

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
AT: CHENNAI, TAMIL NADU.**

**APPLICATION NO: 221 OF 2015**  
(Public Interest Litigation)

**Between:**

IsanakaVedavathi

H.No.16-4-966, Pinakini Avenue,

Near Apollo Hospital,

Nellore-524 003.

.....Petitioner

Vs-

1. Union of India,

Rep by its Secretary,

Ministry of Environment, Forest, and Climate Change,

III Floor, Prithivi Wing, Indira ParyavaranBhavan,

Jor Bagh, New Delhi-110003

& 10 others

.....Respondents

**OBJECTIONS TO THE COMMITTEE REPORT DATED 01.12.2020, FILED  
BY THE 9<sup>TH</sup> RESPONDENT**

I, M.V. Narayana Murthy, S/o. Mr.M.Gopala Krishniah Hindu, aged about 47 years, having office at M/s. EmamiAgrotech Limited, Sy. Nos. 501, 502/1, Pantapalem (V), Muthukur (M), SPSR Nellore district, have temporarily come down to Chennai and do hereby solemnly affirm and sincerely state as follows: -

1. I am the Unit Head of the 9<sup>th</sup> Respondent herein and as such I am well acquainted with the facts deposed hereunder. I am competent to file this Affidavit and authorized to do so.

2. I state that in pursuant to direction given by this Hon'ble Tribunal dated 16/3/2020, the Joint committee had inspected the factory on 13.10.2020



between 4 pm to 6 pm. The Joint committee had filed the Joint Committee report on 01.12.2020 before this Hon'ble Tribunal.

3. The Hon'ble NGT vide order dated 16.03.2020 has directed the following

*" So in order to ascertain the present status of the functioning of the edible oil refinery units and also to find out as to whether they are complying with the conditions of "consent" issued and whether the pollution control mechanism provided by them are proper and sufficient and whether they are complying with the norms and whether the "Zero Liquid Discharge" system said to have been established by them are properly functioning and whether there is any violation by any of the edible oil refinery units and if so, what is the action taken by Pollution Control Board in this regard, we appoint a joint committee, comprising of (1) a Senior Officer from the Central Pollution Control Board, Regional Office, Bangalore (2) Senior Officer from the Regional Office of MoEF& CC, Chennai and (3) Senior Scientist from Andhra Pradesh Pollution Control Board to inspect the units in question and submit a factual as well as action taken, if there is any violation found. The committee shall also go into the question as to whether the units are strictly complying with the conditions imposed either in the "consent to operate" or any other permission granted, whether there is any violation in the use of surface water and whether necessary permission has been obtained by the units for drawl of surface water for their purpose, whether pollution control mechanism provided to suppress the air pollution or water pollution are sufficient to meet the requirements as has been provided under the Environment (Protection) Act, 1984, whether these units are properly disposing the fly ash generated during their manufacturing process and if there is any violation found, what is the action taken, including the imposition of environment compensation against the erring units on the basis of the guidelines given by Central Pollution Control Board in this regard and also what is the status of the implementation of the action plan if any, evolved during the review meeting conducted by Pollution Control Board and whether those actions have been brought into action by the units, as undertaken by them and if not, what is the action taken by Pollution Control Board against those erring units and submit a comprehensive report to this Tribunal within a period of two months through e-mail at [ngtszfilling@gmail.com](mailto:ngtszfilling@gmail.com)."*

*M. Narasimha*

4. I state that it is therefore clear from the above order that the committee must have a Senior Scientist from APPCB. But, the Environmental Engineer from the Regional office of APPCB of Nellore was the third member of the Committee. It is further submitted that the said The Environmental Engineer right from the date of taking charge as Environmental Engineer was sending the same objections again and again to the Industry even after it was compiled by the Industry with proof of the same being submitted to the APPCB.

