

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

**Original Application No. 244 of 2021 (SZ)**

S.S. Rajasekaran,  
Mettur Dam, Salem

-Vs-

R. Ramachandran  
Managing Director,  
Mettur Dam, Salem District & Others.

...Respondents

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**Filed by**

Thiru. Sai Sathyajith,  
BSC, Chennai.

**Independent Report in compliance of the Hon'ble National Green Tribunal in the matter of O.A.No.244/2021 in the order dated. 23/12/2021 by the District Environmental Engineer, Salem**

**Back Ground:-**

The Hon'ble National Green Tribunal (SZ) passed order dated 23/12/2021 in the matter of O.A.No.244/2021 and directed as follows

*"Para 08: In the mean time, the 5th Respondent/District Collector – Salem District or his/her nominee as deputed by him, not below the rank of Assistant Collector/Sub Divisional Magistrate and the 4th Respondent/ District Environmental Engineer - Tamil Nadu Pollution Control Board, Salem are directed to inspect the unit in question and submit an independent factual as well as action taken report, if there is any violation found"*

*" Para 09: They are directed to ascertain as to whether such type of unit is permissible in a residential area, whether consent or other permissions (if any) required under environmental laws have been obtained by the 1<sup>st</sup> respondent, whether any air or noise pollution caused on account of the activities of the 1<sup>st</sup> respondent, causing inconvenience to the people in that locality, whether the pollution control mechanism provided is sufficient to mitigate the possible pollution both air as well as noise pollution and other pollution likely to be caused on account of their operation and if not , what further measures are to be taken to mitigate the same. If there is any violation found, then the Tamil Nadu Pollution Control Board is directed to assess the compensation as well, as directed by this Tribunal and also by the Principal Bench of National Green*

**2. Inspection of the unit:**

The unit M/s R.K.Electrical, Mettur was inspected by the Sub Collector, Mettur and the District Environmental Engineer, Salem on 09/02/2022.





### **3.Activities carried out within the unit premises:**

The unit involves in the motor rewinding, motor service, dismantling & assembling , pump service, stator service of electrical motors and pumps received from TANGEDCO and local customers. The machineries used for these servicing are as follows

- Hydraulic- for removing bearing and pulley
- Auto drimmer-checking the motor after service
- Driling machine-motor servicing

The workshop is having 80 ft length, 15ft breadth, 20 ft height of total area 1200 sq.feet. The shed is covered with metallic sheet with 7 No of transparent sheet for penetration of sunlight.



#### **4. Details of observation made during inspection:**

In compliance to the Hon'ble NGT order dated 23/12/2021, the unit M/s R.K.Electrical, Mettur was inspected by the Sub Collector, Mettur and the District Environmental Engineer, Salem on 09/02/2022. During inspection the following were observed.

1. The unit was in operation.
2. The complainant (Thiru S.S. Rajasekaran) house is located in the western side, a complex at eastern side, Road followed by houses in the northern side and houses in the southern side..
3. The unit was found under operation without obtaining consent of the Board under Air (P&CP Act,1981 as amended in 1987 and water (P&CP Act,1974 as amended in 1988).
4. The unit has not provided Air pollution control measures to the painting section and noise control measures during operation of machineries.
5. Epoxy Hardener and Epoxy Resins in cans and tins are noticed within the unit's premises
6. The unit was carrying out resin coating to the motor coil.
7. The unit was generating iron scrap & copper wire etc.,
8. There was no trade effluent generation from the unit.
9. Residents are located in the nearby area.

#### **5.Land use classification :**

The Commission, Mettur Municipality was requested to furnish the Land use classification of the unit M/s R.K.Electrical, Mettur vide this office letter dated 10.02.2022.Since the reply was not received again a reminder letter was sent to furnish Land use classification of the unit vide this office letter dated 28.03.2022

### **6.Details of AAQ/ANL survey conducted:**

The Ambient Air Quality / Noise Level survey was conducted in the vicinity of M/s R.K.Electrical, Mettur, Salem District on 23.03.2022 by Advance Environmental Laboratory, Tamil Nadu Pollution Control Board, Salem. The Report of Analysis is enclosed herewith

The details of Ambient Air Quality monitoring stations and its pollutants concentration in the four locations

