

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

Original Application No.121 of 2021

Suo Motu based on the News Item published
in Hindu Newspaper, Chennai edition Chennai
dt. 14.05.2021 under the caption
"Cuddalore Pesticide Unit blast kills 4"

Vs

The Secretary to Govt.
Department of Environment & Forest,
Govt. Secretariat, Fort St. George,
Chennai, Tamil Nadu – 600 009 & 5 Others.

...Respondents

INDEX

S.No	Description	Page No.
1.	PRELIMINARY STATEMENT OF TAMIL NADU POLLUTION CONTROL BOARD IN THE MATTER OF O.A.NO.121 OF 2021	1 - 7

**Filed by
Thiru. C. Kasirajan
Advocate, Chennai.**

**Preliminary Statement of Tamil Nadu Pollution Control Board
in the matter of OA No. 121 of 2021**

(As per Hon'ble National Green Tribunal, Southern Zone, Chennai Order dated:
June 04, 2021)

1.0 Preamble

The Hon'ble National Green Tribunal, Southern Zone, Chennai has taken Suo Motu case on the basis of the newspaper report published in the Hindu Chennai Edition dated, 14.05.2021, under the caption "*Cuddalore pesticide unit blast kills 4*". In the matter of Application No. 121 of 2021 the National Green Tribunal, South zone, Chennai has passed an order dated 04th June, 2021 (Annexure – 1), constituted a Joint Committee and directed that ;

".....10. In order to ascertain the genuineness of the allegation and also the violations if any, committed by the 8th respondent/ Crimsun Organics Private Limited mention in the newspaper report and its impact, we feel it appropriate to appoint a joint committee comprising of (1) The District Collector, Cuddalore, (2) a Senior Officer from Tamil Nadu Pollution control Board (TNPCB) designated by its Chairman, (3) a Senior Officer from the Central Pollution Control Board (CPCB), Integrated Regional Office, Chennai (4) a Senior Officer from the State Industries Promotion Corporation of Tamilnadu (SIPCOT) deputed by its Chairman and the Managing Director to inspect the 8th respondent/Crimsun Organics Private Ltd., unit in question and submit a factual as well as action taken report, if there is any violation found.

12. The Committee is directed to ascertain as to

- (i) whether the 8th respondent unit/Crimsun Organic Private Ltd., is having all necessary permissions and clearances for running their unit, including environmental clearance if any required,*
- (ii) whether the 8th respondent unit Crimsun Organic Private Limited is complying with all the imposed conditions in the clearances and the permission granted,*
- (iii) If there is any deficiency for providing safety measures against the conditions imposed whether it is the cause for the accident,*

(iv) whether any environmental damage has been caused on account of the incident, if so assess the environmental damage caused and the environmental compensation to be recovered from them.

13. The committee is also directed to ascertain the general precautions taken by the industries and the State industries Promotion Corporation of Tamil Nadu (SIPCOT) in the complex to avoid such incidents and regulatory mechanism to ascertain the number of units that are strictly adhering to the permissions granted and if not, what is the nature of action taken by the State Industries Promotion Corporation of Tamil Nadu (SIPCOT) against such erring industries.

14. The committee is also directed to ascertain as to

a. whether any unauthorized discharge of untreated trade effluents/sewage is being done by any of the industries and

b. whether necessary pollution control mechanism has been provided to curb air pollution, likely to be caused on account of the poisonous gas emission being emitted from the units if any,

c. If there is any deficiency found, what is the nature of action taken and what are all the steps to be taken to improve the system to protect environment.

16. the Committee is directed to submit the report in this regard to this Tribunal on or before 16.07.2021 by e-filing in the form of searchable PDF/OCR Support PDF and not in the form of image PDF along with necessary hardcopies to be produced as per rules.

Apart from the filing the report, the Official respondents were also directed to file their independent statements regarding the action taken before the Hon'ble NGT (SZ) in the above case.

2.0 Constitution of Committee

In Compliance to Hon'ble NGT order, the Committee was constituted comprising of following members;

1. Thiru. K. Balasubramaniyam, District Collector, Cuddalore.
2. Mrs. H.D. Varalaxmi, Sc. E & Regional Director, CPCB, Chennai.

