

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL (SZ)

Application No. 53 of 2020

BETWEEN

Olympia Grande Owners' Welfare Association,
Pallavaram Registration No.569/2016,
Represented by its Secretary Mr. S. Chandrasekar,
No.328, GST Road, Pallavaram,
Chennai- 600 043
Email ID: ogaowa2016@gmail.com
Phone No. 9381011008

...APPLICANT

AND

M/s KSM Nirman Private Ltd.,
Represented by its Managing Director,
No.1 SIDCO Industrial Estate, Guindy,
Chennai- 600 032
Email ID: sales@olympiagroup.in
Phone No. 044 – 43563773

...RESPONDENT

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Dated at Chennai this the 13th of the December of 2021


COUNSEL FOR THE 1ST RESPONDENT

Gate Pass



GATE PASS FOR MATERIAL OUTGOING - RETURNABLE / NON-RETURNABLE

368

Date: 02.11.2021 In Time: Out Time: 17.30/17.51 No

Vehicle No: VN 22 AH 5913, TN 19 V 3352
 Occupant's Name: AV electronic, Chennai - 603 009

Contractor's Name / Occupant's Rep: M. Manogaran (M) 9884102666

Please allow the following items to be taken out from the premises

S.No	Particulars / Description	Make/Model	Regd No (if applicable)	Quantity (Approximate)	Remarks
1	Dewatering pump-I	Cirandhos		3-HP	winding fault
2	Dewatering pump-II	Cirandhos		3-HP	winding fault

Reason For Sending Material:
 winding fault.

M. Manogaran
 Authorized Signatory / Contractor's Representative

(Signature)
 Authorized Signatory / Gate Pass No. Date

Security Guard/Sup
 Date

OGAOMIN.
 SMO: Chinniah, Chennai
 P. Subramanian, Chennai
 Material Pass

Date: 15.11.2021

To,

M/s. Olympia Grande
Pallavaram,
Chennai - 600043

Sub: - Drain pit overflow issue reg.,

Dear Sir,

This is for your kind information that in 165 KLD STP Standby drain pump-01 was failure on 08/11/2021 so we have given for service and operated the plant with drain Pump -02 and that pump also failure on 14th November early morning 4 'o' clocks and on the same day the serviced pump 01 was returned to the site by 11 'o' clock, in between this time duration drain pit was overflowed up to ½' due to Pump failure.


After fixing the pump, we have dewatered the Plant room water and this issue is not impacted the STP functioning. However, we'll serve the UF flushing water to the Toilets without any stoppage.

Herewith enclosed images of Overflow flow level, after Dewatering & cleaned and In & Out gate passes for the Plant Room Drain Pump services for your kind reference.

Thanking you,
For Clar Aqua Engineering Pvt Ltd



Authorized Signatory

 **Head Office :**
No.13, 2nd Main Road,
New Colony, Chrompet,
Chennai - 600 044.

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL (SZ)

I.A.No. 12 of 2021

In

Application No. 53 of 2020

BETWEEN

Olympia Grande Owners' Welfare Association,
Pallavaram Registration No.569/2016,
Represented by its Secretary Mr.S.Chandrasekar,
No.328, GST Road, Pallavaram,
Chennai – 600 043.
Email ID : ogaowa2016@gmail.com
Phone No.9381011008

... Applicant

AND

1.M/s KSM Nirman Private Ltd.,
Represented by its Managing Director,
No.1, SIDCO Industrial Estate, Guindy,
Chennai – 600 032.
Email ID : sales@olympiagroup.in
Phone No. 044 – 4356 3773

2.Tamil Nadu Pollution Control Board,
Represented by its Member Secretary,
No.76, Mount Salai, Guindy,
Chennai – 600 032.
Email ID : tnpcb-chn@gov.in
Phone No. 044 – 22353134

3.State Level Environment Impact
Assessment Authority, Tamil Nadu,
Represented by its Member Secretary,
3rd Floor, Panagal Maaligai,
No.1, Jeenis road, Saidapet,
Chennai-600015.
Email ID : mstnseiaa@yahoo.com
Phone No. 044-2435 9973

... Respondents

OLYMPIA TECH PARK (CHENNAI)
PRIVATE LIMITED


Whole-Time Director

REPLY FILED BY THE FIRST RESPONDENT

I, Chandrakant Kankaria, S/o Binod Chand Kankaria, aged about 46 years, Whole Time Director of the 1st respondent company, having office at No.1 SIDCO Industrial Estate, Guindy, Chennai- 32, do hereby solemnly affirm and sincerely state as follows:

1. The first respondent submits that the applicant has filed the above I.A.No. dated 26.11.2021, seeking early hearing of O.A.No.53 of 2020 by this Hon'ble Tribunal. This respondent has no objection for early hearing of the matter.
2. This respondent submits that the applicant has made an allegation that the Sewage Treatment plant was not operated, and this respondent discharged untreated water into the storm water drain.
3. At the outset, the Respondent submits that the two STPs (315 KLD & 165 KLD) were commissioned on 26.08.2016. Thereafter, the test result shows that the treated water quality satisfied the norm and the recycled water was used, as evident from the mail dated 27.08.2016 from Jayakumar, the then property manager. The first respondent operated them for one year, trained the operation team of applicants through Larsen & Toubro Ltd. and thereafter handed over the entire common area, equipments and maintenance to the applicant's association on 16.07.2017. The sewage main and the applicant has alleged that the Sewage Treatment Plant was not operated.

