

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL (SZ),

CHENNAI

ORIGINAL APPLICATION NO. 21 OF 2021

Dr. Anupkrishnan. V

... Applicant

v.

Ministry of Environment, Forest and Climate Change.

And 7 Others.

... Respondents

**INDEX TO THE COMPILATION OF DOCUMENTS FILED ON BEHALF OF
THE FOURTH & FIFTH RESPONDENT'S IN SUPPORT OF OBJECTIONS TO
THE SIXTH RESPONDENT REPORT**

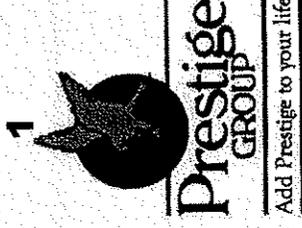
SL. NO.	DATE	PARTICULARS	PAGE NOS.
1.	19/10/2020	First reply to the show cause notice dated 23/09/2020 issued to the Sixth Respondent by the Answering Respondent.	1 - 2
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The above documents are true copies of the respective originals.

Dated at Chennai on this 7th day of October, 2021.



COUNSEL FOR THE 4TH & 5TH RESPONDENT



19.10.2020

To
The District Environmental Engineer,
Tamilnadu Pollution Control Board,
Plot. No CP-5B, SIPCOT, Oragadam,
Sriperumbudur Taluk,
Kancheepuram District – 602105.

Dear Sir,

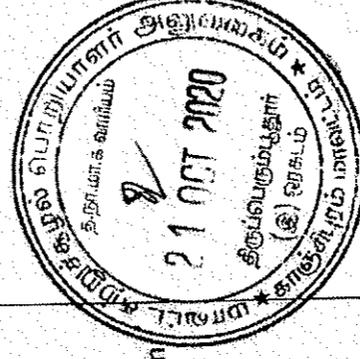
PROC.NO.DEE/TNPCB/F.2430/SPR/OLAW/2020 Dated: 23.09.2020

Sub: Reply to Show Cause Notice – Issued , TNPCB Industries – M/s Prestige Estates Project Limited , Prestige Bellavista – Phase 1 , S.No – 1/1 ,1/2,2,3/1,3/2 etc. , Ayyappanthangal Village , Sriperumbudur Taluk, Kancheepuram District – Non Compliance of consent order conditions-violations of section 25 of water (Prevention of Control of Pollution) act , 1974 as amended in 1988- Regarding.

Ref: 1. CTO Proc.No.T2/TNPCB/F.2105SPR/RL/SPR/W/2019 DATED: 26.11.2018
2. Your application No.32759129, Dated 27.07.2020 through online OCMMS.
3. Inspection of your unit by the TNPCB Officials on 22.09.2020

1. The consent to operate is valid for operating the facility for the manufacturing of products (Col.2) at the rate (Col.3) mention below. Any change in the products and its quantity has to be brought to the notice of the board and fresh consent has to be obtained.

S.No	Description	Quantity	Unit
1	Residential Building Complex " Prestige Bella Vista " Comprising of 25 Blocks in 17 towers (Each tower having 2 basements, Ground plus 16 floors) with 2083 Dwelling units & 1 Block of Club Housing having double basement floor+Ground floor+1 floor) with total building area (Phase -1)	338361	Sq. m



Prestige Estates Projects Ltd., Prestige Polygon, Top Floor #471, Anna Salai, Nandanam, Chennai – 600035.
Phone : +91 44 42924000 Fax: +91 44 42924099

Corporate & Registered Office :
Prestige Estates Projects Ltd., Prestige Falcon Towers, No 19 Brunton Road, Bangalore - 560 025.
Phone : +91 80 25591080 Fax : +91 80 25591945 www.prestigeconstructions.com
CIN : L07010KA1997PLC022322



Whereas, during inspection of the residential apartment of M/s. Prestige Estates Project Limited – Prestige Bella Vista Phase 1 by the officials of the TNPCB ON 22.09.2020 and the following were obtained.

1. The said Residential Building Complex “ Prestige Bella Vista “ constructed comprising of 33 blocks in 20 towers with 2613 dwelling units thus violating the said consent order conditions.

The renewal is sought for the 25 blocks in 17 towers only and no deviation on the consent approved sq. m of 338361.

2. Total Build up area of residential building complex is extended from 338361 Sq. m to 352151 Sq. m thus violating consent order condition.

