

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

Original Application No. 37 of 2012

S.P. Surendranath Karthik

...Applicant(s)

Versus

The Chairman,
Pallavaram Municipality and others

...Respondent(s)

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**REPORT FILED ON BEHALF OF THE 2ND & 3RD RESPONDENTS
TAMIL NADU POLLUTION CONTROL BOARD.**

I, Tmt. R. Sarasavani, Daughter of Thiru. Raghavan, Hindu, aged about 56 years, having my office at No.76, Mount Salai, Guindy, Chennai-32, 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 2nd & 3rd Respondents, Tamil Nadu Pollution Control Board and as such I am well acquainted with the facts of the case as per the records.

2. It is respectfully submitted that, the Hon'ble NGT (SZ) in its orders dated 23.06.2021 directed inter alia as follows:-

“The Tamil Nadu Pollution Control Board is directed to file an independent report regarding the submission made by the counsel for the respondents 1 & 12 that bio-mining of the legacy waste has been completed and if there are any further remediation measures will have

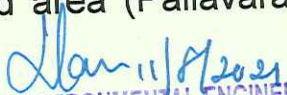
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JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

to be taken, they are directed to submit a detailed report regarding the same as well before the next hearing date”.

3. It is respectfully submitted that based on the directions of the Hon'ble NGT(SZ) in its order dated 11.11.2020 & 08.01.2021 regarding the implementation of Solid Waste Management Rules, 2016 in Pallavaram Municipality and consequential action for the violation for non-compliance of the directions as directed by the Principal Bench of Hon'ble National Green Tribunal in OA.No.606 of 2018 by various orders, the Pallavaram Municipality was already issued with show cause notice as to why the Board shall not recover interim environmental compensation of Rs.11 Lakhs (from April 2020 to February 2021) for the non compliance of the Solid Waste Management Rules, 2016 vide Board Proc.No.T1/TNPCB/LAW/NGT/SWM/F.031072/MMN/2012/2021-1 dated:19.03.2021. Further, directions under Section 5 of the Environment (Protection) Act, 1986 as amended was issued to the Pallavaram Municipality to comply with certain directions vide Proc.No.T1/TNPCB/LAW/NGT/SWM/F.031072/MMN/2012/2021-2 dated 19.03.2021.

4. It is respectfully submitted that, subsequently, the Municipal Commissioner, Pallavaram Municipality vide letter No. ROC. No. 2152/2021/H1, Dated: 05.05.2021 has informed that certain actions have been taken as per Hon'ble NGT order dated. 07.02.2020 and requested the Board to waive the Interim Environmental Compensation of Rs.11 Lakhs.

5. It is respectfully submitted that, in compliance with the Hon'ble NGT (SZ) order dated 23.06.2021, the questioned area (Pallavaram

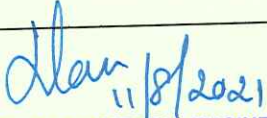

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Periya Eri) was inspected by the DEE, TNPCB, Maraimalai Nagar on 13/07/2021 and reported that the Pallavaram Municipality has not completed the biomining of the legacy waste in the Pallavaram Periya Eri. The compliance report on the directions issued by the Board is as follows:

Sl.No	Directions issued	Compliance
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	Not complied. The Pallavaram Municipality has yet to complete the bio-mining of the legacy waste dumped in the Pallavaram Periya Eri.
2.	The Municipality shall ensure 100% collection of solid waste being generated within its jurisdiction with proper segregation, door to door collection, processing and disposal by complying with the provisions of Solid Waste Management Rules, 2016.	Complied with.
3.	The Municipality shall ensure to prevent dumping of solid waste at the Pallavaram Periya Eri at any circumstances.	Presently no new dumping of solid waste observed in Pallavaram Periya Eri.
4.	The Municipality shall ensure that the entire legacy waste dumped at the Pallavaram Periya Eri shall be remediated/biomined completely within six months in accordance with the provisions of SWM Rules, 2016.	Not complied. The Pallavaram Municipality has yet to complete the bio-mining of the legacy waste dumped in the Pallavaram Periya Eri. The Pallavaram Municipality has stated that they have completed the bio-mining to the tune of 1,08,000 Cubic Meters and the processed waste has been converted into Refuse Derived Fuel and lifted. The said local body has also stated that they have entrusted the work of assessing

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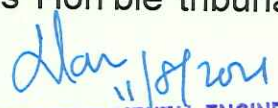
		the extent of legacy waste lying on the said site beyond the original estimate of 1,08,000 Cubic Meters to M/s. Centre for Environmental studies, Anna University.
5.	The Municipality shall levy fine on the violators dumping solid waste in the Pallavaram Periya Eri and other water bodies in their jurisdiction under Local body Acts.	Ensured to comply with.
6.	The Municipality shall dispose the recyclable solid waste through authorized recycling facilities and non-recyclable solid waste through co-processing in cement kilns or through Waste to Energy plants for beneficial use only and shall stop disposing the same into the Kodungaiyur dumpsite immediately.	Not complied. The Pallavaram Municipality has stated that it generates 104T/day of solid waste of which 26.7T/day of compostable waste are processed at its micro composting centers at 7 locations and in 22 nos. of onsite Compostable Centre to handle biodegradable waste to the tune of 17.3 MT/day, 10T/day of plastics, glass bottles and metals and 10T/day of Garden waste and coconut shell are sent to waste processing facility at Perunkudi and remaining 40 T/day of non-biodegradable waste is taken to the Ganapathipuram Transfer station. From there the same is transported to Appur dumpsite.
7.	The Municipality shall create awareness regarding the source segregation of the solid wastes and to encourage the public to deposit only segregated wastes and shall deploy sanitary supervisors to conduct various demonstrations regarding the segregation of the solid wastes and to demonstrate the	Complied with.


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	home composting process to the residents in all the residential areas in its jurisdiction.	
8.	The Municipality shall provide dedicated CCTV camera within six months at the vulnerable points to prevent the dumping of solid waste by the public.	Not complied.
9.	The Municipality shall establish the construction and demolition waste management facility within the premises of the Vengadamangalam solid waste processing facility as reported with necessary control measures within six months after obtaining necessary consent from the competent authorities.	Not complied.
10.	The Municipality is liable to pay Environmental Compensation for non-compliance of conditions stipulated in 1 to 9.	Not complied.

It is respectfully submitted that, as the Pallavaram Municipality has not complied with the directions issued by the Board vide Proc. dated:19.03.2021, the TNPCB has addressed the Pallavaram Municipality vide Bd. letter dated 10.08.2021 to comply with the said directions and also instructed to address the Hon'ble NGT (Principal Bench), New Delhi regarding waiving of Interim Environmental Compensation along with the compliance of the directions issued by the TNPCB.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) at Chennai may be pleased to pass such further or other orders as this Hon'ble tribunal


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may deem fit and proper in the facts and circumstances of this case and thus render justice.

Har 11/8/2021
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.
BEFORE ME

VERIFICATION

I, R. Sarasavani, daughter of Thiru. Raghavan, 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 11th day of August, 2021.

Har 11/8/2021
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
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CONTROL BOARD**

Advocate for Respondent No.TNPCB

Date:10.08.2021

Hearing date on 12.08.2021

