

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI.**

**Original Application No.90 of 2015 (SZ)  
With  
Original Application No.104 of 2016 (SZ)**

1. Zion Nagar Plot Owners Welfare Association,  
Velacherry,  
Chennai – 600 042.
2. Nandivaram Radha Nagar Residents Welfare Association,  
Guduvancherry,  
Kancheepuram.

...Applicant(s)

**Vs**

1. The Member Secretary,  
Tamil Nadu Pollution Control Board,  
Chennai & Others.

....Respondent(s)

S. No	Description	Page No.
1.	REPORT FILED ON BEHALF OF THE 1 <sup>st</sup> & 2 <sup>nd</sup> RESPONDENTS-TAMIL NADU POLLUTION CONTROL BOARD	1-6
2.	ANNEXURE	7

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

**REPORT FILED ON BEHALF OF THE 1<sup>st</sup> & 2<sup>nd</sup> RESPONDENTS -**  
**TAMIL NADU POLLUTION CONTROL BOARD**

I, R.Rajamanickam, S/o. P.M.Ramasamy, Hindu, aged about 57 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 1<sup>st</sup> & 2<sup>nd</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 National Green Tribunal (Southern Zone) in its order dated 02.07.2021 as follows:

*Para 5: "Though dumping of waste in the water body has been cleared and steps have been taken for protecting the water body, the implementation of the Solid Waste Management Rules, 2016 is not being properly implemented in that area which is clear from the earlier report submitted by the Chairman, Tamil Nadu State Level Monitoring Committee and also by the Tamil Nadu Pollution Control Board. The action taken to resolve the issue has not been forthcoming from the authorities who are expected to take action in this regard.*

*Para 6: So under such circumstances, we feel that one more opportunity can be given to the Nandivaram Gunduvancherry Town*

  
5/8/24  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD

*Panchayat, Tamil Nadu Pollution Control Board and also to the District Collector to file their report as directed by this Tribunal.*

*Para 7: They are directed to submit their respective reports to this Tribunal on or before 06.08.2021 by e-filing”*

3. It is respectfully submitted the Nandhivaram-Guduvanchery Town Panchayat is located in an extent of 8.5 Sq.km with a population of about 44098 as per Census 2011. The Nandhivaram-Guduvanchery Town Panchayat generates of about 13 T/day of Municipal Solid Wastes from its 18 wards.

4. It is respectfully submitted that Municipal Solid Wastes generated from the town panchayat area were collected through door to door mechanism and were earlier segregated in the solid waste processing site located at Kanniappa Nagar, Guduvanchery which is in an extent of 1Acre.

5. It is respectfully submitted that the local body has stopped dumping of solid wastes at Radha Nagar dump site and Zion Nagar dump site since from the Hon'ble NGT (SZ) Order dated 06.05.2016 and no fresh solid waste was dumped in the said areas.

6. It is respectfully submitted that, the area in question at Radha Nagar, Zion Nagar and Kanniappa Nagar was inspected by the TNPCB official on 03.08.2021 and the following observations were made

- i. No dumping of fresh solid waste was noticed at the areas in question at Radha Nagar and Zion Nagar.

*R. Jayaram*  
5/8/2021  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD

- ii. No dumping of fresh solid waste was noticed at the processing facility located at Kanniyappa Nagar.
- iii. Municipal solid waste earlier dumped at the processing facility located at Kanniyappa Nagar has not been removed from the said processing facility
- iv. It was informed by the said local body that the municipal solid wastes generated from the Nandhivaram-Guduvanchery Town panchayat is sent to the dump site located at Appur Village, Kattankolathur Block

7. It is respectfully submitted that the photographs taken during the time of inspection is enclosed as Annexure - I

8. It is respectfully submitted that, the Board vide proceedings dated 12.03.2021 has issued certain directions to the Nandivaram-Guduvanchery Town Panchayat and the status of the directions is stated as follows

S.No	Directions stipulated in the Board's proceedings dated 12.03.2021	Status of compliance of the directions by the Nandhivaram - Guduvanchery Town Panchayat
1.	The 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 solid waste generated from the said town panchayat area after collection is transported and dumped at the dump

  
 5/5/2024  
 JOINT CHIEF ENVIRONMENTAL ENGINEER  
 TAMIL NADU POLLUTION CONTROL BOARD

		site located at Appur village of Kattankolathur Block
2.	The 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 said town panchayat is carrying out 100% door to door collection, however the collected wastes are dumped at the dump site located at Appur village, Kattankolathur Block
3.	The town panchayat shall effectively operate the Micro Composting Centre located at SF No. 375/1 etc, Kanniyappa Nagar, Nandhivaram Village, Chengalpattu Taluk and District complying with the provisions of the Solid Waste Management Rules,2016	The MCC centre was not in operation during the time of inspection
4.	The town panchayat shall ensure that the legacy waste dumped in the MCC facility shall be removed immediately in accordance with the provisions of SWM Rules,2016	The said town panchayat has not removed the legacy waste dumped in the MCC facility
5.	The town panchayat shall levy fine on the violators dumping solid waste in the area in question under Local Body Acts,	The local has ensured to comply with.
6.	The town panchayat shall create awareness regarding the source segregation of the solid wastes and to encourage the public to deposit only	The local body has stated awareness programs on the segregation of solid

	segregated wastes and shall deploy sanitary supervisors to conduct various demonstrations regarding the segregation of the solid wastes and to demonstrate the home composting proves to the residents in all the residential areas in its jurisdiction	wastes are done regularly
7.	The town panchayat is liable to pay Environmental compensation for non compliance of conditions stipulated in 1 to 6	The town panchayat has not complied to the directions issued by the Board

9. It is respectfully submitted that the said town panchayat has not complied with the directions issued by the Board and also has not removed the legacy waste from the MCC facility at Kanniyappa Nagar.

