping and processing of sesame grains generates huge quantity of effluent. The unit has not provided adequate Effluent Treatment Plant (ETP) to treat the effluent generated during the steeping and washing operations.

4. The unit has been storing untreated effluent in unlined lagoons, which are connected to the outside drain, which ultimately joins Yeleru drain, thereby causing water pollution of Yeleru drain.
5. Not developed greenbelt of minimum 33% total area.
6. Not provided manholes to storage tanks for removal & cleaning of tank bottom sediments. Improper handling of tank bottom sediments led to accidents. Spillages of tank bottom sediments were observed near the storage tanks.
7. While cleaning and removing of tank bottom sediments at tank no.5, seven workers were died on spot.

After careful consideration of material facts of the case, A.P. Pollution Control Board hereby issues **CLOSURE ORDER** to your unit for operating without CTE/CTO of the Board and without adequate pollution control treatment facilities, under section 33(A) of the Water (Prevention and control of pollution) Amendment Act, 1988 and under Sec. 31 (A) of Air (Prevention and Control of Pollution) Amendment Act, 1987 in the interest of Public Health & Environment.

M/s. A.P.E.P.D.C.L. has been requested to **disconnect the power supply** to M/s. A.S. Agro Industries, D.No.9-74 (9-87 Old), G.Ragampeta Village, Peddapuram (M), Kakinada District.

You are directed to take note that if you continue to operate your unit even after receipt of this order, you will be liable for prosecution in the court of Metropolitan Magistrate or Judicial Magistrate of the first class under section 41(2) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under section 37 (1) of Air (Prevention and Control of Pollution) Amendment Act, 1987, the punishment for which includes imprisonment for a term which shall not be less than one year six months which may be extended upto six years and with fine.

You are also directed to take note that the M/s. A.P.E.P.D.C.L. has been ordered to disconnect electricity supply to your unit with immediate effect. Should you resort to operate your unit by means of Diesel Generator or any mechanical device, you will be attracting prosecution U/s.41 of Water (Prevention & Control of Pollution) Act, 1974 and amendments thereof & U/s. 37(1) of Air (Prevention & Control of Pollution) Act, 1981 and amendments thereof.

This order comes into effect from today i.e., 10.02.2023.

Naveen Acharya
ENVIRONMENTAL ENGINEER

To
M/s. A.S. Agro Industries,
D.No.9-74 (9-87 Old),
G.Ragampeta Village,
Peddapuram (M),
Kakinada District.

Copy submitted to:

1. The Member Secretary, APPCB, Board Office, Vijayawada for favour of kind information.
2. The Collector & District Magistrate, Kakinada District, Kakinada for favour of kind information.
3. The Joint Chief Environmental Engineer, APPCB, Zonal Office, Visakhapatnam for favor of kind information.
4. The Joint Chief Environmental Engineer (UH-2), A.P. Pollution Control Board, Board Office, Vijayawada for favour of kind information.
5. The Superintending Engineer, Operations, A.P.E.P.D.C.L. Rajamahendravaram for favour of kind information.

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Water (Prevention and Control of Pollution) Act, 1974 -
Amendment to Rule 32 of Water (Prevention & Control of
Pollution) Rules, 1976 - Notification - Issued.

ENVIRONMENT, SCIENCE & TECHNOLOGY (ENVIRONMENT) DEPARTMENT

G.O.Ms.No.1

Dated, 23rd January, 1995

Read the following:-

1. G.O.Ms.No.559, HMA & UD(MA) Department,
dt.4.12.1976
2. G.O.Ms.No.51, EP&S&T(ENV)Dept., dt.4.6.1987.
3. G.O.Ms.No.332, EP&S&T(ENV)Dept., dt.25.11.1991.
4. G.O.Ms.No.26, ES&T Dept., dt.19.4.1994
5. From Member-Secretary, APPCS, Lr.No.4411⁰/PCB/
EMP Com/93-1069, dt.28.11.1994.

@@@

ORDER:

In pursuance of the Board Resolution 924 communicated in D.O.letter 5th read above, after careful examination of the proposal of A.P.Pollution Control Board, the Government approve the following Notification:-

The following shall be published in the next extraordinary issue of Andhra Pradesh Gazette.

NOTIFICATION

In exercise of the powers conferred by section 64 of the Water (Prevention & Control of Pollution) Act, 1974 (Central Act, No.6 of 1974) the Government of Andhra Pradesh hereby makes the following amendments to the Water (Prevention & Control of Pollution) Rules, 1976, issued in G.O.Ms. No.559, Housing, Municipal Administration & Urban Development (Municipal Administration) Department, dt.the 4th December, 1976 as subsequently amended.

AMENDMENT

1. In the said rules, in Rule 32-A Schedule IV, for the list of 116 polluting industries in small scale sector, the following list of 60 polluting industries in small scale sector shall be substituted:-

SCHEDULE-II
(SEE RULE-29.(A))

LIST OF POLLUTING INDUSTRIES IN SMALL SCALE SECTOR:

- | | |
|----|--------------------------------|
| 01 | Cement |
| 02 | Asbestos and Asbestos products |

2/-

: 2 :

