

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, 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"

Versus

The Commissioner,
Geology and Mining Department,
Govt. of Tamilnadu, Chennai
and others.

...Respondent(s)

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Advocate for the Respondent: TNPCB

Tr. S. Sai Sathya Jith,
Advocate, Chennai

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

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Temple giving a display of garbage dump"

Vs

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

...Respondents

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

I, M. Pannirselvam, S/o M. Venkatesan, Hindu, aged about 59 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 report pursuant to the show cause notice issued within a period of three months before this Tribunal"

3. It is respectfully submitted that, in pursuance to above said order dated 07.07.2021, the Tamil Nadu Pollution Control Board has already filed


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

its action taken report during February, 2022 and the same may be taken up as part and parcel along with this report.

4. It is respectfully submitted that, subsequently the Hon'ble National Green Tribunal (Southern Zone) in its order dated 06.04.2022 and directed as follows :

"Para 3: There was no representation for the Hindu Religious and Charitable Endowments Department (HR & CE)/5th respondent. The learned counsel appearing for the Tamil Nadu Pollution control Board (TNPCB) mentioned that the waste from inside the temple premises has been removed. The temple and the tank have to be protected from the waste being dumped, for which, they gave an undertaking to fence the temple as well as the temple tank. The learned counsel also informed that he will file the report in that regard before the next hearing date".

5. It is respectfully submitted that, in order to comply the said NGT order dt.06.04.2022, the said area in question was inspected by the Assistant Engineer, TNPCB, Sriperumbudur along with Thiru.N.Dhamodharan, Commissioner, Kundrathur Municipality on 22.11.2022 and during inspection the following were observed:

- i. Arulmigu Subramanyaswamy Temple is located at SF.No.1151 /2,3,5,20 Kundrathur, Kundrathur Taluk, Kancheepuram District having total area of about 1.39 Hectare. The premises have been maintained by Executive officer, M/s Hindu Religious Charitable Endowments Department.
- ii. The solid waste generated from the temple, shops located in and around the temple and the houses located nearby temple is collected through Municipality dust bin and the same is being processed and disposed in the Municipality dump site.
- iii. The Commissioner, Kundrathur Municipality has reported that the solid wastes generated from the local residents are not allowed to dump in the said area. Further it was noticed that there is no solid waste is being dumped nearby the temple land by the residents located in that area.

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

M. P. S. 15/12/22
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI - 600 032.

iv. The Commissioner, Hindu Religious Charitable Endowments Department has not yet provided fencing arrangement all around the temple land to avoid dumping of solid waste by surrounding people as recommended by the joint committee. However fencing has been provided in two sides of temple tank except Northern side and Western side.

Photograph taken during inspection are as follows:

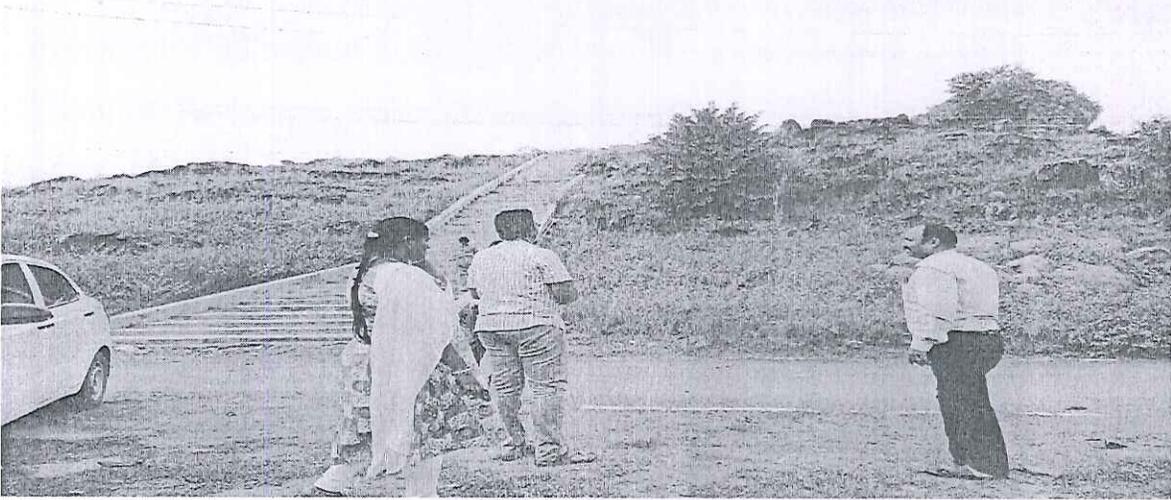


Fencing provided on two sides of (Southern & Eastern Sides) the temple tank by the HNRC



Fencing not provided in the Western & Northern side of the temple tank

U. P. Srinivasan 10/12/22
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
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No Fencing provided for the all around temple premises

6. It is respectfully submitted that, in view of above, the Tamil Nadu Pollution Control Board has addressed vide letter dated:15.12.2022 to the Commissioner, Hindu Religious Charitable Endowments Department, Nungambakkam, Chennai is directed to provide fencing to all around the temple premises of the land and to complete the other two sides of the temple tank so as to avoid dumping of unauthorized solid waste.

