

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

**Appeal No. 46 of 2024**

**In the matter of**

G. Praveena  
D. Ranjith Kumar  
Balasubramaniam M.K  
Elumalai C  
Jagan Kumar  
E. Subramani  
Balaji Dilli

...Appellants

Vs

1. State Environment Impact Assessment Authority (SEIAA), rep. by its member secretary 3rd Floor, Panagal Maaligai, No.1, Jeenis Road, Saidapet, Chennai - 600 015.  
Email: [cmantnseiaa@yahoo.com](mailto:cmantnseiaa@yahoo.com)  
Ph No. +044-24359973
  
2. The State Industries Promotion Corporation of Tamilnadu (SIPCOT), Represented by its Managing Director, 19-A, Rukmani Lakshmi pathy Road, Egmore, Chennai - 600 008.  
Email : [md@sipcot.in](mailto:md@sipcot.in)  
Ph No: 044-45261796

...Respondents

**Counter Affidavit filed by the 2<sup>nd</sup> Respondent**

I, Thiru Dr. V.R. Veerabathiran, S/o R.V. Rengasamy, Hindu, aged about 47 years working as General Manger (SPL II/Legal) of the Appellant corporation having office at No.19-A,Rukumani Lakshmi pathy Road, Egmore, Chennai - 600 008 do hereby solemnly affirm and sincerely state as follows:

For STATE INDUSTRIES PROMOTION  
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1. I submit that I am the 2<sup>nd</sup> Respondent herein and as such I am well acquainted with the facts and circumstances of the case. I deny all the allegations and averments made by the petitioners except those that are specifically admitted here under.
2. I submit that the present Appeal is filed by the Petitioners praying for an order to Quash the Environmental Clearance dated 22.04.2024 bearing EC24B3813TN5100474N issued by 1st Respondent to the 2nd Respondent.
3. I submit that, State Industries Promotion Corporation of Tamil Nadu (SIPCOT), is a key agency dedicated to fostering industrial development and economic growth in the State of Tamil Nadu. As a significant contributor to the state's vision of achieving a \$1 trillion economy, SIPCOT plays a pivotal role in creating and maintaining industrial estates, thereby significantly contributing to economic progress and the state's employment generation.
4. I submit that, in alignment with its mission to drive sustainable development, SIPCOT is deeply committed to upholding environmental standards and ensuring responsible industrial practices. The environmental clearance process for its projects involves rigorous assessments and compliance with stringent regulations to mitigate potential impacts on the environment. This commitment reflects SIPCOT's dedication to balancing industrial advancement with ecological preservation.
5. I submit that, the 1st Respondent issued an order to the 2<sup>nd</sup> Respondent for the establishment of an industrial estate spread

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over 215.834 Ha in Soorapoondi and Vaniyamalli villages, Gummidipoondi Taluk, Tiruvallur District.

6. I submit that, this respondent has strictly adhered to all statutory requirements and procedural norms as laid down in the Environmental Impact Assessment (EIA) Notification, 2006 throughout the environment clearance process. This respondent commissioned a detailed Environmental Impact Assessment (EIA) study conducted by a National Accreditation Board for Education and Training (NABET) accredited environmental consultant M/s. Hubert Enviro Care Systems Pvt. Ltd. The Environmental Impact Assessment (EIA) Report meticulously analyzed all potential environmental impacts, including air, water, soil, biodiversity & socio economic aspects. The study involved baseline data collection, impact prediction, and formulation of mitigation measures, ensuring a thorough evaluation of the project's environmental implications. The Environment Management Plan (EMP) provided in the Environmental Impact Assessment (EIA) Report outlines specific measures to mitigate adverse environmental impacts, monitor compliance, and ensure sustainable development practices. This respondent has maintained transparency throughout the clearance process by making all relevant documents, including the Environmental Impact Assessment (EIA) report, accessible to the public and regulatory authorities.
7. I submit that, this respondent has acted in good faith and with full compliance with the legal and regulatory framework governing environmental clearance. The allegations of fraud are unfounded and undermine the rigorous efforts undertaken to ensure

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environmental protection. This respondent remains committed to sustainable development and the protection of the environment, as evidenced by its adherence to all statutory and procedural requirements.

8. I submit that, the Environmental Impact Assessment (EIA) report and the project proposal underwent a rigorous review by the State Expert Appraisal Committee (SEAC). The SEAC, comprising independent experts in environmental science, engineering, Forests & Wildlife, environmental economics, waste management, including Retired I.A.S. and I.F.S. officials had thoroughly scrutinized the proposal. The committee's recommendations were based on scientific evidence and best practices, ensuring a detailed assessment of the project's environmental impact.
9. I submit that, it is apparent that the appellants, without possessing adequate knowledge of the legal and regulatory framework governing environmental clearance process, have filed this case. The appellants claim reflects a complete misunderstanding of the rigorous procedures and assessments that were involved in the Environmental Impact Assessment (EIA) Study. Moreover, the appellants have not adequately assessed the critical importance of this project for regional development and socio-economic benefits. The appellants' self-proclaimed expertise is nothing and cannot be compared with the comprehensive, multi-disciplinary review and regulatory oversight conducted by the expert members of the SEAC for the proposed project.

