

**BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI**

**Original Application No.70 of 2020 [SZ]**

**IN THE MATTER OF**

Tribunal on its own SUO MOTO based on  
the News item in The New Indian Express,  
Chennai edition dated 16.05.2020,  
"Ammonia leak from Madras Fertilizers Limited  
Worries residents, in Chennai's Manali

...Applicant

-Vs-

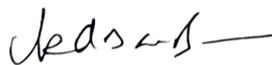
Union of India, rep. by its Environment and  
Forests and Climate Change, New Delhi and  
others

...Respondents

**ADDITIONAL INDEX TO TYPED SET FILED BY 9<sup>TH</sup> RESPONDENT**

**10.08.2022**

M/s Aiyar and Dolia  
Counsel for 9<sup>th</sup> Respondent



Counsel for 9<sup>th</sup> Respondent

### Environmental Norms to be met by MFL

MFL has to comply with norms of ambient air, Boiler Stack Emission, Urea and NPK stack emission. The Joint committee in its report dated 23.08.21 submitted to NGT (Page 1, Sl No 2) informed that MFL has complied with Boiler Emission and AAQ norms.

<b>AMBIENT AIR QUALITY NORMS</b>			
<b>Pollutants</b>	<b>Unit</b>	<b>NAAQS</b>	<b>MFL Status per JC</b>
PM <sub>10</sub>	µg/m <sup>3</sup>	100	Complied
PM <sub>2.5</sub>	µg/m <sup>3</sup>	60	Complied
NO <sub>2</sub>	µg/m <sup>3</sup>	80	Complied
SO <sub>2</sub>	µg/m <sup>3</sup>	80	Complied
NH <sub>3</sub>	µg/m <sup>3</sup>	400	Complied
CO	mg/m <sup>3</sup>	2	Complied
<b>BOILER STACK EMISSIONS</b>			
<b>Pollutants</b>	<b>Unit</b>	<b>CPCB NORMS</b>	<b>MFL Status per JC</b>
PM	mg/m <sup>3</sup>	150	Complied
SO <sub>2</sub>	mg/m <sup>3</sup> at 3% dry O <sub>2</sub>	600	Complied
NO <sub>2</sub>	mg/m <sup>3</sup> at 3% dry O <sub>2</sub>	300	Complied
<b>UREA DEMISTER &amp; NPK STACK</b>			
<b>Pollutants</b>	<b>Unit</b>	<b>CPCB NORMS</b>	<b>MFL Status per JC</b>
PM (NPK C Train)	mg/m <sup>3</sup>	150	Complied
NH <sub>3</sub> (Urea Demister)	mg/m <sup>3</sup>	300	Complied
HF (NPK)	mg/m <sup>3</sup>	10	Complied
<b>WORKSPACE</b>			
<b>Pollutants</b>	<b>Unit</b>	<b>OSHA NORMS</b>	<b>MFL Status per JC</b>
NH <sub>3</sub>	ppm	50 ppm - 8 Hr	Complied

Joint committee has suggested the following measures to improve the systems and MFL has taken all necessary steps to comply with. The schemes suggested are of new projects which require sufficient time to complete the installation. MFL has placed order for all the items and supply & installation is pending by the vendors.

### NGT Case 1 – OA No. 70/2020

Based on the news published in the new Indian Express, Chennai edition dated 16.05.2020 under the caption “Ammonia leak from Madras Fertilizers limited Worries residents in Chennai `s Manali” NGT on its own motion has taken up the case as Suo Moto .

NGT formed a joint committee with TNPCB and appointed IIT to give a report on MFL. IIT submitted report after based on a three months study and 3 days of analysis conducted in MFL. In their report, there was some exceedance of Ammonia conc. in ambient inside the plant. But there was no abnormality in the work spot (source emission) and Ammonia values were well within the limits. Hence, there is no proof of Ammonia being let out / leaked out.

Joint committee after visiting MFL on 17.11.2020 gave recommendations (24.11.2020) for not complying with AAQ standards and exceeding the discharge norms of source emission from utility boiler.

MFL is submitting compliance status report for TNPCB directions and joint committee recommendations on every hearing held. Latest compliance is as follows:

Directions	Total	Completed	In Progress
TNPCB	28	27	1
Joint Committee	12	11	1
	<b>40</b>	<b>38</b>	<b>2 (Expected to be completed by Dec 2022)</b>

From the above, it is clear that MFL has taken serious and necessary steps to comply with the directions of TNPCB and Joint Committee. As on date, MFL has completed 95% of the directions (38 out of 40) and we assure that the remaining directions also are in progress and will be completed by Dec 2022.

In spite of various efforts taken by MFL to comply with TNPCB directions and regularly updating them about the progress, TNPCB vide Lr No. T1/TNPCB/LAW/LAIII/NGT/F.9329/2020/2021 dated 21.12.2021, issued a show cause notice to impose an environmental compensation of Rs 96, 30,000 stating that all the CAAQMS were not in line and CEMS were not installed in common stack of Boilers with a capacity of 55 Tons/hr and for the reasons of exceedance of Emission Norms during the period 26.08.2020 to 28.03.2021

In reply, we have clarified TNPCB vide MFL Lr dt 04.01.2022 as follows:

- i) Though CAAQMS were not functioning fully during the said non-compliance period (18.11.2020 to 28.03.2021), the classical surveys by the third party external agencies were taken up for the same period (18.11.2020 to 28.03.2021) which shows that the norms were met
- ii) Similarly, though CEMS was not in place in Utility Boiler, the emission levels were classically monitored periodically. Emission Survey by external MoEF approved agency taken up for the period (18.11.2020 to 28.03.2021) was also within TNPCB norms.

From the above, it evident that though on line system were not in line fully, all the parameters were kept under control thru manual records prepared by the third party external agency. It is also clear that none of the parameters exceeded the norms and there is no detrimental impact to the environment. Hence, it was requested TNPCB to drop the Environmental Compensation since all parameters were kept under control and no exceedance during that period.

On 12.04.2022 TNPCB submitted their final report to NGT insisting that environmental compensation computed for exceedance of emission norms for the period from 26.08.2020 to 28.03.2021 for Rs. 96,30,000/-. Also TNPCB report says the EC is for non-compliance and the unit shall remit 96 lakhs.

It was initially mentioned EC is for exceedance later it is mentioned as non- compliance. It is contradictory.