No violation on the consent renewal requested as mentioned in our reply to Point no 1 above.

3. Sewage generation is increased as against the permitted quantity of sewage of 850 KLD.

Only the blocks mentioned are fully operational at present and no additional load beyond the permitted quantity.

4. This is a discrepancy in the consent order, Environmental clearance and in actual construction made.

There is no discrepancy between the Environmental clearance obtained and other statutory approvals. (Including CTE from TNPCB) with respect to actual construction.

We request you to kindly accept the same and do the needful. The receipt of this letter may kindly be acknowledged.

Thanking you.

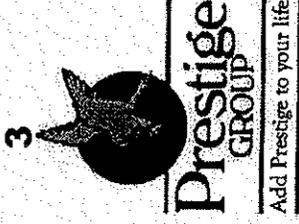
Yours sincerely,

For Prestige Estates Project Limited.,

Authorized Signatory

Prestige Estates Projects Ltd., Prestige Polygon, Top Floor #471, Anna Salai, Nandanam, Chennai – 600035.
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03.12.2020

To
The District Environmental Engineer,
Tamilnadu Pollution Control Board,
Plot No CP-5B, SIPCOT, Oragadam,
Sriperumbudur Taluk,
Kancheepuram District – 602105.

Dear Sir,

PROC.NO.DEE/TNPCB/F.2430/SPR/OL/W/2020 Dated: 23.09.2020

Sub: Reply to Show Cause Notice – Issued , TNPCB Industries – M/s Prestige Estates Project Limited ,
Prestige Bellavista – Phase 1 , S.No – 1/1 ,1/2,2,3/1,3/2 etc. , Ayyappanthangal Village , Sriperumbudur
Taluk, Kancheepuram District – Non Compliance of consent order conditions-violations of section 25 of
water (Prevention of Control of Pollution) act , 1974 as amended in 1988- Regarding.

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1. The consent to operate is valid for operating the facility for the manufacturing of products
(Col.2) at the rate (Col.3) mention below. Any change in the products and its quantity has to
be brought to the notice of the board and fresh consent has to be obtained.

S.No	Description	Quantity	Unit
1	Residential Building Complex " Prestige Bella Vista " Comprising of 25 Blocks in 17 towers (Each tower having 2 basements, Ground plus 16 floors) with 2083 Dwelling units & 1 Block of Club Housing having double basement floor+Ground floor+1 floor) with total building area (Phase -1)	338361	Sq. m

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Whereas, during inspection of the residential apartment of M/s. Prestige Estates Project Limited – Prestige Bella Vista Phase 1 by the officials of the TNPCB ON 22.09.2020 and the following were obtained.

1. The said Residential Building Complex “ Prestige Bella Vista “ constructed comprising of 33 blocks in 20 towers with 2613 dwelling units thus violating the said consent order conditions.

The renewal is sought for the 25 blocks in 17 towers for Prestige Bella Vista Phase 1 and no deviation on the consent approved sq. m of 338361 and Prestige Bella Vista Phase 2 constructed remaining 8 blocks consent to operate will be applied at the earliest.

2. Total Build up area of residential building complex is extended from 338361 Sq. m to 352151 Sq. m thus violating consent order condition.

No violation on the consent renewal requested as mentioned in our reply to Point no 1 above.

3. Sewage generation is increased as against the permitted quantity of sewage of 850 KLD.

Only the blocks mentioned are fully operational at present and no additional load beyond the permitted quantity.

4. This is a discrepancy in the consent order, Environmental clearance and in actual construction made.

There is no discrepancy between the Environmental clearance obtained and other statutory approvals. (Including CTE from TNPCB) with respect to actual construction.

We request you to kindly accept the same and do the needful. The receipt of this letter may kindly be acknowledged.

Thanking you.

Yours sincerely,

For Prestige Estates Project Limited



[Signature]
Authorized Signatory

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**Prestige
GROUP**

Add. Prestige to your life

01.09.2021

To,
The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
No.CP-5B, SIPCOT Industrial,
Growth Centre Vandalur - Wallajahbad Road,
Oragadam, Sriperumpudur Taluk,
Kanchipuram - 603109.

