

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

Original Application No.95 of 2021

SUO MOTU Based on The News item published
in the New Indian Express, Chennai Edition,
Dated 25.02.2021, under the caption
“Burning of garbage Continues near Adyar” Reg

Vs

**The Secretary,
Environment & Forest Department
State of Tamil Nadu ,
Chennai & others**

...Respondents

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**Filed by
Thiru. C. Kasirajan
Advocate, Chennai.**

**Joint Committee Inspection Report as per the
Hon'ble National Green Tribunal (SZ), Chennai
Order Dated 08-04-2021 in O.A. No. 95 of 2021**

**Submitted to
Hon'ble National Green Tribunal (SZ), Chennai**

June 2021

1. Case details:

The Hon'ble National Green Tribunal has taken up SuoMotu case in O.A. No. 95 of 2021 on the basis of the news published in "The Times of India", Chennai edition dated, 25.02.2021 under the caption "**Burning of garbage Continues near Adyar**".

2. ORDERS OF THE HON'BLE TRIBUNAL

It is respectively submitted that the Hon'ble National Green Tribunal (SZ), Chennai order dated 08.04.2021 in the matter of O.A.No.95 of 2021 directed the following,

6. we feel it appropriate to appoint a Joint Committee comprising of (i) the District Collector, Kancheepuram District or a Senior Officer not below the rank of Sub Divisional Magistrate/Assistant Collector to be deputed by the District Collector and (ii) a Senior Officer from the Tamil Nadu Pollution Control Board (TNPCB) as deputed by its Chairman to inspect the area in question and submit a factual as well as action taken report, if there is any violation found.

7. The Committee is also directed to ascertain as to whether the Solid Waste Management Rules, 2016 are not being properly complied with by the Secretary, Gerugambakkam Village Panchayat and whether there was any dumping of garbage in an unscientific manner and whether it is being burnt as alleged in the newspaper report and whether the directions issued by the Principal Bench of National Green Tribunal, New Delhi in O.A. No.606 of 2018 regarding the implementation of the Solid Waste Management Rules, 2016 is being strictly complied with by the local body and if not, what is the nature of action taken by the Pollution Control Board against the local body for non-implementation of the same.

8. The committee is also directed to assess the environment damage and also assess the environmental compensation to be recovered from the violator for causing damage to the environment and also submit long term and short term measures to resolve the issue with shorter time line which can be considered by this Tribunal subject to the direction issued by the Principal Bench in O.A. No.606/2018.

9. Tamil Nadu Pollution Control Board (TNPCB) will be the nodal agency for co-ordination and also for providing necessary logistics for that purpose.

3. COMPOSITION OF THE COMMITTEE

In compliance to the Hon'ble NGT [SZ] order,

1. Thiru R.Panneerselvam, DRO has been nominated as a member of the Joint committee representing *the District Collector, Kancheepuram*

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District or a Senior Officer not below the rank of Sub Divisional Magistrate/Assistant Collector by the District Collector.

2. The Member Secretary, Tamil Nadu Pollution Control Board vide Proc. No. TNPCB/LAW/LAW/LAIII/NGT/09795/2021 dated 29-04-2021 has nominated Thiru. P. Ravichandran, District Environmental Engineer, Kancheepuram District as a Nodal Officer of the Joint committee. **[Copy annexed at annexure 1].**

3 SCOPE OF THE COMMITTEE AS PER ORDER

- (i) To inspect the area in question and submit a factual as well as action taken report.
- ii) To assess the environment damage and also assess the environmental compensation to be recovered from the violator for causing damage to the environment and also submit long term and short term measures to resolve the issue with shorter time line.
- iii) To ascertain whether the Solid Waste Management Rules, 2016 are being properly complied with by the local body
- iv) To ascertain whether the directions issued by the Principal Bench of National Green Tribunal, New Delhi in O.A. No.606 of 2018 regarding the implementation of the Solid Waste Management Rules, 2016 is being strictly complied with by the local body and if not, what is the nature of action taken by the Pollution Control Board against the local body for non-implementation of the same.

4. JOINT INSPECTION OF THE COMMITTEE

The Joint Committee was inspected on 27-05-2021 along with the following officials.

1. Thiru M.Prabakaran., Assistant Engineer, O/o DEE, TNPCB, Sriperumbudur @ Oragadam.
2. Thiru. S.Srinivasan., Block Development Officer, Kundrathur P.U,
3. Tmt Lakhmi., Tazhildar., Kundarthur Taluk and
4. Thiru Kamaraj Zonal BDO., Girugambakkam village Panchayat.

During inspection the committee observed the following

It is respectively submitted that the questioned site of S.F.No. 738 (Meikkal Poramboke), Gerugambakkam village, Kundrathur Taluk, Kancheepuram District having total area of land (dump site) is 1.94 Acres which is located nearby Adayar River in the limits of Kundradhur Panchayat union.

5. OBSERVATION OF THE JOINT COMMITTEE.

- a) The total extent of land used by the Kundrathur Panchayat union at SF.No. 738, Gerugambakkam village, Kundrathur Taluk, Kancheepuram District for dumping of municipal solid waste generated from Gerugambakkam and Moulivakkam Village Panchayat is about 1.94 acre and it was reported the said area is maikal poramboke.
- b) The BDO, Kundrathur P.U has reported that
 - i. Gerugambakkam village Panchayat [total extent of 394 Hectare] limit is having 9 wards, 224 streets and having population of around 24,884 [as on May 2021] and daily generation of the municipal solid waste is about 2.5 T/day which was collected by using 3 nos. of Electronic Carts, 3 Nos. of Tri Cycles and 2 nos of tractors.
 - ii. Moulivakkam village Panchayat [total extent of 93.73.50 Hectare] limit is having 9 wards, 125 streets and having population of around 15,597 [as on May 2021] and daily generation of of the municipal solid waste is about 2.0 T/day which was collected 4 nos. of Electronic Carts, 4 Nos. of Tri Cycles and 2 nos. of tractors.
 - iii. The Kundrathur Panchayat Union is not carrying out the processing of the Solid Waste collected from the Gerugambakkam and Moulivakkam Village Panchayat area as per the Solid Waste Management Rules, 2016.
 - iv. The BDO, Kundrathur P.U has reported that as there is no common space available in the said village panchayat and the said municipal solid waste -4.5 T/ day dumped without any segregation in the S.F. No. 738, Gerugambakkam village, Kundrathur Taluk, Kancheepuram District which is a maikalpromboke along the Adyar River bank since from October 2018.
 - v. It is also reported that the Kolapakkam village Panchayat has not disposed the solid waste in the said area.

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- vi. The said dumping site is surrounded by private vacant land in western and northern sides, poramboke land in eastern and Adyar River in southern side.
 - vii. The Special Officer, Gerugambakkam Village Panchayat has reported that they are monitoring regularly to prevent any fire from rag pickers so as to avoid air pollution. However, it was reported that the solid waste is being burned in the same area by rag pickers during night hours.
 - viii. The BDO has reported that construction of Micro Composting Centre (MCC) at S.F. No. 543 [Vandi pathai poramboke], Tharapakkam road, Bharathi Nagar, Gerugambakkam, Kundrathur Taluk, Kancheepuram District has been completed to handle maximum 3 T/Day (Total generation 2.5 T/Day) of organic wastes as shown in the following photograph. It was reported that the MCC will be commenced after lock down period.



- ix. The BDO, Kundrathur P.U has reported that they are proposed to install solid waste magnetic thermal decomposition [pyrolator] at S.F. No. 738, Gerugambakkam village, Kundrathur Taluk, Kancheepuram District through CSR fund from M/s Renault Nissan Automotive India Pvt Ltd, SIPCOT Industrial Growth Centre, Oragadam vide Ir. no. 3810/2021/B2 dated 07.06.2021 [**Copy annexed as annexure -II**] and also reported that after installation of the same, dumping of solid waste in the above said area will be avoided.
- x. Photograph taken during the inspection are as follows.



