REVOCATION OF STOP PRODUCTION ORDER


   3. Request of the Industry for Revocation of Stop Production Order dt.05.01.2019.
   5. Minutes of External Advisory Committee (Task Force) Meeting held on 29.01.2019.

WHEREAS you are operating a Sago manufacturing unit in the name and style of M/s. Jaya Balajee Sago Manufacturers, Vetlapalem Village, Samalkot Mandal, East Godavari District to produce sago to the tune of 4.5 TPD.

WHEREAS vide reference 1st cited, the Board issued CFO & HWA order dt.14.02.2017 stipulating certain conditions, which is valid upto 28.02.2026.

WHEREAS the Hon’ble Supreme Court of India vide judgment dt. 22.02.2017 in W.P. No. 375 of 2012 directed the Board not to permit any industry to operate without “Consent to Operate (CFO) and its primary effluent treatment plant is functional”.

WHEREAS the ZO, Visakhapatnam vide reference 2nd cited, issued stop production order to the industry on 06.07.2018 for operating without adequate Effluent Treatment Plant (ETP) and not meeting Board standards.

WHEREAS vide reference 3rd cited, the industry vide letter dt.05.01.2019 requested the Board for Revocation of Stop Production Order stating that due to lack of raw material they had operated their unit for few days only, the waste water generated from the crushing was treated in Effluent Treatment Plant but they could not meet the board’s discharge standards. They could not stabilize the ETP well in advance, as price fixation of raw material with farmers get delayed and started crushing suddenly after fixation of price of raw material by the Joint Collector, East Godavari District. The crushing season for the year 2019, is proposed duly consulting the local farmers, District Administration & Sago manufacturing Association in the 1st week of February, 2019 and requested the Board for Revocation of Stop Production Order, and they ensured that the ETP would be stabilized well in advance, so as to treat the wastewater generated during the crushing season.

WHEREAS vide reference 4th cited, the Officials of RO, Kakinada have inspected the industry on 07.01.2019 and recorded the following observations:

   a) The industry was not in operation, in compliance with the Stop Production Order issued vide order dt.06.07.2018.
   b) Maintenance works of machinery and ETP are under progress. The representative of the unit informed that the crushing season for the year 2019 is proposed from 1st / 2nd week of February, 2019 and requested for Revocation of Stop Production Order and also ensured that they would stabilize the Effluent Treatment Plant well in advance, so as to treat the wastewater generated during the crushing to the Board’s discharge standards.

WHEREAS legal hearing was conducted before the External Advisory Committee (Task Force) of A.P. Pollution Control Board in its meeting held on 29.01.2019. The representatives of the industry have attended the legal hearing. The committee noted that the Hon’ble Supreme Court of India vide judgment dated 22.02.2017 in W.P. No. 375 of 2012 directed the Board not to permit any industry to operate without Consent to Operate (CFO) and its primary effluent treatment plant is functional. The Committee also noted that the Zonal Office, Visakhapatnam
issued Stop Production Order to the industry on 06.07.2018 for not operating ETP properly and not meeting the Board’s discharge standards. The representative of industries informed that the industries are operated seasonally (operates in the month of Feb & March i.e. 30 - 40 days) with 30 to 40% production capacity due to non availability of raw material and financial problems and they have constructed ETP. They ensured that they would stabilize the Effluent Treatment Plant well in advance (before 15 days), so as to treat the wastewater generated during entire season to comply with the Board’s discharge standards. The Committee instructed the sago units to operate the Effluent Treatment Plant and not to discharge waste water into Samalkot Canal.

After detailed discussions, the Committee recommended to issue Revocation of Stop Production order with certain directions. Accordingly, the Board hereby issues Revocation of Stop Production Order with the following directions under Sec.33 (A) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Sec.31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987:

1. The industry shall stabilize the ETP at-least 15 days, before start of crushing season.
2. The industry shall treat the wastewater to meet the Board’s discharge standards.
3. The industry shall install magnetic flow meter with totalizer facility at the inlet and final outlet of the ETP.
4. The industry shall not discharge any effluent outside their premises i.e. into Samalkot Canal and shall utilize the treated waste water for onland irrigation purposes only.
5. The industry shall develop and maintain 33% green belt of the total area in the premises.
6. The industry shall ensure continuous compliance of the conditions issued in the CFO & HWA order.

You are hereby directed to note that, should you misuse this order and violate any one of the conditions mentioned above, your unit will be closed under Sec.33 (A) of Water (Prevention and Control of Pollution) Amendment Act, 1988, and under Section 31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987, in the interest of Public Health and Environment and you will be also liable for prosecution in the Court of Judicial Magistrate First Class under Sec.41 (2) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Sec.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 and which may be extended to six years and with fine.

This Order comes into effect from today i.e. 27.02.2019.

Sd/-
CHAIRMAN
APPCB

To
M/s. Jaya Balajee Sago Manufacturers,
Vetlapalem Village,
Samalkot Mandal,
East Godavari District.

Copy to:

1. The Joint Chief Environmental Engineer, Zonal Office, Visakhapatnam for information and necessary action.
2. The Environmental Engineer, Regional Office, Kakinada for information and necessary action.

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

JOINT CHIEF ENVIRONMENTAL ENGINEER
UH-II