5. I further submit that this Hon'ble Tribunal has mentioned the scope for the Joint Committee during their inspection, but it must be noted that this Committee had inspected all the 7 Industries in two days. This shows that the Committees views was the views expressed by the Third Member, to the Environmental Engineer.

6. I state that there are objections and incorrect particulars found in the report filed by the Joint Committee. I submit herein my para wise remarks.

7. Page 10 Para h:

As per the report of the Joint Committee under the head "Coal and fly ash storage measures "The unit has constructed separate shed for storage of rice husk and coal however it was stored both inside and outside the shed. 41 TPD of ash is generated per day. The unit has installed a silo of 150 Tonnes (roughly six days storage capacity) against APPCB direction of 30 days storage capacity. Fly ash spillage was observed in the area. The fly ash is also dumped in North east side of the industry. On the day of inspection, chemical refining plant was not in operation. Not complying

**Objections/Response:** -The fact remains that the Industry is generating 15 MT Ash / Day. Presently Ash storage capacity 75 MT (Equal to 5 days) and time to time the industry is disposing the Ash to brick industries and own land filling. Ash is used for filling the North east side of Industry. The industry is not creating any Pollution issues regarding ash. In Task force meeting held on 09.09.2020, the same was explained to the Chairman and the same was agreed by him. Chemical Refinery Plant has not been running since there was no demand for sunflower oil. The Environmental Engineer of

APPCB, Nellore is aware of Annual Reports for 2018 & 2019 and monthly Reports from March to SEP 2020 submitted by us to APPCB Nellore. These Reports Would Categorically prove that our total production did not exceed 1200 MT / Day (AVG). Therefore, the 41 TPD fixed at CFE dated 29.12.2017 based on 2500 MT was never achieved by us. The Industry generated 15 TPD ash which is exactly matching the norms fixed by APPCB as per the production of 1200 TPD. The third member of the Joint committee knows all these facts through the reports submitted by us to his office, but he has purposefully and deliberately mentioned as if 41TPD Ash had been generated per day only to malign and punish us.

**Storage** – Our present Ash storage capacity 75 MT (3 Silos – 50 MT /12.5 MT/ 12.5 MT) As fly ash has great demand for brick industries our storage capacity is quite sufficient. Presently we are selling Ash to brick Manufacturers as per the APPCB CFO order 29.12.2017 @ page 8. Here with we have attached ASH Silo PIC for perusal.Ash Silo



8. Page 11 Para i:

As per the report of the Joint Committee under the head "Source of water and quantity of water used per day", the total water requirement of the unit is 902 KLD and majority (80 to 90%) of the water requirement is met from tankers. The total water consumed is not quantified by means of flow meter but however the units have maintained registers for the no. of tankers of water received. The quantity of water drawn from borewells is amounted by no. of pumping hours which is not accurate.

**Objections/Response:** The fact is that the industry is procuring water through Tankers as well as through pipeline and has dedicated weighment slips and flow meter reading. The AP Government order Dated 30/10/2010 in G.O.Ms.No.111 (Industries and Commerce Dept) clearly states in paragraph 4(b)(7) which states that.

*"Infrastructure like roads, power and water will be provided at door-step of the industry for standalone units by contributing 50% of the cost of infrastructure from IIDF with a ceiling of Rs.1.00 Crores, subject to (a) the location should be beyond 10 kms. From the existing Industrial Estates/IDA's having vacant land/shed for allotment and (b)cost of the infrastructure limited to 15% of the fixed capital investment made in the industry."*

The Government of AP is not able to provide water as per their commitment to this respondent. Therefore, the industry is forced to take water from third parties. Flow meters and Weighment slips for inward water pipeline and tankers are available.