3. Thiru K. Elankumaran, Joint Chief Environmental Engineer, TNPCB (M) Trichy.
4. Thiru A. Balu, Assistant General Manager, SIPCOT, Chennai.

3.0 Committee Meeting and Field Visit

Upon the constitution of the committee, a meeting was conducted on 08.07.2021 at Collectorate Office headed by the District Collector, Cuddalore. Along with Committee members following officers from different department also participated in the meeting and also accompanied the Committee during field visit;

1. Thiru. R. Ravichandran, Joint Director, DISH, Cuddalore.
2. Mrs. R. Thamizhselvi, Project officer, SIPCOT, Cuddalore.
3. Thiru R. Seralathan, District Environmental Engineer, TNPCB, Cuddalore.

During the meeting, District Collector briefed the Hon'ble NGT order and discussed the tasks to be completed in compliance of the order. CPCB member explained the details of information's obtained from the line department and field work required to be carried out by the committee to address the issues raised by the Hon'ble NGT.

3.1 Field visit by Joint Committee

As per the orders of the Hon'ble National Green tribunal (SZ), the Joint Committee has inspected the unit on 08.07.2021 in the presence of Thiru .A. Paranitharan, General Manager of the industry. The Committee has inspected the distillation vessel in which the accident has occurred.

The General Manager has explained the cause of the accident and about the response action taken during that time, to the Joint Committee. It was informed that the accident was occurred due to a mild blast in distillation kettle R-108 followed by minor fire and fumes on the second floor of the production block of the industry. The accident resulted in death of four persons and mild injuries to 2 persons and 10 numbers had inhalation impact. The main cause of death and injury / inhalation of fumes from reactor (distillation kettle) due to sudden blast-opening of the manhole of distillation kettle R-108; with a resultant fire and splash of fluid and subsequent inhalation of gases / fumes.

The Committee has also inspected the Air Pollution Control measures attached to the Distillation vessels, such as Scrubbers and Vents.

The Committee has also inspected the steam production boiler, the effluent treatment systems including mechanical evaporator installed for achieving the zero discharge of effluent. There is no discharge of Treated / untreated Trade effluent inside/outside the premises of the industry. The committee has also inspected the storage of the Hazardous waste generated from the industry in the protected shed before disposal of the waste to the respective disposal facility.

4.0 SIPCOT Industrial Complex Cuddalore:

The SIPCOT Industrial Complex, Cuddalore was established during the year 1984. The Industrial complex has phase-I and phase-II where Textile processing, Pharmaceuticals, Dye, Chemicals, Pesticides and miscellaneous industries are located. The SIPCOT Industrial Complex, Cuddalore is located along the Cuddalore – Chidambaram High ways (NH 45-A). SIPCOT Phase-I has a total extent of 518.79 acres and SIPCOT Phase-II has a total extent of 190.52 acres. The total area of SIPCOT Industrial Complex Cuddalore is 709.31 Acres (Phase I & Phase II).

As per the G.O.No: 1730 Dated: 24.07.1974 The SIPCOT Industrial Estate is classified as Special and Hazardous Industrial use zone.

4.1 The industry, M/s Crimsun Organics Private Limited in SIPCOT.

The industry M/s. Crimsun Organics Pvt. Ltd was issued consent order to operate the industry on 31.05.2018 in orange small category as a pesticide formulation unit for 4 products as it was purchased by the management from the previous industry M/s. Indo International Ltd.

Subsequently the unit has applied for consent to establish to manufacture pesticides and the unit was issued consent to establish on 25.04.2019 for its pesticide manufacturing

activity as Red Large, 17 category industry, for 57 products and 5 by – products. The consent to operate was issued by the Board on 30.06.2019.

The unit was issued renewal of consent order on 19.08.2020 valid upto 31.03.2021. The validity was extended valid upto 31.11.2021 by a common order to all industries due to Pandemic issue. The details of the industry, its raw materials, Products, Effluent treatment plant and Air Pollution Control Measures are enclosed in **Annexure – II**.

