

BEFORE THE NATIONAL GREEN TRIBUNAL (SZ) CHENNAI  
UNDER SECTION 18 (1) R.W. SECTIONS 14 AND 15 OF THE NATIONAL GREEN  
TRIBUNAL ACT, 2010

APPLICATION 240 OF 2017

Between

S.P.Muthuramaran,  
S/o. Ponnusamy,  
No. 204, Railway Feeder Road,  
Sankar Nagar Post - 627 357  
Thirunelveli District

...Applicant

And

1.The Secretary,  
Environment and Forest Department,  
Government of Tamil Nadu,  
Fort St. George, Chennai  
Email: [forsec@tn.gov.in](mailto:forsec@tn.gov.in)  
Phone: 044-25665566 600 009

2. The Member Secretary,  
Tamil Nadu Pollution Control Board,  
No. 76, Anna Salai, Guindy,  
Chennai 600 032  
Email: [tnpcb-chn@gov.in](mailto:tnpcb-chn@gov.in)  
Phone: 044-22353134

3.The Joint Chief Environmental Engineer,  
Tamil Nadu Pollution Control Board,  
NO. 30/2, SIDCO Industrial Estate,  
Pettai, Tirunelveli - 627 010  
Email: [jceetnv@gmail.com](mailto:jceetnv@gmail.com)  
Phone: 0462-2342931

4. The District Environmental Engineer,  
Tamil Nadu Pollution Control Board,  
C7 & C9, SIPCOT Campus,  
Melavittam, Tuticorin - 628 008  
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Phone: 0461-2341298

5.M/s. Tuticorin Alkali Chemicals  
and Fertilizers Limited,  
S.F. No. 435/2, Mullakadu Part I Village,  
Tuticorin Taluk, Tuticorin District 628 005  
Email: [info@tafert.com](mailto:info@tafert.com)  
Phone: 044-22352513

...Respondents.

For TUTCORIN ALKALI CHEMICALS  
AND FERTILIZERS LIMITED

*S. Rohini Priyadarshini*

S. ROHINI PRIYADARSHINI  
COMPANY SECRETARY

**REPLY TO OBJECTION FILED BY THE 5<sup>TH</sup> RESPONDENT**

This respondent has gone through the objections filed and hereby deny the same as incorrect. With regard to the allegation that the unit has operated without valid consent to operate (Renewal) from 01.04.2015 to 07.07.2019 for 1648 days and the environmental compensation calculated for 1648 days instead of 362 days we submit we have applied for renewal of consent for the year 2015-16 vide OCMMS Application No.510983 dated 23.05.2015 and the JCEE inspected on 17.08.2015 and directed during inspection to provide an "online monitor" for PM in Boiler Stack, PM and Ammonia for Ammonium chloride drier stack.

Mr.S.P.Muthuraman is contending that the consent was not renewed for the period 01.04 2015 - 07.07.2019 for 1648 days. 08.07.2019 is the date on which the current consent was received. The consent was not issued afresh starting from 01.04.2015, for the only reason of absence of an "online monitoring" systems as directed by TNPCB. On receiving the direction to set up the system, the Company wrote to the TNPCB pleading for more time to implement the system in view of the precarious cash flow situation and accordingly 6 month time was granted vide their letter dated 18.04.2016 by the Chairman, TNPCB.

As per the letter dated 18/04/2016 from Chairman, TNPCB directed us to provide online analyzers for PM emission from boiler and PM and Ammonia emission from Ammonium chloride **within six month**. We installed the online monitoring system for the boiler stack and Ammonium chloride drier stack emissions and commissioned it on 27.06.2016 with in the stipulated time of **Six months** as directed by TNPCB.

Annexure 7 (Page No.47) of the Joint Committee report set up by the Hon'ble NGT, is the data of emissions from those stack as monitored, sent through the net and recorded at TNPCB. We have fully complied the direction from the Chairman, TNPCB. We have applied for the renewal of the consent with relevant fees for the subsequent years within the stipulated time, and we have obtained renewal for consent to operate on 08.07.2019. All these correspondence is clearly explained in the Joint committee report submitted to the Hon'ble NGT.

It is also to be noted that during this period, TNPCB was carrying out routine monthly inspections, sampling and the reports have also been submitted to NGT. Moreover either before the online installation or later, as per the reports there were no excursions of any of the parameters or mal-operation.

**For TUTICORINALKALI CHEMICALS  
AND FERTILIZERS LIMITED**  
  
**S. ROHINI PRIYADARSHINI  
COMPANY SECRETARY**

Based on the direction issued by the Hon'ble NGT Principle bench Delhi vide in, the matter OA No: 593/2017(WP(Civil)) No. 375/2012.,we have fully complied the direction from the chairman TNPCB. As such there are no violations and no penalty is leviable.

