

FURTHER INSPECTION REPORT OF THE JOINT COMMITTEE  
CONSTITUTED BY THE HON'BLE NATIONAL GREEN TRIBUNAL  
(SOUTHERN ZONE) IN RESPECT OF O.A NO. 178 OF 2020 (SZ)  
SUOMOTU ON THE BASIS OF THE NEWS PAPER REPORT WITH  
PHOTOGRAPH PUBLISHED IN DINAMALAR DAILY CHENNAI  
EDITION DATED, 08.09.2020 UNDER THE CAPTION "GARBAGE AT  
PEERKANKARANAI DUMP YARD WAS BURNT"

GREEN TRIBUNAL (SOUTHERN ZONE) IN RESPECT OF  
O.A NO.178 OF 2020 (SZ)

Nodal Officer : The Director of Town Panchayats

**1.0 Preamble**

In the matter of Original Application No. 178 of 2020, Tribunal on its own motion-SUO MOTU based on the News item in Dinamalar Newspaper, Chennai Edition Vs 1.The Secretary to Govt. of Tamil Nadu, Department of Environment, 2.The Principal Secretary to Govt. of Tamil Nadu, Health and Family Welfare Department, 3.Additional Chief Secretary to Govt, of Tamil Nadu, Municipal Administration and Water Supply Department, 4.Director of Town Panchayats, Rep.by its Director, 5.The Chairman, Tamil Nadu Pollution Control Board, 6.The District Collector, Kancheepuram District and Peerkankaranai Town Panchayat, Rep. by its Executive Officer, the National Green Tribunal, Southern Zone, Chennai has passed an order dated 17<sup>th</sup> September, 2020 (Annexure-I) that;

*"It is appropriate to appoint a joint committee comprising of 1) the District Collector, Kancheepuram District or a Senior Officer not below the rank of Assistant Collector or Sub Divisional Magistrate deputed by the District Collector 2) a Senior Officer from the Tamil Nadu Pollution Control Board as designated by the Chairman of Tamil Nadu Pollution Control Board 3) a Senior Officer from the Directorate of Town Panchayats, Chennai and 4) the Executive Officer of Peerkankaranai Town Panchayat, Chennai to inspect the area in question and submit a factual as well as action taken report, if there is any violation found.*

*The committee is directed to consider the question as to whether there is any legacy waste lying in the dump yard, if so what is its quantity and what are the steps taken by the 7th respondent, Panchayat for disposal of the legacy waste, whether the directions given by the Principal Bench of National Green Tribunal of New Delhi in Original Application No. 606 of 2018 from time to time regarding the disposal of legacy waste in the dump yard are being complied with by the 7th respondent, if there is any violation, what is the action taken by the regulator against the violation committed by the local body as directed by the Principal Bench of the above cases, what are all the precautions taken by the local body to prevent setting fire to garbage by miscreants in that dump yard and the remedial measures for avoiding such things in future and if there is any damage caused to the environment to assess the environmental compensation and also fix the responsibility of the person who are responsible for the same.*

*The Officer, designated by the Directorate of Town Panchayat will be the nodal agency for co-ordination and for providing necessary logistics for this purpose.*

*The committee is directed to submit the report to this Tribunal on or before 09.11.2020 by e-filing along with necessary hard copies to be produced as per rules.*

In Compliance of above mentioned order, the Director of Town Panchayats, Urban Administrative Building, Santhome High Road, Chennai, constituted a Committee comprising the following officials. The Committee members were informed vide letter dated October 29, 2020.

Sl. No.	Name and Designation of the Officer	Committee
1.	D. Anbalagan, Superintending Engineer, O/o Directorate of Town Panchayats, Chennai	Member
2.	D.Vasudevan, District Environmental Engineer, Tamil Nadu Pollution Control Board, Maraimalai Nagar	Member
3.	D.Ravichandran, Revenue Divisional Officer, Tambaram	Member
4.	M.Sampath Naidu, Executive Officer, Peerkankaranai Town Panchayat, Chennai	Member

The Director of Town Panchayats, Chennai has been nominated as the Nodal Officer of MA&WS for the joint committee.

