

INSPECTION REPORT OF THE JOINT COMMITTEE CONSTITUTED BY THE HON'BLE NATIONAL GREEN TRIBUNAL (SOUTHERN ZONE) IN RESPECT OF O.A NO. 191 OF 2020 (SZ) SUO MOTU ON THE BASIS OF THE NEWSPAPER REPORT PUBLISHED IN THE TIMES OF INDIA, CHENNAI EDITION DATED 24.09.2020 UNDER THE CAPTION "IN PALLAVARAM, THE ROAD IS A DUMP YARD"

1. ORDERS OF THE HON'BLE TRIBUNAL

It is respectfully submitted that the Hon'ble National Green Tribunal (SZ), Chennai in its order dated 01/09/2020, has passed the following order inter alia that:-

2. It is alleged in the paper report that traffic congestion is not the only problem on Thoraipakkam, Pallavaram Radial Road. A mountain of garbage next to the construction site near Vels University signal is hard to miss.
3. It is alleged in the report that lot of construction debris are being dumped on the side of the said road in violation of the provision of the Construction and Demolition Waste Management Rules, 2016 apart from this solid waste is also dumped on the side of the road.
4. On going through the allegations in the paper report, we are satisfied that there arises a substantial question of environment which requires the interference of this Tribunal for resolving the same. So, the matter is admitted.
6. Time and again this Tribunal in several matters of this nature and also the Principal Bench of National Green Tribunal in O.A. 606 of 2018, have given directions regarding monitoring the Implementation of Solid Waste Management Rules, 2016 and Construction and Demolition Waste Management Rules, 2016 and other rules relating to disposal of different type of waste, still such things are recurring and such reports are coming in the newspaper often. That shows the lethargic attitude on the part of the local authorities in implementing the rules in its letter and its spirit, so as to achieve the goal for protecting environment.
7. So, in order to ascertain the genuineness of the allegations in the paper report and action taken by the local body to resolve the issues, we feel it appropriate to appoint a joint committee comprising of 1) the District Collector, Chengalpet 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 State Pollution Control Board as designated by its Chairman, 3) a Commissioner or a Senior Officer from Commissionerate of Municipal Administration deputed by the Commissioner and 4) the Commissioner of Pallavaram Municipality to inspect the area in question and submit a factual as well as action taken report, if there is any violation found.
8. The Commissionerate of Municipal Administration will be the nodal agency for co-ordination and for providing all necessary logistics for this purpose.
9. The committee is directed to ascertain as to whether Solid Waste Management Rules, 2016 and Construction and Demolition Waste Management Rules, 2016 and the Waste Management Rules are strictly followed by the 7th respondent Municipality within the jurisdiction and whether the periodical directions given by the Principal Bench of National Green Tribunal in O.A. 606 of 2018 are being implemented and if not, what is the action taken by the regulating authority including the District Collector as required under Rule 12 of Solid Waste Management Rules, 2016 including imposition of environmental compensation as directed by the Principal Bench in O.A. 606 of 2018 and provide a long term and short term measures to meet the situation with shorter time line.

Further in its order dated 25/01/2021 directed the following inter alia that:-

4. It is seen from the report that on account of non availability of any other dump site as there are certain litigations pending in respect of Vengadamangalam, they are not able to dump the waste in that dump site and they will have to find out the alternate place. In fact there was about 17,340 Tonnes of accumulated total waste are there of which 13,371 Tonnes is yet to be removed and as on 20.09.2020 it is 3,969 Tonnes and permission for disposal of the solid waste at Kodungaiyur dump yard of Greater Chennai Corporation was given on 22.09.2020 for dumping 40 Tonnes per day. So, steps are being taken for the purpose of removal of the same.

5. It is mentioned in the report that the clearance of accumulated solid waste in Ganapathipuram Transfer Station is being carried out in right earnest and it is expected to be completed in full, when once the incinerators are set and start operation at Vengadamangalam Solid Waste Management facility in respect of which O.A. 208 of 2017 is pending before this Tribunal.

