

5

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 436 of 2019

Priya Naidu G.
No.147/A, Neervallur Village,
Kancheepuram
Phone:8870918165.

...Applicant

Vs

State of Tamil Nadu & ors

...Respondents

INDEX

23/10/2019

S.NO.	DESCRIPTION	Page No.
1.	ACTION TAKEN REPORT FILED ON BEHALF OF THE TAMIL NADU POLLUTION CONTROL BOARD. <i>Along with Annexure</i>	5-73

[Signature]

Ram Sankar
Advocate.

Standing Counsel

Filed by:
Tamil Nadu Pollution Control Board,
Chennai

Date: 14/10/2019

I-4, Jagjyoti - B
New Delhi - 110014.

M - 9873251588
ramlawdelhi@gmail.com.



**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 436 of 2019

Priya Naidu G.
No.147/A, Neervallur Village,
Kancheepuram
Phone:8870918165.

...Applicant

Vs

State of Tamil Nadu & ors

... Respondents

**ACTION TAKEN REPORT FILED ON BEHALF OF THE
TAMIL NADU POLLUTION CONTROL BOARD.**

I, K. Gokuladas, Son of K. Kesavan Nair, Hindu, aged about 57 years, having my office at 76, Mount Salai, Guindy, Chennai-600032, do hereby solemnly affirm and sincerely state as follows:-

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-600032, and I am filing this Action Taken Report on behalf of the Tamil Nadu Pollution Control Board and as such I am well acquainted with the facts of the case from the records.

2. It is respectfully submitted that the petitioner has made the complaint regarding serious violation of norms by M/s. Aiyasha Enterprises & Gems Recycling, Kancheepuram District.

3. It is further submitted that the Hon'ble NGT (PB) has passed order dated 24.07.2019 among other things inter alia that:

"Let the Tamil Nadu State Pollution Control Board (TNPCCB) look into the matter and take appropriate action in accordance with law and



G. Teel
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUNDIR,
CHENNAI-600 032.

furnish a factual and action taken report to this Tribunal within one month from the date of receipt of copy of this order”.

4. It is respectfully submitted that, the Consent to Operate was issued to the unit of M/s. Aiysha Enterprises, SF. No. 222/3&4 (Part) and 214/1 (Part), Neervalur village, Kancheepuram Taluk, Kancheepuram District vide Board's Proceeding dated 08/11/2010 valid upto 31/03/2011 to carry out the Recycling / reprocessing of waste paint residues / sludge to process

- i. Water based paints – 10,000 Kg. / Month
- ii. Solvent based paints – 10, 000 Kg./ Month
- iii. Cleaned barrels and carboys – 2,000 Nos. /Month.

Further, CTO expansion was issued to the unit vide Proceeding dated 30/11/2017 valid upto 31/03/2018 to carryout

- i. Reprocessing of water based paints – 40000 Kg / Month
- ii. Reprocessing of solvent based paints 40000 Kg / Month
- iii. Reprocessing of wall putty - 50000 Kg / Month
- iv. Thinners 30000 Kg / Month
- v. Reprocessing of adhesives and sealants – 30000 Kg / Month
- vi. Manufacturing of water based paints – 15000 Kg / Month
- vii. Manufacturing of solvent based paints – 16000 Kg / Month
- viii. Manufacturing of adhesives and sealants – 1500 Kg / Month
- ix. Cleaned barrels and carboys – 40000 Nos /Annum.

Subsequently, renewal was issued vide RCO Proceeding No F.SPR 0453/RS/DEE/ SPR/ W &A / 2019 dated 09/04/2018 valid upto 31/03/2023. The copy of the same is submitted herewith as **Annexure-I**

5. It is respectfully submitted that, authorisation has been issued to the unit as per the provisions of Hazardous Waste (Management, Handling & Transboundary) Rules, 2008 for handling the following



G. Jeeva
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI-600 032.

Hazardous Waste Streams vide Proceeding No.T14/TNPCB/F-3721/05/KPM/HWM/RS/2011 dated 07.03.2012:

- (Para 21.1) Processes Wastes and residues & Sludges of waste water based paints,
.Solvent based paints – 240 MT/A ,
- (Para 33.3) Discarded Container/ Barrels contaminated with hazardous chemicals/ wastes 24, 000 Nos/Annum of &
- (Para 20.2) Spent Solvents 154 MT/A

The copy of the same is submitted herewith as **Annexure – II**.

As the authorization issued was expired on 15/05/2016, the unit has applied for authorisation through OCMMS under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016. The application was returned for want of additional particulars.

6. It is respectfully submitted that in the meantime, a complaint was received from the applicant Tmt G.Priya Naidu vide letter dated 07.02.2019 alleging the unit of M/s Aiysha Enterprises is not having authorization to collect spent solvents as specified in the MoEF & CC , Government of India rules for the past three years. In the complaint it was also alleged that M/s. Asian Paints PPG, Asian Paints Limited & Akzo Nobel India Pvt. Limited., have disposed around 20,000 Tons of Paint Wastes to the said facility. And that around 2800 Tons of wastes was sold locally and some waste is landfilled in the premises of the unit without the knowledge of the Board. The copy complaint is submitted herewith as **Annexure - III**. It was also alleged that the unit has disposed hazardous wastes near kancheepuram and caused



G. Feele
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

contamination of fertile lands causing cattle death. The unit was inspected on 21.02.2019 by the O/o the District Environmental Engineer, Sriperumbudur. The copy of Inspection Report is submitted herewith as **Annexure - IV**. Show cause notice was issued to the unit by the O/o the DEE, TNPCB, Sriperumbudur, under section 25 of the Water (P&CP) Act, 1974 and under Section 21 of the Air (P&CP) Act, 1981 vide Proceeding No F.SPR 0453/RS/DEE/ SPR/ W&A/ 2019 dated 21.02.2019. The copy of show cause notice is submitted herewith as **Annexure - V**.

7. It is respectfully submitted that, since the reply furnished by the unit for the show cause notice vide it's letter dated 25.02.2019. The copy of the unit's letter is submitted herewith in **Annexure - VI**. Orders for closure and disconnection of power supply was issued to the unit of M/s.Aiyesha Enterprises vide Proceeding No.T2/TNPCB/ F5696SPR/SRP/EB/2019 dated 11.03.2019 (Copy Board's Proceeding dt.11.03.2019 is submitted herewith as **Annexure - VII & VIII**). Based on that, EB power supplies to the unit (SC. No. 310-005-185 and 310-005-348) were disconnected by the TANGEDCO on 14.03.2019.

The complaint has also been sent by the complainant to the Hon'ble National Green Tribunal (Principal Bench) stating that from June 2015 till date waste sludge and paint is disposed by Aiyesha Enterprises & GEMS Recycling at Kancheepuram District underneath the back yard (Scrap Yard) of the factory at the following locations:

i. Under the new solvent Plant and solvent plant is constructed above the dump and under the new water tank.




JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

ii. Jumbo bag Godown and Gems Godown and at Pannirutti Village.

8. It is further submitted that, in earlier the Hon'ble NGT (PB) has treated the complainants letter as an application, which was numbered as O.A. No 329 of 2019 and Placed on Record that the waste is purchased by M/s Aiysha Enterprises From M/s Asian Paints Ltd., M/s PPG Asian Paints Limited, Akzonobel India Choskote Branch Bangalore, M/s Emphasis (Bangalore), M/s Wipro Ltd (All India Level), M/s Bureau of Statistics All India Level, M/s KG Denim and other software companies in violation of environmental norms. The applicant complaint has been disposed of by the Hon'ble NGT (PB) with an instruction that the complaint has been sent to Tamil Nadu State Pollution Control Board for taking appropriate action in accordance with law vide order dated May 07, 2019.

9. It is further submitted that, the District Environmental Engineer in his letter dated 03.04.2019 and informed that even after disconnection of power supply, the complainant was continuously lodging complaint through mail and was requesting to the Board to take action for the violation already made by the unit (i.e. operating the unit without valid authorization) under the provisions of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.

Hence the DEE, TNPCB, vide letter No.F.No.0453 / DEE / TNPCB/ SPR/2019-1, dated 23/05/2019 the DEE, Sriperumbudur had recommended following clause in the Guidelines for fixing the penalty




JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

and liabilities for Environmental damages due to handling and disposal of Hazardous waste.

Clause No 5.1: Liability of Assessment of contamination

TNPCB can hold the responsible party financially accountable. The following indicate costs can be collected from the unit as per the CPCB guidelines on Implementing Liabilities for Environmental Damages due to handling and disposal of Hazardous waste and Penalty dated January 2016.

The guidelines also says that the lower cost is applicable for small impacts. As this unit was in operation without valid authorization under Hazardous and other waste (M&TBM) Rule 2016, lower cost may be considered for this unit.

Scenario	Site assessment / Risk assessment		Remediation	
	Cost of Liability (INR)	Notes	Cost of Liability (INR)	Notes
Improper handling and storage of hazardous waste	10,00,000 to 10,000,000	Lower cost shall be applied since the impact is low.	5,000,000 to 75,000,000 and higher	N.A

Accordingly assessment liability of Rs 10.00 Lakh was imposed to the unit for assessing the damage caused if any to the unit vide Proceedings No.:T2/ TNPCB / F.05696 / HWM Rules / SPR / 2019 – dated: 28.06.2019. (The copy of the same is submitted herewith as **Annexure – IX**).

10. It is respectfully submitted that the Member Secretary, Karnataka State Pollution Control Board was addressed vide Board's

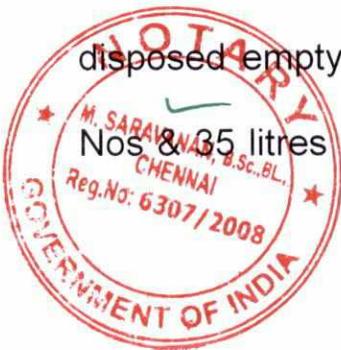


G. Jeyaraj
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI-600 032.

letter No :T2/ TNPCB / F.05696 / HWM Rules / SPR / 2019-2 dated 22.07.2019 to furnish detail of disposal of paint wastes and other wastes by industries based in Karnataka State, namely Akzonobel India Choskote Branch Bangalore, M/s Emphasis (Bangalore), M/s Wipro Ltd (All India Level) to M/s Aiyasha Enterprises & M/s Gems Recycling (P) Limited Kancheepuram District, subsequently a reminder was sent vide Board's letter No :T2/ TNPCB / F.05696 / HWM Rules / SPR / 2019-2 dated: 28.08.2019 . (The copy of the same are submitted herewith as **Annexure X & XI**).

11. It is further submitted that the Director General (NSS), Ministry of Statistics & Programme Implementation has been addressed vide TNPC Board's letter No :T2/ TNPCB / F.05696 / HWM Rules / SPR / 2019-2 dated: 22.07.2019 to inform as to whether the Bureau of Statistics or any offices have disposed hazardous wastes to M/s Aiyasha Enterprises & M/s Gems Recycling (P) Limited Kancheepuram District, subsequently a reminder was sent vide Board's letter No :T2/ TNPCB / F.05696 / HWM Rules / SPR / 2019-2 dated: 28.08.2019 (The copy of the same are submitted herewith as **Annexure- XII & XIII**).

12. It is also respectfully submitted that the unit M/s. K.G. Denim Limited has made agreement with M/s. Aiyasha Enterprises on 23.11.2015 for the disposal of 33.3 Empty Barrels - 20 Litres (Paint tin, Primer, Thinner) - 2 Tons/Year. The unit M/s. K.G. Denim Limited had disposed empty plastic carbouys 25 litres- 50 Nos, and 50 litres- 504 Nos & 35 litres - 12 Nos on 21.11.2015 and empty plastic carbouys 50



G. Jeeva
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.70, MOUNT SALAI, GUINDY,
 CHENNAI-600 032.

litres - 389 Nos & 100 litres - 56 Nos on 25.06.2016 through M/s. Aiysha Enterprises, S.F.No.22213 & 4 (Part) and 214/1 (Part), Neeervallur Village, Kancheepuram Taluk and District. The disposal of discarded containers by M/s. K.G. Denim Ltd., Coimbatore and the quantity procured by M/s. Aiyesh Enterprises from M/s. K.G.Denim is well within the Authorized capacity. The details are submitted herewith as **Annexure – XIV**.

13. It is respectfully submitted that, the unit has sent response to the directions vide it's letter dated 01.07.2019 stating the following (The copy unit's reply letter is submitted herewith as **Annexure - XV**):

i. The direction mentions that the complaint has been received by TNPCB on Aiysha Enterprises hazardous waste in the factory premises from Ms Priya Vinaya Naidu. These quantities are beyond their imaginable capacity that we have handled 20,000 MT of hazardous waste and land filled 2800 MT of hazardous waste in the factory premises considering the scale of their of operation which is too small when compared to these numbers. The factory is located in just 81 cents of total land area. It is stated that factory is handling recyclable paint waste and reusable spent solvents only and there's no disposal activity such as landfilling or incineration.

ii. No hazardous waste is generated in the production process. Only the expanded capacity and process will be generating hazardous waste generation to the tune of 300 kg/month. But this expanded capacity is not operational since the unit is awaiting the hazardous waste authorisation for the expanded capacity. The unit's financial turnover is only around 1.5 Crores per annum. It is stated that the complaint is fictitious and wrong. The complaint has been filed by a former employee of the company with an ulterior motive as since the unit has filed a case against her vide FIR 5/2019 with District Crime Branch,



G. Jeyaraj
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.70, MOUNT LALAI, GUNDIRY,
CHENNAI-600 032.

Kanchipuram for having stolen documents apart from money swindling and misappropriation.

iii. The unit has stated that the total recyclable hazardous waste recyclable waste generation from Tamil Nadu is only 89593 MTA generated from 2532 Industries as per the CPCB report on Hazardous Waste Inventories. The unit is procuring wastes mainly from two companies namely Asian Paints and PPG Asian Paints out of these 2532 industries that generate hazardous waste. The quantities mentioned in the complaint are beyond any theoretically possible values.

iv. Moreover, land filling 2800 MT of waste in the factory premises which has only 81 cents of land out of which major part is occupied by factory buildings and storage sheds is also beyond anyone's imagination. Moreover the factory is located in a village and has no boundary walls. It is only fenced and any activity in the factory is visible from outside. The unit is employing only local people and maintain a good relationship with villagers: just because we are non-polluting and there is absolutely no nuisance from our factory. There has not been any complaint against our factory till date from the villagers and local citizens.

v. It has been stated that two paint recycling industries are functioning within the same compound, namely Aiyasha Enterprises and Sri Traders. Both these companies were started together and operated under the same management till 2014. Both the companies take waste material from same companies and processes and activities are very similar. Whereas the assessment liability is invoked only on Aiyasha Enterprises. No action has been initiated against the other company.

vi. The unit has stated that they have submitted the consolidated data of hazardous waste received and processed from the year 2012 as per requirement of TNPCB vide our letter dated 14.05.2019. In the consolidated data furnished by the unit only 1000 MT has been handled



G. Jeeva
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI-600 032.

by the unit. The unit has stated that they take material only from reputed companies and there is proper VAT/GST invoices raised on every load.

vii. On verification of various replies furnished by the unit it is seen that the unit has obtained CPCB Registration as paint recycler vide F.No B-29016 (1831) /Reg/10/HWMD dated 25.08.2012. From the year 2012-13 till the year 2017-18, the unit has procured 749.136 MT of paint residues and 157.87 MT of Spent Solvents. Total quantity of wastes procured is 907.006 MT.

viii. During the said period the unit has recovered 868 MT of water based paints and 469.7 Tons of Solvent based paints. Total quantity of wastes paint recovered is 907.006 MT.

ix. Form 3 (Records on Hazardous Waste Generated and Recycled) is being maintained in the factory. Form 3 could not presented the same at the time of inspection since it was a part of the document that was stolen by our ex-staff Ms. Priya Naidu who has raised complaint against the unit.

x. However, after the inspection, the unit stated that it has the copies of Form 3 (from the year 2012) and Form 4 (2012-13 to 2017-18).

xi. The assessment liability of Rs.10, 00,000 is a very huge sum for the size of the unit and it is much more than their annual profit. The company has already been suffering financial loss for the last three years apart from financial difficulties faced due to closure of the Industry.

xii. Therefore, the unit has requested the Board to consider a smaller amount considering the level of non-compliance and quantum of wastes handled.

xiii. The show cause notice followed by the EB disconnection by TNPCB was initiated based on complaints filed by Ms. Priya Vinay Naidu who worked with the for just 11 months from Feb 2018 to Jan 2019 . While cases were pending against her, Ms Priya Naidu escaped from the Kanchipuram Judicial Magistrate Court 1 just before being remanded. A non-bailable warrant has been issued by the same



G. Jeeva
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

court. A high court order for executing this warrant has also been obtained and a copies of these documents were submitted to the Board along with the previous letters.

xiv. She has done these allegations and troubled the TNPCB and CPCB officials with sole motto of troubling the unit and to support the competitors who financially supported her.

xv. The unit is already suffering due to closure for last four months and this direction has come four months after closure. The unit is facing a huge pressure from the employees who are in danger of loosing their job and from villagers and village panchayat team who look for speedy recovery of factory operations. Any further delay will constraint the unit to go to Appellate Authority for revocation.

