

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Original Application No. 87 of 2021 (SZ)

IN THE MATTER OF:

Arvind Kumar Agrawal and others

...Applicant(s)

Versus

The Chief Secretary to Government of Tamil Nadu

Pollution Control Board and Others.

...Respondent(s)

Date of hearing: 13.07.2021

Date of submission of response to this order: 03.08.2021

REJOINDER - 1

In this reply to the ORDER passed by the Honorable Tribunal on dated 13.07.2021, first Applicant wish to submit following:

1. As per direction mentioned in Para 9 of this order, first applicant had enquired about the current status of the case 965/20. The Office of Registrar (Law), State Human Rights Commission, Chennai, as per his response over phone, "The case is still pending due to non-submission of the report from Respondent, Directorate of Town

and Country Planning, Chengalpattu. To issue a reminder, the same will be put up before the bench to obtain permission to issue reminder to the above party for submission of the report.” And hence case is still pending as of it’s current state.

2. In response to para 6, the inspection was conducted on 17.07.2021 by the committee and noted concerns and facts provided by the affected applicants and other residents of block B1 and B2. As of till date 03.08.2021, applicant had not received a copy of report. Applicants are afraid that this may add additional delay in submitting further response by the applicant(s) if any.
3. In response to para 6 on the request of stop functioning of STP, the living state of residents including applicants nearby to this STP, is very pitiful. Applicants including nearby residents, children, aged persons are victimized by suppressing important and necessary facts by such respondents including Government official. Applicant(s) are currently deprived of fresh breathing air and sound sleep; and hence, in the verge of such basic need, request was made to get some relief till the pendency of this case.
4. In response to para 3, 4 and 5, the applicant further submits that
 - a. The purpose of submitting the report to bring about the important point towards the fact that TNPCB had suppressed in his report. Certain points like capacity of Sewage treatment Plant quoted as 250KLD in contrary to 700KLD, issuance of Consent to Operate order despite the fact that Environment clearance is already kept in abeyance, incorrectly measuring of distance proximity to residents, failed to quote expansion of 990 apartments apart from 1184 apartments for which there was no approval given by SEIAA, and many others such violations.
 - b. Though the show cause notice was served to Project proponent and the Association of this society, such actions were neither strong enough and

effective in nature to uplift the better living condition of nearby residents, nor any recommendation from its shifting and demolition of its construction in this report. It's been more than 7 months since the notice was served but no improvement/implementation could be perceived/seen in this regard. It is evident from the past many documents that such show cause notices and closure direction had also been served past but none were strong enough to stop such construction on time or stop its functioning from the time when it started operating. With this action from TNPCB, association and project proponent jointly hired a service provider for the sake of revamp where cost had to be borne partially by the residents of this society as well. It is very unlikely to bear the burden of expenses of other's mischief.

- c. The composition of the committee members are from the same board and is region specific, thereby, there are likely chances of having crucial facts being compromised in the report. The reason for furnishing this report before this Honorable Tribunal, as one of the event which occurred already in past.

OA 87/2021 (SZ)

03.08.2021

Sd/--



(Arvind Kumar Agrawal)

(Applicant)