

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE AT CHENNAI**

APPEAL No. 55, 56, 57 & 58 of 2024

I. G. Venkatesan,
S/o. K. Gurusamy,
No.19, Rasampalayam Mainstreet,
Avalpoondurai, Erode -638115.
Phone: 8760081422 & Ors.

...Applicants

Vs

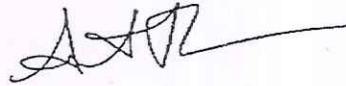
I. The Chairman,
Tamil Nadu Pollution Control Board,
No. 75, Mount Salai,
Guindy, Chennai - 600 032 & ors.

...Respondents

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Filed by
Thiru.S. Sai Sathya Jith,
Advocate, Chennai.

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1. G. Venkatesan,
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Avalpoondurai, Erode -638115.
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Erode - 638115.
Phone: 9095728063
Mail Id: Karthikyuvan8@gmail.com

...Appellants.

-Vs-

1. The Chairman,
Tamil Nadu Pollution Control Board,
Chennai-600 032.
Phone: 044 22353134 to 22353136
Mail Id: tnocmms@tnpcb.gov.in
2. The Member Secretary,
Tamil Nadu Pollution Control Board,
Chennai-600 032.
Phone: 044 22353134 to 22353136
Mail Id: tnocmms@tnpcb.gov.in.
3. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Erode-638001.
Phone 0424 2251592,
Email ID: deetupcberd@gmail.com
4. M/s. Sivasakthi Milk Dairy,
Rep by its Partner S. Palanivel,
S/o. S. Subramaniam,
No.185, AvalPoondurai Village,
Modakkurichi Taluk, Chennimalai Road,
Erode District - 638001.
Phone No: 98421 28838
Mail: contactus@smdmilk.com

...Respondents


22/8/24
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

**ADDITIONAL REPORT FILED ON BEHALF OF THIRD
RESPONDENT -TAMIL NADU POLLUTION CONTROL BOARD**

I, A.Shanmugam, Son of Thiru K.Arumugam, aged about 59 years, having office at No.76, Mount Salai, Guindy, Chennai-32, do hereby solemnly affirm and sincerely states as follows:

2. I respectfully submit that I am working as the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai and I am authorized to file this Report on behalf of the Third Respondent (Tamil Nadu Pollution Control Board) and as such I am well acquainted with the facts of the case from the records available in our office.
3. It is respectfully submitted that this Appeal No. 55 to 58 of 2023 has filed with the following prayers before the Hon'ble Tribunal:

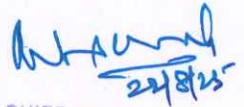
In Appeal 55 of 2024

- a) Pass an order to set aside the Impugned order of the Appellate Authority under the Air (Prevention and Control of Pollution) Act dated 25.04.2024 in Appeal No.61 of 2023.
- b) Call for the impugned order of Consent to operate passed by the second respondent vide his Proceeding No.T2/TNPCB/F.1116EDL/RL/EDL/A/2022, dated 14.12.2022 issued under Section 21 of the Air (Prevention and control of Pollution) Act, 1981 as amended in 1987, set-aside, cancel and revoke the same.

In Appeal 56 of 2024

- a) Pass an order to set aside the impugned order of the Appellate Authority under the Water (Prevention and Control of Pollution) Act dated 25.04.2024 In Appeal No. 62 of 2023.
- b) Call for the impugned order of Consent to operate passed by the second respondent vide No.T2/TNPCB/F.1116EDL/RL/EDL/W/2022, his Proceeding dated 14.12.2022 issued under Section 21 of the Section 25 of the Water (Prevention and control of Pollution) Act, 1974 as amended in 1988, set-aside, cancel and revoke the same.

In Appeal 57 of 2024


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 TAMIL NADU POLLUTION CONTROL BOARD
 76, MOUNT SALAI, GUINDY,
 CHENNAI - 600 032.

