

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

Original Application No. 112 of 2022 (SZ)

Saraswathi Excel Matriculation School,
Rep by its correspondent,
Villupuram Dist.

... Applicant(s)

Versus

1. The Member Secretary,
Tamil Nadu Pollution Control Board,
Guindy, Chennai – 600 032. & ors.

... Respondents

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

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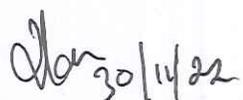
... Applicant(s)

Versus

1. The Member Secretary,
Tamil Nadu Pollution Control Board,
Guindy, Chennai – 600 032.
2. The Secretary to Government,
Agriculture and Farmers Welfare Department,
Fort St. George, Secretariat,
Chennai – 600 009.
3. The district Collector,
Villupuram District
4. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Villupuram, Villupuram District.
5. The commissioner of Agriculture,
Chepauk, Chennai – 600 005.
6. The Deputy Director of Agriculture,
(Plant Protection),
State Licensing Authority,
Chepauk, Chennai – 600 005.
7. The Tahsildar,
Vikkiravandi Taluk,
Villupuram District.
8. M/s. Sri krithika Agro Chemicals,
No.23, Hospital Road,
(opposite Telephone Exchange,
Vandimedu, Villupuram - 605 602.
Villupuram District.

... Respondents

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


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

REPORT FILED ON BEHALF OF THE 1ST & 4TH RESPONDENTS
TAMIL NADU POLLUTION CONTROL BOARD.

I, R. Sarasavani, D/o. Thiru J. Raghavan, 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 (TNPCB), Chennai-600 032, and filing this Report on behalf of the 1st and 4th Respondent Tamil Nadu Pollution Control Board (TNPCB) and as such I am well acquainted with the facts of the case from the records.

2. It is respectfully submitted that the applicant filed this application with the following prayer:

“To direct the respondents 1 to 7 to take suitable action on the applicant’s representation dated 25.11.2021 and 14.06.2022 and thereby direct the respondents 1 to 7 to restrain the 8th respondent manufacturing Phorate, prohibited chemicals and air polluted chemicals in his company”.

3. It is respectfully submitted that it has been alleged by the applicant that M/s. Sri Kiruthika Agro Chemicals located at Solaganur Village, Vikravandi Taluk, Villupuram District is manufacturing chemicals namely Phorate and other chemicals prohibited by the Government of India.

4. It is respectfully submitted that the 8th respondent unit of M/s.Sri Kiruthika Agro Chemicals located at SF No. 310/3, Solaganur Village, Vikravandi Taluk, Villupuram District is an existing orange/small - pesticide formulation unit functioning since 2006.

5. It is respectfully submitted that Consent to operate was issued to the unit of M/s Sri Kiruthika Agro Chemicals located at Solaganur Village, Vikravandi Taluk, Villupuram District by the DEE vide Proceeding No. F.VPM0053/RS/DEE/TNPCB/VPM/W&A/2013 dated 30.4.2013 valid up to 31.03.2014 for seven products as tabulated below:

Mar 30/11/22
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
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S.No.	Description	Quantity
1.	Monochrotophos 36% SL	3000 Lit/M
2.	Cyper Methion 10% EC	2000 Lit/M
3.	Carbendazin 50% WP	1000 Kg/M
4.	Acaphate 75% SP	1000 Kg/M
5.	Phorate 10% CG	4000 Kg/M
6.	Carbofuran 32% CG	4000 Kg/M
7.	Cartaphydro Chloride 4% CG	2000 Kgs/M

6. It is respectfully submitted that further Renewal of Consent was issued to the unit for manufacturing of seven products on 24.04.2017 and valid up to 30.06.2018.

7. It is respectfully submitted that, a complaint from Thiru M. Rajasekaran, Correspondent, Saraswathy Excel Matriculation School, Thiruvannamali Main Road, Solaganur Village, Vikravandi Taluk, Villupuram District was received on 25.11.2021 stating that the unit was processing banned chemicals and causing air pollution to the surrounding area affecting their school children and staff.

Based on the complaint, the respondent unit was inspected by officials of O/o. District Environmental Engineer, TNPCB, Villupuram on 25.11.2021 and observed that the air pollution control measures were not in operation and the unit had not obtained renewal consent order. Hence, a show cause notice was issued to the respondent unit vide proceeding dated 30.11.2021 for above said violations. The unit in its reply letter dated 09.12.2021 stated that it was carrying out rectification works on air pollution control measures and solar evaporation pan and that same would be completed in a month time.

8. It is respectfully submitted that again a complaint was received from Thiru.M. Rajasekaran, Correspondent, Saraswathy Excel Matriculation School, Thiruvannamali Main Road, Solaganur Village, Vikravandi Taluk, Villupuram District received on 15.7.2022 stating that the unit was processing banned chemicals causing air pollution to the surrounding area and affecting their school children and staff.

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30/11/22

9. It is respectfully submitted that. based on the complaint, the respondent unit was inspected by the officials of O/o. the District Environmental Engineer, TNPCB, Villupuram on 27.7.2022, during inspection the following were observed:

- i. The unit was in operation.
- ii. The unit has provided wet scrubber with stack and was in operation.
- iii. There was no odour nuisance observed during inspection.
- iv. The unit has obtained certificate from the Government for handling raw materials for the production of pesticides in its formulation unit.
- v. The unit has not utilized any banned raw materials for its pesticide formulation unit.

Hence, a reply was sent to the complainant vide District Environmental Engineer, TNPCB, Villupuram letter dated 01.08.2022 stating the above said observations.

Meanwhile, the respondent unit has filed an application for Renewal Consent of the Board under the Water (P&CP) Act, 1974 and the Air (P&CP) Act, 1984 through OCMMS for six products only and stated in its letter dated 02.09.2022 that they have removed one of the products Phorate - 10% CG-4000 kg/Month in the application, since it is banned in Kerala State for pesticide product. As there is no pending complaint against the unit, further action on the show cause notice was dropped and renewal of consent order was issued to the respondent unit on 05.09.2022 with valid up to 31.3.2026.

At present, the applicant has filed an application before the Hon'ble Tribunal alleging that M/s. Kiruthika Agro Chemicals located at Solaganur Village, Vikravandi Taluk, Villupuram District is manufacturing chemicals namely Phorate and other chemicals prohibited by the Government of India.

10. It is respectfully submitted that in this regard, the unit was once again inspected by the officials of O/o. District Environmental Engineer, TNPCB, Villupuram on 26.10.2022. During inspection the following were observed:

- i. The unit was not in operation at the time of inspection.
- ii. The air pollution control measure provided by the unit was in operable condition.

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

iii. The unit was not carrying out manufacturing of Phorate.

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

Jan 30/11/22
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

BEFORE ME

VERIFICATION

I, R. Sarasavani, D/o. Thiru. J.Raghavan working as Joint Chief Environmental Engineer, having office at No. 76, Mount Salai, Guindy, Chennai -600 032, do hereby submit that the above contents are true to the best of my knowledge and belief through records.

Jan 30/11/22
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
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... Respondents

**REPORT FILED ON BEHALF OF THE 1ST &
4TH RESPONDENTS - TAMIL NADU
POLLUTION CONTROL BOARD.**

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

Date: 01.12.2022.

Date of hearing on: 06.12.2022

