

**BEFORE THE NATIONAL GREEN TRIBUNAL (SZ),  
AT CHENNAI**

**Application No.90 of 2015 (SZ)**

<b>Applicant(s)</b>	Zion Nagar Plot Owners Welfare Association, rep. by M. Ramesh Babu, Venkateswara Nagar, Velacherry, Chennai
<b>Respondents (s)</b>	<p style="text-align: center;"><b>Vs</b></p> <ol style="list-style-type: none"> <li>1. Member Secretary, Tamil Nadu Pollution Control Board, Chennai.</li> <li>2. The District Environmental Engineer Tamil Nadu Pollution Control Board Kancheepuram.</li> <li>3. The Executive Engineer, Nandhivaram Guduvancherry Town Panchayat, Kancheepuram District</li> <li>4. The District Collector, Kancheepuram</li> <li>5. The Secretary to Government, Public Works Department, Chennai-9</li> <li>6. The Chief Engineer, Palar Basin Water Resources Development, Chennai – 5.</li> <li>7. Venkatamangalam Panchayat Rep. by its Commissioner</li> <li>8. Kattankulathur Panchayat Union, Maraimalai Nagar rep. by its Executive Officer</li> </ol>

**Application No.104 of 2016 (SZ)**

<b>Applicant(s)</b>	Nandivaram Radha Nagar Residents Welfare Association Rep. by its Secretary, Mrs.N.Bhuvana, Nandivaram, Guduvancherry
<b>Respondents (s)</b>	<p style="text-align: center;"><b>Vs</b></p> <ol style="list-style-type: none"> <li>1. The Member Secretary Tamil Nadu Pollution Control Board No.76, Mount Road, Guindy, Chennai</li> <li>2. The District Environmental Engineer Tamil Nadu Pollution Control Board Kancheepuram.</li> <li>3. The Executive Engineer, Nandhivaram Guduvancherry Town Panchayat, Kancheepuram District</li> <li>4. The District Collector, Kancheepuram</li> </ol>

**STATUS REPORT**

**FILED BY THE COMMISSIONER OF TOWN PANCHAYATS**

I, Dr.R.Selvaraj, I.A.S., son of Thiru. S.Ramasmy Hindu, aged about 52 years, presently discharging my duties as Commissioner of Town Panchayat, having office at Urban Administrative Building, 75, Santhome High Road, Chennai – 28, file this status report for myself and on behalf of the Additional Chief Secretary, Municipal Administration and & Water Supply Department, as follows:

1. It is submitted that the applicants have filed the above applications in OA.Nos.90 of 2015 and O.A.No.104 of 2016, praying for close down the operation of dumping of garbage and Solid waste in Nandhivaram Lake, Zion Nagar and Radha Nagar layouts and remove the already dumped waste and take action for not implementing the order passed by the Principal Bench of Hon'ble Tribunal in Appeal No 20 and 24 of 2011 dated 24.02.2012, along with an application of interim injunction on 24.08.2015.
2. It is submitted that the Hon'ble Tribunal by its interim order dated 01.09.2021 has directed the Director of Town Panchayats and Additional Chief Secretary for Municipal Administration and Water Supply Department, to look into the issue and submit an action taken report in this regard, citing the matters have been pending since 2015 and 2016 respectively and directed to submit the report as directed by this Tribunal on or before 30.09.2021 by e-filing in the form of searchable PDF/OCR supportable PDF and along with the necessary hardcopies to be produced as per rules. Hence, the related events and compliances were reviewed with Town Panchayat and submit the status report as follows:
3. The Town Panchayat has reported that the Nadhivaram Guduvancheri that situated as gate way to Chennai from southern districts, spread over 8.5 Sq.Kms having population around 55000 and 13776 Households, 989 Commercial establishments, 4 Industries and more than 14 Educational Institutions etc., The Bus stand within Town Panchayat is a meeting point for more than 12 Villages. The Town Panchayat reported that 30 sanctioned posted for sanitary workers to manage the Solid Waste Management besides engaging in an average 60 additional man power on contractual basis with Dream Way utility Service and 30 man power through Green City Service Society.
4. It is further reported that the Town Panchayat had stopped dumping of solid waste on the bunds of Nandivaram Lake, immediate after interim injunction granted on 15.09.2015 and made temporary

arrangements within common spaces available, in absence of adequate exclusive land for processing of solid wastes generated with Town Panchayat. However, the resident's welfare associations had made objections, on every occasion while selecting new place within Town Panchayat. Therefore, the Town Panchayat had to make temporary arrangements with Maraimalainagar Municipality and Thirukazhukundram Town Panchayat.

