

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

O. A. No. 187 of 2024

IN THE MATTER OF

A. Muthuvel
S/o. Ayalsamy,
No. 8/35, Mariamman Koil Street,
Chinna Valavadi,
Udumalpet,
Tiruppur – 642 132

... Petitioner

Versus

1. The Chairperson
Tamilnadu Pollution Control Board,
No. 76, Mount Salai, Guindy,
Chennai – 600 032
tnpcb-chn@gov.in
and 6 others

.....Respondents

**INDEX TO THE ADDITIONAL TYPED SET OF PAPERS FILED BY THE
6th RESPONDENT**

S.NO	DATE	DESCRIPTION OF DOCUMENTS	PG-NO
1.	24.12.2024	Proceedings of TNPCB (1 st Respondent) in reference to No. TNPCB /T1/F.009290/TPN/SCN/2024 for payment of Environmental Compensation Fund issued to 6 th Respondent	1
2.	17.01.2025	Demand Draft No. 348229 taken for Rs. 9,37,500/- by the 6 th Respondent in favor of the 1 st Respondent for payment of compensation Fund.	3
3.	22.01.2025	Letter of remittance issued to 1 st Respondent in respect of payment of Environmental Compensation Fund.	4

Dated at Chennai on this the 8th day of February 2025


Counsel for Respondent-6



TAMIL NADU POLLUTION CONTROL BOARD



Proceeding No.: TNPCB / T1 / F.009290 / TPN / SCN / 2024, dated: 24.12.2024

Sub.: TNPCB – Industries – M/s. AJ Knits, S.F. No.536/1B1, 536/1B2, Veerapandi Village, Tiruppur South Taluk, Tiruppur District – Show Cause Notice under Section 5 of Environment Protection Act, 1986 to levy Environmental Compensation for the violation caused – Issued – Regarding.

- Ref.: 1. CPCB Methodology for assessing environmental compensation and action plan to utilize the fund vide circular dated 24.05.2019
2. Proceeding No. TNPCB / T1 / F.009290 / Closure / W&A / 2024, dated: 06.08.2024
3. The Hon'ble NGT (SZ) order dated 23.10.2024 in OA No.187 / 2024
4. DEE's Lr. No.: TPN3588 / OS / DEE / TNPCB / TPN / 2024, dated 22.11.2024

Whereas, vide reference 2nd cited, direction for closure and disconnection of power supply under section 33A of the Water (Prevention & Control of Pollution) Act, 1974 as amended and under section 31A of the Air (Prevention & Control of Pollution) act, 1981 as amended was issued to the unit M/s. AJ Knits, S.F. No.536/1B1, 536/1B2, Veerapandi Village, Tiruppur South Taluk, Tiruppur District for operating without consent of the Board thereby attracting public complaints.

Whereas, a petitioner filed an application before the Hon'ble NGT (SZ), vide OA No. 187 of 2024 against the said unit with a prayer to immediately stop the illegal operation of the unit and to levy environmental compensation from the unit for causing grave damage to the water bodies and for causing air pollution by releasing harmful gas. In this regard, the Hon'ble NGT vide reference 3rd cited, has directed as follows:

"..... 5) Now, it is given to understand that the unit was granted with the CTO on 14.08.2024 with usual conditions. However, the order of the consent does not speak about the earlier violations which resulted in closure or any penalty levied for their illegal operations.

6) To be noted is that the consent is a CTO Direct. Time and again, it is pointed out by this Tribunal that whenever the CTO Direct is issued, the TNPCB is directed to take note of the past violations and levy the environmental compensation before issuing the CTO Direct.

7) Admittedly, in this case, it has not been done. Therefore, the learned counsel appearing for the TNPCB would request time to file a report to that effect."

Whereas, it is evident that the unit has caused environmental damage by operating the unit without obtaining consent of the Board, thereby attracting public complaints.

Whereas, the Central Pollution Control Board has formulated the methodology to assess and recover compensation under "CPCB Methodology for assessing environmental compensation and action plan to utilize the fund" for various violation cases, as per the Hon'ble NGT (PB) order dated: 03.08.2018 in O.A. No.593/2017.

Whereas, vide reference 4th cited, the DEE, TNPCB, Tiruppur North has recommended that environmental compensation shall be imposed to the unit for the said violation. Under this circumstances, as per the CPCB methodology for assessing Environmental Compensation, you are liable to pay the Environmental Compensation.

Environmental Compensation formulae = PI x N x R x S x LF

where;

Pollution Index (PI) – 50 (Orange Category Industries)

Number of days (N) for which violation took place – 120 days.

(Violation of the unit noticed on 10.04.2024 and date of stopping the operation of the unit by disconnection of power supply on 07.08.2024).

