

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

**Application No.80 of 2017(SZ)**

P.Premkumar,  
S/o. Paulchamy,  
Plot No.26, Needhi Nagar,  
Othakadai,  
Madurai.

...Applicant

**-Vs-**

The Secretary to Government,  
Department of Environment and Forests,  
Government of Tamil Nadu,  
Fort St. George,  
Chennai & 7 others.

...Respondents

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

**BEFORE THE NATIONAL GREEN TRIBUNAL  
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...Applicant

-Vs-

1. The Secretary to Government  
Department of Environment and Forests,  
Government of Tamil Nadu  
Fort St. George,  
Chennai.
2. The Secretary to Government  
Public Works Department  
Government of Tamil Nadu  
Fort St. George,  
Chennai.
3. The Tamil Nadu Pollution Control Board,  
Rep. by its Member Secretary  
76, Mount Salai, Guindy, Chennai – 600 032.
4. The District Environmental Engineer,  
Tamil Nadu Pollution Control Board,  
Sidco Industrial Estate,  
Kapplur, Thirumangalam Taluk, Madurai 625 008.
5. The District Collector,  
Madurai Collectorate Office  
Madurai District,  
Alwarpuram, Madurai 625 020.
6. The Thasildar  
Madurai East Taluk,  
Othakadai , Madurai District.
7. The Executive Officer,  
Othakadai Panchayat,  
Madurai
8. The Block Development Officer,  
Madurai East Panchayat Uniton,  
Othakadai, Madurai.

... Respondents

  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD

**REPORT AS PER THE ORDERS OF THE HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE, CHENNAI ON THE ORIGINAL APPLICATION NO.80 OF 2017 (SZ) & I.A.NO.42 OF 2019 IN THE MATTER OF INDISCRIMINATE DISPOSAL OF GARBAGE IN THE CREMATION GROUND AT OTHAKADAI, MADURAI DISTRICT.**

I, R.Sarasavani, D/o. Raghavan, Hindu, aged about 56 years, having my office at No. 76, Mount Salai, Guindy, Chennai -600032, 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 1<sup>st</sup> & 3<sup>rd</sup> Respondents Tamil Nadu Pollution Control Board and as such I am well acquainted with the facts of the case as per records.

2. It is respectfully submitted that the Hon'ble NGT has issued the following directions in the order dated: 11/01/2021.

***i) The Pollution Control Board is also directed to submit a detailed report as directed by this Tribunal in the earlier orders regarding the action taken for non-implementation of the Solid Waste Management Rules, 2016 non-compliance of the directions issued by the Principal Bench of National Green Tribunal in O.A.No.606/2018 before the next hearing date.***

3. It is respectfully submitted that the District Environmental Engineer, TNPCB, Madurai has inspected the private lands at Idayapatti Panchayat

*Alan*  
28/7/2021

and Kodikulam Panchayat in which legacy waste of Othakadai village Panchayat was dumped on 21.07.2021 and reported the following:

- i. 2300 tons of legacy waste of Othakadai Village Panchayat dumped at Idayapatti and Kodikulam Panchayat were removed and transferred to Sakkimangalam Solid Waste Management facility where biomining of the legacy waste was carried out as reported by the local body.
- ii. Further, the Block Development Officer, Madurai East Panchayat Union vide letter dated 20.07.2021 has reported that the biomanure of 2277 Tons obtained from the biomining of biodegradable waste was handed over to the sub village of Sakkimangalam Village Panchayat and the non-biodegradable waste such as Plastic, glass and iron of 11.5 Tons were sent to the recycling units.
- iii. The Madurai East Panchayat Union has proposed to establish Micro Composting Centre and Shed at a cost of Rs. 24 Lakhs and the said work will be completed within a month.
- iv. During inspection on 21/07/2021, it was found that about 150 Tons of un-segregated solid waste generated from the Othakadai Village Panchayat was dumped in Vowval Thottam of Othakadai Village from the month of January 2021 onwards. Also a Micro Compost Centre shed has been constructed at the cremation yard of Othakadai Village Panchayat and yet to be commissioned.
- v. The DEE, TNPCB, Madurai vide letter dated 22.07.2021 has addressed the Block Development Officer, Madurai East Panchayat Union to carry out the solid waste management as per the Solid Waste Management Rules, 2016.

*dlan*  
28/7/2021  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No. 76, MOUNT SALAI, CHENNAI-600 032

3. It is submitted that the unsegregated solid waste generated from the Othakadai Village Panchayat is being dumped in Vowval Thottam of Othakadai Village and the village panchayat has not complied with the provisions of the Solid Waste Management Rules, 2016. In accordance with the Hon'ble NGT, Principal Bench, New Delhi order dated 02.07.2020 in OA No. 606 of 2018, Tamil Nadu Pollution Control Board has assessed an amount of Rs. 15 lakhs as an interim Environmental Compensation for the period from April 2020 to June 2021 to the Madurai East Panchayat Union for non-compliance of SWM Rules, 2016. In this regard, TNPCB vide Board Proc. No. T1/TNPCB/LAW/NGT/SWM/F. 09903/MDU/2017 Dated 28.07.2021 has issued Show Cause Notice under section 5 of Environment (Protection) Act, 1986 to the Block Development Officer, Madurai East Panchayat Union as to why the Board shall not levy Interim Environmental Compensation of Rs. 15 Lakhs (from April 2020 to June 2021) for the non-compliance of Solid Waste Management Rules, 2016

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 circumstances of this case and thus render justice.

*Alan*  
*28/7/20*

JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No. 76, MOUNT SALAI, CHENNAI-600 032

**BEFORE ME**

**VERIFICATION**

I, R.Sarasavani, D/o. Raghavan, working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai, do hereby verify that the contents of above report are true to the best of my knowledge through records.

Verified at Chennai on this 28<sup>th</sup> day of July, 2021.

*Ran*  
28/7/2021  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No. 76, MOUNT SALAI, CHENNAI-600 032

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... Respondents

**REPORT FILED BY TNPCB AS PER THE  
ORDERS OF THE HON'BLE NATIONAL  
GREEN TRIBUNAL,(SZ)**

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

Date: 28.07.2021

Date of Hearing: 29.07.2021