

BEFORE THE NATIONAL GREEN TRIBUNAL, BENCH AT CHENNAI
Original Application No 41/2019

IN THE MATTER OF:

1. Srinivasan K
 Ekkatuthangal, Guindy Chennai-600032
 9791078818/ me.anantharaman@gmail.com

Applicant / Applicant

VERSUS

1. Reliable Polymers
 Represented by its Director\ Proprietor
 D.Srinivasan
 Ekkatuthangal, Guindy Chennai-600032
 and 5 others

Respondents / Respondents

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Filed by
 Applicant

**BEFORE THE NATIONAL GREEN TRIBUNAL,
AT CHENNAI BENCH (SOUTHERN ZONE)**

Original Application No 41/2019

IN THE MATTER OF:

1. Srinivasan K
Ekkatuthangal, Guindy Chennai-600032
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1. Reliable Polymers
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Ekkatuthangal, Guindy Chennai-600032
and 5 others

.....Respondents / Respondents

**OBJECTIONS FILED BY THE APPLICANT TO THE REPORT FILED BY
RESPONDENTS 2 & 3 - TAMIL NADU POLLUTION CONTROL BOARD dated 5th
OCT 2021**

I, Srinivasan K, S/o. Krishnamoorthy, Hindu aged about 69 years, residing at Plot No 3 Achuthan Nagar 1st Street, Ekkatuthangal, Guindy, Chennai– 600032, do hereby solemnly affirm and sincerely state as follows

1. I am the applicant herein.
2. The present dispute is originated only after the establishment of the 1st Respondent's plastic unit.
 - a. The premises of the plastic unit was previously occupied with a Cottage industry and was operated without any objections.
 - b. It is almost 2 years since the adjoining owners made objections to the 1st Respondent.
 - c. Without any remedy, the public complaints were closed with the observation "the plastic unit is operating without Consent \ license"
3. The present Original Application was filed by the applicant against the 1st respondent M/s. Reliable Polymers, who manufactures and recycles plastics using Injection Moulding, in a mixed residential zone, which causes serious Air Pollution, and also causing **serious health hazards** to the adjoining residents.
4. This Hon'ble Tribunal passed an order 16.12.2019 and constituted the Joint committee to inspect the subject matter in question. Accordingly as per the direction of this Hon'ble Tribunal, the Joint Committee has submitted the Joint

Committee report with findings that there is gross violation in terms Noise, Air and other provisions have not been followed by the 1st respondent. More particularly this 1st respondent unit has invited frequent public complaints.

5. The present TNPCB report (dated 5.10.2021) is totally in contradiction with the Joint Committee's Observation. According to the inspection report of the committee there are total 7 Machines and 1 is non operational. However in the report of TNPCB there are total 8 Machines and 4 are not operational. One machine with 60 HP has not been shown in the report of Respondents 2 & 3 for the reasons only known to them.
6. The TNPCB has not denied the key allegations in the present application.
 - 6.1 Unsound use of plastic waste\ Recycled Plastic.
 - 6.2 Release of plastic smell (Toxic) to nearby Residents. Additional photos annexed in Annexure 1.
7. There is a continuous violation by the 1st respondent plastic unit which causes great threat to the human habitation. However, TNPCB has accorded the area as Industrial Area, with the interpretation of non-existence of human habitations, which is untenable in the eyes of law and against the Article 21 of Constitution of India, 1950.
8. Without considering the dispute in question, the TNPCB has given Consent to the plastic unit as Industrial Area as though there is no human habitation and it expired on 31/3/21. **Such consent is in gross violation of the Directions of this Hon'ble Principal Bench (NGT), which prohibited the plastic units to be operated in residential area and near any human habitation.**
9. As per the reply dated 30.09.2021 of the RTI appeal petition which is filed along with this objections that the area in question is "partly mixed residential use zone and partly industrial use zone" (Annexure 2).

Under the above circumstances, I humbly submit that this Hon'ble Tribunal be pleased to pass suitable order as it deems fit and proper in the circumstances of the case and thus render justice.

