

**BEFORE THE NATIONAL GREEN TRIBUNAL (SZ) AT CHENNAI**

**Original Application No. 57 of 2020**

Thirunavukarasu @ Velu  
S/o. Murugesan,  
No.94, Ezhuthuveethi, Mappedu Village,  
Samathuvapuram, Ulundhai Post,  
Thiruvallur District.

...Applicant(s)

**Versus**

The Member Secretary,  
Tamil Nadu Pollution Control Board,  
No.76, Mount Salai, Guindy,  
Chennai and Ors.

....Respondent(s)

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**Certified that the above documents are true copies of their original.**

**Dated at Chennai on this the 27<sup>th</sup> day of January, 2021**



**COUNSEL FOR 4<sup>TH</sup> RESPONDENT**

**M/s SAI SATHYAJITH &  
PON. VIVEKHA**

**MOB- 9789052084; EMAIL- taaurs@gmail.com**

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**AFFIDAVIT OF 4<sup>th</sup> RESPONDENT**

I, H.KARTHIKEYAN , S/o. HARIDOSS , Hindu, aged about 42 years, , Tamil Nadu., do hereby solemnly affirm and sincerely state as follows;

1. I am the Managing Director of the 4<sup>th</sup> Respondent and such I am authorized to file the present affidavit. I am well acquainted with the facts and circumstances of the case and I have read and understood the records and pleadings filed in this present case. I am filing this present affidavit in the nature of "compliance report".

For AMMAYAPPER TEXTILES PVT LTD

(M. KARTHIKEYAN)  
MANAGING DIRECTOR

2. It is submitted that this Hon'ble National Green Tribunal (SZ) as per order dated 05.11.2020 in O.A No. 57 of 2020 directed the Tamil Nadu Pollution Control Board as follows:

*"....5. We direct the Pollution Control Board to comply with the principles of natural justice and also directions given by this Tribunal in similar matters, where the appeal has been filed by the parties against imposition of environmental compensation, without giving show cause notice and opportunity of being heard and not passing reasoned order, directing them to comply with the principles of natural justice and pass detailed order, giving them reasons for the conclusions arrived at by them.*

*6. The Pollution Control Board is directed to comply with the directions, before taking action against the fourth respondent regarding the recovery of environmental compensation. If any proceedings has been issued demanding environmental compensation amount, treat that as show cause notice and the fourth respondent is directed to submit their objection to the notice within a period of one week from today and if such objection is filed, the Pollution Control Board is directed to fix the date of hearing and pass appropriate orders in accordance with law, in tune with the direction of this Tribunal in similar matters while disposing the appeal filed by the aggrieved person.*

*7. The Pollution Control Board as well as fourth respondent are directed to comply with the direction issued by this Tribunal as per order dated 16.9.2020 on or before 14.12.2020."*

For AMMAYAPPER TEXTILES PVT. LTD

H. KARTHIKEYAN  
Managing Director

3. Subsequently the unit issued a representation letter dated 15.09.2020 as a reply and objections to the letter proceedings of TNPCB made in Lr. No. T5/TNPCB/LAW/NATIONAL GREEN TRIBUNAL/F-08938/TLR/2020 imposing environmental compensation.

4. When the matter came up for hearing on 14.12.2020, this Hon'ble Tribunal directed the TNPCB to conclude the show cause proceedings as per law. Thereafter, a show cause notice dated 05.12.2020 made in Proc. No. T5/TNPCB/LAW/NGT/F-08938/TLR/2020 was received by the unit on 16.12.2020. Subsequently, a detailed reply dated 12.01.2021 was also made to the above-mentioned show cause notice. It is submitted that till date, the show cause proceedings have been not concluded and no final orders have been made by the TNPCB after consideration of the reply given by this unit.

5. It is submitted that on 14.12.2020, this Hon'ble NGT(SZ) further directed this respondent as follows:

*"...9. The 4th respondent is also directed to submit the compliance report regarding the compliance of the directions issued by the Pollution Control Board while issuing the closure order..."*

6. It is submitted that as per proceedings of TNPCB dated 10.06.2020 made in T5/TNPCB/LAW/NGT/F-08938/TLR/2020 issued the following compliance directions:

FOR AMMAYAPPER TEXTILES PVT. LTD  
M. KARTHIKEYAN  
Managing Director

- 1. *The unit shall not carry out bleaching activity without obtaining consent of the Board.*
- 2. *The unit shall revamp the ETP-1 by providing adequate diffusers in the Aeration tank, UF system and other ETP components to satisfy the standards prescribed by the Board.*
- 3. *The unit shall provide RO system with Mechanical Evaporator to achieve zero discharge of trade effluent at all the time.*
- 4. *The unit shall obtain Authorisation under Hazardous and other Wastes (Management & Transboundary movement) Rules, 2016 for the disposal of hazardous waste generated from the unit.*
- 5. *The unit shall not dispose treated/ untreated sewage or trade effluent outside the unit premises at any point of time.*
- 6. *The unit shall provide Wet scrubber to the stack attached to the Briquette fired Thermic fluid heaters so as to achieve the AAQ/emission standards prescribed by the board."*
- 7. *The unit shall conduct AAQ/SM survey through TNPCB lab, and furnish the report to board."*

7. It is submitted that the **Condition No. 1,2,4 & 5** are complied by this respondent and the same was acknowledged by the TNPCB vide their inspection dated 29.10.2020.