The committee mutually decided to visit the area in question which is a subject matter in O.A. 178 of 2020 on November 04 2020.

### **ORDERS OF THE HON'BLE TRIBUNAL**

It is respectfully submitted that the Hon'ble National Green Tribunal (SZ), Chennai in its order dated.17.09.2020 in the matter of O.A.No.178 of 2020 has directed the following,

*"In order to ascertain the genuineness of the allegations made in the paper report, we feel it appropriate to appoint a joint committee comprising of*

- 1) The District Collector, Kancheepuram District or a Senior Officer not below the rank of Assistant Collector or Sub Divisional Magistrate deputed by the District Collector.*
- 2) A Senior Officer from the Tamil Nadu Pollution Control Board as designated by the Chairman of Tamil Nadu Pollution Control Board.*
- 3) A Senior Officer from the Directorate of Town Panchayats, Chennai and*

4) *The Executive Officer of Peerkankaranai Town Panchayat, Chennai to inspect the area in question and submit a factual as well as action taken report, if there is any violation found.*

*The committee is directed to consider the question as to whether there is any legacy waste lying in the dump yard, if so what is its quantity and what are the steps taken by the 7th respondent, Panchayat for disposal of the legacy waste, whether the directions given by the Principal Bench of National Green Tribunal of New Delhi in Original Application No. 606 of 2018 from time to time regarding the disposal of legacy waste in the dump yard are being complied with by the 7th respondent, if there is any violation, what is the action taken by the regulator against the violation committed by the local body as directed by the Principal Bench of the above cases, what are all the precautions taken by the local body to prevent setting fire to garbage by miscreants in that dump yard and the remedial measures for avoiding such things in future and if there is any damage caused to the environment to assess the environmental compensation and also fix the responsibility of the person who are responsible for the same.*

*The Officer, designated by the Directorate of Town Panchayat will be the nodal agency for co-ordination and for providing necessary logistics for this purpose.*

*The committee is directed to submit the report to the Tribunal on or before 09.11.2020 by e-filing along with necessary hard copies to be produced as per rules.”*

It is respectfully submitted that the Hon'ble National Green Tribunal (SZ), Chennai order dated.16.06.2020 in the matter of O.A.No.81 of 2020 directed the following,

*“In order to consider the present situation and also the implementation of the Solid Waste Management Rules,2016 in that Peerkankaranai Town Panchayat, we feel it appropriate to appoint a joint committee comprising of the (1) District Collector, Chengalpet District, (2) Senior Officer / Scientist of Tamil Nadu Pollution Control Board and (3) Additional Director or any Senior Officer deputed by him from the office of Additional Director of Town Panchayat to inspect the area in question and submit a factual and action taken report if there is any violation found to this Tribunal within a period of 2 months”.*

*“The committee is directed to submit the steps taken by the 7<sup>th</sup> respondent for the implementation of Solid Waste Management Rules, 2016 in their local unit and also the steps taken by them for collection and disposal of waste generated in the Panchayat”.*

*“They are also directed to consider the question as to how much legacy waste is being kept untreated in the Peerkankaranai dump yard used by the 7<sup>th</sup> respondent and whether the directions issued by the Principal Bench of this Tribunal in Original Application No.606 of 2018 has been implemented and if it is not properly implemented, what is the action taken by the regulating authorities namely the Pollution Control Board and the District Magistrate in this regard to make them implement the directions and rules in its letter and spirit. If, there is any violation found, then the committee is directed to assess the environment compensation as directed by the Principal Bench of this Tribunal in several cases of this nature and submit the report to this Tribunal within the time mentioned above. The Tamil Nadu Pollution Control Board will be the nodal agency for co-ordination and for providing all necessary logistics for this purpose”.*

In due compliance of the said Hon’ble National Green Tribunal direction, Joint Committee report in the matter of O.A.No.81 of 2020 was submitted before the Hon’ble National Green Tribunal

Subsequently the Hon’ble National Green Tribunal (SZ), Chennai in its order dated 30.09.2020, has passed the following order:-

