

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

**ORIGINAL APPLICATION NO. 52 & 67 of 2020 (SZ)**

Tribunal on its own motion  
SUO MOTU Based on the  
News Item in Dinamalar Newspaper  
dated 28.02.2020, Chennai Supplementary  
"Dried Cauvery filled up with waste water"

...Applicant

Versus

The Secretary to Government of Tamil Nadu,  
Department of Environment,  
Chennai and others.

...Respondent(s)

S. No	Description	Page No.
1.	Joint Committee Report in respect of the SUO MOTU O.A.No. 52 & 67 of 2020 taken up in the Hon'ble NGT (SZ)	1 – 16

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



**Joint Committee's Report in respect of SUO MOTU O.A.No.52 & 67 of 2020 taken up in the Hon'ble NGT (SZ), Chennai**

It is submitted that the Hon'ble National Green Tribunal (SZ), Chennai has taken up a SUO MOTU O. A. No.52/2020 based on the news published in Dinamalar daily on 28.02.2020 regarding Cauvery River Water Pollution. Subsequently, based on the news published in Dinamalar daily on 09.05.2020 regarding Cauvery River pollution the Hon'ble NGT (SZ), Chennai has taken up another SUO MOTU O. A. No. 67/2020 and has constituted a high level committee and directed the committee to inspect and report vide its Order Dated: 03.03.2020 in O.A. No.: 52/2020 Order Dated: 12.05.2020 in O.A. No.: 67/2020 and Order Dated: 15.05.2020.

The Joint Committee has inspected River Cauvery Stretch in Erode & Namakkal Districts and the industries located on both sides of the River in the close vicinity on 21-09-2020 & 22-09-2020 and the Comprehensive Report of the Joint Committee was submitted to the Hon'ble NGT (SZ), Chennai.

Subsequently, Hon'ble NGT (SZ), Chennai in its Order Dated: 05-01-2021 in O. A. No. 52 of 2020 (SZ) with O. A. No. 67 of 2020 (SZ) has stated the following:

"5. It is seen from the report that there is heap of legacy waste to be disposed of in Erode Municipal Corporation and also Kottakadu MSW dumpsite at Pallipalayam. Though a direction was issued by this Tribunal, the action taken by the Pollution Control Board for non-compliance of the direction issued by the Principal Bench of the National Green Tribunal in O.A.No.606 of 2018 is not reflected in this report as well.

7. It may be mentioned here that as per the direction of the Principal Bench of the National Green Tribunal, this should have been completed on or before 31.3.2020 and if it is not completed by then they will be liable to pay environmental compensation at a particular slab, as provided therein. But in spite of that, the Pollution Control Board has not taken any steps to implement the direction against the violating local bodies so far."

In view of the above, action has been initiated against the said local bodies and the details are submitted as below;

**Action taken by O/o. District Environmental Engineer, TNPCB, Erode on Erode City Municipal Corporation.**

Action has been initiated against the Erode City Municipal Corporation by imposing Interim Environmental Compensation of Rs. 8 lakhs (Rupees Eight Lakhs only) for non-compliance of the direction issued by the Principal Bench of the National Green Tribunal in O.A.No.606 of 2018 vide Board's Proceedings No.T1/TNPCB/F.32363/SWM/ NGT 606 of 2018/2020-4, Dated: 27-11-2020 (Copy enclosed) and also directed the following;

1. The Corporation 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 Corporation shall provide 100% segregation of waste (covering all wards).
3. The Corporation shall provide required capacity of waste processing facilities for the treatment of biodegradable waste and non-biodegradable wastes.
4. The Corporation is liable to pay Environmental Compensation till the compliance of conditions stipulated in 1 to 3.

**Action taken by O/o. District Environmental Engineer, Komarapalayam on Pallipalayam Municipality.**

Direction under section 5 of Environment (Protection) Act, 1986 has been issued by the TNPC Board to the Commissioner, Pallipalayam Municipality to comply with the following conditions vide Board's Proceedings No.T1/TNPCB/SWM/NGT/F.06801/KMP/2021, Dated 09/02/2021 (Copy enclosed).