8. It is submitted that, with regard to the **Condition No. 3**, the compliance requires physical alteration and modification of the total site of the unit. The engineering and electrical changes requires fabrication works in the present site. Further, installation

For AMMAYAPPER TEXTILES PVT. LTD

H. KARTHIKEYAN  
Managing Director

of machines and modification of the existing systems also requires large scale modifications. Due to the pandemic situation and economic breakdown, the unit was not able to procure materials and complete works on time. However, the unit had acquired the requisite materials and proceeded with to complete the works at the earliest and the proof of the same is **Annexed as Annexure Number-1** with photograph copies showing the improvement works made by the unit. The unit has also spent about Rs. 42,48,000/- to completely make all the systems as state-of-the-art technology and with a commitment to be environment friendly and the proof of the same is **Annexed as Annexure Number -2**. It is submitted that as on date, about 70% of the works is complete and the total work would be completed at the earliest within a period of couple of months from today.

9. Further it is submitted that, with regard to **Condition No. 6**, the unit had installed the necessary machinery and the integration of the same with the existing system will be wholly complete within a month from today. The proof of the works carried on is **Annexed as Annexure number 3 and 4**. Hence, the unit seeks a time period of one month till **05.03.2021** to integrate the installed machineries and wholly complete the work.

10. With regard to Condition No. 7, the same can be complied with after the total installation of the machineries as stated above the present unit will conduct AAQ/SM survey immediately.

11. It is respectfully submitted that the unit has been periodically reporting the compliance status to the TNPCB and the authorities have also monitored and

For AMMAYAPPER TEXTILES PVT. LTD

H. KARTHIKEYAN  
Managing Director

inspected the works that have been carried on. Accordingly, the TNPCB being satisfied with the compliance status, the unit had requested additional time of 3 months vide its representation to complete the works which was also orally acknowledged and granted by the TNPCB.

12. In the meantime, as per the directions of the TNPCB, **the unit had shut down its "bleaching" activities and does not carry on the same till date.** It is submitted that the unit is only carrying the "washing" activities to sustain its livelihood and after the completion of the above improvements and after necessary permissions are obtained, the unit will commence the bleaching activities.

13. Thus, the unit is totally confirming to the standards of the TNPCB being only a washing activity and the TNPCB has been monitoring and also conducted inspections to verify the improvement works carried on by the respondent unit.

Therefore, it is respectfully prayed that this Hon'ble Tribunal may be pleased to accept the present affidavit on the record of this Hon'ble Tribunal and permit to file further compliance report as per the time frame granted by the TNPCB on the next date of hearing and pass such further or other orders in the interest of justice.

For AMMAYAPPER TEXTILES PVT. LTD

Solemnly affirmed on this the :  
27<sup>th</sup> day of January, 2021 :  
And signed his name in my presence.:

H. KARTHIKEYAN  
Managing Director  
BEFORE ME  
D. Arvidan  
104, Law Chamber  
ADVOCATE High Court  
Madras



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ANNEXURE - 1

**HYDRAMEM**<sup>®</sup>  
HIGH PERFORMANCE MEMBRANES  
MANUFACTURED BY: ION EXCHANGE (INDIA) LTD.



HYDRAMEM  
WET MEMBRANE

HYDRAMEM  
WET MEMBRANE

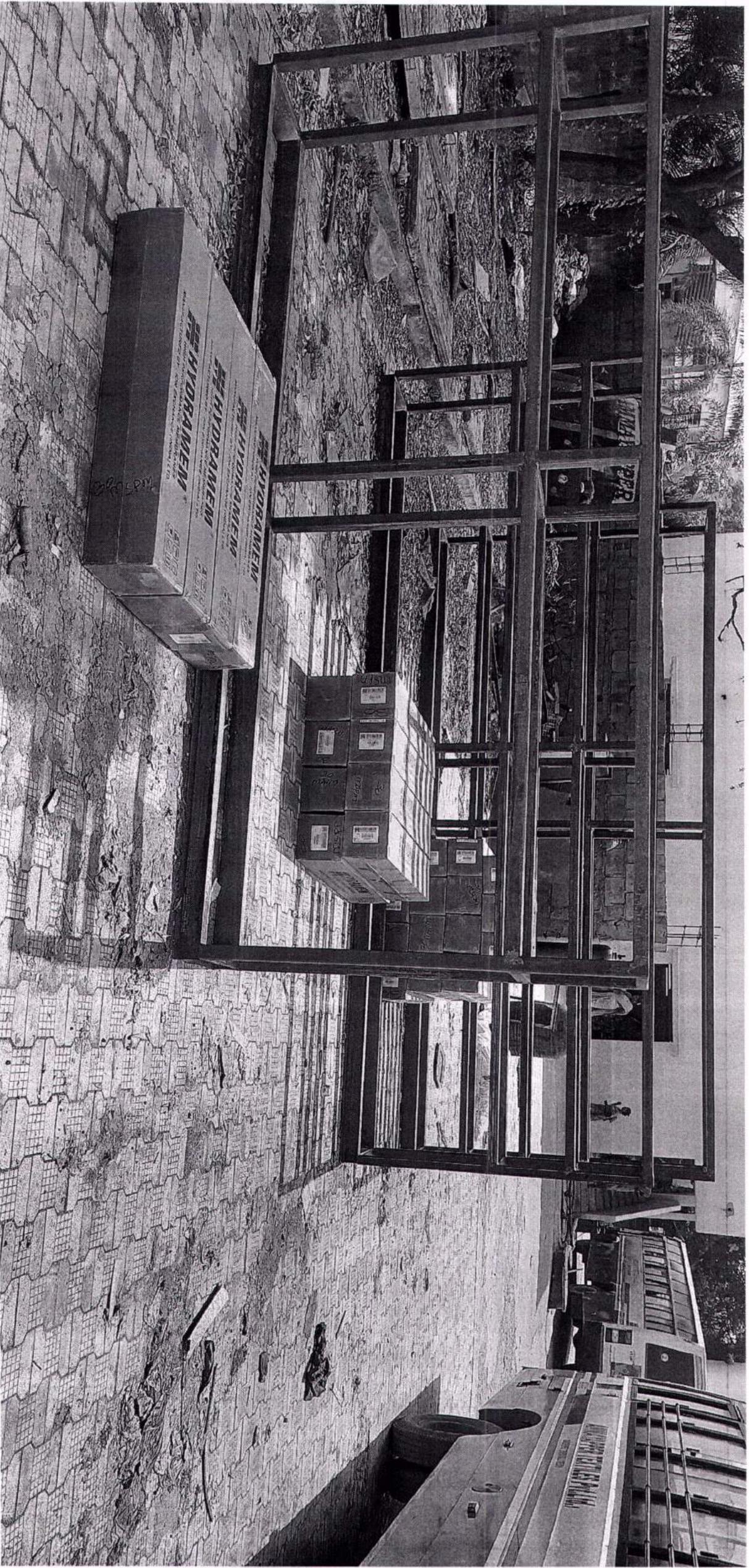
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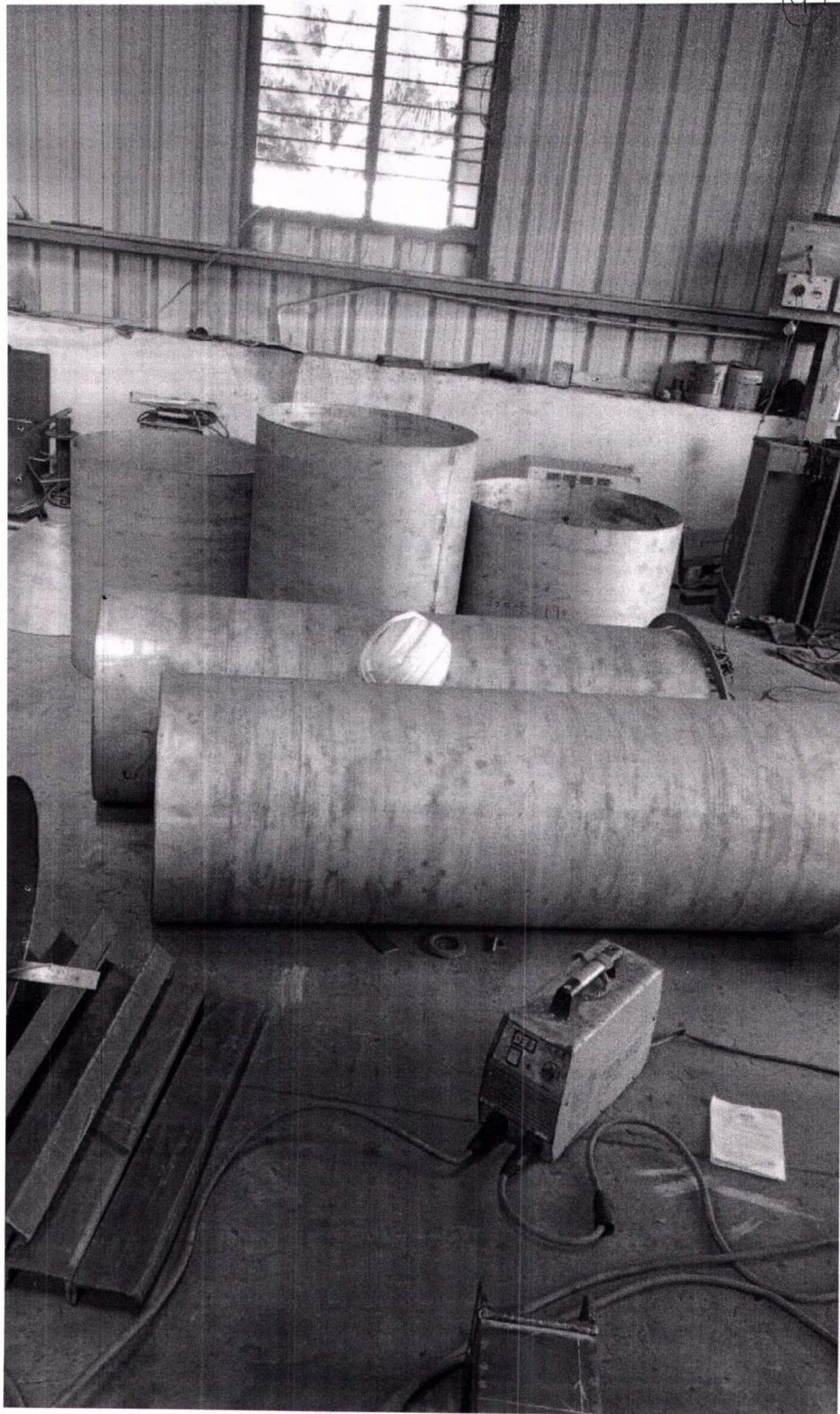
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