10. 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 Tribunal to comply with Solid Waste Management Rules, 2016 interim compensation scale is to be 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

*R. Jayaram*  
5/07/2021  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No. 76, MOUNT SALAI, CHENNAI

bodies having population less than 5 lakhs from 01.04.2020 till compliance.

11. It is respectfully submitted that ,in view of the above, Nandhivaram- Guduvanchery Town Panchayat has been levied on interim Environmental Compensation of Rs.32 lakhs vide Board Proceeding dt 05.08.2021 for not segregating and properly disposing the solid waste generated from the said panchayat area and also not removing the legacy waste dumped at the MCC processing facility at Kanniyapa nagar, under section 5 of the Environmental Protection Act, 1986.

  
5/8/21  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No. 76, MOUNT SALAI, CHENNAI-600 032

**BEFORE ME**

**VERIFICATION**

I, R.Rajamanickam, S/o. P.M. Ramasamy , 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.

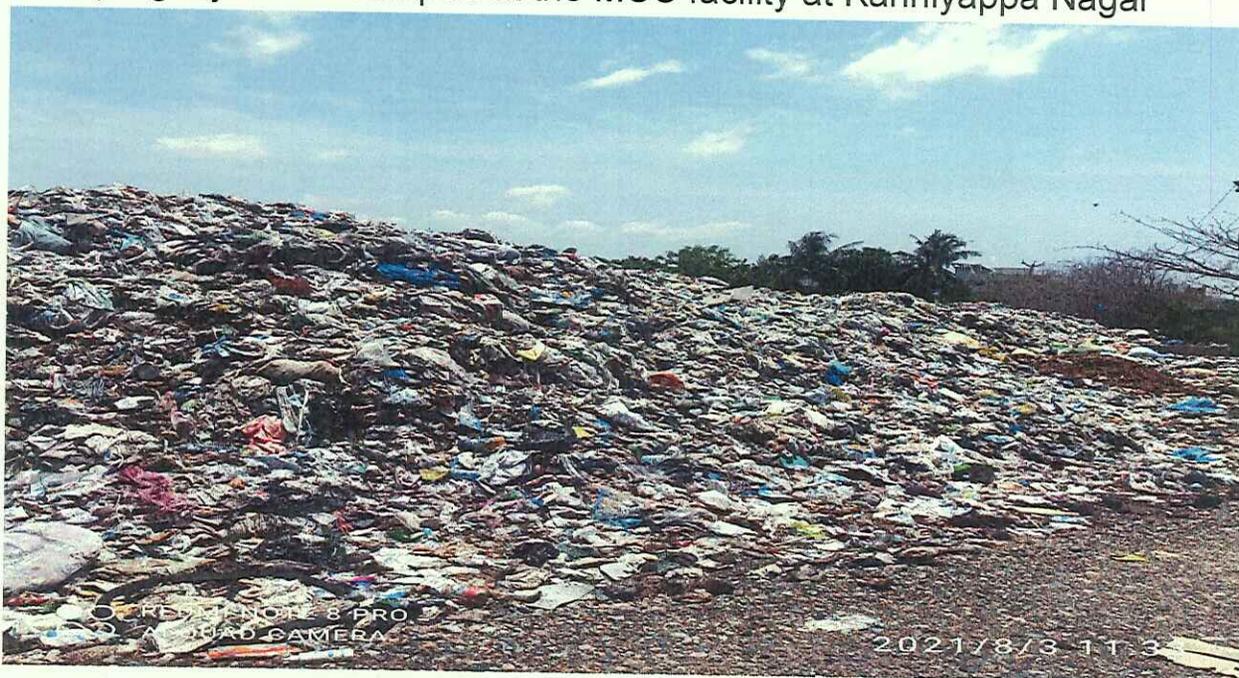
Verified at Chennai on this 05 day of August, 2021.

  
5/8/21  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No. 76, MOUNT SALAI, CHENNAI-600 032

## Annexure- I

. It is respectfully submitted that the Photographs taken during the time of inspection as follows:

a) Legacy waste dumped at the MCC facility at Kanniyappa Nagar



b) Legacy waste dumped at the MCC facility at Kanniyappa Nagar



*R. N. Srinivasan*  
5/8/2021

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

**BEFORE THE HON'BLE NATIONAL  
GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI.**

**Original Application No.90 of 2015 (SZ)  
With  
Original Application No.104 of 2016 (SZ)**

1 ZionNagarPlotOwnerWelfareAssociation,  
Velacherry,  
Chennai – 600 042.

2. Nandivaram RadhaNagar Residents  
Welfare Association, Guduvancherry,  
Kancheepuram.

...Applicant(s)

**Vs**

1.The Member Secretary,  
Tamil Nadu Pollution Control Board,  
Chennai  
& Others.

....Respondent(s)

**REPORT FILED ON BEHALF OF THE 1<sup>st</sup>  
& 2<sup>nd</sup> RESPONDENTS-TAMIL NADU  
POLLUTION CONTROL BOARD IN  
ORIGINAL APPLICATION NO.90 OF  
2015 WITH ORIGINAL APPLICATION  
NO.104 OF 2016.**

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

Date: 05.02.2021

Next date of hearing: 06.08.2021