

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

Original Application No. 47 of 2023

Suresh S/o Pachiyappan,
6/36, Alamelupuram, Paddireddipatti,
Dharmapuri, Tamil Nadu -636905
Ph: +91 95662 54546
Email: yogeshwaranadv@gmail.com.

...Applicant.

-Vs-

1. Tamil Nadu Pollution Control Board,
Rep. by its Chairperson,
76, Anna Salai, Guindy Industrial Estate,
Guindy, Chennai - 600 032 & 5 ors.

.INDEX

S.No	Description	Page No.
1.	REPORT FILED ON BEHALF OF THE FIRST RESPONDENT - TAMIL NADU POLLUTION CONTROL BOARD.	1 - 10



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

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Original Application No. 47 of 2023**

Suresh S/o Pachiyappan,
6/36, Alamelupuram, Paddireddipatti,
Dharmapuri, Tamil Nadu -636905
Ph: +91 95662 54546
Email: yogeshwaranadv@gmail.com.

....Applicant

-Vs-

1. Tamil Nadu Pollution Control Board,
Rep. by its Chairperson,
76, Anna Salai, Guindy Industrial Estate,
Guindy, Chennai - 600 032
Phone No.: 044-22353134
Email: ssjtnpcb@gmail.com
2. The Executive Engineer,
Water Resource Department,
Public Works Department,
Upper pennaiyar Division,
Dharmapuri - 05
Phone No: Not known
Email: Not known
3. The Executive Engineer,
Ground water Division,
Water Resources Department, PWD, Vellore.
Phone No: Not known
Email: Not known
4. The Assistant Engineer,
Irrigation Department, Vanियaru Dam,
Public Works Department,
Pappireddipatti, Dharmapuri.
Phone No: Not known
Email: Not known
5. The District Collector,
1stFloor, Main Building
District Collectorate
Dharmapuri-636 705
Phone: 043 4223 0500
E-Mail: collrdpi@nic.in


24/04/2023
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

6. M/s. Varalakshmi Starch Industries (P) Ltd.
Rep. by its Director A. Vinoth Kumar,
"Varalakshmi Tower", No. 127/1,
2ndFloor, Gandhi Road, Salem - 636 007.
Phone No: Not known
Email: office@varalakshmistarch.com.

...Respondents

REPORT FILED ON BEHALF OF THE FIRST RESPONDENT
- TAMIL NADU POLLUTION CONTROL BOARD.

I, S. Malarvizhi, D/o.Thiru. Subburam, aged about 58 years, having my office at No.76, Mount Salai, Guindy, Chennai-600032, do hereby solemnly affirm and sincerely state as follows:

1. I submit that I am working as the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai and I am filing this report on behalf of the First respondent - Tamil Nadu Pollution Control Board and I am well acquainted with the facts of the case as per records available at our office.

2. It is respectfully submitted that on 16.12.2024, the Hon'ble NGT, SZ has directed the "Tamil Nadu Pollution Control Board (TNPCB) to inspect the industry.

3. It is respectfully submitted that Notice of inspection was sent to the unit on 23.01.2025 and subsequently the unit M/s.Varalakshmi Starch Industries Pvt. Ltd was inspected by the DEE, AEE & AE, TNPCB, Dharmapuri on 29.01.2025 and the following were noticed

- a. The unit was in operation.
- b. The Effluent treatment plant was in operation.
- c. The present status of compliance of the Board's Direction vide Proc. dated 16.02.2023 is submitted below.

