

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

Original Application No.17 of 2017 (SZ)

Dhenupri Housing Colony, Kannadasan
Avenue, Seethalakshmi Nagar
Welfare Association, a Registered Society,
Rep. by its President D. Ravi,
No.5, Kannasadasan Avenue,
Madambakkam, Chennai – 600126.

... Applicant

Vs

The Secretary,
State Urban Development Department,
Government of Tamil Nadu,
Fort St. George,
Chennai – 600009 & 8 others.

... Respondents

INDEX

S.No	Description	Page No.
1.	REPORT FILED ON BEHALF OF THE 4TH & 7th RESPONDENTS - TAMIL NADU POLLUTION CONTROL BOARD	1- 6

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

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI.

Original Application No.17 of 2017 (SZ)

Dhenupuri Housing Colony,
Kannadasan Avenue,
Seethalakshmi Nagar Welfare Association,
a Registered Society,
Rep. by its President D. Ravi,
No.5, Kannasadasan Avenue,
Madambakkam, Chennai – 600126.

... Applicant

Vs

1. The Secretary,
State Urban Development Department,
Government of Tamil Nadu,
Fort St. George,
Chennai – 600009.
2. The Commissioner,
Municipal Administration & Water Supply Department,
Chepauk, Chennai – 600009.
3. The Director of Town Panchayat,
Chepauk, Chennai – 600005.
4. The Tamil Nadu Pollution Control Board,
Rep. by its Chairman,
76, Mount Salai, Guindy,
Chennai – 32.
5. The Superintending Engineer,
Kancheepuram, Thiruvallur Circle,
TWAD Board, "A"Block, No.1, Second Floor,
Alandur Municipality Super Bazar Complex,
New Street, Alandur,
Chennai – 600016.
6. The District Collector,
Kancheepuram District,
Kancheepuram – 631201.
7. The District Environmental Engineer,
Kancheepuram District,
Kancheepuram – 631501.
8. The Revenue Divisional Officer,
Tambaram, Chennai – 600045.

J. J. Ramdas
16/2/2022

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

Madan
signature
date

9. Madambakkam Town Panchyat,
Rep. by its Executive Officer,
Madambakkam,
Chennai – 600126.

... Respondents

REPORT FILED ON BEHALF OF THE 4TH & 7TH RESPONDENTS
TAMIL NADU POLLUTION CONTROL BOARD.

I, J. Josephine Sahayarani , Daughter of Jesu Rajan , Christian, aged about 56 years, having my office at 76, Mount Salai, Guindy, Chennai-600032, do hereby solemnly affirm and sincerely state as follows:-

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board (TNPCB), Chennai – 32, and I am filing this Report on behalf of the Respondent Tamil Nadu Pollution Control Board (TNPCB) 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 23.09.2021 and directed inter alia as follows:

“....Para 7: the Tamil Nadu Pollution Control Board as well as the Madambakkam Panchayat are directed to file their further report regarding the methodology to be adopted for improving the water quality to “Category A” or “Category- B” and also regarding the implementation of the Under Ground Sewage System (UGSS) in Madambakkam Panchayat and what is the stage of the same and what are all the steps taken by them to prevent untreated sewage being entering into the lake, before the next hearing date”.

J. Josephine Sahayarani
16/12/2022

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

3. It is respectfully submitted that in pursuance to the said Hon'ble NGT (SZ) order, the area in question the Thangal Eri and the solid waste management facility and the dump site of the Madambakkam Town Panchayat were inspected by the DEE, TNPCB, Maraimalai Nagar on 26.11.2021 and during inspection the following were observed:

i. The Town Panchayat is carrying out the bio-composting of a portion of the Bio-degradable waste generated from its town panchayat area.

ii. The Town Panchayat is dumping the solid waste collected from its Town Panchayat area in a compounded open yard located adjacent to the Madambakkam, Thangal Eri.

iii. The Town Panchayat has not taken action for processing of legacy waste dumped, in turn it has proposed to transport the same and to dump in the Kolathur dump site located in the Kattankulathor Block of Chengalpattu District.

iv. Sewage generated from the town panchayat area is still found discharged into the said Thangal Eri.

v. The Town panchayat has stated that they have issued notices to all the residents not to let out the sewage/sullage into the storm water drain which reaches the Thangal eri and to provide individual septic tank and soak pit arrangements and also stated that based on the notice one of the resident has provided soak pit within their premises and plugged the discharge of sewage/ sullage into the storm water drain.

