

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, AT CHENNAI
Original Application No.145 of 2024**

Arunkumar Sermakkani,
S/o.Shri Sermakkani,
Aged about 43 Years,
House No.4, Puspam Ranches,
Survey Nos.272 & 273, Kalukondapalli Village,
Denkanikotta Taluk, Hosur,
Krishnagiri District, Tamil Nadu – 635 107.
& 7 Others.

....Applicant

And

Union of India
Through its Secretary,
Ministry of Environment, Forests & Climate Change,
Indira Paryavaran Bhavan, Jot Bagh Road,
Aligunj, New Delhi – 110 003.
& 5 Others.

.....Respondents.

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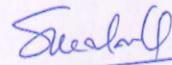


**Advocate for Respondent: TNPCB
Thiru.S. Sai Sathya Jith,
Advocate, Chennai.**

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

ORIGINAL APPLICATION No.145 of 2024

1. **Arunkumar Sermakkani,**
S/o. Shri. Sermakkani,
Aged about 43 years,
House No.4, Pushpam Ranches,
Survey Nos.272 & 273, Kalukondapaalli Village,
Denkanikotta Taluk, Hosur,
Krishnagiri District, Tamil Nadu – 635 107.
stanly.lawyer@gmail.com
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2. **Nagarajan Damodran,**
S/o. Shri. Damodran,
Aged about 48 years,
House No.75, Pushpam Ranches,
Survey Nos. 272 & 273, Kalukondapaalli Village,
Denkanikotta Taluk, Hosur,
Krishnagiri District,
Tamil Nadu – 635 107.
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940178702
3. **Vishwath,**
S/o. Shri. Balachandar,
Aged about 27 years,
House No.76, Pushpam Ranches,
Survey Nos.272 & 273, Kalukondapaalli Village,
Denkanikotta Taluk, Hosur,
Krishnagiri District, Tamil Nadu – 635107.
stanly.lawyer@gmail.com
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4. **Arockia Raj,**
S/o. Shri. R.Rabhael,
Aged about 33 years,
Authorized Representative of Pushpam Realty
House office at:
Survey Nos. 272 & 273, Kalukondapaalli Village,
Denkanikotta Taluk, Hosur,
Krishnagiri District, Tamil Nadu-635107.
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5. **Ram Prasad Jandhyala,**
S/o. Shri. Lakshmi Narayana Murthy,



12/06/2025

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

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Aged about 47 years,
House No.7, Pushpam Ranches,
Survey Nos. 272 & 273, Kalukondapaalli Village,
Denkanikotta Taluk, Hosur,
Krishnagiri District, Tamil Nadu-635107.
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9940178702

6. Sujay Eshwar Rao Godhkey,

S/o. Shri. G.Y.Eshwar Rao,
Aged about 57 years,
Survey No.273/1,
Kalukondapaalli Village,
Denkanikotta Taluk, Hosur,
Krishnagiri District, Tamil Nadu-635107.
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7. Velavar Pounraka,

S/o. Shri. Pounraja,
Aged about 43 years,
House No.20, Pushpam Ranches,
Survey Nos. 272 & 273, Kalukondapaalli Village,
Denkanikotta Taluk, Hosur,
Krishnagiri District, Tamil Nadu-635107.
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8. Paramjeet Singh

S/o. Shri. Vinod Singh,
Aged about 37 years,
Survey Nos. 298/B,
Kalukondapaalli Village,
Denkanikotta Taluk, Hosur,
Krishnagiri District, Tamil Nadu-635107.
stanly.lawyer@gmail.com
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... Applicants

VERSUS

1. UNION OF INDIA,

Through its Secretary,
Ministry of Environment, Forests & Climate Change,
Indira Paryavaran Bhavan, Jor Bagh Road,
Aligunj, New Delhi - 110003
Ph: +91 11 24695262
Email: secy-moef@nic.in

S. S. S.
3/06/2025

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

2. STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT

AUTHORITY, TAMIL NADU,

Through the Member Secretary
3rd Floor, Panagal Maligai,
No.1, Jeenis Road, Saidapet. Chennai – 600 015.
Ph: 44-24359973
Email: selaamstn@gmail.com

3. TAMIL NADU POLLUTION CONTROL BOARD,

Through the Member Secretary,
No.76, Mount Salai, Guindy,
Chennai-600032
Ph.: 044-22353145
Email ID: grievance@tnpcb.gov.in

