

GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

RAJYA SABHA
UNSTARRED QUESTION NO. 1323
TO BE ANSWERED ON 14.12.2023

Closure of industries

1323. SHRI RAJMANI PATEL:

Will the Minister of ENVIRONMENT, FOREST AND CLIMATE CHANGE be pleased to state:

- (a) whether Tamil Nadu State Pollution Control Board has initiated legal action for permanent closure of an industry after precautionary principle of natural justice and principle of proportionality;
- (b) if so, the details thereof and if not, the reasons thereof; and
- (c) the names of "Red Category" industries/Units closed in Tamil Nadu by State Pollution Control Board during the last five years with justification of the closure order, company-wise separately?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
(SHRI ASHWINI KUMAR CHOUBEY)

(a) to (c) : As per established procedure, TNPCB issues directives under Section 33A of the Water Act and Section 31A of the Air Act for the disconnection of power supply in case of violation of environmental rules/regulations. This action is taken only after adhering to the precautionary principle of natural justice, involving the issuance of a show cause notice followed by a personal hearing. If the violation persists, the premises are temporarily sealed. After compliance of the norms of TNPCB, the industry is permitted to operate. In May 2018, M/s Vedanta Limited's copper smelter plant in Thoothukudi, Tamil Nadu, was permanently closed. The Unit was issued with closure and disconnection of power supply direction by TNPCB on 23.05.2018, due to non-compliance of the conditions outlined in consent orders and environmental issues like groundwater contamination and air pollution. Subsequently as per the orders of Government of Tamil Nadu on 28.05.2018, the Unit was permanently closed and sealed by the District Collector, Thoothukudi.

Against the closure order, the Unit filed Writ Petition before the Hon'ble High Court of Madras in W.P. No. 5756 of 2019 and batch cases. The Hon'ble High Court of Madras in its order dated 18.08.2020 dismissed the writ petitions filed by the Unit and directed that the industry will remain closed. Against the Hon'ble High Court order, the Unit has filed SLP vide Nos. 10159 to 10168/2020 before Hon'ble Supreme Court of India. As per information made available by TNPCB, no permanent closure for any industry has been ordered in the last five years in Tamil Nadu.
