

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

Original Application No. 09 of 2024

K.G.S. Jeevanandham
Managing Trustee
Hubris Wasteman Trust
Dindigul - 624301

..... Applicant

-Vs-

The Principal Secretary
Department of Environment, Climate Change and Forest
Chennai-600 001 & 5 ors.

...Respondents

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

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..... Applicant

-Vs-

1. The Principal Secretary
Department of Environment, Climate Change and Forest
Chennai-600 001
Email: forsec@tn.gov.in
Ph.No. 044-25671511

2. The Chairman
Tamil Nadu Pollution Control Board
Anna Salai, Guindy
Chennai- 600 032
Email: grievance@tnpcb.gov.in
Ph.No. 044-22353076

3. The Member Secretary
Tamil Nadu Pollution Control Board
Anna Salai, Guindy
Chennai- 600 032
Email: grievance@tnpcb.gov.in
Ph.No. 044-22353145

4. The District Collector
Dindigul District
Dindigul – 624 001
Email: collrdgl@nic.in
Ph.No. 0451-2461199

5. The District Environmental Engineer
Tamil Nadu Pollution Control Board
Collector Office Campus
Dindigul- 624 001
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TAMIL NADU POLLUTION CONTROL BOARD
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6. Indo Carbon
 S.F.Nos.268/1,2,263,267/3A1,3A2
 Muthu Naikkenpatti Village
 Palani Taluk
 Dindigul District
 Email:indocarbs@gmail.com
 Ph.No. 09842267176

.....Respondents

ADDITIONAL REPORT FILED ON BEHALF OF THE SECOND, THIRD AND FIFTH RESPONDENTS - TAMIL NADU POLLUTION CONTROL BOARD.

I, S.Palanisamy, S/o. Thiru.S.Santhappan, aged 59 years, having office at No.76, Mount Salai, Guindy, Chennai - 600 032, 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 – 600 032 and I am authorized to file this additional report on behalf of the second, third and fifth respondents - Tamil Nadu Pollution Control Board and as such I am well acquainted with the facts of the case as per office records.
2. It is respectfully submitted that the applicant has approached this Hon'ble Tribunal with a prayer to issue slew of directions including prayer's to permanently prohibit 6th respondent from operating it's charcoal kiln or any related activities unless and until they fully comply with the environmental norms, including the directives of the Hon'ble Tribunal and the expert committees and to direct 6th respondent, to implement above-ground level, modern non-polluting technologies for charcoal production, in strict adherence to the mandates of this Hon'ble Tribunal and the guidelines issued by the Tamil Nadu Pollution Control Board and for other prayers.
3. It is respectfully submitted that the report filed on 3.5.2024 by the 2nd, 3rd and 5th respondents shall be taken as a part and parcel of this additional report.
4. It is respectfully submitted that the unit operated by the 6th respondent in the name and Style of M/s. Indo-Carbons is situated at S.F. No

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264/1,264/2,267/3A2, Kumaragoundanpudur, Muthunaickenpatty Village, Palani Taluk, Dindigul District. The unit was issued with consent to establish vide proceeding No.DEE/ F.DGL-1302/W&A/2010 dated: 13.07.2010. Subsequently, Consent to Operate was issued to the unit vide Proc.F.DGL.0652/OS/DEE/TNPCB/DGL/A&W dated:15.05.2013 and further renewed up to 31.03.2022.

The unit products are as follows:

Product:

- i. Coconut shell charcoal - 1500T/M

Previous Manufacturing Process:

- i. Coconut shell- Fed in chamber (below ground level)-fired under control temperature-closed for four hours-water sprayed and is collected in a separate masonry collection cum setting well-the charcoal is taken out.

Source of effluent and its Quantity:

- i. Waste water arising from quenching – 8.5 KLD
 ii. Mode of disposal: Reused in the process – 8.5 KLD
 iii. Sewage and its disposal: 1.25 KLD – Septic Tank followed by dispersion trench-On industry's own load

APC measures:

- i. Kiln chamber 6 Nos. – Common Scrubber with Chimney – 30 meter height

ETP Components:

- i. Collection cum settling well – 1 No.

