

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

**Original Application No. 43 of 2024**

Dr. Balaji Thangavel,  
No. 3/75, T.S. Baliah Garden,  
Nedungundram,  
Vandalur Via,  
Chennai- 600 127.

**...Applicant**

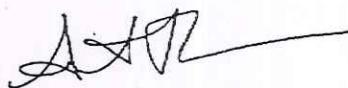
**-VS-**

1. The District Collector,  
Chengalpattu District,  
Collectorate, GST Road,  
Chengalpattu - 603 001 & 4 ors.

**...Respondents**

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

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**  
**SOUTHERN ZONE AT CHENNAI**  
**Original Application No.43 of 2024**

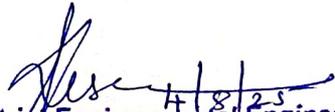
Dr. Balaji Thangavel,  
No. 3/75, T.S. Baliah Garden,  
Nedungundram,  
Vandalur Via,  
Chennai-600 127.  
Contact Number: 7299997777.  
Email ID: balajethangavel@gmail.com.

...Applicant

Vs.

1. The District Collector,  
Chengalpattu District,  
Collectorate, GST Road,  
Chengalpattu - 603 001  
Contact No. +91-44-27427412.  
Email: collr-cpt[at]nic[dot]in
2. The District Environmental Engineer,  
Tamil Nadu Pollution Control Board,  
MaraimalaiAdigalar Street,  
Maraimalai Nagar, Chengalpattu - 603 209  
Contact No. 044-27454422.  
Email: [deemmn@tnpcb.gov.in](mailto:deemmn@tnpcb.gov.in)
3. The Municipal Commissioner,  
Tambaram City Municipal Corporation,  
No. 28, Muthuranga Mudali Street,  
Tambaram West, Chennai - 600 0045  
Contact No. 044-22266206.  
Email: [commr.tambaram@tn.gov.in](mailto:commr.tambaram@tn.gov.in)
4. The District Forest Officer,  
Chengalpattu Division,  
5/9 VaradharajaPannai,  
Vandavasi Road, Kancheepuram - 631 501  
Contact No. 044-27236500.  
Email: dfokpm[at]gmail[dot]com.
5. The President,  
Nedungundram Village Panchayat,  
Kattangolathur Union,  
Nedungundram, Chennai-600 127  
Contact No. 9962792284.  
Email: [gpnedugundram-tn@gov.in](mailto:gpnedugundram-tn@gov.in).

....Respondents.

  
District Environmental Engineer,  
Tamilnadu Pollution Control Board  
Chengalpattu Dist. @ Maraimalai Nagar

**ADDITIONAL REPORT FILED BY THE SECOND RESPONDENT**  
**TAMIL NADU POLLUTION CONTROL BOARD.**

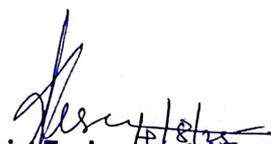
I, G.Kesavamoorthy, S/o.K.Ganasen, aged about 39 years, having office at Maraimalai Adigalar Street, Maraimalai Nagar, Chengalpattu - 603 209, do hereby solemnly affirm and sincerely state as follows:

1. I respectfully submit that I am working as the District Environmental Engineer, Maraimalai Nagar, Tamil Nadu Pollution Control Board. I am filing this additional report and as such I am well acquainted with the facts of the case as per records available at our office.

2. It is respectfully submitted that the application is filed by the applicant with the following prayer:

- i. to direct the Respondent Nos. 3 & 5 to restrain the general public from dumping the solid & plastic wastes in the subject sites by causing awareness;
- ii. to take action against the officials of the local bodies i.e., Respondent Nos. 3 & 5 for non-compliance of the Solid Waste Management Rules, 2016;
- iii. to direct the Respondent No. 2 i.e., the State Pollution Control Board to assess and impose Environmental Compensation under Section 5 of the Environment Protection Act, 1986 for the violation of the Solid Waste Management Rules 2016;
- iv. to direct the Respondent Authorities to initiate appropriate action against the violators, under the Environment Protection Act, 1986 for the violation of the Solid Waste Management Rules 2016; including imposition of compensation / penalty;
- v. to direct the Respondent authorities to assess the damage that have been caused due to illegal dumping of solid and plastic wastes in the sites in question, and restore the same;
- vi. to take appropriate actions to protect the environmental rights and livelihoods of the local community as per the National Green Tribunal Act, 2010, and other relevant laws;

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Tamil Nadu Pollution Control Board,  
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**District Environmental Engineer,  
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- vii. to direct the Respondent No. 1 to allot proper site for the segregation and disposal of solid waste that are being generated in the limits of Respondent Nos. 3 & 5;
- viii. to direct the Respondent Nos. 3 & 5 to take immediate steps to install CCTV in the subject sites to find out the violators and issue notice to them and impose penalty for the violation of Solid Waste Management Rules 2016;
- ix. to direct the 4th Respondent to take steps to protect construct wall / fence around the Vandalur Reserve Forest; and
- x. to pass such further and other order/s as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the present case.

