

**BEFORE THE HON'BLE NATIONAL
GREEN TRIBUNAL SOUTHERN ZONE, CHENNAI
Appeal No.69 and 70 of 2025 (SZ)**

**M/s. RVS Constructions,
SF No. 237, Sholinganallur-1 Village,
Sholinganallur Taluk,
Chennai District**

...Applicant

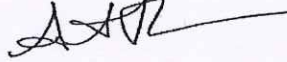
Vs

**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 69 & 70 of 2025 filed by M/s. RVS Constructions, SF No. 237, Sholinganallur-1 Village, Sholinganallur Taluk, Chennai District against the Tamil Nadu Pollution Control Board, Chennai.

The Appellant unit of M/s. RVS Constructions has filed an appeal before the Hon'ble National Green Tribunal, SZ with the prayer that "to set aside the impugned order dated 5.11.2025 in Appeal No.99 of 2025 passed by the Appellate Authority, Tamil Nadu Pollution Control Board and its consequential direction to dismantle notice dated 20.11.2025 issued by the 2nd respondent the DEE, TNPCB, Velacherry and the Board to process the renewal of consent application within time frame stipulated by this Hon'ble Tribunal".

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

A. The unit of M/s. RVS Constructions, SF No. 237, Sholinganallur-1 Village, Sholinganallur Taluk, Chennai District was inspected on 24.05.2024 by the Officials of the DEE, Chennai (South) and it was noticed that the Unit was operating without the Consent of the Board. Hence, Show Cause Notice (SCN) was issued to the Unit under Water Act and Air Act vide Proc. No.DEE/TNPCB/CHS/Without CTO - RMC /RVN/W&A/2024 Dt: 28.05.2024 for operating the activities of RMC by without the Consent of the Board and the project site. The RMC activity attracting siting criteria for a proposed ready mix concrete plant prescribed in "Guidelines for Ready Mix Concrete Plants" issued by the TNPCB as directed by the Hon'ble National Green Tribunal order dated 30.03.2017 in

Application No.24 of 2017 and the project site abutting Buckingham canal on the Eastern side within 100m attracting CRZ notification, 2011.

B. The unit has not furnished the reply for the said SCN. The personal hearing was conducted with the unit of M/s. RVS Constructions on 03.07.2024 and the unit has informed that “they would like to go for appeal” before the Appellate Authority, TNPCB.

C. Later, the unit M/s. RVS Constructions, SF No. 237, Sholinganallur-1 Village, Sholinganallur Taluk, Chennai District has filed an application seeking for CTO Direct under Water Act and Air Act on 05.07.2024 for manufacturing of Ready-Mix Concrete -120 Tonnes/day. Subsequently, the Certificate of Refusal/ rejection order was issued to the unit of M/s. RVS Constructions vide Proc. No.F.1130CHS/GS/DEE/TNPCB/2/W&A/2024 DATED: 24.07.2024 under Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 and Air (Prevention & Control of Pollution) Act, 1981 as amended in 1987, for the reasons stated therein.

D. The unit has filed an Appeals No.80 and 81 of 2024 before the Hon’ble Appellate Authority, Tamil Nadu Pollution Control Board and the Hon’ble Appellate Authority Tamil Nadu Pollution Control passed order Dt: 07.08.2024 as follows:

“9. In line with the above judgments and considering the public interest as well as the importance of the project and the undertaking submitted by the appellant, this Appellate Authority is inclined to direct the respondent-Board to grant consent to operate to the temporary ready mix concrete plant at SF No. 237, Cholinganallur – 1 Village, Sholinganallur Taluk, Chennai District only for the period upto 19.4.2025. The respondent-

Board may impose required conditions to effectively control the air pollution. The appellant shall comply with all the conditions that may be imposed by the Pollution Control Board and as undertaken shall dismantle the unit on completion of the project awarded to him. There shall not be any deviation of the materials to any other parties other than the public project awarded to him.

With these directions, the appeals are allowed.”

E. Based on the above said order the unit has again filed a fresh application seeking CTO Direct under Water Act and Air Act vide Appl. No. 61524341 on 07.08.2024 for the Ready-Mix Concrete plant -120 Tonnes/day. Based on the Hon'ble Appellate authority, TNPCB order dt: 07.08.2024 in Appeal No. 80 & 81 /2024 & TNPCB Memo No. T1/TNPCB/F.018428/ 2024 Dt: 25.10.2024, the unit of M/s. RVS Constructions, S.F.No. 237, Sholinganallur- 1 Village, Sholinganallur Taluk and Chennai District was inspected on 04.11.2024 and was issued CTO Direct Dt: 15.11.2024 validity upto 19.04.2025 vide Proc. No.F.1130CHS/GS/DEE/TNPCB/CHS/W&A/2024 Dt: 15/11/2024. Further, the same was intimated to TNSCZMA vide Bd. Lr. to TNSCZMA Lr.No. T1/TNPCB/F.018428/ 2024 Dt: 30.11.2024.