6. It may be mentioned that local bodies are not expected to accumulate the waste in an unscientific manner and they are expected to dispose the same as provided under the Solid Waste Management Rules, 2016. Non availability of area cannot be the ground for dumping it and keeping it, without scientific disposal for a longer period and that will only create health problems in that locality. It is for the local body in consultation with the district administration to find out the alternate methods for which these things can be effectively disposed of strictly in accordance with the rules. Further this Tribunal even in the earlier order mentioned that there is a responsibility on the District Collector of the respective district under Rule 12 of the Solid Waste management Rules, 2016 to monitor the implementation and give suggestion as to how this will have to be handled in a scientific manner. Though he is the member of the committee appointed by this Tribunal, quite unfortunately the committee is irresponsible in not filing the report so far

7. Though, directions have been issued even in this matter from Sep-2020 onwards. If proper steps are not taken to redress the issue permanently, then the District Collector Chengalpet will be compelled to appear before this Tribunal to explain as to what are all the steps taken by him to discharge his responsibilities under Rule 12 of the Solid Waste Management Rules, 2016 to resolve the issue permanently.

8. Further, a committee comprising of the regulators are also having a responsibility to adhere to the direction given by this Tribunal and submit a report to this Tribunal. Further, the Solid Waste Management Rules, 2016 have to be monitored and regulated by the Pollution Control Board even as per the Rules and as per the directions of the Principal Bench of National Green Tribunal in O.A. No.606 of 2018. But inspite of all these things, quite unfortunately no effective reports have been filed by the regulators before this Tribunal in spite of the fact that the case is being posted from time to time for that purpose.

9. If the report is not filed in pursuant to the direction issued by this Tribunal as per the previous orders, then the committee members other than the municipality who have now submitting some report of the action taken as to answer before the Tribunal as to why action should not be taken against them as contemplated under Section 25 & 26 of the National Green Tribunal Act, 2010 for non-compliance of the directions issued by this Tribunal."

2. COMPLIANCE OF THE DIRECTION

In due compliance of the said Hon'ble National Green Tribunal direction the Commissioner, Pallavapuram Municipality furnishes the following detailed report:

1.	Total Area of the Pallavapuram Municipality	18.1 Sq.Km
2.	Total Population of the Pallavapuram Municipality as per 2011 census:	215452
3.	Total no. of Wards:	42
4.	Households in the Pallavapuram Municipal area:	75000 Nos.
5.	Total Generation of solid waste in the Pallavapuram Municipal areas:	104 MT/Day.

I. SOLID WASTE MANAGEMENT

Generation of total Solid Waste in the Pallavapuram Municipal area: 104 MT/day (Biodegradable waste -44 MT and Non Biodegradable waste - 60 MT)

Present status of collection and disposal of solid waste:

Presently the Pallavapuram Municipality carries out door-to-door collection of solid waste using 32 tricycle, 96 Battery Operated vehicle(BOV), 39 Light Commercial Vehicle (LCV) and with 589 sanitary Workers. Out of 104 MT/day solid waste, biodegradable solid waste is 44 MT/day and the non biodegradable wastes is 60 MT/day. Pallavapuram Municipality is having Solid waste processing facility to process the biodegradable waste generated in the Pallavapuram municipal area to the tune of 44 MT/day for which the local body has obtained Authorization from the Board vide Procs. No. JCEE(M)/ TNPCB/ CHN./ SWM/ F.6840/ MMN/2019, Dated 08.04.2019 valid upto 31/03/2020 and subsequently extended up to 30/09/2020. The local body is having Micro Composting Centers viz at Thiruvika Nagar phase 1 (S.F.No.51/2,4 Hasthinapuram Village) for 4.9TPD, Ganga garden Keelkatalai (S.F.No.258/1C1 (P) Keelkattalai Village) for 3.5TPD, Keelkatalai pumping station (S.F.No.304 Keelkattalai Village) for 3TPD, Manikandan Nagar (S.F.No.51/5A1 Hasthinapuram Village) for 4.9TPD, Kacheri Matai Road, Zamin Pallavapuram (S.F.No.49/4(P) Zamin Pallavaram Village) for 3.5TPD, Highways Nagar, Zamin Pallavapuram (S.F.No.167/145/146/157/180 Zamin Pallavaram Village) for 4.9TPD and Thiruvika Nagar phase 2 (S.F.No.51/2,4 Zamin Pallavaram Village) for 2TPD to process 26.7MT/day of compostable waste and the local body is having 22 nos. of Onsite Compostable Centre to handle biodegradable waste to the tune of 17.3 MT/day.

