

From

The Commissioner,  
Coonoor Municipality,  
Coonoor.

To

The District Environmental Engineer,  
TamilNadu Pollution Control Board,  
Udhagamandalam.

**ROC: H2/1659/2020 dated: 01.02.2021**

Sir,

Sub: TNPCB –Hon'ble NGT orders in OA No. 606 of 2018 – Coonoor Municipality – Not Providing of STP and discharging of Sewage in to Water Bodies – Levying of Environmental Compensation – Show cause Notice – Issued – Reply furnished - Regarding.

Ref: Your Office Proc. No. DEE/NLG/ O.A. 606 of 2018/ NGT -PB/SWM/2020-2 dated: 12.01.2021.

-----

We are in receipt of your above referred show cause notice on 18.01.2021. We submit that we were asked to furnish the reply for the show cause notice within seven days from the receipt of the show-cause notice, i.e. before 25<sup>th</sup> January, 2021; The intermittent holidays, the works on COVID-19 Control and more importantly, the initiation of detailed study on the discharges into the river, feasibilities on its interception and providing decentralised sewage treatment schemes, technologies, Capital and Operational expenses for the Sewage Treatment Plant, which was scheduled during the last week of January, 2021, which was started with the reconnaissance survey on 29<sup>th</sup> January, 2021, has resulted a delay of one week in furnishing the reply. We kindly inform that that the delay in furnishing the reply may be condoned, and no adverse action may be proceeded for that reason. In this backdrop, the explanation of the Coonoor Municipality on the Show cause notice is furnished as follows, for your kind consideration and favourable further action:

1. It is informed that Coonoor Municipality, even though formed before 150 years, the Municipality is always a fore runner in maintaining the health sanitation and a serene environment to its residents. It is pertinent to note that the local body was having protected water supplies, even before a century, which was not present in many of the urban local bodies at that time.
2. It is informed that Coonoor Municipality was having substantial population, well before five decades. The Local Body was having a population of 30,690, as per 1961 Census, 38,007 in 1971, which rose to only 45,954 in 2011, after five decades, which indicated a very low decadal population increase, comparing to the other Urban Areas of the State. One of the important factor for this, is the non-availability of residential space in the Town, and the little residential space available were developed is much earlier, i.e well before fifty years.
3. As the Town has developed much earlier, i.e well before five decades, when the concept of urban planning has not emerged at all, the development was haphazardal. This has resulted in very narrow lanes/ streets, on its both sides the residences were built.
4. However, water bodies/ streams are flowing within the town limits, and there is flow in the water bodies, throughout the year, except in very rare drought conditions.
5. The water bodies acted as disposal point for the domestic waste water generated from the households. Luckily there is no industrial activities within the territorial limits of Coonoor Municipality and as such there is no discharge of industrial effluents into the water body. The continual flow of adequate water in the river/ water bodies, which ensured dilution of the sewage discharged and the undulating terrain of the river, which facilitates natural aeration, have ensured that the quality of the water in the river is not adversely affected, and no odour or other nuisance is caused.

6. Moreover, the availability of dedicated water sources for drinking purposes of the Town, non-existence of major human settlement in the downstream, till the confluence with River Bhavani, the discharge of sewage in to the water bodies has not received any objection from any front.
7. However on the direction of the Hon'ble National Green Tribunal (SZ) in O.A. No.: 108 of 2020 and the continued advice of the District Collector and your good-self, Coonoor Municipality felt the need to ensure that no untreated sewage is let into the water body and to achieve this , we have prepared a road-map, which is given below:

<b>S. No.:</b>	<b>Activity</b>	<b>Scheduled Time Line</b>	<b>Present Status</b>
1	Instituting a Study Team to identify the outfalls, quantify the same, feasibilities of providing decentralised Sewage Treatment Plants, finalizing the Technologies, estimation of CAPEX and OPEX.	Second week of January 2021	Identified and work entrusted
2	Reconnaissance Survey	Last week of January 2021	Completed on 29 <sup>th</sup> January, 2021.
3	Detailed investigation, Collection of samples	First week of February, 2021.	Scheduled to Commence on 3 <sup>rd</sup> February, 2021.
4	Analysis of samples	Second week of February, 2021.	--
5	Preliminary Report with viable schemes based on the availability of suitable and adequate land	Third week of February, 2021.	--
6	Draft Project Report	First week of March, 2021	--
7	Evaluation of Report and communicating the comments	Third week of March,	--

		2021.	
8	Final Report	First week of April, 2021.	--
9	Approval of the Council*	First week of June, 2021.	--
10	Submission of Proposal to Government for Approval	Third week of June, 2021.	--
11	Completion of the schemes	Nine months from the financial approval for the schemes.	--

\* would be delayed due to the model Code of Conduct prevailing then.