4. DIRECTORATE OF TOWN AND COUNTRY PLANNING,

Through the Director,
2nd, 3rd and 4th floor, C & E Market Road,
Koyambedu, Chennai- 17.
044-29585161,
ctcptn@tn.gov.in

5. M/s. INDUS TMT INDUSTRIES LIMITED,

Through the Managing Director,
No.251/1, Kappakal Road, Uliveeranapalli,
Kalukondapalli Village, Thally Road, Denkanikottai Taluk,
Krishnagiri District., Kallukondapalli,
Hosur, Krishnagiri, Tamil Nadu – 635 114.
Ph: 080-26533333
Email: industmtltd555@gmail.com

.....Respondents.

REPORT FILED ON BEHALF OF THE 3RD RESPONDENT - MEMBER SECRETARY, TAMIL NADU POLLUTION CONTROL BOARD (TNPCB).

I, S.Malarvizhi, D/o. Thiru. Subburam, aged about 58 years, having my office at No.76, Mount Salai, Guindy, Chennai – 600 032, do hereby solemnly affirm and sincerely state as follows:-

2. I submit that I am working as the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai - 600 032 and I am authorized to file this report on behalf of the 3rd Respondent – Member Secretary, TNPCB and as such I am well acquainted with the facts of the case from the records available in our office.

S. Malarvizhi
13/06/2015
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

3. It is respectfully submitted that the application has been filed by the applicant with the following prayer-

I. Direct the M/s. Indus TMT Limited to close down the plant of a steel rolling unit for the failure to obtain Prior amended Environment Clearance as per the EIA Notification, 1994 and 2006;

II. Pass an order thereby directing the M/s. Indus TMT Limited to stop its operation till the time the EC conditions with regard to air pollution, noise pollution and green belt are complied with;

III. Direct for constituting a committee of experts to assess the large scale of air and noise pollution caused and suggest measures to mitigate the same caused by M/s Indus TMT Limited persistently over the years;

IV. Impose environmental compensation on M/s. Indus TMT Limited for undertaking operations without prior Environmental Clearance under Sec.15 and Sec.20 of the NGT Act, 2010;

V. Direct Respondent Nos. 1 to 4 to initiate enquiry and actions against the concerned erring officials for permitting the Respondent No.5, M/s. Indus TMT Limited to operate the Plant despite the persistent non-compliance of the EC conditions;

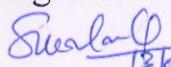
vi. Pass any other orders as this Hon'ble Tribunal may deem fit and appropriate in the facts and circumstances of the present case.

4. It is respectfully submitted that earlier the 5th Respondent unit was not using melting furnace. Hence, the unit's activity does not attract Environmental Clearance as per the EIA Notification, 2006. The unit vide proceeding dated 25.04.2006 obtained Consent To Establish (CTE) valid up to 24.04.2008 in the name of M/s. Chitrakoot Metal Limited, S.F. No.278/1A, 286/7, 278/1D, 286/2, 278/1C, 277/1E1, 251/1, 286/6, 286/5, 286/4, 277/1C, 277/1B, 277/1A, 285/1A, 286/1, 278/1B & 251/2, Kalukondapalli Village, Denkanikottai Taluk, Krishnagiri District to manufacture Rerolled Steel Bars and Rods (6000 T/M) and to discharge the emission arising from the wet scrubber with stack attached to the reheating furnace (25 Ton/Hour-01

Suresh
12/06/2025
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
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Nos.) with a stack height of 30 m Subsequently, vide proceeding dated 14.05.2007, the unit M/s. Chitrakoot Metal Limited obtained Consent To Operate (CTO) valid up to 31.03.2008 for the said products and emission sources.

