

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Ban – Permanent Ban on Establishment of certain Polluting Industries in Medak, Ranga Reddy, Mahaboobnagar and Nalgonda Districts- Amendment Notification – Orders-Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (ENV) DEPARTMENT

G.O. Ms. No. 64

Dated: 25-07-2013.

Read the following:-

1. G.O. Ms. No. 95, Environment, Forests, Science & Technology (ENV) Department, dated: 21-09-2007.
2. Representation of Bulk Drug Manufacturer's Association (BDMA), Hyderabad to APPCB, dated 18-09-2012 and Government dated 16-07-2012.
3. Order of the Hon' ble Appellate Authority dated 20-10-2012.
4. Resolution No. 1949 of 130th Board Meeting of Andhra Pradesh Pollution Control Board, dated:04-12-2012.
5. Letter No.44144/PCB/PLG/2012-65, Andhra Pradesh Pollution Control Board, dated:03-04-2013.
6. Commerce Secretary, Government of India D. O. Letter No.15/36/2013/EP (Engg/Pharma). Dated 30-04-2013.

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ORDER:

In the G.O. 1st read above, Ban was imposed on the establishment/expansion of certain categories of polluting industries in all the Industrial Estates/Industrial Development Areas and other industrial areas as mentioned in the Annexure to the notification and 1km around these industrial areas of Medak, Rangareddy, Mahaboobnagar and Nalgonda districts.

(2) - In the representation 2nd read above, the Bulk Drug Manufacturer's Association (BDMA), Hyderabad requested the APPCB to allow the expansion of existing Bulk Drug and its Intermediate Manufacturing Units with Zero Liquid Discharge Facilities and Industries who could send less contaminated non-process water such as domestic, cooling tower and boiler blow down to Common Effluent Treatment Plants (CETPs) and to consider pollution load at Point of Discharge instead of Point of Generation before installation of pollution control systems as provided in Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981. They enumerated the improvements in the technology adopted by them such as Zero Liquid Discharge (ZLD) / Zero Process Liquid Discharge (ZPLD) process comprising of latest equipment such as Stripper, Multiple Effect Evaporator, Agitated Thin Film Drier (ATFD) and Reverse Osmosis (RO) etc, to control water pollution through considerable reduction in High Total Dissolved Solids (HTDS) discharges and also to bring down emission of gaseous substances mainly Volatile Organic Compounds (VOC) to control Air Pollution.

3) The Principal Secretary to Government, Industries and Commerce (CIP) Department offered his views on the present state of pollution control measures implemented by Bulk Drug and Bulk Drug Intermediates industrial units. Keeping the fact that Hyderabad attained the status as International Capital of Pharmaceutical industry, a level playing field is a dire necessity to maintain its leadership position without compromising on pollution control. As there is overall improvement in water pollution control measures adopted by the industry, a suggestion has been made to permit the increase in production capacity to enable them to compete in the international market and to assess the pollution load at the point of discharge.

4) In the order 3rd read above, the Hon'ble A. P. Pollution Control Appellate Authority observed that there is much improvement in the environmental conditions after industries implemented better pollution treatment techniques and Ministry of Environment and Forests (MoEF) has lifted moratorium in establishment of industries in the earlier notified industries. Imposing ban or restrictions on the industries through Administrative Orders is not justifiable and such ban and restrictions are against the Statutory provisions under (Section 2, Rule 5) of Environment (Protection) Act, 1986. The Hon'ble Appellate Authority disposed the appeals filed by the Bulk Drug and Intermediate industries with the direction that the State Government shall take a decision on the representation made by the Bulk Drug Manufacturers Association in the light of the orders passed by MoEF and the Statutory position as explained above within three months from today.

5) In the resolution 4th read above, the Andhra Pradesh Pollution Control Board in its Resolution No.1949 of 130th Board meeting resolved to recommend to the Government, the recommendations of the High Level Expert Committee (HLEC) constituted to study the request of Bulk Drug Manufacturer's Association (BDMA) to amend the G. O. Ms. No.95, dated 21-09-2007. The Committee in their report stated that the requisite treatment facilities are in place and Ministry of Environment and Forests (MoEF), Government of India has withdrawn the moratorium in Patancheru - Bollaram area after implementation of Joint Action Plan. The High Level Expert Committee recommended to the Andhra Pradesh Pollution Control Board that the expansion of capacities could be considered subject to the availability of water resources, Ambient Air Quality including Volatile Organic Compounds (VOC), Capacity of Treatment, Storage and Disposal Facility (TSDF) & Common Effluent Treatment Plants (CETP's) and their performance and scope for using organic waste in cement plants for co-processing.