Sl. No	Location	Direction	Distance (m)	Height from GL (m)	Pollutants Concentration ( $\mu\text{G}/\text{m}^3$ )		
					PM10	SO2	NO2
1	On house top of Thiru.M.AshokKumar. 11/35 A,MMC Road, Old Market, Mettur	NE	75	6	55	10	15
2	On building top of Praveena Complex owned by Thiru. S.SenthilKumar, 52, MMC Road, Mettur.	E	75	4	62	12	17
3	On house top of Thiru..Dhilipan, 18/65, New Mettur, Mettur	SW	100	4	47	7	13
4	On scaffolding top of Hotel Akash Residency, Old market, Mettur	W	70	2	44	9	14

The details of Ambient Noise Level Survey conducted in the four locations

Sl.No.	Location	Direction	Distance (m)	SoundLevel- dB(A)					
				Leq		L Max		L Min	
				Idle	Operation	Idle	Operation	Idle	Operation
I.	<b><u>Boundary Line:</u></b>								
1.	On house top of Thiru. M.AshokKumar. 11/35 A,MMC	NE	75	64.4	65.5	74.9	78.2	61.9	63.8

	Road, Old Market, Mettur								
2.	On building top of Praveena Complex owned by Thiru. S.SenthilKumar 52, MMC Road, Mettur.	E	75	63.5	64.8	74.3	75.1	61.4	63.2
3.	On house top of Thiru..Dhilipan, 18/65, New Mettur, Mettur	SW	100	49.1	50.8	56.6	58.7	46.2	47.7
4.	On scaffolding top of Hotel Akash Residency, Old market, Mettur	W	70	51.3	52.8	56.0	57.5	44.7	48.0
II.	<b>Inside the plant:</b>								
1.	At the centre of M/s.R.K. Electricals	-	-	69.0	80.2	92.4	96.3	50.2	50.5

The above sampling stations I to IV along with direction & Distance are schematically noted and enclosed.

Sl. No.	Pollutant	Values in microgram/m <sup>3</sup>		Board's Standards (µg/m <sup>3</sup> )
		Minimum	Maximum	
1.	Respirable Suspended Particulate Matter:PM <sub>10</sub>	44	62	100
2.	Gaseous Pollutants:- (i) SO <sub>2</sub>	7	12	80
	(ii) NO <sub>2</sub>	13	17	80

❖ *The Pollutant level concentrations were monitored with full operational condition of the unit. The value is found to be well within the Board standards.*

The Noise Level readings were recorded in the boundaries of the Ambient locations are tabulated and the values recorded in the NE, E, SW & W direction. The Noise Level

readings were recorded in the unclassified area / Non planned area covering the boundaries of the unit are tabulated

Noise Standard in Leq dB(A)		
	Day time	Night time
Residential	55	45

Ref : Ambient Air Quality standards in respect of Noise [See rule 3(1) and 4(1)]

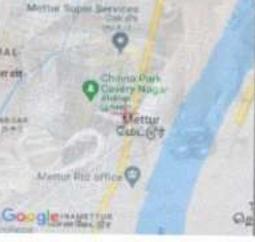
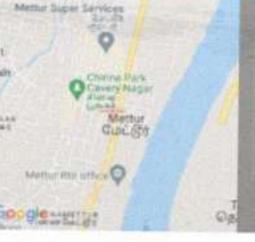
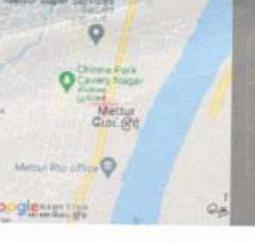
Sl. No	Location	Distance (m)	Direction	Sound Level - dB(A)					
				Leq		LMax		LMin	
I	<u>Inside of the Plant</u>			Idle	Operation	Idle	Operation	Idle	Operation
1.	At the Centre of M/s R.K.Electricals	-	-	69.0	80.2	92.4	96.3	50.2	50.5