- 03 Refractories & Ceramic Products
- 04 Calcium Carbide
- 05 Mining Projects other than minerals
- 06 Lime Manufacture
- 07 Dry coal processing/mineral processing industries like
ore sintering/benefication, pelletization, pulverisation
etc.,
- 08 Coke making, coal liquification and fuel gas making
industries
- 09 Stone Crushers
- 10 Fermentation and Distillery units
- 11 Basic Drugs and Pharmaceuticals
- 12 Sugar
- 13 Fertilisers (Smaller units) & Micro nutrients
- 14 Dye & Dye Intermediates
- 15 Sulphuric Acid
- 16 Petrochemical Intermediates (such as UHM, Caprolactam, IAN
etc.,)
- 17 Industrial explosives (including detonating fuse, safety
fuse, nitrocellulose, Electric detonators, gun powder
etc.,)
- 18 Hydrocyanic acid and its derivatives
- 19 Alkalies (such as Soda ash, precipitated calcium carbonate,
Potassium Hydroxide etc.,)
- 20 Paints, pigments and varnishes
- 21 Resins
- 22 Photographic chemicals
- 23 Processes involving chlorinated Hydrocarbon
- 24 Pesticides, Insecticides, Fungicide and Herbicides
(Technical and Formulation)
- 25 Potassium Permanganate
- 26 Metallic sodium
- 27 Manufacturing of Lubricating oils
- 28 Grinding of Zirconium Oxide
- 29 Pulp, Paper Board and News Print
- 30 Tanneries
- 31 Synthetic Rubber
- 32 Butyl Rubber Tyres and Tubes
- 33 Retreading of all types of tyres
- 34 Iron and Steel Production
- 35 Extraction and recovery of Zinc/ Copper/ Aluminium and Lead
- 36 Metal Castings and Foundries
- 37 Ferro Alloys
- 38 Industries involving operations such as pickling,
degreasing, nitriding, and phosphating

: 3 :

- 39 Nickel and Cadmium Batteries
 40 Storage batteries (integrated with manufacture of oxides of lead and lead antimony alloy)
 41 Incineration plant for hazardous and non-hazardous wastes
 42 Electroplating and Galvanizing
 43 Welding fluxes and electrodes
 44 Manufacture of power driven pumps, compressors, refrigeration units, fire fighting equipment etc., (excluding assembling units)
 45 Industrial gases (Nitrogen, Oxygen, Carbon dioxide, Hydrogen, Acetylene etc.,)
 46 Glue and Gelatine
 47 Chlorine, Fluorine, Bromine, Iodine and their compounds
 48 Glass and Glassware
 49 Textiles (excluding handlooms and power-looms upto 50 hp)
 50 Textiles, Dyeing and Printing
 51 Surgical Cotton and sanitary Napkins
 52 Milk products (Skimmed milk, pasteurized milk condensed milk, milk powder and baby food)
 53 Soap and Detergents (except cottage soap and detergent industries)
 54 Vanaspathi, Hydrogenated and refined and solvent extracted oils
 55 Aquaculture Project more than 5 hectares
 56 Slaughtering of animals, rendering of bones and processing
 57 Processing of fish and prawn
 58 Fruits and Vegetables Processing
 59 Cashew Nut industries
 60 Tobacco redrying

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D. RAMAKRISHNAIAH
 PRINCIPAL SECRETARY TO GOVERNMENT

To
 The Member-Secretary, A.P. Pollution Control Board, Hyderabad.
 The Director of Printing & Stationery and Stores Purchase, Hyd.
 He is requested to publish the above notification in the Extraordinary issue of A.P. Gazette and supply 100 copies of the Gazette Notification soon after its publication.

Copy to: Principal Secretary to Government, Industries & Commerce Department.

Copy to: Commissioner of Industries, A.P. Hyderabad.

Copy to: Vices-Chairman & Managing Director, State Finance Corporation, Hyderabad.

Copy to: Secretary to Government of India, Ministry of Environment and Forests, Paryavaran Bhavan, CGO Complex, New Delhi.

Copy to: Central Pollution Control Board, New Delhi, Parivesh Bhawan, Arjun Nagar, New Delhi - 110 032.

Copy to: General Administration (FEMR) Department

Copy to: Law (L) Department

Copy to: SF/SC 50 Copies.

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

//forwarded by order//

sd/-

Section Officer

S.E.M. (A.P. POLLUTION CONTROL BOARD, HYD.)

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Water (Prevention and Control of Pollution) Act, 1974 - Amendment to Rule 32 of water (Prevention and Control of Pollution) Rules, 1976 - Notification - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (ENV) DEPARTMENT

GO Ms. No. 80.

Dated: 22nd May, 1996

Read the following: -

1. GO Ms No. 559, HMA&UD (MA) Department, dated 04.12.1976.
2. GO Ms No. 51, EFES&T (ENV) Department, dated 04.06.1987.
3. GO Ms No. 332, EFES&T (ENV) Department, dated 25.11.1991.
4. GO Ms No. 26, EFES&T (ENV) Department, dated 19.04.1994
5. GO Ms No. 1, EFES&T (ENV) Department, dated 23.01.1995.
5. Member Secretary, APPCB, DO Lr. No.44110/PCB/Emp.Com/96, dated __.02.1996.

ORDER :-

In pursuance of Board Resolution No. 977 communicated in the DO letter 6th read above, and after careful examination of the proposal of the Andhra Pradesh Pollution Control Board, the Government approve the proposal to include the four industries, namely, (1) Para Boiled Rice Mill, (2) Barium Carbonate and barium based product (3) all reclamation unit and (4) cashew industries in the list of industries already notified.

2. The following notification will be published in an extraordinary issue of the Andhra Pradesh Gazette.

NOTIFICATION

In exercise of the powers conferred by Section 64 of the Water (Prevention and Control of Pollution) Act, 1974 (Central Act No. 6 of 1974), the Government of Andhra Pradesh hereby makes the following amendment to Water (Prevention & Control of Pollution) Rules, 1976, issued in GO Ms. No. 559, Housing, Municipal, Administration and Urban Development (Municipal Administration) Department, dated the 4th December, 1976 as subsequently amended from time to time.

AMENDMENT

In the said rules, in Rule 32-A, in Schedule-IV, in the list of polluting industries in Small Scale Sector after the entry "60 tobacco redrying" the following shall be added, namely:-

"61. Paraboiled Rice Mill.