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**Project falls under Category 8(b):**

10. I submit that, the averments made in the para 2 of the Petitioners Affidavit are denied as baseless and utter false. The total area proposed for the Development of Industrial Park at Vaniamallee and Soorapoondi Villages in Gummidipoondi Taluk, Tiruvallur District is 215.834 Hectares (533.11 Acres) and the proposed industrial park will accommodate only Non-EC category industries such as Electricals & Electronics, Engineering & Fabrication & other Non-EC Category industries. As per the Environmental Impact Assessment (EIA) Notification, 2006 and its subsequent amendments and Ministry of Environment, Forest and Climate Change (MoEF&CC) Office Memorandum dated 04.04.2016, an Industrial Area with a size of less than 500 hectares and not housing any Category 'A' or 'B' industries does not need prior Environmental Clearance. If the area is less than 500 hectares but contains building and construction projects exceeding 20,000 square meters and development area more than 50 hectares, it will be treated as an activity listed at serial no. 8(a) or 8(b) in the Schedule of the Environmental Impact Assessment (EIA) Notification, 2006. Therefore, the proposed project, with an area of 215.834 hectares (less than 500 hectares) and containing only Non-EC category industries, will fall under Schedule 8(b) - 'B1' Category only.

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**Project is proposed under Electronics Manufacturing Cluster (EMC) scheme:**

11. I submit that, this respondent has proposed to develop the Vaniamallee Industrial Park under the Electronics Manufacturing Cluster (EMC) scheme by seeking a grant from the Ministry of Electronics and Information Technology (MEITY). This initiative aims to support the Government's efforts to transform India into an Electronics Manufacturing Hub, as envisioned under the "Digital India" and "Make in India" programs. Accordingly, the proposed Industrial Park will accommodate Electricals & Electronics industries, which fall under the Non-EC category and the project will fall under Schedule 8(b) - 'B1' Category only.

**Public Hearing is exempted:**

12. I submit that, according to the Environmental Impact Assessment (EIA) Notification, 2006 and its subsequent amendments, Para 7 (III) - Stage 3, Subsection (i), Public Consultation is exempted for category 8(b). The relevant provision states:

*(d) All Building or Construction projects or Area Development projects (which do not contain any category 'A' projects and activities) and Townships (item 8 (a) and 8(b) in the Schedule to the notification).*

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**Project location is legal and proposed on SIPCOT-Owned Land:**

13. I submit that, para 7 of the affidavit is denied and there is no illegal segmentation. The appellants' claim that the Manallur Industrial Park and the proposed project are a single project is utterly false and baseless. The two project sites are located approximately 0.5 km apart in aerial distance and there is no contiguity between the industrial parks. Further, the category of industries proposed in Manallur Industrial Park and the Proposed Vaniamallee Industrial Park are totally different and cannot be claimed as a single project.

14. I submit that, the Respondent has a land acquisition scheme encompassing approximately 4,000 acres, including Poramboke and Patta lands, in and around the villages of Manallur, Soorapoondi, Vaniamallee, Madharpakkam, and Sanaputhur. Currently, the land acquisition processes are at an early stage. The acquisition of Patta lands is still underway and involves several steps that have yet to be finalized. This process will take considerable time for this respondent to complete and take possession. At this stage, it is not possible to determine which Patta lands will be acquired and which will remain.

15. I submit that, to meet immediate investment demands, foster economic development in the region and state, and create employment opportunities, this respondent initially proposed establishing Industrial Park on available contiguous Poramboke land, which does not require a land acquisition process. As a result, the proposed Vaniamallee Industrial Park is planned on a contiguous

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parcel of Government Poramboke land, allowing for the establishment of the industrial park without the need for land acquisition.

**Manallur Industrial Park:**

16. I submit that, the respondent obtained Environmental Clearance on 10.11.2020 from the Ministry of Environment, Forest and Climate Change (MoEF&CC) for the proposed development of an Industrial Park in Manallur and Soorapoondi Villages, Gummidipoondi Taluk, Tiruvallur District, covering an area of 279.99 hectares (691.587 acres) for housing few EIA Notified Industries (few synthetic organic chemical industries), in accordance with the ENVIRONMENTAL IMPACT ASSESSMENT (EIA) Notification, 2006 and its subsequent amendments. The entire Manallur Industrial Park is also situated on Government Poramboke land only. However, the Environmental Clearance dated 10.11.2020 was challenged in the Hon'ble Tribunal, and as per the judgment dated 30.09.2022, the Hon'ble Tribunal has directed that further studies to be conducted (like NBWL Clearance, etc.). This respondent is currently in the process of complying with the Order and the Expert Appraisal Committee is yet to appraise the project.

**Proposed Vaniamallee Industrial Park:**

17. I submit that, the respondent has obtained Environmental Clearance from SEIAA for the proposed Vaniamallee Industrial Park over an extent of 215.834 Hectares under Schedule 8(b) - 'B1' category for accommodating only Non-EC Category Industries. This proposed Vaniamallee Industrial Park is located in contiguous parcel

of Government Poramboke Land and it is located 0.5 Km apart in aerial distance from the Manallur Industrial Park and there is no contiguity between these two parks.

