

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE – AT CHENNAI

Application No. 64 of 2020

V. Rajesh,  
Representative of residents of Rama Reddy Palayam,  
No.73, Ward No.13,Rama Reddy Palayam,  
Minjur Selection Grade Town Panchayat,  
Thiruvallur District – 601203.

...Applicant

– Versus –

1. Union of India,  
rep. by its Secretary,  
Ministry of Environment, Forest & Climate Change,  
Jorbagh, Lodhi Colony, New Delhi – 110003.
2. Tamil Nadu Pollution Control Board,  
rep. by its Member Secretary,  
Anna Salai, Guindy, Chennai – 600032.
3. State of Tamil Nadu,  
rep. by its Chief Secretary,  
Fort St. George, Chennai – 600009.
4. State of Tamil Nadu,  
rep. by its Principal Secretary,  
Environment & Forests Department,  
Fort St. George, Chennai – 600009.
5. State of Tamil Nadu,  
rep. by its Secretary,  
Public Works Department,  
Fort St. George, Chennai – 600009.
6. State of Tamil Nadu,  
rep. by its Secretary,  
Municipal Administration & Water Supply Department,  
Fort St. George, Chennai – 600009.
7. Minjur Selection Grade Town Panchayat,  
rep. by its Executive Officer,  
No.29, Bakthavatchalam Street,  
Minjur – 601203. Thiruvallur District.
8. The District Collector,  
Thiruvallur District.  
Thiruvallur – 602001.

Page No.1

No. of Corrn.: Nil

  
EXECUTIVE OFFICER  
MINJUR TOWN PANCHAYAT  
THIRUVALLUR DISTRICT

9. The Revenue Divisional Officer,  
Ponneri Taluk, Railway Station Road,  
NGO Nagar Extension, Ponneri – 601204.
10. The Tahsildar,  
Ponneri Taluk, Railway Station Road,  
NGO Nagar Extension, Ponneri – 601204.
11. The Assistant Director of Town Panchayats,  
Thiruvallur Collectorate Office,  
Thiruvallur – 602001.
12. The Joint Chief Environmental Engineer,  
Tamil Nadu Pollution Control Board,  
No.950/1, 1<sup>st</sup> Floor, Poonamallee High Road,  
Arumbakkam, Chennai – 600106.
13. Chennai Rivers Restoration Trust,  
No.6/103, Dr. D.G.S.Dinakaran Salai,  
Raja Annamalaipuram, Chennai – 600028.
14. D. Uday Kumar Reddy, Civil Contractor,  
No.12, Vinayagar Street, Ramana Nagar,  
BDO Office, Minjur – 601023.

... Respondents

**STATUS REPORT FILED BY EXECUTIVE OFFICER**

**MINJUR TOWN PANCHAYAT**

I, M.Baskaran, S/O N.S.Mani., Indian, aged 52 years, residing at No.27, Nehru Salai, Uthukottai, Thiruvallur District – 602026, do hereby solemnly affirm and sincerely state as follows:

1. I am presently discharging duties as Executive Officer (I/c) of Minjur Town Panchayat, the 7<sup>th</sup> Respondent herein. I am acquainted with the facts of the case from the records available. I am filing this Status Report on behalf of Respondent No.7
2. It is submitted that the Applicant has filed this Application praying for,  
“(a) direct the Respondent Authorities to maintain the Kosathalaiyaru River and its Banks free from any contamination or pollution;

Page No.2  
No. of Corrn.: Nil

  
**EXECUTIVE OFFICER  
MINJUR TOWN PANCHAYAT  
THIRUVALLUR DISTRICT**

(b) direct the Respondent Authorities to maintain the Kosathalaiyaru River and its Banks free from any encroachments;

(c) direct the Respondent Authorities to take all steps to ensure that the upstream course of Kosathalaiyaru River is restored and the flow of freshwater is maintained;

(d) direct the Respondent Authorities to stop sand mining in Kosathalaiyaru, in Thiruvallur District, and along the River's Course to protect the integrity of the River".

We crave leave of this Hon'ble Tribunal to treat this Status Report as part and parcel of our Reply Statement dated 15.07.2020 and the Affidavit filed in support of I.A.No...../2021 in O.A.No.64/2020 (SZ). We submit the following contentions without prejudice to one another.

