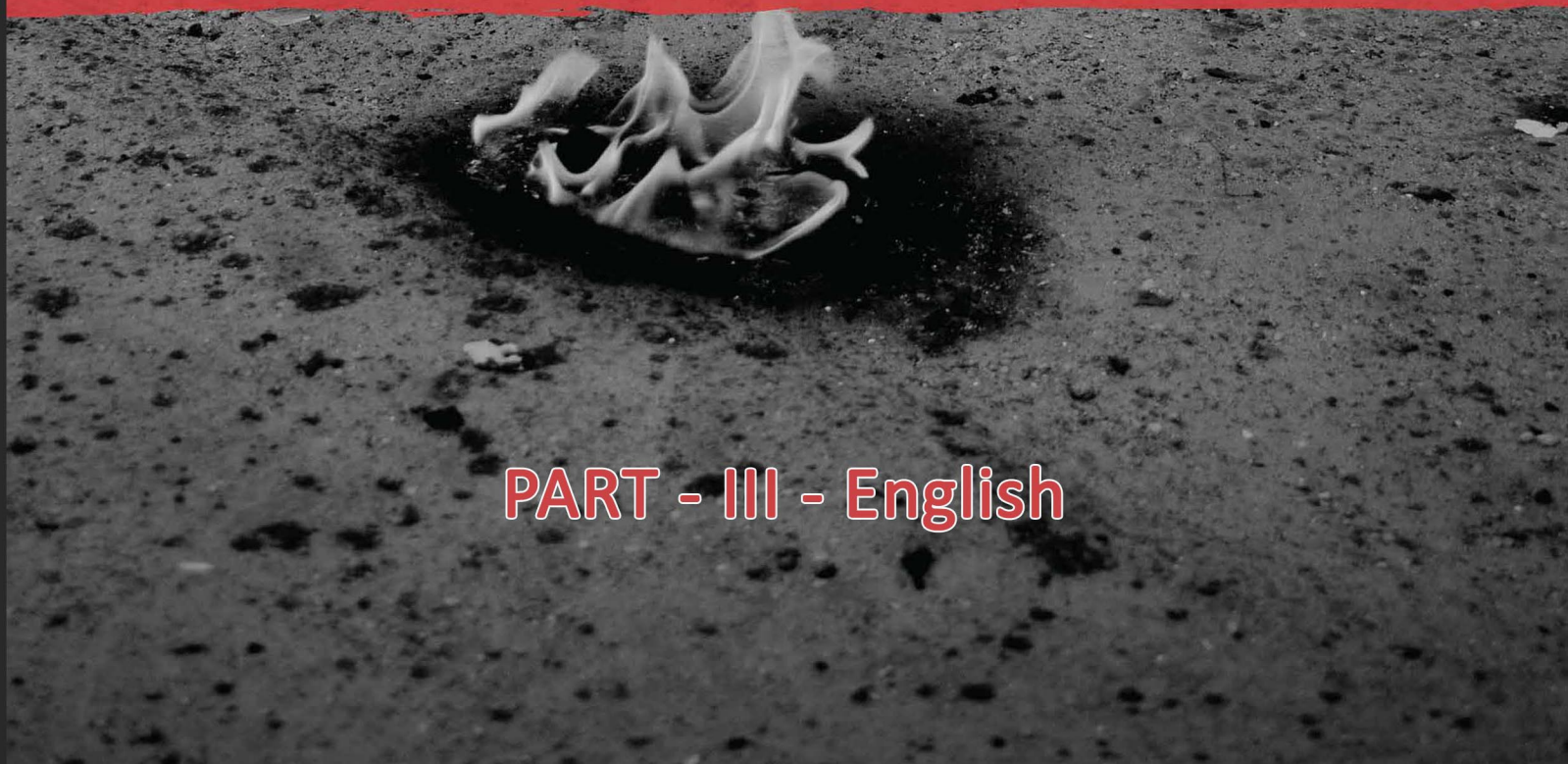




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PART - III - English

CONTENTS – PART III (478 Pages)

S.No		Page No.
1.	List of Statements of relatives of deceased, bullet injured and injured in the Thoothukudi Police Firing	01
2.	Statements of victims, witnesses, injured persons and officials	
A. Statements of relatives of deceased who died in the Thoothukudi Police Firing		
	A-1 Statement of Jackson, father of deceased Snowlin who died in the Thoothukudi Police Firing	09
	A-2 Statement of Jesu Balan, husband of the deceased Jansi who died in the Thoothukudi Police Firing	10
	A-3 Statement of Maheswari mother of deceased Kaliappan who died in the Thoothukudi Police Firing	11
	A-4 Statement of Rajan, younger brother of deceased Antony Selvaraj who died in the Thoothukudi Police Firing	12
	A-5 Statement of Jenrose elder sister of deceased Cladson who died in the Thoothukudi Police Firing	14
	A-6 Statement of Anusuya, wife of deceased Manirajan who died in the Thoothukudi Police Firing	14
	A-7 Statement of Balaiya, father of deceased Shanmugam who died in the Thoothukudi Police Firing	15
	A-8 Statement of Selva Soundar, elder brother's son of Bharathraja who died in the prison	16
	A-9 Statement of Selvamani, wife of deceased Kanthaiya who died in the Thoothukudi Police Firing	18
	A-10 Statement of Seetha, sister of deceased Selvasekar who was died by the brutal attack of Police in Thoothukudi	19
	A-11 Statement of Valarmathi, deceased Tamilarasan's elder brother's wife. Tamilarasan died in the Thoothukudi Police Firing	20

	A-12	Statement of Murugeswari, mother of deceased Karthick who died in the Thoothukudi Police Firing	21
	A-13	Statement of Baskar, father of deceased Ranjith who died in the Thoothukudi Police Firing	22
	A-14	Statement of Balammal, wife of deceased Jeyaraman who died in the Thoothukudi Police Firing	23
B. Statements of victims who were bullet injured in the Thoothukudi Police Firing			
	B-15	Therespuram – Joelraj	25
	B-16	Therespuram - Evalin Victoria	25
	B-17	Therespuram – Clinton	26
	B-18	Therespuram - Jesu Anand	26
	B-19	Therespuram – Maria Siluvai	26
	B-20	Therespuram - Mr. Selvam	27
	B-21	Lourthammalpuram - Prabhu	28
	B-22	Anna Nagar – Rajalingam	28
	B-23	Anna Nagar – Mr. Lakshmanan	28
	B-24	Anna Nagar – Sakthivel	29
	B-25	Rajagopal Nagar – Helen	29
	B-26	Rajagopal Nagar – Kalimuthu	30
	B-27	Muthammal Colony - Rajalakshmi	31
	B-28	Muthammal Colony – Raja	31
	B-29	Melur – Veerabagu	31
	B-30	Millerpuram – Prince	32
	B-31	NGO Colony – Balaguru	32
	B-32	Caldwell Colony – Anandha Kannan	33
	B-33	3 rd Mile – Paramasivam	33

	B-34	Thiru.Vi.Ka.Nagar - Durai raj	33
	B-35	College Nagar - Raja Singh	34
	B-36	Annai Theresa Meenavar Colony - Daniel @ Benister	34
	B-37	Kamaraj Nagar – Subburaj	35
	B-38	Choriespuram – Shanmugaraj	35
	B-39	Madathur - Mani Amutha	35
	B-40	Madathur – Mayilvahanam	36
	B-41	Madathur – Muthuraj	37
	B-42	Thailapuram - Parish Priest Fr-Leo Jeyaseelan	38
	B-43	Thiraviyapuram - Sakthivel	38

C. Statements of victims who were injured in the Thoothukudi Police Firing

	C-44	George Road - Newton	40
	C-45	Fathima Nagar - Dharmaraj	40
	C-46	Thalamuthu Nagar - Rita	41
	C-47	Mettupatti – Pradeep	42
	C-48	Therespuram - Naresh	42
	C-49	Therespuram - Vinothan	44
	C-50	Therespuram - Bharuku	44
	C-51	Therespuram - Dickson	45
	C-52	Therespuram - Raitten	45
	C-53	Therespuram - Leema Rose	46
	C-54	Therespuram - Mathavadiyan	47
	C-55	Therespuram - Ajith	47
	C-56	Therespuram - Don't want to reveal name	48
	C-57	Therespuram - Anthony	49
	C-58	Bhoopalarayapuram - Davidson	49

	C-59	Lourthammalpuram - Don't want to reveal name	50
	C-60	Bungalow Street – Loganathan	52
	C-61	Dhamodaran Nagar - Jeyakumar	53
	C-62	Bryant Nagar - Subramanian Kumar	53
	C-63	Thuveepuram - Porcheliyan	54
	C-64	Anna Nagar - Karuppasamy	54
	C-65	Don't want to reveal name	55
	C-66	Anna Nagar - Muthu	55
	C-67	Anna Nagar – Anitha	55
	C-68	Anna Nagar - Vasanthakumar	56
	C-69	Anna Nagar – Thangeswaran	56
	C-70	Anna Nagar – Chellappa	57
	C-71	Chellappa - Isakki	57
	C-72	Don't want to reveal name	57
	C-73	Rajagopal Nagar – Subbulakshmi	57
	C-74	K.V.K Nagar - Sakkammal	58
	C-75	K.V.K Nagar - Suresh	59
	C-76	K.V.K Nagar – Arunkumar	59
	C-77	Thevar Colony - Thangam	59
	C-78	Thevar Colony – Sathya	60
	C-79	Thevar Colony – Selvi	60
	C-80	Thevar Colony - Mariammal	61
	C-81	Mappillaiyurani – Indhu Bala	61
	C-82	Ceylon Colony - Balamurugan	61
	C-83	Ceylon Colony – Kamaraj	62
	C-84	Ganesh Nagar – Ponmari	62

	C-85	P & T Colony - Manikandan	63
	C-86	Chorisapuram - Ganesan	64
	C-87	Pandarampatti - Santhosh raj	64
	C-88	Meelavittan - Muthu	65
	C-89	South Veerapandiapuram – Muthulakshmi	66
	C-90	Kumareddiyapuram - Mahalakshmi	67
	C-91	By-Pass Road – Parvathi	67
	C-92	Ashok Nagar – Chandra Bose	67
D. Statements of eye witnesses to the Thoothukudi Police Firing			
	D-93	Don't want to reveal name	69
	D-94	Mattakadai – Backiyaraj	69
	D-95	George Road - Edward Fernando	72
	D-96	George Road - Anamika @ Anu Tamilatchi	72
	D-97	Fatima Nagar – Infanta	75
	D-98	Fatima Nagar – Nishanthi	75
	D-99	Fatima Nagar – Basil	76
	D-100	Fatima Nagar – Indira	77
	D-101	Theresapuram - Don't want to reveal name	78
	D-102	Thattar Street - Arun	78
	D-103	Convent Road - Tamilselvan	80
	D-104	S.S.Pillai Street - Baskar	81
	D-105	North Raja Street – Relisha	82
	D-106	Boldenpuram - Jeyanthan	82
	D-107	Rahamathaullah Nagar – Senthilkumar	83
	D-108	Anna Nagar - Pattu	84
	D-109	Anna Nagar - Solomon	85

	D-110	Anna Nagar - Imam	85
	D-111	Rajagopal Nagar - Bathirakali	85
	D-112	Rajagopal Nagar - Sindhu	86
	D-113	Ceylon Colony - Sivagami	86
	D-114	Ceylon Colony – Ramkumar	86
	D-115	Amutha Nagar - Aarthi	86
	D-116	Shanthi Nagar - Beauty	87
	D-117	Thiru.Vi.Ka Nagar - Isakkidurai	87
	D-118	Thiru.Vi.Ka Nagar - Ganesh	88
	D-119	Periyanayagipuram - Muthukrishnan	88
	D-120	Periyanayagipuram – Vijay	89
	D-121	Periyanayagipuram - Kavithamani	90
	D-122	Periyanayagipuram – Selvi	90
	D-123	Periyanayagipuram – Gopal	91
	D-124	Ayyanadappu - Muthu	92
	D-125	Ayyanadappu - Ramalakshmanan	92
	D-126	Athimarapatti – Murugesan	93
	D-127	Tharuvaikulam – Michael	93
	D-128	Silverpuram - Jackson Thomas	94
	D-129	Silverpuram - John Sundar Raj	95
	D-130	Pandarampatti – Sumathi	96
	D-131	Pandarampatti – Kannan	98
	D-132	Pandarampatti - Antonyammal	98
	D-133	Pandarampatti - Packiam	100
	D-134	Pandarampatti - Sudali	100
	D-135	Pandarampatti - Don't want to reveal name	101

	D-136	Pandarampatti - Saravanan	102
	D-137	Pandarampatti – Kamala	103
	D-138	Meelavittan – Arun	103
	D-139	Meelavittan - Esakiamma	104
	D-140	Madathur – Jansi	104
	D-141	South Veerapandiapuram - Jeyalakshmi	105
	D-142	Kumaretiyapuram - Karuppasamy	105
	D-143	SAV Campus Selvisaar 2 nd Street – Selvaraj	106
	D-144	T.M.M.K.Ambulance - Shiek Mohammed Mustafa	106
	D-145	T.M.M.K.Ambulance - Yusuf	108
	D-146	Sethukkuvaaiathan - Mary	109
E. Statements of victims who were affected by police brutality in Thoothukudi Police Firing			
	E-147	Krishnarajapuram - Maria Judi Hema	111
	E-148	Therespuram - Justin	111
	E-149	Therespuram - Don't want to reveal name	112
	E-150	Thattar Street – Jaya TV Reporter	112
	E-151	S.M.Puram – Stalin	112
	E-152	Anna Nagar - Kaliammal	115
	E-153	Anna Nagar – Thirumani	115
	E-154	Anna Nagar - Dineshkumar & Parthiban	115
	E-155	Anna Nagar – Nagoor	116
	E-156	Anna Nagar – Senthikumar	116
	E-157	Rajagopal Nagar - Rosemary	116
	E-158	K.V.K Nagar - Dharmaraj	117
	E-159	K.V.K Nagar – Karuppasamy	117
	E-160	Thevar Colony - Don't want to reveal name	118

	E-161	Thiru.Vi.Ka.Nagar – Ayyamperumal	118
	E-162	Periyanayakipuram – Mani	119
	E-163	North Kalankarai – Ponraj	120
	E-164	North Kalankarai – Muniyasamy	121
	E-165	Korampallam - Mani	123
	E-166	Ayanadaippu - Parameswari	124
	E-167	Ayanadaippu – Maisiya	124
	E-168	Ayanadaippu – Vasanthi	125
	E-169	Ayanadaippu – Subbulakshmi	125
	E-170	Silverpuram – Rani	126
	E-171	Meelavittan – Balamurugan	126
	E-172	Meelavittan - Don't want to reveal name	126
	E-173	Meelavittan - Ansy	127
	E-174	Kumaraddiyapuram – Subbammal	127
	E-175	Photographer, Dinakaran Tamil daily - Felix	128
	E-176	South Nadar Street – Alwin	128
F. Statements of eye witnesses who witnessed police excesses during the Thoothukudi Police Firing			
	F-177	Mini Sahayapuram - Finolin Priyanka	129
	F-178	Therespuram - Vimal	130
	F-179	Therespuram – Edison	132
	F-180	Narayana Chetty Street – Beno	134
	F-181	Bala Vinayakar Street – Murugan	135
	F-182	VVD Signal – Venkatesh	136
	F-183	Tooveypuram – Subbaiah	136
	F-184	Tooveypuram- Subramanian	137
	F-185	Anna Nagar - Jeyaraj	137

	F-186	Anna Nagar – Isakkimuthu	138
	F-187	Anna Nagar – Pooranam	138
	F-188	Anna Nagar - Don't want to reveal name	138
	F-189	Anna Nagar - Sheik Mohamad	138
	F-190	Anna Nagar – Isakkiammal	139
	F-191	Anna Nagar – Ramakrishnan	139
	F-192	Anna Nagar – Navamani Thangaraj	140
	F-193	Anna Nagar - Don't want to reveal name	140
	F-194	Ceylon Colony – Thiagu	141
	F-195	Marakkudi – Leema	141
	F-196	Korampallam – Rajan	142
	F-197	SPIC Nagar – Perumal	142
	F-198	Pandarampatti - Karuppasamy	143
	F-199	Pandarampatti – Sivasubramani	144
	F-200	Don't want to reveal name	144
	F-201	Peikulam – Jeyakumar	145
	F-202	Peikulam – Jeyachandran	146
	F-203	Child Welfare Committee - Jeyadass	146
G. Statements of media persons, hospital officials, advocates and public who witnessed police brutality in the Thoothukudi Police Firing			
	G-204	Inigo Nagar people	147
	G-205	Bryant Nagar – The Hindu Reporter Rajesh	147
	G-206	Athimarappatti - Veera Ramachandra Boopathi	147
	G-207	Athimarappatti – Arunachalam	148
	G-208	Pandarampatti - Praveenkumar	148
	G-209	Media Reporter – Balamurugan	150
	G-210	Child Line, Thoothukudi – Kasirajan	150

	G-211	Advocate Chandrasekar	150
	G-212	AVM Hospital Staff – Johnson	151
	G-213	District Child Protection Officer, Thoothukudi - Jothi Kumar	153
	G-214	108 Ambulance – Tamilselvan	153
	G-215	Seithukkuvaithan - Ashik Ali	153
	G-216	Police official	154
	G-217	Nallathambi Private Hospital's Manager - Narayanasamy	154
3.	Consolidation of First Information Registered in various Police Stations		155
	<u>LEGAL DOCUMENTS</u>		
4.	- Table on Court Litigations		209
	<i>Court Orders</i>		
5.	Order dated 28.9.2010 passed by Madras HC directing closure		213
6.	2013 Supreme Court order (from order dated 28.9.2010 above)		238
7.	Final order dated 28.4.16 passed by Madras HC dismissing the 2009 Writs		260
8.	Order dated 18.5.2018 passed by Madras HC in 2018 Vedanta Writ – Section 144		278
9.	Interim order dated 23.5.2018 passed by Madras HC in Fatima Babu's Writ for stay on expansion until public hearing and renewal of expansion EC		283
10.	TNPCB order dated 9.4.2018		309
11.	NGT order dated 8.9.2017 in Application filed by Ramasubbu dismissing the application		312
	<i>Government Orders / Directions, Collector Orders</i>		
12.	GO-072 dt 28.5.2018		319

13.	SIPCOT Order cancelling lease	321
14.	Executive Magistrate Deployment Order	322
15.	District Collector Order for 144 dated 23.05.2018	324
	<i>Court Pleadings</i>	
16.	Fatima Babu 2018 Writ Petition	325
17.	Fatima Babu 2018 Writ Petition-Synopsis	351
18.	Fatima Babu 2018 Writ Petition-List of Dates and Events	354
19.	Impleadment application filed by Fatima Babu in Appeal filed by Sterlite before Appellate Authority from TNPCB Order dated 9.4.2018	357
20.	Counter filed by Respondents in Appeal filed by Sterlite before Appellate Authority from TNPCB Order dated 9.4.2018	360
	<i>Environment Law and Policy changes</i>	
21.	Office Memorandum of Ministry of Environment dated 10.12.2014	408
22.	Amendment Notification S.O. 1141-E dated 29.4.2015	409
23.	Office Memorandum of Ministry of Environment dated 16.5.2014 passed by earlier government	412
24.	EIA Notification dated 14.09.2006	413
	<i>Appellate Authority proceedings</i>	
25.	Implead application-Fatima	455
26.	Sterlite AA TNPCB Counter 2018	458

List of Statements of relatives of deceased, bullet injured and injured in the Thoothukudi Police Firing

S-No	Area	Deceased (A)	Bullet injury (B)	Non Bullet injury (C)	Firing witness (D)	Procession/ Lathi Charge /arrest /Police Torture/ Atrocities (E)	Specific witness (F)	Miscellaneous (G)
1	Inigo Nagar				D93-Don't want to reveal name			G204-Group of Peoples statements
2	Mini Sahayapuram	A1-Snowlin (her father Jackson's statement)					F177-Pinolin Priyanka	
		A2-Jansi - (her husband Jeyabalan's statement)						
3	Mattakadai				D94-Packiaraj			
4	George Road			C44-Mr.Newton	D95-Edward Bernard			
					D96-Anamika			
5	Fathima Nagar			C45-Dharmaraj	D97-Infanta			
					D98-Nishantha			
					D99-Basil			
					D100-Indira			
6	Siluvaipatti	A3-Kaliappan (her mother Maheshwari's statement)						
7	Thalamuthu Nagar			C46-Rita				
8	Krishnarajapuram	A4-Anthony Selvaraj - (his younger brother Rajan's statement)				E147-Maria Judy		
9	Mettupatti	A5-Gladston (his sister Genrose's statement)		C47-Pradeep				
10	Therespuram		B15-Joyalraj	C48-Naresh	D101-Don't want to reveal name	E148-Mariajesu	F178-Vimal	
			B16-Bevelin Victoria	C49-Vinothan		E149- Vinobha	F179-Edison	
			B17-Glinton	C50-Barur				
			B18-Anand	C51-Dickson				

S-No	Area	Deceased (A)	Bullet injury (B)	Non Bullet injury (C)	Firing witness (D)	Procession/ Lathi Charge /arrest /Police Torture/ Atrocities (E)	Specific witness (F)	Miscellaneous (G)
			B19-Siluavai	C52- Riten				
			B20-Selvam	C53-Leemarose				
				C54-Mathavadiyan				
				C55-Ajith				
				C56- Don't want to reveal her name				
				C57- Antony				
11	Bhoopalarayapuram			C58-Davidson				
12	Lourthammalpuram		B21-Prabu	C59-Don't want to reveal name				
13	Thattar Street				D102-Arun	E150-Jaya TV- Camera man		
14	Narayanan Chetti Theru						F180-Bino	
15	Convent Road				D103-Tamilselvan			
16	Bungalow Street			C60-Ulaganathan				
17	Balavinayagar Street						F181-Murugan	
18	SS Pillai Sreet				D104-Baskar			
19	Vadakku Raja Street				D 105-Relisha			
20	Thamothar Nagar	A6-Manirajan (His wife Anushya's statement)		C61-Jeyakumar				
21	Boldenpuram				D106-Jayanthan			
22	Masilamani Puram	A7-Shanmugam (His father Balaiah's statement)						
23	SM Puram					E151-Stalin		
24	Bryant Nagar			C62-Perumal				G205- Rajesh (Press), Attacked by public

S-No	Area	Deceased (A)	Bullet injury (B)	Non Bullet injury (C)	Firing witness (D)	Procession/ Lathi Charge /arrest /Police Torture/ Atrocities (E)	Specific witness (F)	Miscellaneous (G)
25	VVD Signal						F182-Venkatesan	
26	Tooveypuram			C63-Porcheliyan			F183-Subbaiya	
							F184-Subramaniyan	
27	Rahmathullah Nagar				D107-Senthil Kumar			
28	Anna Nagar	A8-Bharath raj (Statement Selva Sowndar)	B22-Rajalingam	C64-Karuppusamy (His son Sivasankar got injured)	D108-Pattu	E152-Kaliammal	F185-Jeyaraj	
			B23-Lakshmi (Her husband Lakshmanan got injured)	C65-student (don't want to reveal his name)	D109-Solomonraja	E153-Thirumani	F186-Esakkimthu	
			B24-Sakthivel	C66-Muthu	D110-Imam	E154-Dineshkumar, Parthiban (Two gave one Statement)	F187-Pooranam	
				C67-Anitha		E155-Nagoor	F188-student (Don't want to reveal his name)	
				C68-Vasanthakumar		E156-Senthilkumar	F189-Sheik Mohammed-	
				C69-Thangeshwaran			F190-Esakiammal (Lathi charge witness)	
				C70-Chellappa			F191-Ramakrishnan	
				C71-Esakki			F192-Navamani Thangaraj	
				C72-Student (don't want to reveal his name)				
29	Rajagopal Nagar		B25-Helen	C73-Subbulakshmi	D111-Pathirakali	E157-Rosemary		
			B26-Kalimuthu		D112- Sindhu			

S-No	Area	Deceased (A)	Bullet injury (B)	Non Bullet injury (C)	Firing witness (D)	Procession/ Lathi Charge /arrest /Police Torture/ Atrocities (E)	Specific witness (F)	Miscellaneous (G)
30	KVK Nagar			C74-Sakkammal		E158-Dharmaraj		
				C75-Suresh		E159-Karuppasamy		
				C76-Arunkumar				
31	Thevar Colony			C77-Thangam		E160 - Don't want to reveal name		
				C78-Sathya				
				C79-Selvi				
				C80-Mariammal				
32	Tamil Nadu Housing Board						F193-Don't want to reveal name	
33	Muthammal Colony		B27-Rajalakshmi					
			B28-Raja					
34	Melur		B29-Veerapagu					
35	Mappillaiyurani			C81-Bala				
36	Millerpuram		B30-Prince					
37	Ceylon Colony	A9-Kanthaiya -(his wife Selvamani's statement)		C82-Balamurugan	D113-Sivagami		F194-Thiyagu	
				C83- Manthiradas	D114-Ramkumar			
38	Marakkudi						F195-Leeema	
39	Amutha Nagar				D115-Arthi (Transgender)			
40	Ganesh Nagar			C84-Ponmari				
41	NGO Colony		B31-Balaguru					
42	Shanthi Nagar				D116-Beauty			
43	Caldwell Colony		B32- Anantha Kannan					
44	3 rd Mile		B33-Paramasivan					

S-No	Area	Deceased (A)	Bullet injury (B)	Non Bullet injury (C)	Firing witness (D)	Procession/ Lathi Charge /arrest /Police Torture/ Atrocities (E)	Specific witness (F)	Miscellaneous (G)
45	Thiru-Vee-Ka-Nagar		B34-Durai raj		D117-Essakkithurai	E161-Iyamperumal		
					D118-Ganesh			
46	College Nagar		B35-Raja Singh					
47	P&T Colony			C85-Manikandan				
48	Annai Theresa Meenavar Colony		B36-Daniel @ Benister					
49	Kamaraj Nagar		B37-Subburaj					
50	Periyamayagipuram				D119- Muthukrishnan	E162-Mani		
					D1210Vijay			
					D121Kavithamani			
					D122-Selvi			
					D123-Gopal			
51	Vadakku Kalangarai					E163-Ponraj		
						E164-Munisamy		
52	Chorispuram		B38-Shanmugaraj	C86-Masanamuthu				
53	Korampallam (Gnana Nagar)					E165-Mani	F196-Rajan	
54	Ayanadaippu				D124-Muthu	E166-Parameshwari		
					D125- Ramalakshmanan	E167-Mazia		
						E168-Vasanthi		
						E169-Subbulakshmi		
55	Athimarappatti				D126-Murugesan			G206-Veera Ramachandra Pupathi
								G207-Arunachalam

S-No	Area	Deceased (A)	Bullet injury (B)	Non Bullet injury (C)	Firing witness (D)	Procession/ Lathi Charge /arrest /Police Torture/ Atrocities (E)	Specific witness (F)	Miscellaneous (G)
56	SPIC Nagar						F197-Perumal	
57	Tharuvaikulam				D127-Micheal			
58	Silverpuram				D128-Jackson Thomos	E170-Rani		
					D129-John Sundarraaj			
59	Pandarampatti			C87-Santhosh raj	D130-Sumathi		F198-Karuppusamy	G208-Privin kumar
					D131-Kannan		F199-Sivasubramani	
					D132-Antonyammal		F200-Don't want to reveal name	
					D133-Packiam			
					D134-Sudali			
					D135-Don't want to reveal name			
					D136-Saravanan			
					D137-Kamala			
60	Meelavittan			C88-Muthu	D138-Arun	E171-Balamurugan		
					D139-Esakkiamma	E172-Arun Raj		
						E173- Ansy		
61	Madathur		B39-Maniamutha		D140-Jhansi			
			B40-Arun Kumar (his grand father Mayilvaganam's statement)					
			B41-Muthuraj					
62	Therku Veerapandiyapuram			C89- Muthulakshmi	D141-Jeyalakshmi			

S-No	Area	Deceased (A)	Bullet injury (B)	Non Bullet injury (C)	Firing witness (D)	Procession/ Lathi Charge /arrest /Police Torture/ Atrocities (E)	Specific witness (F)	Miscellaneous (G)
63	Kumareddiyapuram			C90-Mahalakshmi	D142-Karuppasamy	E174-Subbammal		
64	Peikulam	A10-Selva Sekar -(His sister Seetha's Statement)					F201-Jeyakumar	
							F202-Jeyachandran	
65	Kurukkusalai	A11-Tamilarasan -(his brother's wife Valarmathi's statement)						
66	Thailapuram- (Nazareth)		B42-Parish Priest Fr- Leo Jeyaseelan					
67	Collector office					E175-Felix (Photographer – Dinakaran Daily]		G209- Balamurugan[[Free Line Indiyen Express]
68	CWC						F203-Jeyadass	G210-Kasi rajan
69	Thiraviyapuram		B43-Sakthivel					
70	Advoacate Former							G211-Chandra Sekar
71	A V M Hospital officer							G212-Johnson
72	by-pass Rode			C91- Parvathi				
73	S A V Campus selvisir street				D143- SelvaRaj			
74	Child help [thoothukudi]							G213-Jothikumar
75	TMMK Ambulance				D144-Muhammed Musthaffa			
76	TMMK Ambulance				D145-Yosuf			
77	Government Ambulance 108							G214-Tamil Selvan
78	Sivanthakulam	A12- Karthik (Mother Murugeshwari)						

S-No	Area	Deceased (A)	Bullet injury (B)	Non Bullet injury (C)	Firing witness (D)	Procession/ Lathi Charge /arrest /Police Torture/ Atrocities (E)	Specific witness (F)	Miscellaneous (G)
79	Pushpa nagar	A13- Ranjith (Father, Baskar)						
80	Aariyapatti	A14- Jeyaraman (Wife Balammal)						
81	Seithukkuvaithan				D146-Mary			G215- Ashik Ali
82	Ashok Nagar			C92-Chandrabose				
83	South Nadar street					E176-Alwin		
84	Police Victims							G-216Statement by SI Pechimuthu regarding wounded police victims
85	Nallathambi Private Hospital							G217-Statement by Narayanaswamy regarding

A. Statements of relatives of deceased who died in the Thoothukudi Police Firing

A-1: Testimony of Mr. Jackson, son of Mr. Praveen

359/77 A, South Carton Road,
Mini Sahayapuram,
Thoothukudi

Mr. Jackson (47)

359/77 A South carton road.
Peria Nayaki Annai Anbiyam,
Mini Sahayapuram,
Thoothukudi District.

FAMILY DETAILS:

S. No.	Name	Relationship	Age	Occupation
1.	Mr. Jackson	Family Head	47	Fish Catching.
2.	Mrs. Vanitha	Family Head	47	-
3.	Mr. Godwin	Son	24	Fish Catching.
4.	Mr. Magdon	Son	22	Fish Catching.
5.	Mrs. Merilada	Daughter in Law	24	-
6.	Ms. Godsilina	Grand Daughter	2 ¹ / ₂	-
7.	Ms. Jipansi	Grand Daughter	6 Months	-
8.	Ms. Snowlin	Daughter	18	12 th Standard.

I am living with the family in the above mentioned address. We as a family participated in many agitations against Sterlite, in continuation with this on 22.05.2018 a protest was going on opposite to the Lady of Snows church. We as a family had participated in the agitation. We are all protestors who were marching towards the Collector's office, while nearing VVD signal police officials came with 2 Jallikkattu bulls and tried to disperse the crowd. After that they lathi charged many and dragged them. We the protestors marched forward against the barricades and moved towards the Collector's office, my daughter Ms. Snowlin was also among them. Afraid of police we ran here and there and came home. After coming home while watching the TV news around 11:00 AM we had seen so many bodies in the ambulance being taken into the hospital. While watching it suddenly

we had seen our daughter Ms.Snowlin's body being taken to the hospital from the ambulance. We all cried and came to the hospital but we were not allowed to see the body. We came back home. Ms. Infanta (18) friend of my daughter has narrated how my daughter Ms. Snowlin had shot down, she (Ms. Infanta) thought that Ms. Snowlin was fainted, after lifting her head she understood that she had died. She told that there were bullet injuries in the back of the neck and front of the mouth.

My relation Mary (40) went to the Government Hospital of Thoothukudi and saw my daughter and she told that one side of her face was completely damaged and also said that my daughter Ms. Snowlin's body was kept on freezer no 6.

Based on the request of the police officials I went to the Thoothukudi Government Hospital there the police officials showed me a letter stating that Ms. Snowlin died in an accident and that I am accepting to receive the body for burial. I had refused to sign the letter, after a while again I was given a letter and they had asked me to sign while reading it went like this, My daughter Ms. Snowlin died in the police shoot out (22.05.2018) and I am accepting to do postmortem and keep the body safe. After reading this I had signed the letter and gave it to them. Till now I have not received the body. We do not know any other information. We didn't receive any benefits from the government. For what reason my daughter was killed that request should be fulfilled. I humbly request to close down Sterlite permanently.

A-2: Statement by the husband of deceased

Name: Jesu Balan

Wife's Name: Jansi

I am a fisherman and am married. Jansi was my wife. I have three daughters Anbarasi (Age 25), Aunshta (Age 16) and Jasmine (Age 15) and a son Pauvlraj (Age 19). My first daughter Anbarasi is married and other daughters are studying in the school. My son and I are going for fishing. My wife's sisters Rosammal and Sahyarani are living in the same area. We were at home on 22.05.2018. Around 3 pm my wife Jansi went to my first daughter Anbarasi's house, it is just two streets away from my home, to see my daughter and her children. On her way back home near Thresepuram Baksil canal bridge, around 50 policemen from 4 police vans got down and smashed the two wheelers, fridge and the washing machine in that area. My wife was shocked to look at the police vandalism and did not know what to do. At that time she was shot on her head and the brain from her head splashed on the ground and she fell down. Then the police took the flex banner near the tea shop and took part of my wife's head in a parcel and put it in the van and fled. This was witnessed by Sun Michael Kumar Regi. My wife was shot at the distance of 20 feet.

My children and I thought that my wife had gone to her first daughter's house and she was remaining there. We looked for her after 6 pm in our neighbourhood as to why she did not reach home. Then we came to know that she was shot by the police on her head and died. We saw her body in the hospital and wept aloud.

The police standing there came and appeased us by telling that we would receive the compensation of Rs. 1000000. I asked, 'Who wants your money? I will give Rs. 2000000 will you give back my wife? We would not receive the body until we get an apt answer for her death. We will allow you to go ahead with the post-mortem and we will start our protest against the police vandalism here.' Our relatives sat in the protest.

The police force forcibly chased us away. We tried to get in and see the body but could not so we returned home weeping. At night the police men came to our area and took the men by force beating them in the public and put them in the van in the name of enquiry. Knowing this few of our neighbours and I boarded the boat and protected ourselves in the sea from the police violence.

The police made the phone call and threatened me to receive the body and sign for conducting the post-mortem. The next day the police officers came in person and threatened me to sign the documents for the post-mortem. They came on 27.05.2018 and threatened me. I am completely frightened of the police. My third daughter has scored 379 out of 500 in her SSLC exams, my wife is not alive to hear this good news. My fourth daughter is in the 9th standard. I do not know how to bring up and protect my two daughters.

A-3: Statement of Ms. G.Maheswari mother of deceased Kaliappan

G.Maheswari (45/18),
W/o Gopalakrishan (50/18)
S/o Peruman,
3/473 Ramdas Nagar, Siluvaipatti (PO),
Tuticorin Panchayat Union,
Mappilaiyurani Village, Tuticorin

I am residing in the above mentioned Address. I am working in a sofa company. Belongs to Hindu Arunthathiyar Community. I have a husband Gopalakrishan. Son Kaliappan (22), Rathi (14) pursuing 9th standard. Malini (11) pursuing 7th standard My son Kaliappan is working as a driver for fruits Vehicle in PK fruit stall opposite to Tuticorin corporation.

He is unmarried and he got engaged to get married on October with a bride from Maipparai. he to Kovilpatti, Kazhugumalai. He studied up to 8th standard. We are building a new house. He reached home at night, after participating in the Sterlite protest on 22.05.18 after pouring water to the new house's wall, he left the house to collect salary from his owner's house near Aavadaiyur puram at around 11.00am. He drove by his own pulsar. He parked his vehicle in PK fruit shop and went by his friends bike to Annanagar. It seems that, from 11.30am -12.30pm the police getting the news that the police fired at Annanagar and one young person died, through television and WhatsApp and while seeing that the deceased dress were like our sons one and got doubted and speeded with my brother

Rajendran. Sister Vansanthi Brother Ravi, Aunty-Ananthi and uncle Muthukumar, to Tuticorin Medical College Hospital @ 23.05.18 at 2.30pm.

Then in GH we enquired with the outpost police station. No one responded there. one officer who is in duty said to check with mortuary. we went there. There also we dint got answer. we asked the reporters there. immediately they guided us to the mortuary. Then at that time the incharge officer of the enquiry about the police firing Mr. Gagansingh Bedi allowed us to see in mortuary with one police officer. My brother Rajendran and Sister Vasanthi identified my son by the dress he wore. My sister Vasanthi said "that the bulled got out form the back side" to the frond" to me.

The inspector of Thalalmuthu Nagar police station Vanitha rani and SI Shankar asked us to go to Tuticorin DSP office at 11.00 a.m on 24.05.18 we with Vasanthi, Ravi, Rajendran, Muthukumar went to the police station. Then they took us to the Tuticorin south police Station and got signature as "we are called for an enquiry on Crime number 312/2018. Then they took us to the Tuticorin Government medical College on 24.05.18 at 1.00pm.

They make us to stay there till 7.00pm and got signature from us they are going to postmortem my son's body and then allow us to see my son. I hooter loodly when seeing my sons body, that the bullet shot on his left rib and got out through chest. After postmortem too body come from mortuary. We didn't accept the body. We didn't receive the body till the Sterlite factory is closed. Murder case should be filled on the police men who shot my son. Action should be taken on the Authorities who ordered for firing. Till getting the justice we won't accept my sons body. Till now, no officers comfort us. Ratha, they Compelled us to receive the body.

So, I request to take action on the police who ordered firing and those who are responsible for my son's death and to take action to close the Sterlite factory.

A-4: Statement by J. Rajesh (39/2018) brother of J. Antony Selvaraj, (son of A. Joseph Stalin), who was murdered by police firing:

My brother is residing at door no.30, Annai Velankanni Nagar, Krishnarajapuram extension, Thoothukudi – 2. He got married to A. Kalpana (42/218) during the year 2000, they have a son Ajay Jones (16/2018) and a daughter Amirthasharmini (13/2018). Ajay Jones is a 11th class student and Amirthasharmini is 7th class student. My brother, (deceased) Antony Selvaraj was working in a shopping complex located at Jailani Colony for the last 5 years. He is not associated with any political party or organisation.

Amirthasharmini had attained puberty, therefore my brother had made arrangements to celebrate the event between 10 AM and 11AM on 28th May 2018 at A Salha Mahal, Krishna raja nagar main road, as per our family custom. My brother, (deceased) Antony Selvaraj, was busy inviting our family relations and friends in person, from 10th May 2018 onwards.

On 22 May 2018, my brother took his wife A Kalpana on the pillion of his motorcycle (Hero Honda 100, with registration no:TN69 A4714); and left her at the BMC Matriculation Higher secondary School, where she is working. After leaving her at the school, my brother went to his work place at Jailani colony, located on the Palayamkottai road behind Yamaha show room.

Now a days my brother used to get permission from the employer and went around the town to invite friends and relatives for his daughter's function, on 22May 2018 also he went to Bryant Nagar invited people and went back to work. At 1 o'clock my sister-in-law Kalpana called my brother over his cell phone and asked him to come to her work place (BMC school) and take her back home. So my brother went out on his motorcycle. Around 1:30 PM my sister-in-law received a phone call on her cell phone, an unidentified person informed her that her husband is wounded with bullet injury and admitted in the general hospital. She was grieved and terribly upset, she did not know what to do. She rang up her son, he and his friend Navin, went to the hospital on a motorcycle. By this time I had received information from some of my uncles, I was at Myladuthurai on a business trip. I left immediately and reached Madurai by 9 PM. As there was no bus transport to Tuticorin I took a Tirunelveli bus and got down at Kovilpatti and reached Tuticorin at 3:00 am. My brother's son and his friend couldn't get inside the general hospital and the police were preventing people from getting in to the hospital.

My brother's son struggled to find his father, by passed the police cordon and searched in the ICU wards, but in vain. Some people advised him to search in the mortuary. He went to the and mortuary and the staff pulled the vaults and asked him to verify. With heavy heart he finally found his father's body. His body was attired with sky blue colour shirt and white inner wear, the white innerwear was soaked in blood and shirt buttons were opened. He could see that the bullet had pierced his chest. The staff had shown him only up to the chest. Other then my brothers son was allowed to see the body. My brother's son and his relatives were threatened and driven out by the police. They went back home with heavy hearts by 4:30 after that time till now we were not allowed to see his body.

My friend and myself went to hospital again the next day around 9AM, there were many relatives of other police firing victims gathered there. The police never allowed us to see the bodies. We formed a group of grieved families and protested. But police never showed us the bodies.

We returned home, and saw a news clipping that said one Advocate Sankarasubbu has filed a petition in Madras High Court and obtained order to preserve the bodies till 30 May 2018. We have obtained a copy of the order through one of our family friends in Chennai, Master Panneerselvam stunt master in the cine field. That order said all bodies for which post-mortem procedure was completed and all other bodies should be preserved till 30.05.2018. So we are waiting. In the meantime the police and government officers are threatening and pressurising us to sign blank white papers and to agree for post-mortem which we resisted and disagreed. We are following up through advocates.

A-5: This is the statement of Ms. Jenrose, who is the sister of the K.Cladson S/o Kovilpitchi 5/222, Metupaatti who was killed in police firing on 22.05.2018.

K Cladson who was murdered by police firing is my younger brother. He is married to Jesurani (36), they have 2 children, Jeniston (18) and Jemista (16). My mother Esther (75) was also living with them. Cladson is a fisherman. On 22.05.2018 fishermen have boycotted work and decided to join the anti Sterlite demonstration. Therefore my brother Cladson did not go to sea, they have decided to participate in the anti Sterlite rally and joined the gathering of 300 people of Metupatti. I live in Fathima Nagar so I have also joined the group of people from our locality and went to the rally. My another brother Inbaraj's son Pradeep had also joined the rally. Pradeep is a polio affected differently abled person. Therefore Cladson asked us to take care of Pradeep and he went ahead towards collector's office. Cladson reached collectors office standing on the road in front of the collector office at about 11:30 a.m. At this time gun shots were fired from north direction within the Collector's office campus. A bullet pierced through the left chest of Cladson and he fell on ground. This was eye witnessed by Amalraj (60) S/O Anthonipitchai of Mettupatti. This was informed to us by one of our relatives in Oman who was watching the tragedy on TV. In order to confirm I went through the crowd and moving towards government hospital. When I reach the government hospital Hariharan inspector of Sipcot police station was beating the people with the lathi, when I said I want to confirm my brothers death, he beaten me with lathi, and held the revolver on my left shoulder and said "leave this place or else I will shoot you also". On hearing about my brother's death, his wife Jesurani also came to hospital and cried to Hariharan that I want to see my husband's face. He pushed her away and said just leave from here otherwise I will send you also to where your husband left for. We were scared and went back to our homes.

Later some policemen pressurised us to sign the form of acceptance to conduct post-mortem of my brother's body, as we refused to sign, they left our place. Next day village extension officer and revenue inspector came to our home and said we'll arrange a government job one of you, kindly cooperate and sign the form to conduct post-mortem of my brother's body. We refused and they left. We have decided that Sterlite should be closed until then we will not accept for post-mortem.

A-6: Statement of Ms. Anusuya, W/o Manirajan, 150 A/2 Dhamodharan Nagar, Main Road, Thoothukudi

I am residing in the above stated address. Also I have studied B.A. English literature. Just three months before only I got married to Maniraj. Just now I am two months pregnant.

I, my husband Maniraj, my father in law Soundarapandiyan Nadar (65) and my mother in law Baljanaki (63), all the four of us, lived as one family. My husband was working as an electrician. Our family survived with his earnings.

On 22.05.2018, I was in my parents house. In the noon around 12.00, my husband had gone to our house. My mother in law asked him to have lunch and started to serve. But at that time, to his bad luck, without eating, telling that he would bring me, started his two wheeler Hero Hunk TN 69 AA 1059.

In the afternoon around 1.00, my husband's elder brother Jeyakumar informed over the phone that my husband was shot dead, in the police firing during the protest against Sterlite. Hearing the news of my husband's death, I collapsed in shock.

After an hour when I recovered, I enquired, my mother told me that it is true that my husband is dead and it is telecasted in the TV news. Then I too saw the news and confirmed my husband's death.

To see the dead body of my husband, his elder brothers Jeyakumar and Velmani went to the government hospital. But the police dispersed all including my brothers in law, the relatives of the dead in the police firing with a lathi charge. Why is it on one side, police is firing on the people and on the other side they are being chase with Lathi charge?

Is there no body to question the atrocities of the police? When my child is born and ask about his father, what answer do I have to tell? The police have destroyed my life at this young age. I do not know how to manage the family having two elderly people. Why has the government not taken any action on the district SP and Collector, who acted in support of Sterlite after getting bribe from it.

A-7: Statement of Balaiya, father of Shanmugam, died in police firing, 11, Masillamanipuram, First Street, Thoothukudi.

I am residing in the above stated address. The name of my wife is Valli. Our only son is Shanmugam (38). My son had studied up to B.Com., MBA. I worked in the share market as an auditor and retired presently. To my only son I have earned necessary assets. Therefore I did not send him for any work. Also recently he has applied for audit work to do the work done by me. Before that, when there was a protest against Sterlite on 22.05.2018 he was murdered in the police firing.

My son was interested in social service. Therefore I carefully watched him not to go anywhere. If anyone calls him for any public service, he used to go without any hesitation. In this background, he did not join the 100 day protest in Thoothukkudi. He was not a member of any organisation.

On 22.05.2018 morning around 10.30 he informed me of going to a house in Annanagar. But in the afternoon around 12.30, I got shocked to know that my son was dead in police firing during the Sterlite protest. Was my son brought up with affection and care to be shot down? I thought that this information cannot be true. But I confirmed his death by police firing through T.V. news. From the government side nobody came forward to extend help. While I attempted to see my son's dead body in the government hospital, I learnt that in

front of the hospital, the police was attacking the affected people and I was disturbed for not being able to reach the hospital.

My son's body is in the hospital. Please help me to get the body. More than me there are many people without any help. Please extend your help to them. I have earned sufficiently for my son to live comfortably for his whole life. I have live thinking only money is life. But after the death of my son, I am living without knowing what to do with that money.

A-8: Statement of Selva Soundar (24), S/o Jeyakumar, 25/A Anna Nagar 12th Street, Mangalapuram, Tuticorin

I am residing in the above mentioned address. studied up to 12th Standard. Father Jeyakumar (53), Mother Jeyakumari, expired before 3 years. Elder brother Selvam (29), elder sister Selva Brindha (27) got married last year. My father has 7 brothers, 1. Solomonraj (55), 2. Jeyakumar (53), 3. Ravikumar (51) 4. Rajini (Expired before 15 years) 5. Deva Anand (42), 6. Dhanasekar (39), 7. Barath Raja and two sisters. 1. Santhi (49) married, 2. Gandhimathi (43) married.

The last brother of my father and my uncle S/o Yesudasan was sentenced to prison on 2003 for a murder case because of the problem among the relatives. He was punished with life imprisonment for 12 years by Tuticorin District Court and sent to Palayamkottai prison.

My uncle will come to home on Barol, 4 times one year. While he was on barol he will go to signature in SIPCOT police station. At that time I will accompany him. we arranged for marriage to my uncle's elder brother and my dad's 4th brother Dhanasekaran S/o Yesudasan on 20.05.18 for that marriage function my uncle came in barol on 17.05.18. From the date of arriving I took him to SIPCOT police station for singing regularly.

From 18.05.18 to 22.05.18 my uncle Barathraj was singing in SIPCOT police station regularly. While we are getting ready to go to police station. We can't move anywhere because of the protest. So, we stayed at home itself.

On 23.05.18 at 2.00 p.m, the people were protesting in the area near our house. At that time the police knock every door step. When I hear the knock of my house, just opened the door. 20 policemen were standing with lathi.

Before I asked them, they pushed me and rushed into the house. The policemen called me and my uncle to come outside. My father asked them why? They told that they are having a video of the protestors. If your son's photo is not there. We will leave him. They said, and my father sent us along the policemen. The police came to my home were wear he I met and green color armor. So we can't found their names.

Suddenly when we came out of the house, Roughly. 30 policemen attacked us with lathis. They attacked our head, leg hands and over all the body for 5 minutes. Then they boarded us to the police vehicle named. "Thirunelveli police" They were 15 members like us inside the bus. Who were caught by the police.

When the bus started, two policemen started attacking us with lathis and kicked us with boots legs. One of those policemen stabbed my uncle with a lathi on his chest.

After 45 minutes the bus reached south police station. And they asked us to get down from the bus. As we were going into the police station. Hearty 40 policemen from both sides were attacked us.

We were totally 63 inching us in to the police station. They compelled us to undress. The arrested were with the inner only in the police station. Then the policemen attacked us individually.

5 policemen headed by SI Nambiraj and SI Velayutham, attacked my uncle Barathraja. The calf bone got fractured and blood shed, from there. My uncle fainted there while they strongly attack his chest. Then they pour water on face and make him awake.

They attacked me also in my leg, hand and all over the body. My little finger of left hand got fractured. And got swelling injury in the left calf. Severe pain caused in Right hand joint. I can't able to walk. The police were continuously attacking us upto four hours.

At 7.00 pm a lady judge Mrs.Bagavathi ammal came to the police station. She gathered the details of father's name and Address. And she left after 30 minutes.

Then at 7.30 p.m the police took us to the central police station. But they didn't get us down and returned to the south police station. They marked our identification marks and got signature.

At 11.00 p.m, again they took us to they central police station. we were remain into the bus till 1.00am. At 1.00 a.m they provide us a little amount of lemon rice. Those of us didn't eat that food and throw out of the bus.

And they locked us in a marriage hall near 2nd Railway gate at 1.30pm. On 24.05.18 at 6.00 a.m they again took us to the south police station. At 8.00am they gave us some Pongal and Upuma. I didn't eat because of body pain. Then they took us to GH at 8.30am.

They Scanned my left hand and left leg. They scanned my uncle's left leg. No treatment was given. Then at 1.00 p.m, we were taken to the court and we remain inside the bus till 6.00 p.m. They didn't allow us to get down.

They took us into the court at 6.30 p.m. The judge investigated us individually. Inching me. Judge asked me "who beat you?" I told the policemen beat us" and showed the injured. Judge noted that. Then my uncle was investigated. He also showed the injuries.

At 11.00 p.m, we were took to GH again and the person with blood injure were treated and the remaining were in the bus.

Then, At 12.30 a.m the police took us to the Perurani District prison. Roughly at 1.00 a.m we were locked in to the prison. On 25.05.18 at 8.30 a.m the police from Palalyamkottai prison took my uncle along with them.

At 10.00 a.m the police in Perurani prison noted the injuries of us. At 12.00 noon 10 persons were came to the prison headed by two doctors and gave me tablets after checking my health.

On the next day 26.05.18 at 9.00 a.m. They took us to the Tuticorin GH. They bandaged my left hand and at 1.00 p.m I was released in bail. On 29.05.18, I filed a petition and visit my uncle Barathraj in the Palayamkottai prison at 2.30 p.m. He told that “the Injuries were noted, but to treatment was given till. And I can’t walk properly. Because of these additional cases, the amnesty will be refused to me”

On 30.05.18 at 1.00 p.m the police called from Palayamkottai prison, to my another uncle Dhanasekaran and told that” your brother committed suicide”. He is in serious Condition and admitted in I-ground Government hospital. After half-an-hour they called again and told that your brother died.

At 2.30 p.m I went to GH and saw my uncle in mortuary at 7.00 p.m. While I am seeing he was only with his inner wear. I found injuries in his chest, left leg and thigh. They sent us out after 10 minutes. I took photos in my mobile phone.

My third uncle Deva Anand (40) S/o Yesudasan, filed a petition, and saw the life imprisoned accused Sudalai Muthu S/o Nalla Perumal and Selvakumar S/o Paul to know about “what was done to my brother in the prison”.

They told that “Along with the jailor Murugesan, 5 policemen verbally abused Barathraja as you belong to the stool eating community, you made bombs for Sterlite protest when you were released in bail”. And strongly attacked him by lathi in the tower inside the prison in front of all other accused. And they told that “we will reveal this truth, where ever you want”

A-9: Statement of Selvamani wife of deceased Kanthaya, killed in police firing, 321, Cylon Colony. Chinnamani Nagar, Millerpuram, Thoothukudi.

There was a protest against Sterlite for 48 days. Kanthaya participated in that protest and supplied food and electricity. He was a daily coolie in construction of buildings. On 22nd May 2018 at 9.00 a.m he joined with other protesters around 50 of them at the corner of Teachers’ colony. The terrorized policemen stopped the crowd with Vajra Vans at FCI godowns and fired tear gas shells on the protestors who were scattered. The scattered protesters again came together and marched towards the Collectorate. The policemen threatened them with their guns and at one point they started firing. He wanted to save the life of Snowlin who was beside him and was shot dead and to help others over there. As he was going towards them he was shot dead at the entrance of the Collectorate. He got the bullet on the left side of his chest and died on the spot. I am his wife giving this statement on behalf of my deceased husband.

A-10: This is the statement of Seetha (43) elder sister, of Selvasekar (42) S/o Mookandi (66) who was beaten to death by police

I am Seetha W/o Jayachandran, myself, my husband, son Sam Prabhu (17) and Moses Daniel (16) are living in Narayanaswamy street Paeikulam Thoothukudi district. I am a teacher in a private school and my husband is a contractor worker with a private firm.

On the day of incident (22.05.2018) around 1p.m, my sister Santha received a phone call from the deceased Selvasekar. Selvasekar said that he was heinously beaten by police, have severe head injury and he also said that the injury is very serious so he will not survive. He said that he is at a fruit shop named Kanda vilas opposite of collector's office. Santha called me over phone and gave this information I in turn passed this information to my cousin Jayakumar. Jayakumar tried to reach the spot but police were brutally beating the innocent public with lathies he could not reach the spot.

In the meantime one of Santha's friends called her said that Selvasekar is admitted in the government hospital. So myself and my husband went to government hospital. At the hospital also police were mercilessly beating the innocent public. Some how we managed to escape the lathi charge and entered the hospital. My brother was in the ward no:601 located at the sixth floor of the hospital. He had bandage on the head, his shirt and innerwear were soaked in blood. Hands and legs were swollen but he was with conscious and speaking to us. I asked him how could he reach the hospital, he said Tamilnadu Muslim Munnetra Kalagam rescued him and admitted to hospital. There were serious injury all over his body. He explained, because number of police personnel stamped on his back, with booted feet, so his chest is severely painful. There were stiches on his head. His condition was pathetic. He said about 10 police personnel was standing around him beaten with lathis and stamped booted feet on his chest and back. He said he has severe pain in the legs, hands and chest. He also said doctors have taken good care of him. He was shifted to Amma ward (500A), he was treated and slept well.

Next day (23.05.2018) at 08:00 a.m he had idlies. At about 2:30PM he said he is feeling very cold, I touched his body and found it is really very cold. I have informed the doctors and they have attended to him immediately. At about 3:45PM he was shifted from Amma ward to ICU. Scan was taken for his chest. Doctors informed that there are blood clots surrounding his heart. He was shifted to AE ward and given emergency treatment. Doctors said an emergency operation is required to flush the clotted blood. Fresh blood was transfused simultaneously but along with the clotted blood fresh blood was also draining out. He was shifted to emergency operation ward after obtaining signature from me.

After sometime doctors came out of the theatre and told me that he doesn't have strength to withstand the operation, again he was shifted to another emergency operation theatre. After 5 minutes a doctor called me inside and shown me at that he was dead. It was around 10:45 PM. His body was shifted to mortuary after obtaining signature from my cousin Jayakumar. On 25-05-2018 post-mortem was conducted in the presence of

Magistrate Tamilselvi, myself, my husband and my cousin Jayakumar were present. Post-mortem procedure was videographed.

Deceased name: P. Selvasekar (42), S/o P. Palavesam (late) No.2, Narayanaswamy kovil street, Paeikulam, Iruvappapuram (Post) Srivaikundam Taluk, Thoothukudi-628251

A-11: Statement from Valarmathi, W/o Sankrasubu (late), Age 55 residing at Ramachandrapuram Cross, Thoothukudi District

Valarmathi - Sister-In-Law of Thiru. Thamilarasan, who died in Thoothukudi gun fire.

My brother-in-law, Thamilarasan was in the protest against Sterlite from 1996 for last 22 years, when they started. My husband, Thiru Sankarasubu was working on the Railways. Our house is in Milavital area which is very close to Sterlite factory and my husband's work location Milavital railway station. My husband was passed away with cancer 2012 and from that time onwards my brother-in-law was more aggressive in the protest.

Since Thamilarasan was involved with "Puratchikara Ilayaigar Munanani", frequently police was spying on him and conducting enquiries. Even, they enquired in Telugu since we speak Telugu. And Police did the enquiry with him at his work (Diamond Shipping) on Thursday, 17th May 2018. We were worried and checked with Thamilarasan, but he convinced us by saying this is nothing unusual.

On May 22nd, 2018 morning at 10:30 Thamilarasan and his friends came together near Thenpakkam Police Station. When they reached V.V.T Signal around 10:45 a.m, police let 5 buffalos in-between the crowd. That time only police started their atrocities. And the crowd panicked, scattered and started running away to a safer place. Thamilarasan were his friends are also separated but they continued the march.

They reached the Collector's office at 11.30 a.m. When they entered the left side of the Collector's office, Policemen were there and started beating them. Again they tried to enter the Collector office they heard the gun fire Vajra vehicle nor the policeman on the vehicle. Thamilarasan was shot on his head from close by distance in front of the collector's office.

Someone reached his friend and informed him about the shooting on Thamilarasan through his phone, to the last call made. That friend only called and informed the news to us. Meanwhile Thamilarasan was admitted in Nallathambi Hospital. When we came to know the news after an hour, by the time Thamilarasan was shifted to Government Hospital. Then we all rushed to the hospital and reached there around 2 p.m.

When we reached there, that place was a chaos and people were crying. We also identified Thamilarasan's body and we were crying. That time police were beating me and my daughter not at all considering we are women. And my Son-in-law was surrounded by 12 policemen and beaten. Our relatives, Sekar and Ramamurthy were also beaten by the police. Another relative, Ranjithkumar was also beaten on his chest and legs and still he couldn't walk.

Thamilarasan's brother, Chinna Muniyasamy was beaten by the police in the afternoon on the same day and he was imprisoned inside the police station. Someone called from there and threatened me, you have to give a statement which reads "Thamilarasan was died in the accident" otherwise we will kill Muniyasamy. We reached out to Ananda Vikatan reporter through what's app. After that Muniyasamy was released on the next day (May 23rd). While he was in the police station, he was harassed badly and brutally beaten by the police and they threatened him, they will kill him also. And he showed his Employee ID (he is working in the Ration store), police broke that and snatched away the store collection Rs. 1000 and his watch. And we have another brother of Thamilarasan, who is not in contact with the family and working in FCI. Police reached out to him and got the signature from him and did the autopsy without our permission.

Thamilarasan was very soft by nature and cared for people's welfare. For that reason, he didn't get married even at the age of 44. He never showed any anger to anyone. Even on the protest day he told me, we will do a peaceful protest inside the Collector's office, please bring tamarind Rice for all of us. Most of the protestors attended the protest with food Parcels.

A-12: Statement by Mrs. Murugeswari (46) Mother of diseased son M.Karthik due to the shootout which occurred in Thoothukudi

I am residing in 5A/634 Sivandhakulam, Middle Road, Thoothukudi-8 with my family. My husband Mr.Muthupandi (55), eldest son Mr.Maharajan (24) has studied BBA and is currently employed, the second son Mr.Karthik pursuing B.A History in Thoothukudi Kamaraj college has completed the 2nd year and was about to continue with his 3rd year, a daughter named Miss. Abinaya (14) is studying 9th std.

My second son Karthik is known for his active participation in all events of social concern and social welfare, he recently participated in Jallikattu protest with his friends. On 22.05.2018 he informed me at around 10 a.m. that he will be participating in the silent protest which marched up to the Collector's office to hand over the petition requesting to shut down the Sterlite Plant and also to represent the 100th day of protest and then he left on his splendor motorbike with his brother accompanied by his friends Marimuthu, Murugesan, my acquaintance's son John and with around 15 of his other friends.

We all joined the silent march at around 10:30 in the V.V.D signal junction, we were also informed that there were police in that location sometime before but when we reached there the place looked calm, there were also lots of people who joined with us with their families from both the sides of Thoothukudi-Palayamkottai road. My acquaintance's son John told me that after they crossed the 3rd Mile tear gas shells were burst by the police, so they decided to park their motorbikes in a warehouse nearby and continued to walk, due to the massive crowd we were not able to stick together so Karthik with his friends went before us and me with John and his friend Marimuthu reached the Collector's office garden where we saw police battalions charging the protestors at about 50 feet away from us. The police

started to shoot from the top of the garden area is when Karthik thought he will help the injured in the shootout and brought them one by one and as he went out again to help others who were a bit far away and that is when he fell, his friends took him to the Nallathambi Private Hospital which was opposite to the Collector's office. There was also someone from Madathoor who was admitted in the Government Hospital.

I was also told that the police were hurting and torturing people who took part in the silent march is when we all were trying to call my son Karthik but we never got any response, After some time my son Maharajan called and told us that Karthik was admitted in the government hospital then I immediately informed my husband over Muthupandi's phone. We rushed to the Government Hospital and reached at around 12:45, when we asked OP in the hospital they told us that he's in 3rd floor admitted in Emergency Ward and we were also told that police didn't allow anyone to enter the hospital and when Karthick friends tried to admit him they were arrested by the police, we were also not allowed near Karthick as he was in the Emergency Ward. We were told that he needs to be operated and to be given blood but we were also not given enough information by the nurse working there. There were also a lot of students assembled in the hospital, they didn't let anyone inside after 4:00 p.m, to 8:00 p.m as the students left the hospital by 9:30 p.m we were informed that our son had passed way.

During all this time in the Government Hospital there was not even a single Chief Doctor available in the Emergency Ward and all the available and working personnel were medical students and nurses who were learning. I strongly believe that my son might have been saved if there were any Chief Doctors available at that time and if he was given the right treatment. Karthik was shot on the left side of his forehead.

On 23.05.2018 early in the morning at 2 the police showed up at our door and asked us to sign the papers they had for which my husband signed and also they had booked cases on Karthik's friends Marimuthu and Murugesan and they didn't arrest others since they were below 17 years of age. They also repeatedly troubled us saying that they will take our son's body. We received our son's body after autopsy was done on 30.05.2018 at around 8.30. We received a cheque for an amount of 20,00,000 (twenty Lakhs) and we gave our eldest son the government job that was offered.

We request you to shut the Sterlite Plant which has cost us our son and to take appropriate action on the police department so that no other parent will lose his/her child and incidents like this will never occur in the future.

A-13: Statement of Baskar, father of Ranjith who died in Tuticorin police firing.

I am living in 3/334, Pushpa Nagar, Nispas Sabai Backside, Tuticorin-08, with my family. My wife Muthulakshmi (40), daughter Banu (20), finished B.Com., I am a centring worker. My son Ranjith completed EEE. After finishing he was working with me for one year. And for last one year to was doing private online network business. He never leave home unwantedly. He has no connection with any political parties and other associations. He will return to home by 8 p.m. usually.

On 22.05.2018, As usually he went to his internet office at 9.30 a.m. Then, my friend Sai called me and informed that Ranjith is injured and admitted in Govt. Hospital at 12 p.m. I rushed to the hospital. While I reached the hospital the police were lathi charged and banishing the people. I over ride that in sake of seeing my son and searched him in wards with Sai. But he was not in the ward where the injured were in.

Then, finally while searching in mortuary. They showed Ranjith from he rack box. I saw his load full of blood and his deceased body.

My son, Ranjith parked his bike in the office and participated in the peace protest with his friends. While crossing the Collectorate entrance and going hear the park, the police fired and he got injured in his head and died. The nearby people took him to Nallathambi hospital. Then by Nallathambi hospital's ambulance they took my son and sholius body to the GH. In GH they confirmed them as dead and kept them in mortuary.

There was a hole of bulled shot in the back right side and left side of Ranjith's head. He has no more injured. After sometime the police started attacking in mortuary also. All people were scattered. I also came back. Police atrocities are unbearable. They started attacking the relatives of the deceased who came to see the body. After postmortem, I received my son's body.

They gave a cheque for 20 lakhs in the name of my wife Muthulakshmi and said that they will give government job to my daughter Banu who finished B.Com., My wife fainted by waiting for the son returning back to home daily at 8 p.m and got mentally upset.

I admitted my wife in a private hospital in ICU ward and how in home. Still we are craving for my only son. I, my son did protest with any party or association. He went along with the crowd who are processing against the Sterlite factory. He didn't carry any weapon. They planned to scare the crowd so only they killed. Murder case should be filed against the person who killed my son. No one should experience this same again. Sterlite should be closed permanently. Proper investigation should be done for justice and the action should be taken as per law.

A-14: The statement of Balammal W/o. deceased Jeyaraman in the Thoothukudi police firing, 3/23 North Street, Aryapatti, Usilampatti Taluk, Madurai District-625523

I am residing in the above address for over 15 years. My husband's name is Jeyaraman, we have only one daughter Nandhini, pursuing B.A (English) 2nd year in Arul Anandar College, Karumathur, Madurai.

My husband Jeyaraman was interested in doing social service. He left home earlier at 4 am on 22.05.2018. He asked me to lock the door and left.

I went to the farm gooseberry as usual at 7 am. I returned home at 12 pm. My husband used to contact me over phone, at 11 am whenever he went out of station. But he didn't call this time.

Because I called him at 1 pm. The phone rang, but he didn't pick-up the phone. I tried after sometime, but he didn't. After lunch I was at home. Our house is situated away from the city. My relatives called me and asked for my husband, while policemen and reporters asked them about my husband. I replied that, "He was out of station. They asked don't you know anything?" suddenly I asked "any problem?". They told that he got injured in his hand and was admitted in Thoothukudi Govt., Hospital.

Immediately I arranged a van for rent of Rs. 5000/- I, with my daughter Nandhini and my relatives started from my house at 7 pm. We reached GH roughly at 10.30 pm. I found my husband in the 3rd floor, Emergency ward. Some wires were attached in his nose, mouth, legs, hands and stomach. I spoke with him but he did not answer. When I pressed my hand on his feet, some movement was there. I felt the heartbeat, I asked the doctor, if I touch there is movements but if not there is no movement.

The doctor told that he was in a coma because of bullet injury, and he told, he can't say about the situation now. There was a bullet injury the doctor said. The police shot my husband in between his right ear and eyes. He left home with pant and shirt on but in hospital he was covered with a lungi.

I, with my sister Panjavarnam stayed in the hospital. We sent the others home early in the morning, on 23.05.2018. I was in hospital on 23.05.2018. There is no improvement in my husband's health. Doctors, who didn't say anything strongly. Roughly at 7 pm., they informed me that my husband expired and they wont give the body now. The hospital administration told that "Protests going on in Thoothukudi, the shops are closed, No food is available, so you go home, after postmortem we will give you information, then you can get the body". Then my sister and I stayed in hospital and returned home on 24.05.2018 at 3 pm. After 4 days at mid night some policemen threatened us to get my husband's body. I told them, "I will get the body when the Sterlite factory was closed permanently"

I filed a petition in Chennai HC regarding the death of my husband because of police firing on 05.06.2018. When I was in Chennai they called me to get my husband's body. "If you don't come, the police itself will get the body" they said. So I, and my daughter Nandhini left Chennai and came to Tuticorin on 05.06.2018.

We got my husband's body on 06.06.2018. At that time the Thasildar gave me a cheque for Rs. 14 lakhs and gave a cheque for Rs. 6 lakhs to my husband's parents.

While I was in Chennai, the police posted a notice on my house. Action should be taken on the policemen who shot my husband.

B. Statements of victims who were bullet injured in the Thoothukudi Police Firing

B-15: Statement of Mr. Joelraj (30/18) who was injured in police firing.

Joelraj,
224/1, Therespuram,
Thoothukudi

I am residing in the above address with my family. I am a Christian. My wife Princy is working as a teacher in a private school. My daughter Saatina is studying 1st standard. I am working as a crane operator. The Sterlite factory in Thoothukudi is causing severe vulnerabilities. Protests were going on in Tuticorin for the closure of the Sterlite factory. I did not take part in the procession on 22.05.2018. I went to work on that day. At 3pm a team of police came to Therespuram. The street was noisy. I came outside to see what's happening and went inside, at that time a policeman shot me. A bullet pierced the back of my left knee, I was in throes of pain and went inside my house. I was taken to American hospital(private) for treatment because i will get into trouble if I went to GH. They operated to remove the bullet from my leg. Then I was admitted in Tuticorin GH for further treatment. The government have only 1.5 lakhs as compensation instead of 5 lakhs. That was given by Deputy Chief Minister Mr. O. Paneerselvam today.

B-16: Statement of Mr. Evalin Victoria (43/18), Kuruspuram, Therespuram village, Thoothukudi District.

I am living at the above address with my wife Ramanai, sons Ajith (21) and Anandkumar and daughter Abinisha. I m a Christian fisherman.

About 1 lakh people gathered spontaneously, all of us are convinced that Sterlite is causing cancer among our people by dumping untreated industrial waste carelessly. I wished to participate in the peaceful protest march demanding closure of Sterlite on 22/05/2018. When I reached the third mile bridge police started lathi charge and firing tear gas shell, so I was afraid and started running back. When I reached Bryant Nagar, police present there, caught me, beat me and pushed me inside a police van. There were many people in the van who were taken by the police. We were taken to South Police station, we were about 20 people I do not know any of them. About 50 policemen came in to the room, they were having about 5 feet long wooden logs and started beating us mercilessly. I was beaten heavily I was bleeding profusely. I was taken to the general hospital where doctors treated me there were 7 stitches on my head. I have blood clot patches on my left thigh and right side of my back. I was given 1.5 lakh rupees as compensation.

B-17: Statement of Mr. Clinton, S/o Mr.Sahayaraj, 184/4E, Mathava Nayar Colony, Therespuram, Thoothukudi City, Thoothukudi district.

I am Clinton, I belong to the fishermen community. My father died a year ago, my mom is a home maker. I am working in a MSP fish company.

On 22nd May 2018, I went to the protest against Sterlite. As I reached the Collector's office, we found vehicles burning already and a person was shot in front of the Collector's office some people including myself went near that person to help him but again the cops started firing so we ran outside to save our lives. I was shot below my knee, and I was taken to the government hospital through 108 ambulance. I was operated on and the bullet was removed from my leg. Officers from the Collector's office inspected us and gave me the welfare fund from the government. My request before yours to take action against the police officers and my kind request is to close Sterlite permanently.

B-18: Statement of Mr. Jesu Anand (27/18) S/o. Dharmapichai, Therespuram, Thoothukudi.

I am residing in the above address. Working as a welder in Jaya Engineering. Completed ITI and unmarried. I was returning after finishing my work on 23.05.2018 at 3.45 pm. While I am reaching Therespuram bridge the police were out firing. While firing I got injured in my left thigh and left side of my head. My body got covered with blood. I fainted at that place itself. Then later i realized, I was getting treatment in GH. The Government official met me and I received the cheque for Rs. 5 lakhs as compensation. I request you to take due action on the policemen who shot me, I request for the closure of the Sterlite factory.

B-19: Statement of Mr. MariaSiluvai (34/18), S/o Dharmaraj

I am living in Ganesan Nagar near Fatima Nagar in Tuticorin; Ponmari (F/29) my wife and we have a son Inbadoss (M/04).

I am sure a lot of people of Tuticorin are affected by the pollution caused by Sterlite factory. I know people who have died due to cancer caused by pollution from the factory. Therefore I have joined a group of people from my locality who have gathered to show our protest against the Sterlite factory. The gathering was on the one hundredth day of commencement of our peaceful demonstration on 22.05.2018.

We (myself, my wife Ponmari and son Inbadoss) gathered in front of St.Mary's Church. There were a few thousands of people already gathered there and we started walking in a procession towards the factory. As police stopped us so we took a deviated route via the Holy Cross Church. When we reached St. Antony's Church police again tried to stop us. However, as the people were in large number they could not stop us. Women were leading the procession that was heading towards the bus stand. When we crossed over the bridge near bus stand, a set of policemen started firing tear-gas shells.

We started moving enthusiastically towards the Collector's office. As we crossed the arch of the Collectors office, police resorted to a lathi charge without any provocation. Policemen standing near the tree on the left side of the Collectors office started firing without any warning. A few policemen started beating people mercilessly. One policeman beat my wife with his cane, she started yelling, I questioned the policemen. Immediately a few policeman started beating me with a huge wooden logs, on my thighs and a policeman took a stone and hit me on my shoulder.

I was mercilessly beaten by the police for demonstrating peacefully against the Sterlite company that spreads cancer in our locality by disposing dangerous untreated waste. But no government official or Ministers are ready to listen to us. All of them along with the atrocious policemen should be brought to book. We should be sufficiently compensated, and the factory should be closed.

B-20: Statement of Mr. Selvam (47/18) S/o Cornalius (40/18) who was hit by a bullet during the police firing incident on 22.05.2018.

Selvam (47/2018)

146/3A/02, Cruzpuram

Therespuram

Thoothukudi

I am living in the above address with my wife Mary Edwin, son Starwin (18/2018), daughter Sowmiya (20/2018). I belong to Fernando caste of Christian religion. My daughter is doing her first year B.Ed., and my son is studying 12 th standard. I am a fisherman.

The Sterlite factory is badly affecting the people of Thoothukudi. For some time there are agitations being organised for the closure of the I factory. I have participated in the 22nd May 2018 agitation. About 1000 people from my locality had gathered and marched to emphasize our right for a clean environment. We went in procession towards 3rd mile, I have seen some people running towards us shouting that the police are firing. So I was scared and returned home.

By afternoon I received information that my friend Gadson was shot by the police, so I went to Therespuram to see him. There about 20 policemen surrounded me and threatened me with a handheld pistol. They shouted at me so I started running, when I was running, police fired at me from their pistol, a bullet pierced the lower right side of my back. The pain was unbearable and I lost consciousness and was lying on the road. Some people took me home. My house owner took me to the government hospital, doctors removed the bullet from my back. I had received Rupee three lakhs through cheque as government compensation.

B-21: Statement of Mr. Prabhu

A statement given by layer Kumarar prabhu, residing in Kalaingar street, Thoothukudi district, Lurthammalpuram. For about 15years, I work as a fisherman. I am unmarried. On 22.05.18 I participated in anti-Sterlite protest, the police officials fired to disperse the gathering; also, the vehicles were burnt by them. I tried to escape from the spot but the police men fired on my left hand and chest. I was severely bleeding. Then I was admitted in the Thoothukudi Govt. Hospital as impatient for treatment and I got operated. I received compensation amount from the government. I request you to take strict action against the police officials for their inhumane act and ensure the closure of Sterlite plant in Thoothukudi district.

B-22: Statement of Mr. Rajavelu

I am Rajavelu (Age 38), S/o Mr. Sermadurai (Age 59) and Mrs. Chandira (Age 55). I live in the second street Anna Nagar, at the back of Pathirakaliyamman temple, Thoothukudi with my two brothers Selvalingam and Sankaralingam. I work as a loadman in the market place in Thoothukudi.

The police firing on 22.05.2018 shocked all of us. So we remained at home in our mother with fear. My brother Sangaralingam had to leave home on 23.05.2018 for his personal work, so he left our home in the morning. He had not returned home for a long time. Taking note of the tense situation prevailing in our area, I went in search of him in the neighbouring streets with a greater amount of anxiety. As I reached the sixth street in Anna Nager the police force was patrolling the whole area in their vehicles and started firing at the public without any announcement or warning. It was around 1'o clock in the afternoon. The police force fired at the public whomever they saw in the streets blindly without any announcement of warning. As I was running for a safe place a bullet struck at my left side of my neck and the blood started flouring from the gun shot in my body and I collapsed at once. I was carried by two people on a motor bike and they admitted me in the Government Hospital, Thoothukudi at 1.45 pm. I was given first aid in the Government hospital in Thoothukudi and was shifted immediately to Rajaji Hospital, Madurai for further treatment through 108 Ambulance Service. On 25.05.2018 I was operated upon my gun shot part of my body as an inpatient in Rajaji Hospital in Madurai and they removed the bullet from my neck. Later the Doctors who operated me told me that they had removed the bullet by making a hole at the back of my neck. Now I am recovering from the operation and taking further medication in Rajaji Hospital Madurai.

B-23: Statement of Mr. Lakshmanan, 55/18, 10th street, Rajagobal Nagar, Anna Nagar, Thoothukudi

Lakshmanen who was a hair-dresser is now a jobless man. He came to buy food for his elder sister who is deaf and dumb at. 12. 30 pm on 23rd May 2018. The police men fired below his right leg. He was taken to Rajesh Thilak Private Hospital and treated for 2500 rupees. He is shuffling. The treatment was done without date, name, bill and signature. He is at home.

B-24: Statement of Mr. Sakthivel (45/18), S/o. Chinnathambi, a patient suffering from a bullet wound in Tuticorin's firing and undergoing treatment in the Government Hospital.

I reside at 8, 10th West street of Anna Nagar in Tuticorin with my family comprising of my wife and four children. I am an Arundhathiyar and work as a sanitary worker in the Corporation of Tuticorin.

On 22.05.2018, a protest took place demanding the closure of the Sterlite copper plant and the people were going from Our Lady's Church towards the Collectorate. The people comprised of families who took part in this protest. Many people took part from our area and my family also participated because my daughter Chitra aged 25 had passed away in January 2018. I have the death certificate at home. After the shooting at the Collectorate we all went back home. We saw on television that ten people had died. The relatives who gathered at the Government Hospital were prevented by the police.

On 23.05.2018 morning the relatives went again to the Government hospital to see the bodies and they were beaten and driven away by the police. Some affected relatives came running in fear towards V.V.D. signal and towards Anna Nagar. We the residents of Anna Nagar stayed in our homes.

After 10 am, police started to enter into our homes, dragging people not bothering if they were women or children and kept beating them indiscriminately saying, run, run.

They entered our homes and beat us up threatening that they would shoot us and so we ran. Families after families ran. Some of us gathered at 7th street in Anna Nagar. Around 2 O'clock, we were 150 feet away from the police. They had entered the houses of people in the 8th and 9th street and continued to beat, and on 7th street at Muchanthy Marriammankoil Street, the police fired their guns.

The police gave no warning about the shooting, neither did they fire in the air. They did not use either tear gas shells or water canons but targeted and shot people with long rifles. I was shot below my left knee. I am being treated in the Government hospital. My bone is broken and the muscles have been torn in three places. I did not wish to see the chief minister.

The Sterlite Copper plant should be closed permanently. What has happened in Tuticorin should not be repeated, legal action has to be initiated against the Government officials who were responsible, provide protection for our lives.

B-25: Statement of Ms. Helen

A statement given by Mrs. Helen, I reside at 1st street, Rajagopal Nagar. My husband works as a daily wage labourer. I have one son. Mr. Mandhiramoorthy who resides nearby my home, went to the spot where the incident had happened. Police officials used tear gas to disperse the police force was patrolling that area in their vehicles and started firing at the public without any announcement or warning. A bullet was struck at his left leg thigh, then he was admitted at Thoothukudi government hospital. Till now he is getting treated in the same hospital, along with the help of his family members.

B-26: Statement of Mr. Kalimuthu (52/18), 4,Muthuraman Kovil Street, Rajagopal Nagar, Thoothukudi

I am Kalimuthu (Age 52) S/o Mr. Chinnadurai Nadar and Husband of Mrs. Muthu Selvi (Age 41). I have a son Karthick (Age 19) and a daughter Kalpana (Age 23). I am living in the above-mentioned address. I collect old newspaper and other metal articles from the streets and sell them.

As usual I went for my collection of old metal articles on 22.05.2018. I also saw a huge crowd marching, demanding for the permanent closure of Sterlite industry. The peaceful rally turned in to violence due to the police firing and police violence. The town of Thoothukudi looked as a battle ground on that day. Fearing the situation present there in the town I rushed back home. I came to know from the TV news that more than 10 people have lost their lives due to the police firing and the police violence.

The next day 23.05.2018, I went to the Government Hospital Thoothukudi to see the deceased due to the police firing. Mr. Kamal Hasan, the actor also arrived to the hospital on the same day to console the injured. A large crowd gathered in front of the Government Hospital, Thoothukudi comprising of the relatives of the deceased, injured and the public, they were weeping for their dear and near ones.

As soon as Mr. Kamal Hasan, the actor, had left the hospital, the police force of 200 police men started charging the people in front of the hospital using lathis and stones. The police did not even spare the elders, women and children but brutally beat them. People ran for their lives in all the corners possible. I also ran for my life. As I reached the 6th street, Anna Nager, I saw the police men in uniform who came in their vehicle and started firing at the public without any notice of precaution. I saw a youngster of 20 years old shot and his body was in a pool of blood. Seeing this I got alerted to escape from the place, at that moment, the police shot at me and I received two bullets in my right front thigh. A lot of blood came out of my body, I could not bear the pain and fell down. I was shouting and yelling out of my pain. Two men came on a bike at that time and took me to the Government Hospital Thoothukudi. I was operated upon my thigh, to remove the two bullets in the Government hospital Thoothukudi. I underwent CT and MRI scans and other tests. My pain increased despite the continuous medication. So I was shifted to Rajaji Hospital Madurai on 28.05.2018 through 108 ambulance services for further treatment. After having undergone all the scan process, the doctors have removed one more bullet from the right thigh. Now I am in Rajaji Hospital ward number 225 along with the gun shot injury Rajalingam and Veerabagu alias Sundar were recovering and undergoing continuous medication.

Sterlite industry should be closed permanently in order to save the lives of the innocent people. So the solution is to ban Sterlite.

B-27: Statement of Ms. Rajalakshmi (32), W/o Mr. Raja (37), Muththammal Colony, Thoothukkudi.

I have two children. My son is studying in the 3rd standard and my daughter in the 1st standard. My husband is driving an auto rickshaw.

On the 22nd of May 2018, my husband also took part in the anti Sterlite protest. When my husband was standing at the entrance arch of the collectorate, he was shot at his right knee. My husband was reeling with pain. A few people put him in the ambulance and admitted him in G.H. on 22nd evening the he was operated, and the bullet was removed. That day around one o' clock my husband informed me of the incident. Doctors say that it will take time to heal.

My husband is an auto driver. Now there is no income for my family. We, four of us are struggling to maintain ourselves. The solarium announcement by the Government of 1.5 Lakh is given to us in three instalments. Without any warning the police caused the violence and shot at people. Those who perpetrated this state violence and unlawfully shot at the people should be punished.

B-28: Statement of Mr. Raja (37) S/o. Kovarthan, Muthammal Colony, Thoothukudi

I am residing in the above address. My wife is Lakshmi, son Gokul and daughter Akila. I participated in the procession against Sterlite factory and marched towards District Collectorate. As, I am an auto driver. The member of Auto Drivers Association were wife me. We were reaching hear the Collectorate Arch. The police scared the people by lathi charging and by firing at all those who were in procession and, we started running. The police followed and shot the people by firing I got a bullet in my right leg, below the knee. I lost my balance and fell down. The public took me and admitted me in the GH. There the bullet was removed and I was undergoing treatment from 22.05.2018-29.05.2018. I received the compensation of Rs. 5 lakh from the government. Due action should be taken against the police who shot me. The Sterlite factory should be permanently closed.

B-29: Statement of Mr. Veerabagu

I am Veerabagu @ Sundar (age 17) S/o Mr. Kuppusamy and Mrs. Chittravadivu. I have Mutheeswari as my elder sister and Kameshwari, Lakshmi and Meenachi as my younger sisters. I live with them in No. 35A Melarathaveethi, Melur, Thoothukudi. I am doing my ITI studies in Thiruchendur.

My father runs a mess in our area. A tense situation prevailed in my area due to the police firing on 22.05.2018 in Thoothukudi. All the shops in our area were closed. On 23.05.2018, I went out to purchase milk for preparing curd in our mess. I went around the bus stand area thinking that some shops will be opened in the bus stand area. It was around 12.30 pm. I saw the situation was strange and tense. The people were running here and there and I saw the police charging the public whomever they saw on their way. I did not know what to

do, with fear I also started running towards my house. As I reached the 8th street in Anna Nagar, I tried to inform my father about the situation over the mobile, the police got down from the vehicle and shot at me. I received the bullet between my left abdomen and my loins. I collapsed and fell down. A lot of blood had come out of my body. A man from somewhere came towards me, gave me some water and accompanied me a two wheeler, holding me towards the hospital. A milk vendor who knows my father informed him and my father rushed to the hospital. I was taken for all the scans and tests in the Government hospital in Thoothukudi. Finally the doctors told us that the bullet still remains in the gun shot part of my body and that is very fragile to deal. So they sent me to Rajaji Hospital in Madurai on 25.05.2018 through 108 ambulance service for careful treatment. In Rajaji hospital, Madurai I was taken to CT, MRI and Ultra Sound Scans and to Doppler Scan. Finally the doctors told me that the bullet is stuck between the urinal tube and blood vessels. My life will be at risk if the operation is done on that sensitive area so the Doctors have told me that the bullet will come out by itself in the course of time and in the mean time they would also consult other doctors for further treatment. I see a surgical stitching of 15 centimeters in my left thigh. As of now I am not able to move from my bed. The urine and stool get collected in the disposable bags on the bed. I am afraid how I will get cured and how I will be able to walk normal. This has been worrying me a lot and I am losing my peace of mind because of this feeling. I am in ward number 225 in Rajaji Hospital Madurai.

B-30: Statement of Mr. Prince (21/18), S/o Mr. Gladwin, living in Millerpuram, Thoothukudi, Thoothukudi District.

I am living in the aforementioned address. My father Gladwin owns a cycle repair shop in Millerpuram, Thoothukudi. My mother, Baslin, is a household wife taking care of the family. I finished my diploma in Engineering and currently working in Gilburn Chemicals. On 22.05.2018, I participated in the rally organized by the Anti-Sterlite People's Protest Committee. After noon at about 12:30 I was walking along with other protesters. After I reached District Collector's office main gate, I returned and saw a vehicle was burning near Government Poly Technic College. When I was running from that area, police shot my right leg. A bullet went inside my knee on the right leg and I could not walk. People in that area took me to the nearby Government Hospital for treatment and am still being treated in the Hospital. Since the blood vessel on my right knee was ruptured by the bullet, doctors could not save my leg and removed it below the knee. I am still in the hospital taking treatment. The Government has provided me a relief cheque of 5 Lakhs. I request that the police personnel who were responsible for my leg amputation should be held accountable and punished. Sterlite factory should be permanently closed.

B-31: Statement of Mr. Balaguru (23/18)

A statement given by Balaguru (23/18), S/o Nallaiya, i am residing in NGO Colony, Ganesh Nagar. I work in private shipping company. My father Nallaiya, He resides at home and depend on my salary as his kidney got damaged. My Mother Aandal is a house wife. My younger sister got married.

On 22.05.18, I went to madathoor, PCT unit regarding my official work. while i was returning to my home, i came to know that the police officials were firing and engaged in lathi charge to disperse the protesters, also they had burnt the vehicles. so i decided to leave my two wheeler and then i reached the bus stand, there I could able to see that the protesters were severaly injured, then I tried to move from the spot bu the police men fired below myself leg. Then i was taken to Thoothukudi Govt. Hospital for treatment. As I was severely injured, I got operated and treated. I received Rs.5 lakhs as compensation amount. My entire family depend on my income for their survival. I request you to take strict action against the police officials for their inhumane act.

B-32: Statement of Mr. Anandhakannan (35/18), S/o. Murugesan Cladwell colony, Thoothukudi

I am residing in above address. I got married with Anthonyammal and had sons. Nikash, Santora, Pugazh and daughter Divyadarshini. I am working as a painter. I took part in the Anti Sterlite procession on 22.05.2018. Police firing was going on while I am reaching the Collectorate arch. I started running when seeing the firing, I got a bullet injury on my left knee and was admitted in the GH by ambulance and there the bullet was removed. From 22.05.2018, I am getting treatment. I got 5 lakh as compensation from the Government by cheque. I request you to take due action against in policemen who attacked me and for the permanent closure of the Sterlite plant.

B-33: Statement of Mr. Parmasivan (43), S/o Shanmugam, 3rd mile, Thoothukudi

I, Paramasivan residing in 3rd mile, Thoothukidi. I belongs to the scheduled caste Hindu Pallar, working as an Auto driver. My wife is a homemaker. I have two children Abi Parameshwari(18), Sathya(16).

I participated in the procession which marched towards the District Collectorate against the Sterlite factory on 22.05.2018. I was providing water packets to the people who sat on the Nellai, Thoothukudi bypass and expressing their condemn action against the police firing in Collectorate. At that time the policemen again started firing. On seeing the firing the people scared and scattered. I also ran with the crowd. I got injured in the police firing in my right thigh. Then police started attached below my right elbow my wrist was fractured in, and I was beaten on my back. I had stitches on my right eye. We were there for a peaceful protest. So we went with food materials and water bottles. The police planned and fired on us. I request you to take action on the officials.

B-34: Statement of Mr. Durai Raj (28/18), Thiru. Vi. Ka. Nager, Thoothukudi

I live in the above address. I belong to the Devar community. I am preparing myself for police job. Around 500 people from our area were standing under a neem tree near the bus stand on 22.05.2018. Many people came from different villages around 10.00 am. We joined

them. We were not blocked by the police. As we approached I felt some article passing through my body, I spotted the spot in my body and it was bleeding. Then I realized that I had escaped from a bullet. I returned home for fear of my life. The police chased me and beat me in different places on the way. The people got dispersed in different directions because of the police riot. The police force from Dindigul was caught up in the crowd during the crowd. We rescued them from the crowd, gave them food and sent them safe in the evening. We helped the injured police. The police has not disturbed our area till now.

B-35: Statement of Mr. Raja Singh

Singh (18/18) S/o Alwin. I am residing in Nellai by-pass road, near store, College Street, Thoothukudi district. My father is working as sent ring contract. I studied till 12thstd. I own a cycle repair workshop in bye pass. My mother Krishnakumari is a homemaker.

On 22.05.2018, I participated in Anti-Sterlite protest, and video recorded the brutal act of the police officials, while I was video recording on the east of the R.T.O office, I could able to see the uninformed police officials firing the vehicles, but they resemble like the police officials while I was video recording the entire incident, I was fired below the right leg. Then I was taken to the hospital through the police ambulance. All the video records were deleted by the police officials. I request you to taken strict action against the police officials for their inhuman act and ensure the closure of Sterlite plant in Thoothukudi district.

B-36: Statement of Mr. Daniel alias Benister (19/18), 2/200, Annai Theresa fishermen Colony, Kovil Pillai Vilai Thoothukudi

My name is Benister (19). But some of my friends call me as Daniel. My mother's name is Prema. Father is a fisherman. My, mother is a blind person, I have one elder sister. She is working in the IDEA showroom. I studied up to 8th standard and is working as a mason.

I went with my friends and relatives to take part in the procession on 22.05.18. I didn't enter into the Collectorate. While walking on the roads, the people scattered on hearing that the police started firing. One of our relatives was missing. My left knee started bleeding. I sat there itself in pain. From there, some people took me to Nallathambi Hospital for first aid and then sent me to the GH. Here the bullet was removed by operation. There was no damage to my bone. Here is some whose both legs were hurt. Someone had even seven operations.

I didn't expect that this protest will end in violence. Some people came with me with their two and three year old children. I received a compensation amount of rupees five lakhs. I have no bank account so they filled the SBI challan and went.

B-37: Statement of Mr. Subburaj (18/18), S/o Murugan, Kamaraj Nagar, Nearby Annamal, Thoothukudi District.9791381049

I reside at the above address. I am studying first year in V.O.C College, B.Sc, Maths. I belong to St, Paraiyan community. My father Murugan 45/18 is a coolie. I have one younger sister she is studying 11th standard. On 22.05.18 I participated in anti-Sterlite protest while I was traveling on the way to Hero Company store, nearly Petrol Bunk police officials started firing to disperse the gathered protesters. I ran along with the other protesters. The police men fired below my right leg. I was unaware of the gunshot in my leg. in order to safeguard myself. I tried to climb the wall of petrol bunk but I failed and got severely injured. Then I was taken to Thoothukudi Government Hospital for treatment my blood vessel got exploited. I am operated and getting treaded in the hospital.

B-38: Statement of Mr. Shanmugaraj, 1/147, Choriespuram, Mathavannar East, Korampallam Village,Thoothukudi District

I am living at the above mentioned address, my father is working as a coolie labourer. I am working at a shipping company from Thoothukudi. My house is behind SP's office, me and my family participated on May 22nd, 2018 in the "Against Sterlite" protest on the pathway behind SP's office. While I was standing near the SP's office, I heard gunshots near the Collector's office, so we ran from there. At that moment the police shot at us, I was injured by one of the gunshots on my right hip. Due to this gun wound, I was admitted to the Thoothukudi Government Medical college as an inpatient and being treated for the same. I was visited by all level government officials, I received a cheque for Rs. five lakhs from the government. We request you to take necessary action against the police who fired at me.

B-39: Statement of Ms. Mani Amutha (42/18)

I have finished MSW. My husband's name is Muthuraj (48). He is working as a mason. I live in the address 25/236 Amman Kovil Street, Madathur. On the 22.05.2018 I went with my village companions to give memorandum to the District collector at 9.am. We intended to go through bye pass road to ask the collector to close down the sterlite factory. As we proceeded the police battalion stopped us at the village once and did not allow us to go to the Collectorate. So we questioned the police inspector Hariharan. "Why don't you allow us to go to Collectorate?. There 2 lady inspectors with 3 stars badge and more than 400 police men. Hariharan the Inspector has been working at this SIPCOT Police station for the last 10 years without any transfer. We all begged him that we are going to give memorandum without giving any trouble to anyone. Please allow us. Since they did not allow us after all our begging we pushed the barricade and proceeded towards the Collectorate. But suddenly a police man attacked a lady (aged 38years) and broke her head at 9.30am. She is from South Veradandyapuram. We all tried to take her to hospital but the police did not allow us. So we took photos of the police men on our mobile. But, immediately that policeman was removed

from the place by other policemen. Since we were not allowed we pushed and at 10.30am proceeded to the Collectorate. We went to 3 mile through PNT colony as a peace Rally. But before we reached the place, there were thousands of our people going to the Collectorate. We went under the bridge where we saw full of smoke. Police were not ready for any type of compromise or they did not give us any warning. Suddenly we got news that two people were shot dead at the Sterlite quarters. At this moment my husband went to the Collectorate before me. I was at the end of the crowd and my husband was standing at the main entrance when the police gunned down a person in the front and my husband went to help the wounded man, suddenly the police shot at my husband also. It was at 12.00 noon. The bullet grazed through my husband's left cheek below the ear. To our wonder we could not see any police man at that place. So, they could have shot him from above and the fisher man took my husband to the hospital on their motor-bike said wife. He reached the hospital at 12.30pm. But at 1.30pm only he was admitted and given treatment. At 2.00pm when I was at home I got a message about my husband's admission in the hospital.

When my husband was threatened by the police personnel that if he remains in hospital they will file a case against him. So he left the hospital after the first aid. But there was bleeding from the ear continuously. So we took him again to the hospital. Immediately they took an x-ray and he was given treatment. They gave us report that he was operated on and thus took a robber Rubbu bullet from the wound. Again there was bleeding from his wound. So they took M.R.I Scan and took 2 pieces of bullets and removed the previous 7 stitches and after his operation new stitches had been put. Now he is undergoing treatment in the hospital.

At present, my husband is in Ward no 500 and bed number 3. He is taking treatment from 28.05.18. When Deputy Chief Minister O. Panneer Selvam visited the hospital, police did not allow me to give food to my husband.

We went to the Collectorate to give petition in a peaceful way. But the police opened fire without any warning so the police and the govt. officials should be punished for these atrocities and loss of 13 lives. My husband is in hospital for more than a week. He is the only bread winner of our family. Financially we struggling and starving.

B-40: Statement of Mr. Mayilvahanam (63/18), Madathur, Thoothukudi

My name is T.Mayilvahanam(63), I am a retired govt. servant. My address is 2A/416 Madathur, Tuticorin-8. My grand child Arunkumar(25) is an Auto-Rickshaw Driver. He got married and has a female child. His wife name is Asiwariya. The child's name is Anushia. I went with my grandchild and with the people to 3mile main road through PNT colony I just went to see the event, who where people were going to the Collectorate. The police stopped the people at VVD signal. The people told the police that they were going to give a petition to the district Collector and asked them as to why they were stopping them. immediately Selva Nagarathina, ADSP ordered his police to lathi charge the people, So people were scattered from the rally here and there. But again people went towards the Collectorate. There was

smoke coming from the over bridge area. As the people proceeded police shopped them near the Sterlite people's quarters. Within seconds, there was smoke from that side also. I can assure and say that it is the police who set fire in to residence of Sterlite area, because people were in front of the collectorate and no one can go near the residence area. It was fully under the police security moreover, the police asked the workers who were residing in the quarters to get out of the place, so that no one was there. The workers were going out of their residences it was telecasted in the TV. The police burnt 10 types at Periya Nachirapuram road side. This act of the police was seen with my own eyes.

After this incident I heard the noise of shooting by the police. The Ambulances were reaching that spot one by one. But none of them were govt. ambulance. At this moment I called my grandchild over the phone (mobile). But he did not attend my call. It was around 12.30pm at 4.00pm I came to know that my grandchild was wounded in the police shooting. I went to the govt. hospital in search of my grandchild. There I was informed that my grand child is undergoing an operation and he could be seen only after 9pm. He was wounded in the police firing. The bullet had gone inside the flesh at the back of his left knee. At the operation theatre I met the Doctor and he told me that the blood veins have been cut due to the shooting, and that is in a critical condition, and asked me to move him to the Madurai Govt. Rajaji hospital. Immediately we took him to Madurai with the help of my maternal uncle Murugan and with Ganesh. He was admitted at 12 mid-night as an in patient in that hospital. Until now, govt officials have not visited us in the hospital. we are afraid. Moreover there are other people who were wounded in the police firing have been admitted in the other hospitals in Madurai. We did not go to any govt. official because of fear.

My grandchild did not participate in the rally. He just went to watch the crowd and he was wounded by the police firing. So action should be taken against the police and the Sterlite factory should be closed down for ever.

B-41: Statement of Mr. Muthuraj (48/18), Madathur, Thoothukudi

I'm Muthuraj (48) S/o Jayaraj living in 24/236 Amman Kovil Street, Madathur, Thoothukudi Town.

I have two children Anurakha and Anishraj and live with my wife Amudha. On 22.5.2018 I had attended the protest against Sterlite Industries. While the protest was going on around 1: 30 PM while the protest was nearing the District Collectorate I could see fire inside the Collectorate, due to that the crowd started returning back at that time the police started firing at the crowd. The crowd started running in all directions and I got in the middle of the crowd. During that time I got a bullet shot on my cheek and I started bleeding, some of the people in the crowd took me to Thoothukudi Government hospital and I'm getting treated as a patient till now. I got the 5 Lac Rupees from the Government as a compensation. I request the Government to take appropriate action against the police who were shooting and also request for permanent closure of Sterlite copper industry.

B-42: Statement of Rev. Fr.Jeyasheelan, Parish priest.

On 22.05.2018, Morning around 10.00am I started from the bishop's House and was riding on my two wheeler along the G.H. Road. I saw a huge crowd of people going in an anti-Sterlite protest rally. When I reached the V.V.D signal, it was crowded with people. A police Van came there, the police men got down from their van and started to control the people. But the people persisted and went ahead with the rally I also joined myself in the protest rally. Around 11.00am when we reached the third mile railway bridge, People told us that there was firing. I continued with the people towards the collectorate. Then I saw black smoke coming from around the Collectorate. People said that a van was burning there.

I went a head of the people and some of the priests. I heard people felling that the Police was shooting bullet at the people. There to warning given before the gun shooting as well as before the Lathi charge.

I turned around a little bit, then I felt that I had been shot with a bullet in my hip. I could not move, I knelt on the road and turned around to see what happened.

A police in yellow T-shirt was on a police van and was shooting at the people. Police were chasing away people who were standing in away they bired at them. The Police who came to the place where I was kneeling, scolded me in bad words and told me "at this old age you are coming here and troweling us". Then they extended their hand and lifted me. I could not walk. An ambulance came and took me to the general Hospital. There were seven persons in the Van, one woman had bullet wounds, another man's leg was cut off and it was he also had gun shots.

At the G.H student doctors gave me an injection and sent me for scanning Mr.Gracias from Fatima nagar was nearby. He informed Fr. Kirubakaran, our vicar general. Then an ambulance brow sacred Heart Hospital was brought and I was taken to the ambulance through the backdoor. I was admitted at the sacred Heart Hospital and am still in the hospital setting treatment. The bullet which was shot on me had gone out.

I did not ever imagine that the police would shoot at the people. I am very sad about that. Mother and children and all the people came for a peaceful protest. It is unthinkable that a government would do this to its own people.

Mr. Thamizhmanthan and Fr. Venice kumar with whom I am associated all along in the anti-sterlite protests, also were with me. We all went for a peaceful protest requesting to close down sterlite. This state violence is notorious and diabolic.

B-43: Statement of Mr. Sakthivel

I am Sakthivel, S/o. Mr. Kalidoss. I live at 30/G, first Thiraviapuram Thoothukudi with my wife Mrs. Ananthammal, daughter Gayathri Priya and son Ilankumaran. I work in a cell phone shop as a daily wagger and thus leading a simple life with minimum income.

Our place Thiraviapuram and places in and around Thoothukudi are highly affected by effluents from the Sterlite Copper Company for the past 20 years. The poisonous gas let out by the company causes various kinds of illness including cancer. So far various measures a procession was taken by the public demanding the closure of this company. So many strikes, so many hunger fasts etc. I joined with the group of people who opposed this factory. Many villagers joined hand in hand to oppose this company for nearly 100 days. The Centenary day of our strike was on 22.05.2018 (Tuesday). We started our procession around 10'0 clock to meet the District Collector at the Collectorate to give a petition. All of a sudden, within a fraction of a second, the police started their charge and within an hour, the precious lives of 10 person is were taken away by the police. I came home running to save my life.

The next day, i.e. on 23.05.2018 all the shops remained closed. There was not even a single vehicle on the road. The city remained silent. At this juncture, I came out of my house at around 1.00 p.m. I was talking over my cell phone and entered the sixth street of Anna Nagar. At that time, the police announced that no one should stand or walk on the road. If not, they would be shot. While I was nearing my house, a police shot at me without any prior notice. A bullet pierced my left hand. I yelled out in pain and there was heavy bleeding.

On seeing my pathetic condition, a well wisher who came on his motor bike took me to the Government Hospital at Thoothukudi. I was given first aid and the wound was bandaged. I was admitted as an Inpatient at the general ward. The doctors took X-Ray, CT, and MRI scans and reported that there was no bullet in the body. I suffered a lot due to severe pain. My wife had a doubt regarding the treatment. She argued with the doctors over this and so I was taken to Madurai Rajaji Hospital through 108 ambulance. The doctors found out that the bullet lay between the vein and the bone. I underwent an operation and by God's grace, the bullet was removed. Now I am still in Madurai Rajaji Hospital at Ward No 225.

I suffered a lot mentally and physically because of the inhuman behaviour of the doctors in Thoothukudi Government Hospital.

Unless Sterlite Copper Company is closed permanently, we cannot avoid such causalities. The lives of the innocent people will be taken mercilessly by the Company in the future also.

The permanent solution for this problem is to put an end to Sterlite Copper Company.

C. Statements of victims who were injured in the Thoothukudi Police Firing

C-44: Testimony of Mr. Newton S/o (Late) Panguraj Bernard, Meenavar Colony, 62/16 George Road, Thoothukudi.

Testimony of Mr. Newton, son of (Late) Mr. Panguraj Bernard of Meenavar colony, George road 62/16, Thoothudkudi district. I am living in the above mentioned address along with my wife and children. I have four brothers, each of them are working separately.

My third brother's name is Mr. Kamaraj, he is living in Meenavar colony, George road, Door No. 62/35 along with wife Fathima and his daughter Ms. Jeba (19), his sons Mr. Emaldan (18), and Mr. Rubistan (17). My brother Kamaraj is working in a mutton shop and he is a differently abled person (crooked right leg). His daughter Ms. Jeba is working in Velavan Hypermarket. Two sons are engaged in fish net repairing work.

On 22.05.2018 he had attended the funeral service of his friend Mr. Thangathurai, who died for cancer. After that, along with his friends he marched towards the Collector's office to give a petition against the Sterlite. Since my brother Mr. Kamaraj is a differently abled person (crooked right leg) he could not run during the police shootout and lathi charge he was caught in the middle at the time police have lathi charged him on his bald head he was severely injured. Moreover he collapsed and fell down even then the police officials dragged him and lathi charged him heavily on all parts of the body and stamped him with their boots. He was severely wounded on his head, right leg and left hand. This incident took place inside the Collector's premises around 11:30 a.m (22.05.2018).

In this brutal attack by the police he fainted and was wounded in many parts of the body, seeing this his friends took him to Thoothukudi government hospital on their two wheeler motor bikes. Till the permanent closure of Sterlite our agitation will go on. The entire incident was updated to us by evening 3:30 p.m when we approached the hospital to see him. We were not allowed by the police to see our brother. We came to know about all the above said incidents by his friends who had participated in the Sterlite agitation. My brother is taking treatment as an inpatient in Thoothudkudi government hospital till now. He could not go to work till now. Because of this his family is stricken with poverty.

C-45: Statement of Mr. Dharmaraj S/o Pasupathi, KVK Nagar 1st Street, Thoothukudi.

I am residing in KVK Nagar 1st street with my wife, Son and my mother Anandha Nayagi in a Travels company. I belong to the Maravar community.

On 23.05.18 while I am returning from the travels in my vehicle at 1.00 pm. The police were lath charge the people in KVK Nagar. So I drove to my house. I went to my grandmother's house on the main road and parked my vehicle there and went to the house.

My uncle Sankar and his friends Suresh, Srikumar were in my grandmother's house. Nearly 15 policemen broke the lock and entered the house with lathis, logs of wood, steel rod, PVC pipes and attacked us. They did not listen to our words. They verbally abused us. My uncle's, friend Srikumar wore a yellow T-Shirt, one of the policemen shooter that "Shoot that yellow T-shirt guy" suddenly Srikumar removed the T-Shirt and ran away.

A police man named Murugan no: 2019 grabbed my watch and attacked me with lathi with him another policeman with the number 2743, Nazeer Muhamed, took me with Suresh to the police van. They broke the ring at that time the Thirunelveli SP Arun Shakthikumar (Already worked as Thoothukudi ASP) told to beat us while inside the two vans and they also tortured us. From afternoon till 4.30 they kept us in the van inside and took us to the South police station @ 5.00 p.m and when we got down the police standing on both sides beat us and pushed us to the station. ASP Selva Nagarathinam shot us and the other persons like us into station kill them all, No one should go to the Government job, file FIR on all and arrest them". Then the inspector of Maniyachi asked to give 32 persons to him to take to his station. Of that 32, they filed FIR on 17 persons in the section 168 and two others 15 were filed under 170.

They filed in the FIR that I was led by two teams of 15 members to file the case and filed a case under section 170. They didn't give us any food or water until 11 p.m. On 24.05.18 they get 3 signatures from each among 15 and got 4 signatures from me and took us to the police van. They took us to the GH at 11a.m. But they didn't give any inspection (or) tables. At 9 p.m they surrendered us in front of the magistrate and locked in Perurani prison at 11.10 p.m we were in the prison till 25.05.2018 on 26.05.18 5.00 p.m we were released.

C-46: Statement of Ms. Reeta (35/18), W/o Sukumar, Thalamuthu Nagar, Thoothukudi District

I reside at the above address, my husband Sukumar (42/18) work as a fisherman. We belong to the Parathavar community. We have two children. Nivetha (17/18) studied till 10th Std, my younger son Rivaston (15/18) is studying 8th Std.

As my husband participated in the anti-Sterlite protest, he was severely injured by the police officials. 4 days back we received 1 lakh compensation, on 29.05.2018 Tamilnadu Chief Minister gave Rs. 50,000 as compensation amount.

We entirely depend on my husband's daily wages for our survival. We have no option for our survival. My husband forgot everything and he was mentally upset because of the injury caused by the police officials. I request you to take strict action against the police officials who injured my husband and ensure that Sterlite must be closed permanently.

C-47: Statement of Mr. Pradeep (34/18), S/o Inbaraj, Mettupatti, Thoothukudi

I live near my uncle Glaston's house. I was attacked by polio at my young age and I am a 63% physically challenged person. I am married and I live with my wife. I do fishing related work. There were 300 people from our village part of the anti-Sterlite protest on 22.05.2018. They started the peace march at 10.00 a.m from our area. They participated in the rally with their family including children. As we approached the Collectorate, the police in uniform started charging us with lathi and iron rods. They set fire in the Collectorate premises before the people who participated in the protest march had reached the place. The police started firing from the Collectorate premises towards entrance of the Collectorate. My uncle Glaston was standing near the entrance of the Collectorate while the police firing took place and he received the bullet in his left chest and died on the spot. This sad news reached me very late. I am taking treatment in a private hospital for my injury.

C-48: Statement of Mr. Naresh (28/18)

I am Naresh (28) S/o. Jesuraj, residing at 281/72. Thomas Church Street, Therespuram, Thoothukudi – 628001. I earn for living as a coolie fishing worker.

For more than 20 years, people living in Therespuram, Mettupatti, Madathur, Annanagar, Duvipuram, Thalamuthunagar, Lions Town, Kumarareddypuram and other around 100 villages suffer from various bodily sicknesses and had died of cancer due to the poisonous smoke from Sterlite. We under took various protests to close down this factory. But government yield to any of the protests. As a final stage protest, various villagers protested for the last hundred days. To commemorate the hundredth day, all the villagers and people in Thoothukudi planned march towards the collectorate and submit petition to the collector. By that from my living place Therespuram, my friends, Edikston, Dickson, Vimal and Prabu including a number of women and children as families gathered around 300 in number and tried to reach Madha Church by vans. At that time 20 police came in vans threatened and stopped us not to go for protest. Therefore we could not go by van, but reached Madha Church walking for about 2 KMs.

Like us people of Thoothukudi numbering more than 50000 from Mettupatti, Lourdamalpuram, Lionstone, Mini Sahayapuram, Madathiur, Annanagar, Duvipuram, Thalamuthunagar, and including other various places in a peaceful manner walked as a procession. That day around 10 AM when reached VVD signal, the centre place of Thoothukudi, there more than 100 police created barricades and were standing readily with lathies and safety guards blocked the marchers and started beating rudely and blindly even women and children indiscriminately. More that there, they let loose two horns sharpened jallikattu bulls kept ready and chased them into the marchers. The women unexpected of this ran on four directions with loud cry. In this incident on the attack of bulls 3 women and 2 men got serious blood injuries on their heads, face and bodies. Even then, we the people, peacefully crossing the barricades, marched in procession towards the collectorate.

That day around 11 a.m, while continuously walking in procession, at the down side of the bridge, two wheelers including van were seen burning with heavy smoke. More over opposite to collector office, in an unrest situation, it looked like war field due to sounds of gun firing and smoke of tear gas. One police wearing yellow shirt got on the top of the vehicle and sitting there started firing towards the crowd blindly and indiscriminately. In that all my friends there, started running from there with a lot of fear. As we were running, my friends Edicson, Dickson, Vimal and Prabu and me too got a lift in a small lorry. Like us there were two more persons in that vehicle. As the vehicle coming via Kamarajar College, around 30 policemen stopped it and started beating us with lathies on hands, legs, faces and heads and scolded us very badly. We struggled with pain. Then we all were boarded into a police vehicle and taken to South Police station. Already there were some more persons kept as rioters and totally the number was 93. In that there were more than 28 youngsters below the age of 18.

When we got down and walking towards the police station there were around 40 police standing in a row both sides holding sticks, iron bars and pipes chased us beating severely into the police station campus. We were made to sit in the station campus. We were asked to remove our pants and shirts and asked to sit with only inner wears. Then one by one was beaten on lathies, stamped with boots leg on all over the body such as heads, hands and legs. Thus we were tortured. We all shouted and cried out of pain. In this, in my hands, legs and face and all over my body there were inner injuries. In particular, my whole right side was severely injured. On the right hip sides, there was a severe death pain like and I could not stand or raise my hand. Those who were below 18 were also make half naked and beaten severely. Among them there were students studying 10th std. The police did not spare even the students and tortured them too. In this many got fractures and sustained inner injuries and blood clots and there was a cry of death everywhere.

Then after collecting all our details took us to Pudukkottai police station that night. We all were not given food or water. The next day on 23.05.2018, morning, we were given two bread slices and took us to Valanadu in the afternoon. After waiting there for some time, we were again brought back to Pudukkottai Police station. There around 7 p.m after getting it written released 28 children who were below the 8 years of age. After that police got all our signatures forcibly in a paper already typed.

On 24.05.2018, the next day, morning around 6 a.m took us in a police van to the house of the Magistrate and produced us. We cried before the Magistrate narrating all done by the police. After recording our statements, the Magistrate ordered the police to take us to hospital and give treatment. Then while taking us to Thoothukudi Medical college hospital, the police threatened us not to reveal the police torture to the doctors. If exposed, then big cases would be foisted against you and you would be killed. Fearing this, we did not tell the doctor about the police torture. Then that day morning around 11 a.m were produced again before the Magistrate. Then that day afternoon we were kept in Pudukkottai police station for some time and around 5.30 p.m we were put into the Sub-Jail at Perurani. On 25.05.2018, with the help of the Legal Aid advocates we got bails and were all released.

Even after four days of this event, the wounds in our head were not healed and pain is not reduced. There is a fear of further false cases against me if I go to government hospital for treatment. For the wound in my hand, took scan and got treatment in a private hospital. Since there is a bandage in my hand and there is a pain in the whole body, I could not go for any work. Adding to this, the false case filed by police is causing a great worry.

Therefore, Respected Sir, when I and my friends went on a procession peacefully, we were falsely called as persons of violence, besides foisting false cases against us, made us half naked bit us severely with lathies and boots leg by police, a FIR has to be registered against the police and action should be taken on them. Along with that the false cases filed against us should be withdrawn by the government.

C-49: Statement of Mr. Vinothan (43), S/o Udolf, Therespuram, Thoothukudi.

I am living in the aforementioned address. I am married and have two daughters. I am a fisherman. On 22.05.2018, I participated in the rally that started from the Lady of Snows Church, organized by the Anti-Sterlite People's Protest Committee. After going through Palayamkottai road, in front of the court and the Government Hospital, the plan of the rally was to picket the Collector's office.

However, while we were crossing the Government Hospital, the police lathi-charged us and tried to stop us. In spite of that we reached the Collector's office. In the Collector's office we saw vehicles burning. When I heard that the police were beating and shooting at the people, I ran into the bushes in front of the Collector's office. At that time police came and attacked me by hitting me again and again on my head and on my arms. I started bleeding heavily because of this. I immediately went to the Government Hospital where I had to take treatment as an in-patient.

Please take sufficient action on the police personnel who attacked me.

C-50: Statement of Mr. Bharuku Thoothukudi District

I am living in the above mentioned address, I have a daughter and 3 sons, all my children are married. I am working as a fisherman for my living. I participated in "Against Sterlite People's Protest" on May 22nd, 2018. Along with the crowd when I entered the premises of the District Collector's office, I heard the police firing gunshots, so the crowd got scared and ran away, but I could not run. When the police came to me, without considering my age, 4 or 5 policemen used their lathis to strike me on my head and both shoulders. Due to this I was injured on my head and I had 4 stitches on my head. I am being treated as an inpatient in the Government hospital. I received the government's compensation. I request you to take the necessary action against the police who attacked me. At this point, I would like to tell that Sterlite company should be closed indefinitely.

C-51: Statement of Mr. Dickson (28/18) Thomas Church Street, Therespuram village, Thoothukudi District.

I am living in the above address with my wife Jasmin and daughter Meshiba (F/1.5 years). I am a Christian fisherman.

About 1 lakh people gathered spontaneously, all of us are convinced that Sterlite is causing cancer among our people by dumping untreated industrial waste carelessly. I wished to participate in the peaceful protest march demanding closure of Sterlite on 22.05.2018. When I reached the third mile bridge police started lathi charge and firing tear gas shells, so I was afraid and started running back. When I reached Bryant Nagar, police present there, caught me beat me and pushed me inside a police van. There were many people in the van who were taken by the police. We were taken to South Police station, we were about 20 people I do not know any of them. About 50 policemen came in to the room, they were having about 5 feet long wooden logs and started beating us mercilessly. I was beaten heavily I was bleeding profusely. I was taken to the general hospital where doctors treated me, there were 7 stitches on my head. I have blood clot patches on my left thigh and right side of my back. I was given 1.5 lakh rupees as compensation.