Thereafter, of the 60 MT/day of Non biodegradable waste, saleable waste such as plastics, glass bottles and metals to the tune 10MT/day are sold to the recycling facility. Garden waste and Coconut shell to the tune of 10MT/day are being sent to garden waste processing facility at Perungudi operated and maintained by Greater Chennai Corporation and the remaining 40MT/day of Non biodegradable waste is taken to the area in question i.e Ganapathipuram Transfer Station, from where the same is transported to Kodungaiyur dump site of Greater Chennai Corporation.

Pallavapuram Municipality earlier transported the Non biodegradable solid waste to the Integrated Municipal Solid Waste processing facility at Vangadamangalam Village, Vandalur Taluk, Chengalpattu District and dumped in the premises of the said facility. The Hon'ble National Green

Tribunal in Original Application 208 of 2017 dated 16.12.2019 directed the local bodies Tambaram, Pallavapuram, Sembakkam Municipalities not to use the said area for further dumping. Thereafter the local body is disposing the same through Chennai Corporation dumping yard.

Action Plan for Solid Waste Management

Short Term

1. Pallavapuram Municipality is carrying out composting of the biodegradable waste at its Micro Compost centres(MCC) and Onsite Composting Centers(OCC)
2. Pallavapuram Municipality is carrying out the disposal of recyclable and saleable waste through recycling facilities.
3. Pallavapuram Municipality disposing the Non biodegradable waste through Greater Chennai Corporation using its Kodungaiyur dumping facility.
4. Pallavapuram Municipality has entered into a contract with additional contracting firm M/s. R.R Service to transport the accumulated waste.
5. Pallavapuram Municipality has removed solid waste to the tune of 13371 MT of the accumulated solid waste out of 17340 MT and proposed to transport the remaining accumulated waste using the above said additional contracting firm to the Kodungaiyur dumping yard within a period of two months.

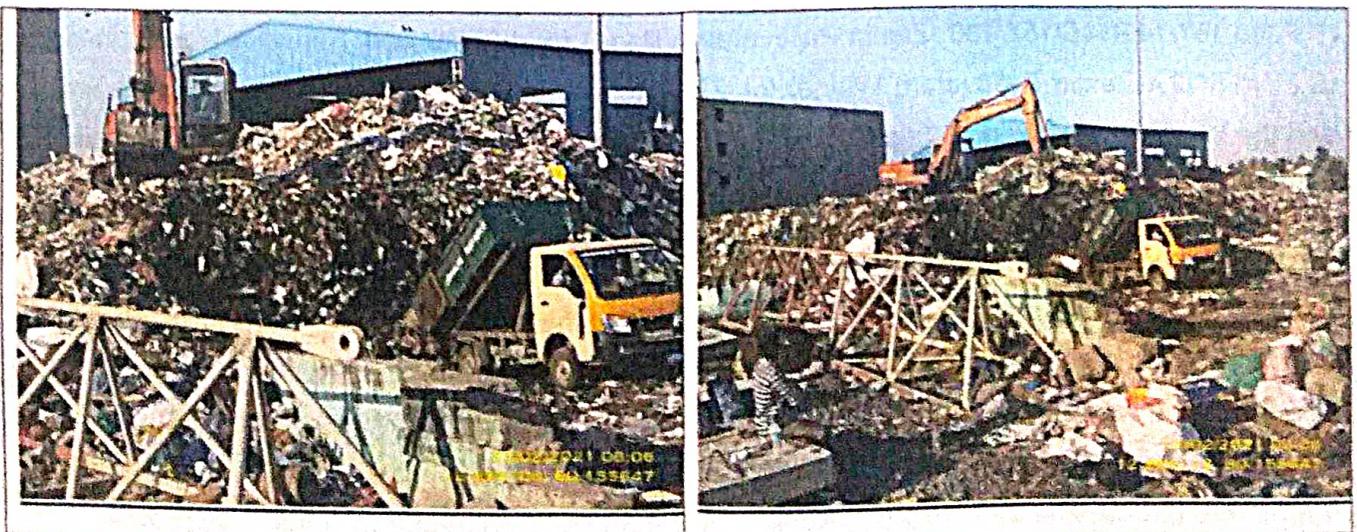
Long Term :