4. It is further submitted that with respect to sewage discharged in to the Thangal Eri, the Board has already issued show cause notice to the Executive Officer, Madambakkam Special Grade Town Panchayat vide proceeding dated 23.08.2021. Further, the Madambakkam Special Grade Town Panchayat vide letter dated 31.08.2021 had furnished a

J. Prasad 8/5
16/11/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

Environmental Compensation as per the formula indicated in the Show cause notice.

6. It is further submitted that, in spite of issue of show cause notice, the said Town Panchayat is not properly carrying out the implementation of the Solid Waste Management Rules, 2016 and not commenced the bio-mining activity of legacy waste. Hence, TNPCB has assessed an interim Environmental Compensation (EC) of Rs.42 Lakhs (population is about 31,681) for the period April, 2020 to December, 2021 for not properly carrying out the implementation of the Solid Waste Management Rules, 2016 and not commenced the bio-mining activity of legacy waste.

Further, the TNPCB has issued directions under Section 5 of the Environment (Protection) Act, 1986 to the Executive Officer, Madambakkam Town Panchayat to remit the Interim Environmental Compensation of Rs.42 Lakhs (Rupees Forty Two Lakhs only) and the Madambakkam Town Panchayat is liable to remit the environmental compensation till the complinace of the following directions vide Board Proceeding dt.23.12.2021:

i. The Madambakkam Town 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.

ii. The Madambakkam Town Panchayat shall comply with the recommendations of the Joint Committee constituted by the Hon'ble NGT in OA.No. 17 of 2017 (SZ).

iii. The Madambakkam Town Panchayat shall ensure 100% collection of solid waste being generated within its jurisdiction with

J. S. Suresh
16/12/22
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

proper segregation, door to door collection, processing and disposal by complying with the provisions of the Solid Waste Management Rules 2016.

iv. The Madambakkam Town Panchayat shall expedite and complete the Bio-mining of the legacy waste in accordance with the provisions of Solid Waste Management Rules, 2016.

v. The Madambakkam Town Panchayat shall immediately clear the dumped solid waste in the compounded open yard located adjacent to the Madambakkam, Thangal Eri to avoid water pollution.

vi. The Madambakkam Town Panchayat shall immediately stop dumping and ensure that no dumping of solid waste happens in the Thangal Eri by deploying security guards.

vii. The Madambakkam Town Panchayat is liable to pay Environmental Compensation for non compliance of the conditions stipulated vide Sl.No. 1 to 6.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal may be pleased to pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstance of this case and thus render justice.

J. Josephine Sahayarani
16/4/2022

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

BEFORE ME

VERIFICATION

I, J. Josephine Sahayarani, Daughter of Jesu Rajan, working as Joint Chief Environmental Engineer, having office at No. 76, Anna Salai, Guindy, Chennai – 32, do hereby submit that the above contents are true to the best of my knowledge and belief through records.

J. Josephine Sahayarani
16/4/2022

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

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

**Original Application No.17 of 2017
(SZ)**

Dhenupri Housing Colony,
Kannadasan Avenue, Seethalakshmi
Nagar Welfare Association, a
Registered Society,
Rep. by its President D. Ravi,
No.5, Kannasadasan Avenue,
Madambakkam, Chennai – 600126.

... Applicant

Vs

The Secretary,
State Urban Development
Department,
Government of Tamil Nadu,
Fort St. George,
Chennai – 600009 & 8 others.

... Respondents

**REPORT FILED ON BEHALF OF
THE 4TH & 7TH RESPONDENTS -
TAMIL NADU POLLUTION
CONTROL BOARD.**

**Advocate for Respondent : 4TH & 7TH
Thiru.S. Sai Sathya Jith,
Advocate, Chennai.**

Date:17.02.2022

Date of hearing on:21.02.2022

