

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

Original Application No. 1 of 2023

Chandrasekarapuram Panchayat,
By its President K.Palanivel,
S/o Komali Karuppan,
Chandrasekarapuram Village and Post,
Rasipuram Taluk, Namakkal District.

...Applicant

Vs

Rasipuram Municipality,
By its Commissioner,
Rasipuram Taluk & Post,
Namakkal District - 637 408,
commr.rasipuram@tn.gov.in
Phone: 04287-222709/
Mobile: 7397396258,
And 3 others.

...Respondents

INDEX

S.No	Description	Page No.
1.	<u>REPLY AFFIDAVIT FILED ON BEHALF OF THE 2ND RESPONDENT - TAMIL NADU POLLUTION CONTROL BOARD.</u>	1 - 8



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

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

Original Application No. 1 of 2023

Chandrasekarapuram Panchayat,
By its President K.Palanivel,
S/o Komali Karuppan,
Chandrasekarapuram Village and Post,
Rasipuram Taluk, Namakkal District.

...Applicant

Vs

Rasipuram Municipality,
By its Commissioner,
Rasipuram Taluk & Post,
Namakkal District - 637 408,
commr.rasipuram@tn.gov.in
Phone: 04287-222709/
Mobile: 7397396258,
And 3 others.

...Respondents

**REPLY AFFIDAVIT FILED ON BEHALF OF THE 2ND
RESPONDENT - TAMIL NADU POLLUTION CONTROL BOARD**

I, J. Josephine Sahayarani, D/o.Jesu Rajan, Christian, aged about 57 years, having my office at 76, Mount Salai, Guindy, Chennai-600032, do here by 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 2nd Respondent Tamil Nadu Pollution Control Board (TNPCB) and as such I am well acquainted with the facts of the case from the records.

2. This Respondent has read the affidavit filed by the applicant in support of this Original Application and denies each and every one of the averments and allegations contained therein, except those that are specifically admitted herein.

3. It is respectfully submitted that the applicant filed this application to restrain the draining of the underground sewage into Thattankuttai lake in Chandrasekarapuram Village by Rasipuram STP, Rasipuram Taluk,

J. Josephine Sahayarani
15/5/2023
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD
76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

Namakkal District by Rasipuram Municipality before the Hon'ble National Green Tribunal, to restore the water quality in Thattankuttai lake.

4. Before responding to the averments contained in this Application, the answering respondent submits the brief facts of the case for appreciation of this Hon'ble Tribunal.

5. It is respectfully submitted that, the Rasipuram Sewage Treatment Plant at S.F.No:2/2,2/3(P) & 2/(P), Rasipuram Village, Rasipuram Taluk, Namakkal District was issued with Consent to Establish vide proceedings no:F.0511NML/RM/DEE/TNPCB/NML/W&A/2016 dated 06/01/2016 and thereafter Consent to Operate was issued vide proceedings No:T1/TNPCB/F.0511NML/RM/NML/W&A/2019 dated 01/11/2019 and renewed vide proceedings No.F.0511NML / RM / JCEEM / TNPCB / NML / W&A/2022 dated 30/11/2022 with validity upto 31.03.2023 for the following:

- i. Product: Treatment of Sewage (Sewage Treatment Plant) - 6.96 MLD.
- ii. Treated Sewage-6960 KLD (6.96MLD) - Discharged at the outlet point of Thattankuttai Lake
- iii. Point Emission source: D.G Set -250 KVA-1 No.

6. It is respectfully submitted that, the Rasipuram Municipality has total 27 wards. In the 27 wards, the underground sewerage system was fully covered in 15 wards partially covered in 12 wards. In the Rasipuram Municipality there are 8 slum area where is the major portions of the slum are not covered with underground sewerage system. The Rasipuram STP is designed for a capacity of 6.96 MLD, but at presently the average sewage inflow to STP is around 2.84 MLD.

