

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

Original Application No. 183 of 2021

Meenavathanthai K.R.Selvaraj Kumar,
Meenavar Nala Sangam,
m.R.Thiyagarajan,
S/o. Late C. Rajalingam,
Office at No.48, East Madha Church,
Royapuram, Chennai – 600 013.

...Applicant

Versus

The State of Tamil Nadu
Through the Chief Secretary,
Govt. of Tamil Nadu,
Govt. Secretariat, Fort St. George,
Chennai, Tamil Nadu – 600 009 & 5 others.

... Respondents

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**Advocate
Thiru.S. Sai Sathya Jith,
Advocate, Chennai.**

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**REPORT FILED ON BEHALF OF THE 3RD 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 and I am filing this Report on behalf of the 3rd 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 applicant filed this application No.183 of 2021 with the following prayer:

“Direct the 3^d and 4th respondent to demolish the illegal and unthorized construction erected by Respondent No.6 on the river and reiver bank of Coovum, which causes damage to the river coovum”.

3. It is respectfully submitted that, the Hon’ble National Green Tribunal (SZ) in its order dated 17.08.2021 directed inter alia that:

“Para14: The Tamil Nadu Pollution Control Board (TNPCB) is at liberty to take appropriate action against the 6th respondent independently, in accordance with

R. Rajamanickam
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JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No 76 MOUNT SALAI GUINDY

law if there is any violation of either Water (Prevention and Control of Pollution) Act, 1974 or Air (Prevention and Control of Pollution) Act, 1981 or untreated sewage/trade effluent being illegally discharged through pipelines into the river cooum.

4. It is respectfully submitted that the 6th respondent unit of M/s. The Chennai Fish, S.F.No. 98/12, 98/5A1B, Noombal Village, Poonamallee Taluk, Tiruvallur District has applied for Consent to Establish through Online Consent Management & Monitoring System on 10.01.2020 and resubmitted on 07.02.2020 for the construction of Fish market building Comprising 81 fish retail shops for selling of fishes – 39 T/Day. In this regard the unit site was inspected by the officials of the DEE, TNPCB, Tiruvallur on 03.02.2020 and the report was submitted to JCEE(M), TNPCB, Chennai, to place the subject before the Zonal Level Consent Clearance Committee (ZLCCC). The subject was approved by the ZLCCC vide minutes of the 138th ZLCCC dated 08.02.2020 in item No. 138-16. Based on the approval of ZLCCC, the Consent to Establish was issued to the 6th respondent unit by the DEE vide TNPC Board Proceedings No. F.1947TLR/OL/DEE/TNPCB/TLR/W&A/2020 dated 13.02.2020 under the Water (Prevention and Control of Pollution) Act, 1974, as amended in 1988 and the Air (Prevention and Control of Pollution) Act, 1981, as amended in 1987 valid upto 31.03.2024 for the construction of Fish market building Comprising 81 fish retail shops for selling of fishes – 39 T/Day and for discharge of sewage of 10.8 KLD - on land for gardening and Trade effluent of 1.2 KLD - on land for Gardening subject to the following conditions among the other conditions:

- i. The unit shall provide STP as proposed for the treatment of sewage and treated sewage shall satisfy the standards prescribed by the Board.
- ii. The unit shall utilize the treated sewage on land for gardening after satisfying the standards prescribed by the Board.

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- iii. The unit shall provide ETP as proposed for the treatment of trade Effluent and treated trade effluent shall satisfy the standards prescribed by the Board.
- iv. The unit shall utilize the treated trade effluent on land for gardening after satisfying the standards prescribed by the Board.
- v. The unit shall properly collect and dispose of the non-hazardous solid wastes for further beneficial use without any accumulation.
- vi. The unit shall provide rainwater harvesting facility within the factory premises so as to recharge the groundwater.
- vii. The unit shall carryout the establishment of the unit's activity only after obtaining Planning Permission from CMDA, Chennai.
- viii. The unit shall develop greenbelt area by planting trees of thick canopy all along the periphery of the unit.
- ix. The unit shall ensure that no process emission is let out.

5. It is respectfully submitted that in due compliance of the Hon'ble NGT Order dated 17.08.2021 the respondent unit of M/s. The Chennai Fish, S.F. No. 98/12, 98/5A1B, Noombal Village, Poonamallee Taluk, Tiruvallur District was inspected by the officials of the DEE, TNPCB, Tiruvallur on 06.09.2021 & 07.09.2021. During inspection the following were observed:

- i. The unit has constructed fish market building Comprising Fish retail shops and was carrying out the said activity without obtaining Consent to operate from the Board.
- ii. The unit has installed sewage treatment plant comprising of Bar Screen Chamber-1No., Sewage Collection Tank-1No., Aeration Tank-1No., Settling Tank-1No., Filter Feed Tank-1No., Pressure Sand Filter-1No., Activated Carbon Filter-1No., Sludge Drying Beds-3Nos, Sodium hypo Chlorite dosing Tank-1No and the same was not in operation.

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iii. The sewage generated from the toilet facilities is collected in the collection tank of STP.

iv. The unit has provided Effluent Treatment Plant comprising of Bar Screen Chamber-1No., Effluent Collection Tank-1No., Flash Mixer-1No., Primary Settling Tank-1No., Aeration Tank-1No., Secondary Settling Tank-1No., Filter Feed Tank-1No., Pressure Sand Filter-1No., Activated Carbon Filter-1No., Sludge Drying Beds-4Nos, Sodium hypo Chlorite dosing Tank-1No and the same was not in operation.

v. The untreated trade effluent generated from Fish container washing, Floor washing and vehicle washing was found discharged outside the unit premises into Cooum river without any treatment.

vi. The unit has obtained Planning Permission from CMDA vide Permit No. 13396 dated 21.05.2020 (B/NHRB/127/A-C/2020 dated 21.05.2020) and vide Lr. No. PP/NHRB/C/1131/2019 dated 21.05.2020 for the total builtup area of 1699.12 Sq.m (Ground Floor - 46.85 Sq.m + First Floor - 1652.27 Sq.m).

vii. The unit has not developed adequate green belt for utilizing the treated sewage (10.8 KLD) and treated trade effluent (1.2 KLD) on land for gardening as consented.

Based on the observations, the DEE, TNPCB, Tiruvallur has issued Show cause notice was to the unit under the Water (Prevention and Control of Pollution) Act, 1974, as amended in 1988 and the Air (Prevention and Control of Pollution) Act, 1981, as amended in 1987 vide proceedings No. DEE/TNPCB/TLR/F.TLR1947/OLW&A/2021 dated 07.09.2021.

In view of the above, it is submitted that the said unit's activity does not attract the provisions of E.I.A Notification, 2006. Also, the unit's location does not attract the provisions of Coastal Regulation Zone Notification, 2011.

f. h. j.
30/9/2021
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAL GUINDY,
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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.


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JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.
BEFORE ME

VERIFICATION

I, R. Rajamanickam, Son of Thiru. 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.


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TAMIL NADU POLLUTION CONTROL BOARD
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**REPORT FILED ON BEHALF OF THE 3RD
RESPONDENT -TAMILNADU POLLUTION
CONTROL BOARD.**

**Advocate for Respondent: - TNPCB
Thiru.S. Sai Sathya Jith,
Advocate, Chennai.**

Date:30.09.2021.

Next date of hearing on :01.10.2021