*“We direct the Tamil Nadu Pollution Control Board to take proper action against the seventh respondent as directed by the Principal Bench in O.A.No.606 of 2018 and submit further action taken report to this Tribunal on or before 19.11.2020 by e-filing at [ngtszfiling@gmail.com](mailto:ngtszfiling@gmail.com).*

*The seventh respondent is also directed to file progress report regarding the implementation of the Solid Waste Management Rules, 2016 in their panchayat and also implementation of the directions issued by the Principal Bench of the National Green Tribunal in O.A.No.606 of 2018 before the next hearing date.*

*District Collector, Chengalpet is also directed to submit a separate report regarding the action taken by him under Rule 12 of the Solid Waste Management Rules, 2016 for the non implementation of the same by the seventh respondent panchayat before the next hearing date”*

## FURTHER REPORT OF THE COMMITTEE

The Peerkankaranai is a Selection Grade Town Panchayat in Chengalpattu District with a population of 25871 as per 2011 Census and the present population is estimated about 32,539. The extent of the Town is 1.786 sq.km and is administratively divided into 15 wards. There are 7522 House Holds and 600 commercial establishments, 1 Govt. Primary Health Centre, 1 private Nursing Home and 5 small health clinics situated within the Town. The Town Panchayat owns 40.881 km length of Roads besides 1.50 km of roads belongs to State Highways Department. There are 26.600 km length of storm water drains maintained by the Town Panchayat. It is the duty and responsibility of the Town Panchayat for the better maintenance of Sanitary conditions, Solid Waste Management, Water Supply, Street Lights and other basic services to the people of the Peerkankaranai.

### SOLID WASTE MANAGEMENT – QUANTITY OF MUNICIPAL SOLID WASTE GENERATED

The Town Panchayat generates 9.87 Metric Tonnes of Municipal Solid waste every day as mentioned below:

Bio Degradable Waste	-	5.91 MT
Non Bio degradable Waste	-	3.96 MT

The Non bio degradable waste daily generated consists of the following categories of wastes.

<b><u>Non Bio Degradable Waste</u></b>	
a. Plastic-Saleable/Recyclable	0.425 MT
b. Plastics-Reusable	0.075 MT
c. Plastics-Non saleable/Non Reusable/combustible	0.155 MT
d. Glass, Rubber, Tyres	0.350 MT
<b><u>Domestic Hazardous waste</u></b>	
a. Electric wires/chokes/Battery/paint containers/Bulbs	0.105 MT
b. Napkins/Diapers/used medical cotton waste etc.,	0.175 MT
<b><u>Other Dry waste</u></b>	
Unused Bed/Pillows/Mats/clothes/Wood pieces etc.,	0.250 MT
Construction and Debris Wastes	0.700 MT
E-waste	0.225 MT
Inert Drain silt etc.,	1.500 MT

### Availability of staff and Vehicle strength

Executive Officer	1
Junior Assistant	1
Sanitary Workers (permanent)	17
GO - Green through outsourcing	62
Vehicles Available :	
Mini Compactor	1
Tractor with Trailer	2
Tata ACE	1
Mini Tipper Auto	1
Battery Operated Vehicle	15
Tri cycle	10
Push Cart	10
Tractor rental basis	1

### DUMP YARD (RESOURCE RECOVERY PARK)

The Dump Yard is located adjoining to the GST Road in Town Survey No:183/3 and the extent of the Dump Yard is 0.50 acres. The land classification is Eri Thangal which is under the control of PWD and it is in function for more than 17 years. The Solid waste generated in the Town Panchayat areas is transported to the dump yard after segregation at door step for processing and disposal.