Contd...2

2

62. Barium Carbonate & Barium based products.
63. Oil reclamation units.
64. Cashew industries".

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. C.S.RANGACHARI
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Member Secretary,
Andhra Pradesh Pollution Control Board,
Maitrivanam, HUDA Complex,
S.R.Nagar, Hyderabad - 38.

To

The Director of Printing & Stationery and Stores Purchase, Andhra Pradesh, Hyderabad.
He is requested to publish the above notification in the Extraordinary issue of A.P. Gazette and supply 100 copies of the Gazette Notification soon after its publication.

Copy to:

Principal Secretary to Government, Industries & Commerce Department.

Commissioner of Industries, Andhra Pradesh, Hyderabad.

Vice Chairman and Managing Director, State Finance Corporation, Andhra Pradesh, Hyderabad..

Secretary to Government of India, Ministry of Environment & Forests, Paryavaran Bhavan, CGO Complex, New Delhi.

Central Pollution Control Board, New Delhi, Parivesh Bhavan, Arjunnagar, New Delhi-32.

General Administration (PEMB) Department, Andhra Pradesh, Hyderabad.

Law (E) Department, A.P., Hyderabad.

The SF / SC 50 copies.

// FORWARDED BY ORDER //

Sd/-
SECTION OFFICER

74

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Water (Prevention and Control of Pollution) Act, 1974 - Amendment to Rule 32 of Water
(Prevention and Control of Pollution) Rules, 1976 - Notification - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (ENV) DEPARTMENT

GO Ms. No. 85,

Dated: 22nd September, 2001

Read the following: -

1. GO Ms No. 1, EEFS&T (ENV) Department, dated 23.01.1995.
2. GO Ms No. 80, EFS&T (ENV) Department, dated 22.05.1996.
3. From the M.S., APPCB, Hyd DO Lr.No.10/PCB/CFE/Board Meet/96-1475, dated 02.02.2000.

ORDER:

The Member Secretary, Andhra Pradesh Pollution Control Board in his letter 3rd read above, has stated that the "Chemical units" are causing pollution in the form of Air, Water and Solid Waste etc., and they are not included in the list of 64 categories of SSI units which has prescribed in the Water (Prevention & Control of Pollution) Rules, 1976 issued in GO Ms. No.559, HMA&UD Dept., dated 04.12.1976 and requested the Government to include the "Chemical Industry" in the said rules. After careful examination of the proposal of the A.P.Pollution Control Board, the Government hereby approve the proposal to include the chemical industry in the list of industries already specified in the said rules.

2. Accordingly, the following Notification will be published in the Extraordinary issue of the A.P.Gazette dated 22nd September 2001.

NOTIFICATION

In exercise of the powers conferred by Section 64 of the Water (Prevention and Control of Pollution) Act, 1974 (Central Act No. 6 of 1974), the Government of Andhra Pradesh hereby make the following amendment to the Water (Prevention and Control of Pollution) Rules, 1976 issued in GO Ms. No. 559, Housing, Municipal Administration and Urban Development Department, dated the 4th December, 1976 as subsequently amended from time to time.

AMENDMENT

In the said rules, in rule 32-A, in Schedule-IV, in the list of polluting industries in Small Scale Sector, after the entry "64 cashew industries", the following shall be added, namely: -

"65. Chemical Industries".

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.P.JAUHARI
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Member Secretary, A.P.Pollution Control Board, Hyderabad.
The Director of Printing and Stationery and Stores Purchase, Hyderabad.

(He is requested to publish the Extraordinary issue of A.P.Gazette and supply 100 copies of the Gazette Notification soon after its publication).

Copy to:

The Principal Secretary to Govt., Industries & Commerce Department, A.P, Hyderabad.
The Vice Chairman & Managing Director, State Finance Corporation, A.P., Hyderabad.
The Secretary to Govt., of India, Ministry of Environment and Forests, Paryavaran Bhavan, CGO Complex, New Delhi.
The Central Pollution Control Board, New Delhi, Perivesh Bhavan, Arjunnagar, New Delhi-32.
The General Administration (PEMB) Department, A.P., Hyderabad.
The Law (E) Department, A.P., Hyderabad.
The SF / SC 50 copies.

// FORWARDED BY ORDER //

Sd/-
SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Water (Prevention and Control of Pollution) Act, 1974 - Amendments to Rule 32 of Water (Prevention and Control of Pollution) Rules, 1976 - Notification - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (ENV) DEPARTMENT

GO Ms. No. 23,

Dated: 22.02.2007

Read the following: -

1. GO Ms No. 85, Environment, Forests, Science & Technology (ENV) Department, dated 22.09.2001.
2. GO Ms No. 86, Environment, Forests, Science & Technology (ENV) Department, dated 22.09.2001.
3. From the Member Secretary, Andhra Pradesh Pollution Control Board, Letter No.51/PCB/CFE/Plastics/06-710, dated 24.07.2006.

ORDER:

The Member Secretary, Andhra Pradesh Pollution Control Board in his letter 3rd read above, has stated that the "the plastic carry bags/container manufacturing units of virgin plastics or recycled plastic or both and plastic recycling units" are causing pollution in the form of Air, Water & Solid Waste etc. They are not included in the list of 65 categories of polluting industries in the Small Scale Industries Sector which are identified by the Board till now.

The Member Secretary, Andhra Pradesh Pollution Control Board, has therefore requested the Government to include the "the plastic carry bags/container manufacturing units of virgin plastics or recycled plastic or both the plastic recycling units" as 65th category of polluting industry in the Small Scale Industries Sector.

