

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

O.A. No. 125 of 2021 (SZ)

R. Balakrishnan
Cuddalore

...Applicant

-Vs-

The District Collector,
Cuddalore District &Ors

...Respondent

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

**BEFORE THE NATIONAL GREEN TRIBUNAL,
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-Vs-

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...Respondent

REPORT FILED ON BEHALF OF THE RESPONDENT

TAMIL NADU POLLUTION CONTROL BOARD.

I, J. Josephine Sahayarani , Daughter of Jesu Rajan, Christinan, aged about 56 years, having my office at No.76, Mount Salai, Guindy, Chennai-32, do hereby solemnly affirm and sincerely stats as follows:

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-32, and I am filing this Report on behalf of the Respondent, Tamil Nadu Pollution Control Board and as such I am well acquainted with the facts of the case as per the records.

2. It is respectfully submitted that the applicant filed this Original Application No.125 of 2021 with the following prayer:

a. to direct the respondents to evict the encroachments in the said water bodies.

b. to direct the respondents to prevent dumping of solid waste into the above water bodies and to prevent the discharge of untreated sewage and solid waste disposal by people living adjacent to the canal drain way and clean the canal by removing the solid waste therein

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c. to direct the respondent to restore the above endangered water bodies which will undoubtedly lead to prevention of ground water contamination.

d. to direct the 1st respondent to impose environmental compensation those who are all encroachers and discharge untreated sewage into water and disposal of solid waste into water bodies and dumping solid waste into water bodies”.

3. It is respectfully submitted that the Hon'ble NGT (SZ) in its order 11.06.2021 has appointed a Joint Committee comprising of the following officials.

1. The Sub-Collector, Chidambaram
2. The Commissioner, Chidambaram Municipality
3. The Executive Engineer PWD, Chidambaram
4. A Senior Officer from TNPCB
5. The Executive Engineer, TWAD

The Committee was directed to ascertain the following;

- i. *Whether the Solid Waste Management Rules, 2016 are being strictly implemented in Chidambaram Municipality?*
- ii. *Whether the allegation of encroachment into the water bodies in and around Chidambaram area as detailed in the application and discharge of untreated sewage into the water bodies mentioned there in are true and correct?*

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- iii. *If the allegations are true, who are responsible for such illegal activities and what is the nature of action taken by the regulators namely, Chidambaram Municipality, Public Works Department (PWD) and the Tamil Nadu Pollution Control Board (TNPCB) against such persons?*
- iv. *Whether on account of such illegal activities, the water quality in the mentioned in the application has been contaminated and if so; what are the remedial measures to be taken to restore the quality of the water as before to enable the temple authorities to conduct the Theppotsavam as before and also use the water for other useful purpose in the locality.*
- v. *Ascertain the nature of encroachments and the number of encroachments and steps to be taken to remove the encroachment and make the water bodies free from encroachment and also to take steps to remove the encroachment and to protect the water bodies against the future encroachment.*
- vi. *Whether the directions given by the Principal Bench of National Green Tribunal in O.A.No. 606 of 2018 have been strictly complied with by the Chidambaram Municipality and if not, what is the nature of action taken by the regulators, Tamil Nadu Pollution Control Board (TNPCB) as directed by the Principal Bench of National Green Tribunal.*

The Commissioner, Chidambaram Municipality is the Nodal agency for co-ordination, for the Inspection of the Joint Committee.

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4. It is respectfully submitted that as per the above directions, the Sub-Collector, Chidambaram has conducted a meeting with concerned officials on 29.06.2021 at Chidambaram. During the meeting the Sub-Collector has instructed the DEE, TNPCB, Cuddalore to carryout the following works:

- i. Inspection of the three pumping stations in the Municipal Area and the households which discharges the domestic sewage directly into water bodies.
- ii. Inspection of the Sewage Treatment Plant in Lalpuram, Chidambaram and collect sample of the sewage.
- iii. The effects of the untreated sewage when mixed with water bodies.

According to the instructions of the Sub-Collector, the three pumping stations and the households in the Municipal Area was inspected by the DEE, TNPCB, Cuddalore along with the Municipal Engineer on 29.06.2021. During the inspection the following were observed:

- The sewage pumping station at Min Nagar was inspected and found that it is in operational condition and the log book is maintained for its operations. The sewage collected in this pumping station is pumped to the Lalpuram Sewage Treatment Plant (STP).
- The pumping station at Kanagasabai Nagar was inspected and found that it is operational condition and the log book is maintained. The sewage is pumped to the Lalpuram STP.