14. It is respectfully submitted that, the unit has request the Board to kindly ignore the false complaints and consider the revocation on merit and mercy basis. The unit has assured that we will abide with all the pollutions control norms of the board and will also comply with all the conditions if any imposed by the Board.

In view of the orders of the Hon'ble NGT (PB) in O.A.No 329/2019 dated 07.05.2019, the unit of M/s Ayesha was addressed vide Board's letter No:T2/TNPCB/F.05696/HWM Rules/SPR/2019-2 dated 22.07.2019 to make a deposit of Rs 10.00 Lakhs, without any further delay (The copy of the same is submitted herewith as **Annexure - XVI**). However, the unit vide letter dated nil received on 09.08.2019 reiterated the contents of its earlier reply dated 01.07.2019, stating that the complaint filed by the former employee is motivated and expressed that the assessment from a Third Party like Anna University will be carried out and permit their operations for a specific period. (The



G. Jeyaraj
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

copy of the same is submitted herewith as **Annexure - XVII**). The unit's reply is under examination.

15. It is also respectfully submitted that under the above said circumstance, considering the request of the unit, the unit may be permitted to carryout the liability assessment study engaging Anna University at their cost and the study shall be conducted in the presence of TNPCB officials so as to collect parallel samples to analysis the same in the NABL accredited lab at the cost of the unit.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Principal Bench) may be pleased to pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of this case and thus render justice.

G. Jeeva
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUNDIRY,
CHENNAI-600 032.
BEFORE ME

VERIFICATION

I, K. Gokuladas, Son of K. Kesavan Nair, working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai – 600032, do hereby verify that the contents of above report are true to the best of my knowledge through records.

Verified at Chennai on this day of September, 2019.



M. Saravanan
M. SARAVANAN, B.Sc., B.L.,
ADVOCATE & NOTARY PUBLIC
No.29, 2nd Cross Street, Sankar Nagar,
Pammal, Chennai - 600 075.
Cell : 9841081607

G. Jeeva
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUNDIRY,
CHENNAI-600 032.

CONSENT ORDER NO. 180819705702 DATED: 09/04/2018.

PROCEEDINGS NO.F.0108SPR/RS/DEE/TNPCB/SPR/W/2018 DATED: 09/04/2018

SUB: Tamil Nadu Pollution Control Board - RENEWAL OF CONSENT - M/s. AIYESHA ENTERPRISES, S.F.No. Survey No./TS No. 222/3&4(Part) and 214/1(Part), NEERVALUR village, Kancheepuram Taluk and Kancheepuram District - Renewal of Consent for the operation of the plant and discharge of sewage and/or trade effluent under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 as amended in 1988 (Central Act 6 of 1974) - Issued- Reg.

REF: 1. Your Application for RCO Dated 23-03-2018
2. IR.No : F.0108SPR/RS/AEE/SPR/2018 dated 07/04/2018
3. PROCEEDINGS NO.F.0108SPR/RS/DEE/TNPCB/SPR/A&W/2017 DATED: 30/11/2017

RENEWAL OF CONSENT is hereby granted under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 as amended in 1988 (Central Act, 6 of 1974) (hereinafter referred to as "The Act") and the rules and orders made there under to

The Partner
M/s.AIYESHA ENTERPRISES,
S.F.No. Survey No./TS No. 222/3&4(Part) and 214/1(Part),
NEERVALUR Village,
Kancheepuram Taluk,
Kancheepuram District.

Authorising the occupier to make discharge of sewage and /or trade effluent.

This is subject to the provisions of the Act, the rules and the orders made there under and the terms and conditions incorporated under the Special and General conditions stipulated in the Consent Order issued earlier and subject to the special conditions annexed.

This RENEWAL OF CONSENT is valid for the period ending March 31, 2023

**District Environmental Engineer,
Tamil Nadu Pollution Control Board,
SRIPERUMBUDUR**

SPECIAL CONDITIONS

19

1. This renewal of consent is valid for operating the facility for the manufacture of products/byproducts (Col. 2) at the rate (Col 3) mentioned below. Any change in the product/byproduct and its quantity has to be brought to the notice of the Board and fresh consent has to be obtained.

Sl. No.	Description	Quantity	Unit
Product Details			
1.	Reprocessing of water based paint	40000	kg/month
2.	Reprocessing of solvent based paints	40000	kg/month
3.	Reprocessing of wall putty	50000	kg/month
4.	Reprocessing of solvents to Thinners	30000	kg/month
5.	Reprocessing of adhesives and sealents	30000	kg/month
6.	Manufacturing of water based paints	15000	kg/month
7.	Manufacturing of solvent based paints	16000	kg/month
8.	Manufacturing of adhesives and sealents	1500	kg/month
9.	Cleaned barrels and carboys	40000	Nos/annum

2. This renewal of consent is valid for operating the facility with the below mentioned outlets for the discharge of sewage/trade effluent. Any change in the outlets and the quantity has to be brought to the notice of the Board and fresh consent has to be obtained.

Outlet No.	Description of Outlet	Maximum daily discharge in KLD	Point of disposal
Effluent Type : Sewage			
1.	Sewage	1.5	On Industrys own land
Effluent Type : Trade Effluent			

20

Additional Conditions:

- 1 The unit shall ensure that the Solar Evaporation Pans are made impervious and shall ensure that no overflow/ seepage/percolation to nearby land/water source owned by private/public at any point of time from the Solar Evaporation Pans .
- 2 The unit shall operate and maintain the SEP effectively and recover the salt from the SEP which shall be stored within the premises with log book and a monthly report shall be submitted to the Board.
- 3 The unit shall provide peizometers for monitoring the ground water quality and seepage.
- 4 The unit shall maintain log books for the consumption of various chemicals in the treatment plant / ZLDS, Energy consumption, fresh water consumption, Chemical sludge the ZLDS, Recycled effluent and the salt residues collected from the SEP.
- 5 The unit shall maintain Form - 3 for the generation of hazardous waste from the ZLD System and shall file annual return in Form - 4 to the Board.
- 6 The unit shall maintain the hazardous waste display board in front of the factory updating the same regularly as mandated by the Hon'ble Supreme Court Order dated. 14.10.2003.
- 7 The unit shall constantly improve its processing and ETP so as to reduce the discharge to the SEP.

**District Environmental Engineer,
Tamil Nadu Pollution Control Board,
SRIPERUMBUDUR**

To
The Partner,
M/s.AIYESHA ENTERPRISES,
Survey No./TS No. 222/3&4(Part) and 214/1(Part),
Pin: 631561

Copy to:

1. The Commissioner, WALLAJABAD-Panchayat Union, Kancheepuram Taluk, Kancheepuram District .
2. Copy submitted to the Member Secretary, Tamil Nadu Pollution Control Board, Chennai for favour of kind information.
3. Copy submitted to the JCEE-Monitoring, Tamil Nadu Pollution Control Board, Chennai for favour of kind information.
4. File



TAMILNADU POLLUTION CONTROL BOARD

PROCEEDING NO. T14/TNPCB/F-3721/05/KPM/HWM/RS/2011/ DATED. 07.03.2012

FORM - 2

(See Rule 5(4) of HWM Rules, 2008)

FORM FOR GRANT OF AUTHORIZATION FOR OCCUPIER OR OPERATOR HANDLING

HAZARDOUS WASTES

1) Number of Authorization and date of issue: 4006 Dated: 25.04.2011

Proc.No. T14/F-3721/HWM/2005/HWM/KPM/R/S/11/Dated: 25.04.2011

The Occupier - M/s. AIYESHA ENTERPRISES, S.F.No.214/IP, 222/3P, 4P,
NEERVALUR VILLAGE, KANCHEEPURAM DISTRICT was granted an authorization
to handle the hazardous wastes as specified below.

Sl. No	Details of unit process generating hazardous waste as indicated in column.2 of schedule-1	Details of waste stream as indicated in column 3.3q Schedule-I identify of waste as per Schedule-2.	Quantity (T/A)	Details of method of collection, conveyance, storage and safety measures provided for hazardous waste inside the premises.
1.	20. Production and /or industrial Use of Paints, Pigments, lacquers, varnishes, plastics and inks.	21.1 Processes Wastes and residues & Sludges of i. Waste water based paints. ii. Solvent based paints.	240 mt/a.	Collection, reception, storage, transport and treatment (reprocessing)
2.	33. Disposal of Barrels / containers used for handling of Hazardous Wastes/chemicals	33.3. Discarded Containers/ Barrels/liners contaminated with hazardous wastes / chemicals	24,000/- Nos./annum	Collection, reception, Storage transport and treatment and reuse.

On their premises located at the above address.

- The said unit vide its letter dated: 24.06.2011, /09.02.2012 has requested to include spent solvents - 154 mt/y which was left out in the authorization issued in this proceedings dated: 25.04.2011. Further, it has stated that spent solvents is necessary for reprocessing Process Wastes. Residues and Sludge of solvent based paints and requested to issue necessary amendment.



TAMILNADU POLLUTION CONTROL BOARD

22

2. The unit has stated spent solvents as one of the raw material in its application for Consent under Water Act and Air Act, authorization under Hazardous Waste (Management, Handling & Transboundary Movement) Rules 2008, and registration as a recycler by Central Pollution Control Board. Consent to Operate under Water Act and Air Act was issued after evaluate the use of spent solvents for producing reprocessed water/solvent based paints. Spent solvents is not included in the list of hazardous wastes requiring registration for recycling and reprocessing (Schedule IV) of Hazardous Waste (Management, Handling & Transboundary Movement) Rules 2008 and Central Pollution Control Board has issued registration for procurement of Waste Water / Solvent based paints - 240 t/annum.
3. In view of the above, the authorization issued in this office proceedings is amended and the unit is granted authorization for handling the following hazardous waste subject to the conditions mentioned in this authorization proceedings dated: 16.05.2011 and the following additional condition.

Sl. No	Details of unit process generating hazardous wastes as indicated in column.2 of schedule-1	Details of waste stream as indicated in column 3.3q Schedule-1 identify of waste as per Schedule-2	Quantity (T/A)	Details of method of collection, conveyance, storage, and safety measures provided for hazardous waste inside the premises.
1.	20. Production and / or Industrial Use of Paints, Pigments, Lacquers, Varnishes, Plastics and inks.	21.1 Processes Wastes and residues & Sludges of i. Waste water based paints. ii. Solvent based paints.	240 mt/a.	Collection, reception, storage, transport and treatment (reprocessing)
2.	33 Disposal of barrels/ Containers used for handling of hazardous wastes/chemicals.	33.3 Discarded Containers / barrels/liners contaminated with hazardous wastes/chemicals	24,000 Nos/annum	Collection, reception storage transport and treatment and reuse.
3.	20.0 Production and Industrial use of solvents	20.2 Spent Solvents.	154 mt/a	Collection, reception, storage transport and treatment (reprocessing).

- (i) The authorization is granted for collection, reception, treatment, storage, transport of hazardous waste only.



23

TAMILNADU POLLUTION CONTROL BOARD

- (II) The authorization shall be enforced for a period up to 15.05.2016.
- (III) The authorization is subject to the industry complying with all the conditions of Consent to operate / Renewal under Water and Air Acts.
- (IV) The unit shall comply with the Hazardous waste (Management, Handling & Transboundary Movement) Rules 2008, in all aspects.
- (V) The unit shall procure spent solvents from paint manufacturing industries only.

Sd./-xxxxx,
MEMBER SECRETARY.

To

The Proprietor,
M/s. Alyesha Enterprises,
S.F.No 222-3,
Plot No. 147-A Neeravallur Village,
Kancheepuram Taluk,
Kancheepuram District - 631 561.

Copy to :-

1. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Sriperumbudur at Paddappai
2. Spare

//Forwarded By Order//

S. S. S. S.
14/5/12

for MEMBER SECRETARY.

1413

7/2/2019

Go,

The district Environmental Engineer
Tamil Nadu, Pollution Control Board

Plot no-CP-5B, si Plot
Industrial growth centre
vandalur, wallajahbad
Road, Oragadam, si Perumpudur,
of taluk, Kancheepuram.

Pouya Naidu. G
No. 147/A, Neesvallur
village, Kancheepuram Ph: 8870918165

0400
Ae C.P.W.M.)

14.7



Respected Sir,

I hereby inform you that Aiysha Enterprises & gems recycling Pvt Ltd is not having hazardous waste constant orders to collect spent solvents & sludge of recycling facilities, Environmental sound method as per "MOEF" rule since 3 yrs till date without hazardous waste from various industries around tamilnadu & other states without following hazardous waste from various materials to other vendors against "MOEF" norms & dumping sludge in the ground in which air & water contaminated so i want to inform asain Paints, PPG Asian Paints throughout India provide waste paints throughout India provide waste paints around 20,000 tons of 3yrs & even akzonobel India Pvt Ltd hoskote Bangalore since 1 year 2018 providing the hazardous waste to dispose the waste to aiysha Enterprises which is against the lawfull act because they don't have safe made disposal in

Year 2015 to 2019 till end Aiyesha has collected 2800 tonnes of hazardous waste & sold local & some sludge is land filled in there premises without TNPCB knowledge & also Aiyesha enterprises including in importing of hazardous waste from various countries with false shell companies & storing those materials & contaminating the farmland near by.

No manifest is maintained on collection of sludge & solvents, gems recycling is also indulging in import business of e-waste from various sources & countries against the law. Beside Aiyesha enterprises indulging in marking activities, transporting the hazardous waste material & dumping near Kanchipuram various locations & contaminating the fertile land & various stray animals & cattles have died so far.

Beside, TNPCB has been regularly been paid unlawful money 1acs to MR - Selvaraj &

MR own: 8870740669 & their team for not to initiate action against the Aiyesha

enterprises & gems recycling private LTD

My petition in detail i have posted on Jan 18th Jan 22nd, Feb 5th, now again I am posting it the details are completely mentioned in previous petitions.