The un-segregated solid waste is found dumped in the premises



Un-segregated waste burned in the said area



6. Action Initiated by TNPCB

In general, as the Kundrathur Panchayat Union has not carrying out the implementation of the Solid Waste Management Rules, 2016 for all village panchayats within their jurisdiction and hence

(i) The Block Development Officer, Kundrathur Panchayat union was issued with a show cause notice for non-compliance of the Hon'ble National Green Tribunal (PB), New Delhi in order dated 23.04.2019 in O.A. No. 606 of 2018 vide DEE Proc. dated 03.02.2020 & 20.10.2020.
[copy annexed as annexure III and IV]

(ii) Further the District Environmental Engineer, Tamilnadu Pollution Control Board, Sriperumbudur vide letter dated 29-08-2020 informed the Kudrathur Panchayat Union, if the local body has not complied the Solid Waste Management Rules, necessary compensation will be levied as directed by the Hon'ble National Green Tribunal [Principal Bench] in its order dated 02.07.2020 vide para 41 in OA NO. 606 of 2018 and again remainder was addressed vide DEE letter dated:30-11-2020 (**Copy Annexed as Annexure-V and VI**)

(iii) *It is respectfully submitted that the the Honb'le NGT[SZ] had suo Moto registered the case on the basis of the report published in Dinamalar, Chennai supplementary edition dated 10-02-2020 under the caption " போரூர் ஏரியின் ஒரு பக்கத்தில் குவிந்து கிடக்கும் பிளாஸ்டிக் கழிவுகள் மற்றும் குப்பை " [Heaps of Plastic wastes and garbage lying in a side of Porur Lake] and in this regard, the Hon'ble National Green Tribunal (SZ), Chennai the in its order dated 23.12.2020 in the matter of O.A.No.32 of 2020 (SZ) directed the following*

"In fact, the Pollution Control Board has already initiated action against the Panchayat Union for non-implementation of the Rules on the basis of the directions issued by the Principal Bench of National Green Tribunal in O.A.No.606/2018 by imposing an interim environmental compensation to the tune of Rs.12 lakhs and the said amount has not been deposited by them so far.

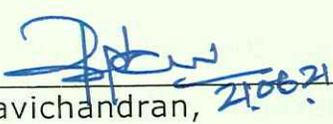
The District Collector, Kancheepuram is directed to exercise his responsibility under Rule 12 of the Solid Waste Management Rules,2016 to see that the legacy waste dumped in the catchment area of Porur Lake is disposed of scientifically so as to save the lake against the pollution and also take steps to recover the interim compensation already imposed by the Pollution Control Board, if no proceedings have been initiated by the Panchayat Union against the imposition of environmental compensation before the appropriate forum.

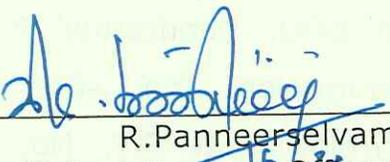
It is submitted that the Kundrathur panchayat union has not yet remitted the interim Environmental Compensation (EC) amount (Levied up to September 2020 for Ayyappantangal village panchayat) to TNPCB till date.

7. RECOMMENDATIONS:

1. The BDO., Kundrathur P.U, shall ensure that to identify the site for each village panchayats and **no solid wastes dumped and burned on open areas and on the bank of any Rivers.**
2. The Block Development Officer (BDO), Kundrathur Panchayat Union shall ensure 100% collection of solid waste being generated within the jurisdiction of Village Panchayat with proper segregation, door to door collection, processing and disposal by complying with the provisions of the Solid Waste Management Rules 2016.
3. The Block Development Officer (BDO), Kundrathur Panchayat Union shall commission the Micro Composting Centre (MCC) **within a month** so as to handle the 2.5T of Organic waste generated in the Gerugambakkam village panchayat and so as to avoid the disposal of solid waste in the said area.
4. The BDO, Kundrathur P.U shall initiate action to install and commission the solid waste magnetic thermal decomposition [pyrolator] at S.F. No. 738, Gerugambakkam village, Kundrathur Taluk, Kancheepuram District as reported **within three months.**
5. The Block Development Officer (BDO), Kundrathur Panchayat Union in coordination with District Administration shall **identify an additional land** for handling and treatment (Processing & Incineration) of entire quantity of municipal solid waste as per the Solid Waste Management Rules, 2016.
6. The Block Development Officer (BDO), Kundrathur Panchayat Union shall ensure to **employ the sanitary staff** in the dump site in question to monitor so as to prevent any fire from the rag pickers and maintain records if any case found.

7. The Secretary, Rural Development Department, Govt of Tamilnadu and Assistant Director, Village Panchayats, Kancheepuram District shall monitor and ensure that the Kundrathur Panchayat Union is complied with the statutory requirements and for the scientific disposal of solid waste that are being generated in the Gerugambakkam Village Panchayat and other village panchayats near by Chennai District.
8. The authorities of PWD may be directed to ensure that no persons should be permitted to dispose the solid waste on the bank of Rivers and if so appropriate action shall be initiated by them.
9. The Kundrathur Panchayat Union shall remit interim Environmental Compensation (EC) of Rs.12 Lakhs already directed by the Hon'ble NGT in the matter of O.A.No.32 of 2020 (SZ) for not complying with the provisions of the Solid Waste Management Rules, 2016.


P. Ravichandran, 21/06/21
District Environmental Engineer,
Tamilnadu Pollution Control
Board,
Sriperumbudur @ Oragadam


R. Panneerselvam
District Revenue Officer,
Kancheepuram



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Annexure - 1

TAMIL NADU POLLUTION CONTROL BOARD

Proc. No: TNPCB/LAW/LAIII/NGT/09795/2021 dated: 29 .04.2021

- Sub:** TNPCB – Law – NGT O.A.No.95 of 2021 (SZ) – SUO MOTU Based on The News item published in the New Indian Express, Chennai Edition, Dated 25.02.2021, under the caption “Burning of garbage Continues near Adyar” – NGT order dated 08.04. 2021 – Formation of the Joint Committee – To inspect and furnish report to the Hon’ble NGT – Regarding.
- Ref:** Copy of the Hon’ble NGT order dated:08.04.2021 passed in O.A.No.95 of 2021 (SZ).

It is informed that an Original Application No. 95 of 2021 is taken up by the Hon’ble NGT (SZ) as SUO MOTU Based on The News item published in the New Indian Express, Chennai Edition, Dated 25.02.2021, under the caption “Burning of garbage Continues near Adyar” Reg.

In this regard, the Hon’ble NGT has passed order dated 08.04.2021 and issued the following directions among other things inter alia as follows:

“Para 6: In order to ascertain the genuineness of the allegations made in the newspaper report, we feel it appropriate to appoint a Joint Committee comprising of (i) the District Collector, Kancheepuram District or a Senior Officer not below the rank of Sub Divisional Magistrate/Assistant Collector to be deputed by the District Collector and (ii) a Senior Officer from the Tamil Nadu Pollution Control Board (TNPCB) as deputed by its Chairman to inspect the area in question and submit a factual as well as action taken report, if there is any violation found.

Para 7: The Committee is also directed to ascertain as to whether the Solid Waste Management Rules, 2016 are being properly complied with by the 6th respondent namely, Gerugambakkam Village Panchayat and whether there was any dumping of garbage in an unscientific manner and whether it is being burnt as alleged in the newspaper report and whether the directions issued by the Principal Bench of National Green Tribunal, New Delhi in O.A. No.606 of 2018 regarding the implementation of the Solid Waste Management Rules, 2016 is being strictly complied with by the local body and if not, what is the nature of action taken by the Pollution Control Board against the local body for non-implementation of the same and submit a report to this Tribunal before the next hearing date.

Para 8: The committee is also directed to assess the environment damage and also assess the environmental compensation to be recovered from the violator for causing damage to the environment and also submit long term and short term measures to resolve the issue with shorter time line which can be considered by this Tribunal subject to the direction issued by the Principal Bench in O.A. No.606/2018.

PC

Para 9: The Tamil Nadu Pollution Control Board (TNPCB) will be the nodal agency of co-ordination and also for providing necessary logistics for this purpose.

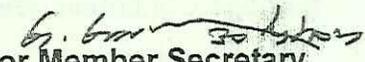
Para 10: The committee is directed to submit the report to this Tribunal on or before 25.05.2021"

In order to comply the above said NGT order dated 08.04.2021, the District Environmental Engineer, TNPCB, Sriperambudur is nominated as Nodal Officer of the Joint Committee.

Therefore, the District Environmental Engineer, TNPCB, Sriperambudur is requested to comply the NGT order and coordinate with the Joint Committee and furnish the Joint Committee Report to this office immediately.

The receipt of this proceeding shall be acknowledged.

Encl: As above.


For Member Secretary

To

The District Environmental Engineer ,
Tamil Nadu Pollution Control Board,
Sriperumbudur,
Kancheepuram District.

அனுப்புநர்

திரு. சீ. சீனிவாசன்,
வட்டார வளர்ச்சி அலுவலர்(கி.உ),
குன்றத்தூர் ஊராட்சி ஒன்றியம்,
(இ) படப்பை.

பெறுநர்,

கோட்ட பொறியாளர்,
தமிழ்நாடு மாசு கட்டுப்பாட்டு வாரியம்,
58, ஓரகடம் தொழிற்பேட்டை,
காஞ்சிபுரம் மாவட்டம்.