F. Since, on expiry of validity on 19.04.2025, a stop notice issued vide Lr.No. DEE/TNPCB/CHS /RVS/GS/2025 dated: 17.04.2025. Later, the unit has filed seeking for RCO vide Appl. no. 66995664 Dt: 23.04.2025 and subsequently, the RCO Refusal order was issued Dt: 24.04.2025 vide Refusal letter vide Proc.F.1130CHS/GS/DEE/TNPCB/2/W&A/2025 Dt: 24.04.2025 for the reasons stated therein.

G. Subsequently, the unit filed an Appeal No. 99 & 100 of 2025 before the Hon'ble Appellate Authority, TNPCB against the RCO Refusal order was issued on 24.04.2025. In the meantime, on 10.09.2025, an order was passed by the Hon'ble Appellate Authority, TNPCB in Appeal No.17 &18 of 2025 filed by M/s. Samrat Constructions, stating that:

“ we are inclined to visit the place in person to note down the physical features and the real picture of the said seven units situated there.

According to the petitioner, the other six units are not in operation except one. In order to find out the real picture, we are inclined to visit the area on 15.9.2025 afternoon between 3.30 to 4.00 PM. The Pollution Control Board authorities are directed to be present and also inform the Coastal Regulation Zone as well as Public Works Department authorities to enable them to be present during inspection”.

H. The joint inspection on 15.09.2025 was headed by Hon'ble Justice (Chairperson) & the Member, Hon'ble Appellate Authority, TNPCB along with Officials of TNPCB, Coastal Regulation Zone (Director of Environment) and Public Works Department and based on the inspection as instruction letter was addressed to the unit vide Lr. No: DEE/TNPCB/CHS/Joint Inspection- 2/ Dated: 30.09.2025 and Lr. No: DEE/TNPCB/CHS/Joint Inspection-2/ Dated: 03.11.2025 to dispose the RMC reject and construction debris deposited within the unit premises & on the boundary of unit as per the Construction and Demolition Waste Management Rules, 2025. Further, the unit shall revamp the existing ETP provided.

I. Finally, the Hon'ble Appellate Authority, TNPCB has rejected the said Appeal No.99 & 100 of 2025 vide order Dt: 19.11.2025 stating that:

“ 6. Accordingly, on 15.9.2025, an inspection was carried out by us along with the officials of the respondent-Board, advocates and parties. It was found that none of the units have consent from the respondent-Board and all the units were located just on the bank of Buckingham canal. Slurry of ready-mix concrete was found on the bank of the canal, causing air and water pollution, which is in clear violation of the Notification. Water was contaminated and stagnated with pungent smell.

7. As the units did not have valid consent and functioning in contrary to the rules and regulations, this Authority is of the view that if the units are permitted to run any further would be detrimental to the environment and the people living there. Hence, this Authority doesn't find any merit to interfere with the impugned order passed by the 2nd respondent.”

J. Hence, a letter vide Lr. No: DEE/TNPCB/CHS/RVS/ Dated: 20.11.2025 was addressed to the unit to instructed to dismantle the RMC batching plant & its DG sets and to vacate the premises as earlier as possible. Further, it is requested to dispose the debris and RMC reject within the unit premises and all along the boundary before vacating the premises as per the Construction and Demolition) Waste Management Rules, 2025 and to furnish action taken report to this office within a week time.

In this connection, the unit was inspected on 29.11.2025 and the following was observed:

- i) The unit was not under operation but the RMC batching plant and the site office functions only through DG sets and solar power.
- ii) The unit has not disposed the RMC reject and construction debris deposited within the unit premises & on the boundary of unit as per the Construction and Demolition) Waste Management Rules, 2025.
- iii) The unit has not initiated any action to dismantle the RMC batching plant & its DG sets 180 kVA, 30 kVA, & 200 kVA 1 no. each and to vacate the premises in view of the Hon'ble Appellate Authority, TNPCB order Dt: 19.11.2025 in Appeal No.99 and 100 of 2025.

K. Based on that, DEE CHS has The unit M/s. RVS Constructions, SF No. 237, Sholinganallur-1 Village, Sholinganallur Taluk, Chennai District was recommended to issue directions for sealing of DG set and the unit M/s. RVS Constructions, SF No. 237, Sholinganallur-1 Village, Sholinganallur Taluk, Chennai District premises under Section 33 (A) of the Water (P&CP) Act, 1974 and under the section 31 (A) of the Air (P&CP), Act 1981 as amended vide Lr. No. F. CHS/DEE/TNPCB/CHS/GS/RVS/2025 on 03.12.2025.

