

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Original Application No. 24 of 2025 (SZ)

In the matter of:

T. Evelin Maragatham & Ors.

Students of Gojan School of Business and Technology,
Edapalayam, Red hills, Chennai.

... Applicant(s)

Versus

The Principal Secretary to Govt. of Tamil Nadu,
Department of Environment, Climate Change & Forests,
Chennai and Ors.

... Respondent(s)

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Through

Dr. D. Shanmuganathan

Standing Counsel for Government of Tamil Nadu

National Green Tribunal

Southern Zone, Chennai

DATE: 09.01.2025

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CHENNAI

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T. Evelin Maragatham & Ors.
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and

The Principal Secretary to Govt. of Tamil Nadu,
Department of Environment,
Climate Change & Forests,
Chennai and Ors.

...Respondent(s)

REPORT FILED BY THE DISTRICT COLLECTOR, TIRUVALLUR.

5TH RESPONDENT

I, M.Prathap,I.A.S., S/o Thiru. Murugavanam aged 31 years, presently holding the post of District Collector, Tiruvallur District, residing at Collector's Camp office at Master Plan Complex at Tiruvallur Town, Taluk and District, do hereby solemnly affirm and sincerely stated as follows: -

2. I submit that I am working as the District Collector, Tiruvallur, and as such I am well acquainted with the facts of the case from the office records available in our office.
3. It is submitted that on 25.04.2025, the Hon'ble National Green Tribunal has Suo Motu registered the above Original Application as *O.A. No.24 of 2025 (SZ)* based on a letter petition dated 02.01.2025 from the students of Gojan

School of Business and Technology, Chennai. It is alleged in the letter petition that unsegregated garbage is being dumped in heaps along the roadside, causing a strong stench, along with frequent plastic burning and septic tank discharge, leading to serious environmental concerns.

4. The Hon'ble National Green Tribunal in its interim order dated: 20.03.2025 has given a direction to District Collector, Tiruvallur to address the issue immediately as follows:

- 1. It is now stated that the area is dispute falls within the jurisdiction of Thiruvallur District. Hence, the District Collector – Thiruvallur District is substituted in the place of the District Collector – Chennai District / Respondent No.5.*

- 2. The Registry is directed to carry out the amendment in the cause title.*

- 3. We direct the District Collector – Thiruvallur District to address the issue immediately as per law and file a detailed action taken report.*

- 4. In the meantime, if the Tamil Nadu Pollution Control Board (TNPCB) takes any action, it is the responsibility of the District Collector to address it.”*

5. It is submitted that in order to comply with the order of Hon'ble Green Tribunal dated 20.03.2025 made in O.A.No.24/2025, necessary instructions had been given to the officials of Tamil Nadu Pollution Control Board, Gummidipoondi, to take appropriate and immediate action. In this regard, District Environmental Engineer, TNPCB, Gummidipoondi unsegregated garbage is being dumped in heaps along the roadside, causing a strong stench, along with frequent plastic burning and septic tank discharge.

6. It is further submitted that in this regard District Environmental Engineer, TNPCB, Gummidipoondi has submitted the report and the same is detailed as follows:
7. It is submitted that the students of Gojan School of Business and Technology, Edapalayam, Red Hills, Tiruvallur District filed a complaint in the Chief Minister's Grievance Redressal Cell, regarding there are several companies operating near their college premises, and the activities carried out by the companies are creating significant problems like Plastic Burning, Sanitation issues, Waste Disposal, Septic Tank Discharge, Obstruction of roads by usage of Heavy Vehicles, Noise Pollution etc.
8. It is submitted that based on this complaint, the Tamil Nadu Pollution Control Board officials investigated on 18-02-2025. During inspection, it was observed that there was no Plastic burning or disposal of sewage effluent was observed in the area; However it was noticed there were 10 establishments under, such as engineering industries, waste plastics recycling industries, hot mix plants etc., in operation without obtaining Consent of Tamil Nadu Pollution Control Board. Therefore, Show Cause Notices were issued from the office of District Environment Engineer, TNPCB, Gummidipoondi proceedings dated 20-02-2025, for operating the unit without valid Consent of the Board, thereby violating the Water (Prevention and Control of Pollution) Act, 1974, as amended and Air (Prevention and Control of Pollution) Act, 1981, as amended. The complainants were informed of the action taken vide letter dated 20.02.2025.

