

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

**Original Application No. 92 of 2017 (SZ) &
Original Application NO.23 of 2018 (SZ).**

Punganur Consumer Protection Council (Regd.No.32/92)
Represented by its Advisor S. Vijayakumar
28/8 Chinna Kannara Street, Mayiladuthurai,
Nagapattinam District.
Tamil Nadu-609 001.

...Applicant(s)

Vs

1. State of Tamil Nadu,
Represented by its Secretary,
Department of Revenue (Land Development)
St. George Fort,
Chennai- 9 & others.

...Respondents

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**Filed by
Thiru.S. Sai Sathya Jith,
Advocate, Chennai**

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**REPORT FILED ON BEHALF OF THE RESPONDENTS
TAMIL NADU POLLUTION CONTROL BOARD**

I, J. Josephine Sahayarani, Daughter of Thiru. Jesu Rajan, Christian aged about 57 years, having office at No. 76, Mount Salai, Guindy, Chennai-32, 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 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 passed order dated order dated 17.11.2021, directed as follows;

"Para 16: The Pollution Control Board, Mayiladuthurai Municipality, District Collector, Mayiladuthurai and Superintendent Engineer, Water Resources Department who is incharge of that region to submit a detailed report regarding the action taken by them in pursuant to the recommendations made by the Joint Committee in this regard and also in compliance of the directions issued by this Tribunal while disposing the matter by Judgment dated 28.08.2019"

3. It is submitted that, in pursuance to the above said NGT order dt.17.11.2021, the water bodies, Solid Waste processing facilities and STP were inspected by the officials of the DEE, TNPCB, Nagapattinam along with the Commissioner & Municipal Engineer, Mayiladuthurai Municipality and & AE, PWD(WRD), Mayiladuthurai on 27.12.2021.

Compliance of recommendations made by the Joint Committee submitted it's report on 06.10.2020 in Para 2.2 (c) are as follows:

S.No.	Recommendations made by the Joint Committee	Compliance status
1.	To take regular maintenance of Pazhancauvery and Pattamangalam Channel by desilting and renovating the side walls of channels.	<p><u>WRD, PWD Mayiladuthurai:</u></p> <p>It was reported that 12.4 km stretch of the river Cauvery, 3.2 km stretch of Pazhancauvery channel and 5.00 km stretch of Pattamangalamchannel has been already desilted during the month of September 2020.</p> <p>After completing desilting works during September 2020, various wastes dumped and weeds grown in the channels were removed so as to ensure free flow of water in the above two channels during the month of June 2021. It was reported that desilting works will be carried out once in three years only.</p>
ii.	To take steps to rejuvenate these channels by evacuating the encroachments (the stretches in which illegal settlement exist) as per the Re-survey Records of Tamilnadu Government."	<p><u>WRD, PWD Mayiladuthurai:</u></p> <p>As informed by the WRD, 112 Nos. of encroachments were identified along the water bodies; in which 71 is located in Mayiladuthurai Town and 41 in Moovalur village. Eviction process started on 16.11.2020. Out of 112 notified encroachments, 22 encroachments (other than houses) have been already removed in Phase-I.</p> <p>The Phase-II of eviction carried out on</p>


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		<p>04.12.2021 by the WRD Officials in presence of Revenue Divisional Officer, Mayiladuthurai in which 24 nos. of encroachment other than houses such as bamboo thickets, extension walls, fenced lands were evicted in Moovalur village of Mayiladuthurai Taluk and District.</p> <p>It was reported that the eviction of 66 nos. of encroachment is pending since most of them are huts, tiled roof and thatched houses. Once alternative arrangement for the above made by the Revenue Department the eviction will be carried out so as to comply the Hon'ble NGT order.</p>
iii.	<p>To install Under Ground Drainage system to collect domestic effluent and to install STP to treat the same and not to allow any effluent into Cauvery, Pazhancauvery and water tanks</p>	<p><u>Mayiladuthurai Municipality:</u></p> <p>Under Ground Sewerage System (UGSS): Out of 36 wards in Mayiladuthurai Municipality, Under Ground Sewerage System (UGSS) completed in 35 wards. Installation of UGSS in left out areas and extended areas is under progress.</p> <p>Sewage Treatment Plant (STP):</p> <p>5.85 MLD capacity STP is existing in Mayiladuthurai Municipality to treat the sewage generated from the municipality. Municipality has already obtained consent from the Board for treatment of 5.0 MLD of sewage. STP was inspected by the officials of TNPCB on 27.12.2021 and noticed that it was in operation and treated sewage is being utilized for irrigation purpose. Municipality has been instructed to operate the STP efficiently so as to achieve the standards prescribed by the Board. Also, one more STP of capacity 9.37 MLD is proposed</p>