Status of Incomplete directions:

<b>Compliance status of the directions given by TNPCB</b>		
<b>Directions issued by the TNPCB vide Proc. dated 20.05.2020</b>	<b>Remarks of TNPCB on 09.04.2022</b>	<b>MFL's Status as on 21.07.2022</b>
2. The unit shall provide RO plant for the entire quantity of trade effluent generated from cooling tower as Cooling Water Blow Down (4800KLD), Boiler Blow Down (30KLD) and DM plant regeneration (300KLD) as reported which is one of the CEPI long term action plan.	<p><b>Being Complied.</b></p> <p>The unit is having three RO systems for treatment of secondary treated sewage procured from Kodungaiyur STP. At present, the unit is partially procuring Tertiary Treated RO permeate (TTRO water) from Kodungaiyur STP, so one RO system (line A) is in standby, this line A was used to treat above said wastewater generated from the unit until commencement of new dedicated RO plant.</p> <p>Dedicated RO Plant for Cooling Water Blow Down Treatment equipment installation has been completed now &amp; trail run is in progress at the time of Inspection.</p>	<p><b>Job completed.</b></p> <p><b>Details:</b> One of the existing RO stream already has been dedicated to treat CWBD.</p> <p><b>New Plant:</b> Erection and installation of equipment's were completed in Dec 2021. The Commissioning by the vendor M/s Davey products is pending. Due to delay in commissioning, LD was imposed on the vendor. Further, the vendor was informed vide e-mail dt 21.07.2022 that their contract will be terminated if commissioning activities are not started on or before 31.07.2022 and alternate arrangement will be made for completing the project invoking NIT terms <b>(Annexure 1)</b>.</p> <p>Hence, we assure that new RO plant will be commissioned by Dec 2022.</p>

6.	The unit shall replace the furnace oil usage with LNG for the boilers of capacity 55T/Hr each before June 2020, as reported.	<p><b>Not Complied.</b> The unit committed to comply by July 2022.</p>	<p><b>Job in progress.</b> Details: AOW issued on June 16, 2021 to M/s Thermax. All the materials have been supplied by the vendor and the construction of New control room also completed (Annexure 2). The installation of equipment's and commissioning requires stoppage of Boilers. This will lead to stoppage of Urea plant and fertilizer demand as per GoI directions cannot be met. Hence, to meet the fertilizers needs of farming community as committed to GoI, it is planned to take up the installation during the ensuing Annual Turnaround activities which is planned during Nov-Dec 2022. Due to the above constrains, the Boiler RLNG conversion couldn't be completed in July 2022 as committed by us. However, we assure that it will be completed by December, 2022.</p>
----	--	--	--

---

### **NGT Case – OA No. 256/2020**

Meanwhile, NGT took another case (OA. No 256/2020), based on weekly magazine news dated 11.11.2020 on Air Pollution and Industries, "These Six Industries in North Chennai are polluting the air for more than half the year. MFL is one of the six Industries mentioned above.

Like in the first case, a Joint committee was constituted and appointed Glens lab to study and submit the report. The monitoring was carried out during 29.03.2021 to 31.03.2021. All the results were well within limits.

MFL filed its affidavit on 27.07.2021 saying that the allegations made were not true.

On 25.08.2021 TNPCB issued a show cause notice to explain why environmental compensation should not be imposed against MFL for exceedance on PM analyzer in NPK plant for one day. MFL gave reply explaining that exceedance was due to installation and stabilization new analyzer and requested them to drop environmental compensation.

**Joint Committee also filed its report to NGT on 25.08.2021 based on Glen's study that all parameters were well within limits and no exceedance.**

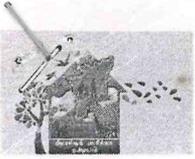
On 03.12.2021 JCEE, TNPCB filed a report to NGT mentioning Rs.45000/- environmental compensation for MFL.

On 09.05.2022 a volunteer from Chennai Climate Action Group implored by submitting an application.

-----  
It is pertinent to mention here that we have already made a payment of Rs 1 Crore towards interim compensation charges with a protest on Feb 17, 2020.

It is noteworthy to mention here that MFL has taken continuous efforts and spent about 10 Crores since 2018 towards implementing various directives of TNPCB either new installations or restoration of the existing ones amidst huge financial crisis and administrative constraints. This shows that MFL will always strives to comply with all the directions from TNPCB and we assure that we will take all steps to protect and preserve the Environment according to the Law of this Land.

In view of the above facts and figures, we humbly request the Honourable NGT that the proposed environmental compensation may please be dropped.



# TAMILNADU POLLUTION CONTROL BOARD


**From**

Thiru. A.V. Venkatachalam, I.F.S.,  
Chairman,  
Tamilnadu Pollution Control Board  
76, Mount Salai, Guindy,  
Chennai – 600 032

**To**

Managing Director,  
M/s. Madras Fertilizers Ltd.,  
Sathangadu Village,  
Thiruvotriyur Taluk,  
Tiruvallur District

Est  
DGM (P&TS)/K  
fne  
C

**Letter No.: T4 / TNPCB / F.2643 / CEPI / EC / AMB / 2020 – 14, dated: 28.01.2020**

**Sir**

**Sub.:** TNPCB – Industries – M/s. Madras Fertilizers Ltd., Sathangadu Village, Thiruvotriyur Taluk, Tiruvallur District – Violation of Environmental Standards – Levying of Environmental Compensation to be remitted – Regarding.

**Ref.:**

1. Hon'ble NGT in O.A. No.1038 / 2018, dated: 14.11.2019
2. CPCB report on Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund
3. Letter No.: F.0403 / DEE / TNPCB / AMB / Env. Comp. CEPI / 2020, dated: 20.01.2020

\*\*\*\*\*

This is to inform that the Hon'ble National Green Tribunal in its order dated: 14.11.2019 in Original Application No. 1038/2018 seeking remedial action against the polluting industries in the identified polluting industrial clusters has placed on record of list of 100 Polluted Industrial Areas (PIAs) monitored by CPCB during 2018 based on the CEPI score, wherein 8 Industrial Areas of Tamil Nadu such as Manali, Ranipet-SIPCOT Vellore, Tiruppur, Mettur-Salem, Tuticorin, Coimbatore, Cuddalore SIPCOT, Erode are covered under Polluted Industrial Areas and pronounced that,

**Para 4 of the above order emphasised the following.....**

".....23. In the present case, in view of massive exercise already done by CPCB, it is not necessary to require any further verification about the existence of pollution in the said PIAs. The Tribunal can direct that the polluting activities cannot be allowed to continue till adequate measures are taken as the Tribunal is bound to apply the 'Sustainable Development' 'Precautionary' and 'Polluter Pays' principle under Section 20 of the National Green Tribunal Act, 2010 to protect the environment and the victims. The statutory regulatory bodies can be required to straightaway identify the particular industrial units in the said PIAs that are causing pollution, particularly those units which fall under the red and orange category and take action against them by way of closing the polluting activity, initiating prosecution and assessing and recovering compensation. Pending such assessment, interim compensation may be recovered on the scale adopted by this Tribunal in the case of Vapi industrial area."

