

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**SOUTHERN ZONE, CHENNAI**

**Application No.34 of 2016 (SZ)**

**In the matter of**

1. S.P.Surendranath Karthik  
No.9, Lake View Street,  
Iyappa Nagar, Madipakkam,  
Chennai

.. Applicant

Vs.

1. President,  
Thazhambur Village Panchayat,  
Chengalpet Taluk,  
Kancheepuram District 603 130
2. District Environmental Engineer,  
Tamil Nadu Pollution Control Board,  
Maraimalai Adigalar Street,  
M.M.Nagar 603 209  
Kancheepuram District
3. Tahsildar,  
Thiruporur Taluk Office,  
Thiruporur, Chennai 600 110
4. Block Development Officer,  
Thiruporur Panchayat Union,  
Chengalpet Main Road,  
Thiruporur, Chennai 603110
5. Additional Chief Secretary to the Government,  
Public Works Department,  
Secretariat, Chennai 600 009
6. The Chairman,  
Tamil Nadu Pollution Control Board,  
Corporate Office,  
No.76, Anna Salai, Guindy,  
Chennai 600032
7. The Chairman,  
Central Pollution Control Board,  
Parvesh Bhavan,  
CBD cum Office Complex,  
East Arjun Nagar, New Delhi 110032

8. The District Collector,  
Collectorate,  
Kancheepuram District 631501
9. Principal Secretary to Government,  
Department of Environment and Forests,  
Secretariat, Chennai 600009
10. Principal Secretary to Government,  
Department of Revenue,  
Secretariat, Chennai 600009

.. Respondents

**Counsel appearing for the applicants:**

Mr.Kaushik N.Sharma

**Counsel appearing for the respondents**

Mrs.H.Yasmeen Ali for R2 & R6  
Mr.M.K.Subramanian, E.Manoharan  
& P.Velmani for R3, R8 to R10  
Mr.Abdul Saleem, Saravanan &  
Vidhyalakshmi for R4 & R5  
Mr.D.S.Ekambaram &  
Mrs.P.Jayalakshmi for R7

**ORDER**

Present

Hon'ble Shri Justice Dr.P.Jyothimani, Judicial Member

Hon'ble Shri P.S.Rao, Expert Member

11<sup>th</sup> May, 2017

This application is filed by the resident of Madipakkam area seeking for a permanent injunction against official respondents from illegal and wrongful dumping and burning of Municipal Solid Waste in Survey No.99 and 100 of Thazhambur Village, Kancheepuram District.

The Central Pollution Control Board in its reply has stated in clear terms that the water body cannot be used for the purpose of dumping Municipal Solid Waste.

The Status Report dated 3<sup>rd</sup> February, 2017, filed by the 4<sup>th</sup> respondent, Block Development Officer, (BDO) Thiruporur shows that the dumping of garbage in Survey Nos.99 and 100 which was going on for the last several years has been completely stopped and almost major portions of the material has been removed and the area has been sanitized using bleaching powder. He also states that the Revenue Department has given permission to Thazambur Panchayat to use Survey No.80/4 which is classified as wasteland, for disposal / management of solid waste and he has also stated that steps have been taken for scientific disposal of already dumped waste by biomining and composting either by the Panchayat itself or by engaging NGOs who are specialized in the field.

The learned Government Pleader has also produced a copy of the Project Report prepared under Solid Waste Management Rules, 2016. Needless to state that as per the statement made by BDO, it is the duty on the part of the 1<sup>st</sup> respondent Panchayat to obtain necessary permission from the Tamil Nadu State Pollution Control Board and other authorities for disposal of the solid waste at the aforesaid new site in Sy.No.80/4 and for implementation of the remediation/restitution of old site at Sy.Nos.99 and 100. The BDO who is present in the Tribunal, has also produced a project report on Solid Waste Management of Thazambur Panchayat, the profile of which is as follows:

“Waste winn recyclers is a social enterprise which implements source segregation of household waste in apartments. The source segregation is carried out in 3 ways. 1. Organic wastes,

i.e. compostable kitchen waste, 2. Recyclable waste – (paper, plastic and tins). 3. Household hazardous waste sanitary waste and sharp objects. After 3 way segregation 60% of waste is composted, 35% of waste is recycled and a negligible 5% only ends in landfill instead of 95% of waste being dumped in the landfill.”

He has also produced copy of the agreement entered into with a NGO viz. Waste Winn Recyclers Pvt. Ltd., 6A/13, Parthasarathy Swami Street, Triplicane, Chennai 600005 dated 10.05.2017.

In view of the steps having been taken and the undertaking given by the BDO that the restoration activities will be done in accordance with Solid Waste Management Rules, 2016 after obtaining ‘consent’ from the Authorities including the Board, the application stands closed by recording the undertaking as stated above.

Needless to state that it is always open to the applicant or any other person who may be affected in the event of non implementation of the scheme in accordance with law, to approach the appropriate forum.

In view of the disposal of the main application, M.A.No.262 of 2016 also stands closed under Section 26 of the National Green Tribunal Act, 2010.

Justice Dr.P.Jyothimani  
Judicial Member

Shri P.S.Rao  
Expert Member