

**BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE AT
CHENNAI
Original Application No. 299 of 2024**

Sathishkumar R

...Applicant

Vs.

District Collector and Ors.

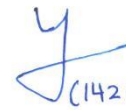
...Respondents

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S.No.	Particulars	Page No.
1.	Photographs of the subject site dated 20.01.2025	01-03
2.	Representation sent on 04.01.2025	04-08
3.	News article by Hindu Bureau dated 10.01.2025	09-10

//Certified to be true copies of their respective originals//

Dated this at Chennai the 21st day of January, 2025

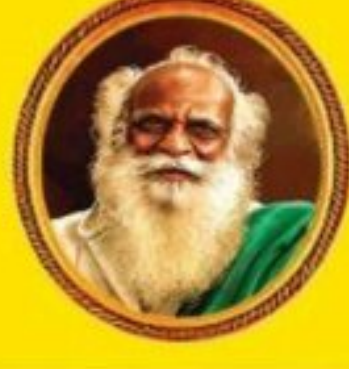

(1421/2011)

Counsel for the Applicant









தமிழக விவசாயிகள் பாதுகாப்பு சங்கம்

பதிவு எண் : 49/2017



இரா.சதீஷ்குமார் MBA.,
மாநில செயலாளர் (சட்ட விழிப்புணர்வு அணி)

1/223அ, காளம்பாளையம்,
பொங்குபாளையம் (அஞ்சல்)
திருப்பூர் - 641 666
அலைபேசி : 70100 50472
மின்னஞ்சல் : rsathish1990@outlook.com

Date: 04.01.2025

From:

**R. Sathish Kumar,
State Secretary (Legal Awareness Wing),
Tamilnadu Farmers Protection Association,
1/223a, P.R. Nagar, Kalampalayam, Pongupalayam,
Tiruppur - 641666**

To:

1. The Chief Secretary, Secretariat, Chennai - 9
2. The Principal Secretary, Department of Environment and Climate Change, Secretariat, Chennai - 9
3. The Director of Municipal Administration, Directorate of Municipal Administration, 75, Urban Administrative Building, Santhome High Road, MRC Nagar, Raja Annamalaipuram, Chennai - 600028.
4. The Chairman, Tamil Nadu Pollution Control Board, Guindy, Chennai - 32

Subject: Non-Compliance with Solid and Plastic Waste Management Rules Despite Prior Notice

Respected Sir/Madam,

This is a follow-up notice concerning the violations highlighted in our initial notice dated 18.11.2024, which was addressed to the District Collector, Tiruppur, and the Commissioner, Tiruppur Municipal Corporation. Despite the stipulated period of 15 days, no action, report, or reply has been received to date regarding the following concerns:

1. Non-compliance with Solid Waste Management Rules, 2016 and Plastic Waste Management Rules, 2016.
2. Violations of Tamil Nadu Government Orders and directives of the Hon'ble Madras High Court and National Green Tribunal.
3. Continued environmental degradation due to improper waste management practices in Tiruppur.

This lack of response not only reflects administrative negligence but also constitutes contempt of the aforementioned laws and tribunal orders.

In light of the above, we request the following actions immediately:

- 1. Implementation of waste segregation, scientific treatment, and disposal systems as mandated by law.**
- 2. Strict enforcement of the ban on single-use plastics.**
- 3. Restoration of affected areas and prevention of further environmental damage.**
- 4. Submission of a comprehensive compliance report within 15 days from the date of this notice.**

Failure to respond or comply within this period will compel us to escalate the matter to the Hon'ble Madras High Court, National Green Tribunal, and other competent authorities for legal action, including environmental compensation and penalties under the Polluter Pays Principle.

We trust that this matter will be given the urgent attention it deserves to safeguard public health and the environment.

(Enclosed 18.11.2024 notice copy)



Issued by:

**R. Sathish Kumar
State Secretary (Legal Awareness Wing)
Tamilnadu Farmers Protection Association**

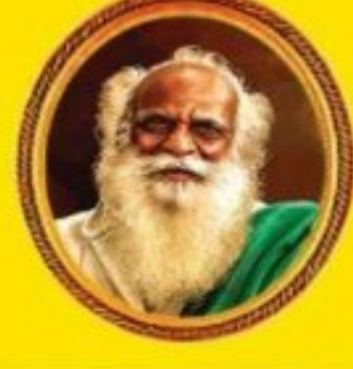
Contact:

Phone: 7010050472

Email: rsathish1990@outlook.com

Copy To:

- 1. The District Collector, Collectorate, Tiruppur - 4**
- 2. The Commissioner, Tiruppur Municipal Corporation, Tiruppur - 4**



தமிழக விவசாயிகள் பாதுகாப்பு சங்கம்

பதிவு எண் : 49/2017



இரா.சதீஷ்குமார் MBA.,
மாநில செயலாளர் (சட்ட விழிப்புணர்வு அணி)