5. It is submitted that under the above context, the Town Panchayat had commissioned Resource and Recovery Park at the 18<sup>th</sup> ward, located in Vallalar Nagar (SF.No. 375/2-7, 376/A1, 403-B1-4, 421/B1-4, 448/A1, 404/4, 5 in total extent of 1.00 acres, for segregation process of the solid wastes, collected by the sanitary workers and NGOs, from 15.09.2015.
6. It is submitted that the District Collector, Kancheepuram vide letter No.33991/2011/B1 dated 08.08.2016 had identified 04.05.0 Hectare (10.00 acres) of land classified as Kallankuthu Poramboke comprised in Survey No.99 Out of total extend 08.09.6 Hectare (20.00 acres) Keerapakkam Village for dumping yard to dump the Solid waste of cluster of 13 Village Panchayats and 8 Town Panchayats, resepctively. Thereafter, enter-upon permission was issued on the same date of 08.08.2016. However, the order of alienation was challenged by the then President of the Keerapakkam Village Panchayat, before this Hon'ble Tribunal in OA.No.272 of 2016. Nevertheless, the same was dismissed by order dated 11.07.2017. The review application No.13/2017 and Civil Appeal Diary No.40136 of 2017 were also dismissed.
7. It is submitted that subsequently the Town Panchayat had issued tender notification vide Na.Ka. No.019/2018/a1 dated 22.10.2018. The same was also challenged by way of WP No.3015/2018, by the same person who approached the Tribunal earlier. The Town Panchayat had filed counter affidavit and the said writ petition is still pending at the Hon'ble High Court of Madras.

8. The Town Panchayat had issued tender notification receivable by 14.11.2018, in Na.Ka.No. 019/2018/A1, dt:22.10.2018 inviting tenders for installation of Fertilizer Polt, Fertilizer Plant, Bt Road, Building of Compound wall, Security room, water facility, electrical and Toilet at an estimate cost of 4.69 Crore. The tender was not effected, as no tender was received.
9. The Town Panchayat has informed that they had stopped the dumping of solid waste in Lake Bund and cleared all the accumulated waste. Consequently, the PWD has fenced the lake as directed by this Hon'ble Tribunal, since strangers and miscreants used to dump solid waste on Lake Bund.
10. It is submitted that this Hon'ble Tribunal had constituted a Joint Committee comprising of the District Collector, Chengalpattu, Tamil Nadu Pollution Control Board and Public Works Department & Water Resources Organization and directed to inspect the area in question and submit a report showing the present status along with the extent of legacy waste kept indisposed of and what is the action plan for removal of the garbage by the local authority and what is the action taken by the Pollution Control Board for non-implementation of the Solid Waste Management Rules, 2016 in that area and the status of acquisition of land for providing alternate dumping and Solid Waste Management Plant at Keerapakkam village and the status of the proposed micro compost units by the local authority for this purpose and if there is any violation what is the action taken including imposition of environmental compensation against the violators and whether any effective steps have been taken by the Public Works Department & Water Resources Organization to prevent further dumping of garbage in that area as directed by this Tribunal and how effectively that was prevented by them.
11. It is submitted that accordingly, the joint committee had inspected the said areas in question and submitted its report to this Hon'ble Tribunal. The solid waste process was handled at the Resource

Recovery Park in Vallalar in an extent of 1.00 acre, from 15.09.2015 and the legacy wastes had been transported to Kolathur Village. However, the solid waste was accumulated in the above RRP, due to transport and stagnation of water on the pathways, compounded by COVID19. Under such context, when the matter came up for hearing on 01.09.2021, the Town Panchayat had requested 20 days of time for removal of 2519.76 M.T. existing garbage in Resource and Recovery Park at Vallalar Nagar to Kolathur and sought permission from this Tribunal for cleaning the garbage from there. The Town Panchayat has stated that the solid waste accumulated in RRP around 5983.81m<sup>3</sup> was already cleared during the month of July 2021. The District Environmental Engineer, TNPCB, Maraimalai Nagar has stated the area in question was inspected by them and reported that there is no dumping of fresh solid waste at Radhanagar and Zion Nagar.

12. It is submitted that the Town Panchayat has removed the entire solid wastes accumulated in the Vallalar Nagar RRP and assured that there is no accumulation as on today. The Town Panchayat has informed the Hon'ble Tribunal that the infrastructure will be created within six months in Keerapakkam Village to implement the Solid Waste Management Rules, 2016, as per the directions of this Tribunal. The Tamil Nadu Pollution Control Board was already requested under Roc.No.019/2018/A1, dated 21.12.2018, to issue NOC and clearances for commissioning the RRP at Keerapakkam Village after due inspection. Similarly, the Town Panchayat has shared the copy of letter in Na.Ka.No.123/2018/A1, dated 24.09.2021, requesting BDO, Kattankolathur, to furnish the resolution of Keerapakkam Village Panchayat council, concurring RRP within its village. Further, the Town Panchayat vide its Na.Ka.No.123/2018/A1, dated 24.09.2021, had submitted plan for RRP at Keerapakkam Village to grant due approvals from the BDO, Kattankolathur Panchayat Union.

13. It is submitted that meanwhile, the Government has issued G.O.(Ms) No.67 MA&WS (Election) Department dated: 11.09.2021 upgrading Nadhivaram Guduvancheri Town Panchayat as Municipality by amalgamating with 9 other Village Panchayats. However, the Town Panchayat informed that the following issues were addressed as mentioned against each.