C-52: Statement of Mr. R.Raitten, S/o Rasaiah who is undergoing treatment at the Thoothukudi Government General Hospital:

I'm living in Therespuram in Thoothukudi; with my wife Victoria and daughter Rya (F/04). I am a daily wage worker.

On 22.05.2018 We (myself, my wife and daughter) gathered in front of St.Mary's Church. I have joined a group of people from my locality who had gathered to show our protest against Sterlite factory. The gathering was on the one hundredth day of commencement of our peaceful demonstration. There were a few thousands of people already gathered there and started walking in the procession towards the factory. As the police stopped us so we took a deviated route via the Holy Cross Church. When we reached St. Antony's Church police again tried to stop us. However, as the people were in large numbers they could not stop us. Women were leading the procession that was heading towards bus stand. When we cross over the bridge near the bus stand, a set of policemen started firing tear-gas shells.

We started moving enthusiastically towards Collector's office. As we crossed the arch of the Collectors office, police resorted to lathi charge without any provocation. We are very scared, so we decided to return to our home by 2:30 p.m.

By around 9:30 p.m, I went outside my home in Therespuram to buy some food for my daughter. A white police van arrived in the market place of Therespuram and a number of policemen alighted from the van. As soon as they got out of the van, the police started beating everyone standing on the street. I was scared and wanted to return without buying food for my daughter. At that point of time a policeman hit me on my head with a wooden

log. I do not know for what. Police again beat my hands and one of my little finger was fractured. I went to the Government hospital and got treated.

The people demonstrating peacefully were mercilessly beaten by the police, though the Sterlite company that spreads cancer in our locality by disposing dangerous untreated waste, no government official or Ministers are ready to listen to us. All of them along with the atrocious policemen should be brought to book. We should be sufficiently compensated, and the factory should be closed.

C-53: Statement of Mrs. Leema Rose mother of the victim Mr. Vinoba (43)

My son Vinoba is a Fisherman who is married to Sofina and has two daughters.

On 22.05.2018 at around 09.00 a.m my son along with more than 100 other protesters who were protesting against Sterlite plant were passing by Madha temple were blocked by the police from the van, from there the rally was going through Panimaya Madha temple then to V.V.D signal where people associated with the police department were trying to scatter and make the people disperse by twisting a bull's tailbone which was specially trained for Jallikattu and launching it towards the oncoming parade, which obviously ran ferociously towards the parade and attacked the people who were a part of it, At the same time the police also lathi charged the people. Meanwhile the people who took part in the protest crossed the flyover to meet the District Collector, as the protesters went through the entrance, the police assembled, started attacking everyone in an inhuman way, using lathi and iron rods, the crowd got scattered and as all were running for help the police started following and attacking. Then even before they reached the Collectors office it was already on fire. My son Vinoba was attacked brutally by police using iron pipes in the hallway towards Collector's office, my son was severely tried to run out of there for help when the police men threatened "We will shoot you If you try to run from us", Vinoba who got scared stopped and raised his arms in the air when around 10 police men came towards him and brutally assaulted him by which his neck, head, legs, face and his back were severely injured. About 20 participants of the protest were admitted in the hospital by the police. After this incident I and my other family members were searching for my son when we came to know he has already been admitted in the hospital. On the same day around 3.00pm on our street about 4 vehicles of the Commando force personnel were deployed and the started attacking all they vehicles parked in the area and also entered into some houses and started attacking the civilians.

Also my son was attacked with iron rods and was thrown into the police van, When he asked for water one of the police men said "Isn't leaving you alive more than enough?, how dare you ask for water !" and was then attacked with an iron rod in his mouth.

C-54: Statement of Mr. Mathavadiyan S/o Sahayam, 227-A, Therespuram, Thoothukudi

I am married and have a child of 5 months old. I joined the anti-Sterlite protest march on 22.05.2018. I went nearer to the entrance of the Collectorate and saw people who were shot by the police being taken by the ambulance service then I moved away from the place at once fearing the police assault. As others and I were moving away from the place of occurrence, the police in uniform assaulted us with their lathis and with iron rods. The police beat me on my buttocks and the whole body. I was trying to block the beatings of the police with my hand. But my right wrist got fractured by the police who used the iron rod to beat me. I went for an admission in the Government hospital for the treatment but the police there chased me out from there. So I got admitted in the American Hospital and am undergoing the treatment. I am not able to go for fishing because of this fracture.

C-55: Statement of Mr. Ajith (22/18), 288, Therespuram, Thoothukudi

I have studied shipping related courses. My villagers supported the anti-Sterlite protest and joined the peace march on 22.05.2008. I too joined the protest along with my villagers. I went by bike. I heard the police firing on the way and immediately returned. The police blocked us on the way to return and beat us black and blue and kicked us to the ground. A few youngsters returned from the protest and travelled in the TATA ACE. The police caught them and beat the youngsters with fury. The police put me along with the TATA ACE group and took us to the Police station at Thenpakam. The police made us get down from the TATA ACE and put us in another van and took us to the police station at Pudukottai. I did not know where the vehicle was heading. As I got down from the police vehicle in the Police station at Pudukottai, the police men were standing in two lines at the left and right. As I was forced to walk in between the line, everyone in the line started beating me heavily with fury and vengeance. Every beating took my life for some time. It looked as though we were bulls unleashed for the Jallikattu at Vadivasal to be tamed by the crowd there. We went inside with an unbearable pain. The police asked us to strip our clothes in the police station and are stood with our underwear. Then 30 policemen came and attacked us and tortured us repeatedly. As we were receiving the physical torture from the police we saw another group of 80 people who were brought there. They also narrated the same experience of torture and police assault that we underwent at Thenbagam police station and Pudukottai police station. They did not provide us any food. They gave us two chappathis each to eat at 3 a.m. I could not lift my right hand because of the police beating.

We were taken to the police firing range at Vallanadu at 10 a.m on 23.05.2018. The police detained us in a small dark room there. The water was flowing in that dark room so we could not sit but had to stand. They shifted us again to Pudukottai police station at 3 pm. They collected our addresses and other details and filed cases against us in different sections. At our repeated request, the police made calls to our family members and informed them that we were detained in the police station.

We did not have any other portion of food other than what we had at 3 am. They did not even give us water to drink. Then the Judicial Magistrate arrived around 5 p.m and questioned the detention of the juveniles and ordered the release of 28 juveniles. The rest of us remained in Pudukottai police station during the whole night. We could not get sleep due to the body pain and psychological restlessness.

At our repeated request, our unbearable pain, non stop blood oozing, the police took us to the Government Medical college hospital in Thoothukudi at 10 a.m on 24.05.2018. As we sat in front of the medical Doctor, the police surrounded us in a threatening manner to stop us telling the truth to the Doctor that we were beaten by the police. So we could not express anything to the Doctor and so they applied medicine to our wounds and sent us back.

Then the police produced us before JM 1 court in Thoothukudi. We showed our wounds to the Judicial Magistrate and cried for justice and immediate medical care. The Judicial Magistrate ordered for the complete medical treatment. The police took us to the prison over ruling the order of the Judicial Magistrate.

The lawyers association of Thoothukudi filed a petition for our bail to the Judicial Magistrate. As we came out from the court our relatives came to see us, we told them that we did not have any food during these days, so they gave us some biscuits and fruits to eat. That was only food that we had. Then the police took us in 3 police vans to Perur district jail at 2 pm. We ate the night food given in the prison.

A team of two doctors came to the prison around 10 am on 25.05.2018 to give us treatment and that was insufficient. Then the Prison officer came to us at 5 pm and announced that we have been granted bail and we were released from the jail at 5.30 pm. Our relatives came to the entrance of the Jail to receive us. I went with my relative to my home. My pain was so severe and I went to a country doctor for the treatment at Kulathur. The police snatched my two wheeler and my mobile phone from me. They have not given them to me.

C-56: XXXX- Therespuram

I was living with my four boys, daughter in laws and grandchildren at Therespuram. My two sons went for the peaceful March against Sterlite on 22.05.2018 on by their own bike. My elder son called me over the phone saying that there is a riot due to which he was coming home and asked me to, my younger son to come home. He came home around 1.30pm. He was with his friends chatting in front of Matha Church. Around 2.30pm more than ten policemen punched my son with their lathis. I went there to save my son who asked me not to come there. But I went and beseeched the policemen and brought my son home. There was a policeman with a gun threatening the people. After a few minutes we heard the shooting. We came to know that it was Mrs. Jancy. I took my son to American hospital for treatment due to police harassment. She requested not to reveal any of our identities. They are afraid of the police torture.

C-57: Statement of Mr. Anthony (46/18), S/o Muthuraj, Therespuram, Thoothukudi

I am living in the above address and I have 2 daughters and a son. I am a fisherman by profession. I've attended the Sterlite Protest Rally on May 22nd 2018. We started the rally from Thoothukudi Panimayamatha Church. While we were walking towards the Collector office, around 11am, police blocked us near the Government Hospital. But we continued our march towards the Collector's office. When we reached the Collector's office, we saw parked vehicles on fire and burning.

Meanwhile we heard the gunfire too. Including me, everyone got scared, scattered and started running. At the time I got trapped by the policemen and they started beating me with the sticks (Lathi). I got injured in my right cheek and left hand and I am getting inpatient treatment in Thoothukudi Government Hospital for the same. I received the government announced relief fund. On behalf of everyone, who are all affected by this incident, I am requesting to take right action on the policemen for hitting the people and to close the Sterlite Factory permanently.

C-58: Statement of Mr. Davidosn S/o David, 79/10A, Poobalrayarpuram, Thoothukudi

I am a fisherman. The people from our area joined the anti-Sterlite protest. I also joined the protest going on my two wheeler. As I reached the Government hospital I heard the sound of a gun so I left my bike there and ran for my life on the same way that I had come. As I ran back the police blocked me and beat me brutally. My left ankle had a muscle tear because of the police beating. Then they took me by the van to the police station at Thenpakam. From there the police took me to the Police station at Pudukottai in another van. I did not know where the vehicle was heading to. As I got down from the police vehicle in the Police station at Pudukottai, the police men were standing in two lines to the left and to the right. As I was forced to walk in between the line, everyone in the line started beating me heavily with fury and vengeance. Every shot took my life for sometime. It looked as though we were bulls unleashed for the Jallikattu at Vadivasal to be tamed by the crowd there. We went inside with an unbearable pain. The police asked us to strip our clothes in the police station and stood with our underwear. Then 30 policemen came and attacked us and tortured us repeatedly. As we were receiving the physical torture from the police we saw another group of 80 people brought there. They also narrated the same experience of torture and police assault that we underwent at Thenbagam police station and Pudukottai police station. They did not provide us any food. They gave us two chappathis each to eat at 3 am. I could not lift my right hand because of the police beating.

We were taken to the police firing range at Vallanadu at 10 am on 23.05.2018. The police detained us in a small dark room there. The water was flowing down in that dark room so we could not sit but had to stand. They shifted us again to Pudukottai police station at 3 pm. They collected our addresses and other details and filed cases against us in different sections. At our repeated request, the police made calls to our family members and informed them that we were detained in the police station.

We did not have any other portion of food other than what we had at 3 am. They did not even give us water to drink. Then the Judicial Magistrate arrived around 5 pm and questioned the detention of the juveniles and ordered the release of 28 juveniles. The rest of us remained in Pudukottai police station for the whole night. We could not get sleep due to the body pain and psychological restlessness.

At our repeated request, our unbearable pain, nonstop blood oozing, the police took us to the Government Medical college hospital in Thoothukudi at 10 am on 24.05.2018. As we sat in front of the medical Doctor, the police surrounded us in a threatening manner to stop us telling the truth to the Doctor that we were beaten by the police. So we could not express anything to the Doctor and so they applied medicine to our wounds and sent us back.

Then the police produced us before JM 1 court in Thoothukudi. We showed our wounds to the Judicial Magistrate and cried for justice and an immediate medical care. The Judicial Magistrate ordered for the complete medical treatment. The police took us to the prison overruling the order of the Judicial Magistrate.

The lawyers association of Thoothukudi filed a petition for our bail to the Judicial Magistrate. As we came out from the court our relatives came to see us, we told them that we did not have any food during these days, so they gave us some biscuits and fruits to eat. That was the only food that we had. Then the police took us in 3 police vans to Perur district jail at 2 p.m. We ate the night food given in the prison.

A team of two doctors came to the prison around 10 a.m on 25.05.2018 to give us treatment and that was insufficient. Then the Prison officer came to us at 5 p.m and announced that we have been granted bail and we were released from the jail at 5.30 p.m. Our relatives came to the entrance of the Jail to receive us. I went with my relative to my home. My pain was so severe and I went to a country doctor for the treatment at Kulathur. The police snatched my two wheeler and my mobile phone from me. They have not given them back to me.

C-59: Statement of XXXXX, Thoothukudi.

My mother and I were returning from Thiruchendur Temple on 22.05.2018. I received a call around at 3.30 pm near Kamaraj College. So I stopped my vehicle and attended the call. At that time more than 10 police men surrounded me and snatched my bike and started beating me. I was wearing a Rosary. Seeing that the police men said, 'He is wearing a rosary so beat him thoroughly'. One police man was trying to take the Rosary by force from my neck. Then I said to him, 'Do not pull the Rosary I will remove and give it to you.' He did not listen to me he pulled it again and another police man gave a heavy blow on my mouth the rosary also went to his hand by the force of the pull.

I was defending myself from the police assault using my hand but my right ankle got broken. I pleaded with them that I did not do anything and am returning from the temple.

They hit me in front of my mother and took me to the Vajra Van. My mother pleaded and cried to the police to release me but they did not heed to her. I saw 8 other people had been kept in the vajra van before me. They closed the windows and doors of the Vajra van and around 10 police men started beating us with the things (belt, iron rod, cane) that were within their reach. The whole body started to bleed because of the police beating.

From there they took us to Thenpakam Police station and straight to the police station at Pudukottai by the same van. I did not know where the vehicle is heading. As I got down from the police vehicle in the Police station at Pudukottai, the police men were standing in two lines at the left and right. As I was forced to walk in between the line, everyone in the line started beating me heavily with fury and vengeance. Every beating took my life for some time. It looked as though we were bulls unleashed for the Jallikattu at Vadivasal to be tamed by the crowd there. We went inside with an unbearable pain. The police asked us to strip our clothes in the police station and stood with an underwear. Then 30 policemen came and attacked us and tortured us repeatedly. As we were receiving the physical torture from the police we saw another group of 80 people were brought there. They also narrated the same experience of torture and police assault that we underwent at Thenbagam police station and Pudukottai police station. They did not provide us any food. They gave us two chappathis each to eat at 3 a.m. I could not lift my right hand because of the police beating.

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Then the police produced us before JM 1 court in Thoothukudi. We showed our wounds to the Judicial Magistrate and cried for justice and an immediate medical care. The Judicial Magistrate ordered for the complete medical treatment. The police took us to the prison overruling the order of the Judicial Magistrate.

The lawyers association of Thoothukudi filed a petition for our bail to the Judicial Magistrate. As we came out from the court our relatives came to see us, we told them that we did not have any food during these days, so they gave us some biscuits and fruits to eat. That was only food that we had. Then the police took us in 3 police vans to Perur district jail at 2 pm. We ate the night food given in the prison.

A team of two doctors came to the prison around 10 am on 25.05.2018 to give us treatment and that was insufficient. Then the Prison officer came to us at 5 pm and announced that we have been granted bail and we were released from the jail at 5.30 pm. Our relatives came to the entrance of the Jail to receive us. I went with my relative to my home. My pain was so severe and I went to a country doctor for the treatment at Kulathur. He put a heavy bandage on my broken hand. I am taking the treatment after four days of the attack. I doubt whether it would get healed or not because of the delay in the treatment.

I never thought that I would step into the police station in my life. The police beat me for no reason and no crime. And they filed cases on me under different sections. I told them kindly to leave me since I was studying they did not listen to me. I wished that after my studies

I would go to foreign countries to earn well. But now I have a great fear that these false cases would be of great hindrance to obtain my passport. The employment opportunity in the Government and Non Government sector is very bleak because of these false cases. I am also afraid to take the treatment in the Government hospital. My family members are shocked and frightened.

C-60: Statement of Mr. Loganathan (38/18) S/o Karuppusamy Konar, Door No 19A, Bangala Street, Thoothukudi.

I am living in the above-mentioned address along with my wife Pattukani and two daughters. I am working in ADMK branch office and I participated in the anti-Sterlite protest on May 22, 2018. When we were approaching the Collectorate office, we people heard a gunshot and a vehicle parked inside the office building caught fire which created smoke in and around the Collectorate office. Thereafter the police forced and pushed us to go back, so we left with no choice and started running back.

Then immediately they started lathi charging me and the people who were there. Because of that my head, two hands and thigh got hurt. I am getting treatment in the government hospital from the day of protest, May 22, 2018 onwards and until now. I got the relief fund from the government. Through this affidavit, i am requesting to file a case against the police brutality leashed on me and more importantly requesting you to close Sterlite industry and save the people of Thoothukudi.

C-61: Statement of Mr. Jeyakumar, S/o Soundarapandianadar, 150A/2 – Dhamodaran Nagar, Thoothukudi

I am residing at the above mentioned address. I work as a butcher in a chicken shop. On 22.05.18 around 1 p.m a person came to our house with my younger brother's driving license and was enquiring as to who was Manirajan and I responded that he was my younger brother. Then he said that your brother is lying dead as a result of the police shooting on the Palayamkottai road.

Agitated, I immediately thought of going to the place of the incident. But there were crowds of people everywhere, everyone was saying that the police were shooting people and they were running helter skelter. Because of this situation, I was helpless and not able to leave my house.

Around 6 p.m in the evening, I went to the Government Hospital along with my younger brother Ramesh Kannan. The family of the victims were gathered in front of the hospital.

Along with my younger brother, I went to the mortuary and opened the ice box which was kept there. In the first box, there was the body of a girl child who was shot in the month at Therespuram. When we opened the second box, we saw the dead body of my younger brother who had a bullet shot in the left forehead. I suffered greatly and couldn't bear to see my younger brother dead.

After seeing my younger brother, when I Came out of the hospital along with my after younger brother, we saw the policemen beat and chase away the family members of the victims who were gathered there. I was also beaten by a policeman on my back and the back of my left leg using a pine wood stick. My brother was also beaten on his right hand.

Because of the police beating, I was not able to walk for two days. My legs were swollen, fearing that the police will beat me if I go to the Government Hospital, I did not get any treatment. The private hospital was closed. So, I got some medicines and tablets from the pharmacy nearby and treated myself.

Till date, no one has met us or consoled us from the Government's side. But yet only the VAO comes after asking us to sign on blank papers. But we said that we will not sign.

Our family was surviving on my brother's income. I don't know how my parents are going to survive hereafter. There is a fear for our future. We live in fear of further police reprisal.

C-62: Statement of Mr. Subramanian Kumar

I am Subramanian Kumar Pariyarum Perumal living at Door No – 23/1, 9th street, Bryant Nagar, Thoothukudi Taluk, Thoothukudi District.

I am working as a driver and I'm not married. On May 22nd 2018 I had participated in Sterlite protest rally, during the protest there was firing taking place and the people started

running in all directions while I was running to safe around 10 police came towards me and started attacking me on my head, left leg and both hands and I started bleeding then they were beating me constantly. After that I got into an ambulance and got admitted in Thoothukudi government hospital. Till today I'm in the hospital and I got the government compensation. I request you to take action against the police who beat me and need to close the Sterlite industry permanently.

C-63: Statement of Mr. Porcheliyan

Statement of S. Porcheliyan (58) son of Sukuraj who was injured by the police at Thoothukudi and is being treated at the government hospital.

I reside at 4 Thuveepuram, 11th street with my family. The protestors left our Lady's church in the morning. Mr. Kodeeswaran, the ASP was standing there. I went and visited all the places on my two-wheeler. At first, I went to Mayavaadi stop and there was no crowd of protestors, the police were beating the people with lathi rods near the Collectorate. The people ran here and there, my right hand was broken. My left finger had a blood clot and was swollen. My whole body was bruised and swollen.

I am being treated at the Government hospital and action should be taken against the police who beat me up when I was participating in the peaceful demonstration. Action should be initiated against the police officers who shot the innocent people and register cases against the police officers. Criminal cases of murder should be registered against the District Collector and the SP. The law and order situation should ensure that people would be protected and that this will not occur again. The right compensation should be given.

C-64: Statement of Mr. Karuppasamy, Anna Nagar 3rd Street, Thoothukudi.

My son Sivasankar (18) was a drop out student of 1st year Commerce in V.O.C. College. Two policemen in mufti came to our house on 24th May 2018 around 4 p.m called both me and my son and threatened us in front of my wife by showing video clippings in their mobile that we knew where you were in yesterday and went out. After 10 minutes again they came and picked up my son and asked him to show the house of someone. At that time it was around 4:15 pm. Thereafter he did not come back home. We received no information from the police. After that I came to know that my son was illegally detained at South Police Station. I went there and saw that police had brutally attacked my son whose left hand was already fixed with a plate. Police had attacked the same hand besides his legs were also severely affected and hence he was unable to walk. He was remanded before the court on 24th May 2018 by 8:30 p.m. The Magistrate ordered to provide necessary medical treatment to him. We returned home after midnight around 2:30 a.m. The District Legal Aid Service helped us in all the possible ways and collected no money from us. The Magistrate and Judges worked day and night. Seeing it we were calm I felt scared that this case may spoil the future of my son.

C-65: Statement of XXXX

I am residing at 6th Anna Nagar, Thoothukudi District. I am studying in Kumarajan Arts and Science College. More than 15 police officials entered my home, as my mother safeguarded me, they entered our opposite home, more than 10 police officials attacked Kaliraj (22), also his mother was severely injured. Both of them were severely wounded. Also they damaged my cycle and water pump at my home, so I was scared and I was at my home for about 2 days. Also they threatened us not to reveal anything that had happened.

C-66: Statement of Mr. Muthu, S/o. Perumal, 12, Anna Nagar West, Mahizhchipuram, Thoothukudi-12.

I am an auto driver. On the 22.05.2018, I was studying at the V.V.D. auto stand. Thousands of people were coming from the East taking part in the anti-Sterlite protest rally. They were walking peacefully family people were carrying their children. I also joined in the protest rally.

Near V.V.D signal, police had kept barricades in order to stop the people. Police men and women were around 500. There was a push and pull between the people and the police.

Without any forewarning the police started lathi charging and thus unleashed violence. One police hit me on my right leg. Since I was hit on my leg, I could not walk further, so I came back. Since I could not go to any hospital, I got medicine from the medical shop and applied it to my wounds. I heard the news that many people were killed by the police brutally.

C-67: Statement of Ms. Anitha (21/18), Anna Nagar, Thoothukudi

Lakshmanan, (55/18) residing in Thoothukudi district, Anna Nagar, 5th street, and running a Saloon. He belongs to MBC Community. He is living along with his wife Lakshmi (48/18), daughter Bhuvaneshwari, son Maariselvam, daughter Anitha and son, Suresh. Bhuvaneshwari is a BE graduate and Anitha is a BA graduate, Selvam is doing +2 and Suresh is studying IT in Thoothukudi port.

On 24.05.18, roughly at 4 p.m, two police men without uniform came to Lakshmanan's house and called Suresh and asked him to show some address. And they took Suresh into custody in the South police station.

On 25.05.18, Friday, roughly at 3:30 p.m, 10 police men with uniform came to Lakshmanan's house and asked Anitha, "Where is Suresh's phone?". And threatened to got the phone, and they told her to come to the South police station along with her father and mother. And they went off.

Me and my mother Lakshmi went to South police station at 8 p.m. The policemen got a signature from my mother. Adv.Vignesh and some other advocates were negotiating with the police men for us in the police station. The police men said that they are going to surrender Suresh along with other 10 persons in front of the magistrate.

As a result of the police torture, My brother could not walk and he was limping. The others were injured in their hands, legs and on their heads, because of the police torture.

When they surrendered my brother and the others in front of the magistrate, they were not treated well medically. No medical registers were maintained properly. So, the Magistrate asked the police men to give proper medical treatment to them and then to send them in to the prison. This process took time till 2 am., and then we returned home.

C-68: Statement of Mr. Vasanthakumar (20/2018), S/o Chelappa, 54B Anna Nagar, Thoothukudi

I am living in the above address with my mother Shanmugavalli, elder brother Manivannan (22/2018), younger brother Karthick (11/2018). I have studied up to 10 th class and now am working as a driver.

The Sterlite factory is badly affecting the people of Thoothukudi. For some time there are agitations being organized for the closure of the factory. I have not participated in the 22 May 2018 agitation.

On 23-05-2018 at about 6:30 in the evening when I was sitting inside my home, some policemen entered my home dragged me out of my home and started beating me mercilessly with lathis. When my father and mother tried to rescue me they were also beaten, they were not injured. My forehead was broken and bleeding, there were blood clots on my back and both the hands. I was admitted in the government hospital and treated by applying two stitches.

C-69: Statement of Mr. Thangaswaran (17/18) S/o. Muniyasamy, Anna Nagar, Thoothukudi

I, Thangeswaran is residing in Anna Nagar. My father Muniyasamy is working as a municipality sweeper. My mother is a housewife. I have 4 siblings. I belong to Hindu Parayar community.

As the protest was going on against Sterlite on 22.05.2018, the police started lathi charge and firing on the people of Anna Nagar. Kaliappan succumbed due to police firing. People were attacked by police. They dragged some people on the streets. Like that, while I am going in the street at 4 p.m the group of policemen lathi charged on me, my right hand was fractured. And they took me to the south police station and then on 25.05.2018 they took me to GH around 11.30 a.m. Now I am under treatments.

As, I was innocent, I didn't go to any protest. But the police attacked me and broke my hand. I request to take appropriate action on those policemen.

C-70: Statement of Mr. Chellappa, 54A, Anna Nagar 7th Street, Thoothukudi

Chellappa with my family members was sitting at the entrance of his house. Around 25 policemen were chasing the boys with lathi. Some boys in turn stoned at them. The police also did the same. They screamed at the people with guns that all should come out of the houses. They broke open the door and entered the house with guns and lathi. They took my younger son Vasanthakumar to the courtyard and flogged him, his mother, me and my elder son namely Manivannan who was watching TV in another house. The policemen arrested and took him to the south police station. my younger son's body was painstakingly injured. He got treatment in the government hospital. Lawyers and judges as gods came and saved my son. My younger son got 1,50,000 rupees from the government. My sons did not participate in the protest. It is police terrorism sanctioned by the State and its polity. It is unjust and unconstitutional act of government.

C-71: Statement of Ms. Isakkiammal, W/o Ettaiya, 474, Anna Nagar 7th Street, Thoothukudi

I am widow, I work as a servant (maid) for my daily survival. Dhanam resides near my home, on 29.05.2018 3.00am two of the police official forcefully forcibly entered our house and enquired who is Joseph and treatment us to tell the truth, also they used abusive words specifically they used the word "Munda" Dhanam who reside nearby my home came out of her use, the police official enquired her, and threatened her to tell the name of her son. Also they slapped her son Shankar and threatened to tell all the names of their family members and enquired where is your elder brother. Also they insisted us not to reveal anything about the enquiry carried out by them

C-72: Statement of XXXX

I am studying in Kumarajan Arts and Science College. More than 15 police officials entered my home, as my mother safeguarded me, they entered our opposite home, more than 10 police officials attacked Kaliraj (22), also his mother was severely injured. Both of them were severely wounded. Also they damaged my cycle and water pump at my home, so I was scared and I was at my home for about 2 days. Also they threatened us not to reveal anything that had happened.

C-73: Statement of Subbulakshmi, 1/262, Anna Nagar West, Rajagopla Nagar, Thoothukudi.

I am sick and at home. I have two sons, Sankar (30/18) and Velmurugan (27/18). I lost my husband, we belong to the Devar community. My elder son is working as a lorry driver. He got married. He with his wife Indira, son, Maheshwaran (11/18) Daughter Pethi Mariammal (9/18) Mahalakshmi (07/18) residing in the first street of Railway gate, KKV Nagar I am residing in a rental house with my younger son Velmurugan in Rajagopal Nagar.

On 23.05.18 while the Sterlite procession was going on police atrocities were staged everywhere. The police chased the public in KVK Nagar and also entered the houses and beat up the public. Three of the police men entered into Sankar's house and beat him taking him into the police van at around 1.00 pm. Near KVK 3rd Gate the police itself drove the vehicle and threatened them that they will file cases on the public.

Telephonic Statement of Shankar.

The police man takes me to the South police station on 23.05.18 at 6.00 p.m. I was in the lock up with 32 persons.

The SI Velayutham and other two policemen held my hands like steel and locked up the Gate and Velayutham attacked me with the lathi below my waist. I got injured and suffered with pain. Like this they tortured all the others in the lock up. Two persons legs were fractured. They seized my Aadhar card; Driving licenses, PAN card and mobile phone and they grabbed more than 30 phones and broke them all.

On 24.05.18 the SP came to the south police station and said that the police "All should die within three (or) days from the days they went off from here. Beat them vigorously, and get all the material they have" after the orders so the SP the policemen got all the things, and jewels we had. They locked us in the Rasi marriage hall near Sivan Kovil, Thoothukudi.

On 25.05.18 Police boarded all of us into a police van and taken around the city. Then take us to the GH and gave treatment. Around 9pm we were surrendered in court. Then they took 38 of us to be locked in Peruvani prison. The pain increased and I cried. The documents of treatment OP sheet were taken over in the prison. I asked for the documents but they refused.

On 26.05.18 I was taken to GH and got treated for body pain. The doctors checked me and told that there may be a chance to operate, so you have to be admitted in GH. But two police men refused to admit me and did only first aid treatment. At 5.00pm me and my friends. 58 persons were released from prison. Advocate Chandra Sekar and other Advocates helped us to come out.

C-74: Statement of Ms. Sakkammal, Muniyasamikovil Street, K.V.K.Nagar, Thoothukudi

My name is Sakkammal, my husband's name is Shankar, he is working in a Rig vehicle. We are residing in KVK Nagar, Muniyasamikovil street. I have two daughters and a son. My son is studying 2nd year Sociology in Bishop Caldwell College. On the day of occurrence 23.05.18, the whole street was tense. Many policemen were present. The 4 police men in uniform dragged my son shirt and attacked him, and anyone who came out to see what's happening outside in the street. He shouted and cried and ran in to the house. Suddenly 8 police men rushed into my house and attacked my son vigorously. They also pushed me when I tried to block them. And they pulled his shirt and pushed him in to the

police vehicle and attacked again. The dress he wore was torn. The gold chain cut off from his neck. In the vigorous attack of 8 policemen my son's head was bleeding. When the police kept my son in the vehicle, I begged them by holding their legs to release him. They threatened me that," If I speak, they will also send me into prison". I continued begging them. Then they released him and threatened him. I did not take my son to the hospital even though he was seriously injured, because of the fear, that there may be a chance of imposing any case on him. I treated him at home by tying with the cloth and applied pain balm and also gave salt and hot water dressing. Still I'm giving him home treatment. And still we are in fear of the police men.

C-75: Statement of Mr. Suresh (21/18), 5th street, Anna Nagar, Thoothukudi

Suresh is doing his Harbor training course in ITI. Two police men in mufti came to our house and threatened my brother at 4.00 p.m on 23rd May 2018. After 10 minutes, more than twenty police men came to our house asking my brother to show an address they had in their hand. He went with them and never returned home. We heard that he is kept in the South police station without producing him before the judge within 24 hours. More than 10 police came to our house asking for his mobile that costs 16 thousand rupees. My parents went to the South police station where they saw their son ruthlessly thrashed. He was hobbling. The police men received a signature from my parents in a paper. The judge asked the police people to do medical check-up for the second time. He was imprisoned at 2. 00 a.m on 26th May 2018. It shows the brutality and robbery of the police.

C-76: Statement of Arunkumar(18),S/o Paramasivam, KVK Nagar.

I am residing in KVK Nagar, D.no, 75/3 with my father Paramasivam, Mother Latha, Elder sister Gomathi Devi, B.A., brother Karthik IT. I went to see the lathi charge staged in Anna Nagar 7th Street on 23.06.2018. The police chased the public at around 2 p.m. More than 10 policemen came towards the place where I was standing. The people near me were scattered. While running, the toe in my left leg dashed with the road and started bleeding. The other toes got scratches and it was painful. When I thought of going to the hospital, the hospital's were closed, I took first aid with turmeric powder and coconut oil. Suffered in pain for the whole night. So, I went to Fathima hospital in Tooveypuram on 24.05.2018,there they treated me with injection, bandage, and gave me tablets.

C-77: Statement of Mrs. Thangam W/o Palani 5/383 Thevar Colony, Thoothukudi

I am living with my husband and three children in the above mentioned address. I am helping as a matron in a private school. My husband is an auto driver. We have two daughters and one son. We were all taking part in the anti-Sterlite protest march on 22-05-2018. Sterlite is a health hazardous factory. We took part in the protest. We were going to present a memorandum to the Collector.

When we approached the FCI area, the police started firing tear gas. In spite of that people marched on. We entered into the entrance of the Collectorate. We saw Snowlin falling on the road with a bullet shot. I rushed to catch her. A police threw his lathi on me. I fell and fainted, and so the people who were around me took me to my house. Outside the entrance of the Collectorate area also many people were beaten and they were bleeding. I took part in the protest march as if I was going for a village feast together with my children.

The women protestors were standing together. Men police were beating us mercilessly. I am taking Siddha medicine for my wound. I am not able to go for my matron work. I am struggling for maintenance. I did not go to the G.H because I was afraid that police would file case against me.

We should take action against the police men who were very violent on us women and who shot Snowlin. Sterlite factory should be permanently looked.

C-78: Statement of Mrs.Sathya (30/18) W/o. Mr. Karuppasamy, 6th Street, Thevar colony, Thoothukudi.

I am living in the above mentioned address. On the 22nd May, together with my husband and son, I took part in the anti-Sterlite protest. Around 10 am. We were at the Collectorate. Then the police lathi charged me: My head was injured, we went to the Government Hospital. There they refused to treat me. We returned to our village. In the evening we went to a private hospital for treatment. We were afraid again to go to G.H. we thought that the police would file false cases against me.

Our only desire is that the Sterlite factory should be closed down permanently.

C-79: Statement of Mrs. Selvi (29/18) W/o. Mr. Muniyasamy 5/453 Second street, Thevar Colony, Thoothukudi.

I am living with my husband and two children in the above mentioned address. My husband is a load man, a coolie worker. I am working in a bakery. On the 22nd May, together with our neighbours and villagers, my family also was taking part in the anti-Sterlite protest. When the rally reached Madathur, we also joined in the rally. At the corner of the street the police blocked us. We took another route and again joined the protest rally. When we reached the FCI area, the police fired tear gas on us. But we still marched on towards the Collectorate and reached the entrance, and then the police started to lathi charge us. Some of us women went near the Collectorate, there we saw Mr. Thangam, a man from our area, was falling down because of the brutal lathi charge of the police. I went near Mr.Thangam and wanted to lift him up. A police man beat me with lathi and my hands and legs were paining terribly: some of the police men were scolding us with bad words telling: "You voted for money, why do you come here now". We all felt ashamed, Snowlin who was standing near us was shot dead: I saw her falling down. The police started to beat my husband.

My husband's right leg was wounded. We did not go to G.H. for treatment. We were afraid that if we went to G.H. the police would have filed false cases against us. The police did not give any warning before the shooting. On the other hand police were brutal against women and children. I am still terrified of the women and children. I am still terrified of the incident. As I saw a student being shot dead in front of my eyes, that hurts me. I am mentally disturbed.

Those who killed people and tortured the innocent protesters should be booked and punished. Sterlite must be closed down permanently.

C-80: Statement of Ms. Mariammal (45/18) W/o. Poolpandi, Devar Colony, Thoothukudi.

I am residing in the above address. My husband is working as a coolie. I am working as a garland maker. I participated in the precession against Sterlite on 22.05.2018 with my husband. When we reached the Collectorate the police were firing. I witnessed the police beating my husband who is under treatment in GH. I request you to take due action on the policemen who attacked me and my husband and for the closure of Sterlite factory.

C-81: Statement of Mr. Indhu Bala (32) S/o. Ponnusamy, Balathandayutha Nagar, Mapillaiyurani, Thoothukudi.

I am residing in the above address. My wife Muthuselvi, daughters Vaishnavi (2 ½) and Muhila (3 months). I am an auto driver. The police charged me with lathi while I am coming from the new bus stand with passengers when firing was going on at 6th street of Anna Nagar around 1 pm. I got severe injuries on my legs and hands. My auto also got damaged. I was admitted in GH as all in patient from 23.05.2018. I got 11/2 lakhs as compensation. Due action should be taken against the political officials who attacked me.

C-82: Statement of Mr. Balamurugan (26) S/o. Ganesan, Chinnamani Nagar, Ceylon Colony, Thoothukudi.

I am residing in the above address. My wife Devipriyanka, Son Nahul (2 ½) and my wife is expecting (8 months).

I took part in the Anti-Sterlite procession and marched towards the District Collectorate on 22.05.2018. When reaching the Collectorate arch, lathi charge and firing was carried out. Some were injured with bullets. Then the policemen surrounded m and attacked me brutally, I got severe injury on my left leg, so I was admitted in the Thoothukudi GH as an inpatient and got operated on my leg. Still I am under treatment. I request you to take due action against the policemen who attacked me.

C-83: Statement of Kamaraj (45/18)

I Kamaraj residing at Ceylon Nagar with my family. I belong to the Paravar community. On 22.05.18, I took part in the protest against Sterlite, and came in a procession around 10am from our Lady's church. Because the police blocked our way we approached the Collectorate through St. Antony's Church. There the police conducted lathi charge in front of the Collectorate. I had a lungi on and so I fell down as I ran. They beat me behind my head. I was injured below my knee.

I came to get treated at the government hospital, take legal action against the police who opened fire, and who lathi charged the people causing injuries, give compensation to the families of the injured and such incidents should not take place in our area and provide us protection.

C-84: Statement of Ms. M. Ponmari (29/18), W/o Mariasiluvai

I am residing in Ganesan Nagar with my family. On 22 May 2018, I went to Matha Church; joined the people gathered there and went to the Collector's office to give petition to the district Collector to close down the Sterlite factory. My husband Mariasiluvai and my son Inbadoss (aged 4) were also with me. There were number of people who had come with their families like us.

We started from our home at 08:30am and started at 10:00am from Matha Church; all of us were very lively and enthusiastic that we are going to close down the harmful factory. There were number of women, children, specially abled persons and transgender persons in the gathering. We started moving westward towards the old bus stand. As the main road was barricaded we took an alternate route via St. Antony's Church and proceeded westward, women participants were in the front and leading.

We reached the bus stand and proceeding further at this point police were pelting stones on us. We proceeded further on the Tirunelveli national highway and approached the district Collector's office. At the entrance of the district Collector's office police started firing from the left side. We were crossing the Madurai highway and proceeding further towards Collector's office, at this point we had seen black smoke emanating from the Collector's office, at this time none of the people came with me enter the collector's office. Police standing in front of the collector's office started charging us with lathis and long wooden logs. Ladies who were leading our team in the front were beaten badly by the police. Police beat me with wooden logs on my thighs. My husband came to my rescue, but few more police men joined and threw a large stone boulder on my husband's spine. Other police men standing by also joined and beat my husband barbarically. Though I was holding and trying to protect my child, the policemen beaten me ruthlessly. My thighs were swollen with blood clots I could not walk, in spite of that I manage to hold my collapsing husband and walked supporting him to the government hospital and admitted him. As my husband was severely injured and undergoing treatment he needed a by stander so I could not get admitted. I took treatment from outside.

Hence I wish and request that murder attempt case has to be filed against the district Collector, Superintendent of Police and the Sub Inspector of Police. Financial compensation for us has to be ensured.

C-85: Statement of Mr. Manikandan

I am Manikandan (19) working in a petrol bunk. My father Karrupasamy is working as a lorry driver and my mother Karupavalli, is a homemaker. My sister is working in a private shipping company. We belong to the Devar community.

On 23rd of May we had a small family function in my uncle's place near P&T colony. Due to insufficient of water tumblers I went out to buy some near Anna Nagar. I was around that place at 7pm, there I saw a crowd of cops, so I asked them for the direction whether I can cross that area it was near Bens school, opposite to Thooveypuram main area, suddenly a cop hit me on my head and I was bleeding. They took off my mobile phone and hit my two wheeler. Then I was made to sit inside the cop van it was and I was badly hurt, other four people also in the van nearly 10p.m we were taken to so many places. My brother Mayilsamy was also with me and he too got hurt. Already blood was clotted and I suffered in pain. They took us to the police station and next day around 1p.m they took me to the government hospital and I was admitted in the emergency ward as the blood was clotted already they were not able to put stitches on my wound. They got some signatures and sent me back to the station again. After taking photographs they took me to the court around 7p.m.

We were not allowed to step out of the van, on the same night they took us to the judge house which is behind the district court. They allowed two people at a time to go inside the judge's house. After seeing my injuries the judge felt sad and questioned the police. Then I was imprisoned in Perur jail. On 26.5.2018 some advocates approached the station and took me out on bail.

Because of my injuries I was treated in Jeyakaran hospital as they informed me to take some tests I went back to the government hospital on 28.5.2018 evening. In the hospital they tried to get some signatures as I was not injured because of cops, I refused. So I sought for help from the advocate who had taken me out on bail. Again he requested the judge and issued orders to give treatment in the government hospital.

Now I was assigned to sign in the court once a month. My relatives suggested file a case against the cops who had hurt me. Since my mobile phone was with the cops. They threatened my parents who were illiterate to sign some papers to get back my mobile phone. The police van which took us to the station was written as Namakkal, now my parents filed a complaint in the court regarding the signature which was got by the cops in the station.

C-86: Statement of Mr. Ganesan, S/o Masanamuthu,

I am residing with my family in 1/226 Mathavan Nagar, West Sorispuram. I belongs to Hindu Scheduled Caste. I was married and had three children. Elder daughter Sathya Sridevi (18) finished 12th, Karthick (16) doing 12th standard and Isaki Eshwari (13) pursuing 9th standard.

I am working as a bundle lifter near fishery college in Thiruchendur bypass road. Roughly 10.00 a.m on 22.05.18 I usually standing on the bypass road with my friends. A wave of people were coming by the procession on Thiruchendur – Madurai bypass. At that time we were standing aside in the road. 5 lady police women asked us to go from there. under the bypass bridge, my area mate Muthuvel (34), S/o Perumal and Jeyamurugan were standing. I was with them. From Madathur road, some policemen came with long lathi and sticks and started attacking us. I fell down with the bike Muthu and Jeyamurugan escaped with a single strike.

The Policemen surrounded me with my bike and beat me. The SI of SIPCOT identified me as dalit and asked other un identifiable police men to beat me hardly. They beat me below my right shoulder. I got swelling and also attacked on my left hand and back. I got treatment from Sankar hospital, Korampallam. Next day 24.05.18 I with my wife went to get treatment.

When I went to GH at night I got an information that one person is deceased in police firing. Along with that, there were 1000's of police were in front of the GH and filing FIR on those who are coming for treatment to GH. I am getting scared when seeing Khakhi dresses. I can sleep at nights still I am scared of going to GH. My wife and my relatives were In fear that "If we go to GH the police will file FIR on us" I can't breathe easily. I have no enough money to get treatment from private hospitals. Because I am still remain without treatment.

Help me to get medical treatment. Case should be filed under SC/ST atrocities Act on those policemen who attacked me by knowing me as a dalit. Sterlite should be permanently closed. Legal justice and compensation should be given.

C-87: Statement of Mr. Santhosh raj (21/18) S/o Karuvelam, from Pandarampatti, Thoothukudi district.

I am residing in the above mentioned address, my father is Karuvelam, who works as a watchman in Candy water base company. My mom name is Vasanthi, I have one sister, she is Dhanalakshmi and she got married. I am the co-ordinator of all colleges student society, I am also studying in V.O.C college. On 22-5-2018, I went for the Sterlite protest around 10am we started our procession from our Lady of Snows Church, thousands of people came to the procession. when we reached near VVD signal, the police tried to split the people using two bulls. But we went forward at that time the Thoothukudi ASP hit us with the cane, though we proceeded in the procession near Selvanayagapuram the cops started beating us severely including me, 7 people were also hurt. Yet we reached the Collector's

office around these barriers. As we reached there already some cops vans including some government vehicles were burning. Then the cops started firing towards the people, all people came out running towards the front arch entrance. More than 5 cops surrounded me and hit me on my head and on both my hands alternatively. I was admitted in the government hospital around 2pm. I have got 1,50,000 rupees as welfare fund from the government. I want you to take action on the cops who attacked me. Still so many cops are threatening me. In the future if something has happened to me its surely because of Mr.Hariharan, SIPCOT Inspector. He is the only reason let me tell you this.

C-88: Statement of Mr. A.S. Muthu (51/18), Corporation 3rd ward, Meelavittan, Thoothukudi who is Leader of his village in Ban Sterlite Factory Movement.

My wife name is Karipagam (39) and son Arun, Samuel, daughter Rathi. My address is 1A/173, Yadhava street. Meelavittan (PO), Thoothukudi-2. I belong the Hindu Yadhava community.

I have been involved in the Ban Sterlite factory activities from 2005. I have worked with Vaiko the M.D.M.K General Secretary against this factory. I have worked in various capacities against this Sterlite factory.

When the 2nd unit of Sterlite factory was started, all the people started to rise up against this, to stop it. But our people did not participate. So we were accused by others that we were bribed by the factory people. This false news was spread in whatsapp. On 04.04.18 I had a discussion with my people on this issue and to stop the false news. I sat alone under the to fight against the factory. Immediately Bala Murugan and Ramasamy came along with 25 youths to ban the factory and say with me. By evening there was a fight against this factory in a AHIMSA way.

Every day from 6.00am to 11.pm we sat together under the and showed our protest in a Ahimsa way. In the mean while twice we went to meet the Collector and submitted our petition. Every time 200 people came with us. Likewise we submitted petitions twice to the pollution control board. Every time we gave petition to the officials their immediate reply was that they will take action against the factory. Likewise we gave complaints to the SIPCOT Thasildhar. but so far no action was taken against the factory we fought against this injustice for the last 49 days in a Ahimsa way.

On 22.05.18 on the 100th day of our fight against this injustice, we decided to meet the Collector. So we started to gather people from 8.00a.m onwards. Around 9a.m the police came in 3 vans to our place with 2 KTC buses. We were planning to go to the Collectorate in 12 vans and 1 mini bus. But RDO threatened all the drivers that if they take the vehicles their permit would be cancelled. So all the drivers phoned me and expressed their inability to help us.

Before we started our rally the police came to our place and asked the youth to get into their vehicles. So the youth ran away. But I told the police if you ask them to get into the

bus then only three men will come. We should walk with 600 people. As we went the Pandarampatti, people of Silverpuram, people of Balayapuram, people of Subramaniapuram came with us. From every village more than 1000 people came with us. I was altogether more than 5000 people to walk in a peaceful way.

Meanwhile people of Madathur joined us. At that time SIPCOT Police Inspector Mr. Hariharan stopped us and did not permit us to proceed. But people went against his move and started to walk. At Madathur arch police charged the people with lathis. In this 6 of them were wounded badly and 2 people's heads were broken. But even then we did not go for any atrocities. We were stopped at this place for more than 4 hours.

When we reached 3 mile Railway gate it was 1.30 p.m. We were not allowed to even reach the bypass. I tried to go to the Collectorate with the help of N.Ramasamy bike. But in all the places police stopped us. At this time I spoke with Ram Sudakar the village officer about the atrocities of the police. Many phoned me and said that many were shot dead by the police, So I returned. At that time 10 ladies of our village were standing near the rail road without any vehicle to go back home. So I demanded that 4 two wheelers take them home. Finally I too came back on a two wheeler.

On 21.05.18 one of our leaders Bala Murugan was arrested at 1.00 p.m by Sub Inspector Muthumalai and two constables. So immediately we did dharna on the road side. I spoke to Mr.Hariharan over the phone about this issue. He replied to me that by he will be released by 6.00 p.m since he assured us we cancelled the dharna

After 3 days, I got released. Arun, Elavarasan, Arasu SIPCOT police station and brought them to my village. 10 Police were engaged in security duty in my village. The immediate action should be taken against the police who killed our people and wounded so many of us.

C-89: Statement of Ms. Muthulakshmi D/o. Arikrishnan, 1/78, West South, South Virapandiapuram, Ottapidaram Taluk, Thoothukudi.

I reside in the above address. As we have planned earlier, we started to participate in the procession to oppose Sterlite Copper Company and to stress the Government to close the company. On our way to Thoothukudi on 22.05.2018, the police stopped us near Madathur and refused to allow us to proceed. We, the people of Pandarampatti, Meelavittan and Madathur villages sat in a hall due to the fear of police. After reaching the Bye Pass near Madathur, the police started to attack us. Within few minutes the police started lathi charge on Children and women. I had a wound on my forehead.

Again we continued our procession and were near the Collectorate. At that time they started shooting. The crowd started running here and there. On seeing the dead body of Snowlin and others who got bullets on their bodies, I was stunned. One who got bullet on his chest shouted; "Please don't bury my body until Sterlite is closed permanently." A lady who got a bullet in her leg walked with much pain. I went to Madathur Primary Health Centre and got first Aid there.

C-90: Statement of Ms. Mahalakshmi, D/o Paulraj, Kumareddiyapuram

People of our village arranged for a vehicle and on 22nd May, early morning. We started to take part in anti-Sterlite protest. But the police stopped us in front of Essar Petrol station and the police began to chase us away. So we started walking on the railway rails towards Pandarampatty road. Again the police stopped us and asked us to get into a police van.

As the police van was going towards Madathur, we got hold of the gear of the van. We were pulling the gear here and there and the van was out of control. We told the police "if you don't allow us to get down, we all will perish". One Mr. Karuppasamy jumped down from the van and the police lit him on his head. When we got down from the van the police pushed Mahesh and Parvathy on to the bypass road and wounded them with lathi.

Health Hazards people faced with

Removal of uterus

cancer in uterus

Cancer in the eye

Skin patches

Stone in the kidney

Itching in the eye

Asthma

Infertility

Drinking water became nish

Chloride salt was more in the water and people were not able to drink.

Air pollution and suffocation, after the month of March, from the time that the Sterlite factory is closed down, the situation is better.

Our cows and goats don't graze in the land of Sterlite extension. Even if they graze, there would be no milk.

For years we are buying drinking water one pot per 10Rs.

C-91: Statement of Mrs. Parvathy, W/o Mr. Madasamy

When I got down from the police vehicle, at the bypass road over bridge, a woman police slapped me at the cheek. Then I heard the noise of police men shooting gun shots. I was terrified at that sound and fell down. The police surrounded me, and beat me with lathi and with the butt of the rifle. I got tainted and fell off the road. A few men from the nearby lorry shed took me and hid me. Then they gave me cool drinks and asked me to escape from that place. From then onwards I am suffering from fever, I am not able to come out of my terrific trauma.

C-92: Statement of Mr. Chandra Bose

I am Chandrabose, S/o. P. Subbbaiah Nadar, residing in 931/27C, Ashok Nagar, 8th Street, Thoothukudi. I am residing in the above address. I was a Indian National Congress party counsellor for 4 times (20 years) from 1996 to 2016 in 51st & 35th ward of Thoothukudi municipality & city corporation. Now I am the congress Deputy Leader of Madurai corporation congress party.

My elder sister husband Karupasamy @ Moses Karupasamy was under treatment in Thoothukudi city & town in emergency ward of AVM hospital because of an accident he met with @ Ganesh Nagar, Paalai Road junction on 21.05.2018.

I with my family went with him on 22.05.2018 roughly at 2.00pm more than 50 policemen rushed into the hospital & blindly attacked the persons inside the hospital. I questioned them, "Why are you beating the innocent people". They replied, "This is the course if you offend the policemen and you are talking too much, you are also one among that group is it?" Then they dragged my hand to the main gate of the hospital & attacked me with a Lathi on my shoulder, head, stomach, thigh, back, chest and kicked me with the boots & injured me a lot. I ran again into the hospital.

That atrocities were organized by two youths who covered their face with hand kerchiefs. I got treatment for my injury in my thigh, chest, stomach, back, shoulder & I had 7 stitches on my head. The policemen continued two atrocities again and again in to the hospital. So I got scared and get back to my home. I was badly upset because of that incident till date. I request the commission to file cases under IPC sections who planned to kill me and brutally attacked me while inside the hospital because of the Sterlite protest going on at Thoothukudi Collectorate and should provide the compensation for my injuries. I submitted this as a document from my side.

I declare that all the data furnished by me are true. I signed for that document on 06.06.2018 at Thoothukudi.

D. Statements of eye witnesses to the Thoothukudi Police Firing

D-93: Statement of XXXX

I live in Inigo Nagar and I'm a fisher man. I'm one of the members of the Sterlite protest committee. I was organizing all the people from my area for all the protests from the beginning till the end of May 22.05.18. Then the police came to know and filed a case on me. Because of this we and the 250 families underwent so many troubles in life as

1. power cut in the night
2. no drinking water

We survived with the help of the other people in Thoothukudi. Then the officers came and solved the problems. We discussed on 20.05.18 about the rally on 22.05.18. Before hand we made some rules in order to save Government properties and for the good of the people. We strictly insisted to bring only water and food. All women gathered on the particular day in order to save the youth from the ASP. The police purposely came there in order to arrest the people. There were many police among the crowds in mufti. When we were there in VVD signal a bullock was sent a midst the crowd in order to scatter the crowd from there. There was strong blocks from the police, not to proceed with the rally. Though we were stopped yet we were going forward to the Collector's office. Snowlin who was killed in the firing told us to go away from there and we took her the hospital. Police were going on shooting the people from various places and people were terribly distracted and the crowd began to scatter here and there. Many people who were shot by the police and got injured. I saw three people were killed by the police. Inigo Nagar was fully surrounded by the police on 22.05.18 evening, Because of this all the youth were kept at one place. We were continuously threatened by the police and the ASP and many men went to the seashore to save their life.

We the people of Inigo Nagar ever reading to give a statement, because we are afraid of police force. Kennady was finally seen on 22.05.18 in collector office fill now he has not yet come to the come. Kindly help us we give this statement for the people of Thoothukudi and for safe generation.

D-94: Statement of Mr. Backiyaraj, S/o Xavier Morais

My name is Packiyaraj and I am a member of Naam Thamilar Party. My wife's name is Maria Judy Hema (40) and she contested the previous assembly election at Thoothukudi assembly constituency as a Naam Thamilar Party candidate our elder daughter Yalini (17) is studying class XI and our son Yaal Thilipan (13) is studying class VII. I belong to the fishermen community.

Police was stationed in large numbers on the previous night to the day of protest in front of Our Lady of Snows Church. The roads were barricaded. There was tension everywhere.

The next day (22.05.2018) at around 8 a.m. there were only around 150 people gathered near the church to protest. Then people began to arrive in large numbers and among them several women and children. At 10 a.m. around 5000 people had gathered there.

Our aim was to march towards the Collector's Office and submit a petition to close down Sterlite and if the Collector would not head to our demand we could picket the Collector's Office and stay there already the people of Thoothukudi (around 1.5 lakh people) had gathered in protest against Sterlite at VVD Signal junction at an earlier date. This was a peaceful protest. As all out earlier protests had no effect we did not participate in the protest organized at SAV School ground. Instead we wanted to mobilize the people in a very large number and meet the Collector for direct action.

The protest march began on 22nd May from Our Lady of Snows Church at 10 a.m. I raised slogans "Close Down Sterlite" and the protestors responded with the slogan.

As the police had blocked the main road we marched to the rear side of the road. Youth and transgender formed the front line and women and children followed them.

As we moved A.S.P. Selvanagarathinam stopped us near Maheshwari Tailor shop. We told him we were going to the Collector's Office to meet the Collector to submit our petition. The A.S.P. told us that we were not allowed to meet the Collector or the S.P. instead he told us to go to S.A.V. Ground and protest there, We refused. While we were talking, the people left the place and began to move towards Collector's Office.

We were stopped again at Fire Service Junction by the police. But there was no clash with the police and we proceeded. Again we were stopped at VVD Signal Junction. Here there were around 300 Policemen. A Police officer (a north Indian) Kabilkumar was there.

He demanded to meet our organizer, we said, "We had no organizer", and the people were the organizers. As he was a north Indian, Beauty (a transgender) who knew Hindi spoke to him. At this time a bull charged into the crowd and wounded 3 people. In this confusion the police began to beat us. Kobilkumar also beat us with his lathi. We withdrew a little, somebody began to throw stones. As the crowd increased the police began to run away.

There were several shops along the route to the Collector's Office. If violence was our aim we would have damaged them. Our aim was to protest peacefully and give our petition to the collector. It was the police that began the violence. We were peaceful because there were a lot of women and children with us.

As we proceeded towards the Collector's Office there were police men all along the way with lathi's and rifles. Vajra vehicles were also there. After the VVD Signal women and transgender took the lead, Men followed them. At the third mile junction people in lakhs from various areas of Thoothukudi joined us. Communist Party volunteers also joined as and followed us.

After the third mile bridge the police who were ahead of us fired tear gas shells. We could not understand why the police were using tear gas on peaceful people. but we continued to move on peacefully.

At the Bye pass junction near the bridge we saw 2 two wheelers on fire. There were no people ahead of us except the police. So who set fire to these vehicles?

We marched raising slogans. After this we stopped the people. Then myself and my wife Hema, Kuyil Natchiyar, Maniamarai and 2 transgenders (Total 6) went on.

As we crossed the Collector's Office arch and turned left and then right and then left we saw some more vehicles on fire.

Suddenly a large group of policemen began to beat us with lathis. Unable to bear the beatings we began to run. Two women fell down. I tried to carry them to safety, but could not. So I dragged them along. One of the two was my wife.

We ran out towards the bye pass road. The police followed us beating. I threw the two women into a ditch along the road. I tried to jump into the ditch but I was hurt.

I saw a policeman stabbing my wife in her belly with the butt of his rifle. I was helpless, but the people who saw this gathered and chased the policemen away. Then the police began to fire from the side of the arch.

The police who now beat us came from inside the Collector's Office. Many of them came in civilian dress. But they were wearing black boots. They kicked the people, the women and children who had fallen down with these boots.

In front of the Collector's Office there were volunteers from various movements: (i) Uthiram in white shirt (ii) Ajith in Red shirt (iii) Tamilarasan in red shirt and (iv) Nallathambi in red shirt.

Tamilarasan was shot by the police when I was trapped near the ditch I saw a man shot in his leg. Another person was shot in his temple.

After 5 minutes some people helped me out. I lifted my wife. She was bleeding badly. We went to Nallathambi Hospital. There were no doctors only nurses. They refused to treat us.

There were no ambulances. An auto helped him. But as the police were firing inside the city we could not reach Government Hospital directly. We took a round about route and reached Government Hospital by 4.30 p.m.

The hospital was tense. Only TMMK ambulances were bringing people. The dead and wounded were being brought. The service of TMMK even during Ramzan fast was great.

We were sent to a ward in IV Floor. My wife and the women were treated there. At 10 p.m. SIPCOT Inspector Hariharan came to the ward. He abused me. He said I was responsible for the tragedy. He said I refused to listen to him. He snatched my mobile from my hand and threw it on the floor and broke it.

Around 11.30 p.m. a group of policemen came to the ward. They began to beat all those who were wearing black dresses. They beat me and tore my shirt. They beat and stripped naked a woman named Mariammal who was from Kovilpatti. After the police left I gave her a dress borrowed from another woman.

On 24th May Thinakaran came and met us. Later Sasikala Pushpa M.P. came. She saw my wife and wanted to treat her in a private hospital. But the Dean refused to discharge her because the Collector and the SP had ordered no one should be discharged. But Sasikala Pushpa insisted. So the Dean discharged my wife. But as the city was under police control we could not move her out of Thoothukudi. So we treated her in secret in a private hospital.

My wife has already undergone 2 surgeries. So she cannot undergo another surgery. She is very weak and we are helpless.

D-95: Statement of Mr. Edward Fernando (50/18), S/o Nesam, 62/4, Meenavar colony, George road, Thoothukudi

I live in the above address and my wife name is Elsi. I have got four children. Eldest daughter Monika married Anu (23) Finolin, and Briska. we all went for the Sterlite protest with my whole family on 22.05.18. The rally started from Mathakovil and we went up to the VVD signal. We were attacked by the police around 11.30a.m. After this we went up to 3rd mile bridge there also we were attacked by the police, still we were going forward to the Collector's office. We were attacked there also by the police and some people were also throwing stones at the office. And I pleaded with them not to do that. While I was pleading with them I heard the sound of guns how at the Collector's office, I saw a young man shot on his cheek by the police and he was brought to the GH on a two wheeler. I am a sick man having BP and Sugar. From there I went to the shop and drank juice. I came to know that my daughter went to the Nallathambi Hospital and I went and saw her she was not there.

I also went to AVM Hospital and she was not there. I saw the two people in the ambulance and a man who was wearing a red color shirt and Snowlin, In the same ambulance I came to the GH. Then I saw my daughter and started scolding the government and the police. I was beaten up by the police the crowd gathered in the 3rd and 4th Floor. I was placed near the window and I saw that the police were attacking the people who were wearing black and dark blue shirts at 3.30 p.m. Then people asked for the ambulance and they refused to give the people were angry and broke the ambulance then also I scolded them. A lady came and closed my mouth saying that I was beaten up by the police. Then my daughter came to me and took me home because of the police case.

D-96: Statement of Ms. Anamika @ Anu Tamilatchi (25/18), D/o Edward Bernadette, 64/4, Meenavar Colony Thoothukudi – 628 001

I reside at the above address. I have studied upto std XII. My mother's name is Elsie. My elder sister's name is Monica. My younger sister's name is Binolin Priyanka. My elder sister is married. We belong to the fishermen community.

My aunt is affected by breast cancer. My nephew Trinitron has brain cancer. My uncle Kennedy too has cancer. As Sterlite is responsible for all these cancer attacks in my family I decided to participate in the anti-Sterlite struggle.

When the people of Kumareddiyarpuram began their fight against Sterlite we directly visited them. I saw that the water in their place was polluted and bitter and was shocked they were using this water. Even this polluted water was bought for Rs.10 for each pot.

After witnessing this we also decided to fight and looked for a common public ground to conduct our struggle. So we chose the space between the right side of our Lady of Snows church and in front of Bell Hotel. As we began to put up a shelter at this place the police objected to this. So we gave up this idea and sat under a tree on the right side of the church and began our protest.

I participated in the agitation everyday. So I had to give up my job in a shipping company. After this I got employed in Venus Typing Centre for Rs.2000/- per month on a part time basis. Our struggle continued for 38 days.

On 21.05.2018 barricades were put up in front of the church. The banners also had Sterlite Copper advertisements on them.

On the day of protest when I reached our Lady of Snows church at 5 a.m. only 35 people had assembled. I was disappointed at this poor turn out. I began to fear that a protest was impossible and we would not be able to close down Sterlite. Near the place 2 vehicles were parked and around 150 policemen were standing.

Around 7 a.m. only 100 people had gathered. I began to fear. After this I spoke to people on my facebook. I told them about the low attendance and asked the people to come to this place of protest. I spoke for about ½ an hour.

My live appeal was given 89396 likes and more than 300 had commended. Around 10 a.m. around 5000 people had gathered. Thereafter the protest march left the place and headed to the Collector's office. As the main road was barricaded we moved from the back road.

On 24th March a call-attention march at V.V.D. Signal around 1½ lakh people had gathered here. Earlier on 23rd April, we had marched to the Pollution Control Board office and submitted a petition. As these protest events were peaceful, today also we anticipated a peaceful protest. Moreover, the 22nd May protest was organized because the 2 earlier protests had no effect. So the 22nd May protest was planned to be a picketing protest at the Collector's office.

Slogans "Close down Sterlite", "Come out of your houses" were raised. As we marched, the police stopped us near Mahesh Tailor Shop. The police team was headed by A.S.P. Selvanagarathinam. Mr.Packiyaraj and Beauty (a transgender) spoke to the A.S.P, after 5 minutes we were allowed to proceed.

The police again stopped us at Fire Service Junction. But we proceeded, again we were stopped at V.V.D. Signal. There were around 300 policemen here. A bull charged into the crowd and knocked down 3 women.

The bull hit my aunt's daughter in her ribs. It also knocked down another person around 50 years old, both began to bleed. It is said the bull knocked down another person but I did not see it.

As the bull charged at us the police began to beat us. We withdrew a little but began to proceed again ahead. Along the way I was interviewed by a BBC reporter. So I was slow. Then there was no problem till the third mile bridge. As we descended the third mile Bridge, police began to throw tear gas shells, so we had to slow down.

I crossed the Collector's office arch with my younger sister Phinoline Priyanka and Snowlin. I saw a person shot in his cheek. Then I saw Muthukrishnan shot in his leg. He had tied a hand kerchief to the bullet wound but he was bleeding profusely.

The people around us shouted to us at sit down. They said police would not shoot us because we were protesting peacefully. I asked why should the police shoot peaceful protestors, but no one sat down.

At around 10 metres from the arch I was standing with around 10 people. I suggested we go inside the Collector's office and sit inside. At that time a man elder to me wearing a red shirt said that we could wait for some more time and see what would go on. Then as he was talking he fell down backwards. We did not know what had happened and shouted for help to lift him. As we lifted him his head hung. I felt for his breath but it had stopped. Then we joined together and wanted to carry him to the hospital and carried him up to the main road. Then I ran back to the Collector's office to get my sister. While going I learnt the person shot was dead and his name was Tamilarasan. I learnt this from the TV news.

I saw my sister when I went back inside near the canteen. Then I heard shouts 'shoot', 'shoot'. I held my younger sister in my left hand and began to run. Another person a man elder to me held my right hand and was running alone. I shouted to my sister that our mother was missing. Then suddenly my sister fell down.

I saw Hema (a lady) being beaten by a policeman with his gun. He was stabbing her belly with the butt of his rifle. Some youngsters were driving away some policemen. A policeman caught alone was beaten by some men. The men rescued Hema from the police.

I went inside the Collectors Office looking for my mother. At approximately 25 feet a policeman pointed a gun at my face. He was dressed in military uniform. I panicked and thought I would be shot dead. I held my body tight as I thought a stiff body would not feel the pain of a bullet.

Suddenly the policeman moved his gun away from me. I felt I had regained my life and began to run again.

I went to Nallathambi Hospital. I saw 4 dead bodies there. As I could not find my sister anywhere I continued to search for her. I did not find her and returned home at 5 p.m.

D-97: Statement of Ms. Infanta (21/18) D/o Aloy who is undergoing treatment at the Thoothukudi Government General Hospital.

I'm living in Fatima Nagar in Thoothukudi; I'm B.A. graduate. On 22.05.2018, I had joined a group of people from my locality who have gathered to show their protest against the Sterlite factory. We had started walking in a procession from Mary's Church towards the factory. As police stopped us so we took a deviated route via the Holy Cross Church. When we reached St. Antony's Church police again tried to stop us. However, as the people were in large numbers they could not stop us. Women were leading the procession that was heading towards the bus stand. When we crossed over the bridge near the bus stand, a set of policemen started firing tear-gas shells. When the area was filled with smoke, I had seen a policeman picking up stones and throwing at us.

Some youth were scared on seeing the policemen throwing stones at the people who are peaceful demonstrators and warned us to be careful. In spite of that more people gathered who came as families with children in hand. We started moving enthusiastically towards the Collector's office. As we crossed the arch of the Collectors office, police resorted to lathi charge without any provocation. A policeman beaten me on my shoulder and slapped my face, I could not walk further so I sat on the ground. A few transgenders co-demonstrators started running backwards. My friend Snowlin (who was killed by police bullets) also received severe blows from the police and stumbled on the speed breakers kept there. Snowlin also started running fast. I told her not to run, but to come and sit with me, so she returned to sit with me, at that point, policemen standing below the trees on the pathway to the Collector's office started shooting at us without any warning. Bullets passed us and hit the steel fence behind us. Next a spray of bullets hit Snowlin on her mouth; she collapsed and lay at my feet. Within minutes pool a of blood engulfed her and she collapsed.

A few youth carried Snowlin in an auto-rickshaw along with a few more youth who were beaten by policemen. Snowlin died on arrival at the hospital. I could not stand there I was mentally depressed and went back to my home. I went to hospital to see Snowlin's body but the police did not allow us. I was terribly upset, though we were demonstrating peacefully against the Sterlite company that spreads cancer in our locality by disposing dangerous untreated waste. But no government official or Ministers are ready to listen to us. All of them along with the atrocious policemen should be brought to book.

D-98: Statement of Ms. Nishanthi, D/o Selvaraj, No. 8, Fatima Nagar 4th street, Thoothukudi.

On the 22nd of May 2018, Tuesday, my friends and myself took part in the protest march against Sterlite. Many people, in and around Thoothukudi, have died of cancer due to poisonous emissions of Sterlite. Many grownups as well as children in our area suffer with many diseases such as eye problems, itching in the skin, suffocation, heart problems, abortion etc. Thus when 22nd of May was fixed for the protest, all the people voluntarily took part in the protest march.

The protest march started around 9.30 a.m from Our Lady of Snows Church area. When it reached the V.V.D. signal the police tried to stop us. At once the people started to sit on the road. The police sent one jallikkattu bull into the midst of the people. The crowd was disturbed and the people started to run here and there, son of Xavier; Abinash son and Johnson was wounded by the bull, and they were admitted in a private hospital.

The police force made use of this confusion and started to lathi charge. My friend Sudha was hit on her back, Johnson was hit on the head, Rahul's hands were thrashed, a twelve years old boy was beaten all over his body: He is being treated at the G.H. The protest march continued. When it reached near the FCI, the police started to shoot tear gas. Myself and my friends proceeded towards the Collectorate. A woman stopped us and told us to go away because some unwanted things were taking place. We asked her to tell us who she was, she refused to say anything. She seemed to be a women constable, most probably, she would have ordered the burning of the vehicles, in the campus of the collectorate, even before we entered into the campus.

Soon we saw that a few people were carrying a man who died of police firing. Another man was lying on the ground. We wanted to lift him up. But he had been wounded with a bullet shot near the right side ear and was struggling for life. We placed him in an ambulance and sent him to hospital. We saw another woman suffering from fits and was finding it difficult to breathe. We took her to the nearby Nallathambi hospital.

I was searching for my mother. We came up to the third mile bridge, ASP started beating the people left and right with their lathis. Many people were beaten hit and wounded. I took my mother into a house and stayed there.

Ordinary, innocent, simple people were tortured by the police with the bullet shots as well as lathi charged: The police did not give us any warning. They created a scene of commotion and killed the people and wounded the unarmed people.

We need justice against all these atrocities. The ones who had ordered for this brutal attack, whoever it may be, must booked and punished. Sterlite must be locked permanently.

D-99: Statement of Mr. Basil, S/o Jeyakumar, 11/1, Fatima Nagar 5th street, Thoothukudi.

I am living with my wife and children in the above mentioned address. I am a fisherman. I also took part in the protest against Sterlite because of the health hazard and the havoc caused by it.

On the 22nd of May, the protest march started from around Mathakovil, and it was heading towards the collectorate. When the march reached the fire service station, we were stopped. We were asked to disperse. We said that we were making a peaceful march and our only aim was to meet the collector. Thus we pleaded with the police to allow us to go ahead.

The police would not hear our plea. They started to lathi charge. Anand from Lions Town and a few others were hit on their head. They were taken to the hospital. A few people

took hold of one or two policemen, but did no harm to them. In fact during the protest, when something happened to the police or when they were injured, it is the people who took them to the hospital.

When the protest march reached the third mile, the police started to use tear gas. And people saw that a few vehicles were burring under the bypass over bridge. The protest march had not reached that place yet.

When we reached the Collectorate campus, we saw a few people who were carrying Snowlin and Thamilarasan. They had been shot with bullets and blood was pouring.

My friends and myself ran to the nearby petrol station and were hiding ourselves. We heard the notice of the bullet shots. The ambulance was carrying the dead and the wounded. The police came to the four roads and was firing and were chasing the people.

The people were protesting peacefully. Without giving any forewarning the police shot down and killed the people. It was a police violence, it was a State violence. They did not follow any rule of law. All these happened around 10.30 a.m.

We need justice for all those who were mercilessly killed and wounded. All those who ordered for this police violence should be booked and punished. Sterlite should be closed permanently.

D-100: Statement of Ms. Indira

I Indira (37) w/o Jayachandran residing in 27/8, 6th street, Fathimanagar, Thoothukudi district

I reside in the above address with my husband and 2 children. My husband is a fisherman, I have three children one son and two daughters. I participated the anti-Sterlite agitation with my daughter Thishani (14). Rally started from Matha church and moving towards old bus stand. In the front row of the rally my daughter and two of her friends Snowlin and Infenta were leading I was five rows behind them. When the rally reached the fire and rescue station, police blocked our progress, we requested that our rally is peaceful one so let us go. When the rally reached V V D signal police behaved in an uncivilized barbaric manner by driving a couple of bulls inside the crowd. A brute policeman caught hold of my 14 year old daughter's left hand and twisted it, she is not able to use this hand even now and experiencing excruciating pain she is not able to do her day to day chores. After this the rally went further towards Collector's office. At the entrance of collectors office the police started beating with poly fibre lathis. I was beaten badly in the left hand and left leg. To save my life I ran in to the Nallathambi Clinic. The nurses there did a highly appreciable humanitarian service by asking me to remove my black saree and offer their uniform to escape from the inhuman police force. When the rally reached the collectors office police started firing, my daughter's friend Snowlin was shot dead in front of my daughter. The other friend of my daughter Infenta was badly hit on the lips and bleeding profusely she lost conscious. My daughter somehow managed to escape and reached home by 3 p.m. On seeing the death of

her dear friend Snowlin and torture of another friend, my daughter is under severe mental depression. She is scared even on hearing car horn and terribly disturbed and we are afraid this will harm her future existence. Snowlin was covering her face with a white hand kerchief to avoid sun burnt, we suspect that the killer gun man could aim on her face easily, she was shot on her face. We want justice to be done for us, the culprits the murderers in uniform and the government officers responsible for this barbaric act should be brought to books. Now my daughter could not even eat properly, her normal life style is affected she has become handicapped.

D-101: Statement of XXXX

I was living with my four boys, daughter in laws and grand children at Therespuram. My two sons went for the peaceful March against Sterlite on 22.05.2018 on by their own bike. My elder son called me over the phone saying that there is a riot due to which he was coming home and asked me to, my younger son to come home. He came home around 1.30 p.m. He was with his friends chatting in front of Matha Church. Around 2.30pm more than ten policemen punched my son with their lathis. I went there to save my son who asked me not to come there. But I went and beseeched the policemen and brought my son home. There was a policemen with a gun threatening the people. After a few minutes we heard the shooting. We came to know that it was Mrs. Jancy. I took my son to American hospital for treatment due to police harassment. She requested not to reveal any of our identities. They are afraid of the police torture.

D-102: Statement of Mr. Arun (48/18), S/o Rimbolt, 6, Thattar Street, Thoothukudi.

I am doing fish related business. Ms. Jeyalalitha, the then chief minister gave permission to build the Sterlite industry in Thoothukudi in the year 1994. My father was a fisherman using boats. I got involved myself against Globalisation and free market. Having this ideology in the background I started opposing the Sterlite industry.

13 likeminded people against Sterlite industry organised protest meetings on the day of laying the foundation stone for the industry. The police arrested us on that day. We started strengthening the anti-Sterlite movement in the villages. We went on bicycles to villages and campaigned against Sterlite. The anti-Sterlite movement functioned under the leadership of Tamilmanthan having 24 members. The villagers used to chase us thinking that our campaign is against their economic growth. They do not even give water to drink. Anti-Sterlite movement got rooted in the fishermen area.

Anti-Sterlite movement with Puratchikara Ilaiginar Munnani jointly organized a conference against Sterlite in the year 1994. We decided to campaign about the toxic emissions and organize protest meetings out of the conference. We conducted protest meetings in front of the municipal office according to our decisions. We had organized many protest meetings in the year 1994. The Sterlite functioned with the help of DMK and AIADMK. The anti-Sterlite movement has become rooted in the fishermen area but the industry

administration offered lucrative job opportunities to the leaders of the anti-Sterlite movement and thus tried to bring the protest meetings to an end.

But the fisherfolk showed their protest against Sterlite in the following forms in the year 1995:

The people refused the services of the NGOs

They blocked the sewage tube of the Sterlite and avoided the mix of the toxic emissions in the sea

They blocked the ships three times that carried the ore for the Sterlite industry in the sea

The organized hartals against Sterlite industry

The state assembly election was held in 1995, Mr. Benorose from the anti-Sterlite movement contested in the election as an independent candidate and got 36000 votes and gave close fight to Mr. Periyasamy of DMK. The huge number of votes showed the anti-Sterlite feeling of the people.

The anti-Sterlite movement was diluted by the communal riots on caste. The then Government appointed Mrs. Jenifer Chandiran as the fishery minister to gain the confidence of the fisherfolk. The infrastructural facilities in many of the fisher folk areas have been improved by the help of Sterlite through different NGOs. The president of Anti Sterlite movement Mr. Tamilmanthan also disappeared.

The people from Therespuram fainted because of the toxic emissions from Sterlite in the year 2009. It increased the protest of the people. NEERI committee was formed to enquire into this. Another accident took place in the year 2013. Ms. Jayalalitha, the then Chief Minister gave the order for closure of industry according to the instructions received from the pollution control board. Sterlite was reopened by depositing 100 crore rupees in the Collector's office as an advance for the compensation of any accident.

The people from Kumara Rettiyapuram realised that their lives are at stake after losing many of their relatives and afflicted by strange diseases in the year 2017 and started to mobilize against Sterlite. They organized a protest meeting in the month of February at VVD signal and this protest turned to be the indefinite protest guided by the long-time activist. The police arrested the protestors and filed cases against 11 important leaders who were instrumental in organizing this protest.

The Traders Union of Thoothukudi organized a mega Hartal on 24.03.2018 against Sterlite. The people from Kumararettiyapuram participated in this in a large number. Prof. Fathima Babu the frontline activist against Sterlite was very much instrumental in organizing this mega hartal. She also brought awareness to the school and college students and made them participate in this protest. Around 2.25 lakhs people participated in this hartal under the leadership of Vimalson, Duraipandi and Krishnamoorthy.

Anti-Sterlite movements in the villages got strengthened because of these protest meetings. People from Meelavittan, Pandarampatti, South Veerapandiyapuram organised the

protest meeting in their respective villages. This has become village – town coordination committee. The anti-Sterlite coordination committee submitted a petition to the pollution control board on 24.04.2018 and decided to give petitions to the Collector on 22.05.2018. The district administration called for peace talk on 20.05.201. 23 representatives from different organizations participated in this meeting. Mr. Pon Pandi represented the village-town coordination committee.

The district administration refused to give permission to hold the huge protest meeting in the Collector office premises but allowed us to have the protest meeting in SAV ground with police protection. After this decision the village-town coordination committee removed Prof. Fathima Babu from the committee.

Around 2000 people gathered in SAV ground and organized the protest meeting. We came to know that the police opened fire in the Collectorate at 12.30 p.m. We closed our protest meeting. When I heard Mr. Tamilarasan was shot dead I rushed to the hospital to see him.

D-103: Statement of Mr. S. Tamilselvan, Lorry Owners Association.

I, S.Tamilselvan (48) son of Samuel Sigamani Nadar. I run a private ambulance service called MASS.

I reside at 15 convent road, Thoothukudi with my wife Jeyasudha Mary and three sons. My eldest son is doing his first year at college, my second son is doing his eleventh grade and the third is in the tenth grade. I am also the president of the lorry owners union or association.

On 22.05.18 I was in the SAV grounds and participated in the protest. As soon as I heard about the police firing we dispersed from the SAV grounds.

On the previous day at night, I took part in the peace talks with the SP, ASP, DSP, Tahsildar along with the Additional joint Collector and many representatives from different organisations. The fishermen's union traders union lorry owners union, mini bus drivers union, and representatives of people's groups. The SP and the joint additional collector told us that there is a group who will cause a disturbance, so they asked us to change the venue from the Collectorate to any other place. All the leaders accepted and changed the venue to the SAV grounds. It is clear that the people spread a wrong message stating that the SAV grounds was not the correct venue for the protest and that the siege should be at the Collectorate and that is why the people marched towards the Collectorate.

The innocent people were the victims of the police firing and not any person who spread this wrong message.

A youth who was married three months ago was killed in the firing and he belonged to Shanmugapuram area.

D-104: Statement of Mr. Basker (50/18) the District Secretary of the Traders Association of Thoothukudi who were demanding for the complete closure of the Sterlite copper plant.

T.Basker, son of P. Thangadurai residing at 110 S.S Pillai street, Thoothukudi.

I am residing at the above address with my family. I am the president of SS Pillai street, Traders union Thoothukudi district traders secretary of Tamil Nadu traders union of Northern district.

There are 38 trade unions in Thoothukudi district. The office bearers of this traders union exist. In support of the struggle against the sterlite copper plant which had caused destruction and havoc in the lives of the people. "The state traders union of Thoothukudi functions. In addition with this under the traders Association we started "Thoothukudi welfare Traders group" and land over the responsibility to coordinate the group to Mr.Raja

Mr. Raja is having all the documents of the steps taken by the group for the permanent closure of the Sterlite factory.

The District collector of Thoothukudi didn't called the 68 traders association under the control merchant association for any suggestions. There are only few and rare cases were affected by cancer in Tamilnadu. But in Thoothukudi where ever we go and ask there were several people affected by cancer. The medical shops were also several. This confirms that the affected were more in Thoothukudi.

Because of the numerous affected , we are planning to give a request to build the ALLMS in Thoothukudi. Mainly in Kumareddiyapuram the non-violence protest started at first. And as the 100th day, on 22.05.2018 they all decided to do a condemning meeting. There after turned into siege protest of the collectorate.

On May 20 There was a peace meeting conductor in the district collectorate from 11.00a.m to 12p.m I on behalf of Thoothukudi city merchants central Association and the president Mr.Vinayaga moorthi, District Treasurer Mr. Senthil Arumugam State youth group, organizer, Mr.Raja were participated members from more than 20 groups were participated. The group requested to forsake siege protest. And informed that some organization like Makkal Adhikaram wre trying to divert the protest. Like that the protest on 22.05.18 was diverted. but we were participated SAV ground. Silently and non-violently. We winded up the protest once police firing started. And we as in the leaders meeting decided to stand aside with the group who are non-violently protesting against the Sterlite factory.

D-105: Statement of Ms. Relisha, D/o.Selvam,159, North Raja Street, Thoothukudi

I'm a teacher working in a private school. It was the first time. In Thoothukudi district to have water supply at 9.00a.m on 22.05.18. Since it was the 100th day of the Sterlite protest, I joined that protest. We all gathered in Mathakovil grounds at 9.15. Some people were wearing black shirts and we told them not to wear. People had brought two sets of dress,

bedsheet and some necessary things. People from Puthutheru also joined us. We were more than 10,000 people gathered there in Matha kovil ground. Anu Tamilachi explained about this rally in the Facebook. Police took Many steps to stop this rally. All the brigades were sponsored by the Sterlite and by looking at that all the people were very angry. As we came from behind of Mathakovil we were blocked by the police. Videos were taken by the police and it was monitoring and giving news somewhere else. We were stopped again by the police near Fire Service Station. Some police who were in mufti mixed with the crowd having stones in theirs hands. Then we were distracted by a bullock. Two people were laughed at before we could reach the VVD signal all the barricades were down already. On the way to 3'd mile we all were thirsty and drinking water and we were blocked by tear gas shells. Vehicle were burning in front of the Collector's office. There was firing taking place by the police. Police were shooting the people behind the bushes then we ran away from there. I saw a man who was shot on his leg and he fell down there. I was there and Snowlin was on my left side and she was shot. By looking at this I became unconscious then my relatives took me from there and put me in their house. My friend told me that there would be gunshot firing, and she also knew about it. I was inspired to join this rally. Because both my friends died of cancer and this made me to join this protest. My desire is to close the Sterlite factory once and for all.

D-106: Statement of Mr. Jeyanthan(34/18), S/o Mugunthan, 40/15, Boldenpuram, 1st Street, Thoothukudi

I am living in the above mentioned residence. Taking photos is my hobby. On 22.05.18 I took part in the protest against Sterlite. My friends were also there. We were taking photos and walking. The people in the protest rally had only banners and charts. They did not have any weapons. Till the rally reached VVD signal no police stopped us. Near VVD Signal, around 10.45am police kept barricades and stopped us. There were only about 100 police men. But people were around 5,000. The police started lathi charging. The people started throwing stones. So the police men were running away.

When we reached near the grave yard stop, CPI party men, numbering around 50 joined us with their party flags and banners. Later people from P&T Nagar, Millerpuram, Chidanapara Nagar, Briyant Nagar etc. also joined the rally. When the rally reached 3rd mile bridge, it was around 12.30pm.

When the rally reached FCT store houses, police fired tear gas from Vajra vehicles and one tear gas bomb through a gun. Two of the reape gas bombs fell on the side of the road and one fell in the midst of the people. Police did not try to control the people but they started trouble. They instigated and created problems. A few protesters started attacking the police. Then a few protesters pleaded not to attack the police.

Later vehicles were set ablaze under the bypass road bridge. I did not see who set fire to then. It is 30 meters away from the Collectorate where the glass windows had been destroyed. In the second shooting, the distance between the people and the police, who shot at the people, was only 20-30 meters.

On the left side of the Collectorate Maniraj was shot at with a sniper rifle. And the distance between Maniraj and the one who shot at him was around 100 meters. I went away from that place around 11.15a.m. The men responsible for this brutal killing, those who shot and those who ordered the firing should be booked and punished. Sterlite must be closed permanently.

D-107: Statement of Mr. N. Senthilkumar (33/18)

I am residing at 112/B Rahamathullah Nagar South Vairavan Chettiar Compound, Thoothukudi - 2 along with my wife Selvi (33/18) Son Jayaprathap Pandian (3). I work as an advocate's driver.

After the protests started against Sterlite, my free time was spent in Kimarettiapuram (13 kms away) and I would participate in the struggle. Only then the protests started in every village. Only after that it started in Our Lady's Church. I would participate in between my working hours.

On 21.05.18, I helped in moralising people, distributing breakfast and talking to my friend Ameer. On 22.05.18, I distributed pamphlet and helped stick posters, and distributed notices to every house. The police and higher officials were waiting outside the church. until 11.30 p.m, none of us came out and only later went home and slept.

On 22.05.18, around 7am, my elder brother Mariappan friend Amir and a few others went to Our Lady's church. I wore black shirt to be in solidarity with the demand to down the Sterlite plant. About 50 of us were eating. The news through an SMS said that Thangadurai had passed away on 21st at Madurai after suffering from cancer. On 22nd protestors participated in the funeral.

There were about 3500 people in front of the church. after 10 a.m the crowds kept gathering. We decided to leave after a thousand people gathered. The police were ready to put up barricaded and block us. The women went in front and the transgenders went bravely in front saying that if there is any attack we will face it.

When we tried to enter every street, we were prevented by ASP Selvanagarathinam. When we were going through 4 streets, the fire station, the south Police station. inspector Mr. Nambirajan prevented people from proceeding. I pleaded with him and asked him to let us go and he was angry so he ordered his men to drag me away so the women went and fought with him. At once they asked me to remove my black shirt I Ahoned my home and they sent me another shirt. The south assistant Police inspector Mr. Mayilvaganam did not allow us to go, but the crowd was too much so they could not stop them.

The police did not succeed in stopping the crowd so when they reached the VVD signal the police freed a herd of cows. The cows butted the women and many were hurt. The police drove the cows and the people were instigated to be violent.

As some of us reached the VVD signal the police lathi charged and one person had his head injured and he was bleeding. That person asked them why was he being beaten. The

crowds started to move away. I told people not to run and not to sit down for if we did, the people in front would fall on them and it would be difficult.

The police started to lathi charge. The people had no weapons. We went towards the Collectorate to see what would happen. Later on we threw stones. The police who went in front started firing teargas as they went.

When we reached the bridge, 2 bikes were burning. None of us were responsible. The Police set fire and were putting the blame on us. When we were reaching the Collectorate we were confronted by policemen in 9 rows as a barricade.

As we tried to cross, the police opened fire. The angry crowd hurled stones in anger but the police ran away. We were 50 persons who tried to go through when under the leadership of ASP Selvanagarathinam the police attacked us.

Then I crossed over small wall and hid amongst the thorny bushes. It was then that Snowlin was hit by a bullet and she fell. I did not know that she had died. I sprained my foot and in the police lathi charge my back was hurt. I did in those bushes for half an hour. I was seen by a policeman and I begged him not to tell anyone. He did not tell anyone. I slowly climbed out and was standing. The people helped breaking the thorny wall and my friends helped me by taking me on a bike to Annanagar. My family got information that I was a victim of the police firing. My phone was not accessible. My relatives came to the streets looking for me. I then spoke to my grandmother to say that I was alive. They asked me to go to the government Hospital. But I was afraid to go there and be charged with a false case. I went to a private doctor who treated me for a muscle tear. They called me home but I did not go.

They are killing our people. We will struggle until we get justice, saying this I went to showlin's house and offered my sympathies to her parents and told them not to sign on any blank papers.

The police started firing rubber bullets on people. I went on my bike to the Thoothukudi Madurai road Thinking that if I use my brother's bike they would beat me, so I escaped on my brother's milk van and went home. In the night my father said that he would bolt the door, I said no to do such things.

On 23.05.18 I went to snowling's house and offered my sympathies. At 10.30 there was a lathi charge. Hearing that the police were still lathi charging the people at Annanagar, I went to my elder brother's house. The police were still attacking people with rubber bullets and tear gas. About 30 to 40 police were in every street. Anyone who went to the hospital was attacked and beaten because of this I did not go. I went to all the houses of 12 victims of police firing except one and offered my condolences.

D-108: Statement of Ms.Pattu W/o Ramesh

I, Pattu w/o Ramesh reside at 1st Street, Anna Nagar, Thoothukudi along with my husband and two children. My husband works as a contract labouror in a private company. Police opened fire around 11 am on 22nd May 2018 on the main road. The firing sound was

continuing for more than one hour. My husband closed the door and asked us to stay inside and alerted that no one should go out of the house. Our children heard the sound of firing and got frightened. They were crying for two days and did not sleep. Even they got frightened while seeing the firing in the TV news. And hence thereafter we did not see the TV news. I took part in no protest on any occasion. We got frightened and were disturbed.

Note: While visiting the area the team witnessed that more or less 10 policemen stood at all the entrances of the street. They were keeping an eye on the walkers and travellers. No one came forward to speak about the issue. Police noted everyone and abducted some. All are quiet because of fear.

D-109: Statement of Mr. C. Solomon (39/18) S/o P. Chinnathurai Pandian, 30.A, 6th Cross, Annanagar, Thoothukudi

I belong to Annanagar and was working in the government harbour of Poompukar. Now I am jobless and so go to the corner of the street to talk with people who come over there. Two days before the protest against Sterlite (22.05.2018) the Sterlite employees came in two wheelers to our areas to record the speeches of the protesters and taking photos of those protesters with their names. I questioned them, "Why do you take photos?" But they pretended to be like strangers as if they did not know Thamizh language. The Sterlite employees are the informers of the police.

D-110: Statement of Mr. Imam

All the shops were closed on 22nd May 2018. Police were unceasingly chasing the protesters around Anna Nagar from 11 a.m. on 22nd May 2018. Policemen chased the protestors on the main road. The protestors looked for safety and ran towards Anna Nagar. The Police made an announcement that no one should come out of the house and take neither photos nor videos. We all got scared and stayed inside the mosque. One person was shot dead by the police where the pathway of the street connects with the main road.

Thereafter police attacked both the mother and son who looked outside the East Street. All of a sudden police picked up somebody while asking why you picked those, police replied that the reason was that their face was in the video. Two bullets from police firing hit the house which is located to the East of the mosque. He showed the damage which was caused by the bullets as well.

D-111: Statement of Ms. Bathirakali, 10th street Rajagopal Nagar, Thoothukudi

On 22.05.2018, Ponmani(45), Sendhurkani(28), suppammal(60), Selvi(47), Laxmi(40), Anbumani(48) along with twenty other women, we went to Collectorate and reached the entrance and the we joined in the protest rally. Police officials started charging the people using lathi's and stones. The Police did not even spare the elders, women and children instead they had brutally beaten them. Because of this incident, we dispersed form the spot immediately of save our lives.

D-112: Statement of Ms.Sindhu W/o Antonyraj,

I am residing on 10th street, Rajagopal Nagar. On 22.05.2018, my husband actively participated in the anti-Sterlite protest, I called and requested him to come back home but he refused and cut the call. He helped more than five injured my protesters by admitting them in hospital. He told me that police officials from Jeyakumar Street were mainly engaged in firing at the protesters.

D-113: Statement of Ms. Sivagami(38), W/o.Stephenraj (late), 113, Ceylon Colony, Chinnamani Nagar, Millerpuram, Thoothukudi

Sivagami participated in the protest along with 50 people at 10.00am on 22. 05.2018. I went with my daughter. The police started tear gas shells at FCI go-downs. We proceeded to the Collectorate by crossing the sand bags and stone. The girl who came besides me got wounded by the police. I was trying to save her life. At 12.00pm I saw an ambulance with gun-equipped policemen who started firing. It was a well-planned onslaught by the police by which Kanthaya died. The police set fire to the Vehicles.

D-114: Statement of Mr. Ramkumar, S/o R Chellaiah, Ceylon Colony, Millerpuram, Thoothukudi

I was born and brought up in the above address. Myself and Alex went on a motorcycle to join the agitation. We parked the vehicle near 3rd mile and joined the people. Tear gas deployment was in progress and stone throwing from both sides was going on. I received telephonic message informing me that Kanthiah of Ceylon Colony was shot dead. To confirm that I went to government hospital. I have seen 7 dead people who were shot dead. About 2 p.m. I have seen the body of Kanthiah and confirmed his demise. A few policemen came and asked why I am standing there? I answered Kanthiah is my father's brother and he is not participated in any agitation he is innocent, why did you shoot him. A police officer shouted at me asking, did you see me shooting? I pointed out the bullet wound at chest. The officer mocked at me and said you go to Collector and give complaint. Immediately without any provocation police started lathi charging. My left hand knuckles and right thigh were severely damaged. Head of a person standing near me hit badly and he was profusely bleeding. I waited till the brutal police force to disperse and took him to hospital. Another friend of mine Blamugugan (22) was badly beaten and his legs and hands were broken, he was beaten because he was wearing black shirt. I have registered our names in the register, police had taken the cell phone of my friend.

D-115: Statement of Aarthi (23/18) transgender, D/o Maharasan, Amuthanagar, Thoothukudi

I am residing in the above mentioned address. As a transgender am doing social service. On 22nd May I went to the protest against the Sterlite. Myself along with seven members, Sanya, she is also with me. When we reached near the Collector's office front arch,

the police first beat and then they shot the people and made them to split. I saw a girl called snowlin shot dead before my eyes. So please do take some action against the police department. Even I am ready to tell the truth on front in the court.

D-116: Statement of Beauty, S/o Thomas, 3B -504 Shanthi Nagar, 4th street, Munusamy, Thoothukudi.

I'm a transgender and I stay at the above address. I don't know anything about the Sterlite and I came to know about Sterlite through what's up and I joined the Sterlite protest. After the death of my friend Tawari who died of cancer I came to know that many were affected by cancer in Thoothukudi district, because of Sterlite. There were many protests held in Thoothukudi not only at Mathakovil but also in other places and I also joined. We '60' Transgenders along with the coordinator Aruna, Suma, Raja and Kanchana also joined on 22.05.18. First we were stopped by A.S.P Selva Rathanam along with 200 police in front of the Maheswar tailor shop and I went to talk with the ASP, while I was talking with him, the protesters began to walk forward. Second time we were stopped in front of the fire service station and finally we were stopped at VVD signal by DSP Kapilkumar. Since he did not know Tamil I went to speak with him in Hindi. All of a sudden a bullock came in the midst of the crowd and police began to attack the crowd. After 10 minutes we joined together and started to walk we had no problem from VVD to 3 mile. As we were getting down the bridge we were attacked by the police and we started to walk slow by to the Collector's office. Before we reached the Madurai bypass bridge, two wheelers were burning and we were in the first line, no one was there before us, except the police. we did not know anything. God alone knows. we the transgenders and six other people went to the Collector's office. Once we crossed the entrance the and police started to attack us and we were distracted and ran. I had also lost my slippers. Anu and infant and I heard the sound of guns and we slowly started running. All of a sudden she was shot in ten minutes by the police. I am the eye witness for this and a lady who was wearing a blue color saree was beaten up by the police and a man also. While I was coming out of the entrance of the Collector's office I saw police with then we were hiding in a house with a boy. We heard that he was shot in his neck and he was taken in the ambulance, and slowly I went back.

D-117: Statement of Mr. Isakkidurai 24/18 3A/384, Thiru.Vi.Ka.Nagar, Thoothukudi

I live in the above address. I belong to the Devar community I was at home on 22.05.2018. The people from our village including children, women, elders and others left around 9.30 am as a group towards the Collectorate in a peaceful and non violent manner. As we are standing near the village road, we saw people came in large numbers as families from the over bridge without any political identity carrying water bottles, food, bedsheets. We joined them and walked towards the Collectorate through by pass bridge. As we approached the Collectorate we saw youngster came out of the Collector's office injured by a gun shot. The police force used the lathi charge to disperse the crowd.

The police from the district of Dindigul were caught up in the people's crowd. I rescued the police from the crowd and took them to Mr. Madasamy's house and gave them food and sent them safe in the evening. Mr. Kumar from Dindigul police battalion was injured so he asked us for help and we immediately obliged by assisting him. In another incident a woman police's shirt was torn and we clothed her properly. We took 50 police who were at risk to Madasamy's house and gave them safe place and sent them safe in the evening. At the same time we gave protection to the people from Kumararettiyapuram and sent them safe in the evening.

Mr. Selva Nagarathinam, the ASP of Thoothukudi was the root cause for the police riot. The police opened fire in the Collector's office premises. Seeing that people dispersed in different corners. The riot was instigated by the police.

Mr. Arun, Mr. Venkateskumar, Mr. Ganesh, Mr. Maharaja, Mr. Kanagu and Mr. Madan witnessed the police firing in the Collector's office.

D-118: Statement of Mr. Ganesh:

On 22nd May, 2018 a large crowd of people was coming from the East direction towards the Collectorate around 10.30 a.m. I also went along with my people and joined them near the bypass road, the police men were chasing people with tear – gas. We came to the entrance of the collectorate. Police were lathi charging people who were trying to enter the Collectorate. Then we heard the sound of firing of the rifles. We identified some police in mufti. We could not see where from the firing came. Then we realized that some police were hiding in a building, and from there the bullets came. We ran to save ourselves through the bushes and came to our place.

D-119: Statement of Mr. Muthu Krishnan S/o Palavesam 3/78, Periyamayagipuram, Thoothukudi.

I live in the above address. I joined my villagers in the rally against the Sterlite on 22.05.2018. We walked towards the collectorate from our village. We stood in front of the collector office. The police force fired the tear gas around 11.30 am at the people and ordered the people to get dispersed. Three times they used tear gas. The people in the crowd requested the police to give the way to get into the collector office premises. The police deployed there gave some way for us to go in. There were about 500 people from the crowd got into the collector office campus through the Arch and the rest of the people stood on the road. I came to that place to see what is happening. A few of the vehicles parked near the e-service centre were already broken.

I ran toward social welfare department and I found no way to go further so I returned on the same way. The policemen were threatening a woman to leave the place immediately and she replied them that there was someone wounded. I turned and saw a man was lying on the platform. I went near him and carried him on my hand. A camera man was also standing beside me. The wounded man wore a green colour shirt. I carried the man near collector office

arch. The blood was bleeding from his head then I realized that he must have been shot by the police. I could not carry him anymore so I asked the people who were sitting there on dharna to take him to the hospital. Then I came away from the collector office arch and stood opposite to that along with the people sitting there.

I saw other three or four people being carried to the hospital because of the gunshot within one hour. They have been transported by the ambulance from the Nallathambi hospital. The police who came in their police van started firing at the people to disperse the people and the crowd got dispersed and I also ran for my life. I ran until Nallathambi hospital and heard that the policemen were still chasing and beating so I went back my village.

I parked my two wheeler near Devi Share Mart shop that is opposite to the employment office. I went to take vehicle around 6.00 pm but my vehicle was broken. When I enquired about that I learnt from the washerman that the policemen had broken three two wheelers as they were assaulting the public.

The policemen chased the public and went behind them to beat them black and blue. They went to the villages also in beating and chasing them. I am a witness for this.

D-120: Statement of Mr. Vijay (21/18), Periyanaayagipuram, Thoothukudi.

The people from Periyanaayagipuram left the village around 9.00 a.m to participate in the rally against Sterlite industry. 10 of my friends went together. One of the policemen came towards us and asked, "What work do you have here?" and it was around 9.40 a.m. People from Therespuram came to the Collectorate from the Eastern side. The police men fired at us. Still we went ahead to submit our petitions to the Collector. As we entered the Collectorate, the policemen started beating the women in the front. Around 10.30 a.m the police men shot at Snowlin. Hearing the gun shot, we ran for our life. The police men still attacked the women, some of the women also attacked the police. A man with a red shirt who was standing near was shot down. I saw this with my own eyes. After shooting at four people, the police men announced that they would shoot at the people around 11.00 a.m. The policemen fired the tear gas around 11.30 a.m and fired the gun shot at the people who were standing in the hotel that is opposite to the Collectorate. A man who was standing beside me was shot in his stomach. We carried him to Nallathambi hospital. The policemen continued their firing at the people by sitting on the van. The crowd got dispersed due to the police firing. Two people were shot right in front of Nallathambi hospital. They went into the hospital and took 10 injured persons to their van. The police force surrounded Periyanaayagipuram and Kallangarai and around 1.30 p.m their attacked the people who were walking on the road.

We admitted a policeman in the hospital around 10.30 a.m. Most of the injured policemen were admitted in the hospital by us. The fire had been set before we entered into the Collectorate. There was no way for the public to set fire in the Collector office campus. Then I escaped from there and took refuge in a house to save myself. Our one and only demand is to ban the Sterlite industry forever.

D-121: Statement of Ms. A. Kavithamani (33/18) W/o P. Ganamakuvil residing at 3/153 North Street Periyannayagipuram village, Thoothukudi District.

I live in Bangalore, my mother lives in the above address, therefore I came to see mother and staying in the above address since 02 May 2018. On 22 May 2018, the day of incidence, myself and five women from my village went to participate in the protest rally for closure of Sterlite. Around 11a.m as we reach the staff quarters of Sterlite we heard sound of bomb bursting we were scared and could not understand what is going on. People were running haphazard, some people were carrying a man with bullet in injury in the knee to the Nallathambi hospital. We were standing outside the Nallathambi hospital and watching the happenings. A girl was injured and lying on the ground, an unknown person carried her to Nallathambi hospital for treatment. People were carrying injured persons and trying to get them admitted in the hospital.

Since the Nallathambi hospital is over crowded, and more injured people were coming, they were asked to take them to government hospital. Police is beating even the spectators standing on sides of road, so we were scared and decided to return to home. APs we were going back to home we could hear the sound of bomb blasts continuously. People were running away from the scene and police were chasing them. Some people ran towards our village and were looking for safety shelter. Police came running to our village searching for the public who have escaped police brutality. I have seen people carrying injured and running towards hospital, policemen chasing them beating the innocent public ruthlessly.

People could not tolerate the police atrocities, public were forced to pick and stone and throwing at police in absolute self-defence, police provoked them to do so. Police were targeting innocent public who come with only intension of registering their request to close down the Sterlite factory. They were ruthlessly beating up public who were wearing black attire to express their grief for their loved ones who died due to cancer caused by Sterlite and thousand who are suffering. Hundreds of women and children ran to our village and took shelter from police lathi charge and tear gas. Women with watery eyes took shelter in the backyard of my house. Police were chasing and searching for them to beat further so they ran away from our village.

The protest rally was peaceful but it appeared, police had intentionally provoked people so that they can induce violence and then beat them up. It's a planned atrocity to teach the people of Thoothukudi a lesson so that they do not protest against Sterlite again.

D-122 Statement of Ms. Selvi (47/18), 3/142, North Street, Periyannayagipuram, Korampallam, Thoothukudi.

I live in the above address. The four of us from their area went to participate in the rally against Sterlite industry on 22.05.2018 around 11.00 am. We were standing on the Collector's office main road. We heard the sound of guns. We were shocked and did not know what to do. Then we saw the injured people being carried and being admitted in

Nallathambi hospital. The injured were given first aid and sent to the Government hospital in Thoothukudi.

Snowlin was carried to Nallathambi hospital in an auto and she was shot in her mouth. Then she was sent to the Government hospital in Thoothukudi. One police man was injured by the glass pieces and he was also carried by the young people to Nallathambi hospital and admitted. Seeing these terrible things we went back home fearing for our lives.

The police went behind the protestors and beat them to disperse and run away from the place. A few of them came to our village for the escape and seek refuge, the police also came behind to catch them. On the way to our village, there a ponded near Korampallam, there the police surrounded the people who ran away and beat them black and blue.

D-123: Statement of Mr. Gopal S/o Vellayan, North Street, Opp. to the Collector's office, Periyamayagipuram, Thoothukudi

I live in the above address. I participated in the rally against Sterlite industry along with my villagers on 22.05.2018. Only a few from our village participated in the rally. I was standing near Kannan Fruit stall very close to the Collector's office. The people did not go to the collector office in the beginning. The police instigated the violence. They charged us with lathis and fired the tear gas shells. I also threw stone at the police crowd but it did not hit anyone.

It was around 11 am to 11.30 am the police started firing at the people. The first shot was at the young girl in her mouth. Her brother and another person carried her on a motor bike. I saw the police shooting at the young girl and saw her dying, they first took her to Nallathambi hospital.

A police wearing the yellow t-shirt was on a police van and he was shooting at the people. I immediately left the place and reached my home. I saw six persons dying because of gunshots. All of them including young protestor were leading the rally so they have been marked by the police and executed with the gun. I have never thought that the police would target the people and shoot them.

I have also a couple of questions: how did the people gather near Thoothukudi old bus stand and not in the Collector office? How did the people come to the Collector office breaking the tight police security? Who allowed the people to get into the Collector's office?

Mrs. Fathima Babu and Advocate Athisayakumar have been guiding this protest against Sterlite industry from the beginning. It is because of their guidance the protest meetings were successful for about 100 days. If the protest march on 22.05.2018 was led by them, the untoward incident would not have happened. We may not have lost 13 lives of the people. The leaders did not appear on the scene after the peace talks at the Collector office held a week before in the planning for the rally. This is confusing us. I personally feel if they had accompanied us on 22.05.2018 for the protest meeting in the Collector's office, the police firing would not have happened.

Mr. Hariharan, the police Inspector is a supporter of the Sterlite industry from the beginning. He also abused the protestors with unparliamentary words. How did get a big bungalow near Pudukottai police station? We guess that the Sterlite industry would have paid him highly for his faithful support. Five women have died of cancer since 2012. The aunt of Mr. Mani hanged herself unable bear the pain of cancerous tumours. So our one and only wish is to ban the Sterlite industry permanently.

D-124: Statement of Mr. Muthu, S/o. Perumal, 12, Anna Nagar West, Mahizhichipuram, Thoothukudi

I am an auto driver. On the 22.05.2018, I was studying at the V.V.D. auto stand. Thousands of people were coming from the East taking part in the anti-Sterlite protest rally. They were walking peacefully family people were carrying their children. I also joined in the protest rally.

Near V.V.D signal, police had kept barricades in order to stop the people. Police men and women were around 500. There was a push and pull between the people and the police. Without any forewarning the police started lathi charging and thus unleashed violence. One police hit me on my right leg. Since I was hit on my leg, I could not walk further, so I came back. Since I could not go to any hospital, I got medicine from the medical shop and applied it to my wounds. I heard the news that many people were killed by the police brutally.

D-125: Statement of Mr. Ramalakshmanan

My name is Ramalakshmanan (34), S/o Ayyasamy, 3/120 J.A. Shanmuganathapuram, Ayyanadappu panchayat Kovampallam (PO), Thoothukudi. I live in the above address, I am a driver. On 22.05.18, being a holiday for me, I went to participate with my villagers in the rally.

On 22nd at 6.00 a.m the police compelled the people who were going on the road-side to get inside the police van. I escaped from the place and went to Madatur Arch where most of my villagers were. But even there police chased us with lathis. So I escaped from there too. At 11.00am many of us proceeded towards the Collectorate through the 3 mile bridge to submit our petition. As we were going we saw one or two vehicles burning near the bridge.

When we went near the Collectorate gate some of them told us that there is firing inside the Collectorate. So nearly 50 of us went inside to rescue the wounded people. Around 11.30 a.m there were only few police standing near the Collectorate. Nearly 20 police were inside the building with lathis in their hands and no one was having guns. They called us continuously to come inside by showing their hands, with good intentions to safe guard the wounded people we went inside. Suddenly the police threw stone on us. In return, we too did the same on them. At 1.30 p.m there was firing around from inside the building. Only then we realized that the police were hiding inside and shooting at us. Some of us escaped from the shooting. But few of us fell to the ground unconsciously and I felt a bullet pierce my leg. Then I realized that on my left leg a bullet had gone inside. To avoid police arrest, I came back to my house. At 6.30

p.m I got treatment at Sankar (private) Hospital and the bleeding stopped. Still I don't know whether the bullet is inside my wound or not still it is paining I have not taken an x-ray. To safeguard the interest of the private party and his factory, the police have committed atrocities and killed and wounded so many people. Action against the police should be taken immediately.

D-126: Statement of Mr. Murgesan (47/18), 1/197, North Street Athimarapatti Muthiyapuram PO, Thoothukudi

I am Murugesan, husband of Mrs. Thangam (Age 43), Ex. MC. I have a son Sarathkumar (Age 27) and two daughters Pavithra (Age 22) and Baba (Age 19). I live in Athimarapatti with my family. There are about 2,600 voters in Athimarapatti. Around 300 of them (youth and women) from Athimarapatti marched towards the Collectorate on 22.05.2018.

This march was organized by Kisan Sangam and the public. We had been blocked by the police on our way to the Collectorate in different places. Then we went by vehicles in threes and twos. We went to submit our petition to the District Collector. As we reached the entrance of the Collectorate, the police started the firing to disperse the protesters from the buildings that are nearer to the Collectorate. A man who stood in front of me in the protest was shot dead in the police firing. I saw this and I ran for my life.

We were in the rally following the ahimsa way. We were upset with the district Collector. We felt very bad when we came to know that the Collector was in Jamabandi during and after the police firing. We strongly condemn the brutal firing of the police. We also strongly recommend and request to close the Sterlite industry permanently.

D-127: Statement of Mr. Michael

My name is Michael. I live in 4/153 Cross street, Tharuvaikulam, Thoothukudi. My mother name is Maria Selvam and my brothers Michael Dilipan (21). I live with them. I am doing my 2nd year B.A

On 22.05.18 at 9.30am I, with my friend Kaymilton (27) and Dhanraj (24) and more than 30 youth gathered at Thoothukudi Matha Kovil with the intention to demand the closure of the Sterlite factory permanently. There were more than 5,000 people gathered from different villages. As we proceeded towards the Collectorate, we were stopped by the police. But we proceeded with determination to reach the Collectorate we were stopped by nearly 30 police. Personnel, at VVD signal suddenly the police lathi charged us. As we reached the bridge we saw already a van was burning and two wheelers were also burning. Then the police opened tear gas and attacked us with murderous intentions attacking us with lathis. Many were wounded in this attack. At this moment, I came to know my friend Karthik (21) studying with me in the same college was shot by the police that night on the side of the fore-head and the bullet came out at the back of his head. He was bleeding and was in the dying stage. So with the help of others we took him to Nallathambi Hospital on a bike since there were no doctors, he was treated by staff Nurses. At 1.15 p.m we took him to the Govt. Hospital. There he was given treatment at the intensive care unit. I was with him in the hospital.

At this moment Arun Sathikumar SP Tirunelveli, saw me with blood stains on my shirt in the hospital and asked me if I had come over there with the intention to strike and pushed me aside in the hospital by hurting my neck with a rod Suddenly the police over there charged and beat me so many times and took me to the South police station. When I was taken over there, I already 93 saw people assembled and they have been beaten by more than 40 police with lathis. We were asked to stand and were beaten up one by one while we were in running action. Then SIPCOT police Sekar Inspector Hariharan came over there. He asked all of us to remove the dress and to stand in our underwear. Then he beat us with shoes, and lathis all over the body, for more than half an hour we were beaten-up on our leg, hands and chest. There were 28 children below 18 years old. Altogether 93 of us suffered from these police atrocities.

After this, all out addresses and details were registered and we were taken to Pudukottai police station. The 28 children wrote letters and were released. On 25.05.18 we were produced before the magistrate. We told the magistrate all the atrocities that are were subjected to by the police. After registering our complaints the magistrate ordered the police to give us treatment at the Govt. Hospital by the police and we were kept in to Perurani jail. Then on 25.05.18 we got bail and we were released.

D-128: Statement of Mr. Jackson Thomas (47/18), S/o Deva Pitchai, Silverpuram, Thoothukudi.

I live in Silver Puram with my wife and three girl children. I have a tea shop. I am a Christian.

Sterlite is functioning in our area for many areas. We did not know the ill effects caused by this industry. The people from D. Kumara Rettiyapalayam had complaints of cancer, respiratory problems and heart issues. They came to know these issues occurred due to the presence of the Sterlite industry so they started to fight against the Sterlite industry. The villagers around the Sterlite and the people of the city limit area also realised that Sterlite is costing their lives heavily because of the toxic emissions. We started to organize ourselves with the help of an NGO. We used Thanpad Salt loading Sangam office as our temporary office for our meetings and discussions and created a coordinating group for Anti-Sterlite coordination committee. This committee organized a protest meeting in old market area against the Sterlite and the Government. We decided to have bigger protests against Sterlite held in the meeting at Bell Hotel. Many reporters came for this meeting. The reporters from Daily Thanthi, Malai Malar, Thanthi TV did not turn up. They told us that their manager did not give permission to attend this meeting. The social media friends helped us to take the issues globally. We planned to have protest meetings in a big way, but the Sterlite administration got a stay for this in the court. On Environmental day, the Sterlite administration in the name of creating awareness to the public, performed the Bhoomi Pooja for the second unit without informing the people around. Knowing this information, cheep labourers, fishermen, auto drivers and traders union decided to have a protest meeting wearing the black shirt and it was

successful protest meeting. Mr. Vellayan, the president of traders union participated and people participated in large number. So the industry halted functioning.

In this protest meeting after the speeches of the respective leaders, the people from Kumarettiyapuram started speaking authentically. The fact that the children of 10 and 12 years old are having cancer, hole in the heart, skin allergies, the condition of water has become unusable drew the attention of the people and the whole crowd decided to have this protest meeting continuously. This protest meetings were held in their respective villages. The protest meetings were peaceful for 99 days. On 95th day of the protest the district administration called 23 people from different protest groups and held the peace talks. In this peace talk, the district administration gave us permission to have our protest meeting in SVA ground and not in the Collector office premises. The 23 leaders agreed to have the protest meeting in the SVA ground and gave it in writing. From this day a huge number police personnel was deployed in the city of Thoothukudi. The police from other districts were also called and swelled the city on 21.05.2018. They went village by village and started arresting the men, but the women in the respective villages blocked the police vehicle and sent them empty handed.

Small groups from each village and city area gathered around VVD signal as a large crowd on 22.05.2018. The crowd was blocked by the police by using the barricade. The argument between the police and public took place. The police told the crowd not to go ahead with the march but directed them to go to the SVA ground. The public did not agree with that and started arguing with the police to let them go. So the police invited the striking force to control the crowd. The people did not allow the striking force to get down from their vehicle. So the police deployed the police force near the SVA ground in large numbers. So the people got angry and pushed away the police van. So the police used the minor lathi charge to disperse them. The dispersed people chose to go through Madathur and reached the Collectorate. The people from our village reported that the police beat the public and opened fire at them. I came to know the other details from the TV news and the newspaper news

D-129: Statement of Mr. Joel Sundar Raj (55/18) S/o Raja Mani, Silverpuram, Thoothukudi

I am a coolie. I live in Silver Puram with my family. I am a Christian. We have been affected by the toxic emissions of the Sterlite industry that is present in our area. Many have lost their lives, many suffering with infirmities and our environment has been poisoned. Knowing the facts, the people in our village and the surrounding villages have organized themselves in continuous protest meetings held at the village level. There was no problem for our protest meeting for 99 days. We decided to go on a peaceful march towards the Collectorate on 22.05.2018 to mark the 100th day of our protest demanding permanent closure of Sterlite. our peaceful protest march was blocked at the VVD signal and the police force dispersed us and did not allow us to use the main roads. So we took the way via Madathur. When we reached the bridge, the police have made arrangements to block us through barricades it was just away 250 feet of our reach. At that time some people have set fire under the over bridge. We are sure no public was allowed at that time to that area and it was in the

control of the police, so the public did not set fire and I guess that it must have been the work of police. Then the police used the lathi charge on the people and suddenly started firing at the people. The crowd was running here and there to save their lives. Many got killed and many others were heavily injured. They have been taken to the hospital. Nobody was attacked by the police from our village.

