

BEFORE THE NATIONAL GREEN TRIBUNAL,  
SOUTHERN ZONE AT CHENNAI

Original Application No. 26 of 2021 (SZ)

Tribunal on its own motion  
SUO MOTU Based on the  
News item in the New Indian Express Newspaper  
Dated 23.01.2021, 'Biomedical waste dumped near  
Chennai's Thiruneermalai Lake not removed even after a week'

-Vs-

1. The Chief Secretary to Govt. of Tamil Nadu,  
Govt Secretariat, Fort St. George  
Chennai, Tamil Nadu 600 009.
2. The Secretary to Govt. of Tamil Nadu,  
Department of Environment,  
Govt. Secretariat, Fort St. George,  
Chennai, Tamil Nadu- 600 009.
3. The Principal Secretary to Govt. of Tamil Nadu,  
Health and Family Welfare Department,  
Govt. Secretariat, Fort St. George,  
Chennai, Tamil Nadu- 600 009.
4. Additional Chief Secretary to Govt. of Tamil Nadu,  
Municipal Administration and Water Supply Department,  
Govt. Secretariat, Fort St. George,  
Chennai, Tamil Nadu- 600 009.
5. The Chairman,  
Tamil Nadu Pollution Control Board,  
No. 76, Anna Salai, Guindy,  
Chennai, Tamil Nadu 600- 032.
6. The District Collector,  
Chengalpet District,  
Collector Office, GST Road,  
Chengalpattu 603 001.
7. Pallavaram Municipality,  
By its Municipal Commissioner,  
New Colony, Chrompet,  
Chennai 600 044.

  
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8. Thiruneermalai Town Panchayat,  
Rep. by its Executive Officer,  
No. 6A, Main Road, Thiruneermalai,  
Chennai 600 044.

... Respondents

**REPORT FILED ON BEHALF OF THE 5<sup>th</sup> RESPONDENT**  
**TAMIL NADU POLLUTION CONTROL BOARD.**

I, R. Rajamanickam, Son of P.M.Ramasamy, Hindu, aged about 54 years, having my office at No.76, Mount Salai, Guindy, Chennai-600 032, do hereby solemnly affirm and sincerely state as follows:

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-32, and I am filing this Report on behalf of the 5<sup>th</sup> Respondent, Tamil Nadu Pollution Control Board and as such I am well acquainted with the facts of the as per the records.

2. It is respectfully submitted that the Hon'ble National Green Tribunal (SZ) in its order dated 09.06.2021 directed as follows:

*"para 15: ....the Tamil Nadu Pollution Control Board is also directed to file an independent report regarding the action taken by them on the basis of the newspaper report and if any violators were traced out, what is the nature of action taken by them in this regard.*

*Para 18: The Chairman, Tamil Nadu Pollution Control Board is directed to look into these issues mentioned in the newspaper report discussed above and submit a report to this Tribunal incorporating as to what is the nature of action taken by the Pollution Control Board in respect of these issues and how far the guidelines given by the CPCB for disposal of the biomedical waste generated by*

  
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*treating the Covid-19 patients and other biomedical waste generated from the hospital are being dealt with the same and if there is any violation found, what is the nature of action taken by them against those violators. They are also directed to identify the lorries which were said to have been involved in the issue mentioned in the newspaper report discussed above and also specify what is the nature of action taken by them in this regard."*

3.It is respectfully submitted that in compliance of the Hon'ble NGT (SZ) order, the said area in question was inspected on 26/06/2021 & 29.06.2021 by the Joint Committee constituted by the Hon'ble NGT and it was noticed that no biomedical waste were found disposed in the Thiruneermalai Lake area.

4. It is respectfully submitted that, the following health care facilities operating in the Thiruneermalai Town Panchayat area was inspected on 02.08.2021 and the status of the HCF's is submitted below:

Sl. No	Name and Address of the Health care facility	Consent / Authorization status	Action taken
1	M/s.Government Urban Primary Health Centre Thiruneermalai, S.F.No.137, Thiruneermalai village, Pallavaram Taluk, Chengalpattu District	Valid up to 31.03.2029.	-
2	M/s.Sri Venkateshwara Hospital, No.387/3, Thiruneermalai Village, Pallavaram Taluk,	Valid up to 31.03.2021.Ext ended due to Covid up to	

*R. Jayaram*  
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	Chengalpattu Taluk,	30.09.2021	
3	Dr V. Sendilnathan Clinic, Plot No 8, C.L.C Works Road, Chandran Nagar, Chrompet, Pallavaram Taluk, Chengalpattu District	One time authorization issued dated 01/04/2020.	Closed.
4	Dr.Ashok Kumar Child Clinic, 1st Cross Rd, opposite to Reliance Fresh, Nagappa Nagar, Chromepet, Pallavaram Taluk, Chengalpattu District		Show Cause Notice issued vide Proc. dated 02.08.2021.
5	Dr.Ravana Kumar Medical Centre (Pragyan Clinic)	One time authorization issued dated 05/05/2021.	-
6	Dr.Sathyannarayanan Medical Centre	Closed	-
7	Dr.Shanthi Medical Centre (AnbuMultispeciality Clinic), 3rd Main Rd, Ponnappa Nagar, Chromepet, Pallavaram Taluk, Chengalpattu District		Show Cause Notice issued vide Proc. dated 02.08.2021.
8	Dr.Vijayakumar Clinic, 54-4, Sangam Rd, Lakshmipuram, Chromepet, Pallavaram Taluk, Chengalpattu District		Show Cause Notice issued vide Proc. dated 02.08.2021.
9	Sai Hospital	Closed	
10	M/s.Sugam Clinic, 18/1, Thiruneermalai main road,		Show Cause Notice issued