8. It is informed that in the submission made by Coonor Municipality to the Hon'ble National Green Tribunal (SZ) during the previous hearing in O.A. No.: 108 of 2020, an action plan was given. Of the above, the survey of Commercial establishments discharging sewage in water bodies completed, so cause notice is issued to such **109** establishments. The replies received are under scrutiny. It is proposed to issue the second notice for demolition / celling of such establishment during the first week of February 2021. Further action will be taken in accordance with Law, under the provisions of the Prohibition of Manual Scavengers and their Rehabilitation, Act, 2013.
9. It is further informed that in the case of households, survey has been completed. Notices are being issued to those house hold not having a septic tank / soak pit, but having space. All efforts are being taken to complete the action before 31.03,2021 as committed.
10. As already stated in Para 7, a detailed study is instituted to identify the discharges into the water bodies, their quality and quantity, availability space for providing decentralized treatment system, suitable technologies for treatment, and to estimate the

CAPEX and OPEX for the scheme. The experts have carried out the reconnaissance survey on 29.01.2021, and the detailed investigation is scheduled to be started on 03.02.2021. The Final Report is anticipated in the first week of April, 2021 and the proposal would be submitted to the Government by the third week of June 2021. The Project after technical and financial approval, would be completed in 9 months' time.

11. It is also informed that we have already commenced the construction of the Faecal Sludge Sewage treatment Plant, for the further treatment of the sludge from the Septic Tanks, at the premises of the Resource Recovery Centre. The works has been commenced and expected to be completed before December, 2021.
12. In this background the action of levying of environmental compensation for not providing sewage treatment plant as ordered by the Hon'ble National Green Tribunal (PB) in O.A. No.: 606 of 2018, would only act as a deterrent to the initiatives taken by Coonoor Municipality for in this front.
13. We wish to inform that till the orders of the National Green Tribunal (SZ) dated 1<sup>st</sup> September, 2020 is received, Coonoor Municipality is not aware of the orders of the liability of environmental compensation, for not providing of Sewage Treatment Plant by the local bodies, and once the same is known, all earnest steps were taken and the action is already initiated.
14. You would appreciate the fact, that even in many of Class I Cities and Class II Towns, the provision of sewage treatment plant is either non-exist or not-completed. In such circumstances,

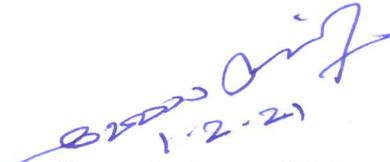
levying of environmental compensation to Coonoor Municipality is not at all justified.

15. We also wish to inform that the Central Pollution Control Board requires that the local bodies falling under Class I cities and Class II Towns, need to provide sewage treatment plants and are monitoring its implementation. In as much as Coonoor Municipality is only a Class III, have not shown any inclination towards providing the sewage treatment plant. However realizing the need of maintaining the water bodies free from pollution and in compliance to the orders passed by the Hon'ble National Green Tribunal in this regards, we have immediately initiated action to prepare project report. Once the proposals are ready the process of getting approval from the Government and the execution of the scheme will be under taken. As already pointed out detail road map for the same as been presented.

16. It is to be mentioned that Coonoor Municipality is under severe Financial Crunch, and struggling to settle the Power Consumption charges, payment of salaries to its employees in time. In fact, our present level of dues to TANGEDCO, for the power consumed stood at Rs. 160 lakhs. Even with this difficulty, we have initiated action and executing the bio-mining activity is only because of fully understanding our obligation towards environmental protection. As such, the levying of environmental compensation would not be in the best interest of environmental protection, as this would add further stress on the little available financial resources, and consequent may add stress on the fund requirement for carrying out the preliminary works related to the interception of sewage entering into the river, providing of suitable treatment schemes for the same etc.

17. We wish to further inform that Coonoor Municipality is making a submission before the Hon'ble National Green Tribunal (SZ), during the hearing on 3<sup>rd</sup> February, 2021, that TamilNadu Pollution Control Board may be suitably instructed to keep the procedure of the levying of Environmental Compensation to Coonoor Municipality, and any further course of action in this matter be deferred till June, 2021, and the Environmental Compensation be levied on us, only in case the time-lines prescribed in the road-map are not met with.

Considering our submissions as above, we request you to accept our reply and drop all further proceedings on levying of environmental compensation for Coonoor Municipality.

  
1.2.21  
Commissioner (i/c)  
Coonoor Municipality  
Coonoor  
01/02/21

Copy submitted to:

1. The Commissioner of Municipal Administration, Chennai.
2. The District Collector, The Nilgiris.
3. The Regional Director of Municipal Administration. Tirrupur.