We are very happy to know that the Government of Tamilnadu announced the closure of the Sterlite industry. Had they taken the decision previously we could have saved 13 human lives and many would be without injuries. In the past also there were announcements to close Sterlite but it reopened to function. We believe this time that it would be closed permanently. People like you should help us to shut the Sterlite industry.

D-130: Statement of Ms. Sumathi (37/18), W/o Vijayakumar, 3/32/12 Muniyasamy Kovil, Pandarampatti, Thoothukudi

My husband is a construction worker. Now he has been in Dubai for seven months. I have two sons. Karthik, the first one, has done his Diploma in Marine Engineering. Bharat, the second one, is in his class Nine.

Sterlite Industry is just two kilometres away from my village. My brother Vinoth Kumar age 28, died of throat cancer. My father Mr. Jeyakodi died of kidney failure at the age of 52. My mother Mrs. Neelavati is fighting with cancer for life. She has visible cancer tumours in her body. The aforesaid fatal diseases were foreign to us before 10 years. Now these diseases are very familiar to us because of the toxic pollutants emitted by the Sterlite copper industries. I had a tumor in my ovary that was diagnosed as cancerous tumours of preliminary stage. They have been removed through operation in a hospital in Thoothukudi.

I started participating in the protest meetings against Sterlite industry because I learned from the loss of my dear ones that our lives are at stake because of the dangerous effluents released by the industry. We organized the continuous protest meetings against sterlite for 51 days in our village. I participated in this protest meetings intensively without absenting a day. We have decided in the village to go to the District collectorate demanding permanent closure of the industry on the 52nd day of our protest that fell on 22.05.2018.

Accordingly 3000 people inclusive of children gathered in the common place of our village. We started our protest march on foot because curfew was prevailing. As we reached near Karuppasamy temple Mr. Hariharan, the Police Inspector of SIPCOT joined us on our way. As he was walking with us, he was sharing about our movements, our strength and other important information to someone over the phone. He was also making sarcastic comments insulting our noble intention of saving lives of people of Thoothukudi. Few of his comments are as follows:

Walking is good for health. It prevents diabetes and so on.

We reached Meelavittan, a neighbouring village walking through the bushy thorns and across the crematorium as our usual way of our use was blocked by the police personnel. A

group of 40 police personnel blocked us on our way telling us that they could not permit is more than that boundary. So we tried to march forward breaking the block of the police. At that time Mr. Hariharan, the Inspector SIPCOT, told the police group to let us go forward since he was coming with us. So we continued our march to the collectorate. As we reached Madathur Government School area, the police force deployed there did allow us to go forward. They asked us to go to a community hall near by. We refused to go to the community hall and insisted on going to the collectorate to have the protest meetings. Then the police force blocked our way with barricades. We were standing on the road requesting the police force to let us go. Then the police asked us to sit on the road. As we were sitting, one among us fainted. So the fainted woman was carried away from the crowd. At that time people out of curiosity wanted to know what happened and the crowd was thickening, the people behind us started pushing the people in the front. So those of us who stood in the front line fell on the barricades. Immediately Mr. Mahendra, the SP of Thoothukudi District, who was commanding the police force at that time, in loud voice told, 'Charge'. The police around us started attacking us brutally with their lathis. One of the Police in his full strength beat me on my head, I fainted immediately on the road. The people around me took me aside and kept me under the shade of a shop. Then the people who took care of me sprinkled water on my face and I came back to my senses. One among us gave some lime juice to Energize me. The other one applied some pain relieving balm on my head. My head was swollen and gave an excruciating pain. But I continued my protest by proceeding with the crowd towards the collectorate choosing an alternative way. As we neared the by pass over bridge towards the collectorate the police force had opened the firing. Then the crowd ran here and there out of fear. I also stood in a corner protecting myself from the police assault. As I was standing I saw four people who were succumbed to police firing were taken in two wheelers to the hospital. After all those I saw a private ambulance from Nallathambi Hospital appearing in the place of occurrence to rescue the victims of the police assault. I saw the police beating youngster from my village heavily and brutally with lathi, big stones and they stamped him with their heavy boots. His name was Santhosh Raj (Age 21) S/o Karuvelan and Vasanthi. As he was rushed to the hospital on a bike, Vasanthi, his mother and I ran behind them to the hospital bearing the pain, anguish and fear. Once we reached the hospital we saw many people in the hospital with bleeding wounds, victims of gun shots, victims of police brutality assault using lathi and stone. The victims of the gun shots and the other, who were heavily injured, have been asked money for the scan charges. The victims did not have money to pay. So Sudali (age 42), a relative of mine from my village and hurried to our village on foot to bring the common money that we saved for meeting the expenses of our continuous protest in our village. We took Rs. 15000 and rushed to the hospital by a two wheeler. We paid for the scan charges of five people in five hundreds and one thousands. Then we bought and gave some food for the injured people. We provided lungies for the men victims of police attack as they had torn clothes. We distributed the rest of the money to the relatives of the victim for their use.

Then We saw a young boy around the age 23, whose name was Karthik, who was gun Shot by the police, did not have anyone to take care of him. Then I focused my attention to that boy and did needful for his treatment and sent him to the operation theatre. By that time

his mother arrived, so I briefed her about his son's condition and left the hospital around 10 pm night. The next day it was very sad to hear that Karthik had died. If the hospital had treated him on time, he could have been surely saved. It is because of the police brutality and the negligence of the hospital, Karthik died. I experience a very peculiar pain on my head after lathi charge. I am planning to go for taking a scan on my head.

D-131: Statement of Mr. Kannan (35/18) S/o Subbaiah 3/90C, South Street, Pandarampatti, Thoothukudi.

I live in the above address. My wife's name is Rathi. I have two sons, Ragul (8th standard) and Subash (6th standard). They are studying in the Government School. I am a mason. I have been suffering with the respiratory issues for about 5 years and taking treatment under Dr. Ramasamy. Many from our village are suffering with the same type of diseases. Agriculture is a distant dream in our village. We have contaminated ground water. We cannot sleep out at night for the fear of suffocation and other related issues.

More than 3000 from our village including children and women have started our protest march against the function of Sterlite in our area. We carried water, biscuits and cool drinks along with us. We did not carry weapons with us. We conducted ourselves in the protest march very peaceful and respectful.

When we reached third mile area, the police blocked us. We asked the policemen, "why do you block us? We are conducting this protest march very peaceful way so let us go". We waited for 1.30 hours for the response from the police. Our march was delayed by the police. The people from Thoothukudi town reached the Collectorate before we reached there. The police used lathi charge to disperse the crowd. The people were running here and there to save their lives. I was standing near a workshop at that time. The police chased the people and hit them. Suddenly a bullet from somewhere in the police came to me and hit the Samsung mobile kept in my pants pocket and it got broken. I cried aloud and saw my thigh it was bleeding heavily. The bullet that hit my mobile phone was received by a boy who stood near me wearing a jeans and a black shirt. He was crying aloud calling his parents. I ran from there to save my life from the police violence. I bought medicines from Kani medical shop and applied on my wounds. I did not go to the hospital. I am feeling better now.

I will not end my struggle with the injury. I have to fight for the betterment and wellbeing of my generations to come. I will fight until the closure of the sterlite.

D-132: Statement of Ms. Antonyammal, West Pandarampatti, Thoothukudi

I live in Pandarampatti with my family members. I was an Angawadi organizer at Silverpuram. Last year I retired from my work. My elder sister is suffering with an incurable wound caused by the effluents of Sterlite industry. I too have severe respiratory issues and constant cough. I had tried with different medicines but of no use. In my village we know around 50 people have died due to cancer, heart problems and respiratory issues. And many are experienced hard life due to the new diseases caused by the Sterlite industry.

Experiencing that the life is at risk, we decided to give petitions to the collector. On 30.03.2018 1500 people gathered from our village to give the petitions demanding permanent closure of the Sterlite industry. On 01.03.2018 we decided to sit in the protest meetings in our village. And then on 24.05.2018, 50000 people from 18 villages went to District Pollution Control Board situated in SIPCOT premises. After receiving the petition the officials gave us the reply that they would send this petition to the concerned officials and if they receive any response from them then they will let us know. We waited for some time for the good response and disappointed. So after 66 sittings we decided to go to the collectorate on 22.05.2018 and give the petition and remain there until they give us a fitting response. We also decided to hire a few vehicles and go to the collectorate since the 144 curfew came on effect we decided to walk peacefully and reach the collectorate.

Accordingly on 22.05.2018, we started our peaceful march against the Sterlite around 9.00 am. We used the public road but we were blocked by the police. So we decided to go on an alternative way through the forest. We also carried biscuits, water, raw food materials, vessels, food in the lunch box, a bedsheet each, tea dust, sugar and common money.

When we reached Velavan Thottam at 9.30 am, the police force blocked us. Mr. Hariharan, the police inspector SIPCOT who walked along our way told the police force, "I would take care of them so let them go". So the police force let us go. We reached the Arch of Madathur around 10 am, the police force blocked us on the road. We told them the following:

We are participating in this peaceful march in families so we have not come for violence.

We are conducting ourselves in an orderly an ahimsa way but they did not heed to us.

So we went near the barricades. As soon as we reached the barricades, Mr. Mahendran, the SP of Thoothukudi shouted in a loud voice 'charge'. Then the police around us attacked us with their lathis. I was beaten by a police man at my back. I fainted immediately. My village people carried me aside and gave first aid to bring me to the normalcy. Along with me, Vasanthi, Maria Antony, Sumathi, Karuppasamy and Kamala were beaten heavily. Regained my consciousness I implored to the police force in the following way:

Why do you treat and beat us like cattle

We are protesting for the common cause.

You are supposed to be our protectors not perpetrators

My son in law died of respiratory issues recently leaving his wife and two children as orphans. We would like to see the same situation should not happen again. We will protest for ensuring the right to life.

Then with pain we walked towards the collectorate choosing an alternative way. As we reached the Sterlite quarters near the collectorate around 11.30 a.m the police force has started firing at the crowd. I saw people falling down because of the gun shot and the crowd started shouting, 'they are firing, they are firing'. The crowd got dispersed in every corner

gripped with fear. I also saw a group of police men beating a boy brutally one after the other. Shocked by these insiders I also started running not knowing the way where I was going. I stopped in a place and did not know which way to choose to go to my village. At that time Mrs. Elizabeth from my village called me out 'Antonyamma Akka, come herehere'. She took me to the village but my whole body was shivering out fear. I did not go to any hospital but applied an ointment on my back. Now the wound is healed but the pain still persists.

D-133: Statement of Packiam (57/18) W/o Saccarias, Pandarampatti, Thoothukudi

I live in the above address. I am married. I have two children. They are also married. My husband is a coolie. I belong to Pallar caste. We have been heavily affected by the sterlite industry last 10 years. My brother in law died of throat cancer. Around 20 of them have died of cancer and respiratory issues in our village. The ovum of 40 women have been removed. Many women suffering with breast cancer. One woman died of breast cancer. Many are taking treatment for cancer and respiratory issues in the Government and private hospitals. Many are afflicted with skin allergies. They type of skin allergy we get is named after sterlite allergy. We have given petitions to the district Collector and the pollution control board seeking the closure of Sterlite industry but we have not received any reply from them. We decided to have the protest meeting in our village in non-violence manner and it was successful for 100 days. Having been disappointed with the poor responses of the Government, we decided to march towards the collectorate. Police men only were deployed there. When we reached near them, a tensed situation was created and the police started beating us with their lathis. They hit me with their lathis and they hit others too. I fell down once I received the beating. After sometime I came to normalcy and proceeded towards the collectorate with pain. When we reached the FCI godwon we heard the police firing, saw smoke coming up and vehicles were set fire. The people were running for their lives when they saw boy was shot dead by the police. The boy who was shot by the police was taken by a private vehicle and rushed to the hospital. I did not take any medicine from any of the hospitals. I managed with the medicines I had at home.

D-134: Statement of Mrs. Sudali – Pandarampatti

I live in Pandarampatti with my family. My husband is a coolie. My first daughter is married and my son has completed his Diploma studies. We have been affected very badly by the Sterlite industry. Our agricultural lands have become unbarren. Our water sources have become poisonous. Our cooked food becomes yellowish. We are not able to come out of home at night because of the toxic and bad odour pollutants released through the chimney. 20 people have died due to cancer and respiratory problems. 40 overies have been removed from 40 women. Diseases like respiratory, breast cancer, skin and scalp allergies are very common in our village. Three women have removed their breasts due to breast cancer.

In my family also we have experienced a lot of loss. My father died of cancer. My uncle died of respiratory issues and my aunty is suffering with the respiratory issues. We strongly experienced the ill effects caused by the Sterlite industry. So we decided to sit for the continuous protest in our village. We started the protest on 01.04.2018. We submitted the

petition to the District Collector on 02.04.2018 demanding for permanent closure of the Sterlite industry. It attracted the exclusive press coverage. 5000 people from 18 villages gathered on 23.04.2018 in pollution control board demanding for the permanent closure of the Sterlite industry. As we did not receive any response from either from District administration or from the pollution control board. So we decided to have peaceful protest march towards the collectorate on 22.05.2018 and continue our protest meeting in the collectorate premises until our demands are met.

As we had decided we had started our protest march 9'o clock in the morning from our village. Since we were blocked on the main road by the police, we decided to choose to go through the forest and crematorium way on the way to Isakki Amman Temple. Mr. Hariharan, SIPCOT Police Inspector walked along our protest march. On the he was ridiculing our protest March by making comments like "walking is good for health, good for diabetes," thus reducing the value of our march into some entertainment. He was also passing information to his superiors on and of over the phone. We reached Madathur around 9.45 a.m and we were stopped by the police force to move forward. But we said the police force that we were doing it in a peaceful way and we have come in families for the protest and so there is no way that we would indulge in violence. We also strongly said we would go to the collectorate to demand for our right to life. So we moved towards the barricades, then Mr. Mahendran, the district SP, shouted in a loud voice 'charge'. Then the police force chased us with a brutal lathi charge.

Our march did not stop with the lathi charge. We proceeded towards the collectorate using the rail tracks. As we neared the collectorate I saw a young boy with the black T'shirt, kakki pants and a police hair style opened the tank of the two wheeler and set the fire with a lighter. A feet away from there three cars already burning. As we moved ahead we we were able to hear the gun shot and I took refuge in a shop. Around 12.30 pm I saw two people carrying a man who was shot by the gun and carried to the two wheeler and that sped away to the Government Hospital. I did not see any ambulance service helping the wounded but only those with the motor cycles helped the injured to reach the hospital.

Then we saw two boys carrying Santhosh Raj from our village with bruises and bleeding. He was heavily beaten by the police with lathi, stone and stamped with the shoes. So we rushed to the Government Hospital to take care of him. In the hospital we saw an youngster who was shot lying there from 12.30 pm without any medical help. So we helped him get some medical attention in the evening. Then we were with him until he reached the operation theatre. Of late we heard that he was no more. We thought to ourselves had he been given treatment at right time, his life would have been saved. We do not know whom to blame.

D-135: Statement of XXXX

We three are from Pandarampatti village. One is 19 years old and the other two are 21 years old. We are working in the PCT company as welders. Sterlite industry is just 2 km away from our village. More than 50 people have died of Cancer, Skin Allergies, Respiratory problem and kidney problems caused by the toxic emissions from the Sterlite. Knowing the ill

effects of these toxic agents, the people of our village organized the protest meeting for 51 days continuously in our village for the closure of Sterlite industry. We participated in the protest meeting without fail.

Around 3000 people from our village started our protest march on 22.05.2018 towards the collectorate at 9.00 am. We carried food materials, Water packets along with us thinking that we would be holding the protest in the Collector office until they give us the positive response of closing the industry. As we started from our village, Mr. Hariharan, the Police Inspector, SIPCOT, blocked our march on the way so we took the forest way through the crematorium road and reached Madathur Arch. The police used the lathi charge to disperse us from there. So we chose the rail roads to reach the collectorate.

As we reached the over bridge near the collectorate many people were running backward and we heard the police firing. When we reached the end of the bridge the police had four rounds of firing. We saw man falling for the gun shot. We also another man sitting on the police vehicle firing at the crowd. The police force standing in front of that vehicle were beating the crowd mercilessly with rods and stones. We saw the police riot standing half kilometre away from the place occurrence.

After the police firing we cared for the injured, we did some first aid, sprinkled water on the faces of the injured who had fainted to bring to the normalcy, we gave the injured to drink water and comforted them. Then we reached our village through Meelavittan rail roads.

D-136: Statement of Mr. Saravanan (41/18), S/o Chellasamy, 2/29, Keela Street, Pandaramptti

I am a mason. I have my wife and two children. My father Mr. Chellasamy is suffering from the respiratory issues due to the Sterlite emissions. The protest meeting against the Sterlite industry started on 01.04.2018 in our village and it continued for 51 days. I participated in this protest march continuously.

Around 3000 people from our village started our protest march on 22.05.2018 at 9 am. We went towards the collectorate to have in house protest meeting until we get positive response from the collector. We carried food ingredients, vessels for cooking, water packets and bedsheets along with us.

We were blocked by Mr. Hariharan, the Police Inspector, SIPCOT, at the boundary of our village. So we chose to go by the forest way through crematorium road. We reached Madathur Arch around 10 am. The police force deployed there blocked our march by keeping the barricades on our way. We were pleading to the police officers to let us go since it is a non-violent march and we are fighting for our rights to live. As we are talking to them they started charging us brutally with lathi. Mr. Karuppasmy was a main victim of this police assault. And he was attacked by Mr. Hariharan the police Inspector, SIPCOT who beat him without any stop.

We chose alternative way to reach the collectorate to have our peaceful protest meeting. As we were approaching towards the collectorate, we saw smoke coming from the burning of the vehicles and got shocked. At that time the police opened the firing. We did not expect this. It was around 10 pm. The crowd was dispersed in all the corners, all were running for their life. The police chased the running people behind and beat them with fury. The victims of the gun shot and the police beating were carried by the two wheelers to the hospital. I walked back to my village.

D-137: Statement of Ms. Kamala, Pandarampatti, Thoothukudi.

I live in the above address. I belong to SC Pallar caste. I am married and have two children. Many from our village have died due to cancer, respiratory problems and unbarren due to the ill effects of Sterlite industry. My mother suffers from respiratory problems. We have started our protest march against the Sterlite industry on 01.04.2018 to protect our off springs from this toxic contamination. We along with the surrounding villages have submitted a petition seeking the closure of Sterlite industry to the district collector but we did not receive any response from the collector office. So we decided 06.05.2018 to hold a non-violence protest meeting in the collector office demanding for the closure of Sterlite industry on 22.05.2018. Around 3000 from our village started to walk towards the collectorate on 22.05.2018 at 9 am. We carried water packets, biscuits, food materials along with us. Mr. Hariharan, the police Inspector, SIPCOT, blocked us on the way so we decided to take the forest way to reach the venue. We reached at Madathur around 10.15 am and saw many police force has been deployed and they blocked us to go forward. People from Silverpuram, Palayapuram, Meelavittan and Madathur followed our people in the protest march. Mr. Mahendran, the SP of Thoothukudi was present there. Mr. Hariharan, the SIPCOT police inspector and other police kept their striking block against our breasts and pushed us backward and I fell down not withstanding the force of the bush and lost balance. The tensed situation was created by the police. Mr. Hariharan and the police force started beating us with their lathis and tried to disperse us. We took rail route to reach the collectorate. As we reached the collectorate around 12 pm we heard the gun firing and the loud cry of the people. I also saw the fire going up in different places. People were running here and there with a loud shouting to save their lives. I was shocked to see that the people who were shot by the gun, were carried by the two wheelers and other private vehicles. I along with a few of my villagers returned home running fearing for our lives. The pain in my chest area still remains and gives a strange disturbance.

D-138: Statement of XXXX (13/18), Meelavittam 3rd ward, Thoothukudi

I have completed 6th grade at C.M Signal, Thoothukudi and was going to the rally against. Sterlite company which is 1 ½. K.M away from my village. From 04.04.2018 onwards we started peaceful protest in our village for the closed Sterlite. All the youth from my village used to join in their protests. We had planned to go in a van on the 22nd morning since the police and RTO threatened the drivers that nobody should start the vehicles. Thus around 9.15am. We started walking. People from Pandarampatti, Silverpuram, Palaiyapuram, Subramaniapuram also joined with the people of Madathur. The police were blocking us. But

the people marched ahead; so near the church the police lathi charged us. Six people were injured. When we came to 3rd mile railway bridge one man was shot by the police. The man was taken on a two wheeler by two of the protesters. I saw that he was already dead. Then I walked back home via the railway line and reached home around 2 o'clock. After seeing the police firing. I hate to see police. I don't like to become a cop. After this protest I was suffering from fever for about 2 days.

D-139: Statement of Ms. Esakiamma (36/18) W/o Pooovalingam, Meelavittan, Thoothukudi

On 22.05.18, we had one mini bus and 8 vans waiting to take us to the rally police entered the area to arrest us and began chasing us. We ran to Madathur through short out route.

Police stopped us there and said section 144 is imposed, so you cannot join the rally. We said, we are protesting for 10 days district Collector hasn't even acknowledged our grievance, so we want to meet him. Women were in the front our men were behind us. At Madathur, police attacked us with lathes. So we ran towards rally gate 2-3 women were hit on their head, we walked down railway track. Some 30,000 had gathered in the collector office. Police in Mufti burnt vehicles and shot at the people. I saw one man being shot on the chest. He fell down bleeding profusely another was shot in the middle of forehead. He also fell down blood bubbled gushing out of his head. There was no ambulance. Our people only had to take these people on motor bikes.

Our MLA did not visit us even once ever after so much has happened. Our protest was peaceful. Our people did not indulge in violence. We raised slogans. Police raised lathes and hit us. I was hit on my fingers. We request you to help us to close this dangerous, polluting Sterlite permanently. We want justice.

D-140: Statement of Ms. Jansi (46), East Street, Near CSI Church, Madathur, Thoothukudi.

We were going from Madathur, on the 22.05.2018, around 10 o'clock, towards the Collectorate. At the arch of Madathur, police stopped me. There was a heated discussion between us and the police. All of a sudden police started lathi charging. Two women were hit on their head.

They belonged to Pandarampatti. The lathi charge took place under the direction of the SIPCOT inspector. I was hit by an inspector inspite of that we marched ahead. Our aim was to give a memorandum to the Collector. When we were under the bye pass bridge, police fired at us: police burst 8 tyres and did not know what to do. Then the police started shooting left and right. We ran away, I fell down on my right knee and there was a dislocation. I am applying native medicine. In front of my eyes six people were shot dead and were in a pool of blood; I could not even walk. Somehow I reached home around 3.p.m. till now I am not able to walk. We should take action and punish the government and the police who killed people who were in a peaceful protest. Sterlite must be closed permanently.

D-141: Statement of Ms. Jeyalakshmi, West street, South virapandiyapuram

For the pass 99 days we were protesting peacefully against the sterlite. On the 100th day also our plan was to stage a peaceful protest.

We didnt imagine that things would turn worse like this on the 100th day that is on 22.05.2018. We have lost 13 lives. We donot know how many are dead not how many we ate going to loose.

On the 22.05.2018 in the lathi charge that took plaeed at Madathur, all of us women, children, my son and myself were injured. Those who were wounded in the shooting were taken by us from near madathur rood and mile bridge, to the hospital in private ambulance.

some police did not shoot from the police van. They shot at people from the top of collectorate. We donot know what happened in the beginning as we came late to the spot, because of the police lathi charge on us incidents that took place. police in yellow color T-Shirt shot at the people and many were wounded due to bullet shots. our demand is that Mr. Hariharan inspector of police at sipect should be punished. he is the cause for all these. He has been all along illtreating us and terryting us.

D-142: Statement of Mr. P. Karuppasamy, S/o Poiyamozi, Kumaretiyapuram Thoothukudi.

When Thoothukudi incident happened on 22.05.2018, I was with my village people at Essar Petrol bunk and getting ready for the protest where the police stopped us. During that time, Arun Kumar (13) s/o T.P Murugan was caught by the police, they bound him with a rope, and brutally kicked and beat him. The reason for this attack is simply because he was shouting slogan against the Sterlite industry. After that, I was travelling with my friends on a motor cycle and others were travelling in the police van to SAV grounds near old bus stand. When the police van reached Thoothukudi bye-pass road, all people got down. When they were on Third-mile bridge, police resorted to lathi charge and threw tear gas shells on them.

There were about 500 policemen standing in front of the District Collector's office and the office campus was in smoke before we reached there. There were no protesters inside the office and only police and officers were inside around the District Collector's office campus. Police later on opened just one gate to allow about 100 protesters inside the office campus and started firing at them. Very importantly police used only hand guns to shoot the protesters inside the campus.

I saw with my eyes that police used hand guns to shoot the protesters. Later on, in front of the District Collector's office, on the by pass road, one person with yellow T-Shirt climbed on a police van and shot the protesters. In this firing, police planned and targeted killing of all organizers of this protest – Murugesan, Jayaraman, Student Snowlin.

About 68 organizers were on the police hit list including my name that I came to know from many of my friends. That's why I returned home after 3 days of police firing on 22.5.2018.

I was hurt on my forehead by a stone during the protest and took medication from a private hospital. I avoided the Government hospital for the medication, because police may register a case against me if I mention my home town is Kumaretiyapuram. This Thoothukudi massacre was pre-planned by the State Government and police. If this massacre happens in our own country, where do we go? My village people are affected by many diseases caused by this Sterlite factory polluted air. Since last 22 years our people are affected by Cancer, skin disease, pregnancy issues, menstrual disorders like menorrhagia, dysmenorrhagia, asthma and respiratory infections to children and many died due to these problems. The water from the bore-well in Kumaretiyapuram is contaminated and worth for drinking. Now we lost 13 lives in this protest, we respect their sacrifice and we ask to shutdown this toxic spewing factory permanently.

D-143: Statement of Mr. D.Selvaraj (35/18), S/o D.Durairaj at 22, Second Selvisar Street, Thoothukudi

I reside at the above mentioned address. I am the secretary of Partar pachar traders. I also own a textile shop a shoe shop and a book shop.

On 22.05.18, I took part in the protect at Thoothukudi in the SAV grounds on behalf of the traders union. As soon as we heard about the police firing at the Collectorate the crowds dispersed at SAV grounds. Later I was walking along Thoothukudi city and observing everything, but I did not go to the Collectorate, but I learnt about the events through a video.

My father is an asthma patient and my mother suffers with her uterus. My family friend Thangadurai had died of eye cancer on 21.05.2018.

I was bewildered and angry as to why had the police to resort to police firing. Just because the police are strong they showed their strength on the women and this was the reason for this violence.

Sterlite is the cause for this Violence and therefore it has to be permanently closed.

D-144: Statement of Mr. Shiek Mohammed Mustafa (32/18), Ambulance Driver of Tamilnadu Muslim Munnetra Kazhagham (TMMK)

I am Shiek Mohammed Mustafa (32) S/o Sahul Hameed. My native place is Tenkasi. At present I live in Kayalpattinam. I have been working as an Ambulance driver for the past three years in Kayalpattinam.

Vehicle No: TN 92 1807.

I came to know about the riot in Anti-Sterlite procession in Thoothukudi of 22.05.2018 through television news. It was probably at 12 noon. Following that, I received a call from our district head Mr. Yousuff, to bring the ambulance to Thoothukudi. Immediately we started and reached Thoothukudi by 01.05 a.m.

On that day, we carried the victims in six shifts. We took the affected victims from near the Collector's office and from nearby places to the hospitals. The information are as follows:

Shift 1:

A person was dead with bullet shot's on his head in the service road near the arch before the Collector's Office. He was wearing a blue colour shirt. As the Inspector of SIPCOT, Mr. Hariharan asked us, we carried the body to the Government Hospital. Later on 28.05.2018 after the investigation of D.S.P we came to know the name of the dead person was Maniraj.

Shift 2:

4 People – 1 male and his family, 1 lady (the wife of the above person), a boy (probably 8 years old) and 108 Ambulance driver.

The man who was injured was with a bandage on his head. We were not sure whether the lady and the boy had any injuries. All the above four were in 108 ambulance which was kept near the Collector's office. We admitted the four people in the Government Hospital.

Shift 3:

One Male – According to the instruction given by the P.R.O of the Collector, we took a dead body which was covered by a flex and kept under a tree in the Collector's Office. We then handed over the body to the Government Hospital. He was wearing a white dhothi and shirt. He was dead because the gunshot was in his chest. Then, after the investigation of D.S.P, we came to know that his name was Kandaiah.

Shift 4:

6 Males – We picked up a person who was in a serious condition with gun shot on his head at a distance of 100 mts. from the Collector's Office Arch and another 5 people who were in the 108 Ambulance which was kept in the Collector's Office and admitted them in the Government Hospital. All the five, were with injuries caused by lathi charge. But we are not sure whether the victim who was shot-at us alive.

Shift 5:

1 Male - A person was lying on the pathway near the Collector's Office Arch in a very critical condition. We could see his knee joint outside. When we took him to the hospital, we got the news to take an injured police man to the hospital. We picked up the injured policeman in front of the Collector's Office and went to the office of the Superintendent of Police to pick up another policeman. We were told not to take the policemen to the hospital without the higher official's permission. So we left the policemen and admitted the layman alone in the Government Hospital.

Shift 6:

As we were asked to pick up the policemen, once again we went to the office of the Superintendent of Police. We wait for nearly 45 minutes there. As no one turned up, we returned from that place. On the way back, in a housing area near third mile, a physically challenged man and two women stopped our vehicle. The physically challenged person was injured brutally. Both the women were also hurt badly. They told that they were lathi charged badly by the police in their house. They were afraid to get admitted in the Government Hospital,

because they might file a case. So they requested us to leave them in the City hospital. We left them in City hospital and returned.

D-145: Statement of Mr. A.Yusuf who worked in the TMMK Ambulance Service on the day of occurrence.

My name is A.Yusuf (36) S/o Abdul Kadhar. I am residing in South Puthutheru. Thoothukudi with my wife and my three children. I own an automobile shop. I am a District president of Thoothukudi, Manitha Neya Makkal Party. I took part in the protest against Sterlite copper smelting plant in earlier stages. The coordinating teams of this protest were thinking of inviting the political leaders for the 100th day of protest on 22.05.2018. They dropped that. The people thought, "Not to convert this as politics". There were some difference in opinions of the teams who were organizing the protest. So they planned to conduct this as a peaceful protest. Some people planned to give a petition to the Collector in groups.

The people tried to mete the Collector many times but they couldn't. He was not in the office when the people were going to meet him. The police arrested more people on 21.05.18 as a precaution for 22.05.2018 incident.

The people coming from different places and directions on the day of occurrence 22.05.2018. The police men tried to block the people from Pandarampatti, Madathur, Kumareddiyapuram, PNT colony. But the people crossed the barriers. More or less 3 lakh people were gathered. More than 30,000 shops were closed on that day in Thoothukudi. The people gathered in the Matha temple and marched towards the Collectorate. around 10.am, if was to be regretted that the Collector was not in his office on that day. We came to know that he was in Kovilpatti for another function. I was also one among the protesters who marched with the crowd. The policemen lathi charged and used tear gas to control the crowd. The people progressed regardless of the barriers. The people crowd increased. Some were in to the Collectorate. Lot of people were coming to the Collectorate. The people started running from the opposite side when they came to know about police firing. At that time only we came to know "the police firings started" people started running in fear. The people took the people who had bullet injuries by two wheeler and by carrying them.

I decided to call TMMK Ambulance. They are serving with 160 ambulance over Tamilnadu, free. There are four vehicles in Thoothukudi. I called for two ambulance a from Kayalpattinam (Thiruchendur Taluk) and from Sethukkuvaithan Thiruchendur Taluk. Both the ambulances reached here around 1.00pm. I joined with the first vehicle(tempo).

The people didn't block our ambulance. On seeing our ambulance. The inspector of SIPCOT Hariharan instructed us to take the shot dead body on the road. One was shot in his head and was in the Service road of Gobbenpuram, near the Collectorate Arch. He wore purple color shirt. We handed over his body in GH. We returned to the Collectorate after handing over the body in GH. Four were in the 108 Ambulance which is not working. One among them was with injuries on his head and with a bandage. With him his wife and his son (8) was there. I didn't know whether they were injured or not. The driver was also injured. I took four of them to the hospital.

Again I returned to the Collectorate. A RTO insisted us to take another body there and asked us to call RMO over phone. There was a man who was shot on his chest and covered with flex a banner. Under a tree, he wore a white shirt and dothi. We handed over his body in the GH.

Again in the 4th trip we reached the Collectorate. There was one who was terribly injured and unable to move near the arch. While taking him, the police asked to take another person. We picked him up also and the police asked us to take another person from District the SP's office. So we rushed to SP office, but we dropped the two policemen there itself because without the permission of higher officials we didn't like to take the policemen. We only took the other one with us, to the hospital.

After taking him to the hospital we went to the SP office on the instruction of the policemen we took the injured police to the hospital. There they made us to wait for 45 minutes. But no body came so, we came back, while returning, one man and two women blocked our vehicle near 3rd mile bridge and they told that they were beaten up by policemen and they were specially abled. The women were attacked, on their request we admitted them to the city hospital. They were afraid of being admitted in GH.

Another ambulance (ommin) reached Thoothukudi at 1.30pm from Sethukkuvaithan. They made three trips.

1. One male person taken from the Tea shop opposite to the Collector's office with severe injuries and sent to GH.
2. On the same road near a nursery, we took another male person to GH.
3. Roughly at 3.00 to 3.30pm we took Selvasekar who was severely injured near a fruit shop. He spoke little. He left his purse and cell phone in our vehicle. We went to give it back to him in the hospital, at that time we came to know that he belonged to Periakulam. Then we got the information about his death.
4. We were in a hurry to take the victims to hospitals. So, we didn't collect their details. While we returned new persons were there with injuries.

D-146: Statement of Ms. Mary's Confession of Thoothukudi massacre.

On May 22nd, all our family members and neighbours were discussing about the ongoing protest on how attention seeking it was than the other protests white went before. Me and my 3 daughters were on our way to join the ongoing protest where we saw a huge crowd going towards the Government hospital which is located next to a signal. We saw a man who was bleeding profusely and was partially conscious, and it is when we decide to get back home. On our way back home we saw a bunch of police surrounding us and a lot of chaos and disturbance happening around us, around 7 to 8 reporters warn us about police attacking the civilians in a very brutal way and took us to a safer place close by. Then later they asked us to leave and to go through the Government Hospital thinking it will be a much safer path where we saw a very horrifying incident i.e as we were passing through the maternity ward

the place known for pregnant women giving birth and also recovering is when we see a boy being told that a woman has given birth to a male child and we see the new born baby getting wrapped around with a piece of cloth and all of a sudden we see a police man yelling at the mother of the child “ You are the one who just gave birth” and starts thrashing her followed by a group of police men who chased away everyone in the maternity ward. As we were exiting the hospital through the rear entrance, we saw a boy who looked around 9 years old bleeding extensively, is being brought to the hospital where on the way a group of police men block them and drags the boy towards a group of people gathered around shouting “Whose boy is this” , “He’s my child” answered his sobbing mother running towards the child where the police man starts beating the child saying “ Your son is a Rowdy ” and the mother asking why are they beating him...she was also attacked by the police. As we were going towards the temple inside the hospital where we saw a huge number of people causing smoke closer to the police station and on the other side we saw a group of police men beating an amputee boy. After seeing the horrifying and disturbing incidents we then reached our home by 5:30.

E. Statements of victims who were affected by police brutality in Thoothukudi Police Firing

E-147: Statement of Ms. Maria Judi Hema, W/o Pakkiaraj, Krishnarajapuram

My husband does fishing. We have a 14 year old son and 7year old daughter. He is the organizer of Naam Thamizhar Party in Thoothukudi district. I contested in the last assembly election. We both significantly participated in the peaceful March against Sterlite on 22nd May 2018. The policemen brought to a halt the peaceful March at VVD signal, but women went beyond the boundary and reached the arch of the Collectorate. Both people and police were involved in an argument. Inside the Collectorate where nobody was, there smoke and fire. At that time the policemen started firing. We women fell in a pit where the police thrashed us with lathis, and with the back part of the rifles and shoes. One of the policemen caught my hair and beat my stomach and breast with his rifle. I fainted there. My husband came in search of me and found me unconscious. He with the help of some transgenders took me to the hospital of Nallathambi opposite to the Collectorate for treatment. Since blood was oozing he registered in the government hospital and shifted me to Madurai Meenatchi mission hospital where the doctors demanded us to go for operation. But my body that was twice operated on not in a condition for another operation. Meanwhile Hariharan, the SIPCOT Sub-Inspector threatened my husband that he will file a case against him. Therefore we were unable to live in our house. Now we reside in my mother's house. **Note:** Since she was undergoing breathing suffocation, vomiting, body pain and dizziness she could not complete her statement.

E-148: Statement of Mr. Justin, S/o Maria Jesu, Therespuram

I am a married man having a wife and children. I am working in the ECO institution. I did not participate in the peaceful March against Sterlite on 22. 05. 2018. I went to ATM for drawing money at 2.30pm. But the policemen illegally threatened me and took me to the South police station around at 5.00pm. They kept me there and took me to Pudukkottai police station at 7.30pm on the same day. We were 95 people. They took us to Valanadu firing range at 12.00pm on 23. 05. 2018. The policemen stood in two lines in between which we were sent. The police in both sides punched us thoroughly and tormented us. Among us there were 17 adolescent boys. There was one boy who studied 10th standard and got 475 marks. The police sent out some of the students. On 23. 05. 2018 at 2.30pm a judge came and asked the police to file the FIR that the police did. But filing the FIR's was stopped due to rain. The food they gave us was not palatable. But the police had good meal. The police took us at 6.30pm to the house of the Judge. The judge asked us whether police have beaten or tortured us. We replied that they have persecuted us and we showed the wounds. The judge condemned the police. He ordered the police to give us medical treatment in the government hospital where the OP seat was given to everyone of us. While we were coming out of the hospital the reporters enquired us about what had happened. We narrated everything. The inspector of Pudukkottai threatened me for revealing everything to the reporters. Around 100 lawyers came and saw

our wounds. They wanted to release us but they could not help us. On 24. 05.2018 at 11.00am they filed case and took us to Perurani jail for imprisonment. On 25. 05. 2018 Judge released us on bail.

E-149: Statement of XXXX

I XXXX belonging to Threspuram Fishermen community had participated in the protest on 22.05.2018, Sensing it was necessary to joint hands for the good cause. The protest was peaceful initially but even before we reached the collectorate premises, we heard that police had stated firing and we all fled for our lives.

But we were chased by policemen, who were beating up people who were running away. I remember running till the over bridge, around 500 mts away from Collectorate, where I was hit on head with an Iron rod by a police officer who spoke in an unfamiliar language, I fell unconscious, while the policemen continued to beat. I was unconscious, when I was admitted to the hospital and hence unaware who brought me to the hospital. I have wife Sophia and two daughter (1 married off and other one working) I have bruise and swellings on my legs, Thighs hand and on both sides of ribbone,

I am told that I will receive a compensation of Rs.1.5 lakh from government, Being a fisherman, I can't afford to go sea, with this weak body, we still live in fear.

E-150: Statement of a Media person – Unwilling to reveal name

I met a camera man from the Jaya TV with a heavy bandage on his left hand. When I asked him about it he said that he got injured during the riot on 22.05.2018. He said that the rest of the details could be shared once he obtains the permission from the head office of Jaya TV. I asked him to get the permission from the Head office but he replied that the head office refused to permit him to testify the statement.

E-151: Statement of Mr. Stalin, S/o Kaliappan, 132/1, S.M.Puram, 4th Street, Thoothukudi

I live in the above mentioned address. I belong to the scheduled Pallar caste. For the last 4 years, I am practicing as a lawyer in the Thoothukudi District Court. I was married just two years back.

Many people in the villages around the Sterlite Copper plant have died of cancer, cervical cancer, breast cancer and breathing troubles because of the toxins and smoke coming out of the Sterlite Copper plant. Till today, many people are suffering severely from cancer and lung infections. When people who were affected by Sterlite Copper came to know about its extension plans, they, with the intent of protecting the air and water resources from further pollution and to protect the environment for future generations, gave petitions to the District administration, Pollution control board and SIPCOT. Since this did not result in any action, on 22.05.2018, people of the affected villages decided to take a rally and give another

petition to the Collector **non-violently and peacefully** protest to shut down the polluting Sterlite plant. They participated in the rally with their families, accompanied by women and children.

I too parked my vehicle near the 3rd mile bridge and joined the rally. Around 11 a.m, when we were on the main road near the 3rd mile bridge, suddenly people began to scatter and run. When enquired they said that the police were lathi-charging and shooting. I too ran away from there. Later in the afternoon around 12.30 p.m, finding that it looked peaceful, I came back to fetch my bike which was near the 3rd mile bridge. When I was walking towards it, around 20 policemen surrounded me and forced me to get into a police van. I showed my advocate identity card. but the police Inspector Maharaja from North police station slapped me and swore at me using foul language. The other policemen beat me with their lathis and forced me to get into the van. They did not allow me to speak. In spite of the fact that Inspector Maharaja knows me well, the policemen forced me to get into the van. They grabbed my mobile phone and broke it. They also tore my black shirt and threw it away. Only then I understood that they were beating up all people who were wearing a black shirt. They also started beating everyone who passed by in the street and loaded them into the van. Around 1 pm, they took the 14 people in the van to Muthiahpuram police station. The Inspector and Sub-Inspector Jessi Menaka and a few other inspectors were there. They refused to give me drinking water and cursed and hurt me using bad words. Around 06.00 pm in the evening, I noticed that a few lawyers had come to the station. When I asked to speak to the lawyers or to my parents, I was refused permission. I was also not allowed to speak with others.

After 10.00 p.m on 22.05.2018, Sub Inspector Jessi Maneka and a few policemen took all 14 of us in a van from Muthiahpuram police station to Pudukottai police station, passing through a village called Pottalkadu. At the Pudukottai police station, they locked all 14 of us in a room. The room already had around 80 persons. Many of them had blood injuries. We were shocked that no medical treatment had been given to them. It should be noted that there were 30 youngsters among those 80 persons. Inspector Thirumalai recorded the names and addresses of all the 94 persons in the room. We were treated inhumanly. They made us drink water from the toilet. The water was green with algae and contaminated. They only allowed us to go to the toilet.

The people in my room told me that around 80 people had been locked in the room from about 01.00 p.m on 22.05.2018. They had all been rounded up in the same manner like us. We thought we would be released as we were not taken anywhere for 24 hours or were not produced at the Court. The policemen threatened me not to talk. Because they knew about me the inspector and other policemen threatened and said that they had instructions to ensure that nobody speaks.

Then on 23.05.2018 at about 04.30 p.m, the police again beat us with lathis and forced all 94 persons to get into the van. We were taken to the shooting range at Vallanadu which is on the way to Thirunelveli. There all 94 persons were locked in one room. Around 5.30 pm on 23.05.2018, I overheard policemen speaking on the phone that the Vilathikulam Magistrate is coming to the shooting range after investigating at Pudukottai. SIPCOT

Inspector Hariharan, Pudukottai Inspector Thirumalai, Sub-Inspector Ansari and many other policemen were present at that time. The Vilathikulam Magistrate and his OA came. He met all of us and enquired about the events. He asked the Inspectors why we had been illegally detained. He started taking our names and address. But it could not be completed as there was a power shutdown and he had to leave.

Again, we were all boarded into a police van and taken to Pudukottai police station. The SIPCOT inspector Hariharan came there at 11.00 p.m. Only then they informed our families. They made the 30 youngsters who were with us sign some papers and sent them with their parents. Only after that, all through the night, they took full details from us including identification marks and prepared the FIR. We were not told what was written in the FIR. On 24.05.2018, at 05.00 a.m, they brought all 65 of us to the house of the Judge of the Class-1 Magistrate Court for remand. The Magistrate advised that we should be brought back after medical check-up. We were then hurriedly taken to the Government Hospital where a medical check-up was done and we were brought to the Magistrate's Court at 10.00 a.m for remand. The Judge noted down our injuries and took individual affidavits from all 65 of us. After the Class-1 Magistrate remanded us to custody, instead of jail, we were taken to the district SP office. Then around 05.30 p.m, they took us to Peroorani jail. That is where I came to know about the details of the FIR filed earlier.

All 65 of us were locked up in the same room. No food was given to us that night. In fact, we were given food only once in the past two days. The Jail superintendent came to the jail after learning that Judges are visiting in the morning of 25.05.2018. He quickly recorded our particulars in the jail register. The District Judge from the District Legal Services Authority and other advocates came to the Jail in the afternoon. They enquired about all of us. They demanded why there was no medical aid given to all injured. Immediately doctors and nurses from the Government Hospital came and treated us. Some persons had broken bones after the police beat them. All this was recorded and the injured were treated.

Finally, after 3 days, at 06.00 p.m on 25.05.2018, we were set free as per the orders of the court. I was beaten up for the simple reason that I wore a black shirt. I was beaten by the policemen, my cell phone was broken, my shirt was torn and I was subjected to foul and degrading language. I was also kidnapped and held under illegal detention for more than 24 hours. Along with me 94 other persons were also illegally kept under detention and were only remanded after the intervention of the judges. That we were not given food, not given treatment for our injuries and were subjected to degrading and bad language by the Inspector and others at Pudukottai police station was shocking. I have not fully recovered from the shock of all the illegal police atrocities. By illegally keeping me under detention, by not following rules laid down by the Indian Penal Code and by going against the Constitution and not allowing me to speak, I have been subjected to utmost distress and mental agony; only punishing those who were responsible for this distress will give consolation and peace to me and the others who suffered.

This affidavit was recorded as I spoke. It was correct when read back to me.

E-152: Statement of Ms. Kaliammal W/o Muthusamy, 3rd Street, Anna Nagar, Thoothukudi

I, Kaliammal reside in the above said address along with my family. My sister's son Laksmanan (S/o Perumal) has completed 10th standard and works as a JCB driver. He moved from my house to his house around at 4 p.m on 23rd May 2018 on his motorcycle (Pulsar). Seeing the police force he parked the motorcycle and moved by walk. Police had beaten him while he reached the main road junction in Anna Nagar 6th Street. He presumed that if he ran away the police would beat severely and hence he stood with the motorcycle however the police arrested him around 4.30 p.m. Police put a big stone on the motorcycle on 24th May 2018. The next day police set fire to the motorcycle, sources said. We came to know from my sister that he was released on Saturday (26th May 2018).

E-153: Statement of Ms. Tirumani W/o Muthukumar

I am residing in 7th street, Anna Nagar, Thoothukudi along with my daughter Rajamathangi 07/18, son Mohan (6/18). On 23.05.18, 3.00 p.m some of the police officials entered our home and started attacking my husband Muthukumar (36/18) I tried to stop the police officials, but they verbally abused me and threatened me. They took my husband to South police station. They removed the clothes and made my husband to sit on the floor of the station with inner wear, also my husband was severely injured in his spine and hand. On 26.05.2018, they released my husband, but till now, the police officials are roaming along with lathies in our area.

E-154: Statement of Mr. Dineshkumar & Parthiban, S/o Alagesan, 9th Street, Anna Nagar

Dineshkumar (28/18), S/o Alagesan, 9th Street, Anna Nagar is working as a mechanic in Indian oil corporation. mother Tamil mathi is a house wife. Elder brother Dhivakar (29/18), younger brother Anand Ganesh (26/18) and Sister in law Karunayaneskumari W/o Divahar and their children Joshwa Samuvel (5/18), Pevlachrishtin (2/18) were residing with Parthiban in another house.

On 23.05.18 at 1.30p.m too police lathi charged the people of Annanagar. we locked the house and went inside. More than 10 policemen came and broke the lock, pushed the door and beat me and my mother with lathi who came to rescue me. They pushed away my mother and my sister in law. Two children were kicked.

With the broken iron piece of barricade the police beat my brother Parthiban on his elbow, leg and also beat my legs and verbally abused us.

They broke my mobile phone and took over my memory card with them and also took me and my younger brother Parthiban to the van and got us to the police station. At that time my mother and sister in law cried to release us.

Parthiban's Statement:

They take us to the South police station and tortured us. The magistrate came from the back of the police station. Suddenly they stopped beating. And then only they took us to the GH and they didn't give proper treatment to others and also to my brother Dineshkumar. They took a scan and treated my wounds. On 24.05.18 they produced us in front of the magistrate and sent to the Perurani prison.

In this illegal custody they grabbed all our mobile phones and closed the CCTV with a baniyan cloth. We were in prison on 25.05.18. On 26.05.18 at 5pm we were released, because of the injury and pain in my hands, and legs we got treatment from the Sangar hospital in the 4th street of Anna Nagar. My sister in law is a nurse, so she was working after treating the wounds and injuries.

E-155: Statement of Mr. Nagoor

I am Nagoor, residing in Anna Nagar, 7th street, Tuticorin District on 23.05.18 in our area, locality sterile protesters and police officials were continuously fighting with each other. Agitha grill work stores was closed on 22.05.18, 23.05.18, whoever crossed our streets were arrested without even questioning them, more than 100 protesters cell phones were forcibly picked by the police officials and then they had deleted the video records related to the incident, because of this incident those who were residing in our area shifted from their homes to their neighbouring places and those remaining members were scared and afraid to ever come out from their own houses. Especially as they are targeting the 15 to 17 year old children, children of these age groups were mostly sent to their relative houses. As they are arresting everyone without any reason. I myself stopped riding auto, I came to know that on 22.05.18 firing incident was carried out by SIPCOT Assistant Commissioner, but I am not sure about the information that I had received from my friend.

E-156: Statement of Ms. Murgeshwari (45/18), 5th Street, Annanagar

I am aunt of Senthilkumar who was kidnapped by the policemen on 24th May 2018. After 22.05.2018 he was at home in Gurunjinagar, Thoothukudi. The criminal policemen entered the house and took him for interrogation. But he never returned home. We know nothing at all where he is kept by these criminal policemen. Please find out where he is.

E-157: Statement of Ms. Rosemary (64/18):

I reside at 4/5th street, Rajagopal Nagar, Thoothukudi District. On 22.05.2018 (Tuesday), I went to Rameswaram regarding my husband's pension work, while I was returning at 4:00 p.m the buses were stopped at cross street, all the passengers in the bus were requested to leave the bus. From there I have to travel for about 13kms to reach Thoothukudi. I was very confused and started walking along with the passengers. Then we stopped Coimbatore SETC bus and got into it. Police officials threatened us by stating, "if you

want to get lathi charged and if you want to die? You can more to Thoothukudi. Then the bus stopped at Sungacharadhi, from there we travelled around 6km to reach Thoothukudi. Every one of us were mentally disturbed and exhausted because of the cruel, inhumane act of the police officials.

E-158: Statement of Mr. Dharmaraj, S/o Pasupathi, KVK Nagar, 1st Street, Thoothukudi

I am residing in KVK Nagar 1st street with my wife. Son and my mother Anandhanayagi in a Travels company. I belong to the Maravar community.

On 23.05.18 while I am returning from the travels in my vehicle at 1.00 p.m. The police were lathi charge the people in KVK Nagar. So I drove to my house. I went to my grandmother's house on the main road and parked my vehicle there and went to the house. My uncle Sankar and his friends Suresh, Srikumar were in my grandmother's house. Nearly 15 policemen broke the lock and entered the house with lathis, logs of wood, steel rod, PVC pipes and attacked us. They did not listen to our words. They verbally abused us. My uncle's, friend Srikumar wore a yellow T-Shirt, one of the policemen shooter that "Shoot that yellow T-shirt guy" suddenly Srikumar removed the T-Shirt and ran away.

A police man named Murugan no: 2019 grabbed my watch and attacked me with lathi with him another policeman with the number 2743, Nazeer Muhamed, took me with Suresh to the police van. They broke the ring At that time the Thirunelveli SP Arun Shakthikumar (Already worked as Tuticorin ASP) told to beat us while inside the two vans and they also tortured us. From afternoon till 4.30 they kept us in the van inside and took us to the South police station @ 5.00 p.m and when we got down the police standing on both sides beat us and pushed us to the station. ASP Selva Nagarathinam shot us and the other persons like us into station kill them all, No one should go to the Government job, file FIR on all and arrest them". Then the inspector of Maniyachi asked to give 32 persons to him to take to his station. Of that 32, they filed FIR on 17 persons in the section 168 and two other 15 were filed under 170.

They filed in the FIR that I was lead by two teams of 15 members to file the case and filed a case under section 170. They didn't give us any food or water until 11 p.m. On 24.05.18 they get 3 signatures from each among 15 and got 4 signatures from me and took us to the police van. They took us to the GH at 11 a.m. But they didn't give any inspection (or) tables. At 9pm they surrendered us in front of the magistrate and locked in Perurani prison at 11.10pm we were in the prison till 25.05.2018 on 26.05.18 at 5.00 p.m we were released.

E-159: Statement of Mr. Karuppasamy

I, Karuppasamy reside at No:77/3, 14th Line, KVK Nagar. I am living with my wife Lakshmi and son Balasubramanian (24) who works as a welder. Police arrested my son Balasubramanian while he was riding his bike near Roopavathi Marriage Hall around at 4 p.m

on 26.5.2018. I came to know the incident by 10 p.m. At once I went to the court along with Advocate Esakkimuthu and saw my son. Police registered a case accusing that he had attempted to stab the police with a knife. He was admitted in the Intensive Care Unit of the Government Hospital in Thoothukudi on 27th and 28th of May 2018.

My son Balasubramanian was brutally attacked by the police. His dress was drenched with blood. His face, hand and leg got injured and was swollen. My wife and I were allowed on 27th and 28th of May 2018 to see and give breakfast, lunch and dinner to him. He looked half dead. We came to know that he was lodged in the Perurani sub jail on 29th May 2018 at 11 p.m. The whereabouts of his bike is still unknown.

E-160: Statement of XXXX

One person who lives in Thevar colony, Thoothukudi, who does not like to reveal his identity has given this statement.

I am working at AVM Private firm. On the 22nd of May, many people took part in the anti-Sterlite protest march. One of my friends Mr.Ramachandran got a bullet shot on this heel and had been admitted at the G.H. Around 2 p.m I went to see him. The police saw me and came towards me. I quietly sat down. The police surrounded me and beat me with their Lathis. Then they put me in a police van. First, they took me to South police station. Around 6.30 p.m they led me to Pudukkottai. There were about 70 persons in police custody. They removed our clothes and the whole night they were beating and ill-treating us. They were in groups and were lathi charging us. Next day around 11.30 am they took us to Vallanadu Firing Range. There again they were beating us, and my hand, hip and legs were injured. That day around 8pm they left us without filing any case.

When the police took me to different places and were torturing me, I was terribly afraid. I thought that they would beat me to death. The whole body was paining. I am innocent. I did not even take part in the protest, but I was tortured. I want justice. Sterlite should be locked permanently: It seems, when I was taken to different places, my parents did not know about my whereabouts. They were worried about my life. They were searching for me all over the place. They underwent terrific mental agony. The police should be punished.

E-161: Statement of Mr. Ayyamperumal (55/18), Thiru,Vi.Ka Nagar, Thoothukudi

I live in the above address. I belong to the Devar community. I am the leader of the village. We have been badly affected by the Sterlite industry. The obnoxious gas released from the industry would have a specific stench. The people from Therespuram, Madha Kovil, Bus stand, Nalam store and Puthu theru were the real victims inflicted with respiratory issues, leprosy and cancer.

Many political parties and different movements have been opposing Sterlite from the beginning but the leaders from there units receive a lump sum of money and conveniently would keep away from the protest. So the people have lost their faith in them and organized

themselves on their own to protest against this. The people from Kumararettiyapuram started the protest and successfully continued it for 100 days. Following this example many villagers organized meetings in their own respective villages. The police gave a lot of instructions to conduct the protest meeting in the village level and the people accepted the restrictions and protested in a very peaceful way.

The traders union organized a protest meeting on 24.04.2018. Around 200000 people from the town and the villages participated in this protest. They staged the dharna in the collector's office. In this dharna people from traders union, youth and the women participated in a large number. The district Collector refused to receive the petition from the people. He could have come in person and could have received the people but he refused to do so.

Around 10 persons parked their two wheelers in our village on 22.05.2018 and participated in the peaceful protest march against the Sterlite industry. No one among them came back to take their bikes. The police came in the evening around 5 pm, they tried to break open the lock, they could not so they carried the two wheelers in their vehicle and left. As they were taking the vehicle, a boy from our area recorded the incident in a video format. The non uniform police saw that and brought him to the van and snatched the mobile from him and deleted the video from his mobile and took him to the station. That boy works in a petrol bunk and his owner rescued him from the police station.

Around 2.00 pm, the police men shot at this person and killed him and he was taken to the hospital by our village people.

E-162: Statement of Mani (37) S/o Palavesamuthu, 3/87 Periyannayagipuram Village, Thoothukudi District.

I wished to participate in the peaceful protest march demanding closure of Sterlite on 22/05/2018, so I was standing in front of a 108-ambulance parked in our area. There was a shop opened in that area so we asked peacefully, is it justifiable to open the shop when the protest march is in progress? The shop owner closed the shop immediately. After this incident we were arrested by the inspector of police Srivaikundam, later we were handed over to Pudukottai police station. We were kept in the VGR marriage hall up to 6 PM. After that we taken to Pudukottai police station, there about 60 people were brought from Thuthookudi south police station. 23 persons of that group were not protest march participants, they were 10th and 12th class students. These people were arrested from their houses or while walking innocently on the streets. They were beaten mercilessly in front of us. Most of them were bleeding profusely even while brought. I have seen one particular person being thrashed repeatedly by 10 policemen. Policemen were using highly objectionable filthy language to abuse us. They were mocking at us and were asking, you bloody brutes why do you protest against Sterlite? Let's see what you can do and started beating us again and again. By 2 p.m on 23.05.2018 were taken to the police firing range at Vallanadu. We were kept in a dark room without electricity. We were not even provided water, if ask for water we were given salty water unfit for

human consumption. We were given only one meal in a day. By 5 PM in the evening a Judge came to the camp, school children were crying and complaining to the Judge.

From this firing range camp were taken to Pudukottai police station. There the 23 school students were released. Cases were filed for remaining 65 persons, at about 5 AM, we were presented to a Judge at his residence. The Judge enquired about the detention and directed the police to admit us to a hospital immediately. We were admitted in the government hospital by 7 a.m. At about 10:30 a.m were taken to court. Police did not allow our parents to meet us, parents were allowed to meet us only in the presence of a lawyer. We have shown the wounds acquired due to police beating, Judge had recorded them. We were made to wait at the courts for one hour and we were taken to Pudukottai police station. All through this day we were given only one meal. By 5 PM were taken to Peroorani jail. Around 10:30 a.m a Judge arrived and told we were given bail and we were released by 5:30 PM.

We were treated very badly and inhumanly by the SIPCOT police station inspector Hariharan. He was acting according to the directives of Sterlite authorities. He was threatening the people with dire consequences if they protest against Sterlite. He is serving in this police station for over 10 years, Sterlite manage to influence the government and keeping him here that long. With the support of Sterlite Copper he was threatening the people and behaving hoarsely even with the local population. Whenever we went to see the collector to give petition to close the Sterlite, he was dictating terms even at the collectorate. Hariharan used to say that he will teach a lesson to the people who are protesting against Sterlite so that there will not be any protest in the future. Even the police firing is likely to be engineered by him. We do not want live like slaves under him, whatever may be the number of people died, the protest should continue till the Sterlite factory is closed permanently.

E-163: Statement of Mr. Ponraj, S/o Mr.Megalingam, , 5/125 North street, North Kalankarai, Korampallam, Thoothukudi

I live with my family in the above mentioned address.my wife Tamilselvi is a coolie. I have two sons and two daughters, I belong to the Hindu Deveandrakulavellalar community. I am an agricultural coolie. I have functioned as village leader for the past 3 years. The Thoothukudi district has suffered greatly in terms of health because of the presence of Sterlite. Muniswari (age 13) daughter of Kasirajan and Ramalakshmi died last year of cancer. Many have been affected like this, so we convened a village committee meeting and decided that we should participate in the protest rally aimed at permanent closure of Sterlite.

Hundreds of us participated from our village in the rally. We started at 8:30 from Kalankarai and moved towards the Collectorate walking the 3kms stretch. There the police officers whose names we don't know told us, 144 has been proclaimed and we are not allowed to go there, so from there we walked for 1km to Korampallam and joined with the people there by sitting on the road and protested.

Then the police force from the Collectorate came there and threatened us to dissolve the protest and go back to which we refused. Suddenly the special task force from the Collectorate who were carrying rifles came there and threatened us. Later since the police received information that the protesters from East have entered the Collectorate and causing damage to the property, they left us and went back to the spot. We then followed them to the Collectorate.

When we reached Periyannayagipuram opposite to the collectorate, the police started chasing us, so we were running in various directions of Periyannayagipuram street. We heard sounds of gunfire while running on the streets as police chased us till Nallathambi Hospital. Later then they started chasing us in a police van, when we reached Kalankarai area the police stopped their van at Kalanakarai and lifted few two-wheelers (Hero Honda Splendor) and threw it into the Kalankarani canal. They also threw big stones on our vehicles and damaged our vehicles. Before we came to the road to protest, I saw Muniyasamy s/o Muthuvel belonging to our area being arrested in front of the district Collectorate. That's why we protested in Korampallam Road. We strongly condemn the atrocious act of the police men, we expect justice to be delivered to the affected.

E-164: Statement of Mr. Muniyasamy, S/o S.Muthuvel, 5/90, North Kalankarai, Thoothukudi

I live with my family in 5/90 North Kalankarai, my brother Iyappan and sister Kasthuri are already married, I work as a daily coolie in a welding workshop, my father and mother live with me and I am not yet married.

On the 22.5.2018 I heard that the rally, demanding the closure of Sterlite as its demand, was starting from Our Lady of Snows Church, my brother runs a Xerox shop in Korampallam, I used to open the shop at 8:20 a.m and hand it over to the staff in charge and then I leave for my work, on this particular day as usual I started from home and moved towards the Xerox shop on my bike. As soon as I reached my work spot I intimated, (Holiday) and attempted to return. On the way between the Employment exchange and Collectors office on the main road I saw 25 persons assembled. Of them I could identify people from my village and from neighbouring Periyannayapuram. I stopped my bike and spoke to them.

At around 9.10 a.m I saw a white Mahindra and there were 8 policemen in it wearing Kakhi Uniform. These policemen belong to other states and they asked all of us why have you all come here. One of the persons in the crowd said I am also a citizen of Thoothukudi, we have come for the anti-Sterlite agitation only, two police men came from the van and they grabbed my shirt collar. I told him we have not come for the rally and was present there for my personal reasons. Along with me they forcibly arrested Periyannagaipuram Raj and 8 others. All the 9 of us were taken in a van. Since we were unjustly taken by force we started shouting slogans such as SHUT DOWN STERLITE. We were taken to Pudukottai VGR Mandapam and locked inside. At 6pm the police took all 9 of us to Pudukottai police station. In the police

station we were made to remove our shirts, handover our wallets and mobile phones, we found many others clad only in briefs, beaten up brutally for participating in the rally and locked up.

At 9'o clock we asked the Pudukottai inspector Mr. Thirumani you locked us up in the wedding hall in the morning and told us we will be able to go back in the evening. Now why did you bring us to the police station and ask us to remove our shirts. He said we will not do anything to you and let you go in the morning. We were provided lunch in VGR Mandapam. Mr. Antony Raj who was arrested along with us received information that this son was shot in his leg. He refused to eat, around 2 a.m they gave us food in the police station. By then the number of those kept in the police station was 95. Next morning at 10 a.m they gave us our breakfast. Of the 95, 30 of us were married men and 40 were under 18. There was even a 65 year old man with us. After breakfast 4 police vehicles came and took us to Vallanadu shooting range. After lunch the magistrate asked us, if they beat us. The people who came along with the magistrate recorded our addresses. We asked them the reasons for the same and we got a reply that a case has been filed against us and it was for FIR records.

At around 8 p.m we were brought back to the Pudukottai police station. There the 40 persons under 18 were warned that they should not participate in protests such as these. The Aadhaar cards were obtained from their relatives and numbers were registered. Of the 40, 10 were 10th std students and their results had just come that day. Our signatures were also got by them. At 12 p.m that night we asked the inspector, you told us that cases would not be filed against us, but now you have filed them. The Inspector answered that the magistrate has asked them to file the cases, and the SP has sent an order. Just then SIPCOT inspector Hariharan came and we asked him the same question, he said you went around sticking wall posters. One of the wall posters said do not respect the Judiciary and the Police department, that is why these cases have been filed against you.

The whole night they did not allow us to sleep. Next morning at 5, the Nagerkovil police team came to take us, but they refused to do so unless they had rifles with them. So 5 rifles were acquired from the AWPS and 30 SI and 90 police men took us to the magistrate. When he asked us did they beat you, we removed our shirts and showed him our wounds. He said go to the hospital and take treatment.

All of us were given treatment and brought back to the magistrate at 11:30. Then our relatives met us. The bar council members brought us fruits and cooldrinks. We were told that we will get bail the same day, but we were taken to Peerurani Prison. When we were in prison another magistrate from Madurai came and met us. He comforted us saying you have the right to protest for your rights. In the evening of 24/5/2018 advocates took us out on bail. We were allowed to leave the court at 5pm. I have to attend Vaida on 7/6/2018. All of us have atleast 2 cases filled against us.

We understand that intentionally cases are fill against us. We request the Government to take back the cases on us and take needful actions by law to close Sterlite permanently. Due to this factory the air and soil around our village has been heavily polluted and most of our people have died due to Cancer.

E-165: Statement of Mr. Mani (37/18) S/O Palavesamuthu residing at 3/87 Periyannayagipuram Village, Thoothukudi District.

I wished to participate in the peaceful protest march demanding closure of Sterlite on 22.05.2018, so I was standing in front of a 108 ambulance parked in our area. There was a shop opened in that area so we asked peacefully, is it justifiable to open the shop when the protest march is in progress? The shop owner closed the shop immediately. After this incident we were arrested by the inspector of police Srivaikundam, later we were handed over to Pudukottai police station. We were kept in the VGR marriage hall up to 6 PM. After that we taken to Pudukottai police station, there about 60 people were brought from Thuthookudi south police station. 23 persons of that group were not protest march participants, they were 10th and 12th class students. These people were arrested from their houses or while walking innocently on the streets. They were beaten mercilessly in front of us. Most of them were bleeding profusely even while brought. I have seen one particular person being thrashed repeatedly by 10 policemen. Policemen were using highly objectionable filthy language to abuse us. They were mocking at us and were asking, you bloody brutes why do you protest against Sterlite? Let's see what you can do and started beating us again and again. By 2 P.M on 23-05-2018 were taken to the police firing range at Vallanadu. We were kept in a dark room without electricity. We were not even provided water, if ask for water we were given salty water unfit for human consumption. We were given only one meal in a day. By 5 PM in the evening a Judge came to the camp, school children were crying and complaining to the Judge.

From this firing range camp were taken to Pudukottai police station. There the 23 school students were released. Cases were filed for remaining 65 persons, at about 5 a.m, we were presented to a Judge at his residence. The Judge enquired about the detention and directed the police to admit us to a hospital immediately. We were admitted in the government hospital by 7 a.m. At about 10:30 a.m were taken to court. Police did not allow our parents to meet us, parents were allowed to meet us only in the presence of a lawyer. We have shown the wounds acquired due to police beating, Judge had recorded them. We were made to wait at the courts for one hour and we were taken to Pudukottai police station. All through this day we were given only one meal. By 5 PM were taken to Peroorani jail. Around 10:30 AM a Judge arrived and told we were given bail and we were released by 5:30 p.m.

We were treated very badly and inhumanly by the SIPCOT Police Station Inspector Hariharan. He was acting according to the directives of Sterlite authorities. He was threatening the people with dire consequences if they protest against Sterlite. He is serving in this police station for over 10 years, Sterlite manage to influence the government and keeping him here that long. With the support of Sterlite Copper he was threatening the people and behaving hoarsely even with the local population. Whenever we went to see the collector to give petition to close the Sterlite, he was dictating terms even at the Collectorate. Hariharan used to say that he will teach a lesson to the people who are protesting against Sterlite so that there will not be any protest in the future. Even the police

firing is likely to be engineered by him. We do not want live like slaves under him, whatever may be the number of people died, the protest should continue till the Sterlite factory is closed permanently

E-166: Statement of Ms. Parmeswari (67/18), W/o Paulraj, 1/302-A, Indira Nagar, Ayyanadaippu, Korampallam, Thoothukudi.

I live in the above address with my two grandsons. My late husband worked on the ship, his pension is my income. I live in Thoothukudi for more than 40 years.

The police knocked at my gate on 22.05.2018 around 12 in the noon then they kicked off the gate and barged into my house. I was sitting alone in the house. The police asked me, "Is there any male person in the house?". I replied, "There is no one, I am alone here." Then they searched the whole house. They checked in the front and back of the house. They did not find any one and went away. I have been here for more than 40 years. I have never seen police vigilance and brutality in our area.

E-167: Statement of Ms. R.Maisiya (28/18), 1/300-Indra Colony, Iyyanadaippu, Kolamkollam, Thoothukudi

I, Maisiya live in the above address. On 22.05.2018, I was sitting outside my house with four more people. A police Jeep and three police van came towards our house, In the meantime we heard the sound of firing. In front of our house there was a flex board with the saying "Close down the Sterlite Factory". The Police damaged the flex board. We all went inside the house and locked the doors.

There was only a weak tin-sheet gate in our compound. They broke open the compound gate. They went around the compound and tried to open some doors; but could not succeed. "Come out" the police shouted. But nobody came out for fear of the police.

Once the police was gone, we slowly came out of our house. We found that the mirror of our splendor bike was broken. We also saw three policemen beating two children, who belonged to the housing board area. They dragged the children inside the van. It was around 2 'O' clock in the afternoon.

The whole day round, police were patrolling our area. They were frightening people around for measly three days.

When Maisiya shared this, her sister Vasanthy, who was witness to these happenings, was also with her.

E-168: Statement of Ms. A. Vasanthi (23/18), W/o D. Aarthi Kannan, 1/311, Indira Colony, Iyyanadaippu, Korampallam, Thoothukudi.

I live in the above address. I went to my brother in law's house on 22.05.2018. We heard the police firing at 11.00 am. We came out of our house and saw what is happening. We heard the cry of the people and the sound of gun shot. We also saw the smoke and we enquired our neighbours about this they said that the police had killed the people who took part in the rally against the Sterlite. we were listening to the narratives of the police assault from the participants of the rally who went from our area in front of my brother's in law house. (His address is 1/300, Indira Colony, Korampallam, Thoothukudi).

It was around 1.00 p.m three police vans and a police jeep crossed our house. The vehicles were parked at the end of the street and the police men got down from the vehicle. Seeing the police coming towards us we sent the boys inside the house for fear of arrest and assault. They hid inside the house.

There was a banner, "Ban Sterlite" in front of the house. The police tore the banner. I went into the house and tried to lock the door fearing the fury of the police. The police dispersed among themselves in different directions. They kicked off the toilet door and checked whether someone was there. Then they kicked the door at the back of the house but the persons inside the house held the door very tight not giving chance to the police to break it open. They could not open the door. They threatened me as I was standing outside, "Why do you support the protesters of Sterlite". They threatened me again to send the persons who were hiding inside the house. Then they broke the bike of my brother in law Mr. Rajendran and left our house.

After some time the persons inside our house came out. The police went to the housing board area just opposite to our house and started threatening everyone they saw there. A few women from our area went to the police and picked up a quarrel with them and chased them out from that area.

Three police men started beating two young boys on the street. One among them is a college student and other was a very young boy who played in the street. The police dragged them to the police van. The police force was patrolling our area. We could not bear the police torture. They started threatening whoever walked on the road. They were keeping vigil and searching continuously for three days.

E-169: Statement of Ms. P. Subbulakshmi, W/o. Perumal, No. 1/302, Indhira Nager, Ayyanadaippu, Korampallam, Thoothukudi – 628 101

I live in the above address with my husband for 22 years. My husband works as a security. It was on 22.05.2018 around 12.00 p.m, the police force arrived in our area in a bus and a jeep. The women in our area were standing in front of the respective houses talking with each other. The police force parked the vehicle and came to our street. They said to us "The public are attacking us, so give us a lungi and a white shirt". They saw suddenly a placard "Ban Sterlite". One police man shouted in a loud voice, "They are anti-Sterlite protesters".

Hearing this the police went in front ran towards us to beat us. I closed the gate in my compound and escaped via my neighbours compound fearing the police attack and took refuge in the next street. I could not imagine how the police would have attacked if I had been caught by the police.

E-170: Statement of Mr. Rama Krishnan, Lucia Nager, Silverpuram, Thoothukudi

I am born blind. There are about 30 visually challenged people living in Lucia Nager. I am married. My husband's name is Rama Krishnan and he is a coolie. I have two boys. I have participated in all the protest meetings against Sterlite industry along with my villagers. I wanted to be part of the Anti-Sterlite protest march on 22.05.2018 but my husband was not at home so I could not go. I was shocked to hear about the lathi charge and the police firing and the big death toll.

I am happy to know that the Government of Tamilnadu has decided to close Sterlite permanently. This closure has been done many times in the past but they have always reopened to it. This should not happen because it claimed the lives of 13 people. I have a greater hope in the Government that it would close the Sterlite industry permanently this time.

E-171: Statement of Mr. Balamurugan (29/18), 1/26A North Street, Meelvittan

I was preparing flags for the protest against Sterlite. SIPCOT police inspector came and called for enquiry. I was taken to the central police station and terrorized me. He asked me to take responsibility for the damages in the riots tomorrow. The police dictated to me and I wrote what they said in a paper in which they asked me to sign. I did sign in that paper after 3 hours of harassment. Please take action against Hariharan, SIPCOT police station.

E-172: Statement of XXXX

My name is XXXX, 19 year old son of Mr. XXXX staying at Kakkanji Nagar, Meelavittan. I am doing engaged in making sheds. On the 22.05.18 around 8.30am. I was going with my brother Ilavarasan, on a two wheeler (passion pro/Honda) from Pandarampatti to Meelavittan. Ilavarasan was driving I was sitting behind.

When we were coming out of Pandarampatti, around 30 police men, led by inspector Hariharan blocked us. They enquired where we were going and said that 144, was promulgated and it was unlawful to move about. Then they took us to Sipcot police station. They locked us in a cell. On the 23.05.18 evening around 6.30pm they let us free. But they took our bike keys and cell phone. It is already 7 days, they have not given back the cell as well as the Honda passion pro bike. It is there at the police station.

We also came to know that Mr. Kamaraj of Maduthur was kept in custody like us, for three days without filing any case. We had not committed anything wrong. But we were kept in custody for about 36 hours without any enquiry.

If we reveal this matter we will not get back our bikes and cells. We are afraid they might even file cases against us. So we are hiding the details about us please do not reveal this to others.

E-173: Statement of Ms. Ansy (25/18), W/o. Kannan, Meelavittan Village, Thoothukudi District

I belong to Meelavittan Village some 800 of us decided to go for the rally on 22.05.18 But police entered the village, came into our street and chased us. They were arresting us and forcing us to board police vehicles.

So we took a shorten ran and reached Madathur village at 10.00A.M. There again police stopped us & forced some 150 women, who were in the front into a shop and locked them. Many of our men were also arrested. So we again ran towards Madathur Railway gate and walked along the tracks to reach main rally.

I also entered collectorate office along with others. There was smoke all over the place Suddenly, the men just in front of me was shot by police on the head. He was wearing a green color shirt. He fell down and bleed profusely. I have never seen a shooting before and never seen so much blood in my life. In the same place, within a span of 15 minutes, the Police shot dead 5 persons. Those who questioned the police were shot some of us came back running through bushes and thorns and reached home for 2 days afterwards, I had fever on seeing such unjustified killings, we are trying to protect of water, air, land and environment. Sterlite Company tried to bribe us with money and houses. But our village refused it all we want safety for our lives and health and a good future for our children. We want justice.

E-174: Statement of Ms. Subbammal:

The government of Tamilnadu bought the land from the people telling that the land would be used for SIPCOT. But they handed it over the land to Sterlite.

Our occupation:

Rearing of goats, some of us work as masons and a few work as helpers to masons. The rest are daily wagers and coolies.

The SIPCOT Police Station Inspector Mr. Hariharan used to come now and then and threaten us. Only men police took us.

Kumaraddiyapuram

Here taken are 300 Houses. And 350 families are living here. People belonging to various casters, such as Nayakkars, Thevars, Reddiyars are living here. Before Sterlite was set up here, this land was a very fertile land.

Karunaththi grew in this Karissal Land. The pond of kumaraddiyapuram was every year setting filled with rain water. After sterlite came, the water are all destroyed and got filled with sand so that the pond of this village has not seen water for number of years.

E-175: Statement of Mr. Felix, Photographer, Dinakaran Tamil daily

On May 22, 2018, I was on the park opposite to the Collectorate office and taking photos of the after-effects of the police firing by the police. During that time a police van crossed on the West side and protestors started hitting it. Immediately the police started firing guns on the protestors and i started crossing the road to photo shoot that firing. Since they did the gun firing continuously I stayed back near a shop. During this time a group of police were hitting the people who were in the protest area and throwing stones on ladies too. Thereafter the police approached the shop where I was, and hitting the people whoever were in their way. They hit me too and I told them I am a reporter. After I said that the police got angry, scolded me badly and hit me vigorously. During that, a police officer who knows me, named Hariharan, told them that I am a media person but they didn't stop hitting me. Also, they tried to get my camera from me. When i tried to protect it, they hit me on to shoulder, hands and ear. Thereafter i went to the 108 ambulance parked there and got the first aid. My friend then took me on his Bike to the Thoothukudi Government Hospital and I got a not Injection. Since I had an intolerable pain I was admitted as an inpatient in Thoothukudi government hospital and am getting treatment there.

E-176: Statement of Mr.Alwin (39/18) S/o. Francis, South Nadar Street, Thoothukudi

I am living in the above mentioned address with my wife and two sons. On 22.05.2018, I took part in the protest rally. We were marching towards the Collectorate to present a memorandum. I was in the fore front. When we reached the V V D signal it was around 10.45am. There was an IPS officer who seemed to be a north Indian, under his leadership police men were barricading and calling us for talks. We told there that we were there not to chat with the police, but our aim was to see the collector. I was then hit by that police officer with a lathi. There was a round on my right wrist. **Then another hit was on my throw stores at the police.** But none of the police had any injury. They ran away, I tied my kerchief on my forehead and walked a head, but blood was pouring on my forehead. So I went to AVM hospital. They treated me with 8 stitches on my fore head.

Again I took part in the protest. It was the police who planed and started the violence. Even before we reached the Collectorate, there were vehicles burning inside the collect orate campus. When the shooting started. People were everywhere. They set fire to the generator of the nearby quarters. Then I saw two men who had bullet shots on their hands. I do not know their names. What happened on the 22.05.2018 is the plot of the government, Sterlite is the cause for their brutal killings and must be closed down permanently.

F. Statements of eye witnesses who witnessed police excesses during the Thoothukudi Police Firing

F-177: Statement of Ms. Finolin Priyanka, S/o. Edward

I reside at Fishermen Colony, in George's Road, Thoothukudi I belong to Marava community. I have completed Std. XII. My father is a Coolie worker in the sea shore.

We started our procession on 22.05.2018 around 10 O' clock from St. Mary's Church. Our aim was to close the Sterlite Copper Company permanently. I was accompanied by Infanta, Ria, Nishani, Snowlin as well as my parents. The procession was moving slowly. ASP Selvarathnam did not allow us to proceed to VVD road. So we changed our route. We started going through St. Antony's Church. Many people joined the procession with their families. The police started to throw smoke bombs on the public from their jeep. They also started to throw stones at us. They started lathi charge near VVD signal at about 11.a.m. The public in the procession proceeded to reach the Collectorate. Then in Tirunelveli main road, near Tiruchendur – Madurai By Pass Road, police vehicles crossed us at great speed. When we were about to enter the Collectorate at 12.30 p.m. the police were ready to attack us. They were many in number. The police were standing without their uniform. Already I was suffering from fits. SIPCOT Inspector Hariharan along with ASP Selvaraja Rathinam stopped our procession. Snowlin and my family members were walking behind us. All of a sudden the police started lathi charge. At that time I saw fire spreading in the Collectorate.

We came to know about the shooting by the police. The public ran here and there to save their lives. Snowlin was running in front. Infanta asked her not to run. When she was about to turn, the police shot at her mouth. She fainted. We were attacked and I was injured on my left knee. I was not able to walk. Two brothers took me and helped me to sit. They too had got bullets in their hip and thigh. Then I was taken to Nallathambi Hospital which was just opposite to the Collectorate; where I was given first aid.

When I regained consciousness, I found that I was taken home. I had severe pain on my head and legs. I was not able to come out of house due to the fear of police. The police registered FIR on those who were admitted in the Government Hospital. So I hesitated to go there. My aunt took me to the Government Hospital and now I am getting treatment. Without any disturbance, we started our procession in a peaceful way to the Collectorate. The police preplanned an attack our families and the youth. They attacked us severely in an inhuman way.

We request the higher authorities to put an end to the Sterlite Copper Company.

Take necessary action on the police who acted as barbarians.

Cancel all the false cases charged on the innocent public.

We request to cancel the cases filed on the people who came to GH for treatment.

Above all, we need financial support to reshape our status.

Let us all live in peace in the future.

The future generation should not be affected by Sterlite Copper Company.

F-178: Statement of Mr. Vimal (31/18)

I am Vimal (31) S/o. Jesuraj. I am residing at 226. Thomas Church Street, Therespuram, Thoothukudi – 1 with my wife Nivetha, my daughter Asvanthi (3) and my son Asvanth (2). I live by working as coolie in fishing in the sea.

For more than 20 years, people living in Therespuram, Mettupatti, Madathur, Annanagar, Duvipuram, Thalamuthunagar, Lions town, Kumarareddypuram and other around 100 villages suffer from various bodily sicknesses and had died of cancer due to the poisonous smoke from Sterlite. We under took various protests to close down this factory. But government yield to any of the protests. As a final stage protest, various villagers protested for the last hundred days. To commemorate the hundredth day, all the villagers and people in Thoothukudi planned march towards the collectorate and submit petition to the collector. By that from my living place Therespuram, my friends, Edikston, Dickson, Prabu and Naresh including a number of women and children as families gathered around 300 in number and tried to reach Madha church by vans. At that time 20 police came in vans threatened and stopped us not to go for protest. Therefore we could not go by van, but reached Madha church walking for about 2 KMs.

Like us people of Thoothukudi numbering more than 50000 from Mettupatti, Lourdamalpuram, Lions town, Mini Sahayapuram, Madathiur, Annanagar, Duvipuram, Thalamuthunagar, and including other various places in a peaceful manner walked as a procession. That day around 10 AM when reached VVD signal, the centre place of Thoothukudi, there more than 100 police created barricades and were standing readily with lathies and safety guards blocked the marchers and started beating rudely and blindly even women and children indiscriminately. More that there, they let loose two horns sharpened jallikattu bulls kept ready and chased them into the marchers. The women unexpected of this ran on four directions with loud cry. In this incident on the attack of bulls 3 women and 2 men got serious blood injuries on their heads, face and bodies. Even then, we the people, peacefully crossing the barricades, marched in procession towards the collectorate.

That day around 11 AM, while continuously walking in procession, at the down side of the bridge, two wheelers including van were seen burning with heavy smoke. More over opposite to collector office, in an unrest situation, it looked like war field due to sounds of gun firing and smoke of tear gas. One police wearing yellow shirt got on the top of the vehicle and sitting there started firing towards the crowd blindly and indiscriminately. In that all my friends there, started running from there with a lot of fear. As we were running, my friends Edidkson, Dickson, Prabu, Naresh and me too got a lift in a small lorry. Like us there were two more persons in that vehicle. As the vehicle coming via Kamarajar College, around 30 police men stopped it and started beating us with lathies on hands, legs, faces and heads and scolded us very badly. We struggled with pain. Then we all were boarded into a police vehicle and taken to South Police station. Already there were some more persons kept as rioters and totally the number was 93. In that there were more than 28 youngsters below the age of 18.

When we got down and walking towards the police station there were around 40 police standing in a row both sides holding sticks, iron bars and pipes chased us beating severely into the police station campus. We were made to sit in the station campus. We were asked to remove our pants and shirts and asked to sit with only inner wears. Then one by one was beaten on lathies, stamped with boots leg on all over the body such as heads, hands and legs. Thus we were tortured. We all shouted and cried out of pain. In this, in my hands, legs and face and all over my body there were inner injuries. In particular, my whole right side was severely injured. On the right hip sides, there was a severe death pain like and I could not stand or raise my hand. Those who were below 18 were also make half naked and beaten severely. Among them there were students studying 10th std. The police did not spare even the students and tortured them too. In this many got fractures and sustained inner injuries and blood clots and there was a cry of death everywhere.

Then after collecting all our details took us to Pudukkottai police station that night. We all were not given food or water. The next day on 23.05.2018, morning, we were given two bread slices and took us to Valanadu in the afternoon. After waiting there for some time, we were again brought back to Pudukkottai Police station. There around 7 PM after getting it written released 28 children who were below the 8 years of age. After that police got all our signatures forcibly in a paper already typed.

On 24.05.2018, the next day, morning around 6 am took us in a police van to the house of the Magistrate and produced us. We cried before the Magistrate narrating all done by the police. After recording our statements, the Magistrate ordered the police to take us to hospital and give treatment. Then while taking us to Thoothukudi Medical college hospital, the police threatened us not to reveal the police torture to the doctors. If exposed, then big cases would be foisted against you and you would be killed. Fearing this, we did not tell the doctor about the police torture. Then that day morning around 11 am were produced again before the Magistrate. Then that day afternoon we were kept in Pudukkottai police station for some time and around 5.30 p.m we were put into the Sub-Jail at Perurani. On 25.05.2018, with the help of the Legal Aid advocates we got bails and were all released. Even after four days of this event, the wounds in our head were not healed and pain is not reduced. There is a fear of further false cases against me if I go to government hospital for treatment. For the wound in my hand, took scan and got treatment in a private hospital. Since there is a bandage in my hand and there is a pain in the whole body, I could not go for any work. Adding to this, the false case filed by police is causing a great worry.

Therefore, Respected Sir, when I and my friends went on a procession peacefully, we were falsely called as persons of violence, besides foisting false cases against us, made us half naked bit us severely with lathies and boots leg by police, a FIR has to be registered against the police and action should be taken on them. Along with that the false cased filed against us should be withdrawn by the government.

F-179: Statement of Mr. Ediston (26)

My name is Ediston (26) S/o. Jonas, residing at 281/53, Thomas Church Street, Therespuram, Thoothukudi – 1 with my brother Selvaraj and sister Marceline. We as a family go for coolie fishing work and have a simple earning.

For more than 20 years, people living in Therespuram, Mettupatti, Madathur, Annanagar, Duvipuram, Thalamuthunagar, Lions town, Kumarareddypuram and other around 100 villages suffer from various bodily sicknesses and had died of cancer due to the poisonous smoke from Sterlite. We under took various protests to close down this factory. But government yield to any of the protests. As a final stage protest, various villagers protested for the last hundred days. To commemorate the hundredth day, all the villagers and people in Thoothukudi planned march towards the collectorate and submit petition to the collector. By that from my living place Therespuram, my friends, Naresh, Dickson, Vimal and Prabu and including a number of women and children as families gathered around 300 in number and tried to reach Madha Church by vans. At that time 20 police came in vans threatened and stopped us not to go for protest. Therefore we could not go by van, but reached Madha Church walking for about 2 KMs.

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F-180: Statement of Mr. Beno, S/o Thanish, Thoothukudi

I have studied B.E. Mechanical Engineering. I have three sisters. My mother Kalpana has been getting intensive treatment for cancer. In the situation the police were stationed at various places to stop Sterlite protest. More than 150 police have come around the Lady of Snows Church on 20.05.2018. They have threatened the people to stop the protest and to control assembling of people. We had started our protest from our street to the Church of Lady of Snows. At the same time, people from New street. Peter street were stopped at front of Indira Gandhi Statue by a sub Inspector. That S.I. told me that A.S.P. wanted to speak to me. So Brother Danny and I went there. And we politely requested the A.S.P. to allow the protest. Then the A.S.P. Selvanagarathinam demanded us to conduct the protest at SAV ground and also he gave the security promises. But we refused and moved to the Lady of Snow church. Families from Fathima Nagar, Therespuram and Inigo nagar were participated in the protest with their children in front of the Lady of Snows church. The Church was crowded with people. The police had tried to stop the protest at the Lady of Snows Church using the back road of the Lady of Snows church, Therespuram and Inigo Nagar people along with the protestors moved to the Collector's office. Around 10,000 people gathered at the Lady of Snows Church. At that time we asked the people to form an organizing committee, but that became our weakness. We crossed the Fire service road. The police stopped us at Maheswari Tailor shop. The A.S.P. along with 10 policemen stopped us. We followed the route of non-violence.

We didn't do any violence activities till the VVD Signal corner. Nearly 20 boys the protest near VVD Signal. We had no weapons at that time. A Police officer who was standing at VVD Signal Lathi charged us. The women who were standing behind Tirunelveli S.P. saved us from police. After the struggle we went out separately. Then we moved to the Collector's office. Then we took stones and wood to save ourselves and to save our women who were accompanying us. Then we crossed the VVD Signal.

The people who had lost their patience they decided if the police attack them, they decided to counter attack. A group mingled with us on the way near 3rd mile. We don't know anything about the group. The group had more than 200 people. After crossing the 3rd mile bridge the police fired tear gas shells. Then they ran away in fear with their vehicles when we moved to their vehicle.

Two vehicles were burning near the bridge of the Collector's office. The police couldn't control our march to the Collector's office. The police called us to the Collector's office at that time. More than 700 people had stayed at the place. At that time I witnessed the police strike the wife of Packiyaraj who was a member of Nam Tamilar Party. Then I heard the noise like rockets. The people ran out from the place. That time only I knew that the police had fired on 7 people.

So we started to return around 12.30 p.m. Then I came to my elder sister's house by walk at 3.20 pm. That time Inspector Hariharan arrested Daniel at 4.30p.m. He also commanded the police to strike the people whoever they met. The police tam attacked all

the people. Then we received the news of firing on Father Jeyaseelan. Then we went to the house of sister Johnsy

Finally we had lost; our protest took 13 people's lives. By the non-violent rally we decided to give a petition to the Collector, that was our only purpose. We didn't have a single drop of a violent mentality. But the violent police only made us to involve in violence and also had no mercy, they killed the innocent people. We have never seen the Collector. We didn't give any petition to him.

F-181: Statement of Mr. P. Murugan

I, P.Murugan (36) son of V.Ponnusamy, reside at 48 Balavinayagar kovil, Tuticorin with my wife Aruna, P.Santhi my mother, My daughters Sangana (LKG) and baby Abinaya. I am a hardware dealer. I am the secretary of the Theppam-South Corporation traders union.

On the 22.05.2018, I participated in the protest at SAV grounds. There was no water so I went towards Pudukottai on my two wheeler. People were running towards me. They told me that there was a police firing on the protestors at the Collectorate. Immediately, I informed my companions at SAV grounds. I went towards the Collectorate to see what and happening and to render my services to the women and children, but the police prevented me. It was around 11 to 11.30 on the three mile bridge and I saw the police beating up people brutally in front of my own eyes. A specially abled person who had come from alangulam asked me to give him a drop at the bus stand or railway station. I dropped him off at the railway station and I went to the old bus stand where my shop is and I saw policemen beating people brutally. The atmosphere was filled with fear and violence so I went back home.

Around 7 p.m, one of me shop tenants Isaki Priya who was a welding house contacted me on the phone. He had come to give me some money saw one of his own staff being brutally attacked by the police. He was being attacked in the corner of VOC market.

Maniraj was unfairly shot and killed, he lives in my locality. He was married three months ago. He had gone to see the protest along with his friends. His uncle who had gone to see his body was brutally attacked by the police in the government hospital premises.

Above all, I think the police had targeted certain areas like Therespuram to be attacked, especially where Christian fishermen lived.

F-182: Statement of Mr. Venkatesh who is a member of the Auto Driver's Association located opposite the Govt. Hospital, Thoothukudi

I am an auto rickshaw driver for the last 10 years, my auto stand is near Mani Nager located in front of the government hospital Thoothukudi. On 22-05-2018, around 11:30 a.m, thousands of people of Thoothukudi were going in a procession from East towards West. At that time I had parked my auto rickshaw near the hotel Ashok Bhavan. I was watching from my parked auto rickshaw, I have seen hundreds of policemen trying to block the procession with traffic barricades. People coming in the procession requested the policemen not to prevent them from proceeding to the district Collector's office. As the police did not oblige to their request there was confusion in the crowd. At that time a section of the crowd pushed a vehicle belonging to the 'striking force' section of police and the vehicle had become topsy-turvy. Police started lathi charging the crowd. About 10 participants of the procession were injured. By the time, due to commotion a section of people started moving from West towards East, as they couldn't go further they started pelting stones at the police force. After some time the police force couldn't control the crowd and so they started to go back.

F-183: Statement of Mr. K.Subbiah the joint secretary of the Anna bus stand traders union of Tuticorin District

I reside at 33A Thuvipuram, 3rd street, Tuticorin with my wife Amutha(41) and sons Kapilech Yogendran(17) and Nitesh kumar(13).

Many people residing in Nachsukavashivaal area near the Sterlite plant in Tuticorin are suffering from cancer. The air and the water is polluted and the water is not fit to drink. This was the reason for the hundredth day protest where the protestors walked to the Collector's office to demand the permanent closure of the Sterlite plant. The leaders of the protest group were Fatima Babu, Raja, Robert who represent the traders union requested that we support this protest.

The central traders welfare associated of Tuticorin have 40,000 small traders in their union and all of them whole heartedly shut their shops in support for the struggle on 22.05.2018.

On 22.05.18 at 10 a.m, all the traders assembled at SAV grounds. We were about 2500 traders. The police did not allow anyone to go outside. The Police were the ones who threw stones on the crowd and caused the confusion. I was near Iaskkiamman temple and I saw 2 persons who were wounded in the police firing being carried to the TMMK ambulance. Then I went away home.

On 23.05.2018, I went to the government hospital to visit the injured people. The police lathi charged and dispersed the crowd. At that moment, I saw with my own eyes Kaaliappan who had a bullet wound fall to the ground. The police kicked him, abused him and treated him like a dog. The police treated the dead body in a disgraceful manner.

F-184: Statement of Mr. A. Subramanian (49) the President of the Trader's Welfare Association of Paalai Road area of Tuticorin

I reside at 91/1 Thuvipuram, 3rd street, Tuticorin, With my wife Mahalakshmi (42), daughters Rajabakya(19) and Rajalakshmi(19).

All the trade unions had decided to lay siege to the Collectorate on the hundredth day of their protect against the Sterlite Copper Plant. I also participated in this protect and I was at the SAV grounds. The meeting was over at 12 noon. I heard that one of the Protectors died as a result of the police firing. At once, when the meeting was over, we went to the president Mr.Vinayagamoorthy's house to discuss. He announced that all the shops will remain closed during the ensuing protest.

On 23/05/2018/ the police lathi charged the crowd of relatives of the injured who gathered at the government hospital. The crowd dispersed running in different direction. I was an eye witness to the police firing, to the use of tear gas and to the crowds of people running helter skelter. I learnt about the deaths from the news. Our traders slowly opened their shops on the 27th, after having downed their shutters for 4 days. It is a loss for all of us was what he registered in his statement.

F-185: Statement of Jayaraj (22) S/o K.A.Mariappan, 54A Anna Nagar 7th Street, Thoothukudi-8

I am working as a Fitter in Madura Coats, Thoothukudi. I belong to Nadar community. I have not participated in any incidents on 22.05.2018. I reached home by 16:30 hrs. As the outside environment was highly volatile with police chasing people, I never ventured out of my home.

On 23-05-2018, around 18:30 hrs. myself, my sister, my parents, four of us have locked up the doors of our house and watching TV. About 30 police men came to our house and started to break the doors and windows of our house without any reason. All the four of us were shivering in fear and opened the window to see what is happening. We saw a group of ferocious policemen beating everything they see. Through the window they pointed out rifle and threaten to shoot if we do not open the door. My mother shivering with fear opened the door, immediately a group of policemen pushed themselves in. One of the police slapped my cheek, beaten on my legs with lathi and through a bottle of petrol bomb outside our home. While doing this they used bad, foul words to tease us and asked, are you there? When my aged father cried, not to beat my son, they pushed my father and he fell on ground. Then they broke the window panes and beaten the motor cycle and the Activa scooter with reg no: TN 69 BA 2043. They warned we will put the vehicles on fire. My mother fell on the foot of the police and told them these are my children, and there are no one else here. Then one of the police said, 'because you have fallen on our feet we are leaving' and left our house. After they ransacked our house and left, we all started crying loudly and we were terribly scared.

My legs and hands which were beaten by the police started paining. By 10 P M we hired a taxi and went to my father's brother home located at Nikleshan Nagar about 5 km from our home. We stayed in their home for 2 days and returned. We went to government hospital and treated ourselves.

I and all in our family are still panic-stricken, mental stress still prevails. Till now we do not know why we were beaten. I could not go to work, undergoing tremendous police phobia. Still suffering from gruesome pain in legs and hands with disturbed mind. I pray for justice and compensation, there are number of houses where people underwent similar mental torture. Police threatened to book on false cases if anything is told to anybody, please coax them and get statement.

F-186: Statement of Mr. Isakkimuthu (47) S/o Velayutham, 7A/5, 7th Cross, Annanagar

Policemen with lathis came in front of my house and damaged my TVS XL Super TN63AD 4929 at 6.30pm on 23.05.2018. They also broke the doors and windows of those houses in the same street. I cried out, not to do that, but they refused to listen to me. I had to spend 300 rupees for repair. The policemen physically tortured 3 persons in the house that is in front of my house. We have not given any complaint lest we will be harassed by the police. Please take legal action on those licensed rogues in police dress.

F-187: Statement of Mr. Pooranam

I am Pooranam, residing in Anna Nagar 4th street, Tuticorin district. My son is working as in crime branch. During the occurrence of Sterlite protest Tuticorin firing incident on 24 May 11.30am, police officials gathered I front of my home and brutally attacked the young protesters and threatened us to go inside home. And then they thrower smoke bombs, because our of this act we suffered from eye initiation. Some of the students were beaten inside the police vehicles, also the police officials taken the cellphones of the bystanders.

F-188: Statement of XXXX

I am residing Thoothukudi District. More than 15 police officials entered my home, as my mother safeguarded me, they entered our opposite home, more than 10 police officials attacked Kaliraj (22), also his mother was severely injured. Both of them were severely wounded. Also they damaged my cycle and water pump at my home, so I was scared and I was at my home for about 2 days. Also they threatened us not to reveal anything that had happened.

F-189: Statement of Mr. Sheik Mohamad

I am residing at 6th street, Anna Nagar, Thoothukudi District. I am the owner of Fathima mechanic work shop, 8525894552 is my contact number.

On 23.05.2018, at 10.00 a.m the police officials dispersed the gathered protesters by throwing tear gas and also lathi charged the protesters.

Also on 28.05.2018 morning police officials were continuously roaming in Anna Nagar, threatened the public who were standing on the road. On 29.05.2018 night I was repairing a vehicle. On 30.05.2018 early morning they enquired if there was any unknown members who entered this area. Till now the police officials were continuously roaming in Anna Nagar.

F-190: Statement of Ms. Isakiammal

I reside at 474, 7th Street Anna Nagar, Thoothukudi, I am widow, I work as a servant (maid) for my daily survival. Dhanam resides near my home, on 29.05.2018 3.00 a.m two of the police official forcefully forcibly entered our house and enquired who is Joseph and treatment us to tell the truth, also they used abusive words specifically they used the word “Munda” Dhanam who reside nearby my home came out of her use, the police official enquired her, and threatened her to tell the name of her son. Also they slapped her son Shankar and threatened to tell all the names of their family members and enquired where is your elder brother. Also they insisted us not to reveal anything about the enquiry carried out by them

F-192: Statement of Mr. Navamani Thangaraj

I, Navamani Thangaraj (45) son of Rajendran live at Anna Nagar along with my wife Esther Rani (teacher) and my daughter doing her +2 and son in the 10th standard. I am the secretary of Muthu Nagar VVD main Road and Anna Nagar Traders Association.

On 22.05.18 I participated in the protest against Sterlite and was in the SAV school grounds. On hearing about the police firing at the Collectorate, and on seeing the people came running towards us I went straight home and did not see the violence but heard about it from friends who experienced it.

O 23.05.18 around 10 a.m, there was a group of policemen standing together on the Anna Nagar main road. A group of youngsters ran away in fear into a side street. The police threatened that group by wielding their lathis and guns and the youth fought back by holding stones. Following this, the group of police who stood on the main road chased them and they dispersed and ran away. At the same time, the police chased them from both sides in five vehicles.

Nothing took place on the street. But after a while, I heard that a person was shot on the 8th cross street.

On the 24.05.18, the police came to our street. They damaged the glass screen of a car that was parked outside the opposite house and they damaged my car by banging on it at the back.

The trade union members reported that the police men came to the shops and got their residential addresses. This was followed up by visits at night to the houses, where they threatened people asking if they have any videos, photographs or if they have sent any WhatsApp messages.

The public are calm to a great extent but the police have created a fear psychosis by continuous a threat which is spreading. The Black commando's (In black uniform with a star, and black caps) were indulging in violence. They were encouraged by the local police and the group called the friends of police. Police doing the rounds on two wheelers. There were people doing the rounds on two wheelers. There were people who sympathised with the police but get the police continued to control and threaten the people.

F-191: Statement of Mr. S. Ramakrishnan (63), S/o Sankarasuppu, 53A, 7th Street, First Cross, Annanagar, Thoothukudi

Policemen stoned the glass windows of my house and broke them. I closed down my shop in front of which I was standing at 4.30pm on 23. 05. 2018. I personally witnessed from a considerable distance that senseless policemen were stoning the doors and glass windows of my rented house. One of the sensible policemen advised his fellow policemen that it is not legal to stone at the living houses of the people. He never listened to his admonition. Though the value of damage is not very high yet it is inhuman behavior to throw stones. I saw the people of my area giving drinking water to those thirsty policemen who were ungrateful to them. I cannot stomach policemen stoning them.

F-193: Statement of XXXX , Tamilnadu Housing Board

There were 10 policemen around my house on 22.05.2018 around 10.00 a.m. My husband wanted to go shopping but the policemen did not allow him to leave the home. A tensed situation was prevailing. My husband is a Government employee and he could not go for his job. Two police vans and a police came to our area around 1.30 p.m. The police who got down from the vehicle started beating the people whomever they saw on the streets. The people who escaped the police assault near the Collectorate were beaten and taken in the police van. There were two young boys talking near our house, the policemen had beaten them and took them to the van.

They forced the women to go inside the home and the policemen threatened the women that if women disobeyed they will be taken to the police van. Accidentally my husband came that way, the police chased him, to beat and take him to the van but he got alerted and ran for his life and hid himself in our neighbourhood. I also went inside the home and locked my door.

I came out once the police had left our place. The neighbours started narrating the rest of the story and the police brutality near the Collectorate. They looked for those who

were wearing black shirts and started beating them telling them,” Are you the one who participated in the rally?” One woman police tried to break open the window of the home where my husband took refuge.

F-194: Statement of Mr. Thiyaagu

Kanthaya, as daily coolie was going for building construction works. The protest against Sterlite took place at Ceylon Colony for 48 days. He took part in that protest and supplied food and electricity. On 22nd May 2018 he along with 50 persons started the protest from the corner of Teacher’s Colony towards Collectorate office. But the police scattered the protestors with tear-gas. Kanthaya alone went to collector office where Snowlin was shot dead. He wanted save her life. As he was going to save her the police fired at his chest. He died at the gate of collector office. Mr. Thiyaagu who took his family members for the protest, participated in it. He went to the government hospital to see Kanthaya at 2.30pm. The police chased the people gathered in the campus of the hospital. On 24th May 2018 T.T.V. Dinakaran, MLA gave 3 Lakhs to him and Mrs. Geetha Jeevan 2lakhs to him. Sivagami who this inhuman murder also narrated this incident. It is well-planned murder by the government and its polity.

F-195: Statement of Ms. Leema, W/o Rajan,15-A, Marakudi,Thoothukudi

I’m R.Leema and I stay at the above address and I have two children. Eldest is Eidon(13) youngest one is John(8) and I joined in this protest along with my two children. People also from Lions town, Meenavar colony and Shanthi colony and the people from various areas in Thoothukudi joined us. Jayanthi, Sumathi, Jency and myself were standing in front of the protest with the banner and, we started from the back of Mathakovil street. We were stopped by the police at the Periya Kadai Street and also at the five service stations. I went to talk with A.S.P Selva Rathanam saying that this is our right to protest. We had no problem till the VVD signal, from there we were continuously asked to go home. Suddenly a bullock came and distracted the whole crowd and we were attacked by the Collector’s office. As we got down from the 3rd mile bridge and I was unable to breathe. Before we went to that place we saw some vehicles already burning. As we were going forward to the Collector’s office all started going backwards. All those who went in first were beaten by the police. Once they were starting to beat me and we all sat down in front of the Collector’s office, in the main road. Once we heard the gun shots we all began to scatter here and there. Because of this many were injured. We all heard the gun shots from under the tree and police were shooting the people from various places. We were waiting for some people who all missing. I also saw my friend who was beaten on the head and got severely injured. We came from there around 4.30pm. I did not go to my home and I went to my mother’s home at Theresa puram there I saw the police cruelty and their misbehavior. They broke all the house doors and threatened the people. Won’t there be any solution for this.

F-196: Statement of Mr. Rajan(31/18), S/o Alaguvel, Korampallam, Thoothukudi.

For the last 8 years, I am running a sugar-cane business shop on the first street of Bryant Nagar, I am living in my sister Parvathi's house. She has 3 female children. On 22.05.18 after my business in the shop in the morning, I went to participate in the Ban Sterlite factory Rally. I went along with my friend Kangavel, Suresh and Ravi to the VVD signal stop. I saw thousands of ladies with their kids holding their hands coming on the right side of the road. Police set up barricades at VVD signal to stop the people. Suddenly a cow came inside the crowd and people were scattered. At this moment, the police charged the people with lathis without any precaution. So people got angry and pushed down a TATA Sumo car upside down. The crowd pushed down the barricades and went towards the Collectorate. So I too went with them. At 11.30 am I came to know that the police were shooting the people near the 3 mile bridge I learnt that two people were gunned down. After this incident, I came back home in fear and I had to look after my sister's daughters. I don't belong to any movement or political party. I am after all a sugar-cane juice business man and a coolie.

F-197: Statement of Mr. V. Perumal, S/o S.Velumail, D-93, Spic Nagar, Thoothukudi,

I am living with my family in the above mentioned address. I am working as an assistant professor in the Geology department at Karaikudi, Azhagappa University. My wife is working as a junior assistant in SIPCOT factory.

Sterlite is causing great damages in the district of Thoothukudi. There were protests seeking the permanent closure of this factory. Non –Violent protest started at Kumarreddiyar puram. On the 100th day of the protest, ie on the 22nd of May 2018, they decided to demonstrate condemning Sterlite. Then it turned out to be a blockade of the premises of the Collectorate.

On the 22nd morning, around 10.30 I rode on my two wheeler towards the Collectorate, just to see and witness the protest. The Collectorate is 15 k.ms away from my home. I was standing at the entrance road of Periyannayagipuram opposite to the Collectorates entrance arch. It was around 10.50 – 11.00 a.m. The area was filled with police. Around 11.20 a.m I saw a large crowd of protesters coming towards the Collectorate and the police was getting ready to stop them. But I felt that the police force was not sufficient to stop such a huge crowd. As the people were coming, police started firing tear gas. In spite of that a lot of people were marching forward. Around 11.30am people in thousands approached the entrance arch towards Collectorate.

All of a sudden there was confusion and tension in that area. I heard the noise of police shooting the people. People were running here and there. An ambulance was coming towards Periyannayagi puram road. I followed it, on my two wheeler. And the ambulance went to Nallathambi Hospital. I peeped in I saw an old man lying in a pool of blood. The doctors testified that he was already dead. I did not know who he was. Later on I came to know that he was Mr. Kanthaiah. Since the police were chasing the people and were coming towards the place where I was standing. I came back to Spic Nagar.

F-198: Statement of Mr. Karuppasamy, Pandarampatti

I live in Pandarampatti village in the district of Thoothukudi. I belong to SC category. I am a married man and I have two children. My first daughter Sangeetha (Age 18) completed her 12th standard. My son Santhosh Kumar (Age 14) is in 8th standard. My wife and I are construction workers. We all belong to Pallar caste comprising of Hindus, Christians and Muslims. There are about 2000 families in our village.

My father Mr. Veeraperumal died of breathing struggle caused by toxic effluents of the Sterlite industry. We have been experiencing the ill effects of the Sterlite industry very intensively during last ten years. We have a record of 20 people from our village lost their lives due to cancer, Asthma, Overy complications, breast cancer and skin allergies. The cattle also have fallen prey to these life killing effects of Sterlite industry. We have decided in a village level meeting to give petitions to the District Collector and the District Pollution control Board seeking the permanent closure of the Sterlite industry. We submitted our petitions to the concerned officials but we did not receive any response from them. So we decided to hold protest meetings continuously until the closure of the industry. We held the protest meetings for consecutive 51 days in our village but neither the district administration nor the state took notice of our demand. So we decided to gather in District Collector office in Thoothukudi on 22.05.2018.

There were about 2000 women and 1000 women inclusive of children started our peaceful march towards the collectorate on 22.05.2018. We carried water packets, biscuits and food materials as part of our march. Mr. Hariharan, the SIPCOT Police Inspector came along with us in the march. When we reached Meelavittan main road, Mr. Hariharan, the police Inspector blocked our march and allowed us to go through the forest and crematorium way to reach Madathur. We reached Madathur around 10.00 am. As we reached there, the police force blocked us from moving forward. Only male police were there in the police force.

People from Silverpuram, Subramaniapuram and Palayapuram came behind us in the march. As Mr. Hariharan walked along with us in the march, he was passing the information to his superiors. Mr. Mahendra the district SP of Thoothukudi was standing with the police troop. The male police men were pushing the women those were standing in the front line keeping their on the chest of the women. So tension was created and unrest started prevailing. At that time Mr. Hariharan, the Police Inspector was trying to beat a small boy from our village who would be studying his 9th class. So I went and protected the boy from the police beating. Immediately the police inspector Mr. Hariharan was in his fury and started beating me at left knee repeatedly. I could not with stand the beating and pain, I collapsed and fell on the road. I was carried by my villagers and they kept me near a shop. Around 10.30, Mr. Mahendran, the SP in loud voice shouted, 'charge'.

Mr. Hariharan the Police Inspector and his police troop started charging the crowd with their lathis. In that lathi charge Mrs. Sumathi from our village was beaten on her head heavily and other ladies Vis. Vasanthi, Antoniammal and Kamala were beaten left and right by the police force. Mr. Maria Antony from our village was also beaten by the police.

I could not move much because of the pain and injury caused by the beating of Mr. Hariharan, the police inspector. So I slowly walked back to my village. I did not go to the Government Hospital for the fear of arrest but I had my treatment in a private hospital.

F-199: Statement of Mr. Siva Subramani (55/18), Pandarampatti

Around 3000 people from Pandarampatti village started their protest march demanding for the closure of Sterlite industry on 22.05.2018 at 9 a.m towards the collectorate. We chose to walk on the forest way since our main roads were blocked by the police force. We carried food materials, vessels for cooking, water packets along with us thinking that we could have a non-violent protest meeting in the collectorate until the collector gives us the positive response.

As we reached the Madathur Arch around 10 am, the police force blocked us. We pleaded with the police force that we have been conducting ourselves in an extraordinary peaceful way and our form of protest is also non-violent and asked them to let go. But the police force pushed us crossing the barricades with a heavy force. I fell down not withstanding the heavy force of the police and I was standing in the front line. I was stamped by many people in the crowd. Samuturakani from Pandarampatti sprinkled water on my face and brought me to the normalcy.

I could not bear the pain of the police beating and I could not walk, so I took refuge under shade of a small tree at the railroads. I called my son and asked him take me home since I was unable to walk. My son sent two of his friends to rescue me. They sent me with a two wheeler person who came on that way to my village, Pandarampatti.

My brother in law took me to Iddaichur in the evening and gave a medicine brought from Kwait. The medicine had reduced the swelling of the leg. I returned my village on 27.05.2018. I have an acute pain in my leg.

F-200: Statement of XXXX

We three are from Pandarampatti village. One is 19 years old and the other two are 21 years old. We are working in the PCT company as welders. Sterlite industry is just 2 km away from our village. More than 50 people have died of Cancer, Skin Allergies, Respiratory problem and kidney problems caused by the toxic emissions from the Sterlite. Knowing the ill effects of these toxic agents, the people of our village organized the protest meeting for 51 days continuously in our village for the closure of Sterlite industry. We participated in the protest meeting without fail.

Around 3000 people from our village started our protest march on 22.05.2018 towards the collectorate at 9.00 am. We carried food materials, Water packets along with us thinking that we would be holding the protest in the Collector office until they give us the positive response of closing the industry. As we started from our village, Mr. Hariharan, the

Police Inspector, SIPCOT, blocked our march on the way so we took the forest way through the crematorium road and reached Madathur Arch. The police used the lathi charge to disperse us from there. So we chose the rail roads to reach the collectorate.

As we reached the over bridge near the collectorate many people were running backward and we heard the police firing. When we reached the end of the bridge the police had four rounds of firing. We saw man falling for the gun shot. We also another man sitting on the police vehicle firing at the crowd. The police force standing in front of that vehicle were beating the crowd mercilessly with rods and stones. We saw the police riot standing half kilometre away from the place occurrence.

After the police firing we cared for the injured, we did some first aid, sprinkled water on the faces of the injured who had fainted to bring to the normalcy, we gave the injured to drink water and comforted them. Then we reached our village through Meelavittan rail roads.

F-201: Statement of Mr. Jayakumar (43) S/o Mookandi (66) residing at 1/1 Athiswamykovil street, Paeikulam, Iruvappapuram Post, Thoothukudi District

I, M.Jayakumar live in the above address. Mr Selvasekhar, who was murdered by police, is my cousin (he is the son of my mothers elder sister).

On that day I have also participated in the protest rally from VVD signal to 3rd mile. I went on my motorcycle, I could go up to Madthur vilaku and could not proceed further due to huge crowd of people gathered there. Around 1:18 p.m my cousin sister Santha called me over phone and informed that selvasekhar called her and told that he was beaten badly by police. He is suffering with severe head injury, he also indicated that he will not survive. She said that Selvashekar is in Kanda vilas fruit shop opposite Collector office.

I immediately started going to the site. As I reach near the District Industrial Centre, police stopped me and coming to beat me. Somehow I managed to escape and proceeded to government hospital. But police were chasing the people there. So returned to home.

Next day (23.05.2018) I went to government hospital and met Selvasekhar. He explained me how the police have beaten him mercilessly. Due to thrashing on right hand it was swollen. There were serious injury all over his body. He explained, because number of police personnel stamped on his back, with booted feet, so his chest is severely painful. There were stiches on his head. His condition was pathetic. He said about 10 police personnel was standing around him beaten with lathis and stamped booted feet on his chest and back.

When I was with him, around 10:30 AM onwards he was visited by opposition leader Stalin, T.Rajender, KamalaHasan, and Mutharasan of CPM.

After that his health condition was getting bad and deteriorating. He was shifted to ICU and treated till 10:45 PM. In spite transfusing about 2 and ½ litres of blood, blood lose could not be controlled. I was with the doctors, though doctors tried their best, the injury was so serious doctors could not save Selvasekher. He breathed is last by 10:45 PM. I signed

the paper to keep his body in the mortuary. On 25.05.2018, post-mortem was conducted. Myself, Jayachandran, Seetha, Rathinam and Sargunam (my neighbours) have signed paper for post- mortem. Justice Tamil Selvi (JH3, Thoothukudi) was present during post-mortem.

F-202: Statement of Mr. Jeyachandran (48) S/o Thiagarajan, Peikulam, Thoothukudi.

I am residing in the above address, a working as a Supervisor in a private company. My wife's brother Selva Sekar took part in the protest. In the police attack Selva Sekar died on 23.05.18. When I met him on 23.05.2018 before he died he narrates that, "The 10 policemen brutally attacked me near 3rd mile bridge, at around 12 p.m. The bones were smashed, the pain was unbearable. The TMMK ambulance took me to the Government hospital, where I met him twice in the hospital. Later I got the news that he passed away at 12am on 24.05.18. I was shocked. I request you to take action on the officials who beat up my brother in law to death.

