

BEFORE THE NATIONAL GREEN TRIBUNAL,
SOUTHERN ZONE

M. A. No. 49 of 2017

In

APPLICATION NO: 217 of 2015 (SZ)

Between
S. Vadivel
S/o Samikannu
Pudhukuli Village,
Udayarpalayam Taluk,
Ariyalur District.

...

Applicant.

And

Mr. Veeramuthukumar
The Commissioner
Jayamkondam Municipality.
Ariyalur District.

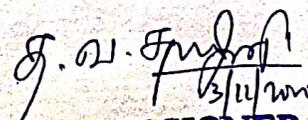
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Respondent.

REPORT FILED BY THE RESPONDENT

I, D. V. Subhashini, Daughter of Vadivel, Hindu aged about 24 years, Commissioner, Jayamkondam Municipality, now temporarily come down to Chennai do solemnly affirm and sincerely state as follows:-

1. I am the Commissioner of the Jayamkondam Municipality and well conversant with the facts of the case from the connected files.
2. It is submitted that the entire Miscellaneous application is misconceived and is not maintainable. It is also submitted that prior to the filing of the said Miscellaneous application, the Applicant had caused a Legal notice through his counsel and a detailed reply was also sent through the counsel for the Respondent herein. Despite receipt of the same, the Applicant herein has unnecessarily come before this Honourable Tribunal simply to achieve his aim of scuttling the Solid Waste management project for his personal gains.


COMMISSIONER
JAYANKONDAM MUNICIPALITY

3. From a reading of the order of this Honourable Tribunal it is clear that the structure is to be situated 60 CM above the Road level particularly to ensure that there is no stagnation of rain water due to its level.

4. The land as such was earlier 6 Meters below the Road level and for the entire 6 Meters it is not possible to fill up the land and then build the structure.

5. The structure that is being put up in the site is initially proposed for the MSW project is of a RCC Structure with concrete foundations and pillars above the foundations. The Said project was dropped due to non completion of work by the Contractor, and his contract was terminated. The Contractor has finished upto 30% of basic work and the same is in incomplete stage. The works upto to the floor level and columns for the Roof structure had been completed. The Floor level was completed 3 feet above the adjoining Road.

6. Subsequently the said project was dropped and it is now converted to Micro Compost Centre's (MCC's) of 3MT per day Capacity in the said Facility to order to save the municipal funds already spent. The structure is still in incomplete stage and the MCC's are yet to start functioning. The composite MSW Facility is now converted to establishing of MCC's in order to use the existing site and the said site is suitable for the same and to avoid spending of further amount for constructing new structures for MCC's.

7. It is submitted that the Structure was left Incomplete by the contractor who was awarded the works and erection of Pillars for roofing was completed and roofing work was pending for the structure. At present after undergoing changes to the Solid Waste handling process, the single MSW facility has been scrapped and two MCCs of 3 TPD capacity have been planned. In the present site, one MCC is being established and another MCC is established in a site in Paapankulam area. After finishing the work the said structure will be used for MCC's. It is further submitted

[Signature]
COMMISSIONER
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that as per new MSW Rules 2016 there is no necessity to obtain Consent from the TNPCB for establishing MSW Facility of capacity of upto 5 MT's per day.

8. The plan is for the structure to be at a level of more than 60 CM above the existing road level and to do so, the structure has to rest on the ground and without building the foundations and pillars the structure cannot be floating in the air. The finished level of the structure is at present at the height of more than 3 feet from the existing road level. The Photographs in this regard are filed herewith.

9. It is further submitted that the Administrative Sanction for the implementation of the Solid Waste Management Project was given in proceedings of the CMA, in Roc No 29835/2018/P3 Dated 11-12-2018 and the in-complete project was directed to be completed in the modified form. Thus the single MSW has been now separated into two separate MCC facilities where the Wet waste such as Vegetable and household waste will be composted into Manure in the composting pits. The complete the structure will have safeguards for the prevention of leachate entering the environment and using the leachate in the composting process. The MCC will have facilities of segregation and sorting and removal of recyclable materials and then the wet waste will be ground up and added with Effective Microbe solution and laid out in the pits and allowed to compost. After the cycle of composting according to scientific methods, the end product being Manure will be packaged and distributed to the agriculturists registered with the District Agriculture Centre under the Agriculture Department. This method of disposal has been effectively functioning in several Municipalities across the State of Tamil Nadu.

