

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

Original Application No.25 of 2022 (SZ)

M. Sundaramurthy,
Chennai and Ors.

...Applicant

Vs

The Principal Secretary,
Department of Environment, Climate Change &
Forest, Government of Tamil Nadu and Ors

...Respondents

INDEX

S.No	Description	Page No.
1.	REPORT FILED ON BEHALF OF THE 4th & 5 TH RESPONDENTS – TAMIL NADU POLLUTION CONTROL BOARD.	1- 4

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

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Original Application No.25 of 2022 (SZ)**

M. Sundaramurthy,
Chennai and Ors.

...Applicant

Vs

The Principal Secretary,
Department of Environment, Climate Change &
Forest, Government of Tamil Nadu and Ors

...Respondents

**REPORT FILED ON BEHALF OF THE 4th & 5th RESPONDENTS
TAMIL NADU POLLUTION CONTROL BOARD.**

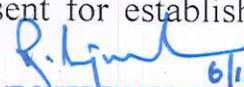
I, R. Rajamanickam, S/o. P.M.Ramasamy, Hindu, aged about 58 years, having my office at 76, Mount Salai, Guindy, Chennai-600032, do hereby solemnly affirm and sincerely state as follows:-

I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board (TNPCB), Chennai -600 032, and filing this Report on behalf of the Respondents Tamil Nadu Pollution Control Board (TNPCB) 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 NGT vide order dated:10.11.2022 have ordered that "12. *Let the State Pollution Control Board also file a separate report regarding the violations done by the project proponent and their recommendation*".

3) It is respectfully submitted that based on the Hon'ble Tribunal direction the residential complex was inspected on 28.11.2022 by the officials of TNPC Board. During inspection the following points were observed.

- a) Earlier, the unit M/s. Escapade Real Estate Pvt Ltd, S.F No. 381/1A, 381/1B1, etc., Senkuntram Village, Chengalpattu Taluk, Chengalpattu District has obtained Environmental Clearance from the MoEF&CC, GoI, New Delhi vide letter dated 22.07.2008 for the construction of residential complex on a plot area of 1,82,329.61 sq.m. The total built up area proposed is 1,15,492.88 sq.m It is proposed to construct 238 villas (G+1) and 368 apartments (stilt+4 floors). The unit has also obtained consent for establishment vide


6/12/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

Board Proc. dated 25.06.2009 for construction of residential complex with total built up area of 1,15,492.88 sq.m.

- b) Subsequently, the unit has obtained Environmental Clearance from SEIAA, Tamil Nadu vide Lr.No. SEIAA/ TN/F.3814/ EC/8(a)/435/2015 dated 18.12.2015 for the construction of residential development comprising of Block A (G + 3 Floors) – 7 wings, Block B (G + 3 Floors) – 30 wings, Block C (G + 3 Floors) – 3 wings, Block D (G + 3 Floors) – 4 wings, Block E (G + 3 Floors) – 7 wings, Block F (G + 3 Floors) – 1 wing, Block G (G + 3 Floors) – 1 wing with total built up area of 90531.36 Sq.m. and with dwelling units- 936 Nos. and for the sewage generation of 564 KLD and no trade effluent generation. The unit has proposed to provide DG set 250 KVA-1No. and 500 KVA-2 nos.
- c) The unit has obtained planning permission from the DTCP vide Letter no.695/2014/CH 3 dated 15.7.2015 and vide Letter No: 23472/18/CH3 Dt: 10/01/2019 and obtained building plan approval from Maraimalai Nagar Municipality vide Letter No. 413/2015/A1 Dt:06/11/2015 and vide letter no.236/2019 dated 15.2.2019.
- d) The unit has obtained Consent for Establishment under the Water and Air Acts vide Board's proceedings no. T2/TNPCB/F.1219MMN/RL//MMN/W/2020 dated: 19/02/2020 for the construction of Residential development of Block A (G+3F) - 7 Wings, Block B (G+3F) -30 Wings, Block C (G+3F) - 3Wings, Block D (G+3F) - 4 Wings, Block E (G+3F)- 7 Wings, Block F (G+3F)- 1 Wing, Block G (G+3F) - 1 Wing with 936 dwelling units with total built up area of 90531.36 Sq.m.
- e) The unit has applied and obtained Consent to Operate – Phase I under the Water and Air Acts vide Board's proceedings no.T2/TNPCB/ F.1219MMN/ RL/MMN/W&A/ 2021 Dated: 30/04/2021 valid upto 31.03.2022 for the Residential development of Block A (G+3F)-2 Wings, Block B (G+3F) -2 Wings, Block D (G+3F)- 1 Wings with 144 dwelling units with total built up area of 14727.23Sq.m and for the sewage generation of 87 KLD and for the

