

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

Original Application No.52 of 2020 (SZ)
With
Original Application No. 67 of 2020 (SZ)

IN THE MATTER OF:
Tribunal on its own motion Suo Motu
based on the News Item in Dinamalar
Newspaper dt. 28.02.2020, Chennai
Supplementary, "Dried Cauvery filled
up with Waste Water."

Versus

...Applicant(s)

The Secretary to Govt. of Tamil Nadu,
Department of Environment,
Govt. Secretariat, Fort St. George,
Chennai and Ors.

With

....Respondent(s)

Tribunal on its own motion Suo Motu
based on the News Item in Dinamalar
Newspaper dt. 09.05.2020, Chennai Edition,
"Life returns to normal, dye effluents Start
flowing in drains."

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The Chief Secretary to Govt. of Tamil Nadu,
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S. No	Description	Page No.
1.	REPORT FILED ON BEHALF OF THE RESPONDENT - TAMILNADU POLLUTION CONTROL BOARD.	1 - 6

Filed by
Thiru. Sai Sathyajith,
BSC, Chennai.

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**REPORT FILED ON BEHALF OF THE RESPONDENT –
TAMILNADU 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-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

R. Rajamanickam
29/11/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.

behalf of the Respondent, 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 National Green Tribunal (Southern Zone) in its order dated 17.12.2021 stated inter alia that:-

"Para 9. The Tamil Nadu Pollution Control Board is directed to inspect the area in question and submit a further progress report and action taken report, if any required in respect of implementation of the Solid Waste Management Rules, 2016 in that area by the Erode City Municipal Corporation and the Pallipalayam Municipality. They are also directed to ascertain the water quality of the water body in that area to ascertain as to whether any improvement has happened on account of the work that has been undertaken by them.

Para 10. Further, the Tamil Nadu Pollution Control Board is also directed to verify the action taken by the Erode City Municipal Corporation as well as the Pallipalayam Municipality and submit a report regarding the satisfaction of the work being done regarding discharge of sewage, functioning of STPs and status of the legacy waste etc.."

3. It is respectfully submitted that in due compliance to the Hon'ble National Green Tribunal (Southern Zone) in its order dated 17.12.2021, the said area in question was inspected by the officials of the TNPCB on 26.01.2022 and the following were observed:-

- i. The Erode City Municipal Corporation has processed and removed the entire quantity(80,850 m³) of legacy waste dumped at Vairapalayam dumpsite.


29/11/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
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- ii. The Erode City Municipal Corporation officials informed that approximately 5,20,000 m³ of legacy waste has been processed and the remaining quantity (80,000 m³) of legacy waste will be processed before February, 2022 at Vandipalayam dumpsite, Erode.
 - iii. The Pallipalayam Municipality has been removed entire quantity (40,306 m³) of the legacy waste dumped at kottakadu dump site.
4. It is respectfully submitted that the Erode City Municipal Corporation is involved in regular collection of solid waste in all the wards and processing the compostable solid waste in 24 Nos. of micro composting centres and the dumping of fresh solid waste on the dump yard at Vendipalayam is eliminated.
5. It is respectfully submitted that the Erode City Municipal Corporation has obtained consent for establishment from the Tamilnadu Pollution Control Board for the installation of incinerator at Nanjai Thalavaipalayam, Vairapalayam to incinerate non-biodegradable municipal solid wastes from Erode Corporation of about 25 T/day vide Proc. No. F.1696EDL/RS/DEE/TNPCB/EDL/W&A/2021 Dated: 20.12.2021. The Erode City Municipal Corporation is yet to complete the establishment works of the proposed municipal solid waste incinerator.
6. It is respectfully submitted that the Erode City Municipal Corporation has provided sewage treatment plant of capacity 50.5MLD


29/11/2022

at Peelamedu Village, Vendipalayam and the same is under operation. The Corporation has covered 36 wards with UGDSS. The UGDSS works in the remaining 24 wards is in progress. The Corporation has assured to complete UGDSS works in remaining wards before 31.05.2022. The Results of Analysis of the treated sewage sample collected by TNPCB on 25.11.2021 shows that the parameters such as pH, TSS, BOD, COD & Total Coliform are within the limits prescribed which reveal that the sewage treatment plant is operated satisfactorily. The sewage generated from 10,000 households is treated through septic tank. The septage collected from these septic tank has been treated in STP so that no sullage will be mixed in River Cauvery in future.

7. Earlier, the TNPCB has issued directions to the Pallipalayam Municipality vide proceeding dated 26.08.2021 under Section 33A of Water (Prevention and Control of Pollution) act, 1974 to comply the following:

- i. The Pallipalayam Municipality shall provide full-fledged underground Sewerage Scheme Treatment Plant within period of three months to treat the sewage generated from the municipality.
- ii. The local body shall immediately stop the discharge of the untreated/sullage effluent generated from the Municipality into the River Cauvery.
- iii. The Local body is liable to pay Environmental Compensation as per Honb'le National Green Tribunal (NGT), Principal Bench


29/11/22
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.

order dt. 02.07.2020 in O.A. No. 606 of 2018 for non-compliance of the above directions.

8. It is respectfully submitted that, during inspection by the officials of the TNPCB on 26.01.2022, it was found that the municipality has not provided any sewage treatment plant to treat the sewage generated from the Pallipalayam Municipality.

Therefore, in view of the above, show cause notice was issued to the Commissioner, Pallipalayam Municipality under Section 5 of the Environment (Protection) Act, 1986 as amended as to why the Board shall not levy an Environmental Compensation of Rs.1,05,00,000/- (Rupees One Crore and Five lakhs only) as per the Hon'ble National Green Tribunal (NGT), Principal bench order dt. 02.07.2020 in O.A. No. 606 of 2018 for non-commencement of setting up of STPs before 31.03.2020., i.e., for the period from 01.04.2020 to December 2021 vide Board's Proc.No.T6/TNPCB/F.015196/KMP/ERD/2021, Dated:29.01.2022.

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.


29/1/2022
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-32, do hereby submit that the contents of the above report are true to the best of my knowledge through records.


29/11/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
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RESPONDENT – TAMILNADU
POLLUTION CONTROL BOARD.**

Advocate for Respondent: TNPCB
Thiru. Sai Sathyajith
BSC, Chennai.

Dated: 29.01.2022

Date of hearing: 31.01.2022