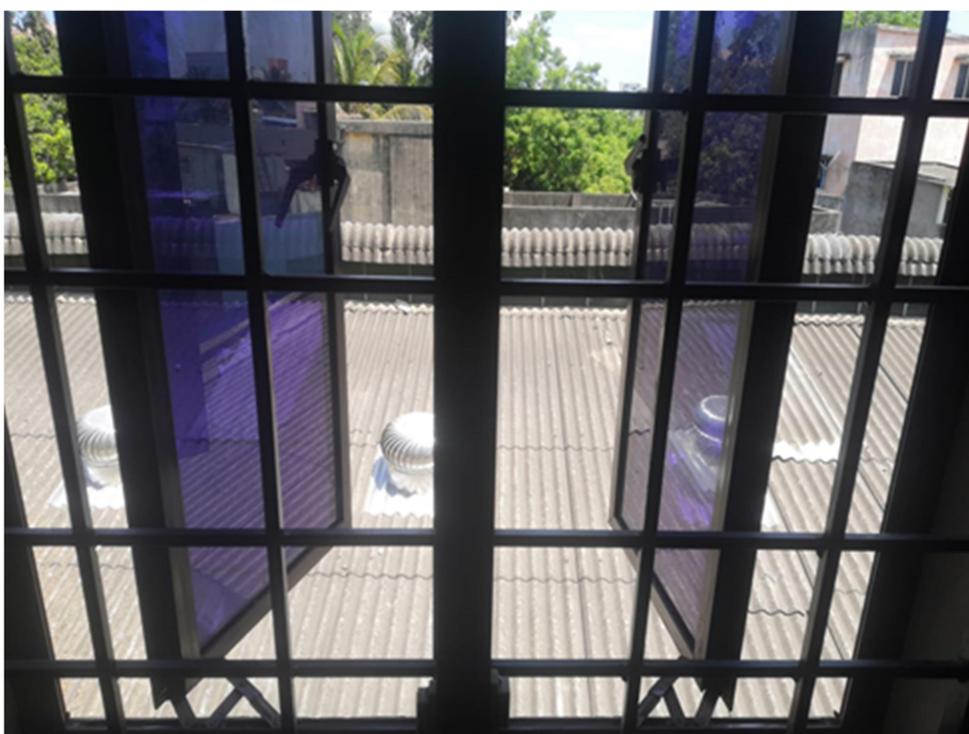
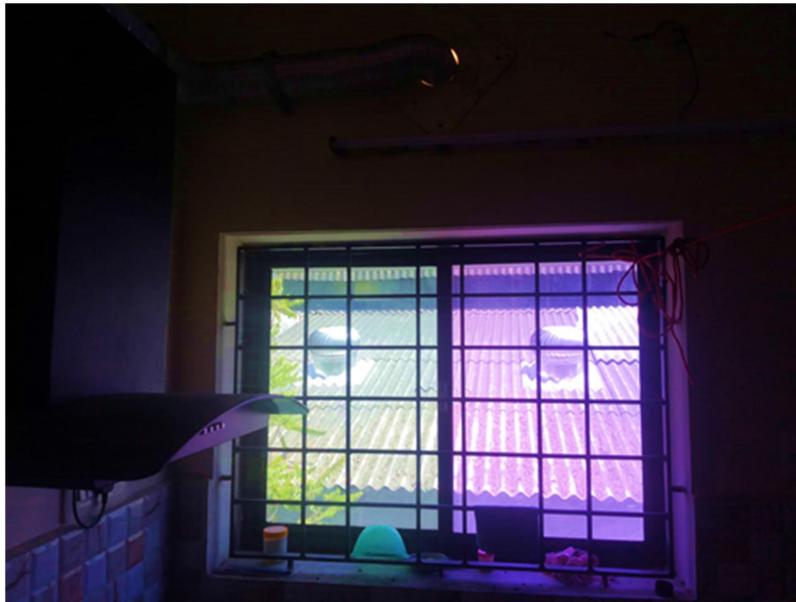
VERIFICATION

I Srinivasan K, presently at Chennai, on this 15th Nov 2021 that, to the best of my knowledge, the contents of the aforesaid affidavit are true and correct and nothing material has been concealed then from.

