

BEFORE THE NATIONAL GREEN TRIBUNAL,
SOUTHERN ZONE AT CHENNAI

Original Application No.131 of 2020 (SZ)

&

Original Application No.186 of 2020 (SZ)

1. M.Jayachandran,
Ranipet District and another.

...Applicants

Versus

1. The Ministry of Environment, Forests
& Climate Change, Rep. by its Secretary,
New Delhi and 8 Others.

...Respondents

With

SUO MOTU-“ Ranipet Residents health
at risk due to Pollution; Chromium waste
killing agriculture in Ranipet Poses long-term
health risks.”

VS

1. Union of India,
Rep. by its Secretary,
Ministry of Environment and
Forests and Climate Change,
New Delhi and Others.

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Advocate for the Respondent: TNPCB

Tr. S. Sai Sathya Jith,

Advocate, Chennai

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No.131 of 2020 (SZ)

&

Original Application No.186 of 2020 (SZ)

M.Jayachandran,
Son of Murugesan Naidu,
Gangaiamman Kovil Street, Puliyan kannu –
Navlock Village, Ranipet,
Ranipet District – 632 401 & another.

...Applicants

Versus

The Ministry of Environment,
Forests & Climate Change,
Rep. by its Secretary,
JoBagh, New Delhi- 110 003 & 8 others.

...Respondents

With

SUO MOTU Based on the News item in The New
Sunday Express Newspaper Dated:
20.07.2020, "Ranipet Residents health
at risk due to Pollution; Chromium waste
killing agriculture in Ranipet Poses long-term
health risks."

...Applicant

Vs

Union of India,
Rep. by its Secretary,
Ministry of Environment and
Forests and Climate Change
Indira Paravaran Bhawan,
Jorbagh Road, New Delhi- 110 003 & others

...Respondents

J. J. Arun
3/11/22

REPORT FILED ON BEHALF OF THE RESPONDENTS
TAMIL NADU POLLUTION CONTROL BOARD.

I, J. Josephine Sahayarani, Daughter of Jesu Rajan, Christian, aged about 57 years, having my office at No. 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, Chennai and I am filing this Report on behalf of the Respondents Board and as such I am well acquainted with the facts of the case as per records.

2. It is respectfully submitted that the Hon'ble NGT (SZ) in its order dated 08.11.2021 has directed the Tamilnadu Pollution Control Board to submit Status Report and inter-alia as follows:-

"Para 7. The report of the Tamil Nadu Pollution Control Board also shows that some of the compliance reports were noted by them on the basis of the statement made by the officials of the 8th Respondent unit in O.A. No.131/2020. It appears that they have not inspected the unit critically and submitted the report without any analysis at their end. So, we direct the Tamil Nadu Pollution Control Board to inspect the unit in question in O.A. No.131/2020 again and file the status report and certify the adequacy of the systems provided and also ascertain the genuineness of the allegations made by the applicant in their reply dated 05.11.2021"

3. It is respectfully submitted that with regard to the objection filed by the applicant the following are submitted:-

J. Josephine Sahayarani
3/11/22

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

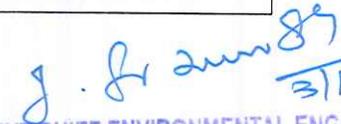
Sl No.	Objections filed by the applicant in O.A. No. 131/2020	Remarks Submitted
1	<p>The applicant states that, whenever there is a rain, the untreated effluents were let out in the water channel and on 24.10.2021, I and villagers had immediately contacted the Respondents, but none responded. The opening up of the untreated effluents in to the channels affected and Villagers has done road rocko on 24.10.2021 and after which the police officials came to the spot and none of the Revenue Authorities or the Tamilnadu Pollution Control Board officials reached the spot.</p>	<p>It is submitted that, oral complaint was received from the public only on 25.10.2021 stating that waste water along with rain water is let out through the drains from the unit of M/s. Thirumalai Chemicals Limited, SIPCOT Industrial Complex, Ranipet. The unit was inspected by the TNPCB officials on the same day and observed due to heavy downpour rain water stagnation inside the unit behind the SBI ATM point, which is located at south east corner of the unit was observed and reported by the unit that the rain water was discharged through the existing opening provided for rain water passing. A sample was immediately collected in the above spot by DEE, TNPCB, Vellore on 25.10.2021 and sent to Advanced Environmental Laboratory, TNPCB, Vellore for analysis. Copy of ROA is enclosed for reference (Annexure 1) and it is revealed that all the parameters are satisfying the Board's standards. Also the unit was instructed to empty the stagnated</p>

