

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

**Original Application No.32 of 2022**

M/s. Fomra Housing and Infrastructure Pvt. Ltd.,  
Rep by its Managing Director Mr. Sharad Fomra,  
No18, AA Block, 3<sup>rd</sup> Street, Anna Nagr,  
Chennai- 600 040.

...Applicant

**Vs**

1. The Chairman,  
Tamil Nadu Pollution Control Board  
No.76, Mount Salai  
Guindy, Chennai-600 032 & 2 others.

...Respondents

**INDEX**

S.No	Description	Page No.
1.	<b>REPORT FILED ON BEHALF OF THE 1<sup>ST</sup> AND 2<sup>RD</sup> RESPONDENTS - TAMIL NADU POLLUTION CONTROL BOARD.</b>	<b>1 - 3</b>

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



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

**Original Application No.32 of 2022**

M/s. Fomra Housing and Infrastructure Pvt. Ltd.,  
Rep by its Managing Director Mr. Sharad Fomra,  
No18, AA Block, 3<sup>rd</sup> Street, Anna Nagr,  
Chennai- 600 040.

...Applicant

Vs

1. The Chairman,  
Tamil Nadu Pollution Control Board  
No.76, Mount Salai  
Guindy, Chennai-600 032.  
2. The District Environmental Engineer,  
Tamil Nadu Pollution Control Board,  
Chennai  
3. M/s. Gee Emm Arr Chemical,  
Rep by its Proprietor Mr. G. Munirathinam,  
No.1/4, Poonamallee High Road,  
Vanagaram,  
Chennai – 600 095.

...Respondents

**REPORT FILED ON BEHALF OF THE 1<sup>ST</sup> AND 2<sup>RD</sup>  
RESPONDENTS - TAMIL NADU POLLUTION CONTROL  
BOARD.**

I, R. Rajamanickam, son of P.M. Ramasamy, Hindu, aged about 57 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 Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board and I am filing this Report on behalf of the 1<sup>st</sup> & 2<sup>rd</sup> Respondents Board and as such I am well acquainted with the facts of the case as per records.

2. It is respectfully submitted that the applicant filed this application against the TNPCB & Gee Emm Arr Chemical, Chennai with the following prayer :

*“To direct the 1<sup>st</sup> and 2<sup>nd</sup> respondent to take action against the 3<sup>rd</sup> respondent for setting up, commencing and operating the illgal unit of handling Hazardous Chemicals at No.1/4, Poonamalle High road, vanagaram, Chennai – 600 095”.*

  
25/4/2022  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMILNADU POLLUTION CONTROL BOARD,  
No.76, MOUNT SALAI, CHENNAI-600 032.

3. It is respectfully submitted that the Hon'ble NGT (SZ) has passed order dated 16.03.2022 and directed inter alia as follows:-

*"..Para 8: In the mean time, the District Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai/2n<sup>d</sup> respondent is directed to inspect the unit in question and submit a factual as well as action taken report, if there is any violation found.*

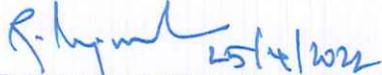
*Para 9: They are directed to consider the question as to;*

- i. Whether it is a permissible activity within that area,*
- ii Whether they had obtained necessary authorisation from Tamil Nadu Pollution Control Board under Rule 6 of the Hazardous and Other Waste (Management and Transboundary Movement) Rules 2016, and if not, what is the nature of action taken against the 3<sup>rd</sup> respondent unit as a regulator*

4. It is respectfully submitted that, in order to comply with the said NGT order, the said location was inspected by officials of the O/o.DEE, TNPCB, Ambattur on 25.03.2022 and found that a unit operating in the name of M/s. Gee Emm Aar Chemical. While enquiring it was informed that they are dealers of Acids and Chemicals and existence in the said location for past 14 years with all necessary licenses for trading cleaning products like phenoyl, Bleaching powder, acids etc. The unit has lot of empty cans and barrels in the premises. The unit has informed that as per customer's need they just transfer their products from trucks to their container and sent through their vehicles and also informed that they do not stock more than 7000 kgs in their godown on the whole.

5. It is further submitted that, the respondent unit is having the License for Possession and Sale of Poisons certificate obtained vide Thiruvallur District Magistrate and District Collector Proc. R.Dis.No.11808/2014/M3, dated 16.02.2017 and No objection certificate issued vide Re.No.E4(1)/173/20385/2016 NOC No.01/2016 by Greater Chennai Police Office, Vepery, Chennai -7. Further it is informed that they have applied for further renewal of License for Possession and Sale of poisons certificate.

6. It is respectfully submitted that the unit is carrying out trading activity of Acids and Chemicals, which is not coming under the industrial activity and any of the Industrial categorization of Tamil Nadu pollution

  
25/4/2022  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMILNADU POLLUTION CONTROL BOARD,  
MOUNT SALAI, CHENNAI-600 032,

Control Board. Authorization will be considered under the Hazardous and Other Waste (Management and Transboundary Movement) Rules 2016 for the consented units which handles hazardous and other wastes mentioned in the schedules in the said rule and not for chemical handling. But, such activities are regulated under the Manufacture, Storage and Transport of Hazardous Chemicals Rules, 1989 by the Director of Industrial Safety and Health under Factories Act, 1948.

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 circumstances of this case and thus render justice.

*R. Rajan* 25/4/22  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMILNADU POLLUTION CONTROL BOARD,  
No.76, MOUNT SALAI, CHENNAI-600 032.  
**BEFORE ME**

**VERIFICATION**

I, R. Rajamanickam, Son of P.M.Ramasamy, working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai – 600 032, do hereby submit that the contents of above report are true to the best of my knowledge through records.

*R. Rajan* 25/4/22  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMILNADU POLLUTION CONTROL BOARD,  
No.76, MOUNT SALAI, CHENNAI-600 032.





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

**Original Application No.32 of  
2022**

M/s. Fomra Housing and Infrastructure  
Pvt. Ltd., Rep by its Managing  
Director Mr. Sharad Fomra,  
No18, AA Block, 3<sup>rd</sup> Street,  
Anna Nagr, Chennai- 600 040.

...Applicant

**Vs**

1. The Chairman,  
Tamil Nadu Pollution Control Board  
No.76, Mount Salai  
Guindy, Chennai-600 032 & 2 others.

...Respondents

**REPORT FILED ON BEHALF  
OF THE 1<sup>ST</sup> AND 2<sup>RD</sup>  
RESPONDENTS - TAMIL  
NADU POLLUTION  
CONTROL BOARD.**

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

**Date:26.04.2022.**

**Date of hearing on:29.04.2022.**