The industrial accidental has occurred in the industry on 13.05.2021, at 7.30 AM in one of the reactors. The reactor started spewing out dense white fumes and 4 affected persons. They were taken to hospital and have passed away. Other 12 persons who have been affected were treated in the Hospital and got discharged. The industry was inspected by the TNPCB official on 13.05.2021 and a report was submitted to the Member Secretary, TNPCB, Chennai.

As per the instruction of District Collector, the industry was inspected on 29.06.2021 along-with the Joint Director, (DISH) and Project Officer, (SIPCOT) and found that the industry was not in operation. The various units of the industry was inspected and the compliance of the conditions imposed in the consent order was verified.

4.2 The accident occurred in the industry:

1. As per the report of DISH the investigation was made by additional director of Industrial Safety & health, Trichy & Deputy Director of Industrial Safety & Health, Villupuram. Since, the intermediate products are aromatic compound and the process is amino process, it is covered under chemical works and Show Cause Notice given by Additional director of Industrial Safety & health, Trichy, under scheduled XVI and provisions.
2. The accident has occurred at 7.30 AM on 13.05.2021. The spillage of fluids and subsequent fire caused in the area was quenched by fire fighting personnels using foam and water. The fire and emission of gases was stopped subsequently. The emissions of suspended particulate matters, and gases like NO_x, SO₂, CO, CO₂ as recorded in the Continuous Ambient Air Quality Monitoring Stations functioning at about 340 meters and 390 meters in

the western side of the unit and about 495 meters in the northern side of the industry were retrieved for the period during the accident and observed that there is no significant rise in the levels of the gases and within the Ambient Air Quality Standards prescribed by the Board (Annexure – III). However the environmental damage will be worked out after obtaining the mass balance details of the chemicals present in the distillation vessel and the quantity of the spilled out fluids during the accident so as to assess the Environmental Compensation due to the accident.

3. As per point no: 12(ii) of the orders of the Hon'ble NGT(SZ), the compliance of the conditions of the Consent order renewed by TNPC Board to the industry M/s.Crimsun Organic Industry Private Limited, SIPCOT has been verified. (Annexure IV).

5.0 Actions taken and to be taken.

As per the orders of the Hon'ble National Green Tribunal (South Zone), the industry M/s. Crimsun Organics Pvt Ltd was inspected by the Joint Committee on 08.07.2021 in the presence of the representative of the industry. However, to address the issues raised by the Hon'ble NGT, following activities are required to be carried out by the TNPC Board.

- i. As per point no: 12(iv) of the orders of the Hon'ble NGT(SZ) the unit was asked to provide information on stock of raw material taken for process, expected Chemical reactions caused for blasting of manhole of reactor, on the day of the accident and the materials released to the atmosphere to calculate the Environmental Damage cost.
- ii. Upon inspection of the industry, as per point no: 14(a) of the above orders, it was verified that there is no unauthorized discharge of untreated trade effluents / sewage is done by M/s.Crimsun Organic Industry Private Limited, SIPCOT. In order to verify the discharge of untreated trade effluents/ sewage by the other industries, more time is required to inspect the individual industries in the SIPCOT industrial complex.
- iii. As per point no: 14(b), of the orders, to verify the functioning of the pollution control mechanisms installed in other industries in SIPCOT Complex, also requires more time to verify the same.

6.0 Prayer.

To work out the assessment of Environmental damage caused by the accident occurred in M/s.Crimsun Organic Industry Private Limited, SIPCOT, and to verify the functioning of Air Pollution Control Measures installed in the individual industries in SIPCOT and to ascertain the discharge of any untreated trade effluents / sewage inside or outside the premises of other industries in SIPCOT, more time is required for the above tasks.

Hence, it is humbly prayed that a time period of 8 weeks may kindly be given to file the final statement before the Hon'ble NGT(SZ).


Joint Chief Environmental Engineer (M),
TNPCB, Trichy.

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**PRELIMINARY STATEMENT OF
TAMIL NADU POLLUTION
CONTROL BOARD IN THE MATTER
OF O.A.NO.121 OF 2021.**

**Advocate for Respondent: - TNPCB
Thiru.C. Kasirajan,
Advocate, Chennai.**

Date:15.07.2021.

Next date of hearing on :16.07.2021

