

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE AT CHENNAI
Original Application No.21 of 2025**

Tribunal on its own motion Suo Motu based on the News Item in Web dunia Tamil e-newspaper, Chennai Edition dated 20.01.2025, titled "**Kaanum Pongal garbage problem:Chennai has forgotten what it learnt after 2015 floods**"

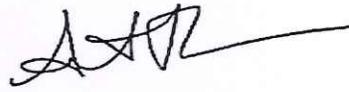
Vs

The Principal Secretary to Govt of Tamil Nadu,
Department of Environment,
Climate Change and Forests,
Chennai and Others.

....Respondents

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

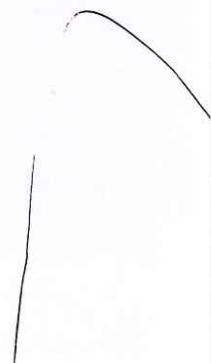
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IN THE MATTER OF:

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With

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....Respondents.

REPORT FILED ON BEHALF OF THE THIRD RESPONDENT
TAMIL NADU POLLUTION CONTROL BOARD

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:

1. I respectfully submit that I am working as the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai and I am authorized to file this report on behalf of the Third respondent and as such I am well acquainted with the facts of the case from the records available in our office.
2. It is respectfully submitted that the Hon'ble NGT(SZ) on its own taken a Suo Motu proceeding based on the news item published in Webdunia Tamil e-newspaper, Chennai Edition dated 20.01.2025 titled, "**Kaanum Pongal garbage problem: Chennai has forgotten what it learnt after 2015 floods**".


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

3. It is respectfully submitted that the news item mentioned that the morning after Kaanum Pongal, Chennai's beaches were littered with over 44 tonnes of garbage, requiring a major cleanup by conservancy workers. Though waste levels had previously decreased from 59 tonnes in 2013 to 36 tonnes in 2017, this year saw a rise, especially at Elliot's Beach, highlighting concerns about public littering habits.
4. It is respectfully submitted that on 30.01.2025, the Hon'ble National Green Tribunal, SZ, Chennai has directed the respondents to file the reports and come up with a workable solution. In this regard, the report is submitted by the third respondent (TNPCB) herein.
5. It is respectfully submitted that the Ministry of Environment, Forest and Climate Change, Government of India has notified the Solid Waste Management Rules, 2016 on 8th April, 2016
6. It is respectfully submitted that as per the rules, solid waste means solid or semi solid domestic waste, sanitary waste, commercial waste, institutional waste, catering and market waste and other non-residential wastes, street sweepings, silt removed or collected from surface drains, horticulture waste, agriculture and dairy waste, treated bio-medical waste excluding industrial waste, bio-medical waste and e-waste, battery waste, radio-active waste generated in the area under the local authorities.
7. It is respectfully submitted that as per the rule 15 of Solid waste Management Rules, 2016, the local bodies are responsible for the collection, treatment and disposal of solid wastes. (Attached as Annexure I). The Board is the monitoring authority under the said rules and is responsible for granting authorization to local bodies for processing and disposal of solid waste.
8. It is submitted that the responsibility of Urban Local Bodies (ULBs) to collect, treat and dispose the Solid wastes generated as per the Solid waste Management Rules 2016.
9. It is respectfully submitted that every year during Bhogi festival, Tamil Nadu Pollution Control Board is creating awareness among the Public regarding the ill effects of burning of various materials such as plastic


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wastes, old tyres and tubes and other materials by way of issuing pamphlets to the general public, School children etc.

10. It is respectfully submitted that during last Bhogi (January 2025) a letter was addressed to the Commissioner, Greater Chennai Corporation vide Board letter No:TNPCB/P&D/36329/2019 dated 26.12.2024 to monitor all the Zones of Greater Chennai Corporation to prevent burning of tyres, tubes, plastics and other waste material and also to conduct necessary collection drive for collection of wastes generated in all zones.
11. It is respectfully submitted that every year, on the eve of Bhogi festival about 30 teams of TNPCB officials will be travelling throughout 15 zones of Greater Chennai Corporation area to create awareness as well as to prevent the public from burning of plastic items as well as old tyres and tubes. The Police Department has been kind enough in providing one constable for each vehicle used by the Tamil Nadu Pollution Control Board for the night awareness campaign every year. The night patrol will be 10.00 pm on 12.01.2025 to 06.00 am on 13.01.2025 for the Bhogi Awareness 2025.
12. It is respectfully submitted that the TNPC Board is advocating the concept of waste segregation at source, waste reduction, recycle and reuse to avoid any environmental issues during handling.
13. It is respectfully submitted that the Government vide G.O (Ms) No 189, Environment, Climate Change & Forest (EC.2) Department dated 01.11.2024 has notified to conduct the Massive awareness program and plastic collection drives across the state with the financial support of TNPCB. In this connection, the Massive awareness program and plastic collection drive in the Greater Chennai corporation is being conducted on 4th Saturday of each month as per the guidelines of G.O (Ms).No 189 and SOP provided.
14. It is respectfully submitted that the massive awareness program and plastic collection drive in the Greater Chennai Corporation were conducted on 25.01.2025 & 22.02.2025 for the month of January and February by the TNPCB along with Greater Chennai Corporation.


