Supplementary List

Item No.01:

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

(Through Video Conference)

Original Application No.312 of 2024(SZ)

IN THE MATTER OF:

Tribunal on its own motion **SUO MOTU** based on the news item in The New Indian Express, Chennai Edition dt: 17.12.2024, titled **"Kerala's Medical waste dumped in Nellai Villages".**

With

The Principal Secretary to Government of Tamil Nadu, Department of Environment, Climate Change and Forests, Chennai and Ors.

...Respondent(s)

Date of hearing: 19.12.2024.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s): Suo Motu.

For Respondent(s): Dr. D. Shanmuganathan for R1 & R2.
Mr. S. Sai Sathya Jith for R3.
Mr. G. Vignesh represented
Mr. E.K. Kumaresan for R4 & R5.
Mrs. V.K. Rema Smrithi for R6.

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ORDER

1. Cognizance was taken in this matter Suo Motu by this Bench based on the newspaper report all of the Tamil and English Dailies viz., *'The New Indian Express'*, *'The Times of India'* and in the vernacular dailies viz., *'The Hindu'* and *'Dinamalar'* dated 18.12.2024.

2. The issue relates to the unidentified miscreants who had dumped the biomedical, food, plastics and other wastes brought from Kerala in Kodaganallur and Palavoor Villages. It is also stated that two cases were registered by Suthamalli Police.

3. The pictures published in these newspapers show that there are heaps of biomedical waste inside the forest area, which would pose an absolute danger not only to the animals but even to those who are living inside the forest.

4. Considering the gravity of the issue, let notice be issued to all the respondents through the Tribunal.

5. Today, the learned counsel Dr. D. Shanmuganathan accepts notice on behalf of Respondents No.1 & 2, Mr. S. Sai Sathya Jith accepts notice on behalf of Respondent No.3, Mr. G. Vignesh representing Mr. E.K. Kumaresan accepts notice on behalf of Respondents No.4 & 5 and Mrs. V.K. Rema Smrithi accepts notice on behalf of Respondents No.6.

6. In the meanwhile, the learned counsel appearing for the Tamil Nadu Pollution Control Board (TNPCB) has stated that they have already addressed the Chairperson - Kerala State Pollution Control Board vide Letter dated 18.12.2024 to initiate necessary legal action against the Regional Cancer Centre (RCC) – Trivandrum for the illegal transportation and dumping of the mixed solid waste/biomedical waste into the State of Tamil Nadu and initiate legal action against M/s. The Leela Kovalam, which is a hotel for illegal transportation and also to monitor the border areas of Kerala and Tamil Nadu by the Police Department and Transport Department to prevent any future illegal transportation of the waste and dumping it into the State of Tamil Nadu.

7. As the M/s. The Leela Kovalam, A Raviz Hotel, Beach Road, Kovalam, Thiruvananthapuram, Kerala – 695 527 is a necessary party to this proceeding, we Suo Motu implead them as additional Respondent No.9.

8. Let the notice be issued to the newly added Respondent No.9 through the Tribunal. The Registry is directed to carry out the amendment in the cause title.

9. The letter cited supra has further stated that already the Block Development Officer - Pappakudi and the Tamil Nadu Pollution Control Board have taken steps to remove the mixed solid waste and the unused syringes through the Common Biomedical Waste Treatment Facility in Tirunelveli District.

10. However, the learned counsel appearing for the State of Tamil Nadu submitted that the Revenue Department had asked them not to touch it, as it is a recurring incident and he insisted that it is the responsibility of the Government of Kerala, which admitted that these wastes are dumped into Tamil Nadu carried from Kerala, to remove the same and treat the same as per rules in vogue.

11. The learned counsel appearing for the Kerala SPCB would submit that the dumping could have been by unauthorized waste collectors from Kerala. Whoever it may be, admittedly, the waste is being brought from Kerala and dumped into Tamil Nadu.

12. Therefore, it would be appropriate for the Government of Kerala to remove the waste of all nature dumped inside Tamil Nadu forthwith and either take it to the State of Kerala or arrange to get them treated in any authorized treatment facilities.

13. We are constrained to pass the said order, as in the earlier incident, the Government of Tamil Nadu had quickly removed the waste after segregation, incurring an expenditure of about Rs.70,000/-, which is yet to be reimbursed by the State of Kerala.

14. Therefore, we direct the State of Kerala and the Kerala SPCB to take strict action to remove the waste dumped within a period of **3 (three) days** from the date of this order and file their action taken report.

Supplementary List

15. Let the matter be listed on **23.12.2024.**

Sd/-
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-
Dr. Satyagopal Korlapati, EM

O.A. No.312/2024(SZ)
19th December, 2024. AD.