

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

Original Application No.90 of 2015 (SZ)

With

Original Application No.104 of 2016 (SZ)

Zion Nagar Plot Owners Welfare Association,
Rep. by Mr. M. Ramesh Babu, S/o. Mothiraman,
No.1, 1st Floor, Venkateswara Nagar,
3rd Main Road, Velacherry, Chennai – 600 042.

With

Nandivaram Radha Nagar Residents Welfare Association,
Rep. by its Secretary, Mrs. N. Bhuvana W/o. Dakshinamurthy,
Plot No.6, Radha Nagar, Nellikupam Road, Nandivaram,
Guduvancherry, Kancheepuram

...Applicant(s)

Versus

The Member Secretary,
Tamil Nadu Pollution Control Board, No.76,
Mount Salai, Guindy,
Chennai -600 032 and Ors.

...Respondents

INDEX

S.No	Description	Page No.
1.	Report filed on behalf of the Respondent – Tamil Nadu Pollution Control Board	1 – 6
2.	Annexure	7

Advocate for the Respondent: TNPCB

Tr. S. Sai Sathya Jith,

Advocate, Chennai

STATE OF TEXAS,
COUNTY OF [illegible]
[illegible]
[illegible]

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BEFORE THE NATIONAL GREEN TRIBUNAL
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ORIGINAL APPLICATION NO. 90 of 2015
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...Applicants

Vs

Member Secretary,
Tamil Nadu Pollution Control Board, No.76,
Mount Salai, Guindy,
Chennai -600 032 and Ors.

...Respondent

REPORT FILED ON BEHALF OF THE 1st & 2nd RESPONDENTS -
TAMIL NADU POLLUTION CONTROL BOARD.

I, R.Sarasavani, D/o. Thiru. 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 the status Report on behalf of the 1st & 2nd Respondents Tamil Nadu Pollution Control

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01/12/2021
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

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 04.10.2021 as follows:

Para 9. It is seen from the report submitted by the Tamil Nadu Pollution Control Board that certain show cause notices have been issued for non-implementation of the Solid Waste Management Rules, 2016 within their jurisdiction against the town panchayat.

Para 10. The Tamil Nadu Pollution Control Board is also directed to file the status report regarding the further action taken, pursuant to the show cause notice issued”.

3. It is respectfully submitted that, the Board vide proceedings dated 12.03.2021 has issued show cause notice to the Nandivaram-Guduvanchery Town panchayat under Section 5 of the Environment (Protection) Act, 1986 as to why the Board shall not recover Interim Environmental Compensation of Rs. 11 Lakhs (from April 2020 to February 2021) for the non-compliance of Solid Waste Management Rules, 2016 and also issued directions under section 5 of Environment (Protection) Act, 1986 to comply with certain conditions as stated therein vide proceedings dated 12.03.2021.

4. It is respectfully submitted that, in spite of issue of show cause notice and directions under section 5 of Environment (Protection) Act, 1986 for the non-compliance of Solid Waste Management Rules, 2016, the said Town Panchayat has not furnished any reply for the

01/12/2021
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
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same and also has not complied with the directions issued by the Board vide Proc. dated 12.03.2021.

5. It is respectfully submitted that, the Board has assessed interim Environmental Compensation (EC) of Rs.32 Lakhs for the period April, 2020 to July, 2021 for not segregating and properly disposing the solid wastes generated from the said Panchayat area and for not removing the legacy waste dumped at the MCC processing facility at Kanniyappa Nagar as per the Hon'ble National Green Tribunal (Principal Bench) order dated.28.02.2020 in OA.No 606 of 2018. Therefore, the Board vide proceeding dated. 05.08.2021 has directed the Executive Officer, Nandhivaram-Guduvanchery Town Panchayat under Section 5 of the Environment Protection Act, 1986 to remit the Interim Environmental Compensation of Rs.32 lakhs and to comply with the direction.

6. It is further submitted that the area in question was inspected by the TNPCB officials on 06.11.2021 and reported the following:

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

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 been removed from the said processing facility. Photographs taken during the time of inspection is enclosed as Annexure.

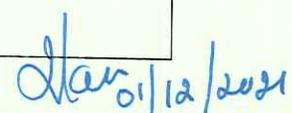
May 01/12/2021

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.

v. Also, the said local body has informed that the land allotted at SF No.99 at Keerapakkam Village for processing the municipal solid wastes generated from the said town panchayat will be established in six month's time once the disposal of the writ petition viz., W.P. No.3015 of 2018 filed by Thiru D.Harikrishnan before the Hon'ble High Court of Madras.

Compliance status of the directions issued vide Board's proceedings dated 12.03.2021 and 05.08.2021 is 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 said town panchayat is dumping the municipal solid waste generated from their panchayat area at the dump site located at Appur village, 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	The said town panchayat has removed the legacy waste dumped at the MCC site and also has stopped carrying out Micro composting at the said location


 JOINT CHIEF ENVIRONMENTAL ENGINEER
 *TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
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	Rules,2016	
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 removed the legacy waste dumped at the MCC site
5.	The town panchayat shall levy fine on the violators dumping solid waste in the area in question under Local Body Acts,	The said town panchayat 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 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	The said town panchayat has informed that the awareness were given to the public on regular basis
7.	The town panchayat is liable to pay Environmental compensation for non compliance of conditions stipulated in 1 to 6	The town panchayat was levied with Environmental compensation of Rs. 32 Lakhs vide Board's proceedings dated 05.08.2021 and the said town panchayat is yet to remit the same

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.

01/12/2021
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI-600 032.

BEFORE ME

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VERIFICATION

I, R.Sarasavani, D/o. Thiru. 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.

dlan
01/12/2021
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.78, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

Annexure

Photographs taken during the time of inspection



a) MCC facility at Kanniyappa Nagar after the removal of Legacy waste



b) MCC facility at Kanniyappa Nagar after the removal of Legacy waste

The first part of the report deals with the general conditions of the country, and the second part with the details of the various districts. The first part is divided into two sections, the first of which deals with the general conditions of the country, and the second with the details of the various districts. The second part is divided into two sections, the first of which deals with the details of the various districts, and the second with the general conditions of the country.

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TRIBUNAL
SOUTHERN ZONE, CHENNAI.**

**Original Application No.90 of 2015 (SZ)
With
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1. Zion Nagar Plot Owner Welfare Association,
Rep. by Mr. M. Ramesh Babu,
Velacherry, Chennai – 600 042.

With

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

...Applicant(s)

Versus

1. The Member Secretary,
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Chennai and Others.

...Respondent(s)

REPORT FILED ON BEHALF OF THE
RESPONDENT – TAMIL NADU POLLUTION
CONTROL BOARD

Advocate for Respondent: TNPCB
Thiru:S.Sai Sathya Jith
Advocate, Chennai

Date: 01.12.2021

Next date of hearing: 08.12.2021

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