Total water requirement of unit 902 KLD has been taken from CFO. But CFO grants permission for production of 2500 MT / Day. But we are producing lesser than 1200 MT / Day. If one calculates water requirement based on our actual production, our requirement will come to 450 KLD only. AS mentioned earlier The Environmental Engineer is aware of the prod per day through our Annual and monthly returns. But he has mentioned 902 KLD which would be required only when the production reaches to 2500 TPD. For the last more than 2 years, our production has never crossed 1200 MT/ Day (AVG). At the risk of the reputation again, I will have to say that The Environmental Engineer has purposefully and deliberately given the requirement of water as 902 KLD. I do not want to blame the other 2 members as they are not aware of our production details submitted by us Annually & monthly to APPCB. Regarding Water, the AP GOVT through G.O. No.111 dt 30/10/2010 committed water supply to our doorsteps. But, till date, the same has not been provided as promised by them. we made several attempts through Chairman APPCB and other Officers to pursue the AP GOVT to honour their commitment. Subsequently, the Chief Engineer of NTR Telugu ganga project, Tirupathi issued proceedings Dated 3.1.2019 granting permission to draw water 400 KLD / Day from Survepally reservoir. The proceedings further mentioned that the water royalty charges shall be levied @ Rs 5.50 / 1000 gns. But unfortunately, the permission could not be put into action since the reservoir is 12 Kms from our factory and water could be brought only through tankers. We could not put tankers into operation due to objections raised by the Villagers who are living between industry and reservoir. The

Villagers objected for bringing water through tankers through their villages raising safety concerns for the lives of the elderly people / Children. Therefore, though we got permission to draw water from Reservoir we could not. We have no other option, except buying water through tankers from the nearby villages for running the industry. The purchase of water is evidenced by documents such as entries at the security gate where lorry number, Date & time is recorded, and the bill raised by tankers for which amount paid through Cheque.

In the Report a false statement has been made, that the total water consumed is not quantified by means of water meters. We have 2 water storage tanks and we have installed flow meters for each tank. I would like to mention that in the year 2015 on the order of Chairman APPCB, a task force visited all 7 units and submitted a Report. The representatives of all 7 units were called by Chairman APPCB to Vijayawada. After discussions, APPCB Chairman issued directions to individual industries to comply the non-compliances. For our industry 19 Directions were issued. We started complying with the said directions issued by APPCB. At the periodical meetings held at the office of APPCB, the chairman reviews the compliances of directions given to our industry. By our compliance's status report Dated 18.02.2020, we have informed the chairman that all 19 directions issued by him had been complied. In our status report Dated 18.02.2020 the direction no.10 has been complied. "We provided magnetic flow meters with totalizers for ETP, MEE and STP." We have annexure photos of the Flowmeter installed in our unit.



Bore Well Flow Meter



Raw Water Flow Meter with Totalizer

The Environmental Engineer being an officer at APPCB, Nellore is aware of this status report submitted by us with photos and periodical review meetings conducted by the Chairman. Knowing full well that flow meters

*M. N. S. S.*

have been installed in our unit, he has deliberately and malignly stated that the total water consumed is not quantified by means of Flow meters.

9. Page 11 Para j:

As per the report of the Joint Committee under the head "Effluent generation", it has given the following figures.

Source	Wastewater generation
Process & Washings	23.0 KLD
Acid Oil Plant	6.0 KLD
Boiler Bleed off	28.0 KLD
Cooling Tower Blow down	32.0 KLD
RO Reject	60.0 KLD
Domestic	6.0 KLD

The quantity of the effluent collected in the ETP is not proportionate with their production and water consumption. The effluent is transferred in open drains from production block to ETP and committee observed that effluent spillage, over flow into adjoining areas. Storm water drains were filled with effluent and drains were clogged. The MEE and Sludge Centrifuge were not in operation since chemical refining was not taking place. STP is provided for treatment of sewage.

