

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE AT CHENNAI.**

ORIGINAL APPLICATION NO. 100 of 2021 (SZ)

Tribunal on its own motion SUO MOTU
Based on the News Item in the Hindu Newspaper,
Chennai edition dated 09.04.2021, "Dumping of
garbage foiled near Anamalai, trucks seized"

...Applicant

Vs

1.The Chief Secretary to Government of Tamil Nadu,
Govt. Secretariat, Fort St. George,
Chennai, Tamil Nadu -600 009 & 14 others

...Respondent(s)

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

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**REPORT FILED ON BEHALF OF THE 11TH RESPONDENT
TAMIL NADU POLLUTION CONTROL BOARD**

I, R.Vijayabaskaran, S/o. E.Rathinam, Hindu, aged about 59 years, having my office at No. 76, Mount Salai, Guindy, Chennai - 600032, do hereby solemnly affirm and sincerely state as follows:-

1. I am the Additional Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai and I am filing this Report on behalf of the 11th Respondent Tamil Nadu Pollution Control Board and as such I am well acquainted with the facts of the case as per records.

2. It is respectfully submitted that the Hon'ble National Green Tribunal (Southern Zone) in its order dated 28.01.2022 has directed as follows :

"Para 07:The Central Pollution Control Board and other stakeholders including Pollution Control Board of Tamil Nadu and

13/4/22
ADDL. CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,

Kerala are directed to file further action taken reports in this regard so that on the basis of the reports, the matter can be disposed of by giving certain effective directions.

Para 8: They are directed to submit the respective reports to this Tribunal on or before 25.02.2022 and post the case for consideration of further action taken report and guidelines to be evolved by the Central Pollution Control Board on 28.02.2022”.

3. It is respectfully submitted that the complaint prone site was inspected by the TNPCB officials of Coimbatore(South) on 02.12.2021 along with the officials of Anaimalai Panchayat Union, Revenue Department, Police Department, Tamil Nadu Agriculture University, Coimbatore. During inspection, the following observations were noticed:

- i. Illegally dumped garbage solid waste were still found in the dump site and yet to be disposed scientifically.
- ii. Three earthen pits were found dumped with solid waste in plastic bags and covered with soil to hide the same. The pits are unearthed using JCB excavator and solid waste samples were collected in all the three pits by the officials of Tamil Nadu Agricultural University and to carry out the same for analysis. During the unearthing of the pits in the complaint prone site, unbearable strong odour was felt in the area.

May
3/12/21
ADDL. CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
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CHENNAI-600 032.

- iii. Stagnation of leachate were observed in two of the pits due to the rain and the samples were collected by the officials of TNAU for analysis.
- iv. The registration certificat of the vehicles viz.,(1) KL 08 AZ 497 Tipper Lorry, (2) KL 43 C 3222 Tipper Lorry, (3) KL 49 D 5807 Tipper Lorry, (4) TN 37 B 9568 Hero Honda, (5) TN 99 U 1650 Bajaj Pulser, (6) KL 49 C1096 Bajaj Pulser (7) One unregistered JCB which were engaged for illegal activity are taken under the custody of Tahsildar, Anamalai

In view of the above, the TNPC Board has issued directions to the Block Development Officer, Anamalai Panchayat Union, Anamalai Taluk, Coimbatore District under Section 5 of the Environment (Protection) Act, 1986 vide Board proceeding dated 02.03.2022 for strict compliance of the following:

i. The Panchayat Union shall clear the dumped solid waste in the complaint prone area scientifically as per the Solid Waste Management Rules, 2016.

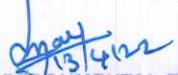
ii. The Panchayat Union shall also clear the solid waste available in plastic bags which is buried under the soil in the said area, and dispose scientifically in compliance with Solid Waste Management Rules.

Failure to comply with the said directions, will attract action as per the provisions of section 5 (Closure and stoppage of electricity), section 15 (Penalty provision) and section 17 (Offences and

punishment to Head of Government Departments) of Environment (Protection) Act, 1986 as amended and levying of Environmental Compensation as per the orders passed by the Hon'ble NGT in O.A.No.606 of 2018.

4. It is further submitted that, the TNPC Board vide letter dated 02.03.2022 has addressed the Tahsildar, Anamalai Taluk, Coimbatore District to take necessary action to cancel the registration certificate of the seized vehicles under their custody through the regional transport officer which were engaged in the illegal activity and to furnish the action taken report to TNPC Board.

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


ADDL. CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.
BEFORE ME

VERIFICATION

I, R. Vijayabaskaran, S/o.E.Rathinam, working as Additional Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai, do hereby verify that the contents of above report are true to the best of my knowledge through records.


ADDL. CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

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**REPORT FILED ON BEHALF OF
THE 11TH RESPONDENT -
TAMIL NADU POLLUTION
CONTROL BOARD.**

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

Date:12.04.2022.

Date of hearing on:18.04.2022.

