

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Original Application No.45 of 2023 (SZ)**

Rajesh Khanna,
S/o. Chandrababu,
No.1/65, South Street,
Kaverirajapuram,
Thiruvallur,
Tamil Nadu – 631 210.

...Applicant

Vs

1. The District Collector,
Thiruvallur District,
Thiruvallur – 602 001 & 7 others.

...Respondents

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

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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1. The District Collector,
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...Respondents

**REPLY AFFIDAVIT FILED ON BEHALF OF THE 2ND AND 3RD
RESPONDENTS -TAMIL NADU POLLUTION CONTROL BOARD.**

I, R. Sarasavani, D/o. J. Raghavan, Hindu, aged about 58 years, having my office at 76, Mount Salai, Guindy, Chennai-600032, do hereby solemnly affirm and sincerely state as follows:-

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board (TNPCB), Chennai -600 032, and filing this Reply Affidavit 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 submitted that the applicant Rajesh Khanna filed this application against the District Collector, Thiruvallur, Chairman, TNPCB, DEE, TNPCB, M/s. Sabari Crop Care Sciences Pvt. Limited, Thiruttani Taluk, Thiruvallur and 3 others with the following prayer:

“ to declare the industrial activities carried out by the 6 & 7th respondent at survey Nos.355/1, 355/2 and 355/3 of Kaverirajapuram Village, Thiruttani Taluk, Thiruvallur District is illegal and unsustainable to environment ”.

3. It is respectfully submitted that, the respondent unit M/s. Sabari Crop Care Sciences (P) LTD , S.F. No. 355/2, Kaverirajapuram Village, Tiruttani

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JOINT CHIEF ENVIRONMENTAL ENGINEER
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Taluk and Thiruvallur District applied for Consent to Establishment under the Water (P&CP) Act, 1974 and the Air (P&CP) Act, 1981 vide application no. 7965819 dated 24.04.2017 for the manufacture of:

- i. Pesticides Formulation of solid type agro chemicals (Dusting Powder, Granules, Wettable Powder, suspension Powder) – 150 T/Month ,
 - ii. Pesticide Formulation of liquid type agro chemicals (Emulsion concentrate and suspension concentrate) – 120 KL/Month and
 - iii. To discharge sewage 2.0 KLD on industry's own land and to discharge emissions through wet scrubber with stack to be provided to blending area and stack to be provided to DG Set.
4. It is respectfully submitted that the respondent unit was inspected on 22.11.2017 and Consent for Establishment (CTE) was issued under the Water (P&CP) Act, 1974 and the Air (P&CP) Act, 1981 to the Respondent unit vide Proceedings dated 27.11.2017.
5. It is respectfully submitted that the respondent unit M/s. Sabari Crop Care Sciences (P) Limited has applied for consent to operate under the Water (P&CP) Act, 1974 and the Air(P&CP) Act, 1981 vide application no. 51039633 dated 12.03.2023, to manufacture the following products:
- i. Chlorpyrifos 20% EC-25 Tons/Month
 - ii. Cypermethrin 10% EC-15 Tons/Month
 - iii. Cypermethrin 25% EC- 10 Tons/Month
 - iv. Chlorpyrifos 16% + Alphacypermethrin 1% EC-10Tons/Month
 - v. Lambda Cyhalothrin 2.5% EC -5 Tons/Month
 - vi. Lambda Cyhalothrin 5% EC -35 Tons/Month
 - vii. Malathion 50% EC -10 Tons/Month
 - viii. Profenofos 50% EC-5 Tons/Month
 - ix. Chlorpyrifos 50% EC-20Tons/Month
 - x. Bifenthrin 10% EC-5Tons/Month
 - xi. Alpha Cypermethrin 10% EC-10Tons/Month
 - xii. Imidacloprid 30.5% SC-15Tons/Month
 - xiii. Hexaconazole 5% SC-10Tons/Month
 - xiv. Paraquatdichloride 24% SL-30Tons/Month

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- xv. Monocrotophos 36% SL-12Tons/Month
- xvi. Imidacloprid 17.8% SL-25Tons/Month
- xvii. Acephate 75% SP-10Tons/Month
- xviii. Acetamiprid 20% SP-10Tons/Month
- xix. Chlorpyrifos 1.5% DP-15Tons/Month
- xx. Carbendazim 50% WP-20Tons/Month
- xxi. Carbendazim 12% + Mancozeb 63% WP-18Tons/Month
- xxii. Mancozeb 75% WP-35Tons/Month
- xxiii. Sulphur 80% WG-35Tons/Month
- xxiv. Thiamethoxam 25% WG-30Tons/Month
- xxv. Carthydrochloride 4% GR-10Tons/Month and

to discharge sewage 1.6 KLD on industry's own land & trade effluent 0.03 KLD on solar evaporation pan and to discharge emissions through wet scrubber with stack attached to blending area (liquid section), bag filters with stack attached to blending area (solid section) and acoustic enclosures with stack attached to DG Set 125 KVA.

