

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
(SOUTHERN ZONE BENCH, CHENNAI)
IN
ORIGINAL APPLICATION NO. 230 OF 2021 (SZ)**

**ACTION TAKEN REPORT SUBMITTED BY THE ADDITIONAL CHIEF
SECRETARY, LOCAL SELF GOVERNMENT (W.M)**

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Dated at Chennai on this the 14th day of February, 2022.

M/s. E.K.KUMARESAN

Standing Counsel for State Government of Kerala - NGT(SZ) Chennai Bench

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Action Taken by Local Self Government in OA 230 of 2021(SZ) [OA
147/2020 (PB)] of Hon'ble NGT

The Hon'ble NGT as per order dated 29.10.2021 in OA 230/2021 has observed that non compliance of Solid Waste Management Rules 2016 results in damage in environment and public health and it is mentioned that the proposed plan in terms of timeline is against the statutory rules - Solid Waste Management Rules, 2016 and with regard to setting up of STP, the timeline proposed is in violation of judgment of the Hon'ble Supreme Court in Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors.2 For exceeding the timeline, compensation is required to be paid in terms of orders of this Tribunal for restoration of the environment and compliance status has not been mentioned.

It is submitted that as per NGT OA 230 of 2021(SZ) [OA 147/2020 (PB)], various steps were taken under Ottapalam Municipality and District Suchitwa Mission to transform Panamanna into a Model Village.

Following are the major activities carried out under Suchitwa Mission and Ottapalam Municipality as part of Action plan prepared in NGT OA 230 of 2021 (SZ)

	Action Points	Date
1.	Suchitwa Padhavi Inspection date	01.10.2020
2.	Status Preparation date	05.10.2020
3.	Draft action plan preparation as per NGT O.A 147/2020	14.07.2021
4.	Action plan submission to KSPCB	19.07.2021
5.	Inspection conducted by DSM at SWM plant at Panamanna	29.07.2021
6.	Review meeting conducted by DSM with HKM, Ottapalam Municipality, District PCB Palakkad	29.07.2021
7.	Draft action plan preparation as per NGT OA 606/2018	31.08.2021
8.	Action Plan vetted by DSM /Inspection Team	01.09.2021

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9.	Meeting conducted between DSM and ULB reg implementation of action plan as per NGT OA 147/2020	29.07.2021
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Preparation of action plan:

It is submitted that the State Suchitwa Mission was directed to prepare and submit an action plan to implement the activities of model village as part of the NGT OA 147/2020. Based on this, an action plan was prepared by District Suchitwa Mission and Ottapalam municipality. The action plan was submitted to State Suchitwa Mission and KSPCB for approval. Municipal council approved the action plan and decided to implement the activities. Follow-up activities are planned and are being implemented as per the action plan.

Review meeting:

It is submitted that a review meeting was convened on 29.07.2021 under the chairmanship of the Municipal Chairperson along with the Municipal authorities, District Suchitwa Mission, Haritha Kerala Mission and the District Pollution Control Board to discuss the progress of the Model Village Action Plan as per the NGT order. Municipal Chairperson, Health Affairs Standing Committee Chairperson, District Suchitwa Mission Coordinator, Haritha Kerala Mission District Coordinator, District Pollution Control Board Senior Environmental Engineer, District Suchitwa Mission Program Officer, Municipal Secretary, Health Supervisors and other officials from Health dept attended the meeting. Meeting reviewed the progress of action plan on NGT order.

Special meeting of Haritha Karma Sena Members

It is submitted that a special meeting of Haritha Karma Sena members was convened by the municipality in connection with the implementation of the action plan.

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The main agenda of the meeting was to plan awareness programs by Municipal councilors and members of Haritha Karma Sena on door to door collection and User fee Collection in houses and commercial establishments.

Meeting of Sanitation workers

It is submitted that as part of the implementation of an action plan based on the NGT order, a meeting of the sanitation workers under the municipality was also convened. The various activities implemented in the municipality in connection with the action plan were explained and the participation of sanitation workers was ensured during the campaign activities.

Littering in public places: Night squad formation and actions

It is submitted that the NGT order pointed out that littering of unsegregated waste in public places is a major problem in Ottapalam Municipality. Hence a night squad was formed and has been conducting inspection to prevent littering in public places. During the inspection by the squads, 36 violators were identified and fined Rs. 58340/-. All littering spots are fenced and turned into gardens. Staffs are deployed for its maintenance and beautification.

Removal of rejects in SWM plant

It is submitted that the Clean kerala company removed 40.035 tonnes of rejects from SWM Treatment Plant at Panamanna during this period.

Municipal Council Decisions and resolutions

A number of important decisions related to the implementation of the action plan in connection with the NGT order were approved and passed by the Municipal Council. The separate council convened on 12.07.21 to discuss the action plan and approved it.

