

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

ORIGINAL APPLICATION NO.203 OF 2017

I.Margo,
S/o. Issac Nadar,
Correspondent,
Reach Matric Higher Secondary School,
Ottupattarai,
Coonoor-643105.
The Nilgiris District.

...Applicant

Vs

The Commissioner,
Coonoor Municipality,
The Nilgiris District & 3 others.

...Respondents

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

FURTHER REPORT OF THE JOINT INSPECTION COMMITTEE
IN O.A. No.:203 OF 2017 (SZ)

Background:

As directed by the Hon'ble National Green Tribunal(SZ), the report of the Joint Committee was submitted before the Hon'ble National Green Tribunal(SZ). The Hon,ble Tribunal during its hearing on 01.09.2020, considered the Report filed by the Joint Committee, and issued the following directions:

"5. It is seen from the report that there around 50% of the legacy waste is left for processing and it is mentioned in the report that they will complete the work by 31.03.2021.

6. However, the directions issued by the Principal Bench of National Green Tribunal, New Delhi in Original Application No.606 of 2018 provided some cut of date to comply with the provisions of the Solid Waste Management Rules, 2016 in its letter and spirit and directed the Pollution Control Board to take action against erring local bodies for non-compliance of the directions issued including imposition of compensation and provided certain slab depending upon the population of the local bodies as penalty for non-compliance but nothing was mentioned about the same in the report.

7. So considering the circumstances, the committee is directed to ascertain those aspects and also submit a further progress report and action taken report in this regard in compliance with the directions issued by the Principal Bench of National Green Tribunal, New Delhi in O.A. No.606 of 2018 and submit a report to this Tribunal on or before 02.12.2020 by e-filing after complying with the necessary procedure of producing as many number of hardcopies as required as per rules."

Subsequently during the hearing on 06.01.2021, the Hon'ble National Green Tribunal(SZ), granted time till 04.02.2021, for the filing of further report, and ordered as follows:

"4. Under the circumstances, we feel that some more time can be granted to the committee, Pollution Control Board and also the Municipality to submit their response as directed by this Tribunal. They are directed to submit the further report on or before 4.2.2021 by e-filing in the form of Searchable PDF/OCR Supportable PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per Rules".

The further report of the Joint Committee is submitted in compliance of the orders of the Hon'ble National Green Tribunal (SZ), as follows:

Removal of the slid waste in the Private Land:

The entire quantity of the legacy waste that was slid in to the private land were completely removed. There is no waste lying in the Private land, which was confirmed by the inspection by the District Environmental Engineer on 01.02.2021.

Status of Processing of Legacy Waste:

Coonor Municipality has fabricated a mechanized Seiver for the purpose of processing of the legacy waste. The same is found to be stabilized and could be operated at the rate of around 3 MT/Hour, thereby a maximum quantity of 30 MT/day of legacy waste could be processed. It is found during the inspection on 1st February that about 180 MT of legacy waste is processed. Coonor Municipality has reported that the remaining quantity of waste could be remediated/ processed before 30th June, 2021. It is submitted, that the remaining waste up to around 3000 MT could be processed, before 30th June, 2021, provided the process is not interrupted with rain. In as much as there is no rainy season till May, it is possible for Coonor Municipality to meet the Time Line.

The entire quantity of the legacy waste that were removed from the nearby private land could be completed by the first week of February, 2021.

Levying of Environmental Compensation:

The District Environmental Engineer has issued a show cause notice directing Coonoor Municipality directing to show cause as to why Environmental Compensation should not be imposed for non-commencement of remediation of old dumpsites by 1st April, 2020, in proceedings dated 12th January, 2021. Coonoor Municipality has furnished reply vide letter dated 1st February, 2021. The matter is reportedly under the consideration of District Environmental Engineer, as to whether the Environmental Compensation is to be levied, or further action be dropped considering the action taken by Coonoor Municipality.

Remarks of Joint Committee

The perusal of documents furnished by Coonoor Municipality and the observations made by the District Environmental Engineer, Udfhagamandalam during the field inspections, the following inferences are arrived at:

1. The management of the solid wastes generated by Coonoor Municipality is found to be satisfactory.
2. Coonoor Municipality has commenced the operation of processing of the legacy waste.
3. The mechanized Seiver System fabricated for the purpose of carrying out the bio-mining/ processing of legacy waste is functioning satisfactorily.
4. The system could be used to process around 20 to 25 MT/Day of legacy waste, with 8 hours of operation.
5. Around 3000 MT of legacy waste could be processed till 30th June, 2021, provided there is no obstruction of activities, due to rain.
6. The construction of Fecal STP within the premises of Resource Recovery Centre at Ottupattarai has commenced.

Prayer:

The Joint Committee, do hereby submit this further Action Taken Report, as ordered by this Honourable Tribunal. It is kindly requested that the Honourable National Green Tribunal (SZ) to accept this further Action Taken Report and to pass appropriate orders the Honourable National Green Tribunal (SZ), considers deem and fit on the facts and circumstances of the issue.


District Environmental Engineer,
TamilNadu Pollution Control Board,
Udhagamandalam


District Collector,
The Nilgris

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O.A.NO.203 OF 2017.**

**Advocate for Respondent No.TNPCB
Thiru. C. Kasirajan.**

Date:03.02.2021.