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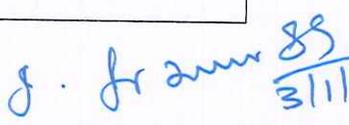
		<p>rain water in the above spot and sent back to the ETP for further treatment and disposal through the ZLD system. It was also instructed to plug the above said opening provided for rain water passing. The above instructions were carried out by the unit and the same was verified during inspection on 28.10.2021. There was no complaint received by the TNPCB officials on 24.10.2021. Hence the statement by the applicant stating that the TNPCB officials not inspected the site is not true.</p>
2	<p>I submit that, on the said date , the police official, namely the deputy Superintendent of Police , Rainpet had collected the discharged untreated effluents and the same was sealed and handed over to the Revenue Divisional Officer , Ranipet and it is presumed that the said sample of discharged untreated effluents were handed over to the Pollution Control Board officials .</p>	<p>It is submitted that a sample of contaminated water was received on 26.10.2021 in the Advanced Environmental Laboratory, TNPCB, Vellore stating that it was collected on 24.10.2021 by DSP, Ranipet. The point of collection was not mentioned in the sample format as collected by the DSP, Ranipet. The TNPCB officials were not communicated and present during the collection of the above sample. Thus the collected sample by DSP, Ranipet on 24.10.2021 was handed over to TNPCB Lab on 26.10.2021 only. The ROA of the</p>


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		<p>above sample revealed that the parameters pH (5.2), TDS (2574 mg/l), BOD (130 mg/l), COD (999 mg/l) were exceeded the Board's standards. From the above ROA of waste water collected on 24.10.2021, it was observed that there was possibility of contamination from the industry M/s TCL, Ranipet mixed with the rain water on that day. The Copy of ROA is submitted herewith as Annexure-I.</p>
3	<p>This applicant submits that, even after the matter taken up by the Hon'ble National Green Tribunal and after a series of inspection by the officials and Joint Committee and even after levying penalty, the 8th respondent M/s Thirumalai chemicals limited, releasing the untreated effluents during the rainy seasons or at the time of raining and at the late midnights. I submit that, even during the road rocko, only the Police officials came to the spot and none of the Revenue</p>	<p>It is submitted that, on receiving the public complaint on 25.10.2021, TNPCB officials immediately inspected the unit on the same day and actions were taken to remove the stagnated water inside the premises. It was also instructed by the TNPCB officials to plug the above said opening for rain water passing. The above instructions were carried out by the unit and the same was verified during inspection on 28.10.2021. Hence the statement of applicant that TNPCB officials not came to the spot is not correct. The above unit is being inspected by the TNPCB officials and collected the samples as and when the problem is existed</p>


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 TAMILNADU POLLUTION CONTROL BOARD,

	<p>authorities or the officials of the Tamilnadu Pollution Control Board came to the spot or even not enquired about the release of the untreated effluent on the said date.</p>	<p>and suitable action is taken by the Board.</p>
4	<p>After commissioning of upgraded ETP, adequacy test needs to be carried out by an independent govt. academic /research institution like IIT Madras and to certify that the unit has achieved 100 % ZLD capacity.</p>	<p>The 8th Respondent Unit has obtained report from the IIT Madras which carried out the audit of the treatment systems to assess the capacity for 100% ZLD capacity. The IIT report has recommended the following:</p> <ul style="list-style-type: none"> i) The existing ZLD facility in M/S TCL is adequate to treat 600 KLD of wastewater, provided the plant is operated and maintained properly. ii) The performance of the ETP can be improved significantly by optimizing the reactor sizes and properly operating them. The COD value of the treated water from ETP is above 2000 mg/L. Also, the activity of biomass in the system may be assessed. iii) The water mass balance of the system was satisfactory, within a permissible error limit iv) There was an 8%


