

**BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL AT CHENNAI
(SZ)**

ORIGINAL APPLICATION No. 161 OF 2021

BETWEEN

TRIBUNAL ON ITS OWN MOTION

UNDER THE CAPTION PENALISE COMPANY FOR DUMPING TOXIC WASTE IN
KODAIKANAL ; ACTIVISTS AND HUL BEGINS SOIL- REMEDIATION WORKS IN
KODAIKANAL

Versus

1. THE CHIEF SECRETARY TO GOVT. OF TAMIL NADU
2. THE CHAIRMAN CENTRAL POLLUTION CONTROL BOARD
3. THE SECRETARY TO GOVT. OF TAMIL NADU DEPARTMENT OF
ENVIRONMENT CLIMATE CHANGE & FORESTS
4. THE CHAIRMAN TAMIL NADU POLLUTION CONTROL BOARD
5. HINDUSTAN UNILEVER LIMITED (HUL) REP. BY ITS CHAIRMAN &
MANAGING DIRECTOR
6. THE DISTRICT COLLECTOR DINDIGUL DISTRICT

ADDITIONAL AFFIDAVIT FILED ON BEHALF OF THE 5th RESPONDENT

I, R.John George, son of P.Raj Swamidhas, aged about 64 years, having
office at St.Mary's Road, Kodaikanal, having come down temporarily to
Chennai, do hereby solemnly affirm and sincerely state as follows:.

1. I am an Authorised Signatory of Hindustan Unilever Limited (Formerly
known as Hindustan Lever Limited), the 5th Respondent Company in the
present suo-moto proceedings, and as such am well acquainted with the
fact of the case.
2. The present affidavit is being filed on behalf of the 5th respondent
company in addition to the preliminary affidavit dated 30.08.2021 filed on
behalf of the 5th respondent company in the present proceedings, and the
present affidavit may be treated as part and parcel of the said preliminary
affidavit already on record.

For HINDUSTAN UNILEVER LIMITED



3. The 5th respondent submits that during the course of the present proceedings, this Hon'ble Tribunal was pleased to inter-alia take cognisance of the felling of trees at the 5th respondent company's erstwhile thermometer factory site (subject site) for the purposes of undertaking the soil remediation from newspaper articles that had appeared. It has been inter-alia placed on record that the permission for the felling of 440 identified trees (Eucalyptus-215, pine-72, beri-80, savakku-63, Rubber-5 and Gloria-5) was granted by the District Forest Officer on 13/12/2019 pursuant to the permission dated 18/10/2019 granted by the Dindugal District Hill Area (Tree Preservation) Committee Chairman and Dist. Collector and such permission was valid till 15/02/2020.
4. The 5th respondent company has, in compliance with the permission granted, removed 425 trees and has also undertaken to replant trees and restore the subject site in the ratio of 1:2. Further, the answering respondent company has also undertaken to plant further as many trees as may be required by the authorities as per the applicable guidelines.
5. During the course of the present proceedings, vide order dated 31.08.2021 while calling for a report from the District Forest Office with regard to the permission granted for felling of trees at the subject site, this Hon'ble Tribunal was pleased to observe as under :

"In case approvals have been accorded for culling the Trees numbering 440, as claimed by the 5th respondent, it has to be ensured that a minimum of ten trees are planted for each tree permitted to be cut besides ensuring survival upto 80% of the number of saplings planted."

In compliance to the suggestion of this Hon'ble Tribunal and as is required under the regulations, the 5th respondent company undertakes to undertake the afforestation activity in the ratio of 1:10 of native trees for each tree felled and also to ensure the survival of atleast 80% of such



native tree saplings. Further, the 5th respondent also undertakes to take care of such native tree saplings for such period as may be required.

6. The 5th respondent however humbly submits that the project area i.e. remediation area only admeasures about 4 acres and it may not be practically either possible or feasible to plant 4,250 saplings therein (1:10 ratio). The respondent undertakes to plant 850 native tree saplings in the factory site, another 500 native tree samplings in the nearby Mother Teresa Women's University (MTWU) campus and another 3000 tree saplings in Kodaikanal forest area by participating in the afforestation programme of the Forest Department. The 5th respondent company states that it has already planted 260 no. of native tree saplings in its factory site and 500 nos. of tree saplings in the MTWU campus and is taking care of the same diligently. The 5th respondent company undertakes to plant the remaining 590 native trees in its factory site after the soil remediation is completed at the factory site.
7. Upon receipt of necessary permissions from appropriate authorities viz. the Principal Chief Conservator of Forest (PCCF) & Chief Wild Life Warden (CWLW) the 5th respondent company undertakes to plant the 3000 native tree saplings by participating in the afforestation programme of the Forest Department, Kodaikanal, or in the alternative, participate in the Government of Tamil Nadu's tree plantation programme for planting the said 3000 tree saplings and nurture the same.

Hence, it is most humbly prayed that this Hon'ble tribunal may be pleased to take note of the above and close the present proceedings by issuing such directions as may be necessary for the 5th respondent company to undertake the activity for planting the 3000 native tree saplings.

Solemnly affirmed at Chennai on this the 4th day of October 2021 and signed his name in my presence.

For HINDUSTAN UNILIVER LIMITED



BEFORE ME

Shri
MS673/2020
No.55 - Anna Main Road,
MGR Nagar, Chennai - 78

**BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL AT CHENNAI
(SZ)**

ORIGINAL APPLICATION No. 161 OF 2021

BETWEEN

TRIBUNAL ON ITS OWN MOTION

UNDER THE CAPTION PENALISE COMPANY FOR DUMPING TOXIC WASTE IN
KODAIKANAL : ACTIVISTS AND HUL BEGINS SOIL- REMEDIATION WORKS IN
KODAIKANAL

Versus

1. THE CHIEF SECRETARY TO GOVT. OF TAMIL NADU
 2. THE CHAIRMAN CENTRAL POLLUTION CONTROL BOARD
 3. THE SECRETARY TO GOVT. OF TAMIL NADU DEPARTMENT OF
ENVIRONMENT CLIMATE CHANGE & FORESTS
 4. THE CHAIRMAN TAMIL NADU POLLUTION CONTROL BOARD
 5. HINDUSTAN UNILEVER LIMITED (HUL) REP. BY ITS CHAIRMAN &
MANAGING DIRECTOR
 6. THE DISTRICT COLLECTOR DINDIGUL DISTRICT
- ... Respondents

**ADDITIONAL AFFIDAVIT FILED ON BEHALF OF THE 5th RESPONDENT
(Hindustan Unilever Limited)**

M/s. R.Parthasarathy (1A/1995)
Rahul Balaji (670/1995)
Madhan Babu (1450/2002)
Vishnu Mohan (2572/2012)
Rangasaran Mohan (4026/2019)

Counsel for 5TH Respondent

+91-9840296213
madhanbabu@parasarans.com

No.8, Old No.13, 8th Street,
Dr. Radhakrishnan Road, Mylapore,
Chennai – 600 004