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- The pumping station at Edatheru was inspected and found that it not pumping the collected sewage to the STP and the sewage is discharged into the street side storm drainage.
- Some of the households in the areas of Edatheru, Min Nagar, Kanagasabai Nagar, Venugopal pillai street were inspected and found that the domestic sewage is discharged into roadside drainage and storm drainages.
- The surplus canal from Omankulam passes through the city where the sewage from Kanagasabai Nagar mixes with the surplus water odai from Omankulam and passes further and mixes with Kansahib Canal.
- The Municipal Engineer has informed that the pumping station at Edatheru will be able to pump the collected sewage to the STP, in a few days, after carrying out some repairs. The 403 households in Municipal area which discharges sewage directly into roadside storm drains were identified and Notices will be issued to them to join them in the underground sewerage system.

5. It is respectfully submitted that, further inspection of the various places in Chidambaram Municipal area, it was observed that the Underground drainage system covers only a portion of the habitations in the Municipal area from which the sewage is pumped to the Lalpuram STP. The sewage from other areas are discharged into roadside drains and storm drainages which finally flows into Kansahib Canal, Sivakama

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Sundari Odai and in Thillaiamman Odai. Since a large quantity of the untreated sewage flows into the irrigation channels, it will contaminate the water in the above canals. The Executive Engineer (WRO), Chidambaram has informed the Commissioner, Chidambaram Municipality vide letter dt. 18.06.2021, that the irrigation water in these canals becomes contaminated and to discharge only the treated sewage in these canals.

6. It is submitted that the Sewage Treatment Plant (STP) at Lalpuram was issued with consent order by the Tamil Nadu Pollution Control Board to establish the plant on 07.09.2018 for a capacity to treat 9.44 ML of sewage per day. The Municipality has installed 9.44 MLD of STP and applied for Consent to operate under Water (P&CP) Act & Air (P&CP) Act for treatment of sewage of 2.5 MLD only as it could not obtain permission from PWD for disposing treated sewage into Pasimuthan Odai. The STP at Lalpuram was inspected and found that all its components were in operation. The Municipal Engineer was advised to take necessary actions to collect and pump the sewage from all the areas of the Chidambaram Municipality and treat it before its disposal.

7. It is respectfully submitted that the TNPCB has issued certain directions under section 5 of the Environment (Protection) Act 1986 as amended vide proceedings dated 18.06.2021, to the Chidambaram Municipality. The directions include that the Municipality shall utilise the fullest capacity of the Sewage Treatment Plant, and ensure that there is no under utilization of existing capacity, and the Municipality shall

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complete the underground sewerage system for the unsewered area and to ensure that the untreated sewage presently let into nearby land and water bodies shall be stopped and to ensure 100% treatment of sewage.

8. It is respectfully submitted that samples of the untreated sewage and treated sewage were collected on 29.06.2021 and sent for analysis to AEL, TNPCB, Cuddalore. The ROA of the treated sewage shows that the parameters pH, TSS, BOD are within the discharge standards prescribed by the MoEF vide notification dated: 13.10.2017 for the Sewage Treatment Plant.

9. It is respectfully submitted that, Solid Waste Processing facility of the Chidambaram Municipality was inspected by the DEE, TNPCB, Cuddalore along with the Junior Engineer of Chidambaram Municipality on 03.08.2021.

10. It is respectfully submitted that the Chidambaram Municipality has a population of 66250 Nos in 33 wards. The total quantity of Municipal Solid Waste generated from the Municipal Area is 18 T/day. The Tamil Nadu Pollution Control Board has issued the Authorisation under the Municipal Solid Waste (M&H) Rules, 2016 dated 11.04.2019 for processing, recycling treatment and disposal of Municipal Solid Wastes of 18.0 MT/day, to the Chidambaram Municipality. The Chidambaram Municipality is collecting the wastes from the households in segregated form according to the nature of the waste. The compostable organic waste is composted in 4 Nos of Micro Composting Centres (MCC) operated by the Municipality. Out of two

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MCCs adjacent to the Municipal Office premises, one is in Rajalakshmi Nagar and one in Vageesa Nagar, within the Municipal area. In these Micro Composting Centres (MCC) units, the collected degradable vegetable (organic) waste is conveyed through Municipality vehicles from the Waste Collection Centres to the MCC units and shredded by a shredder machine to make the waste to smaller sizes. Then microbial culture (EM solution) is added to the shredded waste and kept in masonry tanks for about 15 – 20 days. The organic waste get degraded and becomes a compost manure.

