

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

**Original Application No. 06 of 2020 (SZ)**

**IN THE MATTER OF**

Tribunal on its own motion

SuoMotu based on the news item in

MalayalaManorama, Malayam news Daily

Dt. 09.01.2020, "Plastic Waste Storage Facility of  
Chalakydy Municipality destroyed in Fire"

**...Applicant(s)**

Versus

The District Collector,  
District Collector Office,  
Civil Station, Ayyanthole,  
Thrissur and Ors.

**....Respondent(s)**

**ADDITIONAL STATUS REPORT FILED BY THE 3<sup>rd</sup> RESPONDENT , THE  
SECRETARY, CHALAKUDY MUNICIPALITY.**

**M.P.ASHOK KUMAR**

**NAMBIAR & CO.  
ADVOCATES,  
AZAD ROAD,  
COCHIN – 17.**

**COUNSEL FOR THE 3<sup>rd</sup> RESPONDENT, THE SECRETARY, CHALAKUDY  
MUNICIPALITY**

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1. The Hon'ble National Green tribunal suo motu registered the above case based on a news report published in Malayala Manorama Daily dt 09/01/2020. The report was relating to a fire incident which occurred in the Plastic Recycling Unit at Chalakkudy on 08/01/2020.
2. 08/01/2020 was a Bharath Bandh day declared by all trade unions in India. The All India Bandh was strongly observed in Kerala and there was no public or private transport no traffic facility or any other conveyance on that day. All public offices were defunct. The entire Municipal Area affected by the absence of any sort of public conveyance. The Bandh made Kerala in a stand still stage. Almost all

the Government Offices were defunct and Private establishments were closed on that day. There was no private vehicles plying on the public roads fearing attack from the Bandh supporters. The Chalakudy Municipal Office is situated on the side of former NH 47. ( Now NH 544)

3. On that Bandh day at about 2 PM a fire incident occurred in the Plastic waste storage at Chalakkudy Municipality at RRF (Resource recovery Centre) situated on the western side of NH 47 near Potta Crematorium on 08/01/2020. In the RRF Centre there were 4 employees appointed from the Green Brigade to supervise, manage and facilitating. Due to Bandh, these employees could not report for duty. As there was no employees present in the RRF centre the fire incident caused due to electric short circuit was not be noticed in time and could not take required safety measures including by informing the police and fire and rescue services. There is also no residents in the nearby locality. The fire incident was reported at about 2:30 pm. Due to bandh all roads were deserted and somebody noticed the fire incident only belatedly. There is no laches or negligence on the part of Municipality in the unfortunate fire incident that took place on 08/01/2020.
4. Even now the actual reason for the unfortunate fire incident has not been detected by the police. It is suspected that the fire incident can be due to electricity short circuit. It is also suspected that the fire incident can be as a result of sabotage caused by some Anti Social elements in

the locality who were against the establishment of the Solid Waste Recycling Unit at Potta.

5. In the city area generally the public are against the establishment of any recycling unit wherein plastic waste has been stacked in connection with the disposal and processing. The municipality has taken possible steps and communicated to Fire and rescue department, Police department, KSEB etc. The burnt waste were fully removed and the site cleared completely. It is submitted that there is no laches, negligence, or disobedience on the part of the Municipality in strictly complying the SWM Rules.
6. The population of Chalakudy Municipality is only 49,525. Rule 22(7) of the rules necessitates the setting up of Solid Waste Management facilities by the municipalities in Town with below 1 lakh population and the Municipality has already taken all possible steps for the effective implementation of the Solid Waste Management Rules 2016 and the relevant provisions of Municipality Act and other Rules concerning Solid Waste management in the Municipal area to alleviate the problems of Environmental Pollution and the management of Solid Waste.
7. It is submitted that the Chalakudy Municipality is one of few Municipality in whole which has taken all possible measures for the strict implementation of the various directions and infrastructure facilities suggested under Rule 22 of the SWM Rules within time frame. The steps taken by the Municipality has reduced the level of pollution in

Municipal area and the Solid Waste was effectively managed by various steps taken by the Municipality for eradicating any Environmental damage.

8. Stating all these aspects, the Municipality has earlier filed a detailed status report dated 10.03.2021, e-filed on 30.03.2021.
9. An order for expediting the measures for bio-mining of legacy waste accumulated on the solid waste treatment plant premises is being done in a war footing manner. Earlier for the disposal and treatment of legacy waste, the Municipality has entered into agreement with Suchithwa Mission.
10. The waste has been separated and sent to a resource recovery facility (RRF). The recyclable components of the RRF were sent for recycling, while the rest is given to the Clean Kerala Company. The municipality has taken certain steps to manage biodegradable waste generated by households. Composting materials were provided at a reduced cost to each household. However, the Municipality lacks a biodegradable waste management plan at the community/institutional level.
11. On 21/09/2021 this Hon'ble Tribunal passed an Interim Order directing the Kerala State Pollution Control Board as well as the Chalakudy Municipality to file the further progress report regarding the disposal of waste and implementation of the Solid Waste Management Rules, 2016 in Chalakudy Municipality.