18. I submit that, while the land acquisition scheme is in place, it is not possible to predict which specific lands will be acquired by SIPCOT and which will be dropped. The appellants' claim that the project must be developed as a single, unified project is baseless. The state's development and economic growth cannot be delayed indefinitely. Furthermore, developing the entire scheme in a stretch requires substantial financial investment, which this respondent, being a government corporation, cannot provide all at once. Industrial Park development is based on several factors which includes Market Demand, Economic Viability, Financial Planning, Investment, Environmental Sustainability, Post Economic Growth, Employment Generation, Regulatory Compliance, etc. Industrial parks will be developed as and when investors commit their investments, and it is unrealistic to expect all investments to materialize simultaneously. Securing investments for state development is highly competitive and challenging. The appellants' claims are without merit and fail to acknowledge the complexities involved in the development process.

19. I submit that, though the enter upon permission has been granted for higher extent, planning and development of the project are administrative decisions, and since SIPCOT owns the land, it retains the authority to manage and develop it accordingly and adhering to all statutory and procedural requirements. It is reiterated that; this respondent has planned the Industrial Park only

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in the Contiguous Parcel of Government Porambokke Land. The decision on whether the land should be appraised as Category 7(c) or 8(b) is project specific and involves a thorough review of the project's nature, scope, and potential impacts, and is not solely influenced by the proximity of the projects.

20. I submit that, in respect of para 18 of the affidavit, we had initially proposed a Bulk Drug Park, but that proposal has since been dropped. SIPCOT is now proposing only an Electronic Manufacturing Cluster (EMC). If we were proposing a bulk drug park, SIPCOT would not seek Environmental Clearance (EC) for housing Non-EC category industries. This clearly indicates that the appellants lack adequate knowledge regarding the EC process.

**Cumulative Impact Assessment done:**

21. I submit that, the Environmental Impact Assessment (EIA) Study is to identify and evaluate the potential impacts (beneficial and adverse) of development and projects on the environmental system. Accordingly, a comprehensive Cumulative Impact Assessment was carried out within 10 Km radius of the proposed project site, as per the Terms of Reference (ToR) condition. The Air monitoring locations were strategically chosen to include various land uses, particularly focusing on industrial zones to ensure the inclusion of emissions from industries and also to capture a representative baseline air quality. This ensured that the baseline data accurately reflected the cumulative impact of all existing and proposed industries within the 10 Km radius.

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22. I submit that, the air quality data was collected through a NABL Accredited Agency, as per the standard and approved methodologies / guideline issued by CPCB (Central Pollution Control Board). The parameters monitored included PM10, PM2.5, SO2, NO2, CO, and other relevant pollutants.

**Consideration of Gummidipoondi and Thervoykandigai for Cumulative Impact Assessment:**

23. I submit that, in the Terms of Reference Page No. 6, Condition No. 23, states as follows:

*"The Project Proponent shall carry out the AAQ & ANL survey in minimum six places & minimum 6 ground water samples of surface water quality to be analyzed."*

However, we have considered 8 Ambient Air Quality (AAQ) monitoring locations for generating the baseline data within the 10 Km radius of study area, including the Thervoykandigai (Teruvai) and Gummidipoondi location which have cluster of industries. This will provide a comprehensive understanding of the Ambient Air Quality levels in the study area, including emission from other existing industrial units. The Baseline Ambient Air Quality (AAQ) Monitoring details were provided in Table 3.9 of the ENVIRONMENTAL IMPACT ASSESSMENT (EIA) Report. This data forms the foundation for the impact prediction.

24. I submit that, as per the baseline data collected, the maximum Ground Level Concentration (GLC) was identified at Gummidipoondi Monitoring Station, one of the important location

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within the study area, which have cluster of industries. This maximum GLC serves as a conservative benchmark to assess the worst-case scenario for Ambient Air Quality impact in the study area.

25. I submit that, the incremental concentration of pollutants due to the proposed industrial park was predicted using the established air dispersion modeling technique, specifically the AERMOD system developed by the US Environmental Protection Agency (EPA). This respondent conducted a detailed prediction of the incremental concentrations of pollutants from the individual industries that will be accommodated within the proposed industrial park. Since these industries fall under the Non-EIA Category (i.e., industries that do not require Environmental Clearance as per the ENVIRONMENTAL IMPACT ASSESSMENT (EIA) Notification, 2006), there will be no process emissions. Nevertheless, this respondent considered even the emissions from DIESEL GENERATOR (DG) sets in predicting the impact. Furthermore, emissions were considered as 'uncontrolled' from the individual industries, meaning no air pollution control devices were assumed in the impact prediction.

26. I submit that, in addition to stack emissions, transportation emissions due to the proposed project were also considered, ensuring a holistic and thorough cumulative impact assessment. The cumulative impact assessment, which includes the contributions from existing and proposed industries, is detailed in Section 4.5.1.3 of the Environmental Impact Assessment (EIA) Report.