F-203: Statement of Mr. Jeyadass, Member, Child Welfare Committee, Thoothukudi

I am a member of Thoothukudi CWC, I am acting as a temporary chairman due to the absence of our actual chairman. It has come to my attention that there have been no reports or petitions on violence against children during the gunfire done by the police department in the Sterlite protest and also there were no children injured in that incident and there has been no record of the death of the child named Snowlin and there were no attempts made to visit her in the hospital, we will be able to interfere and take action in offences against children only if the people have the proof of reporting the incident mentioned above. I was also told that there has been no legal action taken against police who attacked the children during the Sterlite protest.

G. Statements of media persons, hospital officials, advocates and public who witnessed police brutality in the Thoothukudi Police Firing

G-204: Statement about Inigonagar

There are 250 families in Inigonagar. All of them are fishermen and women. Around 200 people from Inigonagar inclusive of women, youth, children and students participated in the Protest Rally against Anti-Sterlite on 22.05.2018. The police charged us with lathi in different places and firing at us was unjustifiable. According to the police report 13 have died of police firing but we suspect that the death toll could be higher. More than 100 women in the village are very angry with the police personnel and cursed the police force. They are happy that they had taken part in the anti-Sterlite rally. They do not want to disclose their identity to the fact finding team.

After the police riots on 22.05.2018, the police men comprising of 50 headed by the ASP went to Inigonagar and tried to arrest the youngsters. The women folk guided by their Parish Priest blocked the entry of the police force in their area and avoided the arrest of the youngsters. The youngsters in that area go to the sea through fibre boats to protect themselves fearing the illegal arrest. Taking the future of the youth and the police threat in their considerations the people are not ready to give their statements about the police riot in Thoothukudi.

G-205: Statement of Mr. Rajesh (39/18), S/o Narayanan, Bryant Nagar, Amman Kovil Street, Thoothukudi. (Reporter of: The Hindu Tamil & English)

On 22.05.18 evening around 12 pm, we all were in front of the Collector's office photographing the incidents occurring outside. We all were with another team of reporters taking pictures from a rooftop, there we were attacked by a group of people who were along with the protestors, my right knee, neck, and center back was injured and also other reporters from Sun TV named Vasigran, from Jaya TV named Nellai Selvaraj and their cameraman was also injured in the above incident. I was admitted to the government hospital following that incident, this was also published in the newspaper and was forwarded to the head office and later I was told the matter has been informed to the DGP Office.

G-206: Statement of Mr. Veera Ramachandra Boopathi (76/18), 1/104-A, Amman Kovil street, Athimarapatti, Thoothukudi

I live in Athimarapatti. I was the President the Farmers' Association. My wife died of breast cancer four years back caused by toxic air emissions of this Sterlite industry. I have two sons and two daughters.

I have been participating in the anti-Sterlite protest since 15 years. I have faced a lot of threats from the police and others for being part of the anti-Sterlite protest. My second son Rajendar Boopathi organized an anti-Sterlite protest by locking the school from then on the police has an eye on my son and me. The police arrested me on 21.05.2018 and detained me in the police station near Athimarapatti. I asked the police inspector the reasons for my arrest. He replied to me that I should not lead and take part in the protest march to be held the next day. They also informed that they would arrest my son Rajendara Boopathi if he comes to the village. I told the police inspector, "I am a heart patient, I did not bring the medicine with me, help me to get the medicine." Finally he threatened me and let me go off from the detention. I have been greatly disturbed by the arrest by the police. I condemn the police arrest of myself for no reason. I cannot bear the police killing of 13 innocent people by opening fire, the justice to be brought to those innocent killed. My wife's life has been taken away by the toxic air emissions of the Sterlite and many have been reported to be killed by the same pollutant emissions. So we seek for the permanent closure of Sterlite.

G-207: Statement of Mr. Arunachalam (38/18), 2/28 Amman Kovil street, Athimarapatti, Thoothukudi

My mother is Balammal (Age 70). She has been complaining about the pain in the stomach. I took her to the hospital and found that she has cancer tumours in the food passage tube. Not only my mother suffers from cancer but there are many in our village. It is estimated that there are around 35 of them who are suffering from cancer. Many of them struggle to treat this ailment because of poor economy. The main cause of our suffering is the Sterlite industry.

I am not yet married. The other villagers do not prefer our bride or bridegroom because of this ailment. We do not want to die one by one everyday with cancer caused by Sterlite industry, so kill us together with guns. It is because of the functioning of Sterlite, our water is contaminated and becomes scarce and our three time harvest is a forgotten story.

The existence of the whole Athimarapatti would come to an end one day if Sterlite industry continues to function. So we seek the permanent closure of Sterlite.

G-208: Statement of Mr. Praveen Kumar, 27/4, Melatheru, Pandarampatti

I live in Pandarampatti with my family. I am coolie. Our village consists of 2000 families having 5000 population. Sterlite industry is very close to our village. Since last 10 years our air, water and eco system have been polluted because of the effluents emitted from the industry. The cattle and agricultural lands have been heavily affected by it. Around 50 people have died of cancer, respiratory issues and heart attack. Many are struggling with cancer, skin allergies, respiratory issues and heart based diseases. A few of our women have removed their breasts because of the cancer. So we thought to oppose the functions of Sterlite in our area.

So we decided to hold village level protest meetings in our village common place. We started this protest on 01.04.2018. Then around 1500 people from our village went to the Collectorate on 02.04.2018 to give a petition to the collector demanding the permanent closure of the Sterlite industry and stop the extension work carried out in the industry. The district Collector promised us that he would take this matter to the higher officials and let us know their response. We received no response from him.

On 23.04.2018, from 18 villages 50000 people gathered in the district pollution control board situated in SIPCOT premises and gave the petition to the environmental engineer and the deputy director of pollution control board demanding permanent closure of the sterlite industry. They promised us that they would send the petitions to the concerned officials and let us know their response. But they disappointed us with no response.

We had a meeting on 06.05.2018 to evolve the next step of our protest. There we decided to have a peaceful march towards the Collectorate on 22.05.2018. We announced our decision on 07.05.2018 under the banner of Anti-Sterlite movement. Neither the district administration nor the state government responded to our call for the peaceful march. So we decided to go on with our march.

As planned we started our peaceful protest march around 9 am from our village. We carried 100 sacks of water packets, 20 boxes of biscuits and raw food materials along with us. We reached Meelavittan main road around 9.10 a.m, Mr. Hariharan, the police inspector and his team blocked us near Santana Karuppasamy temple and told us that they could not permit us to go on the main road. So we chose the forest way crossing through the crematorium and Isakki Amman Temple and reached Madathur around 10.15 a.m. At the arch of Madathur, police force was deployed in a large number. Behind our village people, the people from Silverpuram, Palayapuram, Subramaniapuram, Meelavittan and Madathur joined us in the peaceful march.

In the line of order the women were standing in the front line and they constituted the large number but there was no women police found in the police force. The men police pushed the women touching their chest and made women fall down. They also started beating the women with their lathis. Sumathi, Antoniammal, Vasanthi, Kamala and Kanniyammal from our village were badly beaten by the police force.

The men stood behind came forward in the protection of women in the front line. At that time Mr. Hariharan the Police Inspector tried to beat a small boy. Karuppasamy from our village went forward and protected the boy from beating. In fury, Hariharan asked, "how dare you block me?" and started beating Karuppasamy at his left knee with my lathi until the lathi broke into pieces. A tense situation was created.

Among us ten of us were taken by the police and kept them in the police Jeep in the name of arrest. Three youngsters asked for the reason of arrest and the three were also taken and put into the police vehicle. After a long time of argument they let them go free. At that time Hariharan the police inspector and Mahendran, the SP insulted us in abusive language completely aware of our caste background.

We chose to reach the collectorate in an alternative path. It was around 12 pm when we reached Third mile, Railway over bridge, the police force started beating the people who were ahead of us with lathi and used gun shot to disperse the people. Knowing that two people died of police firing, we sat on the road demanding for justice. But they chased us by shooting at us. So we ran for life and reached our village on foot.

G-209: Statement of Mr. Balamurugan (35/18) Freelancer Indian Express

I was trying to picture the protesting scenes at the Collector's office on 22.5.18, at that moment I found that a group of protestors were smashing a police vehicle which I was trying to capture as a picture. Some from the group approached me and told me not to capture this picture otherwise it would be like, "We ourselves are the culprits". After that I lowered my view from my camera, and another group asked me, if I am a "Press Reporter" and tried to pull my camera away from me, they were around 20 in number. The group beat me with sticks and hurt my head, they shouted "Do you know how many the police have shot?"

Why are you not taking pictures of them and why are you taking pictures of us", and they beat me. Due to the heavy beating I tried to escape, at that moment they snatched my camera and broke it by throwing in on the ground. The camera broke to bits, camera separately and lens separately. Some other protesters came in and took me to safety. After a while I returned to the same spot to retrieve my broken camera, then the same group spoke in bad language and beat me again, they kicked my broken camera. After that I took the camera only and left without the lens of the camera.

G-210 Statement of Mr. Kasirajan, Child Line, Thoothukudi

I am working as an assistant coordinator in children's welfare association. He said that complaint letter has been received by anyone through telephone from the affected children's or from the children guardian. No ground inquest has been done for the police firing and ruthless actions carried out against the anti-Sterlite protestors on May 22, 2018.

G-211: Statement of Mr. Chandrasekar, Advocate

I have been working in Thoothukudi District as a Lawyer for the past 25 years. I am an ex. lawyer, during the 22.5.18 "Sterlite Protest", it came to my attention that many youngsters were arrested against the law, tortured and kept at Pudukottai Police station. A petition on behalf of the Thoothukudi Lawyer's Union on 5.23.18 under Criminal Act 97, to the Chief Criminal Court to release the unlawful arrest of these youngsters from Pudukottai police station was filed. At once the judge looked into the petition and ordered Hon'ble Judge Kalimuthuvel from the court of Vilathikulam to assess the situation at the Pudukottai police station. Immediately Vilathikulam court Hon'ble Judge Kalimuthuvel went to Pudukottai

police station in person to find if any of the protestors were detained unlawfully, but there were none. After that, based on a secret information it was found that 95 of the protestors were kept unlawfully in the Vallanadu police firing range. Hon'ble Judge asked the police on what basis they were arrested and what were the criminal charges filed the police had no reply for the judge's questions. The Hon'ble Judge asked the police to release all the 95 arrested. At that moment a police officer came up to the judge and said that 65 of the protestors have been arrested on 22.05.18 on 2 charges. Protesters under the age of 18 (36 in numbers) were released because the Hon'ble Judge interceded on the behalf. Police wilfully delayed the release process, claiming that there were no vehicles to transport the arrested.

When the 65 arrested were remanded at J.M1 court, the judge at that court enquired and recorded about the wounds inflicted on them individually. After that, on behalf of Thoothukudi Lawyer's Union we filed a petition to the District Sitting court judge Hon'ble Judge Saruhassini during the holidays that a special sitting is required to claim bail for the 65 protestors on 24.05.18. Immediately, Hon'ble. Judge Saruhassini sought permission from the High Court, accepted the petition and ordered all 65 protestors to be released on her own bail.

G-212: Statement of Mr. Johnson, Officer at AVM Hospital, Palayamkottai Road, Thoothukudi.

I and my family live in Thoothukudi. I am working at AVM Hospital for the past twenty (20) years. AVM hospital was open as usual on 22.05.2018. It was known that people were intending to take a rally from Madha Koil (Our Lady of Snows Church) to the Collector office. On that day, between 12.30 p.m to 4.30 p.m, as per our office records, nine (9) people who were beaten by the police, came for treatment. There were no other persons who came to our hospital.

S.No	Patient Name with address
1.	Mr. Alwin (39) M, 60, Nadar Street, Mattakadai, Tuticorin
2.	Mr. Manoharan (23) M, 111/100, Ezhil Nagar, Tuticorin
3.	Mr. Chandra Bose (53) M, 93/27C, Ashok Nagar, 8 th Street, Tuticorin
4.	Mr. Saravanan (35) M, Selvizer 1 st Street, Tuticorin
5.	Mr. Varkishraja (23) M, 107/21A, TMB Colony 5 th Street, Tuticorin
6.	Mr. Rajkumar (28) M, 59/9, Polepettai, Tuticorin
7.	Miss. Maria Delfa (20) F, 1/315, Lasal Nagar, Tuticorin
8.	Mr. Raja Sekar (27) M, 352, Karapettai, Tuticorin
9.	Mr. Abdul kanna (33) M, 51, Thandhi Office Road, Tuticorin

Timing: 2.30 P.M – 4.30 P.M

22.05.2018

Format

A.V.M.Hospital. THOOTHUKUDI

S.No	Patient Name	Age / Sex	Residential Address	Whether the patient admitted as in- patient	If yes, in patient number	Date of Admission	Diagnosis	Procedure (details of medical treatment given to the patient)	Minor/ Severe
1.	Mr.Alwin	39/ M	60, Nadar Street, Mattakadai, Tuticorin.	No	-	-	Assault Scalp injury	Suture done	Minor
2.	Mr. Manoharan 9443864033	23/ M	111/100, Ezhil Nagar, Tuticorin	No	-	-	Gun Shot Injury – Laceration on the left leg	Suture done	Minor
3.	Mr.Saravanan	35/ M	Selvizer 1 st Street, Thoothukudi 1 st street,	No	-	-	Assault – Laceration right F4/Crush injury LF1	Suture done	Minor
4.	Mr.Varkish Raja (99446120 05)	23/M	107/21A, TMB Colony, 5 th Street, Thoothukudi	No	-	-	Assault – Laceration over forehead	Suture done	Minor
5.	Mr.Rajkumar	28/M	59/9, Polepettai Thoothukudi	No	-	-	Assault Laceration on right path of scalp	Suture done	Minor
6.	Ms.Maria Delfa	20/F	1/315, Lasalle Nagar, Thoothukudi	No	-	-	Injury Scalp	Suture done	Minor
7.	Mr. Rajasekar	27/ M	352, Karapettai, Thoothukudi	No	-	-	Laceration left side of occipital region	Suture done	Minor
8.	Mr.AbdulKanna	33/M	51, Thanthi Office Road, Thoothukudi	No	-	-	Laceration right leg	Treatment done	Minor

G-213: Statement of Mr. Jothi Kumar, District child protection officer, Thoothukudi

I am working as a District Child Protection Officer. I didn't receive any petition from the police men and from the children on the day of protest against the Sterlite factory. When I went to GH to visit, there were two children. One of them was Dhishani (15) D/o Jeyachandran, residing in Fathima Nagar, 6th Street, studying 10th Standard in Holy cross school had a severe injury in her left hand because of the police violence. Like that there was another boy Harris (15) s/o Isakki who is studying in BMC school, she had an injury on his left thigh and shoulders. We got their names and addresses. We are taking action to continue their studies without fail. I came to know that 11 cases were filed against in juveniles in various police stations. But I didn't enquire. Like that I didn't enquire about Snowlin and about her family.

G-214: Statement of Mr. Tamil selvam, who is in charge of 108 Ambulance service

I am working as controller of 108 Ambulance. There are 18 ambulances in Thoothukudi District, TN59G0811, TN20G1980 these three ambulances are being operated from Thoothukudi Government Hospital. One ambulance is operated from General hospital and another from Athoor hospital.

On 22.05.2018, I heard about the agitation going on so decided to operate the ambulance. when we tried to start the ambulance it was attacked by a group of people. Chinnadurai, a driver of the ambulance was also attacked. Another ambulance of Thoothukudi hospital was also damaged, the driver of the ambulance Selvaraj was also attacked. Still we kept the two ambulances, one in Pudukottai and another one in Mappilaiurani ready for service. Yet, we attended to 6 affected persons, gave them treatment and left them in their localities. They were taken by different vehicles.

People were agitated they started attacking any government vehicle. As they started attacking ambulances as well, we could not render service. In spite of all that happening, we did not receive any call neither from police nor from the public, though we were ready to serve.

G-215 Statement of Mr. Ashik Ali, (24/18) S/o I .Badusha, Seithukkuvaithan Thoothukudi

On 22.05.2018 the day of protest, I Ashik Ali was instructed by Mr.A.Yusuf, The District President of Tamil Nadu Muslim Munnetra Kazhakam (TMMK) to take the Omni ambulance to the Collectorate. He did so, seeing in the news that casualties were taken to hospital on bikes and other vehicles. I took the TMMK Omni ambulance TN 92A5640 from Seithukkuvaithan around 30-45 kms from the Collectorate and reached the Collectorate road around 1.30 pm we took our first victim from the service road ,near a tea shop beside the Collectorate arch, It was a man who was badly hit with lathis and he was unconscious. He had serious injurious on the head and stomach. He was taken to the Government hospital, where he was taken on a stretcher, by the hospital staff we made a return trip to the same place and found a person near a nursery (plants) he didn't have external bleeding but had internal injuries after being lath charged by the police. It was difficult to do a shuttle run with the omni, because of the obstacle lying on the road which we had to overcome with

great effort. After taking the second person to the hospital on, our return back to the Collectorate we found a person on the way, near a fruit shop .He was badly beaten up by the police, he was the last person that we took to the hospital. The following day, our friends visited him in hospital and returned his phone and bag, after having an interaction with him, later we were told that he died on 23/05/2018 at night. The name of the deceased was later revealed to be Selvasekaran.

G-216: Statement of Mr. Pechimuthu, Sub Inspector of Police regarding the admission of policemen in Thoothukudi GH.

We enquired about the admission of policemen in GH on 30.05.18. At first while interrogating with the intelligence SI Mr. Pechimuthu, he told that no policemen were admitted in GH on 22.05.18. All the injured policemen were admitted in Palyamkottai GH. Then while enquiring with the out patients department they told that, "Policemen were admitted but, if you want further details please investigate with RMO".

We enquired with the RMO (Resident Medical officer) Mr. Sailesh Jebamani over phone he gave the information that 22 policemen were under treatment in Thoothukudi GH. In Continuation we enquired with Assistant of RMO, he also told the same and they were shifted to Palayamkottai GH. We asked the reason for shifting. They answered that "There may be a chance for excitement if the policemen and the public were in the same hospital. So we shifted them". He refused to give further details and he told that we gave details to the legal commission, if you want go and get it from them". But the lawyers of the Legal commission in the entrance of the GH said "They are not revealing those details". With that he added, they won't give details while the police look at the lawyers as enemies.

G-217: Statement of the Mr. Narayanasamy, Private Hospital's Manager

I am residing in teacher's colony. Tuticorin with my family. I am a retired AD of Tamilnadu electricity board. I am working in Nallathambi hospital which Thoothukudi-Thirunelveli main road. Hospital owner is my relative. After retiring from EB, I am working here.

The people were coming peacefully from Mathakovil towards District Collector office Demanding for the closure of Sterlite factory in Thoothukudi on 22.05.18. At scrst, some youngsters took a policeman with blood injury. After provide him the first aid he left the hospital to Thirunelveli Hospital. while I am on duty, some people came with injuries in their legs, hands, and some with bullet injuries around 11.00am. I don't know the number of victims and their names (or) details. The injured were carried by the youngsters. The names of the treated people were not in the hospital register. Our ambulance were ready to take the bulled injured persons to GH. But at that time the driver was not present. One person told that, "I am also a drives, can I take" we gave him the ambulance after verifying his licence. he also drove with courage and helect the main road and get diverted about 18kms and shunted more than four times to the GH and helped lot of the injured victims. I don't know his name and Address. We sent all the injured after providing first Aid to them. We sent the person with life threatening bullet injuries to GH by our Ambulance. Two policemen came to me and asked regarding the same. I told the same to them also.

Consolidation of First Information Reports Details – SIPCOT Police Station (148)

S.No	Name of Police Station	Crime Number	Section of Law	Date & Time of Occurrence	Place of occurrence distance from PS	Name of Complainant with date and time.	Name of Accused if known	Accused not known	Crux of complaint	Remarks
1.	SIPCOT	190/2018	147,148,188, 353, 506 (2), TNPPDL Act, 1992-3	22.5.2018 & 9.00 hrs.	Nearby Madathur	Muthu Mala, SI-SIPCOT & 22.5.2018 & 10.30	1. Hariragavan, Makkal Athikaram District Secretary Thoothukudi 2. Kamaraj, Madathur 3. Ponpandi, Madathur 4. Rajesh, Pandarampatti 5. Elavarasan (S/o) Mariappan, Meelavittan 6. Arulraj (S/o) Perumal, Meelavittan 7. Vanchinathan, Makkalathikaram District Secretary Madurai	100 people from Padarampatti, Silverpuram, Madthur	Unlawful assembly	1. Santhanamuthu (51), (S/o) Arunachelam, 1A/173, Yathavar Street, MelavittanPost, Thoothukudi - 2. 2. Balasingh (31), (S/O) Thangavel, 1/157 South Street, Melavittan, Thoothukudi – 2 3. Parthipan (27), (S/o) Palanisamy, 1/72 North Street, Melavittan, Thoothukudi – 2 4. Vanchinathan (37), S/o Sethuraman 20/41 KK Nagar, Thiruvaluvar Street, Madurai.
2.	SIPCOT	191/2018	U/s 147, 148. 188, 324. 332, 356, 448, 450, 307, 436, 506(II) IPC and Sec. 3(1) and 4 of TNPPDL Act & Sec. 3 of Explosive Substances Act, 174 Cr.PC	22.05.2018 At about 11.00 hrs to 14.30 hrs.	District Collectorate Complex, Thoothukudi District. South - West 4 KM	Mr. Sekar, Special Dy. Tahsildar (Election) Collector's Office, Thoothukudi. At 17.00 hrs. on 22.05.2018	No named accused	Surrounding area People belong to more than 20 organizations at Thoothukudi.	Police vehicles burnt and clash between protestors and police.	
3.	SIPCOT	192/2018	U/s 147, 148, 149, 188, 324, 448, 353, 506(II), 436 IPC and Sec. 3 and 4 of TNPPDL Act	22.05.2018 At 12.15 hrs.	Sterlite Staff Quarters near District Collectorate, Thoothukudi South - West 4 KM	Ms. Selvi, Inspector of Police, Sivanthipatti Police Station, Tirunelveli District. At 18.00 hrs.on 22.5.2018	No named accused	The Gang of protestors	TN 72 G 1066 SUMO VICTA Government vehicle burnt and other 20 vehicles also burnt.	Viyanarasu (58), (S/o) Arumainayagam, Rathinapuri, Alwarthirunagari, Thiruchendur Taluka, Thoothukudi
4.	SIPCOT	193/2018	U/s 147, 148, 188, IPC and 3 of TNPPDL	22.05.2018 at 12.18 hrs.	Thoothukudi District Collectorate	Ashokan, Inspector of Police, District Control	No named accused	The gang of Protestors.	TN 37 BW 0808 four wheeler damaged.	

S.No	Name of Police Station	Crime Number	Section of Law	Date & Time of Occurrence	Place of occurrence distance from PS	Name of Complainant with date and time.	Name of Accused if known	Accused not known	Crux of complaint	Remarks
			Act.		Complex. South - West 4 KM	Room, Tirunelveli 22.05.2018 at 19.00 hrs.				
5.	SIPCOT	194/2018	U/s 147, 148, 188, 353, 436 506(II) IPC and 3 and 4 of TNPPDL Act.	22.05.2018 at 11.30 hrs	Thoothukudi FCI Roundana South - West 03 KM	Mr. Selvam, I Gr.I PC, Kurumbu P.S., Thoothukudi 22.05.2015 at 19.30 hrs.	No named accused	The gang of protestors.	TN 72 G 0783 TVS APACHE Government vehicle burnt along with other 20 vehicles	1. Mahesh Alais Maheskumar (30), (S/o) Murugan, 2/39 West Street, South Veerapandiyapuram, Thoothukudi District 2. Pariearumperumal (30), (S/o) Subbiramanian, Biraint Nagar 9 th Street, Thoothukudi
6.	SIPCOT	195/2018	U/s 147, 148, 188, 506(II), 353, 436 IPC and 3 and 4 of TNPPDL Act.	22.05.2018 at 11.30 hrs.	Thoothukudi FCI Roundana South - West 03 KM	Mr. Sureshkumar R., Inspector of Police, Pasuvanthanai Police Station, Thoothukudi 22.05.2018 at 20.30 hrs.	No named accused	The Gang of protestors.	TN 69 G 1028 HONDA ACHIEVER (two wheeler) Government vehicle burnt	1. Sivakumar (46), (S/O) Thangapandian, 228, Rajiv Nagar 6 th Street, Thoothukudi
7.	SIPCOT	196/2018	U/s 147, 148, 188, 353, 506(II) IPC, 436 IPC and Sec. 3 and 4 of TNPPDL Act.	22.05.2018 at 11.30 hrs.	Thoothukudi FCI Roundana South - West 03 KM	Mr. Ajmal Janif, Sub-Inspector of Police, Murappanadu P.S. Thoothukudi PS. 22.05.2018 at 20.30 hrs.	No named accused	The gang of Protestors.	TN 75 H 8458 BAJAJ DISCOVER 100 was burnt.	1. Seiyathu Musthapa (26), (S/O) Jammal Jamaludeen Murugan Theater Near, Indra Nagar, Thalamuthu Nagar, Thoothukudi .
8.	SIPCOT	197/2018	U/s 147. 148, 188, 353, 439, 506(II) IPC and 3 and 4 of TNPPDL Act.	22.05.2018 at 11.30 hrs.	Thoothukudi FCI Roundana South - West 03 KM	Ms. Mercy Mary Milret, H.C. 2095, DCB, Thoothukudi 22.05.2018 at 21.00 hrs.	No named accused	The Gang of protestors.	TN 69 BA 5846 HONDA ACTIVA 3G (two wheeler) Was burnt.	
9.	SIPCOT	198/2018	U/s 147, 148, 188, 353, 436, 506(II) IPC and 3 and 4 of TNPPDL Act.	22.05.2018 at 11.30 hrs.	Thoothukudi FCI Roundana South - West 03 KM	Ms. Sridevi, WHC. 1572, Pudukottai P.S. Thoothukudi District. 22.05.2018 at 21.30 hrs.	No named accused	The Gang of Protestors.	TN 69 AH 1391 HERO MASTRO (two wheeler) Was burnt.	
10.	SIPCOT	199/2018	U/S 147, 148, 188, 353, 436 506(II) IPC and 3 and 4 of TNPPDL Act	22.05.2018 at 12.00 hrs.	Thoothukudi Collectorate Complex South - West 4 KM	Mr. Ananth Raj, PC. 1422, Saithunganallur P.S. Thoothukudi district. 22.05.2018 At 22.00 hrs.	No named accused	The Gang of Protestors with more than 20 members	TN 72 BA 6675 HONDA UNICON (two wheeler) Was burnt.	

S.No	Name of Police Station	Crime Number	Section of Law	Date & Time of Occurrence	Place of occurrence distance from PS	Name of Complainant with date and time.	Name of Accused if known	Accused not known	Crux of complaint	Remarks
11.	SIPCOT	200/2018	U/s 147, 148, 188, 353, 436, 506 (II) IPC and 3 and 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	Thoothukudi District Collectorate Complex South - West 4 KM	Mr. Manikandeswaran, PC. 1374, Alwarthirunagari PS. Thoothukudi District. 22.05.2018 at 22.30 hrs.	No named accused	The gang of Protestors	TN 69 AW 2889 HERO HONDA, PASSION PRO. (two wheeler) was burnt.	
12.	SIPCOT	201/2018	U/s 147, 148, 188, 353, 436, 506(II) IPC and 3 & 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	Thoothukudi District Collectorate Complex South - West 4 KM	Mr. Alwar, Special Sub Inspector of Police, Nazareth, P.S. Thoothukudi District. 22.05.2018 at 20.00 hrs.	No named accused	The gang of protestors.	TN 69 S9729 HERO HONDA SLENDER PLUS (two wheeler) Was burnt.	
13.	SIPCOT	202/2018	U/s 147, 148, 188, 353, 436, 506(II) IPC and 3 and 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	Thoothukudi District Collectorate Complex South - West 4 KM	Mr. Muniyandi, Special Sub-Inspector, Sathankulam P.S. Thoothukudi Dist. 22.05.2018 at 23.30 hrs.	No named accused	The gang of protestors.	TN 69 U 2695 HERO PASSION (two wheeler) was burnt.	
14.	SIPCOT	203/2018	U/s 147, 148, 353, 436, 506(II) IPC and Sec. 3&4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	Thoothukudi District Collectorate Complex South - West 4 KM	Mr. Raja Subbiah, Gr.I PC 1974, SIPCOT P.S. Thoothukudi 22.05.2018 at 23.50 hrs.	No named accused	The gang of protestors	TN 69 L 7229 HERO HONDA BIKE(two wheeler) Was burnt.	
15.	SIPCOT	204/2018	U/s 147, 148, 188 IPC and Sec. 3 of TNPPDL Act	22.05.2018 at 12.00 hrs.	Thoothukudi District Collectorate Complex South - West 4 KM	Mr. Veluthevan, Statistics Officer, Collector Office Complex, Thoothukudi. 23.05.2018 at 00.30 hrs.	No named accused	The gang of protestors.	TN 69 AH 4864 (two wheeler) Was burnt	
16.	SIPCOT	205/2018	U/s 147, 148, 188, 353, 436, 506(II)IPC and Sec. 3&4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	Collector office Complex South - West 4 KM	Mr. Nelayappan, Speicial Sub Inspector, Kurumbur P.S. Thoothukudi Dist 23.05.2018 at 01.00 hrs.	No named accused	The gang of protestors.	TN 69 AJ 8667 HERO PASSION PRO (four wheeler) was burnt.	
17.	SIPCOT	206/2018	U/s 151 Cr.P.C.	23.05.2018 at 11.00 hrs.	Collector Office Complex, Thoothukudi	Mr. Muthuganesan, S.I.of Police, SIPCOT P.S.	Ananthan son of Kandavel, Pandian Nagar, K.Pudur, Madurai		Unlawful assembly	

S.No	Name of Police Station	Crime Number	Section of Law	Date & Time of Occurrence	Place of occurrence distance from PS	Name of Complainant with date and time.	Name of Accused if known	Accused not known	Crux of complaint	Remarks
					South - West 4 KM	23.05.2018 at 11.30 hrs.	Nanthini (22), D/o Ananthan, Pandian Nagar K.Pudur, Madurai.			
18.	SIPCOT	207/2018	U/s 147, 148, 188, 353, 436, 506(II) IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	Thoothukudi District Collectorate South - West 4 KM	Mr. Raju, 63/5, Balakrishnan Compound, Nammalwar Street, Thoothukudi 23.05.2018 at 12.00 hrs.	No named accused	The Gang of protestors.	TN 69 F 8100 BAJAJI BOXER (two wheeler) Was burnt.	
19.	SIPCOT	208/2018	U/s.147, 148, 188, 353, 436, 506(II) IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 12.30 hrs.	District Collectorate South - West 4 KM	Mr. Natarajan, GM District Industry Centre, Thoothukudi Bye pass Road. 23.05.2018 at 12.30 hrs.	No named accused	The gang of protestors.	TN 69 G 0347 BOLERO JEEP government vehicle and government property was damaged.	
20.	SIPCOT	209/2018	IPC,147,148,188,353, 436,506(2), TNPPDL 3,4	22-05-2018 at 12:00 hrs.	Near Tuticorin FCI Roundana. South -West 3.0 Km	Subbalakshmi, Police, Pudukottai PS, Thoothukudi 23.5.2018 & 13.00	No named accused	Sterlite Protestors	Fired the vehicle, MOTOR CYCLE 70000 TN 69 BE 4591 HONDA ACTIVA 4 G	Poovalingam (41), (S/o) Karuppasami, 2/119, East Street, Puthiyamputhur, Thoothukudi
21.	SIPCOT	210/2018	U/s. 147, 148. 188, 353, 439, 506 (II) IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	District Collectorate South - West 4 KM	Mr. Sivasankar, S.I, Manoor P.S. Thirunelveli District 23.05.2018 at 13.30 hrs.	No named accused	The gang of Protestors	TN 69 BD 1579 HONDA (two wheeler) was burnt. UNICORN 150	
22.	SIPCOT	211/2018	U/s 147, 148, 353, 436, 506 (II) IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	District Collector Office South - West 4 KM	Mr. Marimuthu, PC. 307, Courtallam P.S. Thenkasi Tiruvelveli Dist. 23.05.2018 at 14.00 hrs.	No named accused	The gang of protestors.	TN 76D 1504 HERO HONDA SPLENDOR PLUS (two wheeler) was burnt.	
23.	SIPCOT	212/2018	U/s 147, 148, 188, 436 IPC and Sec.3 & 4 of TNPPDL Act.	22.05.2018 at 18.00 hrs.	District Collectors Office South - West 4 KM	Mr. Pon Pandian son of Periyannayagam, P,S,P Nagar, Korampallam, Thoothukudi working as PC in Thattaparai P.S. Thoothukudi District. 23.05.2018 at 14.30 hrs.	No named accused	The gang of protestors.	TN 69 BB 8721 HONDA UNICORN (two wheeler) was burnt.	
24.	SIPCOT	213/2018	u/S 147, 148, 188, 353, 436 506(ii) IPC and Sec. 3 and 4 of	22.05.2018 at 12.00 hrs.	Thoothukudi District Collector's Office.	Mr. Masilamani, Traffic Police, Sankarankovil, Tirunelveli District,	No named accused	The gang of protestors	TN 69 BB 8721 HONDA UNICORN (Government two	

S.No	Name of Police Station	Crime Number	Section of Law	Date & Time of Occurrence	Place of occurrence distance from PS	Name of Complainant with date and time.	Name of Accused if known	Accused not known	Crux of complaint	Remarks
			TNPPDL Act.		South-West 4KM	23.05.2018 at 15.00 hrs.			wheeler) was burnt.	
25.	SIPCOT	214/2018	IPC, 147, 148, 188, 353, 436, 506(2), TNPPDL 3, 4	22-05-2018 at 12:30 hrs.	Near Tuticorin Labour Department South - West & 4.0 Km	Kannan, Govt. Official, Non-Gazetted, Kurichiyarpattu, Kelavikulam Polst, Rajapalayam Taluk, Virudhunagar Dist. 23.5.2018 & 15.30	No named accused	Sterlite Protestors	Fired, JEEP TN 69 G 0724	
26.	SIPCOT	215/2018	U/s 147, 148, 188, 352, 436, 506(II) IPC and U/s 3 and 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	District Collector's Office South - West 4 KM	Mr. Ganesan, H.C.248, Thattarmadam P.S. Thoothukudi District. 23.05.2018 at 16.00 hrs.	No named accused	The gang of protestors	TN 74 AP 7528 BAJAJ PALTINO (two wheeler) was burnt.	
27.	SIPCOT	216/2018	U/s 147, 148, 188, 353, 436, 506(II) and Sec. 3 and 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	District Collector's Office, Thoothukudi South - West 4 KM	Mr. Senthilkumar, H.C. 1013, Special Branch, Kadampur Police Station, Thoothukudi District. 23.05.2018 at 16.30 hrs.	No named accused	The gang of protestors.	TN 74 AP 7528 (two wheeler) was burnt.	
28.	SIPCOT	217/2018	U/s 147, 148, 188, 353, 436, and Sec. 3 and 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	District Collector's Office, Thoothukudi South - West 4 KM	Mr. Perumal, Typist, 4/138, Melakootudankadu, Thoothukudi Dist. 23.05.2018 at 17.00 hrs.	No named accused	The gang of protestors	TN 69 BA 0649 HONDA ACTIVA was burnt.	
29.	SIPCOT	218/2018	IPC, 147, 148, 188, 294(b), 353, 506(2), 3	22-05-2018 at 12:30 hrs.	District collectorate	Nambirajan, Driver – Car, C26 MIG -Housing Board, Sankarapari, Thoothukudi 23.5.2018 & 17.30	No named accused	Sterlite Protestors	Fired, JEEP TN 69 G 0470 BOLIRO car.	
30.	SIPCOT	219/2018	U/s 147, 148, 294(b), 353, 506(II) IPC and 3 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	District Collector's office, Thoothukudi South - West 4 KM	Mr. Velumni son of Ramdoss, Taxi Driver, 58/2, Pakkulpuram 3 rd street, Thoothukudi District. 23.05.2018 at 18.00 hrs.	No named accused	The gang of protestors.	TN 69 F 4915 MAHANDRA JEEP Was damaged.	
31.	SIPCOT	220/2018	U/s 147, 148, 188, 294(b), 353, 506(ii) IPC and 3 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	Thoothukudi District Collectorate	Mr. Saravanakumar, 1/34-28, 5 th West Steet, Kovilpillai Nagar, Perumal Nagar,	No named accused	The gang of protestors.	TN 09 G 2722 MAHINDRA BOLERO JEEP (government vehicle) was	

S.No	Name of Police Station	Crime Number	Section of Law	Date & Time of Occurrence	Place of occurrence distance from PS	Name of Complainant with date and time.	Name of Accused if known	Accused not known	Crux of complaint	Remarks
					South-West 4 KM	Thoothukudi District 23.05.2018 at 18.30 hrs.			damaged and used abusive words.	
32.	SIPCOT	221/2018	U/s 147, 148, 188, 294(b), 353, 506(II) IPC and Sec. 3 of TNPPDL Act.	22.05.2018 at 12.30 hrs.	Thoothukudi District Collector's office. South-West 4 KM	Mr. Mohamed Amin, Taxi Driver, D/5, Housing Board Colony, VVD Road, Anna Nagar, Thoothukudi 23.05.2018 at 19.00 hrs.	No named accused	The gang of protestors	TN 69 G 0398 BOLERO (four wheeler). Damaged the government vehicle.	
33.	SIPCOT	222/2018	IPC 147, 148, 188, 436, TNPPDL 3,4.	22-05-2018 between 11:45 hrs. - 12:00 hrs.	District collectorate	Selvakumar, Govt. Official, Non-Gazetted, 107/186A- TMB Colony 5 th Street, Thoothukudi. 23,5,2018 & 19.30	No named accused	Gang of protestors of Sterlite	Fired, MOTOR CYCLE 55000 TN 69 BC 4225 TVS VICTOR	
34.	SIPCOT	223/2018	U/s 147, 148, 188, 353, 436 IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 From 11.45 hrs. to 12.00 hrs.	District Collector's Office, Thoothukudi South-West 4 KM	Mr. Ramalingam, Typist, 2F/489-P & T Colony 11 th street west, Thoothukudi 23.05.2018 at 20.00 hrs.	No named accused	The gang of protestors	TN 69 BC 8111 HONDA ACTIVA 4G BALACK was burnt.	
35.	SIPCOT	224/2018	IPC, 147, 148, 188, 436, TNPPDL 3,4	22-05-2018 between 11:45 hrs. - 12:00 hrs.	District collectorate	Prakash, Driver – Car, 2F/285 P & T Colony 8 th Street, Thoothukudi. 23.5.2018 & 20.30	No named accused	Gang of protestors of Sterlite	Fired, MOTOR CYCLE 30000 TN 69 AH 3931	
36.	SIPCOT	225/2018	U/s 147, 148, 188, 436, IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 From 11.45 hrs. to 12.00 hrs.	District Collector's office, Thoothukudi South - West 4 KM	Mr. Nagarajan, 374, Alagesapuram 1 st Street, Thoothukudi 23.05.2015 at 21.00 hrs.	No named accused	The gang of protestors	TN 69 AH 4144 (two wheeler) was burnt.	
37.	SIPCOT	226/2018	U/s 147, 148, 188, 436 IPC and 3& 4 of TNPPDL Act.	22.05.2018 From 11.45 to 12.00 hrs.	District Collector's office, Thoothukudi South - West 4 KM	Mr. Santhanakrishnan, 75, Pramathur villai, Thoothukudi 23.05.2018 at 21.30 hrs.	No named accused	The gang of protestors	TN 69 AE 4478 (two wheeler) was burnt.	
38.	SIPCOT	227/2018	U/s 147, 148, 188, 436 IPC and Sec. 3 & 4 TNPPDL Act.	22.05.2018 at 12.30 hrs.	District Collector's office, Thoothukudi South - West 4 KM	Mr. Karuppusamy, Car Driver, 1/47-75, Muthu Nagar, Perumal Nagar, Thoothukudi 23.05.2018 at 22.00 hrs.	No named accused	The gang of protestors	TN 69D 9330 TVS (two wheeler) was burnt.	

S.No	Name of Police Station	Crime Number	Section of Law	Date & Time of Occurrence	Place of occurrence distance from PS	Name of Complainant with date and time.	Name of Accused if known	Accused not known	Crux of complaint	Remarks
39.	SIPCOT	228/2018	147, 148, 188, 436 IPC and Sec.3 and 4 of TNPPDL Act.	22.05.2018 at 11.45 to 12.00 hrs..	District Collector's Office, Thoothukudi South - West 4 KM	Selvakumar, 2F/1063, P & T Colony 6 th street West Thoothukudi 23.05.2018 at 22.30 hrs.	No named accused	Gang of Protestors	Own vehicle damaged TN 69 9172 (ROYAL ENFIELD)	1. Sathish (42), (S/o) Suramania, Parakuar, Pudu Thamarapatti PO, Othakadai, Madurai. 2. Murugesan (38), (S/o) Rajandran, kayampatti, Agriculture College PO, Othakadai, Madurai
40.	SIPCOT	229/2018	U/s 147, 148, 188, 436IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 From 11.45 to 12.00 hrs.	District Collector's Office, Thoothukudi South - West 4 KM	Mr.Premkumar, 76A, Vannar 1 st street, Melashanmugapuram, Thoothukudi 23.05.2018 at 23.00 hrs.	No named accused	The gang of protestors.	TN 69 AF 7826 TVS XL (two wheeler) was burnt.	
41.	SIPCOT	230/2018	IPC, 147, 148, 188, 436, TNPPDL 3,4	22-05-2018 at 12:00 hrs.	District collectorate	Madasamy, Driver – Car, 2/652-EB Colony North, Korampallam, Thoothukudi. 23.5.2018 & 23.50	No named accused	Gang of protestors of Sterlite	Fired, MOTOR CYCLE TN 69 D 3841 YAMAHA CREX	
42.	SIPCOT	231/2018	U/s 147, 148, 188, 353, 436 IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	District Collector's office South - West 4 KM	Mr. Shanmugam, Car Driver, D/No.55A/2-Palai Road West, 3 rd Pudukudi, Thoothukudi 24.05.2018 at 00.30 hrs.	No named accused	The gang of protestors	TN 69AH 5031 HERO PASSION PRO (two wheeler) was burnt.	
43.	SIPCOT	232/2018	U/s 147, 148, 188, 436 IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	District Collector's Office South - West 4 KM	Mr. Abijab John, Car Driver, 4/879 Housing Board Colony, Ettayapuram Road, Thoothukudi 24.05.2018 at 01.00 hrs.	No named accused	The gang of protestors	TN 69 AF 6427 PLATINA (two wheeler) was burnt.	
44.	SIPCOT	233/2018	U/s 147, 148, 188, 436 IPC and sec.3 & 4 of TNPPDL Act.	22.05.2018 at 11.00 to 12.00 hrs.	District Collector's office South - West 4 KM	Mr. Selva Arunachalam, 47 Pryant Nagar 12 th Middle Street, Thoothukudi 24.05.2018 at 01.30 hrs.	No named accused	The gang of protestors	TN 69 AK 5848 HERO PASSION PRO (two wheeler) was burnt.	
45.	SIPCOT	234/2018	IPC, 147, 148, 188, 436, TNPPDL 3,4	22-05-2018 at 11:00 hrs.	Near FCI Roundana South - West &	Shanmugavel, Media Person, 9/4, Keelatheru, Vallanadu, Thoothukudi.	No named accused	Gang of protestors of Sterlite	Fired, MOTOR CYCLE TN 72 AP 7670	

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					3.0 KM				PALSAR	
46.	SIPCOT	235/2018	U/s 147, 148, 188, 436 IPC and Sec. 3 & 4 of TNPPDL Act	22.05.2018 at 12.00 hrs.	District Collector's office South - West 4 KM	Mr. Pannerselvam Asst. Director, (Geo & Excise) Collector's Office, Thoothukudi 24.05.2018 at 02.30 hrs.	No named accused	The gang of protestors	TN 65 Q 8118 SUZUKI SWIS -125(two wheeler) was burnt.	
47.	SIPCOT	236/2018	U/s 147, 148, 188 IPC and Sec. 3 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	District Collectors office South - West 4 KM	Mr., Maria Siluvai Lazar Suresh, Special R..I Mines and minerals, Collector's office, Thoothukudi 24.05.2018 at 03.00 hrs.	No named accused	The gang of protestors	TN 69 G 2722 (jeep) government vehicle was damaged.	
48.	SIPCOT	237/2018	U/s 147, 148, 188, 436 IPC and Sec. 3 & 5 of TNPPDL Act	22.05.2018 at 11.00 hrs.	District Industry Centre, Thoothukudi	Mr. Subramaniam 51/1, Pasumpon Nagar P&T Colony Main Road, Thoothukudi. 24.05.2018 at 03.30 hrs.	No named accused	The gang of protestors	TN 59 C 3523 HERO HONDA SS (two wheeler) was burnt.	
49.	SIPCOT	238/2018	U/s 147, 148, 188, 436 IPC and Sec. 3 & 4 of TNPPDL Act	22.05.2018 at 12.00 hrs.	District Collector's office South - West 4 KM	Mr. Muthukumaran, 5D/116, Kumaran Illam, Selseelan Colony, Thoothukudi 24.05.2018 at 04.00 hrs.	No named accused	The gang of protestors	TN 69 AE 8109 TVS SUPER XL(two wheeler) was burnt.	
50.	SIPCOT	239/2018	U/s 147, 148, 188, 353,IPC and Sec. 3 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	District Collector's office South -West 4 KM.	Ms. Dhanalakshmi, Social Welfare Officer, Thoothukudi. 24.05.2018 at 04.30 hrs.	No named accused	The gang of protestors	TN 69 G 0398 JEEP damaged government vehicle and office property.	
51.	SIPCOT	240/2018	U/s 147, 148, 188 IPC and Sec. 3 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	District Collector's office Complex South - West 4 KM	Mr. Murugan, 2/267 Sakthi Nagar, Madhavan Nagar West, Ayyanadaipu, Korampallam, Thoothukudi 24.05.2018 at 05.00 hrs.	No named accused	The gang of protestors	TN 69 AM 2476(two wheeler) was damaged.	
52.	SIPCOT	241/2018	IPC,147,148,188, TNPPDL 3,	22-05-2018 Between 11:45 hrs. - 12:00 hrs.	District collectorate, South-West 4.0 Km	Arumugasamy, Driver – Car, 4/316 Kamarajar Nagar, Thoothukudi 24.5.2018 & 5.30	No named accused	Gang of protestors of Sterlite	Damaged, MOTOR CYCLE 10000 TN 69 AB 6495	

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53.	SIPCOT	242/2018	U/s 147, 148, 188 IPC and sec. 3 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	District Collector's office, Thoothukudi South - West 04 KM.	Mr. Rajamani, Jeep Driver, 2/287, P & T Colony 7 th Street, 3 rd Mile, Thoothukudi 24.05.2018 at 06.00 hrs.	No named accused	The gang of protestors	TN 69 BA 3355 HERO PEASURE (two wheeler) was damaged.	
54.	SIPCOT	243/2018	U/s 147, 148, 188 IPC and Sec.3 of TNPPDL Act	23.05.2018 at 15.00 hrs.	High Ways Office at Ettayapuram Road. North - East 7 KM	Mr. Venkateshkumar, Asst. Sub-Divl. Engineer, High ways department, Thoothukudi 24.05.2018 at 06.30 hrs.	No named accused	The gang of protestors	Damaged the windows and used explosives.	
55.	SIPCOT	244/2018	U/s 147, 148, 188, 324, 353, 436, 506(II) IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 11.00 hrs.	Thoothukudi FCI Roundana Bridge South-West 3 KM.	Mr. Gnanaraj, Sub Inspector of Police, Pudukottai P.S. Thoothukudi 24.05.2018 at 11.30 hrs.	No named accused	The gang of protestors.	TN 69 BA 7369 HONDA UNICON (two wheeler) was burnt. Injury caused and purse stolen away with Rs. 3000	
56.	SIPCOT	245/2018	IPC, 147, 148, 188, 353, 436, 324, 506(2), TNPPDL 3, 4	22-05-2018 at 12:00 hrs.	Near FCI Roundana, South-West 3KM	Perumal, Police Officer, Srivaikundam PS, Thoothukudi 24.5.2018 & 12.00	No named accused	Gang of protestors of Sterlite	Fired, Motor Cycle TN 72 BB 0106 Honda Shine Bike 2 (OTHERS) As per description of Motor Petty case police notice	
57.	SIPCOT	246/2018	U/s 147, 148, 188, 324, 353 and 506(II) IPC and Sec. 3 of TNPPDL Act	22.05.2018 at 13.00 hrs.	Near Madathur South-West 1 KM.	Mr. Eswaran, HC. 1757, Armed Reserve Force, Kanniyakumari 24.05.2018 at 12.30 hrs.	No named accused	The gang of protestors	TN 74 G 0443 ASKOK LEYLAND POLICE BUS was damaged. Injury was caused.	1.Amal Raj (35), S/O Velsamy, 3A/394, Indira Nagar 3 rd Mail Near, FCI Roundana, Thoothukudi.
58.	SIPCOT	247/2018	U/s 147, 148, 188, 353, 506(II) IPC and Sec. 3 of TNPPDL Act.	22.05.2018 at 13.00 hrs.	Near Madathur South - West 1 KM	Mr. Vaiskumar, Armed Reserve Police, Nagarcoil 24.05.2018 at 13.00 hrs.	No named accused	The gang of protestors	TN 74 G 0699 EICHER VAN damaged the government vehicle.	
59.	SIPCOT	248/2018	U/s 147, 148, 188, 436 IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	District Collector's office, Thoothukudi South - West 4KM.	Mr. Santhosh Selvai, Gr. I. PC, Pudukottai Police Station, Thoothukudi 24.05.2018 at 13.30 hrs.	No named accused	The gang of protestors.	TN 74 G 0699 EICHER VAN government vehicle was damaged.	
60.	SIPCOT	249/	U/s 147, 148, 188, 353, 436 and 506 (II)	22.05.2018 at	District Collector's	Mr. Raja, Gr. II PC, Arumuganeri P.S.	No named accused	The gang of	TN 69 AW 5362 HONDA SINE (two wheeler) was	

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		2018	UOC and Sec. 3 & 4 of TNPPDL Act.	12.00 hrs.	office complex South-West 4KM	Thoothukudi 24.05.2018 at 14.00 hrs.		protestors.	burnt.	
61.	SIPCOT	250/2018	U/s 436 , 511 IPC and Sec. 3 of Explosive Substances Act.	24.05.2018 at 12.30 hrs.	Ettayapuram Road, Muthammal Colony North-East 7 KM	Mr. Baskar, Managar, Tamilnadu State Transport Corporation, Thoothukudi 24.05.2018 at 14.30 hrs.	No named accused	Unidentifiable 4 members coming in a motor cycle.	Throwing petrol bomb on bus at government transport workshop.	
62.	SIPCOT	251/2018	U/s 147, 148, 188, 457, 380 UOC abd Sec.3 of TNPPDL Act	22.05.2018 at 18.00 hrs to 23.05.2018 at 08.00 hrs.	TASMAC Shop at Ettayapuram Road Majjathu Nagar North-East 7 KM	Mr. Manimaran, Supervisor, 18E S.M.Puram 1 st Street, Thoothukudi 24.05.2018 at 15.00 hrs.	No named accused	The gang of protestors	TASMAC shop no: 9946 was damaged and property was stolen Stolen property value: rs.348420.	
63.	SIPCOT	252/2018	U/s 147, 148, 188, 457, 380 IPC and sec. 3 of TNPPDL Act	22.05.2018 at 18.30 hrs. to 23.05.2018 at 08.00 hrs.	TASMAC Shop at Thiraviya Rathinam Nagar, Madathur Road, Thoothukudi Town. South-East 3 KM	Mr. Shenbagaraj, Manager, 25/26/A, Anna Nagar 12 th Street, Thoothukudi 24.05.2018 at 15.30 hrs.	No named accused	The gang in Protestors	TASMAC shop no: 9943. Stolen property worth rupees 81680. Shop was damaged.	
64.	SIPCOT	253/2018	U/s 147, 148, 188, 353, 436 IPC and Sec. 3 & 4 of TNPPDL Act	22.05.2018 at 12.00 hrs.	District Collector's Office. South-West 4 KM.	Mrs. Syed Ali Fathima, Jr. Asst. Planning Development Office, Thoothukudi 24.05.2018 at 16.00 hrs.	No named accused	The gang of protestors	TN 69 BB 9220 PLEASURE BLACK COLOUR (two wheeler) Front half was damaged and another half was burnt.	
65.	SIPCOT	254/2018	U/s 147, 148, 188, 436 IPC and Sec. 3 &4 of TNPPDL Act.	22.05.2018 at 11.45 hrs.	District Collector's office South-West 4 KM	Mr. Kathiresan, Car Driver, District Backward Class Welfare Office, Thoothukudi 24.05.2018 at 16.30 hrs.	No named accused	The gang of protestors	TN 69 G 0457(four wheeler) was burnt.	
66.	SIPCOT	255/2018	U/s 147, 148, 188, 436 IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 11.45 hrs.	District Collector's Office South-West 4 KM	Mr. Ramasamy, Jeep Driver, District Collector's Office, Thoothukudino named accused 24.05.2018 at 17.00 hrs.	No named accused.	The gang of protestors	TN 04 G 0562 JEEP (four wheeler) was burnt.	
67.	SIPCOT	256/	IPC,147,148,188,353,	24-05-2018	District Union Cooperative	Andhimathinathan, Govt. Official, Gazetted,	No named accused	Gang of protestors of	Broke the glass articles in	

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		2018	TNPPDL 3	on 15:00 hrs.	bank. North-East 7.0Km	109/5D-Polpattai, Ettayapuram Road, Thoothukudi 24.5.2018 & 17.30		Sterlite	the first floor of the bank	
68.	SIPCOT	257/2018	U/s 147, 148, 188, 436 abd Sec.3 & 4 of TNPPDL Act.	22.05.2018 at 11.45 hrs.	District Collector's Office South-West 4 KM	Mrs. Geetha, District Adi-Diravidar and Tribal Welfare Officer, Thoothukudi 24.05.2018 at 18.00 hrs.	No named accused	The gang of protestors.	TN 69 G 0618 (four wheeler) government vehicle was damaged.	
69.	SIPCOT	258/2018	IPC, 147, 148, 188, 436, TNPPDL 3,4	22-05-2018 on 12:00 hrs.	District Collectorate, South-West 4 Km	Balasubramanian, Assistant Director, Rural Development Office, Collector Office, Thoothukudi 24.5.2018 & 18.30	No named accused	Gang of protestors of Sterlite	Fired, MOTOR CYCLE TN 69 BC 1032 ROYAL ENFIELD	
70.	SIPCOT	259/2018	U/s 147, 148, 188 IPC and 3 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	District Treasury Office, South-West 4 KM	Mrs. Baminilatha, Treasury Officer, Treasury Office, Thoothukudi 24.05.2018 at 19.00 hrs.	No named accused.	The gang of protestor.	Treasury office was damaged and cost loss upto 60,000 rupees.	
71.	SIPCOT	260/2018	U/s 147, 148, 188, 353, 436 IPC and Sec.3 & 4 of TNPPDL Act.	22.05.2018 at 11.30 hrs.	Near FCI Roundana Bridge South-West 3 KM.	Mr. Rameshkumar, Sub Inspector of Police, Kadampur P.S Thoothukudi District. 24.05.2018 at 19.30 hrs.	No named accused	The gang of Protestors	TN 03 M 8600 HERO SPLENDER PLUS was burnt.	
72.	SIPCOT	261/2018	IPC, 147, 148, 188, 436, TNPPDL 3,4	22-05-2018 on 11:45 hrs.	District Collectorate, South-West 4 Km	Patchimuthu, Govt. Official, Gazetted, Superintendent, District Collector Office, Thoothukudi. 24.5.2018 & 20.00	No named accused	Gang of protestors of Sterlite	Fired, JEEP TN 69 G 0416	
73.	SIPCOT	262/2018	U/s 147, 148, 188, 436 IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	District Collectors Office, Thoothukudi South - West 4 KM	Ms. Selva Chithira Kumari Devi, Old No.4/59C New No.5A/450 Caldwell Colony 5 th street, Thoothukudi. 24.05.2018 at 20.30 hrs.	No named accused	The gang of protestors	TN 69 AK 8752 HONDA ACTIVA BLACK was burnt.	
74.	SIPCOT	263/	U/s 147. 148. 188, 436 IPC and Sec. 3 &	22.05.2018 at	District Collector's office,	Mr. Sundarapandian, Typist, District	No named accused	The gang of	TN 69 AL 1956 SPLENDER PRO (two	

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		2018	4 of TNPPDL Act	12.00 hrs.	Thoothukudi South-West 4 KM	Collector's Office, Income-Tax Sec. Thoothukudi 24.05.2018 at 21.00 hrs.		protestors.	wheeler) was burnt.	
75.	SIPCOT	264/2018	IPC,147,148,188, 436, TNPPDL 3,4	22-05-2018 on 12:30 hrs.	District Collectorate, South-West 4 Km	Senthilselvi, Typist, District Collector Office, Thoothukudi.	No named accused	Gang of protestors of Sterlite	Damaged, MOTOR CYCLE 60000 TN 69 BA 6278 ACTIVA RED COLOUR	
76.	SIPCOT	265/2018	U/s. 147, 148, 188, 436 IPC and Sec. 3 & 4 of TNPPDL Act	22.05.2018 at 11.45 hrs.	District Collector's Office Complex, Thoothukudi South-West 4 KM	Mr. Selvakumar, Jr. Asst. District Surveyor Office, Collector Office, Thoothukudi 24.05.2018 at 22.00 hrs.	No named accused	The gang of protestors	TN69BD 0150 BAJAJ PULSAR (two wheeler) was burnt.	Esakki Durai (56), (S/o) Sempulingam, 11A, Sundharvelpuram, 2 nd Street, Thoothukudi
77.	SIPCOT	266/2018	U/s 147, 148, 188 IPC and Sec.3 of TNPPDL Act.	22.05.2018 at 11.45 hrs.	District Collector's Office. South-West 4 KM	Mr. Rajadurai, Assistant, District Collector's office, Thoothukudi 24.05.2018 at 22.30 hrs.	No named accused.	The gang of protestors	TN 69 AR 4268 HERO SPLENDER PRO (two wheeler) was damaged.	
78.	SIPCOT	267/2018	U/s 147, 148, 188, 436 IPC and Sec.3 & 4 of TNPPDL Act	22.05.2018 at 11.45 hrs. to 12.00 hrs.	District Collector's Office South-West 4 KM	Mr. Venkatesh, 4/146-1 KNR Building, Muthiah puram Thoothukudi 24.05.2018 at 23.00 hrs.	No named accused	The gang of protestors	TN 69 L 2922BAJAJ PULSAR (two wheeler) was burnt.	
79.	SIPCOT	268/2018	U/s 147, 148, 188, 436 IPC and Sec. 3 & 4 of TNPPDL Act.	22.05,2018 at 11.45 hrs. to 12.00 hrs.	District Collector's Office South-West 4 KM	Ms. Uma Maheswari, 15 H, Convent Road, Thoothukudi 24,05.2018 at 23.30 hrs.	No named accused	The gang of protestors	TN 69 AP 5261 PLEASUR (two wheeler) was damaged.	
80.	SIPCOT	269/2018	U/s 147, 148, 188, 436 IPC and Sec. 3 & 4 of TNPPDL Act.	22.05,2018 at 11.45 hrs. to 12.00 hrs.	District Collector's Office South-West 4 KM	Mr. Murugesan, A/10 Tamilnadu Housing Board, Anna Nagar, Thoothukudi 24.05.2018 at 23.50 hrs..	No named accused	The gang of protestors	TN 69 AP 5261 PLEASUR (two wheeler) was burnt.	
81.	SIPCOT	270/2018	U/s 147, 148, 188, 436 IPC and Sec.3 & 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	District Collector's Office South-West 4 KM	Ms. Jafa Janifer, Typist, Gabi Street, Siluvaipatti, Mappilayoorani, Thoothukudi 25.05.2018 at 00.30hrs.	No named accused	The gang of protestors	TN69BE 7139 HERO MASTRO (two wheeler) was burnt.	
82.	SIPCOT	271/	U/s 147, 148, 188, 436 IPC and Sec. 3 &	22.05.2018 at	District Collector's	Mr. Vijayakumar, Computer Manager,	No named accused	The gang of	TN 69 AL 8556 (two	

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		2018	4 of TNPPDL Act.	11.45 hrs.	Office South-West 4 KM	District Collector's Office, Thoothukudi 25.05.2018 at 01.00 hrs.		protestors	wheeler) was burnt.	
83.	SIPCOT	272/2018	U/s 147, 148, 188, 436 IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	District Collector's Office South-West 4 KM	Mr., Mahadevan, R.I Assistant, Election Sec. District Collector's Office, Thoothukudi 25.05.2018 at 01.30 hrs..	No named accused	The gang of protestors	TN 69 BA 2254 TVS XL SUPER (two wheeler) was burnt.	
84.	SIPCOT	273/2018	U/s 147, 148, 188 IPC and Sec. 3 of TNPPDL Act	22.05.2018 at 12.00 hrs.	District Collector's Office South-West 4 KM	Mr. Vaigunda ramamoorthy, Typist, Election Section, Collector's Office, Thoothukudi 25.05.2018 at 02.00 hrs.	No named accused	The gang of protestors	TN 69AJ 0826 HERO PASSION PRO (two wheeler) was damaged.	
85.	SIPCOT	274/2018	U/s 147, 148, 188 IPC and 3 of TNPPDL Act.	22.05.2018 at 13.50 hrs.	District Collector's Office South-West 4 KM	Mr. Murugan, Govt. Bus Driver, EDP No.9625 TNSTC Thoothukudi 25.05.2018 at 02.30 hrs.	No named accused	Unknown persons	TN 72 N 1193 government bus was damaged.	
86.	SIPCOT	275/2018	IPC, 147, 148, 188, TNPPDL 3,	22.05.2018 Between 11:00 hrs.- 16:00 hrs.	From FCI Roundana to Collectorate, South-West 4 KM	Muthiah, Supervisor, 140-Keela Theru, Nanguneri, Tirunelveli 25.5.2018 & 3.00	No named accused	Gang of protestors of Sterlite	Damaged, (OTHERS) As per Description Single leg board -48, Double leg board-25, Delinators-120, Hayard Marker 12, Keeb-120, Mediam Plantation-650 Plants, Conerpt Damage - 90SQ.M	Akbar (40), (S/o) Maitheen Battsha, 26/5/2 Kamaraj Nagar, 3ND MILI, Thoothukudi
87.	SIPCOT	276/2018	U/s 147, 148, 188, 436 IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 11.30 hrs.	District Collector's Office South-West 4 KM	Mr. Ganapathi, Dy. Director, District Rural Development Office, Thoothukudi 25.05.2018 at 03.30 hrs.	No named accused	The gang of protestors	Property damaged.	
88.	SIPCOT	277/2018	U/s 147, 148, 188, 294(b) 436m 307, 506(II) IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	Sterlite Staff Quarters near District Collector's Office, Thoothukudi South-West 04	Mr. Velmurugan, Security Guard, 2H/1477, Bharathi Nagar 5 th street, Miller Puram, Thoothukudi 25.05.2018 at 04.00 hrs.	No named accused	The gang of protestors coming from South Veerapandiapur am, Meelavittan, Madathur,	Used abusive words and throw petrol bomb. Burnt 24 AC machines.	

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					KM			Pandarampatti Villages.		
89.	SIPCOT	278/2018	U/s 147, 148, 188, 294 (b), 324, 353, 436, 506 (II) IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 12.15 hrs.	Sterlite Staff quarters Block II near District Collector's Office South-West 4 KM	Mr. Jayasankar, Gr.I PC 1140, Kovilpatti East Police Station, Thoothukudi 25.5.2018 & 4.30	No named accused	The gang of protestors.	SAMSUNG Cell Phone was robbed and Motor Cycle TN 69 G 0978 was burnt.	1. Kalilur Raguman (47), (D/o) Sayadumakathoum, 82-Gandhi Nagar 5 th Street, Tirunelveli 2. Saravanan (32), (S/o) Pandaram, Vakkile Street, Kovilpatti, Thoothukudi. 3. Mumhamadu Anesh (21), (S/o) Kalilur Raguman, 82-Gandhi Nagar 5 th Street, Tirunelveli 4. Muhamud Ersath (19), (S/o) Kalilur Raguman, 82-Gandhinagar 5 th Street, Tirunelveli 5. Kottaian (37), (S/o) Chinnan 3 Street, Ariapatti, Usilampatti, Madurai. 6. Valmurugan (40), (S/o) Chelladurai, 5/262-A-Pudupatti, Alankulam, Tirunelveli
90.	SIPCOT	279/2018	U/s 147, 148, 188, 436, 353 IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	District Collector's Office Entrance South - West 4 KM	Mr. Murugan, Gr.I PC 2346 Kulasekarapattinam, Thoothukudi 25.05.2018 at 05.00 hrs.	No named accused	The gang of protestors.	Hand held bag was burnt and cost of damage was rupees 1800.	
91.	SIPCOT	280/2018	U/s 147, 148, 188, 436 IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	District Collector's Office South-West 4 KM	Rajalakshmi, Assistant Accountant, District SC/ST Welfare Office, Collector's Office, Thoothukudi 25.05.2018 at 05.30 hrs.	No named accused	The gang of protestors	TN 69 P 7059 TVS SCOOTY PEP (two wheeler) was burnt.	

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92.	SIPCOT	281/2018	U/s 147, 148, 188, 436 IPC and Sec. 3(1) and 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	District Collector's Office. South-West 4KM.	Mr. Mariselvam, Accountant, 21, Sivanthikulam Road Bungalow Street, Thoothukudi 25.05.2018 at 06.00 hrs.	No named accused	The gang of protestors.	TN 69 BD 3580 YAMAHA FAZER (two wheeler) was aged.	
93.	SIPCOT	282/2018	U/s 147, 148, 188, 436 IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 11.00 hrs.	District Collector's office Complex South-West 4 KM.	Mr. Selvarajakumar, Old No.132 New No.166 Kaliyappar Street, Thoothukudi 25.05.2018 at 06.30 hrs.	No named accused	The gang of protestor.	TN69AK 4285 YAMAHA FZ-S (two wheeler) was burnt.	
94.	SIPCOT	283/2018	U/s 147, 148, 188 436 IPC and Sec. 3 of E.S.Act and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 12.15 hrs.	Near Arthikumar Hotel, Madathur Arch Service Road, Thoothukudi-Madurai Bye-Pass Road South-West 3 KM	Mr. Selvalingam, Bus Driver, 2/52 A. Subramaniapuram, Kurukkusalai, Ottapidaram, Thoothukudi. 25.05.2018 at 07.00 hrs.	No named accused	The protestors against the Sterlite Factory on seeing identifiable.	TN 69 P5907 (lorry) was damaged.	
95.	SIPCOT	284/2018	U/s 147, 148, 188, 436, 506 (II) IPC and Sec. 3 of ES Act and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	Sterlite Staff Quarters block II near District Collector's Office South-West 4 KM	Mr. Siyam Prasad, Security Guard, Block J1 Room No.203 Copper Second Apartment, Thoothukudi 25.05.2018 at 07.30 hrs.	No named accused	The gang of protestor	Generator was burnt.	1. Ruthaya Jebamalai (22),S/o Sahaya Arputham, 3A/108, Kamaraja Nagar west, Mappilaiyurani, Thoothukudi.
96.	SIPCOT	285/2018	U/s 147, 148, 188, 448 IPC and Sec.3 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	Sterlite Staff quarters block II near District Collector's Office, South-West 4 KM	Mr. Jesudoss, 303-I-II Block Copper Second Apartment, Thoothukudi 25.05.2018 at 08.00 hrs.	No named accused	The gang of protestor.	TN 69 P5907 (four wheeler) was damaged.	
97.	SIPCOT	286/2018	U/s 7(1)(A) CrI. Law Amendment Act and 143, 188 and 153 A IPC	25.05.2018 at 00.00 hrs.	Pandarampatti North-East 4 KM	Mr. Sasthish Narayanan, Sub Inspector of Police, SIPCOT P.S. 25.05.2018 at 08.30 hrs.	No named accused	A girl belong to Pandarampatti Village	Girl's video provoking violence among public.	
98.	SIPCOT	287/2018	U/s 147, 148, 188, IPC and Sec. 3 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	District Collector's Office South-West 4 KM	Mr. Ramesh, Jeep Driver, Dy. Director, Rural Development Office, Thoothukudi 25.05.2018 at 09.00 hrs.	No named accused	Unidentifiable gang of protestors	TN 69 G 0472 BOLERO government vehicle was damaged.	

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99.	SIPCOT	288/2018	U/s 147, 148, 188 IPC and Sec. 3 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	District Collector's Office, South-West 4 KM.	Mr. Sankar Ganapathi, Jeep Driver, Rural Development Office, Thoothukudi 25.05.2018 at 09.30 hrs.	No named accused	The gang of protestors.	TN 69 G 2548 tata sumo was damaged.	
100.	SIPCOT	289/2018	U/s 147, 148, 188, 436 IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 11.00 hrs.	District Collector's Office, Thoothukudi South-West. 4 KM	Mr. Ragu, 2/206-18 Annai Squair, Korampallam, Thoothukudi 25.05.2018 at 10.00 hrs.	No named accused	The gang of protestors.	TN 31 E 8588 SPLENDER PLUS two wheeler was burnt.	
101.	SIPCOT	290/2018	U/s 147, 148, 188 IPC and Sec. 3 of TNPPDL Act	22.05.2018 at 11.00 hrs.	District Collector office, South-West 4 KM	Mr. Radhakrishnan, General Manager, Collector's Office, Thoothukudi 25.05.2018 at 10.30 hrs.	No named accused	The gang of protestors.	Collectorate entrance was damaged.	
102.	SIPCOT	291/2018	147, 148.188, 436 IPC and Sec.3 and 4 of TNPPDL	22.05.2018 at 12.30 hrs.		Saraswathi Special Dy. Collector, District Collector's Office, Thoothukudi 28.05.2018 at 11.00 hrs.	No named accused	Gang of Sterlite protestors	Burnt Govt vehicle TN69.G0754	
103.	SIPCOT	292/2018	U/s 1247, 148, 188, 436 IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	District Collector's office. South-West 4 KM	Mr. Rajamani, Jeep Driver, Rural Development office, Thoothukudi. 25.05.2018 at 11.30 hrs.	No named accused	Unidentifiable protestors.	Public vehicle burnt	
104.	SIPCOT	293/2018	147, 148.188 IPC and Sec.3 of TNPPDL	22.05.2018 at 15.45 hrs.	Near Ettayapuram Road KTC Bus Stop North-East 7 KM	Gunasekaran, Bus Driver, ST No.99 Dr.3005, PS No.7490, TNSTC 28.08.2018 at 12.00 hrs.	No named accused	Gang of Sterlite protestors	Govt bus damaged TN63/N 1359	
105.	SIPCOT	294/2018	147, 148.188 IPC and Sec.3 of TNPPDL	22.05.2018 at 14.50 hrs.	Near Ettayapuram Road KTC Bus Stop North-East 7 KM	Muthupandi Bus driver, 2/1742 OM Sakthi Nagar, 12 th Street, Thoothukudi 25.05.2018 at 12.30 hrs.	No named accused	Gang of Sterlite protestors	Govt bus damaged TN63N 1294	
106.	SIPCOT	295/2018	U/s 147, 148, 188, 436 IPC and Sec. 3 &	22.05.2018 at 12.00 hrs.	Sterlite Quarters, Copper 2 nd Block,	Mr. Rajkumar Bask, Manager, H2-302, Copper Niketan II,	No named accused	Lots of Youth People.	Own car honda BRV I-S CVT Petrol (TN69BB6216) Was	

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			4 of TNPPDL Act.		South-West 4 KM	Thoothukudi. 25.05.2018 at 13.00 hrs..			totally burnt.	
107.	SIPCOT	296/2018		22.05.2018 (No time)	Sterlite Quarters Copper II North-East 4 KM	Ganesram, H1-301-Copper Quarters, Thoothukudi, Labour 25.05.2018 at 13.30 hrs.	No named accused	Gang of Sterlite Protestors	Damaged own vehicle TN 69 AC 3804 HYUNDAI CAR	
108.	SIPCOT	298/2018		22.05.2018 at 12.10 hrs.		Mariyappan H1-302 Copper Quarters II, Thoothukudi. 25.05.2018 at 14.30 hrs.	No named accused	Gang of sterlite Protestors	Damaged own vehicle TN 69 AL 2063 HONDA ANZE	
109.	SIPCOT	299/2018	147, 148, 188, 436, IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.		Kailasam, Doctor, G.102 Thamira Quarters II, Near Collector's Office, Thoothukudi 25.05.2018 at 15.00 hrs.	No named accused	Gang of sterlite Protestors.	Damaged own car (TN 69 AF 2061 MARUTHI), Air Conditioner, cycle	
110.	SIPCOT	300/2018	147, 148, 188, 436 IPC and Sec. 3& 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.		Sugan Bhattacharya, Manager, H1/404 Thamira II Quarters, Thoothukudi 25.05.2018 at 15.30 hrs.	No named accused	Lot of People especially Youth.	Burnt own vehicle WB 24 Y 0660 MARUTHI SWIFT DZIRE	
111.	SIPCOT	301/2018	147, 148, 188, 436 IPC and Sec. 3& 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	Sterlite Staff Quarters near District Collector's Office. South - West 4 KM	Manikandan, Factory worker, 34/8A, Prayant Nagar 4 th street, West Thoothukudi. 25.05.2018 at 16.00 hrs.	No named accused	Gang of Sterlite protestors	Own vehicle burnt TN 76 AX 4433	
112.	SIPCOT	302/2018	147, 148, 188, 436 IPC and Sec. 3& 4 of TNPPDL Act.		Sterlite Thamira Quarters II. South - West 4 KM	Rajaventhana Factory Worker, H2/302 Thamira Quarters II, Thoothukudi 25.05.2018 at 16.30 hrs.	No named accused	Gang of Sterlite protestors	Burnt own vehicle TN69AB0127 (Yamaha FZS) (TN69AL9302) Honda Amaze 1.5 VXMT	1. Thirumaran(47), S/o Ramasamy-Murgesan Nagar, Madathur-Thoothukudi. 2. Muthu Kumar (39) S/o Durai Samy, 3/17, Murgesan Nagar, Madathur Road, Thoothukudi.

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113.	SIPCOT	303/2018	147, 148, 188 IPC and Sec. 3 of TNPPDL Act.	22.05.2018 at 12.30 hrs.	Sterlite Staff Quarters. South - West 4KM	Radhakrishnan, Factory Worker, G.303, Thamira II quarters, Thoothukudi 25.05.2018 at 17.00 hrs.	No named accused	Gang of Sterlite protestors	Damaged own vehicle CG 12 AL 6660 HYUNDAI Verna	
114.	SIPCOT	304/2018	147, 148, 188, 436 IPC and Sec. 3 and 4 of TNPPDL Act	22.05.2018 at 12.30 hrs.	Sterlite Quarters Thamira II. South - West 4 KM	Lakshmanan, Factory Worker, H1/303, Thamira II Quarters Thoothukudi. 25.05.2018 at 17.30 hrs.	No named accused	Gang of Sterlite protestors	Burnt own vehicle OR 23E 5650 HERO MOTO CORP PLEASURE	
115.	SIPCOT	305/2018	3 of TNPPDL Act.	25.05.2018 at 20.15 hrs.	Muthammal Colony Govt. Bus Workshop North-East 6 KM	Sankar, Bus Driver, 14/3 North Street, Notchikulam, Kadampur, Kovilpatti Thoothukudi 25.05.2018 at 21.00 hrs.	No named accused	Unidentifiable persons	Damaged the govt bus. TN 72 N1905	
116.	SIPCOT	306/2018	147, 148, 188, 436 IPC and Sec. 3 and 4 of TNPPDL act.	22.05.2018 at 12.00 hrs.	Sterlite Quarters Thamira II. South - West 4 KM	Graze Jebaraj, Labour 1-201, Thamira Quarters II Thoothukudi. 25.05.2018 at 21.30 hrs.	No named accused	Gang of Sterlite protestors	Burnt the own vehicle (TN69BB 7868 ROYAL ENFIELD) and murder threat	
117.	SIPCOT	307/2018	147, 148, 188, 436 IPC and Sec. 3 and 4 of TNPPDL act.	22.05.2018 at 12.00 hrs.	District Collector's Office, Thoothukudi South-West 4 KM	Rajeswara Kannan, Factory Worker, 1/95, North Street, Sivagnanapuram, Kayathar, Thoothukudi. 25.05.2018 at 22.00 hrs.	No named accused	Gang of Sterlite protestors	Own vehicle damaged TN 96 9698 HERO PASSION PRO	
118.	SIPCOT	308/2018	147, 148, 188, 436 IPC and Sec. 3 and 4 of TNPPDL act.	22.05.2018 at 12.00 hrs.	Thamira II Quarters South - West 4 KM	Titun Kumar Bobi, Manager, H2/401, Thamira II, Near Collector's office, Thoothukudi 25.05.2018 at 22.30 hrs.	No named accused	Lots of people especially youth	Own vehicle burnt TN 69 BC 8966 MARUTHI BALENO ZETA CAR	
119.	SIPCOT	309/2018	147, 148, 188, 436 IPC and Sec. 3 and 4 of TNPPDL act.	22.05.2018 at 12.00 hrs.	Thamira II Quarters South-West 4 Km	Jegan Mohan, Manager, I1-203- Thamira Quarters near Collector's office, Thoothukudi 25.05.2018 at 23.00 hrs.	No named accused	Lots of people especially youth	Reg.No TN69 BC 9388 and bike (Reg No. TN 69 BC 5460 Glasses of my car and bike were broken and seats were burnt	

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120.	SIPCOT	310/2018	147,148,188,436 of IPC- TNPP (Prevention of Damage and Loss Act),1992-3 & 4	22.5.2018 & 12.30 hrs.	Tamira-II, South-West & 4.0k.m	Arputhanayagam-Manager 25.5.2018 at 23.30 hrs.	No named accused	Sterlite protest Rioters.	1. CAR Rs.1,00,000 Reg. No. TN 74 AL 9777 Volkswagen Jetta 2. Car Rs. 3,60,000 Reg. NO. TN 74 AH 8304, Hyundai Eon 3. Air Conditioner Rs. 20,000 Value of Properties stolen- 4,80,000/- Theft and damaged the private property.	
121.	SIPCOT	311/2018	147, 148, 188, 436 IPC and Sec. 3 and 4 of TNPPDL act.	22.05.2018 at 12.00 hrs.	Thamira II Quarters. South-West 4 KM	Arun Sankar, Factory Worker, I1-404 Thamira II, Thoothukudi 26.05.2018 at 00.30 hrs.	No named accused	Gang of protestors	Own vehicle damaged and murder threat. TN 69 BC 9311 BAJAJ PULSAR CAR 54000 TN 69 BA 7830 RENAULT KWID	
122.	SIPCOT	312/2018	147, 148, 188, 436 IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	Thamira II Quarters South - West 4 KM	Sumit Burman, Factory Worker Chief Security Officer, Sterlite Copper Thoothukudi 26.05.2018 at 01.00 hrs.	No named accused	Gang of protestors	Public Property damaged 1) Item - car – model/Make – chevrolet Spark LT 1.0 Description General Motors Approximate VALUE (In Rs.) 2,50,000. Remarks – Broken & partially burnt. 2) Bicycle Atlas Orange Color 10,000 Completely burnt. 3) Stroller Graco Make - Metro Cruise – 25, 000. Completely burnt. 4) AC Lloyds Make Split Outdoor Unit 30,000. Completely burnt. 5) Balcony Windows NA Glass. 30,000. Glass broken. Total. 3,45,000. Note: Car Details. 1. Car NO.- GJ 12 AE 5745. 2. Car Make Model – GENERAL	

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									MOTORS – CHEVROLET SPARK 1.0 LT. 3. Insurance Company Name – THE ORIENTAL INSURANCE COMPANY LI MITED 4.POLICY no – 131800/31 2018/1377. 5) Insurance Valid till – 21/06/18 6) Engine No – B1201248490 KC2. 7) Chassis No – MA6MF481D97024673. 8) Driving License no. of the Car owner – GJ12 -2010 - 5003777	
123.	SIPCOT	313/2018	147, 148, 188 IPC and Sec. 3 of TNPPDL Act	22.05.2018 at 12.15 hrs.	Sterlite Quarters II South - West 4 KM.	Sudhakar, Factory worker, H2-104 Thamira II, Thoothukudi 26.05.2018 at 01.30 hrs.	No named accused	Gang of protestor	Own vehicle burnt TN 69 BA 2332 MARUTI SUZUKI CIAZ	
124.	SIPCOT	314/2018	147, 148, 188m 436 IPC and Sec. 3 and 4 of TNPPDL Act.	22.05.2018 at 12.30 hrs.	Sterlite Quarters Thamira II South - West 4 KM	Gopal, Manager, Thamira II, Sterelite Complex, H2-204, Thoothukudi, Tamilnadu 26.05.2018 at 02.30 hrs.	No named accused	Lots of violent mob.	Own car damaged TN 69BB 7801 HONDA CITY	
125.	SIPCOT	315/2018	147, 148, 188, 436 IPC and Sec. 3 and 4 of TNPPDL Act.	22.05.2018 at 12.30 hrs.	Sterelite Quarters Thamira II South - West 4 KM	Gopal, Manager, Thamira II, Sterelite Complex, H2-204, Thoothukudi 26.05.2018 at 02.30 hrs.	No named accused	Gang of Sterlite protestors	Own car burnt (TN 69 BD 9151) and house window damaged	
126.	SIPCOT	316/2018	147, 148, 188, 436 IPC and Sec.3 & 4 of TNPPDL Act	22.05.2018 at 12.00 hrs.	Sterlite quarters Thamira II. South - West 4 KM	Viswanathan, H1-204, Thamira II Quarters, Thoothukudi 26.05.2018 at 03.00 hrs.	No named accused	Gang of protestors	Own vehicle burnt and property damaged. TN 69 BA 3870 MARUTI SUZUKI CIAZ, Motor cycle TN69 AE 5999, Air Conditioner	
127.	SIPCOT	317/2018	147, 148, 188, 436 IPC and Sec.3 & 4 of TNPPDL Act	22.05.2018 at 12.30 hrs.	Sterlite Quarters Thamira II South - West 4	Mugul Agarwal, G 203 Thamira II, Thoothukudi 26.05.2018 at 03.30 hrs.	No named accused	Gang of protestors	Own vehicle burnt TN 69 AL 5763 HONDA CITY	

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					KM					
128.	SIPCOT	318/2018	147, 148, 188, 436 IPC and Sec.3 & 4 of TNPPDL Act	22.05.2018 at 12.00 hrs.	Sterlite Quarters Thamira II. South West 4 KM	Kamal Jain, G 204 Thamira II Sterlite Quarters, Thoothukudi 26.05.2018 at 04.00 hrs.	No named accused	Gang of protestors	Own vehicle burnt TN 69 BA 5456 SKODA OCTAVIA	
129.	SIPCOT	319/2018	147, 148, 188, 436 IPC and Sec.3 & 4 of TNPPDL Act	22.05.2018 at 12.00 hrs.	Sterlite Quarters Thamira II. South - West 4 KM	Sudhir, H2-102 Thamira Niketan II, Sterlite Township Thoothukudi 26.05.2018 at 04.30 hrs.	No named accused	Gang of protestors	Own vehicles burnt car (mh04ef1519), Scooty (cg12AE6032) & bike (MH03AJ9967)	
130.	SIPCOT	320/2018	147, 148, 188, 436 IPC and Sec.3 & 4 of TNPPDL Act	22.05.2018 at 12.00 hrs.	Thoothukudi District collector's Office South-West 4KM	Gheetha, District Adi Diravidar and Tribal welfare Department, Thoothukud 26.05.2018 at 09.30 hrs.	No named accused	Gang of protestors	Govt vehicle fully damaged TN 69 G 0124 COMMANDER	
131.	SIPCOT	321/2018	147, 148, 188, 436 IPC and Sec.3 & 4 of TNPPDL Act	22.05.2018 at 12.00 hrs.	Thoothukudi District collector's Office South - West 4 KM	Murugan, Revenue Assistant, District Adi Diravidar and Tribal Welfare Department, Thoothukudi Dist. 26.05.2018 at 10.00 hrs.	No named accused	Gang of protestors	Own vehicle burnt TN 69 AX 8100 HERO HONDA SPLENDER	
132.	SIPCOT	322/2018	147, 148, 188 IPC and Sec. 3 of TNPPDL Act	22.05.2018 at 12.00 hrs.	Thoothukudi Thamira II Quarters South - West 4 KM	Vijayakumar, I1/202, Thamira I Quarters, Thoothukudi 26.05.2018 at 10.30 hrs.	No named accused	Gang of protestors	Own Car damaged TN 69 AH 3893 MARUTI SUZUKI SWIFT DZIRE	
133.	SIPCOT	323/2018	147, 148, 188, 436 IPC and Sec. 3 & 4 of TNPPDL Act	22.05.2018 at 12.00 hrs.	Thoothukudi Thamira II Quarters South-West 4 KM	Stephan Raj, I1-104 Thamira II Quarters, Thoothukudi 26.05.2018 at 11.00 hrs.	No named accused	Gang of protestors	Damaged my own car. TN 33 BD 8812 FORD FIESTA	
134.	SIPCOT	324/2018	147, 148, 188, 436 IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 12.30 hrs.	Thoothukudi Thamira II Quarters, South West 4 km	Santhosh Ganesan, H-401 Thamira II Quarters, College street, Thoothukudi 26.05.2018 at 11.30 hrs.	No named accused	Gang of protestors	Own vehicle burnt TN 69 BB 4485- Toyota Corolla ALTTIS 18VV (F), MOTOR CYCLE- 62000 TN 69 BE 9031 HONDA ACTIVA	

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135.	SIPCOT	325/2018	147, 148, 188, 436 IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 12.10 hrs.	Thoothukudi Thamira II Quarters South - West 4 KM	Chandrasekaran, I1/403, Thamira Niketan II. 3/13B Kalwari Nagar Thoothukudi 26.05.2018 at 12.00 hrs.	No named accused	Gang of protestors	Own vehicle burnt TN 69 AD 4452 CHEVROLET OPTRA MAGNVMTCDI LT	
136.	SIPCOT	326/2018	147, 148, 188, 436 IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	Thoothukudi Thamira II Quarters South-West 4 KM	Saravanan, H1-201 Thamira II Quarters, Thoothukudi 26.05.2018 at 12.30 hrs.	No named accused	Gang of protestors	Own vehicle (TN 52 Z 8627 HONDA SHINE) burnt and murder threat	
137.	SIPCOT	327/2018	147, 148, 188 IPC and sec. 3 of TNPPDL Act.	22.05.2018 at 12.30 hrs.	Thoothukudi Thamira II Quarters South-West 4 KM	Mahendran, I.,3 –464 Thamira II Quarters, Thoothukudi 26.05.2018 at 13.00 hrs.	No named accused	Gang of protestors	Own vehicle damaged TN 69 BC 9064 MARUTI SWIFT	
138.	SIPCOT	328/2018	147, 148, 188 IPC and Sec. 3 of TNPPDL Act	22.05.2018 at 12.10 hrs.	Thoothukudi Thamira II Quarters South-West 4 KM	Mariyappan, I3 203, Thamira II Quarters, Thoothukudi 26.05.2018 at 13.30 hrs.	No named accused	Gang of protestors	Own vehicle damaged TN 72 M 1119 TOYOTA INNOVA	
139.	SIPCOT	329/2018	147, 148, 188, 436 IPC and Sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	District Collector's Office, Thoothukudi South-West 4 KM	Ramya Devi, Dy. Tahsildar, 26/1A, Vanar 2 nd Street, Thoothukudi 26.05.2018 at 14.00 hrs.	No named accused	Gang of protestors	Own vehicle burnt TN 69 9464 TVS SCOOTY	
140.	SIPCOT	330/2018	147, 148, 188 IPC and Sec. 3 of TNPPDL Act	22.05.2018 at 12.00 hrs.	Thoothukudi Sterlite Thamira II Quarters South-West 4 KM	Kartheesan, Factory Worker, H1-101, Thamira Quarters II Thoothukudi 26.05.2018 at 14.30 hrs.	No named accused	Not mentioned	Own vehicle (TN 69 Q 0118, TN 9 AH 3447, TN 69 AL 3278 damaged and murder threat.	Guruparani (36), (S/o) Jayapandi, 8/39, Vinayagar Kovil Theru, Sivathiyapuram, Thoothukudi
141.	SIPCOT	331/2018	147, 148, 188, 436, 506 II IPC and sec. 3 & 4 of TNPPDL Act.	22.05.2018 at 12.00 hrs.	Thoothukudi Thamira Sterlite II Quarters. South-West 4 KM	Dhanavel, G.103, Thamira II, College Nagar Quarters, Thoothukudi. 26.05.2018 at 15.00 hrs.	No named accused	Gang of protestors	Own vehicle burnt. TN 69 D 0372 KAWASHKI BAJAJ	
142.	SIPCOT	332/2018	147, 148, 188 436 IPC and Sec. 3 & 4 of TNPPDL Act	22.05.2018 at 12.00 hrs.	Thoothukudi Thamira Sterlite II Quarters. South - West 4	Vijay Govinda Rao Saraf, Sterlite Residential Colony Building H1, Plot	No named accused	Gang of protestors	Own vehicle burnt. DN 09 E 1959 SWIFT DZIRE VDI BS3	

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					KM	No.104 in front of GRT Residency behind Collector's Office Thoothukudi 01.06.2018 at 18.00 hrs.				
143.	SIPCOT	333/2018	147, 148, 188 IPC and Sec. 3 of TNPPDL Act.	22.05.2018 at 12.30 hrs.	Thoothukudi Thamira Sterlite II Quarters South - West 4 KM	Venkadesh, Plot No.31, Janhassi Department, CID CCO N-2, Maharashtra 01.06.2018 at 18.30 hrs.	No named accused	Gang of protestors	Own vehicle damaged. TN 69 AH 0246 SEDAN	
144.	SIPCOT	336/2018	147, 148, 188. 436 IPC and Sec.3 and 4 of TNPPDL Act	22.05.2018 at 12.00 hrs.	Thoothukudi Thamira Sterlite II Quarters South - West 4 KM	Atish, G.302 Thamira II, College Nagar, Thoothukudi 04.06.2018 at 14.00 hrs.	No named accused	Gang of protestors	Own vehicle burnt. TN 69 BC 9750 HYUNDAI CRETRAL CAR	
145.	SIPCOT	337/2018	147, 148, 188 IPC and Sec. 3 of TNPPDL Act	22.05.2018 at 12.00 hrs.	Thoothukudi Thamira Sterlite II Qarters. South - west 4 KM	Raja Prabu, 13-404, Thamira II Quarters, Thoothukudi 04.06.2018 at 15.00 hrs.	No named accused	Gang of protestors	Own vehicle burnt TN 59 BH 1141 ALTO - 800	
146.	SIPCOT	338/2018	147, 148, 188 IPC and Sec. 3 of TNPPDL Act	22.05.2018 at 12.00 hrs.	Thoothukudi District Collector's Office. South - West 4 KM	Navaskhan, Communication of People Relation Officer, District Collector Office Complex. Thoothukudi 04.06.2018 at 18.30 hrs.	No named accused	Gang of protestors	Damaged govt property TN 04 G 0152 Tempo TN 069G 0355 Tempo TN 57 G 0093 Trax TN 04 G 0515 Tempo Trax TN 21 G 2585 Force Tempo TN 21 G 2579 Force GAMA Trax	
147.	SIPCOT	339/2018	147, 148, 188, 436 IPC and 3 &4 of TNPPDL Act.	Saturday 12.05.2018 (as mentioned in the FIR)	Thoothukudi Sterlite Thamira quarters. South - West 4 KM	Ajay Jajoo, C. 102, Fortune 361, Sama Vadodar, Gujarat 07.06.2018 at 18.00 hrs.	No named accused	Gang of protestors	Own vehicle burnt TN 69 AF 9874 HUNDAI VERNA 1.6 SXVTVT	
148.	SIPCOT	340/	147, 148, 188, 436	22.05.2018 at	Thoothukudi	Pradeep, Sterlite H2-	No named accused	Gang of	Own vehicle burnt	

S.No	Name of Police Station	Crime Number	Section of Law	Date & Time of Occurrence	Place of occurrence distance from PS	Name of Complainant with date and time.	Name of Accused if known	Accused not known	Crux of complaint	Remarks
		2018	IPC and Sec. 3 & 4 of TNPPDL Act	12.00 hrs.	Sterlite Thamira Quarters South - West 4 KM	201 Thamira II Quarters, Thoothukudi. 07.06.2018 at 18.30 hrs..		protestors	TN 69 BA 6666 HONDA NEW CITY	

Consolidation of First Information Reports Details – Thoothukudi SOUTH Police Station (36)

S.No	Name of Police Station	Crime Number	Section of Law	Date & Time of Occurrence	Place of occurrence distance from PS	Name of Complainant with date and time.	Name of Accused if known	Accused not known	Crux of complaint	Remarks
1.	Thoothukudi South P,S	297/2018	U/s 143, 188, 353 IPC	22.05.2018 at 09.50 hrs.	Near Madha Kovil, Beech Road, Thoothukudi East 02.5 KM	Mr. Esakkiraj, Head Quarter Dy. Tahsildar, Tashildar Office, Thoothukudi 22.05,2018 at 18.00 hrs.	No named accused	About 5000 persons on seeing can identifiable some persons	Unlawable assembly. disobeying 144 law.	
2.	Thoothukudi South P,S	298/2018	143, 147, 148, 353 IPC and Sec. 3 of TNPPDL Act	22.05.2018 at 10.45 hrs.	Entrance of Govt. Hospital, Thoothukudi-Palayankottai Road. 0.5 KM West.	Mr. Esakkiraj, Head Quarter Dy. Tahsildar, Tashildar Office, Thoothukudi 22.05,2018 at 18.30 hrs.	No named accused	Among the 7000 persons on seeing can identifiable some persons.	TN 69 G 0616 Govt. Vehicle damaged and also damaged the govt barriers.	<ol style="list-style-type: none"> 1. Mohamed Irshath (19), (S/o) Kalilur Rahman, 82, Ganthi Nagar 5th Street, 2. Mohamed Anas (21), (S/o) Kaleelur Rahman-82, Ganthi Nagar 5th Street, Thoothukudi 3. Kaliloor Rahman (47), (S/o) Seyyadhu Mahthum, 82, Ganthinagar 5th Street, Thoothukudi Saravanan (32), (S/o) Pandaram, 28, Lawer Street, Kovilpatti, Thoothukudi 4. Kottayan (37), (S/o) Chinnan, Ariyapatti 3 Rd Ward, 5. Thangapandian, (S/o) Velmurugan Alise Murugan (40), (S/o) Chelladurai, 5/262a, Mainroad, Puthupatti, Alangulam Taluka, Thirunelveli. 6. Gladwin (30), (S/o) Benadict,12, Panimayanagar, South Cotton Road, Thoothukudi
3.	Thoothukudi South PS	299/2018	147, 148, 341, 436 IPC and Sec. 4 of TNPPDL Act.	22.05.2018 at 12.45 hrs.	Near Thoothukudi 3 Mile West 2.5 KM	Mr. Sampath, Inspector of Police, Arumuganeri P.S. Thoothukudi 22.05.2018 at 19.00 hrss.	No named accused	Among the 1000 number of protestors on seeing can identifiable	Riot between police and protesters. TN20H 0734 (HD- 16-587),	

								person.	TN 20G 1354 (HD-16-667) govt. bolero vehicle burnt.	
4.	Thoothukudi South PS	300/ 2018	4(a) of Explosive Substances Act	22.05.2018 at 14.00 hours	Arch near Thoothukudi South Police Station. 0.05 KM North	Ms. Shanmughathai, WGr. I PC South Police station, Thoothukudi 22.05.2018 at 20.00 hrs.	No named accused	About 2000 persons on seeing can identifiable some persons.	Throwing petrol bomb.	
5.	Thoothukudi South PS	301/ 2018	353, 324, 341 IPC and Sec. 4 of TNPPDL Act.	22.05.2018 at 13.30 hours	Thoothukudi Palayankottai Raod Mud Road towards Teachers' Colony West. 2.5 KM	Mr. Jayakumaran, HC.900 CCB. Thoothukudi. 22.05.2018 at 21.00 hrs.	No named accused	On seeing can identifiable some protestors	Own vehicle burnt.	
6.	Thoothukudi South PS	302/ 2018	147, 148, 323, 324, 353, 307, 436 IPC and Sec. 3 of ES Act.	22.05.2015 at 13.00 hours	Thoothukudi Palayankottai Road FCI Codown West. 3 KM	Mr. Meenakshinathan, Inspector of Police, Oddapidaram P.S. Thoothukudi District. 22.05.2018 at 21.00 hrs.	No named accused	About 3000 persons.	Govt vehicle damaged and burnt.	
7.	Thoothukudi South PS	303/ 2018	143, 188 and 153 (A) IPC	23.05.2018 at 08.00 hours	Thoothukudi Govt. Hospital Complex Front West 02.0 KM	Mr. Velayutham, S.I. of Police, Thoothukudi South Police station, Thoothukudi 23.05.2018 at 09.30 hrs.	Mr.'Vaiko" General Secretary, MDMK and some others accompanied with him		Unlawful assembly	
8.	Thoothukudi South PS	304/ 2018	143, 188 and 153(A) IPC	23.05.2018 at 11.00 hours	Thoothukudi Chidambara Nagar near Bus stop. West 1.5 KM	Ms. Shanmugasundari, S.I. of Police, South Police Station, Thoothukudi 23.05.2018 at 11.30 hrs.	1. Balakrishnan son of Kannan 2 nd Vaithiyar Ram Street, T.Nagar, Chennai 2. Kanagaraj son of Karuppiah, 27, Vaithiyar ram street, Chennai. Communist Party member 3. Arjunan son of Seetharam, 1496, Aseervatham Nagar Street, 3 rd mile, Thoothukudi 4. Perumal, 46A VOC Nagar,		Un lawful assembly	

							Kallarai Bai Nagar, Tambaram, Chennai. 5. Poomani son of Pitchaimuthu 57 X 33M, Shanmugapuram, Muthiahpuram Thoothukudi			
9.	Thoothukudi South PS	305/2018	IPC 143,188,153A	23-05-2018 on 11:30 hrs.	GH	Shanmuga Sundari, Sub-Inspector Of Police, Thoothukudi South PS.	Kamalahasan , Makkal Neethi Mayyam, And Some Others		Stimulates people against the government.	
10.	Thoothukudi South PS	306/2018	IPC,147,148,188,353, TNPPDL 3,	23-05-2018, on 11:30 hrs.	Front side of GH WEST & 1.0 Km	Srinivasagan, Police Officer, East Police Station, Sivakasi, Virudhunagar District	Some identifiable persons.		Damaged the glass articles of GH front side.	
11.	Thoothukudi South PS	307/2018	143, 188 153 (A) IPC	23.05.2018 at 12.30 hrs.	Thoothukudi Government Hospital Complex. West 1.0 KM	Mr. Velayutham, S.I of Police, Thoothukudi South Police Station 23.05.2018 at 12.50 hrs.	Mr. Thirunavukkarau, Congress State Leader, Thoothukdi and some others accompanied with him.		Un lawful assembly.	
12.	Thoothukudi South PS	308/2018	IPC,147,148,188, TNPPDL 3,	23-05-2018 on 10:30 hrs.	Front entrance of GH, WEST & 1.0 KM	Ashokan, Head Constable, No 429, Motor Sector, Armed Reserved, Sivakangai	Identifiable 200 persons.		Damaged, Vehicle TN 63 G 0590	
13.	Thoothukudi South PS	309/2018	147, 148, 188 IPC and Sec. 3 & 4 of TNPPDL Act.	23.05.2018 at 12.30 hrs.	Thoothukudi Prayand Nagar 2 nd Street in front of 'Madasamy Yadav Kalyana Mandabam' West 2.5 KM	Mr. Magendran, S.I of Police, TSP Battalion Nu.11 F Company, Joint C Company, Rajapalayam Virudhunagar. 23.05.2018 at 13.30 hrs.	No named accused	Among the 500 persons on seeing can identifiable some persons.	TN 67 -G 0160 Leyland Bus, TN 67 G 0175 Lorry, TN 07 G 0039 Eicher Govt vehicle burnt . And govt. property damaged.	
14.	Thoothukudi South PS	310/2018	143, 188 and 153 (A) IPC	23.05.2018 at 13.45 hrs.	Thoothukudi Govt. Hospital Complex frond side. West 1.0 KM	Ms.Shanmugasundari, S.I of Police, Thoothukudi South P.S. 23.05.18 at 14.15 hrs.	Mr. Thirumavalavan, VCK and some others accompanied with him.		Unlawful assembly.	
15.	Thoothukudi South PS	311/2018	143,188,153A of IPC	23.5.2018 & 15.30	Thoothukudi, government Hospital.	Velayautham, SI Thoothukudi	Stalin ,D.M.K General Secretary		Unlawful assembly	

					West & 2.0KM	23.5.2018 at 16.00 hrs.	And Others			
16.	Thoothukudi South PS	312/2018	147, 148, 353, 323, 324, 427, 307 IPC and Sec.3 of TNPPDL Act and Sec. 3 of ES Act.	23.05.2018 at 13.45 hrs.	Thoothukudi Anna Nagar 6 th Street. North 2.5 KM	Mr. Chandran, Divisional Excise Officer, District Collector's Office. 23.05.2018 at 16.30 hours.	No named accused	About 1000 oersibs,	Public and TASMAL Property damaged .	
17.	Thoothukudi South PS	313/2018	143, 188 and 153 (A) IPC	23.05.2018 at 17.30 hrs.	Thoothukudi Govt. Hospital Complex Front side. West 1.0 KM	Mr. Shanmugasundari, S.I of Police Thoothukudi. 23.05.2018 at 18.15 hrs.	Mr. Vasan, Congress Party and some others			
18.	Thoothukudi South PS	315/2018	TNPPDL 3,	22-05-2018	South police station area, South-West & 2.0 Km	Vijaya Lakshmi, Police Officer, Inspector Of Police, Control Room, Thoothukudi 24.5.2018 & 9.00	No named accused	Non-identifiable persons	Damaged the CCTV Cameras.	<ol style="list-style-type: none"> 1. Maharajan (24), (S/o) Balakrishnan, Enamuthu Konar Compound, Anna Nagar 3rd Street, Thoothukudi 2. Rupan Salomon (25), (S/o) Lambart, Kanagaraj Compound, S.P.G. Koil Theru, Keezha Shanmugapuram, Thoothukudi 3. Vinoth Kumar (24), (S/o) Ganesa Pandian, 1e/155, Bharathi Nagar, Chinnakannu Puram, Thoothukudi 4. Manikandan (25), (S/o) Selvam, 35B, Toovipuram 3rd Street, Thoothukudi 5. Nadarajan (34), (S/O) Manoharan 58m/1a , Vannar -2nd Street, Thoothukudi 6. Karivela Muthu(33), S/O Asirvatham, Thangiah Nadar Compound, Vannar-3rd Street, Thoothukudi. 7. Nagaraj(31), S/o Palanikumar, 5/329(1), Amutha Nagar,5th street, Thoothukudi. 8. Marimuthu (34), S/o Jeyaraj, Thoothukudi

19.	Thoothukudi South PS	316/2018	IPC,147,148,188, TNPPDL 3,	22-05-2018	Tuticorin – Palayankottai Road, WEST & 3.0 Km	Mailerum Perumal, Sub Inspector Of Police, South Traffic, Thoothukudi	No named accused	Non-identifiable persons	Damaged the traffic booth, 17 barricades and 12 small barricades.	<ol style="list-style-type: none"> 1. Saravanan (44), (S/o) Sountheera Pandian, 42, Anna Nagar -2nd Street, Thoothukudi 2. Saravanan (44), (S/o) Sountheera Pandian, 42, Anna Nagar -2nd Street, Thoothukudi 3. Balakrishnan (45), (S/o) Palanisamy, 8A, Anna Nagar -2nd Street, Thoothukudi 4. Samuvel (20), (S/o) Vertchivel, 38 /1E Anna Nagar -7th Street, Thoothukudi 5. Manikandan (22), (S/o) Mariappan, Karutha Palam, Near Murugan Kalyana Mandapam, Thoothukudi
20.	Thoothukudi South PS	317/2018	IPC 147,148,324	23-05-2018 on 13:00 Hrs	Anna Nagar, 7 th street	Esakkimuthu, Police Officer, 3/12, North Kottur, Guru Kattur, Kurangani Post, N/A I Bloc – 13, Armed Reserve Quarters, 3 rd Mile, Thoothukudi 24.5.2018 & 14.00		Identifiable persons	Pelting stones on the complainant.	
21.	Thoothukudi South PS	318/2018	147, 148 IPC and Sec. 5 of ES Act.	24.05.2018 at 15.00 hours.	Anna Nagar Main Road 5 th Street junction. North West 2.5 KM	Mr. Velayutham, S.I of Police, South Police Station, Thoothukudi. 24.05.2018 at 16.00 hrs.	Eswaran son of Muniasamy, Anna Nagar 3 rd Street, Thoothukudi Sivasankar son of Karuppasamy, 32/1 Anna Nagar 3 rd Street, Thoothukudi Sathish Prabu son of Arumugasamy Annanagar 12 th Street, Thoothukudi		Threatening police officer with petrol bomb	
22.	Thoothukudi South PS	319/2018	IPC,147,148,188, TNPPDL 3,	22-05-2018	TUT, Palai road, Amma hotel near Rajaji park, and Millerpuram corporation office.	Alphi John Varkis, Govt. Official Gazetted, Commissioner, Thoothukudi Corporation, Thoothukudi		Gang of Sterlite protesters.	Damaged the Amma hotel and some places.	

						24.5.2018 at 21.30				
23.	Thoothukudi South PS	321/2018	IPC 294 (b), 353, 307, 506 (2)	25-05-2018 on 21:00 Hrs	Millerpuram junction, Tuticorin, Palayamkottai road.	Mayilerum Perumal, Sub Inspector Of Police, South Traffic Wing, Thoothukudi 25.5.2018 & 22.00	1. Balasuburamani an (24) (S/o) Karuppasamy, 77A/3 K.V.K.Nagar West, Mahilchipuram Thoothukudi 2. Athimuthu (20) (S/o) Loganathan, K.T.C. Nagar Kumaran Nagar Thoothukudi		Tried to kill me with a deadly weapon after verbally abusing me.	1. Balasuburamanian (24), (S/o) Karuppasamy, 77A/3 K.V.K.Nagar West, Mahilchipuram, Thoothukudi 2. Aathimuthu (20), (S/o) Loganathan K.T.C. Nagar, Kumaran Nagar, Near Velankanni Church, Thoothukudi
24.	Thoothukudi South PS	322/2018	IPC,143,188,153(A)	23-05-2018 on 12:00 hrs.	Tuticorin Govt. Medical College, Hospital. South & 0.5 Km	Nambirajan S, Sub-Inspector of Police, Thoothukudi South PS. 26.5.2018 & 7.30	Rajendar T		Stimulates the people against government by his speech.	
25.	Thoothukudi South PS	323/2018	IPC,143,188,153(A)	23-05-2018 on 08:00 hrs.	Tuticorin Govt. Medical College, Hospital. South & 0.5 KM	Velayutham M, Sub-Inspector of Police, Thoothukudi South PS. 26.5.2018 & 8.30	Seeman		Stimulates the people against government by his speech.	
26.	Thoothukudi South PS	324/2018	IPC,143,188,153(A)	23-05-2018 on 08:30 hrs.	Tuticorin Govt. Medical College, Hospital. South & 0.5 KM	Rajesh. S, Sub-Inspector of Police, Thoothukudi South PS 26.5.2018 & 9.00	Mutharasan		Stimulates the people against government by his speech.	
27.	Thoothukudi South PS	325/2018	IPC,143,188,153(A)	24.5.2018 on 11.30 hrs.	Government Medical College Hospital nearby. South & 0.5 KM	Muthusamy, SI Thoothukudi South 26.5.2018 & 9.30	Premalatha Vijayakanth		Stimulates the people against government by his speech.	
28.	Thoothukudi South PS	326/2018	IPC,143,188,153(A)	24-05-2018 on 12:30 hrs.	Tuticorin Govt. Medical College, Hospital. South & 0.5 KM	Shanmugan Sundari, Sub Inspector of Police, Thoothukudi South P.S 26.5.2018 & 10.00	Dinakaran		Stimulates the people against government by his speech.	
29.	Thoothukudi South PS	327/2018	IPC,143,188,153(A)	24-05-2018 on 14:00 hrs.	Tuticorin Govt. Medical College, Hospital. South & 0.5 KM	Nambirajan.S, Sub Inspector of Police, Thoothukudi South PS 26.5.2018 & 10.30	Poomail		Stimulates the people against government by his speech.	
30.	Thoothukudi South PS	328/2018	IPC 147,148,188, TNPPDL 3.	23-05-2018 on 14:00 hrs.	Junction of Muhamasad razak's	Mohamed Rasak, 44, Anna Nagar 6 th Street,		Gang of protestors.	Damaged the car, TN 01 AD	

					house in Annanagar, 6 th street.	Thoothukudi 26.5.2018 & 11.00			5476, HONDA CITY	
31.	Thoothukudi South PS	329/2018	IPC 147,148,188, TNPPDL 3.	22-05-2018	Tuticorin Govt. Medical College, Hospital. South & 0.5 KM	Lalitha, Dean, Thoothukudi Govt. Medical College Hospital, Thoothukudi 26.5.2018 & 11.30		Some of the protestors.	Damaged the glass doors and windows.	
32.	Thoothukudi South PS	330/2018	IPC 147,148,188, TNPPDL 3.	22-05-2018 on 13:50 Hrs	Near Sathya nagar, Tuticorin – Thiruchendur road. South – East & 3.0 KM	Murugan, Driver No. 12569, TNSTC Thoothukudi Town Bus Tippo, Thoothukudi 26.5.2018 & 12.00		Gang of protestors	Damaged the Govt bus rear glass.	
33.	Thoothukudi South PS	331/2018	147,148,188, TNPPDL-3	22.5.2018 & 14.00	GH Emergency ward, -South & 0.5k.m	Tamil Selvan-Taxi Driver. 108 District coordinator 26.5.2018 & 13.00	No Named accused	Rioters	Two 108 ambulance was damaged.	
34.	Thoothukudi South PS	332/2018	147,148,188, TNPPDL-4	23.5.2018&23.30	Thoothukudi, Braint Nagar 1 st street.- South & 2.0k.m	Balamurugan, Supervisor, TASMAL-9953 26.5.2018 & 14.30	No Named accused	Rioters	TASMAL shop was burnt	
35.	Thoothukudi South PS	333/2018	147,148,323,379, TNPPDL-3	23.5.2018 & 13.30	Thoothukudi, Anna Nagar 7 th street-South West & 2.ok,m	Stalin-Police Officer-27.5.2018 at 12.00 hrs.	No Named accused	Rioters	Damaged police Wakki Takkii.damage estimate-20,000.	
36.	Thoothukudi South PS	334/2018	153A,120B,504,505 (1),(B)	28.5.2018 &20.00	Thoothukudi South Police Station Limit-South-East &2.5k.m	Rajesh, Police Officer& 28.5.2018 at 21.00 hrs.	No named accused	Sterlite Protest Rioters	Spread unwanted messages worldwide through WhatsApp	

Consolidation of First Information Reports Details – Thoothukudi NORTH Police Station (15)

S.No	Name of Police Station	Crime Number	Section of Law.	Date & Time of Occurrence	Place of occurrence distance from PS	Name of Complainant with date and time.	Name of Accused if known	Accused not known	Crux of complaint	Remarks
1.	Thoothukudi North	219/ 2018	147, 148, 188, 353, 323, 324, 436, 307 and 506(II) IPC and sec. 3 of TNPPDL Act and sec. 3 of ES Act and 174 Cr.P.C.	22.05.2018 at 15.30 hrs.	Beech Road Police Quarters Northern Side. North 0.5 KM	Mr.M.Kannan, Zonal Deputy Tahsildar, Taluk Office, Thoothukudi 22.05.2018 at 20.00 hrs.	No named accused	About 400 Men and 100 women Protestors	Burnt govt. vehicle And threatening the residency of police quarters.	
2.	Thoothukudi North	220/ 2018	147, 148, 294(b) 448 and 506(II) IPC and Sec. 3 of TNPPDL Act.	22..05.2018 at 21.00 hours	Muthukirshnapuram Karuppatti Office Junction near TASMAL Shop No.9956. North West 2.0 KM	Sakthivel, Supervisor, Shop No.9956, TASMAL, 16, Masilamanipuram 2 nd street, Thoothukudi 23.05.2018 at 08.00 hrs.	1. Balaji Alagesapuram 2. Selvaraj, Pathirakaliyamm an Kovil Street and about 50 persons on seeing can identifiable.		Damaged the public property. Damaged the damaged Tasmal shop-9956	1. Maria Michel Dinesh (23), (S/o) Sahayaraj, 5/399, Rajiv Gandhi Nagar, Murugan Theater East, Side, Thoothukudi 2. Prabakar (19), (S/o) Rathinasamy, Rajiv Gandhi Nagar, Rani, Akka Compound, Murugan, Theater Near, Thoothukudi
3.	Thoothukudi North	221/ 2018	147, 148 IPC and Sec. 3 of TNPPDL Act	22.08.2018 at 02.30 hours	Beech Road, American Hospital Junction, Road towards State Bank Colony, and Ettayapuram Road North West 1.0 KM	Mr. Mayilerumperumal, S.I. of Police, South Traffic Wing i/c Central Traffic Wing, Thoothukudi. 23.05.2018 at 10.00 hrs.	1. Manthiramoorthy, Thiruvapuram 4 th street 2. Ranjith Kumar, Kurinji Nagar and On seeing can identifiable 100 persons.		Damaged the public property and damaged the barricade.	1. Manthira Moorthy (32), (S/o) Mariappan, 18/2, Thiruvapuram 4 th Street, Thoothukudi 2. Ranjith Kumar (25), (S/o) Mariappan, 160/2, Kurinji Nagar 4 th Street, Polpettai West, Thoothukudi
4.	Thoothukudi North	222/ 2018	147, 148, 448, 506 (II) IPC and 3 of TNPPDL Act.	23.05.2018 at 19.30 hours	TASMAL Shop No.9948, Ponnagaram. North West 3.0 KM	Mr. Harikrishnan, Supervisor, 81F Muthukrishnapuram 6 th street, Thoothukudi. 23.05.2018 at 21.00 hrs.	1. Renid, Madhava Nair Colony 2. Joswa Anbu Balan, Muthukrishnapur am 6 th Street 3. Thangathirumani, Krishnarajapura m And about 50 persons on seeing can identifiable.		Burnt the govt vehicle and damaged the public property and damaged the tasmal shop -9948	1. Renit (38), (S/O) Johnson, Mathavanayar Colony, Therespuram, Thoothukudi 2. Jousva Anbu Balan (37), (S/o) Amalraj 48/2C, Muthukrishnapuram 6 th Street, Thoothukudi 3. Thangathirumani (37), (S/o) Ganesan, 7/145, Krishnarajapuram East, Main Road, Thoothukudi

S.No	Name of Police Station	Crime Number	Section of Law.	Date & Time of Occurrence	Place of occurrence distance from PS	Name of Complainant with date and time.	Name of Accused if known	Accused not known	Crux of complaint	Remarks
5.	Thoothukudi North	223/ 2018	147, 148, 294(b) 448, 506(II) IPC and Sec.3 of TNPPDL Act.	23.05.2018 at 20.45 hours.	Sundaravelpuram TASMACHOP No.9969 North West 3.5 KM	Muthuraja, Supervisor, 54 Gopalsamy Street, Thoothukudi 23.05.2018 at 23.30 hrs.	1. Karthick, Krishnarajapuram 13 th street 2. Manikandan, Krishnarajapuram 13 th street and about 50 person on seeing can identifiable.		They made harm to the police. and damaged the TASMACHOP shop-9969	1. Karthick (29), (S/o) Anthonyraj, 6/169, Krishnarajapuram 3 rd Street, Thoothukudi 2. Manikandan (25), (S/o) Chandra Sekar, 6/20, Krishnarajapuram 3 rd East Street, Thoothukudi
6.	Thoothukudi North	224/ 2018	147, 148, 294(b), 506(II) IPC and 3 of TNPPDL Act	24.05.2018 at 00.30 hours	In front of the House of Complainant, Ramar Vilai. West 1.5 KM	Parveen V Rayan, Manager, 193A, Ramar Vilai Thoothukudi 24.05.2018 at 08.00 hrs.	1. Ganesh Kumar, Muthukrishnapuram 2. 2. Daniel raj, Boopalarayapuram 3. 3. Viyagularaj, Boopalarayapuram and on seeing can identifiable 10 persons.		TN 69 BD.7808 Hunda Xcent VTVT Own vehicle Damaged	1. Ganeshkumar (22), (S/o) Maharajan, 76/19, Muthukrishnapuram 6 th Street, Thoothukudi 2. Daniel Raj (19), (S/o) Makesh Kumar, Poobalarayapuram 6 th Street, Thoothukudi 3. Viyagularaj (23), (S/o) Mariababu, 76/O1, Poobalarayerpuram 6 th Street, Thoothukudi
7.	Thoothukudi North	225/ 2018	147, 148, 435 IPC and Sec.3 of TNPPDL Act.	23.05.2018 at 15.00 hours	Thoothukudi Uzhavar Sandai Complex West 4.5 KM	Mahadevan, 84/110 South Car Street, Thiruchendur, Velan Dy. Director. 24.05.2018 at 12.00 hrs.	No named accused	10 Number of Protestors	Burnt govt. vehicle TN 69 G 0846 - Mahindra Bolero TN 69 G 0668 Mahindra Bolero	
8.	Thoothukudi North	226/ 2018	147, 148, 188, 294(b), 506(II) IPC and Sec.3 of TNPPDL Act.	22.05.2018 at 14.30 hours	Thoothukudi New Bus Stand. West 4.0 KM	Ketheeswaran, Bus Driver, 2/26 P. Meenakshipuram, Ramachandrapuram Post, Vilathikulam Taluk, Thoothukudi Distr. 26.05.2018 at 18.15 hrs.	No named accused	Some of protestors those who are participated in the riots at District Collector's Office.	TN72N 1867 Damaged Govt. bus.	1. Kottaisamy (28), (S/o) Krishnamoorthy, 6/394, Ganapathy Nagar, Thazhamuthunagar, Thoothukudi 2. Balamurugan (29), (S/o) Vel Vijayan, 85H/4A, Poobalarayapuram 5 th Street, Thoothukudi 3. Suresh (29), (S/o) Murugan, 6/499, Ganapathy Nagar, Siluvaipatti Post,

S.No	Name of Police Station	Crime Number	Section of Law.	Date & Time of Occurrence	Place of occurrence distance from PS	Name of Complainant with date and time.	Name of Accused if known	Accused not known	Crux of complaint	Remarks
										<p>Thazhamuthunagar, Thoothukudi</p> <p>4. Muthumathan (22), (S/o) Aathimuthu, 53, Annai Velankanni Nagar 2nd Street, Thazhamuthunagar, Thoothukudi, Occupation - Medical Rep.</p> <p>5. Saravanakumar (20), (S/o) Prabakaran, 2, Krishnarajapuram 2nd Street West, Thoothukudi</p> <p>6. Kalieswaran (16), (S/o) Ganesan Late, 6/339/6, Ganapathy Nagar 1st Street, Thazhamuthunagar, Thoothukudi</p> <p>7. Periyasamy (19), (S/o) Ramesh, Machilchipuram, Thoothukudi</p> <p>8. Saravanan (15), (S/o) Ramesh, Machilchipuram, Thoothukudi</p>
9.	Thoothukudi North	227/2018	147,148,188,294(b), 506(2), TNPP(Prevention of Damage and Loss Act),1992-3.	22-05-2018 at 14:30 Hrs	Nearby new bus stand over bridge & WEST & 4.0 Km	Sundarraaj - 107/145 A, Millerpuram, Thoothukudi 26-05-2018 at 19:00 hrs.	No named accused	10 gang of protesters	TN-72,N 1737 Government bus front mirror damaged. Damage Value-14,000.	
10.	Thoothukudi North	228/2018	147,148,188,294(b), 506(2), TNPP (Prevention of Damage and Loss Act),1992-3.	22-05-2018 at 14:30 Hrs	Thoothukudi New Bus stand -WEST & 4.0 Km	Murugan, Driver - Bus [Govt.] 1/184/1, Bharathi Nagar, Uthumalar, Tirunelveli. 26-05-2018&19:45 hrs.	No named accused	50 Gang of Protesters	TN-74-NO871 government bus front and back mirror damaged. Value is 14,000.	
11.	Thoothukudi North	230/2018	147,148,188, TNPP (Prevention of Damage and Loss Act),1992-3.	23-05-2018 AT 15:30 Hrs	Thoothukudi Commissionerate in front of North Zonal Office - NORTH-	Ganesan, Revenue Inspector (Special) North Zone, 111I/9, Polpettai, Thoothukudi	No named accused	8 rioters	North zonal office glasses are damaged. Value is 12,809.	