After careful examination of proposal of the Member Secretary, Andhra Pradesh Pollution Control Board, the Government hereby approve the proposal to include the "the plastic carry bags/container manufacturing units of virgin plastics or recycled plastic or both the plastic recycling units" in the list of industries as 66th category of polluting industries in the Small Scale Industries Sector.

Accordingly, the following Notification will be published in the Extraordinary issue of the Andhra Pradesh Gazette dated 26.02.2007.

NOTIFICATION

In exercise of the powers conferred by Section 64 of the Water (Prevention and Control of Pollution) Act, 1974 (Central Act No. 6 of 1974), the Government of Andhra Pradesh hereby make the following amendment to the Water (Prevention and Control of Pollution) Rules, 1974 issued in GO Ms. No. 559, Housing, Municipal Administration and Urban Development Department, dated the 4th December, 1976 as subsequently amended from time to time.

AMENDMENT

In the said rules, in rule 32-A, in Schedule-IV, in the list of polluting industries in Small Scale Sector, after the entry "65 chemical industries", the following shall be added, namely:-

"65. The plastic carry bags/container manufacturing units of virgin plastics or recycled plastic or both and plastic recycling units".

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

JANAKI R. KONDAPI
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Member Secretary, A.P. Pollution Control Board, Hyderabad.
The Director of Printing and Stationery and Stores Purchase, Hyderabad.
(He is requested to publish the Extraordinary issue of A.P. Gazette and supply 100 copies of the Gazette Notification soon after its publication).

Copy to:

The Principal Secretary to Govt., Industries & Commerce Department.
The Vice-Chairman and Managing Director, State Finance Corporation, Hyderabad.
The Secretary to Govt., of India, MOEF, New Delhi.
The Central Pollution Control Board, Arjuna Nagar, New Delhi.
The Law (B) Department.

// FORWARDED BY ORDER //

Sd/-
SECTION OFFICER

MINUTES OF 78TH MEETING HELD ON 7TH AUGUST 1995 IN THE BOARD
ROOM OF A.P.P.C.B AT 3.00 P.M.

RESOLUTION NO.953:

CHANGING THE NOMENCLATURE FROM NOC NO OBJECTION CERTIFICATE)
TO CONSENT FOR ESTABLISHMENT

Approved.

MINUTES OF 78TH MEETING HELD ON 7TH AUGUST 1995 IN THE BOARD
ROOM OF A.P.P.C.B AT 3.00 P.M.

RESOLUTION NO.948:

IMPLEMENTATION OF G.O.Ms.No.26 & 27, DATED.19.4.94 AND G.O.Ms.No.1 &
2, DATED.23.1.95 OF E.S. & T. DEPARTMENT AUTHORISING INDUSTRIES
DEPARTMENT TO ISSUE ACKNOWLEDGEMENT TO NON-POLLUTING SSI
UNITS OTHER THAN 60 CATEGORIES NOTIFIED IN GOs.

Ratified.

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

E.F.S & T. Department - Withdrawal of the powers delegated to GM, DICs to issue acknowledgment from pollution angle to SSI units, other than 66 categories of polluting SSI units – Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (ENV.SEC.V) DEPARTMENT

G.O.MS.No.42

Dated:01-08-2017

Read the following:

1. G.Os issued by the State Government on polluting SSI units i.e. G.O.Ms.Nos 26 & 27, dated:19.04.1994, G.O.Ms.Nos.1 & 2, dated: 23.01.1995, G.O.Ms. Nos.80 & 81, dated: 22.05.1996, G.O.Ms.Nos.85 & 86, dated: 22.09.2001 and G.O.Ms. No.23, dated: 22.02.2007.
2. Circular Memo.No.07/APPCB/HO/CFO-UH:IV/2016, Dated:21.3.2016.
3. From Member Secretary, APPCB, Lr.No.51/APPCB/CFE/HO/66 CAT/2017, Dated.16.03.2017.

ORDER:

In the reference 3rd read above, the Member Secretary, Andhra Pradesh Pollution Control Board has informed that the Government of Andhra Pradesh earlier issued G.Os, identifying polluting industries in Small Scale Sector. The SSI units other than those polluting units were exempted from obtaining regular consents of the Board. Powers were delegated to the General Managers of District Industries Centers (GM, DICs) to issue Acknowledgement from pollution angle to the SSI units other than the identified polluting SSI units on behalf of Pollution Control Board, which would serve the purpose of consent of the Board. The Member Secretary, Andhra Pradesh Pollution Control Board has, therefore, requested to withdraw the powers delegated to GM, DICs to issue acknowledgement on behalf of APPCB to non-polluting SSI units, other than 66 categories of polluting SSI units.

2. In the Circular memo. 2nd read above, the Andhra Pradesh Pollution Control Board has issued certain instructions as per the Central Pollution Control Board directions under section 18(1)(b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 regarding harmonization of classification of industrial sectors under Red/Orange/Green/ White Categories.

3. Government after careful examination of the above proposal of the Member Secretary, Andhra Pradesh Pollution Control Board, hereby withdraw the powers delegated to GM, DICs to issue acknowledgement on behalf of APPCB to non-polluting SSI units, other than the 66 categories of polluted SSI units listed in the reference 1st read above.

P.T.O.

::2::

4. The Member Secretary, Andhra Pradesh Pollution Control Board shall take necessary further action, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Member Secretary,
A.P.State Pollution Control Board, Vijayawada.

Copy to:

The Director of Industries, Government of Andhra Pradesh,
Vijayawada.

The Vice Charmin and Managing Director, State Finance
Corporation, Vijayawada.

The Secretary to Government of India, Ministry of Environment and
Forests, New Delhi.