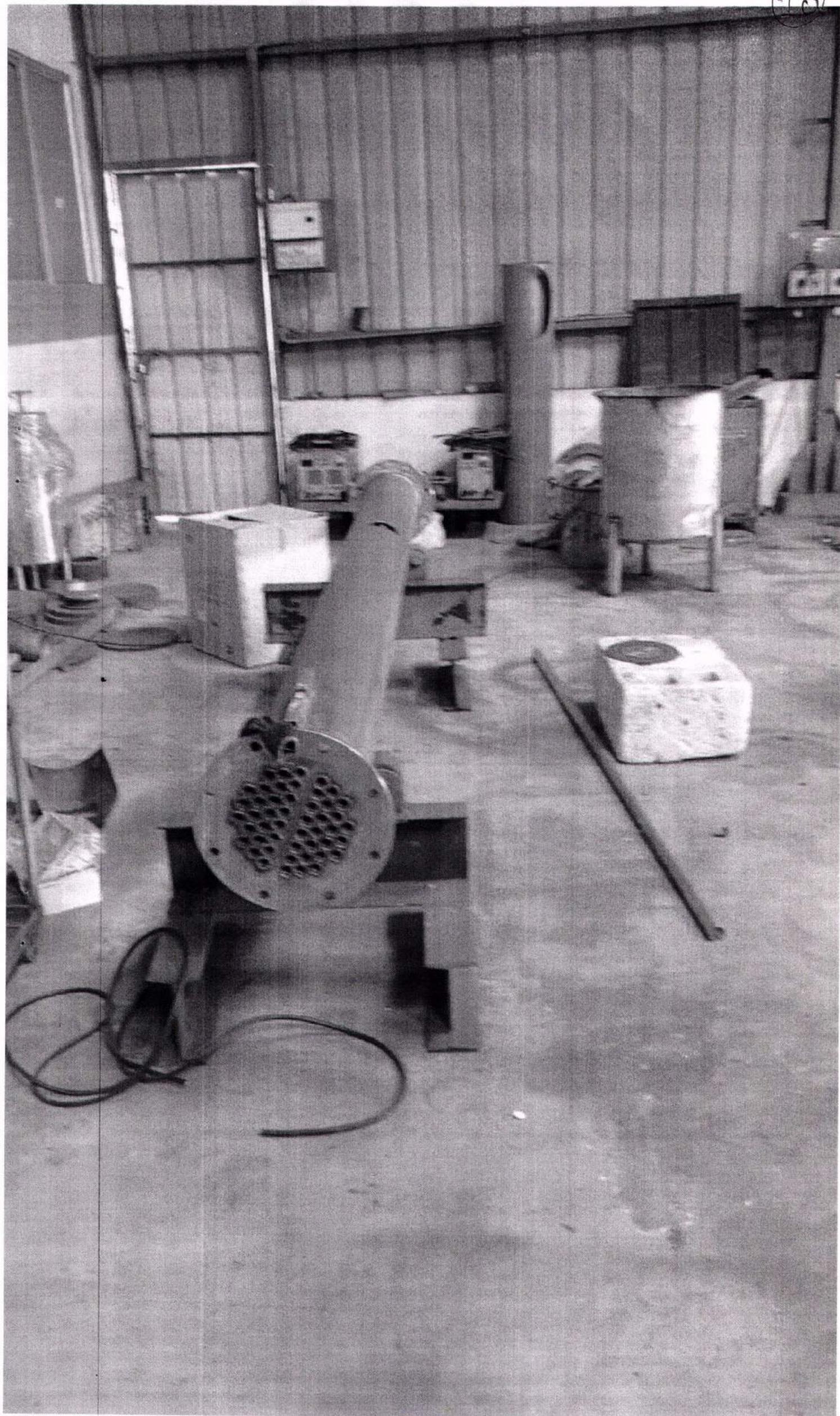
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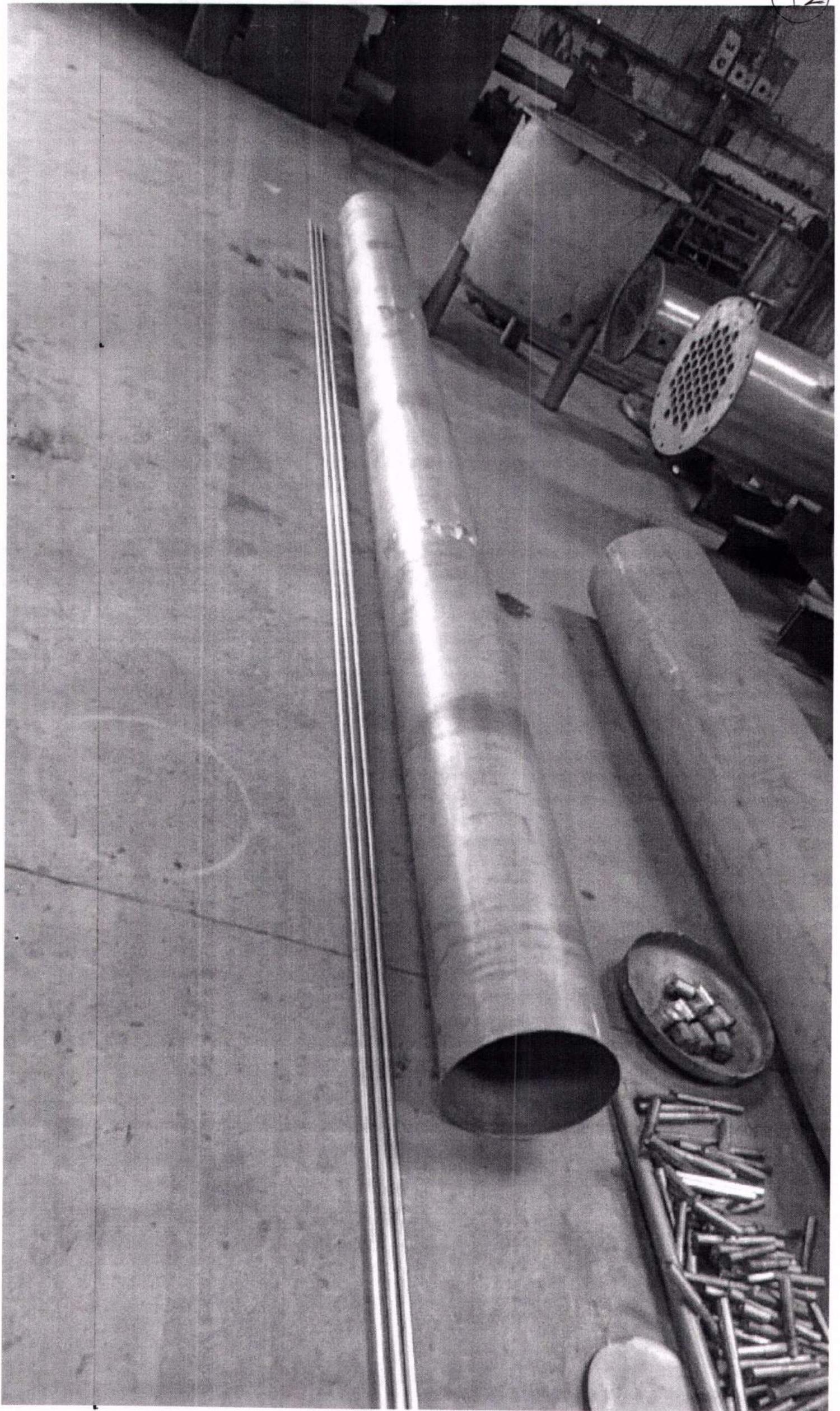
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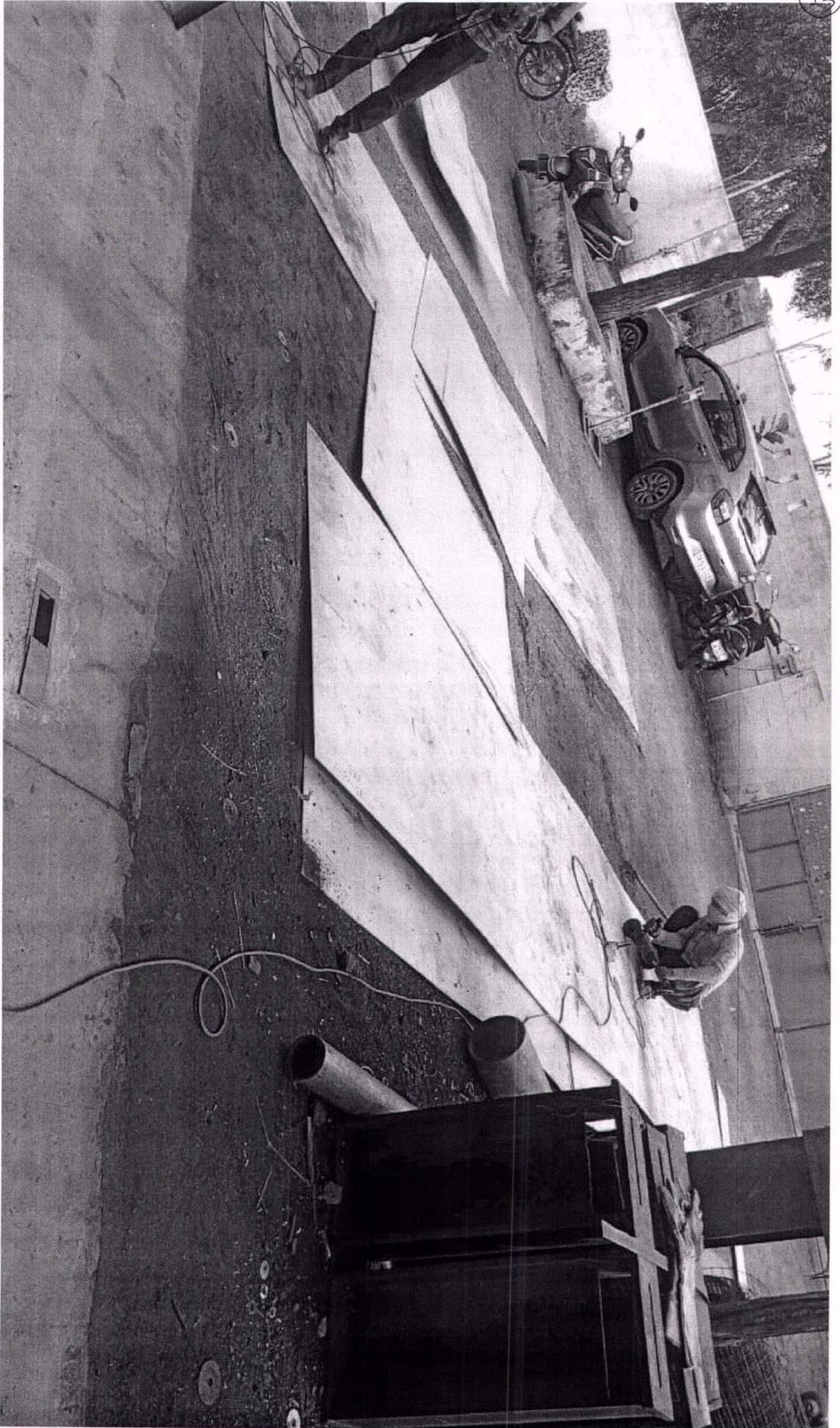