**Objections/Response:** The fact is that as per the CFO/ CFE norms, ETP Plant were built. The details are sent monthly to local PCB regarding ETP processing qty/ MEE processing quantities. Effluents entering the drain are sent to ETP plant for processing. As there is no demand of Chemical refinery and therefore MEE plant has not been operated. These calculations were given for the industry running full capacity of 2500 MTD. As submitted earlier we have been running the industry only with less than 50% of its capacity. Therefore, the calculation given by the committee is wrong. Based on this tabulation they go to the question of quantity of effluent collected in

*M. N. N. S. S.*

the ETP and say that it is not proportionate with production and water consumption. It is submitted that any calculation must be based on the facts of actual production. These calculations mentioned in the CFO were based on the total water requirement of the unit at 902 KLD but in reality we consume only 50%. Though our production is halved but our ETP capacity is 200 KLD as per the norms prescribed in the CFO. Our unit is geared up to see that there is no effluent spillage but sometimes due to some reasons such as power tripping a small quantity might spill which is again repumped to the ETP. Once we notice any spillage immediately we drain the area. I state that there has never been overflowing in the adjoining areas. I state we always keep the storm water drains clear of any effluents. In annexure 6 the photographs attached to status report dated 14.05.2020 will show that there is no spillage of effluent and no clogging both inside and outside our premises.



10. Page 11 Para k:

As per the report of the Joint Committee under the head "Installation of magnetic flow meters with totalizer", Flow meters installed at inlet and outlet of ETP& STP but total water consumed is not quantified.

M. N. N. N.

**objections/Response:** The fact is that flow meters with totalizers are installed for both ETP and STP plants. Installed flow meters show the total quantity and quantity per hour. It is stated that flow meters are installed at inlet and outlet of ETP and STP, but total water consumed is not quantified. It is submitted that this statement is wrong, we have installed flowmeters along with totalisers at both ETP and STP. We have submitted the photographs of these two-flowmetre as annexure 10 to our status report dated 18.02.2020 submitted to the Chairman of APPCB. In our compliance report at paragraph 0 we have categorically stated "*we provided magnetic flow meters with totalisers for ETP, MEE and STP*". Further in our unit we are maintaining the register in which the total quantity of water treated is recorded daily. Again The Environmental Engineer by supressing the details furnished in our monthly reports has purposely made the allegation.



11 Page 11 Para I:

As per the report of the Joint Committee under the head "Quantity of effluent discharged and mode of disposal. Components of ETP", The ETP is very poorly maintained. The aeration was not in operation. Sludge is not removed, and oily sludge was accumulated in all components of ETP and which results in improper operation of ETP. The unit has to first scrap and remove the accumulated sludge and send it to TSDF. After sludge removal, the mixing chambers and aerators has to be repaired and ensure that ETP is properly operated. Presently, effluent from filter press is pouring down and not recycled into ETP and sludge is lying below the filter press. Periodically, the sludge is manually removed, packed in bags and stored in ETP area. The unit has not provided dedicated storage shed for storing hazardous wastes. Provision shall be made to recycle the effluent from filter press into ETP. A bin will be provided to collect the sludge from filter press. MEE condensate and RO permeate as well as RO reject is used for dust suppression and green belt development. A periphery drain carrying the effluent and storm

Though it is temporarily closed but during heavy rains, there are likely chances of effluent joining the drain. Not complying.

TableVI.b 1: Analysis results of samples collected by APPCB during 18.06.2020

S.No	Parameter in mg/L except pH	APPCB standard	Inlet of ETP	Outlet of ETP	MEE feed	RO permeate	RO reject
1	pH	5.5-9.0	6.63	7.29	2.00	7.30	7.54
2	TSS	200	132	118	156	4	120
3	TDS	2100	2352	<b>2798</b>	11955	198	<b>5137</b>
4	COD	250	1960	<b>320</b>	7800	<10	176
5	BOD	100	627	<b>104</b>	2496	BDL	40
6	Oil & grease	10	13.4	<b>10.8</b>	15.8	BDL	<b>12.0</b>

The unit is using RO reject for dust suppression and green belt. From the analysis results it is found that RO reject is not meeting APPCB discharge standards and hence the unit will treat RO reject in ETP. The outlet of ETP /treated water of ETP not meeting the APPCB stipulated standards.

