

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

Original Application No.52 & 67 of 2020

Suo Motu initiated proceedings
based on the News Item published
in Dinamalar Newspaper-Supplementary
edition Chennai dt. 28.02.2020 under the
caption "Dried Cauvery filled up with Waste Water."

Vs

The Secretary to Govt. of Tamil Nadu,
Department of Environment & Forests,
Chennai and Others.

...Respondents

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



**Tamilnadu Pollution Control Board's Report in respect of SUO MOTU O. A. No. 52 & 67 of 2020
in the Hon'ble NGT (SZ), Chennai**

It is submitted that the Hon'ble National Green Tribunal (SZ), Chennai has taken up a SUO MOTU O. A. No. 52/2020 based on the news published in Dinamalar daily on 28.02.2020 regarding Cauvery River Water Pollution. Subsequently, based on the news published in Dinamalar daily on 09.05.2020 regarding Cauvery River pollution, the Hon'ble NGT (SZ), Chennai has taken up another SUO MOTU O. A. No. 67/2020 and has constituted a high level committee and directed the committee to inspect and report vide its Order Dated: 03.03.2020 in O. A. No.: 52/2020 and passed subsequent Orders on 12.05.2020 and 15.05.2020, combining both the O. A. Nos. 52 & 67/2020.

Subsequently, Hon'ble NGT (SZ), Chennai vide its Order Dated: 23.03.2021 in O. A. No. 52 of 2020 (SZ) and O. A. No. 67 of 2020 (SZ) has directed TNPCB to file independent report regarding the present status of progress in the disposal of the legacy waste dumped in Erode and Pallipalayam.

The Joint Committee has inspected the legacy waste disposal sites on 16.04.2021 and submitted report to Hon'ble NGT (SZ).

To file individual report on the present status, the TNPCB officials have inspected the legacy waste site of Erode City Municipal Corporation located at Vendipalayam on 02.07.2021 and the report is submitted as below.

I. Status of Processing of legacy waste in Erode, Erode District

a. Vairapalayam Dump Site, Erode

Earlier, the Erode City Municipal Corporation had dumped approximately 80,850 m³ of solid waste at Vairapalayam on the right bank of River Cauvery. Based on the directions issued by the TNPCB on 13.01.2020, the Corporation has processed and removed entire quantity of the legacy waste dumped at Vairapalayam dump site.

b. Vendipalayam Dump Site, Erode

The Erode City Municipal Corporation had dumped approximately 6,00,000 m³ of solid waste at Vendipalayam, Erode. During inspection of this legacy waste dumpsite, it was informed by the Erode City Municipal Corporation officials that approximately 3,00,000m³ of legacy waste has been processed. The Erode Corporation authorities have informed that the remaining quantity of legacy waste will be processed before 31.12.2021.

Status of disposal of legacy waste from Kottakadu Dumpsite, Pallipalayam in Namakkal District

a. Kottakadu Dump Site, Pallipalayam Municipality

The bio-mining site of Pallipalayam Municipality located at Kottakadu dump site, Pallipalayam, Kumarapalayam Taluk, Namakkal District was inspected by the Officials of TNPCB, Kumarapalayam on 02.07.2021 and found that the Pallipalayam Municipality was carrying out bio-mining process. The Pallipalayam Municipality has so far processed around 31,325 m³ of legacy waste from the total accumulated quantity of 40,306 m³. The Pallipalayam Municipality has informed that the entire legacy wastes accumulated at Kottakadu dump site, Pallipalayam will be processed and removed before 30.09.2021.

II. Details of Environmental Compensation imposed to Erode City Municipal Corporation

a. Environmental Compensation imposed to Erode City Municipal Corporation:

In the mean time, The Chairman, TNPCB vide Proceedings No.T1/TNPCB/F.32363/ SWM/NGT 606 of 2018/2020-4, Dated: 27.11.2020 has levied Rs. 8 lakhs (Rupees Eight Lakhs only) as an interim Environmental Compensation for a period of 8 months (April 2020-November 2020) to the Erode Corporation for non-compliance of Solid Waste Management Rules 2016. The Chairman, TNPCB has also issued directions to the Commissioner, Erode City Municipal Corporation to remit the interim Environmental Compensation of Rs.8 Lakhs. Further, it is informed that the Corporation is liable to remit Environmental Compensation till the compliance of the following directions.