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

S. No	TNPCB direction dated 16.02.2023	Unit's reply dated 13.01.2025 received on 20.01.2025	Present Status on 29.01.2025	Remarks
1.	The unit shall furnish a time bound action plan for completing the ETP revamping works, so as to satisfy the treated trade effluent standards prescribed by the Board within a month's time	We have completed all the ETP revamping work, by replacing surface aeration systems with Diffused Aeration systems by installing around 1200 number of fine air diffuse in the 8 aeration tanks to enhance effluent treatment further consistently. All ETP components that are included in the Consent Order issued by the TNPCB are in use.	The official of O/o.DEE, TNPCB Dharmapuri inspected on 29.01.2025 and observed that, the unit was in operation. ETP was also under operation. Latest RoA of the treated effluent sample collected on 29.01.2025 revealed that all parameters are within the standards prescribed by the Board.	Complied
2.	The unit shall furnish a time bound action plan to replace all the SeemaiKaruvellam trees in the premises with the native species as recommended by the Agriculture Department along with the proposal for safe disposal of entire quantity of treated effluent with adequate green belt area within 15 days.	TNPCB in its consent order dated 29.06.2007 had imposed under special conditions Sl.No.16 as "The industry has to ensure that minimum of three varieties of trees (Eucalyptus, Subabul and any other suitable variety) are planted at the density of not less than 1,000 trees per acre of land. The trees may be planted along with boundaries of the industry or industrial premises. This Plantation is stipulated over and above the bulk plantation of trees in that area and maintain them" to plant any other suitable variety of trees within the premises for discharge of treated wastewater. Therefore, in the year 2007, seemai karuvellam trees were planted in around 48 acres of own land numbering around 500 trees per hectare which have been consuming the entire discharged treated effluents perfectly, drought resistance and free from theft. Government and Hon'ble Court have ordered to remove the seemai karuvellam trees because these consume high level of ground water causing deficit in the water body in the people living area. But in the case of our industry, we had to plant trees which should consume huge water to dispose of the treated waste water.	The officials of O/o. DEE, TNPCB, Dharmapuri observed that the unit has partially removed the seemai karuvellam trees planted by the unit. Also reported that, the unit has informed in its letter dated 01.01.2024 and 22.10.2024 that Seemai Karuvellam trees are removed in about 14 Acres of land and replanted with native species in about 9 Acres land. Further, the unit has reported that they have "planned to replace seemai karuvellam trees with native plant species in a phased manner. i.e., about 10 acres per annum to ensure that the entire treated wastewater gets consumed by the existing trees within the green belt area and at the same time the seemai karuvellam trees are replaced in a phased gradual manner within 5 years. Last year we have removed seemai karuvellam trees in about 7 acres of the green belt area. The	Partially complied


 24/04/2025
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI-600 032.

	<p>The treated waste water should not go into the ground.</p> <p>If these trees are all cut at a stretch, then sufficient tree planted land will not be available for discharge of current treated wastewater of 480KLD per day and any replaced baby tree cannot consume the water 35 KLD per Hectare. The baby plant would need at least 5 years growth for consuming 35KLD per hectare</p> <p>Hence, we have planned to replace seemakaruvelam trees with native plant species in a phased manner. i.e., about 10 acres per annum to ensure that the entire treated wastewater gets consumed by the existing trees within the green belt area and at the same time the seemakaruvelam trees are replaced in a phased gradual manner within 5 years.</p> <p>Last year we have removed seemakaruvelam trees in about 7 acres of the greenbelt area. The Forest Department have supplied Native tree saplings such as Pungam tree, Vembu tree, Teak tree, etc., and all are planted. Now in another 7 acres, seemakaruvelam trees have been removed and native trees have been planted and after the monsoon season, we are going to remove the remaining 7 acres within 3 months and replant Native Trees.</p> <p>The same process will be continued to remove the entire Seemaikaruvelam trees in a phased manner in the remaining area of greenbelt area and replant them with the native trees within 4 years without affecting the purchases of Tapioca and corn from farmers, plant production and market continuity. Plans enclosed.</p>	<p><i>Forest Department have supplied Native tree saplings such as Pungam tree, Vembu tree, Teak tree, etc., and all are planted. Now in another 7 acres, seemakaruvelam trees have been removed and native trees have been planted and after the monsoon season, we are going to remove the remaining 7 acres within 3 months and replant Native Trees.</i></p> <p><i>The same process will be continued to remove the entire Seemaikaruvelam trees in a phased manner in the remaining area of greenbelt area and replant them with the native trees within 4 years without affecting the purchases of Tapioca and corn from farmers, plant production and market continuity”.</i></p> <p>Further, the layout of the Greenbelt area furnished by the unit has been mentioned that the removal of seemaikaruvelam trees will be completed before 2028 in phased manner.</p>		
3.	The unit shall furnish the layout of the premises marking the green belt	The layout of the entire premises with Greenbelt area being maintained for the utilization of	The District Environmental Engineer, Dharmapuri has reported that, the unit has	Partially complied

