

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

Original Application No.223 of 2021 (SZ)

1. Somasekar Seshachalam,
S/o.V.Seshachalam,
Kaverirajapuram,
Thiruvallur district.

...Applicant

Versus

- 1.The Ministry of Environment, Forests and Climate Change,
Rep.by its Secretary,
New Delhi and Others.

...Respondents

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Advocate for the Respondent: TNPCB
Tr. S. Sai Sathya Jith,
Advocate, Chennai

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

Original Application No.223 of 2021 (SZ)

Somasekar Seshachalam,
S/o. V. Seshachalam,
Kaverirajapuram,
Thiruvallur District.

...Applicant

Vs

1. The Ministry of Environment, Forest and Climate Change,
Rep. by its Secretary,
New Delhi.
2. The Member Secretary,
State Environment Impact Assessment Authority,
Jennish Road, Saidapet,
Chennai-600 015.
3. The Secretary,
Industries Department and Commissionerate of
Industries and Commerce,
SIDCO Corporate Office Building,
Guindy, Chennai-600 032.
4. The District Collector,
Tiruvallur District.
5. The Chairman,
Tamil Nadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai- 600 032.
6. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Ambattur Industrial Estate,
Tiruvallur District.
7. Tamil Nadu Small Industries Development Corporation Limited,
Rep by its Chairman/ Managing Director,
SIDCO Corporate Office Buliding,
Guindy, Chennai-600 032.


24/12/21
ADDL. CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

8. TANSIDCO Regional Office,
Branch Manager Kakkalur,
Ramapuram Puthur Road,
Kakkalur Industrial Estate,
Thiruvallur, Tamil Nadu- 602 003.

...Respondents

REPORT FILED ON BEHALF OF THE RESPONDENTS
TAMIL NADU POLLUTION CONTROL BOARD.

I, .Vijayabaskaran S/o E.Ratinam , Hindu, aged about 59 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 Additional Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai – 600 032 and filing this report on behalf of the Respondent, Tamil Nadu Pollution Control Board and as such I am well acquainted with the facts of the case from the records.

2. It is respectfully submitted that the Hon'ble National Green Tribunal (Southern Zone), Chennai in its order dated 01.11.2021 directed inter alia as follows:

“Para 14: “ We feel it appropriate to appoint a joint committee consisting of
i) The District Collector, Tiruvallur district or a Senior officer not below the rank of Assistant Collector/ Sub Divisional Magistrate as deputed by the District Collector,
ii) District Environmental Engineer, Tamil Nadu Pollution Control Board, iii) a Senior Officer from State Environment Impact Assessment Authority, Tamil Nadu, and iv) a Senior officer from the Ministry of Environment, Forests and Climate Change (MoEF&CC), Integrated Regional Office, Chennai to inspect the area in

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24/12/21
ADDL. CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
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CHENNAI-600 032.

question and submit a factual as well as action taken report, if there is any violation found.

3. In this regard, the joint committee inspection report was e-filed before the Hon'ble NGT(Sz) on 25.11.2021, as per the orders of the Hon'ble National Green Tribunal(Sz), in O.A No. 223 of 2021, dated: 01.11.2021.

4. It is respectfully submitted that the Hon'ble National Green Tribunal (Southern Zone), Chennai in its order dated 01.11.2021 directed inter alia as follows:

Para 04: The respondent are also directed to file their independent statements regarding the allegations made in the application ,so that all these aspects can be considered together for passing appropriate orders while disposing the matter.

Para 05. The respondents are directed to file their independent response and parties are directed to file their objections, if any, to the report, on or before 22.12.2021” .

5. It is respectfully submitted that, the Managing Director, TANSIDCO Limited, vide Letter R.C.No. 7918 /N1/2021 dated: 03.09.2021 has requested the District Collector, Tiruvallur to send the alienation proposal for the lands measuring an extent of 59.10 hectares, (145.98 acre) at Survey No. 240, 241, 247/1, 247/2, 331, 369/2 369/1I &, 369/1H in Kaverirajapuram Village, Tiruttani Taluk, Tiruvallur District.

6. It is respectfully submitted that, during inspection on 20.11.2021, it was observed that the southern part of the site at SF

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No.369/2 was an upland having naturally grown thorny bushes and shrubs with few trees. The sloping terrain is from southern direction to northern direction. This land surface is found to be mostly of stones, pebbles. A Public road runs abutting the northern side of the land having survey No. 369/2.

7. It is respectfully submitted that the remaining part of the proposed Industrial park by SIDCO at SF. Nos. 240, 241, 247/1, 331, 369/1I, & 369/1H of Kaverirajapuram Village, Thiruthani Taluk, Tiruvallur District was a inclined terrain towards Southern direction.

