

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

**Original Application No 100 of 2021 (SZ)**

**IN THE MATTER OF**

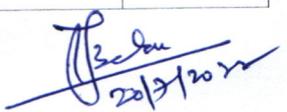
Tribunal on its own motion *Suo Motu* based on the news item : Applicant(s)  
published in The Hindu newspaper, Chennai edition, dated 09-04-  
2021, "Dumping of garbage foiled near Anamalai, trucks seized".

Versus

The Chief Secretary to Govt. of Tamil Nadu and Others. : Respondent(s)

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**DEPONENT**

**Place: Bengaluru**

**Date: 20.07.2022**

**J. Chandra Babu**  
**REGIONAL DIRECTOR**  
**CENTRAL POLLUTION CONTROL BOARD**  
**REGIONAL DIRECTORATE - BENGALURU**  
**(MIN. OF ENV, FOREST & CC, GOVT OF INDIA)**  
**BENGALURU - 560 079. MOB: 9868278903**



**BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN BENCH CHENNAI**

**Original Application No 100 of 2021(SZ)**

**IN THE MATTER OF**

Tribunal on its own motion *Suo Motu* based on the news : Applicant(s)  
item published in The Hindu newspaper, Chennai  
edition, dated 09-04-2021, "Dumping of garbage foiled  
near Anamalai, trucks seized".

Versus

The Chief Secretary to Govt. of Tamil Nadu and Others. : Respondent(s)

**STATUS REPORT FILED ON BEHALF OF CENTRAL POLLUTION  
CONTROL BOARD, ADDITIONAL 19<sup>TH</sup> RESPONDENT**

I, Jathikartha Chandra Babu, Son of Late Sh. J Balaramaiah, aged 54 years, having office at the Regional Directorate - Bengaluru, Central Pollution Control Board, 1<sup>st</sup> and 2<sup>nd</sup> Floors, Nisarga Bhavan, A-Block, Thimmaiah Main Road, 7<sup>th</sup> D Cross, Shivanagar, Bengaluru, Karnataka – 560 079, do hereby solemnly affirm and declare as under:

I am presently working as Scientist 'E' & Regional Director, in the Central Pollution Control Board (CPCB). I am authorised to file the status report on behalf of 19<sup>th</sup> Respondent, Central Pollution Control Board and I am well conversant with the facts of the case.



*J. Chandra Babu*  
20/4/2022

**J. Chandra Babu  
REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE - BENGALURU  
(MIN. OF ENV, FOREST & CC, GOVT OF INDIA)  
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## 1. Background:

Honourable National Green Tribunal *Suo Motu* matter raised Original Application No. 100/2021(SZ) based on the News item published in The Hindu Newspaper, Chennai Edition dated 09.04.2021, "Dumping of garbage Foiled near Anamalai, trucks seized". It is a matter of unauthorized dumping of solid waste including biomedical wastes from Kerala in Tamil Nadu border. Hon'ble Tribunal vide its order dated 24.12.2021 passed following direction:

*"...the Kerala Pollution Control Board and Tamil Nadu Pollution Control Board are directed to consider the question as to whether any continuous online monitoring system can be developed to monitor the total input of raw materials procured, produced and how it is being used and disposed of. If this system is evolved, any mischief committed by the Health care units can be detected and if it is linked online to the Tamil Nadu Pollution Control Board, then they can find out whether there is any gap between the actual generation and disposal by the Health care units. The practicability and feasibility of this will have to be examined by the regulators, namely the respective State Pollution Control Boards and Central Pollution Control Board and if it is feasible and practical, then necessary directions will have to be issued to develop this system in order to protect environment against misuse of the provisions by the violators."*

Further, the matter was heard by Honourable NGT on 23.05.2022 wherein it was mentioned that the dumping of biomedical waste and municipal waste has to be stopped immediately as that would lead to health hazards. Once the culprits are brought to books appropriate action can be initiated against them. Therefore, Learned Counsels appearing for both the Pollution Control Boards are directed to implead those wrong doers whose particulars they possessed of. In the meantime, Pollution Control Boards and State Authorities may continue to keep a vigil on dumping of the hazardous medical and municipal waste.

As per submission of Kerala State Pollution Control Board and Tamil Nadu State Pollution Control Board, Honourable NGT in its order dated 23.05.2021, considered



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that the biomedical waste and municipal solid waste are being disposed of in an unscientific manner in the private lands within the territory of Tamil Nadu. And the said wastes are being transported from Thrissur and Palakkad Districts of Kerala State.