The Law(B) Department,
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER



Memo No. 51 /APPCB/CFE/HO/66CAT/2017

Dt:08.08.2017

Sub: APPCB - CFE – Withdrawal of the powers delegated to GM, DICs to issue acknowledgment from pollution angle to SSI units, other than 66 categories of polluting SSI units –ROs to issue acknowledgments – Instructions issued-Reg.

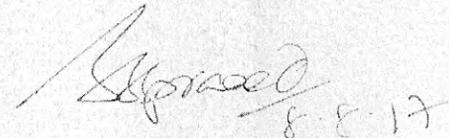
Ref: G.O.Ms.No. 42, dt. 01.08.2017 issued by EFS & T Dept, Govt., of A.P.

In the reference cited, the Government have withdrawn the powers delegated to GM, DICs to issue acknowledgments on behalf of APPCB to non-polluting SSI units, other than the 66 categories of polluting SSI units. A copy of the said G.O., is enclosed.

All the Regional Officers are directed as follows:

- ❖ to issue acknowledgments to the non-polluting SSI units, other than the 66 categories of polluting SSI units within 5 days in the enclosed format with the following condition without any inspection and clarification.
 - o The industries shall not be located in residential areas as per G.O.Ms.No. 63, dt. 02.05.1995 issued by Industries & Commerce (SSI) Dept., Govt., of A.P. A copy of the G.O. is enclosed.
- ❖ Acknowledgment to white category of industries is not required as they were exempted from Consent Management by the CPCB in revised categorization of industries i.e., Red / Orange / Green / White categories. A letter from the proponent is sufficient as instructed earlier and it is for intimation purpose only.

Encl: as above.


8-8-17

MEMBER SECRETARY

To

All the Regional Officers,
A.P. Pollution Control Board.

Copy to the Zonal Officers, Unit Heads at Head Office.



26 ANDHRA PRADESH POLLUTION CONTROL BOARD

REGIONAL OFFICE: _____

Address _____

Phone No. _____, email: _____

Order No. /Ack/APPCB/RO- /2017-

Date: - -

ACKNOWLEDGMENT

(For SSI Units other than 66 categories only)

(See Rule No. 32-A of the water (Prevention and Control Pollution) Rules 1994 and Rules No. 29-A of the Air (Prevention and Control Pollution) Rules 1994.)

The Consent application submitted by M/s, _____ to establish and to operate their unit at Sy No. _____ (GP)/ (V), _____ (M), _____ District to manufacture _____ - _____ Tone/day is hereby acknowledged as the unit is not covered under schedule No. IV & II of above said Rules. This acknowledgment is treated as consent of Andhra Pradesh State Pollution Control Board, subject to the following conditions.

1. In case of any expansion or change in manufacturing process, raw material or products, a fresh application shall be submitted.
2. All the rules notified by the State and Central Government under Environmental laws from time to time, which are applicable to this unit shall be complied with.
3. The industry shall comply with general conditions notified by the Ministry of Environment and Forest, Government of India vide extra ordinary Gazetted notified No. 174, dated 19th May 1993 as amended from time to time.
4. The industries shall not be located in residential areas as per G.O.Ms.No. 63, dt. 02.05.1995 issued by Industries & Commerce (SSI) Dept., Govt., of A.P.
5. The unit should not be established close to sensitive areas such as Hospitals, Monuments, Schools, Zoological Parks, etc.,
6. The Officials of Andhra Pradesh State Pollution Control Board may inspect the unit at any time to verify the compliance status and may also stipulate such conditions as are deemed to be fit.

Date: _____

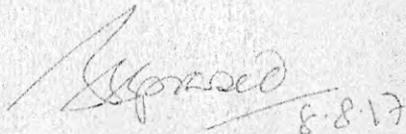
Stamp:

Environmental Engineer
Regional Office,

To,

Copy to:

1. The Member Secretary, APPCB, , Kasturibaipeta, Vijayawada for kind information
2. The Joint Chief Environmental Engineer, Zonal Office, _____ for kind information.


 MEMBER SECRETARY



27
ANDHRA PRADESH POLLUTION CONTROL BOARD
ZONAL LABORATORY :: VISAKHAPATNAM
D.No.39-33-20/1/4, Madhavadhara Vuda Colony, Visakhapatnam - 530018.

Annexure-VIII

23

M.RAVI, M.Sc.,
SENIOR ENVIRONMENTAL SCIENTIST

Ph : 0891-2719380/481
e-mail: zovsplab-ses2@ appcb.gov.in

ANALYSIS REPORT
FORM - X
REPORT BY THE BOARD ANALYST
(See Rule 26)

Report No. 2023 - 02 - E - 142 & 143

Date: 14.02.2023

I hereby certify that I, Sri M. Ravi, State Board Analyst, Zonal Laboratory duly appointed under sub-section (3) of section 53 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) received from the Junior Scientific Officer, Regional Office, Kakinada on the day of 10.02.2023, the following samples for analysis

- E-142: Untreated waste water sample collected from collection pit (Gengelly seeds pulping)
E-143: Untreated waste water sample collected from collection Lagoon located at North-East corner of the plant

of M/s A.S. Agro Industries, D.No.9-74, (9-87 Old), G. Ragampeta (V), Peddapuram (M), Kakinada District collected on 10.02.2023. The samples were in a condition fit for analysis reported below:

I further certify that I have analyzed the above mentioned samples from 10.02.2023 to 14.02.2023 and declare the result of the analysis to be as follows.

S.No.	Parameter	Values (mg/l)	
		E-142	E-143
1.	pH	7.65	7.44
2.	Total Suspended Solids	174	160
3.	Total Dissolved Solids	2440	2420
4.	Chemical Oxygen Demand	576	412
5.	Biochemical Oxygen Demand	170	130

- Note:** 1. All results are expressed in mg/lit. except pH
2. Results are related to sample tested

The condition of the seals, fastening and container on receipt was intact.