Kindly do the needfull & take strict action & save the village & environment

Thanks & Regards

Pragna



005696

Tamil Nadu Pollution Control Board
Inspection Report

500 N-9 26
2/17

AE (KJ) P)
6/5/3/4

1	a	Name of the Inspecting Officer	V. Deenadayalan				
	b	Designation	AE				
	c	District office	Sriperumbudur				
2		Date of Inspection	27/02/2019				
3	a	Name of the Industry	M/s. Aiyasha Enterprises				
	b	Factory address:	SF. No. 222/3&4 (Part) and 214/1(Part), Neervalur village, Kancheepuram Taluk, Kancheepuram District-631561				
4	a	Category	Red	Small			
	b	Type of the industry	1076-Common treatment and disposal facilities-Solvent/Acid recovery plant				
5		Name of the Occupier of the unit present during inspection.	Mr. Elayaraja, Supervisor				
6		Products manufactured:					
	a	Main Products manufactured:					
		<i>Main Product</i>	<i>Quantity</i>	<i>Unit</i>	<i>Actual production</i>		
		Reprocessing of water based paints	40000	Kg/month	Within consented quantity		
		Reprocessing of solvent based paints	40000	Kg/month			
		Reprocessing of wall putty	50000	Kg/month			
		Thinners	30000	Kg/month			
		Reprocessing of adhesives and sealants	30000	Kg/month			
		Manufacturing of water based paints	15000	Kg/month			
		Manufacturing of solvent based paints	16000	Kg/month			
		Manufacturing of adhesives and sealants	1500	Kg/month			
		Cleaned barrels and carboys	40000	Nos/Annum			
	b	By/Intermediate products manufactured:					
		<i>By / Intermediate Product</i>	<i>Quantity</i>	<i>Unit</i>	<i>Actual production</i>		
7	a	Quantity of effluent in KLD:					
	i)	Sewage	1.5				
	ii)	Trade effluent	1.7				
	b	Sources of trade effluent: Machinery and barrel Washing					
8		Performance of Effluent Treatment Plant:					
		<i>Nature of Effluent</i>	<i>Sl. No.</i>	<i>Components of ETP</i>	<i>Nos.</i>	<i>Dimensions (in metres)</i>	<i>Status of functioning</i>
		(1)	(2)	(2)	(3)	(4)	(5)
		Sewage	1	Septic tank	1	3 X 3 X 2.5	
			2	Soak pit	1	3 Dia x 2.5 Depth	
		Trade Effluent - Type of ETP : Individual ETP					
		<i>Trade effluent</i>	<i>SL. No.</i>	<i>Name of the Treatment Unit</i>	<i>No. of Units</i>	<i>Dimensions in metres</i>	<i>Status of functioning</i>
			1.	Collection cum equilisation tank	1	2x2x3m	Not in operational condition.
			2.	Primary settling tank	1	1.25m dia x 1m	
			3.	Treated tank	1	2x2x3m	
			4.	Sludge drying bed	1	3.6X3.6X0.5	
			5.	Solar evaporation Pan	2	3.6X3.6X0.5	

9

Sources of Emission and Air Pollution Control Measures provided:

27

Sl. No.	Source of Emission	APC measures provided	Stack top dimension (in metres)	Stack ht. above ground (in metres)	Status & functioning
1.	Processing Section	Suction Hood Followed By Adsorption Arrangement With Stack	0.45 X 0.45	6	Not in operational condition.
2.	DG SET 45 KVA	Acoustic enclosures with stack	0.15	4.36	
10	Remarks on the maintenance of Log Books, Records and separate energy meter for Effluent Treatment Plant.				
	Log book is not maintained.				
11	Remarks on the Disposal of Solid Wastes / Hazardous Wastes :				
	Solvent is stored open area in barrels and no Hazardous waste was found in the unit's premises.				
12	Remarks on Waste minimization, Inplant measures and House Keeping.				
	To be improved.				
13	Details of Complaints if any:				
	A Compliant was received from Mrs. Priya Naidu regarding illegal disposal of Hazardous waste.				
14	Violation of conditions stipulated in the Consent Orders / directions issued under Water/Air Act, if any:				
	Sl.No.17 may kindly be referred.				
15	Violation of conditions stipulated in the authorisation issued under the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008 if any:				
16	Details of Samples collected, if any and Date/Time of collection and point of collection:				
	Nil				
17.	Any other special information if any (May include observations/suggestions made during inspection on the performance of ETP/APC Measures).				
	<p>This is a recycled paint manufacturing unit. Paint sludge is received from the paint manufacturing units.</p> <p>Consent to Operate was issued to the unit of M/s. Aiysha Enterprises, SF. No. 222/3&4 (Part) and 214/1 (Part), Neervalur village, Kancheepuram Taluk, Kancheepuram District vide Proc. Dated 08/11/2010 valid upto 31/03/2011.</p> <p>The unit has obtained Hazardous Waste Authorisation vide Proc. Dated 07/03/2012 and same has been expired on 15/05/2016.</p> <p>Further, CTO expansion was issued to the unit vide Proc. Dated 30/11/2017 valid upto 31/03/2018. Subsequently renewal was issued vide proc. Dated 09/04/2018 valid upto 31/03/2023.</p> <p>Subsequently, the unit has applied for authorisation through OCMMS under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016. The application was returned for want of additional particulars.</p> <p>Meantime, complaint was received regarding illegal disposal of Hazardous waste outside and receiving of paint sludge from M/s. Asian Paints Limited and PPG Asian Paints Private Limited without valid authorisation from Mrs. Priya Naidu (Ex employee of this company and terminated recently). Also in the complaint it has been stated that the Hazardous waste is disposed illegally through an agent Mr. Ganesh (Mobile Number - 9789197186).</p> <p>In this regard, the unit was inspected on 21/02/2019. During inspection the unit was in operation and the following are observed.</p> <ol style="list-style-type: none"> 1. The ETP provided by the unit was not is operational condition. 2. Solar Evaporation Pan was found demolished. 3. The unit is not maintaining the log book for the consumption of various chemicals in the treatment plant / ZLDS, Energy consumption, fresh water consumption, Chemical sludge the ZLDS, Recycled effluent and the salt residues collected from the SEP. 4. Solvent is stored open area in barrels and no Hazardous waste was found in the unit's premises. 5. The unit has not provided hazardous waste display Board in front of the factory. 6. The unit is not maintaining Form 3 for the Reception, Generation, Treatment and Disposal of various Hazardous Wastes. 7. The unit has not filed the Annual report in Form 4 to the Board which is mandatory as per the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016. 8. The unit has not provided Piezometric well to monitor the Ground water quality. 9. The APC measures provided by the unit was not is operational condition. 				

Thus, the water

Thus, the unit has violated the conditions prescribed in the Renewal consent order under the Water and Air Acts.

Further agent mentioned in the complaint petition was also contacted over phone and he has not replied properly.

Under the above circumstance, as the unit has not complied with the conditions prescribed in the Renewal consent order issued under the Water and Air Acts, Showcause notice was issued to the unit vide proc. dated 21.02.2019 under the provisions of Water and Air Acts.

The unit replied for the Show cause notice in their letter dated 25/02/2019, which is not satisfactory. Further the unit was inspected on 27/02/2019, and the following observations were noticed in the unit.

1. The ETP provided by the unit was not is operational condition.
2. Solar Evaporation Pan was found demolished.
3. The unit is not maintaining the log book for the consumption of various chemicals in the treatment plant / ZLDS, Energy consumption, fresh water consumption, Chemical sludge the ZLDS, Recycled effluent and the salt residues collected from the SEP.
4. Solvent is stored open area in barrels and no Hazardous waste was found in the unit's premises.
5. The unit has not provided hazardous waste display Board in front of the factory.
6. The unit is not maintaining Form 3 for the Reception, Generation, Treatment and Disposal of various Hazardous Wastes.
7. The unit has not filed the Annual report in Form 4 to the Board which is mandatory as per the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.
8. The unit has not provided Piezometric well to monitor the Ground water quality.
9. The APC measures provided by the unit was not is operational condition.

In view of above, it is recommended for issue of directions for closure and disconnection of power supply to the unit under section 33A of the Water (P&CP) Act 1974 as amended and under section 31A of the Air (P&CP) Act 1981 as amended.

The said unit falls under the jurisdiction of Assistant Engineer/O&M/TANGEDCO (Tamilnadu Electricity Board), Neervalur, Siruvedal, Kancheepuram Taluk, Kancheepuram District and Superintending Engineer, TANGEDCO (Tamilnadu Electricity Board), Anna Maaligai, Olimohampet, Kanchipuram, kancheepuram District.

Amil?
Proc?

Enclosures:

1. Copy Showcause Notice.
2. Copy of units reply.

Place: SPR
Date: 28/02/2019

[Signature]
28/02/19
Signature of the officer

DEE's Remarks:

It is recommended to issue direction for closure and disconnection of power supply to the unit under the provisions of the Water (P&CP) Act 1974 as amended and Air (P&CP) Act 1981 as amended please.

Place: SPR
Date: 28/02/2019

[Signature]
28.2.2019
Signature of the DEE

BY RPAD



O/o. District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Plot.No.CP-5B, SIPCOT, Oragadam,
Sriperumbudur Taluk,
Kancheepuram District - 602 105.

Annexure - V
29

Proceedings No. F. SPR 0453/RS/DEE/SPR/W/2019, Dated 21/02/2019

Sub: - TNPCBd - Issue of Show Cause notice under Section 25 of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 to the unit of M/s. Aiyesha Enterprises, SF. No. 222/3&4 (Part) and 214/1(Part), Neervalur village, Kancheepuram Taluk, Kancheepuram District - Reg.

- Ref: 1. CTO Expansion Proc. No. F.0108SPR/RS/DEE/TNPCB/SPR/W/2017 Dated 30/11/2017.
2. RCO Proc No. F.0108SPR/RS/DEE/TNPCB/SPR/W/2018 Dated 09/04/2018.
3. Inspection of the unit by TNPC Board official on 21/02/2019.

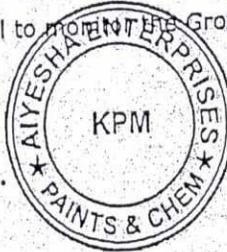
Tamilnadu Pollution Control Board serves this notice on you as occupier of the unit of M/s. Aiyesha Enterprises, SF. No. 222/3&4 (Part) and 214/1(Part), Neervalur village, Kancheepuram Taluk, Kancheepuram District under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 as amended in 1988 (herein after referred to as the Act) for contravening the conditions imposed in the consent order issued in the reference first and second cited Interallia that.

1. The unit shall ensure that the Solar Evaporation Pans are made impervious and shall ensure that no overflow/ seepage/percolation to nearby land/water source owned by private/public at any point of time from the Solar Evaporation Pans.
2. The unit shall operate and maintain the SEP effectively and recover the salt from the SEP which shall be stored within the premises with log book and a monthly report shall be submitted to the Board.
3. The unit shall provide piezometers for monitoring the ground water quality and seepage.
4. The unit shall maintain log books for the consumption of various chemicals in the treatment plant / ZLDS, Energy consumption, fresh water consumption, Chemical sludge the ZLDS, Recycled effluent and the salt residues collected from the SEP.
5. The unit shall maintain Form - 3 for the generation of hazardous waste from the ZLD System and shall file annual return in Form - 4 to the Board.
6. The unit shall maintain the hazardous waste display board in front of the factory updating the same regularly as mandated by the Hon'ble Supreme Court Order dated. 14.10.2003.
7. The unit shall constantly improve its processing and ETP so as to reduce the discharge to the SEP.

Whereas during inspection of the unit on 21/02/2019, the following were noticed.

1. The ETP provided by the unit was not in operational condition.
2. Solar Evaporation Pan was found demolished.
3. The unit is not maintaining the log book for the consumption of various chemicals in the treatment plant / ZLDS, Energy consumption, fresh water consumption, Chemical sludge the ZLDS, Recycled effluent and the salt residues collected from the SEP.
4. The unit has not provided hazardous waste display Board in front of the factory.
5. The unit is not maintaining Form 3 for the Reception, Generation, Treatment and Disposal of various Hazardous Wastes.
6. The unit has not filed the Annual report in Form 4 to the Board which is mandatory as per the Hazardous and Other Wastes.(Management and Transboundary Movement) Rules, 2016.
7. The unit has not provided Piezometric well to monitor the Ground water quality.

Received
S. Elayaraja. Supervisor.
21/02/19



Scanned by CamScanner

4.	Sludge drying bed	1	3.6X3.6X0.5
5.	Solar evaporation Pan	2	3.6X3.6X0.5

BY RPAD

31



O/o. District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Plot.No:CP-5B, SIPCOT, Oragadam,
Sriperumbudur Taluk,
Kancheepuram District - 602 105.

Proceedings No. F. HSR. 0453/RS/DEE/SPR/A/2019. Dated 21/02/2019

Sub: TNPCBd - Issue of Show Cause notice under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 as amended in 1987 to the unit of M/s. Aiyasha Enterprises, SF. No. 222/3&4 (Part) and 214/1(Part), Neervalur village, Kancheepuram Taluk, Kancheepuram District - Reg.

- Ref: 1. CTO Expansion Proc. No. F.0108SPR/RS/DEE/TNPCB/SPR/A/2017
Dated 30/11/2017.
2. RCO Proc No. F.0108SPR/RS/DEE/TNPCB/SPR/A/2018 Dated 09/04/2018.
3. Inspection of the unit by TNPC Board official on 21/02/2019.

Tamilnadu Pollution Control Board serves this notice on you as occupier of the unit of M/s. Aiyasha Enterprises, SF. No. 222/3&4 (Part) and 214/1(Part), Neervalur village, Kancheepuram Taluk, Kancheepuram District under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 as amended in 1987 (herein after referred to as the Act) for contravening the conditions imposed in the consent order issued in the reference first and second cited interalia that.

1. The unit shall operate and maintain the Air Pollution Control measures provided efficiently and continuously so as to satisfy the National Ambient Air Quality / Emission standards prescribed by the Board.
2. The unit shall apply for the authorization of the Board under the Hazardous and Other Wastes (Management & Transboundary Movement) Rules 2016 and the unit shall dispose the hazardous waste to the TSDF as reported.
3. In order to prevent the formation and accumulation of toxic gases inside the tanks and prevent the occurrence of fatal accidents while cleaning the tanks, adequate ventilation arrangements should be provided in all the tanks including septic tanks. The sludge accumulated in the ETP components shall be cleaned mechanically only and manual cleaning of the sludge should not be carried out under any circumstance.

Whereas during inspection of the unit on 21/02/2019, the following were noticed.

1. The APC measures provided by the unit was not is operational condition.
2. The unit is not maintaining Form 3 for Reception, Generation, Treatment and disposal of various Hazardous Wastes.
3. The unit has not filed the Annual report in Form 4 to the Board which is mandatory as per the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.

Thus, the unit has violated the conditions prescribed in the Renewal consent order by not operating the APC measures and disposing the Hazardous Waste illegally. Violating the conditions of the consent order issued to the unit under the provisions of Section 21 of the Act, is an offence punishable under Section 37 of the Act with imprisonment for a term which shall not be less than one year and six months, but which may extend to six years and with fine.

Hence, you are directed to show cause within Five days from the date of receipt of this notice as to why penal action for offences punishable under Section 37 of the Act should not be initiated against you, as occupier for contravening the conditions imposed in the consent order issued to the unit under the provisions of the Section 21 of the Act and also to show cause as to why directions under Section 31A of the Act should not be issued for closure of the unit, stoppage of power supply, water supply etc., to the said unit.

Scanned by CamScanner

4.	Sludge drying bed	1	3.6X3.6X0.5
5.	Solar evaporation Pan	2	3.6X3.6X0.5

condition.

AIYESHA ENTERPRISES [PAINTS & CHEM]
Manufacturer of Paints

33

Ammezune - VI

Regd. Office :
 1-6-675/4,
 Zamisthanpur,
 Musheerabad,
 Hyderabad - 500 048.