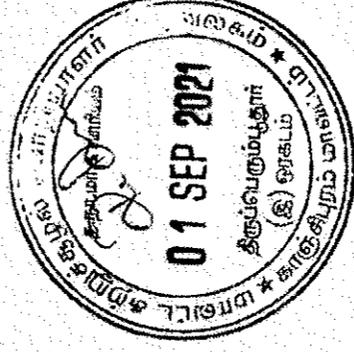
Dear Sir,

Sub: Reply to Show Cause Notice given by TNPCB - Residential apartment entitled "Prestige Bella Vista" S.No. of 1/1, 1/2, 2, 3/1, 3/2, 5/1, 8/2A, 50/1A, 50/2, 50/3, 50/4, etc. of Ayyappanthangal Village, Kundrathur Taluk in Kancheepuram District-Reg.

Ref: TNPCB Letter TNPCB/LAW/LA-III/NGT/003582/2021 dated 16/08/2021 received on 19/08/2021.

In continuation to the reference cited above, we are submitting herewith our replies to the Show cause notice by TNPCB towards Environmental Compensation imposed against our unit.

It is noted that the Environmental compensation was levied based on the following points in "CPCB Methodology for assessing Environmental Compensation and Action Plan to utilize the fund"



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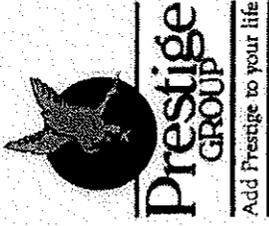


S. No	As per the NGT (PB) order dated: 03.08.2018 in OA No. 593/2017	Reply to TNPCB												
1.	Discharges in violation of consent conditions, mainly prescribed standards/consent limits.	<p>We wish to inform you that we have obtained the consent (CTE) for 3 No's of Sewage Treatment Plant (STP) towards treatment of sewage generated (1133 KLD) within the project site comprising of 33 Blocks.</p> <p>Out of 1133 KLD sewage generation, 260 KLD of sewage generated from 8 Blocks which is being treated in STP -1 having 860 KLD capacity.</p> <p>The remaining 873 KLD of Sewage is being generated from the 25 Blocks which is being treated in STP - 1 (860 KLD), STP - 2 (450 KLD) and STP - 3 (240 KLD).</p> <p>Currently the discharge of treated sewage is 800 - 820 KLD which is found to be within the consent limit.</p> <p>We are continuously monitoring the characteristics of treated Sewage by an NABL Accredited Laboratory. The characteristics of treated sewage are as follows:</p>												
		<table border="1"> <thead> <tr> <th data-bbox="1841 765 2115 958">Parameter</th> <th data-bbox="1841 533 2115 765">Characteristics of treated sewage based on test report from NABL Accredited Laboratory</th> <th data-bbox="1841 355 2115 533">Standards (NGT (PB) Order dated 30.04.2019 in O.A. No. 1069/2018)</th> </tr> </thead> <tbody> <tr> <td data-bbox="2115 765 2156 958">pH</td> <td data-bbox="2115 533 2156 765">7.04</td> <td data-bbox="2115 355 2156 533">5.5 - 9.0</td> </tr> <tr> <td data-bbox="2156 765 2321 958">Biochemical Oxygen Demand (BOD)</td> <td data-bbox="2156 533 2321 765">6 mg/l</td> <td data-bbox="2156 355 2321 533">10 mg/l</td> </tr> <tr> <td data-bbox="2321 765 2390 958">Total Suspended</td> <td data-bbox="2321 533 2390 765">6.5 mg/l</td> <td data-bbox="2321 355 2390 533">20 mg/l</td> </tr> </tbody> </table>	Parameter	Characteristics of treated sewage based on test report from NABL Accredited Laboratory	Standards (NGT (PB) Order dated 30.04.2019 in O.A. No. 1069/2018)	pH	7.04	5.5 - 9.0	Biochemical Oxygen Demand (BOD)	6 mg/l	10 mg/l	Total Suspended	6.5 mg/l	20 mg/l
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		<p>Solids (TSS)</p> <table border="1"> <tr> <td>Chemical Oxygen Demand (COD)</td> <td>30 mg/l</td> <td>50 mg/l</td> </tr> <tr> <td>Fecal Coliform (FC)</td> <td><2</td> <td>230</td> </tr> </table>	Chemical Oxygen Demand (COD)	30 mg/l	50 mg/l	Fecal Coliform (FC)	<2	230
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		<p>The consolidated report also shows that the parameters are in the same range of values, which are within the standard limits. Hence we would like to state that we are not infringing the consent condition and discharges are within the consented limits.</p>						
<p>2.</p>	<p>Not complying with the directions issued such as direction for closure due to non -- installation of OCEMS, non-adherence to the action plan submitted etc.,</p>	<p>We wish to inform you that, based on the “Guidelines for Continuous Emission Monitoring Systems, 2018” by Central Pollution Control Board (CPCB) states that it is mandatory to install Online Continuous Emission/Effluent Monitoring Systems (OCEMS) for 17 heavy Polluting Industries in order to track the discharges of pollutants into the various Environments.</p> <p>But our project is a residential unit which will not come under the above mentioned Guidelines to install OCEMS and hence we will not come under the purview of installation of OCEMS.</p>						
<p>3.</p>	<p>Intentional avoidance of data submission or data manipulation by tampering the Online Continuous Emission/Effluent Monitoring Systems.</p>	<p>As stated above, Our project is a residential unit and we will not come under “Guidelines for Continuous Emission Monitoring Systems, 2018” and hence we have not installed any OCEMS in our project site.</p> <p>However, We are continuously conducting the environment monitoring in our project site which includes monitoring of Ambient Air. Ambient</p>						

