

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE AT CHENNAI
Original Application No.148 of 2024
[Earlier O.A.No.73 of 2024(PB)]**

Rakesh Kumar.D

...Applicant

With

The Chairman, TNPCB, Chennai and Ors.

...Respondents

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

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

**Original Application No. 148 of 2024
[Earlier O.A. No. 73 of 2024 (PB)]**

Rakesh Kumar. D

...Applicant

Vs

The Chairman,
TNPCB, Chennai and ors.

....Respondents.

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

I, S.Indiragandhi, D/o.A.Soundararajan, aged about 58 years, having office at No.76, Mount Salai, Guindy, Chennai-32, do hereby solemnly affirm and sincerely states as follows:

2. I submit that I am working as the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai - 600032 and I am authorized to file this additional report on behalf of the First respondents, (TNPCB) and as such I am well acquainted with the facts of the case from the available office records.
3. It is respectfully submitted that on 21.3.2024, based on the letter petition received through email from the applicant, the Hon'ble NGT, (PB) has registered the O.A No.73 of 2024 as a Suo Motu. The applicant has alleged that the Sewage Treatment Plant in SBIOA Unit Enclave, Mambakkam, Chennai-600127, a gated corn nityas been constructed and commissioned in the Basement instead of above Ground Level by the promoter/builder State Bank of India Officers' Association (Chennai Circle) against the Special

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Conditions stipulated in the Consent Order No. 6429 dated 17.4.2015 in Proceedings No.T10/TNPCB/ F-34341/MMN/OL/W/2015 dated 17.4.2015 of Tamil Nadu Pollution Control Board. The Sewage Treatment Plant is also not maintained properly and hence is not functioning properly and the semi-treated STP water is disposed of to the nearby open ground in violation of Section 24 of The Water (Prevention and Control of Pollution) Act, 1974, thereby causing a huge threat to the ground water quality of the adjacent well which is the primary source of drinking water to 1875 flats having approximately 5000 residents in SBIOA Unity Enclave. Out of the 8(eight) Air Blowers installed in the STP, 3(three) Air Blowers are not functional now. The DG Sets of the approved capacity have not been installed in the premises of SBIOA Unity Enclave: instead of the approved 3 Nos of 750 KVA DG sets, only 3 Nos of 500 KVA DG sets have been installed in violation of the special conditions stipulated in Consent Order No. 6368 dt:17.4.2015 in Proceedings No.T10/TNPCB/F-34341/MMN/OL/A/2015 dt:17.4.2015 of Tamil Nadu Pollution Control Board and other allegations.

4. It is respectfully submitted that the grievances of the applicant is that the Violations in Construction and Commissioning of Sewage Treatment Plant and its Improper Maintenance in SBIOA Unity Enclave, Mambakkam, Chennai, DG Sets of the approved capacity is not installed. A Surprise Inspection have to be conducted and the Remedial Action to be taken by the Hon'ble Tribunal.
5. It is respectfully submitted that on 21.3.2024, the Hon'ble NGT, (PB), New Delhi has constituted a Joint Committee comprised with the following representatives of Member Secretary, Tamil Nadu State Pollution Control


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Board, Commissioner, Municipal Corporation, Chennai and the District Magistrate, Chennai and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned to verify the factual position and suggest appropriate remedial action. The Tamil Nadu Pollution Control Board will be the nodal agency for co-ordination and the Hon'ble Tribunal had transferred to NGT, (SZ), Chennai.

6. It is respectfully submitted that the Hon'ble NGT, (SZ), Chennai has renumbered the OA.No.73 of 2024(PB) as OA No.148 of 2024. On 1.8.2024, the Hon'ble Tribunal has taken the OA and issued notice to the concerned respondents with the direction to file their respective reports.
7. It is respectfully submitted that on 22.10.2024, the report filed on behalf of the Third respondent before the Hon'ble National Green Tribunal, SZ may be taken as part and parcel of this additional report.
8. It is respectfully that the Hon'ble National Green Tribunal (SZ), Chennai in the order dated 20.08.2025 has directed the TNPC Board as follows:

“2. The learned counsel appearing for the Tamil Nadu Pollution Control Board has submitted that they have issued a notice to the promoter/5th Respondent viz., SBIOA (Chennai Circle), levying an environmental compensation of Rs. 71,70,000/-. On the very same date, notices have also been issued to both the promoter (Respondent No.5) and the Welfare Association (Respondent No.6) for not obtaining the Consent to Operate.