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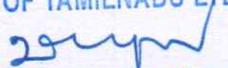
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27. I submit that, the predicted incremental concentrations were then compared with the baseline data to assess the overall impact on air quality. The study results demonstrate that even under the scenario of uncontrolled emissions from the proposed project, the total incremental concentrations of pollutants remain well within the National Ambient Air Quality (NAAQ) standards.

28. What will be the maximum cumulative concentration of pollutants in the study area has been estimated and provided in Section 4.5.1.3 (page no:231) of the EIA Report and the same is given below:

Pollutant	Max. Base line Conc. ( $\mu\text{g}/\text{m}^3$ )	Estimated Incremental Conc. ( $\mu\text{g}/\text{m}^3$ )	Total Conc. ( $\mu\text{g}/\text{m}^3$ )	NAAQ standard ( $\mu\text{g}/\text{m}^3$ )
PM	89.65 (Gummidipoondi)	0.38	90.03	100
SO <sub>2</sub>	15.07 (Gummidipoondi)	0.34	15.41	80
NO <sub>x</sub>	18.38(Gummidipoondi)	5.24	23.62	80
CO	620(Gummidipoondi)	5.99	625.99	4000

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29. I submit that, the similar Cumulative Impact Assessment procedure conducted by this respondent has been recognized by the Hon'ble Tribunal (SZ) earlier in the case of P. Sundaravathanam vs. Union of India, as per the judgement order dated 31.05.2022. In that case, the appellant alleged that no cumulative impact assessment was performed. However, the respondent, M/s. NLC India Ltd., conducted the cumulative impact assessment in accordance with the ToR condition and the relevant portion of the order is given below:

<b>S.No</b>	<b>Terms of Reference</b>	<b>Compliance</b>
51	<i>Cumulative Impacts of all sources of emissions including handling and transportation of existing and proposed projects on the environment of the area shall be assessed in detail. Details of the Model used and the input data used for modelling shall also be provided. The air quality contours should be plotted on a location map showing the location of project site, habitation nearby, sensitive receptors, if any. The windrose and isopleths should be shown on the location map. The cumulative study should also include impacts on water, soil, and socio economics</i>	<i>Impacts due to the proposed project is predicted using AERMOD model. Details are provided in Chapter - 4, Section 4.4. The existing baseline concentration covers all the existing emission sources, which has been monitored for the operating units and the contribution due to the proposed project it was assessed through AERMOD and the resulting concentration is within the prescribed standards.</i>

(Refer: Page 14 of Judgment Order)

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Accordingly, the appeal is disposed of by this Hon'ble Tribunal with the following directions: -

*"(i) The Environmental Clearance granted to the 4<sup>th</sup> Respondent is not liable to be set aside for any of the reasons stated in the appeal memorandum or the grounds raised by the appellant at the time of hearing and also in the written submission."*

30. I submit that, the respondent had gone one step ahead and included Transportation Emission also for conducting a thorough and comprehensive cumulative impact assessment. The baseline data collected from multiple monitoring stations, including industrial zones, ensures that the impact of industries / cluster of industries in the study area have been considered.

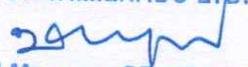
31. Furthermore, the incremental concentrations due to the proposed industrial park were predicted and superimposed on the baseline data, providing a clear picture of the potential cumulative impact assessment. The methodology and findings align with standard Environmental Impact Assessment practices and regulatory requirements.

I submit that, Ministry of Environment, Forest and Climate Change (MoEF& CC) has issued separate Environmental Impact Assessment (EIA)

32. Guidance Manuals for each Schedule of Projects. This project falls under Schedule 8(b) for which Ministry of Environment, Forest and Climate Change (MoEF & CC) has issued separate Environmental Impact Assessment (EIA) Guidance Manual for "Building, Construction, Townships and Area Development Projects" prepared

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by Administrative Staff College of India, (ASCI), February 2010. In the Manual there is no specific guideline about the Cumulative Impact Assessment. However, considering the need for cumulative impact assessment, proper baseline monitoring has been carried out and future anticipated impacts were predicted.

33. I submit that, for the Para 41 of the affidavit, Impact of the proposed project on the Noise Level of the surrounding area were assessed and the details are given in Section 4.5.3 of the EIA report. Further, a comprehensive (cumulative) noise modeling was conducted and the details are provided in Section 4.5.3.2 of the EIA Report. Mitigation measures for the Noise Environment are provided in Section 4.5.3.3 of the EIA Report. Hence, the averments raised by the appellant are false.

#### **EIA Report Rightfully Approved**

34. I submit that, the Environmental Impact Assessment (EIA) report on which the clearance was granted fully complies with the requirements specified in the sector-specific manual issued by the Ministry of Environment, Forest and Climate Change (MoEF&CC) and also prepared as per the Terms of Reference (ToR) issued by the SEIAA, TN.
35. I submit that, the Environmental Impact Assessment (EIA) report accurately characterizes the subject area and provides detailed information on the anticipated impacts on air quality due to emissions from the proposed industries in the industrial park. It also assesses the water environment, detailing the impacts due to water discharge. The report includes comprehensive identification of

impacts due to the proposed industries and features robust modelling of the anticipated impacts from emissions and discharges.

