

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

ORIGINAL APPLICATION No. 70 of 2023(SZ)

Mr. K. Shanmugam

...Applicant

Vs

1) The Member Secretary,
Tamil Nadu Pollution Control Board,
Guindy, Chennai - 600104 & 14 others

.....Respondents

COUNTER AFFIDAVIT FILED BY THE 6TH RESPONDENT

I, Yasufumi Fujinami, son of Mr. Tadao Fujinami, aged about 51 years, having office at Plot No.B1, SIPCOT Industrial Park, Pillaipakkam, R & N Suppliers Park, Phase II, Vengadu, Sriperumbudur Taluk, Kancheepuram District - 602 105 do hereby solemnly and sincerely affirm and state as follows:

- 1) I am the Managing Director of M/s. HI-LEX INDIA PRIVATE LIMITED/6th Respondent.
- 2) I deny each and every allegation made by the Applicant as frivolous and false. Most of the allegations are baseless and devoid of any proof and merits. The case itself is based on the apprehensions of the Applicant.
- 3) It is humbly submitted that the photograph attached to the Application is unrelated to my concern, and I refute the applicant's claim in this regard.

For HI-LEX INDIA PVT.LTD

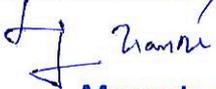
J. Nanne
Managing Director

- 4) It is humbly submitted that 6th respondent company obtained the Licence under Form No.4 of Registration and Licence to work the factory, the said licence is for use as a factory employing not more than 1000 workers on any one during the year and using installed horse power inclusion of mobile equipment not exceeding 1000 horse power subject to provisions of the Factories Act, 1948, the said licence is valid up to 31.12.2026. The answering respondent company manufacturing Automobile cables for 2-wheelers and 4 wheelers such as Parking Brake Cable, Manual Transmission Cable, Fuel Lid Opener cable, Hood Opener Cable, Brake Cable, Throttle Cable, etc. and window regulators for 4 wheelers. There is effluent generated from the operation of the 6th respondent company.
- 5) It is submitted that our plant includes a Sewage Treatment Plant (STP) dedicated to treating all sewage water generated on-site. This treated water is utilized for our toilet flushing, irrigating garden and the various trees planted within our premises. The waste water arising from scrubber bleeds off after treatment through impervious Solar Evaporation Pans. Regular maintenance and cleaning of the STP are carried out as required. The said Sewage Treatment Plant (STP) is carried out by Eco Care Engineering Pvt.Ltd, to that effect work order has been issued in favour of them and they will give test report in order to show that the results are not exceeding the conditions stipulated in the Consent order given under Air and Water Act.

For HI-LEX INDIA PVT.LTD
J. Nandan
Managing Director

- 6) It is humbly submitted that the 6th Respondent asserts that it does not discharge any untreated water into the common canal, thus vehemently denying the Applicant's allegations.
- 7) It is humbly submitted that the answering respondent had obtained consent order dated 05.05.2020 from the Tamil Nadu Pollution Control Board for Consent to Operate under Section 25 of Water (Prevention and Control of Pollution) Act, 1988 and under Section 21 of Air (Prevention and Control of Pollution) Act, 1987, and the same is valid till 31.03.2024. In the said consent order issued under Water Act there is a special condition containing quantity and maximum daily discharge in KLD from Sewage 1 & 2, and trade effluent, further point of disposal also mentioned. The answering respondent has herewith attached the consent orders, Process of flow diagram, Sewage treatment plant details and its test report.
- 8) It is humbly submitted that the Applicant has filed this application without adequate knowledge of the facts concerning our company.
- 9) It is further humbly submitted that no harmful chemicals are involved in our production processes, negating any possibility of water pollution.
- 10) I humbly deny the Applicant's claim that the issue was not brought to the Respondent's attention, either orally or in writing, as alleged in the application.

For HI-LEX INDIA PVT.LTD


Managing Director

11) It is humbly submitted that the applicant has filed this application with false allegations and vexatious intention.

For the reasons stated above, it is therefore humbly prayed that this Hon'ble Tribunal may be pleased to dismiss the above application with heavy cost and pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case and thus render justice.

Dated at Chennai on this the 17 day of February, 2024.

For HI-LEX INDIA PVT.LTD

Fujinami
Managing Director
6th Respondent

VERIFICATION

I, Yasufumi Fujinami, son of Mr. Tadao Fujinami, aged about 51 years, having office at Plot No.B1, SIPCOT Industrial Park, Pillaipakkam, R & N Suppliers Park, Phase II, Vengadu, Sriperumbudur Taluk, Kancheepuram District - 602 105, do hereby verify that the contents of Paragraph Nos. 1 to 11 are true to the best of my knowledge and Paragraph Nos. 1 to 11 are believed to be true on legal advice and that I have not suppressed any material fact.

Verified at Chennai on this the 17 day of February, 2024.

V. Anand

Counsel for 6th Respondent

For HI-LEX INDIA PVT.LTD

Fujinami
Managing Director
6th Respondent