7. It is respectfully submitted that the total drainage connection is around 15000 out of which at present by around 5487 houses are connected to the underground sewerage system.

8. It is respectfully submitted that the directions were issued to all the Common STPs in the state including M/s Rasipuram STP vide Proceedings dated 24.06.2021 to comply with conditions as stated therein. A letter dated


15/1/2023

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

15.12.2021 was addressed to the Commissioner, Rasipuram STP by the Chairman, TNPCB to furnish reply regarding compliance of the directions stated in Proceedings dated 24.06.2021. Subsequently, the Commissioner, Rasipuram Municipality communicated the letter sent to EE, TWAD Board for compliance.

9. It is respectfully submitted that the during the issue of RCO, directions have been issued to M/s Rasipuram STP under Section 33 A of Water (P&CP) Act 1974 to comply with the following conditions vide Proceedings dated 28.12.2021.

a. The Rasipuram Municipality shall plug the drainage of sewage outfall into the Eri and to divert in any other alternative way for utilizing the treated sewage for industrial activities/irrigation activities

b. The Rasipuram Municipality shall complete the remaining 5700 house service connections immediately

c. The Municipality shall comply with all the conditions stipulated in RCO issued vide Proceedings dated 14.12.2021

However, no further reply or communication for the above directions & letter is received so far.

10. It is respectfully submitted that the Rasipuram STP was under operation from the year 2021. The treated sewage samples are collected regularly from the unit and the same are being analysed in the Advanced Environment Laboratory, TNPCB, Salem. The treated sewage samples collected from the period June 2021 to November 2022 (10 samples) shows that the parameters are within the standards except BOD (at 27°C for 3 days) - 42 mg/l in the Month of November 2022 and 51 mg/L in April 2022 as against the standards of 30 mg/l.

11. It is respectfully submitted that the said Thattankuttai lake is inspected by the TNPCB official with Municipal Engineer, Rasipuram Municipality on 08.03.2023. During inspection, it was noticed that the lake is full of water and totally occupied with water hyacinth spreaded out in the major part of the water spread area and on the eastern side part of the lake is found without Water Hyacinth . There are two drainages constructed with Reinforced Cement Concrete flowing in to the Thattankuttai lake. One of the

J. Ar. Kumar 8/15/23
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD
76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

drainage flowing into the lake on the north western corner of the lake which is adjacent to crematorium. It was noticed that there is no flow from this drainage. Another drainage from the Rasipuram Municipality is flowing (adjacently on the western side to the Sewage Treatment Plant premises) into the lake near the entrance of the Micro Composting Centre (MCC) for processing the Solid Wastes.

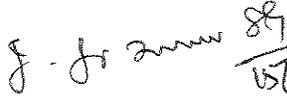
12. It is respectfully submitted that the solid wastes generated from the Rasipuram Municipality is being dumped in the Thattankuttai lake area which is adjacent to Micro Composting Centre (MCC) located on the northern side of Thattankuttai lake.

13. It is respectfully submitted that on the western side bank of the Thattankuttai lake, three bore wells were found on the road.

14. It is respectfully submitted that the Rasipuram STP was inspected on 08.03.2023 and noticed with following shortfalls in the operation:

- i. The Screw pumps-2 nos provided in the Grit Chamber is not in operation.
- ii. The Aeration tank is not provided with adequate aeration system. The air diffusing system provided is not covering the total area of the aeration tank. The sewage in the Aeration tank was found to be black in colour and in septic condition. The operation of the air blowers was not found to be regular.
- iii. The Chlorination system is not operated.
- iv. Log books for the operation and maintenance of the Biological System, Chlorination and Centrifuges are not maintained properly.
- v. In the STP premises overflow of treated sewage was noticed due to back pressure in the conveyance pipe lines laid to the Thattankuttai lake
- vi. The Rasipuram STP was issued with Renewal of Consent for treated sewage with point of disposal as "Discharged at the outlet point of Thattankuttai Lake" but the STP at present is discharging the sewage within Thattankuttai lake and thereby polluting the water.

