

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI.**

**Original Application No.60 of 2020 (SZ)  
&  
I.A.No. 27 of 2020 (SZ)**

**S. Pappathi**

**...Applicant**

**Versus**

**The Chairman,  
Tamil Nadu Pollution Control Board,  
76, Mount Salai, Guindy,  
Chennai - 600 032. (044-22353134-139)  
(Email id:tnpcb-chn@gov.in) & others**

**...Respondent(s)**

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**Filed by  
Thiru. C. Kasirajan,  
Advocate, Chennai.**

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1. The Chairman,  
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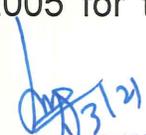
...Respondents

**REPORT FILED ON BEHALF OF THE  
TAMIL NADU POLLUTION CONTROL BOARD.**

I, R. Vijayabaskaran, Son of E. Rathnam, Hindu, aged about 59 years, having my office at 76, Mount Salai, Guindy, Chennai-600032, do hereby solemnly affirm and sincerely state as follows:-

1. I am the Additional Chief Environmental Engineer, Tamil Nadu Pollution Control Board (TNPCB), Chennai – 32, and filing this Report 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 respectfully submitted that the unit of M/s Bahavathi Amman Steels located at S.F.No.771/1,2,3,4 & 774/1,2, PUNCHAI THOTAKURICHI Village, Pugalur Taluk (earlier Manmangalam Taluk) and Karur District has obtained Consent of Tamil Nadu Pollution Control Board vide CTO Proc. No DEE/TNPCB/KRR-OS-143/W&A/2005dated 15.2.2005 for the

  
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TAMIL NADU POLLUTION CONTROL BOARD  
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following product specification, Transport, Storage and Selling Lime Sludge Waste (From M/s TNPL) -200 MT/Day and consent was renewed with a validity period up to 31/3/2021.

At the time of issue of CTO to the unit, the lime sludge was considered as non hazardous waste and the unit has no necessity of possessing Authorisation under Hazardous Wastes (Management, Handling & Transboundary Movement) Rules,2008.

4. It is respectfully submitted that the Hon'ble NGT has passed order dt.28.01.2021 and directed as follows:-

*" ... Para 5:- though it was mentioned in the report that about 40 to 50 tonnes of old dump of Lime Grits waste are lying in the 3rd respondent premises and it was informed by the 3rd respondent that was stacked prior to 2012 and they will be used for filling the floor construction of the shed, but they have not mentioned how long they will require for that purpose. It is also mentioned in the report that samples of the dump heaps were collected and sent for laboratory for analysis, but they have not mentioned anything about the result of the analysis. They have not mentioned as to whether keeping it for a longer period in a particular place will have any impact on environment like soil degradation or ground water contamination. No such exercise was conducted by the Tamil Nadu State Pollution Control Board while filing the report.*

*Para 7:- The Tamil Nadu State Pollution Control Board is directed to file a further report incorporating the above aspects and if the dumping of lime grit waste will have any impact on environment, then they are*

  
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*directed to suggest the necessary remedial measures to rectify the same, apart from imposing environmental compensation against the 3rd respondent for such violation”.*

5. It is respectfully submitted that, in order to comply the said order, the unit was again inspected on 19.2.2021 by the DEE, TNPCB, Karur and the AEE, TNPCB, Karur along with M/s Tamil Nadu Newsprint officials Mr K.Ravi, (Assistant General Manager ( Environment) ) , Mr K.Marudhaiya (Assistant General Manager ( Environment) M/s. TNPL Cement , Mr Ramesh , Proprietor M/s Bahavathi Amman steels and during inspection, the following observations were made:

i. The unit has completed the construction of shed used for storage and about 95% of the dumped heaps were removed and utilized for the shed construction and the unit has also reported that the balance material will also be used for the balance works.

ii. The unit authority of M/s Bahavathi Amman Steels has informed that about 3915.38 Tons of Lime Sludge was procured during 2019-20 and due to COVID lockdown and as the entire lime sludge generated from M/s TNPL is being utilised for captive purpose in their M/s TNPL Cement factory, there is no procurement of Lime sludge for the past eight months. As there is no procurement of lime sludge from M/s TNPL for the past eight months and as requested by the unit of M/s OMYA India Pvt Ltd (Raw material supplying unit of TNPL) the shed is utilized temporarily for storage of their raw materials.

iii. Samples of the dump heaps were collected on 18/8/2020 and sent for analysis to the District Environmental lab, TNPCB, Dindigul. Counter

  
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samples were also collected by M/s TNPL. The ROA of samples analyzed by DEL, TNPCB and counter samples analyzed by TNPL is enclosed herewith as ANNEXURE. On verification of the ROA it is inferred that the constituents of the dumped heaps are matching with the specification of lime grits.

iv. The unit has removed the dumped heaps of lime grits and bushes in that area. The unit was advised to develop green belt in that area. Further the said area is located on the downstream side and adjacent to TNPL treated effluent utilizing area. No significant soil degradation and ground water contamination was noticed due to storage of the lime grit.

v. M/s. Bhagavathi Amman Steels was directed to furnish the consent details of Tamil Nadu Pollution Control Board/State Pollution Control Board of actual users to whom the materials were sold so far, and the unit is yet to submit the details to the Board.

In this connection, the following instructions were issued to the unit and to M/s. TNPL vide Lr. No. DEE/TNPCB/Karur /NGT/2021, dated 22.02.2021 based on the orders of the Hon'ble NGT (SZ) to unit of M/s. Bhagavathi Amman Steels:-

- i. The unit of M/s. Bhagavathi Amman Steels shall ensure that the materials sold to actual use shall have valid consent of Tamil Nadu Pollution Control Board/State Pollution Control Board and shall furnish the details to Board.

  
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- ii. The unit shall clear the balance quantity of dumped material immediately and shall utilize the same to complete the shed construction as reported.
- iii. The unit shall develop considerable green belt in their premises especially in the dumped material cleaned area.

Further, the unit of M/s. TNPL, Karur was instructed that the TNPL shall ensure complete captive utilization of lime sludge and if any material is sold out under any circumstances and it shall be ensured that the actual user of the material is having valid consent of Tamil Nadu Pollution Control Board/State Pollution Control Board.

The unit is closely monitored by the Tamil Nadu Pollution Control Board.

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.

*dyf*  
*13/21*  
ADDL. CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No.76, MOUNT SALAI, GUINDY,  
CHENNAI-600 032.

**BEFORE ME**

**VERIFICATION**

I, R. Vijayabaskaran, son of E. Ratnam, working as Additional Chief Environmental Engineer, having office at No. 76, Anna Salai, Guindy, Chennai – 32, do hereby submit that the above contents are true to the best of my knowledge and belief through records.

Verified at Chennai on this 01 day of March 2021.

*dyf*  
*13/21*  
ADDL. CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
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Advocate for Respondent: TNPCB  
Thiru. Kasirajan  
Advocate, Chennai.

Date: 01.03.2021

Date of hearing: 24.03.2021