

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**  
**SOUTHERN ZONE AT CHENNAI**  
**Original Application No. 125 of 2022**

KORATTUR LAKE PROTECTING  
PEOPLE'S MOVEMENT  
Represented by Mr.S.Sekaran, Secretary,  
Regd. No. 189/2018  
Registered Office at:  
No.03, Duraisamy 1st Street,  
Korattur, Chennai-600080.,

.....Applicant

-Vs-

State of Tamilnadu,  
Rep. by its Secretary to Government,  
Municipal Administration Urban & Water  
Supply Department, Secretariat,  
Rajaji Road, Chennai Port Trust,  
Chennai-600009.

**INDEX**

<b>S.No</b>	<b>Description</b>	<b>Page No.</b>
<b>1.</b>	<b>ADDITIONAL REPORT FILED ON BEHALF OF THE SIXTH RESPONDENT- THE TAMIL NADU POLLUTION CONTROL BOARD</b>	<b>1 - 7</b>
<b>2</b>	<b>Annexure</b>	<b>8 - 11</b>



**Advocate**  
**Thiru.S. Sai Sathya Jith,**  
**Advocate, Chennai.**



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE AT CHENNAI  
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...Applicant

-Vs-

1. State of Tamilnadu,  
Rep. by its Secretary to Government,  
Municipal Administration Urban & Water Supply Department,  
Secretariat, Rajaji Road, Chennai Port Trust,  
Chennai-600009.
2. State of Tamilnadu,  
Rep. by Secretary to Government  
Public Works Department  
Fort St George, Chennai-600001.
3. The District Collector,  
Chennai Collector  
Chennai District.
4. The Commissioner,  
Greater Chennai Corporation,  
Ripon Building, Sydenhams Road, Periyamet,  
Chennai, Tamilnadu- 600003
5. Chennai Metropolitan Water supply and Sewerage Board  
Rep. by its Managing Director,  
No. 1, Pumping Station Road, Chintadripet,  
Chennai-600002.
6. Tamil Nadu Pollution Control Board  
Rep by its Chairman,  
76, Anna Salai, Guindy, Chennai - 600 032
7. SIDCO Industrial Estate,  
Rep by its Managing Director,  
Ambattur, Chennai North,  
Chennai-600 098.

*Mr. Vijayabharani 10/12/2024*  
ADDITIONAL CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No.76, MOUNT SALAI, GUINDY,  
CHENNAI-600 032.

8. Tube Investments of India Ltd,  
Rep by its Managing Director,  
Unit- TIDC India,  
Postbag No.11,  
MTH Road, Ambattur,  
Chennai- 600 053.
9. Universal Engineers Chennai Pvt. Ltd,  
Rep by its Managing Director,  
No. 1 A, North Phase,  
SIDCO Industrial Estate,  
Ambattur, Chennai-600098.
10. Godrej & Boyce Mgf. Co.Ltd,  
Rep by its Managing Director,  
Godrej Road,  
SIDCO Industrial Estate,  
Ambattur, Chennai-600053.
11. M/s.AAVIN  
Rep by its Joint Managing Director,  
Plot No.29 & 30, SIDCO Industrial Estate,  
Ambattur, Chennai-600098.

.....Respondents

**ADDITIONAL REPORT FILED ON BEHALF OF THE SIXTH  
RESPONDENT- THE TAMIL NADU POLLUTION CONTROL BOARD**

I, M.Vijayalakshmi, D/o. K.R.Muthaiah, aged about 59 years, having office at No.76, Mount Salai, Guindy, Chennai-600 032, do hereby solemnly affirm and sincerely stated as follows:-

1. I submit that I am working as the Additional Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai and I am authorized to file this report on behalf of the sixth respondent and as such I am well acquainted with the facts of the case from the records available in our office.
2. It is respectfully submitted that the Original application is filed with a prayer that this Hon'ble Tribunal may be pleased to:
  - a) to pass an order directing the Respondents 1 to 7 to take appropriate effective steps to maintain the said TNHB Korattur lake pollution free.

*M. Vijayalakshmi* 6/12/2024  
ADDITIONAL CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No.76, MOUNT SALAI, GUINDY,  
CHENNAI-600 032.

