

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

Original Application No. 64 of 2020 (SZ)

V.Rajesh,
Tiruvallur District.

...Applicant(s)

Versus

Union of India,
Rep. by its Secretary
The Ministry of Environment Forest
and Climate Change,
Jorbagh, Lodhi Colony,
New Delhi – 110003 and 13 others.

...Respondent(s)

INDEX

S.No	Description	Page No.
1.	REPORT FILED ON BEHALF OF THE 2ND & 12th RESPONDENTS - TAMIL NADU POLLUTION CONTROL BOARD.	1 - 6

**Filed by
Thiru. S. Sai Sathya Jith,
Advocate, Chennai.**

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**REPORT FILED ON BEHALF OF THE 2ND & 12TH RESPONDENTS
TAMIL NADU POLLUTION CONTROL BOARD.**

I, R. Rajamanickam, Son of P.M.Ramasamy, Hindu, aged about 57 years, having my office at No. 76, Mount Salai, Guindy, Chennai – 600 032, do hereby solemnly affirm and sincerely state as follows:-

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai and I am filing this Report on behalf of the 2nd & 12th Respondents TNPC Board and as such I am well acquainted with the facts of the case as per records.

2. It is submitted that the Hon'ble NGT has directed the Tamil Nadu Pollution Control Board in its order dated 10.03.2022 inter alia that:

“Para 5: The Tamil Nadu Pollution Control Board (TNPCB) is also directed to inspect the area in question and ascertain as to whether the recommendations made by the joint committee have been complied with or not and what is the stage of implementation of the Solid Waste Management Rules, 2016 including disposal of the legacy waste in the dump yard and also what is the nature of action taken in this case on the basis of the directions of the principal bench of National Green Tribunal in O.A.No.606 of 2018”.


12/4/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,

3. It is respectfully submitted that, in order to comply the said NGT order, the facility was inspected by the DEE, TNPCB, Gummidipoondi on 05.04.2022 along with the EO & other officials of Minjur Town Panchayat and discussed about the Solid Waste Management in that area as well as compliance of the recommendations made in the joint committee report submitted on 22.06.2021.

4. It is respectfully submitted that, Minjur is a Town Panchayat located in Thiruvallur District has a population of 28,377 as per Census India 2011. The town is spread over an area of 8.28 sq. km. The Current population (as of 2021) of 34,004 is distributed in 18 wards and generates about 7.27 metric tons of solid waste per day. The biodegradable wastes contribute to about 4.21 MT & Non-degradable to about 3.06 MT. The bio degradable waste is being processed, at present, area near the Kosasthalai River flood zone. As suggested in the joint committee report, new area for processing solid waste is under progress. As per the information, solid waste generated is collected door to door 100% & 80% of waste is being segregated at sources. The plastic waste is bailed and sent to recycler. Incinerable wastes are being stored and disposed along with biomined waste for co-processing/incineration through recycler, whereas no records are being maintained for disposal of fresh recyclable & incinerable waste.

Compliance of suggestions made in joint Committee Report dt. 22.06.2021

i. Minjur Town Panchayat shall clear the dumped solid waste (legacy wastes) in the processing/ dump site by carrying out Bio mining as per CPCB guidelines;

a. Centre for Environmental Studies (CES), Department of Civil Engineering, Anna University, Chennai has prepared DPR in the Month of August 2021 and suggested for bio mining. As per the report, the estimated quantity of legacy waste is about 2300 m³. Subsequently, the biomining of legacy waste work was awarded to M/s. Green Service Trust

b. The biomining activity is being periodically monitored by CES, Anna University with respect to quantity of legacy waste processed,

material recovered and disposed. The quantity processed during the month of October 2021 to March 2022 is as detailed below;

Month	Quantity Processed in Kg					
	Qty Processed	RDF – plastic	RDF – Chappal, Bags	RDF - cloth	Compost Sand	Recyclable waste
Oct-21	53547	13387	2677	3480	33736	267
Nov-21	Not processed due to rain					
Dec-21	55248	13812	2762	3591	34807	276
Jan-22	94347	23587	4717	6132	59440	471
Feb-22	410553	102638	20528	26686	258647	2054
Mar-22	451777	112944	22589	29366	284619	2259
Total	1065472	266368	53273	69255	671249	5327
Balance quantity to process				Approx. 2650 kg		

ii. The Executive Officer, Minjur Town Panchayat in coordination with District Administration shall identify an alternate land for handling and treatment (Processing & Incineration) of municipal solid waste as per the Solid Waste Management Rules, 2016

a. The Executive Officer (EO), Minjur Town Panchayat has identified & submitted proposal for alternate land to Government of Tamil Nadu through District Collector, Thiruvallur. In turn, Commissioner of Land Administration has made a query and requested District Collector, Thiruvallur to re-submit land transfer proposal afresh after issuing enter upon permission.

