

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

Original Application No. 186 of 2020

Tribunal on its own motion-SUO MOTU
based on the News item in The New Sunday
Express Newspaper Dated: 20.07.2020,
**“Ranipet Residents health at risk due to
Pollution; Chromium waste killing agriculture
in Ranipet Poses long-term health risks.”**

And

Union of India

Rep. by its Secretary

Ministry of Environment and Forests and Climate Change,

Indira Paryavaran Bhawan,

Jorbagh Road, New Delhi and Ors.

.... Respondents.

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

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.... Respondents.

**COMPLIANCE REPORT FILED ON BEHALF OF THE EIGHTH
RESPONDENT- TAMIL NADU POLLUTION CONTROL BOARD**

I, M.Vijayalakshmi, D/o. Muthiah, aged about 59 years, having office at No., 76, Mount Salai, Guindy, Chennai – 32, do hereby solemnly affirm and sincerely state as follows:-

1. I submit that I am the Additional Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai - 600032 and I am authorised to file this Compliance report on behalf of the Eighth respondent (TNPCB) and as such I am well acquainted with the facts of the case from the available office records.
2. It is respectfully submitted that the Compliance report filed on 17.01.2023 and 29.5.2024 by the 8th respondent (TNPCB) shall be taken as a part and parcel of this report.
3. It is respectfully submitted that on 02.09.2022, the Hon'ble NGT was disposed the OA with the following directions:

M. Vijayalakshmi 9/11/2025
ADDITIONAL CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
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" Para 42. So, the Original Application is disposed of with the following directions:-

(i) The Chief Secretary to Government, State of Tamil Nadu is directed to constitute a committee comprising of a. Additional Chief Secretary to Government, Department of Environment, Climate Change and Forest as Chairman and; b. Additional Chief Secretary to Government, Department of Finance; c. Additional Chief Secretary to Government, Department of Industries; d. Chairman – Tamil Nadu Pollution Control and e. Senior Officer from the Central Pollution Control Board (CPCB) as nominated by the CPCB either New Delhi or Regional Office, Chennai as members for the purpose of monitoring the implementation of the action plan prepared for carrying out the remediation process suggested to resolve the issue of Chromium contaminated site at Ranipet and provide necessary funds for carrying out the work by the regulators in an effective manner with short span of time.

(ii) The Chief Secretary to Government, State of Tamil Nadu is also directed to look into the issue personally and take steps to complete the process of preparation of DPR in consultation with the IIT Madras at the earliest, at any rate within a period of 6 (Six) months and thereafter, take steps to issue tender and entrust the work for permanent remediation and start the work within a further period of 6 (Six) months from the finalization of DPR.

(iii) The Tamil Nadu Pollution Control Board is permitted to carry out the interim measure of capping, for which, necessary funds will have to be provided by the State Government and that must be started within a period of three months from the date of order and that must be completed within a period of one year as undertaken by them.

(iv) The implementation of the remediation process both short-term and long-term has to be monitored by the CPCB and the SPCB and if there is any further study required, then they are directed to suggest the same and the expenses for conducting the study has to be met by the State Government initially and after completion of the process, they can take steps to recover the amount from the persons/industries who were responsible for such contamination

M. Vijayabharathi 21/1/2021
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applying the 'Polluter Pays' principle as directed by the Hon'ble Apex Court in *Vellore Citizens Welfare Forum Vs Union of India & Ors.*

(v) After completion of the remediation process, the CPCB in consultation with the NEERI is directed to conduct a study as to whether the remediation process is complete and the issue is resolved permanently and if any further steps will have to be taken on the basis of the study, then the same also will have to be carried out under the supervision of the SPCB and CPCB and necessary funds will have to be provided by the State Government for this purpose also initially and they are at liberty to take steps to recover that amount also from the persons/industries who were responsible for causing such contamination by applying the 'Polluter Pays' principle as mentioned above.

