

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

Applicant(s)

-Vs-

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

...Respondent(s)

INDEX

S.No	Description	Page No.
1.	Report filed on behalf of the 5 th Respondent – Tamil Nadu Pollution Control Board	1 – 7

Advocate for the Respondent: TNPCB

Tr. S. Sai Sathya Jith,

Advocate, Chennai

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, 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, Chennai Edition, Dated 23.01.2021,
“Biomedical waste dumped near Chennai’s
Thiruneermalai Lake not removed even after a week”.

... Applicant(s)

Versus

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.

 8/11/22

**JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.**

7. Pallavaram Municipality,
By its Municipal Commissioner,
New Colony, Chrompet,
Chennai 600 044.

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

...Respondent(s)

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

I, M. Pannirselvam, S/o M. Venkatesan, Hindu, aged about 59 years, having my office at 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 (TNPCB), Chennai – 32, and filing this Report on behalf of the 5th Respondent Tamil Nadu Pollution Control Board (TNPCB) and as such I am well acquainted with the facts of the case from the records.

2. It is respectfully submitted that the Hon'ble National Green Tribunal (SZ), Chennai in its order dated 08.08.2022 has directed inter alia as follows:

“Para 2- Since, there are only 10 facilities in operation in the State of Tamil Nadu of which two facilities at Ooty and Ramanathapuram have been closed. The Learned Counsel for the Pollution Control Board is directed to find out the designated Health Care Facilities (HCFs) which are diverted to other facilities, the designated district to each of the centre, the transportation of BMW, the mode in which they carry them and the persons who operate the centres whether manually or mechanically etc. are the details sought from the Pollution

JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No. 76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.


JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

Control Board. They should also give a comprehensive status report on the movement of the biomedical waste right from collecting from the centre till disposal should be filed in detail.

Para 3- The report should also specifically state that in case of failure in one centre, namely, due to power outage or out of order of incinerators, how the BMW will be managed. The report also should specifically mention the clear distance from the centres as the capacity is 90 tons and the average waste generated as per the report is only 35 tons and ensure the optimum use of the centres”.

3. It is respectfully submitted that as per the CPCB guidelines for Common Bio-medical Waste Treatment and Disposal Facilities, 2016, the duties of the CBWTFs is prescribed as follows:

3. Duties of the operator of a common bio-medical waste treatment and disposal facility to ensure proper management of biomedical waste in the respective coverage area, as a mitigation especially in the event of:

- a) a temporary break down (not more than a week) of a CBWTF especially for rectification of the refractory lining of the incineration chambers or change of requisite APCD due to failure; and
- b) Closure of a CBWTF for violation of the provisions of the BMWM Rules or any other reason.

Prior to commencement of a new CBWTF as well as all the existing CBWTF Operators are required to submit action plan, to the respective SPCB/PCC, for imposing suitable condition while granting authorisation under the BMWM Rules, 2016. The action plan should also include:

- a) a MoU made with the nearest CBWTF located within the respective State/UT, as alternate arrangement. In case, if there is no CBWTF located nearby then such CBWTF should have to install stand by treatment equipment (equal to the existing treatment capacity as per consents granted by the SPCB/PCC), and

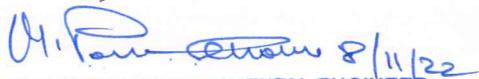
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.


JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

b) decontamination plan of the CBWTF for execution of such plan prior to closure of a CBWTF.

4. It is respectfully submitted that the present status on compliance of the above said guidelines by Common Bio-medical Waste Treatment and disposal facilities (CBMWTFs) is tabulated below:

S.No.	Name and Address of the CBMWTFs	Compliance
1.	M/s. Medicare Enviro Systems, Sengipatti, Thanjavur Taluk, Thanjavur District.	The unit has made agreement with the CBMWTF M/s.Pondicherry Solidwaste Management Company Private Limited, Vepput Taluk, Puducherry. The said unit has agreed to treat, store and dispose the bio-medical waste collected and transferred by the unit M/s.Medicare Enviro Systems at times of contingency, emergency, repair and maintenance situation, non-operation of the unit under certain natural calamities and even at the time of temporary closure.
2.	M/s. Ken Bio Links Private Ltd., Kandipedu, Katpadi Taluk, Vellore District.	The unit has made an principle agreement with nearest CBWTF M/s. GJ Multiclave (India) Pvt Ltd, Thenmelpakkam – Chengalpattu to treat, store and dispose the bio-medical waste collected and transferred by the unit M/s. Ken Bio Links Private Ltd., Vellore District at times of contingency, emergency, repair and maintenance situation, non-operation of the unit under certain natural calamities and even at the time of temporary closure.
3.	M/s. Ramky Energy and Environment Ltd, Thangayur, Salem District.	The unit has made agreement with the nearest CBWTF M/s.Ramky Energy and Environment Ltd., S.F No.136 & 137, Undurumikidakulam Village, Thiruchuli Taluk, Virudhunagar to treat, store and dispose the bio-medical waste collected and transferred by the unit M/s. Ramky Energy and Environment Ltd, Salem at times of contingency, emergency, repair and maintenance situation, non-operation of the unit under certain natural calamities and even at the time of temporary closure.


JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
NO. 76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032

4.	M/s.Teknotherm Industries, Orattukuppai, Coimbatore District.	The unit has made an agreement with nearest CBWTF of M/s. Kovai Biowaste Management (P) Ltd, No.402,4TH Floor, Ramani's Fraser Square, Goods Shed Road, Coimbatore -1 to treat, store and dispose the bio-medical waste collected and transferred by the unit M/s.Teknotherm Industries, Orattukuppai, Coimbatore at times of contingency, emergency, repair and maintenance situation, non-operation of the unit under certain natural calamities and even at the time of temporary closure.
5.	M/s. Aseptic System Bio Medical Waste Management Co., Pappankulam, Tirunelveli District.	The unit has made agreement with CBWTF namely M/s. G.J Multiclave (India) Pvt Ltd., Chennai to treat, store and dispose the bio-medical waste collected and transferred by the unit M/s. Aseptic System Bio Medical Waste Management Co., Tirunelveli at times of contingency, emergency, repair and maintenance situation, non-operation of the unit under certain natural calamities and even at the time of temporary closure.
6.	M/s. Ramky Energy and Environment Ltd., Undurmikidakulam, Virudhunagar District.	The unit has made agreement with nearest CBWTF formerly known as M/s. Ramky Energy and Environment Limited, Salem and at present name changed to Resustainability Health Care Solution Limited (Salem) to treat, store and dispose the bio-medical waste collected and transferred by the unit at times of contingency, emergency, repair and maintenance situation, non-operation of the unit M/s. Ramky Energy and Environment Ltd., Virudhunagar under certain natural calamities and even at the time of temporary closure.
7.	M/s. Kovai Biowaste Management (P) Ltd, No.402,4TH Floor, Ramani's Fraser Square, Goods Shed Road, Coimbatore -1	The unit has made an agreement with nearest CBWTF of M/s.Teknotherm Industries, Orattukuppai, Coimbatore District to treat, store and dispose the bio-medical waste collected and transferred by the unit M/s. Kovai Biowaste Management (P) Ltd, Coimbatore at times of contingency, emergency, repair and maintenance situation, non-operation of the unit under certain natural calamities and even at the time of temporary closure.
8.	M/s. Society for Bio Medical Waste Management Ottupattarai Village, Coonoor	The unit was issued closure order vide proceedings no. T4/TNPCB/F.23123/RS/NGL/2018-1 dated 07.09.2018. The CBMWTF is involved only in collection of bio-medical waste in Ooty and transportation to the CBMWTF M/s.


 8/11/22
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI - 600 032.

		Kovai Bio Waste Medical Management Private Limited for treatment and disposal
9.	M/s. Neat and Clean Service Squad, Muthuvayal, Ramanathapuram District	<p>The CBMWTF was issued with closure direction and disconnection of power supply vide Proc.No.T4/TNPCB/F.10636/RS/RMD/2019-1 dated 06.05.2019 and Proc.No. T4/TNPCB/F.10636/RS/RMD/2019-2 dated 06.05.2019.</p> <p>Presently, the Bio Medical Waste generated in Ramanathapuram district were collected by M/s. Neat and Clean Service Squad and disposed to M/s. Ramkay Energy and Environment Limited, Undurumikidakulam Village, Virudhunagar District (which is about 70 km from M/s. Neat and Clean Service Squad and 30 km from Virudhunagar District) as per TNPC Board's instruction dated 06.05.2019</p>
10.	M/s. Pondicherry Solid Waste Management Company Private Limited (PSMPL), S.F.No.275/2, T. Pudaiyur village, Virudhachalam Taluk, Cuddalore District	Agreement made with M/s.Medicare Enviro Systems, RS No.208, 209 Ayothipatti Road, Sengipatti Village, Thanjavur District to treat and store and dispose the Bio Medical Waste collected and transferred by PSMPL, Virudhachalam, at times of contingency, emergency, repair and maintenance situation, non-operation of the unit under certain natural calamities and even at the time of temporary closure.
11.	M/s. G. J. Multiclave (India) Pvt Ltd, Thenmelpakkam, Chengalpattu Taluk, Chengalpattu District.	<p>The unit has made agreement with the CBMWTF M/s.Aseptic Systems Bio medical waste management company located at B-1, C – Colony, Perumalpuram, Tirunelveli.</p> <p>The said unit has agreed to treat, store and dispose the bio-medical waste collected and transferred by the unit M/s. GJ Multiclave (India) Pvt Ltd., at times of contingency, emergency, repair and maintenance situation, non-operation of the unit under certain natural calamities and even at the time of temporary closure.</p>


 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI - 600 032.

JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI - 600 032.

12.	M/s. Tamilnadu Waste Management Ltd., Kinnar village, Maduranthakam Taluk, Chengalpattu District.	<p>The unit has made agreement with the CBMWTF M/s.Ramky Energy and Environment Limited located at Permanur Main Road, Salem.</p> <p>The said unit has agreed to treat, store and dispose the bio-medical waste collected and transferred by the unit M/s.Tamilnadu Waste Management Limited at times of contingency, emergency, repair and maintenance situation, non-operation of the unit under certain natural calamities and even at the time of temporary closure.</p>
-----	---	--

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 circumstance of this case and thus render justice.


JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI - 600 032.

BEFORE ME

VERIFICATION

I, M. Pannirselvam, S/o M. Venkatesan working as Joint Chief Environmental Engineer, having office at No. 76, Mount Salai, Guindy, Chennai -600 032, do hereby submit that the above contents are true to the best of my knowledge and belief through records.


JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI - 600 032.

JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

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

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
5TH RESPONDENT - TAMIL NADU
POLLUTION CONTROL BOARD**

Advocate for the Respondent: TNPCB
Tr. S. Sai Sathya Jith,
Advocate, Chennai

Date: 08.11.2022

Date of Hearing: 17.11.2022

