

VELLORE CITIZENS WELFARE FORUM

v/s

UNION OF INDIA

CITATION	Writ Petition (C) No. 914 of 1991
DATE OF JUDGEMENT	28/08/1996
BENCH	Justice Kuldeep Singh Justice Faizan Uddin Justice K. Venkataswami
COURT	Supreme Court
PETITIONER	Vellore Citizens Welfare Forum
RESPONDENT	Union of India and Others

FACTS OF THE CASE :-

In the present case the Petitioner, Vellore Citizens Welfare Forum, filed a PIL under Article 32 of the Constitution. The Petition was filed against the water pollution caused due to excessive release of pollutants by the tanneries and other industries in the state of Tamil Nadu into the river Palar. Palar River was the main source of water for the livelihood of the surrounding people. Later, the Tamil Nadu Agricultural University Research Center, Vellore discovered that approximately 35,000 hectares of agricultural land has turned either entirely or partially barren and not fit for cultivation. This is one of the landmark cases whereby the Supreme Court critically analyzed the relationship between environment and industrial development.

Palar which is the main source of water supply to the residents of the area. According to the petitioner the entire surface sub-soil water of river Palar has been polluted resulting in non-availability of potable water to the residents of the area. It is stated that the tanneries in the state of Tamil Nadu have caused environmental degradation in the area.

According to the preliminary survey made by the Tamil Nadu Agricultural University Research Center Vellore nearly 35000 hectares of Agricultural land in the Tanneries Belt, has become either partially or totally unfit for cultivation. It has been further stated in the petition that the tanneries use about 170 types of chemicals in the chrome tanning processes. The said chemicals include sodium chloride, lime, sodium sulphate, chlorium sulphate, fat liquor Amonia and sulphuric acid besides dyes which are used in large quantities. Nearly 35 litres of water is used for processing one kilogram of finished leather, resulting in dangerously enormous quantities of toxic effluents being let out in the open by the tanning industry. These effluents have spoiled the physico-chemical properties of the soil, and have contaminated ground water by percolation. According to the petitioner an independent survey conducted by Peace Members, a non-governmental organisation, covering 13 villages of Dindigal and Peddiar Chatram Anchayat Unions, reveals that 350 wells out of 467 used for drinking and irrigation purposes have been polluted, women and children have to walk miles to get drinking water.

ISSUE UNDER CONSIDERATION :-

Whether the tanneries should be permitted to keep on working at the expenses of the health of individuals and environment?

ARGUMENTS FROM THE PARTIES :-

PETITIONER :-

The Learned Counsel of the Petitioner argued that the whole surface and sub-soil water of river Palar has been intoxicated and as a result, it has turned out non-accessible for consumption to the inhabitants of the region. They further contented that the tanneries in the state of Tamil Nadu have caused serious damage to the environment in the region. A study conducted by a non-administrative association covering 13 towns of Dindigul and Peddiar Chatram Anchayat Unions, uncovers that 350 wells out of an aggregate of 467 wells used for drinking water system purposes have been contaminated.

RESPONDENT :-

The advocates from the side of the tanneries argued that the quality concerning Total Dissolved Solids (TDS) fixed by the Board wasn't legitimized. This Court by the request dated April 9, 1996, coordinated the NEERI to examine this angle and offer its input. In its report, NEERI has legitimized the models stipulated by the Board. The Ministry of Environment and Forests has not completely set down models for inland surface water release for Total Dissolved Solids (TDS), sulphates, and chlorides. The selection on these guidelines rests with the individual State Pollution Control Boards in line with the prerequisites supported nearby site conditions. The rules stipulated by Tamil Nadu Pollution Control Board (TNPCB) have been advocated. The principle endorsed of the TNPCB for inland surface water release is met for tannery squander waters cost-viably through appropriate embed control guages in the tanning activity, and normally structured and viably worked wastewater treatment plants (ETPs and CETPs).