

**BEFORE THE HON'BLE NATIONAL  
GREEN TRIBUNAL SOUTHERN ZONE, CHENNAI  
Appeal No. 65 of 2025 (SZ)**

**M/S RDC CONCRETE INDIA PRIVATE LIMITED  
SF No.154/6, Kodyam Village,  
Hosur Taluk, Krishnagiri District**

...Applicant

Vs

**Tamil Nadu Pollution Control Board,  
Chennai.**

...Respondents

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**Advocate for Respondent: TNPCB  
Thiru.S. Sai Sathya Jith,  
Advocate, Chennai.**



**Report submitted by the Respondents - TAMIL NADU POLLUTION CONTROL BOARD (TNPCB) before the Hon'ble National Green Tribunal, SZ in Appeal No 65 of 2025 filed by M/s.RDC Concrete India, Represented by its Managing Director, SF No.154/6, Kodyam Village, Hosur Taluk, Krishnagiri District Private Limited against The Tamil Nadu Pollution Control Board, Chennai.**

The Unit M/s.RDC Concrete India Private Limited, Represented by its Managing Director has filed an appeal with the prayer that “to call for the records relating to the order dated 31.10.2025 passed by the Hon'ble Appellate Authority, Tamil Nadu Pollution Control, made in Appeal No.149 of 2025 and quash the same and consequently direct the Respondents to grant CTO direct to the Appellant for manufacture of RMCat the rate of 1000 Cubic Meter per month for execution of the project, namely construction of bypass to Bagalur town branching from Km 3/0 (Kothapalli) and joining at Km 9,350 (Jee Mangalam) including shifting of Utilities of NH 207 (New NH 648) on engineering, Procurement & Construction basis Contract in the state of Tamil Nadu awarded by the National Highway Authority of India and thus render justice.”

In this regard, as reported by the DEE, Gummidipoondi, the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai the submits the report on behalf of the respondents herein.

A. The appellant unit M/s. RDC Concrete India Private Limited located at SF.No.154/6, Kodyalam Village, Hosur Taluk, Krishnagiri District has submitted application through online portal on 27.05.2025 seeking Consent to Operate – Direct (CTO – Direct) under the provisions of the Water (P&CP), Act 1974 as amended and the Air (P&CP) Act, 1981 as amended, for manufacturing Ready Mix Concrete – 1000 Cu.m/Month.

B. The said application was returned to the unit through the online portal on 14.06.2025, requesting the unit to furnish and/or rectify certain particulars, among others. The unit was specifically directed to submit certificates obtained from the competent authorities evidencing compliance with the siting criteria prescribed for Ready Mix Concrete plants by the Tamil Nadu Pollution Control Board, in compliance with the directions issued by the Hon'ble National Green Tribunal (Southern Zone) dated 30.03.2017 in Application No. 24 of 2017, namely:

1. No RMC plant shall be permitted within 250 metres from nearby residential areas, layouts, National/State Highways, educational institutions, religious places and human settlements.
2. No RMC plant shall be permitted within a radius of 5 kilometres from wildlife sanctuaries, reserve forests or national monuments.
3. A minimum distance of 250 metres shall be maintained between two RMC plants.

C. The unit has resubmitted the application on 01.07.2025 without furnishing the requisite supporting documents evidencing compliance with the aforesaid siting criteria prescribed for Ready Mix Concrete plants. Consequently, the application was again returned on 06.07.2025.

D. The unit once again resubmitted the application on 07.07.2025, still without furnishing requisite supporting documents evidencing compliance with the aforesaid siting criteria prescribed for Ready Mix Concrete plants. In this connection, the unit was inspected on 17.07.2025 and during the inspection, it was observed that the unit has installed all the machineries in the premises for manufacturing of readymix concrete without obtaining necessary consent of the Board and the unit was also in operation. Further, the unit is located at about 10m from National highway 648 (Dobbaspeta to Hosur) and hence, the unit has

not complied the siting criteria issued by the Board in compliance of the directions issued by the Hon'ble NGT (SZ).

**E.** Based on inspection conducted on 17.07.2025, a Show Cause Notice was issued to the unit vide proceeding dated 18.07.2025 for the following reasons.

- 1) The unit was in operation without obtaining prior consent to operate from the Board.
- 2) The unit has not complied the siting criteria of ready mix concrete plants as per orders of the Hon'ble NGT (SZ) dated 30.06.2017 in application no.24 of 2017 because the unit site is located at about 10 m from NH 648 (Dobbaspeta to Hosur).

**F.** Based on the findings of inspection, the issue was placed before the District Level Consent Clearance Committee meeting held on 23.07.2025. The District Level Consent Clearance Committee has decided to reject the application and accordingly a Consent Refusal order was issued to the unit vide Proc. No. F.4037HSR/ GS/ DEE/ TNPCB/ 31/W&A/2025, dated 24.07.2025 on the following grounds.