- a) Pass an order to set aside the impugned order of the Appellate Authority under the Water (Prevention and Control of Pollution) Act dated 25.04.2024 in Appeal No. 12 of 2023.
- b) Call for the impugned order of Consent to establishment passed by the second respondent vide his Proceeding No.T4/TNPCB/F.1116EDL/RL/EDL/W/2020, dated 11.12.2020 passed order of consent under Section 25 of the Water (Prevention and control of Pollution) Act, 1974 as amended in 1988, set-aside, cancel and revoke the same.

In Appeal 58 of 2024

- a) Pass an order to set aside the impugned order of the Appellate Authority under the Air (Prevention and Control of Pollution) Act dated 25.04.2024 in Appeal No.11 of 2023.
 - b) Call for the impugned order of Consent to establishment passed by the second respondent vide his Proceeding No.T4/TNPCB/F.1116EDL/RL/EDL/A/2020, dated 11.12.2020 Issued under Section 21 of the Air (Prevention and control of Pollution) Act, 1981 as amended in 1987, set-aside, cancel and revoke the same.
4. It is respectfully submitted that the Tamil Nadu Pollution Control Board has filed its report on 26.6.2025 before the Hon'ble National Green Tribunal, SZ, Chennai which may be treated as part and parcel of this additional report.
 5. It is respectfully submitted that the Hon'ble Tribunal (SZ), Chennai in its order dated:27.06.2025 directed the Tamil Nadu Pollution Control Board to find out how the units are marketing the milk with reference to their packaging. In this regard, the TNPCB submits the additional report herein.
 6. It is respectfully submitted that the diary units are marketing the milk using Flexible plastic packaging pouches (LDPE/HDPE).The said units are using other type of plastic packaging such as rigid plastic packaging, flexible plastic packaging of single layer or multi-layer with plastic/aluminium/paper for marketing other dairy products such as curd, ghee, butter, paneer, cheese etc.
 7. It is respectfully submitted that Extended Producers Responsibility (EPR) regime is under implementation in Plastic Waste Management Rules, 2016, according to which it is the responsibility of Producers, Importers and Brand-owners to ensure


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 TAMIL NADU POLLUTION CONTROL BOARD
 76, MOUNT SALAI, GUINDY,
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processing of their plastic packaging waste through recycling, re-use or end of life disposal (such as co-processing/Waste-to-energy/Plastic-to-oil/roadmaking/industrial-composting). In order to streamline implementation process of EPR, the Ministry of Environment, Forest and Climate Change,

Government of India, in its fourth Amendment to the Plastic Waste Management Rules, dated February 16, 2022, notified 'Guidelines on Extended Producer Responsibility for Plastic Packaging' in the Schedule II of the Rules. CPCB has developed the Centralized EPR Portal for plastic packaging in accordance with provisions of the notified EPR Guidelines and Producers, Importers and Brand Owners (PIBOs) are mandated to register through the online centralized portal developed by the Central Pollution Control Board (CPCB).

8. It is respectfully submitted when all the dairy units are complying with the provisions of Extended Producers Responsibility for Plastic Packaging, the plastic waste generated from the packaging milk and other milk products would be collected and disposed in a scientific manner. It is respectfully submitted that TNPCB is taking continuous efforts for registration of dairy units in Extended Producers Responsibility portal, so as to ensure processing of their plastic packaging waste through recycling, re-use or end of life disposal.

Therefore, it is prayed that this Hon'ble Tribunal it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) may be pleased to pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of this case and thus render justice.

VERIFICATION

I, A. Shanmugam, Son of Thiru K. Arumugam, aged about 59 years having office at No.76, Mount Salai, Guindy, Chennai 600 032, do hereby verify that the contents of above additional report are true to the best of my knowledge through records.


22/07/25
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.


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BEHALF OF THIRD
RESPONDENT -TAMIL NADU
POLLUTION CONTROL BOARD**

**Advocate for Respondent: TNPCB
Thiru.Sai Sathya Jith,
Advocate, Chennai.**

Date:21.08.2025.

Date of Hearing:25.08.2025