**Further Para 5 of the order dated: 14.11.2019 emphasised the following.....**

"10. What the Tribunal has directed is inter alia to "identify the particular industrial units in the said PIAs that are causing pollution, particularly those units which fall under the 'red' and 'orange' category and take action against them by way of closing the polluting

No. 76, MOUNT SALAI, GUINDY, CHENNAI - 600 032.

Tel : 22353134, 22353135, 22353136, 22353137, 22353138, 22353139, 22343140, 22353141

Fax : 044 - 22353068

Email : tnpcb@md3.vsnl.net.in. Web : www.tnpcb.gov.in

activity, initiating prosecution and assessing and recovering compensation" 9.No ground whatsoever has been shown to review the said direction. Further direction of the Tribunal is that "No further industrial activities or expansion be allowed with regard to 'red' and 'orange' category units till the said areas are brought within the prescribed parameters or till carrying capacity of area is assessed and new units or expansion is found viable having regard to the carrying capacity of the area and environmental norms....."

**In para 11, Hon'ble NGT ordered that,**

*"The Tribunal has thus no option except to reiterate that meaningful action has to be taken by the State PCBs/PCCs as already directed and action taken report furnished showing the number of identified polluters in polluted industrial areas mentioned above, the extent of closure of polluting activities, the extent of environmental compensation recovered, the cost of restoration of the damage to the environment of the said areas, otherwise there will be no meaningful environmental governance....."*

As per the direction of the Hon'ble National Green Tribunal in the matter of OA No. 593/2017 (WP (CIVIL) No. 375/2012, the Central Pollution Control Board has already formulated the methodology to assess and recover compensation for damage to the environment and utilize such amount in terms of an action plan for protection of the environment.

In this regard, following cases are considered for levying environmental compensation.

- (a) Discharges in violation of consent conditions, mainly prescribed standards / consent limits.
- (b) Not complying with Directions issued, such as direction for closure due to non-installation of OCEMS, non-adherence to the action plans submitted etc.,
- (c) Intentional avoidance of data submission or data manipulation by tampering the Online Continuous Emission / Effluent Monitoring systems.
- (d) Accidental discharges lasting for short durations resulting into damage to the environment.
- (e) Intentional discharges to the environment – land, water and air resulting into acute injury or damage to the environment.
- (f) Injection of treated / partially treated/ untreated effluents to ground water.

In case of d, e and f, the Environmental Compensation may be levied based on the detailed investigations by Expert Institutions/Organizations.

Further, the Hon'ble NGT in its order dated 14.11.2019 in O.A.No.1038/2018 has ordered in para 22 as follows:

"22. In view of water pollution caused by absence / dysfunctional of CETPs / ETPs / STPs, the Tribunal has, in the case of Aryavart Foundation Vs.

# TAMILNADU POLLUTION CONTROL BOARD



M/s. Vapi Green Enviro Ltd. & Ors, directed all defaulting industries, other than Green and White category, connected with CETP to make deposits with the CPCB towards interim environmental compensation, pending assessment of actual compensation and further action.

- (i) Large Industries – Rs. 1 Crore each
- (ii) Medium Industries – Rs. 50 Lakhs each
- (iii) Small Industries – Rs. 25 Lakhs each”

The District Environmental Engineer, Ambattur, TNPCB has furnished the report cited under reference (3), from the same it is inferred that during the inspection carried out by DEE on 27.09.2019, the untreated trade effluent generated by the unit was found disposed into the old lagoon and the over flow was found to confluence with the Amullavoyal canal.

The District Environmental Engineer, Ambattur, TNPCB has further recommended to impose **Rs.100 Lakhs** as interim compensation, since the unit falls under Red Large Category and Sl. No. (d) “*Accidental discharges lasting for short durations resulting into damage to the environment*”

In view of the above facts it is directed to remit an amount of **Rs.100 Lakhs** as Interim Environmental Compensation for the violation cited so as to comply with directions of the Hon'ble NGT order dated: 14.11.2019, as recommended by DEE.

The Interim Environmental Compensation shall be remitted to the District Environmental Engineer, TamilNadu Pollution Control Board, Ambattur through DD to be drawn in favour of “TNPCB-ENVIRONMENTAL COMPENSATION FUND” payable at Ambattur within 15 days.

The receipt of this letter may be acknowledged

  
29.01.2020  
For Chairman

## Copy to:

- 1 The Joint Chief Environmental Engineer (M),  
Tamil Nadu Pollution Control Board, Chennai Zone – For follow up of action and report
- 2 The District Environmental Engineer,  
Tamil Nadu Pollution Control Board, Ambattur – For follow up of action and report
- 3 File Copy

मद्रास फ़र्टिलाइज़र्स लिमिटेड  
**MADRAS FERTILIZERS LIMITED**  
 (भारत सरकार का उपक्रम / A Government of India Undertaking)

यू. सरवणन बी.टेक., एम. बी.ए.,  
 अध्यक्ष एवं प्रबंध निदेशक

**U.SARAVANAN** B.Tech., M.B.A.,  
 Chairman and Managing Director



CMD/Govt/216/2020  
 February 17, 2020

The Chairman  
 Tamil Nadu Pollution Control Board  
 Board office  
 Chennai 600 032.

Dear Sir,

Sub : Payment of Environmental compensational charges of Rs.100 Lakhs  
 levied on MFL with protest - reg.,

Ref : Your letter No. T4/TNPCB/F.2643/CEPI/EC/AMB/2020 dated 28.01.2020

We are in receipt of your letter dated January 28, 2020 directing MFL to deposit Rs.100 Lakhs to TNPCB account as Interim Environmental compensation charges on account of non-compliance of TNPCB directions.

