

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN BENCH AT CHENNAI**

ORIGINAL APPLICATION NO. 167 OF 2021

Edwin Wilson

... APPLICANT

VERSUS

The District Collector and others

... RESPONDENTS

REPLY FILED BY THE RESPONDENT NO.6

The Respondent above named respectfully submits as follows:

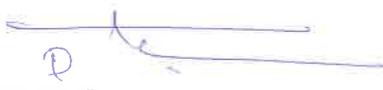
1. The 6th respondent is a registered Association formed for the purpose of promoting and protecting the interest of Rice Mill Owners & Paddy Rice Mill Dealers operating all over the State of Tamil Nadu. The members of this federation are various Modern Rice Mill owners and dealers from the District and Taluk association in the state of Tamil Nadu.
2. The 6th respondent states that majority of the rice mills in the State of Tamil Nadu are functioning in the District of Erode, Tiruppur, Sivagangai, Pudukottai, Madurai,


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Tirunelveli, Kanyakumari, Thiruvannamalai, Thanjavur, Trichy, Thiruvallur, Kancheepuram & Kallakurichi. The manufacturing process in all the Modern Rice Mills would inter alia involve the following:-

- i Pre-Cleaning for removal of impurities.
- ii Boiling process where the paddy is soaked, steeped and steamed either with hot or cold water.
- iii Drying of paddy de-husking for the purpose of removing the husk from the paddy.
- iv Sieving where husk and rice are separated.
- v Milling/Polishing.
- vi Grading and packaging

3. This respondent states that based on the manufacturing process the rice mills are classified as having Single Boiling Process and Par-Boiling Process. In the Single Boiling Process system the paddy is soaked in old water tank for about 2-3 hours and subsequently the water is drained and the paddy is exposed to steam until the husk starts splitting. The water requirement during Single Boiling Process is about 0.5 times the weight of paddy. Importantly, the effluent from Single Boiling Rice Process is used for irrigation and can also be re-used after it is filtered through Sand/Activated carbon filters.


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4. The 6th respondent states that in respect of par-boiling system the paddy is soaked in hot water for about 5-10 hours and thereafter exposed to steam and the water requirement is about 1.25 times the weight of paddy. The effluent generated in this process is to be treated through treatment plants.
5. The 6th respondent states that the Tamil Nadu Pollution Control Board (TNPCB) has issued B.P.Ms.No. 06 dated 02/08/2016 and B.P.Ms.No. 66 dated 30/11/2017 in respect of the classification of rice mills involved in different boiling process. The following are the classifications.

Sl.No.	Classification Sl.No.	Process
1.	1071 - Red Category	Par Boiling Rice Mills having Waste Water generation of 100 KLD and more and Fuel Consumption of 12 MTD or more or both
2.	2079-Orange Category	Par Boiling Rice Mills waste water generation less than 100 KLD and Fuel Consumption less than 12 MTD
3.	3069 - Green category	Single Boiled Rice Mills using

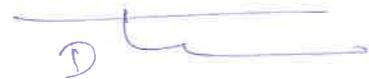

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			steam boiling with pre-cleaning process
4.	3039 Category	- Green	Rice Mills (rice husk-less only) not requiring any water for the process.

6. This respondent states that in so far as the rice mills located in Arani Taluk are concerned they are adopting single boiling process for manufacturing of rice and come under green category (type - 3069). Therefore, Consent to Establish followed by Consent to Operate are required to be obtained from the TNPCB under the Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act, 1981. The majority of the rice mills who are members of the Petitioner Federation have obtained consent orders from the TNPCB including those located in Arani, Polur & Thiruvannamalai Taluks.

7. The respondent states that these rice mills are categorized as MSME Industries and are catering to the needs of a large number of consumers of rice all over the State of Tamil Nadu. It is also necessary to point out that by Notification dated 24/09/2020 issued by the Ministry of Jal Shakti (Department of Water Resources, River



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Development and Ganges Rejuvenation) (Central Ground Water Authority), the Ministry of Jal Shakti, Government of India have issued guidelines to regulate and control ground water extraction in India. As per the said Notification, units consuming less than 10 KLD of water are not required to obtain NOC from the Ground Water Authority. In so far as the rice mills in Tamil Nadu are concerned they consume only 4 - 6 KLD of ground water for their process. Even this low consumption of water is utilized only for removal of husk and dust from the paddy and this water is re-used through their sand filters/activated carbon filters for agricultural/gardening use and thereby letting and restoring the same back to the ground.

8. While so, the applicant has filed Original Application No. 167/2021 before this Hon'ble National Green Tribunal [South Zone] Chennai wherein he raised certain grievances regarding the operation of rice mills in Arani Taluk of Thiruvannamalai District without obtaining necessary No Objection Certificate from the concerned authorities for drawing ground water for their industrial purposes. The Hon'ble Tribunal issued several directions during the course of hearing of the above application. The District Collector as well as the Pollution Control


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Board filed status report before the Hon'ble Tribunal regarding the functioning of the rice mills. The Executive Engineer, Ground Water Division, Vellore in his report had stated that the rice mills operating in Arani Taluk have not obtained NOC for the purpose of drawal of ground water. The Executive Engineer had also stated that the rice mill owners through their Association have submitted a requisite letter to the District Administration seeking exemption in so far as obtaining the NOC for their rice mills as they are an agro based industry.