Honourable NGT in its order dated 28.01.2022, impleaded Central Pollution Control Board, Integrated Regional Office, Bengaluru as additional 19<sup>th</sup> Respondent. Honourable NGT order dated 28.01.2022 is annexed as **ANNEXURE R19-1**.

## 2. Tracking of Biomedical Waste

With regard to tracking of biomedical waste, it is humbly submitted that as per Biomedical Waste Management Rule, 2016 (herein after will be called as BMW Rules, 2016), Barcode system is required to be adopted by every occupier (that is Healthcare Facility, hereinafter will be called as HCFs) as well as Common Biomedical Waste Treatment Facility (herein after will be called as CBWTFs) for bags or containers containing biomedical waste (BMW) to be sent out of the premises or place for any purpose and for handling of biomedical waste. Barcode system helps in accounting the quantity of generated biomedical waste being collected, treated and disposed. This system also helps the prescribed authorities in monitoring the implementation of BMW Rules, 2016. The benefits of Barcode system are summarized below:

- Tracking of biomedical waste from source of generation to intended destination for final treatment and disposal;
- Daily check on the occupier, transporter (involved in transportation of bio-medical waste within HCF as well as transportation of bio-medical waste from HCF to the CBWTF premises) and operator of a CBWTF;
- Preventing pilferage of bio-medical waste at HCFs as well as during transportation of waste from HCF to the CBWTF;



  
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- Keeping record of visits made by CBWTF to the member HCFs for collection of waste;
- Identification of source of generation of bio-medical waste in case waste is disposed of improperly;
- Creates real time online monitoring of waste generation, collection, transportation, treatment and disposal; and
- Quantification of bio-medical waste generated, colour coding-wise waste handed over to the CBWTF operator by the Occupier and waste collected daily by the Operator of a CBWTF from the member HCFs for further treatment and disposal. so as to track the biomedical waste and global positioning system shall be added by the Occupier and common bio-medical waste treatment facility.

Central Pollution Control Board has also issued technical guidelines for “Barcode System for Effective Management of Biomedical Waste” which facilitate and provide guidance to both the occupier as well as operator of CBWTF to establish barcode system and also to have uniformity in adoption of the barcode system throughout the country, thereby ensuring effective enforcement of the BMWM Rules, 2016.

Further, Honourable Supreme Court of India in the matter of I.A. No. 181745 of 2019 and I.A. No. 46339 of 2020, in W.P.C. 13029 of 1985 passed orders whereby directed Ministry of Environment Forest & Climate Change (herein after will be called as MoEF & CC) / Central Pollution Control Board to work out a national bar-coding system/ portal for tracking of biomedical waste.

Central Pollution Control Board has initiated for implementation of centralized Barcoding System for tracking of biomedical waste. In this regard, CPCB has also released the tender for engaging agency for development of said centralized barcode system.



  
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### 3. Tracking of vehicles for Transportation of Biomedical Waste:

The collection and transportation of bio-medical waste shall be carried out in a manner so as to prevent any possible hazard to human health and environment. Collection and transportation are the two operations where the chances of segregated bio-medical waste coming in contact with the public, rag pickers, animals/birds, etc. are high. Therefore, all care shall be taken to ensure that the segregated bio-medical waste handed over by the healthcare units reach CBWTF without any damage, spillage or unauthorized access by public, animals etc. As per CPCB revised guidelines for Common Biomedical Waste Treatment Facility, following provisions for transportation of biomedical waste from healthcare facilities by CBWTF operator has been given:

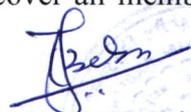
- All the vehicles used by the CBWTF operator shall not be sub-letted or contract vehicles should not be used by the CBWTF operator. All the vehicles owned by the CBWTF operator and intended only for collection of bio-medical waste from the member health care facilities should be registered under the Motor Vehicle Act with the respective RTO/ Transport Department and such vehicle numbers should also be registered with the respective SPCB/PCC for the purpose of collection of bio-medical waste from the member health care facilities. The bio-medical waste collected in designated coloured containers shall be transported to the CBWTF in a fully covered vehicle. Such vehicle shall be dedicated for transportation of bio-medical waste only. Depending upon the volume of the wastes to be transported, the vehicle may be a two or three-wheeler, light motor vehicle or heavy duty vehicle.
- In either case, the vehicle must possess the following:
  - i. Transportation vehicle shall be fitted with GPS to track the movement of the vehicle.
  - ii. Separate cabins shall be provided for driver/staff as well as for placing the designated colour coded bio-medical waste containers.



