

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

**Original Application No.37 of 2012 (SZ)**

S.P. Surendranath Karthik

...Applicant

Versus

The Chairman,  
Pallavaram Municipality and Others

...Respondent(s)

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

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**REPORT FILED ON BEHALF OF THE 2<sup>ND</sup> & 3<sup>RD</sup> RESPONDENTS**  
**TAMIL NADU POLLUTION CONTROL BOARD.**

I, Tmt. R. Sarasavani, Daughter of Thiru. Raghavan, Hindu, aged about 55 years, having my office at No.76, Mount Salai, Guindy, Chennai-32, do hereby solemnly affirm and sincerely state as follows:

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-32, and I am filing this Report on behalf of the 2<sup>nd</sup> & 3<sup>rd</sup> Respondents, Tamil Nadu Pollution Control Board and as such I am well acquainted with the facts of the case as per the records.

2. It is respectfully submitted that the applicant Mr. S.P Surendranath Karthik, Madipakkam, Chennai has filed Original Application No.37 of 2012 (SZ) before the Hon'ble NGT (SZ) Chennai regarding dumping of Municipal Solid Waste by Pallavaram Municipality in Pallavaram Periya Eri comprised in Survey No. 432 having an extent of 300 acres.



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3. It is respectfully submitted that, the Hon'ble NGT (SZ) in its orders dated 10.03.2021 directed inter alia as follows:-

*“ Para 6: The Tamil Nadu Pollution Control Board (TNPCB) is also as a regulator in implementing the Solid Waste Management Rules, 2016 expected to come with an independent report as to how far the implementation of Solid Waste Management Rules, 2016 is being carried out in Pallavaram Municipality and if there is any gap of non-compliance of the directions issued by the Principal Bench of National Green Tribunal in O.A. No. 606 of 2018, what is the nature of action taken by the Tamil Nadu Pollution Control Board (TNPCB) in this regard is also not clear from the report.*

*Para 7: The Pallavaram Municipality as well as the Tamil Nadu Pollution Control Board (TNPCB) are directed to file their independent status-cum-action taken report to resolve the issue permanently apart from carrying out the recommendation made by the Joint Committee.*

*Para 12: The Tamil Nadu Pollution Control Board (TNPCB) is also directed to conduct the periodical inspection and collect water sample to find out as to whether the water quality is being improved or being further contaminated and if that be the case of source for contamination and the remedial measures to be taken.*

*Para 13: The Tamil Nadu Pollution Control Board (TNPCB), the District Collector and the Pallavaram Municipality are directed to file their independent action taken reports for implementing the recommendations of the Joint Committee.*

*Para 15: The committee as well as the Tamil Nadu State Pollution Control Board, the officials mentioned above, are also directed to*

  
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*submit the further status-cum action taken reports as directed by this Tribunal on or before 12.04.2021”.*

4. It is respectfully submitted that in compliance of the said order dated 10.03.2021, the following facts are submitted:

- Pallavaram Municipality generates solid waste of 104 T/day of which Biodegradable waste is 44 MT/day & Non Biodegradable Waste is 60 T/day.
- The local body is having Micro Composting Centers at 7 locations to process 26.7 tons/day of compostable waste for which Authorisation has been issued by the TNPCB vide Board Proc. dated 31.03.2020.
- The local body is having 22 numbers of Onsite Composting Centres to handle biodegradable waste of 17.3 tons/day.
- Of the 60 MT/day of Non biodegradable waste, saleable waste such as plastics, glass bottles and metals of 10MT/day are sold to the recycling facility. Garden waste and Coconut shell of 10MT/day are being sent to garden waste processing facility at Perungudi operated and maintained by the Greater Chennai Corporation and the remaining 40MT/day of Non biodegradable waste is taken to the Ganapathipuram Transfer Station, from where the same is transported to the Kodungaiyur dump site of the Greater Chennai Corporation
- Pallavapuram Municipality earlier transported the Non biodegradable solid waste to the Integrated Municipal Solid Waste processing facility at Vengadamangalam Village, Vandalur Taluk, Chengalpattu District and dumped in the premises of the said facility. The Hon'ble National Green Tribunal in the Original Application 208 of 2017 dated: 16.12.2019 directed the local bodies Tambaram, Pallavapuram,

  
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Sembakkam Municipalities not to use the said area for further dumping. Thereafter the local body is disposing the same through the Chennai Corporation in the said dumping yard.