1. The Corporation shall comply with the provisions of Solid Waste Management Rules, 2016 and shall comply with the orders passed by the Hon'ble NGT in OA 606 of 2018 from time to time.
2. The Corporation shall provide 100% segregation of waste (covering all wards).
3. The Corporation shall provide required capacity of waste processing facilities for the treatment of biodegradable waste and non-biodegradable wastes.
4. The Corporation is liable to pay Environmental Compensation till the compliance of conditions stipulated in 1 to 3.

b. Directions issued to Pallipalayam Municipality, Namakkal District

Directions under the Section 5 of Environment (Protection) Act, 1986 has been issued by the TNPC Board to the Commissioner, Pallipalayam Municipality to comply with the following conditions vide Board's Proceedings No.T1/TNPCB/SWM/NGT/F.06801/KMP/2021, Dated 09.02.2021.

1. The Municipality shall comply with the provisions of Solid Waste Management Rules, 2016 and shall comply with orders passed by the Hon'ble NGT (PB) in OA 606 of 2018 from time to time.
2. The Municipality shall comply with the orders passed by the Hon'ble NGT (SZ) in O.A. No. 52/2020 & O.A. No. 67/2020.
3. The Municipality shall expedite the bio-mining of the legacy waste dump site and complete the same within the stipulated time as per the orders of the Hon'ble NGT.
4. The Municipality is liable to pay Environmental Compensation if there is any non-compliance of conditions stipulated in 1 to 3.

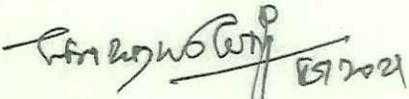
It is submitted that TNPCB will closely monitor the progress in the disposal of balance legacy waste dumped at Vendipalayam Dump site, Erode District and Kottakadu Dump site at Pallipalayam Municipality, Namakkal District.

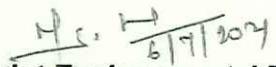
The Erode City Municipal Corporation has not remitted Environmental Compensation. Erode City Municipal Corporation will be insisted to remit the Environmental Compensation immediately.

The Erode Legacy waste dump site was inspected by the District Collector, Erode on 28.06.2021 and the District Collector, Erode instructed the Corporation officials to expedite the biomining process.

Further, the photographs taken during the inspection of the legacy waste dump sites are enclosed as Annexure - I.

This is submitted for favour of kind information please.