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		<p>discrepancy in the solid mass balance. It may be due to the variation in the quality of wastewater and intermittent storage.</p> <p>v) The plant may avoid unnecessary storage facilities</p>
5	<p>TCL shall, in continuation with reputed institute such as IIT , Madras, prepare a DPR within three months-time , for the remediation of the land where the untreated effluent was discharged within the industry site and execute the task of remediation of contaminated site, under the supervision of TNPCB. The entire cost for the study and remediation shall be borne by the industry as per polluter pays principle.</p>	<p>It is submitted that IIT, Madras also furnished the report on 'Assessment of contamination level at the yard area of TCL, Ranipet' and furnished its recommendations to the unit for remediation. It has to be carried out by the unit of M/s TCL, Ranipet.</p>

4. It is respectfully submitted that, further the Hon'ble NGT in its order dated 08.11.2021 has directed inter alia as follows:

"Para 9: The Tamil Nadu Pollution Control Board is also directed to verify the same and if such samples have been received by them, they are directed to submit the report as to whether the same has been tested and if so, what is the nature of result of the analysis and if there is any

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It was also instructed by the TNPCB officials to plug the above said opening for rain water passing. The above instructions were carried out by the unit and the same was verified during inspection on 28.10.2021.

Again five number of samples taken in and around the unit of M/s Thirumalai Chemicals Limited, Ranipet on 11.11.2021 during rain, the ROA reveals that the parameter pH - 2 times, TSS - 1 time, BOD - 1 time, COD - 2 times were exceeded the standards prescribed by the Board. The Copy of ROA is submitted herewith as Annexure III.

6. It is respectfully submitted that in view of public complaint received through District Administration, the site was immediately inspected and three numbers of storm water drain samples were collected on 18.11.2021 by the DEE, TNPCB, Vellore in the presence of RDO, Ranipet and the ROA reveals that all the parameters are within the standards prescribed by the Board. The Copy of ROA is submitted herewith as Annexure IV.

7. It is respectfully submitted that based on the inspections carried out by the JCEE(M), TNPCB, Vellore on 09.11.2021, further directions under section 33(A) of Water (P&CP) Act, 1974 was recommended and issued to the unit by the Board vide proc. dt: 20.11.2021 for compliance of the following conditions within 3 months time.

- i. The unit shall restrict the number of discharge points connected with outlet drains to drain the excess rainwater in and around the unit.

J. Prasad 88
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TAMILNADU POLLUTION CONTROL BOARD,
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- ii. The unit shall install online continuous monitoring systems in the discharge points for the parameters TDS, TSS, PH, BOD, COD and other relevant parameters along with surveillance camera and the same shall be connected to water quality watch of TNPCB and CPCB portal for continuous monitoring.
- iii. The unit shall reuse the entire treated effluent (RO permeate and MEE condensate) in their process continuously and to ensure 100% ZLD.
- iv. The unit shall not discharge any treated/untreated effluent outside the premises and shall not be stagnated/ponding of water under any circumstances.

7. It is respectfully submitted that the unit of M/s Thirumalai Chemicals Limited had obtained Authorization under Hazardous Waste (M,H & TB) Rules, 2008 vide proc. dated: 16.10.2014, valid for five years up to 15.10.2019.

8. It is respectfully submitted that the unit has installed Electro Magnetic Flow Meters at 17 points of ZLD system and all the EMFM have been connected to the Water Quality watch Centre, TNPCB, Chennai. The unit has also provided Online Continuous Emission Monitoring System at four stacks and the same is connected to the Care Air Centre, TNPCB, Chennai.

Since the unit completed its upgradation works of ZLD system and IIT, Madras has certified the adequacy of the 100% ZLD system provided by the unit, TNPCB has issued renewal of consent orders

J. for J. J. J.
3/11/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.

under Water and Air Acts vide proc. dt. 29.11.2021 with validity for the period up to 31.03.2022. The Unit has obtained authorisation under HOWM Rules 2016, vide proceeding dated :11.02.2020 with validity upto 10.02.2025.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) may be pleased to pass such order as it may deem fit and proper in this case and thus render justice.

J. Fr. 2022 83
31/1/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

BEFORE ME

VERIFICATION

I, J. Josephine Sahayarani, Daughter of Jesu Rajan, working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai, do hereby verify that the contents of above report are true to the best of my knowledge through records.