15. It is respectfully submitted that with regard to the para 3.1, there are 3 bore wells found on the Bank of Thattankuttai lake road.


15/3/2023
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD
76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

16. It is respectfully submitted that with regard to the para 3.2, the Rasipuram Municipality Sewage Treatment Plant was issued consent to operate (CTO) after CTE with disposal of 6.96 MLD of treated sewage with point of disposal as "Discharged at the outlet point of Thattankuttai Lake" vide proceedings No:T1/TNPCB/F.0511 NML /RM/NML/W &A/2019 dated 01/11/2019.

17. It is further submitted that the disposal point of the treated sewage is not exactly located in the outlet weir of the lake as per the consent order. The disposal point of the treated sewage is located on the south east corner of the lake. The present disposal point is situated within the Thattankuttai Lake approximately 350m before the outlet point(i.e., outlet weir).

18. It is also submitted that the treated sewage samples collected from the period June 2021 to November 2022 (10 samples) shows that the parameters are falling within the standards except BOD(at 27°C for 3 days)-42 mg/l as against the standards of 30 mg/L in the Month of November 2022 and BOD = 51mg/L on April 2022.

19. It is respectfully submitted that the averments and allegation made by the applicant from Para 3.3 to 3.4 are all not related with this Respondent. They are matters of record from the applicant's side and the applicant is put to strict proof of same.

20. It is respectfully submitted that, with regard to the Para 3.5 to 3.6, One water sample collected from the Lake on 03.03.2023 and 06.03.2023 (nearer to present discharge point of the treated sewage in the lake) and sent to Advanced Environmental Laboratory, TNPCB, Salem. The Report of Analysis (ROA) is awaited.

21. It is further submitted that the lake water is not being used for drinking or bathing purposes in the area of vicinity of the lake. The major part of the lake is covered with Water Hyacinth.

22. It is also submitted that 5 Nos of Well Water (Open Well-4 nos and Bore well-1 no) samples were collected on 03.03.2023 and 06.03.2023 in the surrounding agricultural lands adjacent to Thattankuttai lake and sent to Advanced Environmental Laboratory, TNPCB, Salem. The Reports of

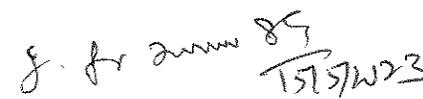
J. J. Kumar 8/15/23

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

Analysis of water samples collected from the lake and nearby open wells and bore wells are submitted below:

S.No.	1	2	3	4	5	6	Standards for Drinking water	
Well type and location of sample collection	Parameters	Open well owned by k.Palanivel, Chinnakinathu Thotam	Lake water Thattankuttai Lake (near outlet point of treated sewage of Rasipuram Municipality STP	Open well owned by Mr. Prakasam, Nallathannikadu Thottam k.Palanivel, Chinnakinathu Thotam	Bore well owned by Mr. Madesh, Nallathannikadu Thottam	Open well owned by Mr. Madesh, Nallathannikadu Thottam		
	pH at 25°C	8.37	7.59	7.90	7.83	7.59	6.5-8.5	-
	Total Dissolved Solids at 180°C	1496	1048	984	1012	948	500	Mg/L
	BOD at 27°C for 3 days	<2	3.0	<2	<2	<2	<2	Mg/L
	COD	48	120	64	56	64	-	Mg/L
	Ammoniacal Nitrogen NH ₃ -N	1.12	2.24	1.12	1.12	1.12	5	Mg/L
	Fecal Coliform	14	14000	11	6.8	9.2	Shall not be detectable in any 100ml sample.	
	Total Coliform	33	26000	21	20	20		

Based on the above Report of Analysis, it was observed that the water sample collected in the lake near the outlet point of treated sewage found to be high with few of the parameters as BOD-3.0Mg/L, COD-120Mg/L, Ammoniacal


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

Nitrozen – 2.24 Mg/L, Fecal Coliform – 14000 MPN/100ML and Total Coliform – 26000 MPN/ML.

