

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

S. No	Description	Page No.
1.	Report filed on behalf of the Respondent - Tamilnadu Pollution Control Board.	1 – 7

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

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

I, R. Rajamanickam S/o. P.M.Ramasamy, Hindu, aged about 57
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


16/12/2024
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032;

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 Hon'ble NGT(SZ) in its order dated 22.09.2021 in Original Application No. 133 of 2021 with Original Application No.113 of 2021 has stated the following inter alia:

" The report submitted by the Joint Committee shows that they have taken water samples from the lake, but the report is awaited and on getting report, they will file the further report."

3. It is respectfully submitted that the water sample from the said Lake was collected on 24.07.2021 and sent to TNPCB laboratory for analysis for the pollutant parameters such as pH, TSS, TDS, DO, BOD, COD, Heavy metals, Total Coliform and Faecal Coliform to assess the quality of water in the said water body and the report of analysis is tabulated below

Sl. No	Parameters	Units	Point Collection	CPCB standards for designated best use criteria for outdoor bathing
			Thalambur Lake	
Physio Chemical Parameters				
1	pH @ 25°C	No.	7.19	6.5 – 8.5
2	Total Suspended Solids @ 105°C	mg/L	11.0	-
3	Total Dissolved Solids @ 180°C	mg/L	163.0	-
4	BOD @ 27°C	mg/L	7.0	3 mg/l or less
5	COD	mg/L	56.0	-

R. Jayaraman
16/12/2021
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

6	Copper as Cu	mg/L	<0.033	-
7	Zinc as Zn	mg/L	<0.05	-
8	Cadmium as Cd	mg/L	<0.013	-
9	Lead as Pb	mg/L	<0.07	-
10	Nickel as Ni	mg/L	<0.05	-
11	Total Chromium Cr	mg/L	<0.01	-
12	Hexavalent Chromium Cr ⁺⁶	mg/L	<0.01	-
13	D.O	mg/L	5.5	5mg/l and above
Bacteriological Parameters				
1	Total Coliform	MPN /100 ml	120	500 or less.
2	Faecal Coliform	MPN /100 ml	40	500 (desirable) 2500 (Maximum Permissible)

The Report of analysis of the water samples collected from the said water body reveals that all the Physico chemical parameters and Bacteriological parameters analyzed meets the Primary Water Quality Criteria for Bathing Waters prescribed by Central Pollution Control Board except BOD.

4. It is respectfully submitted that, further the Hon'ble National Green Tribunal (SZ) in its order dt.22.09.2021 has directed inter alia as follows:

" Para 14. The Committee as well as the Tamil Nadu Pollution control Board (TNPCB) are directed to consider the objection raised by the respondents 9 & 10 in their reply statement and if the allegations


 16/12/2024
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
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are correct , they are directed to take appropriate steps to the same in future.

Para 16:- The pollution control Board is directed to take steps in this regard apart from the District Collector looking into the issue taking action as provided under Rule 12 of the Solid Waste Management”

5. It is respectfully submitted that the in pursuance to the said NGT order, the said area was inspected by the DEE, TNPCB, Maraimalai Nagar on 20.11.2021 and reported the following:

- i. The Thalambur Lake is located in Thalambur Village Panchayat in an extent of 93.15 Acres.
- ii. The Thalambur Lake is surrounded by road & residences of Mullai Nagar in the Eastern side, vacant Pormboke Land in the Western side, road & residences of Jaibheem Nagar and Karanai Periya Eri on the Northern side.
- iii. No discharge of sewage into the said Lake from the residences located nearby to the Lake was noticed during the time of inspection.
- iv. No discharge of industrial effluent was noticed during the time of inspection.
- v. The said Village Panchayat was found dumping the municipal solid wastes generated within their jurisdiction about 50m away from the Thalambur Lake in the western side of the lake.

R. Vijay
16/12/24

JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
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vi. No municipal solid waste was found dumped in other three sides of the lake.

vii. No bio medical wastes were found dumped in the question area.

In spite of issue of show cause notice under section 5 of Environment (Protection) Act, 1986 for the non-compliance of Solid Waste Management Rules, 2016, the said Village Panchayat is not segregating and properly disposing the solid wastes generated from Thalambhur Village Panchayat area and thereby not complying with the Solid Waste Management Rules, 2016.

6. It is respectfully submitted that based on the Hon'ble NGT (PB) order dated 28.02.2020 in O.A.No. 606 of 2018, TNPCB has assessed interim Environmental Compensation (EC) of Rs.20 Lakhs to be levied to the Thazhambur Village Panchayat (population is about 16,200 which is less than 5 lakhs) for the period April, 2020 to November, 2021 (20 months) for not segregating and not properly disposing the solid wastes generated from the said Panchayat area. Therefore the Board has issued directions under Section 5 of the Environment (Protection) Act, 1986, to the Secretary, Thazhambur Village Panchayat to remit the Interim Environmental Compensation of Rs.20 lakhs for the period from April 2020 to November 2020. Further the Thazhambur Village Panchayat is liable to remit the interim Environmental Compensation till the compliance of the following directions:-

 16/12/2021

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

- i. The Thazhambur Village Panchayat shall stop dumping the Municipal Solid Waste near the Thalambur Lake.
- ii. The Thazhambur Village Panchayat shall immediately remove the Municipal Solid Waste dumped near the Thalambur Lake.
- iii. The Thazhambur Village Panchayat shall provide solid waste processing facility for handling the solid waste generated in their Village Panchayat area.
- iv. The Thazhambur Village 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.
- v. The Thazhambur 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.
- vi. The Secretary, Thazhambur Village Panchayat shall monitor and ensure the compliance with the statutory requirements and for the scientific disposal of solid waste that are being generated in the local body, till commencement of the processing facility.
- vii. The Thazhambur Village Panchayat is liable to pay Environmental Compensation till the compliance of the conditions stipulated vide Sl. No. 1 to 6.


16/12/2024
JOINT CHIEF ENVIRONMENTAL ENGINEER,
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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.


16/12/2018
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.
BEFORE ME

VERIFICATION

I, R. Rajamanickam, Son of P.M.Ramasamy, 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.


16/12/2021
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**REPORT FILED ON BEHALF OF THE
RESPONDENT – TAMIL NADU
POLLUTION CONTROL BOARD**

Advocate for Respondent: TNPCB
Thiru. Sai Sathyajith
BSC, Chennai.

Dated: 16.12.2021

Date of hearing: 17.12.2021