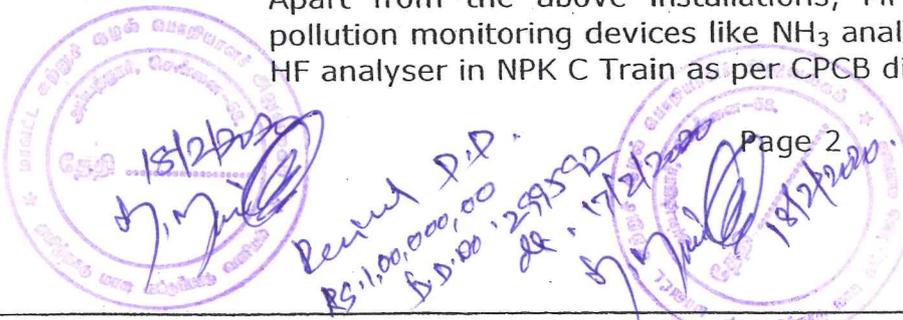
MFL has complied with all the directions from TNPCB every now and then.

• **Effluent Monitoring :**

MFL has installed Flow meter and Camera in the Effluent Outlet during June 2017 and achieved Zero Liquid Discharge and the data are continuously uploaded to TNPCB / CPCB servers. In fact TNPCB inspected MFL in 2017 and gave a report that the unit is not letting any water outside the factory.

• **Other Pollution Monitoring devices :**

Apart from the above installations, MFL has installed other air pollution monitoring devices like NH<sub>3</sub> analyser in Urea plant, PM and HF analyser in NPK C Train as per CPCB directions.





Page 2

CMD/Govt/216/2020  
February 17, 2020

MFL complies with all the statutory norms laid by the CPCB / TNPCCB and we assure that MFL will take all necessary steps to protect the environment.

Though MFL has fulfilled all the compliance, TNPCCB has imposed an interim compensation of Rs. 100 Lakhs vide the above referred letter uniformly for all the Red Large category industries of Manali area. Hence we request to waive this penalty amount to MFL.

However we are paying the Interim Environmental compensation charges of Rs.100 Lakhs to TNPCCB account with protest in spite of financial constraints, in order to obey the TNPCCB direction (DD attached bearing No.299592 drawn on SBI, MFL dated 17-02-2020)

Very truly yours,

With regards,

  
**U Saravanan**  
Chairman & Managing Director

Copy to :

1. Joint Chief Environmental Engineer(M), TNPCCB
2. DEE, Ambattur, TNPCCB.

**MADRAS FERTILIZERS LIMITED**  
TECH SERVICES - QC LAB

File No: QCP -QCL -R20(B)

Date : 01.12.2020

Weekly Analysis and Average of Ambient Air Pollutants For NOVEMBER 2020  
Inside MFL Plant Area

Date	Location of Sample Collection	PM <sub>10</sub>	PM <sub>2.5</sub>	SO <sub>2</sub>	NOx	CO
		µg/m <sup>3</sup>				mg/m <sup>3</sup>
02.11.2020	Location -1 Mechanical Workshop	46	32	10	28	1.0
04.11.2020		20	22	8	24	0.9
11.11.2020		20	18	6	30	1.1
16.11.2020		18	16	6	20	0.8
20.11.2020		38	18	8	38	1.0
24.11.2020		26	22	8	24	1.0
27.11.2020		18	12	4	36	1.0
30.11.2020		32	18	6	28	0.8
Average		27	20	7	29	1.0
03.11.2020	Location - 2 South Gate	52	38	8	30	0.9
06.11.2020		22	18	9	26	0.8
12.11.2020		20	16	8	36	1.0
19.11.2020		28	22	6	20	1.0
20.11.2020		38	28	6	26	1.0
23.11.2020		24	20	8	24	0.9
28.11.2020		28	22	8	30	0.8
30.11.2020		34	28	8	28	0.8
Average		31	24	8	28	0.9
02.11.2020	Location - 3 ETP	42	32	8	18	0.8
06.11.2020		20	18	9	24	0.9
11.11.2020		32	22	10	26	1.0
16.11.2020		24	20	9	30	0.9
18.11.2020		32	28	8	28	1.0
23.11.2020		30	24	8	24	1.0
27.11.2020		28	22	6	26	1.0
28.11.2020		30	22	6	24	0.9
Average		29.75	23.5	8	25	0.9
03.11.2020	Location - 4 Security WT - III	38	28	8	28	1.0
06.11.2020		32	26	6	22	0.9
16.11.2020		30	24	6	28	1.0
19.11.2020		24	20	5	32	1.0
23.11.2020		24	18	4	24	1.0
28.11.2020		20	16	8	38	0.8
30.11.2020		28	20	6	30	0.9
Average		28	21	6	31	0.9
		TNPCB'S LIMIT	100.0	60.0	80.0	80.0

\* All the CAAQMS were not working due to flood and inundation except North gate CAAQMS So analysis were carried out by conventional methods.

P. L. V. V. 11/12/2020

Manager - QC (Calc)

**MADRAS FERTILIZERS LIMITED**  
TECH SERVICES - QC LAB

File No: QCP -QCL -R20(B)

Date : 04.01.2021

Weekly Analysis and Average of Ambient Air Pollutants For DECEMBER 2020  
Inside MFL Plant Area

Date	Location of Sample Collection	PM <sub>10</sub>	PM <sub>2.5</sub>	SO <sub>2</sub>	NO <sub>x</sub>	CO
		µg/m <sup>3</sup>				mg/m <sup>3</sup>
01.12.2020	Location -1 Mechanical Workshop	46	32	10	28	1.0
07.12.2020		20	22	8	24	0.9
09.12.2020		20	18	6	30	1.1
11.12.2020		18	16	6	20	0.8
16.12.2020		38	18	8	38	1.0
21.12.2020		26	22	8	24	1.0
29.12.2020		18	12	4	36	1.0
31.12.2020		32	18	6	28	0.8
Average		27	20	7	29	1.0
01.12.2020		Location - 2 South Gate	52	38	8	30
07.12.2020	22		18	9	26	0.8
10.12.2020	20		16	8	36	1.0
15.12.2020	28		22	6	20	1.0
18.12.2020	38		28	6	26	1.0
22.12.2020	24		20	8	24	0.9
29.12.2020	28		22	8	30	0.8
31.12.2020	34		28	8	28	0.8
Average	31		24	8	28	0.9
02.12.2020	Location -3 ETP		42	32	8	18
09.12.2020		20	18	9	24	0.9
10.12.2020		32	22	10	26	1.0
14.12.2020		24	20	9	30	0.9
18.12.2020		32	28	8	28	1.0
22.12.2020		30	24	8	24	1.0
28.12.2020		28	22	6	26	1.0
30.12.2020		30	22	6	24	0.9
Average		29.75	23.5	8	25	0.9
07.12.2020		Location - 4 Security WT - III	38	28	8	28
10.12.2020	32		26	6	22	0.9
14.12.2020	30		24	6	28	1.0
16.12.2020	24		20	5	32	1.0
21.12.2020	24		18	4	24	1.0
24.12.2020	26		18	5	42	0.9
28.12.2020	20		16	8	38	0.8
30.12.2020	28		20	6	30	0.9
Average	28		21	6	31	0.9
	TNPSB'S LIMIT		100.0	60.0	80.0	80.0

\* All the CAAQMS were not working due to flood and inundation except North gate CAAQMS So analysis were carried out by conventional methods.

