

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

**Original Application No.300 of 2024 (SZ)  
[Earlier O.A. No.1232 of 2024 (PB)]**

**IN THE MATTER OF:**

Tribunal on its own motion SUO MOTU  
based on the news item in The Hindu dt.  
27.09.2024 titled "Munnar Panchayat –  
Owned dumping yard continues to be  
haunt for wild animals"

*And*

The Principal Chief Conservator of Forests  
(PCCF), Kerala, Thiruvananthapuram and  
Ors.

..... Respondent(s).

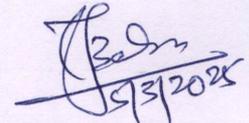
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Place: Bengaluru  
Date: 05.03.2025



Filed through CPCB Counsel



**(DEPONENT)**

J. Chandra Babu  
REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE - BENGALURU  
(MIN.OF ENV,FOREST & CC, GOVT OF INDIA)  
BENGALURU - 560 079. MOB: 9868278903



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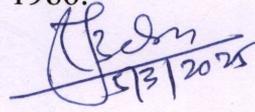
The Principal Chief Conservator of Forests  
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..... Respondent(s).

**REPLY ON BEHALF OF RESPONDENT NO. 6, THE CENTRAL  
POLLUTION CONTROL BOARD**

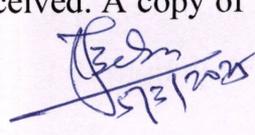
1. That, this Hon'ble Tribunal vide order dated 04.12.2024 in the instant matter has issued notice to all respondents and thereby the reply is made in succeeding paragraphs.
2. That, Central Pollution Control Board (hereinafter referred to as **CPCB**) is constituted under Section 3 of The Water (Prevention and Control of Pollution) Act, 1974. It performs the functions under The Water (Prevention and Control of Pollution) Act, 1974, The Air (Prevention and Control of Pollution) Act, 1981 and The Environment (Protection) Act, 1986.



  
 J. Chandra Babu  
 REGIONAL DIRECTOR  
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 REGIONAL DIRECTORATE - BENGALURU  
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3. It is humbly submitted that the instant application was registered as suo-motu by the Hon'ble National Green Tribunal, Principle Bench, New Delhi as original application No. 1232/2024 on the basis of the news item appearing in 'The Hindu' News Paper, dt.27.09.2024 titled "Munnar Panchayat –Owned dumping yard continues to be haunt for wild animals". Central Pollution Control Board was impleaded as Respondent No. 6 and the matter was transferred by Hon'ble NGT (PB) to the Hon'ble NGT SZ Bench, wherein the same has been renumbered as OA No 300/2024.
4. That, as per the order dated 04.12.2024 by this Hon'ble Tribunal, "A similar issue is pending consideration before the Hon'ble High Court of Kerala. If that is so, let the copy of the affidavit filed in the writ petition and the orders, if any, passed therein be furnished."
5. It is to be submitted that CPCB is not a party in the said High Court matter. The news article, speaks about the issue of waste dumping yards owned by Munnar Panchayat continuing to attract wild animals including elephants. Hon'ble High Court of Kerala had constituted an Expert Committee and the Committee had submitted its recommendations in this regard, including setting up of solar fencing around waste dumping/ waste collection centres, which is yet to be implemented.
6. That, CPCB had written letters to the Kerala State Pollution Control Board (KSPCB), Local Self Govt. Department(LSGD), Govt. of Kerala and the Munnar Grama Panchayat, for providing the updated status/information in this regard. KSPCB has provided a copy of the response filed in the matter, while response from other two agencies are yet to be received. A copy of the



  
 J. Chandra Babu  
 REGIONAL DIRECTOR  
 CENTRAL POLLUTION CONTROL BOARD  
 REGIONAL DIRECTORATE - BENGALURU  
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letter issued to KSPCB, LSGD, Govt. of Kerala and Munnar Gram Panchayat are attached as *Annexure I "Colly"*.

