

Item No.6:

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No. 189 of 2017 (SZ)

(Through Video Conference)

IN THE MATTER OF:

R. Gokulraj, Advocate,
No.197/8, J.N. Road,
Oil Mill, Thiruvallur.

... Applicant

Versus

The Government of Tamil Nadu,
Rep. by its Secretary,
Department of Environment and Forests,
Fort St. George,
Chennai and Others.

...Respondent(s)

Date of hearing: 15.02.2021.

CORAM:

HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER

HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER

For Applicant(s):

Mr. A. Yogeshwaran represented
Mr. R. Gokul Raj (*Party in Person*).

For Respondent(s):

Dr. V.R. Thirunarayanan for R1 to R3, R8.
Sri. C. Kasirajan through
Ms. Kothai Muthu Meenal for R4, R5.
Mr. Arokiyaraj for R6.
Mr. P. Srinivas through
Mr. N.K. Ponraj for R7.

ORDER

1. As per order dated 24.11.2020, this Tribunal had directed the Tamil Nadu Pollution Control Board as well as the Thiruvallur Municipality to submit their further action taken and status report and posted the case to 14.12.2020 for that purpose. On 14.12.2020, it was adjourned to 18.01.2021 and on 18.01.2021, it was adjourned to today by successive notifications.
2. When the matter came up for hearing today through Video Conference, Mr. A. Yogeshwaran represented Mr. Gokulraj, the applicant who is appearing in person. Dr. V.R. Thirunarayanan represented respondents 1 to 3 & 8, Mr. C. Kasirajan through Ms. Kothai Muthu Meenal represented respondents 4 & 5, Mr. Arokiyaraj represented 6th respondent and Mr. P. Srinivas through Mr. N.K. Ponraj represented 7th respondent.
3. As per order dated 26.06.2020, this Tribunal had considered the Joint Committee report dated, 19.05.2020 which was extracted in Para 5 of the order where certain recommendations have been given. Thereafter, we directed the Joint Committee to assess the environmental compensation payable by the municipality for the violation of the conditions and operating the STP without getting necessary Consent to Operate and submit a further report. Further, we directed the Pollution Control Board to file an independent report regarding the action taken on the basis of the

violations committed by them, including imposition of environmental compensation.

4. Though the case is being adjourned from time to time for this purpose, no effective steps have been taken by the authorities. It is seen from the last order dated 24.11.2020, the Pollution Control Board was directed to consider the compliance report submitted by the 7th respondent and file a report as to whether any interference is required in the quantum of compensation fixed by them on the basis of the compliance report and also the reasons stated by them in that report and also directed them to consider the application filed for Consent to Operate by the Thiruvallur Municipality and pass appropriate orders in accordance with law. But quite unfortunately, no such report has been filed.
5. The committee as well as the Pollution Control Board and also the Thiruvallur Municipality are directed to file further compliance and action taken report and also status report respectively to this Tribunal before the next hearing date.
6. The applicant has also not filed any objection to the compliance report filed by the 7th respondent. If they want to file any objection to the same, they are at liberty to file their objection before the next hearing date.
7. The District Collector, Thiruvallur District is also directed to file an independent report regarding the action taken for compliance of the Solid Waste Management Rules, 2016 in Thiruvallur Municipality and if

anything has to be done from their side, what is the action taken by the district administration for implementation of the Solid Waste Management Rules, 2016 in their jurisdiction as required under Rule 12 of the Solid Waste Management Rules, 2016 before the next hearing date.

8. The above said authorities are directed to file their respective reports to this Tribunal on or before 18.03.2021 by e-filing in the form of Searchable PDF/OCR Supportable PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per Rules.
9. The Registry is directed to communicate this order to the members of the committee and also to the above mentioned authorities by e-mail immediately so as to enable them to comply with the direction.
10. For consideration of further reports as mentioned above, post the matter on 18.03.2021.

Sd/-

.....J.M.
(Justice K. Ramakrishnan)

Sd/-

.....E.M.
(Shri. Saibal Dasgupta)

O.A. No.189/2017,
15th February, 2021. Mn.