

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE AT CHENNAI

Original Application No. 220 of 2024

N. Ravichandran,
8/5, Vadakku Theru,
Pillaiyar Koil Street,
Mel Nangur, Kathiruppu Post,
Sirkazhi Taluk,
Mayiladuthurai District – 609106.

...Applicants

Vs

The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Nagapattinam – 611 001 & Ors.

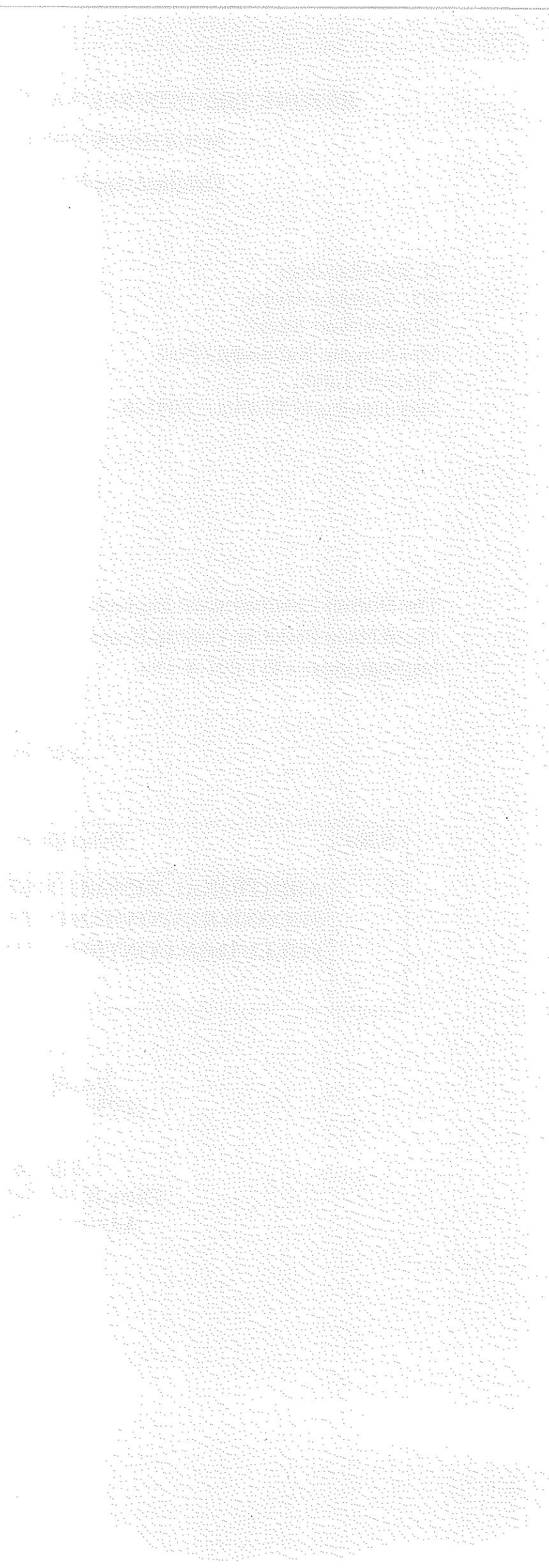
...Respondents

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



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Mayiladuthurai District – 609106

...Applicant

-Vs-

1. District Collector,
District Collectorate,
Mayiladuthurai – 609 001

2. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Nagapattinam – 611 001

3. P Monisha,
Proprietrix, M/s. Monisha Associates,
8/38, Pillayar Kovil Street,
Nangur Village, Kathiruppu Post,
Sirkazhi Taluk,
Mayiladuthurai District – 609106

...Respondents

ADDITIONAL REPORT FILED BY THE SECOND RESPONDENT –
TAMIL NADU POLLUTION CONTROL BOARD

I, Thiru. G. Ravichandran, S/o. Thiru. A. Guhan, aged about 44 years, having my office at District Collectorate Master Plan Complex, Nagapattinam - 611 011, do hereby solemnly affirm and sincerely state as follows:-

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24/09/2025
District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Nagapattinam.