3. It is submitted that the lands comprised in Survey Nos. 81, 82, 93 & 95, measuring an extent of 2 Acres 90 Cents or thereabouts are Vellakarai Poromboke lands and are possessed by the 7<sup>th</sup> Respondent. The said lands are being utilized by the 7<sup>th</sup> Respondent for the past 40 years with the prior permission of the 2<sup>nd</sup> Respondent as a Resource Recovery Park so as to dump the wastes and segregate them with the following infrastructures to manufacture bio-manure using Vermicomposting system and the bio-degradable wastes, by implementing the Solid Waste Management Rules, 2000:

(i) Compost Pad / Windrow Platform with full roof, including Leachate Collection and Recycling System into the Compost Pad. The full roof over the Compost Pad; Leachate Collection and Recycling System will ensure the prevention of water pollution even during rainy season.

(ii) Organic Shredding Machine for the size reduction of the organic waste and Mechanical Siever to screen the matured compost.

(iii) Machine Shed.

(iv) Compound Wall, Internal Roads, Watchman Shed, Manure Store & Sales Room, allotment for the providing Water Supply, Lighting and Toilet facility at an outlay of Rs.46.70 lakhs.

(v) Green belt around the Compound Wall with tree saplings and Demonstration Plot for cultivating vegetables and other horticulture crops.

There is 2 km distance from the dumping area to the Rama Reddy Palayam Village and there are no possibilities of infection of any diseases to the people in that area. The solid wastes collected from the people of 7<sup>th</sup> Respondent are taken to the site, where the wastes are segregated and the bio-degradable wastes are converted into bio-manure. The wastages generated within the municipal limits of 7<sup>th</sup> Respondents are continued to be recycled as per the Government's policies and protocols. The Resource Recovery Park would not spread over in and around the localities and it will not create any diseases as alleged by the Applicant. There are no industries or companies in and around the municipal area of 7<sup>th</sup> Respondent. The Medical Wastes are collected by Tamil Nadu Waste Management, Chennai, of Ramkay Group of Chennai. The Poultry Wastes are collected by Pragathi Farms, Gnayaru Village, Ponneri Taluk, who convert the same as fish food. The debris is reutilized by the Builders into their new constructions.

4. It is submitted that the drinking water is drawn only from Vanniambakkam Village, near the Kosasthalaiyar River bed, which is 8 Km away from Rama Reddy Palayam. The earlier Well, which was 100 metres low does not have water facility, and the same has since been closed. There is no pollution or contamination and necessary steps are being taken to upstream the course of Kosasthalaiyar River and the flow of fresh water in the River. It is reiterated that the Kosasthalaiyar River is not confined within the municipal limits of Minjur Town Panchayat alone. We enclose herewith the Water Purity Certificate dated 19.02.2021 certifying about the portability of drinking water of the locality.

5. It is submitted that the Applicant cannot find fault with the sovereign actions of the Government through the 7<sup>th</sup> Respondent which is in vogue for more than 40 years. Improvements based on modern techniques have been made in the disposal, segregation and recycle of the wastes in accordance with law. The Resource Recovery Park is a Project of Tamil Nadu Government based on its State Policies in conformity with the Statutes for all Urban Local Bodies and the same does not violate any law, including Water (Prevention & Control of Pollution) Act, 1974.

6. It is submitted that the 7<sup>th</sup> Respondent Town Panchayat has 30 sanctioned posts for Sanitation, out of which 5 are Vacant and the process of filling the same,

Page No.4

No. of Corrms.: Nil

  
EXECUTIVE OFFICER  
MINJUR TOWN PANCHAYAT  
THIRUVALLUR DISTRICT

in accordance with law, is under process. The existing personnel are not sufficient to meet the requirements of growing households and population. Solid Waste Management work is done by 25 permanent Sanitary Workers and by 55 Out-Sourced Workers.

7. It is submitted that the employees employed in Solid Waste Management commence their respective work at 6:00 AM. The collected garbage, viz., Bio-Degradable, Non-Bio-Degradable, Recyclable, Vegetables Wastes, Plants & Shrubs Wastes, Food Wastes, Tea & Coffee Powders, Fruit Wastes, Egg Shells, Plastic Wastes, Polythene Covers, Sofa, Bed, Pillows, Broken Furniture, Wood Wastes, is brought to the Resource Park.

8. It is submitted that the transportation of solid wastes from all 18 Wards starting from primary point of Door to Door Collection to the Resource Recovery Park is handled by 37 Push Carts, 5 Tri-Cycles & 2 Battery Vehicles, towards primary collection, and one Mini Compactor, one Mini Lorry, 2 Tractors & one Bolero Pick-up Jeep, towards secondary collection.