11. It is further submitted that the other wastes are brought to the Resource Recovery Centre (RCC) near the Municipal Office, where the plastics and other combustible materials are separately baled in a baling machine, and bundled and loaded in lorries to be transported to the cement factory (M/S. Ultra Tech Cements Ltd) at Ariyalur District, under agreement, to be used as a supplementary fuel in cement kilns. The recyclable wastes (bottles, rubber, etc.,) is kept in separate bins in the RCC and sold to recycling vendors. The above four MCCs and the Resource Recovery Centre is inspected and found that all are in operation. The records for the transportation of baled plastics to the cement factory are verified.

12. It is respectfully submitted that the Chidambaram Municipality has carried out the Bio-mining operation of old legacy waste dumped in the yard at Thandesanallur. Bio mining is the process of adding microbial inoculation in the legacy waste and tilling the waste for about 30 to 40

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days to effect the degradation of organic materials and then to segregate the remaining materials. The Chidambaram Municipality has processed 52,000 m³ of legacy waste in this yard using mechanised systems and disposed the segregated materials. A remaining quantity of about 32000m³ of legacy waste is still to be biominer in the yard, for which the Municipality is in the process of getting administrative and fund approvals.

13. It is respectfully submitted that with reference to the points to be ascertained as mentioned in the orders of the Hon'ble NGT (SZ) about the Chidambaram Municipality, the following are submitted;

(i) The Chidambaram Municipality has applied and obtained consent order to establish the Sewage Treatment Plant from the TNPC Board on 07.09.2018 for treating the sewage to a capacity of 9.44 MLD. The Municipality has installed 9.44 MLD of STP and applied for Consent to operate under Water (P&CP) Act & Air (P&CP) Act for treatment of sewage of 2.5 MLD only as it could not obtain permission from PWD for disposing treated sewage into Pasimuthan Odai. The STP is presently used to treat the sewage generated from part of the Municipal Area. The TNPC Board has issued certain direction under section 5 of the Environment (Protection) Act 1986 as amended to the Commissioner of Chidambaram Municipality vide Board Proceedings dated 18.06.2021, to comply with the directions within three months. One of the directions is that "The Municipality shall complete the underground sewerage system for the unsewered area and to ensure that the untreated sewage

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presently let into nearby land and water bodies shall be stopped and to ensure 100% treatment of sewage.”

(ii) A sample of water from Gnanaprakasam Tank was collected on 30.07.2021 and sent for analysis to the AEL, TNPCB, Cuddalore. The Report of Analysis shows that the parameters pH - 9.07 & BOD – 22mg/l exceeds the standards of designated best use for drinking water of pH 6.5 -8.5, BOD 2mg/l or less & outdoor bathing of pH 6.5 -8.5, BOD 3mg/l or less.

(iii) The Municipality is to identify the outfalls of untreated sewage in the water bodies and to direct all such quantity of sewage to the STP at Lalpuram and ensure 100% treatment of sewage as per the Directions issued by the TNPC Board.

(iv) The Chidambaram Municipality has to take steps to remove the encroachments. Directions were issued by the TNPC Board to the Municipality to ensure 100% treatment of sewage.

(v) The Chidambaram Municipality is collecting the solid waste generated presently and processing the compostable Municipal Solid Waste in Micro Composting Centres (MCC) located in 4 places in the Municipal area. The other wastes are collected and taken to Resource Recovery Centres (RCC) where the plastics and combustible waste is baled and transported to Cement factories in Ariyalur district to be used as fuel in cement kilns. The Municipality has obtained Authorisation on 11.04.2019 for collection, processing, & disposal of 18T/day of Municipal Solid Waste under the Solid Waste Management Rules, 2016.

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The old legacy waste (52000 m³) of Chidambaram Municipality is processed (52000m³) in the yard using mechanised biomining systems and disposed and the remaining waste (32000 m³) is to be processed by the Municipality, and is in the process of getting fund approvals.

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

J. Josephine Sahayrani
21/9/2021
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BEFORE ME

VERIFICATION

I, J. Josephine Sahayarani, daughter of Thiru. Jesu Rajan, working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-32, do hereby submit that the contents of the above report are verified and true to the best of my knowledge through records.

Verified at Chennai on this 20th day of September, 2021.

J. Josephine Sahayrani
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THE RESPONDENT - TAMIL NADU
POLLUTION CONTROL BOARD.**

**Advocate for Respondent No.
Thiru. S. Sai Sathya Jith,
Advocate, Chennai.**

Date:21.09.2021.

Date of hearing on:22.09.2020

