

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Application No. 13 of 2012 (SZ)

(O.A. No.13 of 2012 (TPB))

IN THE MATTER OF:

1. Sri Prakash Chander Kapur
D-2, Asirvad
13/15, Chetty Street
Puducherry-605 005
2. Sandeep Dabral
Auroville, Vannur Taluk
Villupuram District
Tamil Nadu.605 101
3. N.Sathyamoorthy
Perumal Kovil Street
Edayanchavady
Auroville, Vannur Taluk
Villupuram District
Tamil Nadu.605 101
4. C. Gunasekaran
L'avenir, Town Hall
Auroville, Vannur Taluk
Villupuram District
Tamil Nadu.605 101
5. Prabhu
No.1, Pasumai Thayagam Street
Navarkulam, Lawspet
Puducherry.605 008
6. S.Murali
3,311, Mariamman Koil Theru
Edyanchavadi
Auroville, Vannur Taluk
Villupuram District
Tamil Nadu.605 101.

.. Applicant(s)

AND

- 1.The Union of India
Rep. by its Chief Secretary
Union Territory of Puducherry
Pin Code 605 001
2. The Secretary to Government
Department of Science, Technology and Environment
Union Territory of Puducherry-605 001

3. The Director
Pollution Control Committee
Union Territory of Puducherry
Housing Board Buildings
Puducherry.605 005.
4. The Commissioner
Puducherry Municipal Corporation
Puducherry.605 001
5. The Tamil Nadu Pollution Control Board
Rep. by its Chairman
Anna Salai, Guindy
6. The Airport Authority of India
Puducherry Airport
Puducherry.

(R-6 Impleaded *suo motu* as per order of the
Tribunal dated 21.4.2013)

7. The Puducherry Environment Protection
Association, Reg. No.98 of 2007
Rep. by Shri Kothandaraman
Honorary President
No.18, Sarkarai Vinayagar Koil Street
Koodapakkam and Post
Puducherry

(R-7 Impleaded *suo motu* as per order of the Tribunal
Dated 5.5.2015 and made in
M.A. No.164 of 2013) ...

Respondent(s)

Counsel appearing for the Applicant:

Mr. Suchindran B.N

Counsel appearing for the Respondents:

**Smt. N. Mala for R-1, R-2 and R-4
Mrs. A. Sathyabama for R-3
Smt. H. Yasmeen Ali for R-5
M/s. Sree Associates for R-6
M/s. Ramapriya
Mr. Gopalakrishnan
Mr. R. Gokulraj and
Mr. V. Mohanraj for R-7**

ORDER

PRESENT:

HON'BLE SHRI JUSTICE DR. P. JYOTHIMANI, JUDICIAL MEMBER

HON'BLE SHRI P.S. RAO, EXPERT MEMBER

Dated 5TH APRIL, 2016

Whether the Judgement is allowed to be published on the Internet – Yes/No

Whether the Judgement is to be published in the All India NGT Reporter – Yes/No

We have heard the learned counsel appearing for the applicants as well as the respondents. The counsel appearing for the 3rd respondent, Puducherry Pollution Control Committee has filed a Status Report relating to the Karuvadikuppam Municipal Solid Waste (MSW) dumping site. It is stated that dumping of MSW from Pondicherry urban area was started at Karuvadikuppam site in June 2002 and the site consists of 12 acre land, located away from the habitation. The MSW was dumped to the level of 4 mt height and approximately 1 lakh tons of MSW was dumped. The report also stated that the dumping of MSW at the said site has been completely stopped since 2012. The dumped waste decomposed and no waste is visible in the entire dumping site. There is no menace of flies, birds hovering in the area and no smoke and odour was noticed. The Narikuravas, who have earlier inhabited near the dumping site, have vacated the area as there is no more dumping activity going on there. The site has naturally reclaimed and over a period of time it is covered with herbs and shrubs. It is further stated by the Puducherry Pollution Control Committee that on examining the composition of the dumped wastes, it was noticed that almost all the biodegradable wastes have been decomposed in due course of time due to natural process. The absence of odour and flies confirms this fact. Only plastics and other inert materials like glass and ceramics are present at the site.

2. The learned counsel appearing for the applicants would submit that recording the said statement and with further direction, the application can be disposed of. However, he would submit that it is not correct to say that the dumping site has been completely reclaimed and there are other waste materials which are to be removed. Even otherwise, as admitted by the Puducherry Pollution Control Committee there are

plastic and other inert materials like glass and ceramics which are still left out at the site and it is the duty of the Puducherry Government to remove the same.

3. Accordingly, the application stands disposed of recording the statement filed the Puducherry Pollution Control Committee with the further direction that the plastic and other inert materials like glass and ceramics are to be removed apart from all other existing waste totally. This act shall be completed expeditiously in any event within a period of eight weeks from today. After completing the said process, the Pondicherry Government shall take all necessary steps for afforesting the site with suitable tree species so that the site is totally reclaimed.

4. With the above direction, the application stands disposed of. No cost.

Justice Dr. P. Jyothimani
Judicial Member

P.S. Rao
Expert Member

NGT