**With regard to the allegation that the unit has installed a Carbon-di-oxide (CO<sub>2</sub>) plant without the consent of the board it is submitted as follows:**

CO<sub>2</sub> is one of the main raw materials and SPIC Ammonia plant provided surplus CO<sub>2</sub> that they have, after meeting their internal requirement for the manufacture of Urea. The Government of India have requested SPIC to change over to gas reforming, which has lower carbon content and hence they would not able supply to us. In this situation, we have installed CO<sub>2</sub> recovery plant from the flue gas of our coal fired boiler and capturing nearly 60,000 TPA of CO<sub>2</sub> and used as raw material for our Soda Ash production. **We have not enhanced or modified the process or utility plants and they continue as it is** as per the consent orders issued.

We have changed only the source of raw materials and there is no change in the raw materials and product in both quality and quantities and hence we have not applied for fresh consent for the CO<sub>2</sub> recovery plant.

However as per the fresh compliance condition given consent order No. 19082510983 dated 08/07/2019 (which is given in the Joint committee report as Annexure.3). We have applied consent to operate for CO<sub>2</sub> recovery plant and obtained consent to operate for CO<sub>2</sub> recovery plant.

Installation of CO<sub>2</sub> recovery plant is substituting the CO<sub>2</sub> source from SPIC to our own recovery and is only aiding the environment by reducing the pollutant load of CO<sub>2</sub> / NOX / SOX to atmosphere and it will not increase pollution load to atmosphere. **Our humble request would be, is to recognize our efforts, as we are the first in the world to attempt such an innovative approach to recover the CO<sub>2</sub> and permanently fix it as Soda Ash, to save the environment.**

**With regard to the allegations that the unit has installed a Desalination Plant without consent of the Board we submit that**

We have salt pans since 1989 adjacent to our plant, which uses sea water for production of salt. We conceived this idea that the sea water will pass through membrane filters to separate good water, which is sufficient to meet our requirement and the rejected water from the membranes now enriched with all the salts, is fed to the salt pans without any change as before thus enhancing the salt production also.

For TUTICORIN ALKALI CHEMICALS  
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*S. Rohini Priyadarshini*  
S. ROHINI PRIYADARSHINI  
COMPANY SECRETARY

Due to monsoon failure in 2016-17, water became very scarce and the TWAD suspended the water supply and in order to continue the production of fertilizers and supply to farmers and protect the livelihood of more than 1000 workers and to ensure continuous production of Soda Ash, we have installed the above plant without violating any of the law or increasing the pollution load of the plant.

However as per the fresh compliance condition given consent order No. 19082510983 dated 08/07/2019 (which is given in the Joint committee report as Annexure.3), we have applied consent to operate for Desalination plant and obtained consent to operate for the desalination plant.

Here again, it is felt that the innovative effort of the Company need to be appreciated as the initiative of the Company to release 1500 to 3000 MLD of potable water for public distribution, while ensuring the continuous operation of the plant and also salt production without violation any of the laws.

**4. Allegation of “The Unit has not provided the continuous Ambient Air quality monitoring arrangements for Ammonia and pH,BOD,COD in the effluent”**

We have recycled and reused our effluents generated and we have not letting out any effluent to public sewer or sea since 2005. On this basis we have submitted a letter to Member secretary, TNPCB on 01.09.2015 for seeking exemption to provide online monitor in the treated effluent and the same has been mentioned in the Joint committee report page No. 7. Moreover vide letter dated 18/04/2016 from Chairman, TNPCB directed us to provide online analyzers for PM emission from boiler, PM and Ammonia emission from Ammonium chloride only and not insisted us to provide Ambient air Monitoring and online analyzer to treated effluent, since it is being completely recycled with in the industry.

However as per the show cause notice dated 13.07.2018 from JCEE, Tirunneveli, TNPCB, we have installed the Ambient Air quality monitoring arrangements for Ammonia and pH,BOD,COD analyser in the effluent. Period of Effluent and Ambient air connectivity to TNPCB is attached in the Joint committee report as Annexure 7(Page No.47).

Joint Committee formed by Hon'ble NGT during inspection remarked that it is better to install flow meter in effluent system and hence orders were placed and equipment's were procured afresh in spite of the difficult cash flow situation of the

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Company and commissioned the same and connected it to the Water Quality watch of TNPCB. This was also inspected by the TNPCB during their last visit.

Dated at Chennai, on this the 8<sup>th</sup> day of September 2021.

*M. Govind*

Counsel for the 5<sup>th</sup> Respondent.

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5<sup>th</sup> Respondent.

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...Applicant

Versus

The Secretary  
Environment and Forest Department  
& others

...Respondents

**REPLY TO THE OBJECTION FILED  
BY THE 5TH RESPONDENT**

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**COUNSEL FOR 5TH RESPONDENT**