& Unit :
 No. 147/A, Survey No No. 222/3 & 4 (Part) & 214 (Part)
 Opp. L & T Gate, Neervallur Village,
 Kancheepuram Tk. & Dist - 631 561.

05/6

25.02.2019

To
 The District Environmental Engineer
 Tamilnadu Pollution Control Board
 SIPCOT, Oragadam - 602105



Ref: Proceedings No. F SPR 0453/RS/DEE/SPR/W/2019 dated 21.02.2019

Sir,

With respect to the above proceedings and show cause notice issued on us on 21.02.2019, we wish to submit our clarifications as below:

1. Before we obtained the CTO - Expansion, the unit did not have a provision for ETP as per the consents. ETP was put up for the expanded capacity and additional processes only. After we obtained CTO-Expansion, we did not start the new products and did not take any new material as mentioned in the process description for CTO- Expansion. We continued to operate at previous capacity and same old process only. We have not started the process as the Hazardous Waste Authorisation approval was pending. So, there was no need for operating the ETP. The earlier process of using the vessel cleaning back in paint production is still being continued.
2. As per the The CTO- Expansion consent, 1.6 KLD of waste water is to be reused back in process. This generation depends on the volume of products manufactured which varies depending on volume of recyclable wastes received. As can be seen from volume of wastes permitted as per consent of CTO-Expansion and compared to actual volume of wastes received is only as per previous consent, in fact less than that. So, practically the unit operates as per previous conditions only and the actual expansion project has not taken off. The solar evaporation pan was suggested for 0.1 KLD of trade effluent. Based on consent conditions, we constructed 3 solar pans. But at the time of renewal of CTO- Expansion, based on recommendation of the the AE, we added ETP with primary treatment to make the process robust. Out of three solar pans, two were converted into sludge drying bed and one is retained as solar pan as such. Since the total quantity of trade effluent will remain same as 0.1 KLD, this size of the solar pan is quite sufficient. The solar pan is not demolished, but converted into sludge drying bed.
3. The hazardous display board was installed at the front of the plant. Due to a construction activity of the front office, this has been removed. We will place the same in a week's time.
4. All the hazardous manifest copies are filed in the office. Form 3 is maintained in soft form separately for each of the items and total numbers are put on fortnightly basis. The hard copy is maintained on a daily basis which is written manually. This document has been taken by an ex-staff from whom we are trying to get the same. Meanwhile we are also trying to make this document created freshly.
5. Form 4 has been submitted to the office, but has been submitted late. We will ensure timely submission henceforth.

Scanned by CamScanner

4.	Sludge drying bed	1	3.6X3.6X0.5
5.	Solar evaporation Pan	2	3.6X3.6X0.5

AIYESHA ENTERPRISES [PAINTS & CHEM]
Manufacturer of Paints

3513

Off. & Unit :
No. 147/A, Survey No No. 222/3 & 4 (Part) & 214 (Part)
Opp. L & T Gate, Neervallur Village,
Kancheepuram Tk. & Dist - 631 561.

Regd. Office :
1-6-675/4,
Zamisthanpur,
Musheerabad,
Hyderabad - 500 048.

25.02.2019

To
The District Environmental Engineer
Tamilnadu Pollution Control Board
SIPCOT, Oragadam - 602105



Ref: Proceedings No. F HSR 0453/RS/DEE/SPR/A/2019 dated 21.02.2019

Sir,

With respect to the above proceedings and show cause notice issued on us on 21.02.2019, we wish to submit our clarifications as below:

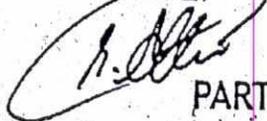
1. The APC is connected to pug mills which are used in making certain products only. Other products are made using high speed stirrers and attritors which do not generate any dust. Due to poor demand of products produced in pugmill, we rarely manufacture them. The APC attached to it is intact but is not operated since pug mill is not regularly used. We will however, service this unit and keep it tidy and ready.
2. All the hazardous manifest copies are filed in the office. Form 3 is maintained in soft form separately for each of the items and total numbers are put on fortnightly basis. The hard copy is maintained on a daily basis which is written manually. This document has been taken by an ex-staff from whom we are trying to get the same. Meanwhile we are also trying to make this document created freshly.
3. Form 4 has been submitted to the office, but has been submitted late. We will ensure timely submission henceforth.

Hope the above clarifications are in line with the observations made. Moreover, we confirm that we have not disposed any hazardous waste in any illegal manner.

Therefore, we request you to kindly continue our operations as it is. We assure the best of our efforts to ensure compliance to all requirements.

Sincerely,

For AIYESHA ENTERPRISES


PARTNER

Scanned by CamScanner

4.	Sludge drying bed	1	3.6X3.6X0.5
5.	Solar evaporation Pan	2	3.6X3.6X0.5

**TAMILNADU POLLUTION CONTROL BOARD**

Proceeding No. T2/TNPCB/F.5696SPR/SPR/W&A/2019, dated:11.03.2019

Sub: TNPCB – Industries – M/s. Aiysha Enterprises, SF. No. 222/3 & 4 (Part) and 214/1(Part), Neervalur Village, Kancheepuram Taluk, Kancheepuram District - Violations under Water (P&CP) 1974 as amended and Air (P&CP) as amended - Closure directions under Section 33A of the Water (P&CP) Act, 1974 as amended and under Section 31A of the Air (P&CP) Act 1981 as amended – Orders issued – reg.

- Ref:** 1. Board Proceedings No.F.0108SPR/RS/DEE/TNPCB/SPR/W&A/2018 DATED: 09/04/2018.
2. Complaint petition dated: 7.2.2019
3. Proceedings No.F.SPR0453/RS/DEE/SPR/W&A/2019 dated: 21.02.2019.
4. Unit's reply letter dated:25.2.2019.
5. IR.No.: F.SPR0453/RS/DEE/SPR/2019 dated:28.02.2019.

Whereas the unit of M/s. Aiysha Enterprises, SF. No. 222/3 & 4 (Part) and 214/1(Part), Neervalur village, Kancheepuram Taluk, Kancheepuram District was issued with consent of the Board under the Water (P&CP) Act, 1974 as amended and Air (P&CP) Act, 1981 as amended and renewed the same with validity upto 31.03.2023 vide reference first cited

Whereas complaint was received vide reference 2nd cited regarding illegal disposal of Hazardous waste outside and receiving of paint sludge without valid authorization. In this regard the unit was inspected by the officials of O/o. DEE, SPR, TNPCB on 21/02/2019 and based on the observation, Show cause notice was issued to the unit under both Acts vide reference 3rd cited for the violation stated therein.

Whereas the unit has replied for the Show cause notices vide their letter dated 25/02/2019, which is not satisfactory.

Further the unit was inspected by the officials of O/o. District Environmental Engineer, Sriperumbudur, Tamil Nadu Pollution Control Board on 27/02/2019, and submitted the following observations vide reference 5th cited:

1. The ETP provided by the unit was not in operational condition.
2. Solar Evaporation Pan was found demolished.
3. The unit is not maintaining the log book for the consumption of various chemicals in the treatment plant / ZLDS, Energy consumption, fresh water consumption, Chemical sludge the ZLDS, Recycled effluent and the salt residues collected from the SEP.
4. Solvent is stored open area in barrels and no Hazardous waste was found in the unit's premises.
5. The unit has not provided hazardous waste display Board in front of the factory.
6. The unit is not maintaining Form 3 for the Reception, Generation, Treatment and Disposal of various Hazardous Wastes.



TAMILNADU POLLUTION CONTROL BOARD

37

7. The unit has not filed the Annual report in Form 4 to the Board which is mandatory as per the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.
8. The unit has not provided Piezometric well to monitor the Ground water quality.
9. The APC measures provided by the unit was not in operational condition.

With the above, the District Environmental Engineer, Sriperumbudur has recommended for issue of directions for closure and disconnection of power supply to the unit under section 33A of the Water (P&CP) Act 1974 as amended and under section 31A of the Air (P&CP) Act 1981 as amended.

In light of the above facts and in exercise of the powers conferred under section 33A of the Water (Prevention and Control of Pollution) Act 1974 as amended and under section 31A of the Air (P&CP) Act 1981 as amended, it is decided to issue directions for closure and for stoppage of electricity to the unit M/s. Aiyesha Enterprises, SF. No. 222/3 & 4 (Part) and 214/1(Part), Neervalur village, Kancheepuram Taluk, Kancheepuram District

Now, therefore, as per the above decision, it is hereby directed under section 33A of the Water (Prevention and Control of Pollution) Act 1974 as amended and under section 31A of the Air (P&CP) Act 1981 as amended that the unit of M/s. Aiyesha Enterprises, SF. No. 222/3 & 4 (Part) and 214/1(Part), Neervalur village, Kancheepuram Taluk, Kancheepuram District shall be disconnected with power supply and closed with immediate effect.

This order of closure and disconnection of power supply is issued by the Chairman as per the delegation of powers issued by the Board vide BP.Ms.No.9 dated 11.03.1994.

Chairman (FAC)

To

The Partner
M/s. Aiyesha Enterprises,
SF. No. 222/3 & 4 (Part) and 214/1(Part),
Neervalur village,
Kancheepuram Taluk,
Kancheepuram District-631561

POLLUTION PREVENTION PAYS





TAMILNADU POLLUTION CONTROL BOARD

Proceeding No. T2/TNPCB/F5696SPR/SRP/EB/2019 dated: 11.03.2019

Sub: TNPC Board – Industries - M/s. Aiysha Enterprises, SF. No. 222/3 & 4 (Part) and 214/1(Part), Neervalur Village, Kancheepuram Taluk, Kancheepuram District - Action against the Erring Industry for violation of the provisions of the Water (P&CP) Act, 1974, as amended and under Section 31A of the Air (P&CP) Act 1981 as amended - Stoppage of electricity – Directions issued - Reg.

Ref: 1. Proceeding No. T2/TNPCB/F.5696SPR/SPR/W&A/2019, dt:11.03.2019
2. Memo No. SE/Comm/EE 3/ Assistant Environmental Engineer -1/TNPC Bd/D 320/2002 dated 4.12.02 from the Chairman, TNEB to Superintending Engineers of all electricity Distribution Circles, TNEB

Tamil Nadu Pollution Control Board enforces the provisions of Water (P&CP) Act, 1974 and the Air (P&CP) Act, 1981. As per section 33 A of the Water (P&CP) Act, 1974 as amended in 1988 & section 31 A of the Air (P&CP) Act, 1981 as amended in 1987 the Board is empowered to issue directions for closure, prohibition or regulation of any industry and stoppage of electricity or any other services. Instructions have been issued by Tamil Nadu electricity Board in this regard vide reference second cited.

In this connection, a copy of Board's proceedings first cited is enclosed in which directions have been issued under section 33 A of the Water (P&CP) Act, 1974 as amended and under Section 31A of the Air (P&CP) Act 1981 as amended for closure of the unit of M/s. Aiysha Enterprises, SF. No. 222/3 & 4 (Part) and 214/1(Part), Neervalur Village, Kancheepuram Taluk, Kancheepuram District in view of the reasons stated therein.

It is hereby further directed in exercise of the powers conferred under section 33 A of the Water (P&CP) Act, 1974 as amended that the power supply to the said unit of M/s. Aiysha Enterprises, SF. No. 222/3 & 4 (Part) and 214/1(Part), Neervalur Village, Kancheepuram Taluk, Kancheepuram District should be stopped with immediate effect.

The receipt of the proceedings may be acknowledged and the action taken in this regard may also be intimated to this office early.

Encl. As above.

Chairman (FAC)

To

1. The Superintending Engineer,
TANGEDCO (Tamilnadu Electricity Board),
Anna Maaligai, Olimohampet,
Kanchipuram,
Kancheepuram District
E mail sekcpm@tnebnet.org.



TAMILNADU POLLUTION CONTROL BOARD

2. The Assistant Engineer/O&M/TANGEDCO
(Tamilnadu Electricity Board),
Neervalur, Siruvedal,
Kancheepuram Taluk,
Kancheepuram District
E mail vlk310ae@tnebnet.org

Copy to:

1. The Joint Chief Environmental Engineer (Monitoring),
Tamil Nadu Pollution Control Board,
Chennai
2. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Sriperumbudur
3. The District Collector,
Kancheepuram
4. The Partner
M/s. Aiyasha Enterprises,
SF. No. 222/3 & 4 (Part) and 214/1(Part),
Neervalur Village,
Kancheepuram Taluk,
Kancheepuram District-631561
5. File Copy

B. Govindarajan
For Chairman
BGM

POLLUTION PREVENTION PAYS



TAMILNADU POLLUTION CONTROL BOARD

Proceedings No.: T2/ TNPCB / F.05696 / HWM Rules / SPR / 2019 – dt:28.06.2019

Sub.: TNPCB – M/s. Aiysha Enterprises – SF No 222/3&4 (Part) and 214/1 (Part) Neeervallur Village Kancheepuram Taluk and District- non compliance of the provisions of Hazardous and Other Waste (Management & Transboundary) Rules 2016- Assessment of damage caused to the surrounding environment – Assessment Liability imposed under Rule 23-1 of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2016 – Directions issued under provisions of Section 5 of Environment (Protection) Act, 1986– Regarding.

- Ref.:**
1. The Environment (Protection) Act, 1986
 2. The Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016
 3. Complaint Letter dated 07.02.2019 recived from Tmt G.Priya Naidu
 4. Show cause Notice issued vide Proc No F.SPR 0453 /RS/DEE/SPRW &A/2019 dated 21.02.2019 issued by DEE-Sriperumbudur
 5. Your Reply dated 25.02.2019
 6. T.O Proceedings No.: T2 / TNPCB / F.5696/SPRW &A / 2019 dated: 11.03.2019
 7. LR.No F.No.0453/DEE/TNPCB/SPR/2019-1 dated 23.05.2019

Whereas, as per Section 5 of the Act first cited reads as "Notwithstanding anything contained in any other law but subject to the provisions of this Act, the Central Government may, in exercise of its powers and performance of its functions under this Act, issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions.

Whereas, the Ministry of Environment, Forest and Climate Change, Government of India, vide its Notification GSR No. 23 (E) dated 08.01.1997, in exercise of the powers conferred by Section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government delegated the powers vested in it under Section 5 of the said Act to the Chairman, State Pollution Control Boards / Committees (including TNPCB) to issue directions to any industry or any local or other authority for the violations of the standards and rules relating to **Hazardous Wastes** notified under the Environment (Protection) Act, 1986 subject to the conditions that the Central Government may revoke such delegation of powers or may itself invoke the provisions of Section 5 of the said Act, if in the opinion of the Central Government such a course of action is necessary in the public interests.



TAMILNADU POLLUTION CONTROL BOARD

42

Whereas, the powers conferred under Section 23 of the Environment (Protection) Act, 1986 has been delegated to the Chairman, State Pollution Control Boards / Committees (including TNPCCB) to issue directions to any industry or any local or other authority for the violations of the standards and rules relating to **Hazardous Wastes & Chemicals** notified under the Environment (Protection) Act, 1986 subject to the conditions that the Central Government may revoke such delegation of powers or may itself invoke the provisions of Section 5 of the said Act, if in the opinion of the Central Government such a course of action is necessary in the public interests.

Whereas a complaint was received from Tmt G.Priya Naidu vide the reference 3rd cited alleging that your unit is not having authorization to collect spent solvents as specified in the MoEF & CC, Government of India rules for the past three years. In the complaint it was also alleged that M/s Asian Paints PPG, Asian Paints Limited & Akzo Nobel India Pvt Limited have disposed around 20,000 Tons of Paint Wastes to your facility. And that around 2800 Tons of wastes are land filled within your unit. Besides it is also alleged that you have disposed hazardous wastes near kancheepuram and caused contamination of fertile lands causing cattle death.