1. The Municipality shall comply with the provisions of Solid Waste Management Rules, 2016 and shall comply with orders passed by the Hon'ble NGT (PB) in OA 606 of 2018 from time to time.
2. The Municipality shall comply with the orders passed by the Hon'ble NGT (SZ) in O.A. No. 52/2020 & O.A. No. 67/2020.
3. The Municipality shall expedite 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.
4. The Municipality is liable to pay Environmental Compensation if there is any non-compliance of conditions stipulated in 1 to 3.

In addition to the above, subsequent action has been initiated against the five violating industries through District Co-ordination Committee, Erode by the O/o. District Environmental Engineer, TNPC Board, Erode and action has been initiated against 32 industries located at Vendipalayam, Erode by sealing and disconnecting the power supply as per the orders of District Collector, Erode.

Based on the Order of Hon'ble NGT in 1038/2018 Dated: 10-07-2019, Environmental Compensation was collected from the violating industries in Erode and Namakkal Districts. The details of Environmental Compensation collected so far are submitted below:

**a. O/o. District Environmental Engineer, TNPCB, Erode.**

S. No	Environmental Compensation Collected by	No. of violating industries – 262 Nos.					Environmental Compensation Collected (Rs.)
		Red Large	Red Medium	Red Small	Orange Small	Green Small	
1.	TNPCB, Erode	4	-	158	3	-	45,25,000/-
2.	District Co-ordination Committee headed by the District Collector, Erode	3	1	90	-	3	1,72,87,335/-

b. O/o. District Environmental Engineer, TNPCB, Komarapalayam, Namakkal District.

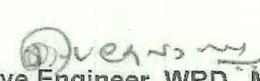
S. No	Environmental Compensation collected by	No. of violating industries-39			Environmental Compensation Collected (Rs.)
		Red Large	Red Medium	Red small	
1.	TNPCB, Komarapalayam	-	-	38	12,30,000
2.	District Co-ordination Committee, headed by District Collector, Namakkal	-	-	14	13,72,500
	<b>Total</b>	-	-	39	26,02,500

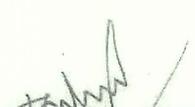
This is submitted for favour of kind information and necessary action please.

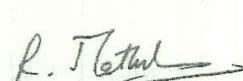
  
Commissioner  
Pallipalayam Municipality

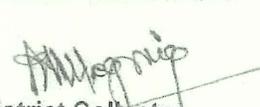
  
Commissioner  
Erode City Municipal Corporation, Erode

  
Executive Engineer, WRD, Erode  
(Lower Bhavani Basin Division)

  
Executive Engineer, WRD, Mettur Division,  
(Trichy Region)

  
SE, PWD (WRO)  
Bhavani Basin Circle

  
JCEE(M), TNPCB,  
Salem

  
District Collector  
Namakkal

  
District Collector  
Erode



By speed Post



## TAMILNADU POLLUTION CONTROL BOARD

Proceedings No. T1/TNPCB/F.32363/SWM/NGT 606 of 2018/2020-4 dt: 27.11.2020

**Sub:** TNPCB – Solid Waste Management – Hon'ble NGT orders in OA No. 606 of 2018 Erode Corporation –Non-compliance of Solid Waste Management Rules, 2016 - To remit Interim Environmental Compensation of Rs. 8 lakhs – Directions under section 5 of Environment (Protection) Act, 1986 – Orders issued - Regarding.