Signed this: 14.02.2023

Address:
Sri M. Ravi,
Senior Environmental Scientist,
Zonal Laboratory,
APPCB, Visakhapatnam.


SIGNATURE OF THE STATE BOARD ANALYST



ANDHRA PRADESH 28 LUTION CONTROL BOARD
ZONAL LABORATORY :: VISAKHAPATNAM
 D.No.39-33-20/1/4, Madhavadhara Vuda Colony, Visakhapatnam - 530018.

M.RAVI, M.Sc.,
 SENIOR ENVIRONMENTAL SCIENTIST

Ph : 0891-2719380/481
 e-mail: zovsplab-ses2@ appcb.gov.in

ANALYSIS REPORT

FORM - X
 REPORT BY THE BOARD ANALYST
 (See Rule 26)

Report No. 2023 - 02 - SL - 020 & 021

Date: 15.02.2023

I hereby certify that I, Sri M. Ravi, State Board Analyst, Zonal Laboratory duly appointed under sub-section (3) of section 53 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) received from the Junior Scientific Officer, Regional Office, Kakinada on the day of 10.02.2023, the following sludge samples for analysis

SL-020 : Oil Sediment sample collected from MS storage tank No.5

SL-021 : Oil Sediment sample collected from MS drum

of M/s A.S. Agro Industries, D.No.9-74, (9-87 Old), G. Ragampeta (V), Peddapuram (M), Kakinada District collected on 10.02.2023. The sample was in a condition fit for analysis reported below:

I further certify that I have analyzed the above mentioned samples from 10.02.2023 to 15.02.2023 and declare the result of the analysis to be as follows.

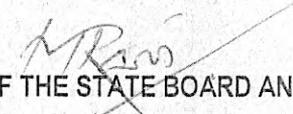
Sl. No.	Parameter	Units	SL-020	SL-021
1.	Sulphide (as H ₂ S)	mg/kg	1.2	5.5

The condition of the seals, fastening and container on receipt was intact.

Signed this: 15.02.2023

Address:

Sri M. Ravi,
 Senior Environmental Scientist,
 Zonal Laboratory,
 APPCB, Visakhapatnam.


 SIGNATURE OF THE STATE BOARD ANALYST



**ANDHRA PRADESH POLLUTION CONTROL BOARD
REGIONAL OFFICE**

Plot No.2, IDA, RAMANAYYAPETA, KAKINADA- 533005

N. Asok Kumar,
Environmental Engineer.

Ph: 0884 -2374066
E-mail:rokkd-ee1@appcb.gov.in

SCN No.1/APPCB/RO/KKD/2023-2127

Date: 17/02/2022

SHOWCAUSENOTICE

Sub: APPCB – RO - Kakinada - M/s. A.S. Agro Industries, D.No.9-74 (9-87 Old), G.Ragampeta Village, Peddapuram (M), Kakinada District–Non-compliance of effluent discharge standards – Levy Environmental Compensation for period from 16.12.2017 to 09.02. 2023– Show Cause Notice - Issued – Reg.

Ref: 1. Proceedings of the District Collector vide computer No.25230, dated 09.02.2023.
2. Inspection of Joint Committee on 10.02.2023.
3. Closure Order No.1/APPCB/RO-KKD/2023, dt.10.02.2023.

WHEREAS you are operating steeping and processing of sesame grains and oil packaging unit in the name and style of M/s. A.S. Agro Industries, D.No.9-74 (9-87 Old), G.Ragampeta Village, Peddapuram (M), Kakinada District and engaged in steeping and processing of sesame grains and oil packaging unit.

WHEREAS an accident was occurred in your industry M/s. A.S.Agro Industries, D.No.9-74 (9-87 Old), G.Ragampeta Village, Peddapuram(M), Kakinada District, A.P., on 09.02.2023 led to death of 7 workers on spot.

WHEREAS the Board Officials along with other committee members inspected the unit and its surroundings on 09.02.2023 & 10.02.2023 and observed that the unit has not provided Effluent Treatment Plant (ETP) to treat the wash water generated during the steeping and processing of sesame grains and storing untreated effluent in unlined lagoons. As per the analysis report of the sample collected from the industry, various parameters such as the concentration of Total Dissolved Solids (TDS), Chemical Oxygen Demand (COD) & Biochemical Oxygen Demand (BOD) in the wastewater are exceeding the discharge standards prescribed.

WHEREAS the Board vide reference 3rd cited, issued closure order to your industry for operating without CTE/CTO of the Board.

WHEREAS Hon'ble Supreme Court passed orders on 22.02.2017 in W.P.No.375/2012 on water pollution and entrusted responsibility to the Hon'ble National Green Tribunal (NGT) for monitoring of implementation of the directions.

WHEREAS as per the directions of the Hon'ble NGT, the Central Pollution Control Board(CPCB) developed a formula for levy of Environmental Compensation.

WHEREAS the Hon'ble NGT in its orders dated 21.05.2020 directed the State Pollution Control Boards to compulsory levy Environmental Compensation.

WHEREAS the Board is proposing to levy Environmental Compensation (EC) of Rs.69,37,500/- for the violation period from 16.12.2017 (date of power release) to 09.02.2023 (to date of accident) based on CPCB Formula, as detailed below.

CPCB Formula for EC= PI x N x R x S x LF

PI-Pollution Index (30 for green category)

N - Number of days of violation (1850 days i.e., from the date of power release i.e., on 17.12.2017 to 09.02.2023.