Whereas, the DEE (Sriperumbudur), vide the reference 4th cited has issued show cause notice under the provisions of Water (P&CP) Act 1974 as amended in 1988 and under Air (P&CP) Act 1981 as amended in 1987 placing on record various violations made by the unit including the non compliance with the following provisions of the Hazardous and Other (Management & Transboundary Movement) Rules, 2016.

- i. The unit has not maintained records in Form 3 for collecting, generation, treatment and disposal of hazardous wastes.
- ii. The unit has not furnished Annual Returns in Form 4.
- iii. The unit has not provided peizometric wels to monitor the ground water quality.
- iv. Solvent is stored in open areas in barrels and no hazardous waste was found in the unit's premises.

Whereas, the unit vide the reference 5th cited has furnished reply to the show cause notice and informed that that the earlier process of using the vessel cleaning back in paint production was being continued and the feasibility of providing peizo metric well was being studied.

Whereas the reply furnished by your unit was not satisfactory, the closure order was issued to your unit vide the proceeding 6th cited on various grounds including non compliance of the following provisions of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2016.



43

TAMILNADU POLLUTION CONTROL BOARD

The unit has not maintained records in Form 3 for collecting, generation, treatment and disposal of hazardous wastes.

- i. The unit has not furnished Annual Returns in Form 4.
- ii. The unit has not provided piezometric wells to monitor the ground water quality.
- iii. Solvent is stored in open areas in barrels and no hazardous waste was found in the unit's premises.

Whereas, the DEE (Sriperumbudur) vide the reference 7th cited, the has reported that the unit was under operation without valid authorization under the said rule, and requested the Board to take necessary action against the unit under the Rule 23 of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016. The DEE recommended for imposing risk and assessment liability on the unit based on "CPCB Guidelines on implementing Liabilities for Environmental Damages due to handling and Disposal of Hazardous Waste and Penalty, January 2016".

Whereas, Rule 23(1) of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2016 states that the occupier, importer or exporter and operator of the disposal facility shall be liable for all damages caused to the environment or third party due to improper handling and management of the hazardous and other wastes.

Whereas, the TNPCB is fixing the liability on you invoking the **Clause No 5.1: Liability of Assessment of contamination, wherein the State Pollution Control Boards** can hold the responsible party financially accountable.

Whereas, as per the guidelines the lower cost is applicable for small impacts. As this unit was in operation without valid authorization under Hazardous and other waste (M&TBM) Rule 2016, and as the unit has not maintained records in Form three for receipt, treatment and as there is an allegation that hazardous wastes were landfilled within your premises disposal of Hazardous Wastes and the Scenario of Improper handling and storage of, hazardous waste specified in the above guideline is being considered and the Board hereby levies a site/ risk assessment liability of Rs 10,00,000 on your unit. It is also pointed out that the TNPCB may impose remediation liability if any based on the site/ risk assessment. Any further penalty for non implementation of the assessment liability and further remediation penalty, if any would be imposed by considering the procedures prescribed in the said document.

POLLUTION PREVENTION PAYS



TAMILNADU POLLUTION CONTROL BOARD

44

Hence in the exercise of powers conferred under Section 5 of the Environment (Protection) Act, 1986 read with Rule 23 of Hazardous Waste (MT) Rules 2016 the following directions are issued to Unit of M/s. Aiysha Enterprises – SF No 222/3&4 (Part) and 214/1 (Part) Neeervallur Village Kancheepuram Taluk and District at this juncture to comply with the following:

- To deposit Rs 10 Lakhs towards assessment liability to assess the damage caused to environment due to improper handling of Hazardous Wastes and having handled hazardous waste in contravention to the Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2016.

Whereas, as per the Section 15 of the Act read with Penalty for contravention of the provisions of the Act and the rules, orders and directions "whoever fails to comply with or contravenes any of the provisions of this Act, or the rules made or orders or directions issued there under, shall in respect of each such failure or contravention, be punishable with imprisonment for a term which may extend to five years or with fine which may extend to one lakh rupees or with both and incase the failure or contravention continues with additional fine which may extend to five thousand rupees for every day during which such failure or contravention continues after the conviction for the first such failure or contravention.

It is informed that non-receipt of any reply within 7 days will be construed that you have no satisfactory explanation and legal action will be taken against all concerned on merits in accordance with law.

The receipt of this proceeding may be acknowledged

Sd/-
CHAIRMAN (FAC)

To

The Partner,
M/s. Aiysha Enterprises
SF No 222/3&4 (Part) and 214/1 (Part) Neeervallur Village
Kancheepuram Taluk
Kancheepuram District- 631561

Copy to

1. The Joint Chief Environmental Engineer (Monitoring),
Tamil Nadu Pollution Control Board,
Chennai – for necessary action
2. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Sriperumbudur. – for necessary action at once.

[Signature]
For Chairman
29/6/19



TAMILNADU POLLUTION CONTROL BOARD



45

From

D.Sekar, M.Tech.,
Member Secretary,
Tamilnadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai – 600 032.

To

The Member Secretary,
Karnataka State Pollution Control Board
"Parisara Bhavan", #49, 4th & 5th Floor,
Church Street, Bangalore-560001
memsecy@kspcb.gov.in

Lr No :T2/ TNPCB / F.05696 / HWM Rules / SPR / 2019 –2 dated:22.07.2019.

Sub: TNPCB-HWM-Interstate Transportation of Hazardous Wastes- Alleged Disposal of Hazardous Waste in contravention to the provisions of Hazardous and Other Wastes (Management & Transboundary Movement) Rules 2016 by certain industries in Karnataka to M/s Aiyasha Enterprises M/s Gems Recycling (P) Limited, Neervallur, Kancheepuram District 631561- Orders of the Hon'ble NGT in OA.No 329/2019 dated 07.05.2019 enclosed for necessary action -Regarding

Ref: 1. Orders of the Hon'ble NGT in OA.No 329/2019 dated 07.05.2019.
2. Proc No.T14/TNPCB/F-3721/05/KPM/HWM/RS/2011 dated 07.03.2012

I am to invite your kind reference to the orders of the Hon'ble National Green Tribunal (PB), New Delhi 1st cited. In this regard I am to enclose here with the copy of the reference 2nd cited and It is informed that the unit of M/s Aiyasha Enterprises is authorized to handle the following Hazardous Waste Streams

1. i. 21.1 Processes Wastes and residues & Sludges of waste water based paints,
ii. Solvent based paints – 240 MT/A,
2. 33.3 Discarded Container/ Barrels contaminated with hazardous chemicals/ wastes 24, 000 Nos/Annum of &
3. 20.2 Spent Solvents 154 MT/A

It brought to your kind notice that the Hon'ble NGT Order 1st cited states that, industries namely Akzonobel India Choskote Branch Bangalore, M/s Emphasis (Bangalore), M/s Wipro Ltd (All India Level) are all Bengaluru based have disposed hazardous wastes to M/s Aiyasha Enterprises & M/s Gems Recycling (P) Limited Kancheepuram District .

Hence it is requested that the Karnataka Pollution Control Board shall take necessary action to ascertain the details of the HW generated from the above said units which have disposed through M/s Aiyasha Enterprises & M/s Gems Recycling (P) Limited Kancheepuram District and inform about the action taken at your end to this office early.

The receipt of this letter may be acknowledged.

f. Rohit Kumar
25/7/2019
For Member Secretary
m. 25/7/19

Copy to

1. The District Environmental Engineer,
Tamil Nadu Pollution Control Board, (SPR)
2. Law Section

PIC

TAMILNADU POLLUTION CONTROL BOARD



From

D.Sekar, M.Tech.,
Member Secretary
Tamilnadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai – 600 032.

To

The Member Secretary,
Karnataka State Pollution Control Board
"Parisara Bhavan", #49, 4th & 5th Floor,
Church Street, Bangalore-560001
memsecy@kspcb.gov.in

Letter No: T2/TNPCB/F.05696/HWM Rules/SPR/2019-1, dated: 28.08.2019

Sub: TNPCB-HWM-Interstate Transportation of Hazardous Wastes- Alleged Disposal of Hazardous Waste in contravention to the provisions of Hazardous and Other Wastes (Management & Transboundary Movement) Rules 2016 by certain industries in Karnataka to M/s Aiyasha Enterprises M/s Gems Recycling (P) Limited, Neervallur, Kancheepuram District 631561- Orders of the Hon'ble NGT in OA.No 329/2019 dated 07.05.2019 & 436/2019 dated 24.7.2019 - reply on action taken by KSPCB awaited. – Reminder sent -Regarding

Ref:

1. Orders of the Hon'ble NGT in OA.No 329/2019 dated 07.05.2019.
2. Proc No.T14/TNPCB/F-3721/05/KPM/HWM/RS/2011 dated 07.03.2012
3. Letter No :T2/ TNPCB / F.05696 / HWM Rules / SPR/ 2019 –2 dt:22.07.2019
4. Orders of the Hon'ble NGT in OA.No 436/2019 dated 24.7.2019

I am to invite your kind reference to the orders of the Hon'ble National Green Tribunal (PB), New Delhi 1st cited. In this regard copy of the reference 2nd cited was forwarded to Karnataka State Pollution Control Board vide reference 3rd cited. It was informed that the unit of M/s Aiyasha Enterprises is authorized to handle the following Hazardous Waste Streams

1. i. 21.1 Processes Wastes and residues & Sludges of waste water based paints ,
ii. Solvent based paints – 240 MT/A ,
2. 33.3 Discarded Container/ Barrels contaminated with hazardous chemicals/ wastes 24, 000 Nos/Annum & 20.2 Spent Solvents 154 MT/A

It may kindly be noted that the Hon'ble NGT Order 1st cited states that, industries namely Akzonobel India Choskote Branch Bangalore, M/s Emphasis (Bangalore), M/s Wipro Ltd (All India Level) are all Bengaluru based have disposed hazardous wastes to M/s Aiyasha Enterprises & M/s Gems Recycling (P) Limited Kancheepuram District .

In this regard the copy of the Hon'ble NGT order 4th cited is enclosed herewith. Hence it is requested that the Karnataka Pollution Control Board shall to take expedite action and inform whether the said units have disposed hazardous wastes to M/s Aiyasha Enterprises & M/s Gems Recycling (P) Limited Kancheepuram District and inform about the action your end to this office early.

The receipt of this letter may be acknowledged & the matter may be treated as urgent.

f. Robert
29/8/19
For Member Secretary

Copy to

1. The District Environmental Engineer
Tamil Nadu Pollution Control Board,
Sriperumpudur.
2. Law Section.

file

019091

TAMILNADU POLLUTION CONTROL BOARD

47

From

D.Sekar, M.Tech.,
Member Secretary,
Tamilnadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai – 600 032.

To

The Director General (NSS),
Ministry of Statistics & Programme
Implementation, D-Block, 6th Floor,
Sankhyiki Bhawan,
GPOA Building at CBD Shaadra,
Near Karkadooma Court,
Delhi-110032



Letter No: T2/TNPCB/F.05696/HWM Rules/SPR/2019-3, dated; 22.07.2019

Sir,

Sub: TNPCB-HWM-Interstate Transportation of Hazardous Wastes- Alleged Disposal of Hazardous Waste in contravention to the provisions of Hazardous and Other Wastes (Management & Transboundary Movement) Rules 2016 by Bureau of Statistics to M/s Aiysha Enterprises, Neervallur, Kancheepuram District 631561- Orders of the Hon'ble NGT in OA.No 329/2019 dated 07.05.2019 enclosed for necessary action -Regarding

Ref: 1. Orders of the Hon'ble NGT in OA.No 329/2019 dated 07.05.2019.
2. Proc No. T14/TNPCB/F. 3721/05/KPM/HWM/RS/2011, dated: 07.03.2012.

I am to invite your kind reference to the orders 1st cited of the Hon'ble National Green Tribunal (PB), New Delhi. In this regard it brought to your kind notice that there is an allegation that the Bureau of Statistics (All India Level) has disposed hazardous wastes to M/s Aiysha Enterprises & M/s Gems Recycling (P) Limited Kancheepuram. In this regard I am to enclose here with the copy of the reference 2nd cited, and it is informed that the unit of M/s Aiysha Enterprises is authorized to handle the following Hazardous Waste Streams only.

1. i. 21.1 Process Wastes and residues & Sludges of waste water based paints ,
- ii. Solvent based paints – 240 MT/A ,
2. 33.3 Discarded Container/ Barrels contaminated with hazardous chemicals/ wastes 24, 000 Nos/Annum of &
3. 20.2 Spent Solvents 154 MT/A

Hence, it is requested to take necessary action to ascertain the details of HW generated from the Bureau of Statistics or any of its offices which have been disposed through M/s Aiysha Enterprises, Kancheepuram & M/s. Gems Recycling (P) Limited Kancheepuram and inform about the action taken at your end to this office early.

The receipt of this letter may be acknowledged.

D. Rohit Kumar
25/7/19
For Member Secretary
or 25/7/19

Copy to

1. The District Environmental Engineer,
Tamil Nadu Pollution Control Board, (SPR).
2. Law File Section

TAMILNADU POLLUTION CONTROL BOARD

48

From
D.Sekar, M.Tech.,
Member Secretary
Tamilnadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai – 600 032.

To
The Director General (NSS),
Ministry of Statistics & Programme
"Implementation, D-Block .1st Floor,
Sankhiyiki Bhawan,
GPOA Building at CBD Shadra,
Near Karkadooma Court
Delhi-110032

Letter No: T2/TNPCB/F.05696/HWM Rules/SPR/2019-2, dated: 28.08.2019.

Sub: TNPCB-HWM-Interstate Transportation of Hazardous Wastes- Alleged Disposal of Hazardous Waste in contravention to the provisions of Hazardous and Other Wastes (Management & Transboundary Movement) Rules 2016 by Bureau of Statistics to M/s Aiyesha Enterprises, Neervallur, Kancheepuram District 631561- Orders of the Hon'ble NGT in OA.No 329/2019 dated 07.05.2019 & 436/2019 dated 24.7.2019 - reply on action taken by Ministry of Statistics awaited. – Reminder sent –Regarding

Ref: 1. Orders of the Hon'ble NGT in O. A. No 329/2019 dated 07.05.2019.
2. T2 No.:T2/ TNPCB /F.05696 / HWM Rules / SPR/2019-3 Dt. 22.7.2019
3. Orders of the Hon'ble NGT in O. A. No 436/2019 dated 24.7.2019

I am to invite your kind reference to the orders of the Hon'ble National Green Tribunal (PB), New Delhi 1st cited and the same was forwarded vide reference 2nd cited to the **Director General (NSS), Ministry of Statistics & Programme Implementation**. It was informed that the unit of **M/s Aiyesha Enterprises** is authorized to handle the following Hazardous Waste Streams

1. i. 21.1 Processes Wastes and residues & Sludges of waste water based paints ,
ii. Solvent based paints – 240 MT/A ,
2. 33.3 Discarded Container/ Barrels contaminated with hazardous chemicals/ wastes 24, 000 Nos/Annum & 20.2 Spent Solvents 154 MT/A

In this regard the copy of the Hon'ble NGT order 3rd cited is enclosed herewith. Hence it is requested that the Director General (NSS), Ministry of Statistics & Programme Implementation shall to take expedite action and to inform whether the said units have disposed hazardous wastes to M/s Aiyesha Enterprises & M/s Gems Recycling (P) Limited Kancheepuram District and inform about the action your end to this office early. However the reply is yet to be received .

The receipt of this letter may be acknowledged & the matter may be treated as urgent.

The receipt of this letter may be acknowledged.