9. It is submitted that the daily collection of garbage through Push Carts by Door to Door is implemented in the designated routes in accordance with the approved Route Map. The Chart reflecting the time and the quantity of Bio-Degradable, Non-Bio-Degradable and Recyclable Garbage collected is enclosed along with this Status Report.

10. It is submitted that the Solid Waste Management is implemented with the Door to Door Collection (100%) from every Household and Commercial Establishment in the 803 Streets and One Main Roads, which are segregated at source (80%). Effective steps are underway to achieve 100% Source Segregation and Door to Door Collection by the end of December 2021.

11. It is submitted that on an average, 7.27 Tonnes of Solid Wastes are collected every day, which are segregated into Bio-Degradable (4.21 MT), Non-Bio-Degradable (3.06 MT) 4.21 M.T of Green Waste are processed as Manure from 15 Manure Pits by Windrow Method & from 4 Earthworm Pits by Vermicomposting. The debris wastes (less than 1%) are dumped in low lying areas so as to level the

Page No.5

No. of Corrn.: Nil

EXECUTIVE OFFICER  
MINJUR TOWN PANCHAYAT  
THIRUVALLUR DISTRICT

  
EXECUTIVE OFFICER  
MINJUR TOWN PANCHAYAT  
THIRUVALLUR DISTRICT

grounds. E-Wastes (2%) are collected and disposed off through TNPCB's Approved Agencies. The Bio-Medical Wastes are collected through TNPCB's Approved Agencies. Currently there are no legacy wastes in the Town Panchayat.

12. It is submitted that the Resource Recovery Park is legal and valid and is not within 100 Feet from the Well or 10 Feet below the ground. The water drawn from the Well for the people is good and not toxic or unhealthy. It is reiterated that all wet wastes are collected by the respective concerns from the respective locations and not from the site. The Official Respondents have been performing within the parameters of law and have not failed in any of their duties. The 7<sup>th</sup> Respondent is following the Solid Waste Management Rules, 2016. The Resource Recovery Park is not against any environmental law. The Resource Recovery Park does not stink and is not a garbage dumping yard. Since the Resource Recovery Park by the 7<sup>th</sup> Respondent is legal and since the same is in conformity with the Solid Waste Management Rules, 2016, no action is called for.

**IMPLEMENTATION OF SOLID WASTE MANAGEMENT BY  
RESPONDENT 7 SINCE 2017**

Minjur Town Panchayat has applied for permission to TNPCB and the same was granted as:

...to operate waste processing/recycling/treatment/disposal facility at SF No. 82/93 R.R Palayam Village, Ponneri Taluk, Tiruvallur District – valid up to 31.03.2020 given by TNPCB.

The MinjurTown Panchayat is a small urban local body in which the permanent/sanctioned posts are minimum. The Town Panchayat has 46 sanctioned posts for water supply, sanitation, street light maintenance works. Out of which 7 posts are vacant and due process has to be followed to fill the same in accordance with Government Rules. The existing staff are not sufficient to meet out the requirement considering the rapid us growing households and population.

Since the state formulated the Solid Waste Management Rules 2016(Management and Handling), the Town Panchayats were authorised under memo of understanding to engage self help groups to handle the process of Solid Waste Management Activities in Town Panchayats.

Page No.6

No. of Corrn.: Nil

  
EXECUTIVE OFFICER  
MINJUR TOWN PANCHAYAT  
THIRUVALLUR DISTRICT

Accordingly, the services of named "Ramanujam Social Service Society & Green Service Trust" was engaged to supplement the existing sanitation team and to ensure proper implementation of Solid Waste Management activities as per Solid Waste Management Rules 2016.

All activities went well however, the effective implementation was affected due to Corona pandemic lock down period which was announced from 23<sup>rd</sup> March 2020. Since the entire team was busy in the containment of COVID-19 and the SHG could not provide additional personnel required, the Town Panchayat had to place some additional temporary arrangements on contract basis. Due to the above reasons, the Door-to-Door collection and waste segregation at source activities temporarily disturbed. However, the same Door to Door collection and segregation process at source are being addressed and the same is improved at present in proper manner. As on status of 21.06.2021, the door to door collection and segregation at source is as follows:-

**Present Door to Door collection - 100%**  
**Segregation at source - 80%**

Recently 3 nos. of Battery Operated Vehicles were purchased for effective Door to Door Collection and segregation at source. The same has been put in to operation from the year of 2018-19.