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15. It is submitted that, Kanum Pongal is a part of the four-day festival of Pongal and is a time for people to enjoy the outdoors. In Chennai, one of the popular destinations for celebrating Kanum Pongal is the beach, where large public gatherings occur. As a result, there is a considerable increase in waste generation during this period, which could lead to environmental and hygiene concerns. As the responsibility for waste collection lies with the local authorities, specifically the Greater Chennai Corporation, they may be instructed to take proactive measures to streamline the waste collection process and provide collection bins at suitable places.

Therefore, it is prayed that this Hon'ble National Green Tribunal (SZ) may be pleased to pass such order or further orders 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.

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

VERIFICATION

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 verify that the contents of above are true to the best of my knowledge through records.

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

नगरपालिकाओं की कुल संख्या:

प्रस्तुत की गई कार्य योजना की संख्या:

प्ररूप-VI

[नियम 25 देखें]

दुर्घटना का प्रतिवेदन

1.	दुर्घटना की तारीख और समय	:	
2.	दुर्घटना के लिए कारकों का अनुक्रम	:	
3.	दुर्घटना में शामिल अपशिष्ट	:	
4.	मानव स्वास्थ्य और पर्यावरण पर दुर्घटनाओं के प्रभावों का मूल्यांकन	:	
5.	किए गए आपातकालीन उपाय	:	
6.	दुर्घटनाओं के प्रभावों को कम करने के लिए उठाए गए कदम	:	
7.	ऐसी किसी दुर्घटना की पुनरावृत्ति को रोकने के लिए उठाए गए कदम	:	
तारीख		हस्ताक्षर	
स्थान		पदनाम	

[फा. सं.18-3/2004-एचएसएमडी]

विश्वनाथ सिन्हा, संयुक्त सचिव

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 8th April, 2016

S.O. 1357(E).—Whereas the draft of the Solid Waste Management Rules, 2015 were published under the notification of the Government of India in the Ministry of Environment, Forest and Climate Change number G.S.R. 451 (E), dated the 3rd June, 2015 in the Gazette of India, part II, Section 3, sub-section (i) of the same date inviting objections or suggestions from the persons likely to be affected thereby, before the expiry of the period of sixty days from the publication of the said notification on the Solid Waste Management Rules, 2015 in supersession of the Municipal Solid Waste (Management and Handling) Rules, 2000;

And whereas, copies of the said Gazette were made available to the public on the 3rd June, 2015;

And whereas, the objections or comments received within the stipulated period were duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sections 3, 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986) and in supersession of the Municipal Solid Waste (Management and Handling) Rules, 2000, except as respect things done or omitted to be done before such supersession, the Central Government hereby makes the following rules for management of Solid Waste, namely:-

1. **Short title and commencement.-**

- (1) These rules may be called the Solid Waste Management Rules, 2016.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. **Application.-** These rules shall apply to every urban local body, outgrowths in urban agglomerations, census towns as declared by the Registrar General and Census Commissioner of India, notified areas, notified industrial townships, areas under the control of Indian Railways, airports, airbases, Ports and harbours, defence establishments, special economic zones, State and Central government organisations, places of pilgrims, religious and historical importance as may be notified by respective State government from time to time and to every domestic, institutional, commercial and any other non residential solid waste generator situated in the areas except industrial waste, hazardous waste, hazardous chemicals, bio medical wastes, e-waste, lead acid batteries and radio-active waste, that are covered under separate rules framed under the Environment (Protection) Act, 1986.