ந.க.எண்.3810/2021/ஆ4 நாள்.07.06.2021

அய்யா/ அம்மையர்,

பொருள் : ஊராட்சி நிர்வாகம் - காஞ்சிபுரம் மாவட்டம் - குன்றத்தூர் ஊராட்சி ஒன்றியம் - கொளப்பாக்கம் ஊராட்சி - சர்வே எண். மேய்க்கால் புறம்போக்கு நில அளவை எண்.738-ல் 0.79.5 ஹெக்டேர்ஸ் இடத்தில் அடையாறு ஆற்று கால்வாய் அருகில் - குப்பைகள் எரிக்கப்பட்டுள்ளது - நியூ இந்தியன் எக்ஸ்பிரஸ் பத்திரிக்கை செய்தி நாள்.05.02.2021 வெளியிடப்பட்டது - பசுமை தீர்ப்பாயம் மற்றும் ஆய்வுக்குழு - தாமாசு முன்வந்து வழக்கு தொடரப்பட்டது களஆய்வு அறிக்கை அனுப்பி வைத்தல் - சார்ந்து.

பார்வை : 1.முதன்மை பொறியாளர், தமிழ்நாடு மாசுக்காட்டுப்பாட்டு வாரியம், ஓரகடம் அவர்களின் கடிதம் எண்.DEE/TNPCB/SPR/court case-NGT-95 of 2021/-F.1107 Dated.03.05.2021 இவ்வலுவலகம் பெறப்பட்ட நாள்.28-05-2021.
2.இவ்வலுவலக இதே எண்ணிட்ட கடித நாள்-28.05.2021

.....

காஞ்சிபுரம் மாவட்டம், குன்றத்தூர் ஊராட்சி ஒன்றியத்திற்குட்பட்ட, கொளப்பாக்கம் ஊராட்சியில் அடையாறு ஆற்றின் கரைப்பகுதியில் குப்பைகள் கொட்டப்பட்டு எரியூட்டப்படுவதாகவும், இதனால் பொதுமக்கள் பல அவதிக்குள்ளாவதாக தினசரி பத்திரிக்கை தி நியூ இந்தியன் எக்ஸ்பிரஸ் 25.02.2021-ல் செய்தி வரப்பெற்றது. தொடர்ந்து பசுமைத்தீர்ப்பாயம் மற்றும் ஆய்வுக்குழு தாமாசு முன்வந்து வழக்கு தொடரப்பட்டுள்ளது.

இதனடிப்படையில் காஞ்சிபுரம் மாவட்ட ஆட்சித் தலைவர், அவர்களின் உத்தரவின்படி, குழு அமைக்கப்பட்டு ஆய்வு மேற்கொள்ள உத்தரவிடப்பட்டது. ஆய்வுக்குழுவில் மாவட்ட வருவாய் அலுவலர் தலைமையில் உதவி பொறியாளர் (தமிழ்நாடு மாசுக்கட்டுப்பாட்டு வாரியம்) மற்றும் தனி அலுவலர்/வட்டார வளர்ச்சி அலுவலர்(கி.உ) உடன் 27.05.2021 அன்று பிற்பகல் 4.30 மணிக்கு ஆய்வு மேற்கொள்ளப்பட்டது. ஆய்வின் அடிப்படையில் வழக்கில் தெரிவித்துள்ளபடி, கொளப்பாக்கம் ஊராட்சியின் குப்பைகள் அடையாறு ஆற்றின் கால்வாய் கரைப்பகுதியில் கொட்டப்படுவதில்லை. மேற்படி ஊராட்சி குப்பைகள் கொளப்பாக்கம் ஊராட்சி எல்லைக்குட்பட்ட பகுதியிலேயே கொட்டப்பட்டு வருகின்றது. மேலும் கொளப்பாக்கம் ஊராட்சியில் நுண்ணுயிர் உரம் தயாரிப்பு கூடம் மதிப்பீடு தொகை ரூ.25.96/- இலட்சத்தில் கட்டப்பட்டு பயன்பாட்டிற்கு வரும் நிலையில் உள்ளது.

1) அடையாறு கால்வாய் அருகில் கெருகம்பாக்கம் ஊராட்சி எல்லைக்குட்பட்ட நில அளவை எண் 738-ல் 0.79.5 ஹெக்டேர்ஸ் மேய்க்கால் புறம்போக்கு பகுதியில் கெருகம்பாக்கம் மற்றும் மௌலிவாக்கம் ஊராட்சிகளிலிருந்து சேகரிக்கப்படும் குப்பைகள் கொட்டப்பட்டு வருகிறது. மேற்கண்ட ஊராட்சிகளில் குப்பைகள் கொட்டுவதற்கு பொது இடங்கள் ஏதுமில்லாத நிலையில் அடையாறு ஆற்றின் கரை ஓரத்தில் உள்ள 1.94 ஏக்கர் மேய்க்கால் புறம்போக்கு இடத்தில் கொட்டப்பட்டு வருகிறது. மேற்படி இடத்தில் கொட்டப்படும் குப்பைகள் சமூக விரோதிகள் இரவு நேரத்தில் எரிப்பது தற்போது ஊராட்சியின் மூலம் கண்காணிக்கப்பட்டு தடுக்கப்பட்டுள்ளது.

2) கெருகம்பாக்கம் ஊராட்சியின் மயான இடத்தில் அமைந்துள்ள பகுதியில் குப்பைகள் கொட்டப்பட்டு வந்த நிலையில், அப்பகுதி மக்கள் எதிர்ப்பு தெரிவித்ததை தொடர்ந்தும், மேலும் மேற்படி ஊராட்சியில் சேகரமாகும் குப்பைகளை ஒருங்கிணைந்த காஞ்சிபுரம் மாவட்டமாக இருந்த போது காட்டாங்கொளத்தூர் ஊராட்சி ஒன்றியம், கொளத்தூர் ஊராட்சியில் கொட்டப்பட்டு வந்தது, தற்போது கெருகம்பாக்கம் ஊராட்சியில் குப்பைகளை கொட்டுவதற்கு இடம் இல்லாத சூழ்நிலையில், 28.10.2018 முதல் அடையாறு ஆற்று கரையோரம் உள்ள 1.94 ஏக்கர் மேய்க்கால் புறம்போக்கு இடத்தில் ச.எண்.738-ல் குப்பைகள் கொட்டப்பட்டு வருகிறது. மேற்படி இடத்தில் தற்போது 5 டன் அளவில் குப்பை உள்ளது.

3) மேலும் கெருகம்பாக்கம் ஊராட்சியில் நுண்ணுயிர் உரம் தயாரிக்கும் கூடம் மதிப்பீடு ரூ.25.96/- இலட்ச மதிப்பீட்டில் கட்டப்பட்டு பயன்பாட்டிற்கு வரும் நிலையில் உள்ளது, ஒரு நாளைக்கு 1.50 டன் அளவில் குப்பைகள் தரம் பிரிக்கப்பட்டு உரமாக தயாரிக்கப்படும். மேலும் சமூக பொறுப்புணர்வு திட்டத்தில் (CSR) கெருகம்பாக்கம் ஊராட்சியில் சுற்று வட்டார பகுதியில் சேகரமாகும் குப்பை கழிவுகளை அகற்றும் இயந்திரம் (Ecomac Waste Decomposition Garbage) அமைக்க மெசர்ஸ்.ராம்ராஜ் அசோசியேட், சென்னை -44 என்ற நிறுவனத்திற்கு உத்தரவு 06.01.2021-ல் வழங்கப்பட்டுள்ளது. இப்பணி முடிந்து பயன்பாட்டிற்கு வரப்பெற்றதும் மேற்படி இடத்தில் குப்பை கழிவுகள் கொட்டுவது முழுவதுமாக தவிர்க்கப்படும்.

4) மேலும் தற்போது கொரோனா நோய் தொற்று பரவல் ஊரடங்கு காரணமாக ஊராட்சிகளில் மேற்படி பணி தொடங்க இயலாத நிலை உள்ளது, இந்நிலை முடிந்தவுடன் நுண்ணுயிர் உரம் தயாரிக்கும் கூடம் மூலம் குப்பைகள் மறுசுழற்சி செய்யப்பட்டு உரம் தயாரிக்கும் பணி நடைபெறும் நிலையில் மேற்படி இடத்தில் குப்பைகள் கொட்டுவது தவிர்க்கப்படும் என்பதனை பணிவுடன் தெரிவித்துக் கொள்கிறேன்.

இணைப்பு -

1. மறுசுழற்சி இயந்திரம் பொருத்தப்பட்ட புகைப்பட நகல்கள்
2. வட்டார வளர்ச்சி அலுவலர்(கி.ஊ), குன்றத்தூர் அவர்களின் பணி உத்தரவு நகல்

வட்டார வளர்ச்சி அலுவலர்(கி.ஊ),
குன்றத்தூர் (இ) படப்பை

நகல் பணிநிறுத்தப்படுகிறது -

1. மாவட்ட வருவாய் அலுவலர், காஞ்சிபுரம்
2. இணை இயக்குநர்/திட்ட இயக்குநர், மாவட்ட ஊரக வளர்ச்சி முகமை, காஞ்சிபுரம்
3. உதவி இயக்குநர்(ஊராட்சிகள்), காஞ்சிபுரம்

குன்றத்தூர் ஊராட்சி ஒன்றிய வட்டார வளர்ச்சி அலுவலர் (கி.ஊ) அவர்களின்
செயல்முறைகள்
முன்னிலை - திரு. ஆர்.வேல்முருகன்.

