

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI.**

ORIGINAL APPLICATION NO.04 of 2022 (SZ)

Jaganathasamy,
S/o. Palanigounder,
No.959, Narasingauram,
Krishnapuram post,
Madathukulam Taluk,
Tiruppur District

...Applicant

Versus

The Member Secretary,
Tamil Nadu Pollution Control Board,
Chennai and Others.

...Respondent(s)

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Advocate for the Respondent: TNPCB

**Tr. S. Sai Sathya Jith,
Advocate, Chennai.**

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REPORT OF TAMILNADU POLLUTION CONTROL BOARD SUBMITTED BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL (SOUTHERN ZONE), CHENNAI IN THE MATTER OF ORIGINAL APPLICATION No. 04 OF 2022 (SZ), FILED BY THIRU. JAGANATHASAMY Vs THE MEMBER SECRETARY, TAMILNADU POLLUTION CONTROL BOARD, CHENNAI & OTHERS AND OTHERS AS PER ORDER DATED 5TH JANUARY 2022.

In the matter of Original application No. 04 of 2022, Thiru. Jaganathasamy, S/o. Palanigounder has filed an application before the Hon'ble NGT(SZ), Chennai against the Member Secretary, TNPCB & Others.

The Hon'ble NGT(SZ), Chennai in its order dated 05.01.2022, among others, as directed as follows.

".....The 6th respondent/District Environmental Engineer, Tamil Nadu Pollution Control Board, Tiruppur South is directed to inspect the unit in question and submit a factual as well as action taken report, if there is any violation found.

Also, the 6th respondent is directed to ascertain as to

- i. Whether 8th respondent is having necessary consent/permission under the environmental laws for conducting the unit,
- ii. If there is any violation committed by the 8th respondent, then, what is the nature of action taken by them and also assess the environmental compensation if there is any violation found for violating the conditions as directed by the Principal Bench of National Green Tribunal, New Delhi and also this Tribunal in several matters of this nature.

In this connection the following is submitted.

The unit of M/s. ENRGEE BLUE METALS located at S.F. No. 531/2, Maivadi Village, Madathukulam Taluk, Tiruppur District has obtained Consent to Operate vide Board Proc. No. T13/F.1195/CBE/W&A/93 dated 02.07.1993 under Water Act and Air Act for the production of

Blue metals – 24 T/D,
Chips – 8 T/D,
Powder – 8 T/D

with renewal validity upto 31.03.2021 with two jaw crusher and 2 rotary sieve as machineries.

The unit of M/s. AKSHAIRAJ BLUE METALS has purchased the unit of ENRGEE BLUE

METALS and applied for Consent of the Board by furnishing an undertaking which is as follows

"I would like to inform that the existing unit of M/s. Enrgee Blue metals located at S.F. No. 531/2, Maivadi Village, Madathukulam Taluk, Tiruppur Distict was purchased by me. The existing unit was operated ground level. Since the machinery not operated more than a year. Hence, we are revamping the machineries along with all the APC measures.

We have proposed to shift the machineries in the existing quarry at same location below 15 feet ground level. I further assure that we will not exceeded the consented capacity production at any point of time.

Hence, we request your good selves kindly issue the Consent to Operate for our unit at the earliest."

and obtained Consent to Operate vide Board Proc. F.0762TPS/OS/DEE/TNPCB/TPS/W&A/2020 dated 02.09.2020 for the production of

Blue metals - 24 T/D,
Chips - 8 T/D,
Powder - 8 T/D

with validity upto 31.03.2022 subject to the following conditions

1. The unit shall operate and maintain all the Air Pollution Control measures attached to the Jaw Crushers, Rotary Screen and Conveyor Belts efficiently and continuously so as to satisfy the Ambient Air Quality standards prescribed by the Board.
2. The unit shall adhere to the Ambient Noise level standards prescribed by the Board.
3. The unit shall cover raw materials transfer points suitably to prevent dust release into atmosphere.
4. The unit shall operate and maintain all the water sprinkling system provided continuously and efficiently to control the Fugitive dust emission.
5. Periodical cleaning of water spray nossils should be carried out to avoid chocking.
6. The unit shall ensure the drop height of the processed materials should be kept at minimum during loading and unloading.
7. The unit shall provide compound wall/wind arrester of 15 feet height all around the unit premises.
8. Telescope chutes are to be provided at the conveyor drop point to prevent

- dust release into the atmosphere during free fall off material from height.
9. Opening in the enclosures such as shaft motor driver, conveyor belts, jaw crushers shall be covered with rubber flaps to prevent release of dust.
 10. There should be bilane road system to approach the stone crushing unit.
 11. The approach road should be properly laid with tar and concrete and should be sprayed with water. The approach road to the individual crusher should be made in good condition and watered.
 12. Within the crusher, a minimum distance of 20 ft wide should be made for roads.
 13. The industry shall ensure that fine dust accumulated in the crushing area is cleaned periodically and dumps are covered with tarpaulin to arrest erosion by wind.

As per the Hon'ble NGT(SZ), Chennai order dated 05.01.2022 mentioned in Point no. 9 & 10, the unit of M/s. Akshairaj Blue Metals located at S.F. No. 531/2, Maivadi Village, Madathukulam Taluk, Tiruppur District was inspected by the District Environmental Engineer, Tamil Nadu Pollution Control Board, Tiruppur South on 27.01.2022 and the observations noticed during inspection is as follows.

1. The unit was not in operation as the unit was carrying out the revamping works which is yet to be completed.
2. The Air Pollution Control measures are also yet to be installed.
3. The unit for its crusher operation has partially installed Jaw crushers - 2 Nos. & Rotary screens - 2 Nos. which are not in operable condition.
4. The unit has not installed any machine for M-sand unit.
5. No violations is committed since the unit is yet to commission after revamping the machines and it can be assessed only in operation of the unit and after conducting AAQ monitoring only.
6. The unit is located below the ground level approximately at about a depth of 27 feet from the ground level as already reported.
7. The unit has not started its production since the installization of machines are yet to be completed. The unit is located below ground level in the same S.F. No. 531/2, Maivadi Village, Madathukulam Taluk, Tiruppur District (at stone quarried earlier) and green belt is found over and above. Further the unit has completed and constructed 13 feet wall on the eastern side and partially completed 10 feet on the northern side.
8. The photographs taken during inspection is furnished below.



THE TOP VIEW PHOTOGRAPH TAKEN FROM WEST SIDE FROM GROUND LEVEL



ERECTION OF MACHINES BELOW THE GROUND LEVEL



GREEN BELT ON SOUTHERN SIDE

08/11/20
**District Environmental Engineer
TNPC Board, Tiruppur South**

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Advocate for the Respondent: TNPCB

**Tr. S. Sai Sathya Jith,
Advocate, Chennai.**

Date: 31.01.2022

Date of Hearing: 02.02.2022