*P. J. Ven.*  
5/1/2021  
f Manager - QC

## TECHNICAL SERVICES - QC LAB

File No: QCP -QCL -R20(B)

Date : 04.02.2021

### Weekly Analysis and Average of Ambient Air Pollutants For JANUARY 2021 Inside MFL Plant Area

Date	Location of Sample Collection	PM <sub>10</sub>	PM <sub>2.5</sub>	SO <sub>2</sub>	NO <sub>x</sub>	CO
		µg/m <sup>3</sup>				mg/m <sup>3</sup>
07.01.2021	Location -1 Mechanical Workshop	22	12	8	28	1.2
11.01.2021		30	18	10	32	1.4
13.01.2021		40	28	9	34	1.6
18.01.2021		40	24	8	30	1.1
20.01.2021		48	22	8	40	1.2
22.01.2021		34	20	6	38	1.4
25.01.2021		36	20	8	42	0.8
28.01.2021		50	32	6	54	1.0
Average		38	22	8	37	1.2
07.01.2021		Location - 2 South Gate	28	14	10	30
13.01.2021	40		28	9	36	1.4
15.01.2021	38		26	10	38	1.6
19.01.2021	52		24	10	38	1.2
21.01.2021	46		28	14	48	0.8
25.01.2021	38		22	8	46	1.2
27.01.2021	50		32	6	54	1.1
29.01.2021	54		34	8	36	0.8
Average	43		26	9	41	1.2
08.01.2021	Location -3 NH3 SECURITY WATCH TOWER		30	14	6	26
11.01.2021		32	18	12	32	1.2
15.01.2021		40	22	10	28	0.8
18.01.2021		42	30	8	30	0.9
20.01.2021		46	32	12	44	1.0
22.01.2021		36	28	10	38	1.2
27.01.2021		48	34	12	46	1.0
29.01.2021		54	38	10	36	0.9
Average		41	27	10	35	1.0
		TNPCB'S LIMIT	100.0	60.0	80.0	80.0

\* All the CAAQMS were not working due to flood and inundation. So analysis were carried out by conventional methods.

*P. J. S. Varma* 4/2/2021

Manager - QC Lab(a/c)

MADRAS FERTILIZERS LIMITED  
TECHNICAL SERVICES - QC LAB

File No: QCP -QCL -R20(B)  
Date : 02.03.2021

Weekly Analysis and Average of Ambient Air Pollutants For FEBRUARY 2021  
Inside MFL Plant Area

Date	Location of Sample Collection	PM <sub>10</sub>	PM <sub>2.5</sub>	SO <sub>2</sub>	NO <sub>x</sub>	CO
		µg/m <sup>3</sup>				mg/m <sup>3</sup>
01.02.2021	Location -1 Mechanical Workshop	32	20	6	32	1.0
05.02.2021		42	20	6	40	0.8
10.02.2021		48	32	8	52	1.0
12.02.2021		38	24	6	36	1.0
15.02.2021		36	32	8	40	1.2
17.02.2021		40	28	6	30	1.1
22.02.2021		26	18	6	22	1.1
24.02.2021		36	26	4	58	0.6
Average		37	25	6	39	1.0
02.02.2021		Location - 2 South Gate	40	34	8	24
04.02.2021	46		26	6	50	0.8
08.02.2021	40		32	6	44	0.8
12.02.2021	40		22	6	38	0.9
17.02.2021	40		28	6	28	0.8
19.02.2021	36		22	5	22	1.1
23.02.2021	34		22	8	44	0.8
25.02.2021	34		30	4	54	0.6
Average	39		27	6	38	0.8
01.02.2021	Location -3 NH3 SECURITY WATCH TOWER		32	22	5	35
04.02.2021		45	26	6	52	0.7
10.02.2021		54	34	5	44	0.9
15.02.2021		38	32	8	38	1.1
18.02.2021		38	26	5	22	1.1
22.02.2021		26	18	4	24	1.1
23.02.2021		34	22	8	44	0.8
26.02.2021		35	28	6	54	0.6
Average		37.75	26	5.875	39.125	0.9
		TNPCB'S LIMIT	100.0	60.0	80.0	80.0

\* All the CAAQMS were not working due to flood and inundation. So analysis were carried out by conventional methods.

P. Jeyaraj  
2/3/2021

Manager - QC Lab(a/c)

**MADRAS FERTILIZERS LIMITED**  
**TECHNICAL SERVICES - QC LAB**

File No: QCP -QCL -R20(B)

Date : 05.04.2021

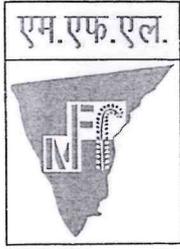
Weekly Analysis and Average of Ambient Air Pollutants For MARCH 2021  
Inside MFL Plant Area

Date	Location of Sample Collection	PM <sub>10</sub>	PM <sub>2.5</sub>	SO <sub>2</sub>	NOx	CO
		µg/m <sup>3</sup>				mg/m <sup>3</sup>
02.03.2021	Location -1 Mechanical Workshop	40	22	6	28	0.5
05.03.2021		36	30	20	42	1.1
09.03.2021		19	12	10	28	1.0
11.03.2021		18	10	16	32	1.1
15.03.2021		36	18	12	38	1.3
18.03.2021		38	23	52	58	1.7
22.03.2021		30	28	50	52	1.8
25.03.2021		42	32	34	62	1.0
Average		32	22	25	43	1.2
02.03.2021		Location - 2 South Gate	38	30	8	26
04.03.2021	32		28	38	30	1.0
08.03.2021	26		13	12	28	1.1
12.03.2021	25		12	18	38	1.2
17.03.2021	38		28	36	50	1.6
19.03.2021	34		26	40	42	1.8
23.03.2021	40		28	46	64	1.8
26.03.2021	38		26	28	60	1.1
Average	34		24	28	42	1.3
01.03.2021	Location -3 NH3 SECURITY WATCH TOWER		32	18	6	30
04.03.2021		35	28	36	32	1.0
10.03.2021		18	10	12	24	1.1
15.03.2021		28	14	12	36	1.3
17.03.2021		38	26	30	42	1.4
22.03.2021		32	30	44	40	1.1
23.03.2021		40	28	45	64	1.8
29.03.2021		32	18	8	18	0.4
Average		31.875	21.5	24.125	35.75	1.1
		TNPCB'S LIMIT	100.0	60.0	80.0	80.0

\* All the CAAQMS were not working due to flood and inundation. So analysis were carried out by conventional methods.