  
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- iii. Two wheeler registered under the Motor Vehicle Act shall be permitted for collection of bio-medical waste only from the clinics or dispensaries located in places where the lanes are narrow and not easily accessible to four wheeler vehicles. Such two wheeler vehicle (s) should have a provision of a suitable fixed waste collection box marked with bio-hazard symbol, contact details, proper lid, emergency spill collection procedure, first aid box and manifest record in accordance with the BMW Rules
  - iv. The base of the waste cabin shall be leak proof to avoid pilferage of liquid during transportation.
  - v. The waste cabin may be designed for storing waste containers in tiers and also should be provided with a lighting provision.
  - vi. The waste cabin shall be so designed that it is easy to wash and disinfect.
  - vii. The inner surface of the waste cabin shall be made of smooth surface to minimize water retention. Revised Guidelines for Common Bio-medical Waste Treatment Facilities.
  - viii. The waste cabin shall have provisions for sufficient openings in the rear and/or sides so that waste containers can be easily loaded and unloaded.
  - ix. The vehicle shall be labeled with the bio-hazard symbol (as per Schedule IV of the BMW Rules) and should display the name, address and contact telephone and mobile number of the CBWTF.
  - x. The vehicle driver should carry always valid registration of the vehicle obtained from the concerned transport authority and also carry valid 'pollution under control certificate' issued by the authorized certificate issuing agency.
- Depending upon the area to be covered under the CBWTF, the route of transportation shall be worked out. The transportation routes of the vehicle shall be designed for optimum travel distance and to cover all member



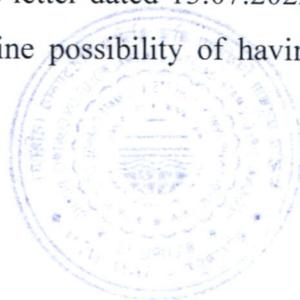
  
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healthcare units of the CBWTF. The CBWTF operator should ensure online and real time tracking & monitoring provisions (GPS provision) should be given access with passwords to the SPCB/PCC and CPCB to cross check the movement of the transportation vehicles on any time by the SPCB/PCC/CPCB. As far as possible, the transportation shall be carried out during non-peak traffic hours. If the area to be covered is very large, a satellite station may be established to store the bio-medical waste collected from the adjoining areas. The wastes so stored at satellite station may then be transported to the CBWTF in a big vehicle. It shall be ensured that the total time taken from generation of bio-medical waste to its treatment, which also includes collection and transportation time, shall not exceed 48 hours.

#### 4. Action Taken by CPCB

CPCB organised a virtual meeting on 08.07.2022 at 3 PM through video conferencing with Tamil Nadu State Pollution Control Board, Kerala State Pollution Control Board and CPCB Regional Directorates Bengaluru and Chennai to discuss the orders of Honourable NGT and further compliance status by both the State Boards. During the meeting, the opinion from both the State Boards were sought on having the tracking system to monitor the total input of raw materials procured, produced and how it is being used and disposed of. Minutes of meeting of aforesaid meeting is attached at **ANNEXURE R1-2**.

As per the discussions held in the afore-said meeting, it was concluded to seek opinion from Ministry of Health & Family Welfare as Biomedical Waste Management Rules, 2016 mandates Ministry of Health & Family Welfare to grant license to Healthcare Facilities and also to review the compliance of said Rules. Hence, CPCB vide letter dated 13.07.2022 requested Ministry of Health & Family Welfare to examine possibility of having an online tracking system for



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tracking of raw material used by the HCFs. Copy of the said letter attached at **ANNEXURE R19-3**.

CPCB vide letter dated 11.07.2022, also requested Tamil Nadu SPCB and Kerala SPCB to provide the action taken report on directions passed by Honourable Tribunal in the matter. Copy of the said letter attached at **ANNEXURE R19-4**.

In the light of the above, the Honourable Tribunal may pass appropriate orders and render justice.

Dated at Bengaluru on this the 20<sup>th</sup> day of July, 2022.

१.१

**Counsel for 19<sup>th</sup> Respondent**



**VERIFICATION**

I, Jathikartha Chandra Babu, working as Scientist 'E' and posted as Regional Director (Bengaluru), Central Pollution Control Board, the additional 19<sup>th</sup> respondent herein does hereby verify that the contents of the above paragraphs are true and correct to the best of my knowledge, information and belief.