ந.க.509/2020/ஓ3

நாள்.6.01.2021

- பொருள்** பெரு நிறுவனங்களின் சமூக பொறுப்பு (CSR) - மாவட்ட ஊரக வளர்ச்சி முகமை - காஞ்சிபுரம் மாவட்டம், குன்றத்தூர் ஊராட்சி ஒன்றியம் - , படப்பை மற்றும் கெருகம்பாக்கம் ஊராட்சிகளில் தினசரி சேகரிக்கும் குப்பை கழிவுகளை அகற்றும் இயந்திரம் அமைப்பதற்கு நிர்வாக அனுமதி வழங்கப்பட்டது - வேலை உத்தரவு வழங்கி உத்தரவிடல்.
- பார்வை** 1.வட்டார வளர்ச்சி அலுவலர்(கி.ஊ), குன்றத்தூர் ஊராட்சி ஒன்றியம், அவர்களின் கடித ந.க.எண்.509/2018/ஆ3 நாள்.23.09.2020
2.மாவட்ட ஆட்சித்தலைவர்/பெருந்தலைவர், மாவட்ட ஊரக வளர்ச்சி முகமை காஞ்சிபுரம் அவர்களின் செ.மு.ந.க.எண்.2967/2020/அ11 நாள்.21.09.2020.
3.Ramraj Associates, S-2, Thai Srinivas Plot 18 Old No.11, New No.6, Srinivasa Street, Naradhapuri, Chromepet Chennai என்ற நிறுவனத்திடமிருந்து வரப்பெற்ற விலைபுள்ளி.
4.ஒப்பு நோக்குப்பட்டியல்.

உத்தரவு

பார்வை 1ல் காணும் வட்டார வளர்ச்சி அலுவலர்(கி.ஊ) கடிதத்தின் மூலம் குன்றத்தூர் ஊராட்சி ஒன்றியத்தில் உள்ள கெருகம்பாக்கம் மற்றும் படப்பை ஊராட்சிகளின் சுற்று வட்டார பகுதிகளில் தினசரி சேகரிக்கும் சுமார் 50.00 டன் குப்பைகளை கொட்டுவதற்கு போதிய இடவசதி இன்மையால், மேற்படி சேகரிக்கும் குப்பைகளை கெருகம்பாக்கம் ஊராட்சி சர்வே எண்.738-ல் ஏர்ஸ் மேய்கால் புறம்போக்கு மற்றும் படப்பை ஊராட்சி சர்வே எண்.547/1ல் 1 ஏர்ஸ் மேய்கால் புறம்போக்கு நிலத்தில் இயந்திரம் மூலம் குப்பை கழிவுகளை அப்புறப்படுத்த கூடம் அமைக்க பிரேரணை அனுப்பிவைக்கப்பட்டது.

அதனை தொடர்ந்து பார்வை 2ல் காணும் மாவட்ட ஆட்சித்தலைவர்/பெருந்தலைவர், மாவட்ட ஊரக வளர்ச்சி முகமை காஞ்சிபுரம் அவர்களின் செயல்முறையின்படி குன்றத்தூர் ஊராட்சி ஒன்றியத்தில் உள்ள கெருகம்பாக்கம் மற்றும் படப்பை ஊராட்சிகளில் சேகரிக்கும் குப்பைகளை இயந்திரம் மூலம் அப்புறப்படுத்த கூடம் அமைக்க பின்வருமாறு நிர்வாக அனுமதி அளித்து உத்தரவிடப்பட்டுள்ளது.

அட்டவணை

வ. எண்	ஊராட்சியின் பெயர்	பணியின் விவரங்கள்	மதிப்பீட்டுத் தொகை (ரூ)	இயந்திரத்தின் எண்ணிக்கை
1	படப்பை	Supply of Scrubber Unit With 3stage AAF filters and including Loading Platform and stairs with equipment's and Installation/Eco green Dry Scrubber Unit 5.5 Cum/per Load	2313400	1 No (One)
		Supply installation and commissioning of ECOMAC scientific municipal soild waste Management machine working on Magnetic lionization and thermal processing Technology/Eco green 550-5.5 cum/per Load	2682400	
		Cost of Construction of Shed of 4000Sq feet with 1-Section raised Columns and Industrial grade Tin Roof With ventilators	1120000	
மொத்தம்			61,15,800	
2	கெருகம்பாக்கம்	Supply of Scrubber Unit With 3stage AAF filters and including Loading Platform and stairs with equipment's and Installation/Eco green Dry Scrubber Unit 5.5 Cum/per Load	23,13,400	1 No (One)
		Supply installation and commissioning of ECOMAC scientific municipal soild waste Management machine working on Magnetic lionization and thermal processing Technology/Eco green 550-5.5 cum/per Load	26,82,400	
		Cost of Construction of Shed of 4000Sq feet with 1-Section raised Columns and Industrial grade Tin Roof With ventilators	11,20,000	
மொத்தம்			61,15,800	
பெருமொத்தம்			1,22,31,600	

மேற்காணும் பணிகளுக்கு வரப்பெற்ற விலைப்புள்ளியின் அடிப்படையில் குறைந்த விலைப்புள்ளி வழங்கிய Ramraj Associates Chrompet Chennai - 600044 என்ற நிறுவனத்திற்கு மேற்காணும் மதிப்பீட்டு தொகையின் அடிப்படையில் படப்பை ஊராட்சியில் 1 (ஒன்று) இயந்திரத்தையும், கெருகம்பாக்கம் ஊராட்சியில் 1 (ஒன்று) இயந்திரத்தையும், பொருத்த பின்வரும் நிபந்தனைகளுக்குட்பட்டு வேலை உத்தரவு வழங்கி உத்தரவிடப்படுகிறது.

நிபந்தனைகள்

- 1) பி.யூ.படிவம் எண்.60, பி.யூ.படிவம் எண்.60 A -யிலும் ரூ.20/- (ரூபாய் இருபது மட்டும்) மதிப்புள்ள முத்திரைத்தாள் ஒப்பந்தப்பத்திரத்தை இந்த வேலை உத்தரவு பெறப்பட்ட ஒரு வார காலத்திற்குள் எழுதிக் கொடுத்து அதன்பின்னர் தான் வேலையை செய்ய வேண்டும்
- 2) பணிகள் அனைத்தும் அரசின் விதிமுறைகளுக்குட்பட்டு மேற்கொள்ளப்பட வேண்டும்.
- 3) பணி தொடங்கும் போதும், நடைபெறும் போதும் மற்றும் முடிக்கப்பட்ட பின்பும் முன்று கட்டமாக புகைப்படம் எடுத்து முன்று நகல்களை இறுதி பட்டியலுடன் ஒப்படைக்கப்பட வேண்டும்.
- 4) பட்டியல் தொகை விடுவிக்கப்படும் போது பட்டியலில் பிடித்தம் செய்யப்பட வேண்டிய வரியினங்கள் பிடித்தம் செய்யப்பட்டு நிகரத் தொகை வழங்கப்படும்.
- 5) வேலை உத்தரவு வழங்கப்பட்ட நாளிலிருந்து 60 நாட்களுக்குள் பணியினை முழுமையாக முடிக்கப்படவேண்டும்.
- 6) இப்பணிகளுக்கு பயன்படுத்தப்படும் அனைத்து பொருட்களும் இந்திய தர சான்று முத்திரைகள் (ISI) உடையதாக இருக்கவேண்டும்.
- 7) பணிகள் முடிவுற்றதும் ஊராட்சிகளில் சொத்து பதிவேடு படிவம் 16ல் பதிவு செய்து உரிய அலுவலர்களின் கையெப்பம் பெற்று அந்த பதிவேட்டின் நகல் பட்டியலுடன் அளிக்கப்படவேண்டும்.
- 8) திட்ட அறிக்கையில் தெரிவிக்கப்பட்டுள்ளவாறு இயந்திரத்தின் செயல்பாடு மற்றும் பராமரிப்பு பணிகளை விநியோகம் செய்யும் நிறுவனம் மேற்கொள்ள வேண்டும்.
- 9) இப்பணி நடைபெறும் இடத்தில் பணிகள் விவரம் குறித்த நிரந்தர பெயர் பலகையினை சமந்தப்பட்ட நிறுவனத்தால் அமைக்கப்பட வேண்டும்.
- 10) பட்டியல் தொகை வழங்கும் போது பட்டியலில் பிடித்தம் செய்யப்பட வேண்டிய வரியினங்கள் பிடித்தம் செய்யப்பட்டு நிகரத் தொகை வழங்கப்படும்.

அறிவட்டார வளர்ச்சி அலுவலர் (கி.ஆ),
குன்றத்தூர் ஊராட்சி ஒன்றியம்.