1/223அ, காளம்பாளையம்,
பொங்குபாளையம் (அஞ்சல்)
திருப்பூர் - 641 666
அலைபேசி : 70100 50472
மின்னஞ்சல் : rsathish1990@outlook.com

NOTICE

Date:18.11.2024

From:

R. Sathish Kumar,
State Secretary (Legal Awareness Wing),
Tamilnadu Farmers Protection Association,
1/223a, P.R. Nagar, Kalampalayam, Pongupalayam,
Tiruppur -641666

To:

1. The District Collector,
Collectorate, Tiruppur -4
2. The Commissioner,
Tiruppur Municipal Corporation, Tiruppur-4

Subject: "The Tiruppur Municipal Corporation Non-compliance with Solid Waste Management Rules, 2016, Plastic Waste Management Rules, 2016, Tamil Nadu Government Orders, Madras High Court Directives, National Green Tribunal Orders, and International Commitments"

Respected Sir/Madam,

This notice is issued to highlight the ongoing violations of the Solid Waste Management Rules, 2016, Plastic Waste Management Rules, 2016, Tamil Nadu Government Orders, Hon'ble Madras High Court directives, binding National Green Tribunal (NGT) orders, and India's commitments under international agreements on pollution control and waste management.

National Laws and State Orders

1. **SWM Rules, 2016 & PWM Rules, 2016: Mandate segregation, collection, and scientific disposal of waste, as well as a ban on single-use plastics.**
2. **Tamil Nadu Government Orders: G.O. (Ms) Nos. 84, 92, 101, 25, and 54: Provide strict directives for implementing SWM and PWM Rules at all local levels.**
 1. **G.O. (Ms) No. 84:** Addressing the enforcement of Solid Waste Management Rules, with emphasis on segregation at source, and scientific treatment and disposal.
 2. **G.O. (Ms) No. 92:** Banning single-use plastics across Tamil Nadu and enforcing alternatives to reduce plastic pollution.
 3. **G.O. (Ms) No. 101:** Strengthening local body accountability in managing municipal waste, including penalties for non-compliance.
 4. **G.O. (Ms) No. 25:** Promoting the reduction, reuse, and recycling of materials to minimize waste generation.
 5. **G.O. (Ms) No. 54:** Mandating the establishment of decentralized waste management systems and monitoring compliance across all urban local bodies.

Hon'ble Madras High Court Orders

W.P. Nos. 34017/2019, 12385/2020, 1847/2021, 28174/2022: Mandate complete compliance with waste management laws, penalties for violations, and establishment of decentralized waste management systems.

1. **W.P. No. 34017 of 2019 (Suo Motu):** The Hon'ble High Court emphasized strict enforcement of the ban on single-use plastics and the scientific disposal of solid waste, holding local bodies accountable for lapses.
2. **W.P. No. 12385 of 2020:** Mandated local bodies to ensure 100% waste segregation at source and penalize non-compliance.
3. **W.P. No. 1847 of 2021:** Directed urban local bodies to establish decentralized waste management systems, composting units, and enforce rules under the Environmental Protection Act, 1986.
4. **W.P. No. 28174 of 2022:** Ordered regular monitoring by Tamil Nadu Pollution Control Board (TNPCB) and emphasized transparency in the implementation of the Plastic Waste Management Rules, 2016.

NGT Orders and Directions

1. **Order in Original Application No. 606 of 2018 (Almitra H. Patel vs Union of India):**
Directed all states and local bodies to ensure 100% compliance with SWM Rules, including source segregation, processing, and disposal of waste.
Imposed fines for lapses in waste management practices.
2. **Order in O.A. No. 247 of 2017 (Central Pollution Control Board vs State of Andaman & Nicobar and others):**
Penalized states for non-compliance with waste management rules, emphasizing the "polluter pays" principle and environmental compensation.
3. **Order in O.A. No. 199 of 2014 (Paryavaran Suraksha Samiti vs Union of India):**
Highlighted the responsibility of municipal corporations in adhering to environmental norms and preventing environmental degradation caused by improper waste disposal.
4. **Order in O.A. No. 275 of 2020 (Residents of Gram Panchayat vs State of Maharashtra):**
Stressed the need for decentralized composting and waste management systems to minimize environmental damage.

International Commitments and Agreements

India's obligations under the Paris Agreement (2015), Basel Convention (1992), Stockholm Convention (2004), and Sustainable Development Goals (SDG 12 and 13) mandate sustainable waste management practices.

India, including Tamil Nadu, is a signatory to several international treaties and agreements that require compliance with global standards on waste management and pollution control:

1. Paris Agreement (2015):

India has pledged to reduce greenhouse gas emissions through proper waste management practices, contributing to global climate mitigation. Poor waste management practices release methane and CO₂, violating these commitments.

2. Basel Convention (1992):

Governs the transboundary movement of hazardous waste and its disposal.