Dated at Bengaluru on this the 20<sup>th</sup> day of July, 2022.

१.१

**Counsel for 19<sup>th</sup> Respondent**



*J. Chandra Babu*  
20/7/2022

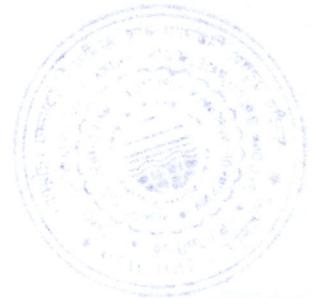
**DEPONENT**

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*J. Chandra Babu*  
20/7/2022

**DEPONENT**

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**Item No.19:**

BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI

**Original Application No. 100 of 2021 (SZ)**

(With Hybrid Option)

IN THE MATTER OF:

Tribunal on its own motion Suo Motu based on the News item published in The Hindu Newspaper, Chennai Edition Dt.09.04.2021, "Dumping of garbage Foiled near Anamalai, trucks seized".

...Applicant(s)

**Versus**

The Chief Secretary to Govt. of Tamil Nadu, and others.

...Respondent(s)

**Date of hearing: 28.01.2022.**

**CORAM:**

**HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER**

**HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER**

**For Applicant(s):** Suo Motu

**For Respondent(s):** Dr. D. Shanmuganathan for R1, R3, R5, R7, R9, R13 & R15  
Mr. S. Ambedkar for Mr. E.K. Kumaresan for R2, R4, R6, R8, R10 & R14  
Mr. S. Sai Sathya Jith for R11  
Mrs. V. K. Rema Smrithi for R12  
Mr. R. Thirunavukarasu for CPCB

**ORDER**

1. The above case has been posted to today for consideration of further action taken report and also respective reports to be filed by the Kerala Pollution Control Board and other stakeholders.
2. Tamil Nadu Pollution Control Board has filed a report signed by the officer on 13.01.2022, e-filed on the same date which reads as follows:

**REPORT FILED ON BEHALF OF THE 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 Status Report on behalf of the 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 Hon'ble National Green Tribunal (Southern Zone) in its order dated 11.08.2021 has directed as follows :

*“Para 09: Learned Counsel appearing for Tamil Nadu Pollution Control Board wanted some time to submit a detailed report regarding the subsequent incident that occurred in Thenkasi and also further action taken report in respect of action taken in the subject matter which is under consideration for which he wants some time.*

*“Para 10: On getting further report from Tamil Nadu Pollution Control Board regarding the Thenkasi incident as well, we think that all these things can be cumulatively considered by this Tribunal and a comprehensive directions can be given as to how such things will have to be evaluated by the respective State Governments to prevent such mischief being repeated in future.*

*“Para 11: In the meantime, the Kerala Pollution Control Board and Tamil Nadu Pollution Control Board are directed to consider the question as to whether any continuous online monitoring system can be developed to monitor the total input of raw materials procured, produced and how it is being used and disposed of. If this system is evolved, any mischief committed by the Health care units can be detected and if it is linked online to the Tamil Nadu Pollution Control Board, then they can find out whether there is any gap between the actual generation and disposal by the Health care units. The practicability and feasibility of this will have to be examined by the regulators, namely the respective State Pollution*

*Control Boards and Central Pollution Control Board and if it is feasible and practical, then necessary directions will have to be issued to develop this system in order to protect environment against misuse of the provisions by the violators”.*

**Action taken on newspaper report regarding the electronic wastes from kerala has been disposed at Kuripankulam village, Alangulan Taluk, Tenkasi district:**

3. It is respectfully submitted that the complaint site was inspected by the TNPCB officials of Tirunelveli district on on 23.08.2021 at 9.30AM and during inspection it was noticed that plastic waste (mainly automobile related plastics and packing materials) of about 1.0 Ton were found disposed on land close to South Parayankulam at Mayamankurichi Revenue Village located between the roads connecting Kuripankulam and Kidarankulam. Based on the inspection, the concerned Alangulam Block Development Officer (BDO), was also informed and site was inspected along with BDO. Further, the Alangulam BDO was requested to take necessary action to remove the plastic waste from the area and to dispose as per the Solid Waste Management Rules, 2016 vide DEE, TNPCB, Tirunelveli letter dated: 23.08.2021.

4. It is respectfully submitted that Alangulam BDO has removed the said plastic wastes from the complaint site immediately on the same day and vide letter dated 23.08.2021 has informed the action taken to District Collector, Tenkasi.

