

**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 3<sup>RD</sup> 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 2<sup>nd</sup> Respondent Board and as such I am well acquainted with the facts of the case as per records.

2. It is respectfully submitted that, when the case came up for hearing on 14.12.2021 the Hon'ble NGT directed the Tamil Nadu Pollution Control Board to conduct a surprise inspection as the applicant argued the unit is functioning despite disconnection of power. Thus TNPCB conducts surprise inspection without notice and then to

  
 12/12/2021  
 JOINT CHIEF ENVIRONMENTAL ENGINEER  
 TAMIL NADU POLLUTION CONTROL BOARD  
 No.76, MOUNT SALAI, GUINDY,  
 CHENNAI 600 032

decide if the unit is continuing illegally, if so, to take action of initiating prosecution and any further proceedings such as lock and seal.

3. It is respectfully submitted that earlier this Hon'ble Tribunal in its order dated 15.11.2021 directed inter alia that

*"Para7: if there is any violation of the conditions imposed in the consent to establish by the Tamil Nadu Pollution Control Board (TNPCB) even if they are complying with other permissions, they are expected to assess the environmental damages for the violation committed. When this was pointed the learned counsel appearing for the Tamil Nadu Pollution Control Board submitted that they will also come with a detailed report regarding this aspect on the next hearing date. The said case is posted on 14.12.2021."*

Accordingly, the Tamil Nadu Pollution Control Board has calculated environmental compensation for operating the unit without consent to operate of the Board and also for non compliance of the conditions in the consent to establishment issued under the Water & Air Acts. The environmental compensation amount was worked out Rs.15,56,250/- (Rupees Fifteen Lakhs Fifty Six Thousand Two Hundred and Fifty only). The Board vide proceeding dated 13.12.2021 has issued show cause notice under Section 5 of the Environment (Protection) Act, 1986 why the Board shall not levy the environmental compensation to the unit for the violations committed. Whereas, the unit has remitted the said amount of Rs.15,56,250/- to TNPCB on 17.12.2021 vide CR No.134602 dated 17.12.2021.

*R. Rajan* 18/12/2021  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No.76, MOUNT SALAI, GUINDY,  
CHENNAI 600 022

In the mean time the unit has made application for consent to operate through online and the subject was placed before the ZLCCC meeting held on 14.12.2021 and based on the approval of Zonal Level Consent Clearance Committee meeting minutes vide Item No. 162-38 dated 14.12.2021, Consen to Operate was issued to the unit under the Water(P&CP) Act, 1974 and the Air Act (P&CP) vide Proc. No. F.1947TLR/OL/DEE/TNPCB/TLR/W&A/2021 dated 16.12.2021 valid upto 31.03.2023 by the DEE, TNPCB, Tiruvallur.

4. It is respectfully submitted that, in pursuance to this Hon'ble Tribunal order dated 14.12.2021, said Fish Market was inspected on 17.12.2021 by the Assistant Engineer, office of the DEE, TNPCB, Tiruvallur. During inspection the following were observed:

- i. The unit was not in operation and no activity was carried out within the unit premises due to closure & disconnection of power supply issued to the unit vide Proc. dated 27.11.2021.
- ii. The STP & ETP were also not in operation due to closure & disconnection of power supply. The photographs taken during inspection is given in Annexure - I
- iii. The status on compliance of CTE conditions and non compliance cited in closure direction is given in Annexure – II.

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

  
18/12/2024  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No.76, MOUNT SALAI, GUINDY,  
CHENNAI-600 032,

and proper in the facts and circumstances of this case and thus render justice.

  
18/12/2024  
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.

  
18/12/2024  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No.76, MOUNT SALAI, GUINDY,  
CHENNAI-600 032.

