

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**  
**SOUTHERN ZONE AT CHENNAI**  
**ORIGINAL APPLICATION NO. 107 OF 2017**

**IN THE MATTER OF:**

**MR. ANTONY CLEMENT RUBIN**

**...APPLICANT**

**VERSUS**

**STATE OF TAMIL NADU AND ORS**

**...RESPONDENTS**

**INDEX**

<b>Sr. No.</b>	<b>Particulars</b>	<b>Page Nos.</b>
1.	<b>Written Submissions by the Applicant</b>	2-6

THROUGH

**RITWICK DUTTA**

**RAHUL CHOUDHARY**

**STANLY HEBZON SINGH**  
**ADVOCATES**

COUNSELS FOR THE APPLICANT  
N-71, Lower Ground Floor,  
Greater Kailash-I, New Delhi- 110048  
Email: [litigation.life@gmail.com](mailto:litigation.life@gmail.com)  
+91 9312407881

**PLACE: CHENNAI**

**DATE: 4.03.2021**

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

**ORIGINAL APPLICATION NO. 107 OF 2017**

**IN THE MATTER OF:**

**MR. ANTONY CLEMENT RUBIN**

**...APPLICANT**

**VERSUS**

**STATE OF TAMIL NADU AND ORS**

**...RESPONDENTS**

**Written Submissions by the Applicant**

1. The Applicant had filed the above application under Sections 14 and 15 of the National Green Tribunal Act, 2010 and raised substantial questions with respect to the environment. The principal issue raised was the irresponsible dumping of solid waste in the IIT Madras (IITM) campus, carved out of a natural forest forming a part of the Guindy National Park, which is the habitat for a large number of wild animals native to the natural forest. The Applicant had submitted that there was a huge quantity of plastic waste and consumption of the same by animals, which had led to the death of a large number spotted deer. The inaction of the authorities in dealing with the issue has led to a serious decline in the number of spotted deer, blackbucks and various other animals in the area. Therefore, the Applicant prayed that this Hon'ble Tribunal pass the following orders:

*"i. Direct the Respondent No. 2 to immediately stop disposal of waste on the IITM campus which is in violation of the Solid Waste Management Rules, 2016 and the orders of the National Green Tribunal.*

*ii. Direct Respondent No. 3 to constitute appropriate fine and fee collection mechanism as directed under the SWM Rules, 2016.*

*iii. Direct Respondent No. 2 to put up notices and information on notice boards prohibiting dumping of waste on campus along with proper waste disposal guidelines for visitors and residents. Impose strict fine for improper disposal of waste as prescribed under the bye-laws of Corporation of Chennai.*

*iv. Direct for removal of the dumped waste from the common land in order to prevent further health hazards and death of deer including plastic and construction material.*

*v. Direct the Respondents to ensure restoration of the ecosystem damaged due to improper waste management on IIT Madras campus to its original position.*

*vi. Direct Respondent No. 2 and Respondent No. 5 to prepare an action plan for the conservation, protection and restoration of the habitat of wildlife in association with institutions such as SACON, BNHS, Nature Conservation Foundation, Wildlife Institute of India.*

*vii. Direct cost to be imposed on any person found dumping in accordance Section 15 of the National Green Tribunal Act, 2010 and the Polluter Pays Principle.*

*viii. Direct complete ban on non-recyclable plastics in the IITM Campus including but not limited to multilayered plastic packaging, thermocol and Styrofoam packaging for food, IT products, plastic cutlery, plastic bags, polyethylene garbage liners and bags etc.*

*ix. Direct Respondent No. 2 to shift the cultural fests like Saarang and Shaastra or other such events which draw large crowds and vehicular traffic to another location.*

*x. Direct Respondent No. 2 to minimize the number of vehicles from entering IIT Campus and closely monitor their speed limits and impose strict fine in case of default.*

*xi. Direct Respondent No. 2 to identify stretches of the road found to be vulnerable for crossing of the wild animals and declare the same as 'Silent Zone' and lay down a series of speed breakers to make the fast-moving vehicles slow down at such vulnerable points."*

2. That by order dated 26.02.2020, the Hon'ble Tribunal disposed of the matter and constituted a permanent joint committee to look at this issue and passed a number of directions:

*"i. Permanent Committee has to be constituted comprising of the following members: (1) Faculty Member of Environment Discipline from IIT, Madras (2) Wildlife Warden of National Park, Guindy and (3) Senior Officer of Tamil Nadu Pollution Control Board, to monitor the activities of solid waste management and garbage disposal particularly with respect of plastic waste management and protection of wildlife inside IIT, Madras campus.*

*ii. Committee shall convene meeting once in a month and study the situation and suggest remedial measures for solving the problem in case of such things recurring in future.*

*iii. Second respondent is directed to take effective steps, in consultation with the Wildlife Warden of National Park, Guindy to reduce man-animal conflict within the campus.*

*iv. Committee shall evolve a long-term management plan to protect wildlife within the campus. If any short-term plan is required, they are at liberty to prepare the same for the purpose of immediate implementation to protect wildlife within the campus.*

*v. Second respondent is directed to take steps to implement the Solid Waste Management Rules, 2016 strictly within the campus.*

*vi. Second respondent is directed to ban or restrict/avoid use of plastic within the campus by the residents and see that the same is not thrown or dumped in the dust bins by the residents /students of the campus.*

*vii. Second respondent shall take all protective measures to avoid spilling of garbage from the dust bins and keep them away from the reach of stray dogs or monkeys."*

3. Thereafter, a Report was filed by IIT Madras on 01.09.2020 which stated that the Permanent Committee has constituted a sub-committee with nominees from IIT Madras, Chennai Corporation and the Wildlife Division to implement the recommendations made by the Permanent Committee.
4. That it is relevant to note that three meetings carried out on 17.04.2020, 22.05.2020 and 31.07.2020 led to recommendations to restrict the movement and feeding of stray dogs within the IIT Campus, conduct a survey of the estimated

wildlife on campus, source segregation of water, banning plastic etc. The measures taken with this regard were stated as follows:

**"C. Garbage/Solid Waste Disposal:**

- *A continuously improving robust cleaning and waste recycling system is functioning in the campus for the past 20 years, which collects waste segregated at source (organic & non-degradable) at the doorstep of all residences, hostels and offices.*
- *These segregated organic wastes are partly converted into vermicompost manure & bio-gas production, the remaining is sent to TANUVAS piggery unit. The inorganic wastes undergo secondary segregation as saleable and non-saleable items based on the nature and type of the wastes. The nonsaleable items are disposed to the bins kept near Velachery gate, and in turn, it is being transported to Corporation dumping yard. The saleable inorganic wastes are sold to vendors.*
- *Baling of recyclable waste for further sale and auction. Sanitary Napkin Incinerators are available floor-wise in the toilets of girls hostels and in the toilets of office premises, which is used for hygienic and instant disposal of sanitary napkins. The sanitary napkins collected separately from the residences are disposed of through the incinerators available in the IIT dump yard near Velachery Gate.*
- *IIT Madras has managed its waste disposal programme in a focused manner despite challenges posed due to monkey menace. Disposal of ewaste through authorized vendors as approved by the Government of Tamil Nadu. Centralized e-waste bins are provided at the residential area to collect e-waste. Disposal of Hazardous waste through TNWMC who is a sole approved agency by the State Government of Tamil Nadu. Also, obtained consent from TNPCB for the same. For the collection of hazardous waste from the hostel zone and residential zone, bins are provided in designated locations. Disposal of Bio-medical waste through authorized vendor M/s G.J. Multiclave. Sludge recovered from the sewage treatment plant is being used as manure for lawns and gardens inside IIT Madras campus. Special cleaning and disposal drives are being conducted time-to-time. IITM is managing its radioactive waste as per the Government directive.*
- *The open dustbins are avoided on the campus, and the Institute has designed and placed monkey proof bins at various locations to prevent monkeys from pilfering and raiding the bins for food scraps. Provided "USE ME" dust bins along the roadside. Moreover, all the residents, staff, students of IITM are additionally advised and given awareness on dumping of wastes in the bins provided by IITM with three easily identifiable/different colors for plastics, papers, and organics. Such bins are available in all public places also. The vendors and shopkeepers of the campus have been instructed to give their products in paper or recyclable bags only. The residents are encouraged to bring their own cloth bags for the purchase of materials. Periodical removal of the above wastes is done and its disposal is effectively managed.*
- *The use of bottled water containers (of individual use size) has been drastically minimized. Water dispensers are installed throughout the campus. The Indian Institute of Technology, Madras campus, imposed a ban on powered vehicles for students. The Institute has a compulsory course on Ecology and Environment, which has to be taken by all undergraduate students. Apart from all these, the Institute has also well laid out processes for handling e-waste, hazardous waste and biomedical waste. The solid wastes generated are properly recycled. The kitchen/plate wastes from the messes are fed into the 80m<sup>3</sup> Bio-gas plant behind the Himalaya mess and the gas generated is used for boiling water in the messes. The cut vegetable wastes from the campus are being converted into vermicompost through the facility behind Krishna hostel. The time taken to get manure from the waste*

