

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
(Through Video Conferencing)**

Original Application No. 51 of 2015(SZ)

V. Manickam,
S/o. Velappagounder,
3/16, Koothampalayam,
Karumanur Post, Mallasamudhram (Via),
Namakkal District – 637 503.

...Applicant

-Vs-

The Secretary,
Tamil Nadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai – 600 032 & 5 Others.

...Respondents

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

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

Original Application No. 51 of 2015.

V. Manickam,
S/o. Velappagounder,
3/16, Koothampalayam,
Karumanur Post, Mallasamudhram (Via),
Namakkal District – 637 503.

...Applicant

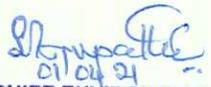
-Vs-

1. The Secretary,
Tamil Nadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai – 600 032.
2. The Superintending Engineer,
PWD (WRO),
Upper Cauvery Basin Circle,
Salem – 7.
3. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Namakkal.
4. The Executive Engineer,
PWD (WRO),
Sarabang Basin Circle,
Namakkal.
5. The District Collector,
Namakkal.
6. The Commissioner,
Salem Municipal Corporation,
Salem.

...Respondents

**REPORT FILED ON BEHALF OF THE 1ST & 3RD RESPONDENTS
TAMIL NADU POLLUTION CONTROL BOARD.**

I, S. Ragupathi, Son of R. Sanganan, Hindu, aged about 56 years, having office at 76, Mount Salai, Guindy, Chennai – 600 032 do hereby solemnly affirm and sincerely state as follows:


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

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai and I am filing this Report on behalf of the 1st & 3rd Respondents Board and as such I am well acquainted with the facts of the case as per records.
2. It is respectfully submitted that the Hon'ble NGT has passed order dated 28.01.2021 among other things inter alia as follows:-

"Para 10: Instead of directing the Salem Municipal Corporation to conduct the environmental study, the regulator themselves can undertake that exercise to ascertain as to whether there is any environmental damage caused and if so, who are all responsible for the same to recover the environmental compensation from them, and also to provide necessary recommendation for restoration of the damage caused to the environment etc., and they can use the fund which has been collected by them as environmental compensation initially for this purpose and recover the cost of conducting the study from those units or those Institutions who were responsible for the pollution as contributors, so that the expenses incurred initially can be recouped in that way. They will have to carry out the exercise within a period of 3 months and submit a detailed report to this Tribunal.

Para 11: They are also directed to conduct further inspection of these units and submit a detailed report as to whether the directions given by them were properly complied with and whether there is any improvement in the pollution control mechanism and whether the water quality of the lake has improved on account of the mechanism


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that has been subsequently provided as per the directions of the Pollution Control Board. If there is any gap then, they are also directed to submit their recommendations to fill up the gap in this regard.

Para12: Further, we feel that it is better to direct the joint committee that has been appointed by this Tribunal to consider these issues as has been directed to be conducted by the Pollution Control Board as Pollution Control Board is also one of the members of the committee.

Para 13: The Central Pollution Control Board is a member of the joint committee that has been appointed as per order dated 04.02.2019. So the Central Pollution Control Board can consider these aspects and submit a further report to this Tribunal as directed as the joint committee member.

Para 14: The Joint Committee, the Pollution Control Board, CPCB as well as the Salem Municipal Corporation are directed to submit the respective reports as directed by this Tribunal on or before 05.04.2021”.

3. It is respectfully submitted that the following facts are submitted with regard to the action plan for the rejuvenation / restoration of River Thirumanimutharu:-

The Hon'ble National Green Tribunal (PB) took Suo-Moto Cognizance of News report appeared in "The Hindu" authorized by Shri. Jacob Koshy titled "More River Stretches are now critically

polluted – CPCB” and issued some of the following directions in para 50(i) to (x) vide its Original Application No. 673/2018 dated: 20.09.2018 inter alia

“ i). *All States and Union Territories are directed to prepare action plans within two months for bringing all the polluted river stretches to be fit at least for bathing purposes (i.e., BOD < 3 mg/L and FC < 500 MPN/100 ml) within six months from the date of finalization of the action plans.*

ii). *The action plans may be prepared by four-member Committee comprising, Director, Environment., Director, Urban Development., Director, Industries., Member Secretary, State Pollution Control Board of concerned State. This Committee will also be the Monitoring Committee for execution of the action plan. The Committee may be called “River Rejuvenation Committee” (RRC). The RRC will function under the overall supervision and coordination of Principal Secretary, Environment of the concerned State/Union Territory*

iii). *The action plan will include components like identification of polluting sources including functioning/ status of STPs/ETPs/CETP and solid waste management and processing facilities, quantification and characterization of solid waste, trade and sewage generated in the catchment area of polluted river stretch. The action plan will address issues relating to; ground water extraction, adopting good irrigation practices, protection and management of Flood Plain Zones (FPZ), rain water harvesting, ground water charging,*


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

maintaining minimum environmental flow of river and plantation on both sides of the river. Setting up of biodiversity parks on flood plains by removing encroachment shall also be considered as an important component for river rejuvenation. The action plan should focus on proper interception and diversion of sewage carrying drains to the Sewage Treatment Plant (STP) and emphasis should be on utilization of treated sewage so as to minimize extraction of ground or surface water. The action plan should have speedy, definite or specific timelines for execution of steps. Provision may be made to pool the resources, utilizing funds from State budgets, local bodies, State Pollution Control Board/ Committee and out of Central Schemes."