10. The MCC sheds are designed with minimal footprint and maximum air flow to encourage quick composting. The flooring is concrete to prevent seepage of the leachate and the Tubs are provided with aeration holes to facilitate speedy composting and the roof for protection from the weather is provided. The sides are left open and provided with meshing/ nets to prevent the entry of birds and at the same time allow natural air to

J. V. Jeyaraj
COMMISSIONER
JAYANKONDAM MUNICIPALITY

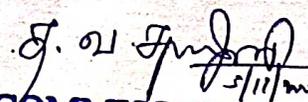
enter for helping the composting process. The safeguards to prevent the wastes from entering the ground and air are thus specifically designed and implemented to prevent the spread of odour and insects.

11. Further the non- biodegradable wastes that are segregated at source and at the MCCs are being handled separately and they are disposed off as per the category. The dry waste is being lifted by Cement Factories in Ariyalur and the MOU has been entered with M/s Ultratech Cements Ltd, for this purpose. The total daily collection of Wastes in Jayamkondam Town is 11 Tons and of this 6 Tons is Bio-degradable waste that is now handled by the two 3 TPD capacity MCCs and the balance of 5 TPD consisting of re-cyclables and dry waste is being disposed off as set out above. The MCC shed also will contain the facility for safe storage of the packaged Manure and Restrooms for the staff engaged in the same.

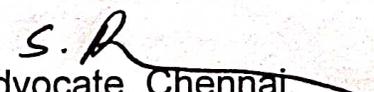
12. Thus the entire directions of this Honourable Tribunal have been complied with and there is no lapse on the part of the Respondent herein. Further due to the modified nature of the Solid waste processing facility, the inconvenience to the complainants such as the applicant is further reduced by means of reduced load on the facility and lesser waste being moved into the facility.

In the foregoing circumstances it is prayed that this Honourable tribunal may be pleased to dismiss Miscellaneous Application No. 49 of 2017 in Application Number 217 of 2015 with exemplary costs and thus render justice.

Solemnly affirmed on
This the 03rd day of
November 2020 and
The deponent herein
Has affixed her signature
In my presence


COMMISSIONER
JAYANKONDAM MUNICIPALITY

before me


Advocate, Chennai.

S. RAM SENTHIL KUMAR
ADVOCATE, E. No.2522/06
D5, 31/15, 1st Main Road,
Gandhi Nagar, Adyar,
Chennai - 600 020.

COMMISSIONER
JAYANKONDAM MUNICIPALITY

Proceedings of the Commissioner of Municipal Administration, Chennai-5

Present:- Thru.G.Prakash,I.A.S.,

Roc. No. 29835/2018/ P3

Date:-11.12.2018.

Sub:- Solid Waste Management 2015-2016 - Jayankondam Municipality - Implementation of MSW projects - Administrative Sanction accorded for Rs.1021.93 lakh - works in progress - Savings amount available Rs.239.00 lakh - additional works by the Commissioner - Administrative Sanction accorded - ordered - regarding.

- Read:-**
1. The Minutes of the Meeting of the Third Project Sanctioning Committee meeting under SWM held on 08.08.2014 and First State High Powered Committee meeting under SBM held on 31.07.2015.
 2. Jayankondam Municipal Council MCR No.522 dated. 31.12.2014.
 3. The Regional Director of Municipal Administration, Thanjavur proceeding No.5825/2014/E1, dated.31.12.2014.
 4. This office Proceedings no.34701/P3/2014-3, dated.07.01.2015.
 5. This office Proceedings no.34701/P3/2014, dated.29.12.2015.
 6. From the Municipal Commissioner, Jayankondam Municipality letter No.1109/2015/E1, dated.26.09.2018.
 7. Jayankondam Municipal Council Resolution No.21 dated. 25.09.2018.

&&&

Order:

In the reference 1st cited the Third Project Sanctioning Committee approved in the meeting held on 08.08.2014, the works related to the purchase of primary collection, secondary transportation vehicles, for establishing the Processing facilities and for other infrastructure facilities with the fund tie up as indicated below to Jayankondam Municipality under Solid Waste Management Fund as shown in table I.

