

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

Original Application No. 186 of 2020 (SZ)

Suo Motu Based on the News item in
The New Sunday Express Newspaper
Dated: 20.07.2020, "Ranipet Residents health
at risk due to Pollution; Chromium waste
killing agriculture in Ranipet Poses long-term health risks."

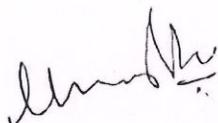
Vs

Union of India,
Rep. by its Secretary,
MoEF &CC
New Delhi- 110 003 & Others.

...Respondents

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**Filed by
Tmt. Shanmugavalli Sekar,
Advocate, Chennai.**

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

Original Application No. 186 of 2020

Tribunal on its own motion - Suo Motu based on the
News item in The New Sunday Express Newspaper
Dated: 20.07.2020, "**Ranipet Residents health at risk due to
Pollution; Chromium waste killing agriculture in Ranipet
Poses long-term health risks.**"

And

Union of India

Rep. by its Secretary
Ministry of Environment and Forests and Climate Change,
Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi and Ors.

.... Respondents.

**COMPLIANCE REPORT FILED ON BEHALF OF THE 8th
RESPONDENT- TAMIL NADU POLLUTION CONTROL BOARD**

I, S.Rajan, S/o M.S.Subramanian, aged about 59 years, having office at No.,
76, Mount Salai, Guindy, Chennai – 32, do hereby solemnly affirm and
sincerely state as follows:-

1. I submit that I am the Additional Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai - 600032 and I am authorised to file this Compliance report on behalf of the 8th respondent (TNPCB) and as such I am well acquainted with the facts of the case from the available office records.
2. It is respectfully submitted that on 2.9.2022, the Hon'ble NGT was disposed the OA with the following directions:

" Para 42. So, the Original Application is disposed of with the following directions:-

(i) The Chief Secretary to Government, State of Tamil Nadu is directed to constitute a committee comprising of a. Additional Chief Secretary to Government, Department of Environment, Climate Change and Forest as Chairman and; b. Additional Chief Secretary to Government, Department of Finance; c. Additional Chief Secretary to Government, Department of Industries; d. Chairman – Tamil Nadu Pollution Control and e. Senior Officer from the Central Pollution Control Board

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(CPCB) as nominated by the CPCB either New Delhi or Regional Office, Chennai as members for the purpose of monitoring the implementation of the action plan prepared for carrying out the remediation process suggested to resolve the issue of Chromium contaminated site at Ranipet and provide necessary funds for carrying out the work by the regulators in an effective manner with short span of time.

(ii) The Chief Secretary to Government, State of Tamil Nadu is also directed to look into the issue personally and take steps to complete the process of preparation of DPR in consultation with the IIT Madras at the earliest, at any rate within a period of 6 (Six) months and thereafter, take steps to issue tender and entrust the work for permanent remediation and start the work within a further period of 6 (Six) months from the finalization of DPR.

(iii) The Tamil Nadu Pollution Control Board is permitted to carry out the interim measure of capping, for which, necessary funds will have to be provided by the State Government and that must be started within a period of three months from the date of order and that must be completed within a period of one year as undertaken by them.

(iv) The implementation of the remediation process both short-term and long-term has to be monitored by the CPCB and the SPCB and if there is any further study required, then they are directed to suggest the same and the expenses for conducting the study has to be met by the State Government initially and after completion of the process, they can take steps to recover the amount from the persons/industries who were responsible for such contamination applying the 'Polluter Pays' principle as directed by the Hon'ble Apex Court in Vellore Citizens Welfare Forum Vs Union of India & Ors.

(v) After completion of the remediation process, the CPCB in consultation with the NEERI is directed to conduct a study as to whether the remediation process is complete and the issue is resolved permanently and if any further steps will have to be taken on the basis of the study, then the same also will have to be carried out under the supervision of the SPCB and CPCB and necessary funds will have to be provided by the State Government for this purpose also initially and they are at liberty to take steps to recover that amount also from the persons/industries who were responsible for causing such contamination by applying the 'Polluter Pays' principle as mentioned above.