S.No	Name of Police Station	Crime Number	Section of Law.	Date & Time of Occurrence	Place of occurrence distance from PS	Name of Complainant with date and time.	Name of Accused if known	Accused not known	Crux of complaint	Remarks
					WEST & 4.0 Km	28-05-2018 at 08:30 hrs.				
12.	Thoothukudi North	231/2018	147,148,188 of IPC, TNPP (Prevention of Damage and Loss Act), 1992-3.	23-05-2018 at 13:30 Hrs	Nearby St. Joseph Girls School- NORTH-WEST & 1.0 Km	Sahayamary, Govt. Official Non-Gazetted- 66A/6, Cruspuram, Thoothukudi 28.5.2018 & 10.00	No named accused	50 Gang of Protesters	Damaged the Amma Mess windows and doors, Damaged estimate is 10000	
13.	Thoothukudi North	232/2018	147,148,188, TNPP(Prevention of Damage and Loss Act),1992-3.	22-05-2018 at	TSF Junction & 14 places under the North police station jurisdiction. NORTH-WEST & 3.0 Km	Vijayalakshmi, Police Officer, Inspector, Modern Control Room, Thoothukudi. 28-05-2018 at 22:00 hrs.	No named accused	Rioters	33 government CCTV cameras are damaged by the rioters. Total loss is 9.82,000.	1. Maria Michel Dinesh (23), (S/o) Sahayaraj, 5/399, Rajiv Gandhi Nagar, Murugan Theater East, Side, Thoothukudi. 2. Prabakar (19), (S/o) Rathinasamy, Rajiv Gandhi Nagar, Rani Akka Compound, Murugan Theater Near, Thoothukudi 3. Nivin (48), (S/o) Arockiyasamy, 175H/3, Ramaiah Devar House Behind, Johnson School, Near, R.V.Puram,
14.	Thoothukudi North	233/2018	147,148,188, TNPP (Prevention of Damage and Loss Act),1992-3.	22-05-2018 at 15:00 Hrs	Threspuram share auto stand nearby- NORTH-WEST & 1.0 Km	Nickson, Govt. Official, Non-Gazetted, TAP Inspector, 85, Thachar Street, Thoothukudi 29.5.2018 & 10.00	No named accused	Gang of rioters	Plastic water tank and Iron stand are damaged. Total damaged value is 8000/-	
15.	Thoothukudi North	234/2018	147,148,188 of IPC, TNPP (Prevention of Damage and Loss Act),1992-3.	23-05-2018 at 14:45 Hrs	Uzhavar Santhai Amma Mess, WEST & 4.0 Km	Lakshmi, 25/6, Anna Nagar 2 nd Street West, Thoothukudi 29.5.2018 & 11.00	No named accused	Gang of Protesters	Damaged the Amma Mess windows and doors, damage amount is 19,287.	

Consolidation of First Information Reports Details – Thoothukudi CENTRAL Police Station (17)

S.No	Name of Police Station	Crime Number	Section of Law.	Date & Time of Occurrence	Place of occurrence distance from PS	Name of Complainant with date and time.	Name of Accused if known	Accused not known	Crux of complaint	Remarks
1.	Thoothukudi Central	168/2018	380,454 of IPC	23-05-2018 at 13:30 Hrs	Toovipuram TASMACHOP No-9951 & NORTH-WEST & 4.0 Km	Muthraja Mothi 23-05-2018 at 16:00 hrs.	No named accused	Sterlite Protesters	81,460 thousand worth TASMACHOP items are theft by the protesters.	<ol style="list-style-type: none"> 1. Parthiban (22), (S/o) Alagesan, 64 Annanagar 9th Street, Thoothukudi 2. Selvasounder (24), (S/o) Jeyakumar, 25/2 A Annanagar 12th Street, Thoothukudi 3. Marimuthu (42), (S/o) Gopalakrishnan 116/I - KV K Nagar West, Thoothukudi 4. Sudalaimuthuvel (22), (S/o) Murugesan, 25 Annanagar 10th Street, 5. Dineshkumar (28), (S/o) Alagesan, 64, Annanagar 9th Street, Thoothukudi 6. Muthukumar (39), (S/o) Perumal, 37/12 Annanagar 7th Street, Thoothukudi 7. Thanaraj (20), (S/o) Murugesan, 25 A Annanagar 10th Street, Thoothukudi 8. Sivaraman (32), (S/o) Thangappan, 107j/13 D Rajagopalnagar 4th Street, Thoothukudi 9. Marimuthu (29), (S/o) Murugesan, 256/6 Ganesh Nagar, Manthithoppu, Kovilpatti 10. Sakthi Ganesh (21), (S/o) Pichaivel, 1 E/20 B - Chinnakannapuram, Meelavittan. 11. Selvin Kovil Raj (24), (S/o) Durairaj, 5d/201 Amutha Nagar 3rd Street, 12. Naveenkumar (21), (S/o) Muthukumar, 8/134 -Pillayarkovil Street, Umarikottai 13. Velmurugan (31), (S/o) Palraj, 107 J/51 B /4 - Tmb Colony 5th

S.No	Name of Police Station	Crime Number	Section of Law.	Date & Time of Occurrence	Place of occurrence distance from PS	Name of Complainant with date and time.	Name of Accused if known	Accused not known	Crux of complaint	Remarks
										<p>Street, Thoothukudi.</p> <p>14. Jeyachandiran (29), (S/o) Mariyappan, 40 C/3 D - Thamocharanagar, Thoothukudi</p> <p>15. Shunmugavel (26), (S/o) Krishnan, 12/546 - S Kamarajpuram, Thazhamuthunagar</p> <p>16. Suresh (30), (S/o) Raju, 43 G/2d - K V K Nagar West, Thoothukudi</p> <p>17. Samsukani (34), (S/o) Kabibu Mohamed, 26/7 A Annanagar 9th Street, Thoothukudi</p> <p>18. Periyadurai (35), (S/o) Yesuvadiyan, 39/F/1 Vannar 3rd Street, Thoothukudi</p>
2.	Thoothukudi Central	169/ 2018	143,147,188,294 (b), 324, 353.506 (2) of IPC	23.5.2018 & 13.00	KVK railway gate nearby-North West & 4.0km	Lakshmanan- Police Constable, Armed Reserve 23.5.2018 at 17.30 hrs.	No named accused	Gang of Protesters	The police man got some injuries and took the treatment in GH.	

3.	Thoothukudi Central	170/ 2018	147, 148, 341, 506 (II) IPC and Sec. 4 of TNPPDL Act.	23.05.2018 at 14.45 hours	Arulraj Hospital Bridge , Pandukarai Road. North West 4.0 KM	Mr. Chinnamarimuthu, 24, Ilanthaikulam West, Vilathikulam. 23.05.2018 at 17.45 hrs.	No named accused	About 15 numbers of protestors.	Mahindra Scorpio TN 11 X 0834 Burned the own vehicle.	<ol style="list-style-type: none"> 1. Karthik (24), (S/o) Balakrishnan, 1/308 V M S Nagar, Meelavittan, Thoothukudi 2. Dharmaraj (30), (S/o) Pasupathy, 43G/ 5A, KVK Nagar West, Thoothukudi 3. Marimuthu (21), (S/o) Vijayan, 7C, Briynt Nagar 12th Street Middle, Thoothukudi 4. Sankar (39), (S/o) Udayandi, 43, G/2 KVK Nagar East, Thoothukudi 5. Murugan (30), (S/o) Ayyadurai, 12- C Briyent Nagar 12th Street, East, Thoothukudi 6. Senthilkumar (46), (S/o) Karuppan, 3/47 Melamada, Keelakarai Vali, Ramanathapuram 7. Devaraj Alwin (19), (S/o) Joseph, 75, Santhi Vinayagar Kovil Street, Thoothukudi 8. Vijayan (19), (S/o) Muthukumar, 144, B/5C Polpettai West, Thoothukudi 9. Kajamaideen (33), (S/o), Mohamed Kavus 2H/1B, K V K Nagar East, Thoothukudi 10. Pitchairaj (45), (S/O) Rathinasamy 102 K Polpettai West, Thoothukudi 11. Kasivishvanathan (27), (S/o) Palani 22 Lalkan Street, Chithambaram 12. Bharath (33), (S/o) Yesuthasan, Thiraviya puram East, Maravanmadam 13. Judebedrick (49), (S/o) Jebastin 34-A North Street, Palayakayal
4.	Thoothukudi Central	171/ 2018	147, 143, 188, 436 IPC and Sec.3 of TNPPDL Act	23.05.2018 at 19.30 hours	Toovipuram 5 th Street TASMACH shop Bar North West 4 KM	Mr. Kumar, Supervisor, 1H/886, Housing Board Millarpuram, Thoothukudi 23.05.2018 22.00 hrs.	No named accused	Gang of protestors	Property stolen. Cost (10,96,000/-) and TASMACH shop burned shop.no-9951	

5.	Thoothukudi Central	172/ 2018	147. 143, 188, 294(b), 324, 353, 506(II) IPC	23.05.2018 at 12.50 hours	4 th Railway Gate southern side North West 4 KM	Prakash, PC 914, Aranthangi Pudukottai District. 24.05.2018 at 11.00 hrs.	No named accused	Gang of protestors	Property stolen and attacked the police.	
6.	Thoothukudi Central	173/ 2018	U/s 3 of TNPPDL Act	22.05.2018 (time not furnished)	Palai Road near Veg. Market Signal, VE Road WGC Road (Distance not mentioned)	Mayilerumperumal, S.I of Police, South Traffic, Thotthukudi 24.05.2018 at 12.00 hrs.	No named accused	Gang of protestors	Damaged the police traffic booth and barricade.	
7.	Thoothukudi Central	174/ 2018	143, 188 IPC	24.05.2018 at 16.00 hours	WGC Road, in front of BSNL Office West 1.00 KM	Gandhimathi S.I of Police, Thoothukudi Central Police Station. 24.05.2018 at 17.00 hrs.	<ol style="list-style-type: none"> 1. Sundarvel Raj son of Raj, A.32, Sivagamipuram, Thiruvanniyur, Chennai. District Secretary Protection of Civil Rights. 2. Ponraj son of Kararkaraiyandi, 24/17, Prayant Nagar, Wealth street, Thoothukudi. CITU district Asst. Leader. 3. Shanmugaraj son of Thangavel, 10/76, Muppilivetti, Ottapidaram. District Joint Secretary, Protection of civil Rights. 4. Vayanaperumal son of Arumugam, 5A/30 Gladwell Colony 1st Street, West Thoothukudi, Protection of Civil Rights. 5. Mariyappan son of Sonaimuthu, 145/1A, Ettayapuram Road, Thoothukudi. CITU district Joint secretary. 6. Srinivasan son of Thiruvengadanathan 113/B Sankar Colony 2nd street, Thoothukudi. District leader protection of civil Rights. 7. Appakutty son of Chelliah, 43, Selvalakshmi Nagar, Krishnapuram, Tirunelvi Sr. Member Protection of Civil Rights. 8. Vijayalakshmi wife of Ravi, 108 X 11, Kathiresan Koil street, Kovilpatti. Ddistrict Cashier, Indian Mathar Sangam. 9. Kamala wife of Murugan, 2F / 1034 P & T Colony, Thoothukudi District Asst.Secretary 10. Kaliammal w/o Mahesan, 30A, Polpettai, Thoothukudi. Urban Leader Indian Mathar Sangam. 11. Suganthi w/o Samuel Raj, 27, Masoothi Street, Sepalkam Chennai District secretary, Indian Mathan Sangam. 12. Lakshmi wife of Muthuvel, 1/131 Madurai Coat's Colony, Soolakarai, Virudhunagar State Secretary, Indian Mathan Sangam. 13. Poomayil wife of Petchimuthu, 53X73 M Shanmugapuram, Muthiahpuram. District Secretry, Indian Mathar Sangam 14. Deivanai wife of Sankar, 30, Melagandhinagar, Sathur, Virudhunagar District Secretary Indian Mathar Sangam 15. Valanteena. wife of Sankar, 89, Varshini Road, Cuddalore. State leader , Indian Mathar Sangam. 16. Ponnuthai wife of Karunanithi, 1/156 New Street, Samayanallur. 17. Guneswari wife of Raju, 1/142, North Street, Mudhalankuruchi, Karunkulam, Srivaigundam. District leader, Indian Mathar Sangam. 18. Balabharathi d/o Kathiriappan, Kathiran Patti, Reddiyarchatram Post, Dindigul (MLA) 		They against the 144 law.	<ol style="list-style-type: none"> 1. Sundarvel Raj son of Raj, A.32, Sivagamipuram, Thiruvanniyur, Chennai. District Secretary Protection of Civil Rights. 2. Ponraj son of Kararkaraiyandi, 24/17, Prayant Nagar, Wealth street, Thoothukudi. CITU district Asst. Leader. 3. Shanmugaraj son of Thangavel, 10/76, Muppilivetti, Ottapidaram. District Joint Secretary, Protection of civil Rights. 4. Vayanaperumal son of Arumugam, 5A/30 Gladwell Colony 1st Street, West Thoothukudi, Protection of Civil Rights. 5. Mariyappan son of Sonaimuthu, 145/1A, Ettayapuram Road, Thoothukudi. CITU district Joint secretary. 6. Srinivasan son of Thiruvengadanathan 113/B Sankar Colony 2nd street, Thoothukudi. District leader protection of civil Rights. 7. Appakutty son of Chelliah, 43, Selvalakshmi Nagar, Krishnapuram, Tirunelvi Sr. Member Protection of Civil Rights. 8. Vijayalakshmi wife of Ravi, 108 X 11, Kathiresan Koil street, Kovilpatti. Ddistrict Cashier, Indian Mathar Sangam. 9. Kamala wife of Murugan, 2F / 1034 P & T Colony, Thoothukudi District Asst.Secretary 10. Kaliammal w/o Mahesan, 30A, Polpettai, Thoothukudi. Urban Leader Indian Mathar Sangam. 11. Suganthi w/o Samuel Raj, 27, Masoothi Street, Sepalkam Chennai District secretary, Indian Mathan Sangam. 12. Lakshmi wife of Muthuvel, 1/131 Madurai Coat's Colony, Soolakarai, Virudhunagar State Secretary, Indian Mathan Sangam. 13. Poomayil wife of Petchimuthu, 53X73 M Shanmugapuram, Muthiahpuram. District Secretry, Indian Mathar Sangam 14. Deivanai wife of Sankar, 30, Melagandhinagar, Sathur, Virudhunagar District Secretary Indian Mathar Sangam 15. Valanteena. wife of Sankar, 89, Varshini Road, Cuddalore. State leader , Indian Mathar Sangam. 16. Ponnuthai wife of Karunanithi, 1/156 New Street, Samayanallur. 17. Guneswari wife of Raju, 1/142, North Street, Mudhalankuruchi, Karunkulam, Srivaigundam. District leader, Indian Mathar Sangam. 18. Balabharathi d/o Kathiriappan, Kathiran Patti, Reddiyarchatram Post, Dindigul (MLA)

8.	Thoothukudi Central	175/ 2018	3 of TNPPDL Act.	22.05.2018 at 14.35 hours	Arulraj Hospital Bridge. North West 4.0 KM	Ramar, Bus Driver, 11513 Tamil Nadu State Transport Corporation, Thoothukudi Branch. 24.05.2018 at 17.30 hrs.	No named accused	Gang of protestors	TN 72 N 1365 Damaged the govt bus.	
9.	Thoothukudi Central	176/ 2018	143,147,188,of IPC and 3 TNPPDL act	22.05.2018 14.20 hours	Near Kurusparnanthu statue West 3 KM	Jagadeesan Driver,11629 Tamil nadu transport corporation branch 24.05.2018 at 17.45 hrs.	No named accused	Gang of protestors	Damaged the government bus	
10.	Thoothukudi Central	177/ 2018	341,143,147,188, of IPC and 3 TNPPDL act	22.5.18 at 15.00 hours	Veg.market in jeyarajroad North west 3 KM	Ravikumar, Bus driver, North street, sarvaspuram,ramasamy nagar post,virudhinagar. 26.05.18 at 14.30 hrs.	No named accused	Gang of protestors	Damaged the bud windows	Karuppasamy (46), (S/o) Palsamy, 50/3, Kaliyamman Kovil Street, Koosalipatti, Kovilpatti
11.	Thoothukudi Central	178/ 2018	341,143,147,188, of IPC and 3 TNPPDL act	22.5.18 at 15.10 hrs	Veg.market in jeyarajroad North west 3 KM	Bala Murugan, Bus driver, 7/61 East Street, Pilliyar kulam, Thiruvankadam, Tirunelveli.	No named accused	Gang of protestors	Damaged the window.	Karuppasamy (46), (S/o) Palsamy, 50/3, Kaliyamman Kovil Street, Koosalipatti, Kovilpatti
12.	Thoothukudi Central	179/ 2018	380,454,457 of IPC	26.5.18 At 22.00 hours	Tasmac shop number 9955 South-West 1 KM	Parthiban, 4/5/1, Subiramanipapuram, Meelavittan, Thoothukudi 28.5.18 at 10.00 hrs.	No named accused	Gang of protestors	Damaged and property stolen.	
13.	Thoothukudi Central	181/ 2018	174 Cr.P.C	28.05.18 7.45 hrs.	Tiruchendur old bus stop West 3 kms	Balagurusamy Electrician, 11, Annanagar, Tutucorin 28.5.2018 & 9.00	No named accused		Suspicious death	
14.	Thoothukudi Central	182/ 2018	147,148 of IPC 3 of TNPPDL	22.05 18 At 14.45 hrs.	Veg.market in jeyarajroad North west 3 KM	Thangavalasu,bus driver, Thalayanayakan patti,Palani ,dindukal 28.518 at 17.30 hrs.	No named accused	Gang of protestors	Damaged the bus	Karuppasamy (46), (S/o) Palsamy, 50/3, Kaliyamman Kovil Street, Koosalipatti, Kovilpatti
15.	Thoothukudi Central	183/ 2018	4(AA) OF TN OPEN PLACE (PREVENTION OF DIS FIGUREMRNT) ACT	29.05.2018 15.00 hrs.	RATHNA LODGE Mani Nagar 29.5.18 at 15.00 hrs.	Gandhimadhi, Sub-Inspector of Police, Thoothukudi Central PS 29.5.2018 & 16.00	No named accused		Uncomfortable situation because of flex.	

16.	Thoothukudi Central	184/ 2018	4(AA) OF TN OPEN PLACE (PREVENTION OF DIS FIGUREMRNT) ACT	29.05.18 at 18.15 hours	Rathna Lodge, Mani Nagar 29.5.18 at 19.00 hrs.	Gandhimadhi, Sub-Inspector of Police, Thoothukudi Central PS 29.5.2018 & 19.00	No named accused		Uncomfortable situation because of flex.	
17.	Thoothukudi Central	185/ 2018	4(AA) OF TN OPEN PLACE (PREVENTION OF DIS FIGUREMRNT) ACT	29.05.18 at 18.30 hours	Rathna Lodge, Mani Nagar 29.5.18 at 19.00 hrs.	Gandhimadhi, Sub-Inspector of Police, Thoothukudi Central PS 29.5.2018 & 19.00	No named accused		Uncomfortable situation because of flex.	

Consolidation of First Information Reports Details – Thoothukudi Pudukottai Police Station (6)

S.No	Name of Police Station	Crime Number	Section of Law.	Date & Time of Occurrence	Place of occurrence distance from PS	Name of Complainant with date and time.	Name of Accused if known	Accused not known	Crux of complaint	Remarks
1.	Pudukottai	163/2018	151 Cr.P.C.	22.05.2018 at 06.00 hours	In front of Pudukottai Union Office North 1.0 KM	Thirumalai, Inspector of Police, Pudukottai Police Station. 22.05.2018 07.00 hours	Gandhimathinathan son of Arumuga Nainar. No.1/15/1 Arumuga Nagar. Nadukoothankadu, Pudukottai, Thoothukudi District		Preventive arrest	
2.	Pudukottai	164/2018	147, 148, 341, 324, 435 IPC	22.05.2018 at 11.50 hours.	Thoothukudi to Tirunelveli 4 ways road southern side Service Road East 10.0 KM	Gomathinayagam, HC 127, V & A.C. Thoothukdu 22.05.2018 at 19.00 hours	No named accused	On seeing can identifiable 5 persons.	TN 07 G 2812 Jeep burnt.	<ol style="list-style-type: none"> 1. Manickandan (30), (S/o) Karuppasamy, No.3e/15 Sundaravelpuram, 6th Street, Thoothukudi 2. Seenivasan (37), (S/o) Gopalasamy, No.1/233 Arusunnai Nagar, paypass road, Nearthirumalai Mili Near, Avaniyapuram, Madurai 3. Gopi Ananth (25), (S/o) Selvaraj, Krishnarajapuram, 7th Street, Thoothukudi 4. Arul Miheal (43), (S/o) Dharamaraj, No.67A Vannar 2nd Street, Shanmugapuram, Thoothukudi 5. Premkumar (23), (S/o) Balaji No.157 JJR Nagar, 4th Street, Kodogaiuoor, Chennai 6. Selvaraj (50), (S/o) Rajpillai, 9A First Street, Selvanayagapuram, Thoothukudi 7. Mariappan (41), (S/o) Sornaraj, No.14/B Mannai Kavalan Street, Johnsons School, Oppside, Mattakadai, Thoothukudi 8. Rajaprabu (25), (S/o) Rajkumar, 160C/37A 5th Street, Kurichi Nagar,

S.No	Name of Police Station	Crime Number	Section of Law.	Date & Time of Occurrence	Place of occurrence distance from PS	Name of Complainant with date and time.	Name of Accused if known	Accused not known	Crux of complaint	Remarks
										<p>Thoothukudi</p> <p>9. Maniraj (32), (S/o) Masilamani Kulampatti, Kulurani Post, Aruppukottai, Virudhunagar</p> <p>10. Kannan (35), (S/o) Pitchaikani, No. 2/89 MGR Nagar, Thalamuthu Nagar, Thoothukudi</p> <p>11. Vimal (29), (S/o) Midans, No.226A Pommayarkovil Area, Thirespuram, Thoothukudi</p> <p>12. Prinso (29), (S/o) Anthony, Poopalrayapuram, 3rd Street, Sanchai Backiri Near, Thoothukudi</p> <p>13. Jothibas (22), (S/o) Paulpandi, No.5/225 Ramachandranpuram, Palayakayal, Thoothukudi</p> <p>14. Ganesan, (S/o) Shamugam, No.2/135 South Street, Agaram Palyakayal</p> <p>15. Palavesamuthu (27), (S/o) Perumal, 5/172 Ramasanthirapuram, Palayakayal, Thoothukudi</p> <p>16. Deransimbent (28), (S/o) Isbellman, 57A Santhanamariyamman Kovil Street, Kuruspuram, Thoothukudi</p> <p>17. Ajith (22), (S/o) Baskar, 288 Siluvaiyar Kovil Street, Thirespuram, Thoothukudi</p> <p>18. Renial (43), (S/o) Delinkar, 177 A /1 Kuruspuram, Thoothukudi</p> <p>19. Nares (28), (S/o) Jesuraj, 281/72 Thirespuram, Thomaikovil Street, Thoothukudi</p>

S.No	Name of Police Station	Crime Number	Section of Law.	Date & Time of Occurrence	Place of occurrence distance from PS	Name of Complainant with date and time.	Name of Accused if known	Accused not known	Crux of complaint	Remarks
										20. Eadistan (26), (S/o) Yonas, 281/53 Thirespuram, Thomaiyarkovil Street, Thoothukudi 21. Siril (45), (S/o) Penskir, Kalavasal, Thirespuram, Mandapam Ambalayar Street, Thoothukudi 22. Jhonsamuvel (23), (S/o) Durairaj, AB 36 Thevar Colony 2 nd Street, Thoothukudi 23. Karuppasamy (22), (S/o) Alagar, 4/265 East Street, Puthiyamputhur, Thoothukudi 24. Jesuraj (30), (S/o) Selvaraj, 1H/1211 C Parathi Nagar, 2 nd Street, Millarpuram, Thoothukudi 25. Thiruppathi Alwar (24), (S/o) Gopalakirushnan, 103 Kumarar Street, Near Hibar Market, Thoothukudi 26. Jayastan (33), (S/o) Mariyajesu, 175 H /5D/A Sanku Kuli Colony, Thirespuram, Thoothukudi 27. Balamurugan (26), (S/o) Kumarasamy, 2H/252 Karthivel Nagar 2 nd Street, Thoothukudi 28. Jeeva (51), (S/o) Tharmalingan, 100 Nanthagopalpuram, Thoothukudi 29. Balamurugan (32), (S/o) Lakshmanan, 49 C Selvanayapuram, 3 rd Street, Thoothukudi 30. Anthoniraj (40), (S/o) Marimuthu, 12 B / 585 Siluvaipatti, Thalamuthunagar,

S.No	Name of Police Station	Crime Number	Section of Law.	Date & Time of Occurrence	Place of occurrence distance from PS	Name of Complainant with date and time.	Name of Accused if known	Accused not known	Crux of complaint	Remarks
										<p>Thoothukudi</p> <p>31. Kunasekaran (45), (S/o) Sinnasi Thevar, Kunasing Nagar, Thalamuthunagar, Thoothukudi</p> <p>32. Muniasamy (26), (S/o) Muthuvel, 5/90 North Kalankarai, Korrapallam, Thoothukudi</p> <p>33. Stalin (36), (S/o) Alwin, 199 Vadakkuraja Theru, Mattakadai, Thoothukudi</p> <p>34. Mani (37), (S/o) Palavesamuthu, 3/78 Periyannayagapuram, Thoothukudi</p> <p>35. Selvam (27), (S/o) Ravi, 18 Panimaiya Nagar 2nd Street, Thoothukudi</p> <p>36. Iyappan (33), (S/o) Pitchaimani, 584 Visvathas Colony, Koosalipatti, Kovilpatti, Thoothukudi</p> <p>37. Devistan (25), (S/o) Devi D79/10 Poopalarayapuram, 6th Street, Thoothukudi</p> <p>38. Muthukumar (23), (S/o) Mani, 386 A/ 7 Geroge Road, Thoothukudi</p> <p>39. Mariya Vicnesh (24), (S/o) Renganathamoorathi, Type 1 1/3 Camp 1, Thermal Nagar, Thoothukudi</p> <p>40. Sukantharaj (37), (S/o) Muthaiah, 42/1 Kirushnarajapuram, 1st Street, Thoothukudi</p> <p>41. Niclass Vinith (24), (S/o) Jebamalai, 2/93 Sebasthiyar Street, Tharuvaiikulam, Thoothukudi</p> <p>42. Arulsuthagar (28), (S/o) Velraj, P & T COLONY, 4th</p>

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										<p>Street, Thoothukudi</p> <p>43. Sakthivel (34), (S/o) Selvaraj, 1/102 Jeba Asir Nagar, Maravanmadam, Thoothukudi</p> <p>44. Selvam (28), (S/o) Siluvairaj, Middle Street, Kulayankarisa, Thoothukudi</p> <p>45. Sivasubramanian (30), (S/o) Perumal, C 19 Housing Board, Korampallam, Thoothukudi</p> <p>46. Muniasamy (34), (S/o) Pattani, 7/121 Indra Nagar, Thalamuthunagar, Siluvaipatti (Post) Thoothukudi</p> <p>47. Stalin (27), (S/o) Kaliyappan, 132/1 Subbaiahmuthaliyarpuram, 4th Street, Thoothukudi</p> <p>48. Vallidurai (33), (S/o) Karuppasamy 3/110 South Street, Pudupatcheri, Ottapidaram, Thoothukudi</p> <p>49. Santhanaraj (40), (S/o) Periyasamy, 12/812 Samarviyasa Nagar, Thalamuthunagar, Thoothukudi</p> <p>50. Manikandan (35), (S/o) Raj, 12/621 Samarviyanagar, Thalamuthunagar, Thoothukudi</p> <p>51. Balakuru (28), (S/o) Esakkimuthu, 107/1 D TMB Colony, Thoothukudi</p> <p>52. Sanmugaraj (23), (S/o) Duraipandi, 7/129 Middle Street, Kootampuli, Thoothukudi</p> <p>53. Muniyathas (22), (S/o) Eswaran, No.5A/598, Sivanthakulam, Middle</p>

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										<p>Street, Murugan Kovil street, Thoothukudi</p> <p>54. Edwin Dhevaraj (22), (S/o) Aravind Jebakumar No.12, Sathya Street, Mattakadai, Thoothukudi</p> <p>55. Michael Athiban (20), (S/o) Jhonsekar, No.4/153, Kurushadi Street, Tharuvaikulam, Thoothukudi</p> <p>56. Arunmahesh (21), (S/o) Antony Joopitter, No.4/265, Loorthammal Puram, 1st Street, Thoothukudi</p> <p>57. Marimuthu (22), (S/o) Vallinayagam, No.19K/1, Sundararamapuram, Thoothukudi</p> <p>58. Methive Arunan (22), (S/o) Jelashten, No.145/1, Thireshpuram, Anna Colony, Thoothukudi</p> <p>59. Sarai Muniyandi (32), (S/o) Muthukanu, East Street, Vengatasalapuram, Kulathur, Thoothukudi</p> <p>60. Suresh (23), (S/o) Perumal, No. 5/172, Ramachandrapuram, Palayakayal, Thoothukudi</p> <p>61. Vimalkumar (25), (S/o) Veerananan, 17/C, Toove Puram, 4th Street, Thoothukudi</p> <p>62. Vicnesh (22), (S/o) Kanapathi, 163/4 Arockiyapuram, Pavisri Nagar, Thoothukudi</p> <p>63. Jhonson (25), (S/o) Kanthasamy, K V K Nagar, Muniyasamy Kovil Back Side, Thoothukudi</p> <p>64. Vinothkumar (23), (S/o) Marimuthu, 3B 380 Santhi</p>

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										Nagar 1 st Street, Thoothukudi
3.	Pudukottai	165/2018	147, 148, 353 IPC and Sec.3 of TNPPDL Act.	22.05.2018 at 12./30 hours	Opposite to Thoothukudi Employment Office Service Road East 8 KM	Kawaskar, Gr. I PC 209, Morappanadu Police Station, Thoothukudi. 23.05.2018 at 08.30 hours	No named accused	About 1000 members of Protestors	TN 69 G 0582 sumo-victa Govt vehicle burnt.	
4.	Pudukottai	166/2018	151 Cr.P.C.	25.05.2018 at 15.15 hours	Vagaikulam Airport West 2.0 KM	Vijayakumar Inspector of Police, Pudukotai Police Station.	Velmurugan son of Thirunavukkarasu, 159, Maveeran Thilan Illam, Valasarawakkam, Tamilaga vazhvu Urimai Party and 9 others accompanied with him		Preventive arrest	
5.	Pudukottai	167/2018	Non act(accidental fire)	25.05.2018 at 0.00 hours to 00.00 hours	Korrapalam union office, earth worm vermicompost EAST & 10.0 Km	Pramasivan GOVT. OFFICIAL NON-GAZETTED : UNION SEYALAR, KORAMPALLAM UNION, THOOTHUKUDI . 26.05 2018 At 16.30 hours	No named accused		Vermicompost was set ablaze	
6.	Pudukottai	170/2018	TNPP(Prevention of Damage and Loss Act),1992-3.	26.5.2018 & 21.25	Nearby Pudukottai new bridge-EAST & 2.0 Km	Perumal-Government Bus driver, 26.5.2018 & 23.00	No named accused	Two people came by bike.	TN 72N 1861-Government bus back glass damaged.	1. Pon Esakki (24), (S/o) Mohan Dass, No.4/229 Mahichipuram, Anna Nagar, 12 th Street West, Thoothukudi. 2. Karuppasamy (22), (S/o) Palanisamy, Esakkiamman Kovil Back Side, KTC Nagar, Ettayapuram Road, Thoothukudi

Other Police Stations (18)

S. No	Name of Police Station	Crime Number	Section of Law.	Date & Time of Occurrence	Place of occurrence distance from PS	Name of Complainant with date and time.	Name of Accused if known	Accused not known	Crux of complaint	Remarks
1.	Puthiamputhur Police Station	62/ 2018	151 of Cr.P.C.	22-05-2018 on 11.00 hrs	Puthiamputhu Junction. EAST & 13.0 Km	Mathavaraja Sub-inspector of Police, Puthiamputhur PS. 22-05-18 11.30 hrs.	Anitha (29) (w/o) Muthuraj, 17/694, Samarviyas Nagar, Thalamuthunagar And 31 more		Unlawful assembly.	
2.	Puthiamputhur Police Station	63/ 2018	3(1) of TNPPDL Act.	22.05.2018 at 15.00	Puthoorpandiapuram near. North east 14 km.r toll gate.	Uma Shankar government bus driver. 33B, Poldandpuram 1 st Street, Tuticorin. 26.5.2018 at 19.00 hrs.	No named accused	Identifiable two persons from a two wheeler.	TN72 N 1973 Damaged the vehicle.	
3.	Puthiamputhur Police Station	64/ 2018	3(1) of TNPPDL Act.	23.5.2018 at 7.15 hours	Puthoorpandiapuram near toll gate. North east 14 km.	Kaniarsan, Govt. bus driver 4/211, Ganga Parameswari Colony, Sangaraperi, Thoothukudi	No named accused	Identifiable two persons from a two wheeler.	TN72N1375 Damaged caused to the government bus.	
4.	Puthiamputhur Police Station	65/ 2018	TN PUBLIC PROPERTY (PRVNT.OF DAMAGE & LOSS) ACT, 1992 3(1)	22-05-2018 15:30 Hrs	Puthoorpandiapuram near toll gate. North east 14 km.	Jerold Johnson Inbaraj, Driver - bus [govt.] 2/15, School Street, Meignanapuram,, Thiruchendur Tk- 628210	No named accused	Identifiable two persons from a two wheeler.	TN72N1906 Damaged the bus.	
5.	Sayarapuram Police Station	37/2018	147, 148, 448, 379, 506(II) IPC and 3(1) of TNPPDL Act.	24.05.2018 at 11.30 hours	Sayarapuram Bazar TASMACHOP No. 9933 West 1.0 KM	Mani, Supervisor Shop No.9933, Sayarapuram 24.05.2018 at 15.00 hours	1. Balamurugan son of Bala Singh, Sebathiahapuram 2. Kartheesan son of Bala Singh Sebathiahapuram 3. Padmanabhan son of Inbaraj, Sebathiahapuram 4. Wilson Maharaja son of Malu Martin –do- 5. Saravanakumar son of Balasubramaniam –do-		Tasmach damaged and property stolen. shop.no:9933	Sivaguru Shanmugaraj (34), (S/o) Jeyapandiyan 8/39, Vinayagar Koil Street, Sebathiahapuram

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							6. Hariharasudharson son of Dhanasekar, -do- 7. Jegadeesh son of Chokkalingam -do- 8. Ajith son of Johnson -do- 9. Johnson son of Chokkalingam -do- 10. Mariselvam son of Muthumalai -do- 11. Ragool son of sasideharan -do- 12. Sivagurushanmugaraj son of Jayapandian -do- 13. Karthick son of Janarthanam -do- 14. Murugan son of Shanmuga Nadar -do- 15. Raja son of Tamilarasu -do- 16. And some others			
6.	Sayarpuram Police Station	38/2018	147, 148 IPC and Sec. 3 (1) of TNPPDL Act.	24.05.2018 at 12.30 hours	Near Sayarpuram Selection grade Town Panchayat Office East. 0.2 KM	Muthukrishnan, Executive Officer, Selection Grade Twon Panchayat, Sayarpuram 24.05.2018 at 15.30 hours	No named accused	Some unidentifiable persons.	SAYERPURAM panchayat office damaged.	
7.	Sayarpuram Police Station	39/2018	174 Cr.P.C	25.05.2018 at 13.00 hours	Kothalari Vilai Complainant's House South 6.0 KM	Kathiravan, Labourer, 1/158A, Antoniyar Kovil street, Kothalari Vilai. 25.05.2018 at 19.00 hours.	No named accused		Suspicious death.	
8.	Muthiahpuram Police Station	118/2018	147, 148, 188, 436 IPC and 4 of TNPPDL Act.	24.05.2018 at 01.00 hours.	Muthiahpuram Police Station Compound North	Sahayarani, W Gr.I PC.603, Muthiahpuram Police station, Thoothukudi 24.05.2018 at 08.00 hrs.	No named accused	More than 6 persons	Burnt govt officers vehicle.	

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9.	Muthiahpuram Police Station	119/2018	174 Cr.P.C.	25.05.2018 from 15.00 hours to 17.50 hours.	Complainant Residence at thoppu Street. North East 1.5 KM	Murugan, Labour, 3/40-9 Thoppu Street, Muthiahpuram. 25.05.2018 at 23,00 hours.	No named accused		Suspicious death.	
10.	Thiruchendur	129 /2018	341,143,188 OF IPC.	22-05 ON 18:00 Hrs	THIRUCHENDUR BHAGAT SINGH BUS STAND. NORTH-WEST & 1.5 Km	KARTHIKEYAN VILLAGE ADMISTRATIVE OFFICER, KEELA TIRUCHENDUR 22.05.2018 18.00 HOURS.	1. Tamilkutty (37) (S/o) Pulamadan ,1/227, Kanavilai street, Ammanpuram 2. Sangatamilan (s/o) Arumuganainar ,39, North Mariyamman Kovil Street Tiruchendur 3. Suthakar (40) (s/o) Yasuvadiyan ,4/23, Middile street, Eluvarimutthi, Nazareth 4. Dhanuskodi (30) (s/o) Sivalingam, 251, Middle Street, Mutthaiapuram 5. Naseer (s/o) Ayyadurai, 28,North street, Sathakulam 6. Antony [Tamilvalavan] (40) (s/o) Siluvaimuthu, 4/71,Ambethkarnagar Kalvilai post, Meignanapuram 7. Manivannan (42) (s/o) Natarajan, Thoppur 8. Gunaseelan (38) (s/o) Vel, 3/2,Kombudaiyar street, Udankudi 9. Sodaravi (39) (s/o) Arumuganadar, 228,Saanthanamariyamman kovil street, Tiruchendur 10. Mathimaharajan (21) (s/o) Ramakrishnan ,1/207a, Muthunagar Veerapandiyapattinam 11. Sankar (43) (s/o) Thangavel ,		UNLAWFUL ASSEMBLY.	1. Tamilkutty (37) (S/o) Pulamadan ,1/227, Kanavilai street, Ammanpuram 2. Sangatamilan (s/o) Arumuganainar ,39, North Mariyamman Kovil Street Tiruchendur 3. Suthakar (40) (s/o) Yasuvadiyan ,4/23, Middile street, Eluvarimutthi, Nazareth 4. Dhanuskodi (30) (s/o) Sivalingam, 251, Middle Street, Mutthaiapuram 5. Naseer (s/o) Ayyadurai, 28,North street, Sathakulam 6. Antony [Tamilvalavan] (40) (s/o) Siluvaimuthu, 4/71,Ambethkarnagar Kalvilai post, Meignanapuram 7. Manivannan (42) (s/o) Natarajan, Thoppur 8. Gunaseelan (38) (s/o) Vel, 3/2,Kombudaiyar street, Udankudi 9. Sodaravi (39) (s/o) Arumuganadar, 228,Saanthanamariyamman kovil street, Tiruchendur 10. Mathimaharajan (21) (s/o) Ramakrishnan ,1/207a, Muthunagar Veerapandiyapattinam 11. Sankar (43) (s/o) Thangavel ,

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							4/32,Kalvilai Meignanapuram			4/32,Kalvilai Meignanapuram
11.	Thiruchendur	131/2018	143, 188 OF IPC	24-05-2018 on 14.00 hrs	Thiruchendur Bhagat Singh Bus Stand. North-west & 1.5 km	Karthikeyan, Village Administrative officer, Keela Tiruchendur 24-05-2018 on 14.30 hours	Village Administrative Officer, Keela Tiruchendur And 54 male and 3 female members of dmK party.		Unlawful assembly.	
12.	Kovilpatti West	234/2018	TNPPDL Act-3	22.5.2018 & 17.20	Ilayarasnendhal service road	GopalaKrishnan-Bus Driver (Government) 22.5.2018 & 19.00	No named accused	Two persons	TN 74, N 1703 Government bus front mirror was damaged.	
13.	Kulasekara pattinam	93/2018	341,143,188	24.5.2018 & 14.30	Udangudi Bazar Junction & west & 6.0k.m	Anandakumar-Inspector of Police, Kulasekarapattinam 24.5.2018 & 15.30	Bala Singh(52), S/O Perumal, North Street, DMK Udankudi, Union Secretary	11 members from DMK	Un law ful assembly	
14.	Thattarmadam	49/2018	147,148, 341, 294(b) 353, 506(2), TNPPDL-3	22.5.2018 & 16.15	Periyathalai Village main raod-East & 9.0k.m	Avudaiyappan, Conductor, TN Transport Corporation, Thiruchendur.	1. Vijay, West street, Periyathalai 2. Jocksan, West street Periyathalai 3. Jeyastean, West street Periyathalai 4. Villiyam, West street Periyathalai 5. Yoodis, West street Periyathalai 6. Yesge, West street Periyathalai 7. Mano, East street, Periyathalai	200 Village people	Government bus damaged	
15.	Sattankulam	110/2018	IPC 341, 143, 188	24-05-2018 on 14:00 Hrs	Infront of Kamaraj statue, Sattankulam. EAST & 1.0 Km	ALWAR, SUB-INSPECTOR OF POLICE, SATTANKULAM PS.	1. Joseph A S (54) (S/o) Selvaraj Nadar, 21/10b, RC Sannathi Street Sathankulam DMK Joint Secretary, sathankulam 2. Soundhirapandi (95) (S/o) Aditha Nadar, 3/63 Subramaniyapuram, Mudaloor road Sathankulam 3. Mariyappan (41) (s/o) Sivasubramaniyan, Thattar South Street, Sathankulam		Condemning protest against CM.	

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							4. Rajapandi (55) (s/o) Urundaimani nadar, South Street, Chokkalingapuram 5. Velu (81) (s/o) kumar, 37/55 Veerakumara pillai street, South car street Sathankulam 6. Joseph (70) (s/o) Devasagayam, CSI Kovil Street, Thailapuram 7. Elango (58) (s/o) Maharajan,155, Main road Sathankulam 8. Rajapandi (63) (s/o) Katteri Nadar ,12/123, Pannaivilai Thatchanvilai 9. Singaraj (74) (s/o) Chellaiah ,RC North street Sathankulam 10. Karthikeyan (52) (s/o) Subramaniyan ,44/52 Thattar west street Sathankulam 11. Paulraj (63) (s/o) Manuvel Nadar, Middle Street Kalunguvilai 12. Aaron Devadas (54) (s/o) Nallathambi Nadar, Church street Chokkalingapuram 13. Singaraj (81) (s/o) Paul Savarimuthu, Puthuveda Kovil street Sathankulam 14. Chinnathambi (81) (s/o) Muthumalai Devar, 3/95 Thavasiyapuram Sathankulam 15. Nainar (50) (s/o) Maharajan ,171-1/8 South Pannamparai 16. Ravichandran (29) (s/o) Rajendran ,4/125 Perumalkulam, Sathankulam 17. Veldurai (41) (s/o) Sangarapandi , No 3 Matha kovil street, Subburayapuram 18. Viyagappan (57) (s/o)			

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							Arocikyapazham ,7/4 Chettiyar, South Street sathankulam 19. Jeyaraj (62) (s/o) Balaiah Nadar ,43/6 Illaiyaneri South Street Kombankulam 20. Gnanasekar (48) (s/o) Muthupandi Nadar ,6/21 West street, Ilaiyaneri 21. Gurusamy (58) (s/o) Sangaralingam ,33/37 Pathirakaliyamman kovil Street Sathankulam 22. Mrugan (70) (s/o) Ponnaiah Nadar ,7A, Asirvathapuram Sathankulam 23. Piramuthuthangam (65) (s/o) Shanmuga Sundara Pillai, Murugan kovil street, Puthukulam 24. Williams (29) (s/o) Yesuvadiyan ,4/111, Keeloor, Puthantharuvai 25. Senathipathy (69) (s/o) Vadivel, 42A Kovil street Kuvaikinaru			
16.	Kayathar police station.	117/2018	341, 294(b), 324, 353, 332, 307, 506(2) of Indian Penal Code 1860 and 3 (1) of TNPPDL act.	22-05-2018 at 16:50 hours	On the way to Kayatharu to Kalukumali near service road. NORTH & 2.0 Km	MUTHURAJ DRIVER - BUS [GOVT.] (g). Address: THENNAMPATTI, KADAMBUR, 22-05-2018 @ 18:00 Hrs	1. Sankilipandi (s/o) krishnasamy, North Elanthaikulam 2. Kalipandi (s/o), Poolpandi, North Elanthaikulam		TN 69 BZ 1746 BUS WAS DAMAGED .DRIVER WAS INJURED.	
17.	Tharuvaikulam	48/2018	147,148,448, 294 (b), 379, 506(2), TNPPDL Act 1992-3(1)	24.5.2018 & 17.00	Samathuvapuram TASMAL shop 9947-South-West &4.0km	Bala Subramanian 24.5.2018 & 21.00	No named accused	6 unknown peoples	Liquor bottles are stolen and damaged the shop.	
18.	Seidunganallur	60/2018								Blocked by Competent Authority(Death of Valiammal)

Court litigations

Several litigations were filed in respect of the 1st and 2nd Copper Smelters, which are listed below.

S.N.	Case	Parties	Forum	Details / Status
1.	W.P.15501-15503/1996	National Trust for Clean Environment – Petitioner	Madras High Court - PIL	Challenged the Environmental Clearance granted by the MoEF and Consent orders under Air Act and Water Act granted to Unit-I by TNPCB
2.	W.P. 5697/1997	V.Gopalaswamy-Petitioner	Madras High Court - PIL	Seeking a direction to Sterlite to stop operating the plant- inter alia
3.	W.P. 16861/1998	CITU-Petitioner	Madras High Court - PIL	On the issue of failure to take safety measures in the 1 st Plant leading to many accidents
<p>By a common order dated 28.9.2010 all the Writ Petitions listed at 1, 2, 3 above were decided and the plant was ordered to be shut down by a Division Bench of the Madras High Court.</p> <p>The Closure Order was stayed by SC on appeal (See below) by Sterlite on 01.10.2010</p>				
4.	Civil Appeal-2776-2783/2013	Sterlite Industries-Appellant	Supreme Court of India	In 2013, Supreme Court set aside the order dated 28.9.2010 of the Madras High Court. While acknowledging the large scale pollution and also the misrepresentations of the

				Appellant-Sterlite ordered to pay damages of 100 crores however allowed to continue operations.
5.	WP	Patchammal- Petitioner	Madras High Court - PIL (Madurai)	On slag dumping near water bodies in Pudukottai village, Tuticorin Taluk. (Status Not Known)
6.	Appeal No. 23/2013 and 24/2013 dated 01.04.2013	Sterlite- Appellant	National Green Tribunal (Southern Zone)	Against the closure order of 23.03.2013 of TNPCB pursuant to the gas leak.
		Fatima- Intervenor	NGT	Impleaded in the above appeal by Sterlite
		V.Gopalaswamy- Intervenor	NGT	Impleaded in the above appeal by Sterlite
7.	Appeal No 57 and 58/2013	Sterlite – Appellant	NGT	Above matter transferred from SZ to Principal Bench, New Delhi
		On 08.08.2013, NGT verdict in favour of Sterlite, after an expert committee conducted an inspection and submitted a favourable report.		
8.	SLP Civil Appeal 8773 to 8774 of 2013	TNPCB- Petitioner	Supreme Court of India	Against the above NGT Verdict, on technical grounds that NGT ought not to have entertained the appeal, as the rightful forum for the appeal was the Appellate Authority

				constituted under Air and Water Acts.
9.	W.P. 13810/2009	Pushparayan- Petitioner	Madras High Court - PIL	<p>Seeking to challenge the environmental clearance granted on 01.01.2009 for Unit-II with 1200 tpd capacity on the ground that EC was obtained without Public Consultation wrongfully invoking an exemption from public hearing clause that applied only to units proposed to be located within notified industrial estates.</p> <p>Dismissed on 28.04.2016 because all Respondents represented that the proposed smelter would be within the existing notified SIPCOT Industrial Complex</p>
10.	WP Number Not known	Muthuraman- Petitioner	Madras High Court - PIL	Seeking to cancel the lease deeds issued by SIPCOT to Sterlite
11.	Appeal No. 36 and 37/2018	Sterlite – Appellant	Tamil Nadu Environment Appellate Authority	Against the order dated 09.04.2018 of TNPCB wherein the consent to operate for Unit-I was not renewed.

				<p>Fatima, V.Gopalaswamy and others have impleaded themselves in this.</p> <p>Case is pending.</p>
12.	WP (MD) 9283 of 2018	V.Gopalaswamy-Petitioner	Madras High Court - PIL	<p>Seeking a direction to not extend any license or clearance to Sterlite and close down existing operations of Sterlite.</p>
13.	WP (MD) 11220/2018	Fatima-Petitioner	Madras High Court - PIL	<p>Challenging the environmental clearance dated 01.01.2009 (extended on 15.07.2015 and 02.03.2016) to Unit-II. The court granted an interim order on 23.05.2018 directing Sterlite to stop all activities at the second smelter and also asked the MoEF to consider the application for fresh clearance by Sterlite within 4 months with a mandatory public hearing.</p>
14.	SLP	Ramasubbu	Supreme Court of India	<p>Against NGT order regarding slag dumping along Uppar river. Admitted and notice issued.</p>

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.9.2010

CORAM:

THE HONOURABLE MR.JUSTICE ELIPE DHARMARAO
AND
THE HONOURABLE MR.JUSTICE N.PAUL VASANTHAKUMAR

V /

Writ Pétitions No. 15501 to 15503 of 1996. 5 769 of 199 7.
16861 of 1998

and
W.M.P.Nos.21272. 21274. 21275. 21276. 21278/1996: 9593/1997: 8044 to
8046/1999 and 102 74/1999

IV.P.No. 15501 of 1996:

National Trust for Clean Environment
(Reg.No.762/94),
rep.by its Secretary,
No. 149, Thambu Chetty Street,
IV Floor,

Madras-1. ... Petitioner

Vs.

- 1 .Union of India,
rep.by its Secretary,
Ministry of Environment and forest,
New Delhi.
- 2.The State of Tamilnadu,
rep.by its Secretary,
Department of Environment,
Fort St.George,
Madras-9.
- 3.Tamilnadu State Pollution Control Board,
rep.by its Chairman,
No. 100, Anna Salai,
Madras.
- 4.Melavattan Panchayat Union,
rep.by its President.
V.O.Chidambaram District.

5.M/s.Steriite Industries (India) Limited,
rep.by its Chairman and Managing Director,
No. 12, Maker Chamber III,
Nariman Point,
Mumbai-400021.

6.J.Sasikumar ... Respondents
(R.6 impleaded as per the order of the Court
dated 18.12.1998 made in WMP.No.29116/1998)

W. P. Nos. 15502 & 15503 of 1996:

National Trust for Clean Environment
(Reg.No. 762/94),
rep.by its Secretary,
No.149, Thambu Chetty Street,
IV Floor,
Madras-1. ... Petitioner

Vs.

1.Union of India,
rep.by its Secretary.
Ministry of Environment and Forest,
New Delhi.

2.The State of Tamilnadu,
rep.by its Secretary,
Department of Environment,
Fort St.George,
Madras-9.

3.Tamilnadu State Pollution Control Board,
rep.by its Chairman,
No. 100, Anna Salai,
Madras.

4.Melavattan Panchayat Union,
rep.by its President,
V.O.Chidambaram District.

5.M/s.Sterlite Industries (India) Limited,
rep.by its Chairman and Managing Director,
No. 12, Maker Chamber III,
Nariman Point,

3

Mumbai-400021.

... Respondents

W.P.No.5769 of 1997:

V.Gopaiswamy,

General Secretary,

M.D.M.K.Political Party,

'Thayagam', Chennai-600008.

... Petitioner

Vs.

- 1.Union of India,
rep.by its Secretary,
Ministry of Environment and Forests,
New Delhi-3.
- 2.The State of Tamil Nadu,
represented by its Secretary,
Department of Environment and Forests,
Fort St.George, Chennai-600009.
- 3.The Central Pollution Control Board,
represented by its Chairman,
Central Pollution Control Board,
New Delhi.
- 4.Tamilnadu State Pollution Control Board,
represented by its Chairman,
100, Anna Salai,
Chennai-600002.
- 5.The District Collector,
V.O.C.Chidambaranar District,
Tuticorin.
- 6.M/s.Sterlite Industries India Limited,
represented by its Chairman and Managing Director,
12, Maker Chamber Iii, Nariman Point,
Mumbai-400021.
- 7.M/s.Sterlite Industries India Limited,
represented by its Chairman and
Managing Director,
SIPCOT Complex,
Tuticorin.

SJ.Sasikumar

... Respondents

(R.8 impleaded as per the order dated 18.12.1998)

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in WMP.No.29117/1998)

W.P.No.16861 of 1998:

K.Kanagaraj,
Secretary, CITU District Committee,
16, MasilamShipuram Third Street,
Thoothukudi-628008. ... Petitioner

Vs.

1 .State of Tamil Nadu,
represented by Secretary to Government,
Industries Department,
Fort St.George,
Chennai-600009,

2.Tamil Nadu Pollution Control Board,
rep.by Member Secretary,
No. 100, Anna Salai, Guindy,
Chennai.

3.Union of India,
represented by Secretary to Government,
Department of Environment,
South Block.
New Delhi.

4.The District Collector,
Thoothukudi District,
Thoothukudi.

5.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

6. Sterlitç. Limited.
SIPCOT Industrial Complex,
Thoothukudi-628008. ... Respondents

WMP.Nos.8044 to 8046 of 1999
in WP.Nos. 15501 to 15503 of 1996 resoectively:

Communist Party of India,
Chidambarannar District.
rep.by District Secretary ... Petitioner

S

Vs.

- 1.National Trust for Clean Environment,
rep.by its Secretary,
No.149, Thambu Chetty Street,
IV Floor, Chennai-600001.
- 2.Union of India,
rep.by its Secretary,
Ministry of Environment & Forest,
New Delhi.
- 3.State of Tamil Nadu by its Secretary,
Department of Environment,
Fort St.George,
Chennai-600009.
- 4.Tamil Nadu State Pollution Control Board,
rep.by its Chairman,
100, Annasalai,
Chennai-5.
- 5.Meelavittan Panchayat,
rep.by its President,
V.O.Chidambaram District.
- 6.M/s.Steriite Industries (India) Ltd.,
rep.by its Chairman & Managing Director
- 7.J.Sasikumar ... Respondents

All the Writ Petitions are filed under Article 226 of the Constitution of India.

W.P.No. 15501 of 1996 has been filed praying to issue a Writ of Certiorari, to call for the records of the first respondent relating to order bearing No.J-11012/111/94-1A? 11(1) dated 16.1.1995, granting environmental clearance to the fifth respondent company to set up its copper smelting plant at Tuticorin and quash the same.

W.P.No. 15502 of 1996 has been filed praying to issue a Writ of Certiorari, calling for the records of the third respondent Board relating to consent orders dated 25.5.1995 granting consent to the fifth respondent company to establish its copper smelting plant at Tuticorin under the Water (Prevention and Control of Pollution) Act and the Air (Prevention and Control of Pollution) Act and quash the same.

W.P.No. 15503 of 1996 has been filed praying to issue a Writ of Certiorari, to call for the records of the second respondent, relating to order bearing Letter

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Ms.No. 159/TC, dated 17.5.1995 granting environmental clearance to the fifth respondent Company to set up its copper smelting plant at Tuticorin and quash the same.

W.P.No.5769 of 1997 has been filed praying to issue a Writ of Certiorari and Mandamus to call for the records of the first respondent relating to the order bearing No.J. 11 OI2/111/94.1 AP. 11(1) dated 16.1.1995 and of the second respondent in Ms.No. 159/TC dated 17.5.1995 granting environmental clearance to the Copper Smelter Plant of M/s.Sterlite Industries (India) Limited in/near Tuticorin in V. O. Chidambaranar District and quash the same and direct the respondents to stop forthwith the operation of the Copper Smelter Plant of M/s.Sterlite Industries (India) Limited in/near Tuticorin and close it down.

W.P.No. 16861 of 1998 has been filed praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to take suitable action against the sixth respondent for its failure to take suitable safety measures resulting in pollution and industrial accidents and to ensure that the sixth respondent takes suitable safety and pollution control measures in their Copper smelting plant at Thoothukudi.

WMP.Nos.8044 to 8046 of 1999 in W.P.Nos.15501 to 15503 of 1996 respectively praying to implead them as party respondent to the respective writ Petition.

* * *

For petitioners in
W.Ps.15501 to 15503/96 : Mr.V.Prakash, Sr.Counsel for
M/s.G.Rama Priya
For petitioner in : Prof.S.Krishnasamy
W.P.No.5769/1997

For petitioner in : Mr.P.V.S.Giridar
W.P.16861/1998

For R.5 in W.Ps. : Mr.C.A.Sundaram, Sr.Counsel
15501 to 15503/1996, for M/s.V.Nataraj
R.6 & R.7 in
WP.5769/97 & for
R.6 in WP.16861/1998

For R.3 in W.Ps. : Mr.Ramanlal
15501 to 15503/1996,
R.4 in WP.5769/1997 &
for R.2 in WP. 16861/1998

For R.6 in WP.15501/96, : M/s.R.Yashodvardhan
who is R.8 in WP.5769/97

For petitioner in ; Mr.V.Krishnamurthi
WMP.Nos.8044 to 8046/99

COMMON ORDER

ELIPE DHARMARAO. J.

All these writ petitions have been filed challenging and questioning the establishment of the Copper Smelting Plant at Thoothukudi by Sterlite Industries (India) Limited (hereinafter referred to as the 'Company') by various organisations or representatives of recognised political parties.

2. The core contention urged on behalf of the writ petitioners and also the petitioner in WMP.Nos.8044 to 8046 of 1999 in WP.Nos.15501 to 15503 of 1996 is that the Company in question proposed to set up a Copper Smelting Plant at Tuticorin for which, under the impugned Orders, necessary permissions were granted by the State and Central Government and also by the Pollution Control Board, without bothering about the pollution and health hazards posed by such a Plant. It is also their case that the said Plant though was originally proposed to be set up at Gujarat and Goa, owing to local opposition in both the States, was shifted to Ratnagiri in Maharashtra and though the Government of Maharashtra cleared the proposal and granted permission to the Company to set up its copper smelting plant, subsequently, owing to stiff opposition from the people of Ratnagiri on the ground that the pollution caused by the industry would have an adverse impact on the flora and fauna in the region and would also adversely affect the marine environment in the coastal area of Ratnagiri and that the information given by the Company to the Government with regard to the impact that the industry would have on the environment was erroneous and misleading, the Government of Maharashtra revoked the license despite the fact

that the industry had commenced construction activity in the proposed site in Ratnagiri and had also invested about Rs.200 crores in the project.

3. It is their case that Tuticorin is a coastal town in Tamilnadu in the Gulf of Mannar région, which abounds in bio-diversity and about 2000 species of marine forms and 200 species of plants are reported to have been found in the région and there are 21 islands near Tuticorin which has been declared and constituted as Marine National Parks, vide g.O.ms.No.962, Forest and Fisheries dated 10.9.1986 with a view to protect the unique and fragile flora and fauna in the région; that agriculture in Tuticorin has been affected of late on account of the increasing demands on the waters of the Tambararani river on which the agriculturists depend for cultivation and the ground water level in the area has also considerably depleted in the recent years causing hardship to the farmers and the atmosphere had been considerably polluted by Sulphur dioxide in the recent years due to émissions from some of the large-scale industrial plants in Tuticorin.

4. It is the further case of the petitioners that while Tuticorin was thus gradually being adversely affected by industrialisation, the then Central Government and the Government of Tamilnadu hastily accepted the proposal of the Company to set up a large scale copper smelting plant in Tuticorin, ignoring the fact that three
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states in the country had rejected the proposal and without considering the adverse impact that the industry would have on the environment and the local people; that on 16.1.1995, vide O.M.No.J-11012/111/94-1 A?II(1), the Ministry of Environment and Forests, Government of India granted environmental clearance to the project and this was followed by the environmental clearance by the Environment and Forest

Department of the Government of Tamilnadu on 17.5.1995 and in the said order dated 17.5.1995. the Government of Tamilnadu directed the Tamilnadu Pollution Control Board to grant its consent to establish/take steps to establish the industry and accordingly, the Tamilnadu Pollution Control Board on 22.5.1995 granted its consent to the Company under the Air (Prevention and Control of Pollution) Act and the Water (Prevention and Control of Pollution) Act to establish the industry at the SIPCOT Industrial complex, Melavattan village, Tuticorin Taluk, VOC District with the capacity to manufacture 234 tons of blister copper per day and 638 tons of Sulphuric Acid in the first phase.

5. It is also the case of the petitioners that on 5.7.1997, about 100 women workers of a nearby plant (Ramesh Flowers) fainted and were hospitalised at the Thoothukudi Government Headquarters Hospital and 42 women workers were admitted as in-patients and they were discharged only after five days of treatment; that on 20.8.1997, at about 10 a.m., all the employees of the TNEB working in 110/22 K.V, sub-station were badly affected due to continuous emission of concentrated sulphur dioxide; that on 30.8.1997 a blast occurred in the Company resulting in two deaths and damage to the adjacent building and equipment severely; that though the Company tried to spread rumours of sabotage, enquiry by Government authorities confirm that it was due to mal-operation of the plant; that a leak in the rotary furnace which was neglected led to the entry of water into the high temperature furnace jacket and the resultant pressure due to conversion of water into steam lead to the blasting of the furnace causing deaths of two contract workers and this could have been avoided if the operation and maintenance was done by proper qualified and

skilled personnel; that the official respondents have failed to perform their statutory duties of a public character, resulting in grave threat to the life and safety of those who are living and working around the plant.

6. On the part of the Government of India and the State Government and also the Tamil Nadu Pollution Control Board, it has been contended that all the procedures contemplated under law have been duly followed while granting permission to the company and periodical checks are being conducted regarding the affairs and activities of the company.

7. While these writ petitions are pending, impleadment petitions have been filed by one J.Sasikumar, stating that he is representing the workers of the company, praying to implead him as a party respondent to these proceedings and the impleadment petitions having been allowed, he has been brought on record as party respondent to these writ petitions. It is the case of the impleaded party that the plant of the company provides direct employment to over 1050 employees and indirect employment to over 1500 persons; that the Ministry of Environment and Forests granted environmental clearance to the project after detailed examination of the Environment Impact Assessment/Environment Management Plan; that after the plant commenced operations, adequate safeguards had been taken to protect and preserve the environment; that effluent samples were regularly checked and analysed in the Pollution Control Board to check the performance of the effluent treatment plant, likewise borewell samples were analysed and ambient air quality surveys were regularly conducted; that in July, 1997 when some employees of M/s.Ramesh Flowers had taken ill due to sudden discharge of purge gas, it was alleged that the

discharge had been from the unit of Sterlite and this was thoroughly investigated by a four member Committee headed by Dr.M.P.Chockalingam and found that there was no leakage of sulphur dioxide gas from the plant and the plant which had been ordered to be closed, following the incident was thereafter reopened and as per the decision of the Expert Committee, certain additional safeguards were taken by the plant and in all nine ambient air quality monitoring stations have been installed and round the clock monitoring done; that in June 1998, a surprise inspection was done by a three member expert committee appointed by the State Pollution Control Board to know the status of the unit with regard to emissions and effluents; that if certain additional safeguards are required, the Unit should be advised to take appropriate measures and if the plant is closed down, not only the employees but the persons who are dependant indirectly will also suffer.

8. We have heard the arguments advanced on either side and perused the entire materials placed on record.

9. When these writ petitions are pending, in view of the seriousness of the matter, concerning the environment and in view of the fact that conflicting reports from time to time were produced before this Court and also taking note of the fact of accidents that took place in and around the premises of the Company, the First Bench of this Court, by the order dated 20.8.1998 has directed the National Environmental Engineering Research Institute (hereinafter referred to as NEERI) to submit a report with respect to working of the Unit, pollution caused during the operation and its control and other related matters concerning environment. In obedience to the same, the Director of NEERI constituted an inspection team, which has inspected the

premises of M/s.Sterlite Industries Limited between October 29 and November 1, 1998 and submitted their report dated 17.11.1998 before this Court. In the meantime, there was an accident in the Unit, injuring six workmen, since an acid tanker burst in the Unit. This report has clearly pointed out blatant violations committed not only by the respondent Company but also by the official respondents in granting clearances to the respondent Company. This report has also indicated that the clearances and consents were given by the Central and State Governments in contravention to the relevant statutory requirements by considering an inadequately prepared rapid EIA report based on one month's data, by allowing the **Company** to establish within twenty five kilometers of an ecologically fragile area and by relaxing green belt requirements without adequate and acceptable justifications. This report of the NEERI was objected to by the Company, Central Government and TNPCB by filing their objections, stating that the said report is based on wrong presumption of law and incorrect facts. Owing to the said report and considering all the facts and circumstances of the case, the First Bench of this Court, by the order dated 23.11.1998, has ordered closure of the Unit forthwith, until further orders. This order of the First Bench of this Court was unsuccessfully challenged by the respondent Company before the Honorable Apex Court.

10. Subsequently, considering the pros and cons of the matters, in an interim measure, this Court, by the order dated 23.12.1998, has revoked the order of closure, permitting the Company to reopen with effect from 26.12.1998 and to function till 28.2.1999 on an experimental basis. This order of this Court was also unsuccessfully challenged by the petitioner in W.P.Nos.15501 to 15503 of 1996 before the

Honourable Apex Court in SLP (Civil) Nos.1422 to 1424 of 1999. Thereupon, W.M.P.No.10274 of 1999 was filed by the company in W.P.No.15501 of 1996, praying to permit their plants to operate in their full capacity, subject to necessary permission from the TNPCB, wherein the First Bench of this Court, by the order dated 13.4.1999 has directed the TNPCB to consider the request of the company to run at its full capacity with necessary precautions and safety measures. According to the company, they have complied with all the conditions imposed and hence, all these writ petitions filed are liable only to be dismissed.

11. It is no doubt true that the plant of the company was set up amidst clamorous protests from people of different sections at Thoothukudi and there were wide spread agitations to stop erection of the plant and subsequently for its closure.

There is also no dispute regarding the fact that the Gulf of Mannar, which is in close proximity of the respondent Company, has been declared as a 'National Park' by G.O.Ms.No.962. dated 10.9.1986, considering its ecological, faunal, floral and zoological characteristics.

12. Under Rule 5 of the Environment (Protection) Rules, 1986, certain prohibitions and restrictions on the location of industries and the carrying on processes and operations in different areas were imposed. Under sub-Rule 1(vii) of this Rule 5, the Central Government has been required to take into consideration the fact of 'proximity to a protected area under the Ancient Monuments and Archaeological Sites and Remains Act, 1958 or a sanctuary, National Park, game reserve or closed area notified, as such under the Wild Life (Protection) Act, 1972, or

places protected under any treaty, agreement or convention with any other country or countries or in pursuance of any decision made in any international conference, association or other body'.

13. The special conditions in the impugned Consent Order, dated 22.5.1995, under item No.20(2), stipulated that the respondent Company has to ensure that the location of the Unit should be 25 km. away from ecologically sensitive area. But, as per the report of the NEERI, the respondent Company is situated within 25 km. from four of the twenty one islands in the Gulf of Mannar viz. Vanthivu, Kasuwar, Karaichalli and Villanguchalli, which are 6 km, 7 km, 15 km, and 15 km away respectively from Tuticorin. The respondent Company has thus been erected absolutely within an ecologically sensitive and prohibited area. It cannot be anybody's case that the products of the respondent Company are environmental friendly and hence, there is no need to insist on maintaining this prohibited distance of 25 km. Thus, the respondent-company is situated within the prohibited area, flouting the norms of the Environment Protection Act and the Rules framed thereunder. Therefore, the Central Government should have taken this aspect into consideration before issuing the clearance under the Environment Protection Act to the respondent Company. It is also seen from the materials placed on record that the consents and clearances were issued to the respondent Company by the State and Central Governments on the basis of inadequately prepared EIA report since the data is less than one month's particulars, which is quite an inadequate one for assessing the issue of impact of pollution caused by the operation of the copper smelter. All these aspects would clearly establish the fact that there is clear non-application of mind on

the part of the competent authority/the Central Government in issuing consent to the respondent Company. This sole violation of erecting the plant within the prohibited area of ecologically sensitive area by the respondent Company is much more sufficient for the Central Government to reject the proposal of the respondent-company.

14. The TNPCB has granted permission to the respondent Company to run their unit under Section 25 of the Water (Prévention and Control of Pollution) Act, 1974 and Section 21 of the Air (Prévention and Control of Pollution) Act, 1981 and also the consent for opération, of course, subject to certain conditions, to manufacture 391 MT of Blister copper and 1060 tonnes of sulphuric acid.

15. This being a project exceeding Rs.50 crores necessary environmental clearance has to be obtained from the Ministry of Environment and Forests, Government of India and before such consent is granted/obtained, a full environmental impact assessment has to be done, During that exercise, public hearing should be conducted as a matter of rule and all the concerns expressed by the public will have to be taken due note of by the authorities concerned. There is no manner of doubt that the Government has every power to stop the project if it violates environmental safeguards.

16. But, in the case on hand, when on the part of the writ petitioners, a strong argument has been advanced that at no point of time, the officials have complied with the mandatory requirement of conducting public hearing before commencing plant of the respondent Company, neither the official respondents nor the respondent Company

are able to produce any scrap of paper before us to negative the said contention urged on the part of the writ petitioners. Even our endeavour to find out any material on record from out of the voluminous material placed on record by either side also ended vain. From the NEERI report, dated 17.11.1998 also it is seen that there was complet   undue haste on the part of the Governmental authorities in granting permissions and consents to the respondent Company. When there is no dispute regarding the fact that the establishment of respondent Company was opposed tooth and nail by the residents of various States and the Maharashtra Government went upto the extent of cancelling the permission, despite the fact that the industry had commenced construction activity in the proposed site in Ratnagiri and had also invested about Rs.200 crores in the project, the State and Central Governments should have been more cautious and vigilant in protecting the interest of the Citizens. Rut, unfortunately, in the cases on hand, as has already been pointed out supra, no public hearing of any sort has been conducted by the officialais. From this, a legal presumption would arise that only to avoid any opposition from the g  n  ral public about the establishment of the unit by the respondent-company, the officialai respondents have resorted to giving a simple go-bye to this mandatory provision of law, which we are unable to appreciate.

1-7. One more aspect we want to point out is about the r  duction of area of green belt from 250 mts. to 25 mts. by the TNPCB in respect of the respondent-company. It is to be pointed out that the No Objection Certificate was issued by the TNPCB to the respondent Company stipulating a condition, as condition No.20. to develop a green belt of 250 mts. width around the battery limits of the industry. But,

subsequently, the respondent company has submitted a representation to the TNPCB, requesting to reduce the requirement of green belt from 250 m. to the width of 10-15 mts. around the plant, since the development of the green belt of 250 m. width requires a land of around 150 acres and accepting the said request of the respondent Company, the TNPCB, in its meeting held on 18.8.1994, relaxed this condition and required the respondent company to develop the green belt in a minimum width of 25 m. What weighed in favour of the respondent Company, for the TNPCB to take such a generous attitude could not be ascertained by us from the materials placed on record. The plant being the one falling within 'red' category, requiring high level check, the casual way of dealing with the issue and permitting the company to reduce the green belt have shown ugly repercussions in the area since there was an incident on 5.7.1997 wherein about 100 women workers of a nearby plant (Ramesh Flowers) fainted and were hospitalised at the Thoothukudi Government Headquarters Hospital and 42 women workers were admitted as in-patients who were discharged only after five days of treatment; on 20.8.1997, at about 10 a.m., all the employees of the TNEB working in 110/22 K.V. sub-station were badly affected due to continuous emission of concentrated sulphur dioxide and on 30.8.1997 a blast occurred in the company resulting in two deaths and damage to the adjacent building and equipment severely, All these could have been avoided, had the official respondents acted strictly in accordance with the provisions of law.

18, The material on record would show that there is so much of correspondence between the TNPCB and the respondent company, wherein the

TNPCB repeatedly requested the respondent company to perform environmental impact assessments and carry out health surveys of the pollution.

19. To substantiate their plea that they have complied with all the requirements and hence the earlier report of the NEERI of the year 1998 has no relevance to decide the issue on hand, the respondent-company has submitted before us a report of the NEERI

on the 'comprehensive Environmental Impact and Risk Assessment for the Existing (Full Capacity operation) and Proposed Expansion of Sterlite Industries (India) Ltd., Thoothukkudi', dated July 2003. This has been sponsored by the respondent-company itself, as could be seen from the said report. At many places of this report of the year 2003, favourable conclusions have been noted in favour of the respondent-company, on which much reliance has been placed on the part of the respondent-company. But, the fact which we want to point out is that the petitioners have submitted before us the various extracts of the report of the NEERI, dated March, 2005, which supercedes the report of the year 2003. In this report of March 2005, NEERI, has tabulated various metal contents in different types of waste from the respondent company, which shows high concentrations of heavy metals, arsenic, and fluorides, which are hazardous substances. Fluoride is susceptible to lead to fluorosis, a condition that affects bone structure and teeth. The pathetic condition that has been recorded by the NEERI in its report of March, 2005, is that the plant site itself is severely polluted and the ground samples present levels of arsenic which indicate that the whole site may be classified as hazardous waste according to the Indian standards. It further goes to show that the groundwater samples taken under and in the vicinity of the deposit sites show elevated values of copper, chrome, lead.

cadmium and arsenic and the chloride and flouride content is also too high when compared to Indian drinking water standards. Therefore, the said report of July, 2003 does not, in any manner, help or augment the case of the respondent-company and hence, no reliance could be placed on the same.

20, We are quite aware that in environmental matters, the principle of reversal of burden of proof will apply, fixing the onus of proof on the person who wants to change the status-quo, as has been held by the Honourable Apex Court in **A.P.POLLUTION CONTROL BOARD vs. PROF.M.V. NAYUDU AND OTHERS [AIR 1999 SC 812]**.

21, But, in the case on hand, though there is voluminous material showing that the establishment of the Unit of the respondent company, violating all the norms of law, is creating consistent and severe damage to the ecology in the area, the respondent-company has not produced any valuable material to counteract the same.

22, The principle of sustainable development has been well explained by the Honourable Apex Court in **KARNATAKA INDUSTRIAL AREAS DEVELOPMENT BOARD vs. C.KENCHAPPA [(2006) 6 SCC 371= AIR 2006 SC 2038]**, which reads as under:

"The priority of developing nations is urgent industrialisation and development. We have reached at a point where it is necessary to strike a golden balance between development and ecology. The development should be such as it can be sustained by ecology, and this has given rise to the concept of sustainable development. The concept of sustainable

development whose importance was the resolution of environmental problems is profound and undisputed. The right to sustainable development has been declared by the UN General Assembly to be an inalienable right. Peace, security, stability and respect for human rights and fundamental freedoms, including the right to development, as well as respect for cultural diversity, are essential for achieving sustainable development and ensuring that sustainable development benefits all.

The concept of sustainable development was propounded by the "World Commission on Environment and Development", which very aptly and comprehensively defined it as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs". Survival of mankind depends on following the said definition in letter and spirit.

Thus "sustainable development" means "a development which can be sustained by nature with or without mitigation." In other words, it is to maintain delicate balance between industrialisation and ecology. While development of industry is essential for the growth of economy, at the same time, the environment and the ecosystem are required to be protected. The pollution created as a consequence of development must not exceed the carrying capacity of the ecosystem. The courts in various judgments have developed the basic and essential features of sustainable development. In order to protect sustainable development, it is necessary to implement and enforce some of its main components and

ingrédients such as precautionary principle, polluter-pays and public trust doctrine. Sustainable use of natural resources should essentially be based on maintaining a balance between development and the ecosystem. Coordinated efforts of all concerned would be required to solve the problem of ecological crisis and pollution. Unless we adopt an approach of sustainable use, the problem of environment degradation cannot be solved."

23. In this judgment, what has been insisted by the Honourable Apex Court is the sustainable use of the natural resources.

24. Right to have a living atmosphere congenial to human existence is a part of the right to life. The State has a duty in that behalf and to shed its extravagant unbridled sovereign power and to forge its policy to maintain ecological balance and a hygienic environment.

25. It is imperative that the healthy and hygienic atmosphere be maintained keeping in view the provisions of both directive principles of State policy read with Article 21 of the Constitution. Every citizen has a fundamental right to have the enjoyment of quality of life and living, as contemplated by Article 21. Anything (■ t which endangers or impairs the quality of life of the Citizens by conduct of anybody either in violation or in derogation of laws must be viewed seriously, so as to protect the rights of the Citizens enshrined and guaranteed under the Constitution. Articles 39, 47 and 48-A of the Constitution by themselves and collectively cast a duty on the State to secure the health of the people, improve public health and protect and improve the environment. Every Government/Authority must always favour the true,

the good and above all the public interest and public good alone and nothing else. It is incumbent for each occupant of every high office to be constantly aware that the power invested in the high office he holds is meant to be exercised in public interest and only for public good.

26. Courts cannot afford to deal lightly with cases involving pollution of air and water. Those who discharge noxious polluting effluents into streams, river or any other water bodies and to the atmosphere which inflicts harm on the public health at large, should be dealt with strictly.

27. The materials on record show that the continuing air pollution being caused by the noxious effluents discharged into the air by the respondent Company is having a more devastating effect on the people living in the surroundings. It is also seen that there has been unabated pollution by the respondent Company, which should be stopped at least now, by allowing these writ petitions, so as to protect the mother nature from being tarred.

28. In any society there is a natural tension between the interests of individuals and the interest of the group as a whole. There is a conflict between what individuals want and what serves their interests and what is needed for the welfare, safety and security of the entire group. Depending on the type of view that is operative concerning the nature of the dispute, the conflict will have to be resolved in total analysis of the pros and cons of the issue. In these circumstances, for the question that was hovering in our mind that which shall outweigh/prevail over the other - whether the interest of an individual/small section of the society or the interest of the society at large, with no hesitation or second thought, we arrived at the irresistible

conclusion that the larger interest of the society should outweigh the interest/benefit of a smaller section of the society for the common good of one and all.

29. In the case on hand, with the ongoing of the activities of the Company, not only the area gets polluted, but would have direct impact on the safety, security and the health of the workers. No doubt, with the order of revoking the licence granted to the Company in question, the work force in the Company would lose their livelihood. But, we are constrained to take this decision, owing to the voluminous material available on record about the negative impact of the running of the industry at the place and in the manner it is being run.

30. Though there is a prayer on the part of the work force also that if certain additional safeguards are required, the Unit should be advised to take appropriate measures and if the plant is closed down, not only the employees but the persons who are dependant indirectly will also suffer, we are unable to accept the same, in view of the above observed fact that there is so much of correspondence between the TNPCB and the respondent Company, wherein the TNPCB repeatedly requested the respondent Company to perform environmental impact assessments and carry out health surveys of the pollution and there is unabated pollution in air, water and atmosphere because of the respondent Company, besides the plant itself is located in an ecologically sensitive area. At the same time, we do not want to leave the employees in lurch.

Thus, considering all the facts and circumstances of the case, we order as follows:

ZH

1. W.P.Nos.15501 to 15503 of 1996 and W.P.No.5769 of 1997 are allowed and W.P.No. 16861 of 1998 stands disposed of.

2. Since the issues on hand have been discussed at length, we do not feel any necessity to bring in the petitioner in WMP.Nos.8044 to 8046 of 1999 as party to WP.Nos.15501 to 15503 of 1996. Accordingly, they are dismissed as not necessary.

3. The respondent Company is directed to be closed down immediately.

4. The employees of the respondent-company are entitled for compensation from the respondent Company as provided for under Section 25-FFF of the Industrial Disputes Act.

5. The District Collector, Tuticorin. is directed to take all necessary and immediate steps for the re-employment of the workforce of the respondent Company in some other companies/factories/organisations, so as to protect their livelihood, to the extent possible, keeping in view their educational and technical qualifications and also the experience in the field.

6. All the connected Miscellaneous Petitions are closed. No costs.

Index: Yes/No

Internet: Yes/No

Rao ...

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28.9.2010

To

- 1.Union of India,
rep.by its Secretary,
Ministry of Environment and Forests,
New Delhi-3.
- 2.The State of Tamil Nadu,
represented by its Secretary,
Department of Environment and Forests,
Fort St.George, Chennai-600009.
- 3.The Central Pollution Control Board,
represented by its Chairman,
Central Pollution Control Board,
New Delhi.
- 4.Tamilnadu State Pollution Control Board,
represented by its Chairman,
100, Anna Salai,
Chennai-600002.
- 5.The District Collector,
V.O.C.Chidambaranar District,
Tuticorin.
- 6.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

MANU/SC/0284/2013

Equivalent Citation: 2013(4)ABR858, 2013(3)CDR657(SC), 2013(3)FLT388, 2013(3)FLT401, JT2013(4)SC388, 2013(2)KLT245, 2013(2)KLT235, (2013)3MLJ741, 2013(2)RCR(Criminal)545 2013(5)SCALE202, (2013)4SCC575

IN THE SUPREME COURT OF INDIA

Civil Appeal Nos. 2776-2783 of 2013 (Arising out of SLP (C) Nos. 28116-28123 of 2010)

Decided On: 02.04.2013

Appellants: **Sterlite Industries (India) Ltd. Etc. Etc.**

Vs.

Respondent: **Union of India (UOI) and Ors. Etc. Etc.**

Hon'ble Judges/Coram:

A.K. Patnaik and H.L. Gokhale, JJ.

Counsels:

For Appearing Parties: P.P. Malhotra, ASG., C.A. Sundaram, C.U. Singh, Raj Panjwani, V. Prakash, Sr. Advs., S. Guru Krishna Kumar, AAG., Rohini Musa, Zafar Inayat, Yogsh V. Kotemath, S. Raghunathan, Mahesh Agarwal, Rishi Agarwal, E.C. Agrawal, Radhika Gautam, Abhinav Agrawal, Rashmi Nandakumar, Rahul Chowdhury, Anitha Shenoy, Vimla Sinha, Yasser Rauf, B. Krishna Prasad, Subramonium Prasad, Manju Jana, Shivaji M. Jadhav, Vijay Panjwani, G. Devadoss, M.S.M. Asaithambi, G. Ananthaselvam, M. Yogesh Kanna, R. Veeramani, A. Prasanna Venkaṭ, S. Beno Bencigar, P. Somasundaram, Abhay Kumar, V.N. Subramaniam, V. Senthila Kumar, K. Krishna Kumar, M.A. Chinnasamy, Advs.

For Respondents/Defendant: Vaiko @ V. Gopalswamy, Adv. and Party-in-Person

Case Note:

Labour and Industrial - Environmental clearances - Section 25FFF of Industrial Disputes Act, 1947 - Court below declared that employees of Appellant-company would be entitled to compensation under Section 25FFF of Act and directed District Collector to take all necessary and immediate steps for re-employment of workforce of Appellant-company in some other companies so as to protect their livelihood and to extent possible take into consideration their educational and technical qualifications and also experience in field - Hence, this Appeal - Whether, High Court could have interfered with environmental clearances granted by Ministry of Environment and Forests Government of India and Government of Tamil Nadu Department of Environment - Held, environmental clearance was granted by Ministry of Environment Government of India in accordance with procedure laid down by notification well before another notification providing for mandatory public hearing in accordance with procedure laid down in Schedule IV - As there was no mandatory requirement in procedure laid down under Environment (Protection) Act, 1986 and Environment (Protection) Rules, 1986 and notifications dated 27.01.1994 as amended by notification dated 04.05.1994 that public hearing had to be conducted before grant of environmental clearance - No materials were produced to take view that decision of Central Government to grant environmental

clearance to plant of Appellants was so unreasonable that no reasonable authority could ever have taken decision - No material was placed to show that decision of Ministry of Environment and Forests to accord environmental clearance to plant of Appellants at Tuticorin was wholly irrational and frustrated very purpose of EIA - It was for authorities under Environment (Protection) Act, 1986 Environment (Protection) Rules, 1986 and notifications issued thereunder to determine scope of project extent of screening and assessment of cumulative effects and so long as statutory process was followed and EIA made by authorities was not found to be irrational - Thus, High Court could not have allowed writ petitions challenging environmental clearances on ground that no public hearing was conducted before grant of environmental clearances - Appeal allowed.

Environment - Closure of plant - Whether, High Court was right in directing closure of plant of Appellants on ground that plant of Appellants was located within 25 kms of four of twenty one islands in Gulf of Munnar - Held, High Court directed closure of plant because Appellant-company had violated condition of Consent Order issued by TNPCB under Water Act - Appellant-company was given consent to establish its plant in SIPCOT Industrial Complex - Appellants were given consent to establish their plant in SIPCOT Industrial Complex, which as per NEERI report was within 25 kms of four of twenty one islands in Gulf of Munnar - However, condition was stipulated in consent order that Appellants have to ensure that location of unit was 25 kms away from ecological sensitive area - TNPCB while granting consent under Water Act for establishment of plant of Appellants in SIPCOT Industrial Complex added requirement without noting that SIPCOT Industrial Complex was within 25 kms from ecological sensitive area - Consent Order was granted to Appellant-company to establish its plant in SIPCOT Industrial Complex and plant had in fact been established in SIPCOT Industrial Complex High - Thus, Court could not have come to conclusion that Appellant-company had violated Consent Order and directed closure of plant on that ground - Appeal allowed.

Environment - Standards of emission - Remedial measures - Whether, there were materials before High Court to show that plant of Appellants did not maintain standards of emission and effluent as laid down by TNPCB and whether there were no remedial measures other than closure of industry of Appellants to protect environment - Held, High Court had relied on report of NEERI of 2005 to hold that plant site itself was severely polluted and ground samples level of arsenic justified classifying whole site of plant of Appellant as hazardous waste - While some of emissions from plant of Appellants were within limits stipulated by TNPCB some of emissions did not conform to standards stipulated by TNPCB - NEERI report did show that emission and effluent discharge affected environment but report read as whole did not warrant conclusion that plant of Appellants could not possibly take remedial steps to improve environment and that only remedy to protect environment was to direct closure of plant of Appellants - Out of 30 directions issued by TNPCB Appellant-company had complied with 29 directions and only one more direction under Air Act was to be complied with - As deficiencies in plant of Appellants which affected environment as pointed out by NEERI were removed - NEERI reports showed that plant of Appellant did pollute environment through emissions which did not conform to standards laid down by TNPCB - Thus, order of High Court directing closure of plant of Appellants was liable to be set aside - Appeal

allowed.Ratio Decidendi"To protect closer of plant of an industry it is important to have environmental clearance granted by Ministry of Environment Government of India."

JUDGMENT

A.K. Patnaik, J.

1. Leave granted.

FACTS:

2 . The relevant facts very briefly are that the Appellant-company applied and obtained 'No Objection Certificate' on 01.08.1994 from the Tamil Nadu Pollution Control Board (for short 'the TNPCB') for setting up a copper smelter plant (for short 'the plant') in Melavittan village, Tuticorin. On 16.01.1995, the Ministry of Environment and Forests, Government of India, granted environmental clearance to the setting up of the plant of the Appellants at Tuticorin subject to certain conditions including those laid down by the TNPCB and the Government of Tamil Nadu. On 17.05.1995, the Government of Tamil Nadu granted clearance subject to certain conditions and requested the TNPCB to issue consent to the proposed plant of the Appellants. Accordingly, on 22.05.1995, the TNPCB granted its consent under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 (for short 'the Air Act') and under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 (for short 'the Water Act') to the Appellants to establish the plant in the SIPCOT Industrial Complex, Melavittan village, Tuticorin Taluk.

3. The environmental clearance granted by the Ministry of Environment and Forests, Government of India, and the consent orders under the Air Act and the Water Act granted by the TNPCB were challenged before the Madras High Court in W.P. Nos. 15501, 15502 and 15503 of 1996 by the National Trust for Clean Environment. While these writ petitions were pending, the Appellants set up the plant and commenced production on 01.01.1997. Writ Petition No. 5769 of 1997 was then filed by V. Gopalsamy, General Secretary, MDMK Political Party, Thayagam, praying for inter alia a direction to the Appellants to stop forthwith the operation of the plant. Writ Petition No. 16861 of 1991 was also filed by Shri K. Kanagaraj, Secretary, CITU District Committee, District Thoothukudi, for directions to the State of Tamil Nadu, TNPCB and the Union of India to take suitable action against the Appellant-company for its failure to take safety measures due to which there were pollution and industrial accidents in the plant. A Division Bench of the High Court heard Writ Petition Nos. 15501 to 15503 of 1996, Writ Petition No. 5769 of 1997 and Writ Petition No. 16861 of 1998 and by the common judgment dated 28.09.2010, allowed and disposed of the writ petitions with the direction to the Appellant-company to close down its plant at Tuticorin. By the common judgment, the High Court also declared that the employees of the Appellant-company would be entitled to compensation under Section 25FFF of the Industrial Disputes Act, 1947 and directed the District Collector, Tuticorin, to take all necessary and immediate steps for the re-employment of the workforce of the Appellant-company in some other companies/factories/organizations so as to protect their livelihood and to the extent possible take into consideration their educational and technical qualifications and also the experience in the field. Aggrieved, the Appellant has filed these appeals against the common judgment dated 28.09.2010 of the Division Bench of Madras High Court and on 01.10.2010, this Court passed an interim order staying the impugned judgment of the High Court.

CONTENTIONS ON BEHALF OF THE APPELLANTS:

4. Mr. C.A. Sundaram, learned senior counsel appearing for the Appellants, submitted that one of the grounds stated in the impugned judgment of the High Court for directing closure of the plant of the Appellants was that the TNPCB had stipulated in the Consent Order dated 22.05.1995 that the Appellant-company has to ensure that the location of the unit should be 25 kms. away from the ecologically sensitive area and as per the report of NEERI (National Environmental Engineering and Research Institute) of 1998 submitted to the High Court, the plant is situated within 25 kms. from four of the twenty one islands in the Gulf of Munnar, namely, Vanthivu, Kasuwar, Karaichalli and Villanguchalli, which are at distances of 6 k.m., 7 k.m. and 15 k.m. respectively from Tuticorin where the plant is located. He submitted that there is no notification issued by the Central Government under Rule 5(1) of the Environment (Protection) Act, 1986 prohibiting or restricting the location of an industry in Tuticorin area. He submitted that the Government of Tamil Nadu, however, had issued a notification dated 10.09.1986 notifying its intention under Section 35(1) of the Wildlife (Protection) Act, 1972 to declare the twenty one islands of the Gulf of Munnar as a Marine National Park, but no notification has yet been issued by the Government of Tamil Nadu under Section 35(4) of the aforesaid Act declaring the twenty one islands of the Gulf of Munnar as a National Park. He explained that prior to the Environment (Protection) Act, 1986 and the Environment (Protection) Rules, 1986, some environmental guidelines had been issued by the Ministry of Environment and Forests, Department of Environment, Government of India, in August, 1985 and one of the guidelines therein was that industries must be located at least 25 kms. away from the ecologically sensitive areas and it is on account of these guidelines that the TNPCB in its Consent Order dated 22.05.1995 under the Water Act had stipulated that the plant of the Appellants should be situated 25 kms. away from ecologically sensitive areas. He submitted that this stipulation was made in the Consent Order under the Water Act because the plant was likely to discharge effluent which could directly or indirectly affect the ecological sensitive areas within 25 kms. of the industry, but in the Consent Order issued on 14.10.1996 to operate the industry, this stipulation was removed and instead it was stipulated in Clause (20) that the unit shall re-use the entire quantity of treated effluent in the process and ensure that no treated effluent is discharged into inland surface water or on land or sewer or sea as proposed by the unit. He submitted that in any case the consent for establishment issued under the Water Act by the TNPCB would show that the Appellant-company was given the consent to establish its copper smelter project in SIPCOT Industrial Complex irrespective of the distance at which the SIPCOT Industrial Complex was located from any ecological sensitive area and in the SIPCOT Industrial Complex, many other chemical industries are located and the High Court appears to have lost sight of this aspect of the consent given by the TNPCB to establish the plant.

5. Mr. Sundaram submitted that the second ground given by the High Court for directing closure of the plant of the Appellants was that this being a project exceeding Rs. 50/- crores, environmental clearance was required to be obtained from the Ministry of Environment and Forests, Government of India, after a public hearing which was a mandatory requirement but no materials were produced before the High Court to show that there was any such public hearing conducted before the commencement of the plant of the Appellant-company. He submitted that when the environmental clearance was granted to the Appellant-company the Environmental Impact Assessment (for short 'EIA') notification dated 27.01.1994 was in force and this notification did not make public hearing mandatory and only stated that

comments of the public may be solicited if so recommended by the Impact Assessment Agency within 30 days of the receipt of the proposal. He submitted that the High Court, therefore, was not correct in taking a view that a public hearing was mandatory during EIA before environmental clearance was given by the Ministry of Environment and Forests, Government of India. He clarified that by a subsequent notification dated 10.04.1997, a public hearing was made compulsory but by the time this notification came into force environmental clearance had already been granted to the plant of the Appellants on 16.01.1995.

6. Mr. Sundaram submitted that the High Court also took the view in the impugned judgment on the basis of the report of the NEERI of 1998 that there was undue haste on the part of the governmental authorities in granting permissions and consents to the Appellant-company. He submitted that in an Explanatory Note to the EIA notification dated 27.01.1994 the Central Government has clarified that Rapid EIA could also be conducted for obtaining environment clearance for any new project/activity and therefore the State Government while granting No Objection Certificate by its letter dated 01.08.1994 asked the Appellants to conduct Rapid EIA based on one season data and the Appellants carried out Rapid EIA study based on the data collected by the M/s. Tata Consultancy Service (TCS). He relied on the affidavit dated 01.12.1998 filed on behalf of the Ministry of Environment and Forests, Government of India to submit that Rapid EIA before granting clearance to the plant of the Appellant was conducted in accordance with the guidelines.

7. Mr. Sundaram submitted that the third ground on which the High Court directed closure of the plant of the Appellants was that the TNPCB stipulated a condition in clause No. 20 of the No Objection Certificate that the Appellants will develop a green belt of 250 meters width around the battery limit of the industry as contemplated under the Environmental Management Plan but subsequently the Appellant-company submitted a representation to TNPCB requesting TNPCB to reduce the requirement of green belt from 250 meters to the width of 10-15 meters as development of the green belt of 250 meters width requires a land of around 150 acres and TNPCB in its meeting held on 18.08.1994 relaxed this condition and stipulated that the Appellant-company will develop a green belt of minimum width of 25 meters. He submitted that the land allocated by SIPCOT to the Appellants was not sufficient to provide a green belt of 250 meters width around the plant and hence this was an impossible condition laid down in the No Objection Certificate and for this reason the Appellants approached the TNPCB to modify this condition and the TNPCB reduced the width of the green belt to 25 meters. He further submitted that generally, the TNPCB and the Ministry of Environment and Forests, Government of India, have been insisting on a green belt of 25% of the plant area and the Appellants could not be asked to provide a green belt of more than 25% of the plant area.

8. Mr. Sundaram submitted that the last ground, on which the High Court directed closure of the plant of the Appellants is that the plant of the Appellants has caused severe pollution in the area as has been recorded by NEERI in its report of 2005 submitted to the High Court and the groundwater samples taken from the area indicate that the copper, chrome, lead cadmium and arsenic and the chloride and fluoride content is too high when compared to Indian drinking water standards. He referred to the reports of NEERI of 1998, 1999, 2003 and 2005 submitted to the High Court and the report of NEERI of 2011 and also the joint inspection report of TNPCB and CPCB of September 2012 submitted to this Court, to show that the finding of the High Court that the plant of the Appellants had caused severe pollution in the area was not correct. He vehemently submitted that though there were no deficiencies in

the plant of the Appellants, the TNPCB in its affidavit has referred to its recommendations as if there were deficiencies. He submitted that the recommendations made by the TNPCB were only to provide the best of checks in the plant against environmental pollution with a view to ensure that the plant of the Appellants becomes a model plant from the point of view of the environment, but that does not mean that the plant of the Appellants had deficiencies which need to be corrected. He submitted that the reports of NEERI of 2005 and 2011 referred to accumulation of gypsum and phospho gypsum, which come out from the plant of the Appellants as part of the slag but the opinion of CPCB in its letter dated 17.11.2003 to the TNPCB is that such slag is non-hazardous and can be used in cement industries, for filling up lower level area and as building/road construction material, etc. and has no adverse environmental effects.

9. Mr. Sundaram finally submitted that since none of the grounds given by the High Court in the impugned judgment for directing closure of the plant of the Appellants are well-founded, it is a fit case in which this Court should set aside the impugned judgment of the High Court and allow the appeals. He submitted that the plant of the Appellants produces 2,02,000 metric tones of copper which constitute 39% of the total of 5,14,000 metric tones of copper produced in India and that 50% of the copper produced by the plant of the Appellants is consumed in the domestic market and the balance 50% is exported abroad. He also submitted that the plant provides direct and indirect employment to about 3000 people and yields a huge revenue to both the Central and State Governments. He submitted that closure of the plant of the Appellants, therefore, would also not be in the public interest.

CONTENTIONS ON BEHALF OF THE WRIT PETITIONERS-RESPONDENTS:

10. Mr. V. Gopalsamy, who was the writ Petitioner in Writ Petition No. 5769 of 1997 before the High Court, appeared in-person and supported the impugned judgment of the High Court. He submitted that the TNPCB in its No Objection Certificate dated 01.08.1994 as well as in its Consent Order dated 22.05.1995 under the Water Act clearly stipulated that the Appellant-company shall ensure that the location of its unit should be 25 kms. away from ecological sensitive area and the Government of Tamil Nadu in their affidavit dated 27.10.2012 have stated that all the 21 islands including the four near Tuticorin in the Gulf of Munnar Marine National Park are ecologically sensitive areas. He submitted that NEERI in its report of 1998 has observed that four out of twenty one islands, namely, Vanthivu, Kasuwar, Karaichalli and Villanguchalli, are at distances of 6 kms., 7 kms. and 15 kms. respectively from Tuticorin. He further submitted that merely because a condition has been subsequently imposed on the Appellant-company by TNPCB not to discharge any effluent to the sea, the restriction of minimum 25 kms. distance from ecological sensitive area from location of the unit of the Appellants cannot be lifted particularly when the Government of Tamil Nadu as well as the Central Government are treating the Gulf of Munnar as a Marine National Park and extending financial assistance for the development of its ecology. He submitted that the proposal for issuance of a declaration under Section 35(4) of the Wildlife (Protection) Act, 1972 is pending for concurrence of the Central Government and, therefore, the ecological balance in the area of Gulf of Munnar would be disturbed if the plant of the Appellants continues at Tuticorin and the High Court was right in directing closure of the plant of the Appellants located at Tuticorin.

11. Mr. V. Gopalsamy submitted that the High Court was similarly right in directing closure of the plant of the Appellants on the ground that the Appellants did not develop a green belt of 250 metres width around their plant as stipulated in the No

Objection Certificate dated 01.08.1994 of the TNPCB and instead represented to the TNPCB and got the green belt reduced to only 25 metres width. He submitted that considering the grave adverse impact on the environment by the plant of the Appellants, a 250 metres width of green belt was absolutely a must but the TNPCB very casually reduced the green belt from 250 metres width to 25 metres. He submitted that it will be seen from the joint report of TNPCB and CPCB filed pursuant to the order dated 27.08.2012 of this Court that as a condition of the renewal of the consent order, the Appellant-company has been asked to develop a green belt to an extent of 25% of the total area of 172.17 hectares which works out to 43.04 hectares and yet the TNPCB has found development of green belt of 26 hectares as sufficient compliance. He submitted that the Appellants would, therefore, be required to develop a green belt of 17.04 hectares more for compliance of the condition for renewal of consent stipulated by the TNPCB.

12. Mr. V. Gopalsamy submitted that for their plant, the Appellants have been importing copper concentrate from Australian mines which are highly radioactive and contaminated and contain high levels of arsenic, uranium, bismuth, fluorine and experts of environment like Mark Chernaik have given a report on the adverse impacts of the plant of the Appellants at Tuticorin on the environment. In this context, he also submitted that an American company, namely, the Asarco producing copper had to be closed down on account of such adverse environmental effects. He submitted that the claim of the Appellants that their plant has no deficiencies and that it does not have any impact on the environment is not correct and different reports of the NEERI would show that the plant of the Appellants is continuing to pollute the air and has also affected the ground water of the area by discharging effluent and the High Court, therefore, rightly directed the closure of the plant. He submitted that the Appellants had initially proposed to establish the plant in Gujarat but this was opposed vehemently and the Appellants decided to shift the establishment of the plant to Goa but because of opposition the plant could not be established in Goa. He submitted that the Appellants thereafter intended to set up the plant at Ratnagiri in Maharashtra and invested Rs. 200 crores in construction activities after obtaining environmental clearance but because of the opposition of the farmers of Ratnagiri, the Maharashtra Government had to revoke the licence granted to the Appellants. He submitted that the Appellants have been able to set up the plant at Tuticorin in Tamil Nadu by somehow obtaining environmental clearance from the Ministry of Environment and Forests, Government of India, without a public hearing and the consents under the Water Act and the Air Act from the TNPCB and the High Court rightly allowed the writ petitions and directed closure of the plant of the Appellants.

13. Mr. V. Prakash, learned senior counsel appearing for the writ Petitioner, National Trust For Clean Environment, in Writ Petition Nos. 15501 to 15503 of 1996 before the High Court, submitted that the Appellants had made a false statement in the synopsis at page (B) of the Special Leave Petition that it has been consistently operating for more than a decade with all necessary consents and approvals from all the statutory authorities without any complaint. He submitted that similarly in ground No. IV at page 45 of the Special Leave Petitions the Appellants have falsely stated that the High Court has erred in not appreciating that the Appellants had got all the statutory approvals/consent orders from the authorities concerned as also the Central Government and the State Government. He submitted that the report of NEERI of 2011 would show that the Appellants did not have valid consent during various periods including the period when it filed the Special Leave Petitions. He submitted that the Appellants did not also inform this Court that when they moved this Court on 01.10.2010 to stay the operation of the impugned order of the High Court, the plant

of the Appellants had already stopped operation. He vehemently argued that due to misrepresentation of the material facts by the Appellants in the Special Leave Petitions as well as suppression of the material facts, this Court was persuaded to pass the stay order dated 01.10.2010. He argued that on this ground alone this Court should refuse to grant relief to the Appellants in exercise of its discretion under Article 136 of the Constitution. He relied on the decisions of this Court in *Hari Narain v. Badri Das* MANU/SC/0226/1963 : AIR 1963 SC 1558, *G. Narayanaswamy Reddy (dead) by L.Rs. and Anr. v. Government of Karnataka and Anr.* MANU/SC/0386/1991 : (1991) 3 SCC 261 and *Dalip Singh v. State of Uttar Pradesh and Ors.* MANU/SC/1886/2009 : (2010) 2 SCC 114 and *Abhyudya Sanstha v. Union of India* MANU/SC/0612/2011 : (2011) 6 SCC 145 for the proposition that this Court can refuse relief under Article 136 of the Constitution where the Appellants have not approached this Court with clean hands and have made patently false statements in the special leave petition.

14. Mr. Prakash next submitted that the main ground that was taken in the writ petitions before the High Court by National Trust For Clean Environment was that the Ministry of Environment and Forests, Government of India, and the TNPCB had not applied their mind to the nature of the industry as well as the pollution fall out of the industry of the Appellants and the capacity of the unit of the Appellants to handle the waste without causing adverse impact on the environment as well as on the people living in the vicinity of the plant. He submitted that this Court has already held that a right to clean environment is part of the right to life guaranteed under Article 21 of the Constitution and has explained the precautionary principle and the principle of sustainable development in *Vellore Citizens Welfare Forum v. Union of India and Ors.* MANU/SC/0686/1996 : (1996) 5 SCC 647, *Tirupur Dyeing Factory Owners' Association v. Noyyal River Ayacutdars Protection Association* MANU/SC/1708/2009 : (2009) 9 SCC 737 and *M.C. Mehta v. Union of India and Ors.* MANU/SC/0768/2009 : (2009) 6 SCC 142. He submitted that these principles, therefore, have to be borne in mind by the authorities while granting environmental clearance and consent under the Water Act or the Air Act, but unfortunately both the Ministry of Environment and Forests, Government of India, and the TNPCB have ignored these principles and have gone ahead and hastily granted environmental clearance and the consent under the two Acts. He submitted that, in the present case, the Appellants have relied on the Rapid EIA done by Tata Consultancy Service, but this Rapid EIA was based on the data which is less than the month's particulars and is inadequate for making a proper EIA which must address the issue of the nature of the manufacturing process, the capacity of the manufacturing facility and the quantum of production, the quantum and nature of pollutants, air, liquid and solid and handling of the waste.

15. Mr. Prakash referred to the report of NEERI of 1998 submitted to the High Court to show that the inspection team of NEERI collected waste water samples from the plant of the Appellants and an analysis of the waste water samples indicate that the treatment plant of the Appellants was operating inefficiently as the levels of arsenic, selenium and lead in the treated effluent as also the effluent stored in the surge ponds were higher than the standards stipulated by the TNPCB. He also referred to the report of NEERI of February 1999 in which NEERI has stated that the treated effluent quality did not conform to the standards stipulated by the TNPCB.

16. Mr. Prakash further submitted that the counter affidavit of the Union of India filed on 01.12.1998 before the High Court also does not disclose whether, apart from the Rapid EIA of Tata Consultancy Services, there was any independent evaluation of the Rapid EIA by the environmental impact assessment authority, namely, the Ministry of

Environment and Forests. He submitted that the TNPCB in its No Objection Certificate dated 01.08.1994 has stipulated in Clause 18 that the Appellants have to carry out Rapid EIA (for one season other than monsoon) as per the EIA notification dated 27.01.1994 issued by the Ministry of Environment and Forests, Government of India, and furnish a copy to the TNPCB and this clause itself would show that TNPCB had not applied its mind as to whether there was a sufficient rational analysis of the nature of the industry, nature of pollutants, quantum of fall out and the plan or method for handling the waste. He submitted that since there was no application of mind by either the Ministry of Environment and Forests, Government of India, before granting the environmental clearance or by the TNPCB before granting the consents under the Water Act and the Air Act, the environmental clearance and the consent orders are liable to be quashed.

17. In support of his submissions, *Mr. Prakash cited East Coast Railway and Anr. v. Mahadev Appa Rao and Ors.* MANU/SC/0446/2010 : (2010) 7 SCC 678, for the proposition that for a valid order there has to be application of mind by the authority, and in the absence of such application of mind by the authority, the order is arbitrary and is liable to be quashed. He cited the decision of the Lords of the Judicial Committee of Privy Council in *Belize Alliance of Conservation Non-governmental Organizations v. The Department of the Environment and Belize Electric Co. Limited* (2004) 64 WIR 68 para 69 in which it has been observed that EIA is expected to be comprehensive in treatment of the subject, objective in its approach and must meet the requirement that it alerts the decision maker to the effect of the activity on the environment and the consequences to the community. He also relied on the judgment of the Supreme Court of Judicature of Jamaica in *The Northern Jamaica Conservation Association v. The Natural Resources Conservation Authority* Claim No. HCV 3022 of 2005 to argue that a public hearing was a must for grant of environmental clearance and submitted that as there was no public hearing in this case and there was inadequate EIA before the grant of the environmental clearance for the plant of the Appellants, the High Court has rightly directed closure of the plant of the Appellants.

18. Finally, Mr. Prakash submitted that the finding of the High Court that the plant of the Appellants continues to pollute the environment has been substantiated by the inspection report which has been filed in this Court by the NEERI as well as the TNPCB from time to time. In particular, he referred to the joint inspection report of the TNPCB and CPCB to show that the directions issued by the TNPCB to improve solid waste disposal has not been complied with. He submitted that one of the conditions of the consent order of the TNPCB was that no slag was to be stored in the premises of the plant but huge quantity of slag has been stored in the premises of the plant and the direction to dispose at least 50% more than the monthly generation quantities of both slag and gypsum has not been complied with. He vehemently argued that unless the plant is shut down, the Appellants will not be able to clear the huge quantity of slag and gypsum lying in the plant premises. He submitted that it is not correct as has been submitted on behalf of the Appellants that the slag is not a hazardous waste containing arsenic and will certainly jeopardize the environment. He argued that there was therefore no other option for the High Court but to direct closure of the plant of the Appellants to ensure clean environment in the area.

CONTENTIONS ON BEHALF OF THE AUTHORITIES:

19. Mr. S. Guru Krishna Kumar, learned Counsel appearing for the TNPCB as well as the State of Tamil Nadu, relying on the affidavit filed on behalf of the State of Tamil Nadu on 29.10.2012 submitted that the Gulf of Munnar consisting of 21 islands in 4

groups was notified under Section 35(1) of the Wildlife (Protection) Act, 1972 on 10th September 1986 as this group of islands consisted of territorial waters between them and the proposal to declare Gulf of Munnar as a Marine National Park under Section 35(4) of the said Act was sent by the Chief Wild Life Warden to the State Government for approval on 30.04.2003 but the declaration under Section 35(4) of the said Act has not been finally made. He further submitted that all the 21 islands including the 4 islands in the Gulf of Munnar are therefore ecological sensitive areas. He submitted that notwithstanding the fact that four of the islands were near Tuticorin, the TNPCB gave the consent under the Water Act to the Appellants to set up the plant at Tuticorin because the plant has a zero effluent discharge. He also referred to the compliance affidavit of the TNPCB filed on 08.10.2012 to show that the TNPCB is monitoring the emissions from the plant of the Appellants to ensure that the National Ambient Air Quality Standards are maintained.

20. Mr. Vijay Panjwani, learned Counsel appearing for CPCB, made a reference to Sections 3, 16 and 18 of the Water Act which relate to the CPCB and submitted that it was not for the CPCB but for the TNPCB to issue No Objection Certificate and consent in respect of the plant set up in the State of Tamil Nadu. He submitted that under Rule 19 of the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989, however, improvement notices can be issued by the CPCB to any person to remedy the contravention of the Rules.

CONTENTIONS ON BEHALF OF THE INTERVENER:

21. Mr. Raj Panjwani, learned Counsel for the intervener, submitted that a marine biosphere is an ecological sensitive area and if in the consent order a condition was stipulated that the plant of the Appellants has to be situated beyond 25 kms. from ecological sensitive area, this condition has to be complied with. He further submitted that in any case the Appellants are liable to compensate for having damaged the environment.

FINDINGS OF THE COURT:

22. Writ Petition No. 15501 of 1996, Writ Petition No. 15503 of 1996 and Writ Petition No. 5769 of 1997 had been filed for quashing the environmental clearances dated 16.01.1995 and 17.05.1995 granted by the Ministry of Environment and Forests, Government of India, to the Appellants for setting up the plant at Tuticorin and by the impugned judgment, the High Court has not quashed the environmental clearance but has allowed the three writ petitions. Hence, the first question which we will have to decide is whether the High Court could have interfered with the environmental clearances granted by the Ministry of Environment and Forests, Government of India, and the Government of Tamil Nadu, Department of Environment.

23. The environmental clearance for setting up the plant was granted to the Appellants under the Environment (Protection) Act, 1986. Sub-section (1) of Section 3 of the Environment (Protection) Act, 1986 provides that subject to the provisions of the Act, the Central Government shall have the power to take all such measures as it deems necessary or expedient for the purpose of protecting and improving the quality of the environment and preventing, controlling and abating environmental pollution. Sub-section (2) of Section 3 further provides that in particular, and without prejudice to the generality of the provisions of Sub-section (1), such measures may include measures with respect to all or any of the matters specified therein. One such matter

specified in Clause (v) of Sub-section (2) is restriction of areas in which any industries, operations or processes or class of industries, operations or processes shall not be carried out or shall be carried out subject to certain safeguards. Rule 5(3) of the Environment (Protection) Rules, 1986 accordingly empowers the Central Government to impose prohibitions or restrictions on the location of an industry or the carrying on processes and operations in an area, by notification in the Official Gazette. In exercise of these powers under Section 3(2)(v) of the Environment (Protection) Act, 1986 and Rule 5(3) of the Environment (Protection) Rules, 1986, the Central Government has issued a notification dated 27.01.1994 imposing restrictions and prohibitions on the expansion and modernization of any activity or new projects being undertaken in any part of India unless environmental clearance has been accorded by the Central Government or the State Government in accordance with the procedure specified in the said notification.

