

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

ORIGINAL APPLICATION NO. 86 of 2021 (SZ)

N.Samiraja,
Perambalur District

...Applicant

Vs

The Chief Engineer,
Tamil Nadu Public Works Department,
Chennai and Ors.

...Respondents

INDEX

S.No	Description	Page No.
1	REPORT FILED ON BEHALF OF THE 2nd & 4th RESPONDENTS - TAMIL NADU POLLUTION CONTROL BOARD	1- 9

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

REPORT OF THE JOINT
COMMISSION

ON THE
MATTERS

...

...

...

...

...

...

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

ORIGINAL APPLICATION NO. 86 of 2021 (SZ)

N.Samiraja,
Perambalur District

...Applicant

Vs

The Chief Engineer,
Tamil Nadu Public Works Department,
Chennai and Ors.

...Respondents

**REPORT FILED ON BEHALF OF THE 2nd & 4th RESPONDENTS -
TAMIL NADU POLLUTION CONTROL BOARD**

I, J. Josephine Sahayarani, D/o. Jesu Rajan, Christian, 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 the status Report on behalf of the 2nd & 4th 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 National Green Tribunal (Southern Zone) in its order dated 23.03.2021, has directed inter alia as follows:

" Para 10: In order to ascertain the genuineness of the allegations made, we feel it appropriate to appoint a joint committee comprising of

(1) The District Collector, Perambalur District or a Senior Officer not

J. Josephine Sahayarani 86/10/8/2021
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

below the rank of Assistant Collector or Sub Divisional Magistrate to be deputed by the District Collector, (2) a Senior Officer from the Tamil Nadu Pollution Control Board (TNPCB) as designated by its Chairman, (3) a Senior Officer from not below the rank of the Superintending Engineer from Public Works Department (PWD) and Water Resources Organisation (WRO) who is in charge of that area to inspect the area in question and submit a factual as well as action taken report, if there is any violation found.

Para 11: The committee is also directed to ascertain as to the nature of drainage system that is likely to be provided, the nature of discharge of sewage that is being followed in that area, whether proper drainage system has been provided including the treatment facility of sewage being collected through the public drain before it is being discharged into the water body.

Para 12: The committee is also directed to ascertain as to whether the Solid Waste Management Rules, 2016 is being strictly implemented in that area and if not what is the action taken by the regulators against such authorities or persons who are violating the same as has been directed by the Principal Bench of National Green Tribunal in O.A. No. 606 of 2018.

Para 13: The committee is also directed to conduct the water analysis test in the sewage canal as well as the river at different locations in respect of Faecal Coli Form (FC) and Total Coli Form (TC) apart from other criteria to be analysed to assess the quality of the water and if there is any contamination caused on account of the illegal

J. for 2017 10/18/2017
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI-600 032.

activities then they are directed to suggest the remedial measures for rectifying the same and if there is any sewage treatment plant provided, then, conduct analysis of its quality after taking samples from inlets and outlets of the sewage treatment system if any to ascertain as to whether it confirms to the standard provided and if not, suggest the nature of upgradation required and to assess the environmental compensation against those persons for causing pollution.

Para 14: The Public Works Department (PWD) will be the nodal agency for coordination and also for providing necessary logistics for this purpose.

Para 15: The Committee is directed to submit the report to this Tribunal on or before 07.05.2021 by e- filing."

3. It is respectfully submitted that further the Hon'ble National Green Tribunal (SZ), Chennai passed an order dated dt: 18.06.2021 inter alia that,

Para 6: The Tamil Nadu Pollution Control Board is directed to submit an independent report as to whether any sewage is being discharged into the water body and whether the Solid Waste Management Rules, 2016 is being implemented and the direction issued by the Principal Bench of National Green Tribunal, New Delhi in O.A. No.606 of 2018 in this regard were strictly complied with by the local body and if not, what is the nature of action taken by them.

4. It is submitted that in pursuance to the above Hon'ble NGT order, the said area was inspected on 30.06.2021 and on 02.07.2021 as

J. J. Kumar 8/10/2021
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI-600 032.

per the Hon'ble National Green Tribunal (SZ), Chennai and the following observation were made

- V.Kalathur is a Village, situated in Veppanthattai Taluk of Perambalur District.
- The village is situated in the bank of Kallar River.
- The total extent of the village is 13.56 Sq.Km and it has a population of about 10160 numbers.
- The village generates Solid wastes of quantity 0.5 Tonnes per day
- The Solid Wastes generated from the village area were collected through door to door mechanism and the village panchayat utilizes push cart for collection of municipal solid wastes generated from the village.
- The village has three solid waste processing facilities within its boundary, 2 facility in Mettuchery of capacity 1 Ton each and other at Melatheru of capacity 1 Ton for the treatment of solid wastes generated.
- The generated Solid wastes are partially segregated and vermin composted, the segregated plastics are sold out to recyclers.
- The village partially dumps the generated solid wastes in the river Kallar at Latitude $11^{\circ}24'08.5''N$ & Longitude $78^{\circ}55'57.1''E$ and so far the dumped and accumulated solid wastes in the river Kallar is about 60 Tons by the village.

J. J. Kumar
10/8/24

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



The Photographic proof of solid wastes being disposed at river Kallar by the V.Kallathur Panchayat at Latitude 11°24'08.5"N & Longitude 78°55'57.1"E

5. It is respectfully submitted that there are no proper drainage system facility in the village V.Kallathur at present most of the residential houses in the village have septic tank arrangement system for sewage treatment and the over flow from the septic tank along with sullage was observed to be discharged into storm water drains and thereby drains into Kallar River and gets stagnated in the river bank.