S. Rohith
29/8/19
For Member Secretary
29/8/19

Copy to

1. The District Environmental Engineer
Tamil Nadu Pollution Control Board,
Sriperumpudur.
2. Law Section.

TAMILNADU POLLUTION CONTROL BOARD

From
K. Manivannan. M.E.,
District Environmental Engineer
Tamilnadu Pollution Control Board
Coimbatore North,
No. 5, Ramasamy Nagar,
Kavundampalayam,
Coimbatore - 641 030.

To
The Member Secretary,
Tamilnadu Pollution Control Board,
76, Mount Salai,
Guindy,
Chennai - 600 032.

49

Lr.No.DEE/TNPCB/CBN/F.1224/HWM/2019 Dated:16.08.2019

Sir

Sub : TNPC Board - M/s. Aiysha Enterprises, S.F.No.222/3 & 4 (Part) and 214/1 (Part), Neeervallur Village, Kancheepuram Taluk and District - Non compliance of the provisions of Hazardous and Other Waste (Management & Transboundary) Rules 2016 - Under provisions of Section 5 of Environment (Protection) Act, 1986 - Disposal of Hazardous Waste by M/s. K.G. Denim Limited (Coimbatore) to the said unit - Clarification called for - Report submitted - Reg.

Ref : Board Memo No:T2/TNPCB/F.05696/HWM Rules/SPR/2019-2 dated:22.07.2019

With reference to the memo cited above, I submit that the Mrs. Priya Naidu G has filed complaint against the unit M/s. Aiysha Enterprises, S.F.No.222/3 & 4 (Part) and 214/1 (Part), Neeervallur Village, Kancheepuram Taluk and District is being dumped Hazardous wastes. The complaint petition has been taken as an application in the Hon'ble National Green Tribunal Principal Bench, New Delhi and complaint petition was forwarded to TNPCB, Chennai to take necessary action and disposed the application.

In this regard, the Board has requested to verify the records and report the details of HW generated from the unit of M/s. K.G. Denim Limited, S.F.No.12, 13, 14, 16, 17, 18 etc, Jadayampalayam Village, Mettupalayam Taluk, Coimbatore District which has been disposed through M/s. Aiysha Enterprises, S.F.No.222/3 & 4 (Part) and 214/1 (Part), Neeervallur Village, Kancheepuram Taluk and District and details are submitted as below:

1. The unit M/s. K.G. Denim Limited has made agreement with M/s. Aiysha Enterprises on 23.11.2015 for the disposal of 33.3 Empty Barrels - 20 Litres (Paint tin, Primer, Thinner) - 2 Tons/Year (Copy enclosed)
2. The unit of M/s. Aiysha Enterprises, S.F.No.222/3 & 4 (Part) and 214/1 (Part), Neeervallur Village, Kancheepuram Taluk and District had obtained Authorization for operating a facility for collection/Reception/Treatment/Storage/Transport and Disposal of hazardous waste under Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008 vide Proc No.T14/F-3721/2005/HWM/KPM/R/S/11 dated:25.04.2011 with validity period for 5 years. (Copy enclosed)
3. The unit M/s. K.G. Denim Limited had disposed empty plastic carbouys 25 litres- 50 Nos, 50 litres- 504 Nos & 35 litres - 12 Nos on 21.11.2015 and empty plastic carbouys 50 litres - 389 Nos & 100 litres- 56 Nos on 25.06.2016 through M/s. Aiysha Enterprises, S.F.No.222/3 & 4 (Part) and 214/1 (Part), Neeervallur Village, Kancheepuram Taluk and District (Form-13 are enclosed)

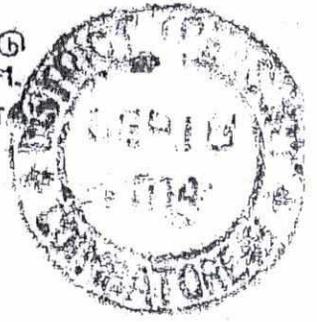
51



தமிழ்நாடு தமிழ்நாடு TAMILNADU
 6691 K.G. - Denim Ltd.,
 Then thirumalai,
 Jadayampalayam

ஜி. சாந்தா
 மு. தாள் விற்பனையாளர்
 R.K.S. பில்டிங், பங்களாமேடு
 மேட்டுப்பாளையம் - 641 301.
 உரிமம். எண்: 7333/பி1/97/எ

AW 393314



AGREEMENT

THIS AGREEMENT made on this 23rd day of November month of the year 2015 between M/S. AIYESHA ENTERPRISES, Address S.F.No: 214/IP, 222/3P, 4P, NEERVALUR VILLAGE, KANCHEEPURAM DISTRICT represented by its AUTHORISED SIGNATORY (herein after called ("AIYESHA ENTERPRISES")) of the FIRST PART (which expression include their successors and assigns, unless such inclusion is inconsistent with the context of meaning thereof)

AND

M/S. KG DENIM LIMITED having their production units at Thenthirumalai, Jadayampalayam, Mettupalayam, Coimbatore-641302. represented by its (Authorised signatory Mr. R. Selvakumar General Manager (herein after referred to as the ("GENERATOR")) OF THE SECOND PART (which expression include their successors and assigns , unless such inclusion is inconsistent with the context or meaning thereof)

For AIYESHA ENTERPRISES
 J. S. Maham

FOR K.G. DENIM LIMITED.

[Signature]
 Authorised Signatory

6. AIYESHA ENTERPRISES indemnifies the Generators from all the liabilities associated with Transport, Treatment, Storage and Disposal of Wastes outside the generator's premises, subject to compliance with all the conditions of the agreement and subject of the Law of the Land.

7. The prices, quantity and other charges mentioned in this agreement and the Annexure shall be valid for a period of **One Year** from the date of commissioning of the project. Any revision shall be done as per guidelines arising out of discussion between AIYESHA ENTERPRISES and Generator.

8. AIYESHA ENTERPRISES and GENERATOR shall by mutual discussion preclose the agreement.

9. DECLARATION:

We M/s. ~~Rice Lake Weighing Systems~~ ^{K.G. Denim Ltd} India Limited hereby declare that we shall be sending Hazardous Waste as per the following per year to M/S AIYESHA ENTERPRISES Industries.

S.N D	Category No	Waste Type	Disposal Method	Accumulated Quantity (MT)	Annual Generation (MT)
1	33.3	Empty Barrels - 20 Litres (Paint tin, Primer, Thinner)		800 KGs	2 Tons/year

Authorised signatory

1. FOR AIYESHA ENTERPRISES INDUSTRIES

(Authorised signatory) *J. Mahan*
Authorised Signatory

2. FOR KG DENIM LTD

(Authorised signatory)

For AIYESHA ENTERPRISES

J. Mahan
Authorised Signatory

FOR K.G. DENIM LIMITED.

[Signature]
Authorised Signatory

53

WHEREAS the AIYESHA ENTERPRISES is an authorised ewaste recycler of paint waste and can accept RECYCLABLE WASTES generated by the GENERATOR. The facility is situated at Address and had been established as per the TNPCB's Consent to Establish Order and WHEREAS the GENERATORS desire to get Hazardous WASTE(herein after referred as WASTE) being generated at their premises collected , treated , recycled, by utilizing the services of the AIYESHA ENTERPRISES.

NOW THEREFORE THESE PRESENTS WITNESSTH AND IT IS HEREBY DECLARED AND AGREED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:

1. The scope of service to be provided by the AIYESHA ENTERPRISES is limited to collect Transport, Treat, Store and Disposal of Hazardous WASTE OF THE GENERATORS.
2. The Generator's obligation for utilizing the facility are to
 - i) Provide details about the WASTE and its characteristics regarding presence of Explosive / Ignitable / Corrosive / Toxic/ Odour Compounds in the Transport Manifest (Form – 13) as per Hazardous Waste (M&H) Rules, 1989 as amended in 2007 provided to the transporter for safe transportation and disposal and a TREM card(Form 11 – as per Hazardous Waste (M&H) Rules 1989 as amended in 2007 provided by AIYESHA ENTERPRISES at cost to the transporter of the WASTE.
3. The charges for Collection, Treatment, Storage and/ or disposal (herein after referred as USER CHARGE) will be applicable to Generators / mutually agreed between Generator and AIYESHA ENTERPRISES.
4. AIYESHA ENTERPRISES will collect the waste in containers and arrange the transport of such containers from the waste generator's premises.
5. AIYESHA ENTERPRISES shall collect the waste from the generator's premises within 7 days from the date of receipt of information from the generator. Safety of community during transportation is prime and thus safety information will have to be provided by the generator in Form 8, Waste transportation Manifest (Form 13) and TREM Card (Form 11) for every WASTE as per Hazardous Waste (Management and Handling) Rules , 1989 as amended in 2007 , 2010 In the event of false information, all liabilities accrue to generators.

For AIYESHA ENTERPRISES

Q. J. Nathan

Authorised Signatory

FOR K.G. DENIM LIMITED.

B. K. B. B.

Authorised Signatory



54

TAMILNADU POLLUTION CONTROL BOARD

FORM 2

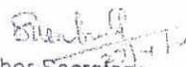
[See rule 5 (4)]

FORM FOR GRANT OF AUTHORISATION FOR OCCUPIER OR OPERATOR HANDLING
HAZARDOUS WASTES

1. Number of authorization and date of issue: 4006 Dated 25.04.2011
2. The Proprietor M/s. Aiyasha Enterprises, is hereby granted an authorization to operate a facility for collection, reception, treatment, storage, transport and disposal of hazardous waste on the premises situated at S.F. No.214/1P, 222/3P,4P, Neervalur Village, Kancheepuram District.
3. The authorization granted to operate a facility for collection, reception, treatment, storage, transport and disposal of hazardous wastes.
4. The authorization shall be in force for a period of 5 (Five) years from the date of issue.
5. The authorization is subject to the conditions stated below and such conditions as may be specified in the rules for the time being in force under the Environment (Protection) Act, 1986.

Sd./- xxxxx
Member Secretary.

/Forwarded by Order/


for Member Secretary.

Date: 25.04.2011

3

POLLUTION PREVENTION PAYS

அவ்வூர் தூய்மை வாய்க்காது! மூலம் தூய்மை வாய்க்காது!

By Registered Post with Ack. Due
(This document contains 14 Pages)

55



28 APR 2011



TAMILNADU POLLUTION CONTROL BOARD

AUTHORIZATION NUMBER 4006 DATED 25.04.2011

Proceedings No. T14/F-3721/2005/HWM/KPM/R/S/11 Dated 25.04.2011



Sub: TNPC BOARD – M/s. AIYESHA ENTERPRISES, S.F. No.214/1P, 222/3P,4P, Neervalur Village, Kancheepuram District - Authorization for operating a facility for Collection / Reception / Treatment / Storage / Transport and Disposal of Hazardous Waste under Rule 3(b) and 5 (4) of the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008 enacted under Environment (Protection) Act, 1986.

- Ref:**
1. Application Dated 20.09.2010 submitted by the Unit of M/s. Aiyasha Enterprises, S.F. No.214/1P, 222/3P,4P, Neervalur Village, Kancheepuram District through Care Centre No.CC11761.
 2. Letter No DEE/TNPCB/SPR/HWM/453/2010 Dated 04.10.2010.

In accordance with the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008 authorization is issued to The Proprietor, M/s. Aiyasha Enterprises, S.F. No.214/1P, 222/3P,4P, Neervalur Village, Kancheepuram District. He / She / They shall handle hazardous wastes as specified below:

Sl. No.	Details of process generating hazardous waste as listed in column 2 of Schedule 1 of the amended rules / class of waste as per Schedule 2	Details of Waste Stream as indicated in column 3 of Schedule 1 / identity of waste as per Schedule 2	Quantity generated / handled per year	Activity for which authorization is issued
1	20. Purification and / or Industrial use of Paints, Pigments, Lacquers, Varnishes, Plastics and Inks.	21.1 Process Wastes and residues and sludges of i) waste water based paints. ii) solvent based paints	240 mt/A	Collection, Reception, Storage, Transport and Treatment (reprocessing)

1

POLLUTION PREVENTION PAYS.

அகம் தூய்மை வாய்மைக்கு, புறம் தூய்மை கழிவுக்கு!



TAMIL NADU POLLUTION CONTROL BOARD

56

4.	33. Disposal of barrels / Containers used for handling of hazardous wastes / chemicals.	33.3 Discarded Containers / barrels / liners contaminated with hazardous wastes / chemical.	24,000 Nos./ annum	Collection, Reception, Storage, Transport and Treatment and reuse.
----	---	---	--------------------	--

The authorization is issued subject to the terms and conditions specified in Form-2 and special conditions annexed.

Sd./- xxxxx
Member Secretary.

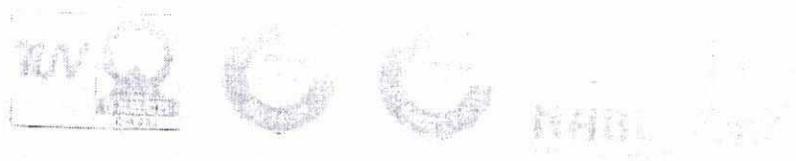
/Forwarded by Order/

Srinivas
23/1/14
for Member Secretary.

POLLUTION PREVENTION PAYS

அகம் தூய்மை வாய்மைக்கு! புறம் தூய்மை வாழ்வுக்கு!

1
- HT, 21
- 2040
- 2040
- 2040
US No. 628195 Oct 11, 1982



The Director, Environmental Department
Terminata Pollution Control Board
Muzila Chowdhury Road
25-4/Cherupalayan Road,
Coimbatore

Sub-Submission to Form 3 On sale to PC... and Handling Rules

With respect to above subject, We are herewith enclosing Form 3... of 50 Kgs of Chemical... to our...

Kindly acknowledge and receipt.

Thanking you

Yours faithfully

[Signature]
General Manager.

1. Name of Facility: _____

2. Address: _____

3. City: _____

4. State: _____

5. ZIP: _____

6. Date of Shipment: 11/21/2011

7. Name of Transporter: _____

8. EPA ID Number: _____

9. Vehicle ID Number: _____

10. Description of Waste: _____

11. Quantity: _____

12. Hazardous Waste Code: _____

13. Manifest Number: _____

14. Special Handling Instructions & Additional Information: _____

15. OF OWNER'S CERTIFICATE

I hereby declare that the contents of the consignor accurately described above by proper shipping name & packed, marked, and labeled, and are in all respects in transport by road according to applicable national govern...

16. Signature of Facility Owner/Operator: _____

17. Date: Month 11 Day 21 Year 2011

18. Signature of Transporter: _____

19. Date: Month 11 Day 21 Year 2011

20. Discrepancy Note Space: _____

21. Facility Owner or Operator's Certification of Receipt of Hazardous Waste

Signature: _____

INDIA LIMITED

197715 P-992 PLOG03798
MUMBAI
MUMBAI
MUMBAI

kg

1350

The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
11th Floor, 3rd Floor,
206-Mettupalayam Road,
Coimbatore.

Sir,

Sub-Submission to Form-17 Occupier to PCBE copy under instructions regarding
and Handling Rules.

With respect to above subject, We are herewith reporting that we have disposed
of 1350 Kgs of Chemical carboys to our recycled paper plants with proper records.

Kindly acknowledge and receipt.

Thanking you

Yours faithfully


General Manager.

60

HAZARDOUS WASTE MANIFEST

EPA Form 354 (Rev. 10-19-90)
 This form must be completed by the generator of the waste, the transporter, or the receiving facility.
 It must be filled out for all hazardous waste shipments, including those that are recycled.
 The manifest must be filled out for all hazardous waste shipments, including those that are recycled.
 The manifest must be filled out for all hazardous waste shipments, including those that are recycled.
 The manifest must be filled out for all hazardous waste shipments, including those that are recycled.

