

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

**Original Application No. 133 of 2021 (SZ)
&
Original Application No. 113 of 2021 (SZ)**

Suo Moto – 'VCK leader joins chorus against
Illegal dumping of medical waste'

-Vs-

The Chief Secretary to Govt. of Tamil Nadu
Govt. Secretariat, Fort St. George
Chennai – 600 009 and Ors

...Respondents

With

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'

-Vs-

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

...Respondents

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

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... Respondents

REPORT FILED ON BEHALF OF THE RESPONDENT
TAMIL NADU POLLUTION CONTROL BOARD.

I, R. Sarasavani, Daughter of Thiru. Raghavan, Hindu, aged about 56 years, having my office at No.76, Mount Salai, Guindy, Chennai-32, 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 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 Hon'ble National Green Tribunal (SZ) has passed order dt.25.06.2021 directed as follows:

Abu 21/9/2021
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD
76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

" The Tamil Nadu Pollution control Board (TNPCB) and the District Collectors of Chengalpattu and kancheepuram District as well as the Pollution Control Board are directed to file their independent reports regarding the allegations made in the newspaper reports in their respective areas of their jurisdiction and the manner in which the bio-medical waste is generated in that area is being dealt with by the generators and if there is any, what is the nature of taken by them against such violators etc.,

ACTION TAKEN ON THE NEWS REPORT PUBLISHED IN THE TIMES OF INDIA DATED 08.06.2021 "VCK LEADER JOINS CHORUS AGAINST ILLEGAL DUMPING OF MEDICAL WASTE'

3. It is respectfully submitted that the in pursuance to the said NGT order dt.25.06.2021, the said area was inspected by the DEE, TNPCB, Maraimalai Nagar along with Padur Village Panchayat Secretary on 08.06.2021 and noticed that Solid waste along with Bio-Medical Waste was found dumped in a private patta open land near XS real Apartment-Helios City, Padur Village, Tiruporur Taluk, Chengalpattu District and the said site falls under the Administrative Jurisdiction of the Commissioner/BDO, Tiruporur Panchayat Union, Tiruporur, Chengalpattu District. About 41 Kg of Bio-Medical Waste dumped in the said area was segregated from the solid waste, collected in plastic bags and sent to M/s. GJ Multicalve India Pvt Ltd for further treatment and disposal. The other solid waste found in the said site was removed by Padur Village Panchayat by their dedicated vehicle.

Further, it is reported that the vicinity of the area was inspected and found that there are 3 Nos. of Bedded Health Care Facilities and 10 Nos. of Non-bedded Health Care Facilities in operation. All the bedded and non- bedded HCFs has obtained consent of the TNPC Board / authorization under BMW Rules, 2016.

4. It is respectfully submitted that the Padur Village Panchayat with a population of 5710 Nos. generates solid waste of about 2 T/day and is not having

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21/9/2021
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD
76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

solid waste processing facility for handling the solid waste generated in their Village Panchayat area.

5. It is respectfully submitted that, an amount of Rs.16 lakhs has been assessed as an interim environmental compensation for a period of 16 months (from April 2020 to July 2021) to the Padur Village Panchayat for not segregating and not properly disposing the solid wastes generated from the said panchayat area and not complying with the provisions of Solid Waste Management Rules, 2016 in pursuance to the Hon'ble NGT (PB) order dated 28.02.2020 & 02.07.2020 in O.A.No.606 of 2018.

6. It is respectfully submitted that the TNPCB has issued show cause notice under Section 5 of the Environment Protection Act, 1986, to the Secretary, Padur Village Panchayat vide Proceeding dated 17.08.2021 as to why the Board shall not levy an Interim Environmental Compensation of Rs.16 Lakhs (from April 2020 to July 2021) for not properly carrying out the implementation of the Solid Waste Management Rules, 2016.

ACTION TAKEN ON THE NEWS REPORT PUBLISHED IN THE TIMES OF INDIA DATED 08.06.2021 " ACTIVIST THIRU. PUGALVENTHAN VISITED A SPOT IN MEVALARKUPPAM NEAR SRIPERUMBUDUR".

7. It is respectfully submitted that the said site was inspected by the DEE, Sriperumbudur on 09.06.2021 and it was found that the municipal solid waste generated in the said area was dumped in the Mevalarkuppam Village, Sriperumbudur Taluk, Kancheepuram District along with some of the used masks and in this regard, the Block Development Officer, Sriperumbudur Panchayat Union was instructed to take immediate action to remove the said municipal solid wastes dumped in that area.

