

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

Original Application No. 147 of 2020 (SZ)

R. Prabha

... Applicant

-Vs-

The Tamil Nadu Pollution Control Board
and Others

... Respondents

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**Advocate for the Respondent: TNPCB
Tr. Sai Sathya Jith, Advocate**

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Original Application No. 147 of 2020 (SZ)

R. Prabha

...Applicant

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The Tamil Nadu Pollution Control Board
and Others

...Respondents

**REPORT FILED ON BEHALF OF THE RESPONDENT -
TAMILNADU POLLUTION CONTROL BOARD.**

I, R. Rajamanickam, S/o. P.M. Ramasamy aged about 57 years, having office at No. 76, Mount Salai, Guindy, Chennai-600 032, do hereby solemnly affirm and sincerely state as follows:-

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-32 and I am filing this Report on behalf of the Respondent – Tamil Nadu Pollution Control Board and as such I am well acquainted with the facts of the case from the records.

2. It is respectfully submitted that the Hon'ble NGT (SZ) has passed order dated 22.03.2021 and directed inter alia as follows:-

"Para 5: It is seen from the report that 7 units have been granted consent, 1 unit is under process and show-cause notice has been issued to


29/11/2021
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TAMIL NADU POLLUTION CONTROL BOARD
No. 76, MOUNT SALAI, CHENNAI-600 032

436 units as on 01.02.2021. It may be mentioned here that in the earlier report dated 17.11.2020 filed by the Joint Committee, it was mentioned that there were 1175 poultry farms in Namakal district of which 1028 are handling less than one lakh birds and according to the earlier guidelines of the CPCB, they need not obtain any consent from the Tamil Nadu Pollution Control Board. Out of the remaining poultry farms of 147 who are handling more than one lakh birds, only 6 have applied for consent from the Board but we have reiterated in our earlier order that as per the direction of the Principal Bench in O.A No. 681 of 2017 dated 16.09.2020, the Poultry farms having more than 5,000 birds also have to apply for consent from 01.01.2021 if the CPCB did not issue any further guidelines in this regard in tune with the direction issued by Principal Bench.

Para 6: But in the latest report submitted, there is a long gap regarding this aspect. When this was pointed out Learned Counsel for the Tamil Nadu Pollution Control Board submitted that they will come with further detailed report regarding this aspect. It is not clear from the report as to whether 4 th respondent had filed any application for consent and if so what is the present status of that application as well."

3. It is respectfully submitted that as per the orders of the Hon'ble NGT (PB) in O.A.No. 681 of 2017 dated 16.10.2021, the CPCB has issued environmental guidelines for Poultry Farms in August, 2021. As per the guidelines, the Poultry Farms handling birds above 25,000 at single location will have to obtain Consent to Establish (CTE) and Consent to Operate (CTO) under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act,


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1981 from State Pollution Control Board. The Poultry Farms are categorised under the "Green Category".

4. It is respectfully submitted that to comply with the orders of the Hon'ble NGT (SZ) dated 22.03.2021, show cause notices were issued to the 436 numbers of Poultry farms operating with more than 25,000 birds and without Consent of the Board by the DEE, TNPCB, Namakkal. Earlier to the issuance of August, 2021 CPCB guidelines, eight poultry farms have obtained consent of the TNPCB. In order to bring all the poultry farms having more than 25,000 birds under consent mechanism, a meeting was conducted with the Poultry farm owners on 28.09.2021 and explained about the guidelines issued by the CPCB.

4. It is respectfully submitted that, the Poultry Farm Associations vide their letter dated 05.10.2021 (copy enclosed as Annexure – I) has requested three months time (i.e till 31.12.2021) to carry out the works such as vehicle tyre dip, providing mesh for composting area etc., which are stipulated in the recent CPCB guidelines. After completion of the measures prescribed in guidelines of the CPCB, the poultry farm can obtain consent of the Board.