J. Fr. 2022 83
31/1/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
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ANNEXURE - I

ROA of: M/s



Tamilnadu Pollution Control Board

Advanced Environmental Laboratory - Vellore

[email - delvtr2011@gmail.com]

Report No : W / 015908/1 / AEL / VLR / 2021 - 22 / 02.11.2021
&2

- 1 Sample sent by : DEE, TNPCB, Vellore
- 2 Sample collected by : Ranipet DSP office
- 3 Date & time of collection : 24.10.2021 @ 19.00 Hrs Hrs
- 4 Date & time of sample receipt : 26.10.2021 @ 15.40 Hrs Hrs
- 5 Details of samples received : Two numbers of Water sample
- 6 Point of collection & sample nature :

a	VLR - 156	Sample taken at 7.00PM on 24.10.2021	Water sample
b	VLR - 157	Sample taken at 8.00PM on 24.10.2021	Water sample

REPORT OF ANALYSIS

Sl No	Parameter	code no :	VLR - 156	VLR - 157
			746	747
1	pH	number	5.2	6
2	TSS	mg/L	80	246
3	TDS	mg/L	2574	1490
4	Chloride	mg/L	775	450
5	Sulphate	mg/L	112	125
6	BOD	mg/L	130	95
7	COD	mg/L	999	692
8	Sulphides	mg/L	24	28
9	Fluoride	mg/L	<1.0*	<1.0*
10	Total Chromium	mg/L	<0.01*	<0.01*
11	Hexavalent Chromium	mg/L	<0.01*	<0.01*
12	Phenolic Compounds	mg/L	0.32	0.23
13	Phosphate	mg/L	<0.15*	<0.15*
14	Lead	mg/L	<0.015*	<0.015*

Note * Below detectable limit

** Value could not be ascertained

Rs 14500

DCSO

Assistant Director
Advanced Environmental Laboratory
TNPCB, Vellore

Note :

- 1) The samples were collected and sealed by the officials of the Ranipet DSP office and handed over to the O/o the DEE, TNPCB, Vellore at 13.45 Hrs on 26.10.2021 by the revenue officials of Ranipet.
- 2) The samples were received after 24 Hrs from the time of collection. Samples were analysed at the request of the JCEE, (M), TNPCB, Vellore.

ANNEXURE - II

ROA of: M/s



Tamilnadu Pollution Control Board

Advanced Environmental Laboratory - Vellore

[email - delvr2011@gmail.com]

Report No : W / 015903/1 / AEL / VLR / 2021 - 22 / 22.11.2021

- 1 Sample sent by : DEE , TNPCB , Vellore
- 2 Sample collected by : G. Kesavamoorthy AEE
- 3 Date & time of collection : 25.10.2021 @ 9.30 Hrs
- 4 Date & time of sample receipt : 25.10.2021 @ 16.50 Hrs
- 5 Details of samples received : One number of Water sample
- 6 Point of collection & sample nature :

a	VLR - 155	Stagnation water inside the unit premises of M/s. TCL near SBI ATM	Water sample
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REPORT OF ANALYSIS

Sl. No	Parameter	code no.	VLR - 155
			736
1	pH	number	7.3
2	TSS	mg/L	16
3	TDS	mg/L	1554
4	Chloride	mg/L	625
5	Sulphate	mg/L	230
6	BOD	mg/L	14
7	COD	mg/L	138
8	Sulphides	mg/L	<2.0*
9	Fluoride	mg/L	<1.0*
10	Total Chromium	mg/L	<0.01*
11	Hexavalent Chromium	mg/L	<0.01*
12	Phenolic Compounds	mg/L	<0.0005*

Note * Below detectable limit

** Value could not be ascertained

Rs 6360

DCSO

22/11/21

Assistant Director
Advanced Environmental Laboratory
TNPCB, Vellore

ANNEXURE - 3

ROA of: M/s



Tamilnadu Pollution Control Board
Advanced Environmental Laboratory - Vellore
[email - aelvlr@tnpcb.gov.in]

Report No : W / 015923/1- / AEL / VLR / 2021 - 22 / 30.11.2021
5

- 1 Sample sent by : DEE , TNPCB , Vellore
- 2 Sample collected by : G. Kesavamoorthy AEE
- 3 Date & time of collection : 11. 11 . 2021 @ 11.30 Hrs
- 4 Date & time of sample receipt : 11 . 11 . 2021 @ 16.50 Hrs
- 5 Details of samples received : Five numbers of Water sample
- 6 Point of collection & sample nature :

a	VLR - 244 - 2	Outlet of rain water runoff from TCL outside the compound wall of the unit premises	Water sample
b	VLR - 245	Rainwater runoff drains 1 located inside the unit premises	Water sample
c	VLR - 246	Rainwater runoff drains 2 located inside the unit premises	Water sample
d	VLR - 247	Stagnation water inside the unit premises of M/s. TCL near ATM compound wall	Water sample
e	VLR - 248	Rainwater roof run off collected at the unit premises of TCL(During raining)	Water sample

