

**BEFORE THE NATIONAL GREEN TRIBUNAL,
SOUTHERN ZONE AT CHENNAI**

ORIGINAL APPLICATION 167 OF 2021 (SZ)

Edwin Wilson,
No.28, Partasarathy Street,
Purasaiwakkam
Chennai – 600 084
9884422695
taaurs@gmail.com

...Applicant

Vs

1. The District Collector,
Office of the District Collector,
Vengikkal, Tiruvannamalai District – 606 604.
04175 – 233333 collrtvm@nic.in
and Others.

---Respondents

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

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

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Vs

1. The District Collector,
Office of the District Collector,
Vengikkal, Tiruvannamalai District – 606 604.
04175 – 233333 collrtvm@nic.in
2. The Chief Engineer,
Public Works Department,
Water Resources Department,
State Ground and Surface Water Resource Data Centre,
Tharamani, Chennai-600 113.
044-22541526 cegwchennai@gmail.com
3. The Chairman
Tamilnadu Pollution Control Board,
No.76, Mount Salai,
Guindy, Chennai – 600 032.
044-22353145. chairman@tnpcb.gov.in
4. The District Environmental Engineer,
Tamilnadu Pollution Control Board,
Tiruvannamalai District – 606 604
04175-233118. deetvm@tnpcb.gov.in

---Respondents

REPORT FILED ON BEHALF OF THE 3RD & 4TH RESPONDENTS
TAMILNADU POLLUTION CONTROL BOARD.

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


13.11.2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai and I am filing this Report on behalf of the Respondent 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), Chennai in its order dated 09.12.2021 directed the following:

"The Chief Secretary, State of Tamil Nadu is directed to submit the report regarding the present status as to whether any policy decision has been taken, exempting the rice mills from obtaining No Objection Certificate (NOC) from the concerned authorities for drawing ground water for their purpose irrespective of the status of the area, after consultation with the respective departments before the next hearing date, so that this Tribunal can pass appropriate orders in this matter.

The Tamil Nadu Pollution Control Board as well as the concerned departments are also directed to file their independent further action taken reports in this regard before the next hearing date".

3. It is respectfully submitted that in Tiruvannamalai District, there are 245 Modern Rice Mills are located and the status of consent is summarized as below:

S.No.	Details	CTE	CTO	Total
1	Orders obtained	8	226	234
2	Applied in OCMMS and application returned	1	10	11
3	Total	9	236	245

- i. These Modern Rice mills are adopting single boiling process for the manufacturing of rice and are categorized under the Green category of industries (Category No3069) except two units of TNCSC Modern Rice Mills which are adopting the parboiling process and categorized under the orange category of industries (Category No 2079).
 - ii. The above said Modern Rice mills are generally meeting their water requirement for their manufacturing activities by drawing groundwater from their bore wells and the average daily withdrawal of the groundwater is approximately 10 Kilo Litres per day (KLD).
 - iii. The above modern rice mills in Tiruvannamalai District have not obtained the "No Objection Certificate/License" from the concerned authorities for drawing groundwater for their purpose of manufacturing rice from paddy.
 - iv. In the G.O.Ms.142, Public Works Department dated 23.07.2014, the general conditions were mentioned including that "Since Ground Water is a State subject, the Tamil Nadu Pollution Control Board and ISI should issue the permission only after obtaining the license from the State Ground and Surface Water Resources Data Centre and the No Objection Certificate/License for drawl of groundwater should be compulsorily renewed every year for the water-based industries and to be renewed once in three years for the non-water based industries".
 - v. The local Public Works Department (Water Resources Department) officials have informed that all the industries including rice mills have to obtain No Objection Certificate / License.
4. It is respectfully submitted that, the independent report filed by the District Collector, Tiruvannamalai stated that, the Executive Engineer, Ground Water Division, Vellore informed that this issue is


13/11/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.

pertaining to larger issue to be considered throughout the State. There was no policy decision arrived and there is no instance of obtaining No Objection Certificate (NOC) by any of the rice mills in the State. The issue has been discussed at the Government level by the Chief Engineer, State Ground and Surface Water Resources Data Centre, Public Works Department, Taramani, Chennai – 113. Remarks of the allied departments' viz., Agricultural Department, Food Safety Department and MSME Departments are also being obtained from the Public Works Department for taking further action in this regard.

5. It is respectfully submitted that rice mills are located not only in Arni Taluk of Tiruvannamalai District but also in other Taluks of Tiruvannamalai District and all other Districts in the entire state of Tamil Nadu.

6. It is respectfully submitted that the applications of 12 Rice Mills of Arani Taluk, Tiruvannamalai District which have applied for the issue of consent to operate (9 numbers)/renewal consent (3 numbers) were returned with a instruction to resubmit the application along with the NOC/license obtained from the State Ground Water and Surface Water Data Centre as per the G.O.Ms.No.142 Public Works Department dated 23.07.2014.

7. It is further submitted that the Tamil Nadu Pollution Control Board issued directions under the Water (Prevention and Control of Pollution) Act, 1974 as amended to all the water-based rice mills (excluding dry rice mills) located in the entire Tiruvannamalai District to comply the following vide Proceeding dated 12.01.2022:


13/1/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.

- i. The unit shall treat the trade effluent generated from the process and completely recycle back to the process or utilizing on land for irrigation purposes at the hydraulic loading rate of 35 KL/Hect/Day.
- ii. The unit shall comply with the provisions of the G.O.Ms.142, Public Works Department dated 23.07.2014 and obtain No Objection Certificate / License from the State Ground Water and Surface Water Resource Data Centre.
- iii. The unit shall comply with the orders of the Hon'ble National Green Tribunal (Southern Zone) in O.A.No. 167 of 2021 which will be issued from time to time.

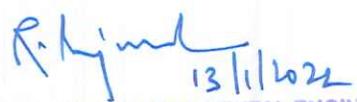
Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) may be pleased to pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of this case and thus render justice.


13/11/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.

BEFORE ME

VERIFICATION

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


13/11/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.

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...Respondent(s)

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

Advocate for Respondent: TNPCB
Thiru. Sai Sathyjith
Advocate, Chennai.

Date: 13.01.2022

Date of Hearing: 25.01.2022