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3. It is stated by the learned counsel for the promoter (Respondent No.5) that the personal enquiry was conducted by the TNPCB, where they have attended and the final order is yet to be passed by the TNPCB.
4. Let a detailed independent report be filed by Respondents No.5 and 6 and the TNPCB in this regard and also state as to whether the promoter or the association has to maintain the STP, as per the EC issued by the SEIAA – Tamil Nadu or as per the rules in the Tamil Nadu Real Estate Regulatory Authority Act.”

9. It is respectfully submitted that, in due compliance of the Hon'ble NGT Order dated 20.08.2025 in O.A No. 148 of 2024 (SZ) & 115 of 2024 (SZ), the Board has conducted a personal hearing on 09.01.2025 with the developer/project Proponent. During the personal hearing, the following decisions were taken:

- a. The Interim Environmental Compensation of Rs.71,70,000/- (Seventy-One Lakhs Seventy Thousand Only) shall be remitted to TNPCB at the earliest.
- b. Safety audit of STP shall be carried out in the unit's premises and report to be submitted. Proper safety arrangements including handrails shall be provided to STP components to prevent accidents.
- c. Action shall be taken to install the Online Continuous Effluent Monitoring System (OCEMS) in the outlet of STP & make connectivity with WQW of TNPCB within 3 months for


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continuous monitoring of treated waste water parameters such as pH, TSS, BOD, flow and ensure online connectivity with WQW of TNPCB for transmission of effluent data without any interruption.

- d. Qualified persons should be appointed for monitoring the operation of STP.
- e. Effective sludge dewatering system shall be provided as the existing system was found to be ineffective.
- f. Project Proponent shall ensure that the treated sewage is disposed as per the condition of the consent order by utilizing the treated sewage for gardening by providing adequate land, necessary arrangements for toilet flushing and the remaining excess treated sewage of 683 KLD shall be disposed after making necessary agreement with Authorized tanker lorries with vehicle location tracking device / GPS fitted and disposed into the nearby CMWSSB Perungudi STP with necessary permission.
- g. To provide H₂S, CH₄ sensor in the STP area.
- h. Permanent piping arrangements should be provided and the flexible hoses in the STP area to be removed.
- i. Display board with flow diagram of STP to be provided in the STP Area and all the components of the STP to be provided with name board.
- j. Project Proponent shall provide necessary warning sign boards with security personnel in the STP area so as to avoid any unauthorized entry/untoward event.

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k. After carrying out all the points mentioned above, the developer shall immediately apply and obtain Consent to operate of the Board.

10. It is respectfully submitted that the said unit was inspected by TNPCB officials on 31.07.2025 and during inspection, it was observed that the unit has not complied with the instructions issued during the personal hearing and has not complied with the conditions stipulated in the Directions issued. Hence a recommendation was made to the Respondent Board to conduct another one personal hearing with the developer/project proponent, M/s. SBIOACC (Chennai Circle) of M/s.SBIOA Unity Enclave, along with representatives from the SBIOA Unity Enclave Welfare Association for further necessary action.

11.It is respectfully submitted that subsequently, the Respondent Board has instructed the Joint Chief Environmental Engineer(M), Chengalpattu Zone, to conduct personal hearing with the developer/project proponent, M/s. SBIOACC (Chennai Circle) of M/s. SBIOA Unity Enclave, along with representatives from the SBIOA Unity Enclave Welfare Association. Hence, a personal hearing was conducted by the Joint Chief Environmental Engineer (M), Chengalpattu zone on 27.10.2025.