2. I submit that I am working as the District Environmental Engineer, Tamil Nadu Pollution Control Board, Nagapattinam-611 011. I am authorized to file this Additional Report and as such I am well acquainted with the facts of the case from the records available in this office.
3. It is respectfully submitted that the application has filed seeking with the prayer that “ a. Direct the respondents 1 & 2 to effect closure of the 3rd respondent's hot mix plant at S.No.324/2 etc., No.83, Pillayar Koil street, Nangur Village, Kathiruppu Post, Sirkazhi Taluk, Mayiladuthurai District and direct the respondents to levy penalty and environmental compensation on the 3rd respondent for illegalities committed and pollution caused”.
4. It is respectfully submitted that the third respondent unit M/s. Monisha Associate is located at S. F. No 324/3, 324/4, 324/5, Nangur Village, Seerkaazhi Taluk, Mayiladuthurai District, Hot Mix Plant manufacturing of Asphalt Binder Course (Dense Bituminous Macadam) and Asphalt Surface Course (Bituminous Concrete). The Third respondent has obtained Consent to Establishment under the Water and Air Acts vide Proc. No. F.1593NPM/OS/DEE/TNPCB/NPM/W&A/2023 Dated 19.05.2023 with validity up to 31.03.2028.
5. It is respectfully submitted that the Second respondent has filed its report on 26.12.2024 before the Hon'ble Tribunal, SZ, Chennai and the same may be taken as part and parcel of this Additional Report.

6. It is respectfully submitted that based on the direction passed by the Hon'ble NGT, SZ, Chennai on 13.8.2025 "to cause an inspection, examine the siting criteria and the emission norms of the Project Proponent and file a detailed report", the second respondent submits the additional report herein.

7. It is respectfully submitted that to comply the above mentioned direction, the officials of the DEE, Nagapattinam was inspected again on 01.09.2025 and the observation are listed as follows:

- i. The unit was not under operation and is under operable condition. Air Pollution control measures cannot be ascertained. Further, the unit has informed that due to no tender orders, the unit was not in operation vide its letter dated 05.09.2025.
- ii. The unit has provided septic tank followed by soak pit arrangements for the treatment of sewage and treated sewage is disposed on industries own land.
- iii. The unit has provided Effluent Treatment Plant for the treatment of trade effluent and is under operable condition.
- iv. The unit has provided wet scrubber attached with Stack – 6 m ht. as Air Pollution Control measures for hot mix drum and is under operable condition.
- v. The unit has provided the closed shed with GI sheets in the aggregates loading into hopper bin area.
- vi. The unit has developed green belt area around the unit premises so as to control the fugitive emissions.

- vii. The unit was issued consent to operate with valid upto 31.03.2025 and the unit has applied for renewal of consent through online. Further, the application was returned due to court case.
- viii. The unit is surrounded by Approach road on Northern direction, Vacant land on Southern direction, Vacant agricultural land on Eastern direction and Vacant land used as a laydown area for Highway works on Western direction.
- ix. The 3rd respondent unit was inspected by the officials of the 2nd respondent on 20.08.2024 and observed that the unit was not in operation for past 2 months.

8. It is respectfully submitted that the unit was directed to operate at its full capacity and to extend cooperation for conducting the Ambient Air Quality (AAQ) survey. In response, the 3rd respondent unit, vide its letter dated 05.09.2025, categorically stated that they are unable to commence operations owing to non-availability of the required raw materials and financial constraints, and further, that there were no tenders for production at present. The unit has expressly assured that upon resumption of production activities, they will duly intimate the Tamil Nadu Pollution Control Board and extend full cooperation for conducting the AAQ survey.

9. It is respectfully submitted that the compliance of the guidelines for Hot Mix plant in Tamil Nadu dated 29.07.2016 issued by the Tamil Nadu Pollution Control Board in pursuance of the Hon'ble Tribunal in Original Application No. 10 of 2016 dated 17.02.2016, with respect to the 3rd respondent unit, M/s. Monisha Associate located at S. F. No 324/3, 324/4, 324/5, Nangur Village, Seerkaazhi Taluk, Mayiladuthurai District, which reads as follows:

SITING CRITERIA

- I. No hot mix plant shall be allowed within 500 meters from approved habitation/approved layouts.

The Directorate of Town and Country Planning (DTCP) confirmed the site as Non-Planned Area vide Na.Ga.No.346/2023/ma.maa.2 dated 17.04.2023. Site inspection revealed that there are no approved residential habitations/approved layouts within a 500m radius.

This was confirmed through:

- i. Tahsildar Certificate vide Ou.Mu.5596/2023/Aa1 dated 22.09.2023 and
- ii. Block Development Officer Certificate vide Na.Ga.2038/2019/Aa2 dated 22.10.2023.

- II. Hot mix plant shall be allowed 200 meters away from national/state highways and distance shall be measured from edge of the metalled road to the physical/administrative boundary of the hot mix plant.

No National Highway/State Highway exists within 200m of the 3rd respondent unit. This was further certified by the Assistant Divisional Engineer vide letter dated 05.10.2023.

- III. In respect of wild life sanctuary/reserve forest/national monuments/air ports/air strips, hot mix plant shall be established five kilometre away (or) buffer zone declared for the same.