**Photographs taken during inspection of the unit of M/s. The Chennai Fish on 17.12.2021. During inspection the unit was not in operation and no activity was carried out**





**COMPLIANCE REPORT FOR CTE CONDITIONS IN PROC DATED 13.02.2020****WATER ACT:**

SL. NO.	CONDITIONS	COMPLIANCE
1.	The unit shall provide STP as proposed for the treatment of sewage and treated sewage shall satisfy the standards prescribed by the Board.	During inspection on 17.12.2021, it was noticed that the unit was not in operation due to closure & disconnection of power supply issued to the unit vide Proc. dated 27.11.2021. The STP provided was not in operation due to closure & disconnection of power supply issued to the unit vide Proc. dated 27.11.2021. STP was in operable condition.
2.	The unit shall utilize the treated sewage on land for gardening after satisfying the standards prescribed by the Board.	The sewage generated earlier from the unit was treated through STP and the treated sewage was disposed through tanker lorry to the nearby CMWSSB pumping station.  The unit has furnished the copy of CMWSSB receipt dated 26.10.2021 & 26.11.2021 for the disposal of treated sewage/trade effluent into CMWSSB pumping station (copy enclosed).  Now the unit has obtained CTO under the Water and Air Acts vide Proc. dated 16.12.2021 for the disposal of sewage - 10.8 KLD & trade effluent - 1.2 KLD through Tanker lorry to CMWSSB Pumping station.
3.	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.	During inspection on 17.12.2021, it was noticed that the unit was not in operation due to closure & disconnection of power supply issued to the unit vide Proc. dated 27.11.2021. The ETP provided was not in operation due to closure & disconnection of power supply issued to the unit vide Proc. dated 27.11.2021. ETP was in operable condition.
4.	The unit shall utilize the treated trade effluent on land for gardening after satisfying the standards prescribed by the Board.	The trade effluent generated earlier from the unit was treated through ETP and the treated effluent was disposed through tanker lorry to the nearby CMWSSB pumping station.  The unit has furnished the copy of CMWSSB receipt dated 26.10.2021 & 26.11.2021 for the disposal of treated sewage/trade effluent into CMWSSB pumping station (copy enclosed).  Now the unit has obtained CTO under the Water and Air Acts vide Proc. dated 16.12.2021 for the disposal of sewage - 10.8 KLD & trade effluent - 1.2 KLD through Tanker lorry to CMWSSB Pumping station.
5.	The unit shall properly collect and dispose of the non-hazardous solid wastes for further beneficial use without any accumulation.	The non-hazardous solid waste (Fish wastes) generated from the unit was reported to be sold out for vendors for further beneficial purpose.
6.	The unit shall not use "One time use and throwaway plastics" which are banned by the Government of Tamil Nadu.	Agreed to adhere.
7.	The unit shall provide rainwater harvesting facility within the factory premises so as to recharge the groundwater.	The unit has provided Rainwater harvesting sump.
8.	The unit shall carryout the establishment of the unit's activity only after obtaining Planning Permission from CMDA, Chennai.	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 - 14.85 Sq.m + First Floor -

	1652.27 Sq.m).
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**AIR ACT:**

SL. NO.	CONDITIONS	COMPLIANCE
1.	The unit shall ensure that no process emission is let out.	No process emission let out from the unit.
2.	The unit shall not use "One time use and throwaway plastics" which are banned by the Government of Tamil Nadu.	Agreed to adhere.
3.	The unit shall develop greenbelt area by planting trees of thick canopy all along the periphery of the unit.	The unit has initiated planting trees in the space available within the premises.