Decisions of the council meeting on 12.07.2021

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- The user fee of Haritha Karma Sena will be Rs. 60/- from houses and a minimum of Rs 150/- from commercial establishments. It was decided to conduct a house visit by the councilors of each ward and register all the houses and collect waste from 100% of the houses and institutions.
- The council has decided to hire a vehicle for Harithakarmasena's activities.
- As part of raising awareness in all households, it has been decided to distribute notices and waste collection calendars, mic announcements within the limits of the municipality.
- Decided to identify suitable places to establish mini MCFs.
- It was decided to construct a mini MCF in addition to the existing RRF to facilitate the collection of Non-biodegradable waste and to implement departmental basis as a part of completing the work as earlier.
- It has been decided to prepare DPR for biomining/bio remediation by conducting Legacy Waste Estimation at Panamanna Plant.
- The Health Supervisor has been directed to take steps to increase the revenue of the municipality by scientifically sorting and selling the non-biodegradable waste collected in MCF.
- It was decided to repair the existing shredding machine if possible and replace it, if not.
- It was decided to clean the road and surroundings to MCF and RRF plants with JCB.
- It was decided to convert the shed, which was earlier made of organic manure and is now used as MCF, into a windrow compost plant.
- The council has decided to carry out special monitoring and beautification of the waste dumping sites mentioned in the NGT report.

Decisions of the council meeting on 06.08.2021

- The municipal council has approved the DPR of Rs.1,34,47,750 prepared for removal of legacy waste at Panamanna plant.
- The council has decided to construct temporary MCF at Panamanna plant

It is submitted that Chief Secretary to the Government had conducted review meeting on 18.11.2021 to monitor progress of implementation of Solid Waste Management Rules and to monitor the compliance of NGT cases and Additional Chief Secretary to the Government, Local Self Government Department is also conducting continuous review meetings to monitor the compliance of NGT directions and implementation of SWM Rules 2016.

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It is most respectfully submitted that the prime issue/dispute as far as the case is concerned is the listing of certain area in the Ottapalam Municipality by the Pollution Control Board as litter spots. Those litter spots were within the premises of Ward No: 14, 23, 7, 27 (old Ward numbers). Immediately after getting the locating of litter spots the Ottapalam Municipality has taken earnest steps to clean those spots so as to reduce rather fully stop the dumping of waste in those spots. Garbage of those spots were removed and various types of plants were cultivated. Now such plots are converted into green butterfly parks and there is no further dumping of waste in those spots. The images of the Butterfly garden may be seen as Annexure -I.

As far as the fourth spot located by PCB is concerned, the spot is a private property. Immediately after getting reports, the Secretary, Ottappalam Municipality has issued notice to the present owner of the plot and issued directions to see that no garbage is dumped or stored in those areas. The owner has erected barbed fencing at height and thereby the possibility of throwing of the waste could be mitigated. Even after such process, it was noticed that waste was being dumped and it is submitted that the Secretary, Ottappalam deputed special squads to find out the offenders. Many people were caught red handed and fines were imposed as per the Statute.

It is submitted that in order to dispose/handle the garbage the Municipality installed Aerobic composite unit in three vital parts of the Municipality for the purpose of disposing waste. The starting up of "Thunboormuzhy" model has reduced the volume of garbage very considerably. The team members of Haritha Karma Sena are deployed to collect degradable waste from various parts and used to dispose in such composite units and it is working in a very good condition. It is also most respectfully submitted that a sum of Rs. 10 lakhs have already been approved by the DPC for the disposal of garbage unit at the centrally located unit at Panamanna. More over the team members of Haritha Karma Sena have already started to collect plastic wastes from various homes, stored in hygienic conditions and it will be taken also.

It is submitted that apart from the remedial measures enunciated above, the Municipality has called for beneficiaries to install 1000 bio bins in houses and the process of selection is also going on.

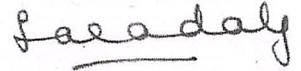
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It is submitted that a DPR has already been prepared for a project at the cost of Rs 1.35 crore to set up the unit for bio mining and such other advanced technology of disposal of waste and will be commissioned soon.

It is also submitted that the Municipality has tendered a detailed project for the bio mining of legacy waste. The matter was placed as an agenda before the Council of the Municipality, and was not passed in that council and it is submitted that it will be considered in the next council and expecting that it will be materialized. The Action Plan of Ottappalam Municipality may be seen as Annexure -II.

Further, in due compliance to the directives of the Hon'ble Tribunal, action has been initiated by the Kerala State Pollution Control Board for assessing and levying of Environmental Compensation, adhering to the Central Pollution Control Board template for assessment of compensation for non-compliance to solid waste management, from the Ottappalam Municipality.

The report is filed on behalf of the Chief Secretary, Government of Kerala on the 11th day of January 2022.



Sarada Muraleedharan IAS
Additional Chief Secretary
Local Self Government Department
Government Secretariat
Thiruvananthapuram.



