

From

The Commissioner,  
Coonoor Municipality,  
Coonoor.

To

The District Environmental Engineer,  
TamilNadu Pollution Control Board,  
Udhagamandalam.

**ROC.NO : H2/3391/2017 dated: 01.02.2021**

Sir,

Sub:TNPCB – Solid Waste Management – Hon'ble NGT orders in OA No. 606 of 2018 – Coonoor Municipality - Non-compliance of the Provisions of Solid Waste Management Rules, 2016 – Levying of Environmental Compensation – Show cause Notice – Issued –Reply – Furnished-Regarding.

Ref: Your Office Proc. No. DEE/NLG/ O.A. 606 of 2018/ NGT -PB/SWM/2020-1 dated: 12.01.2021.

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We are in receipt of your above referred show cause notice on 18.01.2021. We submit that we were asked to furnish the reply for the show cause notice within seven days from the receipt of the show-cause notice, i.e. before 25<sup>th</sup> January, 2021;The intermittent holidays, the works on COVID-19 Control and more importantly, the continued satisfactory operation of the mechanised seiver system at least for a weeks' time, with a view to estimate the further time required to complete the remediation of old dumps bioremediation of the legacy wastes, so as to make that also a part of the reply for the show-cause notice, has resulted a delay of one week in furnishing the reply. We kindly inform that that the delay in furnishing the reply may be condoned, and no adverse action may be proceeded for that reason. In this backdrop, the explanation of the Coonoor Municipality on the Show cause notice isfurnished as follows, for your kind consideration and favourable further action:

1. It is informed that Coonoor Municipality, even thoughformed before 150 years, the Municipality is always a fore runner in maintaining

the health, sanitation and a serene environment to its residents. It is pertinent to note that the local body has formulated the Municipal Solid Waste Handling Yard, even before seventy years, when the same was not thought of in much bigger urban local bodies.

2. It is informed that Coonoor Municipality was having substantial population, well before five decades. The Local Body was having a population of 30,690, as per 1961 Census, 38,007 in 1971, which rose to only 45,954 in 2011, after five decades, which indicated a very low decadal population increase, comparing to the other Urban Areas of the State. One of the important factor for this, is the non-availability of residential space in the Town, and the little residential space available were developed in much earlier, i.e. well before fifty years.
3. As the Town has developed much earlier, i.e. well before five decades, when the concept of urban planning has not emerged at all, the development was haphazardal.
4. However, the concept of Solid Waste Management has emerged in Coonoor Town, much earlier, which is well before seven decades, and at that time the Ottupattarai Solid Waste Disposal Centre was developed. However, it is to be considered that at that point of time, Solid Waste Management, meant collection of the garbage and dumping of the so collected waste is a common place, likely in places outside or at the periphery of the Town. Ottupattarai location is an example of the so prevailed scenario then.
5. Subsequently, in view the generation of increased quantity of garbage, the need for additional areas for the disposal of Municipal Solid Waste arose, which was met by the Municipal lands in

Vasampallam Road area, located adjoining to the Ottupattarai disposal site.

6. However, after the need for the disposal of Solid Wastes in scientific manner, in compliance to the provisions of the Solid Waste Management Rules notified by the Government of India, at various stages, the Municipality has formulated schemes for the processing of the wastes, in line with the prescription in the Solid Waste Management Rules, 2016, the earlier waste disposal sites have become dumping sites, which, under the provision of the Solid Waste Management Rules, 2016, need to be remediated within five years from the date of Notification, i.e. before 7<sup>th</sup> April, 2021.
7. At present, the solid waste generated is managed with processes such as composting in case of wet-organic waste, controlled high temperature burning of rags, diapers, used sanitary napkins and the segregation and selling of the dry wastes. The quantity of the legacy waste that was lying in the dumping sites which need to be processed as on 31<sup>st</sup> January, 2021 is estimated at 2820 MT.
8. It is informed that the Legacy waste that was slid from Ottupattarai Dump yard, into the adjacent private land, which also a part of the subject matter of consideration in O.A. No.: 108 of 2017 has been removed completely and kept adjacent to the processing shed of the Resource Recovery park at Ottupattarai, established at the erstwhile dump yard at Ottupattarai, for the purpose of processing / bio-mining. Coonoor Municipality assured before the Hon'ble national Green Tribunal (SZ) that the entire legacy waste would be processed and completed before, 31<sup>st</sup> of March, 2021.
9. It is further informed, with a view to complete the bio-mining/ processing of the legacy waste, a hand operated seiver available was employed, since November 2020. Even though the operation yielded the desired results, the vey-low output in that operation made us to felt that the same need to be mechanized. However, the discussion with your good-self, it was decided that even with the

mechanisation of the available seiver, the desired rate of processing could not be performed and hence it was decided to fabricate a heavy-Duty mechanised seiver, whose dimensions are finalized in discussion with the fabricator, officials of the Municipality and your good-self. The said system has been fabricated and put in to use in beginning of January, 2021.