P. J. V. 5/4/2021

Manager - QC Lab(a/c)



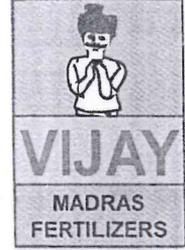
# मद्रास फ़र्टिलाइज़र्स लिमिटेड Madras Fertilizers Limited

(भारत सरकार का उपक्रम / A Government of India Undertaking)

पोस्ट बैग सं. 2, मणलि, चेन्नै - 600 068. भारत दूर : 2594 1001 / फ़ैक्स सं. 044-25941010  
Post Bag No. 2, Manali, Chennai - 600 068. INDIA. Tel: 2594 1001 / Fax No. 044 -25941010  
कार्मिक / Per 25945210 संयंत्र / Plant 25941133 विप. / Mktg 25941285 वित्त/Fin 25941072  
Website : www.madrasfert.nic.in email : gmpasec@madrasfert.co.in

CIN : L3220 1TN 1966 GO1005469

GSTIN - 33AAACM5198E1ZK



IN ORIGINAL

15.06.2021

## AWARD OF WORK

AOW/ENGG/BOILER II RLNG/04/2021-22

**M/s Thermax Babcock & Wilcox Energy  
Solutions Private Limited**

Energy House, D-II Block  
Plot No. 38&39, MIDC  
Chinchwad, Pune - 411 019

Kind Attn. : **Mr. Hariprasath Sundarraman**  
Dy. Manager - Sales & Marketing

Dear Sir,

**Sub : Award of Work for "Design, Engineering, Manufacturing, Inspection, Testing, Packing, Supply, Erection & Commissioning of NG Firing System with RLNG for Utility Boiler II.**

We are pleased to place the Award of Work for "Design, Engineering, Manufacturing, Inspection, Testing, Packing, Supply, Erection & Commissioning of NG Firing System with RLNG for Utility Boiler II" at a Total Cost of Rs.7,01,51,000/- (Rupees Seven Crore One Lakh Fifty One Thousand Only) Including GST @18%, as per the Attachment - 1.

1.0 This Award of Work is based on the following documents:

1)	MFL Award of Work No. AOW/ENGG/BOILER II RLNG/04/2021-22 dated 15.06.2021
2)	M/s Thermax - Online Price Bid (Opened on 08.06.2021)
3)	M/s Thermax - Technical & Commercial Bid
4)	MFL Tender No. ESER/ENGG/IP/RLNG UTILITY BOILER II/120321/001 Dt.11/02/2021

All the above documents will form part of this Award of Work. In case of any contradictory provision, the order of preference will be in the same sequence from 1 to 4, item 1 carrying maximum priority.

**T. VANNIA PERUMAL**  
Dy. General Manager  
Production & Tech. Services  
Madras Fertilizers Limited  
Manali, Chennai - 600 068.



## 2.0 Scope of Supply & Services

The Scope of Supply & Service shall be as per Attachment- 2.

## 3.0 Price Schedule

The above mentioned Order Value of Rs.7,01,51,000/- (Rupees Seven Crore One Lakh Fifty One Thousand Only) Including GST @18%, as per the Attachment -1, shall be firm till the completion of the job and free from any kind of escalation.

## 4.0 Payment Terms

### Supply Cost:

- ❖ 10% Advance along with AOW against submission of BG for equivalent amount.
- ❖ 10% against submission of Engineering documents like GA, data sheets & P&ID along with BG for equivalent amount.
- ❖ 70% against receipt of entire materials at MFL site
- ❖ Balance 10% (Retention money) will be released after successful completion of GTR.

### Service Cost:

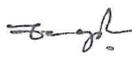
- ❖ 10% against site mobilization and submission of BG for equivalent amount.
- ❖ 80% against successful completion of erection at MFL site.
- ❖ Balance 10% (Retention money) will be released on commissioning, Handing over to MFL & obtaining necessary IBR approval, submission of O&M manuals.

Statutory deductions like Taxes & Duties, TDS, etc, as applicable.

Payments shall be released as per above schedule within 60 days from the date of receipt of Invoice at MFL.

## 5.0 Time Schedule

- ❖ Design, Manufacturing, Testing & Supply within 7 months from the date of issuing of Award of Work.
- ❖ 1 Month for Dismantling & Erection (Including RLA Study) from the date of handing over of site by MFL.

 T. VANNIA PERUMAL  
Dy. General Manager  
Production & Tech. Services  
Madras Fertilizers Limited

Annexure-1

**Dgmprodn**

**From:** "TAMILSELVAN\_DGM" <dgmts@madrasfert.co.in>  
**Date:** 21 July 2022 09:03  
**To:** "VENKATESH DAVEY" <daveyproducts@gmail.com>  
**Cc:** "cmd office" <cmdoffice3@gmail.com>  
**Subject:** Delay in Commissioning of Dedicated RO Plant

**M/s Davey products****Sub: Delay in Commissioning of Dedicated RO Plant**

There is no progress in the field for commissioning of the plant since Dec 2021 in spite of repeated reminder request from MFL. Hence, you were called for the discussions on 19.07.2022 wherein the decisions of MFL were clearly explained as detailed below:

<b>M/s Davey Claim</b>	<b>M/s MFL Reply</b>
Advance amount of Rs 30 Lacs (which was received from MFL prior to Bill submission) deducted in the latest bill (Dec 2021) to be returned.	Advance is given to you against the materials already supplied to MFL, as per your request to support you financially to continue the work, before the bill is submitted. Later the advance amount of Rs 30 Lacs was adjusted against the bill submitted per procedure, hence it cannot be returned.
The deducted SD Amount of ₹13,16,190/- from latest bill to be returned	You have to submit SD as per NIT (Annexure 7 Clause 1.1 to 1.7). The validity of BG submitted by you against SD is expired and not extended further. Hence, SD amount is deducted which cannot be returned. However, we assure that the withheld amount will be returned on submission of valid BG or after completing the project per NIT.
The deducted LD Amount of ₹21,93,650/- from latest bill to be returned	Since the project is delayed beyond the delivery schedule per NIT, the request of returning LD cannot be considered per NIT.