5. It is respectfully submitted that 48 numbers of poultry farms applied for the Consent of the Board and the applications were returned to the units to fully comply with all the aspects mentioned in the CPCB guidelines issued in August 2021. Also the poultry farmers

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[Handwritten signature] 29/11/2024
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No. 76, MOUNT SALAI, CHENNAI-600 032

association vide their letter dated 02.11.2021 (copy enclosed as Annexure -2) submitted a representation stating that they have complied most of the Clauses in the CPCB guidelines in August 2021 except few conditions which are practically not viable and they stated that they have made appeal to the CPCB to revisit and to revise the guidelines. On receipt of the revised guidelines, they will resubmit/submit the fresh application for the Consent of the Board and they have requested the Board not to take any further action against the member units.

6. It is respectfully submitted that the unit of M/s. RVS Poultry Farm has applied for Consent of the Board since the unit had only 70,000 birds which is less than 1 Lakh bird is exempted from consent purview as per earlier CPCB guidelines, 2015 hence the application was returned to the unit. Now, as per the revised CPCB guidelines August, 2021, the unit has been instructed to comply the CPCB guidelines in all the aspects and apply for the Consent of the Board. The unit is yet to file the application.

7. Therefore, it is respectfully submitted that the request of the poultry farm owners association may be considered and it is humbly prayed that the Hon'ble NGT (SZ) may grant three months time to complete the consent process.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) may be pleased to


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take this Report on record and 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.

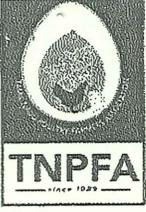

29/11/2021
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No. 76, MOUNT SALAI, CHENNAI-600 032

BEFORE ME

VERIFICATION

I, R. Rajamanickam, S/o P.M. Ramasamy, working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai - 600 032 do hereby submit that the contents of above report are true to the best of my knowledge through records.


29/11/2021
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No. 76, MOUNT SALAI, CHENNAI-600 032



Tamilnadu Poultry Farmers Association

தமிழ்நாடு கோழிப்பண்ணையாளர்கள் சங்கம்

K. SINGARAJ
President
96296 66622

K. SUNDARARAJ
Secretary
94432 44356

P. ELANGO
Treasurer
94423 34737

05.10.2021

To

The Chairperson,
Tamilnadu Pollution Control Board,
76, Mount Salai,
Guindy
Chennai 600 032.



Sub : Three months time request to apply for consent- Reg

Ref: 01. Hon'ble NGT (SZ) order dated: 22.03.2021

02. CPCB Guide lines for poultry Farms issued in August 2021

With reference to the above, poultry farms which have more than 25000 birds shall obtain consent orders of the Board as per the Central Pollution Control Board guidelines issued in August 2021.

In order to apply, we have to make arrangement such as vehicle tyre dip, fencing etc., Hence we need of 3 months to comply the said guide lines and to obtain consent order. We assure that we will comply all the guidelines issued by the Board. Hence, we kindly request to grant the said 3 months time (before 31/12/2021) to apply for the consent.

Thanking you

For Tamilnadu Poultry Farmers Association,

Secretary.

663, Salem Road, NAMAKKAL - 637 001. Tamilnadu, Ph & Fax : 04286 - 277797

GSTIN : 33AABAT6586E1ZE | E.mail : tamilnadupoultryassociation@gmail.com | web : www.tnpfa.com

Annexure - II

ஒற்றுமையே உயர்வு தரும்.

பதிவு எண் : 16/2014

ஒன்றுபடுவோம் வென்று காட்டுவோம்.



தமிழ்நாடு முட்டை கோழிப்பண்ணையாளர்கள் சம்மேளனம் Tamilnadu Egg Poultry Farmers Federation

6/315, Trichy Main Road, Namakkal - 637 001.

Cell : 96559 95632 E-mail : tnefff@gmail.com

| | | | | | |
|--|--|---|---|--|--|
| P. MUTHUSAMY, B.A., President Cell : 94437 - 10119 | V. SUBRAMANIAM Vice President Cell : 94433 - 40400 | C. RAJENDRAN Secretary Cell : 94432 - 33878 | R. SUBRAMANIAM Joint Secretary Cell : 94422 - 60566 | P. ARUMUGAM Joint Secretary Cell : 94433 - 30168 | N.K. SARAVANAKUMAR, DME., Treasurer Cell : 94437 - 34572 |
|--|--|---|---|--|--|

To:

The Chairman,
Tamilnadu Pollution Control Board,
76, Mount Salai,
Guindy,
Chennai - 600 032.