# ANNEXURE - 2

14

09/12/2020:11:30:28

## PURCHASE ORDER

Company : <b>AMMAYAPPER TEXTILES PVT LTD</b> Perambakkam High Road, Ulundai Post, Gandhipettai, Thiruvallur Dist-602105, GST NO : 33AAFCA2634N1ZP, Chennai, TAMIL NADU, INDIA Fax : CST : 83171 date 8-11-2006, Area Code : TIN No: 33890021330 EmailId :	OrderNo	Type	Dated
	<b>O-1004</b>	Others	06/12/2020
	Del. Date		Price Terms
	13/12/2020		Payment Terms : 60% Advance
	Despatch through		Mode of Payment :
	Land		Cheque
Supplier : <b>SRI SAKTHI ENDGINEERING</b> NO: 2/453, KAASIPILIAMPALAYAM, KAMBILIYAMBATTI, PERUNDURAI, ERODE - 638056, TAMIL NADU, INDIA, 638056, CST No : 0, TIN No : GST NO: 33ABZFS1034J1ZV, Area Code :	Special Instructions		
FOR ATPL GANDHIPETTAI FACTORY ( WASHING DEPARTMENT )			

Dear Sir/Madam,  
 Please arrange to supply the following materials as per details given below:

S.No	Item	Description	Qty	Discount %	Tax %	Rate	Unit	Amount	Remarks
1	OTHERS	EVAPORATOR WITH ATFT AND FULL SETUPMENT AS DESCRIBED IN QUOTATION	1	0	18	3600000.000	SET	3600000.00	
<b>Total</b>			<b>1.00</b>				<b>INR</b>	<b>3600000.00</b>	

<b>Total Discount Amount</b>	<b>0.00</b>
<b>Total Tax Amount</b>	<b>648000.00</b>
<b>Frieght/Courier</b>	<b>0.00</b>
<b>Other Amount</b>	<b>0.00</b>
<b>NetAmt.</b>	<b>4248000.00</b>

Rupees Forty Two Lakhs Forty Eight Thousand Only.  
 Remarks :

**Terms and Conditions:**

1. Purchase Order must be confirmed immediately upon receipt.
2. Delivery date mentioned above mutually accepted and confirmed. Any delay is not acceptable without prior information.
3. Goods manufactured should absolutely confirm to the specification and quality requested.
4. Delivery and Billing to be done to the address on the purchase order.

**Goods to be Delivered :**

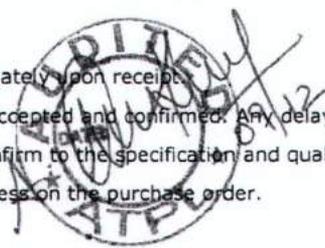
AMMAYAPPER TEXTILES PVT LTD, Perambakkam High Road, Ulundai Post,  
 Gandhipettai, Thiruvallur Dist-602105, GST NO :  
 33AAFCA2634N1ZP, Chennai, INDIA