Table 1 Details of financial Tie up

Sl. No	Name of work	SWM fund Grant (90%)	ULB (10%)	Est. Amount (Rs. in lakh)
		(Rs. in lakh)		
1	Implementation of MSW projects Processing facilities	921.69	102.41	1024.10

In the reference 2nd, 3rd & 4th cited, Administrative Sanctions were accorded on 31.12.2014 and 07.01.2015 for purchase of primary collection, secondary transportation vehicles, for establishing the Processing facilities and for other Infrastructure facilities at an estimated cost of Rs.1021.93 lakh as indicated in Table 2

Table 2.

AS accorded already as per the proceedings No.-401/2016/P3,399/2016/P3 & 399-1/2016/P3, MCR No.2296 dated. 13.01.2016, 14.01.2016 & 07.11.2016.		
Sl. No.	Description	Estimate Amount (Rs.in lakh)
1	Purchase of 54 nos new bins for Dumper placer vehicle	26.68
2	Purchase of 5 nos of New Containerized Tri-Cycles	2.05
3	Purchase of 42 nos of New Push Cart	3.92
4	Purchase of Broom Stick and Metal Tray	0.42
5	Purchase of Safety Equipments	12.30
6	Purchase of New Dumper Placer Vehicle - 1 No.	16.09
7	Purchase of New Front end loader heavy duty with back hoe - 1 No.	21.50
8	Purchase of New Bobcat skid steer Loader - 1 No.	17.34
9	Purchase of New Hydraulic Excavator - 1 No.	16.88
10	Purchase of New Vibratory Soil Compactor - 1 No.	24.40
11	Purchase of New Tractor with Trailer - 1 No.	6.72
12	Purchase of Generator Set (with Acoustic Enclosure) 125 KVA.	7.05
13	Filling of gravel and levelling the site of compost yard	128.88
14	Construction of compound wall at compost yard	103.29
15	Construction of Pre-Processing Shed	271.59
16	Purchase of Trommel and Conveyer Belt arrangements, Bio Shredder and Secondary Screen processor at Compost Yard.	78.24
17	Providing paver block road at compost yard 380.00mx5.00m	49.08
18	Construction of Storm Water Drain at Compost Yard	30.10
19	Construction of Office Building, Borewell, at Compost Yard Office building	31.67
20	Construction of Land fill Leachat tank, Administrative Building, Romoval System and other facilities at Compost yard	173.73
	Total	1021.93

The Commissioner, Jayankondam Municipality stated that the works have completed as permitted as per Revised Administrative sanction as per the proceedings No. 34701/2014/P3, dated.29.12.2015, further the commissioner stated that on completion of above sanctioned work the saving & dropping amount of Rs.600.54 lakh in (S.No.1,2,3,4,5,6,9,10,12,14,15,16,17,18,19,& 20) is available with them as detailed below

Table IV

Sl. No.	Description	Estimate Amount	Expenditure incurred	Savings
(Rs.in lakh)				
1	Purchase of 54 nos new bins for Dumper placer vehicle	26.68	24.46	2.22
2	Purchase of 5 nos of New Containerized Tri-Cycles	2.05	1.70	0.35
3	Purchase of 42 nos of New Push Cart	3.92	3.89	0.03
4	Purchase of Broom Stick and Metal Tray	0.42	0.40	0.02
5	Purchase of Safety Equipments	12.30	8.43	3.87
6	Purchase of New Dumper Placer Vehicle - 1 No.	16.09	14.89	1.20
7	Purchase of New Front end loader heavy duty with back hoe - 1 No.	21.50	21.93	0
8	Purchase of New Bobcat skid steer Loader - 1 No.	17.34	17.84	0
9	Purchase of New Hydraulic Excavator - 1 No.	16.88	16.69	0.19
10	Purchase of New Vibratory Soil Compactor - 1 No.	24.40	23.54	0.86
11	Purchase of New Tractor with Traller - 1 No.	6.72	6.86	0
12	Purchase of Generator Set (with Acoustic Enclosure) 125 KVA.	7.05	6.33	0.72
13	Filling of gravel and levelling the site of compost yard	128.88	98.00	30.88
14	Construction of compound wall at compost yard	103.29	27.83	75.46
15	Construction of Pre-Processing Shed	321.00	75.61	245.39
16	Purchase of Trommel and Conveyer Belt arrangements, Bio Shredder and Secondary Screen processor at Compost Yard.	78.24	65.00	13.24
17	Providing paver block road at compost yard 380.00mx5.00m	49.08	0	49.08
18	Construction of Storm Water Drain at Compost Yard - 400.00m	30.10	0	30.10
19	Construction of Office Building, Borewell, at Compost Yard Office building	31.67	4.74	26.93
20	Construction of Land fill Leachat tank, Administrative Building, Removal System and other facilities at Compost yard	120.00	0	120.00
Total		1017.61	418.14	600.54