**Ref:**

1. Solid Waste Management Rules, 2016 notified by the Ministry of Environment Forest and Climate Change, Government of India vide notification No. S.O. 1357(E). 8th April, 2016
2. Hon'ble National Green Tribunal (Principal Bench) order dated 16.01.2019 in OA No. 606 of 2018
3. Hon'ble National Green Tribunal (Principal Bench) order dated 28.02.2020 & 02.07.2020 in OA No. 606 of 2018
4. CPCB letter No. F. No. B-11011/UPC-II/MSW/2020-21 dated 05.08.2020
5. Letter No. 18583/MA.IV(2)/2018-54 dated 09.09.2020 received from the Deputy Secretary to Govt., Municipal Administration & Water Supply Department, Secretariat, Chennai
6. Template for Assessment of SWM facilities and legacy waste remediation furnished by the Erode Corporation dated 07.09.2020

\*\*\*\*\*

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 Hon'ble National Green Tribunal (Principal Bench) vide order dated 16.01.2019 in OA No. 606 of 2018 has stated that *"Timelines of two years have expired as rules came into force on 08.04.2016. Timeline of three years is going to expire on 08.04.2019. However, for bio-remediation, timelines of five years has been provided. On 'Polluter Pays Principle', the polluters must be required to pay damages by the concerned authorities. Failure to do so may render the authorities also liable to pay damages..."*

Whereas, the Hon'ble National Green Tribunal (Principal Bench) vide order dated 28.02.2020 & 02.07.2020 in OA No. 606 of 2018 has directed that *"In view of the fact that most of the statutory timelines have expired and directions of the Hon'ble Supreme Court and this Tribunal to comply with Solid Waste Management Rules, 2016 remain unexecuted, Interim compensation scale is hereby laid down for continued failure after 31.03.2020. The compliance of the Rules requires taking of several steps mentioned in Rule 22 from Serial No. 1 to 10.*

*..... Any such continued failure will result in liability of every Local Body to pay compensation at the rate of Rs. 10 lakh per month per Local Body for population of above 10 lakhs, Rs. 5 lakh per month per Local Body for population between 5 lakhs and 10 lakhs and Rs. 1 lakh per month per other Local Body from 01.04.2020 till compliance.*

*.....final Compensation may be assessed and recovered by the State PCBs/PCCs in the light of Para 33 of the order within six months from today and CPCB may prepare a template and issue an appropriate direction to the State PCBs/PCCs for undertaking such an assessment in the light thereof within one month with respect to non-compliance of Solid Waste Management Rules, 2016 and non-commencing legacy waste remediation".*

Whereas, CPCB vide letter dated 05.08.2020 has enclosed template for assessment of final compensation for non-compliance of SWM by ULBs.



## TAMILNADU POLLUTION CONTROL BOARD



Whereas, the Municipal Administration & Water Supply Department and the Commissioner, Erode Corporation vide reference 5<sup>th</sup> & 6<sup>th</sup> cited have furnished the details on the status of solid waste management facilities and legacy waste remediation as per the CPCB's prescribed template. As per the details provided, it is observed that the Erode Corporation has not provided adequate capacities for material recovery facilities and there exists a gap in solid waste management of 89 tons/day.

Whereas, as per 2011 census, the population of Erode Corporation is 1.57 lakhs. As per Hon'ble NGT orders, for local bodies having population below 5 lakhs, the compensation rate is Rs. 1 lakh per month with respect to non-compliance of SWM Rules, 2016. Since, the Erode Corporation has not complied the directions of the Hon'ble National Green Tribunal (PB) to comply with the Solid Waste Management Rules, 2016 before 31.03.2020, an interim compensation of Rs.1 lakh/month for 8 months (from April 2020 to November 2020) has been assessed.

Whereas an amount of Rs.8 lakhs has been assessed as an interim environmental compensation for a period of 8 months (April 2020 to November 2020) to the Erode Corporation for non-compliance of Solid Waste Management Rules, 2016.

Whereas continued failure to comply with SWM 2016 shall incur Environmental Compensation at rates that are multiples of the rates assessed above;

Now therefore, in exercise of the powers vested under Section 5 of the Environment Protection Act, 1986, the Board hereby issues direction to the Commissioner, Erode Corporation to remit the Interim Environmental Compensation of Rs 8 lakhs and the Corporation is liable to remit the Environmental Compensation till the compliance of the following directions:

1. The Corporation 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 Corporation shall provide 100% segregation of waste (covering all wards)
3. The Corporation shall provide required capacity of waste processing facilities for the treatment of biodegradable waste and non-biodegradable wastes

4. The Corporation is liable to pay Environmental Compensation till the compliance of conditions stipulated in 1 to 3.

Failure to comply with the said directions, will attract action as per the 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 Environment (Protection) Act, 1986 as amended.