Purchase Incharge : VIJAYA GANESH

Suppliers Confirmation

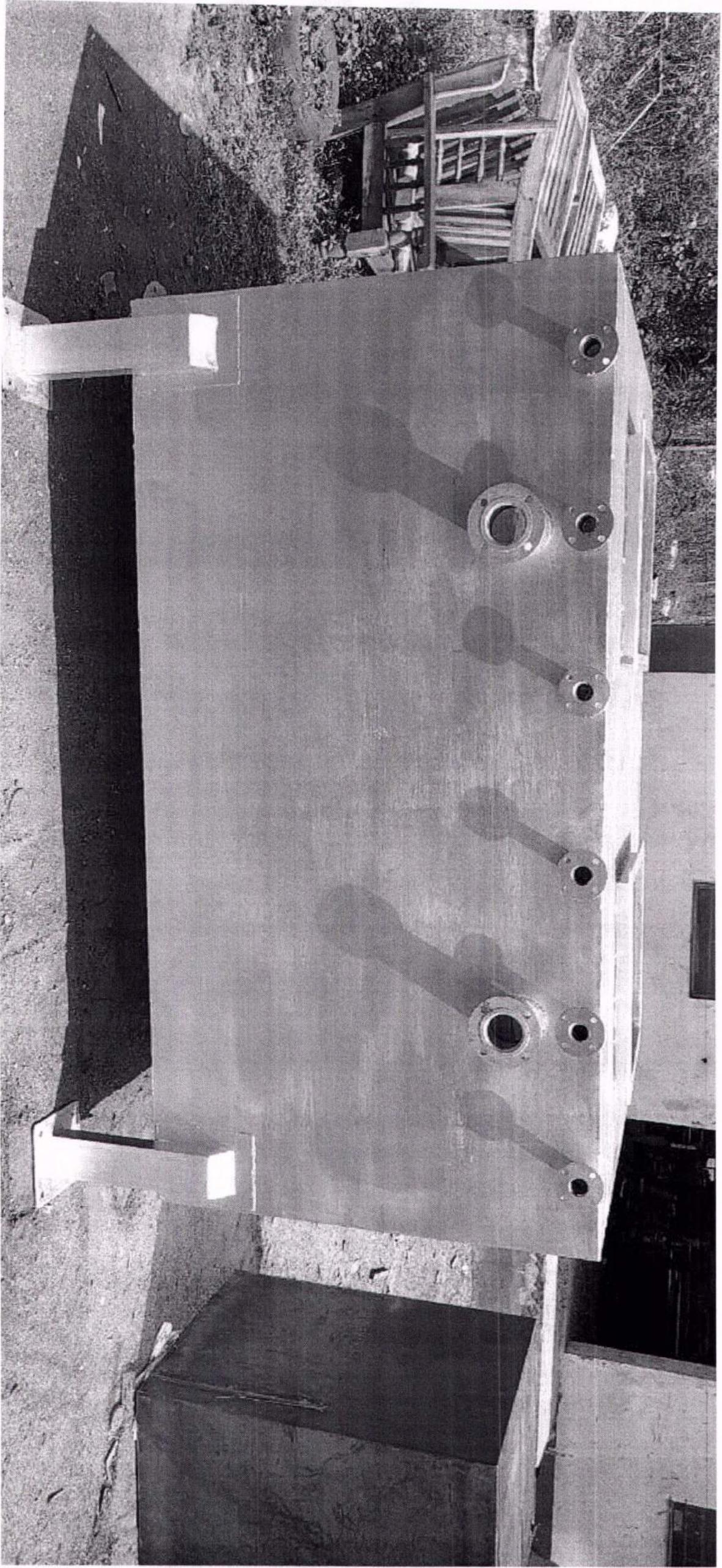
For AMMAYAPPER TEXTILES PVT LTD

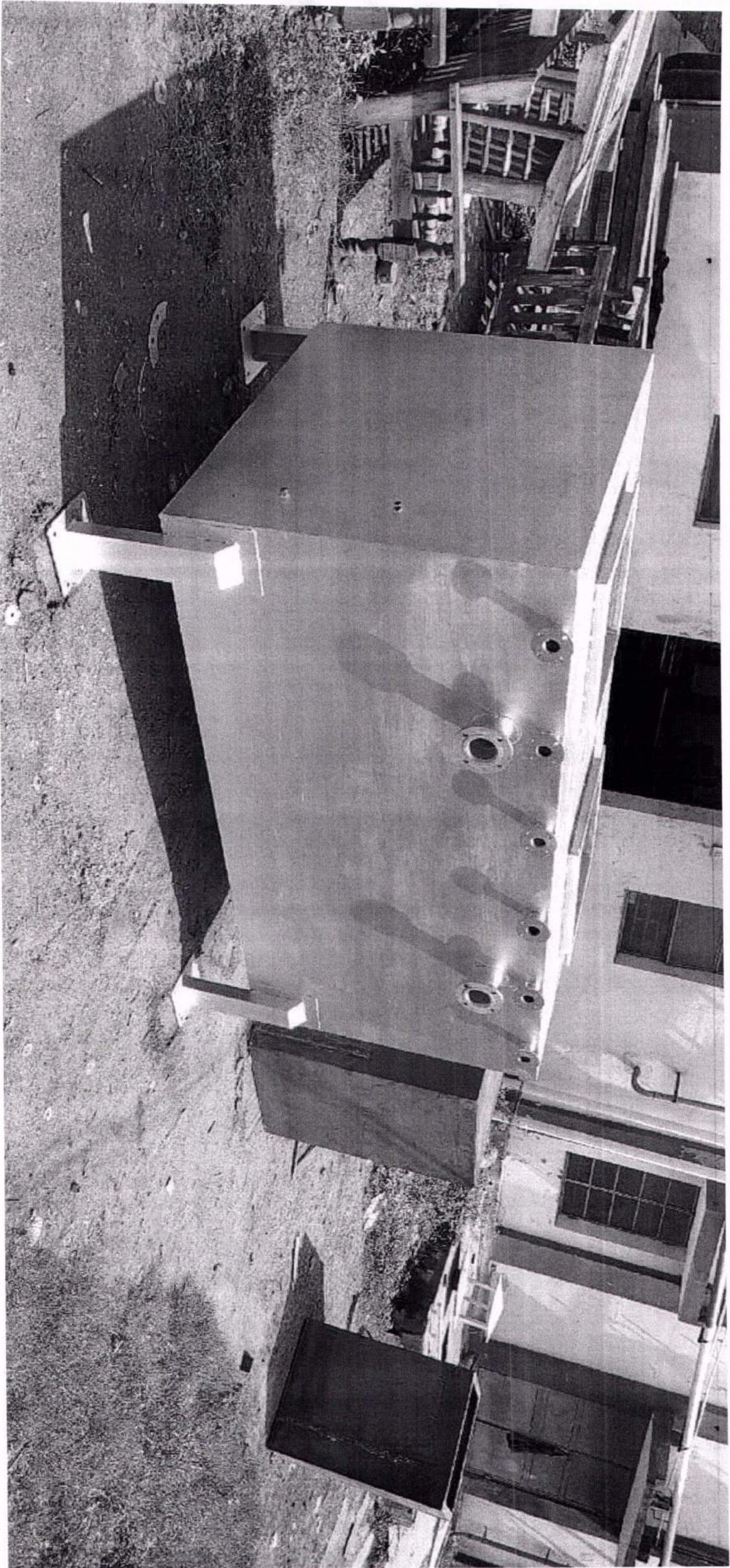
