

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI.**

Original Application No.113 of 2021 (SZ)

Tribunal on its own motion Suo Motu
Based on the news item published in
The Times of India Newspaper, Chennai Edition,
Dated 27.04.2021, under the caption
"Dumping of garbage in Thalambur Lake:
Locals write to District Collector"

...Applicant

Versus

The Principal Secretary to Government,
Public Works Department, Govt. Secretariat,
Fort St. George, Chennai – 600 009 and Others

...Respondent(s)

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**Filed by
Thiru.
Advocate, Chennai.**

- 1 -

INSPECTION REPORT OF THE JOINT COMMITTEE CONSTITUTED BY THE HON'BLE NATIONAL GREEN TRIBUNAL (SOUTHERN ZONE) IN RESPECT OF O.A No.113 of 2021 TAKEN UP AS SUO MOTU BASED ON THE NEWS PAPER REPORT PUBLISHED IN THE TIMES OF INDIA NEWSPAPER CHENNAI EDITION, DATED 27.04.2021 UNDER THE CAPTION "DUMPING OF GARBAGE IN THALAMBUR LAKE: LOCALS WRITE TO DISTRICT COLLECTOR".

The Hon'ble National Green Tribunal (NGT), Southern Zone(SZ), Chennai has taken up suo motu based on the news paper report published in the Times of India, Chennai edition datted 27.04.2021 under the caption "dumping of garbage in Thalambur Lake: Locals write to District Collector"vide O.A.no. 113 of 2021. The Hon'ble NGT(SZ) in its order dated 21.05.2021 in Original Application No.113 of 2021 has stated the following:

" In order to ascertain the genuineness of the allegations made in the newspaper report, we feel it appropriate to appoint a Joint Committee comprising of (1) the District Collector, Chengalpet District or a Senior Officer not below the rank of Revenue Divisional Officer/Sub Divisional Magistrate as deputed by the District Collector, (2) the Superintending Engineer of Public Works Department & Water Resource Organization who is in charge of that area and (3) a Senior Officer from the Tamil Nadu Pollution Control Board deputed by its Chairman to inspect the area in question and submit a factual as well as action taken report, if there is any violation found.

If it is found that there is any garbage dumped there, they are directed to ascertain the quantum of legacy waste, who is responsible for the same and assess environmental compensation, if any damage has been caused to the water body.

The committee is also directed to ascertain the quality of water by taking samples from the water body and analyze to find out as to whether any contamination has been caused to the water in the water body. If any contamination found, then they are directed to suggest the remedial measures to be taken to restore the water quality to its original position.

The committee is also directed to ascertain as to whether the direction of the Principal Bench of National Green Tribunal in O.A. No.606 of 2018 regarding the implementation of the Solid Waste Management Rules, 2016 is being strictly implemented in the 6th respondent panchayat and if not, what is the nature of action taken by the regulators to implement the same.

The committee is directed to submit a report to this Tribunal on or before 30.06.2021 by e-filing".

In due compliance of the directions of the Hon'ble National Green Tribunal (SZ), the Joint Committee as constituted by the Hon'ble Tribunal has carried out inspection in the area in question on 24.07.2021 and observed as follows:-

