

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

**ORIGINAL APPLICATION NO. 35 OF 2019 (SZ)**

Madurai Farooq Ahmed,  
No.4/75, First Floor, First Cross,  
Teacher's Colony Khaderpet,  
Vaniyambadi – 635 751.  
Vellore District.  
E-mail: [safeeratif4@gmail.com](mailto:safeeratif4@gmail.com)  
Mobile No.9789292995.

...Applicant

Versus

The Tamil Nadu Pollution Control Board,  
Represented by its Chairman,  
No.76, Mount Salai, Guindy,  
Chennai – 600 032.  
Email: [tnpcb.chn@gov.in](mailto:tnpcb.chn@gov.in)  
Phone No.044-22353134.  
and others.

...Respondent(s)

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**Filed by  
Thiru. C. Kasirajan,  
Advocate, Chennai.**

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...Applicant

**Vs**

1. The Tamil Nadu Pollution Control Board,  
Represented by its Chairman,  
No.76, Mount Salai, Guindy,  
Chennai – 600 032.  
Email: [tnpcb.chn@gov.in](mailto:tnpcb.chn@gov.in)  
Phone No.044-22353134.
2. The Principal Commissioner,  
Municipal Administration Department,  
Ezhilagam Annex, 6<sup>th</sup> Floor, Chepauk,  
Chennai – 600 005.  
Email: [cma.tncma@nic.in](mailto:cma.tncma@nic.in)  
Phone:044-28513259.
3. The District Environmental Engineer,  
Tamil Nadu Pollution Control Board,  
Plot No.PP2, SIDCO Industrial Estate,  
Vaniyambadi – 635 751.  
Email:[tnpcb.vaniyambadi@gmail.com](mailto:tnpcb.vaniyambadi@gmail.com)  
Phone:04174-224831.
4. The Commissioner,  
Vaniyambadi Municipality,  
Vaniyambadi – 635 751.  
E-mail: [commr.vaniyambadi@tn.gov.in](mailto:commr.vaniyambadi@tn.gov.in)  
Phone:04174-235317.
5. SWACHH BHARAT MISSION  
Rep. by TN State Coordinator,  
4<sup>th</sup> Floor, Panagal Maligai,  
Abdul Razzak Street, Saidapet,  
Chennai – 600 032.  
Email:[drdchamber@gmail.com](mailto:drdchamber@gmail.com)  
Phone No:24323794.

... Respondents

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

**REPORT FILED ON BEHALF OF THE 1<sup>ST</sup> & 3<sup>RD</sup> RESPONDENTS -**  
**TAMIL NADU POLLUTION CONTROL BOARD**

I, R.Sarasavani, D/o. Raghavan, Hindu, aged about 55 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 Action Taken Report on behalf of the 1<sup>st</sup> & 3<sup>rd</sup> Respondents 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 NGT (SZ) has passed order dated 01.09.2020 and stated inter alia as follows:-

"It is seen from the report that there is still legacy waste exists in the dumping ground and they have processed only 20% and they have extended the time upto the end of September-2021 instead of March-2021 due to pandemic situation prevailing in the area.

It may be mentioned here that it will be against the directions issued by the Principal Bench of National Green Tribunal in O.A. No.606 of 2018 by which certain cut of dates were provided for implementation of the Solid Waste Management Rules, 2016 and also there are directions issued to take action against the erring local bodies including imposition of environmental compensation by providing certain slabs and the report is silent about the same.

The Pollution Control Board 1st respondent is directed to submit a further report as directed by this Tribunal".

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

3. It is respectfully submitted that, in due compliance of the Hon'ble NGT (SZ) orders dated 01.09.2020, it is observed that the 4<sup>th</sup> respondent Vaniyambadi Municipality carries out door to door collection of MSW regularly from 18061 households in their municipal area. However, source segregation is practiced only in 16025 households which consist of only 89%. The Municipality had biomined 7391 m<sup>3</sup> of legacy waste and yet to start the bio-mining progress for 22,056 m<sup>3</sup> of legacy waste. And the Vaniyambadi Municipality has not carried out 100% segregation of waste at all wards and yet to carry out biomining for the remaining legacy waste.

4. It is respectfully submitted that in exercise of the powers vested under Section 5 of the Environment Protection Act, 1986, the Board has issued direction to the Commissioner, Vaniyambadi Municipality vide Board's Proceeding dated 12.01.2021 to comply the following:

- i. The Municipality shall comply with the provisions of Solid Waste Management Rules, 2016 and shall comply with the orders passed by the Hon'ble NGT in OA 606 of 2018 from time to time.
- ii. The Municipality shall provide 100% door-to door collection of MSW (covering all wards) and 100% segregation of waste (covering all wards).
- iii. The Municipality shall carry out proper segregation of municipal solid waste.
- iv. The municipality shall carry out the bio-mining of the legacy waste dump site and complete the same within the stipulated time as per the orders of the Hon'ble NGT(SZ), Chennai.

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

v. The Municipality is liable to pay Environmental Compensation if there is any non-compliance of conditions stipulated in 1 to 4.

Copy of the Board's Proceeding is enclosed as Annexure.

5. It is respectfully submitted that the Commissioner, Vaniyambadi Municipality has not furnished any reply to the direction issued by the Board.

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.



