

BEFORE THE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE AT CHENNAI

ORIGINAL APPLICATION NO. 50 of 2022

S. Kalimuthu,
Coimbatore

...Applicant

Vs

The District Collector,
Coimbatore
& others .

...Respondents

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**Filed by
Tmt. Shanmugavalli Sekar,
Advocate, Chennai.**

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REPORT FILED ON BEHALF OF THE 3RD & 5TH RESPONDENTS

TAMIL NADU POLLUTION CONTROL BOARD.

I, R. Rajamanickam, Son of P.M. Ramasamy, Hindu, aged about 58 years, having my office at No. 76, Mount Salai, Guindy, Chennai – 32, do hereby solemnly affirm and sincerely state as follows:-

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai and I am filing this Report on behalf of the 3rd & 5th Respondent Board and as such I am well acquainted with the facts of the case as per records.

2. It is submitted that the Hon'ble NGT (SZ) vide its order dated 16.08.2022 has directed inter alia that:

"... the State Pollution Control Board is also directed to inspect the site and file the appropriate report within two weeks".

3. It is respectfully submitted that based on the orders of the Hon'ble NGT (SZ), Chennai dt.16.08.2022, the respondent unit was inspected on 22.09.2022 by the District Environmental Engineer and Assistant Environmental Engineer of O/o. District Environmental Engineer, TNPCB, Coimbatore (South). During inspection the following were observed:

i. The unit has excavated soil up to 10 feet in the year 2012 and another 4 feet in 2019 and the unit has proposed to install the entire crusher activities below ground level so as to avoid Air pollution.

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

R. Rajamanickam
23/9/2022
**JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.**

ii. The unit has established primary and secondary crusher as per Consent to Establishment issued.

iii. The unit has provided conveyor belts, vibrators. The unit is yet to provide GI sheet enclosures as an air pollution control measure to the conveyor belts and other emission sources. The unit is yet to complete its entire crusher establishment works.

iv. No excavation works were noticed during the time of inspection.

v. The unit authorities have informed that earlier the unit has carried out trial operation in its primary jaw crusher to assess its performance. At present, no manufacturing activities were noticed.

4. It is respectfully submitted that the unit has obtained 'No Objection Certificate' from Tahsildar, Kinathukadavu Taluk vide letter dated 14.05.2018 wherein it is stated that;

a. Thiru. Joseph house is located in the northern side at a distance of 125 m. Thiru.Karuppasamy & Thiru. Rangasamy houses are located at a distance of 150 m on the western side. Thiru. Kalimuthu's house along with the poultry farm is located at a distance of 85 m on eastern side, Thiru. Arusamy & Thiru. Nataraj houses are located at a distance of 185 m & 300 m on the eastern side. Thiru. Mayilsamy house is located at a distance of 270 m on the southern side. Thiru. Sivakumar, Thiru. Subramanian, Thiru. Krishnasamy & Thiru. Prakash houses are located at a distance of 340 m, 250 m & 400 m respectively on the north western side from this proposed stone crusher site.

b. It is also stated that the above houses located in the agricultural lands are unapproved as per the Arasampalayam Panchayat & Revenue records.

5. It is respectfully submitted that the unit has also obtained 'No Objection Certificate' from Block Development Officer, Kinathukadavu vide letter dated 27.04.2018 wherein it is stated that;

R. Vijay
23/9/18
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

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TAMIL NADU POLLUTION CONTROL BOARD
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- a. Thiru. Joseph house is located in the northern side at a distance of 100m. Thiru.Karuppasamy & Thiru. Rangasamy houses are located at a distance of 70 m on the western side. Thiru. Kalimuthu's house along with the poultry farm is located at a distance of 50 m on eastern side, Thiru. Arusamy & Thiru. Nataraj houses are located at a distance of 200 m & 275 m on the eastern side. Thiru. Mayilsamy house is located at a distance of 200 m on the southern side. Thiru. Sivakumar, Thiru. Subramanian, Thiru. Krishnasamy houses are located at a distance of 280m, 180 m & 400m respectively on the north western side from this proposed stone crusher site.
- b. It is also stated that the above houses are unapproved as per the Panchayat records.

6. It is respectfully submitted that the Tahsildar, Kinathukadavu Taluk and Block Development Officer, Kinathukadavu Taluk had certified vide their letters dated: 14.05.2018 & 27.04.2018, that there is no approved residential layouts located within 500 m radius of the unit's site including the above mentioned houses as per revenue records & Panchayat Union records.

7. It is further submitted that the Tahsildar, Kinathukadavu Taluk and Block Development Officer, Kinathukadavu had certified that, there are no stone crushers located at 1.0 km radius from this proposed stone crusher. It is also certified that there is no National Highways/State Highways is located at distance of 500 m radius from this proposed stone crusher. There are no Government buildings, approved layouts, temples, mosques, churches located within 500 m radius from this proposed stone crusher. The Block Development Officer, Kinathukadavu has certified vide letter dated: 27.04.2018 that there are no approved residences and layouts within 500 m radius of this proposed unit.

8. It is respectfully submitted that the respondent unit has submitted the copy of the GPS survey report obtained from Government College of Technology, Coimbatore dated: 14.03.2018 in which it is stated that the shortest distance between S.F No. 298/2A, Karachery, Arasampalayam Village, Kinathukadavu Taluk, Coimbatore District and M/s Ravikumar Blue


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Metal is 1.050 km (one kilometre and 50 metre). Also it is mentioned that the shortest distance between S.F No. 298/2A, Karachery, Arasampalayam Village, Kinathukadavu Taluk, Coimbatore District and M/s SKT Blue Metal is 1.392 km (one kilometre and three and ninety two metre).

As the location of the unit satisfies the siting criteria for establishing new crusher as per the B.P Ms No.4 dated 02.07.2004, CTE was issued to the respondent unit under both the Water (P&CP) Act, 1974 and the Air (P&CP) Act, 1981 by Tamil Nadu Pollution Control Board vide Proceeding Dated: 06.09.2018.

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. Rajamanickam
23/9/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
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 verify that the contents of above report are true to the best of my knowledge through records.

R. Rajamanickam
23/9/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
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POLLUTION CONTROL BOARD.**

**Advocate for Respondents TNPCB:
Tmt. Shanmugavalli Sekar,
Advocate, Chennai.**

Date:23.09.2022.

Date of hearing on:26.09.2022