**Objections/Response:** The fact is that Aeration system is running well. During the CPCB Visit, the CPCB team did not visit the aeration plant in spite of our request to visit. Continuously the industry is removing the oily sludge from oil and Grease traps on daily basis. The sludge is disposed regularly to the Authorized parties. ETP is operating properly. The Industry has separate storage space for Sludge / salt. CPCB Advised to cover with proper sheet on top which is also done by the Industry. Drains are meant only for rain water, there is no chance of mixing Effluent water with Rain water. The industry has separate fat traps in each plant and from there effluent water is taken to the ETP Plant. RO Reject is used for plantation and no effluent is left outside the industry and are in no way polluting the environment. RO reject is also used for floor wash. All the parameters of APPCB are strictly followed regarding ETP treated water.

*M. N. N. S. S.*

ETP Aeration Tank



Closed Shed For Sludge



12. Page 13 Para m:

As per the report of the Joint Committee under the head "Air pollution sources and type of APCDs, status of stack, porthole, OCEMS installation, location"

Source	Air pollution control device installed
FBC Boiler of capacity 16 TPH	Multi cyclone dust collector followed by Bag filters and attached to Common stack of height 30m
Thermic fluid heater of capacity 8.0 lakh k.cal/hr (Coal or husk fired)	
Thermo siphon of capacity 20 lakh k.cal/hr	Bag filters
Thermic fluid heater of capacity 6.0 lakh k.cal/hr (Coal or husk fired)	Bag filters
DG sets of 1x750 KVA, 1x1500 KVA	Acoustic enclosures
FBC Boiler of capacity 36 TPH	Electro-static precipitators(ESP)- 3 no. of fields with stack height of 35 mtrs
Thermo siphon of capacity 20 lakh k.cal/hr	Bag filter

*M. N. N. N.*

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TableVI.b.2: Stack monitoring at M/s EmamiAgrotech Limited by APPCB on 18.06.2020

Source	SPM measured value	APPCB emission standards
Stack attached to 36 TPH boiler	<b>123.5 mg/Nm<sup>3</sup></b>	115 mg/ Nm <sup>3</sup>

TableVI.b.3: Ambient air quality monitoring at M/s EmamiAgrotech Limited by APPCB on 18.06.2020

Source	PM 10 measured value	APPCB standards
Near the main gate within unit premises	<b>125.5 µg/m<sup>3</sup></b>	100 µg/m <sup>3</sup>

The unit is not complying with stack emissions and ambient air standards. Odour problem was also observed in the industry.

**Objections/Response:** The fact is that the industry is strictly following all the parameters of stack emissions as per the APPCB Norms. Between 18.06.2020 and report dated 01.12.2020, no action was taken by APPCB.

13. Page 14 Para n:

As per the report of the Joint Committee under the head "Status of installation of online stack monitoring equipment", FBC boilers are connected with continuous online PM monitors and connected to APPCB servers.

**Objections/Response:** Since the compliance has been recorded by the committee, there is no response in this issue.

14. Page 14 Para o:



As per the report of the Joint Committee under the head "Status of green belt", Reported that the unit has planted 7000 trees along the unit boundary but is not complying with 33% green belt. Unit shall further develop green belt in vacant spaces.

**Objections/Response:** The fact is that out of 33 acres the factory is situated in an area of 10 acres and has a green belt of nearly 10 acres and trees and plants are planted adequately. I am enclosing the photographs which are already attached as annexure 10 to our status report dated



14.05.2020.