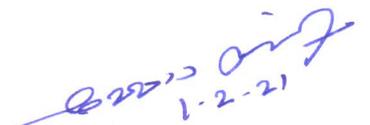
10. However, the unprecedented rains in December 2020 & January 2021 has delayed the trial operations and once the legacy waste dried, the same was put on trial, in the second half of January, 2021, after Pongal Holidays. Now, the trial has been completed, the teething problems experienced are addressed and presently, we could able to run the seiver at a rate of 3 MT/Hour, comfortably, thereby around 30 MT/day of legacy waste could be processed in a day with ten hours of operation. We have operated the system for about one week with this level of performance, i.e. 3 MT/Hour.
11. At this is level, we have completed about 180 MT of legacy waste, as on 31<sup>st</sup> January, 2021, out of the total estimated legacy waste of 3000 MT, and the remaining quantity of legacy waste remaining at various places as on 1<sup>st</sup> February, 2021 is assessed as 2820 MT, which we are confident of completing before 30<sup>th</sup> June, 2021. In this regard, it is informed that that the quantity of legacy waste was previously estimated as 7000 MT at a bulk density of around 0.7. However, the experience on the removal of legacy waste for processing revealed that the total quantity of waste is around 3000 MT only, mainly due to two reasons (i) A fire occurred subsequent to 2017, after the estimation of the waste has reduced the quantity substantially and (ii) There is sizable physically removable material, without sieving is also present in large quantities, and thereby the total legacy waste that is required to be processed is re-worked as 3000 MT.

12. It is also to be informed that the accumulated mixed dry waste that were kept in the erstwhile IL& FS premises were completely processed and disposed even before December 2020 as against the commitment made of 31.03.2021. It is estimated that the quantity of wastes so processed is around 200 MT only as against the original estimation of 300 MT. Now the area is completely free from any sort of waste.
13. In this background the action of levying of environmental compensation for not commencement of remediation of legacy-sites by 01.04.2020, as ordered by the Hon'ble National Green Tribunal (PB) in order dated 17<sup>th</sup> September, 2019, in O.A. No.: 519 of 2019, would only act as a deterrent to the initiatives taken by Coonoor Municipality for the remediation of the old dumpsites.
14. We wish to inform that till the orders of the National Green Tribunal (SZ) dated 1<sup>st</sup> September, 2020 is received, Coonoor Municipality is not aware of the orders of the liability of environmental compensation, for not commencing the remediation of old dump-sites, and once the same is known, all earnest steps were taken and the action is already initiated and we are planning to complete the same before June, 2021. The time over-run of three months , from our earlier commitment of March 2021, is due to the unprecedented rains in December, 2020 and January, 2021, difficulties experienced finalising the design of the seiver etc.,.
15. You would be appreciate the fact that, even in many of Class I Cities, where the action for remediation of dump-sites/ bio-mining of legacy wastes are only in proposal stage, Coonoor Municipality, a Class III town, with many locational and economic disadvantages, is able to commence the remediation/ bio-mining of legacy waste atleast by the middle of January, 2021, and scheduled to complete before June, 2021. In such a circumstance, levying of environmental compensation to Coonoor Municipality is not at all justified.

16. It is to be mentioned that Coonoor Municipality is under severe Financial Crunch, and struggling to settle the Power Consumption charges, payment of salaries to its employees in time. In fact, our present level of dues to TANGEDCO, for the power consumed stood at Rs. 160 lakhs. Even with this difficulty, we have initiated action and executing the bio-mining activity is only because of fully understanding our obligation towards environmental protection. As such, the levying of environmental compensation would not be in the best interest of environmental protection, as this would add further stress on the little available financial resources, and consequent may add stress on the fund requirement for carrying out the bio-mining activities.

17. We wish to further inform Coonoor Municipality is making a submission before the Hon'ble National Green Tribunal (SZ), during the hearing on 4<sup>th</sup> February, 2021, that TamilNadu Pollution Control Board may be suitably instructed to levy Environmental Compensation, in the event the process of bio-mining of the legacy wastes is not completed by June, 2021, in view of the progress made in this matter.

Considering our submissions as above, we request you to accept our reply and drop all further proceedings on levying of environmental compensation for Coonoor Municipality.

  
1-2-21  
Commissioner (i/c)  
Coonoor Municipality  
  
01/02/2021

Copy submitted to:

1. The Commissioner of Municipal Administration, Chennai.
2. The District Collector, The Nilgiris.
3. The Regional Director of Municipal Administration, Tirrupur.