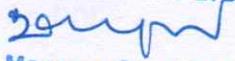
36. I submit that, regarding the averments raised in Para 32 of the affidavit, the Environmental Impact Assessment (EIA) report is not merely a collation of secondary data from various sources; it is based on thorough primary data collection and field assessments. Primary data has been collected through extensive baseline studies involving air quality monitoring, water quality testing, soil analysis, biodiversity and socio-economic assessment. The primary data details are provided in Section 3.5 to 3.11 (Page: 149 to 217) of the Environmental Impact Assessment (EIA) Report. These efforts ensure that the report is grounded in empirical evidence and provides a true and reliable depiction of the environmental setting. However, the sector specific manual of Ministry of Environment, Forest and Climate Change (MoEF & CC) states as below:

*"The baseline data collection / monitoring should be from primary and secondary sources"*

Therefore, the ENVIRONMENTAL IMPACT ASSESSMENT (EIA) report includes both primary and secondary data, as required.

37. Furthermore, the Environmental Impact Assessment (EIA) report includes detailed impact assessments, mitigation measures, and an Environmental Management Plan (EMP) designed to address and manage the identified impacts effectively. This comprehensive approach ensures that all potential environmental impacts are considered and mitigated appropriately.

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38. I submit that, regarding the averments raised in Para 33 of the affidavit, in the Section 3.5.6 on "Atmospheric Inversion," includes calculated values for daily inversion levels between 6 am to 4 pm. It is important to note that atmospheric inversion, particularly mixing height, is crucial in determining ground pollution concentration levels. We have collected data for the entire 24-hour period only. The Non-mentioning of data for the period between 5 pm to 6 am in the report was due to that inversion conditions during these hours follow a similar consistent pattern and do not significantly impact the overall analysis. Figure 3-22 of the EIA Report shows Maximum recorded inversion level at the project site.
39. However, the modeling for the 24-hour period was performed using comprehensive data, including atmospheric inversion values for the entire day, from 6 am to 6 am. This ensures that the environmental impact assessment is accurate and reflects the true conditions of the site. The methodology used adheres to standard practices and was conducted by NABET Accredited Consultants.
40. I submit that, as we explained above, the Industrial Park is proposed to accommodate Electrical & Electronics/Engineering & fabrication and Other Non EC category industries that will not fall under category A or B as per Environmental Impact Assessment (EIA) Notification, 2006 and its subsequent amendments and also the industrial housing facility within the Industrial Park. 40% of industrial plot area is considered for electronics/electrical industries, 30% of industrial plot area for Engineering & fabrication industries and remaining 30% of industrial plot area for other Non EC category industries. The major pollution source from these industries will be

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from Diesel Generator (DG) sets, since the activities involved in these proposed Non-EC Category industries will be only soldering, assembly, testing, welding, fabrication, metal pressing, cutting of sheets, etc.

41. I submit that, the proposed industrial park comprises 79 plots. Further, the height of the Diesel Generator (DG) stack is calculated based on Central Pollution Control Board (CPCB) formula. The height of the Diesel Generator(DG) stack is not same and it depends on the capacity of Diesel Generator(DG) sets and height of the building. The Diesel Generator (DG) sets stacks will be provided on top of the building. The dormitory building has a maximum height of 18.2 meters, and the Diesel Generator (DG) stack will be installed at a height exceeding that of the building. So the claim of false modeling is not valid.

**No ground water extraction:**

42. I submit that, for the Para 42 & 43 of the affidavit, there is no ground water extraction which is already mentioned in Environmental Impact Assessment (EIA) report. This respondent submits that total water requirement for the project during operation phase is 4789 Kilo Litre Per Day (KLD). Out of which Fresh water requirement is only 874Kilo Litre Per Day (KLD) which will be supplied by Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB). Further, TTRO water requirement of 2133 Kilo Litre Per Day (KLD) will also be sourced from CMWSSB from Thervoykandi Pumping station. The water will be supplied through pipeline by CMWSSB, which will be laid on the side of road

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without affecting any farms. Letter from CMWSSB regarding supply of water, is also provided along with the Environmental Impact Assessment (EIA) Report, also 1782 Kilo Litre Per Day (KLD) will be met through recycled water (i.e., through Sewage Treatment Plant (STP) and Effluent Treatment Plant (ETP) of individual units), so there will be no outfall on waterbodies. Water requirement and source details are provided in section 2.7.3.1, page no.105 to 107 of EIA Report. Thus it is evident that only after due assessment the SEAC / SEIAA has issued the EC.

43. I submit that, the proposed industrial park will house only Non-EC category such as Electricals & Electronics, Engineering & fabrication & other Non EC Category industries. The raw water characteristics of the industries are provided in Section 4.5.4 of the Environmental Impact Assessment (EIA) report. Further the individual industries will be mandated to adopt Zero Liquid Discharge (ZLD) system and the treated water will be reused for their process and utilities. Hence there will not be any discharge of treated / untreated wastewater.

44. I submit that, the proposed industrial park will exclusively house Non-EC category industries, such as Electricals & Electronics, Engineering & Fabrication, and other non-EC category industries. The raw water characteristics of these industries are detailed in Section 4.5.4 of the Environmental Impact Assessment (EIA) report. It is important to note that the individual industries within the park will be mandated to adopt a Zero Liquid Discharge (ZLD) system. This means that the treated water will be reused for their processes

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and utilities, ensuring that there will be no discharge of treated or untreated wastewater.