OLYMPIA TECH PARK (CHENNAI)
PRIVATE LIMITED


Whole-Time Director

4. The First Respondent submits that the after 16.07.2017, the entire responsibility of the maintaining the STPs lies with the Applicant's association only and the extension of the assistance by the first respondent is not on account of shortcoming in the desired capacity and function of the two STPs but due to the request made by the Applicant's association.
5. The respondent has analysed the treated water and has filed several furnished lab reports, the last one being dated 15.09.2021 from Santhome Enviro services and the report dated 11.11.2021 from King Institute, Guindy, which show that the treated water met the parameters followed or prescribed by the respondent board.
6. The respondent further submits that with regard to the allegation regarding the installation of Sewage Treatment Plant at the basement is also incorrect and baseless, particularly when the adequacy and process in the Sewage Treatment Plant has been certified by Indian Institute of Technology, Chennai, vide report dated 18.06.2020. The first respondent further denies the allegation that the sewage was discharged into the storm water drain. The respondent submits that the Applicant made a complaint to the municipal authority and police after heavy rainfall in October 2019. The first respondent replied that the overflow was due to the block in the external sewage line and after inspecting the site the municipal authorities dropped further actions against the

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PRIVATE LIMITED


Whole-Time Director

respondent. The applicant is making such baseless allegations against the respondent only to tarnish the image of the respondent particularly when Chennai city experienced unprecedented and very heavy rainfall in November 2021.

7. This respondent submits that the Pollution Control Board has given its consent for the installation and operation of the Sewage Treatment Plant.
8. The respondent further submits that after handing over the Sewage Treatment Plant on 16.07.2017, there is absolutely no obligation on the part of the respondent to oversee the maintenance of the Sewage Treatment Plant. In fact, the respondent has even informed the Applicant Association that they should take over the maintenance, but the Applicant Association has approached RERA Authority and complained as though this respondent abdicated its responsibility and The Tamil Nadu Real Estate Regulatory Authority, has granted interim order, directing this Respondent to continue to maintain the STPs as prayed by the Applicants by its order 03.02.2021. Hence, the maintenance is done by the Service provider namely M/s. Clar Aqua Engineering Services Pvt Ltd.
9. The first respondent submits that on 08.11.2021, the service provider namely M/s. Clar Aqua Engineering Services, who is in charge of maintenance of the Sewage Treatment Plant informed that out of the

OLYMPIA TECH PARK (CHENNAI)
PRIVATE LIMITED


Whole-Time Director

two drawing pumps, one pump was given for servicing and the Plant was functional with the support of the other pump, but incidentally the other pump failed at about 04.00 AM In the morning on 14.11.2021 which resulted in overflowing of the drainage which was totally unforeseen. The service provider swiftly acted and brought back the serviced pump around 10.30 AM the very same day. The pump was fixed and put to operations, and the plant room was dewatered but this issue did not affect the functioning of the Sewage Treatment Plant and even on that day, the supply of flushing water to the toilets continued as usual. The Applicant Association was well aware of the same and the Applicant Association issued the out-gate pass for taking out the pump on 08.11.2021 for attending the winding fault. Hence, there was no failure on the part of this respondent and the operations of the STP plants and supply of treated water for flushing to the community was not interrupted. Hence the allegations made against the 1st Respondent by the Applicant Association totally baseless and with an intention of ulterior motive.

**OLYMPIA TECH PARK (CHENNAI)
PRIVATE LIMITED**


Whole-Time Director

BEFORE ME 
1522/2020

ADVOCATE: CHENNAI

Solemnly affirmed at Chennai
On this the 13th of December 2021
And signed in my presence

**BEFORE THE HON'BLE
NATIONAL GREEN TRIBUNAL
SITTING AT SOUTHERN
BENCH**

**I.A.No. 12 2021
in**

O.A.No. 53 of 2020

BETWEEN

Olympla Grande Owners' Welfare
Association,
Pallavaram Registration No.569
of 2016,
Represented by its Secretary
Mr.S.Chandrasekar,
No.328, GST Road, Pallavaram,
Chennai - 600 043.

... Applicant

AND

M/s.KSM Nirman Private Ltd.,
Represented by its Managing
Director,
No.1, SIDCO Industrial Estate,
Gulindy,
Chennai - 600 032.
and 2 others

... Respondents

**REPLY FILED BY THE 1ST
RESPONDENT**

M/s R.SARAVANAKUMAR 319/93
K.VIJAYARAGAVAN 3454/10 &
J.RAJA RAO 1703/12

**COUNSEL FOR 1ST RESPONDENT
09444473314**