

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

Original Application No.109 of 2023

Raja Mani K
No: 3A, 1st Main Road,
Ashok Nadavanam, Kuppaththumedu,
Soranchery Post - 600072,
Tiruvallur.

...Applicant

Vs

Avadi Corporation
Rep by its Commissioner,
N.M Road,
Avadi - 606654
Tiruvallur District & 2 others.

...Respondents

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**Advocate
Thiru.S. Sai Sathya Jith,
Advocate, Chennai.**

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...Applicant

Vs

1. Avadi Corporation
Rep by its Commissioner,
N.M Road,
Avadi – 606654
Tiruvallur District.
2. Tamil Nadu Pollution Control Board
Rep by its Member Secretary,
No.76. Mount Salai,
Guindy – 600 032.
3. The District Collector,
1st Floor, Collectorate,
Tiruvallur – 044 22353134
Tamil Nadu

....Respondents

**REPORT FILED ON BEHALF OF THE 2nd RESPONDENT-
TAMIL NADU POLLUTION CONTROL BOARD**

I, K.Nalini, Daughter of Thiru.K.Krishnaswamy, aged about 59 years having office at No.76, Mount Salai, Guindy, Chennai 600 032, do hereby solemnly affirm and sincerely state as follows:

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai and I am filing this report on behalf of the 2nd respondent and as such I am well acquainted with the facts of the case from the records and authorized to file this report on behalf of the 2nd respondent.

2. It is submitted that the authorization under Solid Waste Management Rules, 2016 was issued to M/s. Avadi Municipality Solid Waste Management processing facility, Avadi Village, Avadi

K. Nalini
2023/3/24
**JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.**

Taluk, Tiruvallur District, to operate waste processing / recycling/ treatment/ disposal facility for the following locations in Avadi Taluk, Tiruvallur District valid upto 31.03.2020

Sl.No.	Location	Quantity
1	Mitnamallee Collection centre, Ward 1	4.0 T/day
2	Kalaignar Nagar, Ward 4	4.0 T/day
3	KrishnaGarden, Ward 7	4.0 T/day
4	Saraswathi Nagar, Ward 8	4.0 T/day
5	Sivasakthinagar, Ward 14	4.0 T/day
6	Sekkadu, Ward 37	4.0 T/day
7	TNHB, Old Pump House, Ward 18	4.0 T/day
8	TNHB STP, Ward 18	4.0 T/day
9	Periyar Nagar, Ward 27	4.0 T/day
10	Thandurai Pillaiyar Koil, Ward 39	4.0 T/day
11	Aruthathiyarpuram, Ward 19	4.0 T/day
12	Muthapudupet, Sabi Nagar, Ward 48	4.0 T/day
13	Pound Street, Ward 5	4.0 T/day
14	Iyyappan nagar, ward 8	4.0 T/day
15	TNHB Ward 12	4.0 T/day
16	Shanthinagar Extension, Ward 6	4.0 T/day
17	Periyar Nagar, Ward 27	4.0 T/day

3. It is respectfully submitted that the M/s. Avadi Municipality has been requested to apply for renewal of Authorization under Solid Waste Management Rules, 2016 vide DEE, TNPCB, Tiruvallur Letter No: DEE/TNPCB/TLR/SWM/F.50(05)/ 2020 dated 05.02.2021.

4. It is respectfully submitted that Tamil Nadu Pollution Control Board had issued the direction under section 5 of Environment (Protection) Act, 1986, vide Proceedings No. T1/TNPCB/F.32363/SWMINGT 606 of 2018/2020-2 dt: 27.11.2020 to the Commissioner, Avadi Corporation, to remit Interim Environmental Compensation of Rs. 8 lakhs for noncompliance of Solid Waste Management Rules, 2016. In this regard, Interim Environmental Compensation is yet to be received from the Avadi Corporation.

5. It is respectfully submitted that Thiru. Raja Mani.K, No:3A,1 st Main Road, Ashok Nanadavanam, Kuppaththumedu, Soranchery Post, Avadi Taluk, Tiruvallur District has filed a case before the Hon'ble NGT, for improper solid waste management against M/s Avadi Corporation.


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

In this regard, the said dumping yard was inspected by TNPCB official along with officials of Avadi Corporation on 07.10.2023, and the following are submitted

a. The Avadi City Municipal Corporation consist of

Area	65 Sq.Km
Ward	48
Population (as on 2022)	5,63,341

- b . Avadi Corporation has furnished annual returns for the year 2022-23 and the Annual generation of solid wastes is 180.74 T/day. Corporation Authorities has informed that wet wastes are processed through 15 number of MCCs, 21 number of On-Site Composting Centers and Bio methanation plant- 1 No. (Presently Bio methanation plant is not in operation). Also stated that, dry wastes of recyclable portions are sold by concerned Sanitary Workers and the Silt, C&D waste, rejected wastes, mixed wastes are deposited at Sekkadu compost yard.
- c. Further, it was observed that, the corporation has also dumped unsegregated waste at Sekkadu dumping yard on daily basis. Dumping yard has compound wall at northern side, incomplete compound wall at western side, remaining two sides were not having compound wall. Hence, there is a possibility to reach the seepage water from the dumping yard to Cooum River.
- d. Earlier, a complaint was received from Thiru. Raja Mani, No:3A, 1st Main Road, Kuppaththumedu, Soranchery Post, Poonamallee Taluk, Thiruvallur 600072 received on 09.07.2023, regarding the operation of Avadi City Municipal Corporation Micro Compost Centre(MCC), located near the residential area on the river bank of Cooum at Sekkadu village causing health hazards to the nearby residents.
- e. The above complaint petition was forwarded to Commissioner, Avadi City Municipal Corporation, to take necessary action under local body Acts vide DEE, TNPCB,