9. It is submitted that out of these 10 establishments, 6 units furnished reply and the remaining 4 units have not furnished any reply for the show cause notices. Even those establishments have furnished, there is no categorical reply to the charge of not operating without the consent of TNPCB. Further the location of these establishments is not in conformity with the land-use, and as such even these establishments apply for the consent of TNPCB, consent orders could not be granted. Therefore, it is decided to proceed further against these establishments. However, under the Principles of Natural Justice, it is decided to extend one more opportunity, and hence the owners of the establishments were called for a personal hearing on 22.04.2024.
10. It is submitted that out of the 10 establishments, 9 establishments attended the personal hearing; 7 establishments on 22.04.2025 and 2 establishments on 23.04.2025. One establishment handed over a letter on 17.04.2025, wherein they stated that he has not received and hence not furnished any reply to the show cause, could not attend Personal hearing on 22.04.2025, and informed that they are executing Government Projects, and to complete them, they require to operate their plant for another 4 months, and hence requested to permit them to continue their operation till 31.08.2025. In as much as the response is not acceptable, Personal hearing would be conducted on another date. The Manager of one establishment attended the office of DEE, TNPCB, Gummidipoondi on 23.04.2025, and handed over a letter stating that the Proprietor of the establishment is out of station and he would attend Personal Hearing on 28.04.2025. One establishment has filed application for the consent orders of TNPCB.

A table showing the decisions taken in the Personal hearing is given below:

| S. No.: | Name of Establishment | Activity | Decision Taken |
|---------|-------------------------------|---|--|
| 1 | Shivam Engineering Services | Steel fabrication | Not to undertake sand blasting and remove machine by 10.05.2025 |
| 2 | Lotus Engineering | Steel fabrication | |
| 3 | KH Plastics | Grinding of waste plastics | Not to undertake grinding of plastics and remove machine by 10.05.2025 |
| 4 | Kamini Enterprises | Grinding of waste plastics | |
| 5 | Mahathi Traders | Grinding of waste plastics | |
| 6 | S Mahadevan Hot Mix Plant | Hot Mix Plant | Applied for consent. Not to operate without consent. To remove Diesel Generator before 10.05.2025 |
| 7 | Gajan Enterprises | Melting of Aluminium, Rolling and Vessel making | Provided adequate air pollution control measures. Obtained Consent to Establish at Tindivanam for shifting. 2 months time permitted, subject to orders of Hon'ble NGT-SZ |
| 8 | 4 Square Container Services | Furnishing of containers | Do not require consent from TNPCB. Not to undertake and machine cutting or polishing. |
| 9 | Marudhar Dye Chem Enterprises | PET Bottles | Personal Hearing scheduled on 28.04.2025 |

| | | | |
|----|-------------|----------------|-----------------------------------|
| 10 | MK Projects | Hot Mix Plants | Personal Hearing to be scheduled. |
|----|-------------|----------------|-----------------------------------|

Again, a complaint was received from Mr. Paulraj in the Chief Minister's Grievance Redressal Cell, dated 22-04-2025 that the activities are still being carried out by the companies creating significant problems like Plastic Burning, Sanitation issues, Waste Disposal, Septic Tank Discharge etc.

11. It is submitted that based on this complaint, the Tamil Nadu Pollution Control Board officials investigated on 10-05-2025. During inspection, it was observed that there was no Plastic burning or disposal of sewage / effluent was observed in the area; however, it was noticed there were 2 more additional establishments, such as non-alcoholic beverage manufacturing industry and minerals grinding industry were in operation without obtaining Consent of Tamil Nadu Pollution Control Board. Therefore, Show Cause Notices were issued from this office proceedings dated 12-05-2025, for operating the unit without valid Consent of the Board, thereby violating the Water (Prevention and Control of Pollution) Act, 1974, as amended and Air (Prevention and Control of Pollution) Act, 1981, as amended. The complainant was informed of the action taken so far vide the office of Tamil Nadu Pollution Control Board letter dated 12.05.2025.
12. It is submitted that out of these 2 establishments, 1 establishment furnished reply and the remaining 1 establishment have not furnished any reply for the show cause notices. Even those establishments have furnished; there is no categorical reply to the charge of not operating without the consent of TNPCB. Further the location of these establishments is not in conformity with the land-use, and as such even these establishments apply for the consent of TNPCB,

consent orders could not be granted. Therefore, it is decided to proceed further against these establishments. However, under the Principles of Natural Justice, it is decided to extend one more opportunity, so a personal hearing is to be scheduled.