4. It is respectfully submitted that, based on the above said Hon'ble NGT (PB), directions in O.A. No. 673/2018, the Central Pollution Control Board (CPCB) has identified six Polluted River Stretches in Tamil Nadu including the River of Thirumanimutharu a Tributary of River Cauvery under priority-I(30 mg/lit >BoD).
5. On the compliance of directions of Hon'ble NGT (PB) order dt.20.09.2018, the Principal Secretary (Environment & Forests), Government of Tamil Nadu has convened the River Rejuvenation Committee meeting on 14.11.2018 regarding the directions issued by the Hon'ble NGT (PB) to prepare action plan for the rejuvenation/restoration of polluted river stretches in Tamil Nadu with the heads of the following departments:

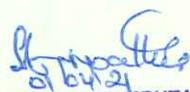

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- i. Municipal Administration and Rural development and its line departments
- ii. Chennai Metro Water Supply and Sewage Board.
- iii. Tamil Nadu Water Supply and Drainage Board.
- iv. Environment & Forest.
- v. Central Pollution Control Board, Bangalore.
- vi. Tamil Nadu Pollution Control Board.

In the meeting it was decided to evolve the detailed action plan for the rejuvenation/restoration of polluted river stretches in Tamil Nadu. The minutes of the meeting was communicated to the above departments requesting certain details with action plan for the rejuvenation/restoration of polluted river stretches in Tamil Nadu.

6. It is further submitted that, as per the Hon'ble NGT (PB) directions in its order dated 20.09.2018, Four member River Rejuvenation Committee (RRC) was constituted in Tamil Nadu and Government Order (G.O.) was issued by the Environment and Forest (EC.1) Department vide G.O. (D) No. 372 dated: 26.12.2018 to execute and to review the action plan for the Rejuvenation/Restoration of water along the polluted river stretches in Tamil Nadu as ordered by the Hon'ble National Green Tribunal, Principal Bench. River Rejuvenation Committee (RRC) members are as follows:

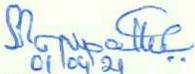
1. Industries Commissioner.
2. Commissioner, Municipal Administration.
3. The Director of Environment.
4. The Member Secretary, TNPC Board.


JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
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The RRC will function under the overall supervision and coordination of Principal Secretary, Environment and Forests Department, Government of Tamil Nadu. Action Plan for the Rejuvenation of River Thirumanimutharu was prepared by the River Rejuvenation Committee (RRC) constituted by the Government of Tamil Nadu dated 26/12/2018 and submitted to CPCB. The same action plan has been approved by the CPCB.

7. It is respectfully submitted that the said action plan approved by the CPCB concluded with the following points:

- i. River Thirumanimutharu is categorised as polluted river stretch under priority-I.
- ii. The report of analysis of the River Water collected at various locations reveals that the D.O is very less and BOD is very high and it shows the presence of high level of Fecal Coliforms and this indicates that the River gets contaminated due to sewage discharge.
- iii. The quality of River water can be improved with the following measures;
 - a) Salem Corporation shall complete the establishment of the under-ground sewerage scheme within the time frame as furnished in the action plan and shall ensure that the entire sewage generated from the corporation area is treated in the STPs.
 - b) Salem Corporation shall complete the establishment of the solid waste treatment facility within the time frame and shall ensure that the entire solid waste generated from the local


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body area including solid waste dumped along the River Bank is treated and disposed off scientifically.

- c) TNPCB shall ensure that there is no discharge of untreated trade effluent from the textile Bleaching and Dyeing units at any point of time.
- d) TNPCB shall ensure that there is no operation of the illegal or unauthorized Textile Bleaching and Dyeing units.

The copy of the above said Action Plan on Rejuvenation of River Thirumanimutharu Salem to Papparapatti Stretch (Priority-I) is submitted herewith as Annexure.

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

S. Ragupathi
01/04/21

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

VERIFICATION

I, S. Ragupathi, Son of R. Sanganan, working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-32, do hereby submit that the contents of above report are true to the best of my knowledge through records.

Verified at Chennai on this 01st day of April, 2021.

S. Ragupathi
01/04/21

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

**BEFORE THE NATIONAL GREEN
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**REPORT FILED ON BEHALF OF
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TAMIL NADU POLLUTION
CONTROL BOARD.**

**Advocate for Respondent No.1 &3:
Thiru. C. Kasirajan.**

Date:01.04.2021.

Date of hearing:27.04.2021