As on date, the pending amount of Rs 43 Lacs towards 10% of the supply cost and Rs 8.26 lacs towards commissioning charges are with MFL which will be paid to you on completion of the commissioning activities per NIT terms.

Due to delay in commissioning of Dedicated RO plant for CW Blow down Treatment, MFL is incurring the following losses and has encountered the following difficulties:

- 1 Defeating the purpose to maximize reuse of CWBD water which led to the water loss of 2400 KLPD (Loss to MFL @ Rs.57.60 Lacs/month)

21-07-2022

- 2 Reduction in CW chloride content in cooling water could not be achieved leading to corrosion issues in heat exchangers
- 3 Increase of CW cycles of concentration and reduction of CW chemical cost could not be attained. Hence make up water cost and CW chemicals cost continue to remain very high (Loss to MFL @ Rs.31 Lacs/Month).
- 4 MFL is not able to abide by the statutory rules and regulations enforced by TNPCB. Noncompliance has led to payment of huge penalty imposed by National Green Tribunal to the tune of 1 Crore.

Hence, we request you to commence the commissioning activities on or before July 31, 2022 to avoid further delay.

If the commissioning activities are not taken up by M/s Davey on or before 31.07.2022, MFL will be forced to terminate your contract and to and get the work done with an alternate arrangement at the risk and cost of the M/s Davey Products and also to recover the losses, damages, expenses or costs that may be suffered or incurred by MFL, as per Annexure - 9 Clause -9 of NIT terms & conditions.

**For Madras Fertilizers Limited**

**S THAMIL SELVAN**

**DGM-Technical Services (a/c)**

**Hubert Enviro Care Systems (P) Ltd**  
(Laboratory Services Division)  
# 18, 92nd Street, Ashok Nagar, Chennai - 600 083.  
Ph: 044 4298 5555 Fax : 044 4298 5500  
E-mail : labsales@hecs.in

Chemical & Biological Testing  
Recognized by MoEF, BIS  
FSSAI Notified Laboratory  
ISO 9001, 14001 & OHSAS 18001 Certified.

### TEST REPORT

Page : 1 of 1

Name of the Client : M/s. Madras Fertilizers Limited  
Address of the Client : (A Govt. of India Undertaking)  
Manali, Chennai-600068

Report No. : HECSL/ST/006/111120  
Report Date : 18/11/2020

Sample Description : Stack Emission  
Sample Mark : Common Stack of Utility Boiler I & II  
Sample Drawn By : Hubert Enviro Care Systems Pvt Ltd  
Sampling/received Date : 11/11/2020 - 11/11/2020  
Analysis Commenced On : 11/11/2020

Completed On : 17/11/2020

S.No.	Parameters	Units	Results	Test Method	CPCB Standards
1	Temperature	°C	131.0	IS 11255 (Part-3)2008	NA
2	Velocity	m/sec	16.3	IS 11255 (Part-3) 2008	NA
3	Particulate Matter	mg/Nm <sup>3</sup>	25.38	IS 11255 (Part-1) 1985	CNTE150
4	Volume of gas discharge	Nm <sup>3</sup> /hr	758916.0	IS 11255 (P-3) 2008	NA
5	Sulphur Dioxide	mg/Nm <sup>3</sup>	17.0	IS 11255 (Part-2) 1985	NA
6	Oxides of Nitrogen	mg/Nm <sup>3</sup>	281.0	IS 11255 (Part-7) 2005	NA

Note:- Nm<sup>3</sup>/hr - Normal cubic meter per hour, mg/Nm<sup>3</sup>- Milligrams per Normal cubic meter, NA - Not Applicable.

Remarks: The Tested Parameters as above are within the Limits of CPCB Stack Emission Standards.

\*\*\*End of Report\*\*\*



Authorized Signatory

Dr. P. ELAIYARAJU  
Assistant Manager



# मद्रास फ़र्टिलाइज़र्स लिमिटेड Madras Fertilizers Limited

(भारत सरकार का उपक्रम / A Government of India Undertaking)

पोस्ट बैग सं. 2, मणालि, चेन्नै - 600 068. भारत दूर : 2594 1001 / फ़ैक्स सं. 044-25941010  
Post Bag No. 2, Manali, Chennai - 600 068. INDIA. Tel : 2594 1001 / Fax No. 044-25941010  
कार्मिक / Per 25945210 संयंत्र / Plant 25941133 विप. / Mktg 25941285 वित्त/Fin 25941072  
Website : www.madrasfert.nic.in email : gmpasec@madrasfert.co.in

CIN : L3220 1TN 1966 GO1005469

GSTIN - 33AAACM5198E1ZK



04 January 2022

Lr No: MFL/ENV/TNPCB/2022-1

## The Chairman

Tamil Nadu Pollution Control Board  
Board office  
Chennai 600 032

Sir,

### Sub: Request for waiver of Environmental compensation

Ref: Your letter Proc. No. T1/TNPCB/LAW/LAIII/NGT/F.9329/2020/2021 dated 21.12.2021

We are in receipt of your notification referred above on 24.12.2021 in connection with the SUO MOTO case filed by Hon'ble NGT in O.A. No 70/2020 (SZ) dated 19.05.2020, 11.06.2021 & 08.07.2021 directing MFL to show cause within 15 days as to why Environmental Compensation should not be imposed against your unit under Section 5 of the Environmental Protection Act, 1986 as per the guidelines issued by the Hon'ble NGT & CPCB for the violations caused by the unit as mentioned above letter.

Vide the above referred letter, environmental compensation was assessed for the period from 18.11.2020 to 28.03.2021.

In this regard, we are furnishing our clarifications as detailed below:

Though CAAQMS were not functioning fully during the said non-compliance period (18.11.2020 to 28.03.2021), the classical surveys by the third party external agencies were taken up for the same period (18.11.2020 to 28.03.2021) which shows that the norms were met (Annexure 1)

Similarly, though CEMS was not in place in Utility Boiler, the emission levels were classically monitored periodically. Emission Survey by external MoEF approved agency taken up for the period (18.11.2020 to 28.03.2021) was also within TNPCB norms (Annexure 2).

From the above, it is evident that though on line system were not in line fully, all the parameters were kept under control thru manual records prepared by the third party external agency. It is also clear that none of the parameters exceeded the norms and there is no detrimental impact to the environment.

