

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Original Application No.103 of 2020 (SZ)
(Through Video Conference)

IN THE MATTER OF

S.Sakthivel,
Salem District

..... Applicant(s)

Versus

The District Environment Engineer,
Tamil Nadu Pollution Control Board,
Salem and others

.....Respondent(s)

REPORT FILED BY THE PRINCIPAL SECRETARY TO GOVERNMENT,
HANDLOOMS, HANDICRAFTS, TEXTILES AND KHADI DEPARTMENT

I, Dharmendra Pratap Yadav, Son of Satyaram Yadav,
Hindu, aged about 53 years, having office at Secretariat, Chennai-9
do hereby solemnly affirm and sincerely state as follows:-

I am the Principal Secretary to Government and I am filing this
report and as such I am well acquainted with the facts of the case as
per records.

2. It is respectfully submitted that, the Hon'ble National Green
Tribunal has passed an order dated 04.01.2022 through Video
Conference at National Green Tribunal, Southern Zone among other
things inter alia as follows:-

"Para 2: Such industries are being considered by the Department of Handloom, Handicrafts, Textiles and Khadi. So, the Principal Secretary for Handlooms, Handicrafts, Textiles and Khadi is directed to file a report as to whether any policy decision can be taken to regulate the establishment of powerloom in residential areas by imposing siting criteria as well as consent mechanism, as large number of complaints are coming up to the effect that such industries are causing pollution in the residential areas. So, we thought it appropriate to get their opinion on this aspect before imposing any conditions by ourselves on the basis of the recommendations made by the Joint Committee applying the "Precautionary Principle".

3. With reference to the above directions, it is submitted that the Handlooms and Textiles are the biggest employment generator in the State of Tamil Nadu after Agriculture employing more than 30 lakh people. Further, Tamil Nadu contributes about 46% spinning capacity of the country and 60% to the yarn export. Tamil Nadu constitutes 1/3rd of the entire textile business of the country and exports worth more than Rs.60,000 crore are made by the Handloom and Textile Sector in Tamil Nadu. It is further submitted that 20% of the Powerloom capacity of the country is located in Tamil Nadu, thereby holding second position in the country after Maharashtra. Such a huge economy and employment generating sector has been developed in

Tamil Nadu over a long period of time due to various ecological factors such as large scale availability of yarn spinning capacity, availability of trained man power, development of natural clusters, etc.

4. Hence, before taking up any measures to regulate establishment of new powerlooms or re-location of existing powerlooms or introducing control measures and time limits for running of the powerlooms, various socio economic issues have to be taken into consideration. Further, the focus of various measures being undertaken by the Central and State Governments across the country for promotion of industrialization aims at reduced regulations and create environment for "ease of doing business".

5. Coming to the specific issue raised in O.A.No.103/2020, the two issues to be addressed related to maintaining noise and air pollution within standard norms. In this regard, the Committee appointed by the Hon'ble Tribunal has suggested certain measures, to minimize noise pollution as well as air pollution. The Committee has further observed that the parameters relating to air quality are very much within the prescribed norms and hence there is no cause of concern. However, Committee has recommended certain measures to further reduce air pollution such as installation of Turbine Ventilators and Exhausts and the same shall be insisted by the concerned regulatory departments. Department of MSME also provides subsidy

for such installations and the same can be availed by the powerloom owners.

6. With respect to the noise pollution, the Committee noted average noise pollution to be slightly in excess of the standards prescribed under "The Noise Pollution (Regulation and Control) Rules, 2000". Hence, it suggested various measures to reduce noise pollution for the existing powerlooms and regulations for addition of new powerlooms which are summarised below:-

A. Existing PowerLooms:

(i) Powerlooms should be operated only between 6 A.M to 6 P.M.

(ii) TANGEDCO shall not provide additional power load to the existing powerlooms, Local body shall not issue permission for the expansion of activities

(iii) All powerlooms shall provide adequate noise control measures within three months time.

(iv) All powerlooms shall be maintained in good working condition to minimize noise generation.