S. S. S. S.

24/04/2025

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

	area that are being maintained for utilization of treated effluent along with the plantation details such as number of plants, name of the plants species, plantation area etc. within 15 days	treated effluent had been submitted to PCB. <i>2023/10/10</i>	furnished the layout of the premises marking the green belt area for utilization of treated effluent. However, the unit has not furnished the plantation details of fresh tree saplings such as number of plants, name of the plants species, plantation area etc.	
4.	The unit shall cover the storage area of wet tapioca thippy by providing a shed within a month's time	The roof shed for the storage area of the wet Thippy yard has been completed. Photo enclosed	The District Environmental Engineer, Dharmapuri has reported that, the unit has constructed shed to store the wet tapioca thippy.	Complied
5.	The unit shall conduct water and wastewater audit through reputed institution like Anna university, Chennai/IIT Madras and furnish report to the Board. The time bound action plan for the same shall be furnished within a month's time, as the unit has made payment to the Anna University, Chennai to carry out ETP Adequacy study only and not for the water and wastewater audit as directed by the Board vide proceeding dated 17.10.2022	In the combined report issued by Anna University, under para 2.1.1 "Manufacturing Process of Tapioca Starch", they have discussed in detailed and also in the process flow chart from Page No.3-7 about the raw water consumption and how we are minimizing the water consumption by the process of recycling within the process. Also, the mass balance of the outlet waste water is briefly discussed with Treatment process flow diagram in Page No.14.	The District Environmental Engineer, Dharmapuri has reported that, the unit had submitted the adequacy report of ETP obtained from the Anna University, Chennai. Earlier, the unit in its letter dated 11.07.2023 has informed that <i>"the Project given to Anna University to conduct water audit, waste water audit and ground water quality study they have raised demand that demand also we paid. The project will be completed within six months"</i> . After that the unit vide letter dated 25.04.2024 stated that <i>"the Anna University wants access to our entire production plant apart from the ETP and wants to inspect stage wise our production plant which requires us to allow then access to our production machineries and production technology and knowhow. Since we fear that allowing third party</i>	Not complied

Sreedhar
26/04/2025

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

			<p><i>access to our production unit will compromise our technology knowhow, the audit is held up.”</i></p> <p>The unit has not yet conducted the water and wastewater audit through reputed institution like Anna University, Chennai/IIT Madras as directed by the Board.</p>	
6.	<p>The unit shall conduct ground water quality study through reputed institution like Anna university, Chennai/IIT Madras in the green belt areas that are being maintained utilizing the treated effluent and furnish the report to the Board within a month's time.</p>	<p>Anna University conducted the study of ground water. The test report is given in page No.30, Sl.No.12 & 13 in the combined report. Further, the TNPCB officials themselves for the last two years have taken so many samples of groundwater in our own green belt area, nearby farmers wells, nearby jungles stream and public wells in the surrounding one kilometer radius. They tested the water samples in their own laboratory and found that the parameters of the ground water were well with no contamination and no complaints were raised by them in this regard.</p>	<p>The District Environmental Engineer, Dharmapuri has reported that, the unit had submitted the adequacy report of ETP obtained from the Anna University, Chennai.</p> <p>However, the unit has not yet conducted ground water quality study in the green belt areas through reputed institution like Anna University, Chennai/IIT Madras in the green belt area as directed by the Board.</p>	Not complied
7.	<p>The unit shall provide adequate piezometric (monitoring wells) in the green belt area to monitor the ground water quality and furnish the report to the TNPCB regularly in view of repeated complaint received. An action plan shall be submitted within a month's time.</p>	<p>We have already provided 3 Piezometric (monitoring) wells in the greenbelt area. Location map and photo are enclosed. ROA test certificate for bore well sample. The TNPCB officials have already inspected the same. enclosed.</p>	<p>The official of O/o. DEE, TNPCB, Dharmapuri inspected the unit on 29.01.2025 and observed that the unit has provided 03. Nos. of piezometric (monitoring) wells in the green belt areas to monitor the ground water quality.</p> <p>However, the unit has not provided at north-eastern side of the green belt area, where the allegation of contamination of groundwater was raised by the complainant.</p> <p>Further, the following was submitted in the previous reports that “in order to assess the impact of waste</p>	Partially complied