(vi) The collection of amount from the polluters will not stand in the way of State Government from investing the amount initially so as to enable the regulators to carry out the remediation process through the executing agency to whom the work is going to be entrusted and that should not be stalled on account of want of funds. It should be noted that any delay will only aggravate the situation further in that area.

vii) Till the entire remediation process is completed, the State Government is also directed to conduct a health study in that area by constituting a committee in consultation with the Chairman – Tamil Nadu Pollution Control Board and Director – Regional Office, CPCB, Chennai and provide necessary infrastructure including potable water to the residents of that area and medical facilities using the CSR funds of the industries that are functioning or state funds and ensure that the health of the people in that area is protected and also carry out the infrastructure facilities which are likely to be suggested by the Committee based on the health study to be conducted in that area and this will have to be carried out by the State of Tamil Nadu at the earliest possible time at any rate within a period of six months from the date of receipt of this order.

(viii) The Additional Chief Secretary to Government, Department of Environment, Climate Change and Forest is directed to file

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periodical report regarding the progress of the remediation process both temporary and permanent measures once in 6 (Six) months before this Tribunal”.

4. It is respectfully submitted that the TNPCB has approached the consultant M/s.Tamil Nadu Water Investment Company Limited (TWICL), Chennai for Expression of Interest (EOI) for Bid Management and extending the Project Management Consultancy (PMC) services and to finalize the tender document furnished by the consultant M/s.Stratus Environmental Pvt Ltd, Chennai. M/s.Tamil Nadu Water Investment Company Limited, Chennai is exempted as per Section 16(J) of the Tamil Nadu Tender Transparency Act, 1998 vide Tamil Nadu Government Gazette Extraordinary No. 46 of 2017, dated: 31.01.2018.
5. It is respectfully submitted that the Board vide Resolution No. 292-2-4 dt: 16.10.2023, has resolved to approve to engage the consultant, M/s.Tamil Nadu Water Investment Company Limited, Chennai for Bid Management and Project Management Consultancy services at a cost of Rs.1,22,30,000/- with following the due procedure laid under Section 16 J of Tamil Nadu Transparency in Tenders Act, 1998 vide Tamil Nadu Government Gazette Extraordinary No.46 of 2017, dated: 31.01.2018 and ratified the B.P.No.46 vide Board Resolution No. 285-2-2 dated 30.11.2021 issued for the implementation of interim remedial measures at an estimated project cost of Rs.12 Crore to Rs.15 Crore in view of the inflation in the price of construction materials from the period of 2019 and these amounts are to be utilized by TNPCB from the Environmental Compensation (EC) fund available in the Board.
6. It is respectfully submitted that to comply the Order of Hon'ble NGT, SZ, Chennai dated 02.09.2022, the first Committee meeting has been held on 06.08.2024 at Environment Climate Change & Forest Department, Secretariat in order to monitor the implementation of action plan prepared for carrying out the remediation process to resolve

M. Vijayakumar 9/11/2024

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ADDITIONAL CHIEF ENVIRONMENTAL ENGINEER
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the issue of Chromium contaminated site at M/s.Tamil Nadu Chromates and Chemicals Limited, Ranipet.

7. It is respectfully submitted that the Tamil Nadu Government in the assembly passed a bill to amend the Tamil Nadu Transparency in Tenders Act, 1998, wherein it aims to omit the M/s. Tamil Nadu Water Investment Company Limited from the purview of Section 16(J) of the Tamil Nadu Transparency in Tenders Act, 1998 and they may compete in the open market and further during the meeting held on 12.07.2024 by the 8th respondent's (TNPCB) it has been discussed and decided not to engage the consultancy services of M/s.Tamil Nadu Water Investment Company Limited, Chennai.
8. It is respectfully submitted that to select an agency for Project Management Consultancy Services including Bid management for the implementation of interim remedial measure, the open tender has been floated on 12.08.2024.
9. It is respectfully submitted that the technical proposal submitted by the consultants, 1. M/s. Tamil Nadu Water Investment Company Limited and 2. M/s. Chennai Environmental Management Company of Tanneries, Chennai was opened on 18.09.2024.
10. It is respectfully submitted that the agency M/s. Chennai Environmental Management Company of Tanneries (CEMCOT) is selected after technical & Bid evaluation for the amount of Rs. 46,02,000/- with GST (Rs. 39,00,000.00 - without GST). Work order to CEMCOT along with terms of reference has been issued by the 8th respondent (TNPCB) vide W.O dated: 11.11.2024. The execution of agreement with the consultancy is under progress.
11. It is respectfully submitted that the 8th respondent's (TNPCB) resolution No.295-2-4 dated 25.11.2024 has resolved to ratify the proposal to engage the consultant M/s.Chennai Environmental Management Company of Tanneries, Chennai for the Project Management Consultancy services (PMC) including Bid Management for the implementation of the Interim remedial measure at the Chrome Contaminated Site at M/s.TCCL, Plot No. 25, SIPCOT complex,