Tirupur's failure to scientifically process hazardous waste violates India's obligations under this treaty.

3. Stockholm Convention (2004):

Targets the elimination of persistent organic pollutants (POPs), many of which originate from unregulated plastic and waste burning.

4. Kigali Amendment to the Montreal Protocol (2016):

Calls for reduced emissions from pollutants like hydrofluorocarbons, which may arise from unscientific waste practices.

5. Sustainable Development Goals (SDGs):

Goal 12: Ensure sustainable consumption and production patterns.

Goal 13: Take urgent action to combat climate change.

Non-compliance with proper waste management practices undermines these goals.

Findings in Tirupur

1. Unsegregated Waste Management: Failure to implement segregation at source as per SWM Rules and NGT orders.
2. Plastic Waste Mismanagement: Non-enforcement of the plastic ban and improper disposal of plastic waste.
3. Environmental Impact: Open dumping and burning of waste are contributing to climate emissions and public health issues, violating both national and international norms.

Obligations and Consequences

1. NGT Orders: Non-compliance with NGT directives invites heavy penalties and environmental compensation under the "Polluter Pays" Principle.
2. SWM & PWM Rules: Violations are punishable under the Environmental Protection Act, 1986. SWM Rules, 2016: Rule 15 mandates urban local bodies to ensure waste segregation, recycling, and scientific disposal. PWM Rules, 2016: Prohibits the use of single-use plastics and mandates their proper disposal.
3. Madras High Court and NGT Directions: Any failure to act is a contempt of court and tribunal orders.

Prayer

You are hereby directed to:

1. Immediately implement the SWM Rules, PWM Rules, and Tamil Nadu Government Orders in compliance with NGT and Madras High Court directives.
2. Stop the unscientific dumping of waste and establish proper segregation, recycling, and treatment mechanisms.
3. Restore affected areas, including abandoned quarry sites, and prevent further contamination.
4. Ensure public awareness campaigns for proper waste management as per NGT and court directions.
5. Submit a comprehensive compliance report within 15 days, detailing measures taken to rectify the violations and establish long-term solutions.

Failure to comply within the stipulated time will compel us to escalate the matter to the Hon'ble Madras High Court, National Green Tribunal, Tamil Nadu Pollution Control Board (TNPCB), and other relevant authorities for strict punitive and legal action, including environmental compensation.

Copy To:

1. **The Secretary, Department of Environment and Climate Change, Secretariat, Government of Tamil Nadu Chennai -9**
2. **The Chairman, Tamilnadu Pollution Control Board, gundy, chennai -32**

Issued by:



Sathish Kumar R.
State Secretary (Legal Awareness Wing)
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Tiruppur Corporation faces Pongal deadline to halt dumping of untreated wastes in abandoned quarries at Pongupalayam

Published - January 10, 2025 09:53 pm IST - TIRUPPUR

THE HINDU BUREAU



Dumping of untreated wastes by Tiruppur Corporation continues unabated at an abandoned quarry in Pongupalayam Panchayat. | Photo Credit: Special Arrangement

Environmental groups backed by political parties have set a deadline until Pongal to the Tiruppur Corporation for stopping the dumping of untreated wastes in abandoned quarries at Pongupalayam village.

A delegation held discussions with Corporation Commissioner S. Ramamoorthy and expressed anguish over the air, water and soil pollution caused in the village.

Following the meeting, R. Sathish Kumar, State secretary of the legal awareness wing of Tamil Nadu Farmers' Protection Association, said the villagers in Pongupalayam would start impounding the garbage-laden vehicles if the Corporation failed to take alternative measures before Pongal festival.

Citing the directive of the National Green Tribunal to the local body to clear the quarries of the dumped garbage, the delegation sought to know the reasons for the shortcomings in the implementation of the solid waste management project under the aegis of Tiruppur Smart City Limited.

The delegation had with it evidences of the dumping of untreated medical and other wastes and also carcasses of dogs into the quarry.

Under the Smart Cities Mission, the local body had established 13 new decentralised Micro Compost Centres and three Waste Segregation and Resource Centres. The 13 new micro compost centres were in addition to the 16 existing ones.

Though the Corporation had invested ₹22.10 crore for the Solid Waste Management project under the Smart Cities Mission, the dumping of hundreds of tonnes of mixed waste could not be stopped.

Acknowledging the problem confronting the Corporation, Mr. Ramamoorthy said that finding a dumping yard for the city had turned out to be a tough proposition. “We have identified a couple of entities for recycling of mixed wastes and plastic wastes.

Alongside, segregation at source was being stepped up at the level of households, he said, adding that separate operators had been identified for disposal of wastes from meat stalls and eateries.

The process for generation of compressed bio gas from biowaste whereby 200 tonnes could be diverted per day had already been initiated.. Another operator had come forward to convert 400 tonnes of mixed wastes into fuel. “We are taking all possible steps for mitigating the difficulties,” Mr. Ramamoorthy said.

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