**Action taken on Hindu Newspaper Report regarding the dumping of garbage foiled near Anamalai, trucks seized: (the subject matter which is under consideration)**

5. It is respectfully submitted that, a letter has been addressed to the Chairman, Kerala State Pollution Control Board, requesting to take appropriate measures to curtail the unauthorised movement of the biomedical waste and further dumping inside the Tamil Nadu besides taking up to the Kerala State Government so as to intensify the checking at the borders of Kerala and to prevent transportation and dumping of biomedical waste or any solid waste to the state of Tamil Nadu vide letter dated:13.12.2019.

6. It is respectfully submitted that, further the TNPCB has issued directions to the Commissioner, Transport Department, the Director General of Police, and the Commissioner, Commercial Taxes Department, Chennai vide letter dated: 03.01.2020 to ensure that, the check post authorities of Tamil Nadu, should have a strict vigil in the check post located at the border of Tamil Nadu and Kerala and also ensure that no vehicle with the solid waste/ biomedical waste is allowed into the state of Tamil Nadu. The action taken report was not received from the above respective authorities. Therefore, the TNPCB vide letter dated 24.12.2021 has again requested the Commissioner, Transport department, Chennai the Director General of Police, and the Commissioner, Commercial taxes Department, Chennai to take

necessary immediate action and furnish the action taken report. The report is awaited from the authorities.

7. It is respectfully submitted that, a committee has been formed with District Collector as Chairman along with Revenue, Police, Commercial Taxes, Transport, Local Bodies and TNPCB officials in the Coimbatore & Kanyakumari Districts for continuous monitoring of illegal transportation of the waste from Kerala. A team has been formed by RDO, Tenkasi comprising of officials of Revenue, Health Service and Police to inspect the other vehicles to ensure if any bio-medical waste is transported with other waste.

8. It is respectfully submitted that, based on the article in Deccan Herald on February, 16 2020 has been published stating that “ Kerala chokes Karnataka with toxic waste”-Biomedical waste from Kerala state is illegally dumped in Chamarajanagar, Kodagu and Mysore districts and also in neighbouring districts in Tamil Nadu, the CPCB has proposed to conduct a meeting with the concerned officials of all departments from Kerala, Karnataka, and Tamil Nadu states, vide letter dated:17.02.2020. The meeting is yet to be conducted by the CPCB.

9. It is respectfully submitted that further the complaint prone site was inspected by the TNPCB officials of Coimbatore(South) on 02.12.2021 along with the officials of Anaimalai Panchayat Union, Revenue Department, Police Department, Tamil Nadu Agriculture University, Coimbatore. During inspection, the following observations were noticed:

- i. Illegally dumped garbage solid waste were still found in the dump site and yet to be disposed scientifically.
- ii. Three earthen points were found dumped with solid waste in plastic bags and covered with soil to hide the same. The pits are unearthed using JCB excavator and solid waste samples were collected in all the three pits by the officials of Tamil Nadu Agricultural University and to carry out the same for analysis. ROA awaited.
- iii. During the unearthing of the pits in the complaint prone site, unbearable strength smell was felt in the area.
- iv. In two of such pit where in stagnation of leachate were observed due to the recent rain. Two leachate samples were collected by the officials of Tamil Nadu Agricultural University and to carry out the same for analysis. ROA awaited.
- v. It was stated by the Sub inspector, Anamalai Police station, Anamalai that the First Investigation Reportn (FIR) is still under investigation.

10. It is respectfully submitted that the leachate sample was collected on 20.08.2021 in the compliant prone area and forwarded to the Tamilnadu Agricultural University, Coimbatore for analysis. The result of analysis reveals that the parameters such as Total Zince (mg/l), Total Copper (mg/L), Total Chromium (mg/L) & Total Lead (mg/L) are beyond maximum permissible limit and pH, EC (dS m-1), Total arsenic (mg/l), Total Nickel (mg/L) & Total Cadmium (mg/L) are within the CPCB

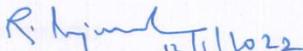
permissible limits of inland water. A copy of Tamilnadu Agricultural University, Coimbatore report dated 23.08.2021 is enclosed as Annexure.

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.

  
13/11/2022  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMILNADU POLLUTION CONTROL BOARD,  
No.76, MOUNT SALAI, CHENNAI-600 032.  
**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.

  
13/11/2022  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMILNADU POLLUTION CONTROL BOARD,  
No.76, MOUNT SALAI, CHENNAI-600 032.