5. It is respectfully submitted that in due compliance of the orders of the Hon'ble National Green Tribunal, water samples and soil sediment samples were collected by the officials of Tamil Nadu Pollution Control Board from the Pallavaram Periya Eri in Pallavaram on 08/08/2020. The Report of analysis of the water samples revealed that the physico chemical parameters analysed satisfy the Inland surface water standards prescribed by the Board and the bacteriological parameters, Total Coli form and the Faecal Coliform meet the Primary Water Quality Criteria for Bathing Waters prescribed by the Central Pollution Control Board. The Result of Analysis of the physico chemical parameters of the water samples and soil sediments and Bacteriological parameters of water samples collected from the Pallavaram Periya Eri is enclosed.

6. It is respectfully submitted that the Hon'ble NGT, Principal Bench, New Delhi vide order dated 02.07.2020 in OA No. 606 of 2018 has directed the State Pollution Control Boards to assess and recover interim compensation against the local bodies with respect to non-compliance of Solid Waste Management Rules, 2016 and for continued failure on commencing the work of legacy work sites remediation from 01.04.2020.

7. It is respectfully submitted that 40MT/day of non-biodegradable waste generated at Pallavaram Municipality is taken to the Ganapathipuram Transfer Station, from where the same is transported

  
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to the Kodungaiyur dump site of the Greater Chennai Corporation in an unscientific manner. Hence, the Board has assessed an interim environmental compensation of Rs. 11 lakhs for the period from April 2020 to February 2021 for non implementing the SMW Rules, 2016 properly.

8. It is respectfully submitted that Show Cause Notice has been issued to the Commissioner, Pallavaram Municipality under section 5 of Environment (Protection) Act, 1986 as to why the Board shall not levy an Interim Environmental Compensation of Rs. 11,00,000/- Lakhs (from April 2020 to February 2021) for the non-compliance of Solid Waste Management Rules, 2016 vide Board proceeding dated 19.03.2021.

Also, directions under section 5 of Environment (Protection) Act, 1986 has been issued to the Commissioner, Pallavaram Municipality subject to comply the following conditions vide Board proceeding dated 19.03.2021 as follows:

- i. The Municipality 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.
- ii. The Municipality 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 the Solid Waste Management Rules, 2016.
- iii. The Municipality shall ensure to prevent dumping of solid waste at the Pallavaram Periya Eri at any circumstances.
- iv. The Municipality shall ensure that the legacy waste at the

  
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Pallavaram Periya Eri shall be remediated/biomined completely within six months in accordance with the provisions of SWM Rules, 2016.

v. The Municipality shall levy fine on the violators dumping solid waste in the Pallavaram Periya Eri and other water bodies in their jurisdiction under Local body Acts.

vi. The Municipality shall dispose the recyclable solid waste through authorized recycling facilities and non-recyclable solid waste through co-processing in cement kilns or through Waste to Energy plants for beneficial use.

vii. The Municipality shall create awareness regarding the source segregation of the solid wastes and to encourage the public to deposit only segregated wastes and shall deploy sanitary supervisors to conduct various demonstrations regarding the segregation of the solid wastes and to demonstrate the home composting process to the residents in all the residential areas in its jurisdiction.

viii. The Municipality shall provide dedicated CCTV camera within six months at the vulnerable points to prevent the dumping of solid waste by the public.

ix. The Municipality shall establish the construction and demolition waste management facility within the premises of the Vengadamangalam solid waste processing facility as reported with necessary control measures within six months after obtaining necessary consent from the competent authorities.

x. The Municipality is liable to pay Environmental Compensation for non-compliance of conditions stipulated in 1 to 9.

  
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Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) at Chennai 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.



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**BEFORE ME**

### VERIFICATION

I, R. Sarasavani, daughter of Thiru. Raghavan, Working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-32, do hereby submit that the contents of the above report are true to the best of my knowledge through records.

Verified at Chennai on this      day of April, 2021.



JOINT CHIEF ENVIRONMENTAL ENGINEER  
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