8. It is respectfully submitted that the periphery of the proposed SIDCO SF.No. 369/2 , 369/1H & 331 are abutting the SF. Nos. 332, 333, 336 337 & 346 (part) which are classified as " Kottai" , but during inspection it was found to be a raised/stockpiled gravel and pebbles bund sloping down with earthen channel as earmarked in the FMB sketch. However ,the Revenue Department shall seek further details from Archaeological Department for the land at SF No. 332, 333, 336 337 & 346 (part), which are classified as "Kottai" as per the revenue records.

9. It is respectfully submitted that the Odai at SF No. 367, abutting the proposed SIDCO S.F.No. 369/2, flows down towards northern direction and joins with Rajalu Chevuru (Eri) at SF. No.423.In this regard it was observed that there was no demarcated Odai boundary and mostly the said Odai flows through natural sloping terrain and joins with Rajalu Chevuru (Eri) at SF. No.423.


ADDITIONAL ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD
NO.76, MOUNTSABAIAI GUNDEY,
CHENNAI-600022.

10. It is respectfully submitted that the land at survey nos. 369/1I & 369/1H (Patta Land) at Western direction was found to be grown with mango farm.

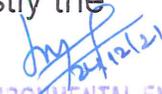
11. It is respectfully submitted that the proposed SIDCO land at survey No.331 was found to be abutting Dguvagunta Lake at SF No.291.

12. It was observed that the dense thorny bushes in the Proposed SIDCO land at SF. No. 369/2 (Approximately 23 acres) were cleared. Further, it was informed by the Revenue Dept. officials that the thorny bushes in the said location was cleared only for ascertaining the boundaries of the proposed SIDCO industrial park for demarcation with exact measurements as per the revenue records (A-Register and FMB Sketch). However, the cleared thorny bushes from the areas at SF No. 369/2 were found lying in the said area. It was observed that there was no construction activity in the said areas.

13. It is respectfully submitted that it was observed there was no further activity in the said proposed SIDCO project area.

14. It is respectfully submitted that the revenue Department Officials are yet to finish the surveying and demarcation of the proposed SIDCO industrial park area.

15. It is respectfully submitted that , it was observed the Odai at SF No.367 abutting the proposed SIDCO Survey at SF No. 369/2 flows down towards northern direction through S F No. 366 and 362 and joins with Rajalu Chevuru (Eri) at S F No. 423. Also, it was observed that there was no demarcated Odai boundary and mostly the


ADDL. CHIEF ENVIRONMENTAL ENGINEER
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said Odai flows through natural sloping terrain and joins with Rajalu Chevuru (Eri) at SF. No.423 and no obstruction to the flow in the said Odai was observed.

16. It is respectfully submitted that the extent of thorny bushes cleared on the existing Odai at S F No. 367 abutting the proposed SIDCO survey at SF No.369/2 wherein the clearing of thorny bushes was carried out, could be ascertained after the surveying and demarcation the boundary of the Proposed Industrial park and abutting areas of the Odai.

17. It is respectfully submitted that the surveying and demarcation of the boundary of Kottai, Odai, Lake abutting the proposed SIDCO land and the proposed Industrial Park shall be carried out through Revenue Department.

18. It is respectfully submitted that during inspection it was observed that part of the cleared thorny bushes from the areas at SF No. 369/2 were found in " Kottai" S. F.No. 336 and it was observed that there was no significant obstruction to the flow. Also, during the time of inspection, it was observed that there was no flow in the areas at Kottai SF No. 336 & 337. Further it is submitted that the exact boundary of the kottai SF Nos 336 & 337, could not be ascertained during the time of inspection.

19. It is respectfully submitted that the " Kottai" SF Nos. 333 & 332 abutting the SIDCO proposed SF Nos.331 was not accessible during inspection, since it was covered with thorny bushes.


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20. It is further submitted that, since thorny bush clearing work was carried out by the revenue authorities to ascertain the boundaries of the proposed SIDCO site and no Construction work was observed during the time of inspection at the proposed SIDCO project site.

21. It also submitted that that the project proponent TANSIDCO has not filed any application seeking Consent to Establish to Tamilnadu Pollution Control Board.

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 circumstance of this case and thus render justice.

[Signature]
24/12/21
ADDL. CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

BEFORE ME

VERIFICATION

I, R.Vijayabaskaran S/o E.Ratinam, working as Additional Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai – 600 032, do hereby submit that the above contents are true to the best of my knowledge and belief through records.

[Signature]
24/12/21
ADDL. CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
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REPORT FILED ON BEHALF OF THE
RESPONDENT – TAMIL NADU
POLLUTION CONTROL BOARD

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

Date: 24.12.2021

Next date of hearing: 10.01.2022