**SOLID WASTE MANAGEMENT – QUANTUM OF MUNICIPAL SOLID WASTE:**

(i) The Town Panchayat generates an average 7.27 Metric Tonnes of Solid waste in a day as mentioned below:

Bio – Degradable Waste - 4.21 MT  
 Non-Bio-degradable waste - 3.06 MT

(ii) The Non-biodegradable waste daily generated includes the following categories.

1	Plastics	1.05 MT
2	Glass, Rubber and Tyresetc	0.66 MT
3	Clothes, Bed, wood waste etc	0.500 MT
4	E-waste	0.100 MT
5	Drainage silt	0.750 MT

Page No.7

No. of Corrn.: Nil

  
 EXECUTIVE OFFICER  
 MINJUR TOWN PANCHAYAT  
 THIRUVALLUR DISTRICT

**I. Number of staff and vehicles engaged by the Town Panchayat to comply with the Rule 2016**

Executive Officer	1
Sanitary Workers (permanent)	30
Sanitary workers through outsourcing	55
<b>Vehicles :</b>	
Mini Lorry	2
Mini Compactor	1
Tata Ace	1
Battery Operated Vehicle	2
Tri cycle	5
Push cart	37
Tractor	2
Bolero Jeep	1

**II. RESOURCE RECOVERY PARK**

The Dump Yard is located near by the Kosasthalaiyar River in Town Survey No: 81,82,93 & 95 and the extent of the Resource Recovery Park is 2.90 acres, as the land classification is Vellakarai Purambokku which is under the control of PWD. Resource Recovery Park established in this land in 2007-08, to segregate both bio and non-biodegradable wastes by employing manpower. The Solid waste generated in the Town Panchayat areas is transported to the above Resource Recovery Park after segregation at the doorstep for further processing and disposal.

**III. PRESENT SYSTEM OF WASTE PROCESSING AND DISPOSAL**

Sl No	Category of wastes	Quantity generated per day in M.T	% of Processing	Present method of processing	Method of disposal
1	Biodegradable waste	4.21 MT	100%	Windrow composting	Manure produced
2	Non-Biodegradable Waste a. Plastic-Saleable / Recyclable	0.470 MT	80%	Stored at Resource Recover Park and sold to potential Recyclers/vendors	By sale

Page No.8

No. of Corrn.: Nil

  
**EXECUTIVE OFFICER**  
**MINJUR TOWN PANCHAYAT**  
**THIRUVALLUR DISTRICT**

	b. Plastics-Reusable	0.330 MT	100%	Shredded by using plastic shredders and used for B.T Road laying works	By sale
	c. Plastics-Non saleable / Non Reusable / combustible	0.250 MT	80%	Stored and sent to Cement industries for co-processing	To Cement Industries
	d. Glass, rubber, tyre	0.200 MT	100%	Daily collected waste are incinerated	Recycle
3	Domestic Hazardous waste a. Electric wires/chokes/ Battery/ paint containers/Bulbs	0.020 MT	90%	Stocked at Resource Recovery Park and sold to TNPCB authorised vendors	Sold to TNPCB authorised vendors
	b. Napkins/Diapers/used medical cotton waste etc	0.010 MT	100%	Daily collected waste are incinerated at Resource Recovery Park	Incineration
4	Other Dry waste Unused Bed/Pillows/Mats/ clothes/Wood pieces etc	0.500 MT	90%	Collected and stored separately in the Resource Recovery Park. Proposed to be disposed through incineration	Incineration
5	Construction and Debris Wastes	0.450 MT	100%	Separate place is earmarked in the Town Panchayat. Quantity generated per day is very less and hence used for low-lying areas in the wards.	Low-lying areas filling
6	E-waste	0.08 MT	100%	Collected and stoked at Resource Recovery Park. Sold to potential Recycling vendors authorised by TNPCB	Sold to TNPCB Vendors
7	Inert Drain silt etc	0.750 MT	100%	Collected separately and filled up in low-lying areas	Low-lying areas filling

#### IV. LEGACY WASTE

There is legacy waste in the Resource Recovery Park at present. The solid waste daily collected is processed through windrow composting so as to produce organic manure 2091 Cu.m. Bio-Mining. Anna University's Centre for Environmental Studies inspected the Resource Recovery Park to guide the Town Panchayat in relation to removal and disposal of the legacy waste. Town Panchayat has supplied its work order to "Green Service Trust, Tambaram 600 045" on 9<sup>th</sup> August 2021, to be completed within six months from this date. Total estimated costs for this project is around Rs. 18.5 lakhs.