L. At present, the unit of M/s. RVS Constructions, SF No. 237, Sholinganallur-1 Village, Sholinganallur Taluk, Chennai District was issued with directions for sealing of DG set & the unit premises under Section 33 (A) of the Water (P&CP) Act, 1974 and under the section 31 (A) of the Air (P&CP), Act 1981 as amended vide Proc. No.TNPCB/T6/F.034974/CHS/W/2026 Dt:21.01.2026 & Proc. No.TNPCB/T6/F.034974/CHS/A/2026 Dt:21.01.2026. Since, this RMC batching plant and the site office functions only through DG set and solar power.

M. Subsequently, the District Collector, Chennai was issued the order for sealing DG set and unit premises DEE, Chennai (South) on 04.02.2026 and DG set was sealed on 06.02.2026 and in connection to sealing of unit premises, it was noted that the unit was already engaged in dismantling and vacating the unit premises and the unit has requested not to seal the entrance gate since the entrance gate is the only way to remove the aggregates, site office containers, silos, etc and to vacate the said premises vide its letter Dt:09.02.2026. (copy Enclosed).

N. In regard to the Appellant's prayer to stay and set aside the TNPCB directions to the unit of M/s. RVS Constructions for sealing of DG set and the unit premises under Section 33 (A) of the Water (P&CP) Act, 1974 and under the section 31 (A) of the Air (P&CP), Act 1981 as amended vide Proc. No.TNPCB/T6/F.034974/CHS/W/2026 Dt:21.01.2026, the following is submitted that:

- i) The project site of the M/s. RVS Constructions attracts siting criteria for a proposed ready mix concrete plant prescribed in "Guidelines for Ready Mix Concrete Plants" issued by the TNPCB as directed by the Hon'ble National Green Tribunal order dated 30.03.2017 in Application No.24 of 2017 such as
 - a) No RMC plant shall be permitted within 250m from the nearby residential area, layouts, NH/SH, Educational Institutions, religious places, Human settlements with population more than 500. (Residential area within 250 m)
 - b) There should be atleast 250m distance between the two RMC plants.
- ii) The project site of the M/s. RVS Constructions falls in CRZ -II area and abutting Buckingham Canal.

- iii) To the latest, the Hon'ble Appellate Authority, TNPCB rejected the said Appeal No. 99 & 100 of 2025 vide order on 19.11.2025 stating that:

“6. Accordingly, on 15.9.2025, an inspection was carried out by us along with the officials of the respondent-Board, advocates and parties. It was found that none of the units have consent from the respondent-Board and all the units were located just on the bank of Buckingham canal. Slurry of ready-mix concrete was found on the bank of the canal, causing air and water pollution, which is in clear violation of the Notification. Water was contaminated and stagnated with pungent smell.

7. As the units did not have valid consent and functioning in contrary to the rules and regulations, this Authority is of the view that if the units are permitted to run any further would be detrimental to the environment and the people living there. Hence, this Authority doesn't find any merit to interfere with the impugned order passed by the 2nd respondent.”

- iv) An Appeal No. 69 & 70 of 2025 filed against the order of the Hon'ble Appellate Authority, TNPCB order Dt: 19.11.2025 is pending before the Hon'ble National Green Tribunal (South Zone).
- v) Also, Greater Chennai Corporation has issued stop notice Dt: 04.12.2025 to the unit of M/s. RVS Constructions due to public complaints regarding dust/particulate matters pollution due operation of this RMC plant.
- vi) In view of the above, the unit of M/s. RVS Constructions was issued with directions for sealing of DG set & the unit premises under Section 33 (A)

of the Water (P&CP) Act, 1974 and under the section 31 (A) of the Air (P&CP), Act 1981 as amended vide Proc. No.TNPNB/T6/F.034974/CHS/W/2026 Dt:21.01.2026 & Proc. No.TNPNB/T6/F.034974/CHS/A/2026 Dt:21.01.2026. Since, this RMC batching plant and the site office functions only through DG set and solar power.

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 (TNPNB) will abide by all such directions, as the Hon'ble Tribunal may deem fit and appropriate.

Dated at Chennai, on this the 26th day of March, 2026.

S. Vairu 27.3.26
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD
78, MOUNT SALAI, CHENNAI-600 032.

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

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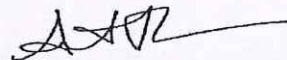
**Tamil Nadu Pollution Control Board,
Chennai.**

...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 2nd Respondent: TNPCB.