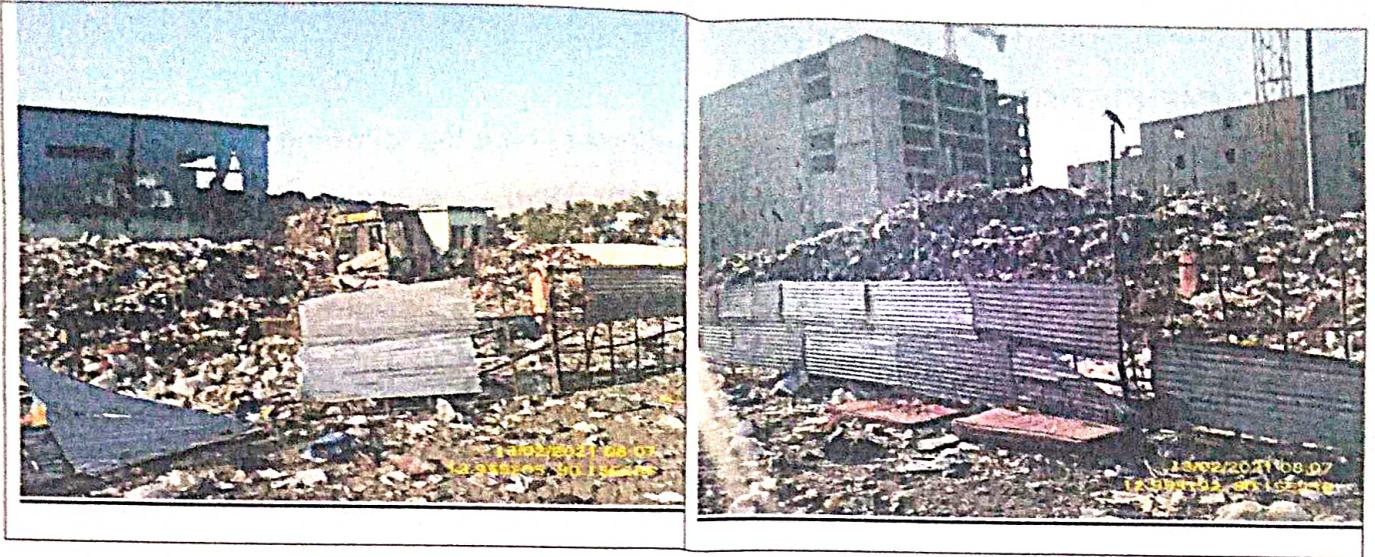
- 1 Door to Door Collection of segregated solid waste from the households of the Pallavapuram municipality will be made 100% within a months time.
- 2 Pallavapuram municipality has proposed to dispose the entire Non biodegradable incinerable waste to the proposed incineration facility (2X50MT capacity) proposed at Vengadamangalam, Vandalur Taluk, Chengalpattu District within six months, after obtaining necessary permission from the competent authority for the said facility.

