

BEFORE THE NATIONAL GREEN TRIBUNAL (SZ) AT CHENNAI

O.A. NO. 184 OF 2023 (SZ)

Dr. P.Nagarajan & 2 others

...Applicants

Vs

The Secretary to Government & 3 others

...Respondents

FILE B

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/Certified to be True Copies of the respective originals/

Dated this the 05th day of January, 2024 at Chennai

Counsel for the Applicants

R.PRABAKAR

PH: 90475 88331

EMAIL: prabakar.law@gmail.com



TAMIL NADU POLLUTION CONTROL BOARD

From

Thiru. R. Kannan, M.Tech,
Member Secretary,
Tamil Nadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai – 600 032.

To

Mrs. Shanmugavalli Sekar,
Board Standing Counsel, TNPCB,
No. 33, Collectorate Colony Main Road,
Aminjikarai, Chennai – 600 029

Letter No. T1 / TNPCB / F.13367 / Coir Industries / 2023, dated: 10.10.2023

Madam,

Sub.: TNPCB – Industries – Categorization of Coir industries – Draft notification released by the CPCB in July 2023 regarding Classification of Industrial Sectors – TNPCB proceeding dated 10.11.2021 on categorization of the 'Coconut husk retting/de-fibreing/pith processing industry' under Orange Category– Withdrawn – Regarding

Ref.:

1. Board's Proceeding No. T2 / TNPCB / F.13367 / 2021, dated: 10.11.2021
2. The Hon'ble High Court of Madras order dated 03.12.2021 in WP No. 25737 of 2021
3. Draft notification released by the CPCB in July 2023 regarding Classification of Industrial Sectors into Red, Orange, Green and White Categories
4. Board's Proceeding No. TNPCB / T1 / F.13367 / Coir / 2023, dated: 10.10.2023

I invite attention to the reference 2nd cited, wherein the Hon'ble High Court of Madras directed the TNPCB to maintain status quo on Re-Categorization of Coir Industry Proceeding of the Board in the reference 1st cited.

Subsequently, vide reference 3rd cited the CPCB has released a draft notification on Classification of Industrial Sectors into Red, Orange, Green and White Categories, wherein the Manufacturing of coir (wet/dyeing process) is classified under Orange

No. 76, MOUNT SALAI, GUINDY, CHENNAI - 600 032.

Tel : 044-22353134 - 139 Fax : 044-22353068

Email : tnpceb-chn@gov.in Web : tnpceb.gov.in

category, Manufacturing of coir (Dry process) is classified under Green category and Manufacturing of Coir items is classified under White category. The notification will be issued shortly.

Meanwhile, various associations of Coir Exporters and Manufacturers submitted enormous number of representations to the TNPCB requesting to protect the Coir sector and their livelihood by withdrawing the TNPCB Proceeding dated 10.11.2021.

In view of the above, the Board vide reference 4th cited has withdrawn the earlier Proceeding No. T2/TNPCB/F.13367/2021, dated: 10.11.2021 regarding the categorization of Coconut husk retting/de-fibreing/pith processing under Orange Category.

This is for kind information and necessary action please.

S. G. K. S.
10.10.23.
For Member Secretary
10/10/2023



TAMIL NADU POLLUTION CONTROL BOARD



BY RPAD

From:

Thiru. S. Ragupathi, M.E,M.B.A.,
Public Information Officer /
Joint Chief Environmental Engineer
Tamil Nadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai – 600 032.

To:

Thiru. A. Thiyagaraj,
S/o, K. Arogyasamy,
4/231, Nagarakalandai Pirivu,
Dasanaikan Palayam (Post)
Sulur (Taluk), Malaipalayam,
Coimbatore District – 642 202.

Letter No: TNPCB/RTIA /026031 / F.No.441 /2023, dated: 19.12.2023

Sub: TNPCB – RTI Act 2005 – Seeking
information under RTI Act – Information
furnished – Reg.

Ref: Thiru. A. Thiyagaraj, Coimbatore District –
642 202. RTI Petition Dated:17.11.2023,
received on 20.11.2023

With reference to the RTI petition cited above, you have sought for certain information under the RTI Act 2005. In this connection, I am to inform that the available information is annexed in this letter.


19/12/23
Public Information Officer

Address of the Appellate Authority:

Dr. S. Rajan, M.E., Ph.D.,
Appellate Authority /
Additional Chief Environmental Engineer ,
Tamil Nadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai – 600 032.

Annexure

Thiru. A. Thiyagaraj, Coimbatore - 642 202, seeking information under RTI Act, 2005.