- 
3. It was mentioned in the report it is an issue related to transport of biomedical waste and other waste illegally to the neighbouring States not only in State of Tamil Nadu but also Karnataka as well, a High Level Committee including Central Pollution Control Board was constituted and they are expected to evolve the guidelines and how this can be monitored involving all the stakeholder departments of State of Tamil Nadu, Karnataka and Kerala and due to the present situation the decision

could not be taken and if some time is granted, CPCB may come with some guidelines, the same was supported by Ms. Rema Smirithi, Learned Counsel appearing for Kerala Pollution Control Board.

4. Mr. R. Thirunavukarasu, Learned Counsel representing CPCB submitted that he has been instructed to appear for CPCB before this Tribunal. So far, CPCB has not been made a party to the proceedings. Considering the fact that it is an issue having inter-State ramification, we feel that Central Pollution Control Board represented by its Integrated Regional Office at Bangalore can be suo motu impleaded as additional 19<sup>th</sup> respondent. So, we suo motu implead Central Pollution Control Board, Integrated Regional Office, Bangalore as additional 19<sup>th</sup> respondent.
5. The office is directed to carry out amendment in the cause title.
6. Mr. R. Thirunavukarasu has entered appearance on behalf of Central Pollution Control Board, so service is complete.
7. The Central Pollution Control Board and other stakeholders including Pollution Control Board of Tamil Nadu and Kerala are directed to file further action taken reports in this regard so that on the basis of the reports, the matter can be disposed of by giving certain effective directions.
8. They are directed to submit the respective reports to this Tribunal on or before 25.02.2022 and post the case for consideration of further action

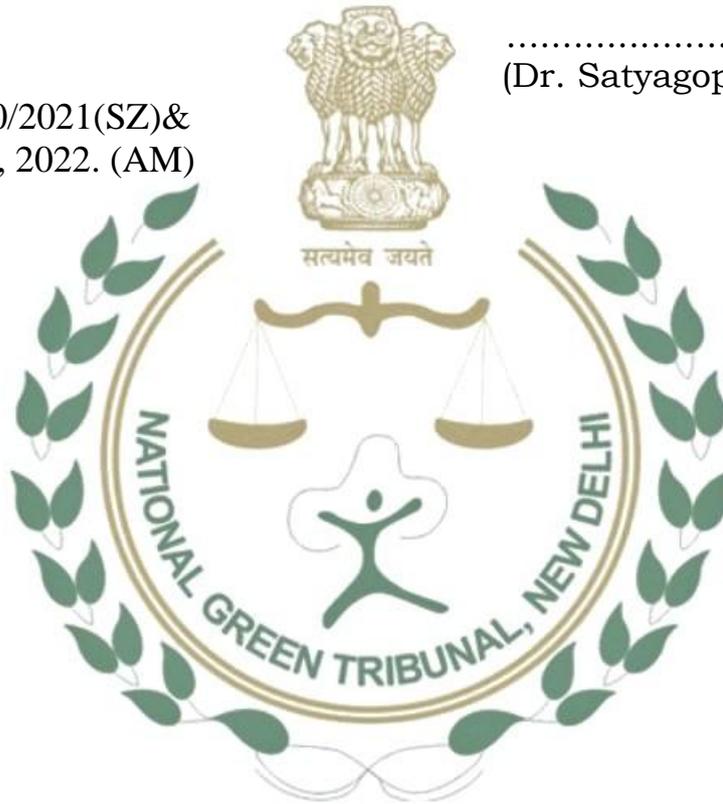
taken report and guidelines to be evolved by the Central Pollution Control Board on 28.02.2022.

9. For consideration of further action taken report, post on 28.02.2022.

.....J.M.  
(Justice K. Ramakrishnan)

.....E.M.  
(Dr. Satyagopal Korlapati)

O.A. No. 100/2021(SZ)&  
28th January, 2022. (AM)



**Central Pollution Control Board**  
**Waste Management Division – I**

**Minutes of the meeting held with Kerala SPCB, TamilNadu SPCB, CPCB RD Chennai and CPCB RD Bengaluru on 08.07.2022 through video conferencing to discuss the Hon'ble NGT orders passed in the matter of O.A. No. 100 of 2021.**