பெறுநர்

Ramraj Associates,
S-2, Thai Srinivas, Plot 18,
Old No.11, New No.6, Srinivasa Street,
Naradhapuri, Chrompet Chennai-600 044

பி.யூ.படிவம்
06/01/2024

06/01/2024

நகல் .

1. மாவட்ட ஆட்சியலையர்/ பெருந்தலையர் ,
மாவட்ட ஊரக வளர்ச்சி முகமை, காஞ்சிபுரம்
- அவர்களுக்கு பணிந்தனுப்பப்படுகிறது.
2. இணை இயக்குநர்/ திட்ட இயக்குநர் மாவட்ட ஊரக வளர்ச்சி முகமை, காஞ்சிபுரம்.
- அவர்களுக்கு பணிந்தனுப்பப்படுகிறது.
3. சம்மந்தப்பட்ட உதவி பொறியாளர்கள்
- குன்றத்தூர் ஊராட்சி ஒன்றியம்.
4. சம்மந்தப்பட்ட மண்டல துணை வட்டார வளர்ச்சி அலுவலர்கள்
- குன்றத்தூர் ஊராட்சி ஒன்றியம்.
5. வட்டார ஒருங்கிணைப்பாளர் குன்றத்தூர் ஊராட்சி ஒன்றியம்.



Annexure - III

Annexure - III

16

By Regd. Post

TAMILNADU POLLUTION CONTROL BOARD

O/o. District Environmental Engineer
Tamil Nadu Pollution Control Board,
CP-5B, SIPCOT Industrial Growth Centre,
Oragadam, Sriperumbudur Taluk,
Kancheepuram District

Proc. No. DEE/TNPCB/SPR/SWM/F. No. M-001/2020 dated 03.02.2020

Sub: TNPCBd-Local body- Kundrathur Town Panchayat, Kundrathur Taluk, Kancheepuram District - Water (Prevention and Control of Pollution) Act, 1974 as amended - Disposal of solid waste in open area - Show Cause Notice issued- regarding.

Ref: 1. Inspection of the Joint Committee on 30.01.2020
2. Hon'ble National Green Tribunal (PB), New Delhi in order dated 23.04.2019 in the Original Application No. 606 of 2018

The Water (Prevention and Control of Pollution) Act, 1974 as amended in 1988 is in force in Tamilnadu. (Here in after referred to as Act). The Tamilnadu Pollution Control Board enforces the above said Act.

As per Section 24 [**Prohibition on use of stream or well for disposal of polluting matter, etc.**] of the Water (Prevention and Control of Pollution) Act 1974 as amended in 1988,

1)

(a) *no person shall knowingly cause or permit any poisonous, noxious or polluting matter determined in accordance with such standards as may be laid down by the State Board to enter (whether directly or indirectly) into any stream or well or sewer or on land ; or*

(b) *no person shall knowingly cause or permit to enter into any stream any other matter which may tend, either directly or in combination with similar matters, to impede the proper flow of the water of the stream in a manner leading or likely to lead to a substantial aggravation of pollution due to other causes or of its consequences.*

2) *A person shall not be guilty of an offence under sub-section (1), by reason only of having done or caused to be done any of the following acts, namely:—*

- (a) constructing, improving or maintaining in or across or on the bank or bed of any stream any building, bridge, weir, dam, sluice, dock, pier, drain or sewer or other permanent works which he has a right to construct, improve or maintain;
- (b) depositing any materials on the bank or in the bed of any stream for the purpose of reclaiming land or for supporting, repairing or protecting the bank or bed of such stream provided such materials are not capable of polluting such stream;
- (c) putting into any stream any sand or gravel or other natural deposit which has flowed from or been deposited by the current of such stream;
- (d) Causing or permitting, with the consent of the State Board, the deposit accumulated in a well, pond or reservoir to enter into any stream.

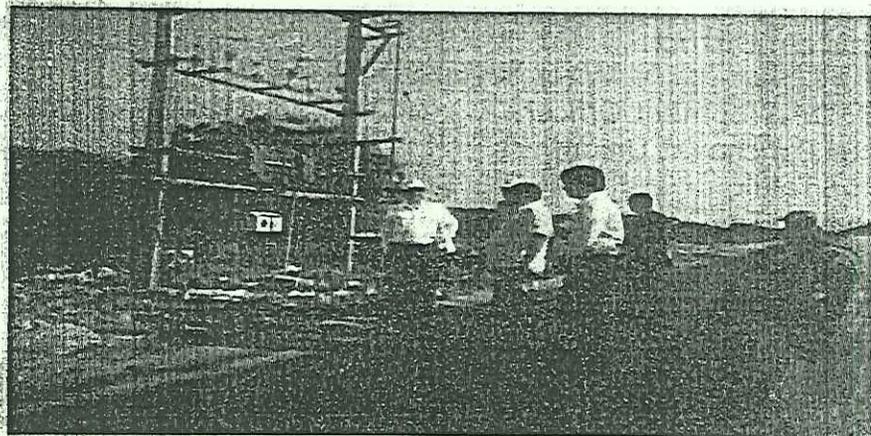
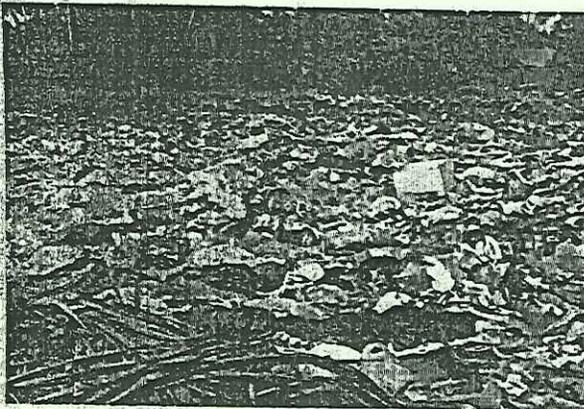
Whereas, Hon'ble National Green Tribunal (PB), New Delhi in its order dated 23.04.2019 in the Original Application No. 606 of 2018 has directed that.

"... All the local authorities constituted for providing services to the citizens are lethargic and insufficient in their functioning which is impermissible. Non-accountability has led to lack of effort on the part of the employees. Domestic garbage and sewage along with poor drainage system in an unplanned manner contribute heavily to the problem of solid waste. The number of slums of multiplied significantly occupying large areas of public land. Promise of free land attracts more land grabbers. Instead of "slum clearance" there is "slum creation" in cities which is further aggravating the problem of domestic waste being strewn in the open. Accordingly, the Court directed that provisions pertaining to sanitation and public health under the DMC Act, 1957, the New Delhi Municipal Council Act, 1994 and Cantonments Act, 1994 be complied with, streets and public premises be cleaned daily, statutory authorities levy and recover charges from any person violating laws and ensure scientific disposal of waste, landfill sites be identified keeping in mind requirement of the city for next 20 years and environmental considerations, sites be identified for setting up of compost plants, steps be taken to prevent fresh encroachments and compliance report be submitted within eight weeks....

Penalty provision: Prescribe criteria for levying of spot fine for persons who litters or fails to comply with the provisions of these rules and delegate powers to officers or local bodies to levy spot fines as per the byelaws framed".

Whereas, during inspection of Kundrathur Town Panchayat & adjacent villages of Kundrathur Panchayat Union, Kundrathur Taluk, Kancheepuram District on 31.01.2020 by Joint Committee formed by the Hon'ble National Green Tribunal, Southern Zone, the following were observed.

1. Un-segregated municipal solid waste including plastics generated in and around the Kundrathur area was dumped in the open area & adjacent to the bypass road thereby permitting to deposit on the road side and polluting.



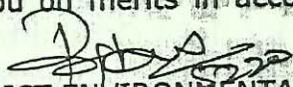
2. There is no sewage treatment plant was found to be operation in the Kundrathur Town Panchayat area for the treatment and disposal of sewage generated in the Kundrathur Town Panchayat.
3. The sewage from the septic tank of individual house disposed through private sewage tanker lorry and discharged in nearby lowlying area/water bodies, streams and public storm water drain etc., and thereby polluting the soil/groundwater/surface water and also creating nuisance to the localities.

As such the provisions of Section 24 of the Act have been contravened by you which is an offence punishable under section 43 of the Act with imprisonment for a term which shall not be less than one year and six months but which may extend to six years and with fine.

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Contravention of Section 24 of the Water (Prevention and Control Pollution) Act, 1974 as amended 1988 shall lead to issue any directions in writing to any person, officer or authority, and such person, officer or authority shall be bound to comply with such directions under Section 33A of the Act for closure, stoppage of power supply etc.,

Hence, you are hereby directed to Show Cause within 7 days from the date of receipt of the notice as to why direction shall not be issued to you as occupier of said unit under Section 33A of the said Act for Closure, stoppage of power supply etc.,

It is informed that non-receipt of any reply within the stipulated time will be construed that you have no satisfactory explanation to offer for the above said contravention and action will be taken against you on merits in accordance with law.


