

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

Original Application No. 246 of 2020 (SZ)

Tribunal on its own motion
Suo Motu based on the news item in
Dinamani Newspaper, Chennai edition
Dt.02.11.2020, "Vaiyavur and Nathappettai
Lakes : Will become a bird sanctuary?" .

...Applicant

-Vs-

The Secretary to Govt. of Tamil Nadu,
Department of Environment,
Govt. Secretariat, Fort St. George,
Chennai and Ors.

...Respondents

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Filed by
Thiru.S. Sai Sathya Jith,
Advocate, Chennai

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REPORT FILED ON BEHALF OF THE 5TH RESPONDENT

TAMIL NADU POLLUTION CONTROL BOARD

I, R. Rajamanickam, S/o.P.M.Ramasamy, Hindu, aged about 57 years, having my office at No. 76, Mount Salai, Guindy, Chennai -600032, 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 5th Respondent Tamil Nadu Pollution Control Board and as such I am well acquainted with the facts of the case as per records.

2. It is respectfully submitted that the Commissioner, Kancheepuram Municipality was issued with show cause notice for non compliance of the Hon'ble NGT(PB), New Delhi order dated 23.04.2019 in O.A.No.606 of 2018 vide Proceeding No. DEE/TNPCB/SPR/SWM/F.No.M-002/2020 dated 25.02.2020. The Commissioner, Kancheepuram Municipality have been informed vide letter dated 29.08.2020 that as the local body has not complied the directions issued by the Hon'ble NGT(PB), New Delhi,


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necessary compensation will be levied and also requested to furnish the status of compliance report. If no reply is received further action shall be initiated as directed by the Hon'ble NGT(PB).

3. It is respectfully submitted that no reply was received from the Commissioner, Kancheepuram Municipality, reminder letter were addressed to the Municipality with RPAD and requested to furnish the compliance and status report vide letter No. DEE/TNPCB/SPR/F-M-0001/SWM/2020 dated 30.11.2020.

4. It is respectfully submitted that, the Hon'ble Tribunal has passed order 01.09.2021 and directed inter alia that

“Para 10:- They have also mentioned about the steps taken for renovation of STP and also implementation of Under Ground Sewage system (UGSS) for which detailed projects have been prepared and sent to the Director of Municipal Administration through the District Collector on 29/07/2021. Though the Tamil Nadu Pollution Control Board (TNPCB) was directed to file a report regarding implementation of Solid Waste Management Rules, 2016, they have also not filed any independent report as directed by this Tribunal.”

5. It is respectfully submitted that, the Commissioner, Kancheepuram Municipality, Kancheepuram has been issued with Authorization under Solid Waste Management Rules, 2016 with validity upto 30/03/2020 and the same was extended with validity upto 30/06/2020 due to Covid -19.

As, the Commissioner, Kancheepuram Municipality has not applied for further renewal of authorization, a letter has been addressed to the Kancheepuram Municipality vide DEE, TNPCB, Sriperumbudur letter dated 27.06.2020. So far, The Commissioner, Kancheepuram Municipality has

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not submitted the application under the Solid Waste Management Rules, 2016.

The Commissioner, Kancheepuram Municipality has not installed Common STP with advanced Technology and operating with Old Technology Oxidation method. Treated sewage sample was collected on 21/04/2021 and ROA of treated sample reveals that the Parameters such as TSS-50 mg/l (Standard limit-30 mg/l), BOD-42 mg/l (Standard limit-20 mg/l) and COD-104 mg/l (Standard limit-100 mg/l) exceeded the standards prescribed by the Board.

6. It is further submitted that, in pursuance to the orders of the Hon'ble NGT dated 01.09.2021, the Solid Waste dumping site of Kancheepuram Municipality and existing Sewage Treatment plant (Oxidation pond system) was inspected on 16/10/2021 and the following were observed,

- i. Vaiyavur and Nathapettai Lakes located in the Kancheepuram Municipality area, Kancheepuram District and the both lakes are belongs to the Public Works Department.
- ii. About 38 T/day of municipal solid waste is being generated from the Kancheepuram Municipality and provided micro composting centre located at the western side of the Nathapettai lake for composting the municipal solid wastes generated from the Kancheepuram Municipality.
- iii. The Kancheepuram Municipality has obtained authorization under Solid Waste Management Rules, 2016 with validity upto 30/03/2020 and the same was extended with validity upto 30/06/2020 due to covid-19.
- iv. As the Kancheepuram Municipality has not applied for further renewal of authorisation, a letter has been addressed by the DEE and so far the siad Municipality has not submitted the application under the Solid Waste Management Rules, 2016.