**Background:**

Hon'ble National Green Tribunal heard the Original Application No. 100 of 2021 (SZ) on 24.12.2021, 28.01.2022 and 23.05.2022 in the matter of Tribunal on its own motion Suo Motu based on the News item published in the Hindu Newspaper, Chennai Edition dated 09.04.2021, "Dumping of garbage foiled near Anamalai, trucks seized". The said matter is related to the unauthorized dumping of solid waste and biomedical wastes from Kerala in Tamil Nadu border. Hon'ble Tribunal vide its orders dated 24.12.2021, 28.01.2022 and 23. 05. 2022, passed following directions:

- Kerala Pollution Control Board and Tamil Nadu Pollution Control Board may consider the question as to whether any continuous online monitoring system can be developed to monitor the total input of raw materials procured, produced and how it is being used and disposed of.
- The practicability and feasibility of this may be examined by respective State Pollution Control Boards and Central Pollution Control Board and if it is feasible and practical, then necessary directions may be given.
- Central Pollution Control Board and other stakeholders including Pollution Control Board of Tamil Nadu and Kerala to file further action taken reports in this regard.
- SPCBs may identify the owners of the vehicles as well as the persons who employed the vehicles for the purpose of dumping the waste and implead those wrong doers.

In order to discuss on above directions of Hon'ble NGT, a meeting was convened by CPCB on 08.07.2022 through video conferencing with Kerala SPCB, Tami INadu SPCB, CPCB RD Chennai and CPCB RD Bengaluru. Following officials attended the said meeting:

1. Sh. V. P. Yadav, DH, WM-I, CPCB
2. Sh. J. C. Babu, Regional Director, RD Bengaluru, CPCB
3. Ms. H. Varalaxmi, Regional Director, RD Chennai, CPCB
4. Ms. Youthika, Sc. D, WM-I, CPCB
5. Sh. R. Rajkumar, Sc. D, RD Chennai, CPCB
6. Dr. Deepesh, Sc. C, RD Bengaluru, CPCB
7. Ms. Niralee Verma, Sc. B, WM-I, CPCB
8. Ms. Premalatha, EE, KSPCB
9. Ms. Devyani, SEE, TNPCB

**Discussions:**

Officials from WM-I Division, CPCB Delhi gave brief background on the matter and requested both the Boards to share the action taken so far in the above NGT matter and also to highlight the strategy to develop the online tracking system as directed by Hon'ble Tribunal.

Kerala SPCB submitted that with regard to illegal dumping of waste wrong doers involved in dumping of waste are yet to be identified and for this case has been transferred to police department also. Further, with regard to examine the option for having online tracking system for raw material to be used by healthcare facilities, Kerala SPCB shall write to State Health Department seeking their view. Further, Kerala SPCB also shared that biomedical waste is being tracked through CBWTFs barcoding system and their vehicles also are being tracked through GPS system.

Tamil Nadu SPCB also shared that the biomedical waste is tracked through barcode system being used by CBWTFs and the same was also filed before Hon'ble NGT.

Since, both the SPCBs are also yet to examine the possibility for having an online tracking system for capturing the data on raw material being used by the healthcare facilities, CPCB may request Ministry of Health & Family Welfare to examine the matter. Meanwhile, CPCB may file an interim report before Hon'ble NGT indicating existing scenario of biomedical waste management and other initiatives of CPCB for tracking of biomedical waste.

TamilNadu SPCB and Kerala SPCB were requested to submit the action taken report in the above NGT matter to CPCB within two days so that CPCB may compile the information and submit the same to Hon'ble NGT.

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**ANNEXURE R19-3**  
**केन्द्रीय प्रदूषण नियंत्रण बोर्ड**  
**CENTRAL POLLUTION CONTROL BOARD 20**  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

By Speed Post

F.No.B-31011/BMW(42.56)/2022/WMD-I/

July 13, 2022

To

Dr. Sudhir Kumar Gupta, Addl. DDG(NCD),  
Ministry of Health & Family Welfare,  
Room No. 554-A, Nirman Bhawan,  
New Delhi - 110011

**Sub: Compliance to the Hon'ble National Green Tribunal orders in the matter of O.A. No. 100 of 2021 (SZ) - reg.**

Sir,

This has reference to the Hon'ble NGT matter of O.A. No. 100 of 2021 (SZ) related to the unauthorized dumping of solid waste and biomedical wastes from Kerala in Tamil Nadu border. In the said matter Hon'ble NGT passed order dated 24.12.2021, wherein it is directed that Kerala Pollution Control Board and Tamil Nadu Pollution Control Board may consider the question as to whether any continuous online monitoring system can be developed to monitor the total input of raw materials procured, produced and how it is being used and disposed of. Further, it was also directed by Hon'ble Tribunal that the practicability and feasibility of this may be examined by Tamil Nadu & Kerala State Pollution Control Board and Central Pollution Control Board and if it is feasible and practical, then necessary directions may be given. Copy of aforesaid order is enclosed herewith for ready reference.