utilization of treated sewage on land for gardening, toilet flushing and to discharge part of the treated sewage to farmers for irrigation purpose.

- f) The unit was already inspected by the TNPCB officials on 06.04.2022 and it was noticed that the unit has completed the construction of another 144 dwelling units in addition to the existing consented 144 dwelling units and of the additional 144 dwelling units constructed 56 units have been occupied without consent to operate of the Board, hence a show cause notice was issued to the unit vide proceedings dated 11.04.2022.
- g) The unit has not obtained CTO for the constructed 185 Nos. of villas with total built up area of 32053.5 Sq.m. For which the unit has stated that it is a separate entity and it is not part of their project. However a show cause notice was issued vide Proc. dated 06.07.2022 to the unit for the above said activity without valid consent of the Board.
- h) The unit has provided Sewage Treatment Plants of capacities 100 KLD, 75 KLD and 75 KLD. Recently the unit has installed a new STP having capacity of 750 KLD for the treatment and disposal of sewage generated from the residential complex and also from the villas. The treated sewage was utilized on land for gardening within the residential complex. The unit has made some pipeline arrangements for utilizing part of the treated sewage to farmers for irrigation purpose.
- i) The Petitioner Thiru M Sundaramurthy and Others have a land of about 160 Cents adjacent to the said residential complex in the Eastern side and the said land was surrounded by compound wall on all four sides. No discharge of sewage into the adjacent land of the petitioner was noticed during the time of inspection on 28.11.2022.
- j) The unit has submitted application for CTO for its residential complex phase II and III activity and the same is under process. The unit has not filed any application for CTO for the 185 Nos. of villas with total built up area of 32053.5 Sq.m.


6/12/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI.

4) It is respectfully submitted that, in view of the above, the TNPCB vide Proc.No.T3/TNPCB/F.025784//MMN/W&A/Direction/2022 dt:06.12.2022 has issued the following directions Section 33 A of the Water (P&CP) Act, 1974 as amended and under section 31A of the Air (P&CP) Act, 1981 to the unit of M/s. Escapade Real Estate private Limited, Senkuntram Village, Chengalpattu Taluk, Kancheepuram District:

1. The proponent shall file the application for Consent to operate of the Board for the 185 Nos. of villas located in the Senkuntram Village, Chengalpattu Taluk, Chengalpattu District.
2. The proponent of the residential complex shall ensure that the sewage generated from the residential complex is properly collected, treated and disposed properly for toilet flushing and gardening.
3. The proponent shall complete the laying of pipelines works to utilize the treated sewage to farmers for irrigation purpose.
4. The proponent of the residential complex shall maintain the surplus rain water disposal arrangements provided within the premises and ensure that there will not be any blockage in the network system at any point of time.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal 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.


JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

BEFORE ME

VERIFICATION

I, R. Rajamanickam, S/o. P.M. Ramasamy, working as Joint Chief Environmental Engineer, having office at No. 76, Anna Salai, Guindy, Chennai – 32, do hereby submit that the above contents are true to the best of my knowledge and belief through records.


JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

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

Original Application No.25 of 2022 (SZ)

M. Sundaramurthy,
Chennai and Ors

...Applicant

Vs

The Principal Secretary,
Department of Environment, Climate Change &
Forest, Government of Tamil Nadu and Ors

...Respondents

**REPORT FILED ON BEHALF OF THE 4th &
5th RESPONDENTS - TAMIL NADU
POLLUTION CONTROL BOARD.**

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

Date:06.12.2022.

Date of hearing on: 15.12.2022.