S. No	Petitioner's Query	Board's Reply
1	Kindly furnish the copy of Board's Proceeding No. TNPCC / T1/ F.13367/2023. Dated: 10.10.2023	Copy enclosed vide Annexure. (No. of pages - 2 Nos)

Abhishek

Joint Chief Environmental Engineer - I

26
28-11-2023



Annexure
T. N. P. C. B.
 தமிழ்நாடு
 மாநில
 மாசுபாடு
 கட்டுப்பாட்டு
 வாரியம்

TAMIL NADU POLLUTION CONTROL BOARD

Proceeding No. TNPCB / T1 / F.13367 / Coir / 2023, dated: 10.10.2023

Sub: TNPCB — Proceeding dated 10.11.2021 issued for the Categorization of Coconut husk processing industry to bring under consent mechanism — Withdrawn – Orders issued - Regarding.

- Ref:
1. CPCB Letter No.B-29012 / ESS (CPA) / 2015-1, dated: 07.03.2016
 2. Board's Proceeding No. T21 TNPCB / F.13367 / 2021, dated: 10.11.2021
 3. CPCB draft notification regarding Classification of Industrial Sectors into Red, Orange, Green and White Categories in July 2023.

The TNPCB vide B.P. No.6, dated 02.08.2016 has adopted the CPCB re-categorization of industries issued vide letter dated 07.03.2016. Subsequently, based on the Hon'ble NGT (SZ) order dated 08.10.2021 in Appeal No. 70, 71 & 72, the TNPCB vide reference 2nd cited categorized the Coconut husk retting/de-fibreing/pith processing industry under Orange Category.

Further, the Hon'ble High Court vide order dated 03.12.2021 directed the TNPCB to maintain status quo on Re-Categorization of Coir Industry Proceeding dated 10.11.2021.

Subsequently, the CPCB vide reference 3rd cited released a draft notification in July 2023 regarding Classification of Industrial Sectors into Red, Orange, Green and White Categories, wherein the Manufacturing of coir (wet/dyeing process) is classified under Orange category, Manufacturing of coir (Dry process) is classified under Green category and Manufacturing of Coir items is classified under White category. The final notification will be issued in a short time.



TAMIL NADU POLLUTION CONTROL BOARD

Further, various associations of Coir Exporters and Manufacturers submitted number of representations informing that Coir Industries are non polluting in nature and requested to protect the Coir sector and their livelihood by withdrawing the Boards proceeding of TNPCB dated: 10.11.2021.

The coir industry sector is considered as one of the important agro based cottage type industries in the state of Tamil Nadu contributing significantly for creation of livelihood in major coconut growing districts.

The Tamil Nadu Government has played a vital role in reviving the lost fame of the traditional Indian industry by introducing various schemes and programmes to promote coir industries, since they provide employment and also an export oriented industry. Also, Coir sector development contributes to the sustainable development and also creation of environment friendly products.

As the CPCB has issued draft notification on Classification of Industrial Sectors in July 2023, the Board's Proceeding No. T2 / TNPCB / F.13367 / 2021, dated: 10.11.2021 regarding the categorization of Coconut husk retting/de-fibreing/pith processing under Orange Category become infructuous and hence the same is hereby withdrawn.

The receipt of the proceedings shall be acknowledged.

[Signature]
for Chairperson
10-10-23
10/10/2023

To

1. All HOD's, Corporate office, TNPCB
2. All JCEEs (M), TNPCB
3. All DEEs, TNPCB
4. OCMMS Section

Copy to:

1. P.S. to Chairman, TNPC Board.
2. P.A. to M.S., TNPC Board.



WEB COPY

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W.P.No.25737 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.25737 of 2021

Namakkal and Karur District Coconut Fibre
and Coir Pith, Coir Fibre Yarn Manufacturers
Welfare Association,
rep. by its President K.Kolandaivel,
No.256B, Kalyani Coirs,
Vettuvam Palayam,
Kabilar Malai Post,
Paramathi Velur Taluk,
Namakkal District-637 204.

.. Petitioner

Vs

- 1.The Secretary to the Government,
Ministry of Environment,
Forest & Climate Change (MoEF & CC),
Indira Paryavran Bhawan,
Jorbagh Road,
New Delhi-110 003.
- 2.The Principal Secretary to Government,
Environment, Climate Change and Forests Dept.,
Secretariat, Rajaji Salai,
Fort St. George,
Chennai – 600 009.



W.P.No.25737 of 2021

WEB COPY

3.The Coir Board,
Ministry of MSME,
Government of India,
Coir House, M.G. Road,
Kochi-682 016.

4.The Chairman,
Tamil Nadu Pollution Control Board,
No.76, Mount Salai,
Guindy, Chennai-600 032.

5.Jothi Sathyap Priya .. Respondents
(Respondent No.5 impleaded as per the order
dated 9.9.2022 made in WMP No.29495 of 2021)

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari calling for the records pertaining to the Proceeding No.T2/TNPCB/F.13367/2021, dated 10.11.2021 on the file of the 4th respondent and quash the same as illegal, incompetent and ultra vires.