Observations made by the Committee during inspection

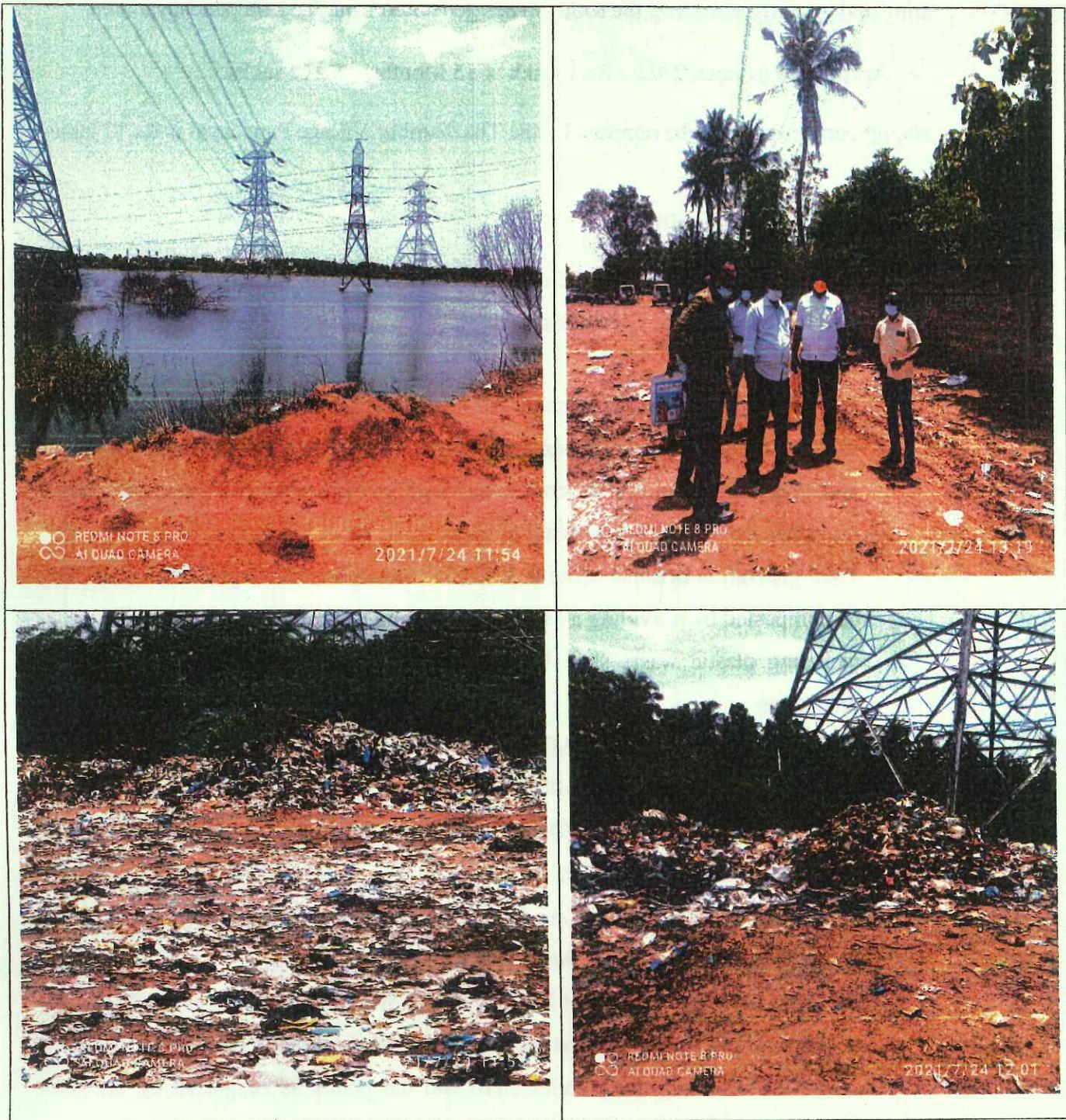
- i) Thalambur Lake is located in Thalambur Village, Vandalur Taluk, Chengalpattu District in an extent of 93.15 Acres
- ii) The said lake is surrounded by road & residences of Mullai Nagar in the Eastern side, Vacant Government Land in the Western side, road & residences of Jaibheem Nagar and Karanai Periya Eri on the Northern side, road & residences in the Southern side..
- iii) No discharge of sewage into the said Lake from the residences located nearby
- iv) No discharge of industrial effluent into the said lake
- v) Municipal solid waste of about 3 Tonnes was found dumped in the western side of the lake in an extent of 50 cents of Government land in Survey no. 80/4 of Thalambur Village by the Thalambur Village Panchayat which is at a distance of 25m away from the lake boundary..
- vi) It was informed by the said Village Panchayat that the solid waste generated from the village panchayat area is being dumped in the said area in question and is being transferred to the dumping site at Appur Village, Kattankolathur Block, Chengalpattu District once in a month.
- vii) Samples of Lake water was collected on 24.07.2021 i.e during the time of inspection and sent to the District Environmental Laboratory, TNPCB, Maraimalai Nagar for analysis.
- viii) It was informed by the said local body that the strengthening of bunds of the Lake and deepening of the lake work was carried out with the help of an NGO – Care Earth Trust during 2018 and the said lake is maintained by Water Resource Department.

