

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

Original Application No.08 of 2021

Meenava Thanthai K.R.Selvaraj
Kumar, Meenavar Nala Sangam,
Rep by its President,
M.R. Thiyagarajan

...Applicant

-Vs-

State of Tamil Nadu
Through the Chief Secretary,
Government of Tamil Nadu, Secretariat,
Chennai – 600 009 & 3 others.

... Respondents

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**Filed by
Thiru. C. Kasirajan,
Advocate,
Chennai.**

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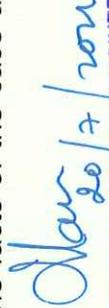
1. State of Tamil Nadu
Through the Chief Secretary,
Government of Tamil Nadu, Secretariat,
Chennai – 600 009
Ph: 2567 1555,
email: cs@tn.gov.in
2. The Tamil Nadu Pollution Control Board,
Rep. by its Chairman
76, Mount Salai, Guindy,
Chennai – 600 032.
3. Tamil Nadu State Environment Impact Assessment Authority
Through the Chairman,
3rd Floor, Panagal Maaligai,
No.1, Jeenis Road, Saidapet,
Chennai – 600 015.
4. M/s. Velammal Educational Trust
(Hospital and Medical College)
Through the Chairman,
Velammal Village,
Madurai – Tuticorin Ring Road,
Anuppanadi, Madurai – 600 009

...Respondents

REPORT FILED ON BEHALF OF THE 2ND RESPONDENT
TAMIL NADU POLLUTION CONTROL BOARD

I, R.Sarasavani, D/o. Thiru. Raghavan, Hindu, aged about 56 years, having my office at No. 76, Mount Salai, Guindy, Chennai -600032, do hereby solemnly affirm and sincerely state as follows:-

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai and I am filing this Report on behalf of the 2nd Respondent Tamil Nadu Pollution Control Board and as such I am well acquainted with the facts of the case as per records.


JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUNDIRY,

2. It is respectfully submitted that the Hon'ble NGT vide its order dated 10.06.2021 had directed as follows:

" para 14. Considering the circumstances, we feel that some more time can be granted to the committee as well as to the Pollution Control Board to come with the report and further action taken report respectively and they are directed to submit their respective reports to this Tribunal on or before 22.07.2021".

3. It is respectfully submitted that, in due compliance of the said Hon'ble NGT order, the 4th respondent unit was inspected by the officials of the TNPCB on 17.06.2021 and the following were observed:

- i. The health care facility was in operation.
- ii. The unit is adopting colour coding system in bags / containers / bins for the collection of biomedical waste as per the Biomedical waste Management Rules, 2016 in all wards.
- iii. The unit has established an earmarked separate biomedical waste collection room with lock and key facility system.
- iv. The unit has made agreement valid upto 14.02.2022 with the common facility M/s Ramky Energy and Environment Limited, Virudhunagar, for the safe disposal of biomedical waste generated from the unit.
- v. The unit has established bar coding system for the bags containing biomedical waste sent to the common facility M/s Ramky Energy and Environment Limited, Virudhunagar.
- vi. The unit is maintaining a logbook for the disposal of biomedical waste to the common facility M/s Ramky Energy and Environment Limited, Virudhunagar, on daily basis.
- vii. The recyclable solid waste such as plastic, carton boxes, paper etc., are collected and segregated in a separate place. All recyclable wastes are sent to recycling units through vendors.
- viii. Food waste and other organic wastes are collected in dumper bin and disposed through Madurai Corporation.
- ix. The unit has provided STP – I of 400 KLD capacity to treat the sewage and trade effluent generated from the health care facility.
- x. The unit has provided another STP – II of 100 KLD capacity to treat the sewage generated from the staff quarters. STP – I and II were found in operation during inspection.
- xi. The unit has provided Electro Magnetic Flow Meter at inlet and outlet of STP – I & II to assess the quantity of sewage treated and disposed.

Sanjay
20/7/2021

- xii. The unit is maintaining the log books for the operation of STP – I & II. From the records, it was observed that the unit is treating 300 KLD and 60 KLD of sewage.
- xiii. Treated sewage is utilized for gardening purpose after disinfection within the health care facility campus.
- xiv. ROA of the treated sewage reveals that the parameters pH, TSS & BOD are within the Standards prescribed by the Board.
- xv. The unit has constructed and commissioned one laundry building separately for which unit has applied for separate consent under the Water & Air acts. Application is under process.
- xvi. The unit has provided stack with acoustic enclosure as APC measures for the DG Sets 1010 KVA – 2 numbers.
- xvii. The unit has executed agreement valid upto 14.02.2022 with authorised recycler for the disposal of used oil generated from the D.G. Sets .
- xviii. The unit has established a separate emergency room at the entrance of the health care facility.
- xix. The unit has obtained permission from Madurai Corporation for the supply of 6.5 lakhs litres per day of water vide letter dated 13.03.2013.
- xx. The unit is developing green belt inside the premises.
- xxi. The unit has not provided On-site pre-treatment of Microbiology, Biotechnology and other clinical Laboratory waste (h) as per scheduled 1 of Biomedical waste Management Rules,2016.
- xxii. The unit has not made facility for annual report available in their website as per Biomedical Waste Management Rules, 2016.
- xxiii. The unit has not furnished Annual Report in Form IV to this office as per the BMWVM Rules, 2016.
- xxiv. The unit has not obtained Authorization under the Biomedical Waste Management Rules, 2016.
- xxv. The unit has not provided separate collection system with Effluent Treatment Plant to treat the liquid waste generated from laboratory, floor washing, cleaning, house keeping and disinfecting activities as per Bio Medical Waste Management rules, 2016.
- xxvi. The unit has not resubmitted the application for consent with Environmental Clearance Amendment / Revision for the additional construction in the EC already obtained.
4. It is respectfully submitted that, as per the G.O (Ms.) No.77 dated 28.10.2020, the TNPCB has assessed the Environmental Compensation of Rs. 86,62,500/- (Rupees Eighty Six lakhs and Sixty Two thousand and Five Hundred only) to the HCF for the period 13.03.2020 to 17.06.2021 based on the CPCB methodology for assessing

Environmental Compensation for the Health Care Facilities for the non-compliances of the Bio-medical waste Management Rules, 2016.

5. It is respectfully submitted that, the respondent TNPC Board has issued show cause notice under Section 5 of the Environment (Protection) Act, 1986 vide Proceeding dated 20.07.2021 to the HCF to show cause why the Board shall not recover the environmental compensation for the said non-compliances of the Bio-medical waste Management Rules, 2016.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal 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.

Shan 20/7/2021
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUNDIRY,
 CHENNAI-600 032.

BEFORE ME

VERIFICATION

I, R. Sarasavani, D/o. Thiru. Raghavan, working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai, do hereby verify that the contents of above report are true to the best of my knowledge through records.

Verified at Chennai on this 20th day of July, 2021.

Shan 20/7/2021
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUNDIRY,
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THE 2ND RESPONDENT - TAMIL
NADU POLLUTION CONTROL
BOARD.**

**Advocate for Respondent:TNPCB
Thiru. C. Kasirajan.**

Date:20.07.2021.

Date of hearing:22.07.2021