9. In so far as the reliefs sought for in the original application this respondent seeks to place the following objections:
- i. The very foundation based upon which the original application has been filed viz., that the rice mill owners are obliged to obtain NOC as per G.O.Ms.No.142 Public Works Department dated 23.07.2014 is totally misconceived.
 - ii. It is submitted that G.O.Ms.No.142 Public Works Department dated 23.07.2014 will be applicable only if water is used as raw material by the concerned industry. In the instant case paddy is the raw material and rice mills process the paddy

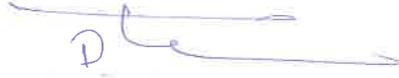

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to produce edible rice. Therefore water is not a raw material for rice mills and the requirement of NOC as mentioned in G.O.Ms.No.142 Public Works Department dated 23.07.2014 has no application to the rice mills.

- iii. Even though number of reports have been filed by the Water Resource Department and Collector of Tiruvannamalai in the present application, none of the reports address the issue of applicability of G.O.Ms.No.142 Public Works Department dated 23.07.2014 to the instant case. It is submitted that comparison with water packaging industries for the purpose of G.O.Ms.No.142 Public Works Department is totally in correct in so far as the rice mills are concerned. As already stated rice is a staple food for millions of people all over the state of Tamil Nadu and the consent issued by Pollution Control Board itself refers to low consumption of water which is utilized only for removal of husk and dust from the paddy and this water is re-used through their sand filters/activated carbon filters for agricultural/gardening use and thereby letting and restoring the same back to the ground.


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- iv. It is submitted that these rice mills are categorized as MSME Industries and are catering to the needs of a large number of consumers of rice all over the State of Tamil Nadu. It is also necessary to point out that by Notification dated 24/09/2020 issued by the Ministry of Jal Shakti (Department of Water Resources, River Development and Ganges Rejuvenation) (Central Ground Water Authority), the Ministry of Jal Shakti, Government of India have issued guidelines to regulate and control ground water extraction in India. As per the said Notification, units consuming less than 10 KLD of water are not required to obtain NOC from the Ground Water Authority. Considering G.O.Ms.No.142 Public Works Department dated 23.07.2014 does not cover rice mills and since there are no other conflicting instructions by the State Ground Water Authority, the above notification of Ministry of Jal Shakti, Government of India will come in to play and the rice mills will not be required to obtain NOC as per the above notification.
- v. The consolidated Guidelines-ZOZO issued by the SG & SWRDC, PWD, Chennai is only a handbook


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and based on existing government orders including G.O.Ms.No.142. The inclusion of Rice Mills in the eligibility criteria is mischievous and is not authorized by any government order.

- vi. It is therefore submitted that when the applicability of G.O.Ms.No.142 Public Works Department dated 23.07.2014 is itself seriously in doubt, the prayer for a direction to close down the rice mills for want of NOC under the said Government Order is misconceived and not maintainable.
- vii. The official respondents also must place before this Hon'ble Tribunal the current status of categorization of Firkas as over exploited, critical, semi critical, safe and saline. To the best of knowledge of the respondent, as per G.O.Ms.No.37 Welfare Resources (R1) Department dated 07.03.2024, Arni Taluk in Tiruvannamalai District now falls under semi critical or safe zones contrary to the apprehensions made out in the original application.
- viii. The Government, at no point of time, considering the very low consumption of water by the Rice Mills for the limited purpose of only washing the paddy


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for further processing, thought it appropriate to insist upon NOC for the Rice Mills from the Ground Water Authority. Therefore, the official respondents are not justified at this point of time, to turn around and give a different interpretation to G.O.Ms.No.142 in order to bring the Rice Mills under the purview of the Ground Water Authority.

10. Considering the fact that Judgment in O.A.No.167/2021 was originally passed on 29.03.2022 it is just and necessary that fresh reports are called for from the official respondent as to the applicability of G.O.Ms.No.142 Public Works Department dated 23.07.2014 to the case of the rice mills.
11. This respondent reserves its liberty to file appropriate response after such reports are filed by the official respondents and also additional documents if any in support of the objections to the present original application.

It is therefore prayed that this Hon'ble Tribunal may be pleased to dismiss O.A.No.167 of 2021 with exemplary costs and thus render justice.

T. Hemalatha.

Counsel for 6th Respondent

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VERIFICATION

I, D. Thulasingham, S/o. Duraikannu, aged about 70 years, President, Federation of Tamil Nadu Rice Mill Owners & Paddy-Rice Dealers Association, do hereby solemnly affirm and verify that the contents of the above Reply are true and correct to my knowledge. No part of it is false and nothing material has been concealed there from.

Verified on this day of 31st May 2025 at Chennai


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**T.HEMALATHA & S.DEEPIKA
COUNSEL FOR Respondent NO.6**