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.

U. Pan 15/12/22
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI - 600 032.

BEFORE ME

VERIFICATION

I, M. Pannirselvam, S/o M. Venkatesan, 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.

U. Pan 15/12/22
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI - 600 032.



TAMIL NADU POLLUTION CONTROL BOARD

From

Dr. Jayanthi. M. I.F.S.,
Chairperson
Tamil Nadu Pollution Control Board,
76, Mount Salai,
Guindy,
Chennai – 600 032.

To

The Commissioner,
Hindu Religious Charitable
Endowments Department,
119, Uthamar Gandhi Rd,
Thousand Lights West,
Nungambakkam,
Chennai - 600034

Letter No. TNPCB /TI & LAW/LA-IV/011165/2022, Dated: 15.12 .2022

Sir,

Sub: TNPCB –TI - Law – The Solid Waste Management Rules, 2016 under the Environment (Protection) Act, 1986 – Hon'ble NGT order dated 06.04.2022 in OA No. 96 of 2021 pertaining to Arulmigu Subramanyaswamy Temple located at SF.No.1151 /2,3,5,20 Kundrathur, Kundrathur Taluk, Kancheepuram District - Request for take necessary actions to provide fencing to all around the temple premises of the land and to complete the other two sides of the temple tank so as to avoid dumping of unauthorized solid waste – Regarding.

Ref: Orders of Hon'ble National Green Tribunal (Southern Zone) dated 07.07.2021 and 06.04.2022

I am to invite kind attention to the reference cited above and to inform 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 report pursuant to the show cause notice issued within a period of three months before this Tribunal"

Subsequently the Hon'ble National Green Tribunal (Southern Zone) in its order dated 06.04.2022 and directed as follows:

"Para 3: There was no representation for the Hindu Religious and Charitable Endowments Department (HR & CE)/5th respondent. The learned counsel appearing for the Tamil Nadu Pollution control Board (TNPCB) mentioned that the waste from inside the temple premises has been removed. The temple and the tank have to be protected from the waste being dumped, for which, they gave an undertaking to fence the temple as well as the temple

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Email : tnpceb-chn@gov.in Web : tnpceb.gov.in

tank. The learned counsel also informed that he will file the report in that regard before the next hearing date”.

In order to comply the said NGT order dt.06.04.2022, the said area in question was inspected by the Assistant Engineer, TNPCB, Sriperumbudur along with Thiru.N.Dhamodharan, Commissioner, Kundrathur Municipality on 22.11.2022 and during inspection the following were observed:

- i. Arulmigu Subramanyaswamy Temple is located at SF.No.1151 /2,3,5,20 Kundrathur, Kundrathur Taluk, Kancheepuram District having total area of about 1.39 Hectare. The premises have been maintained by Executive officer, M/s Hindu Religious Charitable Endowments Department.
- ii. The solid waste generated from the temple, shops located in and around the temple and the houses located nearby temple is collected through Municipality dust bin and the same is being processed and disposed in the Municipality dump site.
- iii. The Commissioner, Kundrathur Municipality has reported that the solid wastes generated from the local residents are not allowed to dump in the said area. Further it was noticed that there is no solid waste is being dumped nearby the temple land by the residents located in that area.
- iv. The Commissioner, Hindu Religious Charitable Endowments Department has not yet provided fencing arrangement all around the temple land to avoid dumping of solid waste by surrounding people as recommended by the joint committee. However fencing has been provided in two sides of temple tank except Northern side and Western side.

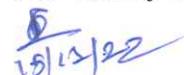
In view of above, it is requested that immediate action may be taken to provide fencing to all around the temple premises of the land and to complete the other two sides of the temple tank so as to avoid dumping of unauthorized solid waste. Further it is requested that the action taken report on the above said work may be sent to this office so as to submit the same before Hon'ble National Green Tribunal (Southern Zone).

The receipt of this proceeding shall be acknowledged.

Sd/xxxx
Chairperson


15/12/22

For Chairperson


15/12/22

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...Respondent(s)

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

Advocate for Respondent: TNPCB
Thiru. Sai Sathyajith
BSC, Chennai.

Dated: 15.12.2022

Date of hearing: 16.12.2022.