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Tiruvallur letter dated: 12/07/2023. Also, the copy of the letter was addressed to the petitioner. (Annexure 1)

6. It is respectfully submitted that based on the Hon'ble NGT in Order dated 26.05.2022 in **OA No. 61 Of 2020** (SZ) with O.A. No. 54 of 2020 (SZ), Show Cause Notice was issued to the Commissioner, Avadi City Municipal Corporation vide Boards Proc NO.T6 / TNPCB / 045619 / TLR / 2021, dt.08.04.2022 and direction under section 5 of the Environmental [Protection] Act, 1986 as amended by levying of Environmental Compensation of Rs. 1,20,00,000/- (One Crore and Twenty Lakhs only) for not providing Common STP for the treatment of sewage generated from the left out areas of Moontru Nagar, Periyar Nagar, Anna Nagar, Sathya Nagar and Ganapathy nagar in Thirumullaivoyal Village and also in Sivasakthi nagar, Annai Anjugam nagar and Gangai Amman nagar, located within Avadi Corporation area for the period from April-2020 to March 2022 vide Bd. proc. No. T6/TNPCB/F.045619/TLR/2021 dated 22-07-2022. So far there is no reply received in this regard.

7. It is respectfully submitted that further, Hon'ble NGT (SZ) orders in **OA No. 06 of 2021** Suo Moto case based on the News item in the Hindu Newspaper dated 21.12.2020 regarding "Vilinjiyambakkam Lake shrunk due to Encroachment". In this regard, direction under section 5 of the Environmental [Protection] Act, 1986 as amended by levying of Environmental Compensation of Rs. 1,80,00,000/- (One Crore and Eighty Lakhs only) for not providing Common STP and for not controlling sewage/sullage draining into Vilinjiyambakkam lake at Bharathidasa Nagar & Sridevi Nagar in Avadi Corporation from the un sewerred area for the period from April-2020 to March 2023 vide proc. No.T6/TNPCB/F.0456/NGT/Sewage disposal/W/2023 dated 21.06.2023. So far there is no reply received in this regard.


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

8. It is submitted that on 15.11.2023, TNPCB has addressed a letter to the Commissioner, Avadi City Municipal Corporation, Avadi, to remit the interim Environmental Compensation amount of Rs.1,60,00,000/- (Rupees One Crore and Sixty Lakhs only) for not providing Common Sewage Treatment Plant for the treatment of Sewage generated from the left out areas of Moontru Nagar (Periyar Nagar, Anna Nagar, Sathya Nagar), Ganapathy Nagar in Thirumullaivoyal Village, Sivasakthi Nagar, Anna Nagar, Gangai Amman Nagar located within the Avadi City Municipal Corporation area and also for not taking any steps to prevent the sewage/sullage draining into the Ambattur Lake from the above mentioned areas for the period from April 2020 to November 2022 within a week's time. Till date, there is no reply received from the Commissioner, Avadi Municipal Corporation to the TPCB.

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


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

VERIFICATION

I, K.Nalini, Daughter of Thiru.K.Krishnaswamy, aged about 59 years having office at No.76, Mount Salai, Guindy, Chennai 600 032, do hereby submit that the above contents are true to the best of my knowledge and belief through records.


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



Annexure.

TAMILNADU POLLUTION CONTROL BOARD

From

District Environmental Engineer,
Tamilnadu Pollution Control Board,
Master Plan complex, S.F.No. 1/6D& 1/5B,
Perumbakkam Village,
Tiruvallur - 602 001.

To

The Commissioner,
Avadi City Municipal Corporation,
391, New Military Road,
Vivekanandha Road TNHB, Avadi,
Chennai - 600 071.

Lr. No. DEE/TNPCB/TLR/ TECH - 02 /OLPGRS/655255739/2023 Date:12.07.2023

Sir,

Sub: TNPC Board - Tiruvallur - Complaint against the operation of Avadi city municipal corporation Micro Compost Centre [MCC] located near the residential area on the river bank of Coom at Sekkadu village causing health hazards to the nearby residents - forwarded - reg.

Ref: Complaint received from Thiru.Raja Mani K, No:3A, 1st Main Road, Kuppathumedu, Sorancherry Post, Vayalanallur A village, Poonamallee Taluk, Tiruvallur District through Online complaint portal vide Complaint ID 655255739 received on 09.07.2023.

The complaint under reference cited regarding the operation of Avadi city municipal corporation Micro Compost Centre [MCC] located near the residential area on the river bank of Coom at Sekkadu village causing health hazards to the nearby residents and hence the complaint petition in forwarded herewith to take necessary action under local body Acts and action taken details may be informed to the petitioner directly.


District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Tiruvallur.

Copy to Thiru.Raja Mani K, No:3A, 1st Main Road, Kuppaththumedu, Sorancherry Post, Vayalanallur A village, Poonamallee Taluk, Tiruvallur District - 600072.

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**REPORT FILED ON BEHALF OF THE 2ND
RESPONDENT - TAMIL NADU
POLLUTION CONTROL BOARD**

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

Date:06.03.2024

Date of hearing on:16.04.2024

