

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL,
SOUTH ZONE AT CHENNAI**

Application No.50 of 2022.

Mr. S. Kalimuthu,
S/o. Saminathan,
3/150, Karachery,
Kinathukadavu Taluk
Chettipalayam,
Coimbatore - 641 201

.....Applicant

-Vs-

1. The District Collector,
Collectorate Coimbatore,
Coimbatore and 7 others

.....Respondents

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It is certified that above document is true xerox copy of the respective original.

Dated at Chennai on this the 25th day of July 2022.

M. N. S. S.
Counsel for 8th Respondent

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL,
SOUTH ZONE AT CHENNAI**

Application No.50 of 2022

Mr. S. Kalimuthu,
S/o. Saminathan,
3/150, Karachery,
Kinathukadavu Taluk
Chettipalayam,
Coimbatore – 641 201

.....Applicant

-Vs-

1. The District Collector,
Collectorate Coimbatore,
Coimbatore.
2. Revenue Divisional Officer,
Office of Revenue Divisional Officer,
Coimbatore.
3. Tamil Nadu Pollution Control Board,
Rep by its Chairman,
76, Mount Salai, Guindy,
Chennai – 600 032.
4. Member Secretary,
State Environment Impact Assessment Authority,
3rd Floor, Panagal Building,
No.1, Jennis Road, Saidapet,
Chennai.
5. District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Plot No. E-55A, SIDCO Industrial Estate,
Pollachi Main Road, Kuruchi,
Coimbatore.
6. Assistant Director,



Department of Geology and Mining,
Collectorate Coimbatore,
Coimbatore.

7. The Executive Officer,
Arasampalayam Village Panchayat,
Karachery Village,
Kinathukadavu Taluk,
Chennai.

8. M. Balakrishnan,
S.F No. 298/2A,
Merku Thottam,
Karachery Village,
Arasampalayam,
Kinathukadavu Taluk,
Coimbatore.

.....Respondents

COUNTER AFFIDAVIT FILED BY THE 8TH RESPONDENT

I, Mr. M. Balakrishnan, S/o. Mylsamy, aged about ... years, residing at Merku Thottam, Karachery Village, Arasampalayam, Kinathukadavu Taluk, Coimbatore District, having temporarily come down to Chennai do hereby solemnly affirm and sincerely state as follows:-

1. I state that I am the 8th Respondent herein and as such I am well acquainted with the facts and circumstances of the case.

2. I state that I have read the application along with the supporting documents and I respectfully deny each and every allegation and the Applicant is put to the strict proof of the same. The absence of any denial either specific or generic will not



constitute admission on part of the 8th Respondent and the Applicant is put to strict proof of the same.

3. I state that the applicant has filed the above application with a prayer:-

(i) To pass an order of Permanent Injunction, restraining the 8th Respondent from operating the illegal rough stone quarry in S.F. No.298/2A, 300/2, situated at Karachery Village, Arasampalayam Panchayat, Kinathukadavu Taluk.

(ii) To pass an order of Permanent Injunction, restraining the 8th Respondent from operating the unauthorized stone and M-Sand crusher in S.F. No.298/2A, 300/2, situated at Karachery Village, Arasampalayam Panchayat, Kinathukadavu Taluk.

(iii) To pass an order directing the Respondent authorities to take immediate measures to assess the damages that has been caused, on account of the illegal quarrying and operating of unauthorized crusher and M – Sand unit being carried out by the 8th Respondent, and to pass necessary orders under Sec.5 of the Environment (Protection) Act, 1986 to recover the same from the concerned officials responsible and prosecute them in accordance with law.

(iv) To direct the Respondent authorities to initiate criminal prosecution against the concerned officers responsible for violations of the provisions of the environmental legislation.

(v) To direct the Respondent authorities to remediate the impugned area.



4. I state that through a partition deed, I received a land to an extent of 1.34.0 Hectare in S.No.298/2A and 1.51. Hectare in S.No.300/2 totalling to an extent of 2.85.5 Hectare vide document no. 1218 of 2014 registered in SRO Kinathukadavu.

5. I state that thereafter, I have applied for a consent to establish a stone crushing unit for manufacturing blue metal jelly of various sizes and manufactured sand through an application dated 05.08.2018 by submitting all the necessary documents required for establishing the said unit before Tamil Nadu Pollution Control Board and as such by a proceedings dated 06.09.2019 in Proc.No.F.1967 CBS/OS/BEE/TNPCB/CBS/A/2018 I was issued with a consent to establish the said unit in S.No.298/2A(Consent order No.1801215554851) valid till 31.03.2023.

6. I state that with regard to Para No.4, I deny the allegation made by the applicant in his application. As stated earlier, I got an order of consent to establish during 2018, Electricity connection was obtained in December 2020, thereafter, I started the process of installing the machineries only from 2020. To avoid air pollution in the neighbourhood I dug 10 feet deep to erect the machineries using earth movers and JCB. The sand dug from the pit was used to structure the bund and the rough rocks dug from the pit was left unused in the land. The activity of quarry/mining rough stones using explosive as stated in the application was not at all carried out by me and the said allegation is a false one.



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7. I state that with regard to Para Nos.5 and 6, I deny the allegation that the said unit is within 500 metres from inhabitation. Moreover, I have obtained No objection certificate from the Tashildar and the Block Development Officer certifying that there is no inhabitant within 500 metres from the stone crushing unit. Further, the allegations made in the aforesaid paragraphs, are with regard to quarrying activity in the said premise and there is no such quarrying activity in the said premises. I have obtained consent to establish the stone crushing unit only in Survey No. 298/2A and Survey No. 300/2 is the adjacent land owned by me and there is no any quarrying activity took place in the said premises as alleged by the Applicant in the above Application.