1	Town Panchayat wanted 20 days of time for removal of 2983.81m3 existing garbage in Resource and Recovery Park to Kolathur or any other place. They wanted permission from this Tribunal for cleaning the garbage from there.	Town Panchayat has cleared all the wastes dumped at the said location and stopped dumping of fresh solid wastes at the Resource Recovery Park at Vallalar Nagar, as per the order of the Hon'ble National Green Tribunal (SZ) Chennai.
2	Infrastructure will be created within six months in keerapakkam village to implement the Solid Waste Management Rules, 2016 as per the direction of the Tribunal.	<p>One Thiru.D.Harikrishnan, the then president of Keerapakkam Village Panchayat, has filed the case WP No.30155/2018 before the Hon'ble High Court of Madras to stop the infrastructure and development works taken by the Nandivaram Gudvuancheri Town Panchayat under SWM Special Fund, wherein the Town Panchayat has already filed Counter Affidavit and the writ petition is still pending.</p> <ul style="list-style-type: none"> <li>- Town Panchayat in Roc.no.123/2018/A1, dated 28.09.2021, requested the Government Pleader to mention for early listing and disposal of WP No.30155/2018.</li> <li>- The E.O. Town Panchayat has already applied for clearance/NOC, from the T.N.Pollution Control Board vide Roc.No.019/2018/A1, dated 21.12.2018.</li> <li>- The E.O. Town Panchayat vide its Na.Ka.No.123/2018/A1, dated 24.09.2021, has requested the BDO, Kattankolathur to furnish the copy of</li> </ul>

		<p>resolution of Keerapakkam Village Panchayat council concurring RRP for Town Panchayat within its village.</p> <p>- The E.O. Town Panchayat vide its Na.Ka.No.123/2018/A1, dated 24.09.2021, has submitted plan for RRP at Keerapakkam Village to grant due approvals from the BDO, Kattankolathur Panchayat Union.</p>
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14. It is submitted that this Hon'ble Tribunal was concerned about status of Solid Waste Management Facility in the land handed over to the Town Panchayat, comprised in Survey No.99 of Keerapakkam Village, by the District Collector. The Town Panchayat has reported and share the following on progress on the same.

- i). The District Collector of Kancheepuram District has allotted 20 acres of land to Nandivaram Guduvancheri Town Panchayat, for the implementation of Solid Waste Management in the proceedings of ROC No.33991/2011/B1 Dated 08.08.2016. The possession of land was handed over to Nandivaram Guduvancheri Town Panchayat on 18.08.2016.
- ii). Under the scheme of SBM Rs.4.69 Crore was sanctioned and the Town Panchayat had issued tender notification receivable by 14.11.2018, in Na.Ka.No. 019/2018/A1, dt:22.10.2018 inviting tenders for installation of Fertilizer Plant, Fertilizer Plant, Bt Road, Building of Compound wall, Security room, water facility, electrical and Toilet at an estimate cost of 4.69 Crore. The tender was not effected as no tender received. The retender was called 10.12.2019 receivable by 22.01.2020 and this time also no bid was received.

- iii). Meanwhile, tender notification was challenged in WP No.30155/2018, before the Hon'ble High Court of Madras, wherein the Town Panchayat had filed Counter Affidavit.
- iv). The Government Pleader has been requested in Roc.No.123/2018/A1, dated 28.09.2021, to mention for early listing and disposal of WP No.30155/2018.
- v). The Town Panchayat had already applied for clearance/NOC, from the T.N.Pollution Control Board vide Roc.No.019/2018/A1, dated 21.12.2018.
- vi). The E.O. Town Panchayat vide its Na.Ka.No.123/2018/A1, dated 24.09.2021, has requested the BDO, Kattankolathur to furnish resolution of Keerapakkam Village Panchayat council concurring RRP for Town Panchayat within its village.
- vii). The Town Panchayat vide its Na.Ka.No.123/2018/A1, dated 24.09.2021, has submitted plan for RRP at Keerapakkam Village to the BDO, Kattankolathur Panchayat Union.

It is submitted that the Government has issued G.O. (Ms) No.67 MA&WS (Election) Department dated: 11.09.2021, upgrading Nadhivaram Guduvancheri Town Panchayat as Municipality by amalgamating with 9 other Village Panchayats based on increased population and other criteria's, and issued public notification in this regard, further follow up on addressing the issue of solid waste management in the emerging new municipality will be addressed accordingly and this Hon'ble Tribunal will be appraised.

It is therefore prayed that t this Hon'ble Tribunal may be pleased to consider and record this status report and pass such further other orders deem so fit to the case and thus render justice.

Dated at Chennai on this 29<sup>th</sup> day of September, 2021

  
 Commissioner of Town Panchayats  
 Commissioner of Town Panchayats  
 M.R.C. Nagar, Chennai - 600 028,