1. The unit is located at a distance of 10 m from National highway (NH - 648) and as against the stipulated minimum distance of 250m from the nearby residential area, layouts, National/ State Highways, educational institutions, Religious places and human settlements with population more than 500.
2. The unit is located in the Residential Zone as per Hosur New Town Development Authority land use classification

**G.** The unit has replied on 25.07.2025 for the show cause notice issued by the Board and informed that the unit has approached the Hon'ble Appellate Authority, Chennai based on TNPCB rejection proceeding dated 24.07.2025. The unit has also informed that the unit has stopped the production as per instruction issued during inspection on 17.07.2025.

H. The unit has filed Appeal Nos. 149 & 150 of 2025 against the Proc. No: F. 4037 HSR / GS / DEE / TNPCB / 31 / W&A / 2025 dated 24.7.2025 before the Hon'ble Appellate Authority, TamilNadu Pollution Control Board, Chennai. After hearing both sides, the Hon'ble Appellate Authority has dismissed on 31.10.2025 and the operative portion of the Order inter alia as follows:

*“The appellant’s application for Consent to Operate-Direct for aready mix concrete plant at SF No: 154/6, Kodiyalam Village, Hosur Taluk, Krishnagiri District was rejected by the second respondent herein, vide his Proc. No: F. 4037 HSR / GS / DEE / TNPCB / 31 / W&A / 2025 dated 24.7.2025, on the ground that the unit is located 10m from National Highway (NH – 648) and the unit is located in the residential area as per Hosur New Town Development Authority Land Use Classification, thereby attracting the ready mix plant guidelines issued by the Tamilnadu Pollution Control Board as directed by the Hon'ble National Green Tribunal order dated 30.3.2017 in Application No: 24 of 2017. Challenging the same, the appellant preferred these appeals. Respondent-Board files counter to the same.*

1. *The learned counsel for the appellant would submit that the appellant has got a purchase order for supply of ready mix concrete from one M/s. RDC Concrete India Private Limited, who was awarded with a contract by National Highways, Salem Circle for construction of bypass to Bagalur town branching from Kothapalli and Jee Mangalam. He further submits that the project is only for a period of two years and after completion of the project the unit will be dismantled and the land will be restored to its original condition.*
2. *On the contrary, the learned counsel appearing for the respondent-Board would submit that the appellant has installed all the machineries in the premises for manufacturing of ready mix*

*concrete without obtaining necessary consent of the Board and also started its operation. The unit is located at about 10m from National Highway 648 (Dobbaspeta to Hosur) thereby violating the siting criteria issued by the respondent-Board.*

3. *Heard both sides.*

4. *It is an admitted fact that the appellant has established the unit and commenced its operation without obtaining consent from respondent- Board. The unit is located in the residential area as per Hosur New Town Development Authority and NH-648 runs just 10m away which is in clear violation of the guidelines prescribed by TNPCB.*

5. *Therefore, we do not find any reason to interfere with the impugned order passed by the 2nd respondent herein vide Proc. No; F.4037 HSR / GS / DEE / TNPCB / 31 / W&A / 2025 Dated: 24.7.2025."*

I. The unit was again inspected on 13.01.2026 by TNPCB officials and the following were observed:

1. The unit was not in operation.
2. However, raw material such as M sand and aggregates were found stored in the unit premises.
3. The Ready-mix concrete carrying vehicles were parked inside the unit premises.
4. The unit representative has stated that they have stopped the operation of the unit.

In this regard, the unit was instructed not to operate the unit without prior consent of the Board vide letter dated: 19.01.2026.

J. The unit had established a Ready Mix Concrete plant in clear violation of the siting criteria prescribed for Ready Mix Concrete Plants by the Board in compliance with the directions of the Hon'ble National Green Tribunal. The rejection of the Consent to Operate – Direct application has also been upheld by the Hon'ble Appellate Authority.

This report is submitted to the Hon'ble National Green Tribunal (Southern Zone) in compliance of the directions passed by the Hon'ble Tribunal. The TAMIL NADU POLLUTION CONTROL BOARD (TNPCB) will abide by all such directions, as the Hon'ble Tribunal may deem fit and appropriate.

Dated at Chennai, on this the 27<sup>th</sup> day of March, 2026.

*S. V. V.* 27.3.26  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMILNADU POLLUTION CONTROL BOARD  
76, MOUNT SALAI, CHENNAI-600 032.



BEFORE THE HON'BLE NATIONAL  
GREEN TRIBUNAL SOUTHERN ZONE,  
CHENNAI  
Appeal No.65 of 2025 (SZ)

M/s.RDC Concrete India,  
Managing Director, SF No.154/6, Kodyam  
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....Applicant.

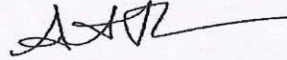
VS

Tamil Nadu Pollution Control Board,  
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...Respondents

Report submitted by the Respondents -  
TAMIL NADU POLLUTION CONTROL  
BOARD

Date of filing : 27.03.2026

Date of hearing : 30.03.2026



Thiru.S.Sai Sathya Jith,  
Advocate for 2<sup>nd</sup> Respondent: TNPCB.