Applicant



ANNEXURE – 1



ANNEXURE - 2

REGISTERED POST WITH ACKNOWLEDGEMENT DUE



CHENNAI METROPOLITAN DEVELOPMENT AUTHORITY
 Thalamuthu Natarajan Building, No.1, Gandhi Irwin Road, Egmore,
 Chennai - 600 008
 Phone : 28414855 Fax: 91-044-28548416
 E-mail: mcmda@tn.gov.in
 Web site: www.cmdachennai.gov.in

Lr.No.G/PIO/1700/2021

Dated. 30 .09.2021

To
 Thiru K.Srinivasan,
 Flat F2, Plot no.3,Achuthan nagar 1st st,
 Ekkatuthangal, Guindy,
 Chennai-32.
 Sir,

Sub : CMDA – APU Division - Information requested under RTI
 Act 2005 – Information furnished - Regarding.

Ref: 1.Your RTI petition letter dt.18.02.2021 and received on
 19.09.2021.
 2.This Office letter No. G/PIO/1700/2021, dt.11.03.2021.
 3.Your RTI petition letter dt.26.06.2021 and received on
 30.06.2021.
 4.Your RTI Appeal petition letter dated.11.09.2021 and
 received on 14.09.2021.

....

With reference to your petition 1st cited above and however, regarding the appeal
 petition 4th cited above, it is informed that the information furnished as requested by you is
 tabulated below.

Query no.	Reply Furnished
1&2	As per Second Master Plan, the S.No.92 of Ekkattuthangal village is Partly Mixed Residential Use Zone and Partly Industrial Use Zone.

Yours faithfully

(N.ALAMELU)

PUBLIC INFORMATION OFFICER,
 & DEPUTY PLANNER (B-North&Central, APU)

G. K. K. 01/10/2021

P.S. : Under section 19 (1) of RTI Act 2005, in case of any grievance against the information furnished the applicant may appeal to
 the appellate authority whose address is, "Senior Planner, APU CMDA, Thalamuthu – Natarajan Building, No.1, Gandhi Irwin
 Road, Chennai – 8", with in 30 days from the date of receipt of this letter.

BEFORE THE NATIONAL GREEN TRIBUNAL, BENCH AT CHENNAI
(Original Application No 41/2019)

IN THE MATTER OF:

Srinivasan K
 (party-in-person)
 Flat F2, No 3 Achuthan Nagar, 1st street,
 Ekkatuthangal, Guindy Chennai-600032
 9791078818/ me.anantharaman@gmail.com

.....Applicant

VERSUS

1. Reliable Polymers
 Represented by its Director\ Proprietor, D.Srinivasan
 No 1, Achuthan Nagar, 1st street,
 Ekkatuthangal, Guindy Chennai-600032
reliablepolymerschennai@gmail.com, 9841030371,
 And 5 others

..... Respondent

PROOF OF SERVICE

S.No	Party	Receiving
1.	Respondent 1 (through Email)	
2.	Respondent 2 & 3(through Email)	 <p style="text-align: right;">Anantha Raman <me.anantharaman@gr></p> <hr/> <p>OA 41/2019 - Objections filed by the applicant for Report of the Board dated 05.10.21 1 message</p> <hr/> <p>Anantha Raman <me.anantharaman@gmail.com> Tue, Nov 16, 2021 a To: tnpcb-chn@gov.in, tnpcbchennai@yahoo.in, commissioner@chennaicorporation.gov.in, aczone13@chennaicorporation.gov.in, collrchn@nic.in, reliablepolymerschennai@gmail.com, elambharathi@gmail.com, subbuelam@gmail.com, sampathkumar sampathkumar <ssk732001@gmail.com></p>
3.	Respondent 4 & 5 (through Email)	<p>Respected Sir,</p> <p>It is submitted that the applicant submitted the objections to the below reports for OA 41/2019. Attached the PDF copy of the same with this email.</p> <p>To the report filed by Respondent 2 & 3 dated 5th Oct 2021.</p> <p>Thanking you, Srinivasan K</p>
4.	Respondent 6 (through Email)	<hr/> <p> Objections Filed by Applicant to Report of the Board dated 5th OCT 21.pdf 2279K</p>

Applicant