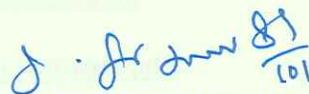
Photograph in proof of stagnation of Sewage/Sullage effluent in the river Kallar

J. Arumugam
 10/18/2014
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI-600 032,

6. It is respectfully submitted that the report analysis of the collected sample reveals that the samples are exceeding the prescribed standards of Sewage Treatment Plants and further it is submitted that there are no industries located in the village and hence there is no illegal discharge of any trade effluent and the only discharge is the domestic Sewage/Sullage generated from the village . The village administration may provide adequate sewage treatment plant for the treatment of sewage generated from the village.

7. It is respectfully submitted that the Consolidated Report of analysis of the samples collected is submitted below:

Sl. No.	Parameters	Unit	Standards of STPs as per MoEF & CC Notification dated 13.10.2017	Point of Collection			
				Kallaru V.Kalathur Village open drain	Millath Nagar open drain	V.Kalathur open drain	V.Kalathur West Village open drain
1.	pH	mg/1	6.5 - 9.0	7.02	7.28	7.29	7.16
2.	Total Suspend ed Solids	mg/1	<100	96	312	64	296
3.	BOD at 27°C for 3 days	mg/1	30	20	40	55	66
4.	COD	mg/1	-	208	360	368	488
5.	Ammonic al Nitrogen as NH3-N	mg/1	----	5.6	18.48	17.36	25.76
6.	Total Nitrogen*	mg/1	---	19.57	43	31.92	46.74
7.	Feacal Coli form*	MPN/100 ml	<1000	2100	23x10 ⁴	23 x 10 ³	25 x 10 ³
8.	Total Coliform*	MPN/100 ml	-	4300	49X10 ⁴	46 x 10 ³	58 x 10 ³


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

8. It is respectfully submitted that the Hon'ble National Green Tribunal (Principal Bench) in its order dated. 28.02.2020 in O.A.No.606 of 2018 vide para 41 (a) 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.

Any such continued failure will result in liability of every Local Body to pay compensation at the rate of Rs. 1 lakh per month per other Local Body from 01.04.2020 till compliance and vide para 41 (b) has directed that not commenced the legacy waste remediation process, the interim compensation of Rs.1 lakh per month to be paid by the local bodies having population less than 5 lakhs from 01.04.2020 till compliance".

9. It is respectfully submitted that in view of the above, as the population of the V.Kalathur Village as on date is about 10160 numbers, the Environmental Compensation to the V.Kalathur Village Panchayat to be levied is calculated as follows, for not strictly implemented the Solid Waste Management Rules, 2016, for the solid waste generated from the said village panchayat area. April, 2020 to June 2021 – Rs.1 Lakh/month x 15 Months = Rs.15 lakhs.

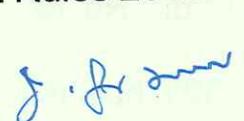
10. It is respectfully submitted that the total Environmental compensation to be remitted by the V.Kalathur Village Panchayat is amount of Rs.15 lakhs. The TNPCB vide its proceeding dated 22.07.2021 has issued Show Cause Notice to the Block Development

J. Prasad 8/10/2021
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI-600 032.

Officer, Veppanthattai Panchayat Union, Perambalur District as to why the Board shall not levy interim Environmental Compensation for the non-compliance of the Solid Waste Management Rules, 2016. As such the V.Kalathur village has not strictly implemented the Solid Waste Management Rules, 2016, thereby by disposing and dumping the solid wastes in the river Kallar at Latitude 11°24'08.5"N & Longitude 78°55'57.1"E.

12. Further it is respectfully submitted that, the TNPCB has issued directions under section 33A of the Water (P&CP) Act, 1974 vide proceeding dated 26.07.2021 to the Block Development Officer, Veppanthattai Panchayat Union of Perambalur District to comply with the following:

- i. The local body (V.Kalathur) shall immediately stop the discharge of untreated Sewage/Sullage effluent generated from the village into the River Kallar.
- ii. The local body shall provide full fledged underground sewerage scheme with sewage treatment plant with in period of 31.03.2022 for the treatment of sewage / sullage generated from the residences located in V. Kalathur Village.
- iii. The local body shall immediately remove the accumulated quantum of solid wastes and to stop further disposal of solid wastes dumping in the river Kallar bed.
- iv. The local body shall provide proper treatment and disposal method for solid waste as per Solid Waste Management Rules 2016.


10/8/2021
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

Further the Block Development Officer is also informed that the local body is liable to pay Environmental Compensation as per the order of the Hon'ble NGT(PB) in O.A.No.606 of 2018 dated 02.07.2020 for non-commencement of setting up of STPs before 31.03.2020 (i.e.,) for the period from 01.04.2020 to July, 2021.

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.

J. Josephine Sahayarani
10/8/2021
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.
BEFORE ME

VERIFICATION

I, J. Josephine Sahayarani, D/o. Jesu Rajan, 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 10th day of August, 2021.

J. Josephine Sahayarani
10/8/2021
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

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

**ORIGINAL APPLICATION NO. 86 of
2021 (SZ)**

N.Samiraja,
Perambalur District

...Applicant

Vs

The Chief Engineer,
Tamil Nadu Public Works
Department,
Chennai and Ors.

...Respondents

**REPORT FILED ON BEHALF OF
THE 2nd & 4th RESPONDENTS -
TAMIL NADU POLLUTION
CONTROL BOARD.**

**Advocate for Respondent No.TNPCB
Thiru. C. Kasirajan.**

Date:10.08.2021