3. **Definitions**—(1) In these rules, unless the context otherwise requires,— (1) **“aerobic composting”** means a controlled process involving microbial decomposition of organic matter in the presence of oxygen;

2. **“anaerobic digestion”** means a controlled process involving microbial decomposition of organic matter in absence of oxygen;
3. **“authorisation”** means the permission given by the State Pollution Control Board or Pollution Control Committee, as the case may be, to the operator of a facility or urban local authority, or any other agency responsible for processing and disposal of solid waste;
4. **“biodegradable waste”** means any organic material that can be degraded by micro-organisms into simpler stable compounds;
5. **“bio-methanation”** means a process which entails enzymatic decomposition of the organic matter by microbial action to produce methane rich biogas;
6. **“brand owner”** means a person or company who sells any commodity under a registered brand label.
7. **“buffer zone”** means zone of no development to be maintained around solid waste processing and disposal facility, exceeding 5 TPD of installed capacity. This will be maintained within total area allotted for the solid waste processing and disposal facility.
8. **“bulk waste generator”** means and includes buildings occupied by the Central government departments or undertakings, State government departments or undertakings, local bodies, public sector undertakings or private companies, hospitals, nursing homes, schools, colleges, universities, other educational institutions, hostels, hotels, commercial establishments, markets, places of worship, stadia and sports complexes having an average waste generation rate exceeding 100kg per day;
9. **“bye-laws”** means regulatory framework notified by local body, census town and notified area townships for facilitating the implementation of these rules effectively in their jurisdiction.
10. **“census town”** means an urban area as defined by the Registrar General and Census Commissioner of India;
11. **“combustible waste”** means non-biodegradable, non-recyclable, non-reusable, non hazardous solid waste having minimum calorific value exceeding 1500 kcal/kg and excluding chlorinated materials like plastic, wood pulp, etc;
12. **“composting”** means a controlled process involving microbial decomposition of organic matter;
13. **“contractor”** means a person or firm that undertakes a contract to provide materials or labour to perform a service or do a job for service providing authority;
14. **“co-processing”** means use of non-biodegradable and non recyclable solid waste having calorific value exceeding 1500k/cal as raw material or as a source of energy or both to replace or supplement the natural mineral resources and fossil fuels in industrial processes;
15. **“decentralised processing”** means establishment of dispersed facilities for maximizing the processing of biodegradable waste and recovery of recyclables closest to the source of generation so as to minimize transportation of waste for processing or disposal;
16. **“disposal”** means the final and safe disposal of post processed residual solid waste and inert street sweepings and silt from surface drains on land as specified in Schedule I to prevent contamination of ground water, surface water, ambient air and attraction of animals or birds;
17. **“domestic hazardous waste”** means discarded paint drums, pesticide cans, CFL bulbs, tube lights, expired medicines, broken mercury thermometers, used batteries, used needles and syringes and contaminated gauge, etc., generated at the household level;

- 7
- (a) co-ordinate with the State Pollution Control Boards and the Pollution Control Committees for implementation of these rules and adherence to the prescribed standards by local authorities;
 - (b) formulate the standards for ground water, ambient air, noise pollution, leachate in respect of all solid waste processing and disposal facilities;
 - (c) review environmental standards and norms prescribed for solid waste processing facilities or treatment technologies and update them as and when required;
 - (d) review through State Pollution Control Boards or Pollution Control Committees, at least once in a year, the implementation of prescribed environmental standards for solid waste processing facilities or treatment technologies and compile the data monitored by them;
 - (e) review the proposals of State Pollution Control Boards or Pollution Control Committees on use of any new technologies for processing, recycling and treatment of solid waste and prescribe performance standards, emission norms for the same within 6 months;
 - (f) monitor through State Pollution Control Boards or Pollution Control Committees the implementation of these rules by local bodies;
 - (g) prepare an annual report on implementation of these rules on the basis of reports received from State Pollution Control Boards and Committees and submit to the Ministry of Environment, Forest and Climate Change and the report shall also be put in public domain;
 - (h) publish guidelines for maintaining buffer zone restricting any residential, commercial or any other construction activity from the outer boundary of the waste processing and disposal facilities for different sizes of facilities handling more than five tons per day of solid waste;
 - (i) publish guidelines, from time to time, on environmental aspects of processing and disposal of solid waste to enable local bodies to comply with the provisions of these rules; and
 - (j) provide guidance to States or Union territories on inter-state movement of waste.