6. It is respectfully submitted that, subsequently the respondent unit was inspected on 22.02.2023 & 13.03.2023 by the officials of the O/o DEE, Tiruvallur, TNPCB and the following were observed:

- i. The unit was not in operation.
- ii. The sewage generated was disposed through septic tank with soak pit arrangement provided.
- iii. Trade effluent generation from wet scrubber bleed off is disposed to solar evaporation pan
- iv. Bag filter with stack provided to blending area (Solids Section) and wet scrubber with stack is provided to blending area (Liquid section). Acoustic enclosure with stack provided to DG Set 125 KVA
- v. The unit has furnished licence obtained from the Director of Agriculture, Chennai -5 vide Letter No. PPS4/ 284/2019/ DATED: 04.09.2020
- vi. As per the B.P.No.06 dated 02/08/2016 vide serial No. 2096- Pesticides formulation, the units activity falls under Orange/small category and powers have been delegated to the DLCCC [District

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Level Consent Clearance Committee] to decide the issue of consent for Orange Small as per B.P. No. 61 dated: 23.08.2022 & BP No. 19 dt 03.04.2023.

7. It is respectfully submitted that the District Level Consent Clearance Committee (DLCCC) decided to issue Consent to Operate to the unit vide item no. 297-02 dated 14.03.2023. Based on the above, Consent to Operate was issued to the respondent unit M/s. Sabari Crop Care Sciences (P) Limited, S.F.No. 355/2, Kaverirajapuram Village, Tiruttani Taluk, Tiruvallur District vide Proceedings dated 14.03.2023 valid up to 31.03.2027 for ~~the~~ manufacturing the said products and to discharge sewage 1.6 KLD on industry's own land & trade effluent 0.03 KLD on solar evaporation pan and to discharge emissions through wet scrubber with stack attached to blending area (liquid Section), bag filters with stack attached to blending area (Solid Section) and Acoustic enclosures with stack attached to DG Set 125 KVA.
8. It is respectfully submitted that a complaint was received from the applicant Mr. Rajesh Khanna, S/o. Chandrababu, No:1/65, South Street, Kaverirajapuram, Tiruvallur -631210 dated 28.03.2023, regarding the air pollution and health issues from the unit M/s. Sabari Crop Care Sciences (P) Ltd, S.F.No. 355/2, Kaverirajapuram Village, Tiruttani Taluk, Tiruvallur District. Based on the complaint, the unit was inspected by the officials of this respondent on 11.04.2023. During inspection the following were observed:
- i. The unit was under operation.
 - ii. The unit has provided the septic tank followed by the soak pit arrangement for the treatment and disposal of sewage generated from the unit.
 - iii. The unit has provided Air Pollution Control (APC) measures such as Wet scrubber with stack for blending area (liquid Section) and bag filters with stack for blending area (Solid Section) and the same was under operational condition.
 - iv. The effluent generated from wet scrubber bleed off is disposed to Solar evaporation Pan.

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9. In this regard, the unit was instructed by the DEE, Tiruvallur vide letter No: Lr.No:DEE/TNPCB/TLR/ COMP-719 & 645852441 /2023 dated: 12.04.2023 to operate and maintain the air pollution control (APC) measures efficiently and continuously so as to meet the Ambient Air Quality/Emission standards prescribed by the Board and also instructed not to operate the unit without APC measures. Also, instructed to comply with the consent order dated: 14.03.2023 conditions under the Water (P&CP) Act, 1974 and the Air (P&CP) Act, 1981. At present no complaints have been received against the unit.
10. With the regard to the allegations raised by the Applicant stating that the business of the 7th Respondent is being carried on without consents of the 2nd Respondent, the same is causing damage to the environment and needs to be regulated by the 2nd Respondent, it is respectfully submitted that the 7th Respondent unit duly applied for CTE, thereafter inspected by the officials of this respondent and CTE was issued. It is respectfully submitted that, subsequently, the 7th Respondent applied for CTO and the same was issued by this Respondent after inspection. The complaint received from the applicant was also acted upon and inspection was conducted. It is respectfully submitted that the unit is functioning in compliance with the conditions imposed by this Respondent.

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.

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31/7/23

JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD
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CHENNAI - 600 032.
BEFORE ME

VERIFICATION

I, R.Sarasavani, D/o. J.Raghavan, working as joint Chief Environmental Engineer, having office at No. 76, Mount Salai, Guindy, Chennai – 32, do hereby submit that the above contents are true to the best of my knowledge and belief through records.

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31/7/23

JOINT CHIEF ENVIRONMENTAL ENGINEER
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THE 2ND AND 3RD RESPONDENTS -TAMIL
NADU POLLUTION CONTROL BOARD.**

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

Date:01.08.2023.

Date of hearing on:02.08.2023.