The Fecal Coliform and Total Coliform level in the lake waster indicates the discharge of untreated sewage directly in to the lake.

23. It is further submitted that, with regard to the Para 3.7 Show cause notice has been issued to the Rasipuram STP on 08.03.2023.

24. It is respectfully submitted that, with respect to the content of grounds a, c, d, e, f, h, i, the details have been sufficiently addressed in this reply affidavit and show cause notice has been issued to the Rasipuram STP on 08.03.2023. With respect to the content of grounds (b, j & k), the said grounds are all not related with this respondent.

25. It is respectfully submitted that, with respect to the content of ground g two of the drainages from Rasipuram Municipality area is confluencing into the lake (one is near the crematorium located in the north west corner of the lake near Bombaikarar Thottam and the other is near the entrance of the Micro Compost Centre for Solid Waste Management Processing Facility located on the Northern side of Thattankuttai lake.

26. It is further submitted that, apart from this 3rd one i.e., one pipe line is conveyed with manhole at a distance of 860m from the final manhole located within the Sewage Treatment Plant to the present sewage disposal location which is situated inside Thattankuttai lake.

27. It is respectfully submitted that the TNPCB has issued the following direction to the Rasipuram Sewage Treatment Plant (STP) under section 33A of the Water (P&CP) Act, 1974 vide proceeding dated 09.05.2023 as follows:

a) The Rasipuram STP shall take immediate action to comply with the conditions stipulated in Consent to Operate Proceeding dated 01.11.2019 for disposing the treated sewage into the outlet point of Thattankuttai Lake instead of letting out the sewage within the lake.

b) The Rasipuram STP shall revamp/repair the STP Components such as screw pumps, aeration system, grit chamber, chlorination system & conveyance pipelines and bring them to operable conditions.

J. Sr. Kumar 8/5
15/5/2023

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

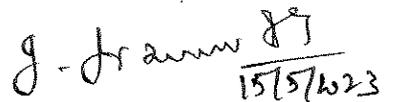
c) The Rasipuram STP shall operate the plant continuously and effectively so as to satisfy the standards prescribed by the Board

d) The Rasipuram STP shall take immediate action to avoid the confluence of the untreated sewage into the lake and shall ensure that all the remaining house service connections are made to the Underground Sewerage System

e) The Rasipuram STP shall comply with the directions issued earlier vide Proceedings dated 24.06.2021

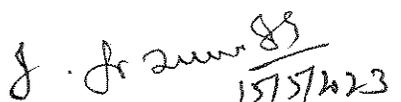
f) The Rasipuram STP shall identify appropriate & sufficient area of land @ 35 KLD/Hectare so as to utilize the treated sewage for irrigation or other reuse purpose.

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 circumstances of this case and thus render justice.


15/5/2023
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD
76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.
BEFORE ME

VERIFICATION

I, J. Josephine Sahayarani, D/o. Jesu Rajan, working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, No.76, Guindy, Chennai – 600 032, do hereby submit that the contents of the above report are true to the best of my knowledge through records.


15/5/2023
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD
76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

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

Original Application No. 1 of 2023

Chandrasekarapuram Panchayat,
By its President K.Palanivel,
S/o Komali Karuppan,
Chandrasekarapuram Village and Post,
Rasipuram Taluk, Namakkal District.

...Applicant

Vs

Rasipuram Municipality,
By its Commissioner,
Rasipuram Taluk & Post,
Namakkal District - 637 408,
commr.rasipuram@tn.gov.in
Phone: 04287-222709/
Mobile: 7397396258,
And 3 others.

...Respondents

**REPLY AFFIDAVIT FILED ON BEHALF OF
THE 2ND RESPONDENT - TAMIL NADU
POLLUTION CONTROL BOARD**

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

Date:16.05.2023

Hearing date on: 24.07.2023.

