

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

Original Application No. 82 of 2021

IN THE MATTER OF:

Dharmesh Shah

.....Applicant

Versus

Union of India and Ors.

.....Respondents

INDEX

Sl. No.	Particulars	Pages
1.	JOINT REJOINER ON BEHALF OF THE APPLICANT TO THE REPLY FILED BY RESPONDENTS	1-5
2.	ANNEXURE A/1 A copy of the screenshot taken on 30.06.2022 showing non-availability of the data of some industries on Andhra Pradesh Pollution Control Board's website	6-10
3.	ANNEXURE A/2 A copy of the screenshot taken on 30.06.2022 showing non-availability of the data of some industries on Telangana Pradesh Pollution Control Board's website	11-15
4.	ANNEXURE A/3 Current status of Online Continuous Emission Monitoring System (OCEMS) in a tabular form	16

THROUGH



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**Place: Chennai/Delhi
Date: 04.07.2022**

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

Original Application No. 82 of 2021

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**JOINT REJOINER ON BEHALF OF THE APPLICANT TO THE REPLY
FILED BY RESPONDENTS**

MOST RESPECTFULLY SHOWETH:

1. The Applicant has filed the above titled Original Application seeking installation of Online Continuous Emission Monitoring System in the State on public portals as directed by the Hon'ble Supreme Court in the matter of **Paryavaran Suraksha Samiti v. Union of India**. It is submitted that all the Respondents except Karnataka has filed their reply / report to the application.
2. The present Rejoinder is being filed in response to the reply filed by the Respondent No. 4 Andhra Pradesh Pollution Control Board, Respondent No. 8 Telangana Pollution Control Board, Respondent No. 10 Puducherry Pollution Control Committee, Respondent No. 12 Kerala State Pollution Control Board and Respondent No. 14 Tamil Nadu Pollution Control Board. At the outset, the Applicant denies the contents of the said reply unless specifically admitted or is part of the record.

**REJOINER TO THE REPLY OF RESPONDENT No. 4 ANDHRA
PRADESH POLLUTION CONTROL BOARD**

3. That the Respondent No. 4 has filed a Counter Affidavit dated 22.04.2021 wherein they have stated that all the 17 categories of highly polluted

industries installed Continuous Emission Monitoring System and the same is connected to APPCB server for monitoring the data. The Respondent No. 4 has also stated that the information is also published on the APPCB website under the section 'Real Time Pollution Monitoring System (RTPMS)'. The affidavit of Respondent No. 4 has admitted that data for 24 hours is only displayed and no historical data is available.

4. That in response to the submission made in the Counter Affidavit of the Respondent No. 4 it is submitted that the Applicant found that the website of Respondent No. 4 is functional with respect to real time data however, historical data for more than 24 hours is still not available. Further, there are some industries data which are also not available. The Applicant has done random check for some industries and filing the screenshot taken on 30.06.2022 showing non-availability of the data.

A copy of the screenshot taken on 30.06.2022 showing non-availability of the data of some industries on Andhra Pradesh Pollution Control Board's website is annexed herewith and marked as **ANNEXURE A/1**.

REJOINDER TO THE REPLY OF RESPONDENT No. 8 TELANGANA POLLUTION CONTROL BOARD

5. That the Respondent No. 8 State of Telangana has filed reply dated Nil wherein they have stated that data is available to the public on the Telegana Pollution Control Board website. That the provision for online, real time, continuous emission monitoring has been implemented in Telangana in the year 2017. The board has taken all the steps to bring all the major industrial units in OCEMS. Presently there are 383 industries connected to the Online Continuous Emission Monitoring System. The Respondent has admitted with respect to historical data that only 30 days of historical data can be accessed.

6. That in reply to the contention of Respondent No. 8 it is submitted that though the website with respect to real time data is functional but only 24 hours data is available. Further, for some industries even 24 hours online data is not available on the website of the Pollution Control Board. The Applicant has done random check for some industries and filing the screenshot taken on 30.06.2022 showing non-availability of the data.