*R. Rajan*  
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	Thiruneermalai, Pallavaram Taluk, Chengalpattu District		vide Proc. dated 02.08.2021.
11	Dr.Gomathi Medical Centre, 1st PillayarKoil St, Lakshmipuram, Chromepet, Pallavaram Taluk, Chengalpattu District.	Valid up to 31.03.2021. Extended due to Covid up to 30.09.2021.	

5. It is further submitted that, a news was published in Tamil daily newspaper on 09.06.2021 regarding illegal dumping of BMW at Ward 149, Zone 11, Sri Lakshmi Nagar, Valasaravakkam, Chennai District. The said site was inspected on 09.06.2021 by the TNPCB officials and found that there were only few masks, gloves and thermocol boxes. Further, the Greater Chennai Corporation (GCC) was contacted as the said location is a garbage collection area with bins and the GCC has informed that they have already collected and dumped the BMW and sent the same to Perungudi dumping yard.

In this regard, the GCC was instructed to handover the said waste to the common Bio-medical waste treatment facility (CBMWTF) M/s. GJ Multiclave India Pvt Ltd. Also, the CBMWTF was instructed to clear the remaining waste from the said site as well as the waste sent to the Perungudi dump site.

6. It is further submitted that, it was learnt that the Vaccination centres / testing centres located in the zone 11 are disposing the BMW such as swab kit, PPE kits, gloves, masks, cotton waste etc., along with the municipal solid wastes. Hence, the Zonal Medical officer,

  
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Zone-11 has been addressed to instruct the COVID-19 testing centres and Vaccination centres for proper collection and disposal of BMW to the CBMWTF and to store the Bio medial waste separately without mixing with the Municipal Solid waste.

Also a show cause notice has been issued to the Deputy Director of Health, Zone-11, Greater Chennai Corporation vide Board Proceeding dated 14.07.2021 for violation of the provision of the BMWM Rule, 2016.

7. It is further submitted that, subsequently a News Item appeared in the Tamil Daily "Dinamalar" on 09.06.2021, reporting that the PPE Kit used by the Covid-19 frontline workers are thrown in the dustbin kept in Burliar Panchayat, which would be a potential threat for the spreading of infection. The matter was investigated with the Block Development Officer, Coonoor and the Block medical Officer by the DEE/Ooty.

8. It is ascertained that a PPE Kit was found thrown in the Dust Bin provided by the Burliar Panchayat, in Ooty-Metupalayam Road, and the same was brought to the notice of Block Development Officer on 08.06.2021. The BDO has been instructed to comply with the provision of Bio-Medical Waste Management Rule, 2016, with reference to the disposal of COVID19 Bio-Medical Wastes.

9. It is respectfully submitted that in the Nilgris District treatment to COVID-19 positive patients is provided in 6 Government Health Care Facilities (including Military Hospital), 8 Private Health Care

  
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Facilities and 16 Covid Care Centers(CCCs). These HCFs/CCCs are disposing their COVID-19 wastes including the used PPE Kits generated to the Common Biomedical Waste treatment and disposal facility.

The Executive Heads of Municipalities, Town Panchayats and the Panchayat Unions have been addressed to comply the BMWM Rule, 2016 for the safe collection and disposal of the used PPE Kits. Also, the Joint Director of Health Services and the Deputy Director of Medical and Rural Health Services and Family Welfare have been addressed to issue suitable instructions to the Ambulance drivers under their control, to properly deposit the used PPE Kits as Biomedical Waste in the designated bins provided in the HCF to which they are attached.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) at Chennai may be pleased to take this Report on Record and 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, Son of P.M. Ramasamy, Working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-32, do hereby submit that the contents of the above report are true to the best of my knowledge through records.

Verified at Chennai on this 28<sup>th</sup> day of August, 2021.

*R. Rajamanickam*  
28/8/2021

JOINT CHIEF ENVIRONMENTAL ENGINEER  
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GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI.

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'Biomedical waste dumped near Chennai's  
Thiruneermalai Lake not removed even  
after a week'

-Vs-

The Chief Secretary to Govt. of Tamil  
Nadu, Govt Secretariat,  
Fort St. George, Chennai,  
Tamil Nadu 600 009 and Others

REPORT FILED ON BEHALF OF THE 5<sup>th</sup>  
RESPONDENT - TAMIL NADU  
POLLUTION CONTROL BOARD.

Date: 28.08.2021

Date of Hearing: 31.08.2021