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(vi) *The collection of amount from the polluters will not stand in the way of State Government from investing the amount initially so as to enable the regulators to carry out the remediation process through the executing agency to whom the work is going to be entrusted and that should not be stalled on account of want of funds. It should be noted that any delay will only aggravate the situation further in that area.*

(vii) *Till the entire remediation process is completed, the State Government is also directed to conduct a health study in that area by constituting a committee in consultation with the Chairman – Tamil Nadu Pollution Control Board and Director – Regional Office, CPCB, Chennai and provide necessary infrastructure including potable water to the residents of that area and medical facilities using the CSR funds of the industries that are functioning or state funds and ensure that the health of the people in that area is protected and also carry out the infrastructure facilities which are likely to be suggested by the Committee based on the health study to be conducted in that area and this will have to be carried out by the State of Tamil Nadu at the earliest possible time at any rate within a period of six months from the date of receipt of this order.*

(viii) *The Additional Chief Secretary to Government, Department of Environment, Climate Change and Forest is directed to file periodical report regarding the progress of the remediation process both temporary and permanent measures once in 6 (Six) months before this Tribunal.*

(ix) *The Registry is directed to communicate this order to the District Collector – Ranipet District, Chairman – Tamil Nadu Pollution Control, Central Pollution Control Board (CPCB) – New Delhi as well as Regional Office, Chennai, Additional Chief Secretary to Government - Department of Environment, Climate Change and Forest, Additional Chief Secretary to Government - Department of Finance, Additional Chief Secretary to Government - Department of Industries and also to the Chief Secretary to Government, State of Tamil Nadu for their information and compliance of directions.*

(x) *As and when the report is filed, the Registry is directed to place the same before the Bench for consideration and also for issuing further directions (if any) required in this regard.*

43. With the above observations and directions, this Original Application is disposed of.

3. It is respectfully submitted that in order to implement the Hon'ble NGT (SZ) orders dated 02.09.2023 for interim remedial measures, TNPCB has

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awarded the work to the consultant M/s. Stratus Environmental Pvt Ltd, Chennai for the "Preparation of Technical and Tender document" vide Lr dt: 28.11.2022. The Tender document finalization is under progress, and once it is finalized the tender will be floated for awarding the interim remedial measure work. The estimated cost of the above work is Rs. 15 crores which will be met from the Environmental Compensation fund which is available in TNPCB.

4. It is respectfully submitted that the Board's resolution No. 292-2-4 dt: 10.10.2023, has resolved to approve to engage the consultant, M/s. Tamilnadu Water Investment Company Limited, Chennai for Bid Management and Project Management Consultancy services at a cost of Rs. 1,22,30,000/- under Section 16J of Tamil Nadu Transparency in Tenders Act, 1998 vide Tamil Nadu Government Gazette Extraordinary No. 46 of 2017, dt: 31.01.2018 and ratified the B.P. No 46 vide Board's Resolution No. 285-2-2 dated 30.11.2021 issued for the implementation of interim remedial measures at an estimated project cost of Rs.12 Crore to Rs.15 Crore in view of the inflation in the price of construction materials from the period of 2019 and these amounts are to be utilized by TNPCB from the Environmental Compensation (EC) fund which is available in the Board.
5. It is respectfully submitted that the Government vide G.O.(Ms) No. 218 E,CC & F Dept dated: 22.12.2022 has constituted a committee for monitoring the implementation of the remediation process to resolve the issue of chromium contaminated site at Ranipet under the Chairmanship of the Additional Chief Secretary to Government, Environment, Climate Change & Forest Department.
6. It is respectfully submitted that the TNPCB vide letter dated 6.2.2024, has addressed the Environment, Climate Change & Forest Department, Government of Tamil Nadu to conduct the Committee meeting under Section 16J of Tamil Nadu Transparency in Tenders Act, 1998 in order to finalise the fees for services to be provided by M/s TWIC Ltd so as to initiate the tendering process for implementation of the interim measure


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of capping the dumpsite. After getting the approval from the Government, further action will be taken in this regard.

7. It is respectfully submitted that as per the orders of this Hon'ble Tribunal the TNPCB has addressed the Indian Council of Medical Research (ICMR), Chennai vide letter dated 28.03.2024 to submit a proposal for conducting health study in that area of M/s TCCL, Ranipet.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (SZ) may be pleased to pass such order or 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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VERIFICATION

I, S.Rajan, S/o M.S.Subramanian, working as Additional Chief Environmental Engineer, Tamil Nadu Pollution Control Board, No., 76, Mount Salai, Guindy, Chennai – 32, do hereby verify that the contents of above report are true to the best of my knowledge through records.


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BEHALF OF THE 8TH RESPONDENT-
TAMIL NADU POLLUTION CONTROL
BOARD**

**Advocate for Respondent: TNPCB
Tmt. Shanmugavalli Sekar,
Advocate, Chennai.**

Date: 29.05.2024.

Date of hearing on: 16.07.2024