The receipt of this proceeding shall be acknowledged.

Sd/-  
Chairman

To  
The Commissioner,  
Erode City Municipal Corporation,  
Erode.

**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
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.
4. The Chairman,  
Central Pollution Control Board,  
'Parivesh Bhawan',  
C.B.D. Cum-Office Complex,  
Delhi-110 032

**Copy to**

1. The Joint Chief Environmental Engineer (Monitoring),  
Tamil Nadu Pollution Control Board,  
Salem
2. The District Environmental Engineer,  
Tamil Nadu Pollution Control Board,  
Erode
3. File Copy

//Forwarded by orders//

*Alan*  
05/12/2020  
For Chairman  
5/12/2020

By Speed Post



## TAMIL NADU POLLUTION CONTROL BOARD

Proc. No. T1/TNPCB/SWM/NGT/F.06801/KMP/2021 Dated: 09.02.2021

Sub: TNPCB – Solid Waste Management – Hon'ble NGT (SZ), Chennai order dated 05.01.2021 in O.A.No.52/2020 & O.A.No.67/2020 (SZ) –Non-compliance of Solid Waste Management Rules, 2016 by Pallipalayam Municipality - Directions under Section 5 of the Environment (Protection) Act, 1986 – Orders issued - Regarding.

Ref: 1. Hon'ble NGT (SZ), Chennai order dated 05.01.2021 in O.A.No.52/2020 & O.A.No.67/2020 (SZ)  
2. Letter No. F.No.99/DEE/TNPCB/KMP/SWM/2021, Dated 27.01.2021

-----  
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, Hon'ble NGT, Chennai has taken up a suo motu case in O.A.No.52/2020 & O.A.No.67/2020 based on the news published regarding Cauvery river water pollution. and has constituted a high level committee and directed the committee to inspect and report vide order dt. 3.3.2020 in O.A.No.52/2020 & vide order dated 12.5.2020 in O.A.No.67/2020.

Based on the Committee's report, the Hon'ble National Green Tribunal (SZ), Chennai in its order dated 05.01.2020 has directed the following:

*"5. It is seen from the report that there is heap of legacy waste to be disposed of in Erode Municipal Corporation and also Kottakadu MSW dumpsite at Pallipalayam. Though a direction was issued by this Tribunal, the action taken by the Pollution Control Board for non-compliance of the direction issued by the Principal Bench of the National Green Tribunal in O.A. No. 606 of 2018 is not reflected in this report as well.*

Based on the above, the DEE, TNPCB, Kumarapalayam vide letter dated 27.01.2021 has furnished the details of MSW and biomining activities carried out at Pallipalayam Municipality:

1. The Pallipalayam Municipality has provided micro composting centre (MCC) located at Avarankadu Village, Pallipalayam Municipality, Kumarapalam Taluk, Namakkal District for composting the municipal solid wastes generated from the Pallipalayam Municipality.
2. The Pallipalayam Municipality has provided Bio mining facility for processing the legacy waste at Kottakadu dump site, Pallipalayam, Kumarapalam Taluk, Namakkal District. The total area to be reclaimed is 1.16 acres to the quantity of 40306 cubic meter of legacy waste.
3. Authorization under the Solid waste management Rules, 2016 for operation of waste processing facility was issued to the Pallipalayam Municipality vide Proc. dated 22.04.2019 for the period valid up to 31.03.2020 and yet to apply for renewal of authorization.
4. The Pallipalayam municipality Bio mining site was inspected on 27.01.2021 and the following were observed.
  - i. During inspection 23410 cubic meter out of 40306 cubic meter has been reclaimed. The unit has reclaimed 58.0 % of legacy waste as on date.
  - ii. It is reported by the Municipal Engineer, Pallipalayam Municipality that they are in process of procuring additional machinery for processing the legacy waste, since the remaining legacy waste 16896 cubic meter are to be processed within 31.03.2021.
  - iii. Whereas the municipality has installed machinery to the capacity of 30 T/Day or 37.5 cubic meter /day (Approximately one cubic meter of legacy waste is 800 Kg). In order to process 16896 cubic meter on or before 31.03.2021 (62 days) only 2325 cubic meter shall be processed. The remaining 14571 cubic meter could not be processed on or before 31.03.2021.
  - iv. Hence, the Pallipalayam municipality has not provided adequate capacity for material recovery facilities and there exists a gap in solid waste management.