b. Minjur Town Panchayat has written letter to the concerned department for obtaining NOC as query raised in land transfer.

iii. Minjur Town Panchayat shall ensure 100% collection of solid waste being generated within its jurisdiction with proper segregation, door to door collection, processing and disposal by complying with the provisions of the Solid Waste Management Rules 2016

R. Kumar
12/10/22
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
MOUNT SAI AL GUINDY

It is informed that Solid Waste generated is collected door to door 100% & 80% of waste is being segregated at sources. About 7.27 metric tons of solid waste is being generated per day, in which the biodegradable is about 4.21 MT & Non-degradable is about 3.06 MT, whereas no records are being maintained for disposal of recyclable & incinerable waste.

iv. The Minjur Town Panchayat shall remit interim Environmental Compensation (EC) of Rs.12 Lakhs for not complying with the provisions of the Solid Waste Management Rules, 2016, as directed by the Hon'ble National Green Tribunal (Principal Bench) in its order dated 28.02.2020.

a. It is submitted that the Environmental Compensation calculated for non-compliance of Solid Waste Management Rules ,2016 for the period 01.04.2020 to 30.09.2020 of Rs 12 lakhs is not yet remitted to TNPCB by Minjur Town Panchayat till date.

b. Further it is submitted that Show cause notice had been issued to the Minjur Town Panchayat vide Proceeding No.T1/TNPCB /LAW / NGT / SWM / F.9322/ GMP / 2020 / 2021-1 Dt.21.06.2021 under section 5 of the Environment (Protection) Act,1986 as amended as to why the Board shall not recover interim Environmental Compensation of Rs.28.0 Lakhs (from April 2020 to May 2021) for the non compliance of Solid waste Management Rules,2016.

c. Also, Directions had been issued to the Minjur Town Panchayat under section 5 of the Environment (Protection) Act, 1986 as amended vide Proc.No.T1/TNPCB/LAW/NGT/SWM/F.9322/GMP/2020/2021-2 Dt.21.06.2021 for strict compliance of the following.

- The Minjur Town Panchayat 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.
- The Town Panchayat shall shift the existing composting facilities to the site identified at Kalpakkam Village as proposed after obtaining the Authorization of the Board.
- The Town Panchayat shall clear the dumped solid waste (legacy waste) for further bio mining process after obtaining

approval from the Government of Tamil Nadu and in accordance with the provisions of SWM Rules, 2016.

- The Minjur Town Panchayat shall ensure 100% collection of solid waste being generated within its jurisdiction with proper segregation, door to door collection, processing and disposal by complying with the provisions of the Solid Waste Management Rules 2016.
- The Executive Officer, Minjur Town Panchayat shall monitor and ensure the compliance with the statutory requirements and for the scientific disposal of solid waste that are being generated in the local body, till commencement of the new facility.
- The Minjur Town Panchayat is liable to pay Environmental Compensation for non compliance of the conditions stipulated vide Sl. No. 1 to 5.

5. It is respectfully submitted that, Minjur Town Panchayat has carried out biomining of legacy waste, which is in the completion stage and in process of getting final approval for the identified land for shifting of Solid Waste Processing site. Based on the progress made, the following are suggested.;

- Minjur Town Panchayat shall expedite the matter and complete the processing of remaining legacy waste. CES, Anna University shall ensure that the legacy waste is completely removed & processed before issuing completion certificate.
- MinjurTown Panchayat shall expedite the process of shifting the solid waste processing site to the newly identified area. District Collector shall issue the enter upon permission to the identified land.
- Minjur Town Panchayat shall also obtain necessary approval/Authorisation from TNPCB for the newly identified processing site as per SWM, Rules 2016
- MinjurTown Panchayat shall maintain proper records for disposing of Recyclable & Incinerable waste.


12/14/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

- PWD/ Minjur Town Panchayat Shall develop Green belt in the area after removal of the legacy waste.

6. It is further submitted that, an Environmental Compensation of Rs. 28 Lakhs (including Rs.12.0 Lakhs as assessed by the Joint Committee) has not yet remitted by the Minjur Town Panchayat and not yet complied the directions issued by the Board. Further, the Board has proposed to impose an interim Environmental compensation of Rs.10.0 Lakhs for the period June'2021 to March 2022.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) may be pleased to pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of this case and thus render justice.


24/10/22
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUNDY,
CHENNAI-600 032.
BEFORE ME

VERIFICATION

I, R. Rajamanickam, Son of P.M.Ramasamy, working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-600 032, do hereby verify that the contents of above report are true to the best of my knowledge through records


24/10/22
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
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CONTROL BOARD.**

**Advocate for Respondent
No.TNPCB
Thiru.S. Sai Sathya Jith ,
Advocate, Chennai.**

Date:12.04.2022.

Date of hearing on:13.04.2022.