15. Page 14 Para p:

As per the report of the Joint Committee under the head "Hazardous waste generation", MEE Centrifuge salts and ETP sludge are the hazardous wastes generated from the unit. As per the production records and as per consent, the unit has to generate 30 TPM of MEE-centrifuge and 8.4 tons of ETP sludge but from the hazardous waste manifest copies it is observed that the unit has despatched only 10-15 tons of hazardous waste to TSDF. This implies that either the unit is not properly operating ETP and MEE & MEE Centrifuge or the hazardous waste so generated is haphazardly disposed. It was observed that sludge was lying in open in the unit premises. There is no dedicated hazardous Waste storage shed. Oil recovered from ETP is sold to soap manufacturers.

**Objections/Response:** The fact is that the industry is submitting ETP Sludge & Salts disposal details to Local PCB every month. CPCB might have

*Mr. Narayan*

calculated Salts & Sludge based on 100 % Plant capacity utilization. But the industry is running hardly 35-40 % Capacity due to lower market demand. It is submitted it is an illegal order as no show because notice had been issued and we were not heard. The Committee has simply mentioned in its report that a sum of Rs. 10,00,000/- (Rupees ten lakhs only) has been forfeited. Till date the unit has not received any written order regarding this forfeiture. This is further evidence to show the high-handed action on the part of the Environmental Engineer. It may be mentioned, that this report by the Joint committee has been filed as per direction of the Hon'ble Tribunal dated 16.03.2020, The Environmental Engineer cannot pass an order to be incorporated in the report. Few quantities of sludge lying near to ETP plant is for Drying purpose. It is part of the process and have dedicated storage facility for Sludge and salts.



Closed Shed for Sludge & Salts

16. Page 14 Para q:

As per the report of the Joint Committee under the head "Actions taken by APPCB during last one year", APPCB has vide order dated 17.01.2020 issued directions for not complying with APPCB discharge and emission standards and for exceeding the consented production in terms of chemical refining. The unit was again inspected by APPCB officials on 31.01.2020 & 04.02.2020 and found non-complying. APPCB vide order dated 20.03.2020 issued directions to the unit to ensure compliance. APPCB carried out analysis and monitoring on 18.06.2020 and found non-complying. Directions were issued on 28.09. 2020. The APPCB has forfeited Bank guarantee of Rs 10.00 lakhs on 28.09.2020 for non-compliance of the Board directions.

**Objections/Response:** The fact is that after the visit by APPCB on 31.01.2020 & 4/2/2020, the Industry had submitted compliances report on 18.02.2020 complying almost 90% of APPCB observation. Even the industry

*M. N. N. S.*

has submitted compliance report against observation dated 28/9/20 of APPCB.

17. As per the report of joint committee report at page 14 under the head "Overall Compliance status", APPCB issued directions to the unit vide order dated 15.02.2018. The unit has taken steps for improvement like replacement of old MEE with new MEE and installation of Centrifuge in place of ATFD which is not adequate for converting MEE concentrate in to salts. During APPCB inspections during January and February, 2020, unit was found discharging effluent into adjoining drains.

Further, the unit is not complying with effluent discharge and emission standards stipulated by APPCB, with APPCB directions dated 20.03.2020, no proper effluent transfer system. Since the unit is partially complying the committee has assessed environmental compensation using CPCB formula  $EC=PI \times N \times R \times S \times LF$

S.N	Period of noncompliance	PI	S	LF	R(Rs)	N (days)	Environmental compensation (Rs)
1	17.01.2020 to 20.03.2020*	80	1.5	1	250/-	63	18,90,000/-
2	21.03.2020 to 13.10.2020	80	1.5	1	250/-	206	61,80,000 x 2 (for repeated violation) =1,23,60,000
3	Compensation levied by APPCB on or after 17.01.2020						10,00,000/-
<b>Total Environmental Compensation for violation</b>						<b>269</b>	<b>1,32,50,000/-</b>
<b>Rupees One Crore Thirty-two lacs fifty thousand Only</b>							