8. I state that with regard to Para No. 7, I have duly followed all the norms and procedures set out in the Board Proceedings of the Tamil Nadu Pollution Control Board while establishing the unit. I dug 10 feet deep pit to erect the stone crusher to reduce the spreading of the dust in the Air. Likewise, I have followed all the guidelines, safety precautions and parameters specifically issued by the Pollution Control Board with regard to the establishment of stone crushing units were complied accordingly. The installation of machineries in the said unit, is itself not completed in full and the allegation made by the Applicant that, the emission from crushing get deposited in and around the area is not true.

9. I state that with regard to Para Nos. 8 and 9, I deny the allegation that I was functioning the unit with the consent to



establish obtained from Pollution control board and without getting a valid approval. The Consent to establish was obtained by me in the year 2018 and it is valid till 2023, the process of establishment is still on. Furthermore, I can apply for Consent to Operate, approvals, permits and licenses only after completing the installation of crushing machines in full.

10. I state that with regard to Para Nos. 10 and 11, the allegation made by the Applicant in the Application that, on 14.09.2020 a complaint was given to the 1st Respondent through his mother and the neighbouring land owners is false. The complaint was sent only by the Applicant and his mother, not by the neighbouring land owners as stated in the Application, they have only included the words, general public of the Karachery Village and farmers of the Arasampalayam panchayat in the senders address and there is no signature of any of the general public found in the complaint. Thereafter, based on representation made by the Applicant on 11.03.2022, the Officials of the Tamil Nadu pollution Control Board inspected the premises on 31.03.2022, where the stone crushing unit is established. On 01.04.2022, two show cause notice was issued by the DEE, Tamil Nadu Pollution Control Board, Coimbatore (South), to show cause me within 15 days for the observations made by the Officials during the inspection. Immediately, after receiving the show cause notice, I made my reply to the Pollution Control Board explaining all the queries along with photo proof, with regard to the observations, made by the Officials during the inspection. I have also stated in my reply, to the Pollution Control Board that, the machines were checked by starting it after



installing, whether it is functioning or not and not as a trial run as mentioned in the Show cause notice.

11. I state that with regard to grounds a, b and c, I have obtained Consent to establish only to install the Stone Crushing Machine to manufacture blue metal jelly of various sizes and manufactured sand and not for quarrying purpose. The allegations made by the Applicant in the Application are utterly false. The stone crushing machines in the unit are not yet installed fully. Further, there is no any inhabitation within the limit prescribed by the Tamil Nadu Pollution Control Board.

12. I state that with regard to grounds d, e and f, there is no any explosives used while unearthing the rocks as mentioned in the aforesaid grounds. I have dug the deep pit only to install the machineries that too with the help of JCB and earthmovers and not by using any explosives. I have used the sand dug from the pit to structure the bund in the boundaries and I have duly complied with all the norms, guidelines and precautions specifically issued by the Tamil Nadu Pollution Control Board for the establishment of stone crushing and M Sand units.

13. I further state that the all the allegations made by the Applicant, in the Application are not true. The Stone crushing unit comprised in Survey No. 298/2A is still in establishment stage and only after the completion of the instalment, all other permissions, licences and consent to operate can be applied. As stated in the Application there is no any carrying activity took place in the said premises and there is no any type of manufacturing done by the 8th Respondent without getting a





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TAMIL NADU POLLUTION CONTROL BOARD
FORM-I

Application for consent under section 21 of the Air (Prevention and Control of Pollution) Act 1981, as amended (Central Act 14 of 1981)
(See rule 7 of Tamil Nadu Air (Prevention and Control of Pollution) Rules, 1983)
(To be submitted in Duplicate)

1. [a] Full Name of the applicant : Balakrishnan M
(Occupier of the unit)
[b] Designation : The Proprietor
[c] Office address with pin code : S.F No.298/2A, Arasampalayam
Village, Kinathukadavu Taluk,
Coimbatore District,642109
[d] Factory address with pin code : S.F No. 298/2A, Arasampalayam
Village, Kinathukadavu Taluk,
Coimbatore District,642109
[e] Phone no. with STD code : -
[f] Fax no. with STD code : -
[g] Email Id : suryabala_123@rediffmail.com
[h] Website address :
[i] Mobile No. : 9942568568
2. Full Name of the Unit : BALAKRISHNAN BLUE
METALS
3. Location of the unit :
[a] Survey No/TS No : 298/2A
[b] Village/Town : ARASAMPALAYAM
[c] Taluk : KINATHUKADAVU
[d] District : Coimbatore
4. Local body Name & Type : KINATHUKADAVU Panchayat
Union
5. Land Status : Owned
Rent per Year(in Lakhs) :
Extent of land (in Hectares) :
[a] Total : 1.340
[b] Build up area : 0.248
[c] Solid waste Storage/Disposal area : 0.020
[d] Green Belt/Irrigation area : 0.250
[e] Vacant area {a-(b+c+d)} : 0.822
6. Details of raw materials used :

SL.No.	Name of the raw material	Quantity	Unit	Principal Use
1	Dark Stone	00000		Crushing

SL.No.	Name of fuel	Points of use	Quantity in T/d	Calorific Value	Ash Content	Sulphur Content
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8. Details of products manufactured :

SL.No.	Name of the product	Quantity	Unit	End Use
Products				
1.	Manufactured Sand	15000	Tons/Month	Soldout
2.	Blue Metal Jelly of Various Sizes	10000	Tons/Month	Soldout
By Products				
Intermediate Products				

9. Manufacturing Process :

Manufacturing Process for Blue Metal Jelly :
 Stone Boulders - Primary Crusher - Secondary Crusher - Vibrator - Blue Metal Jelly of various Sizes obtained - Sold Out.
 Manufacturing Process for Manufactured Sand :
 Stone Boulders - Primary Crusher - Secondary Crusher - Tertiary Crusher (VSI) - - Vibrator - Washer - Manufactured Sand - Sold Out.