It is pertinent to mention, we have already made a payment of Rs 1 Crore towards interim compensation charges with a protest on Feb 17, 2020 (Annexure 3)

It is noteworthy to mention here that MFL has taken continuous efforts and spent about Rs. 5 Crores since 2018 towards implementing various directives of TNPCB either new installations or restoration of the existing ones amidst huge financial crisis and administrative constraints.

*H. S. S. S.*

MFL always strives to comply with all the directions from TNPCB and we assure that we will take all steps to protect and preserve the Environment according to the Law of this Land.

In view of the above facts and figures established in this letter, we kindly implore that the proposed compensation may be dropped please.

Very truly yours,

*Harsh Malhotra* 4/1/2022  
For Madras Fertilizers Limited

HARSH MALHOTRA  
DIRECTOR-TECHNICAL  
MADRAS FERTILIZERS LIMITED  
MANALI, CHENNAI-600 068

Copy to:  
Joint Chief Environmental Engineer (M), TNPCB  
District Environmental Engineer, Ambattur, TNPCB.



**Expenses Towards Environmental Assessment /Improvement**

<b>FY</b>	<b>PO/JO Details</b>	<b>Description</b>	<b>Vendor/Service Provider</b>	<b>Value</b>
2018-19	DD Payment	Air Quality Survey by TNPCB	TNPCB, Chennai Arumbakkam	91,100
	JO/TS/QCL/08/2018-19	CAAQMS - AMC	Thermo Scientific India Pvt Ltd	148,897
	TT451552 DT 05.10.2018	CAAQMS - CONSUMABLES	Thermo Scientific India Pvt Ltd	218,727
	MRR 93191,92	CAAQMS - SPARES	Thermo Scientific India Pvt Ltd	1,272,411
	JO/TS/QCL/01/2018-19	Stack Monitoring - Third Party	Richardson & Crudass Ltd	141,600
2019-20	DD Payment	Air Quality Survey by TNPCB	TNPCB, Chennai Arumbakkam	109,700
	TU451556 dt 15.07.2019	Stack Monitoring Kit	Envirotech Instruments Pvt Ltd	134,048
	TU451574 dt 19.07.2019	CAAQMS - SPARES	Thermo Scientific India Pvt Ltd	715,305
	TU451852 dt 20.09.2019	Detector Tubes	Joseph Leslie Dynamiks	47,082
	TU451860 dt 24.09.2019	Display (LED) Board	Multitech Pvt Ltd	64,900
	TU452599 dt 10.02.2020	Flue Gas Analyser	Envirotech Instruments Pvt Ltd	767,000
	TU452675 dt 25.02.2020	High Volume Samplers	Envirotech Instruments Pvt Ltd	271,117
	TU452657 dt 20.02.2020	Zero Air for Ozone Calibration	Chemtron Science Laboratories P Ltd	14,809
	TU452646 dt 19.02.2020	CAAQMS - Span Gas Cylinders	Chemtron Science Laboratories P Ltd	10,089
	WU452851 dt 24.03.2020	CAAQMS - SPARES	Environnement SA India Pvt Ltd	1,077,039
	JO/TS/QCL/06/2019-20	CAAQMS - AMC	Thermo Scientific India Pvt Ltd	163,786
	JO/TS/QCL/04/2019-20	Stack Monitoring - Third Party	ABC Techolab India Pvt Ltd	186,303
	JO/TS/QCL/04/2019-20	CAAQMS - Data Upload Software	Knowledge Lens Pvt Ltd	47,200
	JO/TS/QCL/17/2019-20	CAAQMS - Data Logger to LED Board	Knowledge Lens Pvt Ltd	47,200
	JO/TS/QCL/18/2019-20	LAN to Display Board	EJR Network	49,798
2020-21	JO/TS/QCL/02/2020-21	CAAQMS - ETP - Repair Job	Environnement SA India Pvt Ltd	49,914
	JO/TS/QCL/04/2020-21	CAAQMS - Data Upload Subscription	Knowledge Lens Pvt Ltd	35,400
	JO/TS/QCL/08/2020-21	CAAQMS - Five years CMC	Thermo Scientific India Pvt Ltd	7,661,288
		<b>Total Expenses Incurred</b>		<b>13,324,713</b>
	Procurement of 3 CAAQMS Stations in process - Bid opens on 04.09.2020		Awaiting Tender Outcome	21,306,137
		<b>Grand Total</b>		<b>34,630,850</b>

### Expenses Towards Environmental Assessment /Improvement

Year	Item Description	Value (Rs)
2018-19	Air Quality Survey by TNPCB	91,100
	CAAQMS - AMC	148,897
	CAAQMS - CONSUMABLES	218,727
	CAAQMS - SPARES	1,272,411
	Stack Monitoring - Third Party	141,600
	Ammonia analyser @ urea demister & HF analyser in NPK C stack and uploading Data to TNPCB	4,000,000
2019-20	Air Quality Survey by TNPCB	109,700
	Stack Monitoring Kit	134,048
	CAAQMS - SPARES	715,305
	Detector Tubes	47,082
	Display (LED) Board	64,900
	Flue Gas Analyser	767,000
	High Volume Samplers	271,117
	Zero Air for Ozone Calibration	14,809
	CAAQMS - Span Gas Cylinders	10,089
	CAAQMS - SPARES	1,077,039
	CAAQMS - AMC	163,786
	Stack Monitoring - Third Party	186,303
	CAAQMS - Data Upload Software	47,200
	CAAQMS - Data Logger to LED Board	47,200
	LAN to Display Board	49,798
PM Analyser @ NPK C Stack and uploading Data to TNPCB, Guindy	1,100,000	
2020-21	CAAQMS - ETP - Repair Job	49,914
	CAAQMS - Data Upload Subscription	35,400
	CAAQMS - Five years CMC	7,661,288
	Installation of 11 Ammonia Sensors & uploading data to TNPCB	994,000
	Installation of PM analyser @ 110 ATA & PCB common stack	472,000
	Installation - CEMS @ Boiler 1 & 2 stack @ PM, SOx, NOx analyser	2,065,000
	Procurement of 3 CAAQMS Stations	21,306,137
Installation of Ammonia Analyser at NPK C Train stack	2,478,000	
2021-22	Conversion of Utility Boiler from Fuel Oil to RLNG Firing	70,151,000
	Dedicated RO Plant Installation	43,873,000
<b>Grand Total</b>		<b>159,763,850</b>