24. Para 2 of the notification dated 27.01.1994 lays down the requirements and procedure for seeking environmental clearance of projects, and Clause (c) of Para 2 provides that the Impact Assessment Agency could solicit comments of the public within thirty days of receipt of proposal, in public hearings, arranged for the purpose, after giving thirty days notice of such hearings in at least two newspapers, and after completion of public hearing, where required, convey its decision. The language of this notification did not lay down that the public hearing was a must. The Impact Assessment was done by Tata Consultancy Services as per the requirements then existing and the Government of India has granted the Environmental Clearance on 16.01.1995. The notification dated 27.01.1994, however, was amended by notification dated 10.04.1997 and it was provided in Clause (c) of Para 2 of the notification that the Impact Assessment Agency shall conduct a public hearing and the procedure for public hearing was detailed in Schedule IV to the notification by the amendment notification dated 10.04.1997. Admittedly, in this case, the environmental clearance was granted by the Ministry of Environment, Government of India, on 16.01.1995 in accordance with the procedure laid down by notification dated 27.01.1994 well before the notification dated 10.04.1997 providing for mandatory public hearing in accordance with the procedure laid down in Schedule IV. As there was no mandatory requirement in the procedure laid down under the Environment (Protection) Act, 1986 and the Environment (Protection) Rules, 1986 and the notifications dated 27.01.1994 as amended by notification dated 04.05.1994 that a public hearing has to be conducted before grant of environmental clearance, the High Court could not have allowed the writ petitions challenging the environmental clearances on the ground that no public hearing was conducted before grant of the environmental clearances.

25. An Explanatory Note regarding the EIA notification dated 27.01.1994 was also issued by the Central Government and Para 5 of the Explanatory Note clarified that project proponents could furnish Rapid EIA report to the Impact Assessment Agency based on one season data, for examination of the project and Comprehensive EIA report may be submitted later, if so asked for by the Impact Assessment Agency and this was permitted where Comprehensive EIA report would take at least one year for its preparation. In Para 5 of the affidavit filed by the Union of India before the High Court in Writ Petition Nos. 15501 to 15503 of 1996, the allegation of the writ Petitioner that the Ministry of Environment and Forests have accorded environmental clearance without applying its mind and without making any analysis of the adverse impacts on the marine ecological system has been denied and it has been further stated that after detailed examination of Rapid EIA/EMP, filled in Questionnaire for industrial projects, NOC from State Pollution Control Board and Risk Analysis, the

project was examined as per the procedure laid down in the EIA notification dated 27.01.1994 (as amended on 04.05.1994) and the project was accorded approval on 16.01.1995 subject to specific conditions. As the procedure laid down under the Environment (Protection) Act, 1986 and the Environment (Protection) Rules, 1986 and the notifications dated 27.01.1994 as amended by notification dated 04.05.1994 and as explained by the Explanatory Note issued by the Government of India permitted Rapid EIA in certain circumstances, the High Court could not have allowed the writ petitions on the ground that environmental clearance was issued to the Appellant-company on the basis of inadequate Rapid EIA, particularly when the Union of India in its affidavit had clearly averred that the environmental clearance was granted after detailed examination of Rapid EIA/EMP, filled in Questionnaire for industrial projects, NOC from State Pollution Control Board and Risk Analysis in accordance with the procedure laid down in EIA notification dated 27.01.1994 (as amended on 04.05.1994).

26. The High Court has noticed some decisions of this Court on Sustainable Development, Precautionary and Polluter Pays Principles and Public Trust Doctrine, but has failed to appreciate that the decision of the Central Government to grant environmental clearance to the plant of the Appellants could only be tested on the anvil of well recognized principles of judicial review as has been held by a three Judge Bench of this Court in *Lafarge Umiam Mining (P) Ltd. v. Union of India and Ors.* MANU/SC/0735/2011 : (2011) 7 SCC 338 at 380. To quote Environmental Law edited by David Woolley QC, John Pugh-Smith, Richard Langham and William Upton, Oxford University Press:

The specific grounds upon which a public authority can be challenged by way of judicial review are the same for environmental law as for any other branch of judicial review, namely on the grounds of illegality, irrationality, and procedural impropriety.

Thus, if the environmental clearance granted by the Environment (Protection) Act, 1986, the Environment (Protection) Rules, 1986 or the notifications issued thereunder, the High Court could quash the environmental clearance on the ground of illegality. If the environmental clearance is based on a conclusion so unreasonable that no reasonable authority could ever have come to the decision, the environmental clearance would suffer from *Wednesbury* unreasonableness and the High Court could interfere on the ground of irrationality. And, if the environmental clearance is granted in breach of proper procedure, the High Court could review the decision of the authority on the ground of procedural impropriety.

27. Where, however, the challenge to the environmental clearance is on the ground of procedural impropriety, the High Court could quash the environmental clearance only if it is satisfied that the breach was of a mandatory requirement in the procedure. As stated in Environmental Law edited by David Woolley QC, John Pugh-Smith, Richard Langham and William Upton, Oxford University Press:

It will often not be enough to show that there has been a procedural breach. Most of the procedural requirements are found in the Regulations made under primary legislation. There has been much debate in the courts about whether a breach of Regulations is mandatory or directory, but in the end the crucial point which has to be considered in any given case is what the particular provision was designed to achieve.

As we have noticed, when the plant of the Appellant-company was granted environmental clearance, the notification dated 27.01.1994 did not provide for mandatory public hearing. The Explanatory Note issued by the Central Government on the notification dated 27.01.1994 also made it clear that the project proponents may furnish rapid EIA report to the IAA based on one season data (other than monsoon), for examination of the project Comprehensive EIA report was not a must. In the absence of a mandatory requirement in the procedure laid down under the scheme under the Environment (Protection) Act, 1986 at the relevant time requiring a mandatory public hearing and a mandatory comprehensive EIA report, the High Court could not have interfered with the decision of the Central Government granting environmental clearance on the ground of procedural impropriety.

28. Coming now to the ground of irrationality argued so vehemently by Mr. V. Prakash, we find that no materials have been produced before us to take a view that the decision of the Central Government to grant the environmental clearance to the plant of the Appellants was so unreasonable that no reasonable authority could ever have taken the decision. As we have already noticed, in Para 5 of the affidavit filed by the Union of India before the High Court in Writ Petition Nos. 15501 to 15503 of 1996, it has been stated that the Ministry of Environment and Forests have accorded environmental clearance after detailed examination of rapid EIA/EMP, filled in Questionnaire for industrial projects, NOC from State Pollution Control Board and Risk Analysis, and that the project was examined as per the procedure laid down in the EIA notification dated 27.01.1994 (as amended on 04.05.1994) and only thereafter the project was accorded approval on 16.01.1995. No material has been placed before us to show that the decision of the Ministry of Environment and Forests to accord environmental clearance to the plant of the Appellants at Tuticorin was wholly irrational and frustrated the very purpose of EIA.

29. In *Belize Alliance of Conservation Non-governmental Organizations v. The Department of the Environment and Belize Electric Company Limited* (supra) cited by Mr. Prakash, the Lords of the Judicial Committee of the Privy Council have quoted with approval the following words of Linden JA with reference to the Canadian legislation in *Bow Valley Naturalists Society v. Minister of Canadian Heritage* (2001) 2 FC 461 at 494:

The Court must ensure that the steps in the Act are followed, but it must defer to the responsible authorities in their substantive determinations as to the scope of the project, the extent of the screening and the assessment of the cumulative effects in the light of the mitigating factors proposed. It is not for the judges to decide what projects are to be authorized but, as long as they follow the statutory process, it is for the responsible authorities.

The aforesaid passage will make it clear that it is for the authorities under the Environment (Protection) Act, 1986, the Environment (Protection) Rules, 1986 and the notifications issued thereunder to determine the scope of the project, the extent of the screening and the assessment of the cumulative effects and so long as the statutory process is followed and the EIA made by the authorities is not found to be irrational so as to frustrate the very purpose of EIA, the Court will not interfere with the decision of the authorities in exercise of its powers of judicial review.

30. The next question that we have to decide is whether the High Court was right in directing closure of the plant of the Appellants on the ground that the plant of the Appellants is located at Tuticorin within 25 kms. of four of the twenty one islands in

the Gulf of Munnar, namely, Vanthivu, Kasuwar, Karaichalli and Villanguchalli. The reason given by the High Court in coming to this conclusion is that the TNPCB had stipulated in the Consent Order dated 22.05.1995 that the Appellant-company has to ensure that the location of the unit should be 25 kms. away from ecologically sensitive area and as per the report of NEERI, the plant of the Appellants was situated at a distance of 6 kms. of Vanthivu, 7 kms. of Kasuwar and 15 kms. of Karaichalli and Villanguchalli and these four villages are part of the twenty one islands in the Gulf of Munnar. Hence, the High Court directed closure of the plant because the Appellant-company has violated the condition of the Consent Order dated 22.05.1995 issued by the TNPCB under the Water Act.

31. The Consent Order dated 22.05.1995 issued by the TNPCB under Section 25 of the Water Act states as follows:

Consent to establish or take steps to establish is hereby granted under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 as amended in 1988) (hereinafter referred to as 'The Act') and the rules and orders made thereunder to

The Chief Project Manager,
M/s. Sterlite Industries (India) Limited
(Copper Smelter Project)

SIPCOT Industrial Complex,
Meelavittam Village, Tuticorin Taluk,
V.O. Chidambaraner District

(hereinafter referred to as 'The applicant') authorizing him/her/them to establish or take steps to establish the industry in the site mentioned below:

SIPCOT Industrial Complex,
Meelavittam Village, Tuticorin Taluk,
V.O. Chidambaraner District.

The aforesaid extract from the Consent Order dated 22.05.1995 of the TNPCB issued under the Water Act makes it clear that the Appellant-company was given consent to establish its plant in the SIPCOT Industrial Complex, Melavittan Village, Tuticorin Taluk. Along with the Consent Order under the Water Act, special conditions were annexed and Clause 20 of the special conditions reads as follows:

20. (i) 1 km away from the water resources specified in G.O. Ms. No. 213 E & P Dept Dt. 30.3.89

(i) 25 km away from ecological/sensitive areas.

(ii) 500 metres away from high tide line.

32. On the one hand, therefore, the Appellants were given consent to establish their plant in the SIPCOT Industrial Complex, which as per the NEERI report is within 25 kms. of four of the twenty one islands in the Gulf of Munnar. On the other hand, a condition was stipulated in the consent order that the Appellants have to ensure that the location of the unit is 25 kms. away from ecological sensitive area. It thus appears that the TNPCB while granting the consent under the Water Act for establishment of the plant of the Appellants in the SIPCOT Industrial Complex added

the above requirement without noting that the SIPCOT Industrial Complex was within 25 kms. from ecological sensitive area. Since, however, the Consent Order was granted to the Appellant-company to establish its plant in the SIPCOT Industrial Complex and the plant has in fact been established in the SIPCOT Industrial Complex, the High Court could not have come to the conclusion that the Appellant-company had violated the Consent Order and directed closure of the plant on this ground.

33. This is not to say that in case it becomes necessary for preservation of ecology of the aforesaid four islands which form part of the Gulf of Munnar, the plant of the Appellants cannot be directed to be shifted in future. We find from the affidavit filed on behalf of the State of Tamil Nadu on 29.10.2012 that the Gulf of Munnar consisting of 21 islands including the aforesaid four islands have been notified under Section 35(1) of the Wildlife (Protection) Act, 1972 on 10th September 1986 and a declaration may also be made under Section 35(4) of the said Act declaring the Gulf of Munnar as a Marine National Park. We have, therefore, no doubt that the Gulf of Munnar is an ecological sensitive area and the Central Government may in exercise of its powers under Clause (v) of Sub-section (1) of Rule 5 of the Environment (Protection) Rules, 1986 prohibit or restrict the location of industries and carrying on processes and operations to preserve the biological diversity of the Gulf of Munnar. As and when the Central Government issues an order under Rule 5 of the Environment (Protection) Rules, 1986 prohibiting or restricting the location of industries within and around the Gulf of Munnar Marine National Park, then appropriate steps may have to be taken by all concerned for shifting the industry of the Appellants from the SIPCOT Industrial Complex depending upon the content of the order or notification issued by the Central Government under the aforesaid Rule 5 of the Environment (Protection) Rules, 1986, subject to the legal challenge by the industries.

34. The next question with which we have to deal is whether the High Court could have directed the closure of the plant of the Appellants on the ground that though originally the TNPCB stipulated a condition in the 'No Objection Certificate' that the Appellant-company has to develop a green belt of 250 meters width around the battery limit of the plant, the Appellants made representation to the TNPCB for reducing the width of the green belt and the TNPCB in its meeting held on 18.08.1994 relaxed this condition and required the Appellants to develop the green belt with a minimum width of 25 meters. We find on a reading of the No Objection Certificate issued by the TNPCB that various conditions have been imposed on the industry of the Appellants to ensure that air pollution control measures are installed for the control of emission generated from the plant and that the emission from the plant satisfies the ambient area quality standards prescribed by the TNPCB and development of green belt contemplated under the environmental management plan around the battery limit of the industry of the Appellants was an additional condition that was imposed by the TNPCB in the No Objection Certificate. If the TNPCB after considering the representation of the Appellants has reduced the width of the green belt from a minimum of 250 meters to a minimum of 25 meters around the battery limit of the industry of the Appellants and it is not shown that this power which has been exercised was vitiated by procedural breach or irrationality, the High Court in exercise of its powers of judicial review could not have interfered with the exercise of such power by the State Pollution Control Board. The High Court in the impugned judgment has not recorded any finding that there has been any breach of the mandatory provisions of the Air Act or the Rules thereunder by the TNPCB by reducing the green belt to 25 meters. Nor has the High Court recorded any finding

that by reducing the width of the green belt around the battery limit of the industry of the Appellants from 250 meters to 25 meters, it will not be possible to mitigate the effects of fugitive emissions from the plant. The High Court has merely held that the TNPCB should not have taken such a generous attitude and should not have in a casual way dealt with the issue permitting the Appellant-company to reduce the green belt particularly when there have been ugly repercussions in the area on account of the incidents which took place on 05.07.1997 onwards. It was for the TNPCB to take the decision in that behalf and considering that the Appellant's plant was within a pre-existing industrial estate, the Appellant could not have been singled out to require such a huge green belt.

35. This takes us to the argument of Mr. Prakash that had the Ministry of Environment and Forests, Government of India, applied its mind fully before granting the environment clearance and had the TNPCB applied its mind fully to the consents under the Air Act and the Water Act and considered all possible environmental repercussions that the plant proposed to be set up by the Appellants would have, the environmental problems now created by the plant of the Appellants would have been prevented. As we have already held, it is for the administrative and statutory authorities empowered under the law to consider and grant environmental clearance and the consents to the Appellants for setting up the plant and where no ground for interference with the decisions of the authorities on well recognized principles of judicial review is made out, the High Court could not interfere with the decisions of the authorities to grant the environmental clearance or the consents on the ground that had the authorities made a proper environmental assessment of the plant, the adverse environmental effects of the industry could have been prevented. If, however, after the environmental clearance under the Environment (Protection) Act, 1986, and the Rules and the notifications issued thereunder and after the consents granted under the Air Act and the Water Act, the industry continues to pollute the environment so as to effect the fundamental right to life under Article 21 of the Constitution, the High Court could still direct the closure of the industry by virtue of its powers under Article 21 of the Constitution if it came to the conclusion that there were no other remedial measures to ensure that the industry maintains the standards of emission and effluent as laid down by law for safe environment (see *M.C. Mehta v. Union of India and Ors.* MANU/SC/0396/1987 : (1987) 4 SCC 463 in which this Court directed closure of tanneries polluting the waters of Ganga river).

36. We have, therefore, to examine whether there were materials before the High Court to show that the plant of the Appellants did not maintain the standards of emission and effluent as laid down by the TNPCB and whether there were no remedial measures other than the closure of the industry of the Appellants to protect the environment. We find on a reading of the impugned judgment of the High Court that it has relied on the report of NEERI of 2005 to hold that the plant site itself is severely polluted and the ground samples level of arsenic justified classifying the whole site of the plant of the Appellant as hazardous waste. We extract hereinbelow the relevant observations of NEERI in its report of 2005 relating to air, water and soil environment in the Executive Summary:

Air Environment:

- The emission factors of SO₂ from sulphuric acid plant - I (SAP-I) and sulphuric acid plant - II (SAP-II) were 0.55 kg/MT of H₂SO₄ manufactured which is well within the TNPCB stipulated limit of 2 kg/MT of H₂SO₄ manufactured.

- The acid mist concentration of SAP-I was 85 mg/Nm³, which exceeds the TNPCB limit of 50 mg/Nm³. The acid mist concentration from SAP-II was 42 mg/Nm³, which is well within the TNPCB limit. In view of the exceedance of TNPCB limit for acid mist, it is recommended that the performance of acid mist eliminators may be intermittently checked. It is further recommended to install a tail gas treatment plant to take care of occasional upsets.
- Out of the seven D.G. sets, one (6.3 MW) was monitored for particulate matter (PM) emissions. The level of PM was 115 mg/Nm³ (0.84 gm/kWh) which is within the TNPCB stipulated limit of 150 mg/Nm³ for thermal power plants of 200 MW and higher capacity (165 mg/Nm³) but higher than that stipulated for diesel engines/Gen sets up to 800 KW capacity (0.3 gm/kWh). Therefore TNPCB may decide whether the present PM emissions from the DG sets of 6.3 MW capacity is within the limit or otherwise.
- The fugitive emissions were monitored at four sites to assess the status of air quality with respect of SO₂, NO₂ and SPM. The results of analysis at all fugitive emission monitoring sites indicate that the levels of gaseous pollutants SO₂ and NO₂, were below the respective NIOSH/OSHA standards for work place environment. The levels of SPM were also within the stipulated TNPCB standards for industrial areas.
- Impact of stack and fugitive emissions on surrounding air quality was also assessed by monitoring SO₂, NO₂ and SPM levels at five monitoring locations. The levels of SPM, SO₂ and NO₂ at all the five sites were far below the TNPCB standards of 120 µg/Nm³ for SO₂ as well as NO₂ and 500 µg/Nm³ for SPM for industrial zone.

Water Environment

- Surface water samples were collected and analyzed for physico-chemical, nutrient demand parameters. The physico-chemical characteristics and nutrient demand parameters, i.e. with special reference to pH (7.9-8.0), TDS (120-160 mg/L), COD (11-18 mg/L) and levels of heavy metals viz. Cd, Cr, Cu, Pb, Fe, Mn, Zn and as in surface water, were found within the prescribed limits of drinking water standards (IS: 10500-1995).
- Total eight groundwater samples were collected (seven from hand pumps and one from dug well) to assess the groundwater quality in the study area. The analysis on physico-chemical characteristics of groundwater samples collected from various locations showed high mineral contents in terms of dissolved solids (395-3020 mg/L), alkalinity (63-210 mg/L), total hardness (225-2434 mg/L), chloride (109-950 mg/L), sulphate (29-1124 mg/L) and sodium (57-677 mg/L) as compared to the drinking water standards (IS: 10500-1995). Thus, it could be concluded that water in some of the wells investigated is unfit for drinking. The concentrations of nutrient demand parameters revealed that phosphate was in the range 0.1-0.3 mg/L while nitrate was in the range 1-7.5 mg/L at all sampling locations which is within the limits stipulated under drinking water standards (IS: 10500-1995). Levels of Chromium, Copper and lead were found to be higher in comparison to the parameters stipulated under drinking water standards (IS: 10500-1995), other heavy metal concentrations, viz. iron, manganese, zinc and arsenic were found in the range 0.01-0.05 mg/L, ND-0.01 mg/L and ND-0.08

mg/L respectively which are within the drinking water standards (IS: 10500-1995).

- To assess the impact on groundwater quality due to secured and fill sites and other waste disposal facilities, five samples were collected from monitoring wells (shallow bore wells located around the waste disposal sites). The Physico-Chemical characteristics of well water around secured land fill site and gypsum pond showed mineral contents higher than the levels stipulated in IS: 10500-1995 in terms of dissolved solids (400-3245 mg/L), alkalinity (57-137 mg/L), hardness (290-1280 mg/L), chloride (46-1390 mg/L), sulphate (177-649 mg/L) and sodium (9-271 mg/L). The results of nutrient demand parameters showed phosphate in the range 0.1-0.5 mg/L while nitrate was in the range 0.8-11.7 mg/L at all sampling locations, which are within the levels stipulated in IS: 10500-1995, whereas level of arsenic was found in the range of ND-0.08 mg/L as against the stipulated limit of 0.05 mg/L under drinking water standards (IS: 10500-1995). Levels of cadmium, chromium, copper and lead were also found to exceed the drinking water standards in some of the wells.

- The hourly composite wastewater samples were collected at six locations. During the sample collection, flow monitoring was also carried out at the inlet and final outlet of the effluent treatment plant (ETP). The concentrations of total dissolved solid (TDS) and sulphate exceed the limit stipulated by the TNPCB for treated effluent. All the other parameters are within the consent conditions prescribed by TNPCB. The treated effluent is being recycled back in the process to achieve zero discharge.

Soil Environment

- Soil samples were also analyzed for level of heavy metals. The soil samples at the plant site showed presence of As (132.5 to 163.0 mg/kg), Cu (8.6 to 163.5 mg/kg), Mn (283 to 521.0 mg/kg) and Fe (929.6 to 1764.6 mg/kg). Though there is no prescribed limit for heavy metal contents in soil, the occurrence of these heavy metals in the soil may be attributed to fugitive emission, solid waste dumps, etc.

It will be clear from the extracts from the Executive Summary of NEERI in its report of 2005, that while some of the emissions from the plant of the Appellants were within the limits stipulated by the TNPCB, some of the emissions did not conform to the standards stipulated by TNPCB. It will also be clear from the extracts from the Executive Summary relating to water environment that the surface water samples were found to be within the prescribed limits of drinking water (IS: 10500-1995) whereas ground water samples showed high mineral contents in terms of dissolved solids as compared to the drinking water standards, but concentrations of nutrient demand parameters revealed that the phosphate and nitrate contents were within the limits stipulated under drinking water standards and levels of chromium, copper and lead were found to be higher in comparison to the parameters stipulated under drinking water standards, whereas the heavy metal concentrations, namely, iron, manganese, zinc and arsenic were within the drinking water standards. Soil samples also revealed heavy metals. Regarding the solid waste out of slag in the plant site, the CPCB has taken a view in its communication dated 17.11.2003 to TNPCB that the slag is non-hazardous. Thus, the NEERI report of 2005 did show that the emission and effluent discharge affected the environment but the report read as whole does

not warrant a conclusion that the plant of the Appellants could not possibly take remedial steps to improve the environment and that the only remedy to protect the environment was to direct closure of the plant of the Appellants.

37. In fact, this Court passed orders on 25.02.2011 directing a joint inspection by NEERI (National Engineering and Research Institute) with the officials of the Central Pollution Control Board (for short 'the CPCB') as well as the TNPCB. Accordingly, an inspection was carried out during 6th April to 8th April, 2011 and 19th April to 22nd April, 2011 and a report was submitted by NEERI to this Court. On 18.07.2011, this Court directed the Tamil Nadu Government and the TNPCB to submit their comments with reference to the NEERI report. On 25.08.2011, this Court directed TNPCB to file a synopsis specifying the deficiencies with reference to the NEERI report and suggest control measures that should be taken by the Appellants so that this Court can consider the direction to be issued for remedial measures which can be monitored by the TNPCB. Accordingly, the TNPCB filed an affidavit dated 30.08.2011 along with the chart of deficiencies and measures to be implemented by the Appellants and on 11.10.2011, this Court directed the TNPCB to issue directions, in exercise of its powers under the Air Act and the Water Act to the Appellants to carry out the measures and remove the deficiencies indicated in the chart. Pursuant to the order dated 11.10.2011, the TNPCB issued directions to the Appellants and on 17.01.2012, the Appellants claimed before the Court that they have removed the deficiencies pointed out by the TNPCB and on 27.08.2012, this Court directed that a joint inspection be carried out by TNPCB and CPCB and completed by 14th September, 2012 and a joint report be submitted to this Court.

38. The conclusion in the joint inspection report of CPCB and TNPCB is extracted hereinbelow:

Out of the 30 Directions issued by the Tamil Nadu Pollution Control Board, the industry has complied with 29 Directions. The remaining Direction No. 1(3) under the Air Act on installation of bag filter to converter is at the final stage of erection, which will require further 15 working days to fully comply as per the industry's revised schedule.

From the aforesaid conclusion of the joint inspection report, it is clear that out of the 30 directions issued by the TNPCB, the Appellant-company has complied with 29 directions and only one more direction under the Air Act was to be complied with. As the deficiencies in the plant of the Appellants which affected the environment as pointed out by NEERI have now been removed, the impugned order of the High Court directing closure of the plant of the Appellants is liable to be set aside.

39. We may now consider the contention on behalf of the interveners that the Appellants were liable to pay compensation for the damage caused by the plant to the environment. The NEERI reports of 1998, 1999, 2003 and 2005 show that the plant of the Appellant did pollute the environment through emissions which did not conform to the standards laid down by the TNPCB under the Air Act and through discharge of effluent which did not conform to the standards laid down by the TNPCB under the Water Act. As pointed out by Mr. V. Gopalsamy and Mr. Prakash, on account of some of these deficiencies, TNPCB also did not renew the consent to operate for some periods and yet the Appellants continued to operate its plant without such renewal. This is evident from the following extracts from the NEERI report of 2011:

Further, renewal of the Consent to Operate was issued vide the following Proceedings Nos. and validity period:

TNPCB Proceeding	Validity Upto
No.T7/TNPCB/F.22276/RL/TTN/W/2007 dated 07.05.2007 No.T7/TNPCB/F.22276/RL/TTN/A/2006 dated 07.05.2007	30-09-2007
No.T7/TNPCB/F.22276/URL/TTN/W/2008 dated 19.01.2009 No.T7/TNPCB/F.22276/URL/TTN/A/2008 dated 19.01.2009	31-03-2009
No.T7/TNPCB/F.22276/URL/TTN/W/2009 dated 14.08.2009 No.T7/TNPCB/F.22276/URL/TTN/A/2009 dated 14.08.2009	31-12-2009

Thereafter, the TNPCB did not renew the Consents due to non-compliance of the following conditions:

Under Water Act, 1974

- i. The unit shall take expedite action to achieve the time bound target for disposal of slag, submitted to the Board, including BIS clearance before arriving at disposal to cement industries, marine impact study before arriving at disposal for landfill in abandoned quarries.
- ii. The unit shall take expedite action to dispose the entire stock of the solid waste of gypsum.

Under Air Act, 1981

- i. The unit shall improve the fugitive control measure to ensure that no secondary fugitive emission is discharged at any stage, including at the points of material handing and vehicle movement area.

For such damages caused to the environment from 1997 to 2012 and for operating the plant without a valid renewal for a fairly long period, the Appellant-company obviously is liable to compensate by paying damages. In M.C. Mehta and Anr. v. Union of India and Ors. MANU/SC/0092/1986 : (1987) 1 SCC 395, a Constitution Bench of this Court held:

The enterprise must be held to be under an obligation to provide that the hazardous or inherently dangerous activity in which it is engaged must be conducted with the highest standards of safety and if any harm results on account of such activity, the enterprise must be absolutely liable to compensate for such harm and it should be no answer to the enterprise to say that it had taken all reasonable care and that the harm occurred without any negligence on its part.

The Constitution Bench in the aforesaid case further observed that the quantum of

compensation must be co-related to the magnitude and capacity of the enterprise because such compensation must have a deterrent effect and the larger and more prosperous the enterprise, the greater must be the amount of compensation payable by it. In the Annual Report 2011 of the Appellant-company, at pages 20 and 21, the performance of its copper project is given. We extract hereinbelow the paragraph titled Financial Performance:

PBDIT for the financial year 2010-11 was Rs. 1,043 Crore, 40% higher than the PBDIT of Rs. 744 Crore for the financial year 2009-10. This was primarily due to higher LME prices and lower unit costs at Copper India and with the improved by-product realization.

Considering the magnitude, capacity and prosperity of the Appellant-company, we are of the view that the Appellant-company should be held liable for a compensation of Rs. 100 crores for having polluted the environment in the vicinity of its plant and for having operated the plant without a renewal of the consents by the TNPCB for a fairly long period and according to us, any less amount, would not have the desired deterrent effect on the Appellant-company. The aforesaid amount will be deposited with the Collector of Thoothukudi District, who will invest it in a Fixed Deposit with a Nationalized Bank for a period of five years. The interest therefrom will be spent for improving the environment, including water and soil, of the vicinity of the plant after consultation with TNPCB and approval of the Secretary, Environment, Government of Tamil Nadu.

40. We now come to the submission of Mr. Prakash that we should not grant relief to the Appellants because of misrepresentation and suppression of material facts made in the special leave petition that the Appellants have always been running their plant with statutory consents and approvals and misrepresentation and suppression of material facts made in the special leave petition that the plant was closed at the time the special leave petition was moved and a stay order was obtained from this Court on 01.10.2010. There is no doubt that there has been misrepresentation and suppression of material facts made in the special leave petition but to decline relief to the Appellants in this case would mean closure of the plant of the Appellants. The plant of the Appellants contributes substantially to the copper production in India and copper is used in defence, electricity, automobile, construction and infrastructure etc. The plant of the Appellants has about 1300 employees and it also provides employment to large number of people through contractors. A number of ancillary industries are also dependent on the plant. Through its various transactions, the plant generates a huge revenue to Central and State Governments in terms of excise, custom duties, income tax and VAT. It also contributes to 10% of the total cargo volume of Tuticorin port. For these considerations of public interest, we do not think it will be a proper exercise of our discretion under Article 136 of the Constitution to refuse relief on the grounds of misrepresentation and suppression of material facts in the special leave petition.

41. Before we part with this case, we would like to put on record our appreciation for the writ Petitioners before the High Court and the intervener before this Court for having taken up the cause of the environment both before the High Court and this Court and for having assisted this Court on all dates of hearing with utmost sincerity and hard work. In *Indian Council for Enviro-Legal Action and Ors. v. Union of India and Ors.* MANU/SC/1112/1996 : (1996) 3 SCC 211, this Court observed that voluntary bodies deserve encouragement wherever their actions are found to be in furtherance of public interest. Very few would venture to litigate for the cause of

environment, particularly against the mighty and the resourceful, but the writ Petitioners before the High Court and the intervener before this Court not only ventured but also put in their best for the cause of the general public.

42. In the result, the appeals are allowed and the impugned common judgment of the High Court is set aside. The Appellants, however, are directed to deposit within three months from today a compensation of Rs. 100 crores with the Collector of Thoothukudi District, which will be kept in a fixed deposit in a Nationalized Bank for a minimum of five years, renewable as and when it expires, and the interest therefrom will be spent on suitable measures for improvement of the environment, including water and soil, of the vicinity of the plant of the Appellants after consultation with TNPCB and approval of the Secretary, Environment, Government of Tamil Nadu. In case the Collector of Thoothukudi District, after consultation with TNPCB, finds the interest amount inadequate, he may also utilize the principal amount or part thereof for the aforesaid purpose after approval from the Secretary, Environment, Government of Tamil Nadu. By this judgment, we have only set aside the directions of the High Court in the impugned common judgment and we make it clear that this judgment will not stand in the way of the TNPCB issuing directions to the Appellant-company, including a direction for closure of the plant, for the protection of environment in accordance with law.

43. We also make it clear that the award of damages of Rs. 100 Crores by this judgment against the Appellant-Company for the period from 1997 to 2012 will not stand in the way of any claim for damages for the aforesaid period or any other period in a civil court or any other forum in accordance with law.

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 20.04.2016

DATE OF DECISION: 28.04.2016

CORAM

The Hon'ble MR.**SANJAY KISHAN KAUL, CHIEF JUSTICE**
and
The Hon'ble MR.JUSTICE **M.M.SUNDRESH**

W.P.(MD) No.13810 of 2009 and W.P.No.5691 of 2010

Pushparayan
Project Director,
East Coast Research and Development
9/1, Manual Jacob Lane,
Thoothukudi- 628 001.

.... Petitioner in both W.Ps

Vs.

1. The Secretary, Government of India,
Ministry of Environment and Forests,
Paryavaran Bhavan, CGO Complex,
Lodhi Road, New Delhi,
2. The Secretary to Government,
Government of Tamil Nadu,
Environment & Forest Department,
Fort St.George,
Chennai,
3. The Tamilnadu Pollution Control Board,
rep.by its Chairman and Member Secretary,
No.100, Anna Salai, Guindy,
Chennai – 600 032,
4. M/s.Sterlite Industries (India) Limited,
rep.by its Managing Director,
SIPCOT Industrial Complex,
Madurai Bye-pass Road,

TV Puram Post, Tuticorin – 628 002,

5. The State Industries Promotion Corporation of Tamil Nadu Limited, represented by its Principal Secretary/ Chairman & Managing Director, No.19-A, Rukmani Lakshmipathi Salai, Chennai – 8.

...Respondents
in W.P(MD) No.13810 of 2009

Respondent No.5 has been suo motu impleaded as per order of this Court dated 20.7.2010.

1. The Union of India, represented by its Secretary to Government, Ministry of Environment & Forests, Paryavaran Bhavan, 6th Floor, CGO Complex, Lodhi Road, New Delhi,
2. The National Environmental Appellate Authority, CGO Complex, Lodhi Road, New Delhi,
3. Mr.J.C.Kala, Member holding financial and administrative charge as Chairperson of National Environmental Appellate Authority, CGO Complex, Lodhi Road, New Delhi,
4. M/s.Sterlite Industries (India) Limited, rep.by its Managing Director, SIPCOT Industrial Complex, Madurai Bye-pass Road, TV Puram Post, Tuticorin – 628 002.

...Respondents
in W.P.No.5691 of 2010

Prayer: Writ Petition in **W.P(MD) No.13810 of 2009** is filed under Article 226 of the Constitution of India seeking for the relief of issuance of Writ of Declaration declaring the notification of the 1st respondent dated 1.1.2009 as illegal and against the provisions of EIA Notifications dated 14.09.2006 and the provisions of the Environmental Protection Act, 1986 and consequentially directing the 1st respondent to conduct public hearing for the proposed expansion project of the 4th respondent and thereby considering the objections by constituting a assessment Committee comprising eminent environmentalist and activists as this Court may deem fit and pass such further or other orders as this Court may deem fit and proper in the circumstances of the case.

Writ Petition in **W.P.No.5691 of 2010** is filed under Article 226 of the Constitution of India seeking for the relief of issuance of Writ of Certiorari calling for the records relating to the impugned Notification S.O.2408 (E) dated 22.9.2009 issued by the 1st respondent and quash the same.

For Petitioner : Mr.E.Vijay Anand
in W.P.(MD) No.5691
of 2010

For Petitioner : No Appearance
in W.P.No.5691 of
2010

For Respondents : Mr.G.Rajagopal,
1 and 2 Additional Solicitor General
in W.P.(MD) No.13810 assisted by Mr.B.Rabumanohar,
of 1999 and SCGPC

for respondent No.1
 in W.P.No.5691 of 2010
 For Respondent No.3 : Mr.Rita Chandrasekar
 in W.P.(MD) No.13810
 of 2009

For Respondent No.4 : Mr.P.S.Raman,Sr.Counsel
 in W.P.(MD) No.13810 for Mr.S.Raghunathan
 of 2009 and for
 respondent No.4 in
 W.P.No.5691 of 2010

For Respondent No.5 : Mr.M.Sriram
 in W.P.(MD) No.13810 and Mr.Ramesh Venkatachalapathy
 of 2009

For Respondent Nos.2 : No Appearance
 and 3 in W.P.No.5691
 of 2010

COMMON ORDER

M.M.SUNDRESH,J.

W.P.(MD) No.13810 of 2009:

This public interest litigation has been filed by the petitioner laying challenge to the notification of the 1st respondent dated 1.1.2009, being contrary to the provisions of EIA Notification dated 14.09.2006 and the provisions of the Environmental Protection Act, 1986 qua public consultation.

2. Heard Mr.E.Vijay Anand, learned counsel appearing for the

petitioner and Mr.G.Rajagopal, Additional Solicitor General appearing for respondents No.1 and 2, Mr.Rita Chandrasekar, learned counsel appearing for respondent No.3 – Tamil Nadu Pollution Control Board, Mr.P.S.Raman, learned Senior Counsel appearing for respondent No.4 - Sterlite Industries (India) Limited and Mr.M.Sriram and Mr.Ramesh Venkatachalapathy, learned counsels appearing for respondent No.5 - State Industries Promotion Corporation of Tamil Nadu Limited.

3. Before going to the issues involved, the background facts would require an appropriate narration.

4. On 1.8.1994, a No Objection Certificate was issued by the Government of Tamil Nadu in favour of the 4th respondent – M/s.Sterlite Industries (India) Limited for production of 391 Tonnes of copper per day. The 4th respondent has obtained Environment Clearance from the Ministry of Environment and Forests (MoEF), Government of India on 16.1.1995. Thereafter, "consent to establish" was received from the Tamil Nadu Pollution Control Board on 22.5.1995. It was followed by "consent to operate" dated 14.10.1996 for production. Writ Petitions in W.P.Nos.15501 to 15503 of 1996 were filed challenging the grant of permission in establishing the plant. The Government of Tamil Nadu issued

administrative sanction for setting up of an industrial complex by issuing G.O.Ms.No.383, Industries dated 25.3.1981 and 233 dated 18.12.1996. Accordingly, by the State Industries Promotion Corporation of Tamil Nadu Limited (in short, "SIPCOT"), an Industrial park was established in the year 1994. It was followed by subsequent acquisitions. An extent of 319.99 acres in which the 4th respondent has set up new Copper Smelter and associated facilities are falling within these lands. Suffice it is to state that the land acquisition process was completed by the SIPCOT – 5th respondent much before the Environmental Impact Assessment Notification dated 14.9.2006. Notification dated 14.09.2006 of the 1st respondent deals with 'public consultation'. In that, exemption has been granted for all projects or activities located within industrial estates or parks (item 7(c) of the Schedule) approved by the concerned authorities, and which are not disallowed in such approvals. Therefore, the lands allotted to the 4th respondent does not come within the purview, which fact is also reinforced in the counter affidavit filed by the 5th respondent.

5. The 4th respondent filed an application before the 3rd respondent for expansion of copper smelter plant from 391 TPD to 900 TPD on 24.8.2001. A public hearing was conducted on 10.1.2003 followed by environmental clearance granted on 22.9.2004. Consent to operate was

issued for expansion on 19.4.2005. Thereafter, applications were submitted for further expansion from 900 TPD to 1200 TPD on 12.9.2005 and 26.12.2005. Thereafter, EIA Notification was issued by the 1st respondent on 14.9.2006. On 15.11.2006, consent to operate was issued by the Tamil Nadu Pollution Control Board, as the cost of the project is less than Rs.50 Crores. It was followed by Environmental Clearance. Similarly, subsequent applications were filed for further expansion from 1200 TPD to 2400 TPD on 25.4.2008 and 12.8.2008. Once again, Environmental Clearance was granted albeit without public hearing in view of the exemption available under the EIA Notification dated 14.9.2006.

6. The Division Bench of this Court was pleased to allow the Writ Petitions filed in W.P.Nos.15501-502 of 1996, 5769 of 1997 and 16861 of 1998 in and by the Order dated 28.9.2010 resulting in quashment of consent to operate. Consequently, the unit was directed to be closed. The Special Leave Petitions(C) Nos.28116-23 of 2010, which were converted into Civil Appeal Nos.2776-83 of 2013 were allowed by the Supreme Court on 2.4.2013 (**vide Sterlite Industries (India) Limited and others Vs. Union of India and others, (2013) 4 SCC 575**) imposing a condition on the 4th respondent to deposit a sum of Rs.100 Crores with the District

Collector, Thoothukudi, meant to be used for the improvement of environment on the "polluter pay principle" with a further direction to the 3rd respondent – Tamil Nadu Pollution Control Board to continue the monitoring. It is seen that in the said decision the Apex Court dealt with the issues relating to location of industry, green belt, consideration of reports of various Committees comprising of eminent scientists/ experts from M/s.NEERI, CPCB, TNPCB, IIT., etc., Environmental Clearance and non-availability of sand for certain period.

7. In the meanwhile, the petitioner filed the present W.P.(MD) No.13810 of 2009 laying challenge to the notification dated 1.1.2009 primarily contending that it suffers from non-adherence of public consultation. An Office memorandum was issued by the 1st respondent on 10.12.2014 clarifying that public consultation is not required for the projects located within the industrial estates notified prior to 14.09.2006 (impugned notification). A challenge was made to the said Office Memorandum in W.P.No.3514 of 2015 and the said writ petition was dismissed upholding the Office Memorandum. The following paragraphs of the said order would be apposite:

"...2. It is the case of the petitioner that the public consultation process envisaged by the notification dated

14.09.2006 amending the Environment (Protection) Rules, 1986, is sought to be given a go-by through the impugned notification. Thus, the impugned notification is alleged to be unreasonable which would permit highly polluting industries which have commenced their operation prior to EIA notification dated 14.09.2006 to even expand their polluting industries going by the plea defying norms and regulations available, as they would not be affected or required to go through the concept of public participation and public hearing.

3. The counter affidavit filed by the Ministry of Environment and Forests and Climate Change, Government of India, states that settled positions cannot be unsettled and there cannot be a fresh scrutiny requiring public participation or a re-sanction, when it is an existing industry. This is stated to be equally applicable for its expansion. It has been averred that as per Office Memorandum dated 16.05.2014, an interpretation has been given that exemption from public consultation is available only to projects located within industrial estates or parks which have obtained prior Environmental Clearance under EIA Notification, 2006. In this behalf, representations challenging the clarifications were addressed which were referred to an expert committee comprising Dr.S.R.Wate, Director, NEERI, Nagpur, Dr.R.K.Garg, Shri K.P.Niyati, Dr.A.B.Akolkar, Member Secretary, CPCB and Dr.A.L.Aggarwal, Former Deputy Director, NEERI, Nagpur.

4. The Ministry thereafter examined the matter on the

recommendations of the Committee and came to the conclusion that the clarification given in Office Memorandum dated 16.05.2014 is not as per the intent of the EIA notification, 2006 since the same was made applicable for Industrial Estates which were existing on that date, like Irrigation and road projects. The National Green Tribunal Bench, Pune, in that context, passed orders dated 08.08.2014. It is therefore that the impugned Notification/ Office Memorandum has been issued dealing with the recommendations of the Expert Committee in the context of the representations received. It has been clarified that the original intent of the EIA Notification, 2006 is to exempt from public consultation in the process of Environmental Clearance, Units being established or going for expansion in the Industrial Estates or Parks which were in existence on the date of the EIA Notification, 2006.

5. It has also been stated that the aforesaid is only a clarification and not a fresh exemption and as submitted by the learned Additional Solicitor General, it is always open in a case a particular industry is polluting, to move the NGT in that behalf, even if it is an existing industry, it is only that a general consultative process is not applied in such a situation."

These are all the background facts governing the case.

8. When the matter was taken up for hearing on 23.3.2016, the

following issue was framed to be answered by the parties:

"... 2. The only question which is really required to be examined is whether a public consultation is required prior to the Environmental Clearance for expansion, as according to the first respondent (a Communication vide letter dated 01.01.2009 at page-394 of the typed set), the location of the project and the notified SIPCOT Industrial area exempts the requirement of consultation as per Section (III), stage (3), paragraph-(i)(b) of the EIA Notification, 2006....."

9. The learned counsel appearing for the petitioner confining his argument to the issue of public consultation submitted that the Office Memorandum dated 24.8.2009 issued by the Ministry of Environment & Forests would govern the case. A further submission is made that the expanded unit of the 4th respondent is outside the area of the 5th respondent. Beyond this, learned counsel did not make any more submission, perhaps, for the reason that incidentally all the issues have been dealt with in extenso by the Apex Court in **Sterlite Industries (India) Limited case** (referred supra).

10. Learned counsel appearing for the respondents submitted that on facts, the 4th respondent is situated within the SIPCOT Industrial complex.

The Office Memorandum dated 24.8.2009 is not applicable to the case on hand. What is applicable to the 4th respondent is Office Memorandum dated 16.5.2014 issued by the Ministry of Environment & Forests, IA Division. This notification has been further clarified by a subsequent Office Memorandum dated 10.12.2014. As the clarificatory Office Memorandum dated 16.5.2014 has already been upheld by this Court, no interference is required.

11. We have perused all the three Office Memorandums. As rightly submitted by the learned counsel for respondents, the Office Memorandum dated 24.8.2009, being clarificatory, does not have any bearing to the case on hand. What is relevant is the subsequent clarification dated 16.5.2014. For better appreciation, the said Office Memorandum dated 16.5.2014 is re-produced hereunder:

"OFFICE MEMORANDUM

**Subject: Exemption from Public Consultation for the
projects/ activities located within the Industrial
Estates/Parks.**

The undersigned is directed to inform that on the above mentioned subject, the following is clarified by the Ministry of Environment and Forests:

(i) The examination from public consultation,

as provided for under para 7(i) III. Stage (3)(i)(b) of EIA Notification, 2006 is only available to the projects or activities located within the industrial estates or parks, which have obtained prior environmental clearance under EIA Notification, 2006, as provided for under item 7(c) of the Schedule.

(ii) The expression 'concerned authorities' as stated in the aforesaid para of EIA Notification, 2006 implies the competent authorities in the State Governments/Central Government, which approve setting-up of such industrial estates or parks.

This issues with the approval of the competent authority."

This has been further clarified in the Official Memorandum dated 10.12.2014, which is as under:

"OFFICE MEMORANDUM

Subject: Exemption from Public Consultation for the projects/ activities located within the Industrial Estates/Parks.

Reference this Ministry's earlier Office Memorandum of even number dated 16.05.2014 on the subject mentioned above.

2. This Ministry has received representations from various Industrial Associations on the above said Office

Memorandum. These representations have been considered by the Ministry. Based on the consideration, the undersigned has been directed to clarify that the exemption from public consultation, as provided for under para 7(i) III. Stage(3)(i)(b) of EIA Notification, 2006 is available to the projects or activities or units located within the Industrial Estates or Parks, which were notified prior to 14.09.2006, i.e., the EIA Notification, 2006 coming into force.

3.This issues with the approval of the competent authority."

12. As discussed earlier, the Office Memorandum dated 16.5.2014 has already been upheld by this Court. The said memorandum followed by subsequent one leave no doubt that for the projects or activities located within the Industrial Estates or Parks which were notified prior to the EIA Notification dated 14.09.2006, the exemption from public consultation would apply as provided under Item 7(c) of the Schedule. The Office Memorandums referred above are only clarificatory in nature as considered by the Division Bench in the decision referred supra. On a perusal of the notifications also, we are satisfied that no public consultation is required for the present case.

13. In view of the consistent stand taken by all the respondents

including the 5th respondent – SIPCOT that the 4th respondent is situated within the SIPCOT complex, we have no difficulty in holding that exemption from public consultation would certainly apply. Thus, paragraph 7(i) III. Stage(3)(i)(b) of EIA Notification dated 14.09.2006 would certainly apply to the case on hand and therefore the 4th respondent is entitled for exemption from "public consultation process". The petitioner is unable to establish before us that the 4th respondent is not situated within the SIPCOT Complex of the 5th respondent.

14. We may also note one more fact. Conspicuously, the petitioner has not challenged the earlier exemption of public consultation qua expansion. He has also not challenged the consent granted by the 3rd respondent - Pollution Control Board.

15. For the aforesaid reasons, we do not find any merit in W.P.MD.No.13810 of 2009 and the same stands dismissed. However, it is well open to the petitioner to take appropriate action in the event of any environmental violation on the part of the 4th respondent either by approaching the authorities concerned or moving the National Green Tribunal, if so advised. No costs.

W.P.No.5691 of 2010:

16. This writ petition has been filed challenging the notification of the 1st respondent dated 22.9.2009 issued in exercise of the powers conferred by Sub-section (2) of Section 6 read with Section 13 of the National Environment Appellate Authority Act, 1997 (Act No.22 of 1997), authorising a Member to exercise the financial and administrative powers of the Chairperson in his absence and as that of the Vice Chairperson.

17. The petitioner has filed a comprehensive writ petition earlier in W.P.(MD) No.13810 of 2009 challenging the notification dated 1.1.2009 issued by the 1st respondent in favour of the 4th respondent therein. We have considered the contentions raised on merit and dismissed the said writ petition. Therefore, in fact, nothing survives for adjudication in this writ petition. Even otherwise on merit, we do not find any error as the notification under challenge does give ample power to respondent No.1 to pass it. The petitioner has not shown any apparent injury caused by the impugned notification and the present situation is also not placed before us. We thus dismiss this writ petition. No costs.

(S.K.K., C.J.) (M.M.S.,J.)
28.04.2016

Internet:Yes

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To

1. The Secretary, Government of India,
Ministry of Environment and Forests,
Paryavaran Bhavan,
CGO Complex,
Lodhi Road,
New Delhi,
2. The Secretary to Government,
Government of Tamil Nadu,
Environment & Forest Department,
Fort St.George,
Chennai,
3. The Chairman and Member Secretary,
Tamilnadu Pollution Control Board,
No.100, Anna Salai,
Guindy,
Chennai – 600 032,
4. The Managing Director,
M/s.Sterlite Industries (India) Limited,
SIPCOT Industrial Complex,
Madurai Bye-pass Road,
TV Puram Post,
Tuticorin – 628 002,
5. The Principal Secretary/
Chairman & Managing Director,
State Industries Promotion
Corporation of Tamil Nadu Limited,
No.19-A, Rukmani Lakshmipathi Salai,
Chennai – 8.
6. The National Environmental Appellate Authority,
CGO Complex, Lodhi Road,
New Delhi,

The Hon'ble Chief Justice
and
M.M.Sundresh,J

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Order in
W.P.(MD) No.13810 of 2009
and W.P.No.5691 of 2010
28.04.2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.05.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.11190 of 2018

and

W.M.P.(MD)Nos.10218 and 10219 of 2018

Vedanta Limited,
Unit: Sterlite Copper,
Represented by its Authorized Signatory,
SIPCOT Industrial Complex,
Madurai Bypass Road,
Thoothukudi District,
Tamil Nadu-628 002.

... Petitioner

Vs.

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein to consider the representations dated 09.04.2018 and 16.04.2018 and pass appropriate orders to declare the area to the radius upto one kilometer from the periphery around the petitioner's factor premises (Copper Smelter Complex and Thermal Power Plant) and residential quarters premises (Thamira-I and Thamira-II) and warehouse as "Protest Free Zone"/"No Protest Zone" within a time stipulated by this Court.

For Petitioner

: Mr.J.Subramanian

Senior Counsel

Assisted by K.P.Anantha

Krishnan

For Respondents : Mr.M.Murugan

Government Advocate

ORDER

Pursuant to the distribution of pamphlets and messages in the social media by a faction claiming as “Makkal Athikaram” calling for protest on 22.05.2018 for closure of the petitioner's factory, the petitioner herein had given representations to the respondents herein on 09.04.2018 and 16.04.2018 seeking for invoking the provision under Section 144 of Cr.P.C. Since the representations has not been considered till date, the present Writ petition has been filed.

2.The learned Senior Counsel relying upon the pamphlets and various cases filed against the persons for indulging in unlawful assembly and other crimes affecting the petitioner's business, he submitted that this is a fit case, where the first respondent ought to have invoked Section 144 Cr.P.C., particularly, in the light of the proposed protest on 22.05.2018.

3.The learned Additional Government Pleader on instructions submitted that as on date, none of the section of the public have approached the police seeking for permission of any protest and that if there is any illegal protest, the stringent action would be taken against such violators in order to safeguard the general public. According to the

learned Additional Government Pleader, they have so far registered 38 cases against violators, in which 21 persons have already been arrested and remanded.

4.It is needless to point out that the freedom of expression and speech is subject to reasonable subordination of social interest and preservation of public order and rule of law would be the primary consideration in cases of an illegal protest or an unlawful assembly. In the instant case, the second respondent police have not till date granted any permission for the protest. It is not in dispute that the pamphlets calling upon the general public to protest on 22.05.2018 for closing the factory, has been widely circulated. The wordings in the pamphlets also indicate that the protestors do not have any intention to conduct a peaceful protest.

5.On a overall reading of the pamphlets as well as taking into consideration of the various disturbances and untoward incidents happening in an around the petitioner factory, the proposed protest is likely to trigger a law and order situation and in this scenario invoking Section 144 of Cr.P.C would be highly recommended in public interest. This recommendation is being consciously made in view of the earlier

antecedents where several cases have been registered against violators and the present pamphlet also indicates the possibility of an unlawful assembly and an illegal protest.

6. Nevertheless, this Court is also conscious of the fact that such a decision is within the scope and ambit of the first respondent herein. However, when a representation has already been made to the first respondent seeking for invoking Section 144 Cr.P.C, such a representation cannot be kept pending indefinitely, particularly, when there are sufficient materials to show that there is a possibility of a protest on 22.05.2018. Non consideration of the representation would amount to a dereliction of the ordinary duties of the first respondent and in such circumstances, this Court would be justified in invoking its powers under Article 226 of the Constitution of India and direct the first respondent to consider the representation.

7. Under these circumstances and in the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's representation dated 09.04.2018 and the subsequent reminder dated 16.04.2018, on its own merits with due consideration of the observation made in this order and pass appropriate orders on or before 21.05.2018.

8.The Writ petition stands ordered accordingly. No costs.
Consequently, connected miscellaneous petitions are closed.

18.05.2018

Index : Yes / No

Internet : Yes / No

rmi/TM

Note: Issue Order copy on 18.05.2018.

To

- 1.The District Collector,
Thoothukudi District,
Thoothukudi.
- 2.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

W.P.(MD) No.11190 of 2018
and

W.M.P.(MD)Nos.10218 and 10219 of 2018

WEB COPY

W.M.P.(MD)No.10257 of 2018

in

W.P. (MD) No.11220 of 2018

Reserved on : 17.05.2018

Pronounced on : 23.05.2018

M. SUNDAR, J.

&

DR. ANITA SUMANTH, J.

(Order of the Court was delivered by DR. ANITA SUMANTH, J.)

This interim order is passed in a Writ Petition filed in Public Interest challenging Environmental Clearance dated 01.01.2009 obtained by the 4th respondent in respect of Unit II of a Copper Smelter Plant located at Tuticorin and subsequently extended on 23.07.2015 and 02.03.2016.

2. The Writ Petitioner is one Ms.Fatima, a Senior Citizen, retired as an Associate Professor of English and a resident of Tuticorin.

3. The matter was mentioned before the vacation Bench on 16.5.2018 requesting listing for urgent hearing. The urgency for listing and hearing the Writ Petitioner on interim prayer was stated to be the response received by the writ petitioner to queries raised on 13.04.2018 under the Right to Information

Act. The information sought has been furnished under cover of letter dated

30.04.2018 by the Public Information Officer. The information contains 600 pages of documents including notices to show cause (in short 'SCN') issued by the Tamil Nadu Pollution Control Board (in short 'TNPCB') to the State Industries Promotion Corporation of Tamil Nadu (in short 'SIPCOT'). TNPCB has been arrayed as third respondent (R3) and SIPCOT has been arrayed as fifth respondent (R5) respectively in this writ petition.

4. The correspondence reveals, according to the petitioner, new and hitherto unknown information about environmental clearance dated 01.01.2009 (in short 'EC') upon the strength of which the 4th respondent, Vedanta Limited (formerly Sterlite Industries Limited) (in short 'Vedanta'), is presently carrying on construction activities on the site for the proposed Copper Smelter Unit II at SIPCOT, Tuticorin.

5. The clearance has, according to the petitioner, been obtained by Vedanta, without the conduct of a public hearing and the requirement for such hearing had been waived on the incorrect representation of Vedanta that Unit II was to be located in Phase II of SIPCOT Industrial Park that had itself been granted approval. Thus, the urgency and the timing of the present writ petition.

6. Since the information in question has been received by the petitioner only on 30.05.2018, clearly the petitioner could not have approached the Court during the regular sitting. In this view of the matter, we permitted listing of the

7. The array of parties and the learned counsel representing them before us are, Ms.B.Poongkhulali for the Writ Petitioner (henceforth referred to as ‘petitioner’), Mr.K.Prabhu, who represented that he will be counsel on record for Mr.V.Kathirvelu, ASGI for R1 the Ministry of Environment and Forests (henceforth and in short ‘MoEF’), Ms.J.Padmavathi Devi, Spl. Govt. Pleader for The Secretary to Government, Government of Tamilnadu, Environment Department (henceforth and in short ‘R2’), Mr.Raghuvaran Gopalan, who submitted that he is representing Mr.R.Parthasarathi for R4 Vedanta and Mr.N.Adithya Vijayalayan for R5 SIPCOT. R3, TNPCB is unrepresented.

8. Aforesaid counsel for respondents appeared before us voluntarily (though the writ petition came up for admission), accepted notice on behalf of the respective respondents and collected copies of writ petition, writ miscellaneous petitions, affidavits in support of the same and annexures in the form of typed set of papers filed by the petitioner in support of the writ petition.

9. Though learned counsel appearing for MoEF (R1), R2 and SIPCOT (R5) merely accepted notice on behalf of their respective clients and sought time to obtain instructions, Mr.Raghuvaran Gopalan, learned counsel appearing for Vedanta (R4), not only accepted notice, but was well equipped with all the facts and information required to make detailed submissions and proceeded to do so in depth.

10. It is in the aforesaid circumstances that the hearing proceeded culminating in the present interim order.

11. At the commencement of the hearing, it was noted by us that the Principal Bench of this Court, in its order dated 28.4.2016 in W.P.No.5691 of 2010 and W.P. (MD) No.13810 of 2009 had dealt with a challenge to the same subject matter, i.e., Copper Smelter Plant, unit II, wherein the prayer was as follows:

Writ Petition filed seeking for the relief of issuance of Writ of Declaration declaring the notification of the 1st respondent dated 1.1.2009 as illegal and against the provisions of EIA Notifications dated 14.09.2006 and the provisions of the Environmental Protection Act, 1986 and consequentially directing the 1st respondent to conduct public hearing for the proposed expansion project of the 4th respondent and thereby considering the objections by constituting a assessment Committee comprising eminent environmentalist and activists.

12. This Court proceeded to pass final orders dismissing the writ petition and holding as follows:

'The petitioner has filed a comprehensive writ petition earlier in W.P.(MD) No.13810 of 2009 challenging the notification dated 1.1.2009 issued by the 1st respondent in favour of the 4th respondent therein. We have considered the contentions raised on merit and dismissed the said writ petition. Therefore, in fact, nothing survives for adjudication in this writ petition. Even otherwise on merit, we do not find any error as the notification under challenge does give ample power to respondent No.1 to pass it. The petitioner has not shown any apparent injury caused by the impugned

notification and the present situation is also not placed before us. We thus dismiss this writ petition. No costs. '

13. In ordering as above, the Bench, according to the petitioner, based its findings on the fact that EC dated 01.01.2009 was valid. Since the case of the petitioner before us is that the EC was in itself invalid and the order of this Court dated 28.04.16 had been obtained suppressing critical and vital materials, we were of the view that a petition for review could well be filed before the earlier Bench that heard the matter. Both the petitioner as well as Vedanta have been heard in this regard and we will revert to this issue presently and after setting out their submissions in brief.

14. The brief submissions of Ms.B.Poongkhulali for the petitioner are to the following effect:

(i) Vedanta is engaged in the activity of managing and operating a Copper Smelter Plant and has been operating Unit I in Tuticorin since 1995. Its operations have met with severe public resistance from inception.

(ii) In 2008 Vedanta proposed expansion of its Copper Smelter Plant by putting up Unit II thereof, and obtained Environmental Clearance in this regard on 1.1.2009.

(iii) The activity carried on by Metallurgical Industries (ferrous and non ferrous) such as Vedanta has consistently been classified as one that calls for prior Environmental Clearance. The Environmental Impact Assessment (in short 'EIA') notification 1994 dated 27.01.1994 contains a schedule to this effect. So does Notification in SO 1533 dated 14.09.2006 wherein the schedule continues to categorise a metallurgical industry as one requiring prior Environmental Clearance. An exception is made for the conduct of a public hearing prior to issuance of an EC if the project is located within an industrial estate or park that has itself been granted approval. Office Memoranda dated 16.5.2014 and 10.10.2014 were issued to clarify the aforesaid position and leave no vestige of doubt that the schedule industries were to seek and obtain a prior Environmental Clearance and the exemption from public consultation was solely in cases where the project was located within the confines of an industrial park which itself had received Environmental Clearance. It is thus clear that the requirement of prior Environmental Clearance is non negotiable except in the limited scenario where the larger industrial park where the project is located has been cleared/approved in this respect.

(iv) Phase I of SIPCOT is stated to cover 1083 hectares and Phase II is stated to be proposed to cover a total of 1616 hectares of which it is proposed that Unit II of Vedanta will occupy 300 hectares (approx.).

(v) An EC was granted to Vedanta dispensing with the requirement of mandatory public hearing as set out in terms of clause 7(c) of Environmental Impact Notification dated 14.09.2006 based on its representation that the proposed unit was to be located inside a notified area of the SIPCOT Industrial park.

Clause 7(c) reads as follows:

Notification , New Delhi dated 14th September, 2006,

S.O.153

7. Stages in the Prior Environmental clearance (EC) Process for New Projects:-

I Stage (1) – Screening

.

II Stage (2) - Scoping

.

III. Stage (3) – Public Consultation:

(i) “Public Consultation” refers to the process by which the concerns of local affected persons and others who have plausible stake in the environmental impacts of the project or activity are ascertained with a view to taking into account all the material concerns in the project or activity design as appropriate. All Category ‘A’ and Category B 1 projects or activities shall undertake Public Consultation, except the following:-

(a) modernization of irrigation projects (item 1(c)(ii) of the Schedule)

(b) all projects or activities located within industrial estates or parks (item 7(c) of the Schedule) approved by the concerned authorities, and which are not disallowed in such approvals.

(c) expansion of Roads and Highways (item 7(f) of the Schedule) which do not involve any further acquisition of land

(d) all Building/Construction projects/Area Development projects and Townships (item 8).

(e) all category 'B2' projects and activities.

(f) all projects or activities concerning national defence and security or involving other strategic considerations as determined by the Central Government.

(vi) It has transpired, according to the petitioner that Phase II of SIPCOT Industrial Park in which Unit II is proposed to be located has not received approval till date.

(vii) The survey numbers of the lands upon which construction activities in regard to Unit II are on-going are located in Phase II of the SIPCOT Industrial Park that is yet to receive approval. All the survey numbers of the lands in which the proposed Copper Smelter Plant Unit II is to be located form part of the Survey Numbers of the lands of SIPCOT-TIP , phase II such as S.Nos.45/2A, 45/2B and 45/3 in S.No.45, S.Nos.46/1, 46/2, 46/3, 46/4, 46/6 and 46/7 in S.No.46, S.No.66/1, 66/3 and 66/4 in S.Nos.66, 67/1, 67/3, 67/4, 67/6 and 67/8 in S.No.67, S.Nos.68/1, 68/3 68/4 in S.No.68, S.Nos.69/2, 69/4, 69/5, 69/1A, 69/1B in S.No.69, S.No.285/Part in S.No.285, S.No. 286/part in S.No.296, 288/part in S.No. 288, S.No.289 part in S.No.289, 290/1, 290/2, 290/3, 290/4 in S.No.290, 293/1A, 293/1B 294/1 in S.No.293, Sno.294/1 in

S.No.294, S.Nos.294/2, 294/6, 294/3A, 294/3B, 294/4A, 294/4B, 294/4C in S.No.294, S.No.295 in S.No.295, S.No.297/1 in S.No.297, S.Nos.297/2, 297/3, 297/5, 297/6, 297/7, in S.No.297, S.Nos.298/1, 298/3 in S.No.298, S.Nos.299/1, 299/2, 299/4, 299/5, in S.No.299, S.No.301/2 in S.No.301, S.No.302/1, 302/2, 302/3, 302/4, 302/5, 302/6 in S.No.302, s.No.303 in S.No.303, S.No.304 in S.No.304, S.No.305 in S.No.305, S.No.306/1 in S.No.306, S.No.306/3, 306/4, 306/6, 306/6 in S.No.306, S.No.318/2 in S.No.318, S.Nos.318/2, 318/3 in S.No.318, S.No.319 in S.No.319, S.Nos.320/1, 320/2, 320/3 in S.No.320, S.Nos.322/1, 322/3A, 322/3B, 322/3C in S.No.322, Sno.324/1A part, 324/1A part, 324/1A part, 324/1B1, 324/1B2, 324/2A, 324/2B in S.No.324, S.No.325 in S.No.325, S.No.326/2 part, 326/2 part, 326/3 part, 326/3 part in S.No.326, S.No.328/1, 328/2A, 328/2B, 328/2C in S.No.328, S.No.330/1, S.No.330/2A, 330/2B in S.No.330, S.Nos.331/1, 331/2, in S.No.331, S.No.332/1 in S.No.332, S.No.s.332/2A, 332/2B in S.No.332, S.No.333/1 and 333/2 in S.No.333, S.No.334 in S.No.334, S.Nos.335/1, 335/2 in S.No.335, S.No.336 in 336 S.No.337 in 337, S.No.338/1 in 338, S.No.338/3A, 338/3B in S.No.338,

S.No.340/1, 340/2, 340/3, 340/4, 340/6, 340/7, 340/8, in S.No.340, S.Nos.341/1, 341/3 in S.No.341.

(viii) Thus the grant of the EC when Phase II of SIPCOT is yet to be

dated 27.01.2006, 14.09.2006 and Office Memoranda dated 16.05.2014, 10.12.2014, 04.04.2016 and 27.04.18.

(ix) Vedanta has, in its application for grant of EC stated that the location of the project was in a notified area as per which no public hearing was necessary and this statement, according to the petitioner, is incorrect, to its knowledge.

(x) To this end the petitioner has placed on record SCN dated 02.04.18 to SIPCOT from the TNPCB and reply of SIPCOT thereto.

ஒப்புதலுடன் கூடிய பதிவுத்தபாலில்

மாவட்ட சுற்றுச்சூழல் பொறியாளர் அலுவலகம்
தமிழ்நாடு மாக கட்டுப்பாடு வாரியம்,
தூத்துக்குடி.

ந.க.எண். மாகதபொ/தநாமாகவா/தூத்துக்குடி/காற்று/2018
நாள் 02.04.2018

பொருள் 1981 ஆம் ஆண்டு காற்று (மாக தடுப்பு மற்றும் கட்டுப்பாடு)சட்டத்தின் வரைமுறைகள் மீறுகைக்காக விளக்கம் கோரல் - தி/ள். சிப்காட் தொழிற் பூ்கா-கட்டம் II (phase II), சிப்காடதெரிழற்சாலை வளாகம், தூத்துக்குடி மாவட்டம் - முகாந்திரம் கோரல் - தொடர்பாக.

1988 ஆம் ஆண்டு திருத்தப்பட்ட 1981 ஆம் ஆண்டு காற்று (மாக தடுப்பு மற்றும் கட்டுப்பாடு) சட்டத்தின்படி தமிழ்நாடு மாக கட்டுப்பாடு வாரியத்தால் இந்த விளக்கம் கேட்கப்படுகிறது. (சட்டம் என இதற்குப்பின் இதில் குறிப்பிடப்படும்) மேற்சொன்ன சட்டத்தின் 21 ஆம் பிரிவின்படி தங்களது நிறுவனமான தி/ள் சிப்காட் தொழிற் பூ்கா-கட்டம் II (phase II), சிப்காட் தெரிழற்சாலை வளாகம், தூத்துக்குடி மாவட்டம் தமிழ்நாடு மாக கட்டுப்பாடு வாரியத்தின் உரிய இசைவாணை இன்றி செயல்பட்டு வருகிறது.

ஆகவே தாங்கள் மேற்படி சட்டத்தின் 21 ஆம் பிரிவின் வரைமுறைகளை மீறியுள்ளீர்கள். எனவே, மேற்படி குற்றத்தினை உங்களது நிறுவனம் புரிந்துள்ளது. அந்தச் செய்கையானது மேற்படி சட்டத்தின் 21 ஆம் பிரிவு மற்றும் 37 பிரிவின்படி தண்டனைக்குரிய குற்றமாகும். இந்த குற்றமானது ஓர் ஆண்டு மற்றும் ஆறு மாதங்களுக்குக் குறைவுபடலாகாது ஆனால் ஆறு ஆண்டுகள் வரை நீட்டிக்கலாகும் கால அளவிற்கு சிறைத்தண்டனையும் மற்றும் அபராதமும் விதித்துத் தண்டிக்கப்படத் தக்கதாகும்.

மேற்படி சட்டத்தின் 21 ஆம் மற்றும் 31 (அ) பிரிவுகளின்படி தண்டிக்கப்படத்தக்க குற்றங்களுக்காக நீதித்துறை நடுவர் மன்றத்தில் ஏன் உங்கள் நிறுவனத்தின் மீது குற்றவியல் வழக்குத் தொடரக்கூடாது என்பதற்கும் மற்றும் உங்கள் நிறுவனத்தை மேற்சொன்ன சட்டத்தின் 33(அ) பிரிவின்படி முடுவதற்கும், மின்சாரம் வழங்குதல் மற்றும் நீர் வழங்குதலை நிறுத்தவும் ஏன் ஆணை பிறப்பிக்கக்கூடாது என்பதற்கும் இந்த அறிவிப்பு கிடைத்த 15 நாட்களுக்குள் காரணம் காட்ட வேண்டும் என்று உத்தரவிடப்படுகிறது.

மேற்குறிப்பிடப்பட்டுள்ள கால அளவுக்குள் பதில் எதுவும் பெறப்படாவிட்டால் தங்கள் தரப்பில் திருப்தி அளிக்கும் விளக்கம் ஏதுமில்லை எனக்கருதி நடவடிக்கை மேற்கொள்ளப்படும் என தெரிவிக்கப்படுகிறது.

இந்த நடவடிக்கை முகாந்திரம் கிடைக்கப் பெற்றமைக்கான ஒப்புதலை அளிக்குமாறு கேட்டுக்கொள்ளப்படுகிறீர்கள்.

மாவட்ட சுற்றுச்சூழல் பொறியாளர்

தமிழ்நாட மாசு கட்டுப்பாடு வாரியம்,

தூத்துக்குடி.

பெறுநர்

திட்ட அலுவலர்,

சிப்காட் தொழிற் பூங்கா-கட்டம் II (phase II),

சிப்காட் அலுவலகம், சிப்காட் தொழிற்சாலை வளாகம்,

மீளவிட்டான், தூத்துக்குடி வட்டம்,

தூத்துக்குடி மாவட்டம் 628 008,

அனுப்பப்பட்டது

(xi) The response of SIPCOT is revealing and is extracted below:

‘State Industries Promotion Corporation of Tamil Nadu Limited

(A GOVERNMENT OF TAMILNADU UNDERTAKING)

PROJECT OFFICE:

SIPCOT INDUSTRIAL COMPLEX,

Meelavittan Village, Madathur Post, Tuticorin 628 008

***Phone: 0461 – 2340082 Telefax: 0461 -23480083 CIN U7
4999TN1971SGC005967***

E- mail ID : sipcottt@gmail.com Website: www.sipcot.com

Regd.Post with acknowledgment due.

Ref.No.: PO/TUT/ELA/2018 dt. 6.4.2018

The District Environmental Engineer,

Tamilnadu Pollution Control Board,

Thoothukudi.

Sir,

Sub: SIPCOT – SIPCOT Industrial park, Thoothukudi (Phase-II)

Thoothukudi District – obtaining Environmental Clearance

From MoEF & CC, New Delhi – Show Cause Notice issued by

TNPCB under Water Act 1981 – Reply Sent – Reg.

***Ref: 1. ToR Lr.No.F.No.21-182/2014 –IA.III, dt.19.3.2015 from MoEF & CC,
New Delhi.***

2. Amendment ToR Lr.No.F.No.21-182/2014-IA.III, dt:

23.5.2016 from MOEF & CC , New Delhi.

3. Lr.No._மாகுபொ/தநாமாகவா/தூத்துக்குடி/நீர்/2018

நாள் 20/4/2018 from DEE, TNPCB, Thoothukudi.

With reference to your Notice 3rd cited, we are to inform that the area of the Phase – II of the SIPCOT Industrial Park is 654.42 Ha and Prospective industries identified for the park are like Cement Grinding, Petroleum Refining and Metallurgical Industries etc., As per EIA Notification 2006 and amendments thereof, the proposed Park comes under Category 7(C) of the list of projects or activities requiring prior Environment Clearance (EC). Accordingly, SIPCOT had applied to Ministry of Environment, Forest & Climate Change (MoEF & CC), New Delhi on 27.10.2014 and obtained on Terms of Reference (ToR) vide cited under reference 1. Further the ToR was amended vide reference 2nd cited in order to include certain prospective industries.

The EIA Report in line with the ToR has been submitted to the District Environment Engineer, Thoothukudi for the Conduct of Public Hearing, Public Hearing was conducted on 25.1.2018. Therefore, the process to get Environmental Clearance is underway. As alleged in the notice, no activity is carried out by SIPCOT in the said property.

It is pertinent to note that EC being issued vide EIA Notification 2006 stipulates that after getting EC from MoEF & CC, Consent to establish (CTE) has to be obtained. And further, as per “Ready Reckoner for Entrepreneurs” issued by TNPCB under chapter 6 - Procedure for obtaining consent, it is clearly mentioned that TNPCB will issue consent to establish (CTE) to the Project which attracts EIA Notifications 2006, only on receipt of Environment Clearance from MoEF & CC/SEIAA.

Accordingly, SIPCOT will apply to TNPCB for getting CTE under Air and Water Act 1981 after obtaining EC from MoEF & CC.

Hence, there is no violation as stated in your notice dated 2.4.2018 and further action may be dropped.

Yours faithfully,

PROJECT OFFICER,

SIPCOT, TUTICORIN

(Emphasis by underlining, ours)

(xi) The Environmental Clearance, as extended on 02.03.2016 and presently in force, is valid till 31.12.2018;

(xii) Vedanta has filed an application before the MoEF in Form I in January 2018 seeking renewal of Environmental Clearance for unit II of the Copper Smelter Plant, along with required annexures

(xiii) Public hearings are on-going as part of the process for grant of approval for Phase II of the SIPCOT Industrial Park

15. In the light of the aforesaid, the petitioner prays for the issuance of a writ of Certiorarified Mandamus calling for the records of the 1st respondent in respect of the environmental clearance dated 01.01.2009 granted to the 4th respondent's Copper Smelter Plant-II and subsequently extended on 23.07.2015 and 02.03.2016 and quash the same as illegal and against the provisions of the Environmental Protection Act, 1986 and consequently impose exemplary costs

16. Mr.Raghuvaran Gopalan appearing for Vedanta refutes emphatically in full the allegations in regard to the suppression of facts and the environmental sustainability of the proposed plant itself.

17. He also reiterates the initial and preliminary issue raised by the Bench regarding the maintainability of the present petition seeing as a Review could well be filed by the petitioner as against order 28.4.2016. He would urge that this was the preferable option seeing as there is no allegation in the present Writ Petition of there being any suppression of information by Vedanta in the earlier round of proceedings, the earlier writ petitions not having been filed at the instance of Vedanta, and as such there would not be any difficulty for maintaining a review before the Court.

18. He would also point out that, in any event, Notification dated 4.4.2016 would only operate prospectively and thus, even if the same had been noticed or taken into account by the previous Bench, the conclusion might not have been any different.

19. Be that as it may, we are, at the moment, concerned with formulating only an interim arrangement, to balance and address the immediate concerns of the parties. We are conscious of the fact that the EC is in itself valid only for another seven (7) months and postponing the consideration of the interim relief sought might render the writ petition infructuous. We are guided

we believe, is a very fair statement. He confirms that, in any event, the consideration of Vedanta's application for renewal of EC post 31.12.2018 i.e, w.e.f. 1.1.2019, would have to include a public hearing in the light of Office Memorandum dated 4.04.2016. He thus states unequivocally, that Vedanta fully intends to subject itself to a public hearing in the light of MoEF Office Memorandum dated 4.4.2016.

20. The solution in respect of the interim arrangement before us, all other matters kept aside for hearing after completion of pleadings on all issues, is thus, imminent in the light of the admitted position as per MoEF Office Memorandum dated 4.4.2016 extracted in full below:

Office Memorandum

Subject: Exemption from Public Consultation for the projects/activities located within the Industrial Estate/Parks-reg.

In Original Application (O.A.) No.157 (THC)/2013 (Society for Environmental Protection Vs. Union of India & Ors.) before Hon'ble National Green Tribunal (Western Zone), Pune, in its order dated 14th March 2016 has ordered that “....We have seen from the provisions of Environment Clearance Regulations, 2006, the Schedule appended to the rules enumerates several projects and activities which require prior clearance and there is a tabular form showing the size of the industry and the threat or damage it is likely to cause to the environment. Therefore, we do not find there should be any difficulty in modifying or superseding O.M. Dated 10th December, 2014 because all that MoEF&CC is required to do is to specify which of the Industries depending upon the nature of industrial activity require prior permission etc, such of the unit which could be exempted....”.

2. The concept of Public Hearing was introduced for the first time in the Environment Impact Assessment vide Notification S.O. 60

(E) dated 27.01.1994 and subsequently formalized vide Notification S.O.318 (E) dated 10.04.1997 making amendment in the Environment impact Assessment Notification, 1994. Whereas, the Industrial estates were added in the Schedule to the EIA Notification mandating the requirement of environmental clearance vide notification S.O. 801 (E) dated 7.07.2004. In between, the above two notifications, another notification no.S.O.737 (E) dated 1st August, 2001 introducing the concept of exemption from public hearing for certain category of projects and activities in the process of environmental clearance was published. The said notification reads as "However, Public Hearing is not required in respect of (i) small scale industrial undertakings located in (a) notified / designated industrial areas/industrial estates or (b) areas earmarked for industries under the jurisdiction of industrial development authorities; (ii)widening and strengthening of Highways; (iii) mining projects (major minerals) with lease area up to twenty-five hectares, (iv) units located in Export Processing Zones, Special Economic Zones and (v) modernization of existing irrigation projects." The provisions of this notification were reflected as Para 7 of the new EIA Notification, 2006 with some more additions.

3. The Hon'ble NGT, Western Zone, Pune based on the interpretation of the provision of Para 7(i) III. Stage (3) (i) (b) of the EIA Notification, 2006 given by the Ministry vide O.M.No.J-11013/36/2014-IA-1 dated 16th May 2014 ordered on 8th August 2014 in above O.A. That exemption from public consultation will be available to only those industrial units which are coming up in industrial estates which have got environmental clearance under EIA Notification, 2006. The O.M.dated 16th May 2014 issued by the Ministry, was reviewed in the Ministry in the light that the EIA Notification 2006 on this subject provides for exemption from public consultation for the industries coming up in industrial areas, means that those industrial areas must be in existence on the day of EIA Notification, 2006, as is the case of other category of projects and activities which have got this exemption under para -7 of the EIA Notification, 2006. The ministry clarified the status as per the provisions vide O.M.No.J-11013/36/2014-IA-I dated 10th December 2014. The above O.M. Dated 10th December 2014 was also challenged before the Hon'ble High Court of madras, in W.p.No.3514 of 2015; Hon'ble Court ordered on 10.09.2015 that "..... we are thus of the view that the impugned

notification/Office Memorandum cannot be faulted and if there is any individual grievance qua any particular nature existing, it is always open to the petitioner to move the NGT with requisite material. The writ petition accordingly stands dismissed with aforesaid observations.”

4. The above O.A.(157 (THC)/2013) was instituted against EC given to a Thermal Power Plant of 6 x 276 MW over an area 546.55 ha of land in which public hearing was exempted as the said TPP was in industrial area.

5. The industrial estate in EIA Notification, 2006 in Schedule at item 7(c) provides that industrial estates with an area greater than 500 ha and housing at least one Category B industry will be Category A, and industrial estate of area greater than 500 ha. and not housing any industry belonging to Category A and B is Category B. Industrial estate of area below 500 ha and not housing any industry of Category A or B does not require prior environmental clearance under EIA Notification, 2006. If the area is less than 500 ha but contains building and construction projects greater than 20000 sq. mt. and development area more than 50 ha. it will be treated as activity listed at S.No.8(a) or 8(b) in the Schedule as the case may be.

6. It is evident from the Notification of 2001 as mentioned above and provisions at Item 7(c) of EIA Notification, 2006 regarding size of the industrial estates, the intent of the Notification has been to grant exemption from public consultation for small industrial units located in industrial estates of 500 to 1000 ha. area. The industrial units or activities itself located on an area of 500 ha in industrial estate or regions of 10000 ha. has not been in the intent to be granted exemption from public consultation. So a Thermal Power Plant, Cement Plant, or Integrated Steel Plant even if located in notified Industrial Regions / Zones cannot be granted exemption from the public consultation, as that is not the intent of the EIA Notification, 2006.

7. It is accordingly clarified that the category of projects and activities mentioned in the Annexure of this O.M will require Public consultation in the process of Environment Impact Assessment and environmental clearance irrespective of its location in or outside a notified industrial area/estate/region.

8. *The O.M. No.J-11013/36/2014-IA-I dated 16th May 2014 and dated 10th December 2014 will stand modified to the extent of this O.M.*

This issues with the approval of the Competent Authority.”

(Emphasis in bold, supplied)

21. The trajectory that the prescriptions in the office memoranda have taken are to be strictly construed seeing as they are a mandatory requirement and can be eschewed only in a specific scenario. In any event, there is no exclusion as on date as regards public hearings/consultations and all industrial units as per the Annexure of Notification dated 4.4.16 are liable to submit to the same.

22. We also note that the process of scrutiny of the application filed by Vedanta for renewal of EC is on-going. The proceedings of public hearing for the proposed development of SIPCOT Industrial Park (464.2 hectares approx.) have been placed on record. Though the minutes reveal that the public hearing appears to have been cancelled, we are heartened to be informed that the process has commenced.

23. Vedanta also does not dispute the position that construction activities are on-going in full swing in Unit II of the plant. The renewal application itself, in column 16 of the Application states thus;

16	<i>Details of Alternative Sites examined, if any. Location of these sites should be shown on a topo sheet</i>	<i>Copper Smelter Project – II is under construction as per EC F.No.J-11011/431/2008-IA II (I) dated 01st January 2009 valid up to 31.12.2018. Hence alternative sites are not examined.</i>
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24. On the basis of the materials furnished and noticed by us as above, we are of the prima facie view that Phase II of SIPCOT Industrial Park awaits approval as can clearly be seen from SCN dated 02.04.18 and reply of SIPCOT dated 06.04.18. Undisputedly, all survey numbers comprising Unit II of Vedanta's Copper Smelter Plant are also seen to comprise part of Phase II of SIPCOTs Industrial Park.

25. We do not however, see any need to base a decision on the aforesaid parameters, as admittedly Office Memorandum of the MoEF requires all metallurgical industries to go through a public consultative process prior to being considered for the grant of an environmental clearance. In acquiescing to this position in full, a resolution to the lis (qua interim relief at this stage) in this writ petition has been presented to us by Vedanta itself and we need look no further in this respect.

26. What remains is to balance the interests of both the petitioner as well as Vedanta in this regard.

27. Various allegations regarding the acts of omission and commission of Vedanta have been illustrated in the writ petition to which we do not propose to advert at this moment seeing as all the respondents are fully entitled to file counter affidavits and any reference to the allegations can be made only post consideration of such counters.

28. Undoubtedly however, as per the position prevailing now, the public is entitled to be heard in regard to their apprehensions to the project and, even assuming for a moment that the Memorandum is prospective as submitted by Mr.Raghuvaran Gopalan, such entitlement of the public would get invoked with respect to a project approved post the date of Notification, being 04.04.2016 which date is prior to the date of the earlier order of this court being 28.04.2016. Dare we say that had the aforesaid memorandum been brought to the attention of the court earlier there might well have been some observation by the Bench in that respect? We do not however wish to speculate. Suffice it to state that the requirement of a public hearing is now mandatory and one that Vedanta, admittedly, intends to subject itself to.

29. The period for which the approval remains is seven (7) months, till 31.12.2018. To a pointed query as to whether it might not be in the best interests of Vedanta to cease all construction activity till such time the process for grant of approval including the public hearing is successfully completed to

permitted to continue with the construction and goes as far as to state that such construction would evidently be subject to approval being granted in future. In other words, should there be a scenario where Vedanta is not granted approval he assures us that status quo ante will be restored by the company.

30. We are afraid we fail to see the merit in this submission, as in our view, it lacks vision, and tantamounts to putting the cart before the horse. It might have been quite another matter had there been a substantial period of the approval still remaining. However, what remains is a mere seven months. Admittedly, the process of scrutiny of Vedanta's renewal application as well as the public consultative process has already commenced. In such circumstances, we see no reason to permit Vedanta to continue with construction activities investing substantial resources by way of effort, money and materials. We cannot, under any circumstances, be party to what might well be a national waste of precious resources.

31. Learned counsel would also urge that construction is, in itself, not a polluting activity and the embargo, if at all, could only be with reference to production activities. In this connection this Court has, vide order dated 26.4.2018 passed in W.P.(MD). No.9283 of 2018 and WMP.(MD).No.8593 of 2018 considered the prayer to issue a Writ of Mandamus directing the respondents not to extend the license/consent or Environmental Clearance to the

immediate steps to close down the existing industries and has passed an order stating as follows;

' We have heard Mr.M.Ajmal Khan, learned Senior Counsel, representing Mr.P.Subbaraj, learned counsel on record appearing for the petitioner, Mrs.V.Ragaventheri, learned Central Government Standing Counsel, for the respondents 1 and 3, Mr.M.Govindan, learned Standing counsel appearing for the fourth respondent, Mr.K.Chellapandian, learned Additional Advocate General, assisted by Mr.R.Sethuraman, learned Special Government Pleader appearing for the respondents 2 and 5 and Mr. R.Parthasarathy, learned counsel appearing for the respondents 6 and 7.

2. Mr.K.Chellapandian, learned Additional Advocate General, submits that insofar as the existing unit is concerned, the application submitted by M/s.Sterlite Industries India Limited, the seventh respondent herein, seeking environmental clearance, has been rejected by the Tamil Nadu Pollution Control Board and the seventh respondent moved an appeal before the Appellate Authority under the Air (Prevention and Control of Pollution) Act, 1981. The learned Additional Advocate General further submits that insofar as the application of the seventh respondent company for expansion of the unit is concerned, no permission has been granted there regards.

3. Recording the said submission made by the learned Additional Advocate General, this Court considers it appropriate to issue notice on admission to the respondents returnable by 13.06.2018. Respective learned counsel take notice.

4. Registry is directed to post the Writ Petition on 3.06.2018.'

Thus, as of now, there is no approval granted for expansion of the unit and in the light of the admission of learned counsel for Vedanta, such approval can be considered only after public hearing and consultation is conducted.

32. In the light of the above discussion, we issue the following directions:

(i) The application for renewal of EC submitted by Vedanta shall be processed expeditiously after conduct of mandatory public hearing. In any event, the application shall be decided by the appropriate authorities within a period of four months from today i.e. on or before 23.09.2018.

(ii) In the meanwhile, Vedanta shall cease construction and all other activities on-site proposed Unit-II of the Copper Smelting Plant at Tuticorin with immediate effect. The resumption/continuance thereof, if it be so, shall be subject to the decision taken upon (i) above.

33. In issuing the above directions, we believe that we have taken into account and balanced the interests of all parties before us, the public as well as Vedanta. While, on the one hand, the economic benefits of encouraging industries cannot be ignored, the toll extracted on available resources, water and soil regimes by such industries, cannot also be lost sight of. There is thus yet another stakeholder before us, one that is invisible in the array of parties, the environment in itself. In balancing the interests of all parties to this Public Interest Litigation, we believe that the interests of this hapless party be treated

34. Mr.Ramachandra Guha, historian and environmentalist says in his tome, 'Environmentalism' that India is in the midst of the 'Age of Ecological Arrogance'. Various rules, regulations and memoranda issued over the years by the State are targeted to address this arrogance and bring a modicum of responsibility to our treatment of this very fragile asset, India's ecology and environment. We must do what is necessary to ensure that the environmental movement stays its course and that, we believe, is what we have now done.

35. Notice to R3 returnable 13.06.2018. Private notice is permitted, also upon standing counsel.

36. List along with W.P.(MD). No.9283 of 2018 on 13.06.2018.

37. Counters, if any, to be filed by then.

(M.S.,J.) & (A.S.M.,J.)

23.05.2018

msr

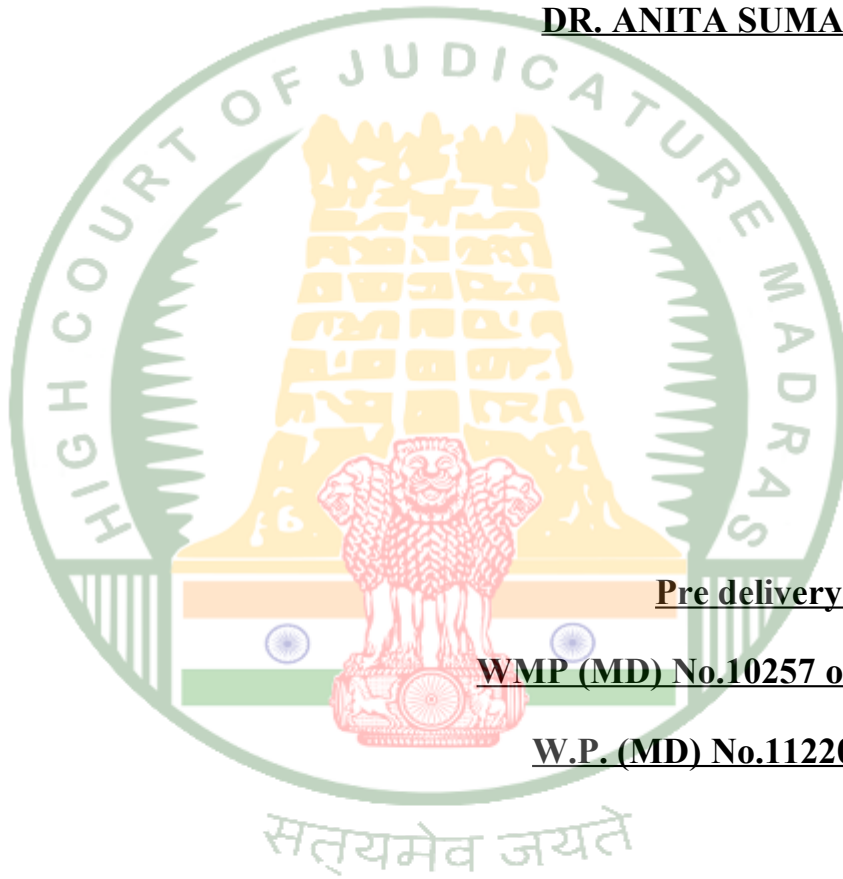
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M. SUNDAR, J.

&

DR. ANITA SUMANTH, J.

msr



Pre delivery order in

WMP (MD) No.10257 of 2018 in

W.P. (MD) No.11220 of 2018

WEB COPY

23.05.2018

TAMILNADU POLLUTION CONTROL BOARD

Proc. NO.T1/TNPCB/F.0212TTN/RL/28/W&A/2018

DATED: 09/04/2018

SUB : TamilNadu Pollution Control Board – M/s VEDANTA LIMITED – COPPER SMELTER, S.F.No. Sn.No. 1 to 7, 1220 to 1225, etc, Meelavittan Village, Tutucorin Taluk, Tutucorin District, MEELAVITAN PART 1 village, Thoothukudi Taluk and Thoothukudi District- Applied for CTO RENEW of the Board under Water(P & CP) Act, 1974, as amended and Air (P&CP) Act, 1981 as amended – Application rejected – Reg.

REF : 1. Application No. 11986018, dated 31-01-2018/27-02-2018
2. PROCEEDINGS NO. T1/TNPCB/F 0212TTN/RL/TIN/w&a/2017 dated 07/09/2017
3. IR.No.: F 0212TTN/RL/JCEE -M/TTN/2018 dated 27/02/2018

In the reference 1st cited, your unit of

VEDANTA LIMITED – COPPER SMELTER

S.No.1 to 7, 1220 to 1225, etc, Meelavittan village, Tutucorin Taluk, Tutucorin District

MEELAVITTAN PART 1 Village, Thoothukudi Taluk, Thoothukudi District

Has applied for the consent of the TamilNadu Pollution Control Board for the following products under the Water (P&CP) Act, 1974, as amended and Air(P&CP), Act, 1981, as amended

S No.	Description	Quantity	Unit
Product Details			
1.	Copper Anode	1200	T/day
2.	Copper Cathode (from Anode produced)	875	T/day
3.	Phosphoric Acid	800	T/day

By-Product Details			
1.	Sulphuric Acid	4200	T/day
2.	Hydro Fluoro Silicic Acid	25	T/day
Intermediate Products			
1.	Anode Slime (from Refinery)	1.75	T/day

Joint Chief Environmental Engineer (M)/ Tirunelveli has furnished the Inspection Report vide reference third cited.

It is observed that the unit has not complied with the following previous renewal of consent conditions:

1. Ground water analysis report taken from bore wells within the unit premises as well as surrounding areas have not been furnished to ascertain the impact on ground water quality.
2. The unit has not removed the Copper slag dumped/stored along the river Uppar and patta land, thereby obstructing the flow. It has also not constructed any physical barrier between river Uppar and slag land fill area of patta land so as to prevent slag from reaching the river.
3. Authorization issued to the unit on 10.07.2008, got expired on 09.0.2013 but the unit continues to generate and dispose the Hazardous waste without valid Authorisation under Hazardous and Other Waste (Management & Transboundary Movement) Rules, 2016. The application submitted by the unit was returned for want of additional details and the unit has not resubmitted the same.
4. As per renewal condition, the unit should have analysed the parameters of heavy metals such as Arsenic in the ambient Air through Board's laboratory as done for the other parameters such as NOx, PM10 and SO2. As the Board Laboratory does not have this facility, the unit should have engaged the services of MoEF&CC/NABL accredited laboratories and furnished report to Board. The unit has not complied with the same and as such there is no authenticated reporting on the presence of Arsenic in the ambient air.

5. During the inspection on 22.02.2018, the unit has been directed to construct a Gypsum pond as per CPCB guidelines. But the unit has not complied till 31.3.2018.

Hence, it is informed that the unit's application for consent of the Board is hereby rejected. As such no further representation can be entertained by the Board. The Board also cannot review its own decision.

You are also informed that if you are aggrieved by the decision of the Board, you can prefer an appeal before the Appellate Authority, Tamil Nadu Pollution Control Board, No. 51, Gangadeeswarar Koil Street, Purasaiwalkam, Chennai – 600084 as per the provisions of Section 28 of the Water (Prevention and Control of Pollution) Act, 1974 as amended and the provisions of Section 31 of the Air (Prevention and Control of Pollution) Act, 1981 within 30 days from the date of receipt of this order against the above decision of the Board.

For Member Secretary,

Tamilnadu Pollution Control Board

Chennai

To

Others,

M/S. VEDANTA LIMITED -COPPER SMELTER,

Vedanta Limited – copper smelter plant, sipcot industrial complex, Madurai by pass road, thoothukudi,

Thoothukudi taluk,

Thoothukudi District

Pin 628002

Copy to 1. The MS/JCEE/DEE

2.The BMS Section

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

APPLICATION No. 158 OF 2017 (SZ)

In the matter of

V. Ramasubbu
 Advocate
 Sri Sakthi Nagar
 Krishnapuram
 Tirunelveli – 627 001

Vs

...Applicant

1. Union of India
 Rep. by the Secretary to Government
 Ministry of Environment and Forest & Climate Change
 New Delhi
2. The State of Tamilnadu
 Rep. by Secretary to Government
 Department of Environment & Forest
 Fort St. George, Chennai – 600 003
3. The Tamilnadu Pollution Control Board
 Through the Member Secretary, Chennai
4. The Joint Chief Environmental Engineer
 Tamilnadu Pollution Control Board
 Kappalur, Madurai
5. The District Environmental Engineer
 Tamilnadu Pollution Control Board
 Sipcot Industrial Estate, Meelavittan
 Tuticorin
6. The District Collector
 Tuticorin District
7. The Central Pollution Control Board
 Through the Member Secretary
 New Delhi
8. V.O. Chidambaranar Port Trust
 Through the Secretary, Tuticorin
9. The Commissioner of Customs
 Tuticorin
10. Union of India
 Rep. by the Secretary to Government
 Ministry of Commerce
 New Delhi
11. Union of India
 Rep. by the Secretary to Government

Ministry of Finance
Department of Revenue, New Delhi

12. M/s. V Sterlite (I) Ltd.,
Sipcot Industrial Complex
Tuticorin

...Respondents

Counsel appearing for the appellant

V. Ramasubbu

Counsel appearing for the respondents

For respondent No. 2 & 6 ... Mr. E. Manoharan

For respondent Nos. 3,4 & 5 ... Mrs. Rita Chandrasekar

For respondent No.7 ... Mr. R. Thirunavukkarasu

For respondent No.8 ... M/s. Abdul Saleem, S. Saravanan

For respondent No.12 ... M/s. Parthasarathy, Rahul Balaji

Madhan Babu, Vishnu Mohan

ORDER

Present

Hon'ble Shri Justice Dr. P. Jyothimani, Judicial Member

Hon'ble Shri P.S. Rao, Expert Member

8th September, 2017

Whether judgment is allowed to be published on the Internet .. Yes/No

Whether judgment is to be published in the All India NGT Reporter .. Yes/No

We have heard the learned counsel appearing for the applicant as well as the respondents.

The prayer in this application is to direct the 12th respondent project proponent viz., M/s. Vedanta Sterlite (I) Ltd., to compensate the environmental damages stated to have been caused by the company by invoking the „polluter pays’ principle and also to direct the said respondent to compensate the environmental damages caused by the said respondent due to unnatural manmade disaster by blocking Upparu stream with copper slag and also praying for other reliefs.

2. It is an admitted fact that the 12th respondent was having „consent to operate’ valid upto 31.3.2017. However, it is stated that in accordance with the Rules and Procedures, before the expiry of the said „consent’ the 12th respondent has applied for renewal of „consent’ in January, 2017. It is stated that the said application was returned in February, 2017 and after compliance it was represented in April, 2017. Ultimately, the Tamil Nadu Pollution Control Board (Board) in the order dated 7.9.2017 renewed the „consent’ to the 12th respondent under the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1974 which is valid upto 31st March, 2018.

3. Therefore, in the said circumstances, *prima facie*, the applicant is entitled to raise all the points which he has raised in this application, in the event of challenging the „consent’ granted in favour of the 12th respondent. This is particularly because the points raised in this application are relating to the conduct of the Board which is expected to be satisfied of compliance of requirements before granting „consent’. It is true that the Board has issued a show-cause notice on 14.3.2017 wherein it is stated that the unit has gone for the excess production than the „consented quantity’ of 875 TPD of Copper Cathode without any „permission’ or „consent’ from the Board. It is further stated that irritation of nose was observed near FGDS area which is due to spreading of SO₂ gas escaping from the scrubber maintained by the 12th respondent. The concern of the applicant is that these issues raised in the show cause notice ought to have been complied with by the project proponent and inspite of the non-compliance, the Board has renewed the „consent’ on 7.9.2017. However, it is for him to raise those issues while challenging the „consent’ order, if he so desires.

4. In the application there is an issue raised by the applicant that inspite of the continuous Ambient Air Quality Monitoring Station (CAAQMS) and its operation for the purpose of monitoring the Sulphur Dioxide (SO₂), Nitrogen Oxide (NO_x) and other obnoxious gases, monitoring will be successful only if CAAQMS was not sealed by respondents 3 and 7. It is further stated by the applicant that the Calibrated Measurement Parameter can be changed by the Expert Engineers of the 12th respondent factory very easily to show as if there is no emission of obnoxious gases. In these circumstances, the on-line monitoring system of the Board as well as the Central

Pollution Control Board (CPCB) can never be possibly operated for the purpose of preventing the emission of obnoxious gases.

5. However, this apprehension of the applicant has been answered by the CPCB in its reply in paragraph 6, 7 and 8 which are as follows:

“6. The averment in para 39 that the CAAQMS is not sealed is again not correct. This respondent puts the applicant to proof of the same. The further averments in para 40 on the tampering is again speculative and no proof has been furnished by the applicant.

7. This respondent thus submits that the inspection made on 27-28.12.2016 would go to show that this respondent has taken action and carried out their duty of monitoring the activities of the 12th respondent as well as the TNPCB. This respondent has also addressed a letter dated 21.2.2017 to the 12th respondent calling on them to comply with certain pollution control norms. It is for TNPCB to ensure whether such compliances have been made.

8. This respondent therefore submits that as a regulatory body, 12th respondent have taken appropriate steps to ensure compliances of the pollution control norms with respect to source emissions, as per the inspection conducted dated 27-28.12.2016 under Surveillance of industries based on Online Continuous Emission Monitoring System – SMS alerts.”

6. Be that as it may, it is as if the grievances of the applicant has no redressal and he is left in lurch. The Authority before whom the „consent’ order may be challenged, is definitely entitled to enter into these issues to find out as to whether the environmental disaster is being caused because of the activity of the project proponent.

7. The CPCB has raised another issue regarding the „authorisation’ to be issued by the Board under the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008. The CPCB has stated in its letter dated 21.2.2017 that the „authorisation’ granted to the 12th respondent project proponent has expired on 9.7.2013. However, the 12th respondent in its reply dated 25.4.2017 has clearly stated that it has submitted online authorisation renewal application to the Board as per the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and awaiting for the grant of ‘authorisation’ and „consent’ by the State Pollution Control Board. On a reading of the ‘consent’ order of the Board dated 7.9.2017 there is nothing to show that the „authorisation’ has been issued by the Board and it is the duty of the Board to inform before this Tribunal as to whether such ‘authorisation’ has been granted or not.

8. Mr. Rahul Balaji, learned counsel appearing for the 12th respondent has submitted that in fact the Board which has received the application for „authorisation’

from the project proponent, has issued „authorisation’ under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 in respect of the Copper ROD Plant of the 12th respondent on 24.8.2017 and a copy of the order has been produced before this Tribunal. In so far as it relates to the Copper Smelter Plant of the 12th respondent, according to the learned counsel, „consent’ has been issued very recently. We make it clear that in the event of absence of any „authorisation”, it is for the applicant to work out his remedy in the manner known to law as and when he approaches the appropriate authority for redressal of his grievances.

9. Learned counsel appearing for the applicant produced the judgment of the Hon’ble Supreme Court in STERLITE INDUSTRIES (INDIA) LTD ETC VS. UNION OF INDIA AND OTHERS (Civil Appeal Nos.2776 – 2783 of 2013 dated 2.4.2013) which relates to the 12th respondent unit being allowed to operate by the Hon’ble Supreme Court. The learned counsel has particularly referred to paragraph 39 of the judgment wherein the Hon’ble Supreme Court considering the magnitude, capacity and prosperity of the appellant company imposed a compensation of Rs.100 Crores under the „polluter pays’ principle for operating the unit without renewal of „consent’. When once the Hon’ble Supreme Court while dealing with the issue of absence of renewal of „consent’ for the years 1997 to 2012, as correctly pointed out by the learned counsel appearing for the 12th respondent, has given the direction which has been complied with and unless it is brought to the notice of this Tribunal or appropriate authority that the pollution still prevails because of the conduct of the 12th respondent, there is no possibility for this Tribunal to arrive at any other conclusion.

10. The other judgment of the Hon’ble Apex Court which is relied upon by the learned counsel appearing for the applicant is that of PARYAVARAN SURAKSHA SAMITI AND ANOTHER VS. UNION OF INDIA & OTHERS (W.P.(C).No.375 of 2012 dated 22.2.2017 wherein the Hon’ble Supreme Court has referred to various industries in the country which are running without functional Effluent Treatment Plants (ETP) and ultimately has given certain directions which include a direction to the Benches of the National Green Tribunal to maintain running and numbered case files based on the jurisdictional area and issue notice to those units which are running without functional

ETPs and pass appropriate orders and continue to maintain the same. The operative portion of the said judgement is as follows:

“13. We are of the view that mere directions are inconsequential, unless a rigid implementation mechanism is laid down. We therefore hereby provide that the directions pertaining to continuation of industrial activity only when there is in place a functional primary effluent treatment plants and the setting up of functional common effluent treatment plants within the time lines, expressed above, shall be of the Member Secretaries of the concerned Pollution Control Boards. The Secretary of the Department of Environment of the concerned State Government (and the concerned Union territory) shall be answerable in case of default. The concerned Secretaries to the Government shall be responsible of monitoring the progress and issuing necessary directions to the concerned Pollution Control Board, as may be required for the implementation of the above directions. They shall be also responsible for collecting and maintaining records of data, in respect of the directions contained in this order. The said data shall be furnished to the Central Ground Water Authority, which shall evaluate the date and shall furnish the same to the Bench of the jurisdictional National Green Tribunal.

14. To supervise complaints of non-implementation of the instant directions, the concerned Benches of the National Green tribunal, will maintain running and numbered case files by dividing the jurisdictional area into units. The above mentioned case files will be listed periodically. The concerned Pollution Control Board is also hereby directed to initiate such civil or criminal action, as may be permissible in law, against all or any of the defaulters.

15. Liberty is granted to private individuals and organizations to approach the concerned Bench of the jurisdictional National Green tribunal for appropriate orders by pointing out deficiencies in implementation of the above directions.”

11. It is relevant to note that this Tribunal has already initiated action in accordance with the direction of the Hon’ble Supreme Court. It is true that no effluent generating unit in this country can be permitted to run without functional Effluent Treatment Plant. If such plant requires „consent’, in the absence of such treatment plant certainly the Tribunal as well as the Board are entitled to impose heavy cost and consequential damages by way of „polluter pays’.

12. Even though the learned counsel appearing for the 12th respondent would submit that as on date the 12th respondent being a ZLD unit, it is not for this Tribunal to find out the correctness or otherwise of the same in this proceedings. As stated above, it is always open to the parties to raise this issue in appropriate proceedings. We make it clear and make a request that as and when any aggrieved party approaches the Appellate Authority against the „consent’ order, the Appellate Authority may take note of

the issues raised in this application and consider the same on merits and in accordance with law. It is also needless to state that the Appellate Authority may also take note of the contents of the show cause notice issued by the Board dated 14.3.2017 which includes exceeding the permitted capacity of the product manufactured by the 12th respondent.

13. There is one other aspect, as it is seen in the show cause notice dated 14.3.2017 wherein it is stated by the Board that the copper slag was found dumped/stored along the Uppar Odai near the bridge of National Highway on Tirunelveli – Thoothukudi Road in Pudukottai Village. It is stated that about 3.52 Lac Tons of copper slag was supplied to one, A. Paul of Sawyerpuram by the project proponent for levelling the site but dumping of copper slag was found on site during the time of inspection.

14. The learned counsel appearing for the project proponent would submit that at the time of inspection this has been taken note of by the District Collector and fixed responsibility on the 12th respondent who has undertaken to remove the copper slag which has an impact on Uppar Odai and it is stated that the said copper slag has since been removed as per the undertaking given to the District Collector. It is for the Board to inspect and find out as to whether the undertaking given by the 12th respondent is complied with or not. If such copper slag is not removed, it is for the Board to take appropriate action.

15. With the above direction, the application is closed. There shall be no order as to cost. Consequently, pending M.A.No.112 of 2017 stands closed, as no order is necessary.

Justice Dr.P.Jyothimani

Judicial Member

Shri P.S.Rao

Expert Member



Abstract

Environment Control – M/s. Vedanta Limited, Copper Smelter Plant, SIPCOT Industrial Complex, Thoothukudi District – Directions issued by Tamil Nadu Pollution Control Board for closure and disconnection of power supply to the Unit under section 33A of Water (Prevention and Control of Pollution) Act, 1974 as amended and under Section 31A of air (Prevention and Control of Pollution) Act, 1981 as amended – Endorsement of closure and direction to seal the Plant permanently – Orders – Issued.

Environment and Forests (EC.3) DEpartment

G.O. (Ms) No.72

Dated : 28.5.2018

விளம்பி, வைகாசி-14

திருவள்ளூர் ஆண்டு-2049

Read:

Proceeding of the Tamil Nadu Pollution Control Board
No.TS1/TNPCB/F0212/TTN/RL/W&A/2018, dated 23.5.2018.

ORDER:

It is brought to the notice of the Government that Tamil Nadu Pollution Control Board did not renew the Consent to Operate to M/s. Vedanta Limited, Copper Smelter Plant, SIPCOT Industrial Complex, Thoothukudi District in its order dated 9.4.2018. Subsequently, on 23.5.2018, Tamil Nadu Pollution Control Board has also issued directions for closure and disconnection of power supply to the Unit. The power supply has been disconnected on 24.5.2018.

2. Under Article 48-A of the Constitution,
"the State shall endeavour to protect and improve the
environment and to safeguard the forests and wildlife of the
country".

3. Under sections, 18(1)(b) of the Water Act, 1974 in the larger public interest, the Government endorse the closure direction of the Tamil Nadu Pollution Control Board and also direct the Tamil Nadu Pollution Control Board to seal the unit and close the plant permanently.

(BY ORDER OF THE GOVERNOR)

320

MD. NASIMMUDDIN
Principal Secretary to Government

M/s Vedanta Limited.
SIPCOT Industrial Complex,
Madurai Bypass Road,
Thoothukudi,
Tamil Nadu - 628 002

Sir,

Sub: SIPCOT Industrial Complex, Tuticorin - 342.22 acres
allotted to you in Phase-II, Stage-I - Cancellation
Order issued -Reg.

- Ref: 1. Our allotment Orders dated 16.12.2005,
16.02.2006, 23.09.2009 and 23.03.2010
2. Lease Deed executed for the above allotments by
Vedanta Limited formerly Sterlite Industries (India)
Limited.
3. Modified Lease Deed executed by you.

* * * * *

There have been a series of agitations and protest against the establishment of Copper Smelter plant (Phase-II) by M/s Vedanta Limited at SIPCOT industrial complex, Tuticorin, expressing concerns about the pollution caused by the existing Copper Smelter plant of M/s Vedanta Limited. The people of the area have also been raising concern about their health on account of the operations of the plant. As the allotment of the land for the proposed expansion has been made by SIPCOT, in larger public interest, the land allotment made by SIPCOT for proposed expansion of Copper Smelter plant (Phase-II) by M/s Vedanta Limited is hereby cancelled. The land price collected for the said land allotment will be refunded as per norms of SIPCOT.

2. Please acknowledge receipt of this letter.

Yours faithfully,

[Signature]
09/5/18
Managing Director

Proceedings of the Sub-Divisional Magistrate and Sub-Collector, Thoothukudi
Presence: Thiru M.S. Prasanth, I.A.S.,

B1/ /2018

Dt: 21.05.2018

Sub:	Law & Order —Thoothukudi Division—Thoothukudi District—Thoothukudi People's Federation against Sterlite planned to besiege the Collector office on 22.05.2018—Deployment by appointing of Executive Magistrates to watch over not to arise any Law and Order problem—orders issued.
Read	Phone message dated 21.05.2018 received from the District Collector office, Thoothukudi.

Order:

Consequent on the announcement of mass protest to be organized on 22.05.2018 against the Sterlite Factory, functioning at Meelavittan Village in Thoothukudi Taluk, District, and also planned to besiege the Collector office by the Thoothukudi People's Federation against Sterlite with a view to maintain the Law and Order situation and not to arise any Law and Order, the following appointment of Executive Magistrates is hereby ordered. The concerned Executive Magistrates so appointed should watch over not to arise any Law and Order problems and maintain along with the Police in the areas notified against each of them and inform the current situation to higher officials over phone from 6:00 hours on 22.05.2018 until further order.

S.No	Name and Designation	Duty Assigned area
1.	Mr. Rajkumar Thangaseelan, Special Tahsildar (Social Protection Scheme) Thoothukudi	1. Collector Office Campus 2. Collector Office Junction (NH) 3. District Employment Office Junction 4. Sorisapuram
2.	Mr. Alagar, Special Tahsildar (Civil Supplies) Thoothukudi.	1. Sterlite Industries, Thoothukudi
3.	Mr. Chandran, Divisional Excise Officer, Thoothukudi	S.A.V Ground, Old Bus stand near, Thoothukudi.
4.	Mr. Kannan, Zonal Deputy Tahsildar, Thoothukudi.(99444-94128)	1. Pollution Control Board Office. 2. Pollution Control Board Office Junction (Thoothukudi Madurai four way road) 3. Railway E.B office(Towards Pollution Control Board Office) 4. Food Corporation of India godown junction Madathur road. 5. Madathur Junction 6. Madathur
5.	Mr. Sekar, Special Deputy Tahsildar (Election), Thoothukudi-(978989459)	1. Fatima Nagar 2. Lions town 3. New street 4. Sorisapuram 5. Thoothukudi Madha Church. 6. Threspuram Junction

6.	Mr. Isakki Raj, Headquarters, Deputy Tahsildar	1. Place of Public Meetings, V.V.D. Signal nearby, Chidambaram Nagar, Thoothukudi.
7.	Mrs. Ponnulakshmi, Additional Headquarters Deputy Tahsildar. (9080456985)	1. Muthaiyapuram
8.	Mr. Ramakrishnan, Zonal Deputy Tahsildar-II, Srivaikuntam	1. Pandarampatti 2. Meelavittan 3. Silverpuram 4. Devar Colony
9.	Mr. Gopal, Taluk Supply officer, Srivaikuntam	1. 3 rd Mile 2. P&T Colony, 2 nd street, nearby Ration shop 3. FCI roundana 4. Cylone Colony.

Sub-Divisional Magistrate and Sub-Collector,
Thoothukudi

To
Respective official

Copy to: The District Collector, Thoothukudi (for information)
Copy to: District Superintendent of Police, Thoothukudi
Copy to: Deputy Superintendent of Police, Thoothukudi
Copy to: Thasildhar, Thoothukudi

The Press release by the District Collector, Tuticorin

In view of the Law and Order issue that had happened on 22.05.2018 in Tuticorin District, it is informed that the preventive order Under Section 144 of Cr.P.C will be in force from 01.00 Hours on 23.05.2018 to 08.00 hours on 25.05.2018 for maintaining law and order in Tuticorin and Tiruchendur Divisions and all the sub divisions including Vembar, Kulathur, Arumugamangalam, Vedanatham, Ottapidaram and Eppothum Vendran. As per the order, the gathering of five and more persons, processions, public meetings, rally of cycle, two wheelers, four wheelers with knife, sword, clubs, stones, political and caste related flags with staff and any other deadly and objectionable weapons are prohibited. Further, bringing public from Tuticorin and other places for participating in demonstration by hired vehicles of all types from Tuticorin and other districts, is prohibited under the Prevention Order under section 144 of Cr.P.C. However, the school and college vehicles, daily routine vehicles, vehicles transporting essential commodities, tourist vehicles, cargo vehicles, routine omni buses are exempted from this order.

Sd.

District Collector

Tuticorin

W.M.P.(MD)No.10257 of 2018

in

W.P. (MD) No.11220 of 2018

Reserved on : 17.05.2018

Pronounced on : 23.05.2018

M. SUNDAR, J.

&

DR. ANITA SUMANTH, J.

(Order of the Court was delivered by DR. ANITA SUMANTH, J.)

This interim order is passed in a Writ Petition filed in Public Interest challenging Environmental Clearance dated 01.01.2009 obtained by the 4th respondent in respect of Unit II of a Copper Smelter Plant located at Tuticorin and subsequently extended on 23.07.2015 and 02.03.2016.

2. The Writ Petitioner is one Ms.Fatima, a Senior Citizen, retired as an Associate Professor of English and a resident of Tuticorin.

3. The matter was mentioned before the vacation Bench on 16.5.2018 requesting listing for urgent hearing. The urgency for listing and hearing the Writ Petitioner on interim prayer was stated to be the response received by the writ petitioner to queries raised on 13.04.2018 under the Right to Information

Act. The information sought has been furnished under cover of letter dated

30.04.2018 by the Public Information Officer. The information contains 600 pages of documents including notices to show cause (in short 'SCN') issued by the Tamil Nadu Pollution Control Board (in short 'TNPCB') to the State Industries Promotion Corporation of Tamil Nadu (in short 'SIPCOT'). TNPCB has been arrayed as third respondent (R3) and SIPCOT has been arrayed as fifth respondent (R5) respectively in this writ petition.

4. The correspondence reveals, according to the petitioner, new and hitherto unknown information about environmental clearance dated 01.01.2009 (in short 'EC') upon the strength of which the 4th respondent, Vedanta Limited (formerly Sterlite Industries Limited) (in short 'Vedanta'), is presently carrying on construction activities on the site for the proposed Copper Smelter Unit II at SIPCOT, Tuticorin.

5. The clearance has, according to the petitioner, been obtained by Vedanta, without the conduct of a public hearing and the requirement for such hearing had been waived on the incorrect representation of Vedanta that Unit II was to be located in Phase II of SIPCOT Industrial Park that had itself been granted approval. Thus, the urgency and the timing of the present writ petition.