A copy of the screenshot taken on 30.06.2022 showing non-availability of the data of some industries on Telangana Pradesh Pollution Control Board's website is annexed herewith and marked as **ANNEXURE A/2**.

REJOINDER TO THE REPLY OF RESPONDENT No. 10 PUDUCHERRY POLLUTION CONTROL COMMITTEE

7. The Respondent No. 10 has filed affidavit dated 16.06.2021 in response to the Original Application and has stated that all the 17 categories industries' continuous online effluent and monitoring system is available on the ppcc website. The Applicant verified the website of the Respondent No. 10 and found that real time along with historical data is available.

REJOINDER TO THE REPLY OF RESPONDENT No. 12 KERALA STATE POLLUTION CONTROL BOARD

8. The Respondent No. 12 State of Kerala has filed reply dated 06.08.2021 and 13.12.2021 wherein there is stated that in Kerala Online Continuous Emission Monitoring System is functional. In this regard it is submitted that the Applicant access the site of Kerala Pollution Control Board and found that the real time data are available and historical data for more than five months are available. However, the Applicant could not verify the number of industries in the State of Kerala operational and present, but the data for 43 sites were found connected to online system.

**REJOINDER TO THE REPLY OF RESPONDENT No. 14 TAMIL NADU
POLLUTION CONTROL BOARD**

9. The Respondent No. 14 has filed a report dated 21.06.2021 wherein they have stated that all the 17 categories of highly polluting industries are linked to real time continuous emission monitoring system. Further, they have accepted that the historical data for the industries are not available and stated that the same can be rectified in three months time.

10. In response to the contention of Respondent No. 14 stated that the Applicant visited the site of the Tamil Nadu Pollution Control Board and found that historical data is still not available.

11. That from the above it is clear that most of the States have connected the industries to online system however, its operation and availability of historical data is not regular. For the convenience, the Applicant has prepared the current status of Online Continuous Emission Monitoring System (OCEMS) in a tabular form and same is filed as an **ANNEXURE A/3**.

THROUGH



**RITWICK DUTTA RAHUL CHOUDHARY G. STANLY HEBZON SINGH
ADVOCATES**

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SOUTHERN ZONE BENCH, CHENNAI
ORIGINAL APPLICATION NO. 82 OF 2021 (SZ)

IN THE MATTER OF:-

DHARMESH SHAH

... APPLICANT

VERSUS

UNION OF INDIA AND ORS.

... RESPONDENTS

AFFIDAVIT

I Dharmesh Shah, aged about 38 years, S/o Bipinchandra Shah, R/o 92, Thiruvalluvar Nagar, 3rd Street, Besant Nagar, Chennai – 600090, presently at New Delhi, do hereby solemnly affirm and state as under:-

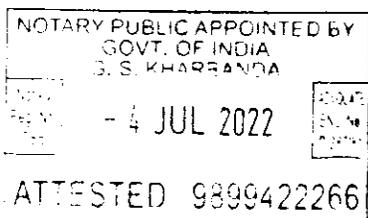
1. That I am the Applicant in the above named Original Application and I am duly competent to swear this affidavit and am conversant with the facts and circumstances of the present case.
2. That the contents of the accompanying Rejoinder are true and correct and nothing material has been concealed therefrom.

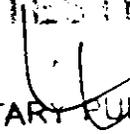


DEPONENT

VERIFICATION

Verified on this 4th day of July, 2022, that the contents of the above mentioned affidavit are true and correct and nothing material has been concealed there from.



ATTESTED

NOTARY PUBLIC



DEPONENT

I IDENTIFIED THE DEPONENT WHO HAS SIGNED THE AFFIDAVIT IN MY PRESENCE



Control Board

Select District Nellore



Select Industry Vinayaka Agro Fertilizers India Pvt...