For the Petitioner : No Appearance

For the Respondents : Mr.K.Ramanamoorthy, CGC
for respondent Nos.1 and 3

: Mr.J.Ravindran
Addl. Advocate General
assisted by
Mrs.R.Anitha
Spl. Government Pleader
for respondent No.2

: Mr.M.R.Gokul Krishnan
for M/s.Shanmugavalli Sekar
for respondent No.4



WEB COPY



W.P.No.25737 of 2021

: Mr.Abhinav Parthasarathy
for respondent No.5

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

There is no representation on behalf of the petitioner. We have heard Mr.K.Ramanamoorthy, learned Standing Counsel for respondents 1 and 3; Mr.J.Ravindran, learned Additional Advocate General, assisted by Mrs.R.Anitha, learned Special Government Pleader for the second respondent; Mr.M.R.Gokul Krishnan, learned counsel for the fourth respondent; and Mr.Abhinav Parthasarathy, learned counsel for the fifth respondent.

2. This writ petition is filed challenging the order dated 10.11.2021 passed by the Tamil Nadu Pollution Control Board.

3. In view of the order dated 10.10.2023 passed by the Tamil Nadu Pollution Control Board withdrawing the order dated 10.11.2021, nothing survives for adjudication in the writ petition.



W.P.No.25737 of 2021

The writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.No.27188 of 2021 and 10296 of 2023 are closed.

(S.V.G., CJ.)

(D.B.C., J.)

13.10.2023

Index : Yes/No
Neutral Citation : Yes/No
sasi

To:

- 1.The Secretary to the Government,
Ministry of Environment,
Forest & Climate Change (MoEF & CC),
Indira Paryavran Bhawan,
Jorbagh Road,
New Delhi-110 003.
- 2.The Principal Secretary to Government,
Environment, Climate Change and Forests Dept.,
Secretariat, Rajaji Salai,
Fort St. George,
Chennai – 600 009.
- 3.The Coir Board,
Ministry of MSME,
Government of India,
Coir House, M.G. Road,
Kochi-682 016.
- 4.The Chairman,
Tamil Nadu Pollution Control Board,
No.76, Mount Salai,
Guindy, Chennai-600 032.



WEB COPY

W.P.No.25737 of 2021

THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY,J.

(sasi)

W.P.No.25737 of 2021

13.10.2023



W.P.No.27170 of 2021 etc. batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 13.10.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.Nos.27170, 27172, 27177, 27182, 27185, 28528 of 2021;
1245, 11483, 11489, 15239, 15241, 15588, 15590, 15595, 15597,
15600, 15603, 18968, 19264, 19267, 19271, 19570, 20165,
21765, 22648, 23715, 23721, 23725, 23730, 23770, 23774,
23779, 23782, 32478 of 2022; 667, 672 and 6369 of 2023

and

W.M.P.Nos.28663 28665, 28668, 28670, 28675, 28678, 28681,
28683, 30143, 30144 of 2021; 1342, 1346, 10987, 10988, 10992,
10994, 25082, 25143, 14410, 14415, 14780, 14785, 14794,
14798, 14804, 14811, 18304, 18540, 18541, 18542, 18864,
19382, 19385, 19387, 23547, 20786, 21703, 21705, 21706,
23546, 22655, 22656, 22658, 22665, 22667, 22668, 22670,
22671, 22676, 22677, 22678, 22680, 22738, 22739, 22740,
22744, 22745, 22746, 22751, 22753, 22754, 22756, 22757,
22759, 31899 of 2022; 612, 609, 6401, 9791, 9798 and 9792 of
2023

W.P.No.27170 of 2021:

M.K.Fibres,
rep. by its Proprietor M.Karichikumar,
No.293/2A, 2B, Malaipalayam Village,
Dhasanaickenpalayam Post,
Sulur Taluk,
Coimbatore District.

.. Petitioner

Vs

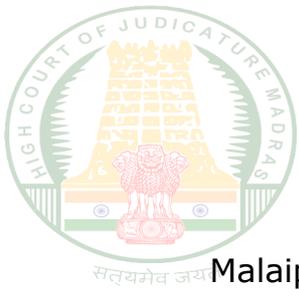


W.P.No.27170 of 2021 etc. batch

WEB COPY

- 1.The Chairman,
Tamil Nadu Pollution Control Board,
No.76,Anna Salai, Guindy,
Chennai-600 032.
- 2.The District Collector,
Coimbatore District,
Coimbatore.
- 3.The District Environment Engineer,
Coimbatore District,
Coimbatore.
- 4.The Superintendent Engineer,
TANGEDCO
Coimbatore District.
- 5.The Sub-Collector,
Coimbatore,
Coimbatore District.
- 6.The Revenue Divisional Officer,
Coimbatore,
Coimbatore District.
- 7.The Tahsildar,
Sulur Taluk,
Coimbatore District.
- 8.A.Thiagaraj .. Respondents

Prayer in W.P.No.27170 of 2021: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents not to interfere with the petitioner's business activity in the name and style of M.K.Fibres, Door No.293/2A, 2B,



W.P.No.27170 of 2021 etc. batch

Malaipalayam Village, Dhasanaickenpalayam Post, Sulur Taluk,
Coimbatore District except in accordance with law and also after
following the principles of natural justice.