It is to inform that Biomedical Waste Management Rules, 2016 notified under Environment (Protection) Act, 1986, Ministry of Health & Family Welfare has a mandate to grant license to Healthcare Facilities and also to review the compliance of said Rules.

As the afore-said order of Hon'ble Tribunal is regarding tracking of raw materials procured by the Healthcare Facilities and also to have tracking system for waste generated out of those raw material which could be in the form of solid waste and biomedical waste. The tracking system for biomedical waste already exists in line with BMW Rules, 2016 and being monitored by concerned State Pollution Control Boards (SPCBs). However, this office do not have information on system which can capture the data on item/raw materials used by the healthcare facilities.

In view of above context, it is requested that the possibility of having an online tracking system for tracking of raw material used by the HCFs may be examined by MoH&FW and the same may be shared with this office so that the same may be submitted to Hon'ble Tribunal.

Yours faithfully,

(V.P. Yadav)

Director & Head

Waste Management Division-I



By Speed Post

F.No.B-31011/BMW(42.56)/2022/WMD-I/

July 11, 2022

To

The Member Secretary  
Tamil Nadu Pollution Control Board  
No. 76, Mount Salai  
Guindy, Chennai – 600 032.

**Sub: Compliance to the Hon'ble National Green Tribunal orders in the matter of O.A. No. 100 of 2021 (SZ) - reg.**

Sir,

This has reference to the Hon'ble NGT matter of O.A. No. 100 of 2021 (SZ) related to the unauthorized dumping of solid waste and biomedical wastes from Kerala in Tamil Nadu border. Hon'ble NGT in its directions dated 24.12.2021, 28.01.2022 and 23.05.2022, directed that Kerala Pollution Control Board and Tamil Nadu Pollution Control Board may consider the question as to whether any continuous online monitoring system can be developed to monitor the total input of raw materials procured, produced and how it is being used and disposed of. The practicability and feasibility of this may be examined by respective State Pollution Control Boards.

It was also directed by Hon'ble Tribunal that SPCBs may identify the owners of the vehicles as well as the persons who employed the vehicles for the purpose of dumping the waste and implead those wrong doers. Copies of aforesaid directions are enclosed herewith for ready reference.

In view of above, it is requested to kindly provide the action taken report on above directions passed by Hon'ble National Green Tribunal. Action taken report may kindly be forwarded through email at youthika.cpcb@nic.in so as to compile the information for filing the report before Hon'ble Tribunal.

Yours faithfully,

(V.P. Yadav)

Director & Head

Waste Management Division-I



By Speed Post

F.No.B-31011/BMW(42.56)/2022/WMD-I/

July 11, 2022

To

The Member Secretary  
Kerala Pollution Control Board  
Pattom Palace, P.O. Thiruvananthapuram,  
Kerala - 695 004.

**Sub: Compliance to the Hon'ble National Green Tribunal orders in the matter of O.A. No. 100 of 2021 (SZ) - reg.**

Sir,

This has reference to the Hon'ble NGT matter of O.A. No. 100 of 2021 (SZ) related to the unauthorized dumping of solid waste and biomedical wastes from Kerala in Tamil Nadu border. Hon'ble NGT in its directions dated 24.12.2021, 28.01.2022 and 23.05.2022, directed that Kerala Pollution Control Board and Tamil Nadu Pollution Control Board may consider the question as to whether any continuous online monitoring system can be developed to monitor the total input of raw materials procured, produced and how it is being used and disposed of. The practicability and feasibility of this may be examined by respective State Pollution Control Boards.

It was also directed by Hon'ble Tribunal that SPCBs may identify the owners of the vehicles as well as the persons who employed the vehicles for the purpose of dumping the waste and implead those wrong doers. Copies of aforesaid directions are enclosed herewith for ready reference.

In view of above, it is requested to kindly provide the action taken report on above directions passed by Hon'ble National Green Tribunal. Action taken report may kindly be forwarded through email at youthika.cpcb@nic.in so as to compile the information for filing the report before Hon'ble Tribunal.

Yours faithfully,

(V.P. Yadav)

Director & Head

Waste Management Division-I