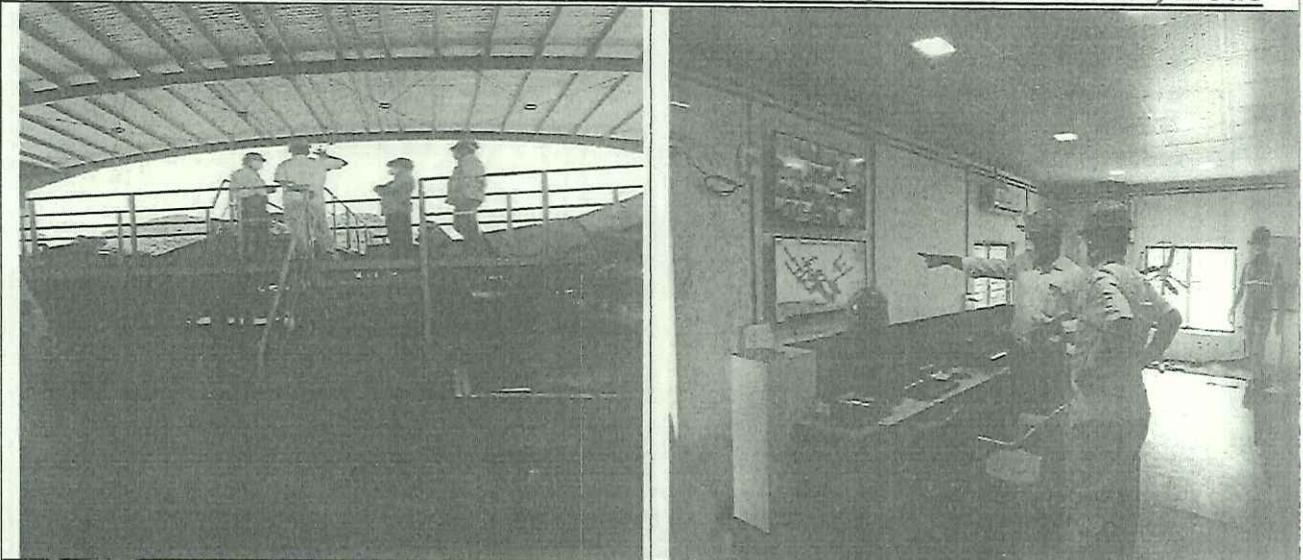

District Environmental Engineer (a/c)
Tamil Nadu Pollution Control Board
Erode


District Environmental Engineer
Tamil Nadu Pollution Control Board
Komarapalayam

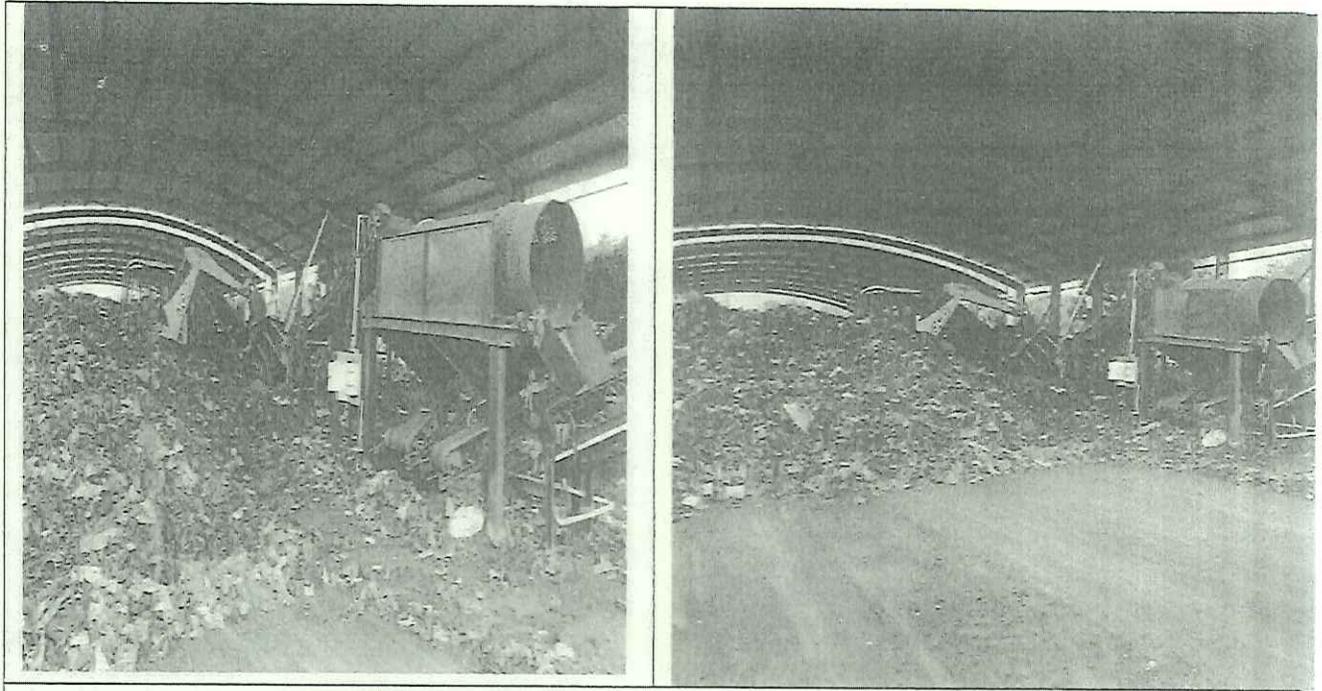

Joint Chief Environmental Engineer (M),
Tamil Nadu Pollution Control Board
Salem



Inspection of Vendipalayam legacy waste dumpsite by District Collector, Erode



Inspection of Vendipalayam Dumpsite, Erode District



Kottakadu Dumpsite, Pallipalayam Municipality, Namakkal District

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2020**

**Advocate for Respondent: - TNPCB
Thiru.C. Kasirajan,
Advocate, Chennai.**

Date:07.07.2021.

Next date of hearing on :08.07.2021