#### V. BIO MEDICAL WASTE

As per the Solid Waste Management Rules 2016, collection and disposal of Bio Medical Waste are the responsibility of State Pollution Control Board. There are 4 Nursing Homes, 1 Govt Primary Health Centre and 6 small private clinics situated within the Minjur Town Panchayat limits. The Bio Medical Waste generated from the above medical facilities are collected by the private contractor, who is authorised by the Tamilnadu Pollution Control Board. The Town Panchayat is periodically contacting the above 11 hospitals and monitoring them to ensure the Bio Medical Wastes are not disposed off into Town Panchayat solid waste management stream.

#### VI. IMPLEMENTATION OF PLASTIC WASTE MANAGEMENT RULES 2016

The Government of Tamilnadu in order G.O.Ms No: 84, Environmental and Forest Department, dated. 25.06.2018 has issued orders for ban on the use of one time use and throw away plastics in urban local bodies.

Based on the orders, continuous raids, monitoring activities and IEC activities are being carried out to ban the sale and use of one time use and throw away plastics.

From 1/8/2020 to till 22/12/2020 periodically raids were conducted, seized to the tune of 1 ton(one time use and throw away plastics) and Rs 85,000/- of fine was imposed and collected by the Town Panchayat. Continuous unannounced inspections have been conducted and IEC activities are being carried out, in this regards challans are enclosed here with.

Page No.10

No. of Corrn.: Nil

  
 EXECUTIVE OFFICER  
 MINJUR TOWN PANCHAYAT  
 THIRUVALLUR DISTRICT

**VII. LACK OF ADEQUATE SPACE FOR RESOURCE RECOVERY PARK**

At present, the Resource Recovery Park is functioning in an area of 2.90 acres which is classified as Vellakaraiporambokku. Recently District Collector allocated total extent of 1 hectare and 19 ares land R.S 185, 186 and 187 at Kalpakkam Village, Ponneri Taluk. District Collector's recommendation is currently with the Additional Chief Secretary/Land Administration Commissioner.

**VIII. MINJUR TOWN PANCHAYAT ACHIEVEMENT SINCE THE HON'BLE TRIBUNAL'S ORDER**

As directed by the National Green Tribunal, the committee inspected the Minjur Town Panchayat on 04/12/2020 and held discussion with the Executive Officer of Town Panchayat. Now the Town Panchayat has taking additional steps to improve the implementation of Solid Waste Management Rules 2016.

- Door to Door Collection - 100% will be achieved.
- Segregation and Source and 100% - Additional workers were engaged will be Achieved.
- Waste Processing – Wastes collected are processed & achieved 100%. Bio-Degradable waste will be processed to produce manure using windrow composting.

17. It is submitted that in the interest of justice it is just and necessary that this Hon'ble Tribunal may be pleased to waive the cost imposed to remit interim Environmental Compensations by considering the fact that the Town Panchayat is small local body, dependent solely on its Taxes, though there is financial constraint on our local body we are implementing SWM and given the fact that the request of Minjur Town Panchayat for identification and allotment of a suitable site for setting-up the land-filling site together with all facilities, including the Resource Park and Incinerators, is pending active consideration with the Government through the District Collector and also considering the fact the Town Panchayat is continuing to discharge its function within the available scarce resources, for allegedly not complying with the provisions of the Solid Waste Management Rules,

Page No.11

No. of Corrn.: Nil

2016, as directed by the Principal Bench of this Tribunal by its order dated 28.02.2020. The delay is neither willful nor wanton, but due to the aforesaid bonafide administrative exigencies. We are also in the process of appealing the show cause notice received from the second respondent.

Under these circumstances it is respectfully prayed that this Hon'ble Court may be pleased to dismiss this Original Application, O.A.No.64/2020, and thus render justice.

Solemnly affirmed at Minjur, Thiruvallur; }  
 this the 24<sup>th</sup> day of August 2021; }  
 and signed his name in my presence, }  
 after the contents of this Reply were }  
 read out and explained in Tamil / English }  
 to the Deponent, who appeared to have }  
 understood the same. }

  
**EXECUTIVE OFFICER**  
**MINJUR TOWN PANCHAYAT**  
**THIRUVALLUR DISTRICT**

BEFORE ME