- 12.** After the passing of the interim order by this Hon'ble Tribunal, the proposal for expediting the measures for bio-mining of legacy waste accumulated on the solid waste treatment plant premises is being done in a war footing manner. For the same proposal was laid before the Municipal Council for approval on 02/08/2021. The above said resolution was passed by the Municipal Council and as per decision Number 61 direction was given to the Government accredited agency namely Socio Economic Unit Foundation (SEUF) which is approved by the Suchithwa Mission to submit a detailed project report.
- 13.** The Socio Economic Unit Foundation (SEUF) was registered as an NGO in June, 1995 under Travancore - Cochin Literary, Scientific and Charitable Societies Act XII of 1955. The Socio Economic Units (SEU), Kerala was established in 1987 under the bilateral agreement between the Royal Governments of Netherlands and Denmark and Department of Economic Affairs, Government of India.
- 14.** After the submission of the detailed project report and the approval of the same the funds shall be duly allocated for the functioning of Bio Mines.
- 15.** For the disposal and treatment of sanitary waste the amount earmarked for the installations of incinerators has been further revised to Rs 50,00,000/-. The revised estimate has been approved by the DPC.
- 16.** The Municipality has also decided to stop the dumping of Solid waste in dumps that have surpassed their capacity or won't be able to accept any more garbage after the construction of new, properly built landfills.

17.As per the Detail Project Report submitted by the SEUF, Legacy MSW can be treated and disposed of using bioremediation and bio-mining. Prior to the start of any project, a total station survey or drone mapping of the landfill ordumping site must be completed. As a result, it is recommended to do a preliminary investigation into the site's history as well as a waste compositional analysis. Before and after mining, site environment characteristics such as baseline studies of heavy metals in surface and subsurface soils and water, rainfall, soil type, surface hydrology, terrain, wind direction, and so on will be researched. Following the completion of bio-mining, a periodic study should be conducted to check for any detrimental impacts in the surrounding area.

#### **ESTIMATED BUDGET**

<b>Description</b>	<b>Unit</b>	<b>Rate Per Cubic Meter</b>	<b>Total Amount</b>
Bio mining of legacy of waste deposited at Municipaldump yardresidue/capping as per SWM rules 2016, SWM CPHEEO Manual 2016 and standards of Central  State pollution control board, landscaping protect andmaintain the capping and landscaping for 1 year.	4398 m <sup>3</sup>	Rs 950.00	41,78,100

- 18.**The total proposed filling volume as per the detailed report submitted by the SEUF is 4398 cubic meter and all the necessary steps have been taken by the Municipality and the same is under the consideration of Municipal Council.
- 19.**For project monitoring and concurrent evaluation, a monitoring committee comprised of technical experts from the Municipality, Suchitwa Mission and the state pollution control board is to be constituted.
- 20.** For the disposal and treatment of Construction and Demolition waste appropriate directions have been issued to the Health, Engineering Wings. Moreover the Kerala Pollution Control Board has granted authorisation to the Chalakudy Municipality under the Solid Waste Management Rules, 2016 on 28/07/2021.
- 21.** The municipality has also submitted an affidavit regarding the additional proposed facilities for the treatment of solid waste management which includes supply of decentralised facilities to additional 2543 households, within 6 months and has been duly completed. Setting up of MCF at 4 sites, and installation of an incinerator which meets the operating and emission standards prescribed in Schedule II of the Solid Waste Management, Rules, 2016 for the treatment of sanitary waste. Based on this, Authorisation under SWM, Rules, 2016 has been issued to the Municipality for a period of one year. The validity will be further extended for another four years after the commissioning of the proposed facilities.

- 22.** It is respectfully submitted that, the Kerala State Pollution Control Board has issued Show cause notice to the Secretary, Chalakkudy Municipality, under section 5 of the Environmental Protection Act, 1986 as to why the Board shall not levy the environmental compensation of Rs 32,48,028/- [Rs Thirty Two lakhs Forty Eight Thousand and Twenty Eight Only] vide Board's Proceeding dt 23/10/2021 for environmental and health damages caused.
- 23.** It is respectfully submitted that the Municipality is acting in a war footed manner to settle the issues and to implement the measures to reduce Pollution and for the full fledged functioning of Bio- Mining and the implementation of Solid waste Management Rules , 2016.
- 24.** In the above circumstances it is prayed that this Hon'ble Tribunal may be pleased to accept this report and close the above suo motu proceedings.

The above details are humbly submitted for perusal of the Hon'ble National Green Tribunal.

Dated this the 6<sup>th</sup> day of November, 2021.



  
AKASH M.S.  
SECRETARY  
CHALAKKUDY MUNICIPALITY

**SECRETARY CHALAKKUDY MUNICIPALITY**