Sudhakar
26/04/2025

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

			water disposal on land, an exhaustive Hydrogeological study is requisite to be carried out in and around the unit's premises through reputed agency."	
8.	The unit shall stop discharging treated / untreated trade effluent through the outfall located near ETP area into the Peeniar canal immediately and shall ensure that there is no access for the treated/untreated trade effluent to nearby water bodies, outside the premises either directly and indirectly. The action taken in this regard shall be reported to the Board within a week's time.	At no point of time, we are letting out the raw effluent as well as the treated effluent into any water bodies. Our waste water not a waste but it is a valuable by-product for us. We are generating Biogas from the waste water more than 30000 m3 per day. So we will never discharge valuable trade effluent (our bye-product) to the outside of our premises after recovering the Bio-gas and final treatment. We are discharging the treated effluent only in the greenbelt area belonging to us. The unit was also inspected by the Board Officials of TNPCB on 16.03.2022 and many surprise inspections were conducted by the District level officials also. During inspection, it was observed and confirmed that there was no flow of our waste water or treated waste water in the Peeniyar jungle stream. Also, the treated effluent generated from the unit was discharged only in our own greenbelt area, land around 50 acre.	The official of the O/o. DEE, TNPCB, Dharmapuri inspected the unit on 29.01.2025 and noticed that there was no outfall observed in the Peeniyar canal located adjacent to the ETP area. However, the unit shall be instructed to provide buffer space between green belt area and Peeniyaru stretch so as to monitor and ensure that there is no discharge of treated / untreated effluent into the nearby water body.	Complied
9.	The unit shall dewater the stagnation of water in the pit provided for the proposed anaerobic reactors immediately and shall maintain the sludge drying beds properly and shall report to the Board within a week's time.	The stagnated sparkling / spring water available in the pit of the proposed anaerobic reactors during the monsoon period was dewatered. The 5 Nos. of sludge drying beds are also being properly maintained.	The official of the O/o. DEE, TNPCB, Dharmapuri inspected the unit on 29.01.2025 and observed that, the unit has dewatered the stagnated water / wastewater stored in the earthen pit made for the purpose of providing proposed anaerobic reactors. The unit may be directed to close down those pits proposed for construction of anaerobic reactors to	Complied