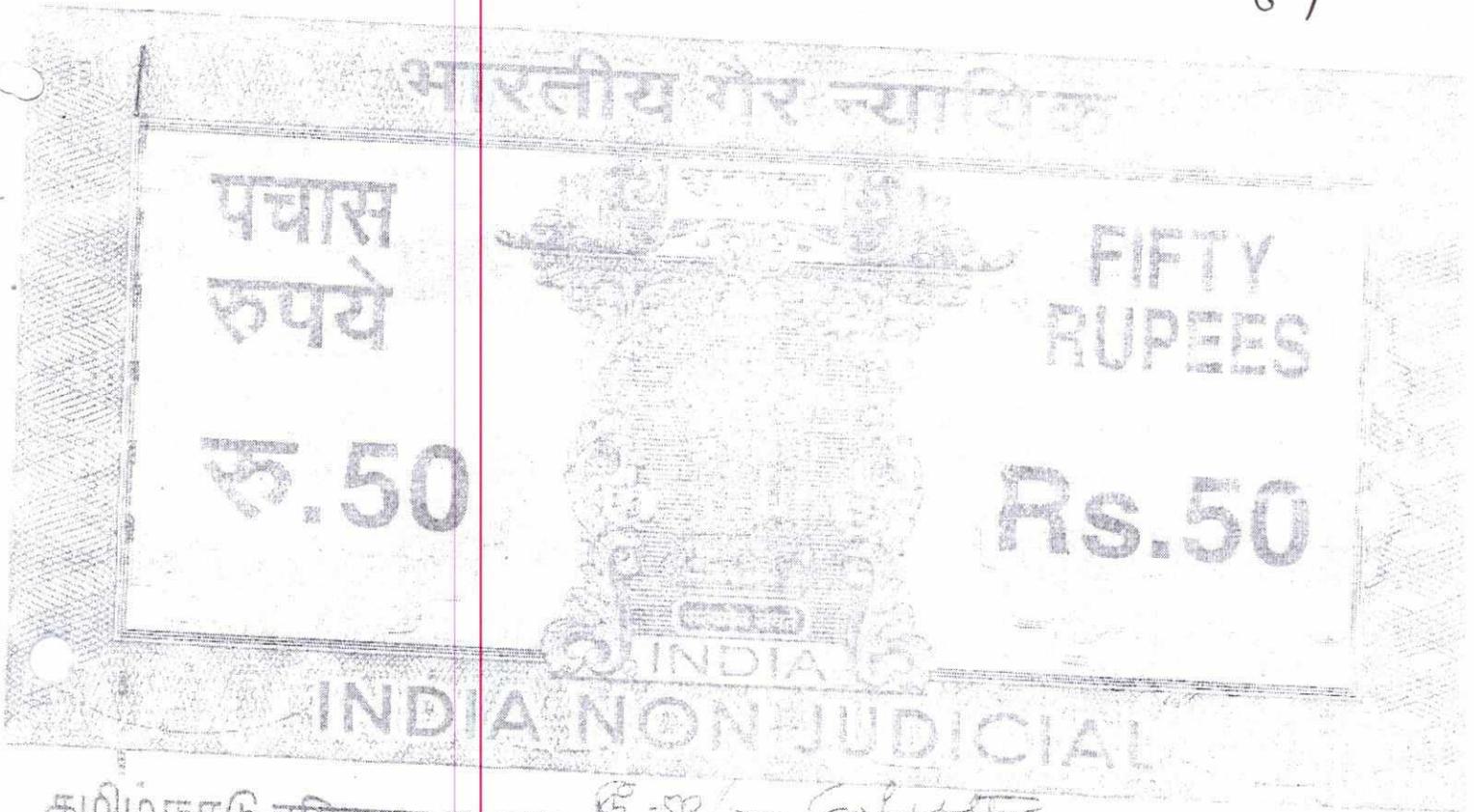
Quantity	Type
100 lbs	Flammable liquid
100 lbs	Corrosive liquid

I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are categorized, packed, marked and labeled, and are in all respects in proper condition for transport in accordance with applicable National government regulations.

Date: 04/25/2016
 Signature: [Signature]

EPA Form 354 (Rev. 10-19-90)

Name	Address	City	State	Zip



தமிழ்நாடு தமில்நாடு TAMILNADU

₹ 50

1663 H. A. Denim
Thenthirumalai
Jadayampalayam

[Signature]
R.K.S. Jeyaraj
A. 180034

AGREEMENT

THIS AGREEMENT made on this 12th day of May month of the year 2017 between MS. SRI JAYADEV INDURTRIES, Address 1/192/2, Coimbatore Road, Kovilpalaya, Kinthukidavu TK, Coimbatore District, Tamilnadu-642110. represented by its AUTHORISED SIGNATORY (herein after called ("SRI JAYADEV INDUSTRIES")) of the FIRST PART (which expression include their successors and assigns, unless such inclusion is inconsistent with the context of meaning thereof)

AND

M/s. KG DENIM LIMITED having their production units at Thenthirumalai, Jadayampalayam, Mettupalayam, Coimbatore-641302. represented by its (Authorised signatory Mr. R. Selvakumar Vice President (herein after referred to as the ("GENERATOR")) OF THE SECOND PART (which expression include their successors and assigns , unless such inclusion is inconsistent with the context or meaning thereof)

[Signatures]

62

WHEREAS the SRI JAYADEV INDUSTRIES is an authorised recycler of Paint waste and Empty chemical can accept RECYCLABLE WASTES generated by the GENERATOR. The facility is situated at Address and had been established as per the TNPCB's Consent to Establish Order and WHEREAS the GENERATORS desire to get Hazardous WASTE(herein after referred as WASTE) being generated at their premises collected , treated , recycled, by utilizing the services of the SRI JAYADEV INDUSTRIES .

NOW THEREFORE THESE PRESENTS WITNESSTH AND IT IS HEREBY DECLARED AND AGREED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:

1. The scope of service to be provided by the SRI JAYADEV INDUSTRIES is limited to collect Transport, Treat, Store and Disposal of Hazardous WASTE OF THE GENERATORS.

2. The Generator's obligation for utilizing the facility are to

i) Provide details about the WASTE and its characteristics regarding presence of Explosive / Ignitable / Corrosive / Toxic/ Odour Compounds in the Transport Manifest (Form - 10) as per Hazardous Waste (M&H) Rules, 1989 as amended in 2007 & 2016 provided to the transporter for safe transportation and disposal and a TREM card(Form 11 - as per Hazardous Waste (M&H) Rules 1989 as amended in 2007 & 2016 provided by SRI JAYADEV INDUSTRIES at cost to the transporter of the WASTE.

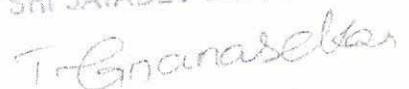
3. The charges for Collection, Treatment, Storage and/ or disposal (herein after referred as USER CHARGE) will be applicable to Generators / mutually agreed between Generator and SRI JAYADEV INDUSTRIES .

4. SRI JAYADEV INDUSTRIES will collect the waste in containers and arrange the transport of such containers from the waste generator's premises.

FOR K G DENIM LIMITED.


Authorised Signatory

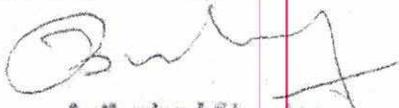
For SRI JAYADEV INDUSTRIES


Partner

Partner

5. SRI JAYADEV INDUSTRIES shall collect the waste from the generator's premises within 7 days from the date of receipt of information from the generator. Safety of community during transportation is prime and thus safety information will have to be provided by the generator in Form 8, Waste transportation Manifest (Form 10) and TREM Card (Form 11) for every WASTE as per Hazardous Waste (Management and Handling) Rules 1989 as amended in 2007 & 2016. In the event of false information, all liabilities accrue to generators.
6. SRI JAYADEV INDUSTRIES indemnifies the Generators from all the liabilities associated with Transport, Treatment, Storage and Disposal of Wastes outside the generator's premises, subject to compliance with all the conditions of the agreement and subject of the Law of the Land.
7. The prices, quantity and other charges mentioned in this agreement and the Annexure shall be valid for a period of 31st March 2021, from the date of commissioning of the project. Any revision shall be done as per guidelines arising out of discussion between SRI JAYADEV INDUSTRIES and Generator.
8. SRI JAYADEV INDUSTRIES and GENERATOR shall by mutual discussion preclose the agreement.

For K.G. DENIM LIMITED


Authorized Signatory



T. Gnanasekaran

3. DECLARATION:

64

We M/s KG DENIM LIMITED hereby declare that we shall be sending Hazardous Waste as per the following per year to M/S SRI JAYADEV INDUSTRIES.

Sl. No	Category No	Waste Type	Disposal Method	Accumulated Quantity (MT)	Annual Generation (MT)
1	33.3	Empty chemical cans & Barrels and Paint & Thinner tin)	Recycle process	200 KGs	3.8 Tons/year

1. FOR SRI JAYADEV INDUSTRIES

(Authorised signatory)

2. FOR KG DENIM LTD

(Authorised signatory)

In witness thereof:

R. Rajkumar
(9444250041)

FOR K G DENIM LIMITED.


Authorised Signatory

For SRI JAYADEV INDUSTRIES

T. Binanasekar
Partner

65

AUTHORISATION No. 17HFZ7401764 dated 23/01/2017

Proceeding No. JCEE-M/CBZ/TNPCB/F.1309CBS/HWA/RS/CBS/2017 dated 23/01/2017

Sub: Tamil Nadu Pollution Control Board – Hazardous Waste Authorization-Fresh- M/s. SRI JAYADEV INDUSTRIES , S.F.No. 249/3D2, METTUPALAYAM Village, KINATHUKADAVU Taluk, Coimbatore District - Authorization under Rule 6 (2) of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 enacted under Environment (Protection) Act, 1986 – Issued- Reg.

Ref: HWA-IR.No.1309CBS/HWA/RS/DEE/CBS/2017 dated 20/01/2017 received from the DEE, Coimbatore South

FORM 2

[See rule 6 (2)]

FORM FOR GRANT OR RENEWAL OF AUTHORISATION TO THE OCCUPIERS, RECYCLERS, REPROCESSORS, REUSERS, USER AND OPERATORS OF DISPOSAL FACILITIES

1. Number of authorization: 17HFZ7401764 and dated . 23/01/2017
2. The Partner of M/s. SRI JAYADEV INDUSTRIES, is hereby granted an Authorisation based on the based on the enclosed signed Inspection report for Generation, Collection, Storage, Transportation, Reception, Treatment and Disposal of hazardous or other wastes or both on the premises situated at S.F.No. 249/3D2, METTUPALAYAM Village, KINATHUKADAVU Taluk, Coimbatore District

Sl No	Schedule / Name of the Processes	Name of Hazardous Waste (with category No)	Quantity	Activities for which Authorization is issued
1	Schedule I/33. Handling of hazardous chemicals and wastes	33.1-Empty barrels/containers/liners contaminated with hazardous chemicals /wastes	150 T/Annum	Transportation, Reception, Collection, Storage, Treatment and Disposal
2	Schedule I/33. Handling of hazardous chemicals and wastes	33.2-Contaminated cotton rags or other cleaning materials	0.5 T/Annum	Generation, Collection, Storage, Transportation and Disposal to M/s TNWML, Gummidipoondi
3	Schedule I/34. De-contamination of barrels/containers used for handling of hazardous wastes/chemicals	34.1-Chemical-containing residue arising from decontamination	0.7 T/Annum	Generation, Collection, Storage, Transportation and Disposal to M/s TNWML, Gummidipoondi
4	Schedule I/34. De-contamination of barrels/containers used for handling of hazardous wastes/chemicals	34.2-Sludge from treatment of waste water arising out of cleaning / disposal of barrels / containers	0.6 T/Annum	Generation, Collection, Storage, Transportation and Disposal to M/s TNWML, Gummidipoondi

3. This authorization shall be valid for a period upto 22/01/2022.

The Authorization is issued subject to the following general and special conditions annexed.

Joint Chief Environmental Engineer-Monitoring
Tamil Nadu Pollution Control Board
Coimbatore

A. GENERAL CONDITIONS OF AUTHORIZATION

1. The authorised person shall comply with the provisions of the Environment (Protection) Act, 1986 and the rules made there under.

ONLY FOR KGI DENIM PLANT
USE ONLY

0095

Form No. 10
 per Rule 139

66

MANIFEST FOR HAZARDOUS AND OTHER WASTE

1	Sender's Name and Address (including Phone No. and e-mail)	SRI JAYADEV INDUSTRIES 1/132/2, Coimbatore Road Kovilpalayam - 642 110 Kinnathukadavu (TK) Coimbatore (Dt).		
2	Sender's Authorisation No.	3686		
3	Waste Document No.	54		
4	Transporter's Name and Address (including Phone No. and e-mail)	SRI JAYADEV INDUSTRIES 1/132/2, Coimbatore Road Kovilpalayam - 642 110 Kinnathukadavu (TK) Coimbatore (Dt).		
5	Type of Vehicle	Flat Tanks / Special Vehicle		
6	Transporter's Registration No.	TN86		
7	Vehicle Registration No.	TN86J2142		
8	Receiver's name and mailing address (including Phone No. and e-mail)	SRI JAYADEV INDUSTRIES 1/132/2, Coimbatore Road, Kovilpalayam - 642 110 Kinnathukadavu Tk., Coimbatore E-mail : srijayadevindustries74@gmail.com		
9	Receiver's Authorisation No.	17HF27401764(a)		
10	Waste description	33.1 (discarded container)		
11	Total quantity No. of containers	1790 kgs. m ³ or MT 547 Nos.		
12	Physical form	(Solid/Semi-Solid / Sludge / Oily / Tarry / Slurry /		
13	Special handling instructions and additional information			
14	Sender's Certificate	I hereby declare that the contents of the consignment are accurately described above by proper shipping name, categorised, packed, marked and labelled and are in all respects proper conditions for transport by road according to national government regulations.		
	Name and Stamp :	Signature	Day	Month Year
			05	07 2010
15	Transporter acknowledgment of receipt of wastes			
	Name and Stamp :	Signature	Day	Month Year
		T. Srinivasan	05	07 2010
16	Receiver's Certification for receipt of hazardous and other waste			
	Name and Stamp :	Signature	Day	Month Year
		T. Srinivasan	05	07 2010
1	White	To be Forwarded by the sender to the State Pollution Control Board after signing all the seven copies		
2	Light Yellow	To be retained by the sender after taking signature on it from the transporter and the rest of the five signed copies to be carried by the transporter		
3	Pink	To be retained by the receiver (Actual user or treatment storage & disposal facility operator) after receiving the waste & the remaining four copies are to be duly signed by		
4	Orange	To be handed over to the transporter by the receiver after accepting waste		
5	Green	To be sent by the receiver to the State Pollution Control Board		
6	Blue	To be sent by the receiver to the sender		
7	Grey	To be sent by the receiver to the State Pollution Control Board of the sender in case is in another State		

67

NIM LIMITED

STZ1992FLC003798

RUMALAI

ALAYAM - 641 302

TORE DISTRICT

TAMIL NADU, INDIA.

Phone : 33AAACK7940C1ZW

No. : 33181880871

Fax No. : 626189 D: 11-11-92

kg
Denim

Phone : 021-2184-135-01



District Environmental Engineer
Tamilnadu Pollution Control Board,
No-5 Ramasamy Nagar,
Near Fire station, Kavundampalayam,
Coimbatore.

09/07/2019.

Sir,

Sub : Submission to Form -10 Occupier to PCB copy - Under Hazardous waste management & Handling Rules.

With respect to above subject, We are herewith enclosing Form-10 (white copy) disposing of 1790 Kgs of Chemical carboys (33.1) to our recycler, M/s Sri Jayadev Industries Coimbatore.

Kindly acknowledge and receipt.

Thanking you
Yours faithfully

R.Selvakumar,
Vice President.