Meanwhile it was observed the concept of Decentralized Micro Compost Centre will minimize the recurring expenditure on collection and transportation of waste and it was felt that the consequences of leachate and air pollution, water pollution can be nullified by processing the solid waste through the Decentralized Micro compost centre. The details of the garbage generation and further requirement of MCC are analyzed by the commissioner as below table V:

Table V

No of wards	Population	Garbage Generation in TPD		
		Total	Bio waste	Non Bio
1	2	3	4	5
21	33945	11	6	5

Bio waste generation is 6 TPD

MCC required for 6 TPD

MCC proposed in two locations with total capacity is 6 TPD

Further a proposal has been submitted by the Commissioner Jayankondam Municipality to establish two numbers of Micro Composting Centers with total capacity of 6 MT and proposed to procure required BOV and LCV for primary collection to operate the MCC successfully. The details of works and estimate are listed in the table to accord Administrative Sanction utilizing the saving amount of Rs.600.54 lakhs shown in the table IV.

Considering the request of Commissioner, Jayankondam Municipality Administrative Sanction is hereby accorded to the Commissioner, Jayankondam Municipality for the below stated work in **TABLE VI** at an estimated cost of Rs.239.00 lakh utilizing the saving amount (table IV) available in the sanctioned amount in the First State High Powered Committee meeting under SBM held on 31.07.2015.

Table VI

Sl. No	Description of works	Estimated cost (Rs.in lakh)
1	Construction of Micro Compost centre at Sendurai road existing compost yard premises with processing capacity of 3 TPD	35.00
2	Providing approach road and construction of compound wall at Sendurai road Existing compost yard premises	50.00
3	Construction of Counter fort Retaining wall at Sendurai road Existing Compost yard premises	50.00
4	Construction of Micro Compost centre at Keelakudieruppu (Virudhachalam road) Burial Ground with processing capacity of 3 TPD	35.00
5	Construction of Compound wall and approach road at Keelakudieruppu (Virudhachalam road) Burial Ground	25.00
6	Purchase of Battery Operated Vehicles (Re-cycleable Lithium battery operated collection cart Load weight - 0.40 -0.60 Ton.capacity, Location tracker, GSM- Sim tracker, capacity 20-30 kms per charge with electric charger and adapter) -12 Nos.	21.60
7	Purchase of Light Commercial vehicles 2 cu.m Capacity with Box Tipper BS4 - 4 Nos.	22.40
	Total	239.00

The Municipal Commissioner, Jayankondam should follow the conditions mentioned below,

Conditions:

1. Technical sanction shall be obtained from the competent authority for the estimate prepared for Item rate contract. All guidelines stipulated in the TTT Act 1998 and rules 2000 should be strictly adhered.
2. The approval of Municipal Council should be obtained before commencing the work.
3. The work should be commenced immediately after following the due procedure.

Sd/-G.Prakash,
Commissioner of Municipal Administration

To:

✓ The Municipal Commissioner,
Jayankondam

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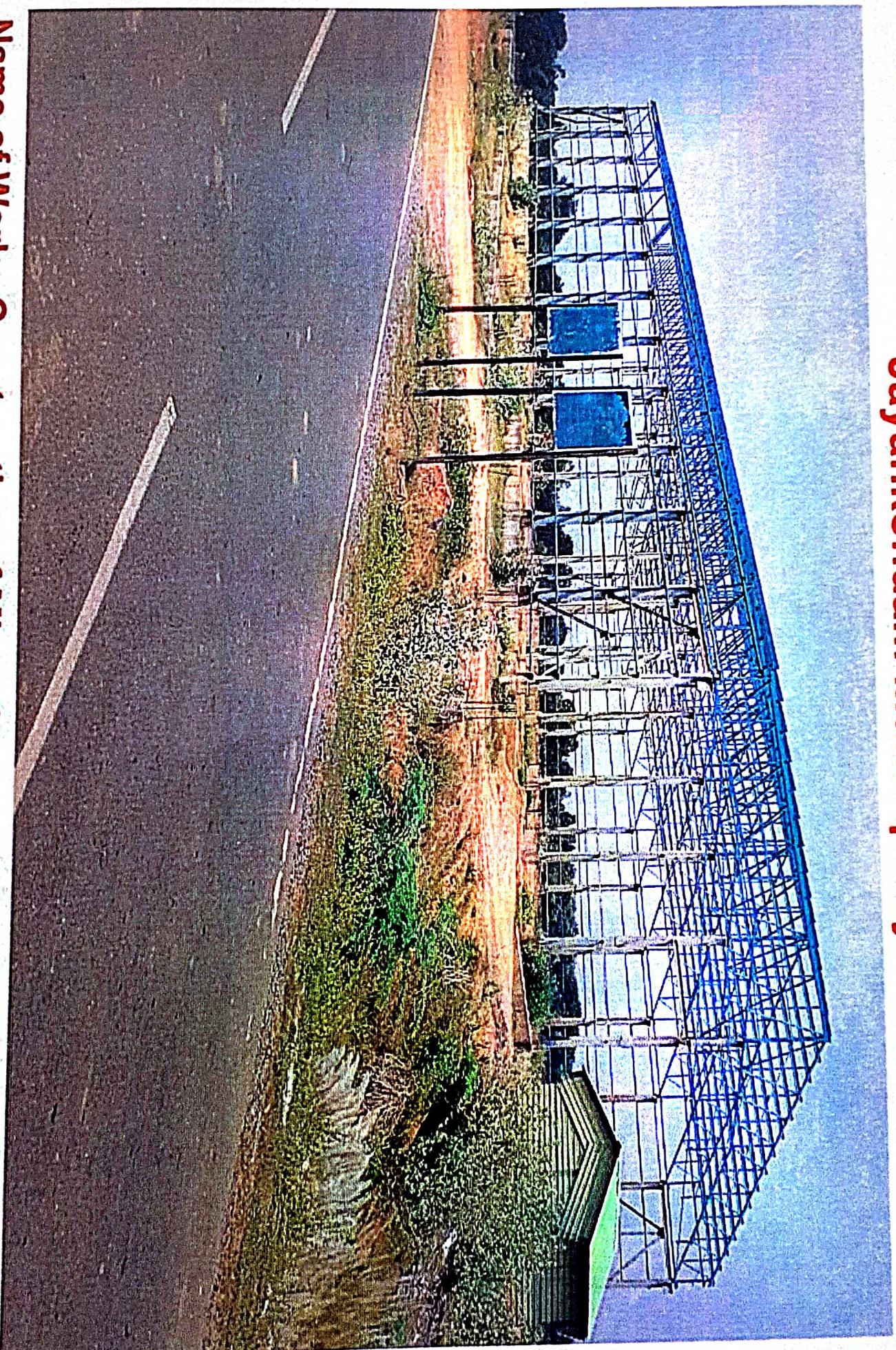
- 1] The Regional Director of Municipal Administration, Thanjavur
- 2] The "DO" of this office.
- 3] P3 Stock file.

//Forwarded by Order//

Superintendent
11/12/18

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Thanjavur Region
Jayankondam Municipality



Name of Work : Construction of Micro Compost Center at Sendurai Road

**Thanjavur Region
Jayankondam Municipality**



Name of Work : Construction of Micro Compost Center at Sendurai Road

**BEFORE THE NATIONAL
GREEN TRIBUNAL (SZ)
AT CHENNAI**

M. A. No. 49 of 2017

IN

O. A. No. 217 of 2015

REPORT

**M/s. P. SRINIVAS (828/1994).
N.K. PONRAJ (2263/2009).
R. PURUSHOTHAMAN(253/2011**

COUNSEL FOR RESPONDENT.

Mobile No. 94862 04469