

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

APPLICATION No.133 of 2016 (SZ)

M/s.Olympia Techpark (Chennai) Private Limited,
No.1, SIDCO Industrial Estate,
Guindy, Chennai- 600032.
Represented by its Director
Mr. Chandrakant Kankaria.

...Applicant

Vs

The State of Tamil Nadu,
Rep. by its Secretary, Municipal Administration &
Water Supply Department,
Fort St. George,
Chennai – 600 009 & 14 others.

...Respondents

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

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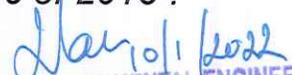
**REPORT FILED ON BEHALF OF THE 3RD & 11TH RESPONDENTS
TAMILNADU POLLUTION CONTROL BOARD.**

I, R. Sarasavani, daughter of Thiru. Raghavan, Hindu, aged about 56 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-32 and I am filing this Report on behalf of the 3rd & 11th respondents Board and as such I am well acquainted with the facts of the case from the records.

2. It is respectfully submitted that, subsequently the Hon'ble Tribunal in its order dt.28.09.2021 directed that

"The Tamil Nadu Pollution Control Board are directed to file the further status report and also the action taken report by the Tamil Nadu Pollution Control in compliance with the directions issued by the Principal Bench of National Green Tribunal in O.A.No.606 of 2018".


JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD

3. It is respectfully submitted that, in due compliance of the Hon'ble NGT order dated. 28.09.2021, the DEE, TNPCB, Maraimalai Nagar has inspected the area in question, the solid waste processing facility and the site where bio-mining of the legacy waste is being carried out by the Thiruneermalai Town Panchayat on 07.12.2021 and reported the following:

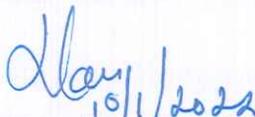
i. The Town Panchayat has not completed the Biomining of the legacy waste dumped in the rear side of the solid waste processing facility as committed before 31/03/2021.

ii. The Town Panchayat is carrying out the processing of the solid waste collected from the Thiruneermalai Town Panchayat area in the processing facility. The segregated bio-degradable waste is composted and the compost is sold as manure.

iii. The Town Panchayat has obtained authorization of the Board under Solid Waste Management Rules, 2016 for handling solid waste vide Proc. dated. 08.04.2019 valid up to 31.03.2020.

4. It is respectfully submitted that the Thiruneermalai Town Panchayat has not completed the bio-mining activity before the statutory cut off timeline of 07.04.2021 and thereby not complying with the provisions of Solid Waste Management Rules, 2016.

Therefore, TNPCB has assessed an interim Environmental Compensation (EC) of Rs.21 Lakhs to be levied to the Thiruneermalai Town Panchayat for the period April, 2020 to December, 2021 (21 months) for not complying with the provisions of Solid Wastes Management Rules, 2016. In this regard, the Board has issued show


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No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

cause notice under Section 5 of the Environment (Protection) Act, 1986 vide Proceeding dated 23.12.2021 to the Thiruneermalai Town Panchayat, as to why the Board shall not levy an Interim Environmental Compensation of Rs.21 Lakhs (from April, 2020 to December, 2021) for non compliance of the Hon'ble NGT orders and not complying with the provisions of the Solid Waste Management Rules, 2016.

5. It is further submitted that the Board has also issued directions to the Executive Officer, Thiruneermalai Town Panchayat under section 5 of Environment (Protection) Act, 1986 vide Board Proceeding dated 23.12.2021 to comply with the following conditions:

i. The Thiruneermalai Town Panchayat shall comply with the provisions of Solid Waste Management Rules, 2016 and shall comply with the orders passed by the Hon'ble NGT in OA 606 of 2018 from time to time.

ii. The Thiruneermalai Town Panchayat shall not dump the solid waste under any circumstances in the said area in question and also in any other places.

iii. The Thiruneermalai Town Panchayat shall expedite and complete the Bio mining of the legacy waste dumped in the rear side of the solid waste processing facility immediately and to furnish the status of the same to the TNPCB.

iv. The Thiruneermalai Town Panchayat shall take immediate action to remove the dumped solid wastes in the service road and also in the Thiruneermalai abandoned quarry area.

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v. The Thiruneermalai Town Panchayat shall dispose the non biodegradable waste (bottles) segregated from the legacy waste to the authorised recyclers and shall maintain records of the same.

vi. The Town 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.

vii. The Town Panchayat shall apply and obtain renewal of authorization under Solid Waste Management Rules, 2016 for the composting centre immediately.

viii. The Thiruneermalai Town Panchayat is liable to pay Environmental Compensation for non compliance of the conditions stipulated vide Sl. No. 1 to 7.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) may be pleased to 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.

Abu 10/1/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032
BEFORE ME

VERIFICATION

I, R. Sarasavani, daughter of Thiru. Raghavan, working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-600 032 do hereby verify that the contents of above report are true to the best of my knowledge through records.

Abu 10/1/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
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THE 3RD & 11TH RESPONDENTS -
TAMILNADU POLLUTION
CONTROL BOARD.**

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

Date: 10.01.2022.

Date of hearing on:12.01.2022