AIYESHA ENTERPRISES [PAINTS & CHEM]

Manufacturer of Paints

Off. & Unit :

No. 147/A, Survey No No. 222/3 & 4 (Part) & 214 (Part)
Opp. L & T Gate, Neervallur Village,
Kancheepuram Tk. & Dist - 631 561.

Regd. Office :

1-6-675/4,
Zamisthanpur,
Musheerabad,
Hyderabad - 500 048.

017120

01.07.2019

The Chairman
Tamilnadu Pollution Control Board
76, Anna Salai
Guindy, Chennai -600032

Seen
S/N



- Reference: 1. Your directions dated 29.06.2019
2. TNPCB proceedings T2/TNPCB/F.05696/HWM Rules/SPR/-dt. 28.06.2019
3. Our clarifications submitted dated 14.05.2019
4. Data and copies of Form 3 and Form 4 submitted on 24.05.2019

Dear Sir,

With reference to your directions for payment of Assessment Liability, we wish to submit the following for your kind consideration:

- The direction mentions that the complaint received by TNPCB on Aiysha Enterprises that we have handled 20,000 MT of hazardous waste and landfilled 2800 MT of hazardous waste in the factory premises. These quantities are beyond our imaginable capacity and our size of operation is too small when compared to these numbers. The factory is located in just 81 cents of total land area. This is a very very small factory handling recyclable paint waste and reusable spent solvents only. We take only recyclable paint wastes and solvents and there's no disposal activity such as landfilling or incineration. We do not generate any hazardous waste in the production process. Only the expanded capacity and process requires hazardous waste generation to the tune of 300 kg/month. But this expanded capacity is not operational since we are awaiting the hazardous waste authorisation for the expanded capacity. Our financial turnover is only around 1.5 Crores per annum.
- So, the quantities mentioned are fictitious and wrong. As you may be aware the total recyclable hazardous waste recyclable waste generation from Tamilnadu is only 89593 MTA generated from 2532 Industries as per the CPCB report on Hazardous Waste Inventories. We take mainly from two companies Asian Paints and PPG Asian Paints out of these 2532 industries that generate hazardous waste. The quantities mentioned

TAMILNADU POLLUTION CONTROL BOARD



From

D.Sekar, M.Tech.,
Member Secretary
Tamilnadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai – 600 032.

To

The Partner,
M/s. Aiysha Enterprises – SF No 222/3&4
(Part) and 214/1 (Part) Neeervallur Village
Kancheepuram Taluk
Kancheepuram District- 631561

Letter No. T2/TNPCB/F.05696/HWM Rules/SPR/2019-1, dated: 22.07.2019

Sir,

Sub: TNPCB – M/s. Aiysha Enterprises – SF No 222/3&4 (Part) and 214/1 (Part) Neeervallur Village Kancheepuram Taluk and District- non compliance of the provisions of Hazardous and Other Waste (Management & Transboundary) Rules 2016- Assessment of damage caused to the surrounding environment – Assessment Liability imposed under Rule 23-1 of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2016 – **Directions issued under provisions of Section 5 of Environment (Protection) Act, 1986**– Remittance of RS 10.00 Lakhs for assessment of contamination at your premises without any delay – instruction issued- Regarding.

Ref: 1. Proceedings No.:T2/ TNPCB / F.05696 / HWM Rules / SPR / 2019 – dated: 28.06.2019.
2. Reply Letter No Nil dated 01.07.2019 received from the unit.
3. Orders of the Hon'ble NGT in OA.No 329/2019 dated 07.05.2019

I am to invite your kind attention to the proceeding 1st cited wherein directions were issued to your unit to remit RS 10.00 Lakhs towards assessment liability to assess the contamination if any due to handling of hazardous wastes in view of the grounds mentioned therein. However in you reply furnished vide the letter under reference 2nd cited you had requested the Board to re-examine the directions in view of various reasons stated therein.

In this regard I am to enclose the copy of the reference 3rd cited, where in the Hon'ble National Green Tribunal (PB) New Delhi has treated the complaint filed by Ms Priya Naidu as an application. As per orders of the Hon'ble National Green Tribunal (PB) vide its order dated May 07 2019 has disposed the complaint with an **instruction that the complaint has been sent to Tamilnadu State Pollution Control Board for taking appropriate action in accordance with law vide reference 3rd cited.**

Hence, the extent of contamination if any at the site requires to be assessed in order to examine the further course of action if any. Hence you are hereby instructed to make a deposit of Rs 10.00 Lakhs, without any further delay.

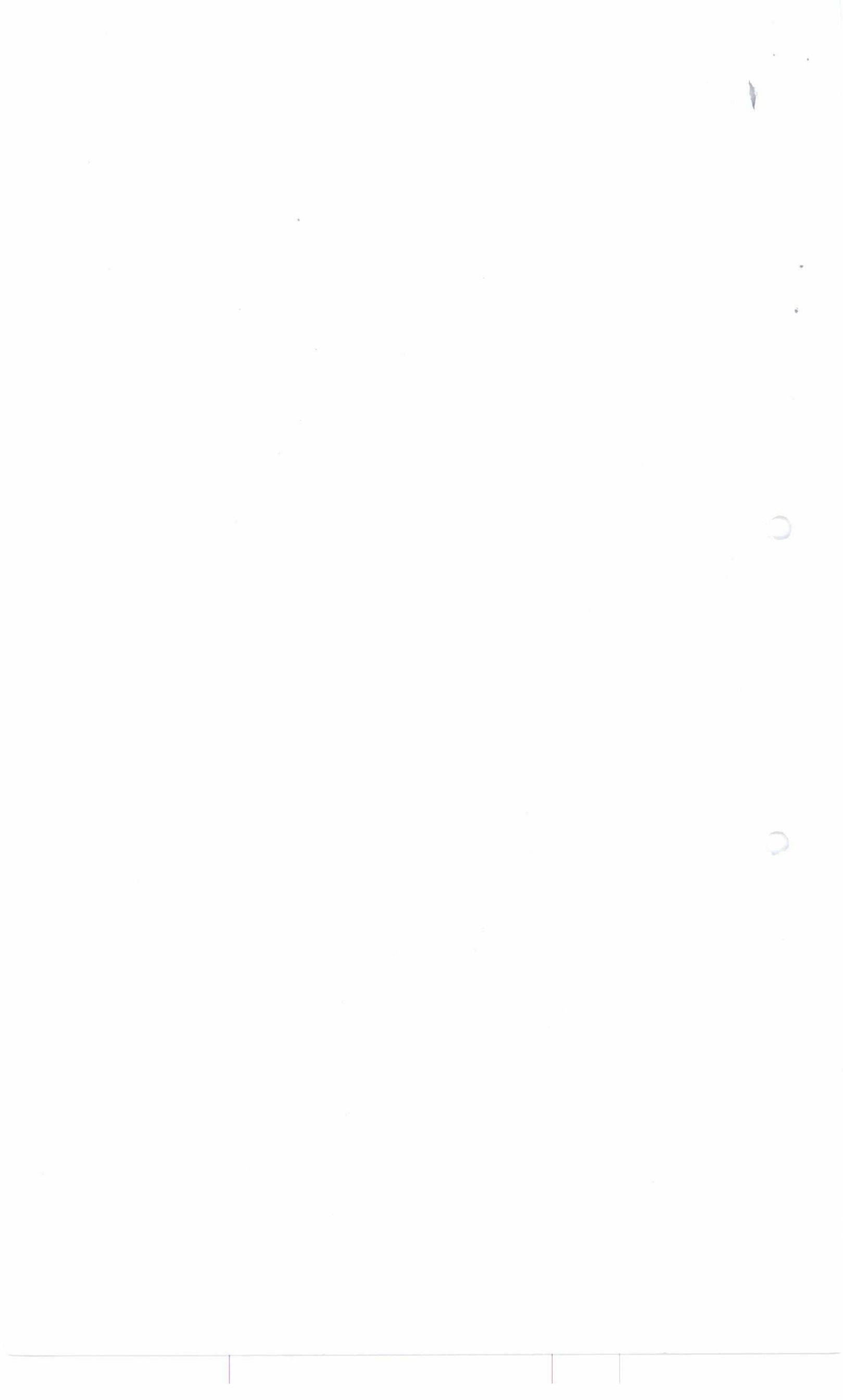
The receipt of this letter may be acknowledged.

J. Rohit Kumar
25/7/2019
For Member Secretary
aw
26/7/19

Copy to

1. The District Environmental Engineer,
Tamil Nadu Pollution Control Board, (SPR).
2. Law File

plc



From

020355



The Partner
Aiyasha Enterprises
No.147A, Neervallur Village
Kanchipuram Tk and District
PIN: 631561

To

The Member Secretary
Tamilnadu Pollution Control Board
76, Mount Salai, Guindy
Chennai - 632032

Dear Sir,

Subject: Clarifications regarding the contents of the NGT order and submission of facts

Reference: 1. Letter No.T2/TNPCB/F.05696/HWM Rules/SPR/2019-1 dated 22.07.2019
2. Orders of Hon'ble NGT in OA No.329/2019 dated 7.05.2019
3. Our reply dated 1.07.2019

We wish to submit the following facts and offer explanation towards the above referred letter.

1. The complainant has sent the letter from a fictitious address. No such address exists in that village. This complainant has sent several such complaints to many departments and has not attended any enquiry of any department to explain the contents of her complaints. This is a motivated complaint of our ex-employee against whom there is a case with District Crime Branch- Kanchipuram for misappropriation of funds. The details of the FIR with DCB- Kanchipuram and High court orders to investigate and execution of warrant on her have been already submitted to the board vide our previous letters. She has sent this complaint to escape from this case by threatening us. She is operated by an organised crime group and is supported by our competitors.
2. The NGT order mentions that M/s. Aiyasha Enterprises has taken waste from a list of companies. Out of the 7 companies mentioned, we have taken recyclable wastes from only two of the companies Asian Paints and PPG Asian Paints. From Akzo Nobel we take raw materials. There is no organisation called 'Bureau of Statistics' as far as we know. And with Wipro (All India Level) and with KG Denim we have no business nor any transaction. So, it is a baseless complaint sent in order to trouble us. Action has been taken on this complaint without any verification of facts and our factory has been

Asst pls
put up
9/8/19

9/8/19

71

closed since March 2019 leading to huge loss to the company. Our employees are jobless and have been protesting since last week by sitting in front of the gate everyday.

3. Our campus has two more paint manufacturing and paint recycling companies namely Sri Traders and Vasthu Paints. These companies and Aiyesha Enterprises were started together and managed by the same management till 2014-15. We have been sharing common space for storage of raw materials. There is no partition or boundary wall separating these units. All are located within the same compound. But action has been taken only on Aiyesha Enterprises. Sri Traders and Aiyesha have common customers and take material from same set of companies. Extent of contamination if any cannot be assessed without excluding other units operating in the same campus. This fact has also been share earlier vide our letters.
4. We have already submitted vide our letter dated 24.05.2019, that we have taken 907 MT during the entire period of operation from 2012-13 till 2017-18 and have produced 1337 MT of product. This is much higher than the quantity of waste purchased by us. This clearly indicates that we have used the entire quantity of recyclable paint waste that we have taken from companies. The extra quantity of production is due to addition of fresh raw materials and solvents to the paint. We take / buy off-specification products, expiry products, paint raw materials kind of waste only. We don't take non-recyclable wastes and process all the material we take. We BUY these materials for good value; they are not given to us free. So, there is no point of discarding the materials that we buy.
5. The complainant mentions about pollution to fields nearby. On enquiry with villagers anyone can make out that there is no such pollution. This campus is surrounded on three sides by fields which are being cultivated during every season. One side is on the Aiyesha Enterprises side and other two sides are on the Sri Traders and Vasthu Paints side. There has not been a single complaint from villagers regarding this. The complainant is from Karnataka and stayed in Kanchipuram for 11 months only when she worked with us. She appears to have suddenly got this social awareness once she left the company. We are in cordial relationship with the village and there is no such local pressures.
6. She has mentioned about burying under the buildings which were built before the operations. Except the solvent distillation plant, other buildings were constructed before 2012. The solvent plant is constructed is around 1000 sq.ft area and is an open shed. The entire construction was done with local masons and labours. Her idea is that such a complaint may lead to destruction of all the buildings in the company so that we will never be able to continue the business again.

7. The Jumbo bag godown has raw materials that are received in Jumbo bags of 500kg or 1 MT capacity. These are fine powder materials and hence there would be minor spillages, but they are contained within the shed. These materials are Rutile (TiO₂), Calcium Carbonate, Marble Powder, some silicates like non hazardous inorganic minerals. They are not hazardous. Since they are too fine, even small quantities show up as large spillage. These materials are harmless and are NOT hazardous.
8. Her intention of troubling is also clear as you can see from her language and contents of the complaint. She also mentions that we are into smuggling, money laundering, drugs supply etc., meaning we are into every possible illegal activity in the world. This is only with the motive of defaming us. This intention of the complaint is not saving village or protecting environment but maligning the image of the company and promoters. Two of the partners are from Madurai who are into farming and promoting farming and other two are from Hyderabad from a very respectable family. Works of one of the promoters Mannar Mannan on sustainable farming have been very widely published in print and TV media. He has also carried out research on sustainable farming with support of NABARD the results of which were widely published in the media. He also writes regularly in Tamil magazines on farming and waste management. Also he has published books on farming and environmental management. The team can never be associated with any such illegal activity.
9. Her intention is also clear from the language of her mails to TNPCB, CPCB and other statutory bodies. He addressed very disrespectfully the officials of TNPCB in mails and messages. Also she disturbed the officials at Oragadam office and TNPCB head office with mid night messages with filthy language and unparliamentary words. These records are already available with TNPCB officials and this has also been discussed internally. NGT is not aware of these facts and has asked TNPCB to take action. The action if taken after an enquiry would have been more fair than closing the industry and then investigating. So, our request is to dismiss this complaint as it is MOTIVATED and accordingly NGT may be informed by TNPCB.
10. Still since this point has come for discussion, we are willing to go for the assessment and find if there is any contamination. But our request is that we being a very small industry operating in just 0.8 acre of land and our turnover being less than 1.5 Crores and since we are economically very badly affected due to closure we are not in a position to pay the deposit of 10 lacs upfront. However, we are willing to have this study done with an external agency like Anna University as per TNPCB guidelines and submit the report as soon as the study is over. We request your good self to allow the factory operation with this condition. We plead this revocation to save our employees and business on a mercy basis.

73

11. The complainant also mentions that we have bribed TNPCB officer Mr. Arun and DEE which are baseless and wrong. Mr. Arun does not have any contacts with us nor our factory comes under his jurisdiction. This statement in a complaint is due to some influence by our competitors who fund her with an intention of spoiling our relationship with the board officials. As may be seen from the previous proceedings and closure of factory, it may be noticed that we have not received any favour from any officials and they have gone by the rules only.

Therefore Sir, we request your good self to dismiss this motivated complaint as baseless and false and accordingly reply to NGT. However we will carry out the assessment from a third party like Anna University as per your recommendation and pay for the actual cost. We plead you to kindly permit the operations for a specific period of time before which we will submit the report. Keeping the factory closed till such time will put us in great trouble and will several families without any livelihood.

We assure you to fully comply with all the conditions for this interim relief and will ensure a smooth pollution free operation.

Sincerely,
For Aiyasha Enterprises

For A. Mannan

Mannan Mannan
Partner

CC: 1. The Chairman, TNPCB, 76, Mount Salai, Guindy, Chennai - 600032
2. The DEE, TNPCB, Plot No. CP-5B, SIPCOT, Oragadam - 602105, Sriperumbudur
Taluk The DEE, TNPCB, Oragadam

*14/10/19
(S-73)*