

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

ORIGINAL APPLICATION NO. 96 of 2021 (SZ)

Tribunal on its own motion SUO MOTU
Based on the News Item in the Dinamalar Newspaper,
Chennai edition dated 25.02.2021, " Kundrathur Murugan
Temple giving a display of garbage dump"

...Applicant

Vs

The Secretary to Government of Tamil Nadu,
Department of Environment and Forests,
Govt. Secretariat, Fort St. George,
Chennai, Tamil Nadu -600 009 7 & others.

...Respondents

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

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Vs

1. The Secretary to Government of Tamil Nadu,
Department of Environment and Forests,
Govt. Secretariat, Fort St. George,
Chennai, Tamil Nadu -600 009.
2. The Principal Secretary to Govt. of Tamil Nadu,
Health and Family Welfare Department,
Govt. Secretariat, Fort St. George,
Chennai, Tamil Nadu-600 009.
3. The Additional Chief Secretary to Govt. of Tamil Nadu,
Rural Development and Panchayat Raj Department,
Govt. Secretariat, Fort St. George,
Chennai-600 009.
4. The Directorate of Rural Development and
Panchayat Raj Department
Rep. by its Director,
Panagal Building, Chennai-600 015.
5. Hindu Religious Charitable Endowments Department,
Rep. by its Commissioner,
Nungambakkam, Chennai-600 034
6. The Chairman,
Tamil Nadu Pollution Control Board,
No.76, Anna Salai, Guindy,
Chennai-600 032
7. The District Collector,
Kancheepuram District,
8. The Kundrathur Town Panchayat,
Rep. by its Executive Officer,
Kundrathur, Chennai-600 069.

... Respondents

Mani Mohan

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

COMPLIANCE REPORT FILED ON BEHALF OF THE 6TH
RESPONDENT - TAMIL NADU POLLUTION CONTROL BOARD

I, Tmt. R. Sarasavani, daughter of Thiru. Raghvan , 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:-

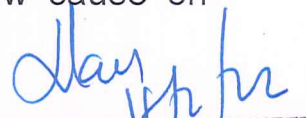
1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai and I am filing this compliance report on behalf of the 6th Respondent Tamil Nadu Pollution Control Board and as such I am well acquainted with the facts of the case as per records.

2. It is respectfully submitted that the Hon'ble National Green Tribunal (Southern Zone) in its order dated 07.07.2021 has disposed the case directed as follows :

"Para 12: The application is disposed as follows:

The Tamil Nadu Pollution Control Board(TNPCB) is also directed to file a detailed further action taken report pursuant to the show cause notice issued

3. It is respectfully submitted that the Board has issued Show Cause notice to the Executive officer, Kundrathur Town Panchayat vide Board Proceeding No.T1 / TNPCB / LAW / LA-III / NGT / SWM / F.09796 / SPR / 2021-1 dated 06.07.2021, stating that why the Board shall not recover interim Environmental compensation of Rs.15 Lakhs (from 01.04.2020 to 30.06.2021) for the non compliance of Solid Waste Management Rules, 2016.The Commissioner, Kundrathur Municipality has furnished reply for the above said show cause on


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

17.02.2022 only. Action is being taken to impose the Environmental Compensation after verifying the field status reply furnished by Kundrathur Municipality.

4. It is respectfully submitted that the Kundrathur Municipality (erstwhile Kundrathur Town Panchayat) has removed the solid wastes dumped in the said area and the same was collected & dumped at Kundrathur Municipality dump site for further processing and disposal.

5. It is respectfully submitted that the Kundrathur Municipality has provided dust bin nearby Kundrathur Murugan Temple. The municipal solid waste generated from temple and temple shops, nearby residents collected in the bin which is being disposed in Composting Centre (MCC) located at S.F. No.33, [poramboke land extent of 70 cents], Venkadapuram Village, Kundrathur Taluk, Kancheepuram District to manufacture bio fertilizer.

6. It is respectfully submitted that the Kundrathur Municipality is collecting the municipal solid waste generated from Murugan Temple regularly and also monitoring the above said location daily. At Present, no municipal solid waste is dumped in that area by pilgrims, nearby temple shop and nearby residents.

7. It is respectfully submitted that the Executive Officer, Hindu Religious Charitable Endowments Department, Kundrathur Murugan Temple, Kundrathur has planted more than 200 numbers of saplings to develop greenery all around the temple land with the support of nearby industries.

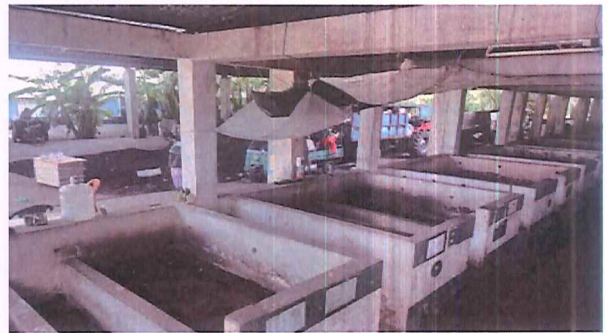

JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.