8. It is further submitted that in order to prevent the illegal dumping of solid waste by the public in the said area, the Board vide letter dated 17.08.2021 has instructed the Block Development Officer, Sriperumbudur Taluk to comply with the following and to furnish the action taken/status report to the Board within a fortnight,

Nov 21/9/2021
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD
76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

- i. The Sriperumbudur Panchayat Union shall apply and obtain authorization as per the Solid Waste Management Rules, 2016 immediately.
- ii. The Sriperumbudur Panchayat Union 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.
- iii. The Sriperumbudur Panchayat Union shall ensure that no solid wastes are dumped further within its jurisdiction.

ACTION TAKEN ON THE NEWS REPORT PUBLISHED IN THE NEW INDIA EXPRESS DATED 19.06.2021 UNDER THE CAPTION "BIOMEDICAL WASTE DUMPED IN RESIDENTIAL ZONE IN CHENNAI; NEAR THE ROAD TO THE DLF HOUSING COMPLEX AT THALAMBUR IN THE SUBURBS OF SOUTH CHENNAI

9. It is respectfully submitted that the said site was inspected by the DEE, TNPCB, Maraimalai Nagar on 19.06.2021 and it was noticed that used gloves of about 5 Kg was found dumped in the said area in question. The gloves were collected and handed over to M/s. G.J. Multicalve India Pvt Ltd for further treatment and disposal. Also, the surrounding area adjacent to the area in question was inspected on 23.06.2021 and reported that there are 13 Nos. of Non-bedded HCFs and 1 No. of Bedded HCF in operation. Further, it was reported that, out of 13 Nos. of non-bedded HCFs, the following HCFs are operating without one-time authorization under BMW Rules, 2016 in the Thalambur area:

- i. M/s. Apollo Diagnostic Centre, No.19, Pudhupakkam Main Road, Chengalpattu District -603 103.
- ii. M/s Smile Dentistree Dental Clinic, Yashwanth Complex, No.19, Chengalpattu District -603 103
- iii. M/s. JO Clinic, No.918, Shop No.2, Hanuman Nagar, Siruseri Main Road, Thalambur Koot Road, Chengalpattu District- 600 130
- iv. M/s Aplite Dental Clinic, No.9, 1st Floor, KVP Complex, Thalambur, Main Road, Chengalpattu District - 600 130

Har 21/6/2021
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMILNADU POLLUTION CONTROL BOARD
 7G, MOUNT SALAI, GUINDY,
 CHENNAI - 600 032.

v. M/s. ABC Medical Clinic, 3/139, Pudhupakkam Main Road, Thalambhur, Chengalpattu District -600130

In view of the above, the TNPCB has issued directions for closure and disconnection of power supply under Section 5 of the Environment (Protection) Act, 1986 as amended vide Board Proceeding dated 17.08.2021 to the said 5 Nos. of HCFs (non-bedded) for operating the health care facility without obtaining one-time authorization under the Bio Medical Waste Management Rules, 2016 and also for improper disposal of the bio medical waste generated from their facilities.

10. It is respectfully submitted that the above said 5 Health Care Facilities applied and obtained one-time authorization under Bio-Medical Waste Management Rules, 2016. Hence, the TNPCB has issued revocation of the closure direction and restoration of power supply under Section 5 of the Environment (Protection) Act, 1986 as amended to the HCFs vide Proceeding dated 27.08.2021.

11. It is respectfully submitted that the Thalambur Village Panchayat is having population of 16,200 Nos. and generates solid waste of about 3 T/day from its panchayat area. The said local body is not having solid waste processing facility for handling the solid waste generated in their Village Panchayat area and it is dumped opposite to Srinivasa Nagar, Thazhambhur Village area.

In view of the Hon'ble NGT order in O.A.NO.606 of 2018 (PB), an amount of Rs.16 lakhs has been assessed as an interim environmental compensation for a period of 16 months (from April 2020 to July 2021) to the Thazhambur Village Panchayat for not segregating and properly disposing the solid wastes generated from the said panchayat area and thereby not complying with the provisions of Solid Waste Management Rules, 2016.

In this regard the Board has issued show cause notice under Section 5 of the Environment Protection Act, 1986, vide Board Proceeding dated 17.08.2021 to the Secretary, Thazhambur Village Panchayat as to why the Board shall not levy

21/9/2021
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
76, MOUNT SALAI, GUINDY,
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an Interim Environmental Compensation of Rs.16 Lakhs (from April 2020 to July 2021) for not properly carrying out the implementation of the Solid Waste Management Rules, 2016.

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.

dlan
21/9/2021
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD
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-32, do hereby submit that the contents of the above report are true to the best of my knowledge through records.

dlan
21/9/2021
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD
76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

10/01/20
[Signature]

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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