- 10. No. of Employees working per day (including contract workers) : 20
- 11. Date of commissioning : 18/07/2019
- 12. (a) Details of Point source emission with stacks :

SL.No.	Stack No	Source	Control Measures	Top dimension	Height above GL	Material of Construction	Exit Gas Velocity	Exit Gas Temp	Max Discharge
1.	00	Primary Crusher(Jaw Crusher)	Water Sprinkler Arrangement with GI Sheet Enclosure	0	0	GI	-	-	-
2.	00	Secondary Crusher(Jaw Crushers)-2Nos	Water Sprinkler Arrangement with GI Sheet Enclosures	0	0	GI	-	-	-
3.	00	Tertiary Crusher(VSI Crusher)	Water Sprinkler Arrangement with GI Sheet Enclosure	0	0	GI	-	-	-
4.	00	Vibrators-4 Nos	GI Sheet Enclosures	0	0	GI	-	-	-
5.	00	Conveyors	GI Sheet Enclosures	0	0	GI	-	-	-
6.	00	Dust Collection Chamber	GI Sheet Enclosure	0	0	GI	-	-	-

12. (b) Details of Fugitive or Noise emission :

SL.No.	Source of Fugitive or Noise emission	Type of emission	Pollution Control Measures	Capacity in HP
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13. Total Gross Fixed Assets (GFA) (Rs. in Lakhs) : 160.0

14. Cost of Air Pollution Control Measures (Rs. in Lakhs) : 5.0

15. Details of habitation: (All the habitation) :

- 16. [a] Name of the nearby Roadways : MDR-Chettipalayam-Negamant
- [b] Distance from the site in Kms : 1.0
- 17. [a] Land use classification of the site : Non-Planned Area
- [b] Authority which classified the land use : D T C P
- 18. Name and distance of the sensitive area like places of Archeological importance, National Park, Wild Life World Sanctuary, Marine National Park, Mangrove Forests, Reserved Forests, Marsh Lands if any located within 10 KM radius of the unit : -
- 19. Is the unit is located within 1 Km from marine coastal area (sea, estuaries, back waters) : NO
- If yes please mention the distance from the unit (In Meter) :
- 20. Name and address of all Directors/Partners :

SL.No.	Name of Partner	Designation	Address
1.	Balakrishnan M	The Proprietor	Door No.7/42, Majara Karacheri(Po), Arasampalayam Village, Coimbatore District.

List of Documents as per rule:-

1. Details of Water Balance and wastewater balance for process. (Attached)
2. Land use classification certificate as obtained from CMDA/ DTCP/LPA. (Attached)
3. Details of Material balance for each products and process. (Attached)
4. Consent fee under Water and Air Acts payable to the Board. (Attached)
5. Auditor Certificate with break up details for the proposed Gross fixed Assets duly certified by a Chartered Accountant in the prescribed format. (Attached)
6. Detailed manufacturing process for each product along with detailed process flow chart. (Attached)
7. Topo sketch showing the distance of water bodies, roads, existing/proposed residential areas, agricultural lands, important religious locations, educational institutions, ancient monuments, archeological places and other sensitive areas for 1 KM. radius from the units. (Attached)
8. Layout plan showing the location of various process equipments, utilities like boiler, generator etc, effluent treatment plant, outlet location, non-hazardous and hazardous waste storage yard. (Attached)
9. Copy of attested sale Deed /Lease Deed or any other relevant documents as proof to ensure possession of the site/factory for which application is made by the applicant. (Attached)
10. A covering requisition letter stating the status of the industry and activities clearly. (Attached)
11. Air pollution control (APC) measures proposal which must contain the details regarding fuels used, sources of emission, characteristics, concentration and quality of pollutant, proposal along with design criteria and drawing for the proposed APC measures, adequacy of APC measures and stack, odour/noise causing operations and its specific odour/noise control measures(If applicable). (Attached)
12. Thasildar Certificate (Attached)

1. I certify that all the information / data supplied are true and I have not suppressed any relevant information. I am aware that furnishing incorrect information / suppression of relevant information attracts the penal action under Chapter VI of the Air (Prevention & Control Of Pollution) Act, 1981 as amended.
2. I hereby undertake to make a fresh application for consent in case of change in either of a product/point of discharge or in quantity of emission or of its quality.
3. I hereby undertake to abide by the directions/instructions issued by the Board from time to time.
4. I hereby undertake to apply for consent to operate/renewal of consent along with the required details 30 days prior to the expiry of consent order.

**Signature of the Applicant
Name and Designation**

Place :

Date :



(14)

TAMIL NADU POLLUTION CONTROL BOARD
FORM-II

Application for consent under section 25/26 of the Water (Prevention and Control of Pollution) Act 1974,
as amended (Central Act 6 of 1974)
(See rule 26 of Tamil Nadu Water (Prevention and Control of Pollution) Rules, 1983)
(To be submitted in Duplicate)

1. [a] Full Name of the applicant : Balakrishnan M
(Occupier of the unit)
[b] Designation : The Proprietor
[c] Office address with pin code : S.F No.298/2A, Arasampalayam
Village, Kinathukadavu Taluk,
Coimbatore District,642109
[d] Factory address with pin code : S.F No. 298/2A, Arasampalayam
Village, Kinathukadavu Taluk,
Coimbatore District,642109
[e] Phone no. with STD code : -
[f] Fax no. with STD code : -
[g] Email Id : suryabala_123@rediffmail.com
[h] Website address :
[i] Mobile No. : 9942568568
2. Full Name of the Unit : BALAKRISHNAN BLUE
METALS
3. Location of the unit :
[a] Survey No/TS No : 298/2A
[b] Village/Town : ARASAMPALAYAM
[c] Taluk : KINATHUKADAVU
[d] District : Coimbatore
4. Local body Name & Type : KINATHUKADAVU Panchayat
Union
5. Land Status : Owned
Rent per Year(in Lakhs) :
Extent of land (in Hectares) :
[a] Total : 1.340
[b] Build up area : 0.248
[c] Solid waste Storage/Disposal area : 0.020
[d] Green Belt/Irrigation area : 0.250
[e] Vacant area {a-(b+c+d)} : 0.822
6. Details of raw materials used :