- b) to pass an order forbearing the Respondents- 8 to 11 from directly discharging the untreated effluents and solid waste into the said TNHB Korattur Lake.
- c) to pass an order by directing the Respondents- 1 to 7 herein to take action and to remove the debris and solid waste left over on the eastern side of the TNHB Korattur lake area and consequently convert the said area into Bio park.
- d) and to pass such further or other orders as this Hon'ble Tribunal deems fit in the circumstances of the case and order costs and thus render justice.
3. It is respectfully submitted that the report filed on behalf of the sixth respondent, (TNPCB) on 21.2.2024 and 31.5.2024 shall be taken as part and parcel of this additional report.
4. It is respectfully submitted that the Board issued directions to the unit vide Board Proceedings dated 14.05.2024 vide Board Proc. No. T1/TNPCB/F.0541/AMB/RL/2024-1&2 Dt:14.05.2024. Further, the unit was inspected on 23.08.2024 and it was noticed that the unit has not restricted the production within the consented quantity. Further, it was noticed that the effluent generation is 430 kLD as against the consented quantity of 325 KLD. It was noticed that the ETP components provided such as Bar screen chamber I and II, oil skimmer, Fat removal tank, Pre aeration tank, aeration tank III. Clarifier II, Pressure sand filter, Activated carbon filter, Sludge drying bed and the Biogas digester were not in continuous operation.
5. It is respectfully submitted that the inspection was conducted on 08.11.2024 on the 11<sup>th</sup> respondent unit (M/s.AAVIN) and the observation are as follows:
- a) The unit was under operation. The unit authorities informed that the unit is processing 4.5 lakh litres of milk /day at present.
- b) The ETP was under operation. However, it was observed that the ETP is not being continuously operated. No log book/record is maintained. The treated/partially treated effluent is disposed on land which has stagnated like a pond inside the premises.

*M. Mayabhinmi* 10/12/24  
 ADDITIONAL CHIEF ENVIRONMENTAL ENGINEER  
 TAMIL NADU POLLUTION CONTROL BOARD  
 No.76, MOUNT SALAI, GUINDY,  
 CHENNAI-600 032.

- c) A pile of unsegregated Scrap metal waste and accumulated plastic waste were seen dumped on an open land adjacent to the ETP. The unit has been instructed to remove the accumulated metal scrap and the waste plastic immediately.

6. It is respectfully submitted that the status of compliance of Board directions dated 14.05.2024 as on 08.11.2024 by the said unit is as follows:

S.No	Conditions mentioned in the Directions issued vide Proc. Dated 14.05.2024	Status of Compliance
A.	The unit shall strictly restrict the production capacity of the milk processing plant within consented capacity of 9000T/M (3lakhs liters/day).	Not Complied. The unit has not restricted the production within the consented quantity. The unit authorities informed that at present the milk production is 4.5 Lakh litre/day.
B.	The unit shall take immediate action to revamp the ETP and bring all the treatment units into operation.	Not Complied. The unit has just started the construction for revamping the existing ETP. The ETP components were not under operation.
C.	The unit shall apply and obtain CTO-Expansion for its expansion activity and then only can go for expansion production of 4 Lakhs liters/day.	Not complied. The unit is yet to apply for the expansion activity.
D.	The unit shall operate and maintain the ETP efficiently and continuously so as to achieve the standards prescribed by the Board.	Not complied. It was noticed that only aeration tank I and II was in operation and other ETP components were not even under operable condition. The ETP components provided such as Bar screen chamber I and II, oil skimmer, Fat removal tank, Pre aeration tank, aeration tank III, Clarifier II, Pressure sand filter, Activated carbon, Biogas

*M. Vijayalakshmi 6/12/2024*  
 ADDITIONAL CHIEF ENVIRONMENTAL ENGINEER  
 TAMIL NADU POLLUTION CONTROL BOARD  
 No.76, MOUNT SALAI, GUINDY,  
 CHENNAI-600 032.