### PRESENT SYSTEM OF PROCESSING AND DISPOSAL.

Sl. No.	Category of Wastes	Quantity generated per day in M.T.	% of processing	Present method of processing	Method of disposal
1	Bio degradable waste	5.91 MT	100%	Windrow composting	Manure produced
2	Non Bio Degradable Waste				
	a. Plastic-Saleable / Recyclable	0.425 MT	100%	Stacked and sold to potential Recyclers / vendors	By sale
	b. Plastics-Reusable	0.075 MT	100%	Shredded by using plastic shredders and used for B.T Road Relaying works	Relaying of B.T Roads
	c. Plastics-Non saleable / Non Reusable / combustible	0.155 MT	100%	Stored and sent to Cement industries for co-processing	To Cement Industries
	d. Glass, Rubber, Tyres	0.350 MT	100%	Stored and sold to recycles	Resale
3	Domestic Hazardous waste				
	a. Electric Wires / Chokes / Battery / paint containers / Bulbs	0.105 MT	100%	Stored at Resource Recovery Park and small Resellers	Sold to Resellers
	b. Napkins/Diapers/used medical cotton waste, etc.,	0.175 MT	100%	Daily collected waste are incinerated at Resource Recovery Park	Incineration

4	Other Dry waste Unused Bed / Pillows / Mats / clothes / Wood pieces etc.,	0.250 MT	100%	Collected and stored separately in the Resource Recovery Park. Proposed to be disposed through incineration	Incineration
5	Construction and Debris Wastes	0.700 MT	100%	Separate place is earmarked in the Town Panchayat. Quantity generated per day is very less and hence used for filling in low-lying areas in the wards.	Low-lying areas filling
6	E-waste	0.225 MT	100%	Collected and stored at Resource Recovery Park. Sold to potential Recycling vendors authorised by TNPCB	Sold to TNPCB Authorised Vendors
7	Inert, Drain, silt, etc.,	1.500 MT	100%	Collected separately and filled up in low-lying areas	Low-lying areas filling

## **7. LEGACY WASTE**

There is legacy waste dumped in the Resource Recovery Park and the quantity of waste dumped is 2162 cubic metre. It is proposed to own land allotted by the District Collector, Kancheepuram vide Proc.Na.Ka.No.1659/2019/TP1 dated 12.11.2019 at Survey No.365A of Perungalathur village in an extent of 3.50 acres. The Executive Officer, Peerkankaranai Town Panchayat now states that originally it was proposed to remove and shift the dumped legacy waste in the Dump Site / RR Park near Eri Thangal to the newly allowed land of 3.50 Acres extent at Survey No.365A of Peerkankaranai village.

During the joint inspection with the Revenue Divisional Officer, Tambaram to demarcate the allotted land the nearby public has raised objection for formation of Dump yard / Resource Recovery Park in the above new allotted land.

The District Collector, Kancheepuram vide Proceedings Na.Ka.No.1607/2019/TP1 dated 07.11.2019 has issued orders to remove the dumped waste and shift the legacy waste to the common dumping land earmarked at Kolathur Village near Appur in Kancheepuram District. Therefore to avoid pollution to Eri Thangal in Peerkankaranai now it is proposed to remove & shift the dumped legacy waste of 2162 cubic metres to the land in Kolathur Village.

## **8. BIO MEDICAL WASTE**

As per the Solid Waste Management Rules 2016, collection and disposal of Bio Medical Waste are the responsibility of State Pollution Control Board. There is one Nursing Home, one Govt. Primary Health Centre and 5 small private clinics situated within the Peerkankaranai Town Panchayat limits. No Major private Hospitals / Multi Speciality Hospitals are situated in the limits of Peerkankaranai Town Panchayat. The Bio Medical Waste generated from the above Hospitals are collected by the private vendors M/s.G J Multi Clave who is authorised by the Tamilnadu Pollution Control Board. The Town Panchayat is periodically contacting the above 7 hospitals and monitoring to ensure that the Bio Medical Wastes are not disposed into Town Panchayat solid waste management stream.

## **ACTION TAKEN ON SOLID WASTE MANAGEMENT**

The Town Panchayat is a small urban local body in which the permanent/sanctioned posts are less. The Town Panchayat has 24 sanctioned posts for water supply, sanitation, street light maintenance works. Out of which 3 posts are vacant and the process of filling the same in accordance with Government Rules will take a long time. However the existing staffs are not sufficient to meet the requirement of rapid growing households and population.

Since the state formulated the Solid Waste Management Rules 2016 (Management and Handling), the Town Panchayats were authorised under Na.Ka.No:5030/08/B4 dt 24/06/2008 by the letter issued by the Directorate of Town Panchayats to engage Self Help Groups (SHG) and Non-Government Organisations to handle process of Solid Waste Management Activities in Town Panchayats.