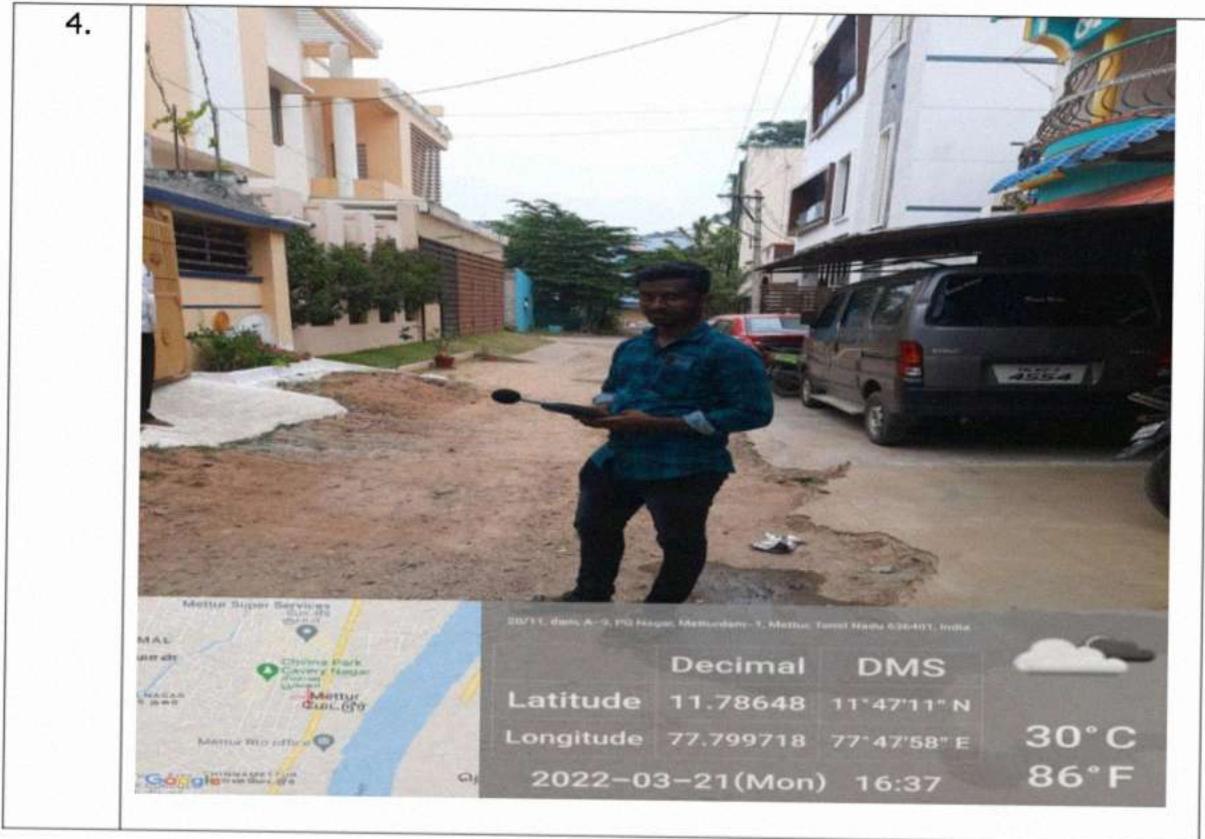
Ref : Table - 3 OSHA's "Table G -16" regarding permissible Noise Exposures

❖ The Noise level reading was recorded in the operational area (Permissible Source Noise - 90 decibels) was found to be well within the prescribed norms. The other Noise level readings are tabulated.

Sl. No.	Ranging from	Leq dB(A)	L (Max)	L (Min)
1.	Without operation <b>(Idle)</b>	49.1 - 64.4	56.6 - 74.9	44.7 - 61.9
2.	With operation	50.8 - 65.5	57.5 - 78.2	47.7 - 63.8

Also as per The Noise Pollution (Regulation and Control) Rules, 2000; Rule No: 7 (1) A person may, if the noise level exceeds the ambient noise standards by 10 dB(A) or more given in the corresponding columns against any area / zone (or if there is a violation of any provision of these rules regarding restrictions imposed during night time) make a complaint to the authority.