	Noise, Stack Emission, STP Treated Sewage characteristics & WTP Treated Water characteristics through an NABL accredited Laboratory. The copy of the reports are submitted vide Six monthly compliance report to TNPCB, CPCB & MoEF&CC.
Accidental discharges lasting for short durations resulting into damage to the environment.	<p>We wish to inform you that the waste being generated from the project site is of two types.</p> <ul style="list-style-type: none"> ➤ Liquid waste (Sewage) ➤ Solid waste. <p>Sewage generated from the project site is being treated in the Sewage Treatment Plant (STP) situated within the project site. The treated sewage is being used for Flushing and for green belt development within the project site. Whenever excess sewage is generated, it is being disposed to the CMWSSB's Decanting point. Hence there is no discharge of sewage into outside environment.</p> <p>Solid waste being generated from the project site is being collected and segregated as Biodegradable and Non-Biodegradable. The biodegradable waste is being treated in the Organic Waste Converter (OWC) installed within the project site. The non-biodegradable is collected and handed over to local recyclers. The sludge from the STP is sent to Filter Press and the sludge cake made as compost and after drying it is being used for Green Belt Development. The spent Oil being generated from DG Sets are collected and stored in drums which is being disposed through a TNPCB's authorized recycler. Hence there is no discharge of Solid Waste to the outside Environment.</p>
4.	
Intentional discharges to the environment – land, water and air resulting into acute injury or damage to the environment.	<p>We wish to inform you that there are no intentional discharges to the environment.</p> <p>The sewage generated from the project site is being treated by the Sewage Treatment Plant present</p>
5.	

		<p>within the project site.</p> <p>The emissions from the DG sets are released to the ambient air through the stack which are placed at 53m height from the ground level. The spent oil from the DG Sets are disposed through TNPCB authorized vendor.</p> <p>The greenbelt area is being maintained properly for which the treated water from the sewage treatment plant is being used. The treated water is being tested periodically by an NABL accredited laboratory which are found to be within the limit based on Standards (NGT (PB) Order dated 30.04.2019 in O.A. No. 1069/2018). Hence any kind of discharges are not made directly into outside environment. Discharges are made only after proper treatment and after achieving the standards.</p>
<p>6.</p>	<p>Injection of treated/untreated effluents to ground water.</p>	<p>We wish to inform you that, the total waste water generation is 1133 KLD, which is being treated in 3 Nos's of Sewage Treatment Plant totalling to a capacity of 1550 KLD. After treatment of sewage 488 KLD of treated water is being used for Toilet flushing and 280 KLD of water is being used for green belt development.</p> <p>Whenever the excess treated sewage generated, it will be disposed to the nearby decanting point for which the receipts are made available from Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB).</p> <p>Hence, we are not discharging/injecting the sewage to the ground water.</p>



Hence we would like to state that we will not come under Environmental Compensation for violation and Non – compliance and hence we request your good office not to impose the Environmental Compensation for our unit.

Further the matter is sub-judice and pending adjudication before the Hon'ble NGT, Chennai. Therefore, you are requested not to take any action in furtherance of the show-cause notice pending disposal of the Original Application viz., O. A. No. 21/2021, as the Hon'ble NGT is already seized of this matter.

Thanking you.

Yours sincerely,

For Prestige Estates





Authorized Signatory

C. Nagaraj

Sr.VP – Head Business Operations-TN