*vegetable cuttings generated from the hostel kitchen is only about 1 to 1½ months.*

*B. Plastic Management:*

*• Signboards had been installed at all important locations to create awareness on the ban of "Plastic Free Zone". Circulars are routinely given to create awareness among residents to reduce waste.*

*• All commercial establishments and restaurants have been strictly monitored and banned for the use of plastics inside IIT Madras. All agreements of shopkeepers and construction agencies are included with special conditions for environmental protection with penalty clause. Circulars and Orders were published regularly during festival season and cultural events to reduce and keep the environmental impact and pollution within the limit as per norms.*

*• Campus Environment Management Committee and Plastic Committee have been actively involved in reducing and mitigating environmental issues. Workshops, street plays and awareness campaigns are regularly conducted to create awareness on reducing plastic waste and exhibit organic products through NGOs like Civic Action Group to encourage the use of Green products."*

5. That IIT Madras filed another additional report dated 27.10.2020 which solely focuses on the proposed action plan on the issue of a large number of stray dogs in the campus and operates on the assumption that the death of wildlife such as blackbucks, deer etc. is due to the excessive number of stray dogs on campus. Therefore, the Report provided extensive measures to be taken to reduce the numbers.
6. It is submitted that both the Reports have shifted the blame of the deaths of the deer and other wildlife on the existence of stray dogs in the area without taking any action of the source of the problem. It is submitted that there is extreme anthropogenic pressure in the form of dumping wastes, lack of green areas, traffic congestion etc. which is causing the deer to get panicked and live in discomfort and also starve as they have no means of foraging for their food. This entire situation is exacerbated during the cultural fest 'Sarang' which the Applicant has submitted time and again should be moved out of the campus, as it was done successfully this year where it was completely virtual due to the Covid- 19 pandemic.
7. That the Applicant further submits that stray dogs have been reigned and managed in a large scale, however the impact on the wildlife is still there because of the cars, plastic waste etc. that needs further execution and enforcement.
8. Therefore, the Applicant is seeking further action on the following:

- a. Requirement of a wildlife survey by the Forest Department so as to determine the number of wildlife within the IIT campus (this has been recommended in the Report dated 1.09.2020);
  - b. Mechanism to include the Petitioner or another independent member or a portal where persons inside the campus are able to provide information to the Committee as to the deaths of deer and other wildlife;
  - c. Requirement of data of deer deaths by the Forest Department within the IIT campus monthly;
  - d. Requirement of a mechanism to cap the number of vehicles entering the campus to reduce traffic congestion, especially at night time to prevent the disturbance to the wildlife;
  - e. Increase in green spaces within the campus so as to allow the wildlife to flourish within the campus;
  - f. Completely ban single use plastic in the campus, and ensure there is checking at the gate of the campus;
  - g. Providing minutes of the meeting by the Permanent Committee on the IIT Madras website for better enforcement of the directions;
  - h. Mechanism to ensure that the cultural festival 'Sarang' is not conducted within the IIT campus.
9. Thus, there is a need to reduce the frequent movement of vehicles, reduce plastic, reduce noise levels, as well as plastic waste to effectively manage the problem for which further monitoring has to be carried out and effective directions need to be passed.

  
RITWICK DUTTA

 THROUGH  
RAHUL CHOUDHARY STANLEY HEBZON SINGH  
ADVOCATES

COUNSELS FOR THE APPLICANT  
N-71, Lower Ground Floor,  
Greater Kailash-I, New Delhi- 110048  
Email: [litigation.life@gmail.com](mailto:litigation.life@gmail.com)  
+91 9312407881

PLACE: CHENNAI  
DATE: 04.03.2021