Vinayaka Agro Fertilizers India Pvt Ltd

Venkatachalam

Andhra Pradesh FERTILIZER

No Data Available

Data fetched at 10-May-2022 07:30 Hrs

1	0	0
Monitoring Stations	Parameters Monitored	Exceeding Parameters



Control Board

Select District: Guntur



Select Industry: Durga cement works

Durga cement works

📍 Dachepalli , Andhra Pradesh

🏭 CEMENT

Data fetched at 22-Jan-2022 15:30 Hrs

No Data Available

9

0

0

Monitoring

Parameters

Exceeding

Stations

Monitored

Parameters



Andhra Pradesh Pollution

[Map View \(/public.html\)](/public.html)

[Back \(/publicview.html\)](/publicview.html)

Control Board

Select District: Chittoor



Select Industry: Radiant Pharma

Radiant Pharma

📍 Renigunta, Andhra Pradesh
PHARMACEUTICALS

🏭 DRUGS AND

Data fetched at 30-Jun-2022 15:08 Hrs

No Data Available

0

Monitoring

Stations

0

Parameters

Monitored

0

Exceeding

Parameters



Control Board

Select District: Guntur



Select Industry: Susaah Laboratories Pvt Ltd

Susaah Laboratories Pvt Ltd

Dachepally, Andhra Pradesh
DRUGS AND

PHARMACEUTICALS

Data fetched at 01-Jan-2016 00:00 Hrs

No Data Available

0

Monitoring

Stations

0

Parameters

Monitored

0

Exceeding

Parameters

10



Andhra Pradesh Pollution

Map View (/public.html)

Back (/publicview.html)

Control Board

Select District: Chittoor



Select Industry: KBD Sugars and Distilleries Limited

KBD Sugars and Distilleries Limited

Punganur
Andhra Pradesh



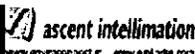
SUGAR

Data fetched at 16-Mar-2019 12:02 Hrs

No Data Available

1	0	0
Monitoring Stations	Parameters Monitored	Exceeding Parameters

T.O.
①





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Please select Plant

By Location By Company

State: TELANGANA

District: HYDERABAD

- COREY ORGANICS PVT LTD
- GJ MULTICLAVE INDIA PV
- HSB Limited
- Om Shw. Shakti Iron Indust
- SIFON DRUGS PVT LTD
- SRI CHAVARI PHARMA PV
- SRI SHIV SHAKTI STEEL
- SUNDER ISPAT LTD - SP
- Synthokem Labs Private L
- TSPCB CAADMS Stations
- TSPCB water monitoring st
- VMAYAK STEELS LIMITED

COREY ORGANICS PVT LTD - LTDS
Shed No. 1, Plot No. 23, Kothur-RANGAREDDY, HYDERABAD (TELANGANA)

Current Data

LTDS As of 10:12:20:20 11:12:00 (reset in 60-seconds)
28.11.2020 16:23:00

1	Flow	0	m3/hr	0.0	m3/hr
2	Totalizer	1045.52	m3	1045.5	m3
3	VOC	0	PPM	0.0	PPM 0 - 10

Historical Data - Hourly Averages

From: 30-06-2022 00:00:00 To: 30-06-2022 23:59:59

Sorry... No data available for selected device from 30-06-2022 00:00:00

There is no weather data

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Please select Plant

By Location: **B. Company**

State: **TELANGANA**

District: **HYDERABAD**

- COREY ORGANOS PVT L
- GJ MULTICLAVE INDIA PV
- H.Sil Limited
- Om Shiv Shakti Iron Indus
- SIFLON DRUGS PVT LTD
- SRU CHAVADI PHARMA PV
- SP SHIV SHAKTI STEEL
- SUNDER SPAT LTD - SPI
- Synthkem Labs Private L
- TSPCB CAQMS Systems
- TSPCB water recharging at
- VIKRANT STEELS LIMITED