Accordingly, the services of NGO named “M/s.GO Green Solid Waste Management Service Society” was engaged into supplement the existing sanitation team and to ensure proper implementation of Solid Waste Management activities as per Solid Waste Management Rules 2016.

All activities went well and the effective implementation was affected due to corona pandemic lock down period which was announced from 23<sup>rd</sup> March 2020. Since the entire team was busy in the containment of COVID-19 and the SHG could not provide additional personnel required, the Town Panchayat had to place

some more temporary arrangements on contractual basis. Due to the above reasons, the Door to Door collection was disturbed and however the same Door to Door collection and segregation at source are being addressed and improved.

- Present Door to Door collection 100%
- Segregation at source 65%
- Battery Operated Vehicles 15 Nos were purchased for effective Door to Door Collection and segregation at source.
- 2 Tractors (Engine Only) were engaged on Hire Basis for Door to Door collection and transportation to Dump Yard.

### **IMPLEMENTATION OF PLASTIC WASTE MANAGEMENT RULES 2016**

The Government of Tamilnadu in its order G.O.Ms No: 84(Environmental and Forest Department), date. 25.06.2018 has issued orders for eradication of the use of one time use and throw away plastics in urban local bodies.

Based on the orders, continuous raids, monitoring activities and IEC activities are being carried out to ban the sale and use of one time use and throw away plastics.

From 01/08/2020 to till 31/12/2020 24 raids were conducted, 25 kgs of one time use and throw away plastics seized, Rs.5,000/- fine was imposed and collected. Continuous surprise inspections are being continuously made and IEC activities are being carried out in this regard.

### **LACK OF ADEQUATE SPACE FOR RESOURCE RECOVERY PARK**

At present, the Resource Recovery Park is functioning adjoining to the Town Panchayat office in an area of 0.50 acres which is classified as Eri Thangal owned by the Public Works Department. This site has been used as Dump yard for dumping garbage for the past 17 years. Now as per the request of the PWD, a request was made to the District Collector, Chengalpattu to allot suitable land of required extent to form a Resource Recovery Park to carry out activities as per the Solid Waste Management Rules 2016. As instructed by the District Collector, the Revenue Divisional Officer, Tambaram was contacted and required land will be obtained before 30.06.2021.

**9. REPLY TO PRINTS / OBSERVATION MADE BY THE NGT & ACTION PLAN**

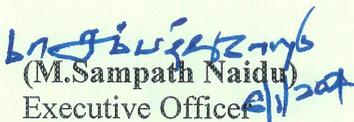
1. The existing Dump yard is situated in an extent of 0.50 Acres classified as “Eri Thangal” as per the Revenue records own by the Tamilnadu Public Works Department. The TNPCB authorisation is valid upto 30.09.2020. Since the public has objected for formation of Compost Yard / Resource Recovery Park in Survey No.365A of Peerkankaranai village, the District Collector, Chengalpattu was requested to allot suitable land for the Resource Recovery Park and till then the Peerkankaranai Town Panchayat may be permitted to process the daily generated waste in the existing Resource Recovery Park at Eri Thangal land (Disputed Area).
2. The new site will be obtained from the District Collector before 30.06.2021. The new solid waste management facility will be established by the Town Panchayat. The SWM processing facility with all required infrastructure will be established before 31.10.2021.
3. As stated earlier the dumped legacy waste in the disputed Eri Thangal area will be removed & shifted to land earmarked by the District Collector, Kancheepuram. After that only segregated Solid Waste will be processed in the existing Resource Recovery Park in Eri Thangal Area in compliance with SWM Rules 2016 till new land is allotted by the District Collector, Chengalpattu.
4. There was fire incident at the dump yard on 06.09.2020 night and it was put off by the Peerkankaranai Town panchayat on 07.09.2020. There was no deviation in the news article and the photo published in the Dinamalar Daily News Paper on 08.09.2020. Immediately the Executive Officer, Peerkankaranai Town Panchayat has made a complaint in the Peerkankaranai Police Station to trace the persons responsible for the same. The reporter of the Dinamalar was also contacted and enquired about the News & Photo published. He was also explained above the SWM activities there are being carried out in the Resource Recovery park site in Peerkankaranai Town Panchayat.