45. I submit that, the Zero Liquid Discharge (ZLD) system will ensure that all wastewater is treated and reused, thereby preventing any discharge into the environment. The salts are a calculated figure representing the maximum potential recovery from the Effluent Treatment Plant (ETP) process, based on typical effluent characteristics and treatment efficiencies. Further, the water balance diagram figure 2-10, page no.107 of EIA Report is based on detailed calculations and industry benchmarks. The water balance diagram provides a conservative estimate to ensure robust planning and management of water resources within the industrial park.

**Project Obtained National Board for Wildlife (NBWL) Clearance:**

46. I submit that, for the Para 44 of the affidavit that, a detailed study on the biological environment within a 10 km radius, including the Pulicat Lake Bird Sanctuary, has been conducted for this project. The study meticulously assessed the flora and fauna, ensuring that the potential impacts on the local biodiversity were thoroughly understood and addressed.
47. Furthermore, a site inspection was carried out by a member of the Standing Committee of the National Board for Wildlife (SCNBWL). Following this inspection, the project obtained Wildlife Clearance from the National Board for Wildlife (NBWL). Additionally, a No Objection Certificate was issued by the Principal Chief Conservator of Forests (PCCF). These clearances and certificates

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underscore the project's compliance with all relevant biodiversity and wildlife regulations.

48. Thus, a comprehensive biodiversity study has been conducted, and all necessary wildlife clearances have been obtained, ensuring that the project's impact on the biological environment has been properly assessed and managed.

**Socio-Economic and Surrounding Villages Considered:**

49. I submit that, regarding the averments raised in Para 45, the surrounding villages near the proposed project site were also considered. Details are provided in Table: 2-2, S.No. 7 in Page 96 of the EIA Report. Additionally, a detailed socio-economic study has been conducted for the study area, with the finding presented in Section 3.11 (Page 197) of the EIA Report. The impact on surrounding environment, settlements and socio-economic aspects is discussed in Chapter – 4, Page No. 219 to 280 of the EIA Report.

50. I submit that, in response to the appellant's contention in Para 46 of the affidavit, it is important to clarify the methodology, impact classification and rationale behind the matrix method used to evaluate the significance of the project's impact were already provided in Section 4.7, Page 275 of the EIA Report.

51. I submit that, the Environmental Management Plan (EMP) is designed to mitigate the adverse impacts identified in the initial project scenario. Table 4-37 presents the baseline impact scores without any mitigation measures in place, reflecting the unmitigated scenario. In contrast, Table 4-38 provides the impact scores with

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the EMP implemented, showcasing the effectiveness of these mitigation measures.

52. I submit that, the numbers assigned in Table 4-38 demonstrate the significant reduction in adverse impacts due to the EMP. For instance, surface water quality improves from -56 to 27, ground water from -33 to 19, and soil quality from -53 to 20. These changes are a direct result of the specific mitigation measures outlined in the EMP, which include best practices, pollution control technologies, and continuous monitoring. The numbers assigned in these tables are based on standardized methodologies performed by NABET Accredited Consultants. These experts use established impact prediction methods that are recognized and validated. The appellant's assertion that there is no rationale behind the numbers assigned demonstrates a lack of understanding of these scientific methods.

**Project Site Classification is predominantly "Kallanguthu":**

53. I submit that, regarding Para 52, in the EIA report, nowhere we called the project site as a 'Barren'. The classification of the proposed project site of 215.834 Hectares as per the revenue records is given below:

<b>Landuse-Existing</b>	<b>Area in Ha</b>
Kallankuthu	177.62.90
Medu	16.56.00
Anadeenam	19.21.50
Dry Patta	02.43.00
<b>Total</b>	<b>215.83.40</b>

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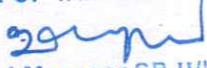
  
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According to the revenue records, the proposed project site is predominantly classified as 'Kallanguthu,' as detailed in Table: 2-2, S.No.3, on Page 96 of the EIA Report also. However, the appellant is misleading this court by claiming that the land classification is 'Meikkal Poramboke.' This misrepresentation indicates the appellant's intentional deceit. Therefore, based on this point alone, the case should be disposed on its merits.

**Justification for Site Selection Provided:**

54. I submit that, with regards to the averments raised in Para 49 & 50, the proposed project is situated on Government Poramboke land, and enter upon permission has been issued by the District Collector of Tiruvallur for the alienation of this land for the development of the Industrial Park.
55. It is pertinent to note that, the proposed Industrial Park meets the siting criteria outlined by Ministry of Environment, Forest and Climate Change (MoEF&CC) in Guidance Manual, as detailed in Section 5.5 (Page:282) of the EIA report. Since the land is government poramboke land and confirms to the Ministry of Environment, Forest and Climate Change (MoEF&CC) siting criteria, no alternative sites were considered. This information has been transparently detailed in the EIA Report, and has been scrutinized and considered by the SEAC.
56. The EIA report also provides a detailed explanation regarding the justification of site selection, as discussed in Chapter 5, from Page No. 281 to 284 of the EIA Report. Since it is Government

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Poramboke Land, there is no Rehabilitation & Resettlement (R&R) involved for the proposed project.