A table showing the decisions taken in the Personal hearing and the current compliance status of the industries is given below:

| S. No.: | Name of Establishment | Activity | Decision Taken in Personal Hearing | Compliance Status |
|----------------|------------------------------|----------------------------|--|--|
| 1 | Shivam Engineering Services | Steel fabrication | Not to undertake sand blasting and remove machine by 10.05.2025 | The unit was inspected on 10-05-2025, 05-06-2025 and 18-07-2025 and it was observed that the unit has stopped sand blasting activity and hence the unit does not require consent from TNPCB. |
| 2 | Lotus Engineering | Steel fabrication | | |
| 3 | KH Plastics | Grinding of waste plastics | Not to undertake grinding of plastics and remove machine by 10.05.2025 | The unit was inspected on 10-05-2025 and 18-07-2025 and it was observed that the unit has not complied the decision taken in the Personal Hearing. |
| 4 | Kamini Enterprises | Grinding of waste plastics | | |
| 5 | Mahathi Traders | Grinding of waste plastics | | |

| | | | | |
|---|------------------------------|---|--|--|
| 6 | S Mahadevan Hot Mix Plant | Hot Mix Plant | Applied for consent. Not to operate without consent. To remove Diesel Generator before 10.05.2025 | The Consent of the Applicant has been refused by this office. So, the unit has filed a petition against the Consent refusal which is pending before the Hon'ble Appellate Authority in OA No. 74 & 75 of 2025. However, the unit was inspected on 10-05-2025 and 18- 07-2025 and it was observed that the unit has not complied the decision taken in the Personal Hearing. |
| 7 | Gajan Enterprises | Melting of Aluminium, Rolling and Vessel making | Provided adequate air pollution control measures. Obtained Consent to Establish at Tindivanam for shifting 2 months time permitted, subject to orders of Hon'ble NGT-SZ | The unit was inspected on 10-05- 2025 and 18-07-2025 and it was observed that the unit has not complied the decision taken in the Personal Hearing. |

| | | | | |
|----|-------------------------------|--------------------------|---|--|
| 8 | 4 Square Container Services | Furnishing of containers | Do not require consent from TNPCB. Not to undertake and machine cutting or polishing. | - |
| 9 | Marudhar Dye Chem Enterprises | PET Bottles | Personal Hearing scheduled on 28.04.2025 | The unit did not attend Personal Hearing scheduled on 28.04.2025 and under the Principles of Natural Justice, it is decided to extend final opportunity, so again the unit was called for Personal Hearing on 10-06-2025 but the unit have not attended the Personal Hearing. During the inspection conducted on 18-07-2025, it was observed that the unit was in operation. |
| 10 | MK Projects | Hot Mix Plants | Personal Hearing was conducted on 20-05-2025. | The unit has confirmed that the Hot Mix Plant will not be operated. As they are handling government projects and have sought time to relocate the plant, |

| | | | | |
|----|-----------------------------------|--------------------------------------|-----------------------------------|---|
| | | | | they intend to operate only the RMC Plant until 31-08-2025. During the inspection conducted on 18-07-2025, it was observed that the Hot Mix Plant was not in operation. |
| 11 | Sri Venkateswara Bottling Company | Non-alcoholic beverage manufacturing | Personal Hearing to be scheduled. | - |
| 12 | ES.ES. Minerals | Grinding of Minerals | Personal Hearing to be scheduled. | - |

It is therefore humbly prayed that the Hon'ble National Green Tribunal, Southern Zone, Chennai may be pleased to accept the Status report and thus render justice.


District Collector,
Tiruvallur

VERIFICATION

I, M.Prathap, I.A.S, S/o. Thiru.Murugavanam, aged about 31 years, working as District Collector, Tiruvallur, do verify that the submissions in Paragraphs are true and correct to the best of my knowledge as per records and I verify the same at Tiruvallur on this 25th day of September 2025.


District Collector
Tiruvallur.