GJ MULTICLAVE INDIA PVT LTD - Incinerator 1 200 Kg/Hr
 Syano, 179 & 181, E Madhapally village, Kothur-RANGARE DUV, HYDERABAD (TELANGANA)

Current Data

Incinerator 1 200 Kg/Hr - A111 30-06-2022 06:05:00 (Instantaneous)
 30-06-2022 06:05:00

Sl. No.	Parameter	Value	Unit	Limit
1	CO	48.0	mg/m ³	0 - 100
2	HCl	18.0	mg/m ³	0 - 50
3	NOx	58.0	mg/m ³	0 - 400
4	PM	34.5	mg/m ³	0 - 50
5	S Temp	1047.0	Deg	0 - 1050
6	P Temp	876.0	Deg	0 - 800
7	LO2	3.1	%	0 - 100

Historical Data - Hourly Averages

From: **30-06-2022 00:00:00** To: **30-06-2022 23:59:59**

Sorry.. No data available for selected device from 30-06-2022 00:00:00

There is no weather data

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- Please select Plant
- By Location By Company
- State: **TELANGANA**
- District: **WAKILAPUR**
- Alpano Pvt Ltd Unit II
 - Amara aps pvt ltd form
 - APL Apco tubes ltd Unit
 - ASTRICA LABORATOR
 - Capex Iron & Steel
 - Farmag Laboratories Ltd
 - Hexagon drug laboratory
 - Jeevika Industries Pvt L
 - Jeevika Industries Pvt L
 - LOFTY LABORATORIES
 - LOUIS PHARMACEUTIC
 - Meridi Bio Industries Pvt
 - NSN Life Sciences Pvt L
 - NELLAND PHARMA RE
 - Pioneer Textile Ltd Pr
 - Relex Pharmaceuticals I
 - SAUCYLATES AND CHE
 - SHRI NARAHARI CHEM
 - HARITHA BIO PRODUCC
 - Venkatarama monera

Meridi Bio Industries Pvt. Ltd. Incubator Ase& Co - Incubator-2W Kg-4H
 Sp. no - 63/1, Madhur (vi), Narasapur mandal, MEDAK (TELANGANA)

Current Date: 11-03-2022 23:09:36
 Historical Data: 20-06-2022 00:00:00 To 20-06-2022 23:59:59

1	CO2	8.1 mg/m3	8.1 mg/m3	0 - 100
2	CO	84.0 mg/m3	84.0 mg/m3	0 - 100
3	HCl	23.0 mg/m3	23.0 mg/m3	0 - 50
4	NOx	69.0 mg/m3	69.0 mg/m3	0 - 400
5	PH	46.7 mg/m3	46.7 mg/m3	0 - 50
6	P Temp	930.0 Deg C	0.0 Deg C	0 - 950
7	S Temp	1015.0 Deg C	1015.0 Deg C	0 - 1050

Sorry. No data available for selected device from 20-06-2022 00:00:00

- Please select Plant
- By Location By Company
- State: **TELANGANA**
- District: **WARANGAL**
- Joevika Industries Pvt L
 - Joevika Industries Pvt L
 - Juvoo Tanners
 - KAKATIYA CEMENT CEM
 - KAKATIYA CEMENT SU
 - KAKATIYA MEDCLABS
 - KAKATIYA THERMAL PC
 - Keerthi Industries
 - KEKULE PHARMA LIMI
 - Kascram Cement
 - KESORAM CEMENT-PC
 - Koonar Organics Ltd
 - Kripate Pharma Chemia
 - Ksashar Pharmaceuticals
 - Kothagudem Thermal Pc
 - KOTHAGUDEM THERM
 - KREATIVE ORGANICS I
 - KRS Pharmaceuticals P
 - KYPS Old stage
 - Kuntoor Leather Park CE
 - LAASYA LABORATTORI
 - Lee Pharma Limited
 - LOFTY LABORATORIES
 - LOUIS PHARMACEUTIC
 - Luceni drugs pvt ltd form