**Risk Assessment and Disaster Management Plan were provided in the Report:**

57. I submit that, with regards to averments in Para 53 of the affidavit, the Risk Analysis in the Environmental Impact Assessment (EIA) report provides a comprehensive assessment of potential risks associated with the proposed project. An outline of the Risk Analysis is provided in Section 7.3 of the EIA Report. The Detailed Risk Assessment Report was provided as a Separate Annexure - 15 along with the EIA Report, which the appellants failed to notice. This analysis encompasses identifying hazards, evaluating the likelihood and impact of these hazards, and outlining specific mitigation measures to address them. The detailed risk assessment is based on empirical data and industry standards relevant to the types of industries planned for the industrial park.
58. I submit that, the Disaster Management Plan (DMP) is meticulously crafted to address the unique requirements of the project site. Chapter - 7 from Page No. 294 of the EIA Report specifically outlines about the Disaster Management Plan and Offsite Emergency Plan. The Detailed evacuation and Disaster Management Plan provided as Annexure - 16 along with the EIA Report, which the appellants failed to notice, which includes strategies for managing emergencies, evacuation procedures, and disaster response protocols. This Disaster Management Plan (DMP) is developed with inputs from experts to ensure its relevance and effectiveness.

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Further it contains critical information tailored to the specific needs of the project. It details the roles and responsibilities of emergency response teams, communication plans, and coordination with local disaster management authorities. The plan ensures a robust response framework is in place to handle any offsite emergencies.

59. I submit that, the Environmental Impact Assessment (EIA) report includes detailed descriptions of the industrial processes, emissions, and associated impacts. These descriptions are essential for developing accurate risk assessments and disaster management plans. The report's comprehensive approach ensures that all potential risks and impacts are considered, and appropriate measures are planned. The Risk Assessment and Disaster Management Plan (DMP) provided in the Environmental Impact Assessment (EIA) report have been thoroughly reviewed and considered by the State Expert Appraisal Committee (SEAC).

60. I submit that, according to the Environmental Protection Act, 1986 followed by Environmental Impact Assessment (EIA) Notification, 2006 and its subsequent amendments issued by Ministry of Environment, Forest and Climate Change (MoEF&CC) under Industrial Estates and Parks, if the area is greater than 50 hectares & lesser than 500 hectares and not housing any industry of Category A or B, then the project is termed under Schedule 8(b)-Townships and Area Development projects, Category B1. Hence, it is required to obtain Environmental Clearance (EC) from State Environmental Impact Assessment Authority (SEIAA). Initially the project was filed for obtaining ToR on 18.05.2022 for an area of 203.69 Ha and we have been called during 287<sup>th</sup> TNSEAC meeting

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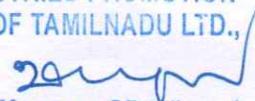
  
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held on 22.06.2022. The ToR has been issued with a typo error 'Public hearing' vide Letter no. SEIAA-TN/F.No 9263/SEAC/ToR-1213/2022/ dated 14.07.2023. However, SIPCOT has gone for Amendment in ToR for removing the Public Hearing (PH) and also included additional land of 12.144Ha along with industrial housing facility. The proposed project was appraised by the State Experts Appraisal Committee (SEAC) / State Level Environmental Impact Assessment Authority (SEIAA) in its 416<sup>th</sup> Meeting held on 13.10.2023. The project was accorded Amended Terms of Reference vide Letter no. SEIAA-TN/F. No.9263/SEAC/ToR-213/2022/Amendment/2023, dated 06.11.2023.

61. Furthermore, the Environmental Impact Assessment (EIA) report and the project proposal underwent a rigorous review by the State Expert Appraisal Committee (SEAC). The SEAC, comprising independent experts in environmental science, engineering, Forests & Wildlife, environmental economics, waste management, including Retired I.A.S. and I.F.S. officials had thoroughly scrutinized the proposal. The committee's recommendations were based on scientific evidence and best practices, ensuring a detailed assessment of the project's environmental impact.

62. I submit that, the Respondent denies the averments made in para 66 of the Petitioners affidavit, Contrary to the Petitioners claim, the project by M/s. VOLTAS Ltd. is not part of the proposed SIPCOT Industrial Park, Vaniamallee and is located outside of it. SIPCOT has transferred the ownership of the land to M/s. VOLTAS Ltd. through a sale deed, Document No. 7811 of 2022 dated 29.12.2022. Therefore, the 215.834 Hectares of proposed

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Vaniamallee Industrial Park has no connection with the land sold to M/s. VOLTAS Ltd., as the ownership has already been transferred. This is evident from the survey numbers mentioned in the environmental clearance and the Google satellite image of the proposed project provided in Figure 2-3 of the Environmental Impact Assessment (EIA) Report. Additionally, M/s. VOLTAS Ltd. has constructed sheds after obtaining all other statutory approvals and necessary consent from the TNPCB.