30

R- Compensation Factor in Rs.(Rs.250/-)

S- Scale of the Industry(0.5 for Small Scale)

LF- Locational Factor (1for less than 1 million population)

EC =30*1850*250*0.5*1 =Rs.69,37,500/-

In view of above, you are hereby directed to show cause why the Board shall not levy environmental compensation for Rs.69,37,500/- (*Rupees Sixty Nine lakhs and Thirty Seven thousand and Five Hundred only*) for violation period from 16.12.2017 to 09.02.2023 as per the CPCB Formula, in the light of Hon'ble NGT orders dated 21.05.2020.

Your reply shall reach this office within 15 days from the date of the receipt of this notice failing which necessary orders will be passed on levying of the afore said Environmental Compensation on occupier of the industry, without any further notice.

Nawadustobak 13/2
ENVIRONMENTAL ENGINEER

To
The Occupier,
M/s. A.S. Agro Industries,
D.No.9-74 (9-87 Old),
G.Ragampeta Village,
Peddapuram (M),
Kakinada District,
Andhra Pradesh.

Copy submitted to

1. The Member Secretary, Board Office, Vijayawada, Andhra Pradesh for favour of kind information.
2. The Collector & District Magistrate, Kakinada District, Kakinada for favour of kind information
3. The Joint Chief Environmental Engineer, Zonal Office, Visakhapatnam, Andhra Pradesh for favour of kind information.

Received copy.

[Signature]
GSTIN : 37AAXFA9699N
A.S./AGRO INDUSTRIES
S. No. 241/1A, 241/2A, D. No. 9-87,
Prathipadu Road, G.RAGAMPETA,
Peddapuram Mandal
20/02/23

7416321199

TG. PHANZNDRA KUMAR
HR

GOVERNMENT OF ANDHRA PRADESH
FACTORIES DEPARTMENT

From:

D. Radha Krishna, M.Tech,
Deputy Chief Inspector of Factories,
Kakinada.

To:

S. Satyannarayana,
S/o. Satyannarayana,
Managing Partner
M/s. A.S Agro Industries (lessor)

S. Tulasidhara Rao,
S/o. Satyannarayana,
Managing Partner,
M/s. Ambati Subbanna & Co. oil firm (lessee)

G.Ragampeta (V)
Peddapuram (M),
Kakinada District.

File No: INSFAC-INSP0IOF(SCN)/3/2023-JA(C1)-IF-KKD, Dated: -02-2023.

Sir,

Sub:- Factories Act,1948 and A.P.Factories Rules,1950 – Non-Compliance of certain provisions-M/s A.S Agro Industries (lessor)-M/s. Ambati subbanna & Co. And oil Factory, (lessee), G.Ragampeta (V), Peddapuram (M), Kakinada District– Show Cause Notice – Issued.

Ref:- Inspection Order No. R.No.112217/2023, dated: 13-02-2023

Please show cause in writing within a week of receipt of this notice, why prosecution should not be taken against you for non-compliance of the provisions of the above Act and Rules, as detailed in the Inspection Order cited above.

Encls: Inspection Order.

o/c
Deputy Chief Inspector of Factories,
Kakinada.

OFFICE OF THE DEPUTY CHIEF INSPECTOR OF FACTORIES, KAKINADA.

R.No.112217/2023.

Dated: -02-2023.

INSPECTION ORDER OR NOTICE

Factories Act, 1948 and A.P. Factories Rules, 1950
And the Government notification issued thereon.

Sir,

Upon a recent inspection of your factory on 09-02-2023 by Deputy Chief Inspector of Factories, Kakinada along with Inspector of Factories, Rajahmundry circle and Inspector of Factories, Kakinada-I Circle, it was found to the extent indicated below that certain provisions of the Act, and Rules are not being carried out.

The orders below are issued or repeated from previous order without prejudice to any action that this office may take for non compliance with the provisions of the Act and Rules thereunder.

Yours faithfully,


DEPUTY CHIEF INSPECTOR OF FACTORIES,
KAKINADA.

To

S. Satyannarayana,
S/o. Satyannarayana,
Managing Partner
M/s. A.S Agro Industries (lessor)

S. Tulasidhara Rao,
S/o. Satyannarayana,
Managing Partner,
M/s. Ambati Subbanna & Co. oil Firm (lessee)
G. Ragampeta (V)
Peddapuram (M),
Kakinada District.

1. **Section 2m(i):-** The premises M/s. A.S. Agro industries situated at Sy.No. 241/1 A, 241/2A, 242/1 & 242/2, G. Ragampeta (V), Peddauram(M) where in manufacturing activity of cleaning of sesame and filling of sesame oil into bottles is being carried on with an installed motive power of 195 HP and employing 28 workers on 08/02/2023 constitutes a factory as defined under section 2m(i) of the Factories Act 1948.
2. **Section 6 and Rule 4(1)&(6):-** Failed to obtain a valid license from the Inspector of Factories, Rajahmundry though manufacturing process in the premises is being carried out since 2021.
3. **Section 6 and Rule 3(1)(b):-** Failed to get prior permission in writing approving the plans from the Director of Factories, AP, Vijayawada for installing the following machinery.
 - 1) Oil Storage tanks -11 Nos.
 - 2) Destoner and siever- each 2 No.
 - 3) Oil filling machinery-3 Nos.
 - 4) Sesame washing machines-2 Nos.
 - 5) Elevators-11 Nos.
 - 6) Installed solar panels of installed capacity 179.76 KW towards East of the premises.
4. **Section 6 and Rule 3A(6):** Constructed the factory and taken it into use which is not in accordance with plans approved by the Director of Factories, AP, Hyderabad vide letter No-D.Dis D2 / KDA-II / 21238 / 12 Dt:01-01-2013 to the extent indicated below
 - a) Plans approved with a clear gap of 10 meters (open to sky) between Shed-1 and A.C sheet godown-1, where as this gap is closed by constructing walls towards North and South and open to sky closed with Galval sheets
 - b) Plans approved without lean to roof extension towards East of the godown No.1 where as a closed lean to roof varandah type extension was made and installed 2 No sesame washing machines of each 15 HP in this extension.
5. **Section 7A(2) read with Section 36 Rule 59:-**
 - I. Failed to provide man hole cover of adequate size to the bottom of the edible oil storage tank of size 7.6 mt x 3mt located towards west of the factory.
 - II. Failed to take measures to remove the toxic gases or fumes that are likely to be present inside the edible oil storage tank(confined space) while allowing the workers inside
 - III. Failed to obtain a certificate in writing from a competent person

confirming that the space is free from dangerous gases or fumes while allowing the workers inside the tank.

