

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

Original Application No. 170 of 2020 (SZ)

Suo Motu based on the News item
in "The Times of India", Chennai
edition dated, 29.08.2020 under the caption
***"3 Suburban local bodies turn temple
land in to dumping yard"***

Versus

The Principal Secretary to Government of Tamil Nadu
Department of Environment,
Chennai & others.

...Respondent(s)

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

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...Applicant(s)

Versus

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Department of Environment,
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...Respondent(s)

**COMPLIANCE REPORT FILED ON BEHALF OF THE 5TH
RESPONDENT- TAMIL NADU POLLUTION CONTROL BOARD.**

I, R. Rajamanickam, Son of P.M.Ramasamy, Hindu, aged about 57 years, having my 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 and I am filing this Report on behalf of the 5th Respondent TNPC Board and as such I am well acquainted with the facts of the case as per records.

2. It is submitted that the Hon'ble NGT has directed the Tamil Nadu Pollution Control Board in its order dated 15.12.2020 inter alia that:

....Para 8:

iii. The Tamil Nadu Pollution Control Board is directed to take appropriate action against the Moulivakkam Village Panchayat for not complying with the Solid Waste Management Rules, 2016 and also the directions issued by the Principal Bench of National Green Tribunal, New Delhi in Original Application No.606 of 2018 and file periodical report before this Tribunal regarding compliance of the directions issued by the Tribunal and implementation of the Solid Waste Management Rules, 2016 by Moulivakkam Village Panchayat once in three months".

3. It is respectfully submitted that, in order to comply the said NGT order, dated 15.12.2020 , the questioned site was inspected by the officials of the office of District Environmental Engineer, Tamil Nadu Pollution Control Board, Sriperumbudur on 02.03.2022 and the Present status is submitted are as follows

Sl. No	Direction issued by Hon'ble NGT Order dated 15.12.2020	Present status of compliance.
1.	The District Collector, Kancheepuram, in coordination with the Block Development Officer, Kundrathur Panchayat Union, is directed to identify an alternate place for Moulivakkam Village Panchayat to do the processing and disposal of solid waste generated within their jurisdiction within a time frame, not exceeding a period of six months	At present, BDO, Kundrathur P.U reported that the municipal solid waste generated from the Moulivakkam village Panchayat is being disposed into Gerugambakkam Village Panchayat existing dump site without segregation as per the Solid Waste Management Rules,2016
2	Moulivakkam Village Panchayat is directed to strictly adhere to the provisions of the Solid Waste Management Rules, 2016 in collecting, segregating and disposal of the waste generated within their jurisdiction in accordance with the provisions of the Solid Waste Management Rules, 2016.	Not Complied. Municipal solid waste is generated from the Moulivakkam Village Panchayat is being disposed in to Gerugambakkam Village Panchayat existing dump site without following the procedure as per the Solid Waste Management Rules, 2016.


 25/4/22
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMILNADU POLLUTION CONTROL BOARD,
 No.76, MOUNT SALAI, CHENNAI-600 032.

3

The Tamil Nadu Pollution Control Board is directed to take appropriate action against the Moulivakkam Village Panchayat for not complying with the Solid Waste Management Rules, 2016 and also the directions issued by the Principal Bench of National Green Tribunal, New Delhi in Original Application No.606 of 2018 and file periodical report before this Tribunal regarding compliance of the directions issued by the Tribunal and implementation of the Solid Waste Management Rules, 2016 by Moulivakkam Village Panchayat once in three months before this Tribunal by e-filing at ngtszfilling@gmail.com

The Board has issued direction to the Block Development Officer, Kundrathur Panchayat Union vide Proc. dated 02.02.2022 are as follows

1. The Kundrathur Panchayat union shall comply with the recommendations of the joint committee constituted by the Hon'ble NGT in OA.No.32 of 2020 & in OA.No.95 of 2021 with respect to Ayyappanthangal and Gerugambakkam village panchayats.
2. The Kundrathur Panchayat union shall clear the dumped solid waste (legacy wastes) inside the Porur lake within the jurisdiction of Ayyappanthangal village Panchayat by carrying out biomining as per CPCB guidelines and also clear the dumped solid waste on the bank of Adyar River in co-ordination with district administration.
3. The Kundrathur Panchayat Union, in co-ordination with the District Administration and the Public Works Department shall provide wire fencing of Porur lake adjoining the Ayyappanthangal village panchayat till the bio-mining activity completed.
4. The Kundrathur panchayat union shall stop the dumping of un-segregated solid waste

generated from the Gerumbakkam village panchayat along the banks of any rivers.

5. The Kundrathur panchayat union shall operate the completed Micro Composting Centre (MCC) immediately so as to handle the organic waste generated from the Ayyappanthangal and Gerugambakkam village panchayats.

6. The Kundrathur panchayat union shall ensure 100% collection of solid waste being generated within its jurisdiction of Kolapakkam, Manapakkam, Mugalivakkam, Padappai, Thandalam, Ayyappanthangal, Gerugambakkam, etc -44 Nos. of village panchayats with proper segregation, door to door collection, processing and disposal by complying with the provisions of the Solid Waste Management Rules, 2016.

7. The Kundrathur panchayat union shall remit interim Environmental Compensation (EC) of Rs.30 lakhs (including 12 lakhs levied by the NGT constituted Joint Committee till September 2020 & agreed by Hon'ble NGT) as directed vide proc. dated

		<p>19.07.2021 in respect of Ayyappanthangal village panchayat for not complying with the provisions of the Solid Waste Management Rules,2016.</p> <p>Further, it was also informed that failure to comply with the said directions will attract action as per provisions of section 5 (Closure and stoppage of electricity), section 15 (penalty provision) and section 17 (Offences and punishment to Head of Government Departments) of the Environment (Protection) Act, 1986 as amended.</p> <p>So far there is no reply received in this regard and hence further action will be initiated against the local body.</p>
4	<p>Moulivakkam Village Panchayat is also directed to submit periodical report once in three months before this Tribunal through e-filing at ngtszfilling@gmail.com regarding the steps taken by them in strictly implementing the Solid Waste Management Rules, 2016 and also the directions issued by the Principal Bench of National Green Tribunal, New Delhi in Original Application No.606 of 2018 till it is implemented in their Panchayat.</p>	No Remarks
5.	<p>The District Collector, Kancheepuram is directed to monitor the progress of the work and take all steps to comply with</p>	No Remarks

the mandate provided under Rule 12 of the Solid Waste Management Rules, 2016 in its letter and spirit.	
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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.


25/4/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, 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-600 032, do hereby verify that the contents of above report are true to the best of my knowledge through records


25/4/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
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POLLUTION CONTROL BOARD**

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

Date:26.04.2022.

Date of hearing on:04.05.2022.