63. This respondent requests the Hon'ble Tribunal to dismiss the appeal and issue orders that the EC is valid for the following reasons:

- SIPCOT has adhered to all statutory requirements under the Environmental Impact Assessment (EIA) Notification, 2006. A detailed EIA study, conducted by the NABET accredited M/s. Hubert Enviro Care Systems Pvt. Ltd., was commissioned. This EIA Report included a thorough analysis of environmental impacts, formulation of mitigation measures, and the Environment Management Plan (EMP) for sustainable practices. Transparency was maintained by making all relevant documents, including the EIA report, publicly accessible.
- SIPCOT has fully complied with the legal and regulatory framework governing environmental clearances. Allegations of fraud are unfounded and do not reflect the rigorous efforts to ensure environmental protection. SIPCOT remains committed to sustainable development and regulatory adherence.

- The Environmental Impact Assessment (EIA) report and project proposal underwent rigorous review by the State Expert Appraisal Committee (SEAC), comprising experts in various environmental disciplines. The SEAC's recommendations were based on scientific evidence and best practices, ensuring a comprehensive assessment of the project's environmental impact.
- This proposed project, covering less than 500 hectares and accommodating only Non-EC category industries, falls under Schedule 8(b) – 'B1' Category only.
- The Vaniamallee Industrial Park is being developed under the Electronics Manufacturing Cluster (EMC) scheme, supporting India's vision of becoming an Electronics Manufacturing Hub. The project will accommodate only Non-EC category industries, qualifying it as Schedule 8(b) – 'B1' Category.
- Public Hearing is exempted for category 8(b) projects, as stated in the Environmental Impact Assessment (EIA) Notification, 2006.
- The project is legally located on SIPCOT-owned land, and claims of illegal segmentation or connection with the Manallur Industrial Park are false. The two projects are distinct, with different categories of industries and no physical contiguity (0.5 Km away).
- SIPCOT's land acquisition scheme is ongoing and involves significant procedural steps. The Vaniamallee Industrial Park is

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planned on contiguous Government Poramboke land to meet immediate investment demands, foster economic development and also to establish under Government of India's Electronic Manufacturing Cluster (EMC) Scheme.

- In accordance with the Ministry of Environment, Forest and Climate Change (MoEF &CC) Guidance Manual, both Primary and Secondary data has been collected and provided in the EIA Report.
- A comprehensive Cumulative Impact Assessment was conducted within a 10 km radius of the project site, including air quality monitoring and emissions predictions. The maximum cumulative concentration of pollutants in the study area has been estimated and provided in Section 4.5.1.3 (page no:231) of the EIA Report. The results demonstrate that predicted pollutant concentrations remain within National Ambient Air Quality standards.
- The major pollution source from these industries will be from Diesel Generator (DG) sets, since the activities involved in these proposed Non-EC Category industries will be only soldering, assembly, testing, welding, fabrication, metal pressing, cutting of sheets, etc.
- Surrounding villages has been considered and a detailed socio-economic study has been conducted for the study area and the details are given in Section 3.11 (Page 197) of the EIA Report. Impact on surrounding environment, settlements

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EIA Report. Impact on surrounding environment, settlements and socio-economic environment are provided in Chapter – 4, Page No. 219 to 280 of the EIA Report.

- As per the revenue records, the proposed project site is predominantly classified as 'Kallanguthu,' and the same is detailed in Table: 2-2, S.No.3, Page 96 of the EIA Report also. The appellant is misleading this court by claiming that the land classification is 'Meikkal Poramboke'.
- The Environmental Impact Assessment (EIA) report, aligned with Ministry of Environment, Forest and Climate Change (MoEF&CC) guidelines, includes detailed risk assessments, disaster management plans, and compliance with sector-specific requirements. The SEAC thoroughly reviewed these aspects before granting clearance.
- Claims regarding the illegal commencement of project activities are incorrect. The 215.834 hectares of land at Vaniamallee Industrial Park are unrelated to the land owned by M/s. VOLTAS Ltd., as the land in question belongs to M/s. VOLTAS Ltd.
- The appellants, lacking adequate knowledge of the environmental clearance process, misunderstand the rigorous procedures and assessments involved in the Environmental Impact Assessment (EIA) Study. Their claims fail to appreciate the project's importance for regional development and socio-economic benefits and cannot compare with the

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comprehensive review conducted by State Environmental Appellate Committee(SEAC).

In the view of reason stated above, I humbly prayed that this Hon'ble Tribunal may please to dismiss the Appeal and pass such further or other orders as this Hon'ble Court may deem fit proper and necessary and thus render justice.

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Solemnly affirmed at Chennai

Before me,

this the day of July 2024

signed his name in my presence

Chennai

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

**Appeal No. 46 of 2024**

**In the matter of**

G. Praveena

D. Ranjith Kumar

Balasubramaniam M.K

Elumalai C

Jagan Kumar

E. Subramani

Balaji Dilli ...Appellants

Vs

1. State Environment Impact Assessment Authority (SEIAA),
2. The State Industries Promotion Corporation of Tamil Nadu (SIPCOT), ...Respondents

**Counter Affidavit filed by the  
2<sup>nd</sup> Respondent**

**Counsel for 2<sup>nd</sup> Responded**