DISTRICT ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD
SRIPERUMBUDUR

To

- 
- 1) The Executive Officer,
Kundrathur Town Panchayat,
Kundrathur Taluk.,
Kancheepuram District.
 - 2) The Block Development Officer,
Kundrathur Panchayat Union,
Kundrathur Taluk,
Kancheepuram Dt.,

Copy submitted to

1. The District Collector, Kancheepuram District.
-for kind information please
2. The Member Secretary, TNPCB, Chennai-32
-for kind information please
3. The JCEE [M], Chennai-106
-for kind information please

Copy to

- 1) The Asst. Director, Town Panchayat] / Panchayat
Collectorate, Master Plan Complex,
Kancheepuram District
-for necessary action please
- 2) The Asst. Director, Panchayat
Collectorate, Master Plan Complex,
Kancheepuram District
-for necessary action please


DESPATCHED

25/02/2020



Annex IV

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Annexure - IV

By Regd. Post

TAMILNADU POLLUTION CONTROL BOARD

O/o. District Environmental Engineer
Tamil Nadu Pollution Control Board,
CP-5B, SIPCOT Industrial Growth Centre,
Oragadam, Sriperumbudur Taluk,
Kancheepuram District

Proc. No. DEE/TNPCB/SPR/SWM/F. No. M-001/2020 dated 20-10-2020

Sub: TNPCBd-Local body- Kundrathur Town Panchayat, Kundrathur Taluk, Kancheepuram District - Water (Prevention and Control of Pollution) Act, 1974 as amended - Disposal of solid waste in open area in NH nearby SIPCOT Training Centre, Oragadam-Show Cause Notice issued-regarding.

- Ref:**
1. Hon'ble National Green Tribunal (PB), New Delhi in order dated 23.04.2019 in the Original Application No. 606 of 2018.
 2. T.O Proc. No. DEE/TNPCB/SPR/SWM/F. No. M-001/2020 dated 03.02.2020
 3. T.O Letter No. DEE/TNPCB/SPR/F-M-0001/SWM/2020, Dated 29-08-2020.
 4. Hon'ble NGT Order dated 25.09.2020 in OA No.32 of 2020.
 5. Inspection of the said area on 20-10-2020.

The Water (Prevention and Control of Pollution) Act, 1974 as amended in 1988 is in force in Tamilnadu. (Here in after referred to as Act). The Tamilnadu Pollution Control Board enforces the above said Act.

As per Section 24 [**Prohibition on use of stream or well for disposal of polluting matter, etc.**] of the Water (Prevention and Control of Pollution) Act 1974 as amended in 1988,

1)

(a) *no person shall knowingly cause or permit any poisonous, noxious or polluting matter determined in accordance with such standards as may be laid down by the State Board to enter (whether directly or indirectly) into any stream or well or sewer or on land ; or*

(b) *no person shall knowingly cause or permit to enter into any stream any other matter which may tend, either directly or in combination with similar matters, to impede the proper flow of the water of the stream in a manner leading or likely to lead to a substantial aggravation of pollution due to other causes or of its consequences.*

2) A person shall not be guilty of an offence under sub-section (1), by reason only of having done or caused to be done any of the following acts, namely:—

- (a) constructing, improving or maintaining in or across or on the bank or bed of any stream any building, bridge, weir, dam, sluice, dock, pier, drain or sewer or other permanent works which he has a right to construct, improve or maintain;
- (b) depositing any materials on the bank or in the bed of any stream for the purpose of reclaiming land or for supporting, repairing or protecting the bank or bed of such stream provided such materials are not capable of polluting such stream;
- (c) putting into any stream any sand or gravel or other natural deposit which has flowed from or been deposited by the current of such stream;
- (d) Causing or permitting, with the consent of the State Board, the deposit accumulated in a well, pond or reservoir to enter into any stream.

Whereas, Hon'ble National Green Tribunal (PB), New Delhi in its order dated 23.04.2019 in the Original Application No. 606 of 2018 has directed that.

"... All the local authorities constituted for providing services to the citizens are lethargic and insufficient in their functioning which is impermissible. Non-accountability has led to lack of effort on the part of the employees. Domestic garbage and sewage along with poor drainage system in an unplanned manner contribute heavily to the problem of solid waste. The number of slums of multiplied significantly occupying large areas of public land. Promise of free land attracts more land grabbers. Instead of "slum clearance" there is "slum creation" in cities which is further aggravating the problem of domestic waste being strewn in the open. Accordingly, the Court directed that provisions pertaining to sanitation and public health under the DMC Act, 1957, the New Delhi Municipal Council Act, 1994 and Cantonments Act, 1994 be complied with, streets and public premises be cleaned daily, statutory authorities levy and recover charges from any person violating laws and ensure scientific disposal of waste, landfill sites be identified keeping in mind requirement of the city for next 20 years and environmental considerations, sites be identified for setting up of compost plants, steps be taken to prevent fresh encroachments and compliance report be submitted within eight weeks...."

Penalty provision: Prescribe criteria for levying of spot fine for persons who litters or fails to comply with the provisions of these rules and delegate powers to officers or local bodies to levy spot fines as per the byelaws framed".

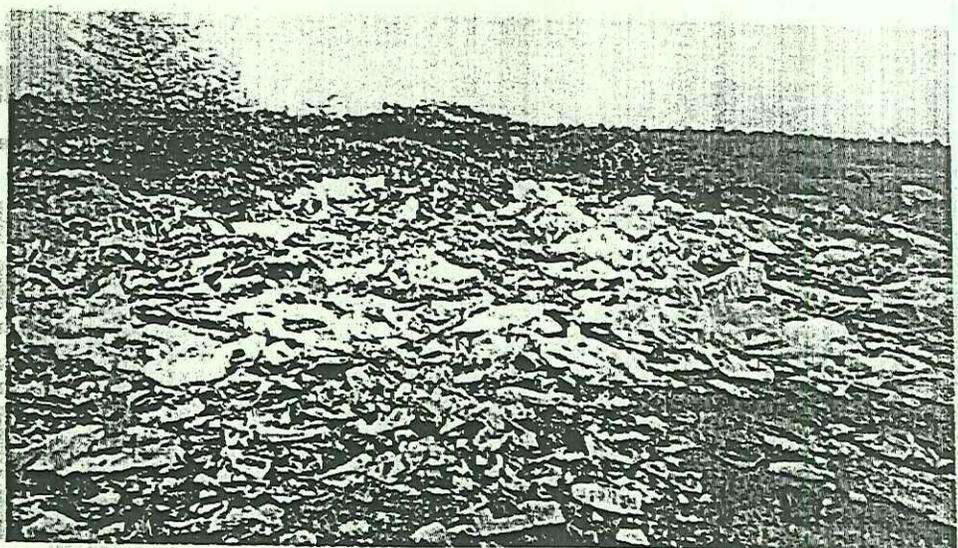
Whereas, showcause notice was issued for the non compliances of the disposal of solid wastes as per the Solid Waste Management Rules, 2016 dated 08-04-2016 vide reference 2nd cited as directed by the Hon'ble National Green Tribunal (PB), New Delhi in order dated 23.04.2019 in the Original Application No. 606 of 2018 vide reference 1st cited.