15. Duties and responsibilities of local authorities and village Panchayats of census towns and urban agglomerations.- The local authorities and Panchayats shall,-

- (a) prepare a solid waste management plan as per state policy and strategy on solid waste management within six months from the date of notification of state policy and strategy and submit a copy to respective departments of State Government or Union territory Administration or agency authorised by the State Government or Union territory Administration;
- (b) arrange for door to door collection of segregated solid waste from all households including slums and informal settlements, commercial, institutional and other non residential premises. From multi-storage buildings, large commercial complexes, malls, housing complexes, etc., this may be collected from the entry gate or any other designated location;
- (c) establish a system to recognise organisations of waste pickers or informal waste collectors and promote and establish a system for integration of these authorised waste-pickers and waste collectors to facilitate their participation in solid waste management including door to door collection of waste;
- (d) facilitate formation of Self Help Groups, provide identity cards and thereafter encourage integration in solid waste management including door to door collection of waste;
- (e) frame bye-laws incorporating the provisions of these rules within one year from the date of notification of these rules and ensure timely implementation;
- (f) prescribe from time to time user fee as deemed appropriate and collect the fee from the waste generators on its own or through authorised agency;
- (g) direct waste generators not to litter i.e throw or dispose of any waste such as paper, water bottles, liquor bottles, soft drink cans, tetra packs, fruit peel, wrappers, etc., or burn or bury waste on streets, open public spaces, drains, waste bodies and to segregate the waste at source as prescribed under these rules and hand over the segregated waste to authorised the waste pickers or waste collectors authorised by the local body;
- (h) setup material recovery facilities or secondary storage facilities with sufficient space for sorting of recyclable materials to enable informal or authorised waste pickers and waste collectors to separate recyclables from the waste and provide easy access to waste pickers and recyclers for collection of segregated recyclable waste such as paper, plastic, metal, glass, textile from the source of generation or from material recovery facilities; Bins for storage of bio-degradable wastes shall be painted green, those for storage of recyclable wastes shall be printed white and those for storage of other wastes shall be printed black;

- (i) establish waste deposition centres for domestic hazardous waste and give direction for waste generators to deposit domestic hazardous wastes at this centre for its safe disposal. Such facility shall be established in a city or town in a manner that one centre is set up for the area of twenty square kilometers or part thereof and notify the timings of receiving domestic hazardous waste at such centres;
- (j) ensure safe storage and transportation of the domestic hazardous waste to the hazardous waste disposal facility or as may be directed by the State Pollution Control Board or the Pollution Control Committee;
- (k) direct street sweepers not to burn tree leaves collected from street sweeping and store them separately and handover to the waste collectors or agency authorised by local body;
- (l) provide training on solid waste management to waste-pickers and waste collectors;
- (m) collect waste from vegetable, fruit, flower, meat, poultry and fish market on day to day basis and promote setting up of decentralised compost plant or bio-methanation plant at suitable locations in the markets or in the vicinity of markets ensuring hygienic conditions;
- (n) collect separately waste from sweeping of streets, lanes and by-lanes daily, or on alternate days or twice a week depending on the density of population, commercial activity and local situation;
- (o) set up covered secondary storage facility for temporary storage of street sweepings and silt removed from surface drains in cases where direct collection of such waste into transport vehicles is not convenient. Waste so collected shall be collected and disposed of at regular intervals as decided by the local body;
- (p) collect horticulture, parks and garden waste separately and process in the parks and gardens, as far as possible;
- (q) transport segregated bio-degradable waste to the processing facilities like compost plant, bio-methanation plant or any such facility. Preference shall be given for on site processing of such waste;
- (r) transport non-bio-degradable waste to the respective processing facility or material recovery facilities or secondary storage facility;
- (s) transport construction and demolition waste as per the provisions of the Construction and Demolition Waste management Rules, 2016;
- (t) involve communities in waste management and promotion of home composting, bio-gas generation, decentralised processing of waste at community level subject to control of odour and maintenance of hygienic conditions around the facility;
- (u) phase out the use of chemical fertilizer in two years and use compost in all parks, gardens maintained by the local body and wherever possible in other places under its jurisdiction. Incentives may be provided to recycling initiatives by informal waste recycling sector.
- (v) facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or with private sector participation or through any agency for optimum utilisation of various components of solid waste adopting suitable technology including the following technologies and adhering to the guidelines issued by the Ministry of Urban Development from time to time and standards prescribed by the Central Pollution Control Board. Preference shall be given to decentralised processing to minimize transportation cost and environmental impacts such as-
- a) bio-methanation, microbial composting, vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable wastes;
 - b) waste to energy processes including refused derived fuel for combustible fraction of waste or supply as feedstock to solid waste based power plants or cement kilns;
- (w) undertake on their own or through any other agency construction, operation and maintenance of sanitary landfill and associated infrastructure as per Schedule 1 for disposal of residual wastes in a manner prescribed under these rules;
- (x) make adequate provision of funds for capital investments as well as operation and maintenance of solid waste management services in the annual budget ensuring that funds for discretionary functions of the local body have been allocated only after meeting the requirement of necessary funds for solid waste management and other obligatory functions of the local body as per these rules;
- (y) make an application in Form-I for grant of authorisation for setting up waste processing, treatment or disposal facility, if the volume of waste is exceeding five metric tones per day including sanitary landfills from the State Pollution Control Board or the Pollution Control Committee, as the case may be;
- (z) submit application for renewal of authorisation at least sixty days before the expiry of the validity of authorisation;