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v. The Municipal Solid waste was dumped at Thirukalimedu adjacent to the Nathapettai lake in haphazard hillock manner without any segregation and treatment creating feed to fly's, mosquitoes and cattle's.

vi. Leachate from the dumped Municipal Solid waste is flowing into Nathapettai lake.

vii. The Kancheepuram Municipality has not carried out any segregation of solid waste was not carried out. All the machineries for segregation is kept idle.

viii. The Kancheepuram Municipality has completed 55% of biomining of legacy waste at dumpsite.

Whereas, the Kancheepuram Municipality has not completed the Bio-mining activity before the statutory cut off timeline of 07.04.2021 as per Serial No. 11 in Rule 22 of Solid Waste Management Rules, 2016.

7. It is respectfully submitted that Kancheepuram Municipality is not segregating and properly disposing the solid wastes generated from the Municipality and not completed the Bio-mining activity as per Solid Waste Management Rules, 2016. Hence, an interim Environmental Compensation of Rs.38 Lakhs has been assessed for the period from April-2020 to October-2021 (19 months) to be levied to the Kancheepuram Municipality (population as on date is about 1.65 Lakhs) as follows,

- For not segregating and properly disposing the solid wastes generated from the said Municipality – Rs.1 Lakh x 19 Months = Rs.19 lakhs
- For not completing the biomining process of the legacy waste – Rs.1 Lakh x 19 Months = Rs.19 lakhs

8. It is respectfully submitted that, the Tamil Nadu Pollution Control Board has issued Show Cause Notice under Section 5 of the Environment


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(Protection) Act, 1986 to the Commissioner, Kancheepuram Municipality, why the Board shall not levy the Interim Environmental Compensation of Rs.38 Lakhs (from April, 2020 to October, 2021) for non compliance of Hon'ble NGT orders and for not complying with the provisions of Solid Waste Management Rules, 2016 vide Board Proceeding dt.10.12.2021. Reply is awaited from the Municipality.

9. It is respectfully submitted that during the inspection on 16.10.2021, the following are observed:

i. The Kancheepuram Municipality has provided a common Sewage Treatment Plant (STP ie stabilization of four paved pond) in the western side of the Nathapettai lake for the treatment and disposal of the sewage generated from the Kancheepuram Municipal area.

ii. The Treated sewage from the said common STP is disposed into the Nathapettai lake, for which the Public Works Department has given permission vide G.O. No. 259 dated 14.07.2011.

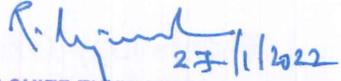
iii. The Commissioner, Kancheepuram Municipality has not installed Common STP with advanced Technology and operating with Old Technology Oxidation method. Treated sewage sample was collected on 21/04/2021 and ROA of treated sample reveals that the Parameters BOD-42 mg/l (Standard limit-30 mg/l) exceeded the standards prescribed by the Board. Sewage samples collected from the outlet of STP on 16.10.2021 reveals that the parameters are within the standards prescribed by the Board. Some part of the municipal area has not made any underground sewerage systems and directly let out into the manjal neer kalvai leads to nathampettai lake and River Vegavathi.


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In view of the above an interim Environmental Compensation of Rs.95 Lakhs has been assessed for the period from April-2020 to October-2021 (Rs.5 Lakhs x 19 months = Rs.95 Lakhs) to be levied to the Kancheepuram Municipality.

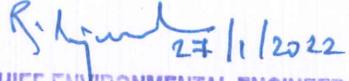
10. It is respectfully submitted that, the Tamil Nadu Pollution Control Board has issued Show Cause Notice under Section 5 of the Environment (Protection) Act, 1986 to the Commissioner, Kancheepuram Municipality, why the Board shall not levy the Interim Environmental Compensation of Rs.95 Lakhs (from April, 2020 to October, 2021) against for disposing sewage into the manal neer kalvai leading to the Nathampettai lake and for not providing full-fledged underground sewerage system and STP for the sewage generated from the entire municipal area using latest technology vide Board Proceeding dt.10.12.2021. Reply is awaited from the Municipality.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal 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.


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BEFORE ME

VERIFICATION

I, R. Rajamanickam, S/o. P.M.Ramasamy, working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai, do hereby verify that the contents of above report are true to the best of my knowledge through records.


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**REPORT FILED ON BEHALF OF
THE 5TH RESPONDENT-TAMIL
NADU POLLUTION CONTROL
BOARD.**

**Advocate for Respondent No.
TNPCCB
Thiru. S. Sai Sathya Jith,
Advocate, Chennai.**

Date:27.01.2022.

Date of hearing on:31.01.2022

