

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI.

MISCELLANEOUS APPLICATION NO. 38 OF 2017 (SZ)
In
ORIGINAL APPLICATION NO. 155 of 2016 (SZ)

Mr. Rajiv Chekuri
S/o. Venkataramana Chekuri
Kanchipuram District

...Applicant

Versus

The Special Officer,
Sithalapakkam Village Panchayat,
Kanchipuram District
and Others

...Respondent(s)

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Filed by
Thiru. C. Kasirajan,
Advocate, Chennai.

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

**M.A. No.38 of 2017 (SZ) in
(Original Application No.155 of 2016)**

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...Respondent(s)

**REPORT FILED BY THE TAMIL NADU
POLLUTION CONTROL BOARD**

I, Tmt. R.Sarasavani, D/o. Raghavan, Hindu, aged about 55 years, having my office at No. 76, Mount Salai, Guindy, Chennai – 32, do hereby solemnly affirm and sincerely state as follows:-

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai and I am filing this Report on behalf of the 2nd & 3rd Respondents Board and as such I am well acquainted with the facts of the case as per records.

2. It is respectfully submitted that that the Hon'ble NGT in its order dated 02.11.2020 has directed inter alia as follows

“in the report as to whether any environmental compensation has been imposed as directed by this Tribunal in view of the directions given by the Principal Bench of the National Green Tribunal in Original Application No.606 of 2018. It is also clear from the report that even the waste is dumped now in Perumbakkam is not being processed scientifically.”



JOINT CHIEF ENVIRONMENTAL ENGINEER,
TAMILNADU POLLUTION CONTROL BOARD
76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

3. It is respectfully submitted that as per Hon'ble NGT (SZ) order dated 08.03.2020, a joint committee comprising (1) District Collector, Chengalpatt (2) Tamil Nadu Pollution Control Board and (3) Block Development Officer, Sithalapakkam has been constituted.

As per the Hon'ble National Green Tribunal orders dated 08.03.2020 & 15.09.2020 the committee has inspected the area in question i.e. area at Ottiyampakkam Main Road near burial ground and T.V. Nagar on 12.09.2020 and submitted the following among other things inter alia to the Hon'ble NGT:

- The generation of total Solid Waste in the Sithalapakkam village Panchayat is 5.00 MT/day
- Out of 5 T/day solid waste, biodegradable solid waste is 2 T/day and the non biodegradable waste is 3 MT/day.
- Presently the village panchayat carried out door to door collection of solid waste of 5 T/day deploying 6 E-Cart Tricycle, 9 Push carts, 3 Tractors and with 37 sanitary workers.
- The village panchayat is not having solid waste processing facility and the collected solid waste is being dumped in the solid waste dumping facility of Perumbakkam Village Panchayat at Perumbakkam of St. Thomas Mount Panchayat Union, Chengalpattu District which is the adjacent village panchayat.
- The Block Development Officer, St. Thomas Mount Panchayat Union has addressed the Corporation of Chennai vide Letter dated 07.10.2020 and 29.10.2020 to dump the solid waste generated from the Sithalapakkam Village Panchayat area in their Perungudi



facility, till the solid waste processing facility is established at Sithalapakkam Village Panchayat.

- The Sithalapakkam Village Panchayat is not having any space in its panchayat area for dumping the solid waste till the establishment of the Micro Composting Center; the same is dumped in the Perumbakkam Solid Waste dumping facility. It is estimated that around 80 tons legacy waste is found dumped in the said dumping facility and the St. Thomas Mount Panchayat Union has proposed to carryout Bio-Mining of the said legacy waste within three months.

4. It is respectfully submitted that as per Hon'ble NGT(SZ) order dated 02.11.2020 in M.A.No.38 of 2017 and in compliance of the Hon'ble NGT, Principal Bench, New Delhi order dated 02.07.2020 in OA No. 606 of 2018, the District Environmental Engineer, TNPCB, Maraimalai Nagar has assessed and recommended to levy Interim Compensation to the Sithalapakkam Village Panchayat (population is 13542) of Rs.9 lakhs from April 2020 to December, 2020 for not properly carrying out the implementation of the Solid Waste Management Rules, 2016 and Rs.9 lakhs from April, 2020 to December, 2020 for not commencing the work of legacy waste remediation process.

5. It is respectfully submitted that in exercise of the powers vested under Section 5 of the Environment Protection Act, 1986, the Board vide Proceeding No. T1 / TNPCB / LAW / NGT / SWM / F.025069/MMN/2020-1 Dated 25.01.2021 has issued Show Cause



Notice to the Special Officer, Sithalapakkam Village Panchayat as to why the Board shall not recover Interim Environmental Compensation of Rs. 18 Lakhs (from April 2020 to December 2020) for the non-compliance of Solid Waste Management Rules, 2016 and for not commencing legacy waste remediation. Copy of the Board Proceeding is enclosed in **Annexure - I**.

6. It is respectfully submitted that in exercise of the powers vested under Section 5 of the Environment Protection Act, 1986, the Board vide Proceeding No. T1 / TNPCB / LAW / NGT / SWM / F.025069/MMN/2020-2 dated 25.01.2021 has issued direction to the Special Officer, Sithalapakkam Village Panchayat & to the Block Development Officer, St. Thomas Mount Panchayat Union to comply the following conditions

1. The village 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.
2. The village panchayat 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 3 months time.
3. The village panchayat shall not dump solid waste under any circumstances in the said area in question i.e. in the area at Ottiyampakkam Main Road near burial ground and in Survey



No.12/3 of T.V. Nagar of Sithalapakkam Village.

4. The village panchayat shall establish Micro Composting Centre within three months within the village panchayat area to compost the segregated bio degradable wastes of 2 MT/day and non degradable waste of 3 MT/day including plastic waste shall be sent to cement factories for co-processing complying with the provisions of the Solid Waste Management Rules, 2016.
5. St. Thomas Mount Panchayat Union shall take steps within three months to carryout Bio-Mining/Composting of the legacy waste dumped in the Perumbakkam Village Panchayat dumping facility
6. The Village Panchayat shall levy fine on the violators dumping solid waste in the area in question under Local body Acts.
7. The village Panchayat shall create awareness regarding the source segregation of the solid wastes and to encourage the public to deposit only segregated wastes and shall deploy sanitary supervisors to conduct various demonstrations regarding the segregation of the solid wastes and to demonstrate the home composting process to the residents in all the residential areas in its jurisdiction.
8. The village Panchayat / Panchayat Union is liable to pay Environmental Compensation if there is any non-compliance of conditions stipulated in 1 to 7.

Copy of the Board Proceeding is enclosed in **Annexure II**



JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD
76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

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


JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD
76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

BEFORE ME

VERIFICATION

I, Tmt. R.Sarasavani, Daughter of Raghavan, working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-600 032, do hereby verify that the contents of above report are true to the best of my knowledge through records

Verified at Chennai on this day of February, 2021.


JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD
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**REPORT FILED BY THE TAMIL NADU
POLLUTION CONTROL BOARD**

Advocate for Respondent: TNPCB
Thiru. Kasirajan
Advocate, Chennai.

Date: 17.02.2021

Date of Hearing: 18.02.2021