5. It is respectfully submitted that as per Board's Circular Memo T2/TNPCB/F.08840/Charcoal/2023 dated: 08.07.2024 has recommended the following points for Charcoal units in order to comply with the Hon'ble NGT order dated 20.11.2020 in OA Nos. 17, etc of 2013 with respect to study of carrying capacity for charcoal units before establish (or) operate in that area.

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- a. The isolated charcoal units shall be requested to conduct the carrying capacity study by engaging NABET approved consultant to comply the Hon'ble NGT order dated 20.11.2020 in OA Nos 17,24 etc of 2013 and to submit the report to Board before establish / operate the unit.
- b. The carrying capacity report shall include the base line date of Ambient Air Quality and ground water quality in that area by engaging NAAC approved laboratory.
- c. The report shall have impact assessment study on the Environment by the unit of emission and effluent discharge in that area considering the facts of with/without the pollution control measures provided in the unit.
- d. The isolated charcoal unit may be permitted to establish/operate in the location if the Ambient Air Quality and ground water quality parameters in that area satisfy the standards prescribed by the Board after the outcome of the study report.

In this regard, a letter has been addressed to the unit to comply as stated by the Board vide DEE office letter dated: 15.07.2024.

6. It is respectfully submitted that the unit has carried out trial run operation during inspection on 24.07.2024, a Show Cause Notice was issued under both Water and Air Acts to the unit vide this office Proc. dated: 26.07.2024 with the following grounds:
 - a. The unit has carried out trial run operation without obtaining consent of the TNPC Board.
 - b. The unit has not complied with the conditions mentioned vide Board's letter dated: 19.05.2023.
7. It is respectfully submitted that the Board has permitted in letter No.T2frNPCB/F.08840/Charcoal /2023 dated: 19.05.2023 as per

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B.P. 65 dated: 22-08-2022 to install pilot plant as per the Anna University vetted report on the design and guidelines prepared for Charcoal units as suggested by the TNPCB's joint committee to the unit of M/s. Indo Carbons, permitted to install pilot plant of capacity to product coconut shell charcoal of 50T/day from Coconut shell (already consented quantity) of 150 T/day as raw material to the following Conditions:

Sl. No	Conditions	Compliance (During inspection on 24.07.2024 the following were observed)
1.	The Pilot plant shall be constructed and adopted as per the Anna University vetted report on ' Design and guidelines prepared for charcoal units by TNPCB Joint Committee.	The unit has provided pilot plant with elevated technology for charcoal manufacturing and the same was found in trial run operation. Existing ground level Pits and allied accessories were under Demolished condition.(Photo
2.	The unit shall ensure that the Charcoal Production plant shall have an elevated charcoal pit with its bottom 1000 mm above the ground level and the water quenching tank with its bottom 500 mm above ground level.	The unit has provided 2 nos of elevated charcoal pits with its bottom 1500 mm above the ground level and the water quenching tank with its bottom 600 mm above ground level. (Photo enclosed)
3.	The Charcoal pit/pits firing chamber, oil mist eliminator and venturi wet scrubber shall have pressure releasing valves.	The unit has provided elevated Charcoal pit/pits firing chamber, oil mist eliminator and venturi wet scrubber. Pressure releasing valves are not provided. The unit has assured to provide within a week. (Photo enclosed)
4.	Suitable non return valves to be provided in the system to	Non return valves are provided


