

GOVERNMENT OF TELANGANA  
ABSTRACT

EFS&T Deptt., - Modification of ban orders on establishment /expansion of certain polluting industries in Medak, Ranga Reddy, Mahaboobnagar and Nalgonda Districts – Notification - Orders - Issued.

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ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (For.III) DEPARTMENT

G.O.Ms.No. 24

Dated: 24-04-2019

Read the following :-

- 1) G.O.(Ms)No.95, Environment, Forests, Science & Technology (Env) Department, dated 21.09.2007.
- 2) G.O.(Ms)No.64, Environment, Forests, Science & Technology (Env) Department, dated 25.07.2013.
- 3) Orders of the Hon'ble NGT (SZ),Chennai, dated :24.10.2017 in Application No.90 of 2013, and batch cases.
- 4) Representation of Bulk Drugs Manufacturers' Association (BDMA), Hyderabad to the Government, dated 10.01.2018.
- 5) Letter of M.S., TSPCB, Hyd., No.6/Ngt-Chennai/ TSPCB/ Legal / 2013-2433, dated: 02.11.2018.

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ORDER:

Orders were issued in the G.O.1<sup>st</sup> read above, imposing restrictions on establishment/expansion of certain categories of industries in all the Industrial Estates/Industrial Development Areas and other Industrial Areas and 1 km around these industrial areas in the Districts of Medak, Rangareddy, Mahaboobnagar and Nalgonda.

2. Further orders were also issued in the G.O.2<sup>nd</sup> read above, amending the G.O.1<sup>st</sup> read above, permitting expansion of production of all types of existing Bulk Drug and Bulk Drug Intermediate Manufacturing units, subject to the installation of Zero Liquid Discharge (ZLD) facility by such units.

3. The Hon'ble National Green Tribunal Southern Zone, Chennai in Application Nos. 69-72 of 2013 and batch cases, popularly known as "Patancheru Pollution Matters" has issued certain directions in its orders 3<sup>rd</sup> read above. With regard to the expansion of industries, the Hon'ble NGT at Sub Para 11, Para 244 of the orders issued the following directions :

*"There is no necessity to direct closure of the existing industrial units in Patancheru and Bollaram. However, unless and until restoration activities are completed the Regulatory Authority shall not consider any of the applications of the existing units for expansion. However, in the event of the Regulatory Authority deciding that expansion in respect of a particular unit is required in public interest, such proposal may be considered not only strictly in accordance with the provision of the Act and only after satisfying that the unit is showing ZLD but subject to further condition that the said unit shall be directed to deposit an amount equivalent to 1 % of the annual turnover in the previous year and such amount shall be kept in a separate account in the name of "Patancheru - Bollaram Environment Relief Fund" and only after the deposit of the said amount, the claim for expansion may be considered".*

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4. The Bulk Drugs Manufacturers' Association (BDMA), Hyderabad in their representation 4<sup>th</sup> read above, requested the Government to withdraw the ban notification on establishment and expansion of industries in view of the above directions issued by the Hon'ble National Green Tribunal, Southern Zone, Chennai. Whereas the Government has already taken into consideration the views offered by the Principal Secretary to Government, Industries and Commerce Department on the present state of pollution control measures implemented by the Bulk Drug and Bulk Drug Intermediate Industrial Units and also considered the fact that Hyderabad has attained the status as international capital of Pharmaceutical Industry and that a level playing field is a dire necessity to maintain its leadership position without compromising on pollution control and after observing that there is overall improvement in Water pollution control measures adopted by the industries that the permission was granted vide G.O.Ms.No.64 to increase the production capacity to enable them to compete in the international market.

5. Whereas, the Government has reviewed the position in the light of the judgment of the Hon'ble National Green Tribunal, Southern Zone, Chennai, dated 24.10.2017 with specific reference to the directions that the Regulatory Authority can permit expansion of the existing industries in public interest in accordance with the provisions of law and subject to the unit complying with Zero Liquid Discharge (ZLD) and subject to the deposit of 1 % of their annual turnover in the previous year to the "Patancheru – Bollaram Environment Relief Fund." *In the context of industries, the various indicative factors that can be borne in mind while considering the question of Public Interest are (a) Generation of employment opportunities; (b) increased revenue due to increased production ; (c) augmenting of foreign exchange in the case of exports; (d) R & D activities; (e) the activities that may be directed to be carried out by the concerned industrial units in public interest apart from the obligations under the CSR requirements under the Companies Act (f) the necessity for the products – i.e. life saving drugs etc.*

6. And whereas, the necessity has arisen for issuing fresh orders on consideration of the above developments and issuing of fresh Government Order being felt necessary for the implementation of the directions passed by the Hon'ble National Green Tribunal, Southern Zone, Chennai as referred to above.

7. And Whereas, it also having been observed that while the Hon'ble National Green Tribunal, Southern Zone, Chennai has permitted the consideration of applications for expansion from the industrial units of all categories subject to such requirement being in public interest and fulfillment of other conditions as imposed by the judgment, 3<sup>rd</sup> read above and such appropriate amendments are required to be made to G.O.Ms.No.95 and to give effect to the directions of the Hon'ble National Green Tribunal, Southern Zone, Chennai.

8. The Government, after careful examination of the above matter have decided to issue an appropriate amendment orders issued vide G.O.Ms.No.95, dated: 21/09/2007 and G.O.Ms.No.64, dated: 25/07/2013 by way of this order.

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9. Accordingly, the following notification shall be published in the extraordinary issue of the Telangana State Gazette dated 25.04.2019:-

**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 Telangana, hereby issue the following amendment to the notifications issued vide G.O.Ms. No.95, dated: 21.09.2007 and G.O.Ms. No.64, dated:25.07.2013 :-

- i) the expansion of production of all kinds of existing industrial units falling under the areas and categories covered by G.O.Ms.No.95 dated 21.09.2007 are hereby permitted subject to compliance of the directions in the above mentioned orders of the Hon'ble NGT, dated 24/10/2017.
- ii) the ban imposed on the establishment of new industries of the categories and in the areas as mentioned in the G.O.Ms.No:95, dated: 21/09/2007 shall continue.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

AJAY MISRA  
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To  
The Commissioner of Printing & Stationary and Stores Purchase,  
Hyderabad with a request to publish the notification in the  
extraordinary issue of Telangana State Gazette and to furnish 50  
copies to Government.  
The Member Secretary, Telangana State Pollution Control Board,  
Hyderabad.

**Copy to:**

All the Departments in the Telangana Secretariat.  
The Collectors of Medak, Rangareddy, Mahaboobnagar and Nalgonda  
Districts.  
The Director of Agriculture, Hyderabad.  
The Commissioner of Industries, Hyderabad/ Vice Chairman & Managing  
Director, Telangana State Industrial Infrastructure Corporation ,  
Hyderabad.  
The Commissioner, Information & Public Relations Department, Telangana  
State, Hyderabad.  
The Director, Environment, Protection Training Research Institute (EPTRI),  
Hyderabad.  
The Chairman, Telangana State Transco, Hyderabad.

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The Law (B) Department. Telangana State, Secretariat.  
The P.S. to Addl. Secretary to Chief Minister/C.S.  
The P.S. to Minister (F&E and S&T).  
The P.S. to Special Chief Secretary.  
S.f./S.c.

// FORWARDED :: BY ORDER //

SECTION OFFICER