3.INSPECTION OF THE JOINT COMMITTEE

In due compliance, the Joint Committee constituted by the Hon'ble National Green Tribunal has inspected the area in question- Ganapathipuram Transfer Station on 13/02/2021 and observed the following

Photographs taken during the inspection of said area in question



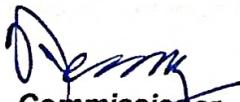


1. The said area in question Ganapathipuram Transfer Station is located at Survey No. 262 part, Pallavaram Village, Pallavaram Taluk, Chengalpattu District in an extent of 0.2671Ha
2. The transfer station is bounded by the proposed commercial complex of M/s. Saravana Stores and residences in the eastern & southern side, Pallavaram- Thoriappakkam radial road & vacant land in the northern side, commercial establishment in the western side.
3. The said facility has obtained consent for establishment from the Board vide Proceeding NO.F.0017MMN/RM/DEE/TNPCB/MMN/W& A/2015 DATED:04/06/2015 to transfer the compacted Municipal solid waste-4494 T/M.
4. The Pallavapuram Municipality has established the compacting machineries to compact the solid waste in the said facility.
5. The local body after the stay order issued by the Hon'ble National Green Tribunal for dumping the solid waste in the Vengadamangalam solid waste facility, uses the Ganapathipuram Transfer Station as a solid waste transfer station.
6. The local body is carrying out composting of the biodegradable waste at its Micro Compost centres(MCC) and Onsite Composting Centers(OCC)
7. The local body is carrying out the disposal of recyclable and saleable waste through recycling facilities.
8. The local body disposes the Garden waste and Coconut shell through garden waste processing facility at Perungudi operated and maintained by Greater Chennai Corporation by entering into an agreement.
9. The local body disposes the non biodegradable waste through Greater Chennai Corporation using its Kodungaiyur dumping facility by remitting Rs.2360 per MT.
10. It was ascertained from the local body that the accumulation of the non biodegradable solid waste in the said transfer station is due to the delay in obtaining permission from the Greater Chennai Corporation.
11. The local body as stated that they have hired additional contracting firm to dispose the accumulated non biodegradable solid waste within a period of two months.
12. It was reported by the local body that the entire incinerable non biodegradable waste will be taken to the Vengadamangalam solid waste processing facility after the installation of the 2 x 50 tonne capacity incinerator with necessary control measures within six months.
13. It was reported by the local body that the construction and demolition waste management facility will be provided within the premises of the Vengadamangalam solid waste processing centre.

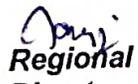
4.RECOMMENDATIONS:

Based on the above observation, the Joint Committee submit the following recommendation before the Hon'ble National Green Tribunal (Southern Zone)

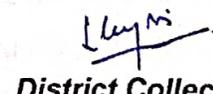
01. The Pallavapuram Municipality shall ensure 100% collection of solid waste being generated within its jurisdiction with proper segregation, door to door collection, processing and disposal by complying with the provisions of the Solid Waste Management Rules 2016 within six month's time.
02. The local body shall carry out the composting of the biodegradable waste at its Micro Compost centres(MCC) and Onsite Composting Centers(OCC) and dispose the compost as manure to the farmers.
03. The local body shall dispose the recyclable and saleable solid waste through recycling facilities.
04. The local body shall dispose the garden wastes and coconut shells through garden waste processing facility at Perungudi operated and maintained by Greater Chennai Corporation.
05. The local body shall remove the accumulated non biodegradable waste in the area in question,- Ganapathipuram Transfer Station engaging additional contracting firm within two months.
06. The local body shall expedite and ensure that the entire non biodegradable waste generated from its jurisdiction to the Vengadamangalam solid waste processing facility after the installation of the 2 x 50 tonne capacity incinerator with necessary control measures within six months after getting necessary premission from the competent authorities.
07. The local body shall establish the construction and demolition waste management facility within the premises of the Vengadamangalam solid waste processing centre as reported with necessary control measures within six months after getting necessary premission from the competent authorities.
08. The local body shall levy fine on the violators found dumping solid waste in the public and in the water bodies under Local body Acts.
09. The local body shall create awareness among the public with the help of associations in the local body area for the proper segregation of solid waste.


**Commissioner,
Pallavapuram
Municipality,
Chrompet**


**District
Environmental
Engineer,
Tamil Nadu
Pollution Control
Board, Maraimalai
Nagar**


**Regional
Director,
Municipal
Administration,
Chengalpattu**


**Revenue
Divisional
Officer,
Tambaram,
Chengalpattu
District.**


**District Collector,
Chengalpattu
District**