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	prevent back fire.	
5.	Ash tray is to be provided beneath chimney to collect ash generated.	The unit has provided Ash tray beneath chimney to collect ash generated from firing chamber.
6.	An ID Fan attached to chimney to be provided with damper valve.	ID fan attached to chimney and provided with damper valve.
7.	Platform with port hold arrangement in the chimney to monitor process emission.	To monitor process emission, a platform with port hold arrangement is provided in the chimney at a height of 15 meter from Ground Level.
8	Refinements, if any, in the design may be considered based on the performance of the pilot plant. The project proponents may be permitted to develop and improvise their own design adopting all the modifications and general guidelines given by TNPCB and incorporating features of easy operation, higher safety, high efficiency energy saving and environment protection.	Assured to comply with.
9.	The modifications under taken in the plant shall be inspected and certified as authorized process by safety consultant for the same and efficient working.	Not yet to be obtained.
10.	The unit shall adopt guidelines of TNPCB joint committee developed for siting criteria, APC measures & Fugitive control measures, emission standards for charcoal unit, Hazardous and non-hazardous	Assured to comply with.

	waste management, green belt development and other requirements as vetted by the Anna University.	
11.	The ash generated if any from the process shall be utilized for agriculture activities or any other beneficial purpose.	Assured to comply with.
12.	The entire process area flooring shall be made impervious.	The unit has provided impervious concrete platform for entire process area.
13.	Closed shed shall be providing for the	Not provided the closed shed.
14.	Oily/tarry waste collected from the oil mist eliminator shall be reused for beneficial proposed such as tare production, oil for medicinal purpose etc, or disposed scientifically such as Co-Processing, incineration through common TSDF etc.	Assured to comply with.
15.	The pilot plant to be installed shall be operated only for the purpose of said consented unit to manufacture coconut shell charcoal	Assured to comply with.
16.	The unit shall apply and obtain valid consent from Board before the commencement of operation of the plant.	Assured to comply with.

8. It is respectfully submitted that the present status of the unit was inspected 06.11.2024 and the following were observed:

a. The unit has provided 2 Nos of Raw material copper and


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conveyor.

- b. The unit has provided pilot plant with elevated technology for charcoal manufacturing and the same was found in trial run operation.
 - c. The unit has provided 2 Nos of elevated charcoal pits with its bottom 1500 mm above the ground level and the water quenching tank with its bottom 600 mm above ground level
 - d. The unit has provided elevated Charcoal pit/pits firing chamber, oil mist eliminator and venturi wet scrubber with stack of 36 meter height from ground level. Pressure releasing valves are not provided.
 - e. Non return valves are provided in the system to prevent back fire.
 - f. The unit has provided Ash tray beneath chimney to collect ash generated from firing chamber.
 - g. ID fan attached to chimney and provided with damper valve.
 - h. The unit has provided impervious concrete platform for charcoal drying only. Not provided for entire process area.
 - i. The unit has provided screening and grinding for finished product.
9. It is respectfully submitted that the unit was inspected on 06.11.2024 by TNPCB Officials. During inspection the unit was found to be not in operation. The unit has applied for CTE revised consent through OCMMS vide application no. 63052244 on 30.10.2024. The application is returned by the Zonal Level Clearance Committee, Madurai for want of carrying capacity study to be conducted by the unit, so as to comply the Board's Circular Memo T2/TNPCB/F.08840/Charcoal/2023 dated: 08.07.2024. Till now, the unit has not conducted the study. Also the unit was not under operation as on date.


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10. It is respectfully submitted that in response to paragraph no 29,30,31,32 and 34 it was contented that the 5th respondent has not acted with due care and diligence and further it was averred that the respondent no 1 to 5 has shown lack of responsiveness, which is being denied by this respondent. The 5th respondent is vigilant and attentive to any violations committed within their territory and always been stringent in taking action against any environmental violations.

Therefore, it is humbly prayed that this Hon'ble Tribunal may be pleased to pass such order or further 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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VERIFICATION

I, S.Palanisamy, S/o. Thiru.S.Santhappan, working as the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, office at No.76, Mount Salai, Guindy, Chennai-600 032, do hereby verify that the contents of above additional report are true to the best of my knowledge through records.

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POLLUTION CONTROL BOARD.**

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

Date of filing :12.02.2025

Date of hearing on:14.04.2025