Suealal
24/04/2025

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

			<p>avoid stagnation of water / wastewater and also for safety reasons.</p> <p>The unit has maintained sludge drying beds.</p>	
10.	<p>The unit shall check the stability of the ETP, by engaging reputed institution like Anna University, Chennai/IIT Madras and furnish the report to the TNPCB within a month's time.</p>	<p>The Stability Study of the ETP was completed by the Government College of Engineering, Salem and a stability Report dated 26.09.2023</p>	<p>The DEE, TNPCB, Dharmapuri has reported that, the unit has furnished the report on "Assessment of the structural condition and strength of structure of various treatment units" except Anaerobic lagoon carried out by the Department of Civil Engineering, Government College of Engineering, Salem.</p>	Complied
11.	<p>The unit shall install / maintain Electro Magnetic Flow Meter with computer recording arrangement at the inlet and outlet of the ETP within a month's time and shall furnish monthly report to the Board.</p>	<p>Submitted reports of EMFMs reading at the inlet and outlet of the ETP till March 2024 to TNPCB, Dharmapuri. It is available for verification.</p>	<p>The DEE, TNPCB Dharmapuri has reported that, the unit has provided Electro Magnetic Flow Meter with computer recording arrangement at the inlet and outlet of the ETP and flow meter readings are maintained</p>	Complied
12.	<p>In order to ensure the compliance of all the above said directions 1 to 11, the unit shall furnish a Bank Guarantee for Rs.50 Lakhs valid for one year to the TNPCB within a month's time (Format enclosed)</p>	<p>As explained above, the ETP is well revamped and meeting the prescribed discharge standards which has also been confirmed by the report of (PCB own lab) ROA, TNPCB every month for the past three years totalling more than 20 reports and also by report of the Anna University dated 29.05.2023 vide page 30 Col.No.11). This has been achieved through the existing revamped Primary and Secondary ETP performance. Copies of all treated test report issued by ROA, TNPCB and Anna University are enclosed. Hence, due to ETP revamping work already completed, waiver of Bank guarantee for Rs.50 Lakhs required</p>	<p>The DEE, TNPCB, Dharmapuri has reported that the unit in its letter dated 02.03.2023 for the compliance of the Board's Direction dated 16.02.2023 has stated the following "....we had already voluntarily commenced installation of a secondary Treatment Plant as an extension to the existing ETP by installing Membrane Bioreactor Plant...." Further the unit in its letter dated 01.01.2024, with respect to the status of compliance for the Board's</p>	Not Complied


24/01/2025
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

	<p>under earlier direction on 17.10.2022 was requested. It is submitted that Bank Guarantee of Rs.50 Lakhs could be obtained only against cash deposit for an equal sum.</p> <p>Last three years, we have been disturbed by this PCB issue. So, we are not having sufficient money for this deposit. Hence we are requesting to review based on the compliances achieved by us.</p>	<p>Proc. dated 16.02.2023 has stated that</p> <p><i>“...we have voluntarily, without the insistence of TNPCB also imported and installed a high-tech Membrane Bioreactor (MBR) technology as an extension (tertiary treatment) to the existing ETP....”</i></p> <p>Based on the above, the unit has <i>requested to waive off the Bank Guarantee for Rs.50 Lakhs, since the unit has invested Rs.420 lakhs in setting up of secondary treatment plant.</i></p> <p>But, the unit in its letter dated 25.04.2024 has changed its stand and stated that</p> <p><i>“The MBR plant is not in the ETP & it is an experimental plant for re-use of wastewater in our industry for which it is not included in the ETP”.</i></p> <p>The DEE, TNPCB, Dharmapuri has reported that the unit has not furnished Bank Guarantee for Rs.50 Lakhs as directed by the Board.</p>	
13. The unit shall ensure the compliance of all the above said conditions and furnish the compliance report to the Board so as to examine the issue of renewal of consent to the unit	We have furnished all compliance report in respect of 11 directions discussed above to the PCB. In respect of the directions vide Sl.No.12, we have requested for waiver of Bank guarantee. Hence, renewal of consent and revocation of closure order may be considered		

Suealal
26/04/2025

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

Therefore, it is humbly 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.

S. Malarvizhi
20/04/2025

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 Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai, do hereby verify that the contents of above report are true to the best of my knowledge through records.

S. Malarvizhi
20/04/2025

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

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

Original Application No. 47 of 2023

Suresh S/o Pachiyappan,
6/36, Alamelupuram, Paddiriddipatti,
Dharmapuri, Tamil Nadu -636905
Ph: +91 95662 54546
Email: yogeshwaranadv@gmail.com.

....Applicant.

-Vs-

1. Tamil Nadu Pollution Control Board,
Rep. by its Chairperson,
76, Anna Salai, Guindy Industrial Estate,
Guindy, Chennai - 600 032 & 5 ors.

...Respondents

**REPORT FILED ON BEHALF OF
THE FIRST RESPONDENT- TAMIL
NADU POLLUTION CONTROL
BOARD.**

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

Date of filing :28.04.2025

Date of hearing on:09.06.2025