M. Vijayarajini 9/11/2024
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Ranipet at a cost of Rs.39,00,000/- without GST(Rs.46,02,000/- with GST) and ratify the B.P. No 102 dated 27.10.2023 (Board Resolution No. 292-2-4 dated 16.10.2023) issued for engaging the consultant M/s.TWICL, Chennai for PMC and Bid management services. The estimated project cost of Rs.15 Crores for interim remediation is same as mentioned in the B.P.No.102 dated 27.10.2023 (Board Resolution No. 292-2-4 dated 16.10.2023). The amount is to be utilized by TNPCB from the Environmental Compensation (EC) fund available in the Board.

The compliance status of action taken by the TNPCB as per the minutes of the first committee meeting for monitoring the implementation of remediation process to resolve the issue of chrome contaminated site at Ranipet conducted on 06.08.2024 by the Government is as follows:

Action Points	Action taken by the TNPC Board
1. Action shall be taken for finalization of Project Management Consultancy Services through tender process and to implement interim remedial measure.	The agency M/s.Chennai Environmental Management Company of Tanneries (CEMCOT) is selected after Technical & Bid evaluation for the amount of Rs.46,02,000/- with GST (Rs.39,00,000.00 - without GST). Work order to CEMCOT along with terms of reference has been issued by Board vide Work Order dated: 11.11.2024. The execution of agreement with the consultancy is under progress.
2. Action shall be taken for conducting health study around M/s. TCCL, Ranipet through one of the health institutions such as i) ESIC, KK. Nagar, ii) ICMR-NIE, iii)Christian Medical College, Vellore, iv).Department of Public Health, Madras Medical College.	Letter has been addressed to the health institutions i) ESIC, KK Nagar, ii). ICMR-NIE, iii).Christian Medical College, Vellore, iv).Department of Public Health, Madras Medical College to furnish the Expression of Interest for the Proposal to conduct health study around the site of the chromium contaminated site at M/s.Tamil Nadu Chromates and Chemicals Ltd (TCCL) at Ranipet, Walajah Taluk, Ranipet District vide Letter dated: 09.09.2024
3. IIT-M shall be reminded to furnish the proposal for preparation of detailed	Reminder letter has been addressed to Head of Department, Civil Engineering, IIT-

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project report for full scale remediation	Madras, Chennai to offer the proposal for preparation of detailed project report for full scale remediation vide Letter dated: 09.09.2024. No reply has been received so far.
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Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (SZ) may be pleased to pass such order or 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 9/11/2024
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VERIFICATION

I, M.Vijayalakshmi, D/o. Muthiah, working as Additional Chief Environmental Engineer, having office at No., 76, Mount Salai, Guindy, Chennai – 32, do hereby verify that the contents of above are true to the best of my knowledge through records.

M. Vijayalakshmi 9/11/2024
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Suo Motu Based on the News item in The New Sunday Express Newspaper Dated: 20.07.2020, "Ranipet Residents health at risk due to Pollution; Chromium waste killing agriculture in Ranipet Poses long-term health risks."

Vs

Union of India,
Rep. by its Secretary,
MoEF &CC
New Delhi- 110 003 & Others.

...Respondents

**COMPLIANCE REPORT FILED ON
BEHALF OF THE 8TH RESPONDENT-
TAMIL NADU POLLUTION
CONTROL BOARD**

Advocate for Respondent:TNPCB

Date:11.01.2025.

Date of hearing on:05.03.2025