For the Petitioner in : Mr.R.Jayaprakash
W.P.No.27170 of 2021

For the Respondents : Mr.M.R.Gokul Krishnan
for M/s.Shanmugavalli Sekar
for respondent No.1
in W.P.No.27170 of 2021

: Mr.J.Ravindran
Addl. Advocate General
assisted by Mrs.R.Anitha
Spl. Government Pleader
for respondent Nos.2, 3, 5 to
7 in W.P.No.27170 of 2021

: Mr.L.Jaivenkatesh
for respondent No.4
in W.P.No.27170 of 2021

: Mr.T.Mohan
Senior Counsel
for Mr.R.Prabhakar
for respondent No.8
in W.P.No.27170 of 2021

and batch cases



WEB COPY

W.P.No.27170 of 2021 etc. batchCOMMON ORDER

(Order of the court was made by the Hon'ble Chief Justice)

Learned counsel for the petitioners submit that the Tamil Nadu Pollution Control Board, on 10.10.2023, has withdrawn the order dated 10.11.2021. In view of that, learned counsel for the petitioners submit that the purpose of filing these writ petitions does not survive and seek leave to withdraw these writ petitions.

2. These writ petitions are disposed of as withdrawn. There will be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

3. Learned Senior Counsel appearing on behalf of the applicant seeking impleadment (who has also been impleaded in some of the writ petitions), submits that the withdrawal of the earlier order dated 10.11.2021 by the Tamil Nadu Pollution Control Board is in contempt of the orders of this court.



W.P.No.27170 of 2021 etc. batch

4. It is for the said applicant (impleaded respondent) to agitate the matter in appropriate proceedings.

(S.V.G., CJ.)

(D.B.C., J.)

13.10.2023

Index : Yes/No
Neutral Citation : Yes/No
sasi



W.P.No.27170 of 2021 etc. batch

To:

WEB COPY

- 1.The Chairman,
Tamil Nadu Pollution Control Board,
No.76,Anna Salai, Guindy,
Chennai-600 032.
- 2.The District Collector,
Coimbatore District,
Coimbatore.
- 3.The District Environment Engineer,
Coimbatore District,
Coimbatore.
- 4.The Superintendent Engineer,
TANGEDCO
Coimbatore District.
- 5.The Sub-Collector,
Coimbatore,
Coimbatore District.
- 6.The Revenue Divisional Officer,
Coimbatore,
Coimbatore District.
- 7.The Tahsildar,
Sulur Taluk,
Coimbatore District.



WEB COPY

W.P.No.27170 of 2021 etc. batch

THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY,J.

(sasi)

W.P.No.27170 of 2021
and batch cases

13.10.2023



**BEFORE THE APPELLATE AUTHORITY
TAMIL NADU POLLUTION CONTROL BOARD**

(Wednesday, Twenty ninth day of November, Two thousand and twenty three)

**HON'BLE THIRU JUSTICE M. GOVINDARAJ
CHAIRMAN**

APPEALS 128 & 129 / 2022

M/s. Sri SMT Coco Pith Unit I,
Rep. by its Authorized Signatory, Mrs. D. Mani,
S.F. No: 220/1A, Samiyandipudur,
Thimmanguthu Post, Pollachi,
Coimbatore – 642 005. - Appellant

Vs.

1. The Chairman,
Tamil Nadu Pollution Control Board,
No: 76, Mount Salai,
Guindy, Chennai. – 600 032.

2. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Coimbatore – South,
Plot No. E-55A,
SIDCO Industrial Estate,
Pollachi Main Road, Kurichi,
Coimbatore – 641 021.

3. The Superintending Engineer,
TANGEDCO,
Coimbatore Electricity Distribution Circle –South,
Tatabad, Coimbatore – 641 012. - Respondents

APPEALS 130 & 131 / 2022

M/s. Sri SMT Coco Pith Unit II,
Rep. by its Partner Mr. M. Dhandapani,
S.F. No: 220/1A, Samiyandipudur,
Thimmanguthu Post,
Pollachi,
Coimbatore – 642 005. - Appellant

Vs.

1. The Chairman,
Tamil Nadu Pollution Control Board,
No: 76, Mount Salai,
Guindy, Chennai. – 600 032.