6. Since the information in question has been received by the petitioner only on 30.05.2018, clearly the petitioner could not have approached the Court during the regular sitting. In this view of the matter, we permitted listing of the

7. The array of parties and the learned counsel representing them before us are, Ms.B.Poongkhulali for the Writ Petitioner (henceforth referred to as ‘petitioner’), Mr.K.Prabhu, who represented that he will be counsel on record for Mr.V.Kathirvelu, ASGI for R1 the Ministry of Environment and Forests (henceforth and in short ‘MoEF’), Ms.J.Padmavathi Devi, Spl. Govt. Pleader for The Secretary to Government, Government of Tamilnadu, Environment Department (henceforth and in short ‘R2’), Mr.Raghuvaran Gopalan, who submitted that he is representing Mr.R.Parthasarathi for R4 Vedanta and Mr.N.Adithya Vijayalayan for R5 SIPCOT. R3, TNPCB is unrepresented.

8. Aforesaid counsel for respondents appeared before us voluntarily (though the writ petition came up for admission), accepted notice on behalf of the respective respondents and collected copies of writ petition, writ miscellaneous petitions, affidavits in support of the same and annexures in the form of typed set of papers filed by the petitioner in support of the writ petition.

9. Though learned counsel appearing for MoEF (R1), R2 and SIPCOT (R5) merely accepted notice on behalf of their respective clients and sought time to obtain instructions, Mr.Raghuvaran Gopalan, learned counsel appearing for Vedanta (R4), not only accepted notice, but was well equipped with all the facts and information required to make detailed submissions and proceeded to do so in depth.

10. It is in the aforesaid circumstances that the hearing proceeded culminating in the present interim order.

11. At the commencement of the hearing, it was noted by us that the Principal Bench of this Court, in its order dated 28.4.2016 in W.P.No.5691 of 2010 and W.P. (MD) No.13810 of 2009 had dealt with a challenge to the same subject matter, i.e., Copper Smelter Plant, unit II, wherein the prayer was as follows:

Writ Petition filed seeking for the relief of issuance of Writ of Declaration declaring the notification of the 1st respondent dated 1.1.2009 as illegal and against the provisions of EIA Notifications dated 14.09.2006 and the provisions of the Environmental Protection Act, 1986 and consequentially directing the 1st respondent to conduct public hearing for the proposed expansion project of the 4th respondent and thereby considering the objections by constituting a assessment Committee comprising eminent environmentalist and activists.

12. This Court proceeded to pass final orders dismissing the writ petition and holding as follows:

'The petitioner has filed a comprehensive writ petition earlier in W.P.(MD) No.13810 of 2009 challenging the notification dated 1.1.2009 issued by the 1st respondent in favour of the 4th respondent therein. We have considered the contentions raised on merit and dismissed the said writ petition. Therefore, in fact, nothing survives for adjudication in this writ petition. Even otherwise on merit, we do not find any error as the notification under challenge does give ample power to respondent No.1 to pass it. The petitioner has not shown any apparent injury caused by the impugned

notification and the present situation is also not placed before us. We thus dismiss this writ petition. No costs. '

13. In ordering as above, the Bench, according to the petitioner, based its findings on the fact that EC dated 01.01.2009 was valid. Since the case of the petitioner before us is that the EC was in itself invalid and the order of this Court dated 28.04.16 had been obtained suppressing critical and vital materials, we were of the view that a petition for review could well be filed before the earlier Bench that heard the matter. Both the petitioner as well as Vedanta have been heard in this regard and we will revert to this issue presently and after setting out their submissions in brief.

14. The brief submissions of Ms.B.Poongkhulali for the petitioner are to the following effect:

(i) Vedanta is engaged in the activity of managing and operating a Copper Smelter Plant and has been operating Unit I in Tuticorin since 1995. Its operations have met with severe public resistance from inception.

(ii) In 2008 Vedanta proposed expansion of its Copper Smelter Plant by putting up Unit II thereof, and obtained Environmental Clearance in this regard on 1.1.2009.

(iii) The activity carried on by Metallurgical Industries (ferrous and non ferrous) such as Vedanta has consistently been classified as one that calls for prior Environmental Clearance. The Environmental Impact Assessment (in short 'EIA') notification 1994 dated 27.01.1994 contains a schedule to this effect. So does Notification in SO 1533 dated 14.09.2006 wherein the schedule continues to categorise a metallurgical industry as one requiring prior Environmental Clearance. An exception is made for the conduct of a public hearing prior to issuance of an EC if the project is located within an industrial estate or park that has itself been granted approval. Office Memoranda dated 16.5.2014 and 10.10.2014 were issued to clarify the aforesaid position and leave no vestige of doubt that the schedule industries were to seek and obtain a prior Environmental Clearance and the exemption from public consultation was solely in cases where the project was located within the confines of an industrial park which itself had received Environmental Clearance. It is thus clear that the requirement of prior Environmental Clearance is non negotiable except in the limited scenario where the larger industrial park where the project is located has been cleared/approved in this respect.

(iv) Phase I of SIPCOT is stated to cover 1083 hectares and Phase II is stated to be proposed to cover a total of 1616 hectares of which it is proposed that Unit II of Vedanta will occupy 300 hectares (approx.).

(v) An EC was granted to Vedanta dispensing with the requirement of mandatory public hearing as set out in terms of clause 7(c) of Environmental Impact Notification dated 14.09.2006 based on its representation that the proposed unit was to be located inside a notified area of the SIPCOT Industrial park.

Clause 7(c) reads as follows:

Notification , New Delhi dated 14th September, 2006,

S.O.153

7. Stages in the Prior Environmental clearance (EC) Process for New Projects:-

I Stage (1) – Screening

.

II Stage (2) - Scoping

.

III. Stage (3) – Public Consultation:

(i) “Public Consultation” refers to the process by which the concerns of local affected persons and others who have plausible stake in the environmental impacts of the project or activity are ascertained with a view to taking into account all the material concerns in the project or activity design as appropriate. All Category ‘A’ and Category B 1 projects or activities shall undertake Public Consultation, except the following:-

(a) modernization of irrigation projects (item 1(c)(ii) of the Schedule)

(b) all projects or activities located within industrial estates or parks (item 7(c) of the Schedule) approved by the concerned authorities, and which are not disallowed in such approvals.

(c) expansion of Roads and Highways (item 7(f) of the Schedule) which do not involve any further acquisition of land

(d) all Building/Construction projects/Area Development projects and Townships (item 8).

(e) all category 'B2' projects and activities.

(f) all projects or activities concerning national defence and security or involving other strategic considerations as determined by the Central Government.

(vi) It has transpired, according to the petitioner that Phase II of SIPCOT Industrial Park in which Unit II is proposed to be located has not received approval till date.

(vii) The survey numbers of the lands upon which construction activities in regard to Unit II are on-going are located in Phase II of the SIPCOT Industrial Park that is yet to receive approval. All the survey numbers of the lands in which the proposed Copper Smelter Plant Unit II is to be located form part of the Survey Numbers of the lands of SIPCOT-TIP , phase II such as S.Nos.45/2A, 45/2B and 45/3 in S.No.45, S.Nos.46/1, 46/2, 46/3, 46/4, 46/6 and 46/7 in S.No.46, S.No.66/1, 66/3 and 66/4 in S.Nos.66, 67/1, 67/3, 67/4, 67/6 and 67/8 in S.No.67, S.Nos.68/1, 68/3 68/4 in S.No.68, S.Nos.69/2, 69/4, 69/5, 69/1A, 69/1B in S.No.69, S.No.285/Part in S.No.285, S.No. 286/part in S.No.296, 288/part in S.No. 288, S.No.289 part in S.No.289, 290/1, 290/2, 290/3, 290/4 in S.No.290, 293/1A, 293/1B 294/1 in S.No.293, Sno.294/1 in

S.No.294, S.Nos.294/2, 294/6, 294/3A, 294/3B, 294/4A, 294/4B, 294/4C in S.No.294, S.No.295 in S.No.295, S.No.297/1 in S.No.297, S.Nos.297/2, 297/3, 297/5, 297/6, 297/7, in S.No.297, S.Nos.298/1, 298/3 in S.No.298, S.Nos.299/1, 299/2, 299/4, 299/5, in S.No.299, S.No.301/2 in S.No.301, S.No.302/1, 302/2, 302/3, 302/4, 302/5, 302/6 in S.No.302, s.No.303 in S.No.303, S.No.304 in S.No.304, S.No.305 in S.No.305, S.No.306/1 in S.No.306, S.No.306/3, 306/4, 306/6, 306/6 in S.No.306, S.No.318/2 in S.No.318, S.Nos.318/2, 318/3 in S.No.318, S.No.319 in S.No.319, S.Nos.320/1, 320/2, 320/3 in S.No.320, S.Nos.322/1, 322/3A, 322/3B, 322/3C in S.No.322, Sno.324/1A part, 324/1A part, 324/1A part, 324/1B1, 324/1B2, 324/2A, 324/2B in S.No.324, S.No.325 in S.No.325, S.No.326/2 part, 326/2 part, 326/3 part, 326/3 part in S.No.326, S.No.328/1, 328/2A, 328/2B, 328/2C in S.No.328, S.No.330/1, S.No.330/2A, 330/2B in S.No.330, S.Nos.331/1, 331/2, in S.No.331, S.No.332/1 in S.No.332, S.No.s.332/2A, 332/2B in S.No.332, S.No.333/1 and 333/2 in S.No.333, S.No.334 in S.No.334, S.Nos.335/1, 335/2 in S.No.335, S.No.336 in 336 S.No.337 in 337, S.No.338/1 in 338, S.No.338/3A, 338/3B in S.No.338,

S.No.340/1, 340/2, 340/3, 340/4, 340/6, 340/7, 340/8, in S.No.340, S.Nos.341/1, 341/3 in S.No.341.

(viii) Thus the grant of the EC when Phase II of SIPCOT is yet to be

dated 27.01.2006, 14.09.2006 and Office Memoranda dated 16.05.2014, 10.12.2014, 04.04.2016 and 27.04.18.

(ix) Vedanta has, in its application for grant of EC stated that the location of the project was in a notified area as per which no public hearing was necessary and this statement, according to the petitioner, is incorrect, to its knowledge.

(x) To this end the petitioner has placed on record SCN dated 02.04.18 to SIPCOT from the TNPCB and reply of SIPCOT thereto.

ஒப்புதலுடன் கூடிய பதிவுத்தபாலில்

மாவட்ட சுற்றுச்சூழல் பொறியாளர் அலுவலகம்
தமிழ்நாடு மாக கட்டுப்பாடு வாரியம்,
தூத்துக்குடி.

ந.க.எண். மாகதபொ/தநாமாகவா/தூத்துக்குடி/காற்று/2018
நாள் 02.04.2018

பொருள் 1981 ஆம் ஆண்டு காற்று (மாக தடுப்பு மற்றும் கட்டுப்பாடு)சட்டத்தின் வரைமுறைகள் மீறுகைக்காக விளக்கம் கோரல் - தி/ள். சிப்காட் தொழிற் பூ்கா-கட்டம் II (phase II), சிப்காடதெரிழற்சாலை வளாகம், தூத்துக்குடி மாவட்டம் - முகாந்திரம் கோரல் - தொடர்பாக.

1988 ஆம் ஆண்டு திருத்தப்பட்ட 1981 ஆம் ஆண்டு காற்று (மாக தடுப்பு மற்றும் கட்டுப்பாடு) சட்டத்தின்படி தமிழ்நாடு மாக கட்டுப்பாடு வாரியத்தால் இந்த விளக்கம் கேட்கப்படுகிறது. (சட்டம் என இதற்குப்பின் இதில் குறிப்பிடப்படும்) மேற்சொன்ன சட்டத்தின் 21 ஆம் பிரிவின்படி தங்களது நிறுவனமான தி/ள் சிப்காட் தொழிற் பூ்கா-கட்டம் II (phase II), சிப்காட் தெரிழற்சாலை வளாகம், தூத்துக்குடி மாவட்டம் தமிழ்நாடு மாக கட்டுப்பாடு வாரியத்தின் உரிய இசைவாணை இன்றி செயல்பட்டு வருகிறது.

ஆகவே தாங்கள் மேற்படி சட்டத்தின் 21 ஆம் பிரிவின் வரைமுறைகளை மீறியுள்ளீர்கள். எனவே, மேற்படி குற்றத்தினை உங்களது நிறுவனம் புரிந்துள்ளது. அந்தச் செய்கையானது மேற்படி சட்டத்தின் 21 ஆம் பிரிவு மற்றும் 37 பிரிவின்படி தண்டனைக்குரிய குற்றமாகும். இந்த குற்றமானது ஓர் ஆண்டு மற்றும் ஆறு மாதங்களுக்குக் குறைவுபடலாகாது ஆனால் ஆறு ஆண்டுகள் வரை நீட்டிக்கலாகும் கால அளவிற்கு சிறைத்தண்டனையும் மற்றும் அபராதமும் விதித்துத் தண்டிக்கப்படத் தக்கதாகும்.

மேற்படி சட்டத்தின் 21 ஆம் மற்றும் 31 (அ) பிரிவுகளின்படி தண்டிக்கப்படத்தக்க குற்றங்களுக்காக நீதித்துறை நடுவர் மன்றத்தில் ஏன் உங்கள் நிறுவனத்தின் மீது குற்றவியல் வழக்குத் தொடரக்கூடாது என்பதற்கும் மற்றும் உங்கள் நிறுவனத்தை மேற்சொன்ன சட்டத்தின் 33(அ) பிரிவின்படி முடுவதற்கும், மின்சாரம் வழங்குதல் மற்றும் நீர் வழங்குதலை நிறுத்தவும் ஏன் ஆணை பிறப்பிக்கக்கூடாது என்பதற்கும் இந்த அறிவிப்பு கிடைத்த 15 நாட்களுக்குள் காரணம் காட்ட வேண்டும் என்று உத்தரவிடப்படுகிறது.

மேற்குறிப்பிடப்பட்டுள்ள கால அளவுக்குள் பதில் எதுவும் பெறப்படாவிட்டால் தங்கள் தரப்பில் திருப்தி அளிக்கும் விளக்கம் ஏதுமில்லை எனக்கருதி நடவடிக்கை மேற்கொள்ளப்படும் என தெரிவிக்கப்படுகிறது.

இந்த நடவடிக்கை முகாந்திரம் கிடைக்கப் பெற்றமைக்கான ஒப்புதலை அளிக்குமாறு கேட்டுக்கொள்ளப்படுகிறீர்கள்.

மாவட்ட சுற்றுச்சூழல் பொறியாளர்

தமிழ்நாட மாசு கட்டுப்பாடு வாரியம்,

தூத்துக்குடி.

பெறுநர்

திட்ட அலுவலர்,

சிப்காட் தொழிற் பூங்கா-கட்டம் II (phase II),

சிப்காட் அலுவலகம், சிப்காட் தொழிற்சாலை வளாகம்,

மீளவிட்டான், தூத்துக்குடி வட்டம்,

தூத்துக்குடி மாவட்டம் 628 008,

அனுப்பப்பட்டது

(xi) The response of SIPCOT is revealing and is extracted below:

‘State Industries Promotion Corporation of Tamil Nadu Limited

(A GOVERNMENT OF TAMILNADU UNDERTAKING)

PROJECT OFFICE:

SIPCOT INDUSTRIAL COMPLEX,

Meelavittan Village, Madathur Post, Tuticorin 628 008

***Phone: 0461 – 2340082 Telefax: 0461 -23480083 CIN U7
4999TN1971SGC005967***

E- mail ID : sipcottt@gmail.com Website: www.sipcot.com

Regd.Post with acknowledgment due.

Ref.No.: PO/TUT/ELA/2018 dt. 6.4.2018

The District Environmental Engineer,

Tamilnadu Pollution Control Board,

Thoothukudi.

Sir,

Sub: SIPCOT – SIPCOT Industrial park, Thoothukudi (Phase-II)

Thoothukudi District – obtaining Environmental Clearance

From MoEF & CC, New Delhi – Show Cause Notice issued by

TNPCB under Water Act 1981 – Reply Sent – Reg.

***Ref: 1. ToR Lr.No.F.No.21-182/2014 –IA.III, dt.19.3.2015 from MoEF & CC,
New Delhi.***

2. Amendment ToR Lr.No.F.No.21-182/2014-IA.III, dt:

23.5.2016 from MOEF & CC , New Delhi.

3. Lr.No._மாகুপொ/தநாமாகவா/தூத்துக்குடி/நீர்/2018

நாள் 20/4/2018 from DEE, TNPCB, Thoothukudi.

With reference to your Notice 3rd cited, we are to inform that the area of the Phase – II of the SIPCOT Industrial Park is 654.42 Ha and Prospective industries identified for the park are like Cement Grinding, Petroleum Refining and Metallurgical Industries etc., As per EIA Notification 2006 and amendments thereof, the proposed Park comes under Category 7(C) of the list of projects or activities requiring prior Environment Clearance (EC). Accordingly, SIPCOT had applied to Ministry of Environment, Forest & Climate Change (MoEF & CC), New Delhi on 27.10.2014 and obtained on Terms of Reference (ToR) vide cited under reference 1. Further the ToR was amended vide reference 2nd cited in order to include certain prospective industries.

The EIA Report in line with the ToR has been submitted to the District Environment Engineer, Thoothukudi for the Conduct of Public Hearing, Public Hearing was conducted on 25.1.2018. Therefore, the process to get Environmental Clearance is underway. As alleged in the notice, no activity is carried out by SIPCOT in the said property.

It is pertinent to note that EC being issued vide EIA Notification 2006 stipulates that after getting EC from MoEF & CC, Consent to establish (CTE) has to be obtained. And further, as per “Ready Reckoner for Entrepreneurs” issued by TNPCB under chapter 6 - Procedure for obtaining consent, it is clearly mentioned that TNPCB will issue consent to establish (CTE) to the Project which attracts EIA Notifications 2006, only on receipt of Environment Clearance from MoEF & CC/SEIAA.

Accordingly, SIPCOT will apply to TNPCB for getting CTE under Air and Water Act 1981 after obtaining EC from MoEF & CC.

Hence, there is no violation as stated in your notice dated 2.4.2018 and further action may be dropped.

Yours faithfully,

PROJECT OFFICER,

SIPCOT, TUTICORIN

(Emphasis by underlining, ours)

(xi) The Environmental Clearance, as extended on 02.03.2016 and presently in force, is valid till 31.12.2018;

(xii) Vedanta has filed an application before the MoEF in Form I in January 2018 seeking renewal of Environmental Clearance for unit II of the Copper Smelter Plant, along with required annexures

(xiii) Public hearings are on-going as part of the process for grant of approval for Phase II of the SIPCOT Industrial Park

15. In the light of the aforesaid, the petitioner prays for the issuance of a writ of Certiorarified Mandamus calling for the records of the 1st respondent in respect of the environmental clearance dated 01.01.2009 granted to the 4th respondent's Copper Smelter Plant-II and subsequently extended on 23.07.2015 and 02.03.2016 and quash the same as illegal and against the provisions of the Environmental Protection Act, 1986 and consequently impose exemplary costs

16. Mr.Raghuvaran Gopalan appearing for Vedanta refutes emphatically in full the allegations in regard to the suppression of facts and the environmental sustainability of the proposed plant itself.

17. He also reiterates the initial and preliminary issue raised by the Bench regarding the maintainability of the present petition seeing as a Review could well be filed by the petitioner as against order 28.4.2016. He would urge that this was the preferable option seeing as there is no allegation in the present Writ Petition of there being any suppression of information by Vedanta in the earlier round of proceedings, the earlier writ petitions not having been filed at the instance of Vedanta, and as such there would not be any difficulty for maintaining a review before the Court.

18. He would also point out that, in any event, Notification dated 4.4.2016 would only operate prospectively and thus, even if the same had been noticed or taken into account by the previous Bench, the conclusion might not have been any different.

19. Be that as it may, we are, at the moment, concerned with formulating only an interim arrangement, to balance and address the immediate concerns of the parties. We are conscious of the fact that the EC is in itself valid only for another seven (7) months and postponing the consideration of the interim relief sought might render the writ petition infructuous. We are guided

we believe, is a very fair statement. He confirms that, in any event, the consideration of Vedanta's application for renewal of EC post 31.12.2018 i.e, w.e.f. 1.1.2019, would have to include a public hearing in the light of Office Memorandum dated 4.04.2016. He thus states unequivocally, that Vedanta fully intends to subject itself to a public hearing in the light of MoEF Office Memorandum dated 4.4.2016.

20. The solution in respect of the interim arrangement before us, all other matters kept aside for hearing after completion of pleadings on all issues, is thus, imminent in the light of the admitted position as per MoEF Office Memorandum dated 4.4.2016 extracted in full below:

Office Memorandum

Subject: Exemption from Public Consultation for the projects/activities located within the Industrial Estate/Parks-reg.

In Original Application (O.A.) No.157 (THC)/2013 (Society for Environmental Protection Vs. Union of India & Ors.) before Hon'ble National Green Tribunal (Western Zone), Pune, in its order dated 14th March 2016 has ordered that “....We have seen from the provisions of Environment Clearance Regulations, 2006, the Schedule appended to the rules enumerates several projects and activities which require prior clearance and there is a tabular form showing the size of the industry and the threat or damage it is likely to cause to the environment. Therefore, we do not find there should be any difficulty in modifying or superseding O.M. Dated 10th December, 2014 because all that MoEF&CC is required to do is to specify which of the Industries depending upon the nature of industrial activity require prior permission etc, such of the unit which could be exempted....”.

2. The concept of Public Hearing was introduced for the first time in the Environment Impact Assessment vide Notification S.O. 60

(E) dated 27.01.1994 and subsequently formalized vide Notification S.O.318 (E) dated 10.04.1997 making amendment in the Environment impact Assessment Notification, 1994. Whereas, the Industrial estates were added in the Schedule to the EIA Notification mandating the requirement of environmental clearance vide notification S.O. 801 (E) dated 7.07.2004. In between, the above two notifications, another notification no.S.O.737 (E) dated 1st August, 2001 introducing the concept of exemption from public hearing for certain category of projects and activities in the process of environmental clearance was published. The said notification reads as "However, Public Hearing is not required in respect of (i) small scale industrial undertakings located in (a) notified / designated industrial areas/industrial estates or (b) areas earmarked for industries under the jurisdiction of industrial development authorities; (ii)widening and strengthening of Highways; (iii) mining projects (major minerals) with lease area up to twenty-five hectares, (iv) units located in Export Processing Zones, Special Economic Zones and (v) modernization of existing irrigation projects." The provisions of this notification were reflected as Para 7 of the new EIA Notification, 2006 with some more additions.

3. The Hon'ble NGT, Western Zone, Pune based on the interpretation of the provision of Para 7(i) III. Stage (3) (i) (b) of the EIA Notification, 2006 given by the Ministry vide O.M.No.J-11013/36/2014-IA-1 dated 16th May 2014 ordered on 8th August 2014 in above O.A. That exemption from public consultation will be available to only those industrial units which are coming up in industrial estates which have got environmental clearance under EIA Notification, 2006. The O.M.dated 16th May 2014 issued by the Ministry, was reviewed in the Ministry in the light that the EIA Notification 2006 on this subject provides for exemption from public consultation for the industries coming up in industrial areas, means that those industrial areas must be in existence on the day of EIA Notification, 2006, as is the case of other category of projects and activities which have got this exemption under para -7 of the EIA Notification, 2006. The ministry clarified the status as per the provisions vide O.M.No.J-11013/36/2014-IA-I dated 10th December 2014. The above O.M. Dated 10th December 2014 was also challenged before the Hon'ble High Court of madras, in W.p.No.3514 of 2015; Hon'ble Court ordered on 10.09.2015 that "..... we are thus of the view that the impugned

notification/Office Memorandum cannot be faulted and if there is any individual grievance qua any particular nature existing, it is always open to the petitioner to move the NGT with requisite material. The writ petition accordingly stands dismissed with aforesaid observations.”

4. The above O.A.(157 (THC)/2013) was instituted against EC given to a Thermal Power Plant of 6 x 276 MW over an area 546.55 ha of land in which public hearing was exempted as the said TPP was in industrial area.

5. The industrial estate in EIA Notification, 2006 in Schedule at item 7(c) provides that industrial estates with an area greater than 500 ha and housing at least one Category B industry will be Category A, and industrial estate of area greater than 500 ha. and not housing any industry belonging to Category A and B is Category B. Industrial estate of area below 500 ha and not housing any industry of Category A or B does not require prior environmental clearance under EIA Notification, 2006. If the area is less than 500 ha but contains building and construction projects greater than 20000 sq. mt. and development area more than 50 ha. it will be treated as activity listed at S.No.8(a) or 8(b) in the Schedule as the case may be.

6. It is evident from the Notification of 2001 as mentioned above and provisions at Item 7(c) of EIA Notification, 2006 regarding size of the industrial estates, the intent of the Notification has been to grant exemption from public consultation for small industrial units located in industrial estates of 500 to 1000 ha. area. The industrial units or activities itself located on an area of 500 ha in industrial estate or regions of 10000 ha. has not been in the intent to be granted exemption from public consultation. So a Thermal Power Plant, Cement Plant, or Integrated Steel Plant even if located in notified Industrial Regions / Zones cannot be granted exemption from the public consultation, as that is not the intent of the EIA Notification, 2006.

7. It is accordingly clarified that the category of projects and activities mentioned in the Annexure of this O.M will require Public consultation in the process of Environment Impact Assessment and environmental clearance irrespective of its location in or outside a notified industrial area/estate/region.

8. *The O.M. No.J-11013/36/2014-IA-I dated 16th May 2014 and dated 10th December 2014 will stand modified to the extent of this O.M.*

This issues with the approval of the Competent Authority.”

(Emphasis in bold, supplied)

21. The trajectory that the prescriptions in the office memoranda have taken are to be strictly construed seeing as they are a mandatory requirement and can be eschewed only in a specific scenario. In any event, there is no exclusion as on date as regards public hearings/consultations and all industrial units as per the Annexure of Notification dated 4.4.16 are liable to submit to the same.

22. We also note that the process of scrutiny of the application filed by Vedanta for renewal of EC is on-going. The proceedings of public hearing for the proposed development of SIPCOT Industrial Park (464.2 hectares approx.) have been placed on record. Though the minutes reveal that the public hearing appears to have been cancelled, we are heartened to be informed that the process has commenced.

23. Vedanta also does not dispute the position that construction activities are on-going in full swing in Unit II of the plant. The renewal application itself, in column 16 of the Application states thus;

16	<i>Details of Alternative Sites examined, if any. Location of these sites should be shown on a topo sheet</i>	<i>Copper Smelter Project – II is under construction as per EC F.No.J-11011/431/2008-IA II (I) dated 01st January 2009 valid up to 31.12.2018. Hence alternative sites are not examined.</i>
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24. On the basis of the materials furnished and noticed by us as above, we are of the prima facie view that Phase II of SIPCOT Industrial Park awaits approval as can clearly be seen from SCN dated 02.04.18 and reply of SIPCOT dated 06.04.18. Undisputedly, all survey numbers comprising Unit II of Vedanta's Copper Smelter Plant are also seen to comprise part of Phase II of SIPCOTs Industrial Park.

25. We do not however, see any need to base a decision on the aforesaid parameters, as admittedly Office Memorandum of the MoEF requires all metallurgical industries to go through a public consultative process prior to being considered for the grant of an environmental clearance. In acquiescing to this position in full, a resolution to the lis (qua interim relief at this stage) in this writ petition has been presented to us by Vedanta itself and we need look no further in this respect.

26. What remains is to balance the interests of both the petitioner as well as Vedanta in this regard.

27. Various allegations regarding the acts of omission and commission of Vedanta have been illustrated in the writ petition to which we do not propose to advert at this moment seeing as all the respondents are fully entitled to file counter affidavits and any reference to the allegations can be made only post consideration of such counters.

28. Undoubtedly however, as per the position prevailing now, the public is entitled to be heard in regard to their apprehensions to the project and, even assuming for a moment that the Memorandum is prospective as submitted by Mr.Raghuvaran Gopalan, such entitlement of the public would get invoked with respect to a project approved post the date of Notification, being 04.04.2016 which date is prior to the date of the earlier order of this court being 28.04.2016. Dare we say that had the aforesaid memorandum been brought to the attention of the court earlier there might well have been some observation by the Bench in that respect? We do not however wish to speculate. Suffice it to state that the requirement of a public hearing is now mandatory and one that Vedanta, admittedly, intends to subject itself to.

29. The period for which the approval remains is seven (7) months, till 31.12.2018. To a pointed query as to whether it might not be in the best interests of Vedanta to cease all construction activity till such time the process for grant of approval including the public hearing is successfully completed to

<http://www.judis.nic.in> ensure commercial viability, Mr.Raghuvaran Gopalan would insist upon being

permitted to continue with the construction and goes as far as to state that such construction would evidently be subject to approval being granted in future. In other words, should there be a scenario where Vedanta is not granted approval he assures us that status quo ante will be restored by the company.

30. We are afraid we fail to see the merit in this submission, as in our view, it lacks vision, and tantamounts to putting the cart before the horse. It might have been quite another matter had there been a substantial period of the approval still remaining. However, what remains is a mere seven months. Admittedly, the process of scrutiny of Vedanta's renewal application as well as the public consultative process has already commenced. In such circumstances, we see no reason to permit Vedanta to continue with construction activities investing substantial resources by way of effort, money and materials. We cannot, under any circumstances, be party to what might well be a national waste of precious resources.

31. Learned counsel would also urge that construction is, in itself, not a polluting activity and the embargo, if at all, could only be with reference to production activities. In this connection this Court has, vide order dated 26.4.2018 passed in W.P.(MD). No.9283 of 2018 and WMP.(MD).No.8593 of 2018 considered the prayer to issue a Writ of Mandamus directing the respondents not to extend the license/consent or Environmental Clearance to the

immediate steps to close down the existing industries and has passed an order stating as follows;

' We have heard Mr.M.Ajmal Khan, learned Senior Counsel, representing Mr.P.Subbaraj, learned counsel on record appearing for the petitioner, Mrs.V.Ragaventheri, learned Central Government Standing Counsel, for the respondents 1 and 3, Mr.M.Govindan, learned Standing counsel appearing for the fourth respondent, Mr.K.Chellapandian, learned Additional Advocate General, assisted by Mr.R.Sethuraman, learned Special Government Pleader appearing for the respondents 2 and 5 and Mr. R.Parthasarathy, learned counsel appearing for the respondents 6 and 7.

2. Mr.K.Chellapandian, learned Additional Advocate General, submits that insofar as the existing unit is concerned, the application submitted by M/s.Sterlite Industries India Limited, the seventh respondent herein, seeking environmental clearance, has been rejected by the Tamil Nadu Pollution Control Board and the seventh respondent moved an appeal before the Appellate Authority under the Air (Prevention and Control of Pollution) Act, 1981. The learned Additional Advocate General further submits that insofar as the application of the seventh respondent company for expansion of the unit is concerned, no permission has been granted there regards.

3. Recording the said submission made by the learned Additional Advocate General, this Court considers it appropriate to issue notice on admission to the respondents returnable by 13.06.2018. Respective learned counsel take notice.

4. Registry is directed to post the Writ Petition on 3.06.2018.'

Thus, as of now, there is no approval granted for expansion of the unit and in the light of the admission of learned counsel for Vedanta, such approval can be considered only after public hearing and consultation is conducted.

32. In the light of the above discussion, we issue the following directions:

(i) The application for renewal of EC submitted by Vedanta shall be processed expeditiously after conduct of mandatory public hearing. In any event, the application shall be decided by the appropriate authorities within a period of four months from today i.e. on or before 23.09.2018.

(ii) In the meanwhile, Vedanta shall cease construction and all other activities on-site proposed Unit-II of the Copper Smelting Plant at Tuticorin with immediate effect. The resumption/continuance thereof, if it be so, shall be subject to the decision taken upon (i) above.

33. In issuing the above directions, we believe that we have taken into account and balanced the interests of all parties before us, the public as well as Vedanta. While, on the one hand, the economic benefits of encouraging industries cannot be ignored, the toll extracted on available resources, water and soil regimes by such industries, cannot also be lost sight of. There is thus yet another stakeholder before us, one that is invisible in the array of parties, the environment in itself. In balancing the interests of all parties to this Public Interest Litigation, we believe that the interests of this hapless party be treated

34. Mr.Ramachandra Guha, historian and environmentalist says in his tome, 'Environmentalism' that India is in the midst of the 'Age of Ecological Arrogance'. Various rules, regulations and memoranda issued over the years by the State are targeted to address this arrogance and bring a modicum of responsibility to our treatment of this very fragile asset, India's ecology and environment. We must do what is necessary to ensure that the environmental movement stays its course and that, we believe, is what we have now done.

35. Notice to R3 returnable 13.06.2018. Private notice is permitted, also upon standing counsel.

36. List along with W.P.(MD). No.9283 of 2018 on 13.06.2018.

37. Counters, if any, to be filed by then.

(M.S.,J.) & (A.S.M.,J.)

23.05.2018

msr

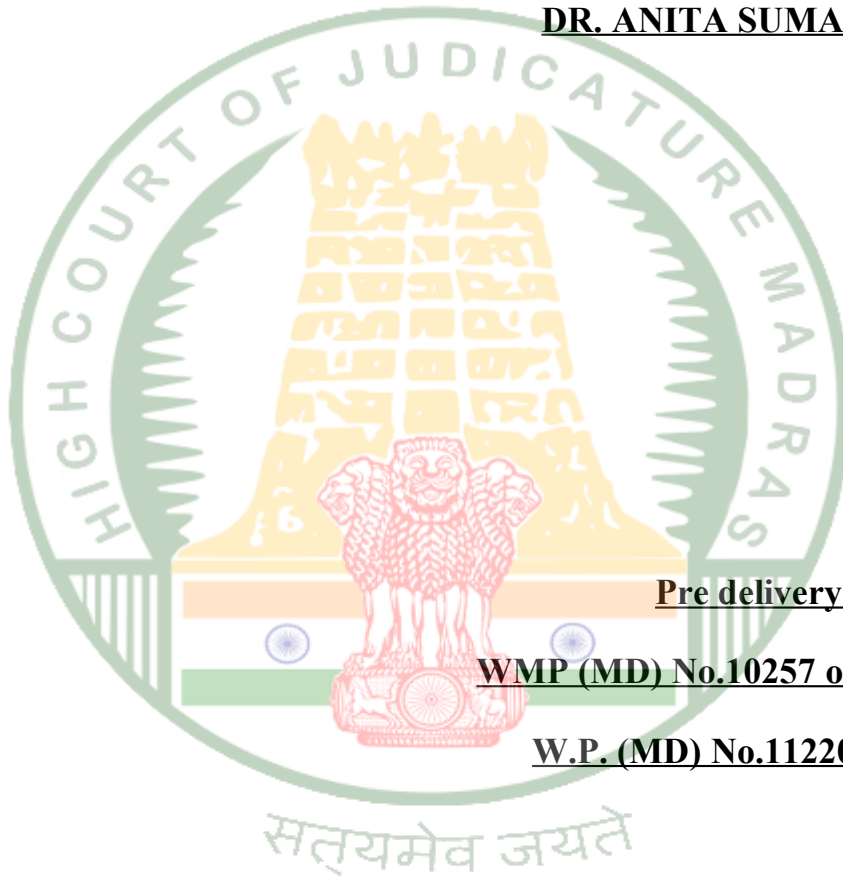
WEB COPY

M. SUNDAR, J.

&

DR. ANITA SUMANTH, J.

msr



Pre delivery order in

WMP (MD) No.10257 of 2018 in

W.P. (MD) No.11220 of 2018

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23.05.2018

**[MEMORANDUM OF GROUNDS OF WRIT PETITION]
BEFORE THE HON'BLE HIGH COURT OF JUDICATURE OF MADRAS
(MADURAI BENCH)**

W. P. (M.D.) No: 11220 of 2018

Fatima Babu

...Petitioner

Vs.

1. The Secretary,
Government of India,
Ministry of Environment and Forests,
Paryavaran Bhavan, CGO Complex,
Lodhi Road, New Delhi.

And 4 Others

...

Respondents

SYNOPSIS

1. The Present Writ petition has been filed in public interest regarding the environmental clearance of the 4th Respondent's Copper Smelter Plant-II at Thoothukudi originally obtained on 01.01.2009 and subsequently renewed on 23.07.2015 and 02.03.2016 by the 1st Respondent. The original environmental clearance and each renewal was illegally obtained by availing exemption from public consultation by misrepresenting the location of the project as being within a "notified Industrial Estate/Complex". This incurable defect strikes at the very foundation of the clearance and is a violation of substantive rights of the people of Thoothukudi and their fundamental right to a clean and safe environment.
2. Information available now in the public domain clearly reveals that the new, stand-alone, Copper Smelter Plant – II of the 4th Respondent will be located within the proposed "SIPCOT Tuticorin Industrial Park" (hereinafter referred to as "**SIPCOT – TIP**"). The proposed SIPCOT – TIP is still at the planning stage and is proposed to be developed under SIPCOT Phase – II scheme, Tuticorin and **is yet to be granted necessary environmental approvals from concerned authorities.**

3. As a consequence of this fraud and collusion, all authorities including this Hon'ble Court have been misled regarding material facts relating to the location of the new, stand-alone, Copper Smelter Plant – II of the 4th Respondent.
4. In conjunction with the above fraud, this Hon'ble Court has been misled during the course of submissions and hearing in the writ petition W. P. (M.D) No. 13810 of 2009 that sought to challenge the Environmental Clearance accorded to the 4th Respondent's new, stand-alone, Copper Smelter Plant – II on 01.01.2009 on the grounds that public hearing was not conducted as mandated under law as part of the environmental impact assessment process. A reading of the final order of this Hon'ble Court dated 28.04.2016 clearly reveals that incorrect representations were made before this Hon'ble Court and also to all statutory authorities that the new, stand-alone, Copper Smelter Plant – II of the 4th Respondent is located within the premises of the “notified SIPCOT Industrial Complex”, while in truth the new, stand-alone, Copper Smelter Plant – II of the 4th Respondent is located within the proposed SIPCOT – TIP that is yet to be accorded necessary environmental approvals from concerned authorities.
5. During the period of the litigation and before the final order in WP (MD) 13810 of 2009, three Office Memorandums were issued by the 1st Respondent to clarify the scope of the exemption available under Paragraph 7(i) III. Stage 3(i)(b) of the 2006 EIA Notification, pursuant to which Notification the exemption from public consultation was allowed. These Office Memorandums are dated 16.05.2014, 10.12.2014 and 04.04.2016. Curiously, the last Office Memorandum dated 04.04.2016 was not brought to the notice of this Hon'ble Court during the course of final arguments in W.P. (M.D.) No.13810 of 2009 that seem to have concluded on 20.04.2016. The Office Memorandum dated 04.04.2016 clarified the EIA Notification of 2006 to mean that public consultation will be required in the process of environment impact assessment and environmental clearance for projects irrespective of its location in or outside a notified industrial area/estate/region for Metallurgical industries (ferrous and non-ferrous).

6. Consequently, the order of this Hon'ble Court in W.P. (M.D.) No.13810 of 2009 dated 28.04.2016 is affected by fraud and is per incurium and as such the present writ petition is being filed.
7. The facts put forth in the Writ petition will clearly demonstrate:
 - a. The environmental clearance was obtained by the 4th respondent from the 1st Respondent for Copper Smelter Plant-II was obtained by fraud.
 - b. The said misrepresentations were made even before this Hon'ble High Court in W.P.(MD) 13810 of 2009 disposed on 28.04.2016.
 - c. New evidence clearly demonstrates that the proposed copper smelter plant-II is located and has commenced constructions inside the proposed SIPCOT TIP that is yet to be accorded clearances.
 - d. Even while a show-cause notice is pending to the 5th Respondent, the 4th Respondent is continuing construction activities and hence there is an urgency to stay the environmental clearance and restrain the 4th Respondent from continuing with the illegalities.
 - e. The 4th Respondent is proceeding with the constructions with a sense of urgency to present a fait accompli while seeking fresh clearances as the present clearance is set to expire on 31.12.2018.

Dated at Madurai on this the day of May, 2018

Counsel for Petitioner

WRIT PETITION(MD) NO. OF 2018

Respondents

11.	07.10.2009	Lease deed entered between SIPCOT and M/s. Sterlite Industries for the area of 93.33 ha of land
12.	03.06.2010	Lease deed entered between SIPCOT and M/s. Sterlite Industries for the area of 1.84 ha of land
13.	20.07.2010	Interim order in Writ Petition WP (MD) No. 13810 of 2009 suo-motu impleading SIPCOT.
14.	26.12.2013	Requisition of renewal of the EC dated 01.01.2009 by the 4 th Respondent to the MoEF
15.	16.05.2014	Office Memorandum bearing O.M No. J – 11013/36/2014-IA-I issued by MoEF clarifying the exemption from Public Consultation
16.	27.10.2014	Request letter from SIPCOT to MoEF seeking clearance of the ToR for the proposed Industrial Park, Tuticorin
17.	10.12.2014	Office Memorandum bearing O.M No. J-11013/36/2014-IA-I clarifying exemption from Public Consultation
18.	19.03.2015	Letter from MoEF to SIPCOT approving the ToR for the proposed SIPCOT Industrial Park, Tuticorin.
19.	16.07.2015	Letter from SIPCOT to MoEF requesting modification of the ToR already issued for the proposed Industrial Park at Tuticorin
20.	23.07.2015	Extension of Validity of EC granted by MoEF till 31.12.2015.
21.	November, 2015	Form 1 submitted by Sterlite Industries for extension of validity of Environmental Clearance for Expansion of Copper Smelter Plant, (Phase II)
22.	02.03.2016	Extension of validity of EC granted by MoEF to Sesa Sterlite Limited for Expansion of Copper Smelter Plant (Phase –II) till 31.12.2018
23.	26.03.2016	Framing of issue in Writ Petition WP (MD) No. 13810 of 2009 on the basis of submissions of the parties in the proceedings
24.	04.04.2016	Office Memorandum bearing O.M No. J-11013/36/2014-IA-I clarifying Exemption from Public Consultation
25.	20.04.2016	Writ Petition WP (MD) No. 13810 of 2009 reserved for judgement
26.	28.04.2016	Final Order of Writ Petition WP (MD) No. 13810 of 2009 and WP No. 5691 of 2010
27.	09.05.2016	Tamil Nadu Pollution Control Board inspection report for new CTE for Vedanta LTD – Copper Smelter Plant – II

28.	23.05.2016	MoEF granting the amendment in Terms of Reference to the 5 th Respondent
29.	January, 2018	Form 1 for Environment Clearance for Copper Smelter II (submitted along with OM dated 10.12.2014)
30.	25.01.2018	Public hearing meetings for Environmental Clearance of SIPCOT Phase II (SIPCOT-TIP)
31.	12.03.2018 to 14.03.2018	Meeting of 29 th Expert Appraisal Committee, MoEF
32.	02.04.2018	Show Cause Notice issued by TNPCB against SIPCOT Phase II under Air Act, 1981 and Water Act, 1974.
33.	05.04.2018	Report from TNPCB Joint Chief Environmental Engineer, Tirunelveli to Member Secretary, TNPCB
34.	06.04.2018	Reply sent by SIPCOT for the show cause notice issued by the 3 rd Respondent.
35.	09.04.2018	Proceedings of the 3 rd Respondent rejecting the Copper Smelter I's Consent to Operate
36.	27.04.2018	Office Memorandum bearing O.M No. J – 11011/321/2016-IA-II (I) issued by MoEF clarifying the exemption from Public Consultation

Certified to be true copies of the originals

Dated at Madurai on this the of May, 2018

Counsel for Petitioner

SIPCOT Industrial Complex, Thoothukudi. The reasons for denying "consent to operate" have been mentioned in the said order dated 9.4.2018. The failure of the respondent-company to comply with five vital conditions has prompted the respondent-Board to reject the application of the respondent-company for consent.

3. I state that the conditions mentioned in the order dated 9.4.2018 passed by the respondent-Board are not new conditions imposed for the first time. Those conditions were imposed by the respondent-Board much before the last Renewal of Consent Order. Though those conditions imposed by the respondent-Board under Water Act and Air Act ought to have been complied with by the respondent-company on or before 7.9.2017, a concession was shown to the respondent-company by extending the crucial date to 31.12.2017. In other words, all the conditions ought to have been complied with by the respondent-company on or before 31.12.2017 for the purpose of making an application for renewal of consent order beyond 31.12.2017. Since the respondent-company has not complied with the conditions imposed by the respondent-Board, the respondent-Board has rejected the application of the respondent-company for consent based on the Inspection Report of the Joint Chief Environmental Engineer (M)/Tirunelveli as could be seen from the order dated 9.4.2018 passed by the respondent-Board.

4. I state that the respondent-Board ought to have rejected the application of the respondent-company for CONSENT on the following most important ground:

Sl.No.21 "Copper, Lead or Zinc Smelting Plant" of Schedule I to Environment (Protection) Rules, 1986 deals with the parameters and emission standards. Note 4 appended to columns 3 and 4 of Sl.No.21 reads: "The height of the Stack emitting Sulphur Dioxide or acid mist shall be a minimum of 30 metres or as per the formula $H=14(Q)^{0.3}$ (whichever is more), where "H" is the height of stack in meters; and "Q" is the maximum quantity of SO_2 , in kg/hr, expected to be emitted through the stack at 110 percent rated capacity of the Tail Gas plant (s) and calculated as per the norms of gaseous emission." This emission standard statutorily prescribed has been totally ignored by the respondent-Board while granting consent to the respondent-company for the first time and while granting renewal of consent subsequently. Had the respondent-Board applied its mind to the said statutory provision, the respondent-company could not have at all commenced its operation at Thoothukudi. The respondent-Board ought to have rejected the application of the respondent-company for CONSENT on the ground that the respondent-company has not fulfilled the requirements of Note 4 appended to Columns 3 and 4 of Sl.21 of the Schedule to the

Environment (Protection) Rules, 1986. Moreover, the respondent-Board has not at all considered the fact that as per the 1996 production rate, the stack height ought to have been at least 68 metres . For the reasons best known to the respondent-Board, the respondent-Board had allowed the respondent-company to operate with a mere 60 metre stack. The respondent-Board has failed to consider that the daily sulphuric acid production capacity of the respondent-company has increased four-fold since 1996 i.e. from 1060 tonnes in 1996 to more than 4200 tonnes in 2006 but the height of the stacks have remained unchanged.

5. I state that the Respondent Board had imposed a condition through its original Consent to Operate in 1995 requiring the company to develop a greenbelt of minimum width of 25 metres around the entire perimeter of its factory. The Respondent Board has failed to report on the non-compliance of this vital pollution mitigation – namely a belt around the factory of minimum 25 metre width.

6. I state that the aforesaid order dated 9.4.2018 suffers from the vice of non-application of mind on the part of the respondent-Board though the respondent-Board has rejected the application of the respondent-company for CONSENT. Since the respondent-Board has failed to discharge its public duty while considering the application of the respondent-company in proper perspective and strictly in accordance with the statutory provisions, it has become necessary for social activists like me to approach the Appellate Authority with this Impleading Petition.

6. I state that for the purpose of effective adjudication of the aforesaid appeal filed by the respondent-company, it is necessary that I be impleaded as a party-respondent in public interest.

For the foregoing reasons, it is prayed that the Hon'ble Appellate Authority may be pleased to permit the petitioner herein to be impleaded as a party respondent in the aforesaid Appeal, and thus render justice.

Solemnly affirmed at Chennai
this the 1st day of May 2018
and signed her name in my presence.

**BEFORE THE APPELLATE AUTHORITY
CONSTITUTED BY THE GOVERNMENT OF TAMIL NADU UNDER SECTION 28
OF THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974**

Miscellaneous Petition No. of 2018

in

APPEAL No. 36 of 2018

Prof.Fatima Babu
D/o M.G.Rodriguez
77 Periyakadai Street
Thoothukudi

...Petitioner/Proposed Respondent

Vs.

1. M/s Vedanta Limited – Copper Smelter
Rep. by its Managing Director
Vendanta Limited – Copper Smelter plant
SIPCOT Industrial Complex, Madurai Bypass Road
Thoothukudi

.....Respondent/Appellant

2. The Member Secretary
Tamil Nadu State Pollution Control Board
76 Anna Salai
Guindy, Chennai 600 032

3. The Joint Chief Environmental Engineer
Tamil Nadu Pollution Control Board
Tirunelveli

...Respondents/Respondents

PETITION TO IMPLEAD

For the reasons stated in the accompanying affidavit, it is prayed that the Hon'ble Appellate Authority may be pleased to permit the petitioner herein to be impleaded as a party respondent in the aforesaid Appeal, and thus render justice.

Dated at Chennai, this the 1st day of May 2018

Counsel for the petitioner/proposed respondent

**[MEMORANDUM OF GROUNDS OF WRIT PETITION]
BEFORE THE HON'BLE HIGH COURT OF JUDICATURE OF MADRAS
(MADURAI BENCH)**

W. P. (M.D.) No: of 2018

Fatima
Daughter of M.G.Rodriguez,
Aged about 65 years,
77, Periyakadai Street,
Thoothukudi- 628 001 ...Petitioner

Vs.

1. The Secretary,
 Government of India,
 Ministry of Environment and Forests,
 Paryavaran Bhavan, CGO Complex,
 Lodhi Road, New Delhi.
2. The Secretary to Government,
 Government of Tamil Nadu,
 Environment Department,
 Fort St. George, Chennai.
3. Tamil Nadu Pollution Control Board,
 Represented by its Chairman and Member Secretary,
 100, Anna Salai,
 Guindy, Chennai- 600 032.
4. M/s. Vedanta Limited [formerly Sterlite Industries Limited],
 Represented by its Managing Director,
 SIPCOT Industrial Complex,
 Madurai Bypass Road, TV Puram,
 P.O Tuticorin- 628 002.
5. State Industries Promotion Corporation of Tamil Nadu (SIPCOT),
 Represented by its Managing Director,
 Rukmani Lakshmipathy Road,
 Egmore, Chennai-600 008. ... Respondents

COMMON AFFIDAVIT OF FATIMA

I, Fatima, daughter of M. G. Rodriguez, aged about 65 years, residing at 77, Periyakadai Street, Thoothukudi- 628 001 do hereby solemnly affirm and sincerely state as follows:

1. I am the Petitioner herein and I am well acquainted with the facts and circumstances of the case. I am filing the present petition in public interest regarding the environmental clearance of the 4th Respondent's Copper Smelter Plant-II at Thoothukudi originally obtained on 01.01.2009 and subsequently renewed on 23.07.2015 and 02.03.2016 by the 1st Respondent. The original environmental clearance and each renewal was illegally obtained by availing exemption from public consultation by misrepresenting the location of the project as being within a "notified Industrial Estate/Complex". This incurable defect strikes at the very foundation of the clearance and is a violation of substantive rights of the people of Thoothukudi and their fundamental right to a clean and safe environment. I state that information available now in the public domain clearly reveals that the new, stand-alone, Copper Smelter Plant – II of the 4th Respondent will be located within the proposed "SIPCOT Tuticorin Industrial Park" (hereinafter referred to as "**SIPCOT – TIP**"). The proposed SIPCOT – TIP is still at the planning stage and is proposed to be developed under SIPCOT Phase – II scheme, Tuticorin and **is yet to be granted necessary environmental approvals from concerned authorities.** As a consequence of this fraud and collusion, all authorities including this Hon'ble Court have been misled regarding material facts relating to the location of the new, stand-alone, Copper Smelter Plant – II of the 4th Respondent.
2. I state that I have no personal interest in the case, and the case is filed in my capacity as a resident and concerned citizen of Thoothukudi, and as a social activist concerned about a sustainable future, pollution-free environment and healthy air and water for all peoples.
3. I state that I retired as Associate Professor of English at St.Mary's College, Thoothukudi. I am also the Secretary of the Thoothukudi District Peace Committee and a member of the Executive Committee of the Thoothukudi Town Beautification Committee. I am the state convenor of Fisherman Movements Coordination of Tamil Nadu and Pondicherry and the president of the Palsamaya Kootamaippu. I am a member of the Governing body of St.Mary's college Tuticorin and a member of the Academic Council, Scott Christian College,

Nagercoil. I have formerly served as a senate member at the Manonmaniam Sundaranar University, Tirunelveli and the advisory Committee of the Tamil Nadu Commission for Women, CBCI. I have been conferred with the Greenpeace International Award for “ceaseless efforts to protect the planet’s environment” and was one of the three short listed candidates for the Bhopal Award “Award for Women against Corporate Crime”. I was one among the 25 women to be honoured in Bhopal on 01.12.2009 on the 25th anniversary of the Bhopal tragedy for working towards the cause of environment.

4. I state that I have not filed any Public Interest Litigation prior to this. However, I have impleaded myself in two matters relating to the 4th Respondent’s operations in Thoothukudi in different fora. In 2013, I impleaded myself in Appeal Petition No. 57 and 58/2013 (Principal Bench) (Originally filed as Appeal 22 and 23/2013 (SZ)) before the National Green Tribunal. I have also been allowed to implead in Appeal No. 36 and 37 of 2018 pending before the Appellate Authority of the 3rd Respondent set up under the Air and Water Act. In both these instances the judicial fora gave me an opportunity to present essential facts and considered my inputs necessary for the final determination of issues before it.
5. I intend to meet the costs of this litigation through own funds, and funds promised to me by friends and family. I undertake to pay the costs, if any, if it is found to be intended for personal gain or oblique motive. I am an income tax assessee and my PAN number is AAHPF2937N.
6. I have filed the Writ petition based on my information, my personal knowledge, information available in the public domain and information shared with me by public-spirited citizens. The information relied by me includes data obtained through the Right to Information Act, 2005 and information available in the public domain. I have also relied on reports that I have helped release and publish.
7. I state that to my knowledge, no public interest litigation is pending as on date arising out of the same set of facts, grounds and prayer as in the present PIL.
8. I state that representations made by me and by other civil society representatives I am associated with are part of the typed set submitted as part of this petition

9. I state that the 4th Respondent has been operating its unit Sterlite Copper in Thoothukudi from the year 1995. From the very inception, the operations of the 4th Respondent in Thoothukudi district have been met with severe resistance in view of the adverse impact the units have had on the environment. These apprehensions have been borne out as the unit has caused serious pollution. Several instances of pollution have been documented and there have been several cases filed against the 4th Respondent for its history of violations of applicable laws including laws designed to protect the environment, natural resources and the local communities. Most importantly, the Hon'ble Supreme Court of India in 2013 in Civil Appeal Nos: 2776-2783 acknowledged the largescale violations of the 4th Respondent, unlicensed operation and environmental pollution and ordered the 4th Respondent to pay a penalty of Rs. 100 crores as damages. Significantly, the Supreme Court order also included a finding that the 4th Respondent had misrepresented as if it had all approvals and licenses in place when the same was contrary to facts.
10. I state that the 4th Respondent in July 2008 submitted a fresh proposal to the 1st Respondent to double its production capacity by installing a new smelter of 1200 tpd (tonnes per day). The said proposal was considered, and environmental clearance was granted to the 4th Respondent's copper smelter plant-II on 01.01.2009. The requirement of public hearing prior to grant of such environmental clearance was exempted based on the representations of the 4th Respondent that the proposed plant would be located inside notified SIPCOT industrial area. The public hearing process is an essential part of the environmental clearance process. I state that a majority of the residents of Thoothukudi and those living in the vicinity of the 4th Respondent have a very poor image of the company and are angry with it for twisting and violating the law, polluting the environment, damaging the health of people, and getting government authorities to collude with its illegal schemes. This is evident from the massive protests ongoing in Thoothukudi even at the time of presentation of the present Writ Petition. Hence, the 4th Respondent, from the very beginning did not want to subject itself to public hearing process as mandated under law.

11. I state that the present Public Interest Litigation relates primarily to the illegal actions of the 4th Respondent in suppressing material facts, committing fraud about the proposed location of the new, stand-alone, Copper Smelter Plant – II. I state that current information available in the public domain clearly reveals that the new, stand-alone, Copper Smelter Plant – II of the 4th Respondent is not located within the existing notified SIPCOT Industrial Complex as claimed by the Respondents, but is located within the proposed “SIPCOT Tuticorin Industrial Park (“**SIPCOT – TIP**)”. As a consequence of this fraud, all authorities have been misled regarding material facts relating to the location of the new, stand-alone, Copper Smelter Plant – II of the 4th Respondent. The proposed SIPCOT – TIP is still at the planning stage and is only now proposed to be developed under SIPCOT Phase – II, Tuticorin and **is yet to be granted necessary environmental approvals from concerned authorities**, as admitted by the 5th Respondent.
12. I state that irrespective of the location of the proposed project of the 4th Respondent, it is legally and logically untenable for a large, “Red” Category, Hazardous industry like a copper smelter to escape public scrutiny, and the 1st Respondent that ought to have clarified the same effectively failed to do so in order to aid the 4th Respondent.
13. I state that in conjunction with the above fraud, this Hon’ble Court has been misled during the course of submissions and hearing in the writ petition W. P. (M.D) No. 13810 of 2009 that sought to challenge the Environmental Clearance accorded to the 4th Respondent’s new, stand-alone, Copper Smelter Plant – II on 01.01.2009 on the grounds that public hearing was not conducted as mandated under law as part of the environmental impact assessment process. A reading of the final order of this Hon’ble Court dated 28.04.2016 clearly reveals that incorrect representations were made before this Hon’ble Court and also to all statutory authorities that the new, stand-alone, Copper Smelter Plant – II of the 4th Respondent is located within the premises of the “notified SIPCOT Industrial Complex”, while in truth the new, stand-alone, Copper Smelter Plant – II of the 4th Respondent is located within the proposed SIPCOT – TIP that is yet to be accorded necessary environmental approvals from concerned authorities.

14. I state that these misrepresentations have devastating effects since the very premise of the exemption granted to the new, stand-alone, Copper Smelter Plant – II of the 4th Respondent from the public hearing process mandated under the EIA Notification dated 14.09.2006 (hereinafter referred to as “**2006 EIA Notification**”) was on the basis that its location purported to be inside “SIPCOT Industrial Complex” which was a notified entity that had all clearances from concerned authorities.

SIPCOT INDUSTRIAL COMPLEX AND SIPCOT TIP

15. I state that SIPCOT Industrial Complex/Estate and the proposed SIPCOT – TIP are projects proposed and developed by the 5th Respondent but are completely different and mutually exclusive. The former was established in 1994 pursuant on land admeasuring 1,083 acres. Prior to this, G.O.Ms. 328 was issued on 13.05.1987 approving the estimated cost of the project at 938 lakhs. I state that the Phase – II Scheme of the 5th Respondent was accorded administrative sanction by G. O (Ms.). 233 dated 10.12.1996 to acquire 1,616 acres of lands to establish SIPCOT Industrial Park Phase II in the revenue village of Therkkuv eerapandiyapuram and in some parts of Meelavittan.
16. I state that the 5th Respondent initiated proposals for Environmental Clearance for the proposed SIPCOT – TIP under the Phase-II scheme only as late as 27.10.2014 by submitting an application with the Form - 1, pre-feasibility report and terms of reference towards preparation of EIA. A reading of these documents would clearly demonstrate that the proposed SIPCOT - TIP was a new industrial estate and was never considered as an extension or expansion of the earlier existing SIPCOT Industrial Estate/Complex.
17. I state that the project pre-feasibility report, while considering alternate sites clearly indicates that the “present new proposal is envisaged on the northern side of the existing industrial estate”. The 5th Respondent, having obtained then Terms of Reference for the proposed SIPCOT TIP on 19.03.2015 requested for a modification of the ToR on 16.07.2015. The Form 1 submitted in 2015 at Entry

9.3 under the heading ‘Set a Precedent for later developments’ indicated in its answer that ”another SIPCOT complex is in the adjoining boundary line”.

18. I state that subsequently, a public hearing was held on 25.01.2018 for the proposed SIPCOT – TIP. The said hearing had to be cancelled owing to the public demand that sufficient notice and further information about the proposed SIPCOT – TIP needed to be furnished. I state that as of the date of the filing of the present writ petition the public hearing process has not been completed in respect of the proposed SIPCOT – TIP. It is noteworthy that there is no dispute that the entire lands of 4th Respondent's proposed project fall within the area earmarked for the proposed, yet-to-be-approved and yet-to-be notified Tuticorin Industrial Park.
19. I state that the fraud committed by the 4th Respondent and aided by the other Respondents further stands exposed by the show-cause notice issued by the 3rd Respondent on 02.04.2018, to the 5th Respondent herein. The said notice required the 5th Respondent to show cause why action should not be taken against them for operating without requisite consents under the Air Act, 1981 and Water Act, 1974 at the proposed SIPCOT – TIP. By a response dated 06.04.2018 to the said show cause notice, the 5th Respondent unequivocally admits:
*“The EIA report in line with the ToR has been submitted to the District Environment Engineer, Thoothukudi for conduct of public hearing. Public hearing was conducted on 25.01.2018. **Therefore the process to get Environment Clearance is underway.**”*
20. I state that the above reply dated 06.04.2018 makes it abundantly clear that the proposed SIPCOT – TIP developed under the SIPCOT Phase – II Scheme is yet to be accorded environmental clearance and is not yet a notified industrial complex/ park/ estate approved by concerned authorities thereby allowing projects, units located within its premises to claim exemptions from the process of public hearing as per the 2006 EIA Notification.
21. I state that the exemption granted by the 1st Respondent, in respect of the 4th Respondent from public hearing, that was subsequently upheld by the Hon’ble High Court in W. P. No. 13810 of 2009 by an order dated 28.04.2016, was based

on the submissions of all the Respondents that the new, stand – alone Copper Smelter – II would be located inside the notified SIPCOT Industrial Complex of the 5th Respondent. However, information, made available to various concerned citizens including Retired Judge of this Hon’ble High Court, Mr. Justice R. Hariparanthaman, under the RTI Act clearly reveals that this is blatantly false and the new stand – alone Copper Smelter – II is located inside land that is only now being developed as the proposed SIPCOT – TIP acquired pursuant to the administrative sanction of 10.12.1996.

22. I state thus, the judgment of this Hon’ble Court dated 28.04.2016 in W. P. No. 13810 of 2009 was clearly obtained by fraudulent submissions made by the parties before this Hon’ble Court and consequently the Environmental Clearance accorded to the 4th Respondent on 01.01.2009 and subsequently renewed on 23.07.2015 and 02.03.2016 is required to be declared illegal.
23. I state that an analysis of the information obtained from these RTI applications has confirmed the fraud and misrepresentation of the 4th Respondent to commence construction of the new, stand-alone Copper Smelter Plant – II within the premises of the 5th Respondent proposed to be developed as SIPCOT – TIP that has not yet been notified or accorded the necessary statutory approvals.

**COPPER SMELTER PLANT - II IS LOCATED WITHIN THE
PROPOSED YET-TO-BE-APPROVED SIPCOT -TIP AND NOT WITHIN
THE NOTIFIED SIPCOT INDUSTRIAL COMPLEX**

24. I state that the table below, in Column 1, reproduces the survey numbers of the project location of the 4th Respondent’s new, stand – alone, Copper Smelter Plant - II. This information is obtained from the following documents:
 - a) Environmental Clearance granted to the 4th Respondent to establish Copper Smelter Plant II on 01.01.2009

- b) Extension of the Environmental clearance granted to the 4th Respondent to establish Copper Smelter Plant II on 23.07.2015 and subsequently on 02.03.2016.
- c) Inspection Report of the 3rd Respondent of the 4th Respondent's application for Consent to Establish on 09.05.2016.
- d) Form 1 submitted by the 4th Respondent as part of its application for fresh Environmental clearance in January, 2018.

25. I state that the table below, in Column 2, indicates the survey numbers that is covered under the proposed SIPCOT – TIP. I state that Column 3 is the total area under each survey number. This information is obtained from the following documents:

- a) Form 1 submitted by the 5th Respondent to the 1st Respondent seeking environmental clearance for the proposed SIPCOT TIP.
- b) Project pre-feasibility report of the 5th Respondent's proposed SIPCOT TIP.

Survey numbers of lands of proposed Copper Smelter Plant II	Survey numbers of lands of proposed SIPCOT-TIP	Total area of land in acres	Name of the village of the location of the lands
45/2A	45	3.87	Therkku Veerapandiyapuram
45/2B			Therkku Veerapandiyapuram
45/3			Therkku Veerapandiyapuram
46/1	46	4.33	Therkku Veerapandiyapuram
46/2			Therkku Veerapandiyapuram
46/3			Therkku Veerapandiyapuram
46/4			Therkku Veerapandiyapuram
46/6			Therkku Veerapandiyapuram
46/7			Therkku Veerapandiyapuram
66/1	66	2.81	Therkku Veerapandiyapuram
66/3			Therkku Veerapandiyapuram

66/4			Therkku Veerapandiyapuram
67/1	67	2.43	Therkku Veerapandiyapuram
67/3			Therkku Veerapandiyapuram
67/4			Therkku Veerapandiyapuram
67/6			Therkku Veerapandiyapuram
67/8			Therkku Veerapandiyapuram
68/2	68	2.27	Therkku Veerapandiyapuram
68/3			Therkku Veerapandiyapuram
68/4			Therkku Veerapandiyapuram
69/2	69	2.04	Therkku Veerapandiyapuram
69/4			Therkku Veerapandiyapuram
69/5			Therkku Veerapandiyapuram
69/1A			Therkku Veerapandiyapuram
69/1B			Therkku Veerapandiyapuram
285/PART	285	1.86	Therkku Veerapandiyapuram
286/PART	286	1.98	Therkku Veerapandiyapuram
288/PART	288	3.125	Therkku Veerapandiyapuram
289/PART	289	4.35	Therkku Veerapandiyapuram
290/1	290	3.995	Therkku Veerapandiyapuram
290/2			Therkku Veerapandiyapuram
290/3			Therkku Veerapandiyapuram
290/4			Therkku Veerapandiyapuram
293/1A	293	5.48	Therkku Veerapandiyapuram
293/1B			Therkku Veerapandiyapuram
294/1	294	3.72	Therkku Veerapandiyapuram
294/2			Therkku Veerapandiyapuram
294/6			Therkku Veerapandiyapuram
294/3A			Therkku Veerapandiyapuram
294/3B			Therkku Veerapandiyapuram
294/4A			Therkku Veerapandiyapuram
294/4B			Therkku Veerapandiyapuram
294/4C			Therkku Veerapandiyapuram

295	295	1.215	Therkku Veerapandiyapuram
297/1	297	3.76	Therkku Veerapandiyapuram
297/2			Therkku Veerapandiyapuram
297/3			Therkku Veerapandiyapuram
297/5			Therkku Veerapandiyapuram
297/6			Therkku Veerapandiyapuram
297/7			Therkku Veerapandiyapuram
298/1	298	1.76	Therkku Veerapandiyapuram
298/3			Therkku Veerapandiyapuram
299/1	299	2.085	Therkku Veerapandiyapuram
299/2			Therkku Veerapandiyapuram
299/4			Therkku Veerapandiyapuram
299/5			Therkku Veerapandiyapuram
301/2	301	7.54	Therkku Veerapandiyapuram
302/1	302	3.295	Therkku Veerapandiyapuram
302/2			Therkku Veerapandiyapuram
302/3			Therkku Veerapandiyapuram
302/4			Therkku Veerapandiyapuram
302/5			Therkku Veerapandiyapuram
302/6			Therkku Veerapandiyapuram
303	303	2.24	Therkku Veerapandiyapuram
304	304	2.68	Therkku Veerapandiyapuram
305	305	4.475	Therkku Veerapandiyapuram
306/1	306	2.805	Therkku Veerapandiyapuram
306/3			Therkku Veerapandiyapuram
306/4			Therkku Veerapandiyapuram
306/6			Therkku Veerapandiyapuram
318/2	318	4.155	Therkku Veerapandiyapuram
318/3			Therkku Veerapandiyapuram
319	319	2.235	Therkku Veerapandiyapuram
320/1	320	3.325	Therkku Veerapandiyapuram
320/2			Therkku Veerapandiyapuram

320/3			Therkku Veerapandiyapuram
322/1	322	2.185	Therkku Veerapandiyapuram
322/3A			Therkku Veerapandiyapuram
322/3B			Therkku Veerapandiyapuram
322/3C			Therkku Veerapandiyapuram
324/1A PART	324	5.415	Therkku Veerapandiyapuram
324/1A PART			Therkku Veerapandiyapuram
324/1A PART			Therkku Veerapandiyapuram
324/1B1			Therkku Veerapandiyapuram
324/1B2			Therkku Veerapandiyapuram
324/2A			Therkku Veerapandiyapuram
324/2B			Therkku Veerapandiyapuram
325	325	3.53	Therkku Veerapandiyapuram
326/2 PART	326	2.015	Therkku Veerapandiyapuram
326/2 PART			Therkku Veerapandiyapuram
326/3 PART			Therkku Veerapandiyapuram
326/3 PART			Therkku Veerapandiyapuram
328/1	328	2.55	Therkku Veerapandiyapuram
328/2A			Therkku Veerapandiyapuram
328/2B			Therkku Veerapandiyapuram
328/2C			Therkku Veerapandiyapuram
330/1	330	4.785	Therkku Veerapandiyapuram
330/2A			Therkku Veerapandiyapuram
330/2B			Therkku Veerapandiyapuram
331/1	331	4.215	Therkku Veerapandiyapuram
331/2			Therkku Veerapandiyapuram
332/1	332	4.045	Therkku Veerapandiyapuram
332/2A			Therkku Veerapandiyapuram
332/2B			Therkku Veerapandiyapuram
333/1	333	4.425	Therkku Veerapandiyapuram
333/2			Therkku Veerapandiyapuram
334	334	3.13	Therkku Veerapandiyapuram

335/1	335	2.07	Therkku Veerapandiyapuram
335/2			Therkku Veerapandiyapuram
336	336	1.725	Therkku Veerapandiyapuram
337	337	1.195	Therkku Veerapandiyapuram
338/1	338	6.885	Therkku Veerapandiyapuram
338/3A			Therkku Veerapandiyapuram
338/3B			Therkku Veerapandiyapuram
340/1	340	2.37	Therkku Veerapandiyapuram
340/2			Therkku Veerapandiyapuram
340/3			Therkku Veerapandiyapuram
340/4			Therkku Veerapandiyapuram
340/6			Therkku Veerapandiyapuram
340/7			Therkku Veerapandiyapuram
340/8			Therkku Veerapandiyapuram
341/1	341	3.595	Therkku Veerapandiyapuram
341/3			Therkku Veerapandiyapuram

26. I state that the above table makes it abundantly clear that the proposed new, stand – alone, Copper Smelter Plant – II of the 4th Respondent was never located within the notified SIPCOT Industrial Park, as submitted before this Hon’ble Court but lies within the lands acquired for establishment of SIPCOT Industrial Park Phase II, namely the proposed SIPCOT – TIP, that was yet to be notified and which was yet to obtain environmental clearances.
27. I further submit that in letter no: JCEE/TNV/F-Tech-Vedanta/2018 - Date: 05.04.2018, the Joint Chief Environmental Engineer of the 3rd Respondent at Tirunelveli, submitted a report to the Member Secretary of the 3rd Respondent. The 9 page report of the Joint Chief Environmental Engineer has some important observations reproduced hereunder:
- a. *“In this regard, it is submitted that while conducting the public hearing for SIPCOT Phase - II, the above mentioned area of 131.33 Hectares allotted for M/s. Vedanta Limited (Copper Smelter Plant – II), Thoothukudi has not been*

excluded even though Environmental Clearance has already been obtained by M/s. Vedanta Limited (Copper Smelter Plant – II) for 92.5 Hectares on 01.01.2009 and subsequently extended upto 31.12.2018 based on updated Form -1 furnished by the Unit mentioning land for 128.80 Hectares” (at Page 3)

- b. *“The survey nos. with extent of land applied for MoEF Environmental clearance extension, mentioned in the SEZ Declaration, obtained from SIPCOT, mentioned in the CTE application and difference in land not mentioned in the application for CTE is enclosed in Annexure X.*
- c. *It may be seen from the above that the area and Revenue Survey Numbers for which the unit applied for CTE is within the land area allotted by the SIPCOT in Phase - II.” (at page 7).*

28. It is humbly submitted that the said observation *once* again makes it clear that the new, stand – alone Copper Smelter Plant – II is located inside SIPCOT Phase II that is now sought to be developed as a stand-alone industrial estate called TIP. It however ignores the fact that the environmental clearance of the 4th Respondent obtained on 01.01.2009 is premised on the basis that the proposed new, stand – alone Copper Smelter Plant – II being located inside the existing SIPCOT Industrial Complex and not the proposed SIPCOT TIP. I submit that a perusal of Annexure X and the findings above, once again clarify the position that the new, stand – alone Copper Smelter Plant – II is located inside the yet-to-be-approved SIPCOT TIP.

PROPOSED SIPCOT-TIP (SIPCOT PHASE-II) HAS NOT OBTAINED ENVIRONMENTAL APPROVALS FROM CONCERNED AUTHORTIES

29. The documents accessed and obtained through the RTI Applications clearly establish that the proposed SIPCOT – TIP within whose premises the 4th Respondent has commenced construction of the new, stand – alone Copper Smelter Plant - II is yet to obtain Environmental Clearance from the 1st Respondent. This is clearly evidenced by the following documents:

- a) In the response dated 06.04.2018 to the show cause notice issued by the 3rd Respondent on 02.04.2018, the 5th Respondent unequivocally admits *“The EIA report in line with the ToR has been submitted to the District Environment Engineer, Thoothukudi for conduct of public hearing. Public hearing was conducted on 25.01.2018. **Therefore the process to get Environment Clearance is underway.**”* As alleged in the notice, no activity is carried out by SIPCOT in the said property.
- b) The public hearing for the proposed SIPCOT – TIP containing the land survey numbers allotted to the 4th Respondent also, was conducted on 25.01.2018 as evidenced by the minutes of the proceedings of the public hearing. On page 3 of the proceedings, it is clear that the public hearing was held in respect of Phase - II SIPCOT Tuticorin Industrial Park.
30. I submit further that the public hearing dated 25.01.2018 had to be cancelled owing to demands from the public and is yet to be re-conducted as of the date of the filing of the present writ petition. Thus, the environmental clearance to SIPCOT TIP is still pending.
31. The discussions in the above paragraphs 12-30 have clearly demonstrated the following points:
- a. That Copper Smelter Plant - II is located within the proposed SIPCOT TIP;
 - b. Proposed SIPCOT TIP is not a notified industrial estate.
 - c. Proposed SIPCOT TIP is not an industrial estate that has got environmental clearance and the process is still underway.

**EXEMPTION UNDER EIA 2006 WAS NEVER APPLICABLE TO
COPPER SMELTER PLANT-II. ENVIRONMENTAL CLEARANCE
OBTAINED BY FRAUD AND SUBSEQUENTLY UPHELD AND
EXTENDED BASED ON MISREPRESENTATIONS**

32. I humbly submit that based on the abovementioned facts, it has been established beyond doubt that the 4th Respondent have been mis-representing at every stage

from 2008 until 2018, before every statutory authority and more importantly before this Hon'ble High Court in order to uphold their environmental clearance granted by the 1st Respondent on 01.01.2009, extended subsequently on 23.07.2015 and 02.03.2016 subject to the outcome of the court case and upheld by this Hon'ble High Court vide it's judgment dated 28.04.2016.

33. I am advised to submit that the 2006 EIA Notification was the law in existence at the time of grant of the clearance by the 1st Respondent. It directed that the construction of new projects or activities or the expansion or modernisation of existing projects or activities listed in the Schedule to the notification entailing capacity addition with change in process and or technology **shall be undertaken in any part of India only after the prior environmental clearance** from the Central Government or the State Level Environmental Impact Assessment Authority duly constituted as the case may be, in accordance with the procedure specified in the notification. The Notification prescribes that any application for environment clearance be subjected to maximum four stages of scrutiny: Screening, Scoping, Public Consultation and Appraisal before the grant/rejection of Environmental Clearance by the MoEF or SIEAA. In particular, **Public Consultation** is the third stage of scrutiny in which the concerns of the local people likely to be affected by the project or activity and others who have a plausible stake in the environmental impacts of the project or activity are ascertained with a view to taking into account all the material concerns in the project or design as appropriate. It has two components, one being a public hearing at the site or in its close proximity, district wise and the second is to obtain responses in writing from other concerned persons having a plausible stake in the environmental impact the project/activity.

34. It is submitted that the Notification exempts certain Category A and Category B1 projects or activities from the requirement of public hearing including:

“All projects or activities located within industrial estate or parks [Item 7(c) of the Schedule] approved by the concerned authorities and which are not disallowed in such approvals. ...” [Para 7 (i) III. Stage 3, (i) (b)]

Item 7(c) of the Schedule covers the following project/activity:

Project or Activity		Category with threshold limit		Conditions, if any
		A	B	
7		Physical Infrastructure including Environmental Services		
7(c)	Industrial estates/parks/complexes. Areas, Export processing zones (EPZs), Special Economic Zones (SEZs), Biotech Parks, Leather Complexes	If at least one industry in the proposed industrial estate falls under Category A, entire industrial area shall be treated as Category A, irrespective of the area. Industrial estates with area greater than 500 ha and housing at least one Category B industry	Industrial estates housing at least one Category B industry and area < 500 ha Industrial estates of area > 500 ha and not housing any industry belonging to Category A or B	[General as well as special conditions shall apply] Note: Industrial Estate of area below 500 ha and not housing any industry of Category A or B does not require clearance, If the area is less than 500 ha but contains building and construction projects > 20,000 sq. mtr. And or development area more than 50 ha it will be treated as activity listed at Serial No. 8(a) or 8(b) in the

				<i>Schedule as the case may be.</i>
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35. I state that the new, proposed, stand – alone, Copper Smelter Plant - II plant of the 4th Respondent falls under a Category A industry and is listed under item 3(a) of the Schedule to the 2006 EIA Notification mandating prior environmental clearance.

36. A plain reading of the above exemption clause would imply that the following conditions have to be satisfied by a project proponent for seeking exemption from public hearing:
 - a. The project or activity should be located within an industrial estate or park **(Location)**
 - b. The said industrial estate or park should have approval from concerned authorities **(pre-requisite that the location should have requisite approvals)**
 - c. The location of a project or activity like that of the proponent, should not be disallowed in the approval granted to the industrial estate of park where the proposed project is sought to be located.

37. The Environmental Clearance accorded by the 1st Respondent on 01.01.2009 mentions that the exemption from the public hearing process was granted based on the representation that the proposed project being located within a “*notified SIPCOT industrial area*”. Prima facie, the 1st Respondent was misled at this stage because, as on date of the application seeking environmental clearance, the 5th Respondent was yet to even completely allot and hand over the lands to the 4th Respondent and the acquisition process by the 5th Respondent as part of the Phase-II scheme was still underway. This is evidenced by the fact that the lease deeds were executed by the 5th Respondents only 16.02.2009, 07.10.2009 and 03.06.2010, only after the Environmental Clearance dated 01.01.2009 was issued to the 4th Respondent by the 1st Respondent.

38. It is submitted that it was completely false to state at that stage itself that the said lands fell under a “*notified SIPCOT industrial area*” and rely on a mere administrative sanction for land acquisition as part of the Phase - II scheme of the 5th Respondent being G.O. Ms. No: 233 of 1996 dated 18.12.1996 to state that the said “notification” took place as early as 1996. In fact, as recently as in 2005, the G.O. Ms. No. 76 to 81, dated 14.06.2005 talks about acquisition of lands for the **establishment** of SIPCOT Complex Phase II. i.e. The establishment was intended and not complete.

39. Paragraph 3 (a) of the said G.O. Ms. No: 233 of 1996 dated 18.12.1996 reads as follows:

*“After careful examination, after taking into the recommendations of District Revenue Officer, Chidambaranar District/Commissioner of Land Administration, Madras the Govt hereby **accord administrative sanction** for the acquisition of 636.06.5 Hect of patta lands and 18.35 hect or poromboke lands in S.No:19 etc. of Meelavittan Village in Tuticurin Taluk and in S.No:1 etc of Therkuveerapandiyapuram village in Ottapidaram Taluk of Chidambaranar District **for the establishment** of Industrial complex by the State Industries Promotion Corporation of Tamil Nadu”* [emphasis supplied]

40. I state that a plain reading of the said Government Order would demonstrate that it was merely an administrative sanction to acquire lands under the land acquisition laws and by no stretch amounted to notifying the specific survey numbers in each village, after a proper scrutiny process as being part of an industrial estate/park. It is submitted that even all the subsequent Government Orders pertaining to the Survey Numbers of the lands acquired by the 5th Respondent as part of the SIPCOT Phase-II scheme are only under Section 3 of the Land Acquisition Act and do not amount to notifying a specific area of land with demarcated boundaries as an industrial estate/park with a known mix of industrial activities and having a unique identity of its own. It is well understood that land acquisition process is only the first of several steps towards the establishment of an industrial estate and not all lands acquired by

an agency like the 5th Respondent can comprise of industrial estates, the moment sanction for acquisition is granted or even once acquisition is complete. An industrial complex or estate pre-supposes certain development activities by the 5th Respondent post the acquisition process. Further, the said sanction makes it abundantly clear that what is proposed is not an extension/ expansion of the existing notified SIPCOT Industrial Complex but is for the establishment of a new Industrial Complex by the 5th Respondent.

41. I state that while the facts above clearly demonstrate that as on date of the application for environmental clearance in 2008 and even the grant of environmental clearance by the 1st Respondent on 01.01.2009, the proposed lands were not leased to the 4th Respondent by the 5th Respondent. Thus, it was by using such misleading tactics that the 4th Respondent obtained the environmental clearance on 01.01.2009 without the mandatory public hearing, which it felt would go against it given the massive public sentiment against it. Hence the said clearance was challenged by the Petitioner Mr. Pushparayan in W.P. (M.D.) No.13810 of 2009. This Writ petition was pending between 2009 and April 2016 and during this period, no construction commenced as part of the new, stand-alone Copper Smelter Phase-II of the 4th Respondent.
42. During the pendency of the W.P. (M.D.) No. 13810 of 2009, when the environmental clearance granted on 01.01.2009 came up for extension, the 1st Respondent addressed a letter to the 4th Respondent on 23.07.2015 stating that the Expert Appraisal Committee has recommended the extension of the clearance, **“subject to the outcome of the court case”**. Once again, when the issue of extension of the validity of the Environmental Clearance was considered by the 1st Respondent, in its communication dated 02.03.2016 to the 4th Respondent, it was stated that the ***“Committee recommended the extension of the validity of the EC for a period of 5 years from 01.01.2014 subject to the final outcome of the court case”***. Thus, the issue of whether the 4th Respondent’s project would be eligible for exemption from public hearing was left for the Hon’ble Court to determine in W.P. (M.D) No. 13810 OF 2009. As detailed in paragraphs following paragraphs this Hon’ble Court was misled into believing that the proposed project fell within a *“notified industrial estate or park”* and that even if

it did, it qualified for exemption despite its status as a Large “Red” Category, Hazardous Industry. Meanwhile, the facts above clearly demonstrate otherwise.

43. I state that during this period three Office Memorandums were issued by the 1st Respondent to clarify the scope of the exemption available under Paragraph 7(i) III. Stage 3(i)(b) of the 2006 EIA Notification, being in respect of exemption from Public Consultation for “*all projects or activities located within Industrial Estates/Parks*”. These Office Memorandums are dated 16.05.2014, 10.12.2014 and 04.04.2016. Curiously, the last Office Memorandum dated 04.04.2016 was not brought to the notice of this Hon’ble Court during the course of final arguments in W.P. (M.D.) No.13810 of 2009 that seem to have concluded on 20.04.2016. The Memorandums that are relevant to the facts of the present case are detailed below.

OFFICE MEMORANDUM DATED 16.05.2014

44. The Office Memorandum stated that the exemption from public consultation as provided for in Paragraph 7(i) III. Stage 3(i)(b) of the 2006 EIA Notification is only available to:
- “*projects or activities located within the industrial estates or parks, which have obtained prior environmental clearance under the EIA Notification, 2006 as provided under Item 7(c) of the Schedule to the Notification.*” [emphasis supplied]
45. Further, it was clarified that the term “*concerned authorities*” which features in the Notification implied “*the competent authorities in the State/ Central Government, which approve setting up of such industrial estates or parks.*”
46. Thus, this office memorandum clarified by qualifying the pre requisite that the location (industrial estate/park) of the unit/project should be approved by concerned authorities to mean that the industrial estate or park should have obtained prior environmental clearance in order for a project/unit proposed to be located within it to be exempt from the public hearing process as part of its individual environmental clearance process. It has to be borne in mind that the same is not merely a procedural requirement under law but a process that has a

direct impact on the rights of the people to have a voice in the kind of industries that can be developed in their neighbourhood understand the impact on their health and environment and participate in the decision making process.

OFFICE MEMORANDUM DATED 10.12.2014

47. This Office Memorandum was issued to further clarify the exemption from public consultation as provided for in Paragraph 7(i) III. Stage 3(i)(b) of the 2006 EIA Notification and stated that it was available to

“the projects or activities or units located within the Industrial Estates or parks, which were notified prior to 14.09.2006, i.e., the EIA Notification, 2006 coming into force.”

48. By virtue of this Office Memorandum, it was further clarified that if a project or activity is proposed to be located within an industrial estate or park that was **notified prior to 2006**, then public hearing could be exempted. However, it has to be borne in mind that while the 1994 EIA Notification dated 27.01.1994 did not mandate prior environmental clearance for industrial estates or parks and the amendment brought about on 07.07.2004 was after the judgment of this Hon’ble Court in *C.S.Kuppuraj and Others vs. State of Tamil Nadu Others* included “industrial estates” as an entity requiring prior environmental clearance and added that even in cases where a *“new industrial estate which were undertaken without obtaining clearance required under the notification, and where construction work has not commenced, or the expenditure does not exceed 25% of the total sanctioned cost, shall require clearance under this notification with effect from 7th July, 2004.”*

OFFICE MEMORANDUM DATED 04.04.2016

49. This memorandum discusses intent of the exemption from public consultation under Paragraph 7(i) III Stage (3)(i)(b) and in paragraph 6 states as follows:

“It is evident from the Notification of 2001 as mentioned above and provisions at item 7 (c) of EIA Notification, 2006 regarding size of the industrial estates, the

intent of the Notification has been to grant exemption from public consultation for small industrial units located in industrial estates of 500- 1000 hectare area”

The 2001 notification acted as a pre-cursor to the Notification of 2006 wherein certain projects were added as part of the exemption.

Further, in paragraph 7, it states:

“it is accordingly clarified that the category of projects and activities mentioned in the Annexure of this O.M will require public consultation in the process of environment impact assessment and environmental clearance irrespective of its location in or outside a notified industrial area/estate/region”. (emphasis added)

50. The annexure includes projects under item 3(a) i.e. Metallurgical industries (ferrous and non-ferrous) under which the proposed unit of the 4th Respondent would fall.
51. For reasons best known, the 1st Respondent, which ought to have informed this Hon’ble Court about the existence of this Office Memorandum did not draw the attention of this Hon’ble Court during the final arguments of W.P. (M.D) No. 13810 of 2009 that took place on 20.04.2016.

OFFICE MEMORANDUM DATED 27.04.2018

52. This Office Memorandum which was issued with immediate effect and in supersession of the earlier office memorandums of the MoEF on the same subject, has clarified that the exemption from public consultation, as provided under Paragraph 7(i) III Stage (3)(i)(b) of the 2006 EIA Notification, to the projects or activities located within the industrial estates or parks, if applicable are those (i) which were notified by the Central/State Government prior to the said Notification coming into force on 14.09.2006 and (ii) which obtained prior environmental clearances as mandated under the Notification. The exemption from public consultation is also applicable to projects or activities (located within the industrial estates or parks), which were granted Terms of Reference (ToR/Standard ToR) prior to the environmental clearances to such industrial estates/parks subject to the validity of the ToRs.

53. Importantly, this Office Memorandum, similar to the Office Memorandum dated 04.04.2016 further clarified that the exemption from public consultation **shall not be applicable** to certain projects or activities located within the industrial estates/parks including Serial No. 3(a) Metallurgical industries (ferrous and non-ferrous) of the Schedule attached to the Notification. A reading of this Office Memorandum would make it abundantly clear that as on date, and at the time that that Hon'ble High Court passed the order dated 28.04.2016, an exemption from public consultation cannot be obtained by a project like the new, stand – alone, Copper Smelter Plant – II, of the 4th Respondent irrespective of its location within or outside a notified industrial estate/park.
54. It is important that any appraisal of a proposal of the 4th Respondent as on date also takes into due consideration the conduct and track record of the project proponent in other projects especially in the same neighbourhood.

CHALLENGE TO THE ENVIRONMENTAL CLEARANCE OF COPPER SMELTER-II IN W.P.(M.D) No.13810 of 2009 CAME TO BE DISPOSED BY THE COURT OWING TO FRAUDULENT SUBMISSIONS.

55. It is submitted that challenging the environmental clearance given to the new, stand – alone, Copper Smelter Plant – II of the 4th Respondent W. P. (MD) No. 13810 of 2009 was filed before the Hon'ble Bench of the Madras High Court at Madurai, in which the following prayer was sought:

“Writ Petition in WP(MD) No. 13810 of 2009, filed under Article 226 of the Constitution of India seeking for the relief of the issuance of Writ of Declaration declaring the notification of the 1st Respondent dated 01.01.2009 as illegal and against the provisions of the Environmental Protection Act, 1986 and consequently directing the 1st Respondent to conduct public hearing for the

proposed expansion of the project of the 4th Respondent and thereby considering the objections by constituting a assessment Committee comprising eminent environmentalist and activists as this Court may deem fit and pass such further or other orders as this Court may deem fit and proper in the circumstances of the case.”

56. I state that this Hon’ble Court by order dated 28.04.2016, upheld the Environmental Clearance accorded by the 1st Respondent dated 01.01.2009 after perusal of the documents and arguments placed before it and applying the law in the 2006 EIA Notification and the subsequent Office Memorandums placed before it, to the facts presented before it by all the Respondents regarding the location of the new, stand – alone, Copper Smelter Plant - II of the 4th Respondent, which was stated to be within notified SIPCOT Industrial Park, wherein the existing copper smelter plant of the 4th Respondent is located.
57. However, documents and information that have now been accessed by the Petitioner through applications under the Right to Information Act, which documents and information was always available to the 4th Respondent shows that this Hon’ble Court has been misled by the Respondents about the location of the new, stand alone, Copper Smelter Plant - II of the 4th Respondent. It is submitted that the 4th Respondent wanted to avoid a public consultation at any cost given the massive unpopularity of its operations among the general public in Thoothukudi, and the anger among the people because Government agencies – such as the other Respondents – act in collusion with the 4th Respondent. It is submitted that the Respondents had, with *mala fide* intentions misrepresented the facts to this Hon’ble Court when they were fully aware of the actual facts pertaining to the location of the new, stand - alone, Copper Smelter Plant - II. It is submitted that thus, the Respondents have consequently committed fraud on this Hon’ble Court leading to this Hon’ble Court upholding the Notification dated 01.01.2009, placing reliance on false representations both oral and by affidavit.

58. It is further submitted that in an Interim Order of this Hon'ble Court in WP (MD) No. 13810 of 2009 dated 20.07.2010 it was observed at paragraphs 5 and 6 as follows:

“We have perused the application submitted by the fourth respondent before the first respondent for environment clearance. In the said application, the fourth respondent has stated that the plant is located at SIPCOT Industrial estate, Thoothukudi in an area of 226 hectares. It was further stated that they are in possession of 102 hectares of land with respect to the remaining extent of 124 hectares, acquisition is in process and SIPCOT is yet to hand over the said property. Communication dated 16.07.2010 issued by the State Industrial Promotion Corporation of Tamil Nadu Limited clearly shows that an extent of 89.36 acres was allotted, as per proceedings dated 16.02.2006, and another extent of 260.63 acres at SIPCOT Industrial Complex, Tutucorin were allotted to the fourth respondent as per the proceedings dated 23.09.2009. Therefore, it is evident that as on the date on which the application was submitted by the fourth respondent and resulted in the notification issued by the first respondent, the fourth respondent was not in possession of the entire extent of 226 hectares. This also gives a prima facie indication that the Ministry has issued clearance without actually verifying the land in possession of the fourth respondent and proceeded on the basis that unit was proposed to be set up in the Industrial Estate, and as such, no public hearing was necessary.

The first respondent would be justified in dispensing with the mandatory public hearing in case the Industrial Estate was having the necessary clearance. It is a matter for consideration as to whether the clearance obtained [even if any such clearance], in respect of 89.36 acres of property would cover the subsequent acquisition of 230.63 acres of property allotted to the fourth respondent as per the proceedings dated 23.09.2009. This is a very crucial issue in view of the EIA Notification dated 14.09.2006 which prescribes that even for a new industrial estate, statutory clearance is necessary. Therefore, we are of the view that respondents 1 to 4 should produce the necessary documents to justify their contention that the fourth respondent was in possession of the property in their

application, which made the first respondent to dispense with the hearing before giving the industrial estate, which includes clearance. They should also produce materials to show that the property allotted to the fourth respondent as per the proceedings of the State Industries Promotion Corporation of Tamil Nadu Limited on 23.09.2009 was given environmental clearance so as to dispense with the public hearing in respect of the individual units set up in the said property.”

59. After having made the above observations, this Hon’ble Court framed issues that had to be decided in the matter and consequently, observing that the 5th Respondent was a necessary party to the matter, ordered the *suo motu* impleading of the 5th Respondent by order dated 20.07.2010.

60. The Division Bench of this Hon’ble Court by its final order in WP (MD) No. 13810 of 2009 and W. P. No, 5691 of 2010 dated 28.04.2016 addressed the primary issue it had framed to be answered by the parties on the hearing in the case held on 23.03.2016 which was,

“The only question which is really required to be examined is whether a public consultation is required prior to the Environmental Clearance for expansion, as according to the first respondent (a Communication vide letter dated 01.01.2009 at page-394 of the typed set), the location of the project and the notified SIPCOT Industrial area exempts the requirement of consultation as per Section (III), state (3), paragraph –(i)(b) of the EIA Notification, 2006.”

61. The Division Bench, at paragraph 10 noted that

“Learned Counsel appearing for the respondents submitted that on facts, the 4th respondent is situated within the SIPCOT Industrial Complex...”

62. The Hon’ble Court then examined the Office Memorandums issued by the Ministry of Environment and Forests dated 16.05.2014 and 10.12.2014 but however, as mentioned above, the Office Memorandum dated 04.04.2016 was never disclosed to this Hon’ble Court at the time of advancing arguments in W. P. No. 13810 of 2009.

63. Further, at paragraph 13 of the said order, after making the below observations, the Division Bench of this Hon’ble Court dismissed the writ petition WP (MD) No. 13810 of 2009.

“In view of the consistent stand taken by all the respondents including the 5th respondent – SIPCOT that the 4th respondent is situated within the SIPCOT complex, we have no difficulty in holding that the exemption from public consultation would certainly apply. Thus, paragraph 7(i) III. Stage (3)(i)(b) of EIA Notification dated 14.09.2006 would certainly apply to the case on hand and therefore the 4th respondent is entitled for exemption from ‘public consultation process.’ The petitioner is unable to establish before us that the 4th respondent is not situated within the SIPCOT complex of the 5th respondent.”.

64. I submit that from the above discussion of the interim order and the final order, the very basis for the Hon’ble Court upholding the validity of the Environmental Clearance dated 01.01.2009 was the fact that the new, proposed, stand – alone, Copper Smelter Plant – II would be located within the notified SIPCOT Industrial Complex/area. Further, the Office Memorandum dated 04.04.2016 was never disclosed to this Hon’ble Court. Consequently, on the basis of incorrect, false and misleading statements and on the basis of the non – disclosure of the Office Memorandum dated 04.04.2016, the Environmental Clearance dated 01.01.2009 was upheld.

PAST CONDUCT OF THE 5TH RESPONDENT AND THEIR ATTEMPT TO RENDER LEGAL ACTIONS AS INFRUCTIOUS

65. It is in this context that it is important to recount the judgement of the Hon’ble Supreme Court of India in the case of *Sterlite Industries (India) Ltd. Etc. v Union of India (UOI) and Ors.*, (2013) 4 SCC 575, where certain observations were made regarding the pollution caused by conduct of the 4th Respondent Company in operating its Copper Smelter Plant I and general principles relating to environment protection. The order was passed in a Civil Appeal filed by the 4th Respondent company against the order of the Hon’ble Division Bench of the

Madras High Court dated 28.09.2010, directing the closure of the Copper Smelter Plant I of the 4th Respondent in the SIPCOT Industrial Complex, Tutucorin.

66. It is submitted that at Paragraph 39 of the order, the Apex Court noticed as follows,

“The NEERI reports of 1998, 1999, 2003 and 2005 show that the plant of the Appellant did pollute the environment through emissions which did not conform to the standards laid down by the TNPCB under the Air Act and through discharge of effluent which did not conform to the standards laid down by the TNPCB under the Water Act. The Bench further noticed that, “For such damages caused to the environment from 1997 to 2012 and for operating the plant without a valid renewal for a fairly long period, the Appellant-company obviously is liable to compensate by paying damages.”.

67. It is further submitted that the Hon’ble Apex Court observing that the 4th Respondent Company had habitually indulged in pollution of the environment even though the statutory directions and conditions mandated otherwise, applied the Polluter Pays Principle to the facts in hand and ordered thus,

“Considering the magnitude, capacity and prosperity of the Appellant-company, we are of the view that the Appellant-company should be held liable for a compensation of Rs. 100 crores for having polluted the environment in the vicinity of its plant and for having operated the plant without a renewal of the consents by the TNPCB for a fairly long period and according to us, any less amount, would not have the desired deterrent effect on the Appellant-company.”

68. The Hon’ble Supreme Court went on to clarify that the real test that had to be applied while checking the correctness of the decision of an authority had to be on the grounds of rationality and legality. The Court elaborated at paragraphs 26 and 27:

“26. Thus, if the environmental clearance granted by the Environment (Protection) Act, 1986, the Environment (Protection) Rules, 1986 or the notifications issued thereunder, the High Court could quash the environmental clearance on the ground of illegality. If the environmental clearance is based on a conclusion so unreasonable that no reasonable authority could ever have come to the decision, the environmental clearance would suffer from Wednesbury unreasonableness and the High Court could interfere on the ground of irrationality. And, if the environmental clearance is granted in breach of proper procedure, the High Court could review the decision of the authority on the ground of procedural impropriety.

27. Where, however, the challenge to the environmental clearance is on the ground of procedural impropriety, the High Court could quash the environmental clearance only if it is satisfied that the breach was of a mandatory requirement in the procedure. As stated in Environmental Law edited by David Woolley QC, John Pugh-Smith, Richard Langham and William Upton, Oxford University Press:

It will often not be enough to show that there has been a procedural breach. Most of the procedural requirements are found in the Regulations made under primary legislation. There has been much debate in the courts about whether a breach of Regulations is mandatory or directory, but in the end the crucial point which has to be considered in any given case is what the particular provision was designed to achieve.”

69. It is submitted that perusal of the facts and the documents filed in this petition establish without any doubt that the 4th Respondent has manipulated the location of its new, stand – alone Copper Smelter Plant – II and the 1st to 3rd Respondents have accorded approvals and sanctions without properly appreciating and verifying the same. It is thus submitted that the underlying premise that was considered for the exemption from public hearing under the 2006 EIA Notification was *prima facie* blatantly false and the consequent non-application of mind of the authorities concerned in granting of environmental clearance and

consent approvals to the 4th Respondent for the Copper Smelter Plant II is a clear indication of irrationality by the authorities.

70. I state that applying the ratio of the Hon'ble Apex Court, it is abundantly clear that in such a circumstance, the decision of the authority in granting the environment clearance is liable to be set aside by judicial intervention.
71. I submit further that another important aspect considered by the Hon'ble Apex Court in its order substantiating the direction to resume operation of the plant, even though it was brought to the notice of the Court that the 4th Respondent has clearly misrepresented and misled the Court, on certain facts. At Paragraph 40, the Hon'ble Court observed that:

*“40. We now come to the submission of Mr. Prakash that we should not grant relief to the Appellants because of misrepresentation and suppression of material facts made in the special leave petition that the Appellants have always been running their plant with statutory consents and approvals and misrepresentation and suppression of material facts made in the special leave petition that the plant was closed at the time the special leave petition was moved and a stay order was obtained from this Court on 01.10.2010. **There is no doubt that there has been misrepresentation and suppression of material facts made in the special leave petition but to decline relief to the Appellants in this case would mean closure of the plant of the Appellants.** The plant of the Appellants contributes substantially to the copper production in India and copper is used in defence, electricity, automobile, construction and infrastructure etc.*

The plant of the Appellants has about 1300 employees and it also provides employment to large number of people through contractors. A number of ancillary industries are also dependent on the plant. Through its various transactions, the plant generates a huge revenue to Central and State Governments in terms of excise, custom duties, income tax and VAT. It also contributes to 10% of the total cargo volume of Tuticorin port. For these considerations of public interest, we do not think it will be a proper exercise of

our discretion under Article 136 of the Constitution to refuse relief on the grounds of misrepresentation and suppression of material facts in the special leave petition.” (emphasis added here)

72. It is submitted that the right understanding and subsequent application of the ratio of the Hon’ble Apex Court would highlight that the decision of the Court was made considering the fact that the Copper Smelter Plant I was already established and in operation prior to the litigation.
73. However, in the present scenario, the new, stand – alone Copper Smelter Plant – II of the 4th Respondent which is the subject of this litigation is yet to be completely constructed/ launched/ and/ or operated. It is still in the stage of construction as is evident from various media reports covering the growth of the new plant and the statements in the proposal for the fresh environmental clearance submitted in January, 2018. It is submitted that at this juncture, it is important and necessary that this Hon’ble Court reads into the background corresponding to the location, proposal and approvals of the Copper Smelter Plant II of the 4th Respondent and strictly applies the principles enunciated in the order of the Hon’ble Supreme Court.
74. It is submitted that in plethora of cases relating to environment protection, the Courts have resorted to the “*Polluter Pays Principle*” when the Pollutant has caused immense damage to the environment for years together and due to reasons of equity and socio-economic factors, directing the closure of the pollutant is not viable.
75. It is submitted that however, the correct interpretation of the principle and its application by the Courts would highlight that the rationale behind applying the same is to impose a deterrent condition and contempt on the polluter and not encourage the polluter to pay mere monetary compensation for the damage caused to the environment and continue to operate, leaving irreversible impacts on the environment. Indeed, this would amount to allowing the violation of the law and infringement of fundamental rights of citizens for a fee. It is humbly

submitted that this Hon'ble Court maybe pleased to resort to the other established principles of environmental protection including that of "*Principle of Sustainable Development*" and "*Precautionary Principle*" which propagate that development which is not in tune with environmental safety, balance and protection is liable to be avoided. It is thus submitted that this Hon'ble Court being the ultimate protector of the law, maybe pleased to direct the 4th Respondent to stop proceeding with the construction and establishment of the Copper Smelter Plant II till the primary allegations in this petition are verified.

76. I state that even the Expert Appraisal Committee in its 29th meeting held between 12-14th March, 2018 discusses the application for fresh Environmental clearance. It is evident from the minutes of the said meeting that the 4th Respondent has sought for fresh Terms of Reference. The Committee noted that:

"the proponent is unable to implement the facilities proposed in the earlier EC granted within the valid period. Therefore PP made an application for fresh ToR. Further, the Committee has also received a number of representations expressing concerns about the environmental issues related to the project".

77. The Committee therefore recommended:

"to constitute a sub-committee to assess the current status of implementation of Environmental Clearance dated 1st January 2009 and thereafter to consider the proposal for ToRs."

78. A latest search on the website of the 1st Respondent indicates that the proposal for grant of fresh environmental clearance is under the caption for "**site visit by EAC**". This makes it abundantly clear that as on date, there is reconsideration by the 1st Respondent about the proposal of the 4th Respondent and while the recommendations of the EAC indicate a clear apprehension about the operations of the 4th Respondent, allowing the 4th Respondent to proceed with construction of the Copper Smelter Plant-II based on an Environmental clearance that is set to expire in 7 months will cause irreparable damage to the environment and will only afford the 4th Respondent an opportunity to present the 1st Respondent with a *fait accompli* at a later stage. The citizens of Thoothukudi would have been

deprived of their right to participate in sustainable development, express their views and influence the course of their own collective futures. Hence, the balance of convenience is in favour of the Petitioner for grant of an ad-interim injunction restraining the 4th Respondents from proceeding with the construction at Copper Smelter Plant-II.

79. I state that the said circumstances, left with no other alternative and efficacious remedy, the Petitioner is constrained to approach this Hon'ble Court seeking redressal of grievances set out in the present petition invoking the writ jurisdiction of this Hon'ble Court under Article 226 of the Constitution of India.
80. I state that the Petitioner has not filed any other Writ Petition before this Hon'ble Court in respect of the reliefs sought for in the present Writ Petition. I state that the action impugned herein is violative of Article(s) 14, 21, 48-A and 51A(g) of the Constitution of India and the Petitioner is left with no other efficacious, alternative remedy but, to approach this Hon'ble Court for reliefs under Article 226 of the Constitution of India on the following grounds, each of which are in the alternative and are without prejudice to the other.

GROUND

- I. The present action of the 1st, 4th and 5th Respondents are illegal, irrational, unsustainable illegal, arbitrary, mala fide, against the principles of natural justice and contrary to the law of the land as enacted by Parliament.
- II. The actions of the Respondents are tainted with fraud, misrepresentation, suppression and illegality and which actions are required to be gone into by this Hon'ble Court to guarantee the life and liberty of the citizens of Tuticorin district as guaranteed by Article 21 of the Constitution of India.
- III. The present petition, filed in public interest seeks also to agitate the rights of the citizens of Tuticorin district to guarantee their right to a clean environment and also to ensure the public trust doctrine as also postulated in the expanded interpretation of the Article 21 of the Constitution of India laid down in the case

of *M. C. Mehta v. Kamal Nath*, (1997) 1 SCC 388; *Association for Environment Protection v. State of Kerala*, (2013) 6 SCC 226 and *Lafarge Umam Mining v. Union of India*, (2011) 7 SCC 338 is not given a go by.

- IV. The actions of the 1st Respondents, is clearly violative of the rule against arbitrariness as postulated under Article 14 of the Constitution of India. The actions of the 1st and 4th Respondents in going against the letter and spirit of Article 14 of the Constitution of India has a direct impact on the life and liberty of the citizens which is guaranteed by Article 21 of the Constitution of India. As laid down by the Hon'ble Supreme Court of India in the cases of *Mohd. Arif v. Supreme Court of India*, (2014) 9 SCC 737 and *Minvera Mills v. Union of India*, (1980) 3 SCC 625, the rights as guaranteed under Articles 14, 19 and 21 form a holy trinity and are required to protected to their fullest extent.
- V. The action of the 1st Respondent in intentionally failing to bring to the notice of this Hon'ble Court during the hearing of W. P. (MD) No. 13810 of 2009, the Office Memorandum dated 04.04.2016, which Office Memorandum was required for interpreting the 2006 EIA Notification, which would have had a vital impact on the findings of this Hon'ble Court clearly rendering the order of this Hon'ble Court dated 28.04.2016 in W.P. No. 13810 of 2009 as being obtained by fraud and consequently not having any binding value as laid down by a catena of judgments of the Hon'ble Supreme Court of India in the cases of *State of A. P. v. Suryachandra Rao*, (2005) 6 SCC 149 and *Gowrishankar v. Joshi Amba Shankar Family Trust*, (1996) 3 SCC 310.
- VI. The action of the 1st Respondent in intentionally failing to bring to the notice of this Hon'ble Court, the Office Memorandum dated 04.04.2016, which Office Memorandum was required for interpreting the 2006 EIA Notification, which would have had a vital impact on the findings of this Hon'ble Court further clearly render the order of this Hon'ble Court dated 28.04.2016 in W.P. No. 13810 of 2009 as being *per incurium* as per the law laid down by in *CIT v. B. R. Constructions*, (1993) 1 AP LJ 63 (FB).
- VII. It is submitted that it is a settled principle of law that Office Memorandums issued by the 1st Respondent are aids which are issued for the purpose of clarifying

Notifications issued by the 1st Respondent. As such, the nature of such Office Memorandums is that they are binding on the 1st Respondent and all other statutory authorities that function under the auspices of the 1st Respondent. Reliance in this regard on the binding nature of Executive instructions is placed on the judgment of the Hon'ble Supreme Court of India in the case of *CCE v. Ratan Melting*, (2008) 13 SCC 1.

- VIII. Office Memorandums dated 10.12.2014 and 04.04.2016 were issued pursuant to the order of the National Green Tribunal, Western Zone Bench in Application No. 157 (Thc) of 2013 dated 08.08.2014 wherein the Tribunal, while interpreting the 2006 EIA Notification held that exemption from public consultation, as provided for under Para 7(i) III. Stage (3) (i)(b) of the 2006 EIA Notification, is only available to the projects or activities located within the industrial estate or parks which have obtained environmental clearance under EIA Notification 2006 as provided for under item 7(c) of the Schedule.
- IX. The failure on the part of the 1st Respondent to disclose to this Hon'ble Court the existence and the effect of the Office Memorandum dated 04.04.2016, when this Hon'ble Court heard W. P. No. 13810 of 2009 on 20.04.2016 or even after 20.04.2016, before the order and judgment dated 28.04.2016 was passed clearly tantamount to a dereliction of duty on the part of the 1st Respondent in discharging it's statutory affairs. This is more so in light of the fact that this Hon'ble Court's attention, while hearing W. P. No. 13810 of 2009, was brought to the Office Memorandums dated 16.05.2014 and 10.12.2014, the Office Memorandum dated 04.04.2016 had an effect of expanding the manner in which the 2006 EIA Notification dated 14.09.2006 was to be interpreted in light of the need for a public hearing.
- X. The fact that the Petitioner in W.P. No. 13810 of 2009 did not have access to the information and documents which were now made available to the Petitioner herein through applications under the Right to Information Act in April 2018, which information and documents were available with the 4th Respondent and were available with them at all points of time, including at the time of the final hearing of W. P. No. 13810 of 2009 before this Hon'ble Court, the failure to

disclose the same when required to do so clearly indicates that the 4th Respondent is guilty of *suppressio veri suggestio falsi* and consequently, any reliance on the order of this Hon'ble Court dated 28.04.2016 in W. P. No. 13810 of 2009 would be unsustainable.

- XI. Consequently, in light of the fact that the order of this Hon'ble Court dated 28.04.2016 in W.P. No. 13810 of 2009 was obtained by fraudulent misrepresentation on the part of the 4th Respondent and furthered by the intentional non – disclosure of the Office Memorandum dated 04.04.2016 by the 1st Respondent, the said judgment would have no binding effect and the present petition, as filed in public interest would have to proceed denovo to test impugned environmental clearance accorded to the 4th Respondent on 01.01.2009 and subsequently renewed on 23.07.2015 and 02.03.2016.
- XII. In light of the judgment of the Hon'ble Supreme Court of India in the case of *Electrotherm India v. Patel Vipulkumar*, (2016) 9 SCC 300 and *Lafarge Umaim Mining v. Union of India*, (2011) 7 SCC 338 in declaring the mandatory nature of a public hearing, any failure to comply with the said requirement would clearly tantamount to non – compliance of the law of land by the 1st and 5th Respondents, who are duty bound to follow the same. It needs no reiteration that the law laid down by the Hon'ble Supreme Court of India is the law of the land as mandated in Article 141 of the Constitution of India.
- XIII. Consequently, the non – adherence to the requirement of a public hearing as laid down and declared as mandatory would render the entire environmental process as being vitiated and liable to be set aside.
- XIV. Without prejudice to the same, in any event, the mere fact that administrative sanction was accorded vide G.O.233 dated 10.12.1996 to acquire lands as part of SIPCOT Phase – II, that is only currently being developed as Tuticorin Industrial Park (TIP) for the limited purpose of acquiring land for it being set up, would not tantamount to a notification being given, notifying it as an “Industrial Estate”, as mandated in the 2006 EIA Notification dated 14.09.2006. It is a settled principle of law that delegated legislation does not have the broad ambit and scope of

Parliamentary legislation. Consequently, administrative sanction, which is a power of the 2nd Respondent herein, accorded in terms of the Land Acquisition Act, 1899, or pursuant to any state legislation for acquisition of land, , can hardly be termed as a notification issued pursuant to the 2006 EIA Notification dated 14.09.2006 notifying TIP as an “Industrial Estate”, which is an exclusive power vested under the 1st Respondent herein. It is a settled principle of law that unless the notification issued by one statutory agency cannot be made applicable to another statutory authority unless the parent legislation directs such applicability. Reliance in this regard is placed on the judgment of the Hon’ble Supreme Court of India in the case of *Kolhapur Canesugar Works v. Union of India*, (2000) 2 SCC 536 and *Godavat Pan Masala v. State of Maharashtra*, (2004) 7 SCC 68.

XV. The fact that construction activity is being carried out in the area that is made up of SIPCOT Phase – II, proposed to be developed as Tuticorin Industrial Park (TIP) even though by it’s own reply dated 06.04.2018, the 5th Respondent unequivocally admits “*The EIA report in line with the ToR has been submitted to the District Environment Engineer, Thoothukudi for conduct of public hearing. Public hearing was conducted on 25.01.2018. **Therefore the process to get Environment Clearance is underway***’. It is a settled principle of law that admissions made by a party act as estoppel against them as laid down in the case of *United India Insurance Company v. Samir Chandra*, (2005) 5 SCC 784.

XVI. It is submitted that the 4th Respondent has applied for a fresh Environmental Clearance for the proposed Copper Smelter Plant-II as the existing Environmental Clearance is set to expire on 31.12.2018. It is pertinent to note that as on date almost 10 years have lapsed from the date on which the original proposal was submitted and operations are yet to commence. It is vital that the environmental clearance is granted only based on the existing environmental settings as on date, as set out in the Office Memorandums of 04.04.2016 and 27.04.2018 and not based on the concessions and exemptions that were fraudulently made available to the 4th Respondent on the date of the original application. However, as is clearly evident, the 1st Respondent appear not to want to enforce the legal requirements and as such, consequently, it is imperative that this Hon’ble Court interfere to ensure the same.

XVII. It is also a settled principle of law that an environmental clearance should not be extended beyond a period of 10 years. The very fact that the 4th Respondent herein has sought for a fresh clearance beyond 31.12.2018 indicates that it does not propose to complete its constructions and commence operations prior to 31.12.2018 and is merely seeking to take advantage of the exemption that was made available to it on the basis of misrepresentations as early as 2008, now, 10 years later.

XVIII. The fact that the 4th Respondent has in January 2018, applied for a fresh environmental clearance and in the said application is seeking an exemption from a public hearing on the basis of the Office Memorandum dated 10.12.2014 when the exemption of the said Office Memorandum dated 10.12.2014 has been taken away by the Office Memorandum dated 04.04.2016, clearly brings out the conduct of the 4th Respondent to intend to continue to misrepresent factual and legal positions before not only Courts but also statutory and regulatory authorities. It goes without saying that it cannot lie for the 4th Respondent to take a stand that it was unaware of the Office Memorandum dated 04.04.2016 in as much as ignorance of law is not an excuse in the eyes of law.

XIX. It should also be pointed out, as observed by the Hon'ble Supreme Court of India in *Sterlite Industries (India) Ltd. v. Union of India*, (2013) 4 SCC 575 the 4th Respondent has habitually, in a contumacious and reprehensible manner misrepresented facts before not only statutory authorities but also before the Courts in India. It is submitted that having once misrepresented and having escaped the consequences of the same, the 4th Respondent should not be permitted to take advantage of it's own wrong. The 4th Respondent cannot take advantage of the concessions that were available to it owing to its own fraudulent representations that went unchecked by the 1st Respondent at the time of the issuance of the Environmental Clearance in 2009.

81. I state that there is an extraordinary situation on hand for this Hon'ble Court to invoke its writ jurisdiction under Article 226 of the Constitution of India.

82. I state that this Hon'ble Court has the territorial jurisdiction to receive, try and hear the present writ petition since it seeks to impugn orders passed by the 1st Respondent over which the 4th Respondent is basing its environmental clearance for operating the copper smelter plants in Tuticorin. The 4th and 5th Respondents are located within the territorial jurisdiction of this Hon'ble Court and consequently this Hon'ble Court has the territorial jurisdiction in respect of the same.
83. I state that the present proceeding has been instituted without any delay and the present proceeding is not affected by limitation. Consequently there is no issue of limitation arising in the present writ petition.
84. I state that despite the operations of the 4th Respondent at Copper Smelter -II based on illegal clearances being brought to the knowledge of competent authorities and even inspite of the show-cause notice issued by the 3rd Respondent to the 5th Respondent herein whereby commencement of operations within its premises has been questioned, no action has been taken as on date and the 4th Respondent is continuing constructions with every passing day and inching closer to presenting a fair accompli and a devastating impact on the environment without fulfilling a mandatory and substantially important process. Hence I am filing the present Writ petition along with prayers for interim relief before the Vacation bench of this Hon'ble Court.
85. I reserve the right to raise additional grounds and also present additional documents to substantiate my case as and when they are made available. I have filed the present Writ petition based on the knowledge and information available to me as on date.
86. I state that the Petitioner has made out a strong *prima facie* case and the balance of convenience is in favour of interim orders being passed, as prayed for herein. I state that environmental clearance for Phase-II has been obtained by repeated misrepresentations to the the statutory authorities and this Hon'ble Court. Every day the project is allowed to continue would cause lasting and irreversible damage to the environment. Moreover, in light of the 4th Respondent's own

record and the previous history of litigation using its deep pockets which continuing with the project without legal sanction and later using the very same project as a reason and argument to avoid closure, even when the violation and lasting damage is proved before the Court. Accordingly irreparable damage would be caused if the actions are not stopped pending disposal of the present Writ petition. I state that construction of the new, stand alone Copper – Smelter Plant – II is ongoing and unless the interim orders as sought for a granted, the 4th Respondent will ensure that the present writ petition is rendered infructuous as a *fait accompli* and consequently the public, on whose behalf the Petitioner has filed this petition in public interest would suffer irreparably and the entire petition would be rendered infructuous.