5. Though the Town Panchayat has posted adequate workers to the Resource Recovery Park in the Eri Thangal Area which is situated near the busy Bus Stop area in GST Road and Perungalathur Railway Station, some miscreants caused fire incident on 06.09.2020 which was attended by the Town Panchayat during the mid night on 06.09.2020 itself. After that incident additional workers were deployed and the SWM processing activities is continuously monitored. Now the Town Panchayat is taking all efforts to ensure that all SWM activities are being carried out in compliance with the SWM Rules 2016. Since the Town Panchayat is a smaller urban local body which is functioning with very less staff & workers they may be condoned and may be given time upto 30.06.2021 to ensure compliance of SWM Rules 2016 and to obtain separate land for Resource Recovery park from the District Collector, Chengalpattu.
6. Previously Peerkanaranai was in Kancheepuram District and the Kancheepuram District was bifurcated into Kancheepuram and Chengalpattu District in November 2019 and the Peerkanaranai Town Panchayat comes under the jurisdiction of Chengalpattu District.

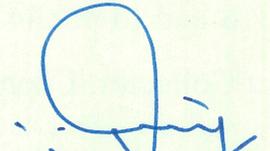
Activity	Present Status	Action Plan proposed
Door to Door Collection	100%	100% Achieved
Segregation at Source	65%	Continuous IEC Activities and awareness camps are being conducted through Animators Continuous efforts are being made and will be achieved before 30.06.2021
<b><u>Processing of Waste</u></b> Bio Degradable Waste	100%	Windrow Composting will be continued and all bio degradable waste will be disposed
<b><u>Non Bio Degradable Wastes</u></b>		
a) Plastics Saleable/Recyclable	100%	Stored separately and are being sold to potential Recyclers. This will be continued.
b) Plastic – Reusable	100%	Used for BT Road Relaying Works. This will be continued.
c) Plastics - Non Saleable / Reusable / Combustible	100%	Stored separately in the Resource Recovery Park and will be sent to Cement Industries at Ariyalur for co-processing.
d) Glass, Rubber, Tyres, etc.,	100%	Stored separately in the Resource Recovery Park and are being sold to small Recyclers / scrap dealers. This will be continued.
<b><u>e) Domestic Hazardous Waste</u></b> Electric Wires / Chokes / Battery / Paint Containers/Bulbs	100%	Stored separately in the Resource Recovery Park are being sold to TNPCB authorised Vendors. This will be continued.
<b><u>f) Domestic Hazardous Waste</u></b> Napkins / Diapers /used medical cotton waste	100%	Daily collected wastes are incinerated at Resource Recovery Park. This will be continued.

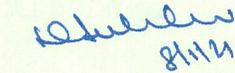
g) <u>Other dry waste</u> Unused Bed / Pillows / Mats / Clothes / Wood Pieces etc.,	100%	Collected and stored separately in the Resource Recovery Park. Proposed to be disposed through incineration.
h) Construction and Debris Waste	100%	Separate place is earmarked in the Town Panchayat in the land near Velu Nagar. The quantity generated is less and is being used for filling in low lying areas. This will be continued.
i) E-waste	100%	Collected and stored separately in the Resource Recovery Park and is being sold to TNPCB authorised Vendors. This will be continued.
j) Inert Drain, Silt etc.,	100%	Collected and used for filling in low lying areas. This will be continued.

**Signature of Committee Members**

  
(M.Sampath Naidu)  
Executive Officer  
Peerkankaranai Town  
Panchayat, Chennai-63

  
(D.Vasudevan)  
District Environmental  
Engineer, Tamil Nadu  
Pollution Control Board,  
Maraimalai Nagar.

  
(D.Ravichandran)  
Revenue Divisional  
Officer, Tambaram,  
Chengalpet District.

  
(D.Anbalagan)  
Superintending Engineer,  
O/o Directorate of Town  
Panchayats, Chennai-28