

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

Original Application No. 50 of 2024

Tribunal on its own motion SUO MOTU
Based on the News Item in The Hindu
Newspaper, Chennai Edition dt 4.2.2024,
"Raising High Stink: T.N's
Bulk Waste Disposal Issues".

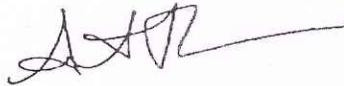
AND

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

...Respondents

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

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REPORT FILED ON BEHALF OF 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 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 3rd 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 OA has been taken as a Suo Motu based on the News Item in The Hindu Newspaper, Chennai Edition dt 4.2.2024, “**Raising High Stink: T.N’s Bulk Waste Disposal Issues**”.
3. It is respectfully submitted that the Hon’ble NGT Order dated 20.02.2024, directed TNPCB to file a report as to (i) how they deal with the bulk waste generators, (ii) Whether they have separate rules in place and whether they are followed and (iii) if Not, whether there is any

K. Nalini
12/2/24
JOINT CHIEF ENVIRONMENTAL ENGINEER
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No.76, MOUNT SALAI, GUINDY,
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proposal for formulating guidelines for the bulk waste generator which may include high-rise residential apartments and industrial estate both public and private. Based on the above direction, the report is submitted herein.

4. It is respectfully submitted that the Ministry of Environment, Forest and Climate Change (MoEF&CC), Government of India (GoI) have notified the Solid Waste Management (SWM) Rules, 2016. These rules include Bulk waste generators also. The Solid Waste Management Rules, 2016, prescribes Bulk waste generator as follows:-

“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;

5. It is respectfully submitted that the duties of the waste generators as per Solid Waste Management Rules, 2016 are as follows:

4.(6) All resident welfare and market associations shall, within one year from the date of notification of these rules and in partnership with the local body ensure segregation of waste at source by the generators as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body.


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(7). All gated communities and institutions with more than 5,000 sqm area shall, within one year from the date of notification of these rules and in partnership with the local body, ensure segregation of waste at source by the generators as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorized recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body.

(8). All hotels and restaurants shall, within one year from the date of notification of these rules and in partnership with the local body ensure segregation of waste at source as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body.

7. It is respectfully submitted that as per Rule 15 of the Solid Waste Management Rules, 2016, the local bodies are responsible for the processing and disposal of wastes generated by the Bulk waste generators. The Tamil Nadu Pollution Control Board (TNPCB) enforces these rules through local bodies.
8. It is respectfully submitted that the following conditions are specified while issuing Consent to Operate (CTO) to the Bulk Waste Generators(Private companies, hospitals, nursing homes, schools,


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colleges, universities, other educational institutions, hostels, hotels, commercial establishments, high rise residential apartments and industrial estates) which are mentioned below:

- a. The bio degradable solid waste, non bio degradable solid waste, etc., generated by the unit shall be properly collected, segregated and disposed as per the provisions of the Solid waste Management Rules, 2016.
- b. The unit shall allot 5% of the total plot area for Solid Waste Management as per the Solid waste Management Rules, 2016 as amended.
- c. Food waste from canteen & other organic waste shall be collected separately and treated in Organic Waste Converter and the treated compost shall be used as manure for gardening.
- d. The unit shall maintain Organic Waste Converter for the treatment and disposal of bio degradable solid waste generated within the unit premises.
- e. The unit shall ensure that the Non-Hazardous wastes generated are disposed then and there without accumulating the same within the unit premises
- f. The plastic wastes shall be segregated and disposed as per the provisions of Plastic Waste (Management and Handling) Rules, 2016. The unit shall not use 'use and throwaway plastics'.
- g. The unit shall comply with the E waste Management Rules, 2022 as amended. E-waste as listed in Schedule – I if generated, shall be channelized through collection centre or dealer of authorized producer or dismantler or recycler or through the designated take back service provider of the producer to authorized dismantler or recycler. The unit shall maintain records of e- waste generation in Form – 2 and make such records available for scrutiny by the TNPCB.


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It is, therefore, humbly prayed that this Hon'ble Tribunal may be pleased to consider the submissions made by this respondent and pass such order or other orders as this Hon'ble Tribunal may deem fit and necessary in the circumstances of the case and thus render justice.


JOINT CHIEF ENVIRONMENTAL ENGINEER
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VERIFICATION

I, K.Nalini, Daughter of Thiru.K.Krishnasamy, working as Joint Chief Environmental Engineer, TNPCB, 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.


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THIRD RESPONDENT TAMIL NADU
POLLUTION CONTROL BOARD.**

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

Date:12.08.2024

Date of hearing on:13.08.2024.