SL.No.	Name of the raw material	Quantity	Unit	Principal Use
1.	Rough Stone Boulders	28000	Tons/Mont	Crushing & Washing

15

SL.No.	Name of fuel	Points of use	Quantity in T/d	Calorific Value	Ash Content	Sulphur Content
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8. Details of products manufactured :

SL.No.	Name of the product	Quantity	Unit	End Use
Products				
1.	Manufactured Sand	15000	Tons/Month	Soldout
2.	Blue Metal Jelly of Various Sizes	10000	Tons/Month	Soldout
By Products				
Intermediate Products				

9. Manufacturing Process :

Manufacturing Process for Blue Metal Jelly :
Stone Boulders - Primary Crusher - Secondary Crusher - Vibrator - Blue Metal Jelly of various Sizes obtained - Sold Out.

Manufacturing Process for Manufactured Sand :
Stone Boulders - Primary Crusher - Secondary Crusher - Tertiary Crusher (VSI) - - Vibrator - Washer - Manufactured Sand - Sold Out.

10. [a] Water Source Details :

SL. No.	Source Type.	Source Name	Quantity
1.	Ground Water (within premises)	Borewell	91.0

[b] Water Consumption Details :

SL. No.	Source Consumption	Quantity (KL/D)
1.	WC-II: Domestic	1.0
2.	WC-IV: Process (Not easily Bio degradable)	90.0

11. Details of sewage/trade effluent generation :

a). Sewage Generation Details

Total Sewage Generation Quantity :0.80 KLD		
S.No.	Source	Quantity(KLD)
1.	Domestic	0.8

b). Trade Effluent Generation Details

Total Trade effluent Generation Quantity : 70.00 KLD		
S.No.	Source	Quantity(KLD)

a). Sewage Treatment Plant* Details

Treatment status: Septic Tank and SP/DT

SL. No.	Name of the Treatment Unit	No. of Units	Dimensions in metres
1.	Septic Tank	1	3.0X2.5X3.0
2.	Dispersion Trench	1	5.0X2.5X3.0

(16)

b). Trade Effluent Treatment Plant Details

Treatment status: Individual ETP

SL. No.	Name of the Treatment Unit	No. of Units	Dimensions in metres
1.	Settling Tanks	4	3.0X5.0X3.0(each)

13. Details of sewage/trade effluent disposal :

a). Sewage Disposal Details

S.No.	Description of Outlet	Quantity(KLD)	Disposal
1.	Sewage	0.8	On Industrys own land

b). Trade Effluent Disposal Details

S.No.	Description of Outlet	Quantity(KLD)	Disposal
1.	Trade Effluent	70.0	Recycling to process

14. [a] Details of Non Hazardous Solid Wastes :

SL. No.	Nature of Solid Waste	Quantity	Unit	Mode of disposal	Area of land earmarked for storage/disposal(in sq.Metre)
1.	Fine Dust and Silt	3000	Tons/Month	Soldout	200

14. [b] Details of Hazardous Waste :

SL. No.	Name of Process	Name of Process Waste (Category No)	Quantity T/Y	Waste Type	Waste Storage	Waste Disposal	Area earmarked for Storage/Disposal
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15. Total Gross Fixed Assets (GFA) /Rs in : 160.0

19. Details of habitation: (All the habitation located within 1KM radius of the unit) :

(19)

SL.No.	Name of habitation	Distance in Kms	Population
1.	Karacheri	0.7	1000

20. [a] Name of the nearby Roadways : MDR-Chettipalayam-Negamam
 [b] Distance from the site in Kms : 1.0
21. Details of water bodies like lakes/rivers/canals within a radius of 1 KM and rivers within a radius of 5KM :
 [a] Name of the Water Source : -
 [b] Distance (in meters) : 00
22. [a] Land use classification of the site : Non-Planned Area
 [b] Authority which classified the land use : D T C P
- 23 Name and distance of the sensitive area like places of Archeological importance, National Park, Wild Life World Sanctuary, Marine National Park, Mangrove Forests, Reserved Forests, Marsh Lands if any located within 10 KM radius of the unit : -
24. Is the unit is located within 1 Km from marine coastal area (sea, estuaries, back waters) : NO
 If yes please mention the distance from the unit :
25. Name and address of all Directors/Partners :

SL.No.	Name of Partner	Designation	Address
1.	Balakrishnan M	The Proprietor	Door No.7/42, Majara Karacheri(Po), Arasampalayam Village, Coimbatore District.

List of Documents as per rule:-

1. Details of Water Balance and wastewater balance for process. (Attached)
2. Land use classification certificate as obtained from CMDA/ DTCP/LPA. (Attached)
3. Details of Material balance for each products and process. (Attached)
4. Consent fee under Water and Air Acts payable to the Board. (Attached)
5. Auditor Certificate with break up details for the proposed Gross fixed Assets duly certified by a Chartered Accountant in the prescribed format. (Attached)
6. Detailed manufacturing process for each product along with detailed process flow chart. (Attached)
7. Topo sketch showing the distance of water bodies, roads, existing/proposed residential areas, agricultural lands. important religious locations. educational institutions. ancient monuments.

