

BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE
CHENNAI

Original Application No. 70 of 2023

Mr.K.Shanmugam, S/o. Krishnan,
269, EllaiyammanKoil Street,
Karunakaracheri,
Somangalam,
Kancheepuram – 602 109

...

Applicant

-VS-

1. The Member Secretary,
Tamil Nadu Pollution Control Board,
Guindy, Chennai – 600 032.
And 13 others.

...Respondents

**OBJECTIONS FILED BY THE PETITIONER TO THE REPORT FILED
BY THE 1ST AND 2ND RESPONDENT**

The above named petitioner submits as follows:

1. The petitioner hereby denies all the averments and allegations made in the report filed by the 1st respondent herein and the 2nd respondent herein which are not expressly admitted herein and put the 1st Respondent herein and 2nd respondent herein which are not specifically admitted herein.

P. Bal

K. Shree

2. With regard to paragraph no:1 to 4, since it contains about the details about the above case in OA.NO: 70 of 2023, the petitioner has no comments for the same.

3. With regard to paragraph no: 5 of the report, the petitioner hereby vehemently object the same and the report is full of misrepresentation suppression and concealment to the relevant facts to the case.

4. The petitioner hereby disputes that the report of analysis of the samples collected are within parameter of trade effluent discharge standards prescribed by the said respondents for inland surface water standard.

5. The said Respondents did not point out its prescription of water parameter of trade effluent discharge in their report.

6. It is to be pointed out here that on the same date i.e. 14.10.2022, even the petitioner has taken samples from the water in Kolathur & vengadu Lake and send it for test and the petitioner has received the test report on 21.10.2023. The result clearly says that the above watersample does not comply with drinking water specification as per IS: 10500 of 2021 (second revision) with respect to the above parameters.

7. In my test report dated 21.10.2022 the acceptable limits (maximum) and permissible limits in the absence of alternate source (maximum) as per requirements limit as per IS.10500 of 2012 (second revision) alongwith test result were given but in the report filed by the 1st and 2nd respondent did not contain such specification hence this Hon'ble forum could not come to the conclusion very easily.

P. Bal

R. S. Shrivastava

8. The petitioner put the averments from 6 to 12 to strict proof of the same.
9. The petitioner submits that with regard to paragraph no.12 and sub clause(C) and 1, the petitioner again taken samples from the same kolathur and vengadu lake again on 26.08.2024 and this time the test report was worse than the previous test that was taken on 14.12.2022. This time also the report dated 04.09.2024, for the water samples that was being taken on 26.08.2024, clearly says that the above water sample does not comply with drinking water specification as per IS.10500 of 2012 (Second revision) alternate source with respect to the above parameters.
10. It is to be stated that the report dated 04.09.2024, for the water sample that has been taken on 26.08.2024, clearly point out acceptable limits (maximum) and permissible limits in the absence of alternative source (Maximum) was given as per requirements/limit as per IS.10500 of 2012 (Second revision) along with result for the water sample taken on 26.08.2024 was given in the test report dated 04.09.2024.
11. Hence it clearly point out that 1st and 2nd respondents did not show the real picture before this Hon'ble forum and filed their report.
12. The petitioner is a common man who did not know the prescribed parameters for drinking water and even ordinary human beings know the water around the companies that have been enlisted has private respondents are undrinkable. The color and odour itself is enough to point about the contamination of the said water.
13. It is also to be pointed out here that almost all the respondent who filed their counters have filed their test report without acceptable limits maximum and

P. Bal

K. Shivan

permissible limit in the absence of alternative source along the result of water samples in the report filed by them.

14. The petitioner has filed photograph of each company along with the place where the water comes from the said respective company contaminates the water channel going to the lake. The petitioner did not know where the water sample was taken by the private respondents for the report filed by them.

15. The petitioner submits that the results furnished by the private respondent vide their test report may have varied one from another. But one thing is certain and that is it will not come within the parameters prescribed in this regard by the authority.

16. It is not out of the context to state that the authority did not accept to take water samples in the presence of the petitioner or before some common public for individual test report for each company and it did not justify the cause.

17. The petitioner disputed the water sample report by the authorities as well as the private respondent as he did not know whether the samples of water were taken for the report furnished by them.

18. The report filed by the 1st & 2nd respondent for the water samples taken by them and the version of the result shows them create doubt on the mind of the petitioner, as the report dated 21.10.2022 and 04.09.2024, clearly states that the water samples do not comply with drinking water specification as per IS.10500 of 2012.

19. The petitioner submits that there was no any action taken by the 1st & 2nd respondents with regard to the statement made by him in paragraph no. IX in

P. Bal

lc. Sharma

the facts of the case that waste generated from respondents from 4 to 14 was dumped in S.No.107 / 4, which is a water body and the same was burnt all day which causes air pollution and petitioner has filed the photograph regarding the same. It needs to be addressed by the 1st & 2nd respondent.

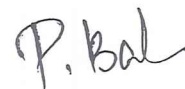
20. The petitioner submits that the same water has also affecting the agricultural lands and ponds in the village like Karunakaracheri and the peoples have in food and fish from those water body would definitely cause harm to the health.

21. The petitioners submits that the people in and around those lakes have been protesting the same, daily newspapers are also publishing such articles regarding contamination caused by companies who have been allayed as private respondent herein and the protest by the common public their voice are unheard by the 1st & 2nd respondent who are the authorities for the same. The petitioner has enclosed two of such articles.

22. The petitioner has his right to file further objection and documents at the later stage if necessary.

Hence it is prayed that this Hon'ble court may be pleased to record this memo and pass such or further order or order that may deem fit, proper and necessary in the circumstances of the case and does render justice.

Dated at Chennai on this 8th day of September, 2024.



COUNSEL FOR PETITIONER



BEFORE THE NATIONAL GREEN
TRIBUNAL SOUTHERN ZONE
CHENNAI

O.A.No. 70 of 2023

Mr.K.Shanmugam,

...Applicant

1.The Member Secretary,

Tamil Nadu Pollution

Control Board,

And 13 others.

...Respondents

OBJECTIONS FILED BY THE
PETITIONER TO THE
REPORT FILED BY THE 1ST
AND 2ND RESPONDENT

P.BALAMURUGAN(1535/03)

COUNSEL FOR APPLICANT

9884446336