

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

APPLICATION No.162 of 2016 (SZ)

K. Nagappa,
Son of Koneetappa,
3/84, Dasarapalli,
Hosur Taluk,
Krishnagiri District.

...Applicant

-Vs-

1. The Union of India,
Rep. by its Secretary,
The Ministry of Environment, Forest,
New Delhi – 110 003
and Ors

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Advocate for the Respondent: TNPCB
Tr. S. Sai Sathya Jith,
Advocate, Chennai

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1. The Union of India,
Rep. by its Secretary,
The Ministry of Environment, Forest,
New Delhi – 110 003.
2. The State Environment Impact Assessment Authority,
Panagal Building,
Saidapet,
Chennai.
3. The Secretary to Government,
Department of Environment and Forest,
Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai – 600 009.
4. The Secretary to Government,
Public Works Department,
Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai.
5. The Chairman,
Tamil Nadu Pollution Control Board,
No.76, Mount Road, Guindy,
Chennai – 600032.
6. The District Collector,
Krishnagiri District.
7. Muthali Panchayat
Represented by its President,
Hosur Taluk,
Krishnagiri District.


07/9/2021
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No. 76, MOUNT SALAI, CHENNAI-600 032

8. The Commissioner,
Hosur Municipality,
Krishnagiri District.

... Respondents

**STATUS REPORT FILED ON BEHALF OF THE 5TH RESPONDENT
TAMILNADU POLLUTION CONTROL BOARD.**

I, R. Sarasavani, daughter of Raghvan, 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 Status Report on behalf of the 5th respondent and as such I am well acquainted with the facts of the case from the records.

2. It is respectfully submitted that the Hon'ble NGT has passed order dated 03.06.2021 and directed "the *Pollution Control Board to file an independent report regarding the action taken by them for implementing the directions issued by the Principal Bench of National Green Tribunal, New Delhi in O.A.No.606 of 2018 against the 8th respondent/Hosur Municipal Corporation as well*".

3. It is respectfully submitted that in pursuance to the said NGT order, the solid waste dumping yard situated at Dasepalli Village of Hosur Taluk was inspected by the officials of the Tamil Nadu Pollution Control Board on 01.09.2021 and observed the following:

i. The Bio-mining of the legacy waste dumped in the Dasapalle Village dumpsite was under progress by the Hosur Municipal Corporation.

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07/9/2021
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
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ii. The Hosur Municipal Corporation has dumped the fresh Municipal Solid Waste in the legacy waste dumpsite premises which is in violation of the Solid Waste Management Rules, 2016 and violates the NGT (SZ), Chennai orders in O.A. 162 of 2016

iii. The progress on processing of legacy waste for the past three months is found to be poor and processed about 75% (77226 m³) of the total quantity of legacy waste and huge quantity of balance legacy waste was kept in the dumpsite without processing. The unit has not completed the processing of legacy waste within the time.

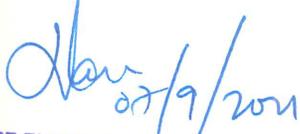
iv. Huge quantity of plastic waste/RDF, segregated during Bio-Mining process was dumped in the dumpsite area without sending to the cement kiln industries for co-processing.

v. The bio-gas collection balloon in the Bio-Methanization Plant was not maintained properly.

4. It is respectfully submitted that, Rule No. 22 (Serial No. 11) of the Solid Waste Management Rules, 2016 prescribes time frame for implementation of bio-remediation or capping of old and abandoned dump sites within five years from 08/04/2016 (i.e., upto 07/04/2021).

5. It is respectfully submitted that, the Hosur Municipal Corporation has not completed the Bio-mining activity before the statutory cut off timeline of 07.04.2021 and thereby not complied with the provisions of Solid Waste Management Rules, 2016.

6. It is respectfully submitted that, as per the Hon'ble National Green Tribunal (Principal Bench) vide order dated 28.02.2020 &


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02.07.2020 in OA No. 606 of 2018 an amount of Rs.5 lakhs has been assessed as an interim environmental compensation for a period of 5 months (from April 2021 to August 2021) to the Hosur Municipal Corporation for not completing the Bio-mining activity as per the provisions of Solid Waste Management Rules, 2016.

7. It is respectfully submitted that, the TNPC Board has issued Show Cause Notice to the Commissioner, Hosur Municipal Corporation under Section 5 of the Environment Protection Act, 1986, as to why the Board shall not levy Interim Environmental Compensation Rs.5 Lakhs (from April 2021 to August 2021) vide Board's Proceeding dated 06.09.2021 for not completing the bio-remediation process as per the provisions of Solid Waste Management Rules, 2016.

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.

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07/9/2021

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

BEFORE ME

VERIFICATION

I, R. Sarasavani, D/o 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.

R. Sarasavani
07/9/2021

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

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

Advocate for the Respondent: TNPCB
Tr. S. Sai Sathya Jith,
Advocate, Chennai

Date: 07.09.2021

Date of Hearing: 08.09.2021