No wild life sanctuary/reserve forest/national monuments/air ports/air strips, located within 5.0 Km radius from the 3rd respondent unit.

- IV. Hot mix plants shall have a minimum land requirement of one acre for better operating conditions.

The 3rd respondent unit has installed the plant at an output capacity of 60 Tons/day over an area of **1.33 acre** which satisfied the guidelines.

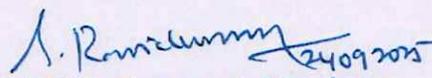
- V. There should be at least 250 meters distance between the two hot mix plants boundaries.

No Hot Mix Plant is located within 250m radius from this 3rd respondent unit.

Air Pollution Control Measures

- I. Hot Mix plant should discharge flue gases after the dust control system through a stack with minimum height of 6m (from ground level) with necessary platform and port holes for periodic collection of stack emission samples.
10. It is respectfully submitted that the 3rd respondent unit has provided the stack of 6.0 meter height with necessary platform and port holes for periodic collection of stack emission samples. It is preferable to have dry dust collection system of bag filter arrangement with air pulse jet cleaning system. Trained technical persons should be employed to handle pollution control systems. The 3rd respondent unit has provided the wet scrubber with stack with height of 6.0 meter. The aggregates loading into hopper bin area shall be closed on three sides with metal sheets and the access side shall have plastic air curtains/ multi sheet rubber flaps so as to arrest the emission generated during loading. The 3rd respondent unit has provided the closed shed with metal sheets in aggregates loading into hopper bin area.
11. It is respectfully submitted that one house is located approximately at the distance of 80m from the boundary of the 3rd respondent hot mix plant. The Tahsildar, Sirkali and Block Development Officer BDO, Sirkali has informed that there are no approved houses located within 500m radius from the unit vide

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**District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Nagapattinam.**

Tahsildar Certificate Dated 22.09.2023 and Block Development Officer Certificate Dated 22.10.2023 respectively.

12. It is respectfully submit that the unit is surrounded by Approach road on Northern direction, Vacant land on Southern direction, Vacant agricultural land on Eastern direction and Vacant land used as a laydown area for Highway works on Western direction. The unit has complied with the siting criteria and the air pollution control measures prescribed under the Guidelines for the Hot mix plants in Tamil Nadu Pollution Control Board Nadu.

Therefore, it is respectfully prayed that this Hon'ble National Green Tribunal (Southern Zone) 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.