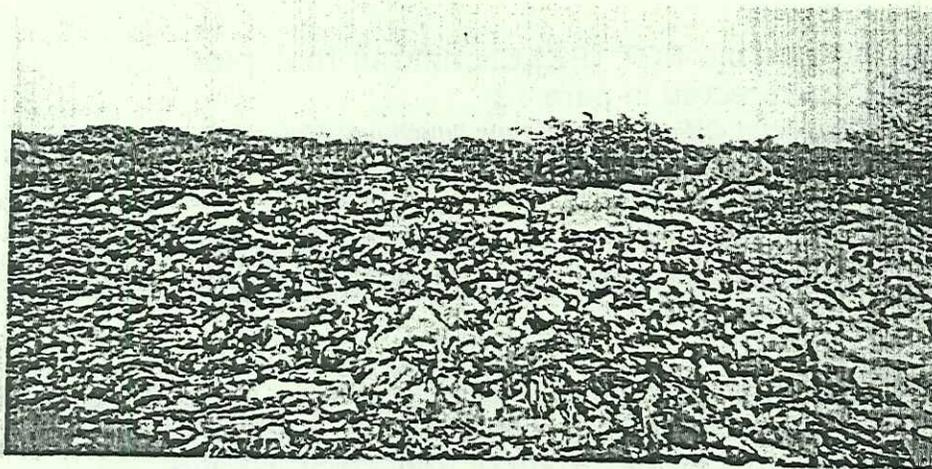
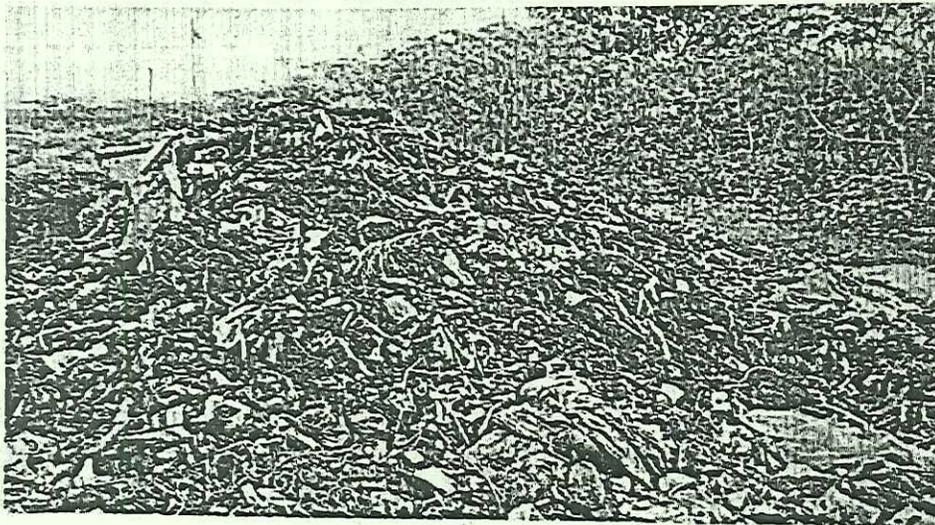
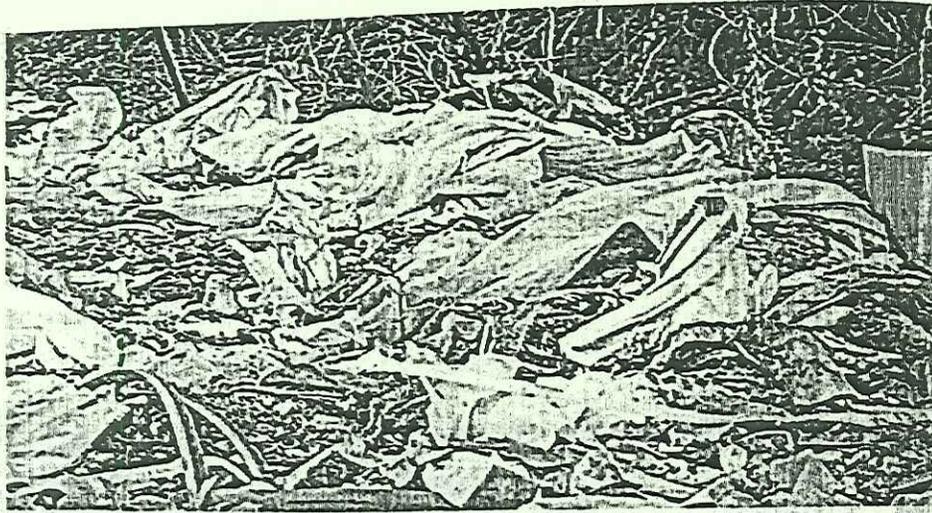
Whereas, the said local body has informed that as the local body has not complied the said direction issued by the Hon'ble NGT [PB], New Delhi, necessary compensation will be levied and requested to furnish the status of compliance report immediately. If no reply is received, further action shall be initiated as directed by Hon'ble NGT [PB], New Delhi order dated 02-07-2020 in OA no. 606 of 2018 vide reference 3rd cited.

Whereas, the Hon'ble NGT [SZ], Chennai in the order dated 25-09-2020 in OA No.32 of 2020 has directed in para 13,
"the Block Development Officer, Kundrathur Panchayat Union is the supervisory authority over the activities of the panchayat within its jurisdiction "

Whereas, during inspection of SIPCOT Industrial Growth Centre, Oragadam, Kundrathur Taluk, Kancheepuram District on 20.10.2020, the following were observed.

1. Un-segregated municipal solid waste including plastics generated in and around the Kundrathur area was disposed on State Highways nearby SIPCOT Skil Development Centre, SIPCOT Industrial Growth Centre, Oragadam. thereby polluting the soil/groundwater/surface water and also creating nuisance to the localities





2. There is no sewage treatment plant was found to be operation in the Kundrathur Panchayat union area for the treatment and disposal of sewage generated in the Kundrathur village Panchayat.
3. The sewage from the septic tank of individual house disposed through private sewage tanker lorry and discharged in nearby lowlying area/water bodies, streams and public storm water drain etc., and thereby polluting the soil/groundwater/surface water and also creating nuisance to the localities.

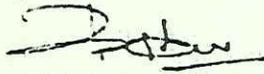
4. The BDO, Kundrathur Panchayat Union has not taken any effective steps comply the Solid Waste Management Rules, 2016 and continued to disposal of solid wastes indiscriminate manner.

As such the provisions of Section 24 of the Act have been contravened by you which is an offence punishable under section 43 of the Act with Imprisonment for a term which shall not be less than one year and six months but which may extend to six years and with fine.

Contravention of Section 24 of the Water (Prevention and Control of Pollution) Act, 1974 as amended 1988 shall lead to issue any directions in writing to any person, officer or authority, and such person, officer or authority shall be bound to comply with such directions under Section 33A of the Act for closure, stoppage of power supply etc.,

Hence, you are hereby directed to Show Cause within 7 days from the date of receipt of the notice as to why direction shall not be issued to you as occupier of said unit under Section 33A of the said Act for Closure, stoppage of power supply etc.,

It is informed that non-receipt of any reply within the stipulated time will be construed that you have no satisfactory explanation to offer for the above said contravention and action will be taken against you on merits in accordance with law.


DISTRICT ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD
SRIPERUMBUDUR

To


The Block Development Officer,
Kundrathur Panchayat Union,
Kundrathur Taluk,
Kancheepuram Dt.,

Copy submitted to

1. The District Collector, Kancheepuram District. -for kind information please
2. The Member Secretary, TNPCB, Chennai-32 -for kind information please
3. The JCEE [M], Chennai-106 -for kind information please

Copy to

- 1) The Asst. Director, Town Panchayat] / Panchayat
Collectorate, Master Plan Complex,
Kancheepuram District -for necessary action please
- 2) The Asst. Director, Panchayat
Collectorate, Master Plan Complex,
Kancheepuram District -for necessary action please

Annexure - V
P-4

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Urgent / Top priority

TAMILNADU POLLUTION CONTROL BOARD

From
Er. P. Ravichandran, M.E.,
District Environmental Engineer,
Tamilnadu Pollution Control Board,
CP-5B, SIPCOT Industrial Growth Centre,
Oragadam, Sriperumbudur Taluk,
Kancheepuram District - 602 305.

To
The Block Development Officer,
Kundrathur Panchayat Union,
Padappai,
Kancheepuram District.

Letter No. DEE/TNPCB/SPR/F-M-0001/SWM/2020, Dated 29-08-2020

Sub:- O/o. DEE, TNPCB, SPR - The Solid Waste Management Rules, 2016 under the Environment (Protection) Act, 1986 -Hon'ble NGT order dated 02-07-2020 in OA No. 606/2018-compliance report-requested - Reg.

Ref:- 1. The Solid Waste Management Rules, 2016
2. Hon'ble NGT Order dated 02-07-2020 in OA No. 606 of 2018.

This has reference to the Solid Waste Management Rules, 2016. As per Rule 15(1) of the Solid Waste Management Rules, 2016, the local authorities and Panchayats shall be responsible for the implementation of the provisions of these rules which include any infrastructure development for collection, storage, segregation, transportation, processing, disposal of municipal solid wastes.

In this regard, the compliance of Solid Waste Management Rules is being monitored as per the order of the Hon'ble NGT [PB], New Delhi in OA No. 606 of 2018 and the liquid waste management is also being monitored as per orders of the Hon'ble Supreme Court order dated 02-09-2013 in WP No. 888/1996.

After several orders and proceedings before the Tribunal, and finally the Hon'ble NGT [PB] in its order dated 02-07-2020 in OA No. 606 of 2018, vide POINT No. 4- as stated that

"The Chief Secretaries of 18 States/UTs, appeared and filed updated status reports and since there still existed huge gaps in compliance, further directions were issued by way of different orders. Last such order is 28.2.2020. Other orders are on same pattern. **The direction part of the said order [is reproduced below.**

41. In view of above, consistent with the directions referred to in para 29 issued on 10-01-2020 in the case of UP, Punjab and Chandigarh which have also been repeated for other States in matters already dealt with, we direct;

2/10/20

- a. In view of the fact that most of the statutory timelines have expired and directions of the Hon'ble Supreme Court and this Tribunal to comply with Solid Waste Management Rules, 2016 remain unexecuted, interim compensation scale is hereby laid down for continued failure after 31-03-2020. The compliance of the Rules requires taking of several steps mentioned in Rule 22 from Serial No. 1 to 10 (mentioned in para 12 above). Any such continued failure will result in liability of every local body to pay compensation at the rate of
Rs. 10 Lakhs per month per Local Body for population of above 10 Lakhs,
Rs. 5 lakh per month per Local Body for population between 5 lakhs and 10 lakhs and
Rs. 1 lakh per month per other Local Body from 01.04.2020 till compliance.