3. It is respectfully submitted that the report filed by the Second respondent on 06.08.2024 may be taken as a part and parcel of this Additional Report.

4. It is respectfully submitted that on 04.02.2025, the Hon'ble National Green Tribunal (SZ), Chennai has directed the Tamil Nadu Pollution Control Board (TNPCB) "to conduct a fresh inspection of the site and submit a report detailing the current status".

5. It is respectfully submitted that to comply the above Hon'ble NGT Order dated 04.02.2025, the said site was inspected by the officials of TNPCB on 03.03.2025 & 13.05.2025 for the following locations along the roadsides

- a) Opposite to the Primary School, Alapakkam.
- b) Near Rani Mahal, Alapakkam.
- c) TVS SSM Nagar Road, Alapakkam.
- d) Road from Sadhananthapuram to Perungalathur.

6. It is respectfully submitted that during the inspection, it was observed that littering by the surrounding public and waste generated from the surrounding commercial establishments are dumped in the said area. The

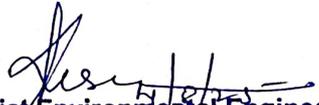
  
**District Environmental Engineer,**  
**Tamilnadu Pollution Control Board**  
**Chengalpattu Dist. @ Maraimalai Nagar**

Nedungundram Village panchayat is not having any Solid Waste processing facility in their area. (Photographs are enclosed as Annexure - I)

7. It is respectfully submitted that the President, Nedungundram Village Panchayat has reported that the solid waste generated from the Nedungundram Village Panchayat were collected regularly and transferred to Kolathur Village, Kattankulathur Block garbage dumping yard for further disposal.

8. It is respectfully submitted that thesecond respondent, TNPC Board has already issued directions to the Block Development Officer, Kattankulathur Panchayat Union vide Board's Proceeding No. T3/TNPCB/LAW/NGT/F.014413/2024 Dated: 09.07.2024 to comply with the following:

- (i) The Nedungundram Village Panchayat shall comply with the provisions of the Solid Waste Management Rules, 2016 as amended from time to time on the management of municipal solid waste.
- (ii) The Nedungundram Village Panchayat shall ensure 100%-collection of solid waste being generated within its jurisdiction with proper segregation, door to door collection, processing and disposal by complying with the provisions of Solid Waste Management Rules, 2016.
- (iii) The Nedungundram Village Panchayat shall take necessary steps to stop dumping of unsegregated municipal solid waste by the Public in the locations opposite to the Primary School, Alapakkam, Near Rani Mahal, Alapakkam, TVS- SSM Nagar Road, Alapakkam & Road from Sadhananthapuram to Perungalathur and shall process and dispose the solid waste dumped in the said locations as per the Solid Waste Management Rules, 2016.
- (iv) The Nedungundram Village Panchayat shall setup required quantity of solid waste processing facilities for the processing of the solid waste being generated within its jurisdiction.

  
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Tamilnadu Pollution Control Board  
Chengalpattu Dist. @ Maraimalai Nagar**

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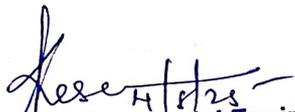
(v) The Nedungundram Village Panchayat shall create awareness on source segregation of solid waste and to encourage the public to handover only segregated waste.

(vi) The Nedungundram Village Panchayat shall keep periodical patrolling/ vigil in their Village Panchayat area and levy fine on the violators dumping solid waste and other waste under Local body Acts.

(vii) The Nedungundram Village Panchayat shall keep display board at vulnerable locations to prevent dumping of solid waste by the public.

9. It is respectfully submitted that the compliance of the conditions stipulated with the Direction issued to the Block Development Officer, Kattankulathur Panchayat Union vide Proc. Dated 09.07.2024 are as follows:

Sl. No	Conditions Stipulated	Compliance status
01	The Nedungundram Village Panchayat shall comply with the provisions of the Solid Waste Management Rules, 2016 as amended from time to time on the management of municipal solid waste.	Not complied The local body has not complied with the provisions of the Solid Waste Management Rules, 2016.
02	The Nedungundram Village Panchayat shall ensure 100%- collection of solid waste being generated within its jurisdiction with proper segregation, door to door collection, processing and disposal by complying with the provisions of Solid Waste Management Rules, 2016	
03	The Nedungundram Village Panchayat shall take necessary steps to stop dumping of unsegregated municipal solid waste by the Public in the locations opposite to the Primary School, Alapakkam, Near Rani Mahal,	Not complied The solid waste generated from the surrounding public and the commercial establishments are being dumped in the said areas.