Sl. No.	AAQ survey conducted at R.K. Electricals, Mettur on 21.03.2021															
1.	 <div data-bbox="386 739 641 981">  </div> <div data-bbox="641 739 1425 981"> <p>20/11, dam, A-9, PG Nagar, Metturdam-1, Mettur, Tamil Nadu 636401, India</p> <table border="1"> <thead> <tr> <th></th> <th>Decimal</th> <th>DMS</th> <th></th> </tr> </thead> <tbody> <tr> <td>Latitude</td> <td>11.786901</td> <td>11° 47' 12" N</td> <td rowspan="2">34° C 93° F</td> </tr> <tr> <td>Longitude</td> <td>77.799957</td> <td>77° 47' 59" E</td> </tr> <tr> <td colspan="4">2022-03-21(Mon) 15:06</td> </tr> </tbody> </table> </div>		Decimal	DMS		Latitude	11.786901	11° 47' 12" N	34° C 93° F	Longitude	77.799957	77° 47' 59" E	2022-03-21(Mon) 15:06			
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2.	 <div data-bbox="386 1481 641 1723">  </div> <div data-bbox="641 1481 1388 1723"> <p>20/11, dam, A-9, PG Nagar, Metturdam-1, Mettur, Tamil Nadu 636401, India</p> <table border="1"> <thead> <tr> <th></th> <th>Decimal</th> <th>DMS</th> <th></th> </tr> </thead> <tbody> <tr> <td>Latitude</td> <td>11.787005</td> <td>11° 47' 13" N</td> <td rowspan="2">34° C 93° F</td> </tr> <tr> <td>Longitude</td> <td>77.80001</td> <td>77° 48' 0" E</td> </tr> <tr> <td colspan="4">2022-03-21(Mon) 15:12</td> </tr> </tbody> </table> </div>		Decimal	DMS		Latitude	11.787005	11° 47' 13" N	34° C 93° F	Longitude	77.80001	77° 48' 0" E	2022-03-21(Mon) 15:12			
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2022-03-21(Mon) 15:12																
3.	 <div data-bbox="386 2233 641 2475">  </div> <div data-bbox="641 2233 1388 2475"> <p>East main road, praveena complex, eskar bunk, opp. Mettur, Chinnamattur, Mettur, Tamil Nadu 636401, India</p> <table border="1"> <thead> <tr> <th></th> <th>Decimal</th> <th>DMS</th> <th></th> </tr> </thead> <tbody> <tr> <td>Latitude</td> <td>11.786967</td> <td>11° 47' 13" N</td> <td rowspan="2">34° C 93° F</td> </tr> <tr> <td>Longitude</td> <td>77.800101</td> <td>77° 48' 0" E</td> </tr> <tr> <td colspan="4">2022-03-21(Mon) 15:17</td> </tr> </tbody> </table> </div>		Decimal	DMS		Latitude	11.786967	11° 47' 13" N	34° C 93° F	Longitude	77.800101	77° 48' 0" E	2022-03-21(Mon) 15:17			
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2022-03-21(Mon) 15:17																



**Compliance of Hon'ble NGT in order dt 01.07.2021**

S.No	NGT Directions	Compliance
1.	They are directed to ascertain as to whether such type of unit is permissible in a residential area, whether consent or other permissions (if any) required under environmental laws have been obtained by the 1 <sup>st</sup> respondent,	<p>As per the Tamil Nadu Combined Development and Building Rules, 2019, this orange category industrial unit is not allowed in residential area.</p> <p>The unit shall obtain consent of the Board under the Water (Prevention &amp; Control of Pollution) Act 1974 amended in 1988 and the Air (Prevention &amp; Control of Pollution) Act 1981 amended in 1987 since spray painting activity was carried out in the unit.</p> <p>Hence, the unit M/s.R.K.Electrical, Mettur, Salem District has been issued with Show cause notices under the Air (P&amp;CP Act,1981 as amended in 1987 and water (P&amp;CP Act,1974 as amended in 1988 for operating without obtaining consent of the Board under Air (P&amp;CP Act,1981 as amended in 1987 and water (P&amp;CP Act,1974 as amended in 1988.</p>