		digester and sludge drying bed were not in operation and the trade effluent generated was flowing into the ETP components as such without any treatment.
E.	The unit shall ensure that no treated/untreated effluent is discharged outside its premises under any circumstances.	There is no discharge of treated/untreated effluent outside the premises at the time of inspection. But inside the premises, the partially treated effluent is stagnated like a pond which shows the unit has not taken concrete steps to properly treat and discharge the trade effluent.
F.	The unit shall take immediate action to stop receiving the trade effluent from the product dairy located nearby.	At the time of inspection, the trade effluent was not received from the adjacent product dairy but there are provisions for the same.
G.	The unit shall furnish concrete proposals to develop greenbelt within the premises utilizing the treated effluent.	Not complied.  The unit has not furnished proposals for greenbelt development. It was also noticed that there is no adequate green field for discharge of treated trade effluent for gardening.
H.	The unit shall go for expansion only after revamping the existing ETP and after obtaining CTO Expansion.	Not complied.  The unit authorities informed that at present the milk production is 4.5 Lakh litre/day.
I.	The unit shall take immediate steps to remove the accumulated plastic waste and shall dispose of the plastic waste regularly to avoid further accumulation	Not complied.  Accumulated plastic waste was seen dumped adjacent to the ETP.
J.	The unit shall segregate the plastic waste and other solid waste separately and store the plastic waste in a closed shed as there may be chances for dispersion due to wind. The unit shall handle the plastic waste in a scientific manner such as baling etc. so as to avoid dispersion due to wind.	Not complied.  A pile of unsegregated Scrap metal waste and accumulated plastic waste were seen dumped adjacent to ETP.

  
 ADDITIONAL CHIEF ENVIRONMENTAL ENGINEER  
 TAMIL NADU POLLUTION CONTROL BOARD  
 No.76, MOUNT SALAI, GUINDY,  
 CHENNAI-600 032.

K.	The unit shall provide a closed storage area within 2 months for plastic waste in addition to 4300 Sq.ft storage area already available within the premises	Not complied.  The unit has constructed additional closed shed and has installed baling machine. However, it is not in use and the accumulated plastic waste was seen dumped in an open land adjacent to the ETP.
L.	The unit shall apply and obtain EPR registration under Plastic Waste Management Rules, 2016.	Not complied.  The unit is yet to apply for EPR registration under Plastic Waste Management Rules, 2016.
M.	The unit shall comply with the Plastic Waste Management Rules, 2016	The unit authorities assured to comply with.

7. It respectfully submitted that even after a lapse of more than 23 months, the unit has not initiated any action to comply with the directions issued to the unit vide Board Proceedings dated 16.12.2022 and 14.05.2024, the unit has not obtained valid consent from the TNPC Board and has gone for expansion without the knowledge of the TNPC Board, the unit is still dumping the plastic waste in an open area within the unit premises without proper disposal.

8. It is submitted that the DEE, Ambattur sent the recommendations to impose Environmental Compensation against the 11th Respondent unit vide IR.No.F.ND/AMB/RL/DEE/AMB/2024/ dated: 08.11.2024 and Lr.No. DEE/TNPCB/AMB/NGT 125 of 2022 (SZ), dated 29.11.2024 under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 as amended, the Air (Prevention and Control of Pollution) Act, 1981 as amended and the Environmental Protection Act, 1986.

The calculation of the amount of Environmental compensation to be paid by the unit =  $PI \times S \times R \times N \times LF$  (as per the guidelines issued by the Hon'ble NGT & CPCB for the violations caused by the unit) as follows:

Environment Compensation = $PI \times S \times R \times N \times LF$	
PI is Pollution Index of Industrial sector	80 (Red category)
S is Factor for size of operation	1.5 (Large)

*M. Vijayalakshmi* 10/12/2024  
 ADDITIONAL CHIEF ENVIRONMENTAL ENGINEER  
 TAMIL NADU POLLUTION CONTROL BOARD  
 No.76, MOUNT SALAI, GUINDY,  
 CHENNAI-600 032.

R = Environmental compensation factor	250
N = Number of days for violation	850 days (from 13.07.2022 to 08.11.2024)
LF = Location factor (based on Population of the city 10 million and above)	2
EC is Environmental Compensation in (80 x 1.5 x 250 x 850 x 2) Rs.	Rs. 5,10,00,000/-

Accordingly, the Show Cause Notice was issued to the unit vide Proceeding No.T1/TNPCB/F-0541/AMB/RL/2021, dated:06.12.2024 (Enclosed as Annexure – 1) and directed show cause within 15 days from the date of receipt of this notice as to why Environmental Compensation computed as above should not be imposed against the unit of M/s. Tamil Nadu Cooperative Milk Producers Federation Ltd, Ambattur Dairy, Plot No. 29 & 30, SIDCO Industrial Estate, Korattur Village, Ambattur Taluk and Chennai District under Section 5 of the Environmental Protection Act, 1986 and as per the guidelines issued by the Hon'ble NGT & CPCB for the violations caused by the unit as mentioned above.