10. A covering requisition letter stating the status of the industry and activities clearly. (Attached)

11. Air pollution control (APC) measures proposal which must contain the details regarding fuels used, sources of emission, characteristics, concentration and quality of pollutant, proposal along with design criteria and drawing for the proposed APC measures, adequacy of APC measures and stack, odour/noise causing operations and its specific odour/noise control measures (If applicable). (Attached)

12. Thasildar Certificate (Attached)

13. BDO Certificate (Attached)

14. Crusher to Crusher Distance Certificate (Attached)

15. Copy of attested Memorandum of Articles in case of Public/Private sectors or registered partnership deed in case of partnership company. (Attached)

Declaration

1. I certify that all the information / data supplied are true and I have not suppressed any relevant information. I am aware that furnishing incorrect information / suppression of relevant information attracts the penal action under section 42 of Water (P&CP) Act, 1974 as amended.
2. I hereby undertake to make a fresh application for consent in case of change of either of a product/point of discharge or of the quantity of discharge or its quality.
3. I hereby undertake to abide by the directions/instructions issued by the Board from time to time.
4. I hereby undertake to apply for consent to operate/renewal of consent along with the required details 30 days prior to the expiry of consent order.

**Signature of the Applicant
Name and Designation**

Place :

Date :



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TAMILNADU POLLUTION CONTROL BOARD

CONSENT ORDER NO. 1801215554851

DATED: 06/09/2018.

PROCEEDINGS NO.F.1967CBS/OS/DEE/TNPCB/CBS/A/2018 DATED: 06/09/2018

SUB: TNPC Board-Consent for Establishment-M/s. BALAKRISHNAN BLUE METALS, S.F. No. 298/2A, ARASAMPALAYAM village, Kinathukadavu Taluk and Coimbatore District, for the establishment or take steps to establish the industry under Section 21 of the Air(Prevention and control of Pollution)Act,1981, as amended in 1987(Central Act. 14 of 1981)-Issued -Reg.

- REF:**
1. Unit's application id 15554851 for CTE-new dated 05.08.2018
 2. Application resubmitted in OCMMS-after corrections on 05.09.2018
 3. IR. No: F.1967CBS/OS/AE/CBS/2018 dated 05.09.2018
 4. Minutes of the 168th DLCCC meeting dated 05.09.2018 held at the O/o, DEE, Coimbatore South

Consent to establish or take steps to establish is hereby granted under Section 21 of the Air (Prevention and control of Pollution) Act, 1981, as amended in 1987 and the Rules and Orders made there under to

The Proprietor,
M/s. BALAKRISHNAN BLUE METALS
S.F No.298/2A,
ARASAMPALAYAM Village,
Kinathukadavu Taluk,
Coimbatore District.

Authorizing occupier to establish or take steps to establish the industry in the site mentioned below:

S.F No. 298/2A,
ARASAMPALAYAM Village,
Kinathukadavu Taluk,
Coimbatore District.

This Consent to establish is valid upto March 31, 2023, or till the industry obtains consent to operate under Section 21 of the Air (Prevention and control of Pollution) Act, 1981, as amended in 1987 whichever is earlier subject to special and general conditions enclosed.

P. MANIMARAN

District Environmental Engineer,
Tamil Nadu Pollution Control Board,
COIMBATORE SOUTH

Digitally signed by P. MANIMARAN
DN: cn=P. MANIMARAN, o=TAMILNADU POLLUTION CONTROL BOARD,
ou=ENGINEERING DEPARTMENT, postalCode=638001,
st=Tamil Nadu,
c=IN, email=manimaran@tnpcb.gov.in,
serial=173553, date=2018.09.06 17:35:53 +05'30'

To

The Proprietor,
M/s.BALAKRISHNAN BLUE METALS,
S.F No.-298/2A, Arasampalayam Village, Kinathukadavu Taluk, Coimbatore District,
Pin: 642109

Copy to:

1. The Commissioner, KINATHUKADAVU-Panchayat Union, Kinathukadavu Taluk, Coimbatore District.
2. Copy submitted to the Member Secretary, Tamil Nadu Pollution Control Board, Chennai for favour of kind information.
3. Copy submitted to the JCEB-Monitoring, Tamil Nadu Pollution Control Board, Coimbatore for favour of kind information.
4. File

POLLUTION PREVENTION PAYS



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TAMILNADU POLLUTION CONTROL BOARD

GENERAL CONDITIONS

1. This consent to establish cannot be construed as consent to operate and the unit shall not commence the operation without obtaining the Consent to operate.
2. The applicant shall make a request for grant of consent to operate at least thirty days, before the commissioning of trial production.
3. Any Change in the details furnished in the conditions has to be brought to the notice of the Board and got approved by the Board, before obtaining consent to operate under the said Act.
4. The unit has to comply with the provisions of Public Liability Insurance Act, 1991 to provide immediate relief in the event of any hazard to human beings, other living creatures/plants and properties while handling and storage of hazardous substances (wherever applicable).
5. Consent to operate will not be issued unless the unit complies with the conditions of consent to establish.
6. The unit shall provide adequate water sprinklers for the control of dust emission during the loading and unloading of construction material so as to minimize the dust emission.
7. The unit shall provide water sprinklers along the temporary roads inside the premises to avoid fugitive dust emission during the vehicle movements.
8. The unit shall develop green belt of adequate width around the premises.
9. In case there is any change in the management, the unit shall inform the change with relevant documents immediately.

P. MANIMARAN

District Environmental Engineer,
Tamil Nadu Pollution Control Board,
COIMBATORE SOUTH

Digitally signed by P. MANIMARAN
DN: cn=P. MANIMARAN, o=TAMILNADU POLLUTION CONTROL BOARD,
ou=ENGINEERING DEPARTMENT, postalCode=638001, st=Tamil Nadu,
c=IN, email=manimaran@tncb.tn.nic.in, serial=3742755490, c=P. MANIMARAN,
Date: 2018.09.04 17:36:58 +05'30'

POLLUTION PREVENTION PAYS



21

TAMILNADU POLLUTION CONTROL BOARD

SPECIAL CONDITIONS

- This consent to establish is valid for establishing the facility for the manufacture of products/byproducts (Col: 2) at the rate (Col 3) mentioned below. Any change in the product/byproduct and its quantity has to be brought to the notice of the Board and fresh consent has to be obtained.