Kothagudem Thermal Power Station - Drain_3_Outlet
 Vtd. Stage, poloncha village, PALONCHA Mandal, BHADRADRI KOTHAGUDEM (TELANGANA)

Current Data
 Monitoring Point: AS of 30-06-2022 To 30-06-2022 (last 24 hours)
 30-06-2022 To 30-06-2022

1	TSS	78.4	mg/l	78.4	mg/l	0 - 100
2	Temperature	28.07	Deg	28.4	Deg	
3	PH	7.24	PH	7.2	PH	6.5 - 8.5

Historical Data - Hourly Averages
 From: 30-06-2022 00:00:00 To: 30-06-2022 23:55:55

Sorry - No data available for selected device from 30-06-2022 00:00:00

There is no weather data

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TELANGANA STATE
POLLUTION CONTROL BOARD

Bharat Gaurav
Pratibha Bhagya Sankalpa

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Please select Plant

By Location: By Company

State: TELANGANA

District: YADADRI BHUVAN

- Accrate pharmaceuticals
- AGI GLASPAC HSH LTD
- ARCHIMED/S LABORAT
- Aster Industries
- Brundavan Laboratories
- Chandak Laboratories P
- CHEMIO LIFE SCIENCE
- Chiral Biosciences Ltd
- Discovery laboratories P
- Divis Laboratories Unile
- DVR PHARMACEUTICALS
- Eral Drugs Pvt Ltd Unk
- FUGEN Laboratories Ltd
- Hansa Imper
- Hazeco Lab
- Harman Chemical Comp
- INTER LABS
- Jifood Tanners
- Kunoor Leather Park, CE
- Madini Laboratories Pvt
- MSN Organics Private L
- OPTIMUS DRUGS PVT
- OPTRIX LABORATORIE
- PNC YM PHARMA FOR
- Paras laboratories Pvt Lit

Jifood Tanners - ETP
No. 46/A/2, 47/A/3, Plot no.6, Kunoor Leather Park, Kunoor (V), DHONGIR MANDAL, YADADRI BHUVANAGR...

Current Data

T1F A1 (00-09-2018 04:34:00) (Instantaneous)
00-09-2018 04:34:00

1	Flow	0.0	m ³ /hr	0.0	m ³ /hr
There is no weather data					

Historical Data - Hourly Averages

From: 30-06-2022 00:00:00 To: 30-06-2022 23:59:59

Sorry.. No data available for selected device from 30-06-2022 00:00:00

[Current Data](#)
[Legend](#)

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T.C.

@

ANNEXURE-A/3

**STATUS OF ONLINE CONTINUOUS EMISSION MONITORING SYSTEM
(OCEMS)**

RESP NO:	STATE	WEBSITE LINK	WEBSITE ACTIVE/WORKING YES/NO	PASSWORD PROTECTED YES/NO	HISTORIC DATA AVAILABLE FOR MORE THAN 24HRS YES/NO	REMARKS/PRESENT STATUS
4 th	Andhra Pradesh	www.pcb.ap.gov.in	YES	NO	NO	There are some industries data which are not available.
6 th	Karnataka	https://onlinekspcb.com/public/#/landing/dashboard/table	YES	NO	YES	Historic data of 30 days is available. But some industries data are not available.
8 th	Telangana	http://183.82.41.227:8080/enviroconnect/ags	YES	NO	NO	There are some industries data which are not available.
10 th	UT of Puducherry	https://dst.e.py.gov.in/ppcc	YES	NO	YES	Historic data is available in both table and Tabular form.
12 th	Kerala	https://keralapcb.glen.sserver.com/public	Yes	NO	YES	Historic day up to 5-6 months are available.
14 th	Tamil Nadu	https://tnpcb.gov.in/	YES	NO	NO	Website is not working properly

T.C.
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