

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

I, R. Rajamanickam, S/o. P.M. Ramasamy, Hindu, 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.

Report with respect to DEE, TNPCB, Namakkal:

2. It is respectfully submitted that in compliance with the orders of the Hon'ble NGT(SZ) order dated 22.03.2021, show cause notices were issued to all the Poultry farms operating with more than 25000 birds in the jurisdiction of the DEE, TNPCB, Namakkal. Earlier to the issuance of the August 2021 CPCB Guidelines, eight poultry farms have obtained consent of the TNPCB. The Central Pollution Control Board issued the revised guidelines in August 2021. In this regard, a meeting was conducted by the DEE, TNPCB, Namakkal with the poultry farm owners on 28.09.2021 and explained about the guidelines issued by CPCB during August 2021. In continuation to meeting and after the issuance of new guidelines, 67 Nos of the poultry farms in Namakkal District applied for the consent of the Board till date and


 31/5/2022
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI-600 032.

remitted the consent fee. The applications were returned to the units to fully comply all the aspects mentioned in the CPCB guidelines issued in August 2021.

3. It is respectfully submitted that the poultry farmers associations vide their letter dated 05.10.2021 have requested three months time (i.e till 31.12.2021) to carry out the works such as vehicle tyre dip, providing mesh to composting area etc., which are stipulated in the recent CPCB guidelines. Also the poultry farmers association vide their letter dated 02.11.2021 submitted a representation stating that they have complied most of the clauses in the CPCB guidelines issued in August 2021 except few conditions which are practically not viable and they have stated that they have made appeal to the Central Pollution Control Board to revisit and to revise the guidelines. They also stated that after receipt of the revised guidelines they will resubmit/submit the application for the consent of the Board and they have requested the Board not to take any further action against their member units. Hence, it is submitted that none of the poultry farms operating in the jurisdiction of the DEE, TNPCB, Namakkal have complied the CPCB guidelines issued in January 2022.

The details of Poultry farms in the Jurisdiction of O/o. District Environmental Engineer, Tamil Nadu Pollution Control Board, Namakkal is as follows.

Sl.No.	No. of of Birds in the poultry farm	No. of Poultry farms	Show cause Notice issued
1	Below 5000 birds	37	
2	5000 to 25000 birds	341	71
3	Above 25000 to 1 Lakh birds	296	296
4	Above 1 Lakh birds	134	134
	Total	808	501

4. It is respectfully submitted that the unit of M/s. T.S. Sekar Poultry Farm, S.F. No. 731/2, 732/2, Navani Village, Puthuchathiram Union, Namakkal Taluk, Namakkal District was issued for closure direction and


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power supply disconnection orders vide Board's Proceeding dated 26.05.2022.

5. It is further submitted that the unit of RVS Poultry Farm, 106 Malananjappan Thottam, Ariyagoundampatty Village, Namagiripettai post, Rasipuram Taluk, Namakkal District has applied for the consent of the Board since the unit had only 70000 Birds which is less than 1 lakh birds, the unit was under exemption from obtaining consent of the Board as per the CPCB guidelines issued in 2015 and hence the application was returned to the unit. But at present the threshold limit is fixed as 25000 birds in the revised CPCB guide lines and as per the revised guide lines, the unit has been instructed to full fill all the aspects in the revised CPCB guidelines issued in August 2021 and to resubmit the application. The unit has not yet resubmitted the application. The unit has not complied the Environment guidelines for poultry farms January 2022. During the inspection of the unit on 24.05.2022 and the following was observed:

- i. The unit has provided wind net arrester & provided dense greenbelt with trees in North – South direction in western side boundary of the unit facing the Petitioner's house.

6. It is respectfully submitted that, all poultry farms are often being instructed by the DEE, TNPCB to follow the CPCB guidelines. The Namakkal District is situated in the dividing portion of two watersheds between Cauvery and the Vellar system. It is found that ground water is available at a depth of 50' to 100' with water column varying from 20' to 40' in the open wells located within or adjacent to the poultry farms in the Namakkal District. None of the poultry farm has obtained the NOC to draw ground water from open well or borewell from the Chief Engineer, State Ground and Surface Water Resources Data Centre, Chennai for extraction of ground water stating that the poultry farm comes under agriculture activity and exempted from obtaining the NOC to extract Ground water vide GO (Ms) No.: 142 dated 23.07.2014 issued by Government of Tamil Nadu.

R. Rajan 31/5/2022
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI-600 032.

Report with respect to DEE, TNPCB, Kumarapalayam:

7. It is respectfully submitted that there are 17 poultry farms handling 1 Lakh or more birds which were inspected on 26 & 27th November 2020 and Show Cause Notices were issued to 17 poultry farms vide DEE, Kumarapalayam proceedings dated 02.12.2020 and Personal hearing conducted on 15.04.2021 in which 13 poultry farms have attended the personal hearing.

Subsequently, the poultry farms which are handling more than 5000 birds and up to 1 Lakh birds of poultry farms were identified and issued with Show Cause Notice vide DEE, Kumarapalayam proceedings dated 27.01.2021 and 29.01.2021 and personal hearing was conducted on 28.07.2021 and 29.07.2021 in which 22 poultry farms have attended the personal hearing.

The details of poultry farms in the jurisdiction of DEE, TNPCB, Kumarapalayam is as follows.

Sl.No.	No. of Birds in the poultry farm	No. of Poultry farms	Show cause Notice issued
1	Below 5000	1	-
2	5000 to 25000	86	86
3	Above 25000 to 1 Lakh	69	69
4	Above 1 Lakh	17	17
	Total	173	172

8. It is further submitted that 10 poultry farms have applied for the consent of the Board. The applications have been returned to the units and requested them to resubmit the application after complying the environmental guidelines for Poultry Farms, January 2022 issued by the CPCB.

9. It is respectfully submitted that as per the orders passed by the Hon'ble NGT (PB) in O.A.No.320/2020, TNPCB has issued instructions to all the DEEs, TNPCB, to inventory the poultry farms and bring under the consent mechanism and follow the CPCB guidelines issued in January, 2022

R. Kumar
21/5/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

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


31/5/2022
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, 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.


31/5/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
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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: 31.05.2022

Date of hearing: 14.07.2022