		with new technology (Sequence Batch Reactor) at a cost of Rs.101.32 crores for which Detailed Project Report (DPR) has been prepared and submitted to Director of Municipal Administration (DMA), Chennai for approval.
iv.	To direct the municipal authority to take steps to divert the drains carrying domestic effluent into either downstream of Pazhancauvery or to nearby STP till installation of adequate STP.”	No discharge of domestic effluent into drain was noticed.
v.	To ensure the proper collection of solid waste from residential areas and not to allow any public to throw any solid wastes into any nearby water bodies.”	Municipality reported that, they have achieved 100% door to door collection. However during inspection on 27.12.2021, it was noticed that small quantity of solid wastes was found dumped along road side and also in the Pazhancauvery channel near new bus stand and Pattamangalam channel near Koranad, Mayiladuthurai. In this regard, the Municipality has assured to clear the waste immediately and also informed that the special teams have been formed to prevent throwing of garbages by public into water bodies such as Pazhancauvery and Pattamangalam channels. Municipality is taking action to clean the water bodies periodically.
vi.	To direct all commercial activities located around the water bodies not to discharge any waste and not to throw any wastes into water tanks	During inspection, no discharge of sewage into water bodies was noticed. The Municipality has formed special teams under the head of Sanitary Inspector with Sanitary Supervisor, Animators and sanitary workers as team members in all the 36 wards to monitor and prevent the discharge of domestic effluent and disposal of solid waste into the water bodies and other open places.


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		In this regard, the copy of Proceeding issued by the Commissioner, Mayiladuthurai municipality and work schedule are attached.
vii.	To take periodical maintenance of all water tanks by removing silt and water weeds to increase water storage capacities of water tanks since all water tanks are either rain fed or filled through feeder canal during rainy days”	In the previous report, it was reported that 84 tanks are existing within the Mayiladuthurai Municipal limit. Out of 84 tanks, the Municipality has selected 5 tanks for improvement works at the estimated cost of Rs. 800 lakhs which has been dropped as reported by the Municipality. Now the Municipality has selected non encroached 5 ponds in the municipal limit under “Kalaingar Urban Development Scheme - 2021-2022” to carry out the improvement works at the cost of Rs.452 lakhs. Out of Rs.452 lakhs, an estimation for Rs.261.80 lakhs has been prepared and submitted to the Director of Municipal Administration, Chennai
viii.	To take proper maintenance of all feeder canals of water tanks and to make clear ways to carry the water from river Cauvery to respective tanks so that to make live appearance of water tanks.”	WRD informed that continuous maintenance of feeder canals of water tanks are being carried out by removing weeds to make free flow.
ix.	To delineate the water tank area and to construct the proper bund with fence to protect these water bodies from human inception since these water bodies serve the purpose of improving ground water in the surrounding area.”	WRD, PWD Mayiladuthurai: During inspection, it was reported that WRD has proposed to provide wire fencing along the stretches of River Cauvery, Pazhan Cauvery and Pattamangalam channel which are passing through municipal limit to avoid public inception and also to provide stone pitching to side walls of Pazhan Cauvery and Pattamangalam

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		channel for rejuvenation of tributaries of Cauvery Mayiladuthurai Municipality: The Municipality has proposed to erect iron fence in the non-encroachment ponds (38 nos.) to prevent public trespass at cost of Rs.6 lakhs per pond.
x.	To take steps to restore the water quality of water tanks by removing the unwanted substances from water tanks and to avoid the mosquito breeding and odour nuisance."	During inspection, it was informed that Mayiladuthurai Municipality is carrying out periodical cleaning of water tanks.

4. It is respectfully submitted that in the previous report, it was reported that 84 tanks are existing within the Mayiladuthurai Municipal limit. Out of 84 tanks, the Municipality has selected 5 tanks for improvement works at the estimated cost of Rs. 800 lakhs which has been dropped as reported by the Municipality. Now the Municipality has selected non encroached 5 ponds in the municipal limit under "Kalaingar Urban Development Scheme - 2021-2022" to carry out the improvement works at the cost of Rs.452 lakhs. Out of Rs.452 lakhs, an estimation for Rs.261.80 lakhs has been prepared and submitted to the Director of Municipal Administration, Chennai for approval to carry out the improvement works in the following 2 ponds.

- 1) Ward No.4 - Vannankulam – Rs. 148.30 lakhs
- 2) Ward No.5 – Senthankudikulam – Rs.113.50 lakhs

The Municipalities has assured to start the above works immediately after getting the approval from DMA, Chennai.

