

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

Original Application No. 197 of 2021 (SZ)

S. Yuvaraj,
S/o. Shanmugam,
No. 136, Goundapalayam,
Amman Kovil Post,
Sivagiri Via, Erode District.

...Applicant

-Vs-

The District Collector,
Erode District & others.

...Respondents

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Filed by
Thiru.S. Sai Sathya Jith,
Advocate, Chennai



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

I, R. Rajamanickam, Son of 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:

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-32, and I am filing this Report on behalf of the 3rd & 4th respondents, Tamil Nadu Pollution Control Board and as such I am well acquainted with the facts of the case as per the records.

2. It is respectfully submitted that the 7th respondent unit of M/s. Valam Rice Industries is an existing small scale Rice Mill owned by Thiru. C. Sasikumar, S/o. Sri. P. Chinnusamy and Smt. S. Revathi, W/o. Sri C. Sasikumar located at S. F. No. 1493/6, Goundampalayam, Amman Kovil Post, Sivagiri Village, Kodumudi Taluk, Erode District


29/11/2021
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
NO. 76, MOUNT SALAI, GUINDY

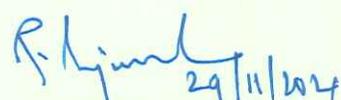
and is in operation since 2016. As the unit is a small scale single boiled rice mill coming under the Green Category of industries, Consent to Operate was issued to the unit of M/s. Valamm Rice Industries, S. F. No 1493/6, Sivagiri Village, Kodumudi Taluk, Erode District for the manufacturing of i. Rice - 325 MT/Month; By Products: i. Rice Bran – 100 MT/Month; ii. Paddy Dust – 75 MT/Month and for the trade effluent generation of 10 KLD vide Proc. No. F.1704EDL/GS/DEE/TNPCB/W&A/EDL/2021 Dated: 05/10/2021 under Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 with validity upto 31.03.2023.

3. It is further submitted that, this Hon'ble NGT (SZ) has passed order dt.10.11.2021 inter alia that :

“Para 6: The counsel appearing for the 7th respondent submitted that the unit had started functioning from 2016 onwards, but they have obtained ‘Consent’ only recently.

Para 7:When this was pointed out, the learned counsel appearing for the Tamil Nadu Pollution Control Board (TNPCB) submitted that they will take penal steps for conducting the unit without consent for long time in violation. We feel that an opportunity can be given to the applicant to file their objections, if any, to the report submitted by the Tamil Nadu Pollution Control Board.

Para 8: The applicant is directed to file their objections to the report and also the Tamil Nadu Pollution Control Board is


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No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

directed to file a further action taken report for the violation noted on or before 26.11.2021 and post the case for hearing on 30.11.2021".

4. It is respectfully submitted that, in order to comply the said orders of the Hon'ble NGT the DEE, TNPCB, Erode has assessed the Environmental Compensation to the unit of M/s. Valamm Rice Industries, S. F. No. 1493/6, Sivagiri Village, Goundampalayam, Amman Kovil Post, Kodumudi Taluk, Erode District regarding the imposition of Environmental Compensation for operating the unit without obtaining consent of the Board since 2016

Environmental Compensation proposed to be imposed is worked out as below:

$$EC = PI \times N \times R \times S \times LF$$

Where, EC is Environmental Compensation in Rs:

PI = Pollution Index of Industrial Sector; Average Pollution Index for Green Category of Industries is taken as 30

N = Number of days of violation took place;

- No. of days is calculated from the date of existence of the unit (i.e) 31.12.2016 to 27th September 2021 (Date of Inspection for issue of Consent)

Hence, Total No. of days = 1732 days]

R = A factor for Rupees, which may be a minimum of 100 and maximum 500.

Value of R for small scale industry is taken as 100

S = Factor for scale of operation; Value of S is taken as 0.5 for micro

R. Rajendran 29/11/2024
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 MOUNT SALAL GUNDRY

or small scale

LF = Location Factor; LF = 1 for city/town having population less than one million

Based on the above, $EC = 30 \times 1732 \times 100 \times 0.5 \times 1 = \text{Rs. } 25,98,000/-$

In view of the above, the TNPC Board has issued show cause notice under Section 5 of Environment (Protection) Act, 1986 as amended to the unit of M/s. Valamm Rice Industries, S. F. No. 1493/6, Sivagiri Village, Goundampalayam, Amman Kovil Post, Kodumudi Taluk, Erode District as to why an Environmental Compensation of Rs.25,98,000/- (Rupees Twenty Five Lakhs Ninety Eight Thousand only) shall not be levied to the unit as per the CPCB directions and Hon'ble NGT(SZ) order for operating the unit without obtaining consent of the Board since 2016 vide Board's Proceeding No. T2/F.025411/2021 dated 29.11.2021.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) at Chennai may be pleased to take this Report on Record and 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 P.M. Ramasamy, Working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-32, do hereby submit that the contents of the above report are true to the best of my knowledge through records.

R. Rajamanickam
29/11/2024

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TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
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THE 3RD & 4TH RESPONDENTS -
TAMIL NADU POLLUTION
CONTROL BOARD.**

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

Date: 29.11.2021.

Date of hearing on:30.11.2021