7. It is submitted that, Ministry of Environment, Forest & Climate Change (hereinafter referred to as MoEF&CC) has notified the Solid Waste Management Rules, 2016 (hereinafter referred to as SWM) vide notification S.O 1357(E) dated April 8, 2016 in suppression of Municipal Solid Waste (Management and Handling) Rules 2000. As per the relevant provisions under the SWM Rules 2016, the local bodies and panchayats are entrusted with the primary responsibility of collection and management of municipal solid waste, maintenance and operation of the solid waste processing sites and dump yards etc.
8. That, as per the relevant provisions of the SWM Rules, 2016, the local bodies have to obtain an authorisation for setting up waste processing, treatment, recycling or disposal facility including landfills from State Pollution Control Boards/Pollution Control Committees (hereinafter referred to as SPCBs/PCCs). The SPCBs/PCCs are entrusted with the responsibility for enforcement of the SWM Rules, 2016 in their states through local bodies in their respective jurisdiction and a periodical review of implementation with monitoring of environmental standards and adherence to conditions prescribed under SWM Rules, 2016. The SPCBs/PCCs are also entrusted with the responsibility of issuance of authorization to the local bodies after examining the proposals submitted by them. CPCB has been coordinating with SPCBs/PCCs for implementation of this Rules and monitoring its implementation through SPCBs/PCCs.

*J. Chandra Babu*  
19/3/2025

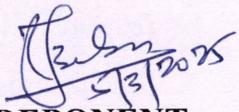


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REGIONAL DIRECTORATE - BENGALURU  
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9. That, as observed from the reply submitted by KSPCB, the Munnar Panchayat is operating a solid waste processing facility/dumping yard including Resource Recovery Facility (RRF), Material Collection Facility (MCF) and composting infrastructure. The Panchayat is collecting the bio- degradable and non-biodegradable waste, which is brought to the facility and the average reported waste generation is 4.8 and 3.5 Tonnes per day respectively.
10. That, it is also observed from the reply submitted by KSPCB that they have issued instructions to the Munnar Panchayat, based on the recent inspections carried out, to take corrective measures w.r.t unscientific practices of waste dumping observed and to improve the infrastructure facilities. Further KSPCB has issued directions in this regard to the Panchayat and as per KSPCB, the Panchayat is yet to provide the Action Taken Report (ATR) in this regard.
11. It is humbly submitted that, in light of the submissions made by the KSPCB, the Munnar Panchayat, District Administration and KSPCB shall be the appropriate bodies to take further actions in the matter, since the implementation of the provisions of the SWM Rules, 2016, including infrastructure development for collection, storage, segregation, transportation, processing and disposal of municipal solid wastes and its scientific operation is their collective mandated responsibility under the SWM Rules, 2016.
12. That, in the light of the above submissions, it is respectfully prayed that this Answering Respondent No.6 i.e., CPCB shall abide by orders or directions passed by the Hon'ble Tribunal in the instant matter.

  
**COUNSEL FOR**  
**RESPONDENT No. 6**



  
**DEPONENT**

J. Chandra Babu  
 REGIONAL DIRECTOR  
 CENTRAL POLLUTION CONTROL BOARD  
 REGIONAL DIRECTORATE - BENGALURU  
 (MIN. OF ENV, FOREST & CC, GOVT OF INDIA)  
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*And*

The Principal Chief Conservator of Forests  
(PCCF), Kerala, Thiruvananthapuram and  
Ors.

..... Respondent(s).

**AFFIDAVIT**

I, Jathikartha Chandra Babu, Son of (Late) Sh. J Balaramaiah, aged about 57 years, having office at the Regional Directorate - Bengaluru, Central Pollution Control Board, 1st and 2nd Floors, Nisarga Bhavan, A-Block, Thimmaiah Main Road, 7th D Cross, Shivanagar, Bengaluru, Karnataka – 560 079, do hereby solemnly affirm, declare on oath and state as under:-

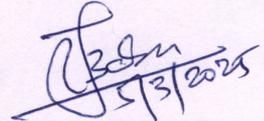
1. That the accompanying reply may be read part and parcel of the present affidavit as I am competent to swear this affidavit.



*J. Chandra Babu*  
5/3/2025

**J. Chandra Babu  
REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE - BENGALURU  
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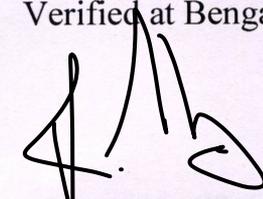
2. That the accompanying reply has been drafted and filed under my instructions and authority, the contents thereof are true and correct on the basis of the record maintained during ordinary course of business of CPCB and available records and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.

  
5/3/2025  
**DEPONENT**

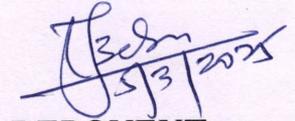
### VERIFICATION

I, Jathikartha Chandra Babu, working as Scientist 'E' and posted as Regional Director (Bengaluru), CPCB, the respondent herein do hereby verify that the contents of the above paragraphs are true and correct to the best of my knowledge, information and belief.

