

**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.**

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Vs

1. The District Collector,
Chengalpattu District,
Collectorate, GST Road,
Chengalpattu - 603 001
Contact No. +91-44-27427412
2. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Maraimalai Adigalar Street,
Maraimalai Nagar, Chengalpattu - 603 209
Contact No. 044-27454422
3. The Municipal Commissioner,
Tambaram City Municipal Corporation,
No. 28, Muthuranga Mudali Street,
Tambaram West, Chennai - 600 0045
Contact No. 044-22266206
4. The District Forest Officer,
Chengalpattu Division,
5/9 Varadharaja Pannai,
Vandavasi Road, Kancheepuram - 631 501
Contact No. 044-27236500
5. The President,
Nedungundram Village Panchayat,
Kattangolathur Union, Nedungundram,
Chennai-600 127

....Respondents

**REPORT FILED ON BEHALF OF SECOND 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:

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

I 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 second respondent and as such I am well acquainted with the facts of the case from the office records.

2. It is respectfully submitted that the application is filed by the applicant against the 3rd and 5th respondent to restrain the general public from dumping the solid & plastic wastes, to take action against 3rd and 5th respondent for non-compliance of the Solid Waste Management Rules, 2016, the 2nd Respondent 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, to initiate appropriate action by the respondents against the violators, and 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.
3. It is respectfully submitted that on 04.05.2024, the allegation sites were inspected by Assistant Engineer, Tamil Nadu Pollution Control Board, Maraimalai Nagar along with the President & Secretary of Nedungundram Village Panchayat.
4. It is respectfully submitted that, during inspection, it was observed that the un-segregated municipal solid waste were found in the following location along the roadside and the details are as follows:-
 - i. Opposite to the Primary School, Alapakkam
 - ii. Near Rani Mahal, Alapakkam
 - iii. TVS SSM Nagar Road, Alapakkam
 - iv. Road from Sadhananthapuram to Perungalathur
5. It is respectfully submitted that vide letter dated: 04.05.2024, the District Environmental Engineer (DEE), Tamil Nadu Pollution Control Board (TNPCB), Maraimalai Nagar has recommended to the Board to issue certain directions to the Block Development Officer, Kattankulathur Panchayat Union, Chengalpattu District for not complying with the provisions of the Solid Waste Management Rules, 2016 under Section 5 of the Environment (Protection) Act, 1986.


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

6. It is respectfully submitted that based on the recommendation of the District Environmental Engineer, Tamil Nadu Pollution Control Board (TNPCB), Maraimalai Nagar, the Board has issued the following directions on 09.07.2024, under Section 5 of the Environment (Protection) Act, 1986 as amended to the Block Development Officer, Kattankulathur Panchayat Union, Chengalpattu District for strict compliance:
- a. 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.
 - b. 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.
 - c. 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.
 - d. 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.
 - e. The Nedungundram Village Panchayat shall create awareness on source segregation of solid waste and to encourage the public to handover only segregated waste.
 - f. 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.
 - g. The Nedungundram Village Panchayat shall keep display board at vulnerable locations to prevent dumping of solid waste by the public.
7. It is respectfully submitted that, the District Collector, Chengalpattu has communicated through letter dated 1.7.2024 to conduct a joint inspection

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 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
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along with Revenue Divisional Officer, Tambaram, Local Body and TNPCB officials. Based on the directions of the District Collector, inspection was conducted on 03.07.2024 and it has been observed by the Joint Committee, that the un-segregated municipal solid wastes were found in the following location along the roadside. The details are as follows:-

- i. Opposite to the Primary School, Alapakkam;
- ii. Near Rani Mahal, Alapakkam;
- iii. TVS - SSM Nagar Road, Alapakkam;
- iv. Road from Sadhananthapuram to Perungalathur;

8. It is respectfully submitted that the President, Nedungundram Village Panchayat has reported that they don't have a Solid Waste Management Facility in their area and informed that the solid waste collected 3.5 T/day were removed regularly and sent to the Kolathur garbage dumping yard for further disposal. It was reported that even though collection of garbage is being carried out regularly in that area, the Public passing along the road side are dumping the waste in the said area.

Therefore, most humbly prayed that this Hon'ble Tribunal may be pleased to consider the report and pass orders as this Hon'ble Tribunal may deem fit and necessary in the circumstances of the case and thus render justice.

Leah...
 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, Hindu, aged about 59 years having office at No.76, Mount Salai, Guindy, Chennai 600 032, do hereby verify that the contents of above report are true to the best of my knowledge through records.

Leah...
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
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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:06.08.2024

Date of hearing on: 08.08.2024.