In view of the Hon'ble NGT orders, the DEE, TNPCB, Kumarapalayam has assessed and recommended Interim Environmental Compensation to be levied to the Pallipalayam Municipality of Rs. 10 lakhs (April, 2020 to January, 2021 – Rs.1 Lakh x 10 Months) till 31.01.2021



## TAMIL NADU POLLUTION CONTROL BOARD

It is informed that Pallipalayam Municipality has commenced legacy waste remediation before 31.03.2020. However, as on date, reclamation of 58.0 % of legacy waste only has been carried out.

Therefore, in exercise of powers vested under section 5 of Environment (Protection) Act, 1986 the Board hereby issues Direction to the Commissioner, Pallipalayam Municipality to comply with the following conditions

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(PB) in OA 606 of 2018 from time to time
2. The Municipality shall comply with the orders passed by the Hon'ble NGT(SZ) in O.A.No.52/2020 & O.A.No.67/2020.
3. The Municipality shall expedite 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
4. The Municipality is liable to pay Environmental Compensation if there is any non-compliance of conditions stipulated in 1 to 3

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,  
Pallipalayam Municipality,  
Namakkal 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

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,  
Salem
2. The District Environmental Engineer,  
Tamil Nadu Pollution Control Board,  
Kumarapalayam
3. File Copy

*Shanmugan*  
For Chairman  
*Shanmugan*  
11/2/24

By Speed Post



## TAMIL NADU POLLUTION CONTROL BOARD

Proc. No. T1/TNPCB/SWM/NGT/F.06801/KMP/2021 Dated: 09.02.2021

**Sub:** TNPCB – Solid Waste Management – Hon'ble NGT (SZ), Chennai order dated 05.01.2021 in O.A.No.52/2020 & O.A.No.67/2020 (SZ) –Non-compliance of Solid Waste Management Rules, 2016 by Pallipalayam Municipality - Directions under Section 5 of the Environment (Protection) Act, 1986 – Orders issued - Regarding.

**Ref:** 1. Hon'ble NGT (SZ), Chennai order dated 05.01.2021 in O.A.No.52/2020 & O.A.No.67/2020 (SZ)  
2. Letter No. F.No.99/DEE/TNPCB/KMP/SWM/2021, Dated 27.01.2021

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, Hon'ble NGT, Chennai has taken up a suo motu case in O.A.No.52/2020 & O.A.No.67/2020 based on the news published regarding Cauvery river water pollution. and has constituted a high level committee and directed the committee to inspect and report vide order dt. 3.3.2020 in O.A.No.52/2020 & vide order dated 12.5.2020 in O.A.No.67/2020.

Based on the Committee's report, the Hon'ble National Green Tribunal (SZ), Chennai in its order dated 05.01.2020 has directed the following:

*"5. It is seen from the report that there is heap of legacy waste to be disposed of in Erode Municipal Corporation and also Kottakadu MSW dumpsite at Pallipalayam. Though a direction was issued by this Tribunal, the action taken by the Pollution Control Board for non-compliance of the direction issued by the Principal Bench of the National Green Tribunal in O.A. No. 606 of 2018 is not reflected in this report as well.*

Based on the above, the DEE, TNPCB, Kumarapalayam vide letter dated 27.01.2021 has furnished the details of MSW and biomining activities carried out at Pallipalayam Municipality:

1. The Pallipalayam Municipality has provided micro composting centre (MCC) located at Avarankadu Village, Pallipalayam Municipality, Kumarapalam Taluk, Namakkal District for composting the municipal solid wastes generated from the Pallipalayam Municipality.
2. The Pallipalayam Municipality has provided Bio mining facility for processing the legacy waste at Kottakadu dump site, Pallipalayam, Kumarapalam Taluk, Namakkal District. The total area to be reclaimed is 1.16 acres to the quantity of 40306 cubic meter of legacy waste.
3. Authorization under the Solid waste management Rules, 2016 for operation of waste processing facility was issued to the Pallipalayam Municipality vide Proc. dated 22.04.2019 for the period valid up to 31.03.2020 and yet to apply for renewal of authorization.
4. The Pallipalayam municipality Bio mining site was inspected on 27.01.2021 and the following were observed.
  - i. During inspection 23410 cubic meter out of 40306 cubic meter has been reclaimed. The unit has reclaimed 58.0 % of legacy waste as on date.
  - ii. It is reported by the Municipal Engineer, Pallipalayam Municipality that they are in process of procuring additional machinery for processing the legacy waste, since the remaining legacy waste 16896 cubic meter are to be processed within 31.03.2021.
  - iii. Whereas the municipality has installed machinery to the capacity of 30 T/Day or 37.5 cubic meter /day (Approximately one cubic meter of legacy waste is 800 Kg). In order to process 16896 cubic meter on or before 31.03.2021 (62 days) only 2325 cubic meter shall be processed. The remaining 14571 cubic meter could not be processed on or before 31.03.2021.
  - iv. Hence, the Pallipalayam municipality has not provided adequate capacity for material recovery facilities and there exists a gap in solid waste management.

In view of the Hon'ble NGT orders, the DEE, TNPCB, Kumarapalayam has assessed and recommended Interim Environmental Compensation to be levied to the Pallipalayam Municipality of Rs. 10 lakhs (April, 2020 to January, 2021 – Rs.1 Lakh x 10 Months) till 31.01.2021



## TAMIL NADU POLLUTION CONTROL BOARD

It is informed that Pallipalayam Municipality has commenced legacy waste remediation before 31.03.2020. However, as on date, reclamation of 58.0 % of legacy waste only has been carried out.

Therefore, in exercise of powers vested under section 5 of Environment (Protection) Act, 1986 the Board hereby issues Direction to the Commissioner, Pallipalayam Municipality to comply with the following conditions

5. 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(PB) in OA 606 of 2018 from time to time
6. The Municipality shall comply with the orders passed by the Hon'ble NGT(SZ) in O.A.No.52/2020 & O.A.No.67/2020.
7. The Municipality shall expedite 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
8. The Municipality is liable to pay Environmental Compensation if there is any non-compliance of conditions stipulated in 1 to 3

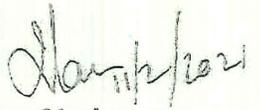
Failure to comply with the said directions, will attract action as per provisions of section 5 (Closure and stoppage of electricity), section 15 (Penalty provision) and section 17 (Offences and punishment to Head of Government Departments) of the Environment (Protection) Act, 1986 as amended.

The receipt of this proceeding shall be acknowledged.

Sd/-  
Chairman

To

The Commissioner,  
Pallipalayam Municipality,  
Namakkal District

  
For Chairman



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

**ORIGINAL APPLICATION NO. 52 & 67 of  
2020 (SZ)**

Tribunal on its own motion  
SUO MOTU Based on the  
News Item in Dinamalar Newspaper  
dated 28.02.2020, Chennai Supplementary  
"Dried Cauvery filled up with waste water"

...Applicants

**Vs**

The Secretary to Government of Tamil Nadu,  
Department of Environment,  
Chennai and others.

...Respondents

**Joint Committee Report in respect of  
the SUO MOTU O.A.No. 52 & 67 of 2020  
taken up in the Hon'ble NGT (SZ)**

Advocate for Respondent: TNPCB  
Thiru. Kasirajan  
Advocate, Chennai.

Date: 23.02.2021

Date of hearing: 24.02.2021