B. Proposed Powerlooms:

(i) New powerlooms shall obtain plan approval and consent order from the concerned local body and TNPCB respectively.

(ii) New Powerlooms shall not be located within 100 mts. radius from the residential, institutional and religious areas.

(iii) There shall be minimum distance of 200 mts. between two powerlooms.

(iv) No power connection by TANGEDCO to proposed powerlooms without verifying plan approval from the concerned local body and consent order from Tamil Nadu Pollution Control Board.

7. In this regard, I wish to submit that except for the suggestions to introduce such measures as installation of multi-layer PVC stripe curtains, ventilation with glass panels and other acoustic measures besides good maintenance of the looms to minimize noise pollution, other measures suggested by the Committee are very drastic and impressionistic. Powerloom is a cottage industry which is labour intensive but does not possess a purpose-built facility as is the case with organized industry. Powerloom owners lack the finances and capital which can support large industry environment. As noted by the Committee itself, these looms are being operated by the house owners and their family without much engagement of outside labour. Hence various compliances suggested by the Committee shall not only increase the cost of compliance and make the business unsustainable, it will also create unnecessary bureaucratic hurdles for the poor power loom owners who are back bone of our economy and are contributing

enormously to the economy of the Tamil Nadu through their hard work fruits of which are being reaped by all of us. Further, these powerlooms are in existence for a very long time and the reason for this sudden bogey against them is not understandable. By accepting the measures suggested by the Committee, it would be like throwing baby along with bath water.

8. Prescription to obtain special permission from local body and consent to operate from TNPCB will only create bureaucratic hurdles and time delays and make doing of business difficult and costlier. Similarly, prescription that no looms shall be located with 100 mts. radius of residential areas defies the very definition of cottage industry and is impractical. Powerlooms are not working under industrial environment in Industrial Estates or Industrial Zone. Similarly, prescription that no two powerlooms shall be located within vicinity of 200 mts. from each other defies the same logic and will kill the industry. Further, the prescription to operate powerlooms only between 6 A.M to 6 P.M is also unsustainable due to economies of scale applicable to the sector.

9. Therefore, the only measures which will work will be the measures which can minimize noise pollution. Government will take all measures to minimise noise pollution from powerlooms. In this regard, I wish to inform the Hon'ble Tribunal that the Government of

Tamil Nadu has been taking several steps through various policy measures to help Handloom and Textile industry in Tamil Nadu. Integrated Textile Policy, 2019 of Tamil Nadu provides for subsidy of Rs.4 lakh per loom for purchase of new shuttle-less looms as well as for upgradation of existing looms to automatic looms. As automatic powerlooms produce much less noise pollution, department shall push for modernization of existing powerlooms in a big way besides promoting introduction of noise control measures within the premises and ensure good maintenance of the existing powerlooms.

10. However, due to the reason stated above, it may not be feasible for the Government to consider introduction of any mechanism for obtaining prior approvals or consent to operate from Tamil Nadu Pollution Control Board for installation of new or additional powerlooms or introduce any measures to control the timing of operation of the powerlooms, since, the same will make powerlooms economically unviable and make large number of powerlooms workers jobless and lead them to penury. Further, any decision in this regard will have state wide ramifications and affect the entire textile industry and its value chain.

11. Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) at Chennai may be

pleased to consider the above reasons and suggestions of the Government of Tamil Nadu on the issue and dismiss the petition as frivolous, motivated and devoid of merits.


BEFORE ME 8/3/2022
Principal Secretary to Government
Handlooms, Handicrafts, Textiles &
Khadi Department
Secretariat, Chennai - 600 009.

VERIFICATION

I, Dharmendra Pratap Yadav, son of Satyaram Yadav, working as Principal Secretary to Government, Handlooms, Handicrafts, Textiles and Khadi Department, State of Tamil Nadu, Chennai-9 do hereby submit that the contents of the above report are true to the best of my knowledge through records.


8/3/2022
Principal Secretary to Government
Handlooms, Handicrafts, Textiles &
Khadi Department
Secretariat, Chennai - 600 009.