

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE AT CHENNAI.**

ORIGINAL APPLICATION NO.103 OF 2020 (SZ)

S. Sakthivel

...Applicant(s)

Vs

**The District Environment Engineer,
The Tamil Nadu Pollution Control Board,
and others.**

...Respondent(s)

INDEX

S.No	Description	Page No.
1.	REPORT FILED ON BEHALF OF THE 1ST RESPONDENT - TAMILNADU POLLUTION CONTROL BOARD.	1- 4

**Filed by
Thiru.S. Sai Sathya Jith,
Advocate, Chennai.**



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

APPLICATION No.103 of 2020 (SZ)

S. Sakthivel,
S/o. P.K. Subramaniam,
Aged about 45 years,
P.K.S. Building,
Kattuvelayutham Mudali Street,
Ward-6, Tharamangamal,
Salem District – 636 502.

...Applicant

Vs

1. The District Environment Engineer,
Tamil Nadu Pollution Control Board,
Siva Tower, Post Box No.457,
No.1/276, Meyyanur Main Road,
Salem – 636 004.

2. The District Collector,
Chiarman, Salem Local Planning Authority,
Collectorate,
Room nO.101, First Floor,
Salem – 636 001.

3. The Superintending Engineer,
TANGEDCO, Mettur Circle,
Bhavani-Erode Road,
Mettur, Tamil Nadu – 636 401.

4. Mr. Selvaraj,
S/o. Late Mr. Natesan,
P.K.S. Building,
Kattuvelayutham Mudali Street,
Ward-6, Tharamangamal,
Salem District – 636 502.

...Respondent(s)

REPORT FILED ON BEHALF OF THE 1ST RESPONDENT
TAMILNADU POLLUTION CONTROL BOARD.

I, R. Rajamanickam, Son of P.M.Ramasamy, Hindu, aged about 58 years, having office at No. 76, Mount Salai, Guindy, Chennai-600 032, do hereby solemnly affirm and sincerely state as follows:-


JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD
76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-32 and I am filing this Status Report on behalf of the 1st respondent and as such I am well acquainted with the facts of the case from the records.

2. It is respectfully submitted that the Hon'ble NGT has passed order dt.04.08.2022 and directed inter alia that:

Para 9: The Tamil Nadu Pollution Control Board is directed to conduct a sample test of noise level ranging from one to the maximum number of units that are functioning in a house in the particular area and the impact of noise level in proportion to the number of looms in each house and whether there is a possibility for reducing the noise level to bring in tune with the standard provided as per the provisions of Noise Pollution (Regulation and Control) Rules, 2000 if a cap on number of looms in a house is imposed. They are also directed to suggest technologies by which the noise pollution can be reduced and brought within the tolerable level as provided under above said rules. They must also suggest as to whether any restrictions can be imposed after conducting carrying capacity study and also the need for categorization of the units based on size on the basis of number of looms per house to bring at least houses with large number of power looms under any regulatory mechanism.

3. It is respectfully submitted that, in order comply the said NGT order, it was proposed to conduct Ambient Noise Level Survey on 09.09.2022 in the Tharamangalam area, whereas the petitioner has refused and did not allow the TNPCB officials to carry out the Ambient Noise Level Survey. Also after noticing the TNPCB officials, power looms operators have stopped their operation in that area, so it was unable to conduct the survey in the complainant area.

4. It is further submitted that, the Ambient Noise Level Survey was conducted with the assistance of police protection from DSP, Omalur, Salem on 12.09.2022 and 13.09.2022 by Advanced Environmental Laboratory, TNPCB, Salem in the matter of noise pollution from power loom units in Tharamangalam


17/9/22
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD
76, MOUNT SALAI, GUINDY,
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area. The report of Ambient Noise Level Survey details is as follows:

Sl. No.	Location	Distance (m)	Direction	Sound Level - dB(A)					
				Leq		L _{Max}		L _{min}	
				Idle	Operation	Idle	Operation	Idle	Operation
I.	On the top of Sakthivel PKS Building House								
01.	19.15 to 19.25 Hrs	12	E	-	56.5	-	71.7	-	52.9
02.	19.26 to 19.36 Hrs	12	E	-	58.9	-	79.7	-	52.4

The details of Noise level ranging from 1 to maximum number of units functioning in the neighboring houses as follows:

Machineries 1 No. along with motor capacity 0.5 hp each

S.No	The Noise Level reading at	Leq	L _{max}	L _{min}
01.	Idle	43.3	52.0	42.3
02.	Operation	58.6	68.1	57.6

Machineries 2 No. along with motor capacity 0.75 hp each

S.No	The Noise Level reading at	Leq	L _{max}	L _{min}
01.	Idle	43.2 - 46.8	50.8 - 54.0	37.1 - 42.3
02.	Operation	69.0 - 71.0	69.3 - 78.2	58.9 - 67.7

Machineries 3 No. along with motor capacity 0.75 hp each

S.No	The Noise Level reading at	Leq	L _{max}	L _{min}
01.	Idle	42.5 - 62.0	51.6 - 73.8	37.6 - 51.8
02.	Operation	70.9 - 76.5	80.0 - 96.9	64.5 - 71.4


 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMILNADU POLLUTION CONTROL BOARD
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Machineries 4 No. along with motor capacity 0.75 hp each

S.No	The Noise Level reading at	Leq	L _{max}	L _{min}
01.	Idle	58.0 – 60.9	67.9 – 74.6	47.0 – 48.5
02.	Operation	66.3 – 82.5	77.0 – 85.5	47.2 – 67.0

As per the Noise Pollution (Regulation and Control) Rules, 2000; *Rule No: 7 (1) A person may, if the noise level exceeds the ambient noise standards by 10 dB(A) or more given in the corresponding columns against any area / zone (or if there is a violation of any provision of these rules regarding restrictions imposed during night time) make a complaint to the authority.*

5. It is submitted that provisions such as closing all the windows and doors during operation, providing strip curtains, maintaining the operating hours between 8:00 A.M. to 6:00 P.M. may reduce and bring the noise pollution within the tolerable level.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) 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.


JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD
76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

BEFORE ME

VERIFICATION

I, R. Rajamanickam, S/o. P.M. Ramasamy, working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai - 600 032 do hereby verify that the contents of above report are true to the best of my knowledge through records.


JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD
76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

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1ST RESPONDENT - TAMILNADU
POLLUTION CONTROL BOARD.**

**Advocate for Applicant :TNPCB Thiru.S.
Sai Sathya Jith,
Advocate, Chennai.**

Date:17.09.2022.

Date of hearing on10.10.2022