If the Local Bodies are unable to bear financial burden, the liability will be of the State Governments with liberty to take remedial action against the erring Local Bodies. Apart from compensation, adverse entries must be made in the ACRs of the CEO of the said Local Bodies and other senior functionaries in Department of Urban Development etc. who are responsible for compliance of order of this Tribunal. Final compensation may be assessed and recovered by the State PCBs/PCCs in the light of Para 33 above within six months from today. CPCB may prepare a template and issue an appropriate direction to the State PCBs/PCCs for undertaking such an assessment in the light thereof within one month.

- b. Legacy waste remediation was to 'commence' from 01.11.2019 in terms of order of this Tribunal dated 17.07.2019 in O.A. No. 519/2019 para 282 even though statutory timeline for 'completing' the said step is till 07.04.2021 (as per serial no. 11 in Rule 22), which direction remains unexecuted at most of the places and delay in clearing legacy waste is causing huge damage to environment in monetary terms as noted in para 33 above, pending assessment and recovery of such damage by the concerned State PCB within four months from today, continued failure of every Local Body on the subject of commencing the work of legacy waste sites remediation from 01.04.2020 till compliance will result in liability to pay compensation at the rate of
Rs. 10 lakh per month per Local Body for population of above 10 lakhs,
Rs. 5 lakh per month per Local Body for population between 5 lakhs and 10 lakhs and
Rs. 1 lakh per month per other Local Body.

If the Local Bodies are unable to bear financial burden, the liability will be of the State Governments with liberty to take remedial action against the erring Local Bodies. Apart from compensation, adverse entries must be made in the ACRs of the CEO of the said Local Bodies and other senior functionaries in Department of Urban Development etc. who are responsible for compliance of order of this Tribunal. Final compensation may be assessed and recovered by the State PCBs/PCCs in the light of Para 33 above within six months from today.

- d. The compensation regime already laid down for failure of the Local Bodies and/or Department of Irrigation and Public Health/In-charge Department to take action for treatment of sewage in terms of observations in Para 36 above will result in liability to pay compensation as already noted above which are reproduced for ready reference:
- i. *Interim measures for phytoremediation/ bioremediation etc. in respect of 100% sewage to reduce the pollution load on recipient water bodies – 31.03.2020. Compensation is payable for failure to do so at the rate of Rs. 5 lakh per month per drain by concerned Local Bodies/States (in terms of orders dated 28.08.2019 in O.A. No. 593/2017 and 06.12.2019 in O.A. No. 673/2018) w.e.f. 01.04.2020.*
 - ii. *Commencement of setting up of STPs – 31.03.2020. Compensation is payable for failure to do so at the rate of Rs. 5 lakh per month per STP by concerned Local Bodies/States (in terms of orders dated 28.08.2019 in O.A. No. 593/2017 and 06.12.2019 in O.A. No. 673/2018) w.e.f. 01.04.2020.*
 - iii. *Commissioning of STPs – 31.03.2021. Compensation is payable for failure to do so at the rate of Rs. 10 lakh per month per STP by concerned Local Bodies/States (in terms of orders dated 28.08.2019 in O.A. No. 593/2017 and 06.12.2019 in O.A. No. 673/2018) w.e.f. 01.04.2021.*

- e. Compensation in above terms may be deposited with the CPCB for being spent on restoration of environment which may be ensured by the Chief Secretaries' of the States/UTs.
- g. Compliance reports in respect of significant environmental issues may be furnished in terms of order dated 07.01.2020 quarterly with a copy to CPCB.

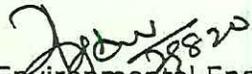
In this regard, all local bodies already directed and requested to take necessary follow up action and to furnish quarterly status report to the Board so as to submit the same to CPCB for compliance.

However, it was observed that.

1. Solid waste is dumped and indiscriminately disposed at several places and also burning of garbage on road side and un authorized location which will lead to ground water pollution, odour nuisance, air pollution problems as well non compliances of Solid Waste Management Rules.
2. There is no proper drainage system provided for the sewage for collection and disposal of sewage for further treatment. There is no sewage treatment plant to treat the sewage in scientific manar.
3. The sewage from the septic tank of individual house disposed through private sewage tanker lorry and discharged in nearby lowlying area/water bodies, streams and public storm water drain etc., and thereby polluting the soil/groundwater/surface water and also creating nusiance to the localities.

In view of the above, it is informed that as the local body has not complied the above direction issued by the Hon'ble NGT [PB], New Delhi, necessary compensation will be levied. Hence, I request you to furnish the status of compliance report immediately. If no reply is received, further action shall be initiated as directed by Hon'ble NGT [PB], New Delhi order dated 02-07-2020 in OA no. 606 of 2018. .

The receipt of letter/mail shall be acknowledged.


District Environmental Engineer,
Tamilnadu Pollution Control Board,
Sriperumbudur @ Oragadam

Copy submitted to

1. The District Collector, Kancheepuram Dt., Kancheepuram
-for kind information please.
2. The Member Secretary, TNPCB, Chennai-32 for information please.
3. The JCEE [M], TNPCB, Chennai-106 for information please

Copy to

4. AD Town Panchayat., Kancheepuram for necessary action please
5. AD Panchayat., Kancheepuram for necessary action please.

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A-11

Urgent / Top priority

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Annexure - VI

TAMILNADU POLLUTION CONTROL BOARD

From
Er. P. Ravichandran, M.E.,
District Environmental Engineer,
Tamilnadu Pollution Control Board,
CP-5B, SIPCOT Industrial Growth Centre,
Oragadam, Sriperumbudur Taluk,
Kancheepuram District - 602 102

To
The Block Development Officer,
Kundrathur Panchayat Union,
Kundrathur.

Letter No. DEE/TNPCB/SPR/F-M-0001/SWM/2020, Dated 30-11-2020

Sub:- O/o. DEE, TNPCB, SPR - The Solid Waste Management Rules, 2016 under the Environment (Protection) Act, 1986 -Hon'ble NGT order dated 02-07-2020 in OA No. 606/2018-compliance report-requested - Reg.

- Ref:-
1. The Solid Waste Management Rules, 2016
 2. Hon'ble NGT Order dated 02-07-2020 in OA No. 606 of 2018.
 3. T.O Lr No. DEE/TNPCB/SPR/F-M-0001/SWM/2020, Dated 29-08-2020

A copy of this office letter under 3rd cited is enclosed herewith for self explanatory, wherein it has been explained/reproduced about the direction issued by the Hon'ble NGT Order dated 02-07-2020 in OA No. 606 of 2018 & also informed that as the local body has not complied the above direction issued by the Hon'ble NGT [PB], New Delhi, necessary compensation will be levied and requested to furnish the status of compliance report immediately.

It is regretted to note that the local has not yet furnished the compliance report, in view of the above, i request you once again to furnish the present status of the disposal of solid waste / liquid waste generated from the local body to this office on or before 15-12-2020 so as to submit the compliance report to the Chairman, TNPCB in order to comply with the Hon'ble NGT Order dated 02-07-2020 in OA No. 606 of 2018.

This shall be treated as urgent and the receipt of letter/mail shall be acknowledged.

-Sd-

District Environmental Engineer,
Tamilnadu Pollution Control Board,
Sriperumbudur @ Oragadam

Encl: as above

Copy submitted to

1. The District Collector, Kancheepuram Dt., Kancheepuram
-for kind information please.
2. The Member Secretary, TNPCB, Chennai-32 for information please.
3. The JCEE [M], TNPCB, Chennai-106 for information please

Copy to

4. AD Town Panchayat., Kancheepuram for necessary action please
5. AD Panchayat., Kancheepuram for necessary action please.

2/11/20

For District Environmental Engineer



THE NATIONAL POLITICAL PARTY

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

Original Application No.95 of 2021

SUO MOTU Based on The News item published in the New Indian Express, Chennai Edition, Dated 25.02.2021, under the caption "Burning of garbage Continues near Adyar" Reg

Vs

**The Secretary,
Environment & Forest Department
State of Tamil Nadu ,
Chennai & others.**

...Respondents

**JOINT COMMITTEE INSPECTION
REPORT AS PER THE HON'BLE
NATIONAL GREEN TRIBUNAL(sz)
ORDER DATED 08.04.2021 IN
O.A.NO.95 OF 2021**

**Advocate for Respondent No.TNPCB
Thiru. Kasi Rajan,
Advocate, Chennai.**

Date:23.06.2021.

Date of hearing on: 25.06.2021