

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN
ZONE, CHENNAI CIRCUIT BENCH AT KOCHI**

Application no. 06 of 2016 (SZ)

Applicant(s) :: Suo motu

Vs.

Respondents :: The District Collector & Others

**REPORT FILED BY THE ENVIRONMENTAL ENGINEER, KERALA
STATE POLLUTION CONTROL BOARD, DISTRICT OFFICE,
THRISSUR, THE 4TH RESPONDENT**

1. It is respectfully submitted that the 4th respondent is representing the 2nd respondent also in this application.
2. The Hon'ble NGT vide order dated 27.07.2020 in this OA had directed this respondent to submit report in respect of the assessment of environmental compensation and damage to environment.
3. It is respectfully submitted that in compliance with the order of the Honourable NGT, Board Chairman conducted a video conference on 09/09/2020 for ascertaining the progress achieved in the Solid waste management Rules, 2016 by the Chalakudy Municipality. Joint Director, Urban affairs Directorate, Secretary, Chalakudy Municipality, Health Supervisor, Chalakudy Municipality, Chief Environmental Engineer, Regional Office, Ernakulum and Environmental Engineer, District Office, Thrissur attended the video conference. Copy of the minutes is produced here with and marked as Annexure R4 (a). In the video conference the Municipality had been directed to submit (i) the details called for with

respect to the authorisation application on or before 6.10.2020 (ii) action taken report and time bound action plan for the treatment and disposal of biodegradable and non biodegradable wastes from both households and establishments incorporating quantity and mode of disposal of non-recyclable waste, quantity of e-waste, plastic waste given to registered recyclers/scrap collectors, and decentralised units for biodegradable wastes on or before 9.10.2020 (iii) action taken report regarding the removal of legacy waste in detail on or before 9.10.2020 and (iv) to upload the details of centralised and decentralised facility in the Enviclean app, immediately.

4. It is further submitted that subsequent to the video conference municipal authorities submitted the clarifications called for. Copy of the same is produced herewith and marked as Annexure R4 (b). The clarifications are not satisfactory. The documents and details regarding decentralized facility have not been submitted and the same are not uploaded in the Enviclean App as claimed in the letter.
5. It is submitted that action has already been initiated for assessing the environmental damage and a committee was constituted for the assessment of the damage, vide proceedings no. PCB/HO/SEE2/Chalaky municipality/2020 dated 7.10.2020 of the Chairman. Copy of the proceedings is produced herewith and marked as Annexure R4 (c).
6. It is submitted that Environmental compensation is estimated based on the sum of capital cost, operational cost and environmental externalities. But the minimum capital cost and operational cost are not prescribed for class II cities and below. Hence a request was sent to CPCB to issue guidelines to estimate capital/operational cost component for cities other

than class II and below. Copy of the letter is produced herewith and marked as Annexure R4 (d).

7. However to avoid indefinite delay Environmental compensation was calculated as per existing the guidelines of class II and Notice under section 5 of the Environment Protection Act, 1986 was issued on 02.11.2020. Copy of the same is produced herewith and marked as Annexure R4 (e).

Dated this the 3rd day of November, 2020.

FOURTH RESPONDENT