Therefore, it is humbly prayed that this Hon'ble National Green Tribunal, (SZ) may be pleased to pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of this case and thus render justice.

*M. Vijayalakshmi 16/12/2024*  
 ADDITIONAL CHIEF ENVIRONMENTAL ENGINEER  
 TAMIL NADU POLLUTION CONTROL BOARD  
 No.76, MOUNT SALAI, GUINDY,  
 CHENNAI-600 032.

### VERIFICATION

I, M.Vijayalakshmi, D/o. K.R.Muthaiah, working as Additional Chief Environmental Engineer, Tamil Nadu Pollution Control Board, having office at No.76, Mount Salai, Guindy, Chennai-600 032, do hereby verify that the contents of above report are true to the best of my knowledge through records.

*M. Vijayalakshmi 16/12/2024*  
 ADDITIONAL CHIEF ENVIRONMENTAL ENGINEER  
 TAMIL NADU POLLUTION CONTROL BOARD  
 No.76, MOUNT SALAI, GUINDY,  
 CHENNAI-600 032.





## TAMIL NADU POLLUTION CONTROL BOARD



Proceeding No. T1/TNPCB/F-0541/AMB/RL/2021, dated: 06.12.2024

**Sub:** TNPCB – Industries – Directions under Section 5 of Environment (Protection) Act, 1986 as amended to show cause as to why Environmental Compensation should not be levied for the violation caused by the unit of **M/s. Tamil Nadu Cooperative Milk Producers Federation Ltd, Ambattur Dairy, Plot No. 29 & 30, SIDCO Industrial Estate, Korattur Village, Ambattur Taluk and Chennai District – Regarding.**

- Ref:**
1. CPCB methodology for assessing Environmental Compensation and Action Plan to utilize the fund vide Circular dated 24.05.2019
  2. Hon'ble NGT(SZ) Order dated 24.02.2021 in O.A.No.31 of 2021 (SZ) to O.A.No.68 of 2021 (SZ)
  3. Proceedings No.T2/TNPCB/F.0541AMB/RL/AMB/W/2021, dated:10.12.2021
  4. SCN Proceeding No.F.VN.011/AMB/RL/DEE/AMB/W/2022/dt.13.07.2022
  5. Proceeding. No. TNPCB/T2/F.0541/Directions/W&A/2022, dated: 16.12.2022
  6. Personal hearing conducted with the unit on 30.06.2023
  7. Proceeding. No. F. ND/AMB /RL/DEE/AMB/W/2023/dated 20.10.2023
  8. ProceedingsNo.T1/TNPCB/F.0541/AMB/RL/2024-1&2, Dated: 14.05.2024
  9. DEE's IR No.: F. ND/AMB/RL/DEE/AMB/2024/dated: 08.11.2024
  10. DEE's Lr. No. DEE/TNPCB/AMB/NGT 125 of 2022 (SZ), dated 29.11.2024

\*\*\*\*\*

Whereas, the unit of **M/s. Tamil Nadu Cooperative Milk Producers Federation Ltd, Ambattur Dairy, Plot No. 29 & 30, SIDCO Industrial Estate, Korattur Village, Ambattur Taluk and Chennai District** was issued with Show Cause Notice vide reference 4<sup>th</sup> cited as the unit was *discharging trade effluent into nearby Ambattur surplus storm water canal* thereby violating the conditions mentioned in the consent order issued vide reference 3<sup>rd</sup> cited.

Whereas, based on the inspection of the unit on 02.12.2022, the unit was issued with Directions vide reference 5<sup>th</sup> cited to restrict their production capacity within consented quantity, to operate ETP efficiently and several other directions as stated therein.

Whereas, personal hearing was conducted with the unit on 30.06.2023 to take action on compliance of the direction issued to the unit vide proc. dated 16.12.2022. Based on the inspection of the unit on 20.10.2023, the unit was issued with Show Cause Notice vide reference 7<sup>th</sup> cited, as the unit accumulated the plastic wastes and treated /partially treated effluent was disposed to land & which stagnated like a pond inside the premises.

Whereas, certain Directions under section 33(A) of Water (P&CP) Act, 1974 and under section 5 of the Environmental Protection Act, 1986 was issued to the unit vide reference 8<sup>th</sup> cited for non compliance of the consent order conditions and previous directions issued to the unit.