- (za) prepare and submit annual report in Form IV on or before the 30th April of the succeeding year to the Commissioner or Director, Municipal Administration or designated Officer;
- (zb) the annual report shall then be sent to the Secretary -in-Charge of the State Urban Development Department or village panchayat or rural development department and to the respective State Pollution Control Board or Pollution Control Committee by the 31st May of every year;
- (zc) educate workers including contract workers and supervisors for door to door collection of segregated waste and transporting the unmixed waste during primary and secondary transportation to processing or disposal facility;
- (zd) ensure that the operator of a facility provides personal protection equipment including uniform, fluorescent jacket, hand gloves, raincoats, appropriate foot wear and masks to all workers handling solid waste and the same are used by the workforce;
- (ze) ensure that provisions for setting up of centers for collection, segregation and storage of segregated wastes, are incorporated in building plan while granting approval of building plan of a group housing society or market complex; and
- (zf) frame bye-laws and 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 bye laws framed; and
- (zg) create public awareness through information, education and communication campaign and educate the waste generators on the following; namely:-
- (i) not to litter;
 - (ii) minimise generation of waste;
 - (iii) reuse the waste to the extent possible;
 - (iv) practice segregation of waste into bio-degradable, non-biodegradable (recyclable and combustible), sanitary waste and domestic hazardous wastes at source;
 - (v) practice home composting, vermi-composting, bio-gas generation or community level composting;
 - (vi) wrap securely used sanitary waste as and when generated in the pouches provided by the brand owners or a suitable wrapping as prescribed by the local body and place the same in the bin meant for non-biodegradable waste;
 - (vii) storage of segregated waste at source in different bins;
 - (viii) handover segregated waste to waste pickers, waste collectors, recyclers or waste collection agencies; and
 - (ix) pay monthly user fee or charges to waste collectors or local bodies or any other person authorised by the local body for sustainability of solid waste management.
- (zh) stop land filling or dumping of mixed waste soon after the timeline as specified in rule 23 for setting up and operationalisation of sanitary landfill is over;
- (zi) allow only the non-usable, non-recyclable, non-biodegradable, non-combustible and non-reactive inert waste and pre-processing rejects and residues from waste processing facilities to go to sanitary landfill and the sanitary landfill sites shall meet the specifications as given in Schedule-I, however, every effort shall be made to recycle or reuse the rejects to achieve the desired objective of zero waste going to landfill;
- (zj) investigate and analyse all old open dumpsites and existing operational dumpsites for their potential of bio-mining and bio-remediation and wheresoever feasible, take necessary actions to bio-mine or bio-remediate the sites;
- (zk) in absence of the potential of bio-mining and bio-remediation of dumpsite, it shall be scientifically capped as per landfill capping norms to prevent further damage to the environment.

16. Duties of State Pollution Control Board or Pollution Control Committee.- (1) The State Pollution Control Board or Pollution Control Committee shall,-

- (a) enforce these rules in their State through local bodies in their respective jurisdiction and review implementation of these rules at least twice a year in close coordination with concerned Directorate of Municipal Administration or Secretary-in-charge of State Urban Development Department;
- (b) monitor environmental standards and adherence to conditions as specified under the Schedule I and Schedule II for waste processing and disposal sites;
- (c) examine the proposal for authorisation and make such inquiries as deemed fit, after the receipt of the application for the same in Form I from the local body or any other agency authorised by the local body;

**BEFORE THE HON'BLE NATIONAL
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SOUTHERN ZONE AT CHENNAI**

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The Principal Secretary to Govt of
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Environment, Climate Change
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**REPORT FILED ON BEHALF OF
THE THIRD RESPONDENT TAMIL
NADU POLLUTION CONTROL
BOARD.**

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

Date of filing :27.04.2025

Date of hearing on:16.06.2025