- IV. Failed to provide suitable breathing apparatus to the workers while allowing them inside the tank.
- V. Failed to tie a rope securely around the waist of the workers the free end of which is held by a person by standing outside the tank so as to pull out the inside workers if they are in danger.

Consequently, On 09.02.2023 at about 07.00AM two workers Sri Vetchangi Kiran and Sri Vetchangi Sagar were entrusted the work of cleaning an empty oil storage tank of size 7.5 mt X 3.0 mt located towards West of the Factory. Accordingly these two workers entered the tank from top man hole cover of size 60 cm by a vertical steel ladder laid inside the oil tank for cleaning the sludge settled at the bottom of the tank. While cleaning for about five to seven minutes, the two workers reportedly experienced irritation of eyes and throat and also breathlessness and attempted to come out of the tank through the same steel ladder as no other opening has been made at the bottom. In this attempt Sri Kiran came out of the tank with great difficulty and Sri Sagar following Mr.Kiran, almost reached to top of the tank but again fell inside the tank due to exposing to toxic fumes. In order to rescue Mr.Sagar, six other workers were allowed one after the other into the tank and all the seven workers died inside the tank due to Asphyxiation.

The details of the deceased persons are as follows.

- a. Vetchangi Krishna Rao S/o Bonjanna, Age-36 years
- b. VetchangiNarsinga Rao S/o Gundanna , Age- 40 years
- c. Vetchangi Sagar Age- 23 years
- d. Kattamuri Jagadeesh , S/o Paidiraju Age- 25 years
- e. Korra Rama Rao, Age-44 years
- f. KurtadaBonjanna Age- 36 years
- g. Yallmilli Vijaya Durga Prasad,S/o Nookaraju Age- 27 years

The above accident could have been averted had the above safety measures been taken.

This is irregular.

- 6. Section 88 and Rule 96: Failed to inform to the Deputy Chief inspector of Factories, Kakinada and Inspector of Factories, Rajahmundry about the fatal accident that occurred in the factory on 09-02-2023 resulting in death of seven workers with in the stipulated manner and time.

This is irregular.

7. **Section 32:-**Failed to provide D-rings to the ladders leading to the top of the oil storage tanks located to west side of the factory shed.
8. **Section 32 read with Section 41 Rule 61 F(1) :-**Replace the present ladder inside the oil filling section with approach from mezzanine floor to the top of the oil storage tanks.
9. **Section 21(1)(iv)(b):-** Failed to provide secure guards to the belt drives of sesame washing machines-2Nos.
10. **Section 41 and Rule 61B(24) :-** Failed to provide rubber mat on floor at power panel boards.
11. **Section 38 and Rule 61:-** Failed to provide standard fire hydrant system with 8kg / cm^2 water pressure with adequate number of hydrant points, independently operated fire pumps and adequate water storage in the premises.
12. **Section 41 and rule 61 B(4):-** Failed to provide earth leakage circuit breakers in all the Distribution boards of the factory.
13. **Section 7A(2) and read with Section 38 and Rule 61(9)(d):-** Failed to provide secondary exit to the mezzanine floor inside the oil filling shed.
14. **Section 13 (2) and Rule 17(6): -**Failed to provide ridge roof ventilator to the gable roof sheds.
15. **Section 13 (2) and Rule 17(7):-**Improve the ventilation in the factory by removing
 - 1) The lean to roof laid in between the two machinery halls.
 - 2) The wall constructed towards East of the washing machine shed.
16. **Section 41 and Rule 61F(2):-** Failed to construct a dyke wall surrounding to all the oil storage tanks.
17. **Section 36 and Rule 59:-** Failed to provide effective means of egress of required size at the bottom portion of the tanks with a man hole, which may be rectangular (not less than 16"x12"), oval (not less than 16"x12") or circular(not less than (16" diameter) in shape to all the oil storage tanks.
18. **Section 54 read with Section 56 :-** Failed to restrict the daily working hours of the following workers to 9 hours per day and instead, they were required to work for 12 hours per day.

This is irregular.

Sl.No.	Name of the Worker	From	To	Working Since
1	V.Narasinga Rao (Contract Worker)	6.00 A.M	18.00 PM	30.01.2023
2	V.Krishna Rao (Contract Worker)	6.00 A.M	18.00 PM	30.01.2023

3	V.Kiran (Contract Worker)	6.00 A.M	18.00 PM	30.01.2023
4	V.Sagar (Contract Worker)	6.00 A.M	18.00 PM	30.01.2023
5	K. Raju (Contract Worker)	6.00 A.M	18.00 PM	30.01.2023

This is irregular.

19. **Section 83 Rule 87 read with 102-A** :- Failed to produce the record of leave with wages in respect of all the workers working in the factory.

Notes :-

1. From 10.30 A.M. on 09-02-2023.
2. Working
3. Mfg: Cleaning of sesame and filling of sesame oil into bottles.
4. 28 workers on 08-02-2023.
5. Show Cause notice issued to the Occupier cum Manager.