K.Raghukumar,  
A.E, Tiruvallur

**Compliance Report for the Board's Closure Direction issued to the unit vide Proc. dated 27.11.2021**

	<b>Direction issued vide Proc. dated 27.11.2021</b>	<b>Compliance Status</b>
1.	The said Fish market was functioning without obtaining Consent to Operate (CTO from the Board.	<p>During inspection on 17.12.2021, it was noticed that the unit was not in operation due to closure &amp; disconnection of power supply issued to the unit vide Proc. dated 27.11.2021.</p> <p>The unit has obtained CTO under the Water and Air Acts vide Proc. No. F.1947TLR/OL/DEE/TNPCB/TLR/W&amp;A/2021 dated 16.12.2021 valid upto 31.03.2023.</p>
2.	The STP provided was in operation and treated sewage was stored in the treated sewage collection tank. Also, the Effluent Treatment Plant (ETP) provided for the treatment of trade effluent generated from the Fish container washing. Floor washing and Vehicle washings was in operation and the treated trade effluent was stored in the collection tank of ETP.	<p>During inspection on 17.12.2021, it was noticed that the unit was not in operation due to closure &amp; disconnection of power supply issued to the unit vide Proc. dated 27.11.2021.</p> <p>The STP &amp; ETP provided were not in operation due to closure &amp; disconnection of power supply issued to the unit vide Proc. dated 27.11.2021. STP &amp; ETP were in operable condition.</p> <p>The sewage &amp; trade effluent generated earlier from the unit was treated through STP &amp; ETP separately and the treated sewage &amp; trade effluent were disposed through tanker lorry to the nearby CMWSSB pumping station.</p> <p>The unit has furnished the copy of CMWSSB receipt dated 26.10.2021 &amp; 26.11.2021 for the disposal of treated sewage/trade effluent into CMWSSB pumping station (copy enclosed).</p> <p>Now the unit has obtained CTO under the Water and Air Acts vide Proc. dated 16.12.2021 for the disposal of sewage - 10.8 KLD &amp; trade effluent - 1.2 KLD through Tanker lorry to CMWSSB Pumping station.</p>
3.	It is reported that the treated sewage/trade effluent is disposed to the nearby CMWSSB pumping station through private tanker lorry. The unit has furnished the copy of the CMWSSB receipt dated 26.10.2021, for the disposal of treated Sewage/trade effluent into CMWSSB pumping station which is violation against the CTE issued to the unit under the Water Act, vide Proc. dated 13.02.2020.	<p>The unit has reported that the sewage &amp; trade effluent generated earlier from the unit was treated through STP &amp; ETP separately and the treated sewage &amp; trade effluent were disposed through tanker lorry to the nearby CMWSSB pumping station.</p> <p>The unit has furnished the copy of CMWSSB receipt dated 26.10.2021 &amp; 26.11.2021 for the disposal of treated sewage/trade effluent into CMWSSB pumping station (copy enclosed).</p>

		Now the unit has obtained CTO under the Water and Air Acts vide Proc. dated 16.12.2021 for the disposal of sewage - 10.8 KLD & trade effluent - 1.2 KLD through Tanker lorry to CMWSSB Pumping station.
4.	Adequate green belt is not developed to utilize the treated Sewage and treated trade effluent on unit's land for gardening purpose as stipulated in the CTE issued to the unit under the Water Act vide Proc. Dated 13.02.2020	The unit has furnished the copy of CMWSSB receipt dated 26.10.2021 & 26.11.2021 for the disposal of treated sewage/trade effluent into CMWSSB pumping station (copy enclosed). The unit has initiated planting trees in the space available within the premises.
5.	Further details have not been furnished regarding the authenticated documents/receipts for the daily disposal of treated Sewage/trade effluent into CMWSSB pumping station.	The unit has furnished the copy of CMWSSB receipt dated 26.10.2021 & 26.11.2021 for the disposal of treated sewage/trade effluent into CMWSSB pumping station (copy enclosed).
K.Raghukumar, A.E, Tiruvallur		

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TRIBUNAL SOUTHERN ZONE,  
CHENNAI.**

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2021**

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**REPORT FILED ON BEHALF OF  
THE 3<sup>RD</sup> RESPONDENT -  
TAMILNADU POLLUTION  
CONTROL BOARD.**

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

**Date:18.12.2021.**

**Next date of hearing on: 20.12.2021**