Sl. No.	Description	Quantity	Unit
Product Details			
1.	Manufactured Sand	15000	Tons/Month
2.	Blue Metal Jelly of Various Sizes	10000	Tons/Month

- This consent to establish is valid for establishing the facility with the below mentioned emission/noise sources along with the control measures and/or stack. Any change in the emission source/control measures/change in stack height has to be brought to the notice of the Board and fresh consent has to be obtained if necessary.

I Point source emission with stack :				
Stack No.	Point Emission Source	Air pollution Control measures	Stack height from Ground Level in m	Gaseous Discharge in Nm ³ /hr
00	Primary Crusher(Jaw Crusher)	Water Sprinkler Arrangement with GI Sheet Enclosure	0	
00	Secondary Crusher(Jaw Crushers)-2Nos	Water Sprinkler Arrangement with GI Sheet Enclosures	0	
00	Tertiary Crusher(VSI Crusher)	Water Sprinkler Arrangement with GI Sheet Enclosure	0	
00	Vibrators-4 Nos	GI Sheet Enclosures	0	
00	Conveyors	GI Sheet Enclosures	0	
00	Dust Collection Chamber	GI Sheet Enclosure	0	
II Fugitive/Noise emission :				
Sl. No.	Fugitive or Noise Emission sources	Type of emission	Control measures	

- Additional Conditions:**

POLLUTION PREVENTION PAYS



22

TAMILNADU POLLUTION CONTROL BOARD

1. The unit shall establish the stone crusher as per the latitude and longitude furnished in the certificate without any deviation.
2. The unit shall provide the APC measures such as water sprinkling arrangements and closed shed for the Jaw crusher, VSI Crusher, closed shed for vibratory screen, Tin sheet cover and water sprinkling for conveyors and drop point and closed dust bunker so as to satisfy the Ambient Air Quality/Ambient Noise Level standards prescribed by the Board from time to time.
3. The unit shall provide water sprinkling system to control the fugitive dust emissions at various points/dust emission sources.
4. Jaw crusher shall be enclosed with tin sheet cladding.
5. Vibrator shall be covered on all four sides.
6. The entire conveyor belt should be covered with GI Sheets.
7. Telescopic chutes are to be provided at the product unloading conveyor to prevent dust release in to the atmosphere during free fall off material from height. These chutes shall be adjusted in length according to the size of the heap.
8. Dust containment enclosure should be provided and supported on angles so that it can with stand strong wind and the roof should be given a gradual slope/curvature so as to prevent accumulation of water.
9. Material transfer point such as hopper bottom/product unloading conveyor to be provided suitably to prevent dust release in to the atmosphere.
10. Opening in the enclosures Shafter motor driver, conveyor belts, etc., are to be provided with rubber flaps (wherever possible) to prevent release of dust.
11. Periodical cleaning of water spray nozzles should be carried out to avoid choking.
12. The drop height of the processed material should be kept at minimum during loading and unloading.
13. Conveyor chutes should be provided at the discharge points.
14. Green belt of evergreen high foliage like neem, tamarind, gold mohar to be developed within/outside the boundary of the unit.
15. Compound wall/wind-net arrester shall be provided all around the crusher.
16. The approach road should be properly laid with tar and concrete and should be sprayed with water.
17. The unit's activity shall not attract any public complaint.
18. The unit shall not use "use and throwaway plastics" such as plastic sheets used for food wrapping, spreading on dining table etc., plastic plates, plastic coated tea cups, plastic tumbler, water pouches and packets, plastic straw, plastic carry bags and plastic flags irrespective of thickness, within the industry premises. Instead unit shall encourage use of eco friendly alternative such as banana leaf, arecanut palm plate, stainless steel, glass, porcelain plates/cups, cloth bag, jute bag etc.,
19. In case of revision of consent fee by the Government, the unit shall remit the difference in amount within one month from the date of notification. Failing to remit the consent fee, this consent order will be withdrawn without any notice and further action will be initiated against the unit as per law.

P. MANIMARAN

Digitally signed by P. MANIMARAN
DN: cn=P. MANIMARAN, o=TAMILNADU POLLUTION CONTROL BOARD,
ou=ENGINEERING DEPARTMENT, postalCode=638001, st=Tamil
Nadu
543e2fcd7421c5e5a90, cn=P. MANIMARAN
Date: 2018.09.06 17:38:30 +05'30'

District Environmental Engineer,
Tamil Nadu Pollution Control Board,
COIMBATORE SOUTH

POLLUTION PREVENTION PAYS

BY RPAD

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TAMILNADU POLLUTION CONTROL BOARD

O/o. DEE, TNPCB, Coimbatore (South),
Plot No.E-55A, SIDCO Industrial Estate,
Pollachi Main Road, Kurichi,
Coimbatore - 641 021.

Proc No. DEE/TNPCB/CBS/F.CBS-2023/OS/W/2022, Dated: 01.04.2022

Sub: TNPCBD - Industries - M/s. **Balakrishnan Blue Metals**, SF.No.298/2A
Arasampalayam Village, Kinathukadavu Taluk, Coimbatore District – Operation of
the unit without obtaining prior CTO of the Board - Violation under Section 25 of
Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 – Show
Cause Notice – Issued - Regarding.

Ref: 1. CTE's Procs. No.F.1967CBS/OS/DEE/TNPCB/CBS/W/2018, Dated: 06.09.2018.
2. Inspection of your unit by the TNPCB Officials on 31.03.2022.

Tamilnadu Pollution Control Board serves this notice under sub-section (5) of
section 25 of the Water (Prevention and Control of Pollution) Act, 1974 as amended in
1988 (hereinafter referred to as the Act) that any sewage or trade effluent discharged
into any stream or well or sewer or on land should be within the standards prescribed by
the Board.