Verified at Bengaluru on this the 05<sup>th</sup> day of March, 2025.



**COUNSEL FOR  
RESPONDENT No. 6**

  
5/3/2025  
**DEPONENT**

J. Chandra Babu  
REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE - BENGALURU  
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**REPLY ON BEHALF OF RESPONDENT NO. 6, THE CENTRAL  
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**M/s. R. Thirunavukarasu  
Counsel for the 6<sup>th</sup> Respondent  
(CPCB)  
M-9444012986**



e-mail/Speed Post

CM-13013/20/2024-TECH-RD-BENGALURU

24-02-2025

**Urgent: NGT Matter**

To

- 1. The Member Secretary**  
Kerala State Pollution Control Board  
Plamoodu Jn., Pattom Palace P.O.  
Thiruvananthapuram-695 004
- 2. The Principal Director/  
Director, LSGD (Rural)**  
Principal Directorate, LSGD, Swaraj Bhavan,  
Ground Floor, Nanthancodu, Kowdiar.P.O,  
Thiruvananthapuram - 695 003  
[pdlsgkerala@gmail.com](mailto:pdlsgkerala@gmail.com),  
[directorofpanchayat@gmail.com](mailto:directorofpanchayat@gmail.com)
- 3. The Secretary**  
Munnar Grama Panchayat,  
Moolakadai, Munnar, Kerala 685612  
[munnarlsgekerala@gmail.com](mailto:munnarlsgekerala@gmail.com)

Attn: The SEE, Legal Cell, KSPCB, TVM

Sub: NGT SZ OA No. 300 of 2024 (SZ) (Earlier OA No. 1232/2024/PB) based on the news item in "The Hindu, dt.27.09.2024 titled "Munnar Panchayat -Owned dumping yard continues to be haunt for wild animals"

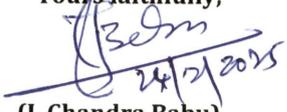
Sir/Madam,

This has reference to the NGT SZ OA No. 300 of 2024 (SZ) (Earlier OA No. 1232/2024/PB), wherein the Hon'ble Tribunal on its own motion SUO MOTU taken cognizance based on the news item in "The Hindu, dt.27.09.2024 titled "Munnar Panchayat -Owned dumping yard continues to be haunt for wild animals". The news article, speaks about the issue of waste dumping yards owned by Munnar Panchayat continuing to attract wild animals including elephants and Hon'ble High Court of Kerala had constituted an Expert Committee and the Committee had submitted its recommendations in this regard, including setting up of solar fencing around waste dumping/ waste collection centers, which is yet to be implemented. A copy of the Hon'ble NGT Order and the Newspaper articles is enclosed for ready reference.

The Hon'ble Tribunal in OA No. 300 of 2024 (SZ) (Earlier OA No. 1232/2024/PB) has sought replies from all the respondents, including CPCB, and as the facts on the above matter is not available with this Regional Directorate, it is requested to share available details and facts/reports on the waste dumping yard under reference in the said matter, including management of solid waste generated in the Munnar Panchayat and updated status on implementation of the recommendations of the said Expert Committee, so that response by this office can be filed before the Hon'ble Tribunal.

**The matter may please be treated as most urgent.**

Yours faithfully,

  
(J. Chandra Babu)  
Regional Director

Encl: As above

क्षेत्रीय निदेशालय (बेंगलूरु) : निसर्ग भवन, ए-ब्लॉक, प्रथम एवं द्वितीय तल, तिम्मय्या रोड, 7-डी मैन, शिवनगर, बेंगलूरु - ५६० ०७९.

Regional Directorate (Bengaluru) : " Nisarga Bhawan ", A-Block, 1<sup>st</sup> & 2<sup>nd</sup> Floors, Thimmaiah Road, 7<sup>th</sup> D - Main, Shivanagar, Bengaluru - 560 079.

दूरभाष / Telephone : 080-23233739, 23233827, 23222539, Fax : 080-23234059

ई-मेल / E-mail : zobangalore.cpcb@nic.in

प्रधान कार्यालय : परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली- ११० ०३२.

Head Office : Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.

दूरभाष / Telephone : 011-43102030, Fax : 22305793, 22307078, 22307079, 22301932, 22304948

ई-मेल / E-mail : cpcb@nic.in वेबसाइट / Website : www.cpcb.nic.in