For the reasons stated above it is prayed that this Hon’ble Court may be pleased to, pending disposal of the present Writ Petition grant an order of interim injunction restraining the 4th Respondent, its men or agents from carrying on any activities in survey numbers morefully described in the Schedule-A herein being the lands on which the proposed Copper Smelter-II is being constructed and pass such other orders as it deems fit in the circumstances of the case and render justice.

For the reasons stated above it is prayed that this Hon’ble Court may be pleased to, pending disposal of the present Writ Petition to stay the operation of the Environmental Clearance granted by the 1st Respondent to the 4th Respondent on 01.01.2009 and subsequently renewed on 23.07.2015 and 02.03.2016 and pass such other orders as it deems fit in the circumstances of the case and render justice.

The Petitioner prays that in light of the facts and grounds presented in the above, this Hon’ble Court maybe may be pleased to issue a Writ of Certiorified Mandamus calling for the records of the 1st Respondent in respect of the environmental clearance dated 01.01.2009 granted to the 4th Respondent’s Copper Smelter Plant- II and subsequently extended on 23.07.2015 and 02.03.2016 and quash the same as illegal and against the provisions of the

Environmental Protection Act, 1986 and impose exemplary costs on the 4th Respondent and pass such other orders as it deems fit in the interests of the case and render justice.

Solemnly affirmed at Tuticorin] BEFORE ME

On this the 12th day of May, 2018]

And signed her name in my presence] ADVOCATE

Schedule A

Survey numbers of lands of proposed Copper Smelter Plant II	Name of the village of the location of the lands
45/2A	Therkku Veerapandiyapuram
45/2B	Therkku Veerapandiyapuram
45/3	Therkku Veerapandiyapuram
46/1	Therkku Veerapandiyapuram
46/2	Therkku Veerapandiyapuram
46/3	Therkku Veerapandiyapuram
46/4	Therkku Veerapandiyapuram
46/6	Therkku Veerapandiyapuram
46/7	Therkku Veerapandiyapuram
66/1	Therkku Veerapandiyapuram
66/3	Therkku Veerapandiyapuram
66/4	Therkku Veerapandiyapuram
67/1	Therkku Veerapandiyapuram
67/3	Therkku Veerapandiyapuram
67/4	Therkku Veerapandiyapuram

67/6	Therkku Veerapandiyapuram
67/8	Therkku Veerapandiyapuram
68/2	Therkku Veerapandiyapuram
68/3	Therkku Veerapandiyapuram
68/4	Therkku Veerapandiyapuram
69/2	Therkku Veerapandiyapuram
69/4	Therkku Veerapandiyapuram
69/5	Therkku Veerapandiyapuram
69/1A	Therkku Veerapandiyapuram
69/1B	Therkku Veerapandiyapuram
285/PART	Therkku Veerapandiyapuram
286/PART	Therkku Veerapandiyapuram
288/PART	Therkku Veerapandiyapuram
289/PART	Therkku Veerapandiyapuram
290/1	Therkku Veerapandiyapuram
290/2	Therkku Veerapandiyapuram
290/3	Therkku Veerapandiyapuram
290/4	Therkku Veerapandiyapuram
293/1A	Therkku Veerapandiyapuram
293/1B	Therkku Veerapandiyapuram
294/1	Therkku Veerapandiyapuram
294/2	Therkku Veerapandiyapuram
294/6	Therkku Veerapandiyapuram
294/3A	Therkku Veerapandiyapuram
294/3B	Therkku Veerapandiyapuram
294/4A	Therkku Veerapandiyapuram
294/4B	Therkku Veerapandiyapuram
294/4C	Therkku Veerapandiyapuram
295	Therkku Veerapandiyapuram
297/1	Therkku Veerapandiyapuram
297/2	Therkku Veerapandiyapuram
297/3	Therkku Veerapandiyapuram

297/5	Therkku Veerapandiyapuram
297/6	Therkku Veerapandiyapuram
297/7	Therkku Veerapandiyapuram
298/1	Therkku Veerapandiyapuram
298/3	Therkku Veerapandiyapuram
299/1	Therkku Veerapandiyapuram
299/2	Therkku Veerapandiyapuram
299/4	Therkku Veerapandiyapuram
299/5	Therkku Veerapandiyapuram
301/2	Therkku Veerapandiyapuram
302/1	Therkku Veerapandiyapuram
302/2	Therkku Veerapandiyapuram
302/3	Therkku Veerapandiyapuram
302/4	Therkku Veerapandiyapuram
302/5	Therkku Veerapandiyapuram
302/6	Therkku Veerapandiyapuram
303	Therkku Veerapandiyapuram
304	Therkku Veerapandiyapuram
305	Therkku Veerapandiyapuram
306/1	Therkku Veerapandiyapuram
306/3	Therkku Veerapandiyapuram
306/4	Therkku Veerapandiyapuram
306/6	Therkku Veerapandiyapuram
318/2	Therkku Veerapandiyapuram
318/3	Therkku Veerapandiyapuram
319	Therkku Veerapandiyapuram
320/1	Therkku Veerapandiyapuram
320/2	Therkku Veerapandiyapuram
320/3	Therkku Veerapandiyapuram
322/1	Therkku Veerapandiyapuram
322/3A	Therkku Veerapandiyapuram
322/3B	Therkku Veerapandiyapuram

322/3C	Therkku Veerapandiyapuram
324/1A PART	Therkku Veerapandiyapuram
324/1A PART	Therkku Veerapandiyapuram
324/1A PART	Therkku Veerapandiyapuram
324/1B1	Therkku Veerapandiyapuram
324/1B2	Therkku Veerapandiyapuram
324/2A	Therkku Veerapandiyapuram
324/2B	Therkku Veerapandiyapuram
325	Therkku Veerapandiyapuram
326/2 PART	Therkku Veerapandiyapuram
326/2 PART	Therkku Veerapandiyapuram
326/3 PART	Therkku Veerapandiyapuram
326/3 PART	Therkku Veerapandiyapuram
328/1	Therkku Veerapandiyapuram
328/2A	Therkku Veerapandiyapuram
328/2B	Therkku Veerapandiyapuram
328/2C	Therkku Veerapandiyapuram
330/1	Therkku Veerapandiyapuram
330/2A	Therkku Veerapandiyapuram
330/2B	Therkku Veerapandiyapuram
331/1	Therkku Veerapandiyapuram
331/2	Therkku Veerapandiyapuram
332/1	Therkku Veerapandiyapuram
332/2A	Therkku Veerapandiyapuram
332/2B	Therkku Veerapandiyapuram
333/1	Therkku Veerapandiyapuram
333/2	Therkku Veerapandiyapuram
334	Therkku Veerapandiyapuram
335/1	Therkku Veerapandiyapuram
335/2	Therkku Veerapandiyapuram
336	Therkku Veerapandiyapuram
337	Therkku Veerapandiyapuram

338/1	Therkku Veerapandiyapuram
338/3A	Therkku Veerapandiyapuram
338/3B	Therkku Veerapandiyapuram
340/1	Therkku Veerapandiyapuram
340/2	Therkku Veerapandiyapuram
340/3	Therkku Veerapandiyapuram
340/4	Therkku Veerapandiyapuram
340/6	Therkku Veerapandiyapuram
340/7	Therkku Veerapandiyapuram
340/8	Therkku Veerapandiyapuram
341/1	Therkku Veerapandiyapuram
341/3	Therkku Veerapandiyapuram

DISTRICT: TUTICURIN
BEFORE THE HON'BLE HIGH COURT
OF JUDICATURE OF MADRAS
(MADURAI BENCH)

W. P. (M.D.) No: of 2018

Fatima

...Petitioner

Vs.

The Secretary,
Government of India,
Ministry of Environment and Forests,
And 4 Others

COMMON AFFIDAVIT OF
FATIMA

M/s. Poongkhulali B.

M.Karunannidhi

Annapoorani G.

Counsels For Petitioner

No.J-11013/36/2014-IA-I

Government of India
Ministry of Environment, forests and Climate Change
IA Division

.....

Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj
New Delhi-110 003

Dated the 10th December, 2014

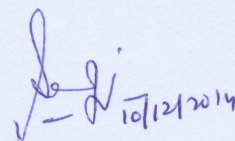
OFFICE MEMORANDUM

Subject: Exemption from Public Consultation for the projects/ activities located within the Industrial Estates/ Parks.

Reference this Ministry's earlier Office Memorandum of even number dated 16.05.2014 on the subject mentioned above.

2. This Ministry has received representations from various Industrial Associations on the above said Office Memorandum. These representations have been considered by the Ministry. Based on the consideration, the undersigned has been directed to clarify that the exemption from public consultation, as provided for under para 7(i) III. Stage(3)(i)(b) of EIA Notification, 2006 is available to the projects or activities or units located within the Industrial Estates or Parks, which were notified prior to 14.09.2006, i.e. the EIA Notification, 2006 coming in to force.

3. This issues with the approval of the competent authority.



(Dr. Satish C. Garkoti)
Director

1. Chairperson/ Member Secretaries of all the SEIAAs/SEACs
2. Chairman of all the Expert Appraisal Committees
3. Dr. T. Chandni, Director
4. Dr. Saroj, Director
5. Dr. V. P. Upadhyay, Director
6. Dr. M. Hota, Director
7. Dr. P.B. Rastogi, Director
8. Sh. B.B. Burman, Director
9. Sh. Lalit Bakolia, Additional Director
10. S.O. IA-I(for record)

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3. PS to JS(MKS)
4. Website, MoEF&CC
5. Guard File



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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नई दिल्ली, बृहस्पतिवार, अप्रैल 30, 2015/वैशाख 10, 1937

No. 886]

NEW DELHI, THURSDAY, APRIL 30, 2015 /VAISAKHA 10, 1937

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय**अधिसूचना**

नई दिल्ली, 29 अप्रैल, 2015

का.आ. 1141(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (4) के साथ पठित, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, लोक हित में उक्त नियम के नियम 5 के उपनियम (3) के खंड (क) के अधीन नोटिस की अपेक्षा से अभिमुक्ति के पश्चात्, भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना संख्यांक का.आ. 1533 (अ), तारीख 14 सितंबर, 2006 में निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में,—

(i) पर्यावरणीय अनापत्ति (ईसी) की विधिमान्यता के संबंध में पैरा 9 पैरा उसके पैरा (i) के रूप में पुनःसंख्याकित किया जाएगा;

(ii) पैरा (i) इस प्रकार संख्यांकित किया जाएगा,—

(क) “और सभी अन्य परियोजनाओं और क्रियाकलापों की दशा में पांच वर्ष” शब्दों के स्थान पर “और सभी अन्य परियोजनाओं और क्रियाकलापों की दशा में सात वर्ष” शब्दों को रखा जाएगा;

(ख) “तथापि, क्षेत्र विकास परियोजनाओं और नगर क्षेत्र की दशा में” शब्दों के साथ प्रारंभिक भाग पर और “यथास्थित विशेषज्ञ आंकलन समिति या राज्य स्तर विशेषज्ञ समिति के परामर्श” शब्दों के साथ समाप्त होने वाले भाग पर निम्नलिखित शब्दों को रखा जाएगा, अर्थात्:—

“(ii) क्षेत्र विकास परियोजनाओं और नगर क्षेत्र [मद 8(ख)], की दशा में विधिमान्य अवधि केवल ऐसे क्रियाकलापों तक सीमित होगा जहां तक किसी विकासकर्ता के रूप में आवेदक का उत्तरदायित्व है :

परंतु यह भी कि विधिमान्यता की यह अवधि संबंधित विनियामक प्राधिकरण द्वारा सात वर्ष की अधिकतम अवधि तक बढ़ाया जा सकेगा परंतु यह तब जबकि कोई आवेदन आवेदक द्वारा विनियामक प्राधिकरण को संनिर्माण परियोजनाओं या क्रियाकलापों (अनुसूची की मद 8) अद्यतन प्रारूप । और अनुपूरक प्रारूप 1क सहित विधिमान्य अवधि के भीतर विनियामक अवधि के भीतर किया जाता है :

परंतु यह भी कि विनियामक प्राधिकरण यथास्थित विशेषज्ञ आंकलन समिति या राज्य स्तर विशेषज्ञ आंकलन समिति इसके विस्तार की मंजूरी के लिए परामर्श भी कर सकेगा ।

(क) इसी की विधिमान्य अवधि के पश्चात् एक मास के भीतर ऐसे मामलों के लिए विलंब को संबंधित विशेषज्ञ आंकलन समिति (ईएसी) या राज्य स्तर आंकलन समिति (एसईएसी) और उनकी सिफारिशों के आधार पर यथास्थिति संयुक्त सचिव पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय या सदस्य सचिव एसईआईए के स्तर पर माफ किया जाएगा;

(ख) इसी की विधिमान्य अवधि के पश्चात् एक माह से अधिक परंतु ऐसी विधिमान्य अवधि के पश्चात् तीन मास से अन्यून है तो ईएसी या एसईएसी की सिफारिशों के आधार पर यथास्थिति पर्यावरण, वन और जलवायु परिवर्तन प्रभारी मंत्री या अध्यक्ष के अनुमोदन से विलंब माफ किया जाएगा :

परंतु यह कि विलंब की माफी के लिए विस्तार हेतु कोई आवेदन इसी की 90 दिन की विधिमान्य अवधि के पश्चात् मंजूर नहीं किया जाएगा ।”।

[फा. सं. जे-11013/12/2013-आईए-II(I)(भाग)]

मनोज कुमार सिंह, संयुक्त सचिव

टिप्पण : मूल नियम भारत के राजपत्र, असाधारण, भाग II, खंड 3 उपखंड (ii) में अधिसूचना संख्यांक का. आ. 1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित की गई थी और तत्पश्चात् उसको निम्नलिखित द्वारा संशोधित किया गया का.आ. 1737(अ), तारीख 11 अक्तूबर, 2007 ; का.आ. 3067(अ), तारीख 1 दिसंबर, 2009 ; का.आ. 695(अ), तारीख 4 अप्रैल, 2011 ; का.आ. 2896(अ), तारीख 13 दिसंबर, 2012 ; का.आ. 674(अ), तारीख 13 मार्च, 2013 ; का.आ. 2559(अ), तारीख 22 अगस्त, 2013 ; का.आ. 2731(अ), तारीख 9 सितंबर, 2013 ; का.आ. 562(अ), तारीख 26 फरवरी, 2014 ; का.आ. 637 (अ), तारीख 28 फरवरी, 2014 का.आ. 1599(अ), तारीख 25 जून, 2014; का.आ. 2601(अ), तारीख 7 अक्तूबर, 2014; और का.आ. 3252(अ), तारीख 22 दिसंबर, 2014 ।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 29th April, 2015

S.O. 1141(E).—In exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986(29 of 1986) read with sub-rule(4) of rule 5 of the Environment(Protection) Rules, 1986, the Central Government hereby makes the following further amendments to the notification of the Government of India , in the erstwhile Ministry of Environment and Forests number S.O. 1533(E), dated the 14th September, 2006 after having dispensed with the requirement of notice under clause(a) of sub-rule(3) of rule 5 of the said rule, in public interest, namely:—

In the said notification,—

(i) Paragraph 9 relating to validity to Environment Clearance (EC) shall be re-numbered as paragraph (i) thereof;

(ii) in paragraph (i) as so numbered,-

(a) for, the words “and five years in the case of all other projects and activities”, the words “and seven years in the case of all other projects and activities” shall be substituted;

(b) for the portion beginning with the words “However, in the case of Area Development projects and Townships” and ending with the words “consult the Expert Appraisal Committee or State Level Expert Appraisal Committee as the case may be.” The following shall be substituted, namely:-

“(ii) In the case of Area Development projects and Townships [item 8 (b), the validity period shall be limited only to such activities as may be the responsibility of the applicant as a developer:

Provided that this period of validity may be extended by the regulatory authority concerned by a maximum period of seven years if an application is made to the regulatory authority by the applicant within the validity period, together with an updated Form I, and Supplementary Form IA, for Construction projects or activities (item 8 of the Schedule):

Provided further that the regulatory authority may also consult the Expert Appraisal Committee or State Level Expert Appraisal Committee, as the case may be, for grant of such extension.

(iii) Where the application for extension under sub-paragraph (ii) has been filed-

- (a) within one month after the validity period of EC, such cases shall be referred to concerned Expert Appraisal Committee (EAC) or State Level Expert Appraisal committee (SEAC) and based on their recommendations, the delay shall be condoned at the level of the Joint Secretary in the Ministry of Environment, Forest and Climate Change or Member Secretary, SEIAA, as the case may be;
- (b) more than one month after the validity period of EC but less than three months after such validity period, then, based on the recommendations of the EAC or the SEAC, the delay shall be condoned with the approval of the Minister in charge of Environment Forest and Climate Change or Chairman, as the case may be:

Provided that no condonation for delay shall be granted for any application for extension filed 90 days after the validity period of EC.”

[F. No. J-11013/12/2013-IA-II (I) (part)]

MANOJ KUMAR SINGH, Jt. Secy.

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section(ii) *vide* notification number S.O. 1533(E), dated the 14th September, 2006 and amended *vide* S.O.1737(E) dated the 11th October, 2007, S.O. 3067(E) dated the 1st December, 2009, S.O. 695(E) dated the 4th April, 2011, S.O.2896(E) dated the 13th December, 2012 , S.O.674(E) dated the 13th March, 2013, S.O. 2559(E) dated the 22nd August, 2013, S.O. 2731(E) dated the 9th September, 2013, S.O. 562(E) dated the 26th February, 2014 , S.O. 637(E) dated the 28th February, 2014, S.O. 1599(E) dated the 25th June, 2014, S.O. 2601 (E) dated 7th October, 2014 and S.O. 3252(E) dated 22nd December, 2014.

No.J-11013/36/2014-IA-I
Government of India
Ministry of Environment and Forests
IA Division

Paryavaran Bhawan,
C.G.O Complex, Lodhi Road,
New Delhi-110 003

Dated the 16th May, 2014

OFFICE MEMORANDUM

Subject: Exemption from Public Consultation for the projects/ activities located within the Industrial Estates/ Parks.

The undersigned is directed to inform that on the above mentioned subject, the following is clarified by the Ministry of Environment and Forests:

- (i) The exemption from public consultation, as provided for under para 7(i) III.Stage(3)(i)(b) of EIA Notification, 2006 is only available to the projects or activities located within the industrial estates or parks, which have obtained prior environmental clearance under EIA Notification, 2006, as provided for under item 7(c) of the Schedule.
- (ii) The expression 'concerned authorities' as stated in the aforesaid para of EIA Notification, 2006 implies the competent authorities in the State Governments/ Central Government, which approve setting-up of such industrial estates or parks.

This issues with the approval of the competent authority.


(Dr. Satish C. Garkoti)
Director

1. Chairperson/ Member Secretaries of all the SEIAAs/SEACs
2. Chairman of all the Expert Appraisal Committees
3. Dr. T. Chandni, Director
4. Dr. Saroj, Director
5. Dr. V. P. Upadhyay, Director
6. Dr. M. Hota, Director
7. Dr. P.B. Rastogi, Director
8. Dr. Lalit Kapoor, Director
9. Dr. B.B. Burman, Director
10. S.O. IA-I(for record)

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3. PS to JS(AT)

issued

**(Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii))
MINISTRY OF ENVIRONMENT AND FORESTS**

New Delhi 14th September, 2006

Notification

S.O. 1533 Whereas, a draft notification **under sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 for imposing** certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts as indicated in the Schedule to the notification, being undertaken in any part of India¹, unless prior environmental clearance has been accorded in accordance with the objectives of National Environment Policy **as approved by the Union Cabinet on 18th May, 2006** and the procedure specified in the notification, by the Central Government or the State or Union territory Level Environment Impact Assessment Authority (SEIAA), to be constituted by the Central Government in consultation with the State Government or the Union territory Administration concerned under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 for the purpose of this notification, was published in the Gazette of India ,Extraordinary, Part II, section 3, sub-section (ii) vide number S.O. 1324 (E) dated the 15th September ,2005 inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of Gazette containing the said notification were made available to the public;

And whereas, copies of the said notification were made available to the public on 15th September, 2005;

And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification number S.O. 60 (E) dated the 27th January, 1994, except in respect of things done or omitted to be done before such supersession, the Central Government hereby directs that on and from the date of its publication the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to this notification entailing capacity addition with change in process and or technology shall be undertaken in any part of India only after the prior environmental clearance from the Central Government or as the case may be, by the State Level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified hereinafter in this notification.

¹Includes the territorial waters

2. Requirements of prior Environmental Clearance (EC):- The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in the Ministry of Environment and Forests for matters falling under Category 'A' in the Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule, before any construction work, or preparation of land by the project management except for securing the land, is started on the project or activity:

- (i) All new projects or activities listed in the Schedule to this notification;
- (ii) Expansion and modernization of existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which cross the threshold limits given in the Schedule, after expansion or modernization;
- (iii) Any change in product - mix in an existing manufacturing unit included in Schedule beyond the specified range.

3. State Level Environment Impact Assessment Authority:- (1) A State Level Environment Impact Assessment Authority hereinafter referred to as the SEIAA shall be constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 comprising of three Members including a Chairman and a Member – Secretary to be nominated by the State Government or the Union territory Administration concerned.

- (2) The Member-Secretary shall be a serving officer of the concerned State Government or Union territory administration familiar with environmental laws.
- (3) The other two Members shall be either a professional or expert fulfilling the eligibility criteria given in Appendix VI to this notification.
- (4) One of the specified Members in sub-paragraph (3) above who is an expert in the Environmental Impact Assessment process shall be the Chairman of the SEIAA.
- (5) The State Government or Union territory Administration shall forward the names of the Members and the Chairman referred in sub- paragraph 3 to 4 above to the Central Government and the Central Government shall constitute the SEIAA as an authority for the purposes of this notification within thirty days of the date of receipt of the names.
- (6) The non-official Member and the Chairman shall have a fixed term of three years (from the date of the publication of the notification by the Central Government constituting the authority).
- (7) All decisions of the SEIAA shall be unanimous and taken in a meeting.

4. Categorization of projects and activities:-

- (i) All projects and activities are broadly categorized in to two categories - Category A and Category B, based on the spatial extent of potential impacts and potential impacts on human health and natural and man made resources.

(ii) All projects or activities included as Category 'A' in the Schedule, including expansion and modernization of existing projects or activities and change in product mix, shall require prior environmental clearance from the Central Government in the Ministry of Environment and Forests (MoEF) on the recommendations of an Expert Appraisal Committee (EAC) to be constituted by the Central Government for the purposes of this notification;

(iii) All projects or activities included as Category 'B' in the Schedule, including expansion and modernization of existing projects or activities as specified in sub paragraph (ii) of paragraph 2, or change in product mix as specified in sub paragraph (iii) of paragraph 2, but excluding those which fulfill the General Conditions (GC) stipulated in the Schedule, *will* require prior environmental clearance from the State/Union territory Environment Impact Assessment Authority (SEIAA). The SEIAA shall base its decision on the recommendations of a State or Union territory level Expert Appraisal Committee (SEAC) as to be constituted for in this notification. In the absence of a duly constituted SEIAA or SEAC, a Category 'B' project shall be treated as a Category 'A' project;

5. Screening, Scoping and Appraisal Committees:-

The same Expert Appraisal Committees (EACs) at the Central Government and SEACs (hereinafter referred to as the (EAC) and (SEAC) at the State or the Union territory level shall screen, scope and appraise projects or activities in Category 'A' and Category 'B' respectively. EAC and SEAC's shall meet at least once every month.

(a) The composition of the EAC shall be as given in Appendix VI. The SEAC at the State or the Union territory level shall be constituted by the Central Government in consultation with the concerned State Government or the Union territory Administration with identical composition;

(b) The Central Government may, with the prior concurrence of the concerned State Governments or the Union territory Administrations, constitutes one SEAC for more than one State or Union territory for reasons of administrative convenience and cost;

(c) The EAC and SEAC shall be reconstituted after every three years;

(d) The authorised members of the EAC and SEAC, concerned, may inspect any site(s) connected with the project or activity in respect of which the prior environmental clearance is sought, for the purposes of screening or scoping or appraisal, with prior notice of at least seven days to the applicant, who shall provide necessary facilities for the inspection;

(e) The EAC and SEACs shall function on the principle of collective responsibility. The Chairperson shall endeavour to reach a consensus in each case, and if consensus cannot be reached, the view of the majority shall prevail.

6. Application for Prior Environmental Clearance (EC):-

An application seeking prior environmental clearance in all cases shall be made in the prescribed Form 1 annexed herewith and Supplementary Form 1A, if applicable, as given in Appendix II, after the identification of prospective site(s) for the project and/or activities to which the application relates, before commencing any construction activity, or preparation of land, at the site by the applicant. The applicant shall furnish, along with the application, a copy of the pre-feasibility project report except that, in case of construction projects or activities (item 8 of the Schedule) in addition to Form 1 and the Supplementary Form 1A, a copy of the conceptual plan shall be provided, instead of the pre-feasibility report.

7. Stages in the Prior Environmental Clearance (EC) Process for New Projects:-

7(i) The environmental clearance process for new projects will comprise of a maximum of four stages, all of which may not apply to particular cases as set forth below in this notification. These four stages in sequential order are:-

- Stage (1) Screening (Only for Category 'B' projects and activities)
- Stage (2) Scoping
- Stage (3) Public Consultation
- Stage (4) Appraisal

I. Stage (1) - Screening:

In case of Category 'B' projects or activities, this stage will entail the scrutiny of an application seeking prior environmental clearance made in Form 1 by the concerned State level Expert Appraisal Committee (SEAC) for determining whether or not the project or activity requires further environmental studies for preparation of an Environmental Impact Assessment (EIA) for its appraisal prior to the grant of environmental clearance depending up on the nature and location specificity of the project . The projects requiring an Environmental Impact Assessment report shall be termed Category 'B1' and remaining projects shall be termed Category 'B2' and will not require an Environment Impact Assessment report. For categorization of projects into B1 or B2 except item 8 (b), the Ministry of Environment and Forests shall issue appropriate guidelines from time to time.

II. Stage (2) - Scoping:

(i) "Scoping": refers to the process by which the Expert Appraisal Committee in the case of Category 'A' projects or activities, and State level Expert Appraisal Committee in the case of Category 'B1' projects or activities, including applications for expansion and/or modernization and/or change in product mix of existing projects or activities, determine detailed and comprehensive Terms Of Reference (TOR) addressing all relevant environmental concerns for the preparation of an Environment Impact Assessment (EIA) Report in respect of the project or activity for which prior environmental clearance is sought. The Expert Appraisal Committee or State level Expert Appraisal Committee concerned shall determine the Terms of Reference on the basis of the information furnished in the prescribed application Form1/Form 1A including Terms of Reference proposed by the applicant, a site visit by a sub- group of Expert Appraisal Committee or State level Expert Appraisal Committee concerned only if considered necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, Terms of Reference suggested by the applicant if furnished and other information that may be available with the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. All projects and activities listed as Category 'B' in Item 8 of the Schedule (Construction/Township/Commercial Complexes /Housing) shall not require Scoping and will be appraised on the basis of Form 1/ Form 1A and the conceptual plan.

(ii) The Terms of Reference (TOR) shall be conveyed to the applicant by the Expert Appraisal Committee or State Level Expert Appraisal Committee as concerned within sixty days of the receipt of Form 1. In the case of Category A Hydroelectric projects Item 1(c) (i) of the Schedule the Terms of Reference shall be conveyed along with the clearance for pre-construction activities .If the Terms of Reference are not finalized and conveyed to the applicant within sixty days of the receipt of Form 1, the Terms of Reference suggested by the applicant shall be deemed as the final Terms of Reference approved for the EIA studies. The approved Terms of

Reference shall be displayed on the website of the Ministry of Environment and Forests and the concerned State Level Environment Impact Assessment Authority.

(iii) Applications for prior environmental clearance may be rejected by the regulatory authority concerned on the recommendation of the EAC or SEAC concerned at this stage itself. In case of such rejection, the decision together with reasons for the same shall be communicated to the applicant in writing within sixty days of the receipt of the application.

III. Stage (3) - Public Consultation:

(i) “Public Consultation” refers to the process by which the concerns of local affected persons and others who have plausible stake in the environmental impacts of the project or activity are ascertained with a view to taking into account all the material concerns in the project or activity design as appropriate. All Category ‘A’ and Category B1 projects or activities shall undertake Public Consultation, except the following:-

- (a) modernization of irrigation projects (item 1(c) (ii) of the Schedule).
- (b) all projects or activities located within industrial estates or parks (item 7(c) of the Schedule) approved by the concerned authorities, and which are not disallowed in such approvals.
- (c) expansion of Roads and Highways (item 7 (f) of the Schedule) which do not involve any further acquisition of land.
- (d) all Building /Construction projects/Area Development projects and Townships (item 8).
- (e) all Category ‘B2’ projects and activities.
- (f) all projects or activities concerning national defence and security or involving other strategic considerations as determined by the Central Government.

(ii) The Public Consultation shall ordinarily have two components comprising of:-

(a) a public hearing at the site or in its close proximity- district wise, to be carried out in the manner prescribed in Appendix IV, for ascertaining concerns of local affected persons;

(b) obtain responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity.

(iii) the public hearing at, or in close proximity to, the site(s) in all cases shall be conducted by the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) concerned in the specified manner and forward the proceedings to the regulatory authority concerned within 45(forty five) of a request to the effect from the applicant.

(iv) in case the State Pollution Control Board or the Union territory Pollution Control Committee concerned does not undertake and complete the public hearing within the specified period, and/or does not convey the proceedings of the public hearing within the prescribed period

directly to the regulatory authority concerned as above, the regulatory authority shall engage another public agency or authority which is not subordinate to the regulatory authority, to complete the process within a further period of forty five days,.

(v) If the public agency or authority nominated under the sub paragraph (iii) above reports to the regulatory authority concerned that owing to the local situation, it is not possible to conduct the public hearing in a manner which will enable the views of the concerned local persons to be freely expressed, it shall report the facts in detail to the concerned regulatory authority, which may, after due consideration of the report and other reliable information that it may have, decide that the public consultation in the case need not include the public hearing.

(vi) For obtaining responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity, the concerned regulatory authority and the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) shall invite responses from such concerned persons by placing on their website the Summary EIA report prepared in the format given in Appendix IIIA by the applicant along with a copy of the application in the prescribed form , within seven days of the receipt of a written request for arranging the public hearing . Confidential information including non-disclosable or legally privileged information involving Intellectual Property Right, source specified in the application shall not be placed on the web site. The regulatory authority concerned may also use other appropriate media for ensuring wide publicity about the project or activity. The regulatory authority shall, however, make available on a written request from any concerned person the Draft EIA report for inspection at a notified place during normal office hours till the date of the public hearing. All the responses received as part of this public consultation process shall be forwarded to the applicant through the quickest available means.

(vii) After completion of the public consultation, the applicant shall address all the material environmental concerns expressed during this process, and make appropriate changes in the draft EIA and EMP. The final EIA report, so prepared, shall be submitted by the applicant to the concerned regulatory authority for appraisal. The applicant may alternatively submit a supplementary report to draft EIA and EMP addressing all the concerns expressed during the public consultation.

IV. Stage (4) - Appraisal:

(i) Appraisal means the detailed scrutiny by the Expert Appraisal Committee or State Level Expert Appraisal Committee of the application and other documents like the Final EIA report, outcome of the public consultations including public hearing proceedings, submitted by the applicant to the regulatory authority concerned for grant of environmental clearance. This appraisal shall be made by Expert Appraisal Committee or State Level Expert Appraisal Committee concerned in a transparent manner in a proceeding to which the applicant shall be invited for furnishing necessary clarifications in person or through an authorized representative. On conclusion of this proceeding, the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall make categorical recommendations to the regulatory authority concerned either for grant of prior environmental clearance on stipulated terms and conditions, or rejection of the application for prior environmental clearance, together with reasons for the same.

(ii) The appraisal of all projects or activities which are not required to undergo public consultation, or submit an Environment Impact Assessment report, shall be carried out on the basis of the prescribed application Form 1 and Form 1A as applicable, any other relevant

validated information available and the site visit wherever the same is considered as necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.

(iii) The appraisal of an application shall be completed by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within sixty days of the receipt of the final Environment Impact Assessment report and other documents or the receipt of Form 1 and Form 1 A, where public consultation is not necessary and the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee shall be placed before the competent authority for a final decision within the next fifteen days. The prescribed procedure for appraisal is given in Appendix V ;

7(ii). Prior Environmental Clearance (EC) process for Expansion or Modernization or Change of product mix in existing projects:

All applications seeking prior environmental clearance for expansion with increase in the production capacity beyond the capacity for which prior environmental clearance has been granted under this notification or with increase in either lease area or production capacity in the case of mining projects or for the modernization of an existing unit with increase in the total production capacity beyond the threshold limit prescribed in the Schedule to this notification through change in process and or technology or involving a change in the product –mix shall be made in Form I and they shall be considered by the concerned Expert Appraisal Committee or State Level Expert Appraisal Committee within sixty days, who will decide on the due diligence necessary including preparation of EIA and public consultations and the application shall be appraised accordingly for grant of environmental clearance.

8. Grant or Rejection of Prior Environmental Clearance (EC):

(i) The regulatory authority shall consider the recommendations of the EAC or SEAC concerned and convey its decision to the applicant within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned or in other words within one hundred and five days of the receipt of the final Environment Impact Assessment Report, and where Environment Impact Assessment is not required, within one hundred and five days of the receipt of the complete application with requisite documents, except as provided below.

(ii) The regulatory authority shall normally accept the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. In cases where it disagrees with the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, the regulatory authority shall request reconsideration by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned while stating the reasons for the disagreement. An intimation of this decision shall be simultaneously conveyed to the applicant. The Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, in turn, shall consider the observations of the regulatory authority and furnish its views on the same within a further period of sixty days. The decision of the regulatory authority after considering the views of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be final and conveyed to the applicant by the regulatory authority concerned within the next thirty days.

(iii) In the event that the decision of the regulatory authority is not communicated to the applicant within the period specified in sub-paragraphs (i) or (ii) above, as applicable, the

applicant may proceed as if the environment clearance sought for has been granted or denied by the regulatory authority in terms of the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.

(iv) On expiry of the period specified for decision by the regulatory authority under paragraph (i) and (ii) above, as applicable, the decision of the regulatory authority, and the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be public documents.

(v) Clearances from other regulatory bodies or authorities shall not be required prior to receipt of applications for prior environmental clearance of projects or activities, or screening, or scoping, or appraisal, or decision by the regulatory authority concerned, unless any of these is sequentially dependent on such clearance either due to a requirement of law, or for necessary technical reasons.

(vi) Deliberate concealment and/or submission of false or misleading information or data which is material to screening or scoping or appraisal or decision on the application shall make the application liable for rejection, and cancellation of prior environmental clearance granted on that basis. Rejection of an application or cancellation of a prior environmental clearance already granted, on such ground, shall be decided by the regulatory authority, after giving a personal hearing to the applicant, and following the principles of natural justice.

9. Validity of Environmental Clearance (EC):

The “Validity of Environmental Clearance” is meant the period from which a prior environmental clearance is granted by the regulatory authority, or may be presumed by the applicant to have been granted under sub paragraph (iv) of paragraph 7 above, to the start of production operations by the project or activity, or completion of all construction operations in case of construction projects (item 8 of the Schedule), to which the application for prior environmental clearance refers. The prior environmental clearance granted for a project or activity shall be valid for a period of ten years in the case of River Valley projects (item 1(c) of the Schedule), project life as estimated by Expert Appraisal Committee or State Level Expert Appraisal Committee subject to a maximum of thirty years for mining projects and five years in the case of all other projects and activities. However, in the case of Area Development projects and Townships [item 8(b)], the validity period shall be limited only to such activities as may be the responsibility of the applicant as a developer. This period of validity may be extended by the regulatory authority concerned by a maximum period of five years provided an application is made to the regulatory authority by the applicant within the validity period, together with an updated Form 1, and Supplementary Form 1A, for Construction projects or activities (item 8 of the Schedule). In this regard the regulatory authority may also consult the Expert Appraisal Committee or State Level Expert Appraisal Committee as the case may be.

10. Post Environmental Clearance Monitoring:

(i) It shall be mandatory for the project management to submit half-yearly compliance reports in respect of the stipulated prior environmental clearance terms and conditions in hard and soft copies to the regulatory authority concerned, on 1st June and 1st December of each calendar year.

(ii) All such compliance reports submitted by the project management shall be public documents. Copies of the same shall be given to any person on application to the concerned regulatory authority. The latest such compliance report shall also be displayed on the web site of the concerned regulatory authority.

11. Transferability of Environmental Clearance (EC):

A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written “no objection” by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

12. Operation of EIA Notification, 1994, till disposal of pending cases:

From the date of final publication of this notification the Environment Impact Assessment (EIA) notification number S.O.60 (E) dated 27th January, 1994 is hereby superseded, except in suppression of the things done or omitted to be done before such suppression to the extent that in case of all or some types of applications made for prior environmental clearance and pending on the date of final publication of this notification, the Central Government may relax any one or all provisions of this notification except the list of the projects or activities requiring prior environmental clearance in Schedule I, or continue operation of some or all provisions of the said notification, for a period not exceeding one year from the date of issue of this notification.

[No. J-11013/56/2004-IA-II (I)]

(R.CHANDRAMOHAN)
JOINT SECRETARY TO THE GOVERNMENT OF INDIA

SCHEDULE

(See paragraph 2 and 7)

LIST OF PROJECTS OR ACTIVITIES REQUIRING PRIOR ENVIRONMENTAL CLEARANCE

Project or Activity		Category with threshold limit		Conditions if any
		A	B	
1		Mining, extraction of natural resources and power generation (for a specified production capacity)		
(1)	(2)	(3)	(4)	(5)
1(a)	Mining of minerals	≥ 50 ha. of mining lease area Asbestos mining irrespective of mining area	<50 ha ≥ 5 ha .of mining lease area.	General Condition shall apply <u>Note</u> Mineral prospecting (not involving drilling) are exempted provided the concession areas have got previous clearance for physical survey
1(b)	Offshore and onshore oil and gas exploration, development & production	All projects		<u>Note</u> Exploration Surveys (not involving drilling) are exempted provided the concession areas have got previous clearance for physical survey
1(c)	River Valley projects	(i) ≥ 50 MW hydroelectric power generation; (ii) ≥ 10,000 ha. of culturable command area	(i) < 50 MW ≥ 25 MW hydroelectric power generation; (ii) < 10,000 ha. of culturable command area	General Condition shall apply
1(d)	Thermal Power Plants	≥ 500 MW (coal/lignite/naptha & gas based); ≥ 50 MW (Pet coke diesel and all other fuels -)	< 500 MW (coal/lignite/naptha & gas based); <50 MW ≥ 5MW (Pet coke ,diesel and all other fuels)	General Condition shall apply

(1)	(2)	(3)	(4)	(5)
1(e)	Nuclear power projects and processing of nuclear fuel	All projects	-	
2		Primary Processing		
2(a)	Coal washeries	≥ 1 million ton/annum throughput of coal	<1million ton/annum throughput of coal	General Condition shall apply (If located within mining area the proposal shall be appraised together with the mining proposal)
2 (b)	Mineral beneficiation	≥ 0.1million ton/annum mineral throughput	< 0.1million ton/annum mineral throughput	General Condition shall apply (Mining proposal with Mineral beneficiation shall be appraised together for grant of clearance)

3		Materials Production		
(1)	(2)	(3)	(4)	(5)
3(a)	Metallurgical industries (ferrous & non ferrous)	<p>a)Primary metallurgical industry All projects</p> <p>b) Sponge iron manufacturing ≥ 200TPD</p> <p>c)Secondary metallurgical processing industry</p> <p>All toxic and heavy metal producing units ≥ 20,000 tonnes /annum</p> <p>-</p>	<p>Sponge iron manufacturing <200TPD</p> <p>Secondary metallurgical processing industry</p> <p>i.)All toxic and heavy metal producing units <20,000 tonnes /annum</p> <p>ii.)All other non –toxic secondary metallurgical processing industries >5000 tonnes/annum</p>	General Condition shall apply for Sponge iron manufacturing
3(b)	Cement plants	≥ 1.0 million tonnes/annum production capacity	<1.0 million tonnes/annum production capacity. All Stand alone grinding units	General Condition shall apply

4		Materials Processing		
(1)	(2)	(3)	(4)	(5)
4(a)	Petroleum refining industry	All projects	-	-
4(b)	Coke oven plants	≥2,50,000 tonnes/annum -	<2,50,000 & ≥25,000 tonnes/annum	-
4(c)	Asbestos milling and asbestos based products	All projects	-	-
4(d)	Chlor-alkali industry	≥300 TPD production capacity or a unit located outside the notified industrial area/estate	<300 TPD production capacity and located within a notified industrial area/estate	Specific Condition shall apply No new Mercury Cell based plants will be permitted and existing units converting to membrane cell technology are exempted from this Notification
4(e)	Soda ash Industry	All projects	-	-
4(f)	Leather/skin/hide processing industry	New projects outside the industrial area or expansion of existing units outside the industrial area	All new or expansion of projects located within a notified industrial area/estate	Specific condition shall apply
5		Manufacturing/Fabrication		
5(a)	Chemical fertilizers	All projects	-	-
5(b)	Pesticides industry and pesticide specific intermediates (excluding formulations)	All units producing technical grade pesticides	-	-

(1)	(2)	(3)	(4)	(5)
5(c)	Petro-chemical complexes (industries based on processing of petroleum fractions & natural gas and/or reforming to aromatics)	All projects -	-	-
5(d)	Manmade fibres manufacturing	Rayon	Others	General Condition shall apply
5(e)	Petrochemical based processing (processes other than cracking & reformation and not covered under the complexes)	Located out side the notified industrial area/ estate -	Located in a notified industrial area/ estate	Specific Condition shall apply
5(f)	Synthetic organic chemicals industry (dyes & dye intermediates; bulk drugs and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates)	Located out side the notified industrial area/ estate	Located in a notified industrial area/ estate	Specific Condition shall apply
5(g)	Distilleries	(i) All Molasses based distilleries (ii) All Cane juice/ non-molasses based distilleries ≥ 30 KLD	All Cane juice/non-molasses based distilleries - <30 KLD	General Condition shall apply
5(h)	Integrated paint industry	-	All projects	General Condition shall apply

(1)	(2)	(3)	(4)	(5)
5(i)	Pulp & paper industry excluding manufacturing of paper from waste paper and manufacture of paper from ready pulp with out bleaching	Pulp manufacturing and Pulp& Paper manufacturing industry -	Paper manufacturing industry without pulp manufacturing	General Condition shall apply
5(j)	Sugar Industry	- -	≥ 5000 tcd cane crushing capacity	General Condition shall apply
5(k)	Induction/arc furnaces/cupola furnaces 5TPH or more	- -	All projects	General Condition shall apply
6		Service Sectors		
6(a)	Oil & gas transportation pipe line (crude and refinery/ petrochemical products), passing through national parks /sanctuaries/coral reefs /ecologically sensitive areas including LNG Terminal	All projects -		-

(1)	(2)	(3)	(4)	(5)
6(b)	Isolated storage & handling of hazardous chemicals (As per threshold planning quantity indicated in column 3 of schedule 2 & 3 of MSIHC Rules 1989 amended 2000)	-	All projects	General Condition shall apply
7		Physical Infrastructure including Environmental Services		
7(a)	Air ports	All projects	-	-
7(b)	All ship breaking yards including ship breaking units	All projects	-	-
7(c)	Industrial estates/ parks/ complexes/ areas, export processing Zones (EPZs), Special Economic Zones (SEZs), Biotech Parks, Leather Complexes.	<p>If at least one industry in the proposed industrial estate falls under the Category A, entire industrial area shall be treated as Category A, irrespective of the area.</p> <p>Industrial estates with area greater than 500 ha. and housing at least one Category B industry.</p>	<p>-Industrial estates housing at least one Category B industry and area <500 ha.</p> <p>Industrial estates of area > 500 ha. and not housing any industry belonging to Category A or B.</p>	<p>Special condition shall apply</p> <p>Note: Industrial Estate of area below 500 ha. and not housing any industry of category A or B does not require clearance.</p>
7(d)	Common hazardous waste treatment, storage and disposal facilities (TSDFs)	All integrated facilities having incineration & landfill or incineration alone	All facilities having land fill only	General Condition shall apply

(1)	(2)	(3)	(4)	(5)
7(e)	Ports, Harbours	≥ 5 million TPA of cargo handling capacity (excluding fishing harbours)	< 5 million TPA of cargo handling capacity and/or ports/ harbours ≥10,000 TPA of fish handling capacity	General Condition shall apply
7(f)	Highways	i) New National High ways; and ii) Expansion of National High ways greater than 30 KM, involving additional right of way greater than 20m involving land acquisition and passing through more than one State.	i) New State High ways; and ii) Expansion of National / State Highways greater than 30 km involving additional right of way greater than 20m involving land acquisition.	General Condition shall apply
7(g)	Aerial ropeways		All projects	General Condition shall apply
7(h)	Common Effluent Treatment Plants (CETPs)		All projects	General Condition shall apply
7(i)	Common Municipal Solid Waste Management Facility (CMSWMF)		All projects	General Condition shall apply

(1)	(2)	(3)	(4)	(5)
8		Building /Construction projects/Area Development projects and Townships		
8(a)	Building and Construction projects		≥20000 sq.mtrs and <1,50,000 sq.mtrs. of built-up area#	#(built up area for covered construction; in the case of facilities open to the sky, it will be the activity area)
8(b)	Townships and Area Development projects.		Covering an area ≥ 50 ha and or built up area ≥1,50,000 sq .mtrs ++	++All projects under Item 8(b) shall be appraised as Category B1

Note:-

General Condition (GC):

Any project or activity specified in Category 'B' will be treated as Category A, if located in whole or in part within 10 km from the boundary of: (i) Protected Areas notified under the Wild Life (Protection) Act, 1972, (ii) Critically Polluted areas as notified by the Central Pollution Control Board from time to time, (iii) Notified Eco-sensitive areas, (iv) inter-State boundaries and international boundaries.

Specific Condition (SC):

If any Industrial Estate/Complex / Export processing Zones /Special Economic Zones/Biotech Parks / Leather Complex with homogeneous type of industries such as Items 4(d), 4(f), 5(e), 5(f), or those Industrial estates with pre –defined set of activities (not necessarily homogeneous, obtains prior environmental clearance, individual industries including proposed industrial housing within such estates /complexes will not be required to take prior environmental clearance, so long as the Terms and Conditions for the industrial estate/complex are complied with (Such estates/complexes must have a clearly identified management with the legal responsibility of ensuring adherence to the Terms and Conditions of prior environmental clearance, who may be held responsible for violation of the same throughout the life of the complex/estate).

APPENDIX I

(See paragraph – 6)

FORM 1

(I) Basic Information

Name of the Project:

Location / site alternatives under consideration:

Size of the Project: *

Expected cost of the project:

Contact Information:

Screening Category:

- *Capacity corresponding to sectoral activity (such as production capacity for manufacturing, mining lease area and production capacity for mineral production, area for mineral exploration, length for linear transport infrastructure, generation capacity for power generation etc.,)*

(II) Activity

1. **Construction, operation or decommissioning of the Project involving actions, which will cause physical changes in the locality (topography, land use, changes in water bodies, etc.)**

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
1.1	Permanent or temporary change in land use, land cover or topography including increase in intensity of land use (with respect to local land use plan)		
1.2	Clearance of existing land, vegetation and buildings?		
1.3	Creation of new land uses?		
1.4	Pre-construction investigations e.g. bore houses, soil testing?		
1.5	Construction works?		

1.6	Demolition works?		
1.7	Temporary sites used for construction works or housing of construction workers?		
1.8	Above ground buildings, structures or earthworks including linear structures, cut and fill or excavations		
1.9	Underground works including mining or tunneling?		
1.10	Reclamation works?		
1.11	Dredging?		
1.12	Offshore structures?		
1.13	Production and manufacturing processes?		
1.14	Facilities for storage of goods or materials?		
1.15	Facilities for treatment or disposal of solid waste or liquid effluents?		
1.16	Facilities for long term housing of operational workers?		
1.17	New road, rail or sea traffic during construction or operation?		
1.18	New road, rail, air waterborne or other transport infrastructure including new or altered routes and stations, ports, airports etc?		
1.19	Closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements?		
1.20	New or diverted transmission lines or pipelines?		
1.21	Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?		
1.22	Stream crossings?		
1.23	Abstraction or transfers of water from ground or surface waters?		
1.24	Changes in water bodies or the land surface affecting drainage or run-off?		

1.25	Transport of personnel or materials for construction, operation or decommissioning?		
1.26	Long-term dismantling or decommissioning or restoration works?		
1.27	Ongoing activity during decommissioning which could have an impact on the environment?		
1.28	Influx of people to an area in either temporarily or permanently?		
1.29	Introduction of alien species?		
1.30	Loss of native species or genetic diversity?		
1.31	Any other actions?		

2. Use of Natural resources for construction or operation of the Project (such as land, water, materials or energy, especially any resources which are non-renewable or in short supply):

S.No.	Information/checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
2.1	Land especially undeveloped or agricultural land (ha)		
2.2	Water (expected source & competing users) unit: KLD		
2.3	Minerals (MT)		
2.4	Construction material – stone, aggregates, and / soil (expected source – MT)		
2.5	Forests and timber (source – MT)		
2.6	Energy including electricity and fuels (source, competing users) Unit: fuel (MT), energy (MW)		
2.7	Any other natural resources (use appropriate standard units)		

3. Use, storage, transport, handling or production of substances or materials, which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health.

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
3.1	Use of substances or materials, which are hazardous (as per MSIHC rules) to human health or the environment (flora, fauna, and water supplies)		
3.2	Changes in occurrence of disease or affect disease vectors (e.g. insect or water borne diseases)		
3.3	Affect the welfare of people e.g. by changing living conditions?		
3.4	Vulnerable groups of people who could be affected by the project e.g. hospital patients, children, the elderly etc.,		
3.5	Any other causes		

4. Production of solid wastes during construction or operation or decommissioning (MT/month)

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
4.1	Spoil, overburden or mine wastes		
4.2	Municipal waste (domestic and or commercial wastes)		
4.3	Hazardous wastes (as per Hazardous Waste Management Rules)		

4.4	Other industrial process wastes		
4.5	Surplus product		
4.6	Sewage sludge or other sludge from effluent treatment		
4.7	Construction or demolition wastes		
4.8	Redundant machinery or equipment		
4.9	Contaminated soils or other materials		
4.10	Agricultural wastes		
4.11	Other solid wastes		

5. Release of pollutants or any hazardous, toxic or noxious substances to air (Kg/hr)

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
5.1	Emissions from combustion of fossil fuels from stationary or mobile sources		
5.2	Emissions from production processes		
5.3	Emissions from materials handling including storage or transport		
5.4	Emissions from construction activities including plant and equipment		
5.5	Dust or odours from handling of materials including construction materials, sewage and waste		

5.6	Emissions from incineration of waste		
5.7	Emissions from burning of waste in open air (e.g. slash materials, construction debris)		
5.8	Emissions from any other sources		

6. Generation of Noise and Vibration, and Emissions of Light and Heat:

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data with source of information data
6.1	From operation of equipment e.g. engines, ventilation plant, crushers		
6.2	From industrial or similar processes		
6.3	From construction or demolition		
6.4	From blasting or piling		
6.5	From construction or operational traffic		
6.6	From lighting or cooling systems		
6.7	From any other sources		

7. Risks of contamination of land or water from releases of pollutants into the ground or into sewers, surface waters, groundwater, coastal waters or the sea:

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
7.1	From handling, storage, use or spillage of hazardous materials		
7.2	From discharge of sewage or other effluents to water or the land (expected mode and place of discharge)		
7.3	By deposition of pollutants emitted to air into the land or into water		
7.4	From any other sources		
7.5	Is there a risk of long term build up of pollutants in the environment from these sources?		

8. Risk of accidents during construction or operation of the Project, which could affect human health or the environment

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
8.1	From explosions, spillages, fires etc from storage, handling, use or production of hazardous substances		
8.2	From any other causes		
8.3	Could the project be affected by natural disasters causing environmental damage (e.g. floods, earthquakes, landslides, cloudburst etc)?		

9. Factors which should be considered (such as consequential development) which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
9.1	<p>Lead to development of supporting. lities, ancillary development or development stimulated by the project which could have impact on the environment e.g.:</p> <ul style="list-style-type: none"> • Supporting infrastructure (roads, power supply, waste or waste water treatment, etc.) • housing development • extractive industries • supply industries • other 		
9.2	Lead to after-use of the site, which could have an impact on the environment		
9.3	Set a precedent for later developments		
9.4	Have cumulative effects due to proximity to other existing or planned projects with similar effects		

(III) Environmental Sensitivity

S.No.	Areas	Name/ Identity	Aerial distance (within 15 km.) Proposed project location boundary
1	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value		

2	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests		
3	Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, over wintering, migration		
4	Inland, coastal, marine or underground waters		
5	State, National boundaries		
6	Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas		
7	Defence installations		
8	Densely populated or built-up area		
9	Areas occupied by sensitive man-made land uses (<i>hospitals, schools, places of worship, community facilities</i>)		
10	Areas containing important, high quality or scarce resources (<i>ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals</i>)		
11	Areas already subjected to pollution or environmental damage. (<i>those where existing legal environmental standards are exceeded</i>)		
12	Areas susceptible to natural hazard which could cause the project to present environmental problems (<i>earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions</i>)		

(IV). Proposed Terms of Reference for EIA studies

APPENDIX II

(See paragraph 6)

FORM-1 A (only for construction projects listed under item 8 of the Schedule)

CHECK LIST OF ENVIRONMENTAL IMPACTS

(Project proponents are required to provide full information and wherever necessary attach explanatory notes with the Form and submit along with proposed environmental management plan & monitoring programme)

1. LAND ENVIRONMENT

(Attach panoramic view of the project site and the vicinity)

1.1. Will the existing landuse get significantly altered from the project that is not consistent with the surroundings? (Proposed landuse must conform to the approved Master Plan / Development Plan of the area. Change of landuse if any and the statutory approval from the competent authority be submitted). Attach Maps of (i) site location, (ii) surrounding features of the proposed site (within 500 meters) and (iii) the site (indicating levels & contours) to appropriate scales. If not available attach only conceptual plans.

1.2. List out all the major project requirements in terms of the land area, built up area, water consumption, power requirement, connectivity, community facilities, parking needs etc.

1.3. What are the likely impacts of the proposed activity on the existing facilities adjacent to the proposed site? (Such as open spaces, community facilities, details of the existing landuse, disturbance to the local ecology).

1.4. Will there be any significant land disturbance resulting in erosion, subsidence & instability? (Details of soil type, slope analysis, vulnerability to subsidence, seismicity etc may be given).

1.5. Will the proposal involve alteration of natural drainage systems? (Give details on a contour map showing the natural drainage near the proposed project site)

1.6. What are the quantities of earthwork involved in the construction activity-cutting, filling, reclamation etc. (Give details of the quantities of earthwork involved, transport of fill materials from outside the site etc.)

1.7. Give details regarding water supply, waste handling etc during the construction period.

1.8. Will the low lying areas & wetlands get altered? (Provide details of how low lying and wetlands are getting modified from the proposed activity)

1.9. Whether construction debris & waste during construction cause health hazard? (Give quantities of various types of wastes generated during construction including the construction labour and the means of disposal)

2. WATER ENVIRONMENT

2.1. Give the total quantity of water requirement for the proposed project with the breakup of requirements for various uses. How will the water requirement met? State the sources & quantities and furnish a water balance statement.

- 2.2. What is the capacity (dependable flow or yield) of the proposed source of water?
- 2.3. What is the quality of water required, in case, the supply is not from a municipal source? (Provide physical, chemical, biological characteristics with class of water quality)
- 2.4. How much of the water requirement can be met from the recycling of treated wastewater? (Give the details of quantities, sources and usage)
- 2.5. Will there be diversion of water from other users? (Please assess the impacts of the project on other existing uses and quantities of consumption)
- 2.6. What is the incremental pollution load from wastewater generated from the proposed activity? (Give details of the quantities and composition of wastewater generated from the proposed activity)
- 2.7. Give details of the water requirements met from water harvesting? Furnish details of the facilities created.
- 2.8. What would be the impact of the land use changes occurring due to the proposed project on the runoff characteristics (quantitative as well as qualitative) of the area in the post construction phase on a long term basis? Would it aggravate the problems of flooding or water logging in any way?
- 2.9. What are the impacts of the proposal on the ground water? (Will there be tapping of ground water; give the details of ground water table, recharging capacity, and approvals obtained from competent authority, if any)
- 2.10. What precautions/measures are taken to prevent the run-off from construction activities polluting land & aquifers? (Give details of quantities and the measures taken to avoid the adverse impacts)
- 2.11. How is the storm water from within the site managed?(State the provisions made to avoid flooding of the area, details of the drainage facilities provided along with a site layout indication contour levels)
- 2.12. Will the deployment of construction labourers particularly in the peak period lead to unsanitary conditions around the project site (Justify with proper explanation)
- 2.13. What on-site facilities are provided for the collection, treatment & safe disposal of sewage? (Give details of the quantities of wastewater generation, treatment capacities with technology & facilities for recycling and disposal)
- 2.14. Give details of dual plumbing system if treated waste used is used for flushing of toilets or any other use.

3. VEGETATION

- 3.1. Is there any threat of the project to the biodiversity? (Give a description of the local ecosystem with it's unique features, if any)

3.2. Will the construction involve extensive clearing or modification of vegetation? (Provide a detailed account of the trees & vegetation affected by the project)

3.3. What are the measures proposed to be taken to minimize the likely impacts on important site features (Give details of proposal for tree plantation, landscaping, creation of water bodies etc along with a layout plan to an appropriate scale)

4. FAUNA

4.1. Is there likely to be any displacement of fauna- both terrestrial and aquatic or creation of barriers for their movement? Provide the details.

4.2. Any direct or indirect impacts on the avifauna of the area? Provide details.

4.3. Prescribe measures such as corridors, fish ladders etc to mitigate adverse impacts on fauna

5. AIR ENVIRONMENT

5.1. Will the project increase atmospheric concentration of gases & result in heat islands? (Give details of background air quality levels with predicted values based on dispersion models taking into account the increased traffic generation as a result of the proposed constructions)

5.2. What are the impacts on generation of dust, smoke, odorous fumes or other hazardous gases? Give details in relation to all the meteorological parameters.

5.3. Will the proposal create shortage of parking space for vehicles? Furnish details of the present level of transport infrastructure and measures proposed for improvement including the traffic management at the entry & exit to the project site.

5.4. Provide details of the movement patterns with internal roads, bicycle tracks, pedestrian pathways, footpaths etc., with areas under each category.

5.5. Will there be significant increase in traffic noise & vibrations? Give details of the sources and the measures proposed for mitigation of the above.

5.6. What will be the impact of DG sets & other equipment on noise levels & vibration in & ambient air quality around the project site? Provide details.

6. AESTHETICS

6.1. Will the proposed constructions in any way result in the obstruction of a view, scenic amenity or landscapes? Are these considerations taken into account by the proponents?

6.2. Will there be any adverse impacts from new constructions on the existing structures? What are the considerations taken into account?

6.3. Whether there are any local considerations of urban form & urban design influencing the design criteria? They may be explicitly spelt out.

6.4. Are there any anthropological or archaeological sites or artefacts nearby? State if any other significant features in the vicinity of the proposed site have been considered.

7. SOCIO-ECONOMIC ASPECTS

7.1. Will the proposal result in any changes to the demographic structure of local population? Provide the details.

- 7.2. Give details of the existing social infrastructure around the proposed project.
- 7.3. Will the project cause adverse effects on local communities, disturbance to sacred sites or other cultural values? What are the safeguards proposed?

8. BUILDING MATERIALS

- 8.1. May involve the use of building materials with high-embodied energy. Are the construction materials produced with energy efficient processes? (Give details of energy conservation measures in the selection of building materials and their energy efficiency)
- 8.2. Transport and handling of materials during construction may result in pollution, noise & public nuisance. What measures are taken to minimize the impacts?
- 8.3. Are recycled materials used in roads and structures? State the extent of savings achieved?
- 8.4. Give details of the methods of collection, segregation & disposal of the garbage generated during the operation phases of the project.

9. ENERGY CONSERVATION

- 9.1. Give details of the power requirements, source of supply, backup source etc. What is the energy consumption assumed per square foot of built-up area? How have you tried to minimize energy consumption?
- 9.2. What type of, and capacity of, power back-up to you plan to provide?
- 9.3. What are the characteristics of the glass you plan to use? Provide specifications of its characteristics related to both short wave and long wave radiation?
- 9.4. What passive solar architectural features are being used in the building? Illustrate the applications made in the proposed project.
- 9.5. Does the layout of streets & buildings maximise the potential for solar energy devices? Have you considered the use of street lighting, emergency lighting and solar hot water systems for use in the building complex? Substantiate with details.
- 9.6. Is shading effectively used to reduce cooling/heating loads? What principles have been used to maximize the shading of Walls on the East and the West and the Roof? How much energy saving has been effected?
- 9.7. Do the structures use energy-efficient space conditioning, lighting and mechanical systems? Provide technical details. Provide details of the transformers and motor efficiencies, lighting intensity and air-conditioning load assumptions? Are you using CFC and HCFC free chillers? Provide specifications.
- 9.8. What are the likely effects of the building activity in altering the micro-climates? Provide a self assessment on the likely impacts of the proposed construction on creation of heat island & inversion effects?

9.9. What are the thermal characteristics of the building envelope? (a) roof; (b) external walls; and (c) fenestration? Give details of the material used and the U-values or the R values of the individual components.

9.10. What precautions & safety measures are proposed against fire hazards? Furnish details of emergency plans.

9.11. If you are using glass as wall material provides details and specifications including emissivity and thermal characteristics.

9.12. What is the rate of air infiltration into the building? Provide details of how you are mitigating the effects of infiltration.

9.13. To what extent the non-conventional energy technologies are utilised in the overall energy consumption? Provide details of the renewable energy technologies used.

10. Environment Management Plan

The Environment Management Plan would consist of all mitigation measures for each item wise activity to be undertaken during the construction, operation and the entire life cycle to minimize adverse environmental impacts as a result of the activities of the project. It would also delineate the environmental monitoring plan for compliance of various environmental regulations. It will state the steps to be taken in case of emergency such as accidents at the site including fire.

APPENDIX III

(See paragraph 7

GENERIC STRUCTURE OF ENVIRONMENTAL IMPACT ASSESMENT DOCUMENT

S.NO	EIA STRUCTURE	CONTENTS
1.	Introduction	<ul style="list-style-type: none">• Purpose of the report• Identification of project & project proponent• Brief description of nature, size, location of the project and its importance to the country, region• Scope of the study – details of regulatory scoping carried out (As per Terms of Reference)
2.	Project Description	<ul style="list-style-type: none">• Condensed description of those aspects of the project (based on project feasibility study), likely to cause environmental effects. Details should be provided to give clear picture of the following:• Type of project• Need for the project• Location (maps showing general location, specific location, project boundary & project site layout)• Size or magnitude of operation (incl. Associated activities required by or for the project)• Proposed schedule for approval and implementation• Technology and process description• Project description. Including drawings showing project layout, components of project etc. Schematic representations of the feasibility drawings which give information important for EIA purpose• Description of mitigation measures incorporated into the project to meet environmental standards, environmental operating conditions, or other EIA requirements (as required by the scope)• Assessment of New & untested technology for the risk of technological failure

3.	Description of the Environment	<ul style="list-style-type: none"> • Study area, period, components & methodology • Establishment of baseline for valued environmental components, as identified in the scope • Base maps of all environmental components
4.	Anticipated Environmental Impacts & Mitigation Measures	<ul style="list-style-type: none"> • Details of Investigated Environmental impacts due to project location, possible accidents, project design, project construction, regular operations, final decommissioning or rehabilitation of a completed project • Measures for minimizing and / or offsetting adverse impacts identified • Irreversible and Irretrievable commitments of environmental components • Assessment of significance of impacts (Criteria for determining significance, Assigning significance) • Mitigation measures
5.	Analysis of Alternatives (Technology & Site)	<ul style="list-style-type: none"> • In case, the scoping exercise results in need for alternatives: • Description of each alternative • Summary of adverse impacts of each alternative • Mitigation measures proposed for each alternative and • Selection of alternative
6.	Environmental Monitoring Program	<ul style="list-style-type: none"> • Technical aspects of monitoring the effectiveness of mitigation measures (incl. Measurement methodologies, frequency, location, data analysis, reporting schedules, emergency procedures, detailed budget & procurement schedules)
7.	Additional Studies	<ul style="list-style-type: none"> • Public Consultation • Risk assessment • Social Impact Assessment. R&R Action Plans
8.	Project Benefits	<ul style="list-style-type: none"> • Improvements in the physical infrastructure • Improvements in the social infrastructure • Employment potential –skilled; semi-skilled and unskilled • Other tangible benefits

9.	Environmental Cost Benefit Analysis	If recommended at the Scoping stage
10.	EMP	<ul style="list-style-type: none"> • Description of the administrative aspects of ensuring that mitigative measures are implemented and their effectiveness monitored, after approval of the EIA
11	Summary & Conclusion (This will constitute the summary of the EIA Report)	<ul style="list-style-type: none"> • Overall justification for implementation of the project • Explanation of how, adverse effects have been mitigated
12.	Disclosure of Consultants engaged	<ul style="list-style-type: none"> • The names of the Consultants engaged with their brief resume and nature of Consultancy rendered

APPENDIX III A
(See paragraph 7)

CONTENTS OF SUMMARY ENVIRONMENTAL IMPACT ASSESSMENT

The Summary EIA shall be a summary of the full EIA Report condensed to ten A-4 size pages at the maximum. It should necessarily cover in brief the following Chapters of the full EIA Report: -

1. Project Description
2. Description of the Environment
3. Anticipated Environmental impacts and mitigation measures
4. Environmental Monitoring Programme
5. Additional Studies
6. Project Benefits
7. Environment Management Plan

APPENDIX IV

(See paragraph 7)

PROCEDURE FOR CONDUCT OF PUBLIC HEARING

1.0 The Public Hearing shall be arranged in a systematic, time bound and transparent manner ensuring widest possible public participation at the project site(s) or in its close proximity District -wise, by the concerned State Pollution Control Board (SPCB) or the Union Territory Pollution Control Committee (UTPCC).

2.0 The Process:

2.1 The Applicant shall make a request through a simple letter to the Member Secretary of the SPCB or Union Territory Pollution Control Committee, in whose jurisdiction the project is located, to arrange the public hearing within the prescribed statutory period. In case the project site is extending beyond a State or Union Territory, the public hearing is mandated in each State or Union Territory in which the project is sited and the Applicant shall make separate requests to each concerned SPCB or UTPCC for holding the public hearing as per this procedure.

2.2 The Applicant shall enclose with the letter of request, at least 10 hard copies and an equivalent number of soft (electronic) copies of the draft EIA Report with the generic structure given in Appendix III including the Summary Environment Impact Assessment report in English and in the local language, prepared strictly in accordance with the Terms of Reference communicated after Scoping (Stage-2). Simultaneously the applicant shall arrange to forward copies, one hard and one soft, of the above draft EIA Report along with the Summary EIA report to the Ministry of Environment and Forests and to the following authorities or offices, within whose jurisdiction the project will be located:

- (a) District Magistrate/s
- (b) Zila Parishad or Municipal Corporation
- (c) District Industries Office
- (d) Concerned Regional Office of the Ministry of Environment and Forests

2.3 On receiving the draft Environmental Impact Assessment report, the above-mentioned authorities except the MoEF, shall arrange to widely publicize it within their respective jurisdictions requesting the interested persons to send their comments to the concerned regulatory authorities. They shall also make available the draft EIA Report for inspection electronically or otherwise to the public during normal office hours till the Public Hearing is over. The Ministry of Environment and Forests shall promptly display the Summary of the draft Environmental Impact Assessment report on its website, and also make the full draft EIA available for reference at a notified place during normal office hours in the Ministry at Delhi.

2.4 The SPCB or UTPCC concerned shall also make similar arrangements for giving publicity about the project within the State/Union Territory and make available the Summary of the draft Environmental Impact Assessment report (Appendix III A) for inspection in select offices or public libraries or panchayats etc. They shall also additionally

make available a copy of the draft Environmental Impact Assessment report to the above five authorities/offices viz, Ministry of Environment and Forests, District Magistrate etc.

3.0 Notice of Public Hearing:

3.1 The Member-Secretary of the concerned SPCB or UTPCC shall finalize the date, time and exact venue for the conduct of public hearing within 7(seven) days of the date of receipt of the draft Environmental Impact Assessment report from the project proponent, and advertise the same in one major National Daily and one Regional vernacular Daily. A minimum notice period of 30(thirty) days shall be provided to the public for furnishing their responses;

3.2 The advertisement shall also inform the public about the places or offices where the public could access the draft Environmental Impact Assessment report and the Summary Environmental Impact Assessment report before the public hearing.

3.3 No postponement of the date, time, venue of the public hearing shall be undertaken, unless some untoward emergency situation occurs and only on the recommendation of the concerned District Magistrate the postponement shall be notified to the public through the same National and Regional vernacular dailies and also prominently displayed at all the identified offices by the concerned SPCB or Union Territory Pollution Control Committee;

3.4 In the above exceptional circumstances fresh date, time and venue for the public consultation shall be decided by the Member –Secretary of the concerned SPCB or UTPCC only in consultation with the District Magistrate and notified afresh as per procedure under 3.1 above.

4.0 The Panel

4.1 The District Magistrate or his or her representative not below the rank of an Additional District Magistrate assisted by a representative of SPCB or UTPCC, shall supervise and preside over the entire public hearing process.

5.0 Videography

5.1 The SPCB or UTPCC shall arrange to video film the entire proceedings. A copy of the videotape or a CD shall be enclosed with the public hearing proceedings while forwarding it to the Regulatory Authority concerned.

6.0 Proceedings

6.1 The attendance of all those who are present at the venue shall be noted and annexed with the final proceedings.

6.2 There shall be no quorum required for attendance for starting the proceedings.

6.3 A representative of the applicant shall initiate the proceedings with a presentation on the project and the Summary EIA report.

6.4 Every person present at the venue shall be granted the opportunity to seek information or clarifications on the project from the Applicant. The summary of the public

hearing proceedings accurately reflecting all the views and concerns expressed shall be recorded by the representative of the SPCB or UTPCC and read over to the audience at the end of the proceedings explaining the contents in the vernacular language and the agreed minutes shall be signed by the District Magistrate or his or her representative on the same day and forwarded to the SPCB/UTPCC concerned.

6.5 A Statement of the issues raised by the public and the comments of the Applicant shall also be prepared in the local language and in English and annexed to the proceedings:

6.6 The proceedings of the public hearing shall be conspicuously displayed at the office of the Panchyats within whose jurisdiction the project is located, office of the concerned Zila Parishad, District Magistrate ,and the SPCB or UTPCC . The SPCB or UTPCC shall also display the proceedings on its website for general information. Comments, if any, on the proceedings which may be sent directly to the concerned regulatory authorities and the Applicant concerned.

7.0 Time period for completion of public hearing

7.1 The public hearing shall be completed within a period of 45 (forty five) days from date of receipt of the request letter from the Applicant. Therefore the SPCB or UTPCC concerned shall sent the public hearing proceedings to the concerned regulatory authority within 8(eight) days of the completion of the public hearing .The applicant may also directly forward a copy of the approved public hearing proceedings to the regulatory authority concerned along with the final Environmental Impact Assessment report or supplementary report to the draft EIA report prepared after the public hearing and public consultations.

7.2 If the SPCB or UTPCC fails to hold the public hearing within the stipulated 45(forty five) days, the Central Government in Ministry of Environment and Forests for Category 'A' project or activity and the State Government or Union Territory Administration for Category 'B' project or activity at the request of the SEIAA, shall engage any other agency or authority to complete the process, as per procedure laid down in this notification.

APPENDIX –V
(See paragraph 7)

PROCEDURE PRESCRIBED FOR APPRAISAL

1. The applicant shall apply to the concerned regulatory authority through a simple communication enclosing the following documents where public consultations are mandatory: -

- Final Environment Impact Assessment Report [20(twenty) hard copies and 1 (one) soft copy)]
- A copy of the video tape or CD of the public hearing proceedings
- A copy of final layout plan (20 copies)
- A copy of the project feasibility report (1 copy)

2. The Final EIA Report and the other relevant documents submitted by the applicant shall be scrutinized in office within 30 days from the date of its receipt by the concerned Regulatory Authority strictly with reference to the TOR and the inadequacies noted shall be communicated electronically or otherwise in a single set to the Members of the EAC /SEAC enclosing a copy each of the Final EIA Report including the public hearing proceedings and other public responses received along with a copy of Form -1or Form 1A and scheduled date of the EAC /SEAC meeting for considering the proposal .

3. Where a public consultation is not mandatory and therefore a formal EIA study is not required, the appraisal shall be made on the basis of the prescribed application Form 1 and a pre-feasibility report in the case of all projects and activities other than Item 8 of the Schedule .In the case of Item 8 of the Schedule, considering its unique project cycle , the EAC or SEAC concerned shall appraise all Category B projects or activities on the basis of Form 1, Form 1A and the conceptual plan and stipulate the conditions for environmental clearance . As and when the applicant submits the approved scheme /building plans complying with the stipulated environmental clearance conditions with all other necessary statutory approvals, the EAC /SEAC shall recommend the grant of environmental clearance to the competent authority.

4. Every application shall be placed before the EAC /SEAC and its appraisal completed within 60 days of its receipt with requisite documents / details in the prescribed manner.

5. The applicant shall be informed at least 15 (fifteen) days prior to the scheduled date of the EAC /SEAC meeting for considering the project proposal.

6. The minutes of the EAC /SEAC meeting shall be finalised within 5 working days of the meeting and displayed on the website of the concerned regulatory authority. In case the project or activity is recommended for grant of EC, then the minutes shall clearly list out the specific environmental safeguards and conditions. In case the recommendations are for rejection, the reasons for the same shall also be explicitly stated.

APPENDIX VI

(See paragraph 5)

COMPOSITION OF THE SECTOR/ PROJECT SPECIFIC EXPERT APPRAISAL COMMITTEE (EAC) FOR CATEGORY A PROJECTS AND THE STATE/UT LEVEL EXPERT APPRAISAL COMMITTEES (SEACs) FOR CATEGORY B PROJECTS TO BE CONSTITUTED BY THE CENTRAL GOVERNMENT`

1. The Expert Appraisal Committees (EAC(s) and the State/UT Level Expert Appraisal Committees (SEACs) shall consist of only professionals and experts fulfilling the following eligibility criteria:

Professional: The person should have at least (i) 5 years of formal University training in the concerned discipline leading to a MA/MSc Degree, or (ii) in case of Engineering /Technology/Architecture disciplines, 4 years formal training in a professional training course together with prescribed practical training in the field leading to a B.Tech/B.E./B.Arch. Degree, or (iii) Other professional degree (e.g. Law) involving a total of 5 years of formal University training and prescribed practical training, or (iv) Prescribed apprenticeship/article ship and pass examinations conducted by the concerned professional association (e.g. Chartered Accountancy),or (v) a University degree , followed by 2 years of formal training in a University or Service Academy (e.g. MBA/IAS/IFS). In selecting the individual professionals, experience gained by them in their respective fields will be taken note of.

Expert: A professional fulfilling the above eligibility criteria with at least 15 years of relevant experience in the field, or with an advanced degree (e.g. Ph.D.) in a concerned field and at least 10 years of relevant experience.

Age: Below 70 years. However, in the event of the non-availability of /paucity of experts in a given field, the maximum age of a member of the Expert Appraisal Committee may be allowed up to 75 years

2. The Members of the EAC shall be Experts with the requisite expertise and experience in the following fields /disciplines. In the event that persons fulfilling the criteria of “Experts” are not available, Professionals in the same field with sufficient experience may be considered:

- **Environment Quality Experts:** Experts in measurement/monitoring, analysis and interpretation of data in relation to environmental quality
- **Sectoral Experts in Project Management:** Experts in Project Management or Management of Process/Operations/Facilities in the relevant sectors.
- **Environmental Impact Assessment Process Experts:** Experts in conducting and carrying out Environmental Impact Assessments (EIAs) and preparation of Environmental Management Plans (EMPs) and other Management plans and who have wide expertise and knowledge of predictive techniques and tools used in the EIA process
- **Risk Assessment Experts**
- **Life Science Experts in floral and faunal management**
- **Forestry and Wildlife Experts**

- **Environmental Economics Expert with experience in project appraisal**

3. The Membership of the EAC shall not exceed 15 (fifteen) regular Members. However the Chairperson may co-opt an expert as a Member in a relevant field for a particular meeting of the Committee.

4. The Chairperson shall be an outstanding and experienced environmental policy expert or expert in management or public administration with wide experience in the relevant development sector.

5. The Chairperson shall nominate one of the Members as the Vice Chairperson who shall preside over the EAC in the absence of the Chairman /Chairperson.

6. A representative of the Ministry of Environment and Forests shall assist the Committee as its Secretary.

7. The maximum tenure of a Member, including Chairperson, shall be for 2 (two) terms of 3 (three) years each.

8. The Chairman / Members may not be removed prior to expiry of the tenure without cause and proper enquiry.

SIPCOT Industrial Complex, Thoothukudi. The reasons for denying "consent to operate" have been mentioned in the said order dated 9.4.2018. The failure of the respondent-company to comply with five vital conditions has prompted the respondent-Board to reject the application of the respondent-company for consent.

3. I state that the conditions mentioned in the order dated 9.4.2018 passed by the respondent-Board are not new conditions imposed for the first time. Those conditions were imposed by the respondent-Board much before the last Renewal of Consent Order. Though those conditions imposed by the respondent-Board under Water Act and Air Act ought to have been complied with by the respondent-company on or before 7.9.2017, a concession was shown to the respondent-company by extending the crucial date to 31.12.2017. In other words, all the conditions ought to have been complied with by the respondent-company on or before 31.12.2017 for the purpose of making an application for renewal of consent order beyond 31.12.2017. Since the respondent-company has not complied with the conditions imposed by the respondent-Board, the respondent-Board has rejected the application of the respondent-company for consent based on the Inspection Report of the Joint Chief Environmental Engineer (M)/Tirunelveli as could be seen from the order dated 9.4.2018 passed by the respondent-Board.

4. I state that the respondent-Board ought to have rejected the application of the respondent-company for CONSENT on the following most important ground:

Sl.No.21 "Copper, Lead or Zinc Smelting Plant" of Schedule I to Environment (Protection) Rules, 1986 deals with the parameters and emission standards. Note 4 appended to columns 3 and 4 of Sl.No.21 reads: "The height of the Stack emitting Sulphur Dioxide or acid mist shall be a minimum of 30 metres or as per the formula $H=14(Q)^{0.3}$ (whichever is more), where "H" is the height of stack in meters; and "Q" is the maximum quantity of SO_2 , in kg/hr, expected to be emitted through the stack at 110 percent rated capacity of the Tail Gas plant (s) and calculated as per the norms of gaseous emission." This emission standard statutorily prescribed has been totally ignored by the respondent-Board while granting consent to the respondent-company for the first time and while granting renewal of consent subsequently. Had the respondent-Board applied its mind to the said statutory provision, the respondent-company could not have at all commenced its operation at Thoothukudi. The respondent-Board ought to have rejected the application of the respondent-company for CONSENT on the ground that the respondent-company has not fulfilled the requirements of Note 4 appended to Columns 3 and 4 of Sl.21 of the Schedule to the

Environment (Protection) Rules, 1986. Moreover, the respondent-Board has not at all considered the fact that as per the 1996 production rate, the stack height ought to have been at least 68 metres . For the reasons best known to the respondent-Board, the respondent-Board had allowed the respondent-company to operate with a mere 60 metre stack. The respondent-Board has failed to consider that the daily sulphuric acid production capacity of the respondent-company has increased four-fold since 1996 i.e. from 1060 tonnes in 1996 to more than 4200 tonnes in 2006 but the height of the stacks have remained unchanged.

5. I state that the Respondent Board had imposed a condition through its original Consent to Operate in 1995 requiring the company to develop a greenbelt of minimum width of 25 metres around the entire perimeter of its factory. The Respondent Board has failed to report on the non-compliance of this vital pollution mitigation – namely a belt around the factory of minimum 25 metre width.

6. I state that the aforesaid order dated 9.4.2018 suffers from the vice of non-application of mind on the part of the respondent-Board though the respondent-Board has rejected the application of the respondent-company for CONSENT. Since the respondent-Board has failed to discharge its public duty while considering the application of the respondent-company in proper perspective and strictly in accordance with the statutory provisions, it has become necessary for social activists like me to approach the Appellate Authority with this Impleading Petition.

6. I state that for the purpose of effective adjudication of the aforesaid appeal filed by the respondent-company, it is necessary that I be impleaded as a party-respondent in public interest.

For the foregoing reasons, it is prayed that the Hon'ble Appellate Authority may be pleased to permit the petitioner herein to be impleaded as a party respondent in the aforesaid Appeal, and thus render justice.

Solemnly affirmed at Chennai
this the 1st day of May 2018
and signed her name in my presence.

**BEFORE THE APPELLATE AUTHORITY
CONSTITUTED BY THE GOVERNMENT OF TAMIL NADU UNDER SECTION 28
OF THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974**

Miscellaneous Petition No. of 2018

in

APPEAL No. 36 of 2018

Prof.Fatima Babu
D/o M.G.Rodriguez
77 Periyakadai Street
Thoothukudi

...Petitioner/Proposed Respondent

Vs.

1. M/s Vedanta Limited – Copper Smelter
Rep. by its Managing Director
Vendanta Limited – Copper Smelter plant
SIPCOT Industrial Complex, Madurai Bypass Road
Thoothukudi

.....Respondent/Appellant

2. The Member Secretary
Tamil Nadu State Pollution Control Board
76 Anna Salai
Guindy, Chennai 600 032

3. The Joint Chief Environmental Engineer
Tamil Nadu Pollution Control Board
Tirunelveli

...Respondents/Respondents

PETITION TO IMPLEAD

For the reasons stated in the accompanying affidavit, it is prayed that the Hon'ble Appellate Authority may be pleased to permit the petitioner herein to be impleaded as a party respondent in the aforesaid Appeal, and thus render justice.

Dated at Chennai, this the 1st day of May 2018

Counsel for the petitioner/proposed respondent

BEFORE THE HON'BLE APPELLATE AUTHORITY
TAMIL NADU POLLUTION CONTROL BOARD
APPEAL NO. 36 & 37 OF 2018

1. Vedanta Limited,
Unit: Sterlite Copper,
SIPCOT Industrial Complex,
Madurai Bypass Road,
Thoothukudi, Tamil Nadu-628002.

..... Appellant

Vs

1) Tamil Nadu Pollution Control Board,
Rep. by its Chairman.
No.76, Anna Salai, Guindy,
Chennai - 600 032.

2) District Environmental Engineer
Tamil Nadu Pollution Control Board
Thoothukudi.

..... Respondents

**COMMON REPLY AFFIDAVIT FILED ON BEHALF OF THE RESPONDENTS
BOARD ON THE APPEAL NOs. 36 & 37 OF 2018, FILED BY VEDANTA LIMITED,
UNIT: STERLITE COPPER, SIPCOT INDUSTRIAL COMPLEX, MADURAI BYPASS
ROAD, THOOTHUKUDI, TAMIL NADU - 628002. UNDER SECTION 28 OF THE
WATER (P&CP) ACT, 1974 AS AMENDED & UNDER SECTION 31 OF THE AIR
(P&CP) ACT, 1981 AS AMENDED.**

I, R. Kannan, son of V. Raghavan, Hindu, aged about 55 years, having office at No.76, Mount Salai, Guindy, Chennai 600 032 do hereby solemnly affirm and sincerely state as follows:

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai and as such I got myself acquainted with the facts of the case from the perusal of records. I am filing this Reply affidavit on behalf of the Respondents herein and I have been authorized to do the same.
2. At the outset, all the averments made in paragraphs 1-27 of the appellant's affidavit are denied by the Respondents, except those that are specifically admitted herein.
3. Before dealing with the merits of the issue, subject matter of the present appeal, the Respondents wish to appraise this Hon'ble Appellate Authority of several issues that were brought to the notice of the Board in recent times. It is humbly submitted that numerous complaints were received from people residing in villages surrounding Sterlite Copper Smelter Plant ("**the Unit**") stating that they are experiencing chronic fatigue, joint pain, abdominal pain and that they could taste the pollutants in the water. Several other families are reported to be spending a portion of their monthly income towards medical expenses of their children who are found to be suffering from incessant wheezing and chest congestion.
4. It is submitted that several complaints were made by the residents of communities situated within the vicinity of the unit alleging that there has been an alarming increase in the number of persons being diagnosed with cases of asthma, pharyngitis, sinusitis, asthmatic bronchitis (*bronchitis inflammation of the airways lining caused by long-term exposure to environmental irritants such as tobacco smoke, dust or chemicals and Asthma is a condition where the muscles around the airways get tight resulting in the narrowing of the airways*) and other respiratory tract infections, which according to them are caused due to harmful gases and particulate irritants in the lower atmosphere. It is relevant to mention that strangely enough the respiratory diseases were observed to be prevailing more in communities surrounding the unit than the state's average according to an expert report.

5. It is humbly submitted that there are also cases of people suffering from Ear, Nose, Throat (ENT) disorders and the causes for the prevalence of ENT morbidity are suspected to be due to atmospheric pollution. It has also been the grievance of the public that they could witness rusty-red water flowing from taps which is suspected to have occurred due to increase in the iron content in groundwater. It is also the allegation of the people that they are being prone to myalgia, or general body pain and that the women in the villages surrounding the unit were reported to have had inexplicably high incidence of menstrual disorders, like menorrhagia and dysmenorrhea.
6. It is the apprehension of the people that they are experiencing the aforesaid health hazards due to the fact that the Unit has contaminated the groundwater, air and soil with its effluents leaving high concentrations of copper, lead, cadmium, arsenic, chlorides and fluorides in the groundwater. It was also the apprehension of the people that the unit's arsenic laced wastewater reportedly flooded the Silverpuram, Meelavittan and Kaluthaikuttan tanks. The public had raised their concerns by relying upon medical evidences which indicated that if the residents of villages surrounding the Unit are continuously subjected to long-term exposure to arsenic in drinking-water, they are more likely to be diagnosed with cancer in the skin, lungs, bladder and kidney.
7. It is humbly submitted that there were complaints that the industrial activities of the appellant were endangering human health and the environment by contaminating water supplies by releasing high levels of iron (a toxin in high quantities), cadmium, nickel and arsenic into water. It was reported that the water from wells and hand pumps in the area surrounding the unit had become unsuitable for agriculture and that they could damage crops if used for irrigation.
8. It is submitted that the constant fear and the chain of events culminated into a protest in which thousands of people in Thoothukudi District had gathered, unanimously demanding the closure of the Unit for allegedly causing long-term pollution to residents. It is further submitted that several shops had remained shut in response to a strike called by members of over 50 associations demanding the closure of the Appellant Plant. It may not be out of

place to mention that Appellant Company and its subsidiary Konkola Copper mines are currently being sued in English Courts by Zambian villagers for polluting their water and destroying their livelihoods through their mining operations.

9. It is respectfully submitted that the unit of M/s. Vedanta Limited, Copper Smelter Plant (formerly known as M/s Sterlite Industries(India) Ltd., Copper Smelter Project) is located in the extent of 102.31 ha at Survey Numbers 1 to 7, 1220 to 1225, etc .of Meelavittan Part-1 Village, SIPCOT Industrial Complex, Thoothukudi Taluk and District. It is respectfully submitted that Tamil Nadu Pollution Control Board (hereinafter referred to as the “Board” or “TNPCB”) issued consent for establishment vide proc. dated 22.05.1995 to the unit for the following products:

Phase-I

1. Blister Copper : 234 MT/day
2. Sulphuric Acid : 638 MT/day

Phase-II

1. Blister Copper : 391 MT/day
2. Refined Copper : 274 MT/day
3. Sulphuric Acid : 1060 MT/day
4. Phosphoric Acid : 350 MT/day
5. Nickel Sulphate : 600 Kgs/day
6. Anode Slime : 140 MT/day
7. Hydro Fluro Silicic Acid : 10 MT/day.

Subsequently, TNPC Board issued consent to operate vide proceeding dated: 14.10.1996 to manufacture the following phase I products:

1. Blister copper : 391 MT/day
2. Sulphuric acid: 1060 MT/day.

10. It is respectfully submitted that, based on the unit’s letter dated 19.05.1999, TNPC Board issued fresh consent to operate to the unit vide proc. dated 20.05.1999 for the manufacture of the following products:

- a. Blister copper in the form of Anodes : 391 MT/day (70,000 T/annumn)

- b. Sulphuric acid : 1060 MT/day
 - c. Phosphoric acid : 350 MT/day
 - d. Hydro fluoro silicic acid : 10 MT/day
11. It is respectively submitted that the unit had applied for Consent to Establish for first Expansion on 19.4.2001 for increase in production quantity and NOC was issued by the Board vide Letter No. MII/22276/99/RL/TTN dated 21.4.2004 based on the opinion of Advocate General of Tamil Nadu, dated 3.3.2004. It is submitted that the said opinion of Advocate General of Tamil Nadu was obtained in view of the Interim direction of the Hon'ble High Court. Subsequently, the Ministry of Environmental & Forest issued environmental clearance vide ref No: 11011/82/2003-IAII(I) dated 22.09.2004.
12. It is respectively submitted that, the unit was inspected by Supreme Court Monitoring Committee (SCMC), constituted as per the direction of Hon'ble Supreme Court of India on 21.09.2004, to verify the compliance status of Hazardous Waste generation as per the Hazardous Waste Rules. Based on the SCMC recommendation, TNPC Board appointed NEERI with National Metallurgical Laboratory to conduct Environment Audit of the unit, assessing the efficiency of its environmental management practices and infrastructure for the management of solid/hazardous waste.
13. It is submitted that the unit vide its letter dated 30.3.2005 requested the Board to accord Consent to Operate for expansion (First Expansion) directly. The Board examined the case in detail and took into consideration of the factors such as environmental clearance issued by the MoEF dated 22.9.2004, compliance of conditions imposed by the Board at the time of issuance of NOC, the observations of the SCMC at various stages and environmental audit report submitted by NEERI. After processing the request of the Board, the Respondent Board had issued Consent to Operate (first expansion) vide proc. dated 19.4.2005 for the following products:

Main products:

- | | |
|--------------------|------------------|
| 1. Copper Anodes | : 900 Tonnes/day |
| 2. Copper Cathodes | : 875 Tonnes/day |
| 3. Phosphoric Acid | : 800 Tonnes/day |

Intermediate products:

1. Anode Slime : 1.75 Tonnes/day

By products:

1. Sulphuric Acid : 3150 Tonnes/day
2. Hydrofluoro Silicic Acid : 25 Tonnes/day

14. It is respectfully submitted that the Board had issued consent for establishment for the second expansion vide proc. dated 02.11.2006 and subsequently, Consent to Operate for second expansion was issued vide proceedings No T7/TNPCB/F-22276/RL/TTN/W/2006, dated 15.11.2006. The said consent to operate was valid up to 31.03.2007 granting permission to manufacture the following products:-

Main products:

1. Copper Anodes : 1200 Tonnes/day
2. Copper Cathodes : 875 Tonnes/day
3. Phosphoric Acid : 800 Tonnes/day

Intermediate products:

1. Anode Slime : 1.75 Tonnes/day

By products:

1. Sulphuric Acid : 4200 Tonnes/day
2. Hydro fluoro Silicic Acid : 25 Tonnes/day

15. It is respectfully submitted that the consent to operate for second expansion was renewed periodically up to 31.03.2013. On 23.03.2013 several complaints were received concerning eye irritation, continuous cough and throat blockage from the habitants of nearby villages. Based on the complaint, a Show cause Notice was issued to the unit on 24.03.2013 and subsequently directions for closure of the unit and stoppage of electricity was issued vide Proc. dated 29.03.2013.

16. It is humbly submitted that against the order of closure direction issued vide Board's proc. dated 29.03.2013, the appellant had filed appeal (appeal No.22 of 2013 (sz)&appeal No.23 of 2013 (sz) before the Hon'ble NGT, Chennai and the same was transferred to Hon'ble NGT, Principal Bench, New Delhi. The Hon'ble NGT, Principal Bench, New Delhi was pleased to pass an interim order dt. 31.05.2013 constituting a Committee with the 5 members from CPCB, TNPCB and IITM to inspect and furnish the report before 10.07.2013. Based on the

interim order dated 31.05.2013, directions for suspension of the closure order and disconnection of power supply was issued until further orders vide Board's proc. Dated:15.07.2013.

17. It is humbly submitted that as per the order of Hon'ble NGT Principal Bench, New Delhi dated 31.05.2013, the committee furnished its report and suggested certain conditions for compliance. The Hon'ble NGT, New Delhi passed its final order dated 08.08.2013 stating that *"The application for renewal or obtaining consent of the unit is presently pending with the Board. The Board shall consider and pass appropriate orders in relation to the said application in accordance with law expeditiously"*. Further the Hon'ble NGT in its order has directed the unit to comply the recommendations and suggestions made in special expert committee report on case later than eight weeks from the date of pronouncement of this judgment. The consent was not renewed after 31.03.2013 due to legal issues.
18. It is respectfully submitted that the Hon'ble NGT vide its final judgment dated August 08, 2013 allowed the unit to continue its operation subject to implementing all recommendations and suggestions given by Expert Committee for better functioning of the Plant in a time bound manner. As against the said order, the Respondent Board had filed Civil appeals Nos. 8773-8874 of 2013 before the Hon'ble Supreme Court mainly on the ground that the Appeal filed by the unit challenging the Closure Order issued by the Board on 29.03.2013 is not maintainable before the Hon'ble National Green Tribunal as the same ought to have been filed before the Tamil Nadu State Appellate Authority constituted under Section 31 of the Air (Prevention and Control of Pollution) Act, 1981 as amended. The appellant herein in its letter dated 10.03.2014 has made a representation to the Board that they have complied with all the recommendations of the Special Expert Committee as mentioned in the order of the Hon'ble National Green Tribunal dated 08.08.2013.
19. It is respectfully submitted that in order to examine the issue of renewal of consent, the Board had constituted a Special Expert Committee with the same members vide proc. dated:20.05.2015, as already constituted by the Hon'ble NGT to inspect the unit and furnish a report. Thereafter, the special Expert

committee had inspected the unit on 31.10.2015 and had listed certain actions to be taken by the unit. The committee had further stated that the unit had complied with the recommendations made by the Expert committee originally formed as per Hon'ble NGT order dated 31.05.2013. Further the special Expert committee has recommended TNPCB to consider the issue of renewal of consent to the unit by getting bank guarantee of Rs. 50 lakhs for a period of one year to ensure for the compliance of certain conditions. In view of expert committee recommendations and based on the decision taken by Board, the Renewal of consent to the unit was issued vide Proc. dated 13/04/2016 which was valid until 31.03.2017 subject to certain conditions and on furnishing of Bank Guarantee of Rs.50 lakhs.

20. It is respectfully submitted that while the matter stood thus, the Joint Chief Environmental Engineer (M)/ Tirunelveli has inspected the unit on 10.03.2017 & 11.03.2017 and had issued a Show Cause Notice dated 14.03.2017 to the Unit for having committed the following violations:
- i. Primary components of ETP, RO were not in operation and hence the unit has not maintained Zero Liquid Discharge properly and effluent has been discharged.
 - ii. Sulphuric acid tanker washing stagnated in the drain without pumping to the ETP.
 - iii. Copper slag dumped/stored along the river Uppar near the bridge in NH of Tirunelveli -Tuticorin.
 - iv. Dust emission spreading to Atmosphere from copper revert screening section and convertor roof section without going into air pollution control measures and fugitive emission from rock phosphate handling area, and gypsum storage noticed.
 - v. Nose irritation was observed near FGDS (Flue Gas Desulphurization system) area due to spreading of SO₂ gas escaping from the scrubber.
 - vi. Authorization issued to the unit on 10.07.2008 was expired on 09.07.2013 and the unit has not obtained Authorization under Hazardous and Other Waste (Management & Transboundary Movement) Rules, 2016.

21. It is respectfully submitted that thereafter, the consent was further renewed vide proc. dated 07.09.2017 up to 31.03.2018 subject to the following conditions among others:

- i. The unit shall furnish the monitoring data in respect of water quality periodically.
- ii. The unit shall remove the heaped and dumped copper slag on the banks of River Uppar and Patta land in Pudukottai Village.
- iii. The unit has to take action to construct physical barrier between River Uppar and slag land fill area of patta land so as to prevent slag from reaching River Uppar.
- iv. The Hazardous waste generated shall be properly disposed as per Hazardous and Other Wastes (MH&TM) Rules, 2016.
- v. The unit shall conduct periodical survey for Ambient Air Quality/ Noise Level/ Stack Emission as per the MoEF Notification 2009 and submit the report to the Board without fail.

22. It is respectfully submitted that, subsequently, based on JCEE(M) report on 18.08.2017, direction under section 33 A of the Water (Prevention & Control of Pollution) Act and section 31 (A) of Air (Prevention & Control of Pollution) Act was issued to the unit vide proc. dated 11.09.2017 **for compliance of the following conditions among the other conditions before 31.12.2017:**

- i. The unit shall remove the heaped and dumped copper slag on the banks of river Uppar and patta land in Pudukottai Village.
- ii. The unit shall take action to construct physical barriers between River Uppar and Slag land fill area of patta land so as to prevent slag from reaching River Uppar.
- iii. The unit shall comply with the conditions mentioned in the Renewal of Consent Order dated 07.09.2017.

23. It is respectfully submitted that, the unit has applied for renewal of consent for the year 2018-2023 through Online Consent Monitoring and management System on 31.01.2018. The application was returned twice by Joint Chief Environmental Engineer (M)/Tirunelveli and the unit resubmitted the application on 26.02.2018 and 27.02.2018. The unit was inspected on 22.02.2018 and the Inspection Report

dated 27/02/2018 with enclosures was submitted by Joint Chief Environmental Engineer (M)/Tirunelveli.

24. It is respectfully submitted that many complaints have been received in the Board against the operation of the unit from Public and also received during District Collector grievance redressal meeting that has been conducted from September 2017 to till date. There is a strong apprehension among the public that the operation of the unit has resulted in health impacts, ground water contamination, Eye & Throat irritation due to the emission discharged from the unit and also on the agriculture. The unit has not submitted any authenticated study report on the above aspects to ascertain the veracity of the public complaints.
25. It is respectfully submitted that the inspection report dated 27/02/2018 and the enclosures furnished by Joint Chief Environmental Engineer (M)/Tirunelveli were scrutinized and it has been observed that the unit has not complied with the following conditions stipulated in the previous consent order conditions as said above:
- i) Ground water analysis report taken from bore wells within the unit premises as well as surrounding areas has not been furnished to ascertain the impact on ground water quality.
 - ii) The unit has not removed the Copper slag dumped/stored along the river Uppar and patta land, thereby obstructing the flow. It has also not constructed any physical barrier between river Uppar and slag land fill area of patta land so as to prevent slag from reaching the river.
 - iii) Authorization issued to the unit on 10.07.2008, got expired on 09.07.2013 but the unit continues to generate & dispose the Hazardous waste without valid Authorization under Hazardous and Other Waste (Management & Transboundary Movement) Rules, 2016. The application submitted by the unit was returned for want of additional details and the unit has not resubmitted the same.
 - iv) As per renewal condition, the unit should have analyzed the parameters of heavy metals such as Arsenic in the ambient Air through Board's laboratory as done for the other parameters such as NO_x, PM₁₀ and SO₂.

As the Board Laboratory does not have this facility, the unit should have engaged the services of MoEF &CC/NABL accredited laboratories and furnished report to Board. The unit has not complied with the same and as such there is no authenticated reporting on the presence of Arsenic in the ambient air.

- v) During the inspection on 22.2.2018, the unit has been directed to construct a Gypsum pond as per CPCB guidelines. But the unit has not complied till 31.3.2018.

Hence, the application submitted by the unit for the issue of renewal of consent for the year 2018 to 2023 was rejected by Board vide proc. dated 09.04.2018. Against this rejection order the unit has filed this appeal before the Hon'ble Appellate Authority.

26. REJOINDER TO THE RESPONSE OFFERED BY THE APPELLANTS:

Ground 1: Ground water analysis report taken from bore wells within the unit premises as well as surrounding areas has not been furnished to ascertain the impact on ground water quality.

- i. The averments made by the appellant in paras 1-4 of Response to Ground 1 are denied. The averment of the appellant that the perusal of the ground water reports indicates no negative impact on ground water is untenable and misleading.
- ii. In this regard, it is submitted that as per the conditions stipulated in the consent order issued on 13.04.2016 under the Water Act, 1976, the responsibility of studying the ground water quality and arsenic levels in and around the vicinity of the unit is vested only with the appellant herein. But, taking into consideration of the fact that reports of NEERI in the past had found ground water in the wells to have high levels of effluents, out of abundant caution, the Respondent Board was collecting the ground water samples on monthly basis within the unit premises as well as surrounding areas and analyzed the same through Advanced Environmental Laboratory. While so, the test report of the groundwater sample taken on 28.03.2018 revealed that the hardness in water has risen

up leaving it unfit for portability and the same has been communicated to the appellant.

- iii. It is humbly submitted that the appellant is duty bound to furnish a groundwater analysis report as stipulated in the consent conditions to discredit the findings of the report dated 05.04.2018. However, till date no such report has been submitted by the Appellant so as to enable the Board to ascertain the impact of the unit on rise in hardness level of groundwater. When the consent conditions clearly stipulate that it shall be the responsibility of the Appellant to provide groundwater analysis reports, the appellant has conveniently chosen to place the burden upon the Board to relieve itself off its responsibility rather making an attempt to furnish the Ground Water Analysis report to ascertain the impact on ground water quality.
- iv. It is further submitted that reports of M/s Vimta Labs cannot be relied upon, for the simple reason that it is not an accredited laboratory and no permission has also been granted by the Board for the appellants to engage the services of M/s.Vimta Labs.
- v. It is humbly submitted that the contention of the appellant that there exists no “marker pollutants viz Arsenic, Zinc and Fluoride” in bore wells and dug wells in villages around the unit is unfounded. It is only a calculated attempt made by the Appellant to project a case before this Hon’ble Appellate Authority like as if the hardness in groundwater is caused only due to the aforesaid pollutants, thereby completely ignoring the impact of large amount of Gypsum generated by the Appellant, on the ground water.
- vi. In this regard, it is respectfully submitted that hardness in groundwater is mainly caused due to the presence of the chlorides, nitrates, carbonates and sulphates of calcium and magnesium. “Gypsum” generated by the Appellant, which is a soft sulphate mineral composed of calcium sulphate dehydrate appears to have contributed to the increase in the level of hardness in ground water as evident from the report dated 05.04.2018,

thus leaving it unfit for domestic use in areas within and surrounding the unit.

- vii. It is humbly submitted that the baseline studies relied upon by the Appellant, pertaining to water quality is irrelevant, as the same cannot be a ground for the unit to pollute the ground water.

Ground 2 - The unit has not removed the Copper slag dumped/stored along the river Uppar and patta land, thereby obstructing the flow. It has also not constructed any physical barrier between river Uppar and slag land fill area of patta land so as to prevent slag from reaching the river.

- i. The averments of the appellants in para 1-4 in its response to Ground 2 are denied as false and misleading. It is submitted that it is not in dispute that Copper Slag has been classified as non-hazardous waste. The term “Non-hazardous” simply means that it is not potentially toxic. However, by relying upon the same, the appellant cannot justify its act of dumping of 3.52 plus lakh tons of Copper Slag near River Uppar thereby obstructing its flow. Further, it is the apprehension of the Revenue officials of Thoothukudi District that the dumping of copper slags by the Unit along the Uppar river worsened floods in the region in 2015, which resulted in hundreds of families being affected.
- ii. It is submitted that averment of the appellant that the Copper slag has been removed is utterly untrue, misleading and a figment of the appellant’s imagination. It is submitted that 3.52 plus lakhs tons of Copper Slag has been identified as a potential threat for the free flow of river during monsoons. Despite repeated instructions and orders, the Appellant has not chosen to remove the same, as evident from the photographs filed along with this reply affidavit.
- iii. It is further submitted that the Hon’ble National Green Tribunal, Chennai vide its order dated 08.09.2017 has also directed the appellant to remove the Copper Slag and further stated that it is for the Board to inspect and find out whether the undertaking of the appellant was complied. The

NGT also held that if Copper Slag has not been removed, it is for the Board to take appropriate action.

- iv. It is submitted that the defense of the appellant that the land owner alone was responsible and that the appellants have absolved its liability cannot be accepted. There is a huge difference between “levelling” and “dumping” and in environmental jurisprudence, what is fundamental is injury and not the manner in which it has been caused but once the occasion for loss or damage is failure of duty, general or specific, the cause of action under tort arises. It may be due to negligence, nuisance, trespass, inevitable mistake etc. Since the general public has suffered due to inaction of appellant and failure to take steps even after giving an undertaking to that effect, the appellant shall be held liable for the same.
- v. It is respectfully submitted that the unit was given three opportunities to remove the Copper slag dumped/stored along the river Uppar and the adjacent patta land and was directed to construct a physical barrier between River Uppar and slag filled area of patta land so as to prevent the slag from reaching the River and getting mixed with the stream. However, till date the unit has not complied with same.

Ground 3: Authorization issued to the unit on 10.07.2008, got expired on 09.07.2013 but the unit continues to generate & dispose the Hazardous waste without valid Authorization under Hazardous and Other Waste (Management & Transboundary Movement) Rules, 2016. The application submitted by the unit was returned for want of additional details and the unit has not resubmitted the same

- i. The averments made by the appellant in para 1, (i)-(xviii) in its response to ground 3 are denied. It is submitted that the appellants have not established any defense for disposing hazardous waste without valid authorization under Hazardous and other Waste (Management and Transboundary Movement) Rules 2016, more particularly when the previous authorization had expired as early as on 09.07.2013.

- ii. It is submitted that the delay in processing the application could not be attributed to the Respondent as it was the Appellant who resubmitted the renewal application due to change in name of entity (from Sterlite to Vedanta Industries) vide Letter date 07.09.2015.
- iii. It is further submitted that subsequently there was a change in procedure and therefore the appellants again resubmitted the Renewal application through the Respondent's online portal on 01.02.2017.
- iv. It is submitted that the application was incomplete and therefore and required other particulars, therefore the renewal application was returned on 27.08.2017 for want of particulars.
- v. The authorization under Hazardous waste (Management, Handling and transboundary Movement) Rules, 2008 was issued to the unit on 10.07.2008, and the same got expired on 09.07.2013. However, the unit continues to generate & dispose the Hazardous waste without valid Authorization under Hazardous and Other Waste (Management & Transboundary Movement) Rules, 2016.
- vi. Earlier, the unit has submitted its application for issue of Authorization under Hazardous waste (Management, Handling and transboundary Movement) Rules, 2008 and Joint Chief Environmental Engineer (M)/Madurai has furnished Inspection report dated 28.08.2014. In this connection, certain details such as comprehensive analysis report for certain Hazardous wastes categories, form IV & form V for the year 2012-13, 2013-14, compliance status of conditions of Authorization issued on 10.07.2008 and the agreement made with TNWML for disposal of certain Hazardous wastes have not been furnished and hence Authorization was not issued to the unit.
- vii. Subsequently, the unit has applied for Authorization under Hazardous waste (Management, Handling and transboundary Movement) Rules, 2008 through Online Consent Management & Monitoring System (OCMMS) on 05-07-2016. The Ministry of Environment, Forest and

Climate Change, Government of India notified the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 on 04.04.2016. Accordingly, new Hazardous Waste module incorporating Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 had been made active in OCMMS on 15.8.2016. Hence the application submitted by the unit for Authorization under Hazardous and other Wastes Rules 2008 was returned by DEE / Thoothukudi and the unit has resubmitted the application on 25.10.2016 under New Rule of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.

- viii. Pursuant to which, it was again returned by DEE / Thoothukudi to the unit on 21.11.2016 for want of certain details such as, Agreement made with authorized recyclers for handling hazardous waste for the waste category no. 3.1, 5.1, 5.2, 7.5, 7.4 and 33.1 and also to clarify the variation in the waste stream and quantity of Hazardous wastes with respect to previous Authorization issued.
- ix. Subsequently the unit has resubmitted the application on 10.10.2017 and the same was yet again returned by DEE / Thoothukudi on 24.11.2017 for lack of certain details.
- x. The unit had then resubmitted its application on 08-02-2018 and JCEE(M)/Tirunelveli has furnished inspection report dated 28.02.2018. However, during the processing of the application, it was identified that the unit has not furnished the following necessary details for the issue of Authorization:
 - a) The unit applied for disposal of 5.1-Used or spent oil for Authorized recycler for recycling and for reused in smelting operation by mixing with furnace oil for energy resource. The unit's request for reuse of Used or spent oil for energy resource is not considered, since 5.1 shall be disposed only to recyclers for reuse. Accordingly the application has to be corrected. Also the

agreement with recycler mentioned with quantity of HW has to be furnished.

- b) HW 7.2-Process residues (ESP Dust, boiler dust, Gas cooler dust, Bag house dust)-the unit applied for Recycling in the smelter process. The unit has to specifically mention the process where it is recycled.
- c) HW7.5-Sludge from Scrubbers –the unit applied for onsite land fill and for further beneficial user as per consent order condition. Agreement mentioned with quantity of HW with a beneficial user for disposal of HW 7.5-Sludge from Scrubbers has to be furnished.
- d) HW 7.4-Non-ferrous metal bearing sludge and residue (ETP Slime sludge from Refinery)- the unit applied for onsite land fill and for recycler. As there is possible recyclers are available , the unit has to dispose the whole quantity of HW to recycler instead of land filling. The unit has to furnish agreement mentioned with quantity of HW made with the recycler.
- e) HW 17.2-Spent catalyst (Vanadium pentoxide catalyst from Sulphuric acid plant collected during major shut down)- the unit applied for onsite land fill and for recycler. The Agreement with recycler with HW quantity has to be furnished.
- f) HW 7.2-Process residues (Lead scale from copper refinery process)- the unit applied for Authorized recycler for recycling-The unit has to furnish the Agreement made with recycler with HW quantity.
- g) HW33.1-Empty barrels/containers/liners contaminated with hazardous chemicals /wastes—(Used crucibles from lab)- the unit applied for onsite SLF/TSDF for land filling and to Authorized recyclers for recycling- As there is possible recyclers are available, the unit has to dispose the whole quantity of HW to recycler instead of land filling .Agreement with recycler with HW quantity has to be furnished.

- h) HW 33.2-Contaminated cotton rags or other cleaning materials (from oil soaked cloths & saw dust used during oil spill)-the unit applied for Reused in the Smelter (Captive- Used as energy source)-reuse of this HW shall not be considered and the unit has to dispose the same for incineration at TSDF, Gummidipoondi and necessary agreement has to be furnished.
- (xi) In view of lack of necessary details, the application submitted by the unit for the issue of Authorization was returned from Board on 03.04.2018 and the unit is yet to obtain Authorization under Hazardous and Other Waste (Management & Transboundary Movement) Rules, 2016. **From 10.07.2013 to March 2018, the unit has been disposing the Hazardous wastes without valid Authorization from the Board.**
- (x) The averment regarding the pendency of the renewal application is false. The Respondent Board had returned the renewal application on 03.04.2018 itself which was received by the Joint Chief Environmental Engineer, Thoothukudi which was in turn communicated to the Appellant through the concerned authority.
- (xi) It is also submitted that the appellant kept quiet and operated despite any approval not given. Therefore, it can be said without any iota of doubt that the appellant operated without authorization and the same has also been admitted by them.
- (xii) It is respectfully submitted that the application was returned twice and the unit resubmitted the application on 26.02.2018 and 27.02.2018. The unit was inspected on 22.02.2018 and the IR with enclosures was forwarded to the Board through OCMMS on 27.02.2018. The application was rejected by the Board on 09.04.2018. It is seen from the above, that the unit has resubmitted the application on 27.02.2018 and the same was rejected on 09.04.2018 within a period of 45 days. In both the cases, the application filed by the unit for the issue of RCO was rejected by the Board within the specified period.

Ground 4 : As per renewal condition, the unit should have analyzed the parameters of heavy metals such as Arsenic in the ambient Air through Board's

laboratory as done for the other parameters such as NO_x, PM₁₀ and SO₂. As the Board Laboratory does not have this facility, the unit should have engaged the services of MoEF & CC/NABL accredited laboratories and furnished report to Board. The unit has not complied with the same and as such there is no authenticated reporting on the presence of Arsenic in the ambient air.

- i. It is submitted that the averments made by the appellant in para 1-4 in response to Grounds 4 are denied. The unit has not engaged the services of MoEF & CC / NABL accredited laboratory outside the unit (other than the in-house unit) for conducting the periodical survey for AAQ / SCA as per the MoEF notification 2009 and has not submitted the report thereon for the parameters of heavy metals such as arsenic in the ambient air.
- ii. It is submitted that the averment of the appellant that consent term does not warrant the appellant to engage the services of MoEF and CC/NABL accredited laboratories Ambient Air Quality/Noise level/Stack Emission as per the MoEF Notification 2009 and that it cannot be a ground to reject consent renewal is untenable because it Ambient Air Quality/Noise level/Stack Emission can only be checked by an accredited laboratory and M/s Vimta Lab is a private unauthorized lab and its findings do not hold any value.
- iii. It is humbly submitted that Long-term exposure to arsenic in drinking water can cause cancer in the skin, lungs, bladder and kidney. It can also cause other skin changes such as thickening and pigmentation. Increased risks of lung and bladder cancer and skin changes have been reported in people ingesting arsenic in drinking water at concentrations of 50 µg/litre, or even lower. Exposure to arsenic can also cause lung cancer.

Ground 5:- *During the inspection on 22.2.2018, the unit has been directed to construct a Gypsum pond as per CPCB guidelines. But the unit has not complied till 31.3.2018.*

- i. The averments made in Ground 5 are denied. During the inspection of the unit by Joint Chief Environmental Engineer (M)/Tirunelveli on 22.02.2018, the unit was instructed to construct the Gypsum pond at the earliest as per the CPCB guidelines only after taking into consideration of the surfacing

need for the same. However, the unit has neither completed the construction nor did it take any steps to construct the same till 31.03.2018.

27. It is respectfully submitted that, National Trust for Clean Environment, CITU District Committee filed three writ petitions against the unit (1. W.P.No: 15501 to 15503/96, 2. W.P.No: 5769/97 and 3.W.P.No: 16861/98) before Hon'ble Madras High Court. Hon'ble High Court of Madras heard the various writ petitions filed against the unit between 1996 and 1998 on 12.02.2010 and On September 28, 2010, directed the Board to close down the plant at Thoothukudi.
28. It is respectfully submitted that the unit filed a special leave petition vide appeal No.28116-28123 of 2010 on 01.10.2010 before the Hon'ble Supreme Court of India against the above order of the Hon'ble High Court of Madras. The Hon'ble Supreme Court of India vide Order dated 02.04.2013 in the Civil Appeal No. 2776 – 2783 of 2010 (Arising out of SLP (C) Nos. 28116-28123 of 2010) allowed the unit to operate and directed the unit of M/s. Sterlite Industries (Copper Smelter), Tuticorin to deposit Rs.100 crores to the District Collector, Thoothukudi for a minimum period of 5 years and instructed that the interest portion of the above deposit needs to be spent on suitable measures for improvement of the environment, after consultation with TNPCB and the State Government. Also, the Hon'ble Supreme Court of India in the order dt: 02.04.2013 made it clear that

“this judgment will not stand in the way of TNPCB issuing directions to the appellant-company (this unit), including a direction for closure of the plant, for the protection of environment in accordance with law”.

For the reasons stated above, it is therefore prayed that this Hon'ble Appellate Authority may be pleased to dismiss the appeal and pass such further or other orders as this Hon'ble Appellate Authority may deem fit and necessary in the circumstances of the case and thus render justice.

Solemnly affirmed at Chennai

BEFORE ME

On this the day of May, 2018

And signed his name in my presence.

ADVOCATE



PEOPLE'S INQUEST ORGANISED BY THE
COORDINATING COMMITTEE
FOR PEOPLE'S INQUEST INTO
THOOTHUKUDI POLICE FIRING