

**BEFORE THE NATIONAL GREEN TRIBUNAL SOUTH ZONE AT
CHENNAI**

MEMORANDUM OF APPLICATION

(Under Sections 14, 15 read with 18(1) of the National Green Tribunal
Act, 2010)

Application No. 127 of 2022

K.S. Mohan

... Applicant

AND

The Corporation of Coimbatore & Ors

... Respondents

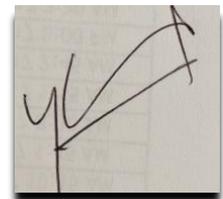
MEMO FILED ON BEHALF OF THE APPLICANT

The applicant respectfully submits as follows:

1. No report / affidavit has been filed by the respondent corporation in compliance with the orders of this Hon'ble Tribunal till date. However, they continue to dump hundreds of tons of garbage at the subject site everyday. The quantity of waste dumped is exponentially higher than the quantity of waste they even claim to treat.
2. The use of the present site is ILLEGAL.
 - a. No Environmental clearance under entry 7 (i) of the EIA Notification, 2006.
 - b. No Authorization under the Solid Waste Management Rules, 2016
 - c. No Consent under the Water Act or Air Act.
3. Since 2013, this Hon'ble Tribunal has shown benevolence to the respondent Corporation in the hope that they will comply with the law and stop the use of the site and manage waste as required by the law. Even the judgment of the Hon'ble Tribunal in OA 264 of 2013 was not complied by the respondent. However, the people in the vicinity of the illegal mega garbage dump continue to suffer every day. With the onset of monsoon, the stench from the dump has increased and it is impossible to live in the area.

4. The question oft posted as to where will the corporation dispose waste has resulted in a situation where we have been victimized and have been suffering for decades. It is illegal for the corporation to bring in several thousand tons of garbage and dispose it in the subject site, which does not even meet siting criteria and no permission can even be issued legally.
5. It is submitted that the corporation hands over more than 15000 tons of garbage to one company engaged by them for management of waste, In addition, there is other waste also being dumped at the site. In fact, this company , Coimbatore integrated waste management company Pvt Ltd has written to the corporation in April, 2023 stating that out of the 15,968 tons of waste handed over in April, only 3592 tons was segregated. This letter is annexed with this memo.
6. It is submitted that everyday hundreds of tons of waste is getting accumulated at the site. The entire process is illegal. It is unconscionable for the corporation to victimize the people in the vicinity of this garbage dump and continue to do so for decades.

Dated this the 4th day of July, 2023 at Chennai



Counsel for the Applicant

Ref: No CIWMCPL/CCMC/04/003/2023-24

30th Apr 2023**BY SPAD & EMAIL**

**TO,
The Commissioner,
Coimbatore Municipal Corporation,
Town Hall, Coimbatore - 641 001**

Sir,

Sub: SUPPLY OF SEGREGATED MSW AT TRANSFER STATION - reg.

- Reference is made to the Concession Agreement dated 19.11.2007, Article 6, Sub section 6.1 Specific Obligations of CCMC.
- Coimbatore City Municipal Corporation (Corporation) has a specific obligation to supply segregated waste in terms of Article 6.1 (e) and (f) of the Agreement. By order dated 28.04.2017, the Hon'ble NGT also had directed the Corporation to supply 100% segregated waste and in the report of the Corporation filed in Application Nos. 234 and 264 of 2013 before the Hon'ble NGT, the Corporation also undertook to supply 100% segregated waste. However, the status of supply of segregated waste for the month of **APRIL 2023** are as below :-

MONTH /YEAR	TOTAL MSW SUPPLIED BY CCMC (IN MT)	SEGREGATED MSW SUPPLIED BY CCMC (IN MT)	% OF SEGREGATED MSW TO TOTAL MSW SUYPLIED BY CCMC
APR 2023	15968.635	3592.425	22.49 %

- It is to inform you that, due to non-segregation of waste at source, produced compost is being rejected by farmers due to presence of glass pieces and plastic materials. Hence, we once again request you to provide us 100% segregated MSW.
- Looking forward for your **URGENT AND IMMEDIATE INTERVENION.**

Thanking you and assuring you of our best services at all times.

For Coimbatore Integrated Waste Management Company Pvt. Ltd.,

Authorized Signatory

Copy to: M/s InfraEn (India) Pvt Ltd, Coimbatore.

Coimbatore Integrated Waste Management Company Pvt Ltd

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