12. It is respectfully submitted that based on the personal hearing conducted on 27.10.2025 a recommendation was made to the Respondent Board vide Lr.No. TNPCB/JCEE(M)/CPT/SBIOA/2025, Dated: 17.11.2025 to issue the following directions:

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- A. The unit shall operate and maintain the STP effectively and continuously so as to achieve the standards prescribed by the Board.
- B. The unit shall develop green belt in the entire adjacent nearby own land and shall utilize the treated sewage on land for gardening adopting the hydraulic loading rate of 35 KL/hect/day.
- C. The unit shall utilize the treated sewage for toilet flushing and dispose the remaining excess treated sewage only to authorized CMWSSB STP at Perungudi through GPS fitted authorized tanker lorries.
- D. The unit shall maintain proper logbook with all relevant details covering quality and quantity parameters so as to demonstrate the continuous and efficient operation of STP.
- E. The unit shall maintain logbook to substantiate the quantity of treated sewage utilized for gardening, toilet flushing and excess treated sewage to authorized CMWSSB STP at Perungudi or to Thirupporur STP (after obtaining necessary permission from the competent authority) considering the shortest road distance.
- F. The unit shall repair the UV provided in the STP within a month's time and ensure that all the components of the STP are in operation at all point of time.
- G. The unit shall calibrate periodically and maintain the EMFM's provided.
- H. The unit shall install OCEMS at the STP outlet for the monitoring of pH, TSS, BOD and shall connected the same and the flow to WQW, TNPCB within 3 months' time.

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- I. The unit shall collect the treated sewage samples every month, analyze through TNPCB laboratories and submit to the Board periodically.
- J. The unit may also to identify suitable land nearby for the scientific disposal of excess treated sewage through DFO, Chengalpattu and BDO, Thirupporur as committed or through highways department (for road side tree plantation) within 3 months' time and shall dispose the same only after the concurrence of TNPCB.
- K. The unit shall operate the filter press provided at all times for effective dewatering of the sludge generated.
- L. The unit shall implement effective solid waste management within the unit's premises by establishing organic waste processing facility as committed in the unit's premises within three months' time.
- M. The unit shall apply and obtain Consent to Operate within a month's time.

13. It is respectfully submitted that based on the above recommendations, the Board has requested JCEE(M), Chengalpattu and the DEE, Maraimalai Nagar to conduct a personal hearing along with the complainants and furnish the revised specific recommendations along with the present status of the EC levied on M/s.SBIOA Unity Enclave vide Memo dated 2.12.2025.

14. It is respectfully submitted that the Environmental clearance (EC) was issued vide letter No. SEIAA-TN/F-1687/EC/8(b)/337/2013 dated 25.7.2014 to the developer of M/s. State Bank of India Officers Association. In the EC, one of the conditions stipulated that during the operation phase,

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“The Proponent should be responsible for the maintenance of common facilities including greening, rain water harvesting, sewage disposal, solid waste disposal and environmental monitoring including terrace gardening for a period of 10 years as committed. Within ten year after handing over the flats to all allottees a viable society or an association among the allottees shall be formed to take responsibility of continuous maintenance of all facilities with required agreements for compliance of all conditions furnished in Environment Clearance (EC) order issued by the SEIAA-TN or the proponent himself shall maintain all the above facility for the entire period.”

15. It is respectfully submitted that presently, the M/s. SBIOA Unity Enclave Welfare Association is taking care for the operation and maintenance of Sewage Treatment Plant and common facilities.

Therefore, it is prayed that this Hon'ble National Green Tribunal (SZ) may be pleased to pass such order or further orders 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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VERIFICATION

I, S.Indiragandhi, working as the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai – 600 032, having office at No.76, Mount Salai, Guindy, Chennai – 32, do hereby verify that the contents of above additional report are true to the best of my knowledge through records.


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Additional Report filed on behalf of the First
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Thiru.S.Sai Sathya Jith,
Advocate for Respondent: TNPCB

Date: 27.01.2026

Date of hearing on:28.01.2026