8. It is further submitted that, in pursuance to order of the Tribunal dt.24.01.2022, the complained site was inspected by the officials of TNPCB, Sriperumbudur on 16.02.2022 and the status on the compliance on the recommendations made by the Joint Committee are as follows:

Sl. No	Recommendation of the Joint Committee in order dated 7.7.2021	Present status of compliance.
1.	The Executive Officer., Kundrathur Town Panchayat shall apply and obtain for renewal of authorization as per the Solid Waste Management Rules, 2016 immediately.	The Commissioner, Kundrathur Municipality vide letter dated 16.02.2022 has reported that recently Kundrathur Town Panchayat has been upgraded to Kundrathur Municipality and they have assured to apply for renewal of authorization in the name of Kundrathur Municipality as per the Solid Waste Management Rules, 2016 within a month
2	The Executive Officer Kundrathur 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.	i) During inspection it was noticed that the un-segregated solid waste generated from Kundrathur Municipality is being dumped in an open ground at S.F.No.31/1, [Poramboke land extent of 75 cents (approximately)] nearby outer ring road of Kundrathur junction Photograph showing the dumping of un-segregated solid waste in open ground is shown below:  ii) Further, the Micro Composting Centre (MCC) is located at S.F. No. S.F. No.33,[poramboke land extent of 70 cents], Venkadapuram village, Kundrathur

[Signature]
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMILNADU POLLUTION CONTROL BOARD,
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Taluk, Kancheepuram District and is being operated to handle maximum 5 T/Day (out of the total generation of 12.618 T/Day) of Organic wastes. Also, during inspection it was noticed that part of the daily generation of solid waste is segregated and the segregated bio degradable organic waste is processed through MCC. Photograph showing process of MCC is shown below:



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

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The Executive Officer, Kundrathur Town Panchayat shall ensure that no municipal solid wastes dumped in the said area belongs to Arulmigu Kundrathur Murugan Temple, Kundrathur.



During inspection it was noticed that no municipal solid waste was dumped in the said area and commissioner, Kundrathur Municipality has provided 3 dust bins in the temple premises for collecting the municipal solid generated from the temple, temple shops, and nearby residents and the same is further disposed in the Solid waste dumping yard for further processing through MCC.

Further, it was noticed that in the complained site (Temple land), construction of a building by HR&CE is in progress Photograph showing the details is shown below:



And also the Executive Officer of Kundrathur Subramaniya Swamy temple has installed 2 Nos of display Board in the said location to create awareness among the public ,not to dump the solid waste in the temple premises. Photograph showing the details is Shown below:

Handwritten signature
18/12/20

JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.78, MOUNT SALAI, CHENNAI-600 032.

		
4	The Executive Officer, Kundrathur Town Panchayat in coordination with District Administration shall identify an alternate land for handling and treatment (Processing & Incineration) of municipal solid waste as per the Solid Waste Management Rules, 2016 within six months.	During inspection it was noticed that, the un-segregated solid waste generated from Kundrathur Municipality is being dumped in an open ground at the existing solid waste dumping site located at S.F.No.31/1, [Poramboke land extent of 75 cents (approximately)] nearby outer ring road of Kundrathur junction. Photograph showing the dumping of un-segregated solid waste in open ground is shown below: 


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 TAMILNADU POLLUTION CONTROL BOARD,
 No.76, MOUNT SALAI, CHENNAI-600 032.

5	The Commissioner, Hindu Religious Charitable Endowments Department shall ensure that compound wall should be constructed all around the temple of the premises so as to avoid dumping of solid waste generated from nearby surrounding people of kundrathur Town Panchayat.	During inspection it was noticed that no fencing /Compound wall is provided all around the Temple land premises by the competent authority.
6	The Commissioner, Hindu Religious Charitable Endowments Department shall ensure to appoint security so as to watch and mitigate the illegal disposal of solid wastes.	No security was available in the said location to watch and mitigate the illegal disposal of solid wastes. However, presently there is no dumping of solid waste in the complained location of temple land.
7	The Commissioner, Hindu Religious Charitable Endowments Department shall ensure that the temple lands should be free from any encroachments.	In this regard, action taken report was not received from the concerned authority.
8	The Commissioner, Hindu Religious Charitable Endowments Department shall develop green belt all around the temple of the premises so as to avoid any encroachments in future.	The Executive Officer, Hindu Religious Charitable Endowments Department, Kundrathur Subramaniya Swamy Temple has planted tree saplings of more than 200 Nos. and developed green belt all around the temple land. Photograph showing the details of green belt is shown below: 


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

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 circumstance of this case and thus render justice.


 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMILNADU POLLUTION CONTROL BOARD,
 No.76, MOUNT SALAI, CHENNAI-600 032.
BEFORE ME

VERIFICATION

I, Tmt. R. Sarasavani, daughter of Thiru. Raghvan, 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.


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

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**COMPLIANCE REPORT FILED ON
BEHALF OF THE 6TH RESPONDENT
- TAMIL NADU POLLUTION
CONTROL BOARD.**

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

Date:18.02.2022

Date of hearing on:21.02.2022