  
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	Alapakkam, TVS- SSM Nagar Road, Alapakkam& Road from Sadhananthapuram to Perungalathur and shall process and dispose the solid waste dumped in the said locations as per the Solid Waste Management Rules, 2016.	
04	The Nedungundram Village Panchayat shall setup required quantity of solid waste processing facilities for the processing of the solid waste being generated within its jurisdiction	Not complied The local body has not established solid waste processing facilities within its jurisdiction
05	The Nedungundram Village Panchayat shall create awareness on source segregation of solid waste and to encourage the public to handover only segregated waste	Not complied
06	The Nedungundram Village Panchayat shall keep periodical patrolling/ vigil in their Village Panchayat area and levy fine on the violators dumping solid waste and other waste under Local body Acts	Not complied
07	The Nedungundram Village Panchayat shall keep display board at vulnerable locations to prevent dumping of solid waste by the public.	Not complied The local body has not provided any display Board in the said areas.

10. It is respectfully submitted that the Hon'ble National Green Tribunal (PB), New Delhi in its order dated 28.02.2020 in OA No.606 of 2018, has directed to impose Environmental Compensation to the local Bodies for noncompliance of the Solid Waste Management Rules, 2016 at the rate of

  
**District Environmental Engineer,**  
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- a) Rs. 10 lakh per month per Local Body for population of above 10 lakhs,
- b) Rs. 5 lakh per month per Local Body for population between 5 lakhs and 10 lakhs and
- c) 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.

11. It is respectfully submitted that, as per the Hon'ble National Green Tribunal's order dated 28.02.2020 in O.A. No. 606 of 2018, local bodies having a population of less than 5 lakhs are liable to pay an interim compensation of Rs. 1 Lakh per month for non-compliance with the Solid Waste Management Rules, 2016, with effect from 01.04.2020 until full compliance is achieved.

12.. It is respectfully submitted that the Kattankulathur Panchayat Union has not complied with the provisions of the Solid Waste Management Rules, 2016. The Population of the Nedungundram Village Panchayat is about 14390 Nos, as per 2011 Census Records, which is less than 5 lakhs. Hence "Rs. 1 lakh per month per other Local Body from July 2024 to April 2025" is considered. The Period taken for Environmental Compensation assessment is July 2024 to April 2025. The total number of months violation continued is 11 months. Hence, the total Environmental Compensation assessed is Rs.1 lakh X 11 months = Rs. 11 lakhs.

13. It is respectfully submitted that based on the recommendation of DEE, Maraimalai Nagar vide letter dated 21.5.2025, the Board has issued show cause notice so as to why the Board shall not levy an interim Environmental Compensation of Rs. 11 Lakhs to the Block Development Officer (BDO), Kattankulathur Panchayat Union for noncompliance of Solid Waste Management Rules, 2016 and also issued the following directions to the Kattankulathur Panchayat Union under Section 5 of Environment (Protection) Act, 1986 as amended for the above said violations vide Board

  
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Proc. No. T5/TNPCB/SWM/F.014692/2025 dated: 11.07.2025 to comply within one month.

- A. The Nedungundram Village Panchayat shall ensure 100% collection of solid waste generated within their jurisdiction with proper segregation, door-to-door collection, processing and disposal, in compliance with the provisions of the Solid Waste Management Rules 2016
- B. The Nedungundram Village Panchayat shall ensure surveillance of the dumping location to ensure that no private party is dumping waste in this location.
- C. The Nedungundram Village Panchayat shall comply directions already to the Block Development Officer, Kattankulathur Panchayat Union vide Board's Proc dated: 09.07.2024.

Therefore, it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) may be pleased to pass such further 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.

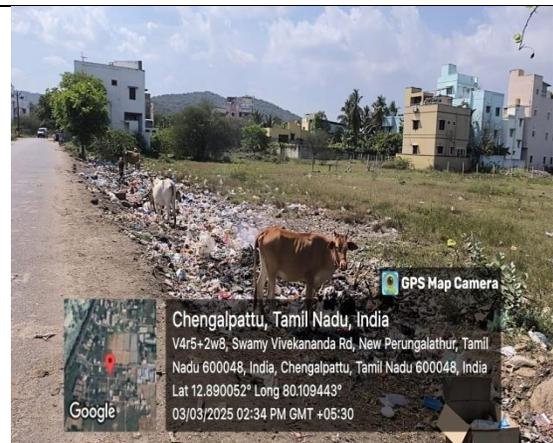
### VERIFICATION

I, G.Kesavamoorthy, S/o. K.Ganasen, working as the District Environmental Engineer, MaraimalaiNagar, Tamil Nadu Pollution Control Board, having office at MaraimalaiAdigalar Street, Maraimalai Nagar, Chengalpattu - 603 209, do hereby verify that the contents of above reply affidavit are true to the best of my knowledge through records.

  
District Environmental Engineer,  
Tamilnadu Pollution Control Board  
Chengalpattu Dist. @ Maraimalai Nagar

## ANNEXURE-I

### Photographs taken during the time of inspection





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

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...Respondents

**REPORT FILED ON BEHALF OF  
SECOND RESPONDENT - TAMIL  
NADU POLLUTION CONTROL  
BOARD.**

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

**Date:04.08.2024**

**Date of hearing on: 29.08.2025.**