5. It is respectfully submitted that the unit obtained amendment in consent order, vide proceeding dated 27.12.2010 for change of name from M/s. Chitrakoot Metal Limited to M/s. Apple Rolling Mills Ltd. Further the unit vide proceeding dated 24.03.2016 obtained CTO-Renewal valid up to 31.03.2017 with name change amendment in the name M/s Indus TMT Industries Limited, S.F. No.278/1A, 286/7, 278/1D, 286/2, 278/1C, 277/1D, 251/1, 286/6, 286/5, 286/4, 277/1C, 277/1B, 277/1A, 285/1A, 286/1, 278/1B & 251/2, Kalukondapalli Village, Denkanikottai Taluk, Krishnagiri District for the production of Steel Bars & Rods (6000 MT/M).
6. It is respectfully submitted that the 5th Respondent unit obtained Environmental Clearance from the State Level Environment Impact Assessment Authority, Tamil Nadu vide letter dated 14.06.2017 for the following:
 - a) (Existing – 72000 Tons/Annum of Steel Bars and Rods and after Expansion – 145000 Tons/Annum of Steel Bars and Rods and 156000 Tons/Annum of MS Billets.
 - b) Existing – Reheating furnace 25 TPH (1 No.) & after Expansion – Induction furnace 25 TPH (2 Nos.) & 30 TPH (1 No.).
7. It is respectfully submitted that vide proceeding dated 08.11.2017 CTE (Expansion) valid up to 31.03.2024 was issued to the unit M/s Indus TMT Industries Limited ^{for the} production of Steel Bars and Rods (145000 Tons/Annum) as main product and M.S Billets (156000 Tons/Annum) as intermediate product and to discharge the emission arising from the wet scrubber with stack attached to the reheating furnace (Existing)– (25 TPH-01 No.) with a stack height of 30 m, from the common bag house filter with stack attached to the Induction furnaces (Proposed)– (25 TPH – 02 Nos.) & (30 TPH –01 No.) with a stack height of 40 m,


 12/06/2025
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
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from the stack attached to the DG Set (200 KVA-01 No.) with a stack height of 5.50 m and from the stack separately attached to the DG Set (500 KVA-02 Nos.) with a stack height of 10 m. Subsequently, vide proceeding dated 16.12.2019, CTO (Expansion) valid up to 31.03.2021 was issued to the unit for the production of same products and emission sources. Later vide proceeding dated 03.04.2023 renewal consent order valid up to 31.03.2025 was issued to the unit.

8. It is respectfully submitted that the unit M/s. Indus TMT Industries was established and obtained CTE of the TNPCB in the year 2006 vide proceeding dated 25.04.2006 whereas the unit M/s. Pushpam Reality and M/s. Pushpam Realty III obtained CTE of the TNPCB only in the year 2017, vide proceeding dated 17.04.2017 & 29.11.2017 respectively.
9. It is submitted that the unit M/s. Indus TMT Industries has also developed green belt of about 2.34 Hectares out of its total land area of 10.38 Hectares (22.5% of total area against the 33% mentioned in the EC).
10. It is respectfully submitted that the District Environmental Laboratory, TNPCB, Hosur conducted Ambient Air Quality / Emission in the vicinity of the unit, M/s. Indus TMT Industries Limited on 08.08.2024 & 09.08.2024. The report of analysis revealed that all the parameters are within the AAQ standards prescribed by the Board
11. It is submitted that the District Environmental Laboratory, TNPCB, Hosur has also conducted Ambient Noise Level Survey on 22.01.2025 near the complainant's location. The report of analysis revealed that the 6 out of 7 values (range between 40.7 dBA to 42.8 dBA) are within the prescribed standards by the Board and one value- 47.4 dBA is exceeding the standard (45 dBA) prescribed by the Board.

Sudhakar
12/06/2024

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

In view of the above circumstances, it is prayed that this Hon'ble Tribunal may be pleased to pass appropriate orders or further other orders as it may deem fit and proper in the circumstances of the case and thus render justice.

S. Malarvizhi
13/06/2025
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JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

VERIFICATION

I, S.Malarvizhi, D/o. Thiru. Subburam, working as the Joint Chief Environmental Engineer, TNPCB, having office at No.76, Mount Salai, Guindy, Chennai - 600 032, do hereby submit that the above contents are true to the best of my knowledge and belief through records.

S. Malarvizhi
13/06/2025
9/9
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

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Indira Paryavaran Bhavan, Jot Bagh Road,
Aligunj, New Delhi – 110 003.
& 5 Others.

.....Respondents

**REPORT FILED ON BEHALF OF THE
THIRD RESPONDENT, MEMBER
SECRETARY – TAMIL NADU POLLUTION
CONTROL BOARD**

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

Date: 16.06.2025

Date of hearing on: . .2026