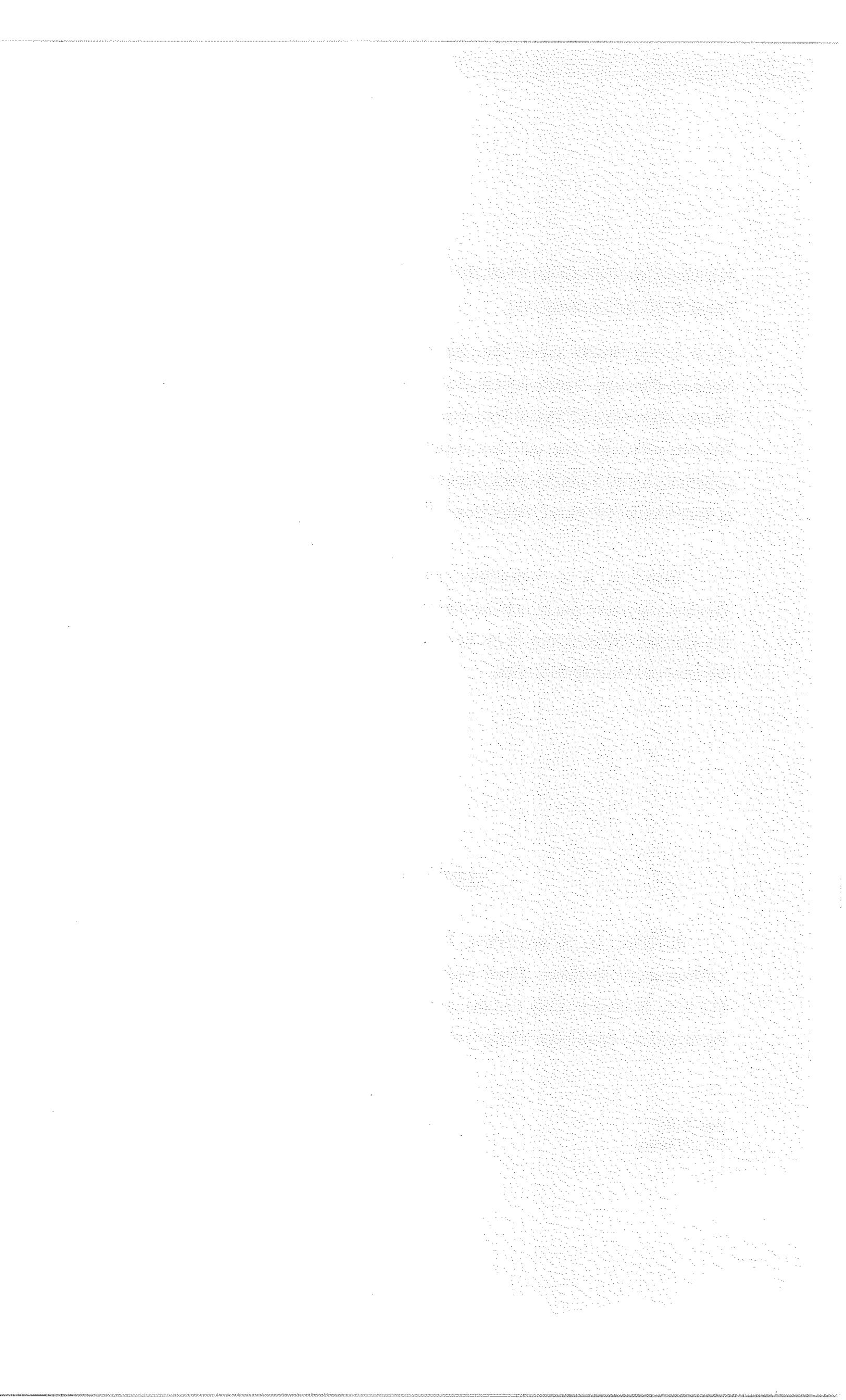

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Tamil Nadu Pollution Control Board,
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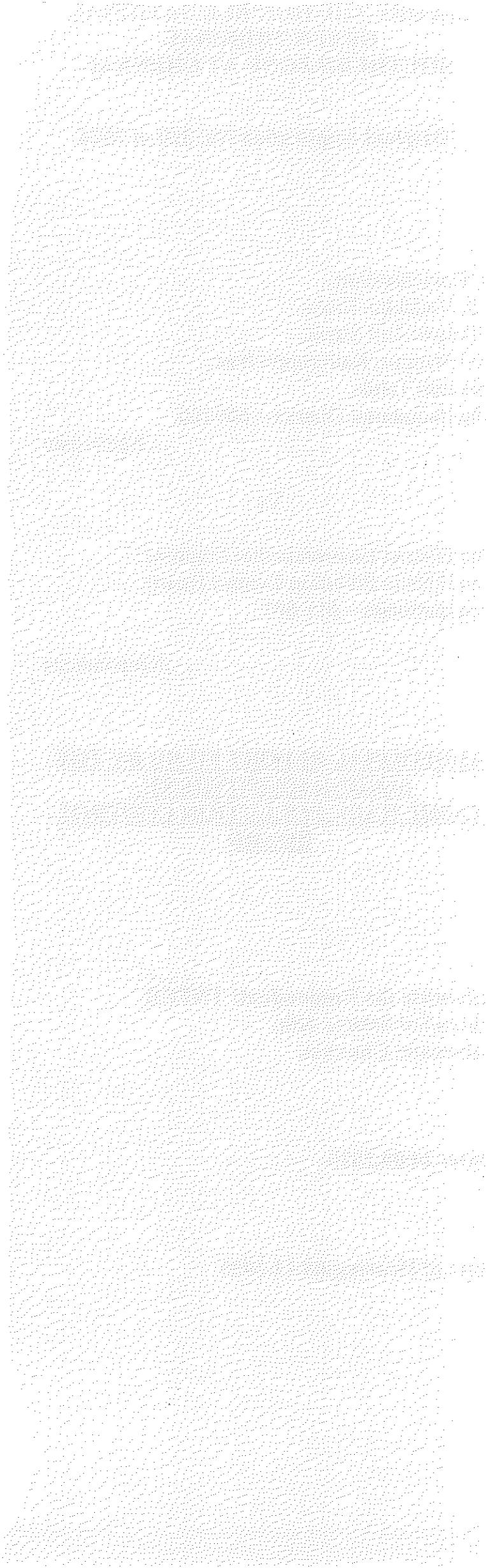
VERIFICATION

I, Thiru. G. Ravichandran, S/o. Thiru. A. Guhan, working as District Environmental Engineer, Tamil Nadu Pollution Control Board, Nagapattinam - 611 011, do hereby verify that the contents of above additional report are true to the best of my knowledge through records.

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24/09/2025
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SECOND RESPONDENT –
TAMIL NADU POLLUTION CONTROL
BOARD**

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

Date: 24.09.2025

Date of Hearing:08.12.2025