

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

Original Application No.126 of 2022 (SZ)

C. Senthil Nathan,
Chennai.

...Applicant

Vs

State of Tamil Nadu,
Represented by its Principal Secretary,
Chennai and Ors.

...Respondents

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

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**REPORT FILED ON BEHALF OF THE 2ND & 4TH RESPONDENTS
TAMIL NADU POLLUTION CONTROL BOARD.**

I, R. Rajamanickam, S/o. P.M.Ramasamy, Hindu, aged about 58 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 Respondents 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 file this application against the unit of M/s. Balaji Polycans., located at Survey No.17/7, T.S No 36, Venkateshwara colony, No 7, 5th Street, Kodungaiyur, Chennai with the following prayer:

“Permanent injunction against the 7th respondent from carrying out any polluting activity detrimental to the environment present surrounding No.7,8,9, 5th Street, Venkateswara Colony, Kodungaiyur, Chennai-118.

To direct the respondents 1 to 6 to evaluate the existing licenses and the MSME units in entire Jambuli village of Zone IV, ward 34, of Greater Chennai Corporation in Perambur Taluk.”.

3. It is respectfully submitted that the respondent unit has obtained Consent to Operate vide Proc. No DEE/TNPCB/CHN/OS1089/W/A1/2009-1 dated. 23/09/2009 valid up to 31/03/2011 for manufacturing of HDPE Cans


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(250 ml to 5000 ml) - 2 Tons/Month and to discharge Sewage of 200 lit/day into On Industry's own land. Subsequently the unit has made payment up to 31.03.2013 vide CR No 13141 dated 15.04.2014 and also unit was issued with show cause notice vide Proc.No.DEE/TNPCB/CHN/F.0472CHN/GS/W&A/2017 dated 30/08/2017 for operation of the unit without valid consent of the Board.

In this connection, the respondent unit vide letter dated 16.04.2016, 08.09.2017, 15.03.2018 has informed that due to loss of business they have not operated the unit from the year 2014, subsequently due to increase in the product demand, the unit has remitted the arrear consent fee and applied for the CTO Direct valid up to 31.03.2025 in the Survey No.17/7, T.S No 36 and Survey no 17/1, T.S No 37, No 7&8, Venkateshwara colony, 5th Street, Kodungaiyur, Chennai for the followings.

- i. HDPE CANS (250ML TO 10000ML)- 50 T/M,
- ii. Sewage of 0.2 KLD discharged in to the CMWSSB sewer line and effluent of 0.005 KLD is recycled for cooling purpose.

In this connection, the unit was inspected by the officials of the O/o. DEE, TNPCB, Chennai on 30.09.2022 and as per the land use certificate the unit is located in the industrial area. Hence, the unit was issued with Consent to Operate Direct by the DEE, TNPCB, Chennai vide Proc No.F.3222CHN/GS/DEE/TNPCB/CHN/W&A/2022 dated: 06.11.2022 valid up to 31.03.2023 subject to the following conditions among others;

- i. It has to be ensured that the unit's activity shall not cause any nuisance to the nearby areas under any circumstances.

- ii. The unit shall store the raw material in their premises to run the plant only for 3 working days and the finished products shall not store not more than two days.

- ii. The unit shall operate the production process only in the day time.

4. It is further submitted that, based on the complaint received from Thiru.C.Senthil Nathan, No 8/2, 5th Street, Venkateshwara Colony, Kodungaiyur, Chennai 600118, the unit was issued with following instruction vide letter dated 08.11.2022:


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i. The unit is instructed to operate the production process only in the day time.

ii. The unit's activity shall not cause any nuisance to the nearby areas under any circumstances.

iii. The unit shall adhere to the AAQ/ANL Standard prescribed by the Board.

iv. The unit shall comply the conditions stipulated in the consent issued vide Proc dated 06.11.2022.

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.

R. Rajamanickam 3/12/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

BEFORE ME

VERIFICATION

I, R. Rajamanickam, S/o. P.M. Ramasamy, working as Joint Chief Environmental Engineer, having office at No. 76, Anna Salai, Guindy, Chennai – 32, do hereby submit that the above contents are true to the best of my knowledge and belief through records.

R. Rajamanickam 3/12/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
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POLLUTION CONTROL BOARD.**

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

Date:03.12.2022.

Date of hearing on: 05.12.2022

