

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

Original Application No. 94 of 2023

Satheesh,
S/o Narayanasamy,
15/39, Bathrakali Amman Kovil Street,
Coimbatore District.
Email: yogeshwaranadv@gmail.com
Phone: 9566254546

...Applicant

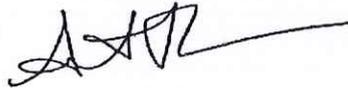
VS

Gudalur Municipality,
Rep by its Municipal Commissioner,
Gudalur- Coimbatore
Coimbatore District & ors.

...Respondents

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

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-Vs-

1. Gudalur Municipality,
Rep by its Municipal Commissioner,
Gudalur- Coimbatore
Coimbatore District.
Phone Office : 0422 2692402
Email: commr.gudalur-cbe@tn.gov.in
2. The Forest Officer,
Periyayanakanpalayam Forest Circle,
Tamilnadu Forest Department
Periyayanakanpalayam, Coimbatore – 641 020.
Email: NotKnown
Phone:NotKnown
3. The Tamil Nadu Pollution Control Board,
Rep by its Member Secretary,
76, Mount Salai, Guindy, Chennai – 600 032
Phone : 044 2235 3141
Email : memsec@tnpcb.gov.in

...Respondents

**REPORT FILED ON BEHALF OF THE 3rd RESPONDENT
TAMIL NADU POLLUTION CONTROL BOARD.**

1. I, K.Nalini, Daughter of Thiru.K.Krishnasamy, aged about 59 years having office at No.76, Mount Salai, Guindy, Chennai 600 032, do hereby solemnly affirm and sincerely state as follows:

2. I am working as the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai and I am filing this report on behalf of the 3rd respondent and as such I am well acquainted with the facts of the case from the records and I am authorized to file this report on behalf of the 3rd respondent.
3. It is respectfully submitted that, the applicant filed O.A seeking a prayer that,

“ a. to direct the 1st respondent to demolish the constructions illegally raised at S.No.865/1 in Gudalur Municipality in violation of Water(Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution)Act, 1981, Solid Waste Management Rules 2016 under the Environmental (Protection) Act 1986, Hill Area Conservation Authority Regulations in a wildlife area and to restore the site to its original state.

b. to direct the respondents to establish the garbage handling facilities/micro composting yards at an appropriate location without impacting wildlife and wildlife habitats, in strict compliance with the law”.

4. It is respectfully submitted that, Gudalur Municipality is located in Coimbatore District and comes under the jurisdiction of District Environmental Engineer, Coimbatore North office of this Respondent. The total population of the Municipality is 52,842.
5. It is respectfully submitted that the 1st Respondent has a solid waste processing area at SF.No:1051, Thirumalainaickenpalayam, Gudalur Village, Coimbatore North Taluk, Coimbatore District and obtained authorization under Solid waste Management Rules, 2016, vide Proc.No.DEE/TNPCB/CBN/MSW-001/2019 Dated 04.04.2019 with validity up to 03.04.2024 for processing and disposal of Municipal Solid Waste – 7.33 Tons/Day .

6. It is respectfully submitted that a public complaint was received to the 3rd Respondent (TNPCB) on 05.05.2023 regarding the establishment of a micro composting facility at S.F.No. 878/1, Gudalur Village, Coimbatore North Taluk, Coimbatore District by the 1st Respondent.
7. It is respectfully submitted that based on that an inspection was carried out by the officials of the 3rd Respondent (TNPCB) on 20.05.2023. The Municipality was directed to continue the construction of the MSW facility at the location of S.F.No. 878/1, Gudalur village, Coimbatore North Taluk, Coimbatore District after getting prior approval from the TNPC Board and the Municipality was also advised to get clearance from Hill Area Conservation Authority as "Gudalur" is a HACA notified village as per the G.O Ms No.49 dated: 24.03.2003.
8. It is respectfully submitted that the public complaint received to the 3rd Respondent on 05.05.2023 was also forwarded to the 1st Respondent for taking further action on the complaint.
9. It is respectfully submitted that the 1st Respondent has to obtain Consent to Establish (CTE) from the 3rd Respondent before commencing the construction of the New Micro Composting facility at the location of S.F.No. 878/1, Gudalur Village, Coimbatore North Taluk, Coimbatore District. Hence, the 1st Respondent is directed not to carryout construction of the Micro Composting facility without obtaining CTE from the 3rd respondent (TNPCB), vide letter dated 23.08.2023.
10. It is respectfully submitted that the 1st respondent applied for CTE- New to establish M/s. Gudalur Municipality – Micro Compost Centre at the location of SF.No. 865/1, Gudalur North and South, Village, Coimbatore North Taluk, Coimbatore District through Online Consent Management & Monitoring System (OCMMS) vide Application No. 56032702 dated: 16.11.2023 for processing of Segregated solid waste

– 8 Tons/Day. Simultaneously, the 1st respondent, vide its letter dated 26.12.2023 has reported to the 3rd respondent that it has planned to kept utilizing the old facility located at SF.No:1051, Thirumalainaickenpalayam, Gudalur Village, Coimbatore North Taluk, Coimbatore District as resource recovery unit and proposed to relocate only the composting process to the new location of SF.No. 865/1, Gudalur North and South, Village, Coimbatore North Taluk, Coimbatore District for the better convenience of the handling of wastes.

11.It is respectfully submitted that on verifying the manufacturing process described in the consent application of the 1st respondent submitted vide letter dated 26.12.2023, the proposed facility at SF.No. 865/1, Gudalur North and South, Village, Coimbatore North Taluk, Coimbatore District falls under the White category (4028 Organic manure (manual mixing)) as per the Board Proceeding. No.6 dated: 02.08.2016 as the process of the facility includes only composting of segregated organic wastes without doing any resource recovery/ segregation process. There is no need of prior consent from the TNPC Board for establishment and operation for the projects comes under the White Category.

12.It is respectfully submitted that vide O/o.DEE, TNPCB, CBN letter dated 02.01.2024 directed the 1st respondent to comply the following directions to ensure better environmental practices:

- a. The unit shall provide compound wall around the premises.
- b. The unit shall comply with the Solid waste Management Rules, 2016.


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

- c. The unit shall submit annual report in Form IV on or before the 30th April of the succeeding year as per the Solid Waste Management Rules, 2016
- d. The unit's activity shall not attract any public complaint.
- e. The unit shall take proper odour control measures so as to avoid public complaints.
- f. The unit shall develop green belt inside the premises wherever possible.

13. It is respectfully submitted that the Tamil Nadu Pollution Control Board is continuously monitoring the 1st respondent, Gudalur Municipality regarding handling of municipal solid wastes.

Therefore, it is humbly prayed that this Hon'ble National Green Tribunal (SZ) may be pleased to pass such order or further other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of this case and thus render justice.


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

VERIFICATION

I, K.Nalini, Daughter of Thiru.K.Krishnasamy, working as Joint Chief Environmental Engineer, office at No.76, Mount Salai, Guindy, Chennai 600 032, do hereby verify that the contents of above report are true to the best of my knowledge through records.


 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI-600 032.
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THE 3RD RESPONDENT - TAMIL
NADU POLLUTION CONTROL
BOARD.**

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

Date:16.04.2024.

Date of hearing on:30.05.2024