Authorized Signatory

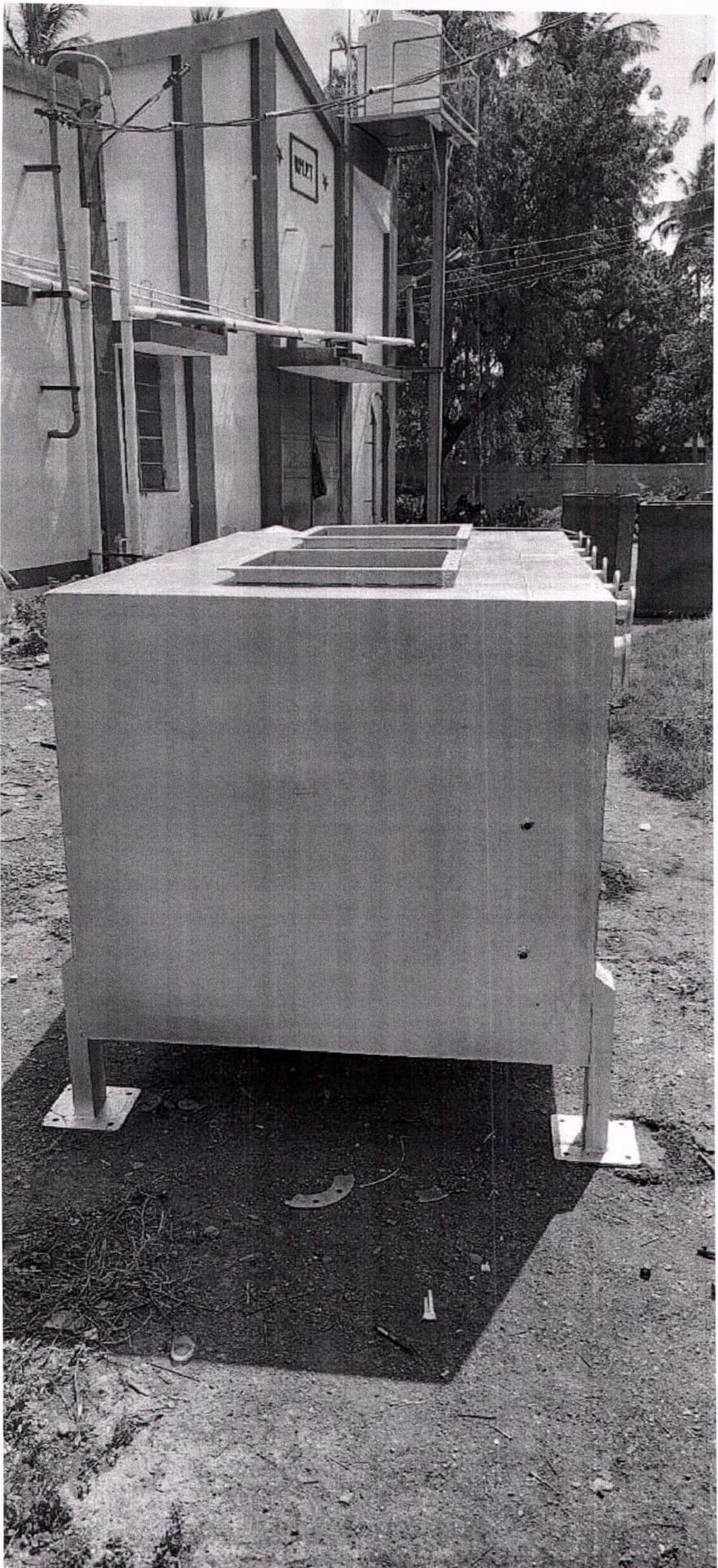


*[Handwritten Signature]*

ANNEXURE - 3







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ANNEXURE - 4