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ANNEXURE -I

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NGT OA No.147/2020-Action Plan – Ottappalam Municipality

Sl No.	Task	Target	As on 20.9.2021		As on 24.11.2021		AS on 8/12/2021	AS on 31/12/2021
			Time frame	Action to be taken	Time frame	Action taken		
Setting up solid waste processing facilities								
	MCF and RRF Extension (4ton processing capacity)	Improve the storage and sorting facilities of MCF and RRF (Min. Of 1500sq ft). Provide basic facilities(restroom)for workers, Weighing machine etc. in MCF	31-Oct	Project implementation	31st october	90 percentage of work completed.	Renovation of Windrow Composting unit started	Renovation of Windrow Composting unit started
	Renovation of Windrow Composting Unit and Bio Waste collection (1 tonne per day capacity)	Installation of new machineries in Plant. The municipality had set up a bio composting plant with a processing capacity of one Tonne per day for bio waste treatment but plant is currently out of order due to malfunction of machinery.	30-Sep	Tender procedures and Implementation	30-Sep	Renovation of Windrow Composting unit started	Renovation of Windrow Composting unit started	Renovation of Windrow Composting unit started
	Setting Up Storage Facilities in Cluster level	Construction of New Mini MCF in 10 different centres of Municipality	31-May-22	Tender procedures and Implementation	31-May-22	Tender procedures and Implementation	Tender procedures and Implementation	Forwarded letter to agency for implementation in the identified cites
	Bio waste collection from HH and institution	Community composting (Thumburmoozhi Model) has been installed in two places but has not started functioning. Ensure the functioning of existing Thumburmuzhi community level Bio waste composting unit in Two centres.	30-Sep	Special awareness programme and meeting in public protest areas.	30-Sep	Special awareness programme and meeting in public protest areas Completed.	Thumburmuzhi community level bio waste composting unit functional	Thumburmuzhi community level bio waste composting unit functioning

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Source level bio waste treatment equipment's to Households	Distribution of compost units to Households. Only for 2100 households Source level bio waste treatment facilities has been provided sofar remaining HHs will be provided.	31-May-22	Tender procedures and implementation	31-May-22 Discussion with IRTC is on progress Application received beneficiary list preparation going on beneficiary list submitted before the council for approval beneficiary list submitted before the council for approval
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Ensure 100% Door to Door Collection from HHs and institutions.				
Strengthening of Haritha Karma Sena	Strengthen the number of Haritha Karma Sena in Ward level as two members and provide door to door collection services in all houses and establishments. There are 43 Haritha Karma Sena members in Municipality at present. The present condition of door to door collection from 7200 households & 625 institutions is (58%) & (30.8%) respectively. It will be covered to 100%	31-Oct	Strengthen the number of Haritha Karma Sena in Ward level as two	31-Oct Household collection increased to 9545 and collection from institution is increased to 1084 Household collection increased to 9545 and collection from institution is increased to 1084 Household collection increased to 9545 and collection from institution is increased to 1084
Awareness creation to public on Door to door Collection and user fee	House campaign by Peoples representatives and HKS Members. Collection Calendar Distribution. Leaflet Distribution. Cluster level meetings, to RWA and Households in all wards. Special meetings and awareness campaigns to Commercial establishments. Establish Boards and Wall paintings on SWM messages in municipal area	30-Sep	Implementation of IEC activities.	30-Sep Awareness programme completed Completed Completed

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Reclamation of Historical Dumpsite in Panamama Trenching Ground				
Scientific Estimation of legacy waste	Identify the agency and conduct estimation study	31-Aug	N.A	31 ST AUGUST Completed Completed
Project preparation and implementation for treatment and disposal of legacy waste (Bio mining and bio remediation)	An amount of 70 lakhs has been included in the annual plan 2021-22 for the treatment of legacy waste at Panamama through bio-mining /bio remediation.	31-Jul	Tender approval from Municipal Council and District	31-Jul Tendered 3 agency and pending before the council for approval Tender received from 3 agency and pending before the council for approval

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[Signature]
PRADEEP A. S
SECRETARY INCHARGE
 Ottapalam Municipality



<p>IV</p> <p>Setting up Sewage Treatment Plant (STP)</p> <p>Establishment of Sewage treatment (1.5 MLD) Plant at west side of Municipal Bus stand Ottapalam</p>	<p>The KIFBI project of 11.40 crore has been approved for sewage Treatment Plant (STP) and steps are being taken to set up at 52 cents west of the municipal bus stand. It has received the approval of the Pollution control Board. KMBR Rule Exemption and Fire NOC is not yet received. The STP plant will be set up as soon as it is received.</p>	<p>31-Jul-23</p>	<p>KMBR Rule Exemption and Fire NOC</p>	<p>31-Jul-23</p> <p>Obtained fire N O C and issued Building permit and send to Impact Kerala</p> <p>Obtained fire N O C and issued Building permit and send to Impact Kerala</p> <p>Obtained fire N O C and issued Building permit and send to Impact Kerala</p>
<p>V</p> <p>Dump site clearance and Beautification</p> <p>Clearing of Dump sites and Litter spots</p>	<p>Conversion and beautification of all litter spots identified in road sides. Surveillance Camera & Squad will be engaged</p>	<p>30-Sep</p>	<p>Installation of Surveillance Camera</p>	<p>30-Sep</p> <p>Beautification process completed</p> <p>Squard work is going on. Camera is functioning at litter spots.</p> <p>Beautification process completed</p> <p>Squard work is going on. Camera is functioning at litter spots.</p> <p>Beautification process completed</p> <p>Squard work is going on. Camera is functioning at litter spots.</p>