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

**BEFORE ME**

### VERIFICATION

I, Tmt. R.Sarasavani, D/o. Raghavan, 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.

Verified at Chennai on this      day of February, 2021.



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



## TAMIL NADU POLLUTION CONTROL BOARD

**Proc. No. T1/TNPCB/SWM/NGT/F.032108/VBD/2020 Dated: 12.01.2021**

**Sub:** TNPCB – Solid Waste Management – Hon'ble NGT orders in OA No. 606 of 2018 & O.A. No. 210 of 2017 –Non-compliance of Solid Waste Management Rules, 2016 by Vaniyambadi Municipality - Directions under Section 5 of the Environment (Protection) Act, 1986 – Orders issued - Regarding.

**Ref:** 1. Hon'ble NGT (SZ), Chennai order dated 01.09.2020 in Original Application No.35 of 2019  
2. Letter No. DEE/TNPCB/VBD/SWM/NGT/2019 dated 18.12.2020  
3. Hon'ble National Green Tribunal (Principal Bench) order dated 02.07.2020 in OA No. 606 of 2018

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Whereas the Ministry of Environment Forest and Climate Change, Government of India, in exercise of the powers conferred under section 3, 6, and 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Municipal Solid Waste (Management and Handling) Rules, 2000, has notified the Solid Waste Management Rules, 2016. As per Rule 15 of Solid Waste Management Rules, the role of local body has been specified for the implementation of solid waste management in the respective local bodies.

Whereas, necessary infrastructure for implementation of the Rules shall be created by the local bodies within the specified timeframe as mentioned in Serial No. 1 to 10 in Rule 22 of the Solid Waste Management Rules, 2016.

Whereas, the applicant M/s. Madurai Farooq Ahmed has filed O.A. No. 35 of 2019 before the Hon'ble NGT (SZ) Chennai against the TNPCB and others with respect to grievances on the establishment on the six micro composting centers at the Vaniyambadi Municipality.

Whereas the details of solid waste management legacy waste remediation and bioming activity carried out by the Vaniyambadi Municipality has been submitted to the Hon'ble National Green Tribunal(SZ), Chennai.

Whereas the Hon'ble NGT (SZ) in its order dated 01.09.2020 in Original Application No.35 of 2019 has directed the TNPCB to take action in compliance with the directions issued by the Principal Bench of National Green Tribunal, New Delhi in O.A. No. 606 of 2018.

Whereas it has been reported that the Municipality carries out door to door collection of MSW regularly from 18061 households in their municipal area. However, source segregation is practiced only in 16025 households which consist of only 89%. The Municipality had biominced 7391 m<sup>3</sup> of legacy waste and yet to start the bio-mining progress for 22,056 m<sup>3</sup> of legacy waste

Whereas, the Vaniyambadi Municipality has not carried out 100% segregation of waste at all wards and yet to carry out biomining for the remaining legacy waste

In the light of the above, in exercise of the powers vested under Section 5 of the Environment Protection Act, 1986, the Board hereby issues direction to the Commissioner, Vaniyambadi Municipality to comply the following

- 1) The Municipality shall comply with the provisions of Solid Waste Management Rules, 2016 and shall comply with the orders passed by the Hon'ble NGT in OA 606 of 2018 from time to time.
- 2) The Municipality shall provide 100% door-to-door collection of MSW (covering all wards) and 100% segregation of waste (covering all wards)
- 3) The Municipality shall carry out proper segregation of municipal solid waste
- 4) The municipality shall carry out the bio-mining of the legacy waste dump site and complete the same within the stipulated time as per the orders of the Hon'ble NGT
- 5) The Municipality is liable to pay Environmental Compensation if there is any non-compliance of conditions stipulated in 1 to 4

Failure to comply with the said directions, will attract action as per provisions of section 5 (Closure and stoppage of electricity), section 15 (Penalty provision) and section 17 (Offences and punishment to Head of Government Departments) of the Environment (Protection) Act, 1986 as amended.

The receipt of this proceeding shall be acknowledged.

**Sd/-  
Chairman**

**To**

The Commissioner,  
Vaniyambadi Municipality,  
Tirupattur District

**Copy submitted to**

1. The Chairman,  
State Monitoring Committee of NGT for Solid Waste Management in Tamil Nadu,  
183, EVR Periyar Road,  
Kilpauk, Chennai – 600 010



## TAMIL NADU POLLUTION CONTROL BOARD

2. The Additional Chief Secretary to the Government,  
Environment & Forest Department,  
Secretariat, Chennai-600 009.
3. The Additional Chief Secretary to the Government,  
Municipal Administration & Water Supply Department,  
Secretariat, Chennai-600 009.

### Copy to

1. The Joint Chief Environmental Engineer (Monitoring),  
Tamil Nadu Pollution Control Board,  
Vellore
2. The District Environmental Engineer,  
Tamil Nadu Pollution Control Board,  
Vaniyambadi

- ✓ 3. File Copy

*Man*  
12/1/2011  
**For Chairman**  
*Man*  
12/1/2011

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Phone No.044-22353134.  
and others.

**Report filed on behalf of the 1st & 3rd  
Respondents - Tamil Nadu Pollution  
Control Board**

Advocate for Respondent: 1 & 3  
Thiru. Kasirajan  
Advocate, Chennai.

Date: 11.02.2021