As per sub-section (1) of section 25 of the Act, previous consent of the Board
should have been obtained by you to establish or take any steps to establish any
industry, operation or process, or any treatment and disposal system or any extension
or addition thereto, which is likely to discharge sewage or trade effluent into any stream
or well or sewer or on land or bring into use any new or altered outlet for the discharge
of sewage/trade effluent or begin to make any new discharge of sewage or trade
effluent.

Whereas, Consent to Establish was issued to the unit on 06.09.2018 valid upto
31.03.2023 vide reference (1st) cited subject to the certain conditions with the following
general condition.

General Condition

**"1. This consent to establish cannot be construed as consent to operate
and the unit shall not commence the operation without obtaining the
Consent to operate.**

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2. The applicant shall make a request for grant of consent to operate at least thirty days, before the commissioning of trial production.

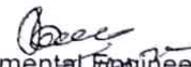
3. Any Change in the details furnished in the conditions has to be brought to the notice of the Board and got approved by the Board, before obtaining consent to operate under the said Act ”.

Whereas, your unit was inspected by the officials of TNPCB on 31.03.2022. During, inspection the following observations were made;

- i. The unit has provided the machineries for manufacturing of the Blue Metal Jelly and M –Sand.
- ii. The unit has carried out the trial operation without obtaining prior Consent to Operate of the Board under the 'Act'.
- iii. The unit has not provided Settling Tank for the recycling of the trade effluent generated from M-Sand washing section.

Hence, you are requested to show cause within 15 days from the date of receipt of this notice as to why penal action should not be taken against you as occupier for operating in prohibited area without valid consent of the Board under section 25 of the Act and issue direction under section 33A of the Act for closure of the unit, stoppage of power supply etc.,

It is informed that non-receipt of any reply within the prescribed period will be constructed that you have no satisfactory explanation to offer for the above contravention and action will be taken accordingly.


District Environmental Engineer,
Tamilnadu Pollution Control Board,
Coimbatore South.

To

The Proprietor,
M/s. Balakrishnan Blue Metals,
No.298/2A,
Arasampalayam Village,
Kinathukadavu Taluk,
Coimbatore District – 642 201.



TAMIL NADU POLLUTION CONTROL BOARD

O/o. DEE, TNPCB, Coimbatore (South),
Plot No.E-55A, SIDCO Industrial Estate,
Pollachi Main Road, Kurichi,
Coimbatore - 641 021.

Proc No. DEE/TNPCB/CBS/F.CBS 0546/OS/A/2022, Dated: 02.02.2022

- Sub: TNPCBD - Industries - M/s. Balakrishnan Blue Metals, SF.No.298/2A Arasampalayam Village, Kinathukadavu Taluk, Coimbatore District – Operation of the unit without obtaining prior CTO of the Board – Violation under Section 21 of Air (Prevention and Control of Pollution) Act, 1981 as amended – Show Cause Notice - Issued – Reg.
- Ref: 1. CTE's Procs. No.F.1967CBS/OS/DEE/TNPCB/CBS/W/2018, Dated: 06.09.2018.
2. Inspection of your unit by the TNPCB Officials on 31.03.2022.

The Air (Prevention and Control of Pollution) Act, 1981 as amended in 1987 is in force in Tamil Nadu. Tamil Nadu Pollution Control Board enforces the above central Act. The TNPCB is implementing the Air (P & CP) Act, 1974, as amended thereon. As per the Section 21 of the said Act no person shall, without the previous consent of the State Board shall establish or operate an industrial plant in an Air Pollution Control area.

Whereas, Consent to Establish was issued to the unit on 06.09.2018 valid upto 31.03.2023 vide reference (1st) cited subject to the certain conditions with the following general condition.

General Condition

- "1. This consent to establish cannot be construed as consent to operate and the unit shall not commence the operation without obtaining the Consent to operate.***
- 2. The applicant shall make a request for grant of consent to operate at least thirty days, before the commissioning of trial production.***
- 3. Any Change in the details furnished in the conditions has to be brought to the notice of the Board and got approved by the Board, before obtaining consent to operate under the said Act "***

26

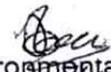
Whereas, your unit was inspected by the officials of TNPCB on 31.03.2022. During, inspection the following observations were made;

- i. The unit has provided the machineries for manufacturing of the Blue Metal Jelly and M –Sand.
- ii. The unit has carried out the trial operation without obtaining prior Consent to Operate of the Board under the 'Act'.
- iii. The unit has not provided any APC measures the Crushers, Screen and Conveyors in the unit.
- iv. The unit has not provided compound wall around the boundaries of the unit.

And as such the provisions of Section 21 of the Act have been contravened which is punishable under Section 37 of Act with imprisonment for a term which shall not be less than one year and Six months, but which may extend to six years and with fine.

Hence, you are directed to show cause within 15 days from the date of receipt of this notice as to why penal action should not be initiated against you for operating the unit without any air pollution control measures and for having not obtained the valid consent of the Board under Section 21 of the said Act and to issue directions under Section 31A of the Act for closure of the unit and for the stoppage of electricity etc.,

It is informed that non-receipt of reply within the prescribed period will be construed that you have no satisfactory explanation to offer for the above contravention and action will be taken accordingly.


District Environmental Engineer,
Tamilnadu Pollution Control Board,
Coimbatore South.


To

The Proprietor,
M/s. Balakrishnan Blue Metals,
No.298/2A,
Arasampalayam Village,
Kinathukadavu Taluk,
Coimbatore District – 642 201.



⇒ 2018 July



⇒ 2018 - July.

Salatechuan Blue metal's.