6) In the letter 5th read above, the Andhra Pradesh Pollution Control Board communicated the Agenda with minutes of the 130th Board meeting of Andhra Pradesh Pollution Control Board and the report of the High Level Expert Committee with their recommendations from the technical point of view. The Andhra Pradesh Pollution Control Board recommended the expansion of existing industries on a case to case basis in relaxation of ban order issued vide G. O. 1st read above, based on legal advice. The recommendations of the Andhra Pradesh Pollution Control Board is based on four parameters namely (i) Availability of Water resources, (ii) Ambient air quality including Volatile Organic Compound (VOC) (iii) Capacity of Treatment, Storage and Disposal Facility (TSDF) & Common Effluent Treatment Plant (CETP) and their performance and (iv) Scope for using organic waste in cement plants for co-processing. The Andhra Pradesh Pollution Control Board recommended comprehensive Zero Liquid Discharge (ZLD) for large industries with effluent generation above 25 KLD and partial ZLD / common ZLD for small industries with effluent generation below 25 KLD of total effluent. The Andhra Pradesh Pollution Control Board recommendation includes the transportation of low TDS effluent generated by the industries to the Common Effluent Treatment Plants (CETPs), meeting the inlet standards stipulated by the Andhra Pradesh Pollution Control Board.

7) In the letter 6th read above, Commerce Secretary, Government of India stated that the share in exports of Drugs and Pharmaceutical Industry from A. P. State is about 35% of the total exports from the Country. He recommended for expansion of existing units subject to compliance of pollution control norms in order to give further boost to the exports from this sector.

8) The Learned Additional Advocate General, High Court of Andhra Pradesh in his letter dated 28-03-2013 has opined that the Government may

consider to amend the condition of restriction imposed on expansion of existing industries in G. O. Ms. No.95, dated 21-09-2007, so far as expansion of production of the existing units.

9) The Government, after careful examination of the matter, have decided to issue an amendment to the G. O. Ms. No.95, Environment, Forests, Science & Technology (ENV) Department, dated: 21-09-2007 to enable the expansion of production of the existing Bulk Drug and Bulk Drug Intermediates manufacturing units only subject to the installation of Zero Liquid Discharge (ZLD) facilities by such units and to assess the Pollution load at the Point of Discharge, as provided in Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

10. Accordingly, the following notification will be published in the Extra-ordinary Issue of the Andhra Pradesh Gazette dated 25-07-2013:

NOTIFICATION

In exercise of the powers conferred by section 19 of the Water (Prevention and Control of Pollution) Act, 1974 (Central Act No.6 of 1974) and section 19 of the Air (Prevention and Control of Pollution) Act, 1981 (Central Act No.14 of 1981) the Government of Andhra Pradesh on the recommendations of the A. P. Pollution Control Board, Hyderabad hereby makes the following amendment to the notification issued in G. O. Ms. No.95, Environment, Forests, Science & Technology (ENV) Department, dated: 21-09-2007.

AMENDMENT

In the said notification, after the existing Note, the following shall be added namely:-

"Provided that the expansion of production of all types of existing Bulk Drug and Bulk Drug Intermediate manufacturing units are permitted, subject to the installation of Zero Liquid Discharge (ZLD) facilities by such units and subject to the outcome of cases pending in the National Green Tribunal, Southern Zone, Chennai or in any other court. The Pollution load of industrial unit shall be assessed at the Point of Discharge, as provided in Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981."

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

**M. SAMUEL
SPECIAL CHIEF SECRETARY TO GOVT.**

To
The Commissioner, Printing, Stationary & Stores Purchase (Plg.wing),
Chenchalguda, Hyderabad, with a request to publish the Notification in the next extra-ordinary issue of the Andhra Pradesh Gazette, and furnish 200 copies of the same.
The Member Secretary, Andhra Pradesh Pollution Control Board, Paryavaran Bhavan, A - 3, Industrial Estate, Sanathnagar, Hyderabad.

Copy to:

All the Departments of Secretariat.
The Collectors of Medak, Rangareddy, Mahaboobnagar and Nalgonda districts.
The Commissioner of Industries, Chirag-ali-lane, Abids, Hyderabad.
The Director Agriculture, Andhra Pradesh, Hyderabad,

The Commissioner, Information & Public relations Department,
Andhra Pradesh, Hyderabad.
The Commissioner, Environment Protection Training Research Institute
(E.P.T.R.I), Andhra Pradesh, Hyderabad,
The Chairman, Andhra Pradesh Transco, Somajiguda, Vidyuth Soudha,
Andhra Pradesh, Hyderabad.
The Pri. Secretary to Hon'ble Chief Minister.
P.S. to M (FES&T),
P.S. to Special Chief Secretary to Govt., E.F.S. & T. Dept.
All Senior Officers of Environment, Forests, Science & Technology
Department.
All Sections in Environment, Forests, Science & Technology Department.
The Law (B) Department.
SF / SC.

//Forwarded::By Order//

Section Officer