Whereas, during the inspection of the unit on 08.11.2024, it has been observed that the unit has not initiated any action to comply with the directions issued to the unit vide Board Proceedings dated 16.12.2022 and 14.05.2024; not obtained valid consent from the TNPC Board; gone for expansion without the knowledge of the TNPC Board and still dumping the plastic waste in an open area within the unit premises without proper disposal.

Whereas, Central Pollution Control Board has formulated the methodology to assess and recover compensation under "CPCB methodology for assessing Environmental Compensation and Action Plan to utilize the fund" for the following cases, as per the Hon'ble National Green Tribunal (Principal Bench) order dated 03.08.2018 in O.A. No. 593/2017.

- a. Discharges in violation of consent conditions, mainly prescribed standards / consent limits.
- b. Not complying with the directions issued, such as direction for closure due to non- installation of OCEMS, non-adherence to the action plans submitted etc.
- c. Intentional avoidance of data submission or data manipulation by tampering the Online Continuous Emission / Effluent Monitoring systems.
- d. Accidental discharges lasting for short durations resulting into damage to the environment.
- e. Intentional discharges to the environment - land, water and air resulting into acute injury or damage to the environment.
- f. Injection of treated/partially treated/ untreated effluents to ground water.

It is evident that the unit has caused environmental damage by e) Intentional discharges to the environment - land, water and air resulting into acute injury or damage to the environment.

Under these above circumstances, as per the CPCB methodology for assessing Environmental compensation, you are liable to pay Environmental compensation as computed below: -



# TAMIL NADU POLLUTION CONTROL BOARD



Amount of Environmental compensation to be paid by the unit =  $PI \times S \times R \times N \times LF$

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PI is Pollution Index of Industrial sector	80 (Red category)
S is Factor for size of operation	1.5 (Large)
R = Environmental compensation factor	250
N = Number of days for violation	850 days (from 13.07.2022 to 08.11.2024)
LF = Location factor (based on Population of the city 10 million and above)	2
EC is Environmental Compensation 1.5 x 250 x 850 x 2) Rs.	in (80 x <b>Rs. 5,10,00,000/-</b> )

Now, therefore, in view of the above facts, you are hereby directed to show cause within 15 days from the date of receipt of this notice as to why Environmental Compensation computed as above should not be imposed against your unit of **M/s. Tamil Nadu Cooperative Milk Producers Federation Ltd, Ambattur Dairy, Plot No. 29 & 30, SIDCO Industrial Estate, Korattur Village, Ambattur Taluk and Chennai District**

under Section 5 of the Environmental Protection Act, 1986 and as per the guidelines issued by the Hon'ble NGT & CPCB for the violations caused by the unit as mentioned above.

It is informed that non receipt of any reply within 15 days from the date of receipt of this notice will be construed that you have no satisfactory explanation to offer for the above said contraventions and action will be initiated on merits in accordance with law.

The receipt of this proceeding shall be acknowledged.

For Chairperson  
M. S. S. S. S.  
9.12.2024

To:

The Deputy General Manager,  
M/s. Tamil Nadu Cooperative Milk Producers Federation Ltd,  
Ambattur Dairy,  
No:3A, Pasumpon Muthuramalinganar Salai,  
Nandanam,  
Chennai - 600035.

1)

**Copy to:**

1. The Manager Director,  
Tamil Nadu Co-operative Milk Producers Federation Ltd,  
3A, Pasumpon Muthuramalinganar Salai,  
Nandanam,  
Chennai – 600 035.
2. The Joint Chief Environmental Engineer (M),  
Tamil Nadu Pollution Control Board,  
Chennai.
3. The District Environmental Engineer,  
Tamil Nadu Pollution Control Board,  
Ambattur.
4. Technical file.

**BEFORE THE HON'BLE NATIONAL  
GREEN TRIBUNAL**

**SOUTHERN ZONE AT CHENNAI**

**Original Application No. 125 of 2022**

**KORATTUR LAKE PROTECTING  
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Represented by Mr.S.Sekaran, Secretary,  
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...Respondents

**ADDITIONAL REPORT FILED ON  
BEHALF OF THE SIXTH  
RESPONDENT- THE TAMIL NADU  
POLLUTION CONTROL BOARD**

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

**Date:10.12.2024**

**Date of Hearing on:11.12.2024**