Factor in Rupees (R) – Rs.250/-

Scale of operation (S) – 0.5 (Small scale unit)

Location Factor (LF) – 1.25

Hence, Environmental Compensation = 50 x 120 x 250 x 0.5 x 1.25 = Rs. 9,37,500/-

Environmental Compensation calculated for 120 days is Rs. 9,37,500/-

(Rupees Nine Lakh Thirty-Seven Thousand and Five Hundred only)

Now, therefore, in view of the said facts, you are hereby directed to show cause within 15 days from the date of receipt of this notice as to why environmental compensation computed as above should not be imposed against your unit M/s. AJ Knits, S.F. No.536/1B1, 536/1B2, Veerapandi Village, Tiruppur South Taluk, Tiruppur District under Section 5 of the Environmental Protection Act, 1986 and as per the guidelines issued by the CPCB for the violation caused by the unit.

It is informed that non receipt of any reply within 15 days from the date of receipt of this notice will be construed that you have no satisfactory explanation to offer for the said issue and further action will be initiated on merits in accordance with law.

The receipt of the proceedings shall be acknowledged.

Suehal
For Chairperson
20/11/2024

To
✓ The Partner,
M/s. AJ Knits,
2/592 A, Nalayutha Thottam, Palavanjipalayam Ring Road,
Veerapandi Village, Tiruppur.
Pin – 641 605

- Copy to
1. The Joint Chief Environmental Engineer (M),
Tamil Nadu Pollution Control Board,
Coimbatore
 2. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Tiruppur North

3



बैंक ऑफ बरोडा
Bank of Baroda

कॉटन मार्केट, तिरुपुर - ६४१ ६०४
COTTON MARKET, TIRUPUR - 641 604
RTGS/NEFT # SC CODE BARBOCOTTON
16930015181192

डिमांड DEMAND
ड्राफ्ट DRAFT

1 7 0 1 2 0 2 5
D D M M Y Y Y Y

Only

ENVIRONMENTAL COMPENSATION FUND TNPCB CHENNAI*

या उनके आदेश पर
Or Order

Nine Lakh Thirty Seven Thousand Five Hundred only***

अदा करें ₹***9,37,500.00

FOR VALUE RECEIVED

***** Not Over INR. 9,37,500.00 *****

Purchaser Name: SANTHI KNIT FINISHERS
SERVICE BR CHENNAI

कृते बैंक ऑफ बरोडा
For Bank of Baroda

संयुक्त प्रबंधक / Joint Manager

शाखा प्रबंधक / Branch Manager

DD2015WH

ALPHA CODE

अदाकर्ता शाखा / Drawee Branch

(SERMAS) 348229

ह.स.न. / S.S. NO. (127554)

ह.स.न. / S.S. NO. (R1845)

DD Alpha Prefix

COTTON

348229

348229 6410121021 201893 16

8
7
6
5
4
3
2
1

AJ KNITS

S.F.NO.536/1B1, 536/1B2, Nalayathu Thottam, Palavanjipalayam
Ring Road, Veerapandi, Tirupur-641605

To,
THE CHAIRPERSON,
TAMILNADU POLLUTION CONTROL BOARD,
NO.76, MOUND SALAI, GUINDY,
CHENNAI-600032.

date:.....

Sub:M/s.AJ KNITS, S.F.NO.536/1B1, 536/1B2, Veerapandi village, Tirupur south Taluk,
Tirupur dt-641605-Remittance of Environmental Compensation Fund – Reg.
Ref: Proc.No.TNPCB/T1/F.009290/TPN/SCN/2024, dated: 24.12.2024.

Respected Mam,

With reference to your show cause letter dated 24.12.2024, we hereby submit our response regarding the payment of the Environmental Compensation Fund. We would like to inform you that we have received the show cause letter and the details mentioned therein. In compliance with the directives, we have arranged for the payment of the Environmental Compensation Fund.

Kindly find attached a Demand Draft issued by Bank of Baroda for an amount of Rs. 9,37,500/- (Rupees Nine Lakh Thirty-Seven Thousand and five hundred Only), bearing DD No. 348229, dated: 17.01.2025, towards the Environmental Compensation Fund.

We assure you that we will fully adhere to the rules and regulations set forth by the Board for the Industry. Kindly acknowledge for the same. Thank you

Yours faithfully,

For A.J.KNITS
P. Per...
Partner



operating the -
complaints.

Scanned

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

O. A. No. 187 of 2024

IN THE MATTER OF

A. Muthuvel
S/o. Ayalsamy,
No. 8/35, Mariamman Koil Street,
Chinna Valavadi,
Udumalpet,
Tiruppur - 642 132

... Petitioner

Versus

1. The Chairperson
Tamilnadu Pollution Control Board,
No. 76, Mount Salai, Guindy,
Chennai - 600 032
tnpcb-chn@gov.in
and 6 others

.....Respondents

**INDEX TO THE ADDITIONAL
TYPED SET OF PAPERS FILED
BY THE 6th RESPONDENT**

M/s. P.V.S. Giridhar Associates

-Law Chambers

Y. Kavitha

Prasanna.D

S.Shivashankari

ROC NO. 96359/2023/F2

Counsel for Petitioner

9940677290

prasannadurai@pvsglaw.com