Also an estimation for Rs.619.00 lakhs has been prepared and submitted to the Director of Municipal Administration, Chennai for approval to carry out the improvement works in the following 2 ponds under the scheme of


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KFW and the 4 ponds under the scheme of Jal-Jeevan Mission Scheme as follows.

KFW Scheme:

- 1) Angalammakulam – Rs.160 lakhs,
- 2) Azhwarkulam – Rs.140.00 lakhs

Jal-Jeevan Mission Scheme:

- 1) G.H. kulam- Rs.42.50 lakhs,
- 2) MamarathuMedai – Rs.63.00 lakhs,
- 3) Akkanankulam – Rs.110.00 lakhs,
- 4) Ayyankulam – 103.50 lakhs.

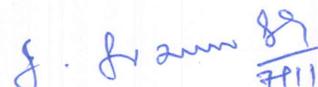
Further an estimation for Rs.160.00 lakhs has been prepared to carry out the improvement works of Mattakulam under the scheme of “**Namakkunaame Plan**”

- 1) Ward No.28 – Mattakulam – Rs.160 lakhs

Out of 84 ponds in the municipal limits, 83 ponds were handed over to the Municipality. In these 83 ponds, 38 ponds are existing without encroachment and remaining 45 ponds are existing with encroachment. The municipality has already evicted encroachments in 5 ponds and proposed to evacuate encroachment in 5 ponds on or before 05.01.2022. Further it is reported that there are 465 encroachments (Permanent household - 329 Nos. & Fenced encroachment - 136 Nos.) in the remaining 35 ponds. The municipality has sent a letter to the Revenue Department to allot alternative site for the above households.

5. It is respectfully submitted that the Municipality is conducting awareness regarding Solid Waste Management periodically.

- i. Fixing of banners displaying not to throw away wastes along the stretches of water bodies such as River Cauvery, Pazhancavery, Pattamangalam channel and water tanks and also in all the wards.


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- ii. Conducting art works in the hot spot areas.
- iii. Announcement through Light Commercial Vehicles.
- iv. Announcement through permanent speaker fitted at the new bus stand, old bus stand, market areas and public crowded places, etc.
- v. Conducting awareness programmes to the school & college students and public.

6. It is submitted that the Municipality is conducting frequent raids in the commercial areas, market places and shops and seized banned plastic product items.

COMPLIANCE OF SOLID WASTE MANAGEMENT, RULES 2016 & NGT ORDER IN O.A.NO. 606/2018 BY MAYILADUTHURAI MUNICIPALITY:

7. It is respectfully submitted that Mayiladuthurai Municipality generates 32 MT/Day of solid waste. Mayiladuthurai Municipality has three Micro Compost Centre (MCC) with capacity of 5 MT each at the following locations.

- i. T.S.No. 855/1, Mayiladuthurai Town & Taluk, Mayiladuthurai District
- ii. T.S.No. 173, Mayiladuthurai Town & Taluk, Mayiladuthurai District
- iii. T.S.No. 174, Mayiladuthurai Town & Taluk, Mayiladuthurai District

Mayiladuthurai Municipality has already applied and obtained authorization under Solid Waste Management Rules, 2016 for all the three Micro Compost Centres (MCCs) for processing, recycling, treatment and disposal of municipal solid waste of 32 MT/day vide Board Proc. dated 14.03.2021 valid upto 31.03.2022. The above three MCCs were inspected by the DEE, TNPCB, Nagapattinam on 27.12.2021 along with Municipal Commissioner and found that all the Micro Compost Centres were under operation and the segregated compostable waste of 15 MT is processed in the MCCs. Non-recyclable Plastic wastes are disposed to the cement industries for Co-processing. Also existing accumulated legacy waste dumped in the MCC-I is being processed by Biomining technology and out of 32,500 Cu.m of legacy waste, 29,321 Cu.m has been processed and disposed for further beneficial use. In addition

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to this, 31,127 Cu.m of legacy waste is available as per the revised survey which has to be processed through bio-mining.

8. It is respectfully submitted that, in earlier, Board has levied Environmental Compensation of Rs.9,00,000/- (Rupees Nine Lakhs only) to Mayiladuthurai Municipality vide Board's letter dated 23/12/2019 for entry of sewage into the Pazhancavery channel through leakage in the pipeline. But Municipality has not yet remitted the Environmental compensation to the Board.

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.

J. Aravind
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BEFORE ME

VERIFICATION

I, J. Josephine Sahayarani, Daughter of Jesu Rajan, working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-32 do hereby submit that the contents of the above report are true to the best of my knowledge through records.

J. Aravind
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NADU POLLUTION CONTROL
BOARD.**

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

Date: 10.01.2022.

Date of hearing on:03.02.2022