[Handwritten signature]
08/11/21

Sub: Non viable clauses in Environmental Guide Lines for Poultry Farms issued by Central Pollution Control Board- Request for Amendment- Representation submitted- Request for extension of time -Regarding

Respected Sir,

We represent Poultry Farms operating in the State of Tamilnadu. As sir knows ours is a agro based activity and working for the self-sustainability of the nation. Our poultry farms are categorized as green category by the Central Pollution Control Board. In continuation to the meeting conducted by the office of District Environmental Engineer, Tamilnadu Pollution Control Board, Namakkal and the members of our association on 28.09.2021 we submit that to abide by the pollution control laws and the orders of Hon'ble National Green Tribunal (SZ), Chennai in case No.147 of 2020 most of our member units has applied for the consent of the TamilNadu Pollution Control Board and has remitted the consent fee. The application has been returned to us with the remarks that to comply all the clauses of the Environmental Guide Lines for Poultry Farms issued by Central Pollution Control Board in August 2021. We humbly submit that we have complied most of the conditions in the guide lines. We are not able to fulfill only few conditions such as

- (i) Providing the concrete platform beneath the birds shed.
- (ii) Establishment of intermediate storage facility for manure.
- (iii) Providing the in house composting yard.

ஒற்றுமையே உயர்வு தரும்.

பதிவு எண் : 16/2014

ஒன்றுபடுவோம் வென்று காட்டுவோம்.



தமிழ்நாடு முட்டை கோழிப்பண்ணையாளர்கள் சம்மேளனம் Tamilnadu Egg Poultry Farmers Federation

6/315, Trichy Main Road, Namakkal - 637 001.

Cell : 96559 95632 E-mail : tnefff@gmail.com

| | | | | | |
|--|--|---|---|--|--|
| P. MUTHUSAMY, B.A., President Cell : 94437 - 10119 | V. SUBRAMANIAM Vice President Cell : 94433 - 40400 | C. RAJENDRAN Secretary Cell : 94432 - 33878 | R. SUBRAMANIAM Joint Secretary Cell : 94422 - 60566 | P. ARUMUGAM Joint Secretary Cell : 94433 - 30168 | N.K. SARAVANAKUMAR, DME., Treasurer Cell : 94437 - 34572 |
|--|--|---|---|--|--|

Since the above said conditions are not practically viable. In this regard we humbly submit that

- (i) At present we have provided the consolidated earthen platform with cow dung coating at an elevated level i.e. 2 feet above ground level &
- (ii) The litter droppings are collected in this platform and collected litter is subjected to natural aerobic composting for about 2 months period and this composted material is sold out as manure to agriculture. But in guide lines it being instructed to collect the wet litter and to transfer to a storage point and then to take it for in house composting facility which is not environmental friendly and since the composting is done below the shed itself need for separate composting room or intermediate storage facility does not arise. We also submit that the present practice itself is eco friendly and being practiced with the guidance of Govt Veterinary institution and Department of Animal husbandry.

Hence in this regard we have submitted a representation to the Central Pollution Control Board to revisit the guide lines and to issue the amendment with inclusion of the above said present practices. We submit that we will resubmit the applications along with the compliance of all the conditions as per the revised guide lines to be issued by the CPCB after consideration our request. Till then we kindly request you to not to take any further action against our member units since we are complying all the remaining conditions in the guidelines. We request your kind co-operation in this subject sir.

Copy to:

01. The Joint Chief Environmental Engineer(M), TNPC Board, Salem
02. The District Environmental Engineer, TNPC Board, Namakkal.

Tamilnadu Muttai Kezhi
Panniyalarga Samelagam,

T. S. S. S. S.

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

Advocate for Respondent: TNPCB
Thiru. Sai Sathyajith
BSC, Chennai.

Dated: 29.11.2021

Date of hearing: 30.11.2021