2.	<p>whether any air or noise pollution caused on account of the activities of the 1<sup>st</sup> respondent, causing inconvenience to the people in that locality,</p>	<p>The Ambient Air Quality / Noise Level survey was conducted in the vicinity of M/s R.K.Electrical, Mettur, Salem District on 23.03.2022 by Advance Environmental Laboratory, Tamil Nadu Pollution Control Board, Salem. The Report of Analysis is detailed above.</p> <p>The Ambient Air Quality / Noise Level survey reveals that</p> <ol style="list-style-type: none"> <li>1. The Pollutant level concentrations were monitored with full operational condition of the unit. The value is found to be well within the Board standards</li> <li>2. The Noise level reading was recorded in the operational &amp; idle position.</li> <li>3. The Noise survey report reveals that the noise level increases during idle and operational time in the vicinity of the unit is meagre. Hence, there is no possibility to cause inconvenience to the public nearby due to operation of the unit.</li> </ol>
3.	<p>Whether the pollution control mechanism provided is sufficient to mitigate the possible pollution both air as well as noise pollution and other pollution likely to be caused on account of their operation and if not, what further measures are to be taken to mitigate the same.</p>	<p>The unit has not provided a proper APC measures to the painting area to arrest small emission from the painting activity.</p>
4.	<p>If there is any violation found, then the Tamil Nadu Pollution Control Board is directed to assess the compensation as well, as directed by this Tribunal and also by the Principal Bench of National Green Tribunal, New Delhi in similar cases of this nature</p>	<p>The unit M/s R.K. Electrical, Mettur, Salem District has been issued with Show cause notices under the Air (P&amp;CP) Act, 1981 as amended in 1987 and the water (P&amp;CP) Act, 1974 as amended in 1988 for operating without obtaining consent of the Board under Air (P&amp;CP) Act,1981 as amended in 1987 and water (P&amp;CP)</p>

		<p>Act, 1974 as amended in 1988.</p> <p>Further, the unit M/s R.K.Electricals has submitted an undertaking on 06.05.2022 stating that</p> <ul style="list-style-type: none"> <li>• the unit is carrying motor coil winding unit at the location No:14/48, Municipality street, Mettur Dam-1, Mettur Taluk, Salem District</li> <li>• The compressor motor kept for service has been serviced &amp; winded and handed over to the customer on 18.02.2022.This activity doesn't cause any pollution</li> <li>• The unit has assured that it will not carry out transformer repairing work, painting &amp; oil service activity in the above said premises.</li> </ul> <p>During subsequent inspections the unit was found closed and no operation of transformer repair, painting &amp; oil service activity were noticed in the unit.</p> <p>The report of analysis with respect to Noise &amp; Air pollutants reveals that all the parameters are within the prescribed limit.</p>
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**Details of action taken:**

The unit M/s R.K. .Electrical, Mettur, Salem District has been issued with Show cause notices under under Air (P&CP Act,1981 as amended in 1987 and water (P&CP Act,1974 as amended in 1988 for the following violations therein.

- The unit was found under operation without obtaining consent of the Board under Air (P&CP Act,1981 as amended in 1987 and water (P&CP Act,1974 as amended in 1988.
- The unit has not provided Air pollution control measures to the painting section and noise control measures during operation of machineries.
- The unit was generating iron scrap & copper wire etc.,
- Residents are located in the nearby area.

The unit M/s R.K.Electricals has submitted an undertaking on 06.05.2022 stating that

- the unit is carrying motor coil winding unit at the location No:14/48, Municipality street, Mettur Dam-1, Mettur Taluk, Salem District

- The compressor motor kept for service has been serviced & winded and handed over to the customer on 18.02.2022. This activity doesn't cause any pollution
- The unit has assured that it will not carry out transformer repairing work, painting, oil service activity in the above said premises.

During subsequent inspections the unit was found closed and no operation of transformer repair, painting & oil service activity were noticed

**Recommendations:-**

The unit of M/s R.K.Electricals No:14/48, Municipality street, Mettur Dam-1, Mettur Taluk, Salem District has assured that it will not carry out transformer repairing work, painting & oil service activity in the above said premises. Further actions will be taken against the unit, if it resumes the painting related works in the unit.

  
**District Environmental Engineer  
Tamil Nadu Pollution Control Board  
Salem**

**BEFORE THE HON'BLE NGT (SZ),  
CHENNAI**

**Original Application No. 244 of 2021 (SZ)**

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**Independent Report in compliance of the  
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Environmental Engineer, Salem**

Advocate for Respondent: TNPCB  
Thiru. Sai Sathyajith  
BSC, Chennai.

Dated: 07.09.2022

Date of hearing: 15.09.2022