Memo No. 353 /APPCB/CFE/RO-ELR/HO/2019 01/10/2019


Ref: 1. Proponents representation dt. 27.08.2019.
3. CFE Committee meeting held on 19.09.2019.

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The Board is in receipt of the representation from M/s. Tejo Industry (Unit-II), R.S.No. 264/1, Akiveedu (V&M), West Godavari District vide reference 1st cited. The EE, RO: Eluru vide reference 2nd cited submitted report in this regard. The issue was placed before the CFE Committee at Head Office in the meeting held on 19.09.2019. The Committee noted the following:

a. M/s. Tejo Industry (Unit – II) had applied for CFE to establish an Ice manufacturing unit of capacity 7500 TPA at R.S.No. 264/1, Akiveedu (V&M), West Godavari District.

b. As per the classification issued by the CPCB, it is a Green category industry. “S.No.13 chilling plant, cold storage and Ice making.”

c. This application was examined by the EE, RO: Eluru and requested the proponent vide ir. dt. 04.12.2018 to obtain No Objection Certificate (NOC) by 10.12.2018 from the Forest Range Officer, Wild Life Management, Kaikaluru, Krishna District and submit the same for issue of acknowledgment (Consent) of the Board.

d. The EE, RO: Eluru vide ir. dt. 17.12.2018 addressed the Forest Range Officer, Wild Life, Kaikaluru (V & M), Krishna District to clarify whether the location of the proposed industry is within or outside the limits of +5 Contour of Kolleru Lake.

e. The Forest Range Officer, vide ir. dt. 27.12.2018 replied that the rule position for establishment of industries in the sanctuary boundary / eco sensitive zone / buffer area (prohibited area) is not available in their office. He has requested the EE, RO: Eluru to contact Divisional Forest Office, Eluru for further query in the above said subject.

f. The EE, RO: Eluru vide ir. dt. 30.01.2019 addressed the Divisional Forest Officer, Wild Life Management, Eluru. The reply is awaited.

g. In the mean while the project proponent submitted a representation on 27.08.2019 for re-consideration of their application. This was communicated to the Regional Officer, Eluru to furnish a report. The EE, RO: Eluru submitted reports vide ir. dt. 04.09.2019 and 12.09.2019.

h. The Board vide circular No. 14/33587/98/PCB/Legal/2001-935, dt. 20.08.2001 communicated a copy of the Hon’ble High Court order dt. 30.07.2001 in WP.No.33587/98 filed by Dr. T. Patanjali Sastri against APPCB and others w.r.t. activities in the catchment area of lake causing pollution to Kolleru lake. It was
directed that the respondents shall forthwith take adequate steps for stoppage and regulation of effluents discharged from the industries and municipalities into Kolleru lake and strictly adhere to the standards, laid down by MoE&F, GoI for the purpose of preservation and maintenance of the lake and ecology.

i. Based on above orders of Hon'ble Court, the Board requested M/s. Liquors India Ltd., Kaikaram (V), Ungutur (M), West Godavari District to choose alternative site to establish the industry vide letter dt. 07.12.2005 and directed to return the application of M/s. Sentini Bioproducts (P) Ltd., Pulla (V), Bhimadole (M), West Godavari District vide letter dt. 10.02.2006. Further, the APIIC was requested to choose alternative sites away from the catchment area of Kolleru lake to develop industrial estates vide lr. dt. 13.04.2005 keeping in view of orders of Hon'ble High Court.

j. The Board vide lr. dt. 09.10.2007 addressed a letter to the Spl. Chief Secretary to Government, EFS&T Department, A.P. Secretariat, Hyderabad and informed the Government that the Board decided not to consider the applications of Industries within a radius of 10 km around the Kolleru Lake duly communicating the Resolution No. 1716 of 117th meeting held on 13.08.2007.

k. Similarly, the JCEE, ZO: Visakhapatnam vide order dt. 28.07.2018 rejected the application of M/s. Prabhakar Aluminum Profiles, R.S.No.90/1A, Eluru Road, Pedapadu (V) & (M), West Godavari District (Aluminum Profiles – 80 TPD) as the proposed site of the industry is located within 10 km of the catchment of Kolleru Lake. The proponent requested to reconsider their application. This was examined in the CFE Committee in the meeting held on 19.09.2018 at the Head and informed the industry that the decision taken by the ZO: Visakhapatnam rejecting the proposal vide order dt. 28.07.2018 keeping in view of Court Order, holds good.

l. The Hon'ble High Court vide order dt. 04.12.2018 in W.P.No.44075 of 2018 between M/s. Sree Seetha Rama Ice & Cold Storage, Akiveedu (V&M), West Godavari District opined as following:

"No coercive steps shall be taken by the official respondents as against the establishment of the petitioner till 14.12.2018. The petitioner shall not make any further construction or development or carry on any activity in the premises in question until then."

Further, the Hon'ble High Court vide order dt. 14.12.2018 extended interim order granted on 04.12.2018 is extended by 4 more weeks. The Hon'ble High Court vide order dt. 19.12.2018 in W.P.No. 39452 of 2018, dismissed the Writ Petition. Pending miscellaneous applications shall also stand closed. No costs.

The representatives of the project proponent attended the meeting and requested to issue CFE.
After detailed discussions, the Committee recommended to inform the RO, Eluru to reject CFE as per the Board resolution No. 1716 of 117th meeting held on 13.08.2007 and in view of Hon'ble High Court orders. In future also all the applications of the industries in 10 km. radius of Kolleru lake shall be rejected. The ROs: Eluru and Vijayawada shall be informed accordingly.

In view of the above, the EE, ROs: Eluru and Vijayawada are hereby directed to take necessary action as mentioned above while processing applications from the proponents to establish industries with in 10 km radius around Kolleru lake.

VIVEK YADAV IAS, MS(VY), O/o MEMBER SECRETARY-APPCB
MEMBER SECRETARY

To

The Environmental Engineer, Regional Office: Eluru and Vijayawada.
Copy to the JCEE, ZO: Vijayawada and Visakhapatnam.

Signature NotVerified