REPORT OF ANALYSIS

Sl No	Parameter	code no :	VLR - 244 - 2	VLR - 245	VLR - 246	VLR - 247	VLR - 248
			829	830	831	832	833
1	pH	number	5.2	7.6	5.3	7	6.2
2	TSS	mg/L	14	80	12	118	10
3	TDS	mg/L	1140	1280	1210	1190	360
4	Chloride	mg/L	480	535	400	350	85
5	Sulphate	mg/L	117	167	159	146	31
6	BOD	mg/L	105	6	3	24	2
7	COD	mg/L	640	56	48	254	16
8	Sulphides	mg/L	4	4	<2.0*	48	<2.0*
9	Fluoride	mg/L	<1.0*	<1.0*	<1.0*	<1.0*	<1.0*
10	Total Chromium	mg/L	<0.01*	<0.01*	<0.01*	<0.01*	<0.01*
11	Hexavalent Chromium	mg/L	<0.01*	<0.01*	<0.01*	<0.01*	<0.01*
12	Phenolic Compounds	mg/L	<0.0005*	<0.0005*	<0.0005*	<0.0005*	<0.0005*

Note * Below detectable limit ** Value could not be ascertained

Rs 29720

DCSO 30/11/21

Assistant Director
Advanced Environmental Laboratory
TNPCB , Vellore

ROA of: M/s

ANNEXURE - 4



Tamilnadu Pollution Control Board
Advanced Environmental Laboratory - Vellore
[email - aelvr@tnpcb.gov.in]

Report No : W / 015930/1-

3

/ AEL / VLR / 2021 - 22 /

08.12.2021

- 1 Sample sent by : DEE, TNPCB, Vellore
2 Sample collected by : Er. G. Ravichandran DEE
3 Date & time of collection : 18.11.2021 @ 22.10 Hrs
4 Date & time of sample receipt : 19.11.2021 @ 10.40 Hrs
5 Details of samples received : Three numbers of Water sample
6 Point of collection & sample nature :

a	VLR - 249	Storm water drain outlet - I(NH4)	Water sample
b	VLR - 250	Storm water drain outlet - II(NH4)	Water sample
c	VLR - 251	Storm water drain from the ETP	Water sample

REPORT OF ANALYSIS

Sl No	Parameter	code no :	VLR - 249	VLR - 250	VLR - 251
			859	860	861
1	pH	number	7.1	6.8	6.9
2	TSS	mg/L	12	18	14
3	TDS	mg/L	702	836	706
4	Chloride	mg/L	200	325	240
5	Sulphate	mg/L	156	132	150
6	BOD	mg/L	14	18	16
7	COD	mg/L	120	160	136
8	Sulphides	mg/L	<2.0*	<2.0*	<2.0*
9	Phenolic Compounds	mg/L	<0.0005*	<0.0005*	<0.0005*
10	Total Chromium	mg/L	<0.01*	<0.01*	<0.01*
11	Hexavalent Chromium	mg/L	<0.01*	<0.01*	<0.01*

Note * Below detectable limit

** Value could not be ascertained

Rs 16990

11/12/21
DCSO

Assistant Director
Advanced Environmental Laboratory
TNPCB, Vellore

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

Original Application No.131 of 2020 (SZ)

&

Original Application No.186 of 2020 (SZ)

1. M.Jayachandran,
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...Applicants

Versus

1. The Ministry of Environment, Forests
& Climate Change, Rep. by its
Secretary,
New Delhi and 8 Others.

...Respondents

With

SUO MOTU-“ Ranipet Residents health
at risk due to Pollution; Chromium waste
killing agriculture in Ranipet Poses long-
term health risks.”

VS

1. Union of India,
Rep. by its Secretary,
Ministry of Environment and
Forests and Climate Change,
New Delhi and Others.

...Respondents

REPORT FILED ON BEHALF OF THE
RESPONDENT - TAMIL NADU
POLLUTION CONTROL BOARD

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

Date: 03.01.2022

Date of Hearing: 04 01 2022