Details on the Solid Waste Management by Thalambur Village Panchayat

1. **Location of the Lake:** Thalambur – Survey No 73 (12.839465°, 80.211216°)
2. **Total Area of the Thalambur Lake:** 93.15 Acres
3. **Total Area of the Thalambur Village Panchayat :** 12.0 Sq Km
4. **Total Population of the Thalambur Village Panchayat :** 16200 Nos.
5. **Total Household of the Panchayat :** 8340 Nos.
6. **No of Wards:** 6 Nos
7. **Generation of total Solid Waste in the Panchayat area:** 3.00 MT/day
8. **Collection Mechanism:** 7 Pushcarts, 2 Tractors with 19 sanitary Workers.
9. **Presently Solid Waste at dumping Yard:** 3.00 MT
10. **Present method of collection and disposal:**

Presently the waste collected from the Village Panchayat area is being collected by Panchayat sanitary workers using 7 Pushcarts and 2 Tractors deploying 19 sanitary workers and which is being dumped in the western side of the lake in the Government land Survey no. 73 (12.839465°, 80.211216°) at a distance of 25m from the lake boundary and is being transferred to the dumping site at Appur Village, Kattankolathur Block, Chengalpattu District once in a month.

Photographs taken during Joint Committee Inspection



Status of Compliance of directions of Hon'ble NGT(PB), Delhi in OA No.606 of 2018

Also, it is submitted that the Hon'ble National Green Tribunal (Principal Bench) in its order dated 28.02.2020 in O.A.No.606 of 2018 vide para 41 (a) has directed that in view of the fact that most of the statutory timelines have expired and directions of the Hon'ble Supreme Court and Tribunal to comply with Solid Waste Management Rules, 2016 interim compensation scale is to be laid down for continued failure after 31.03.2020. Any such continued failure will result in liability of every Local Body to pay compensation at the rate of Rs. 1 lakh per month per other Local Body from 01.04.2020 till compliance and vide para 41 (b) has directed that not commenced the legacy waste remediation process, the interim compensation of Rs.1 lakh per month to be paid by the local bodies having population less than 5 lakhs from 01.04.2020 till compliance

In view of the above, as the population of the Thazhambur Village Panchayat as on date is about 16,200, the Interim Compensation to the Thazhambur Village Panchayat to be levied is calculated as follows

For not segregating and properly disposing the solid wastes generated from the said panchayat area

➤ April, 2020 to June, 2021 – Rs.1 Lakh x 15 Months = Rs.15 lakhs.

The total interim compensation to be remitted by the Thazhambur Village Panchayat is Rs.15 lakhs.

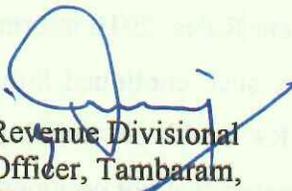
Recommendations of the Joint Committee:

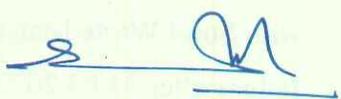
The Joint Committee has suggested the following recommendations in the above said subject matter before the Hon'ble National Green Tribunal:

- i. The said village panchayat shall ensure 100% collection of solid waste being generated within its jurisdiction with proper segregation, door to door collection, processing and disposal by complying with the provisions of the Solid Waste Management Rules 2016 within 3 months.
- ii. Total generation of solid waste is 3.00 MT. Segregated Biodegradable waste shall be composted by providing a Micro Composting Centre and non degradable waste including plastic waste shall be collected and sent to cement factories for co processing
- iii. The local body shall provide Micro composting centre to handle the bio degradable waste generated within their village panchayat area within 3 months.
- iv. The Secretary, Thalambur Village Panchayat shall monitor and ensure that the local body is complied with the statutory requirements and for the scientific disposal of solid waste that are being generated in the local body. Furthermore ensure that no solid waste is dumped in the said water body .
- v. Tamil Nadu Pollution Control Board shall conduct periodical inspection of the site in question and ensure that the local body is complying with the provisions of the Solid Waste Management Rules 2016 and the points as suggested by the Joint Committee.
- vi. The said village panchayat shall remit the Environmental Compensation of Rs. 15 Lakhs for non- compliance of the Solid Waste Management Rules,2016 as directed by the Hon'ble National Green Tribunal (Principal Bench) in OA No. 606 of 2018.


District Environmental
Engineer, Tamil Nadu
Pollution Control
Board,
Maraimalai Nagar


Executive Engineer,
Water Resource
Department , Lower
Palar Basin Division,
Kancheepuram.


Revenue Divisional
Officer, Tambaram,
Chengalpet District.


District Collector,
Chengalpattu
District

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INSPECTION REPORT OF THE JOINT
COMMITTEE ON BEHALF OF THE
4TH RESPONDENT – TAMIL NADU
POLLUTION CONTROL BOARD

Advocate for Respondent: TNPCB
Thiru.
Advocate, Chennai.

Date: 12.08.2021

Date of Hearing: 16.04.2021