

Item No. 05

Court No. 2

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 227/2023

(By Hybrid Mode)

P. Palanisamy

Applicant

Versus

State of Tamil nadu

Respondent

Date of hearing: 25.05.2023

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Application is registered based on a complaint received by post/e-mail

ORDER

1. This Original Application has been registered under Section 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as 'NGT Act, 2010') on a letter petition dated 04.01.2023 from Shri P. Palanisamy, Member Tamil Nadu Federation of All Farmers' Association, Resident of 1/99, KSP Nagar, Mallur, Salem, State of Tamil Nadu.

2. The complaint is that one Sivakumar is operating a bleaching unit in the name of M/s Allwin process in S. F. No. 29/2. 3,5A of Pallapatti Village & 31/3A, Annadanapatti Village, Salem South Taluk & Salem District. He has installed excess of machines and manufacturing dyed yarns to the extent of 200 tons/months and generating 700 KLD of waste water. The entire trade effluent is being disposed directly in the river Thirumanimutharu.

3. The said Sivakumar is also running two more industries namely one dyeing unit in the name of M/s Allwin process (formerly Raj Dyeing) S.F. No. 2/2A1B, Erumapalayam Village, Taluk & District Salem. He is manufacturing dyeing yarn upto 40 tons/month in the said unit and generating more than 250 KLD of waste water which is being directly discharged in river Thirumanimutharu.

4. The third unit run by the said Sivakumar is M/s Bhuvana Dyers at T.S. No. 101/2 Part, Ward – AA, Block -57 (old S.F. No. 50B, 51) Andipatti Village, Salem south Taluk and Salem District. The extent of manufacturing of dyed yarn in the said unit is 3.75 ton per month and he is generating 10.5 KLD waste water which is being directly discharged in river Thirumanimutharu.

5. Besides, there are some units which are discharging 1500 KLD of waste water of waste water which is directly being discharged, without any treatment, in the said river Thirumanimutharu.

6. The effluent directly discharged in the river is causing lot of pollution in the river which is causing health hazardous to the local people in as much as about 500 people are affected by cancer and skin diseases residing at the river bed of Thirumanimutharu.

7. Considering the above allegations, we find that a substantial question relating to environment due to implementation of Scheduled Enactments under NGT Act, 2010 has arisen. However, before taking any further action in the matter we find it appropriate to obtain a factual report for the purpose whereof we constitute a Joint Committee comprising State PCB, CPCB, Regional Office MoEF & CC Chennai and District Magistrate Salem. State PCB shall be the nodal agency for coordination and compliance of this order.

8. The said committee shall visit the site, collect all relevant informations and submit a factual report within two months to the Registrar, Southern Zone Bench of this Tribunal at Chennai, by e-mail, preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF, who shall place the matter before the Bench for further orders.

9. The Report besides providing factual status on consent compliance of the industries in question, may also provide number of such industries and final mode of disposal of effluents. The Committee may also take into account River Action Plan prepared for Thirumanimutharu which is one of the polluted River stretch in Tamil Nadu, falling in Priority I.

10. Registry shall transfer record of this matter to Southern Zone Bench, Chennai for further proceedings.

11. A copy of this order be forwarded to State PCB, CPCB, Regional Office MoEF & CC Chennai and District Magistrate Salem by e-mail for compliance.

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

May 25, 2023
Original Application No. 227/2023
HB