*M. N. NASTI*

**Objections/Response:** Even though this Respondent has complied with all APPCB norms, without proper appreciation of the compliances, this fine amount has been levied. This double fine amount cannot be accepted for the simple fact since there was no previous occasion on which the respondent had not complied with APPCB direction/notice. I would like to submit that our unit did not receive any communication from APPCB either during January or February 2020 with regard to discharging effluent to adjoining drain. Mr. Pramod Kumar Reddy is purposely making this false allegation. At the outset I would like to submit this is not the place to impose any penalty/punishment or levy of compensation. The committee was to inspect and submit the report for any alleged violation of the rules and regulations of the APPCB. The APPCB must issue a show cause notice giving sufficient time for reply and giving personal hearing and after considering the reply and the submissions made in personal hearing, APPCB must pass orders. The committee cannot make use of this report to impose penalty or for forfeiture of bank guarantee. As submitted earlier, the Chairman of APPCB gave 19 directions to this unit and all of which have been complied with by this unit. We have been sending monthly reports with regards to compliance to directions for the past one year.

18. Regarding the list of major non-compliances at page 14 of the Joint Committee Report, the unit has not achieved ZLD. Instead of MEE-ATFD the unit has installed MEE- centrifuge which is not adequate to convert MEE concentrate to salts. The unit is not complying with effluent discharge and emission standards stipulated by APPCB. No proper effluent transport system is provided; the drains are completely clogged. The effluent generated and hazardous waste generated is not matching with the production details and water consumption. Fly ash is found dumped adjacent to the unit in north-eastern direction. During APPCB inspections in January and February, 2020, the unit was found discharging the effluent into storm water drains located outside the industry.

**Objections/Response:** The fact is that the MEE Centrifugal system is an advanced model supplied by Thermax. It is working well and generating Dry salts. The running condition was examined by the Local PCB. The industry is complying APPCB standards for all effluents generating at Factory and also checking the same through third party Lab too. The production and effluents

generations are matching perfectly and the same are submitted quarterly and half-yearly to local PCB office. Outsiders have dumped the ash for their own filling of their land. The Industry never discharges any effluents outside the premises. Total effluent generated is being treated by the ETP system.

#### MEE PLANT



18. With respect to the Conclusion of the Joint Committee report from page 39 onwards, it is submitted that the Industry is ready and willing to comply with the suggestions.

19. I state that both Industry and environment must be balanced, and it is noticeably clear that this Respondent is complying all the norms prescribed by the APPCB. The Government also is expected to keep its promises towards the industries. In none of the monthly review meetings, had the APPCB had made any remarks against this Respondent for non-compliance of pollution control norms.

20. I further state that it is made clear that the Agricultural lands have not been affected at all. The Joint Committee should have taken time to visit the surrounding areas and should have conducted a soil test to ascertain whether the Industries have created any environmental hazards due to the industrial activity. It is a well-known fact that it has become a new trend to extort from the industries a huge amount.

21. I further submitted that this Respondent has not left any stone unturned from complying with the pollution control norms. This industry is always open for any surprise inspection on any given day. It is further submitted that the Environmental Engineer has been transferred after this Respondent objected to the forfeiture of the Bank Guarantee despite compliance of pollution norms. Despite objections, he made himself a member of the committee as third member instead of a scientist from APPCB. *M. NASTI*

23. It is therefore prayed that this Hon'ble Tribunal may be pleased to set aside the environmental compensation of 1,32,50,000/- levied by the APPCB since this respondent has complied with the Pollution control norms as per the Act and pass such further or other order or orders in the circumstances of the case and thus render justice.

Solemnly affirmed at Chennai  
on this 16<sup>th</sup> day of Feb 2021  
and signed his name in my presence



ADVOCATE, CHENNAI

**BEFORE THE HON'BLE NATIONAL GREEN  
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& 10 others

.....Respondents

**OBJECTIONS FOR RESPONDENT – 9**

**D. SREENIVASAN**

**COUNSEL FOR RESPONDENT – 9**