[Handwritten signature]



11. Srimangala di Gunung Merapi. 2010
2010 August

Babutanhaan Blue metal's
di Srimangala

12. Srimangala di Gunung Merapi.



(31)

→ 9/6/2018
July 2018



Salatun
2018



9/6/2018
2018



↑ അടയാളപ്പെടുത്തിയ സ്ഥലം വികസനത്തിന് തയ്യാറാക്കുന്നു (2018 July)



=> ഭവനത്തിന് അടിസ്ഥാന പണി പൂർത്തിയാക്കുന്നു (2018-July)

Bolokelinan Blue metal's
[Signature]

23

GST No.: 33AADCT4784E1ZC

CIN No.: U40109TN2009SGC073746

தமிழ்நாடு மின் உற்பத்தி மற்றும் பகிர்மானக் கழகம் லிமிடெட்

கோவை மின் பகிர்மான வட்டம் / தெற்கு HSN Code : 27160000

மின் கட்டண இரசீது SAC Code : 996912

பெயர்:

வரிசை எண்: A 0995379

மின்.இ.எண்: RA. BALAKRISHNAN

கட்டண விகிதம்:

இரசீது எண்: 00-354-002-1335

LNDB Unit: 27.5

வ.எண்.	கட்டண விவரம்	தொகை (ரூ.)
	CBU3541D26551134 [13-10-2022] 25-00-2022 13:59:07	
23100	OC Charges	38364
47605	Advance OC Charge	154
82250	BPSC	274.07
82348	Rounding Off	-0.07
	மொத்தம்	



தொகை (எழுத்தால்):

Total

38792/-

இதர விவரங்கள்:

Thirty Eight Thousand Seven Hundred And Ninety Two Only by DD

*Electrical Energy & Distribution services are exempted under GST

Dr: 25/10/2022

Signature: SBT

Stamp: SBT

கணக்காளர்/கணக்கீடு ஆய்வாளர்/வருவாய் ஆய்வாளர்

34

GST No. : 33AADCT4784E1ZC

CIN No. : U40109TN2009SGC073746

தமிழ்நாடு மின் உற்பத்தி மற்றும் பகிர்மானக் கழகம் லிமிடெட்

தமிழ்நாடு மின் பகிர்மான வட்டம் / தெற்கு

HSN Code : 27160000

SAC Code : 996912

பெயர்: 03-354-002-1335

Units: 3112

வரிசை எண்: A 0997384

மின்.இ.எண்:

CBU353LACD1496/12/கட்டண விதிநம்ப-04-2022-13-40-29

இரசீது எண்:

நாள்:

வ.உண்	CC Charges	கட்டண விவரம்	23787	தொகை (ரூ.)
47605	Advance CC Charge		103	
62250	BPSC		170.61	
62940	Rounding Off		0.39	
	Total		24061/-	
Twenty Four Thousand Sixty One Only by DD				
			மொத்தம்	

தொகை (எழுத்தால்) :

Cheque/DD No.: 517918 Date: 25/04/2022 Amount: 35000/-

குறிப்புகள்:

5(i) Support services are taxable under GST

Electrical Energy & Distribution services are exempted under GST

கணக்கீட்டாளர்/கணக்கீட்டு ஆய்வாளர்/வருவாய் ஆய்வாளர்

25

GST No. : 33AADCT4784E1ZC

CIN No. : U40109TN2009SGC073746

தமிழ்நாடு மின் உற்பத்தி மற்றும் பகிர்மானக் கழகம் லிமிடெட்

கோவை மின் பகிர்மான வட்டம் / தெற்கு

HSN Code : 27160000
SAC Code : 996912

பெயர்: Bank:SBI

மீள் கட்டண இரசீது

வரிசை எண்: A 1304578

மின்.இ.எண்:

கட்டண விகிதம் :

இரசீது எண்: MBALAKRISHNAN

நாள்:

வ.எண்.	கட்டண விவரம்	தொகை (ரூ.)
	23-05-2022-14:21:45	
	33AADCT4784E1ZC	
	GST Applicable Charges (996912)	
61902	P.C Charges	6000
46941	GST @ 9%	
	மொத்தம்	

தொகை (எழுத்தால்) :

இதர விவரங்கள்:

Electrical Energy & Distribution services are exempted under GST

கணக்கீட்டாளர்/கணக்கீட்டு ஆய்வாளர்/வசூலியர் ஆய்வாளர்

36

GST No. : 33AADCT4784E1ZC

CIN No. : U40109TN2009SGC073746

தமிழ்நாடு மின் உற்பத்தி மற்றும் பகிர்மானக் கழகம் லிமிடெட்

கோவை மின் பகிர்மான வட்டம் / தெற்கு HSN Code : 27160000
SAC Code : 996912

மின் கட்டண ஓரசீது

பெயர்:

வரிசை எண்: **A 1304577**

மின்.இ.எண்:

MAL.ERAILAKKURUSHILAM

கட்டண விகிதம் :

Units: 3469.2 நாள்:

இரசீது எண்:

03-354-002-1335

வ.எண்.	கட்டண விவரம்	தொகை (ரூ.)
	OC Change	27016
23100	Advance Change	82
47605	BPSC	193.85
62250	Founding	0.15
62948		
மொத்தம்		



தொகை (எழுத்தால்) :

Total

27292/-

இதர விவரங்கள்:

Twenty Seven Thousand Two Hundred And Ninety Two

Only by DD

Electrical Energy & Distribution services are exempted under GST

கணக்கீட்டாளர்/கணக்கீட்டு ஆய்வாளர்/வருவாய் ஆய்வாளர்

IN THE HON'BLE NATIONAL
GREEN TRIBUNAL
SOUTH ZONE
AT CHENNAI.

Application No. 50 of 2022

Mr. S. Kalimuthu ... Applicant

- vs -

1. The District Collector
and Others ... Respondent

INDEX.

MN Balakrishnan
Counsel for 8th Respondent