

THE GREATER CHENNAI CORPORATION REPORT IN THE JOINT COMMITTEE - THE JOINT COMMITTEE RECOMMENDATIONS IN THE HON'BLE NATIONAL GREEN TRIBUNAL (SOUTHERN ZONE) IN RESPECT OF O.A NO. 135 OF 2020 (SZ) SUOMOTU ON THE BASIS OF THE NEWS PAPER REPORT PUBLISHED IN DINAMALAR CHENNAI CITY SUPPLEMENT EDITION DATED, 27.03.2020 UNDER THE CAPTION "IF THE "DANGER TO PUZHUTHIVAKKAM CHITHERI LAKE DUE TO RIVER LIKE FLOW OF SEWAGE WATER - THE GREATER CHENNAI CORPORATION COMPLIANCE REPORT OF THE JOINT COMMITTEE RECOMMENDATIONS.

1. ORDERS OF THE HON'BLE TRIBUNAL

"...1. The above case has been Suo Motu registered by this Tribunal on the basis of the newspaper report published in Dinamalar, Chennai City Supplement Edition dated 23.07.2020 under the caption

"ஆறாக பாய்ந்தோடும் கழிவு நீரால் புழுதிவாக்கம் சித்தேரிக்கு ஆபத்து" (Danger to Puzhuthivakkam Chitteri Lake due to River like flow of Sewage Water).

2. As per order dated 31.07.2020, this Tribunal had admitted the matter and appointed a Joint Committee to go into the question and submit a report and the case was originally posted to 10.09.2020 for that purpose. Thereafter, it was taken up on 01.12.2020 and at the request of the committee members, it was adjourned to 07.01.2021 for consideration of report. Thereafter, the same has been adjourned from time to time by successive notifications and lastly, it was taken up on 15.04.2021 and adjourned the matter to 20.05.2021 and on that day, this Tribunal had Suo Motu impleaded the Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB) as additional 7th respondent.

3. On 20.05.2021, after expressing our displeasure, we have granted some more time to the committee to submit the report and posted the case to 30.06.2021 and on 30.06.2021, it was adjourned to today by notification.

4. When the matter came up for hearing today through Video Conference, Dr. D. Shanmuganathan represented respondents 1 to 3 & 5, Mr. C. Kasirajan through Ms. D. Ashwini represented 4th

respondent, Mr. P.T. Ramadevi through Mr. Ragul Adhithya represented 6th respondent and Mr. Janakiraman represented 7th respondent. So, service is complete.

5. Though we have received a report said to be a Joint Committee report, it was seen signed only by the Superintending Engineer of Greater Chennai Corporation alone.

6. The Office informed that report has been returned for want of signature of all the committee members.

7. When this was pointed out, the learned counsel appearing for the State departments submitted that he will rectify the defect and file a proper report.

8. Though in the joint committee report, it was mentioned that the encroachments will have to be removed within six months, but it is not known as to what is the nature of encroachment and what are all the steps taken by them.

9. The CMWSSB also did not file any independent report regarding the steps that they have proposed to take for connecting houses which are yet to be connected with Under Ground Sewage System (UGSS) in those areas.

10. The Joint Committee as well as the respective departments are directed to submit their report and independent reports, apart from filing the Joint Committee report regarding the allegations made in the newspaper report and also the steps taken by them for removing the same.

11. They are directed to file their respective reports to this Tribunal on or before 31.08.2021 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.

12. The Registry is directed to communicate this order to the members of the committee and also to the official respondents by e-mail immediately so as to enable them to comply with the direction

In Order to comply with the order of the Hon'ble Green Tribunal (SZ), Chennai in the Original Application No 135 of 2020 (SZ) Suo Motu, the Joint Inspection was conducted by the Committee (Committee members are District Collector, Chennai District, Public Works

Department and Water Resources Organisation, Commissioner, Greater Chennai Corporation, Tamil Nadu Pollution Control Board) on 05.10.2020 and Committee Report had Recommendations in the Hon'ble Green Tribunal.

REPORT OF THE GREATER CHENNAI CORPORATION IN THE JOINT COMMITTEE REPORT

Puzhuthivakkam Sitteri Lake is located at survey no.67 of Madipakkam Revenue Village situated adjacent to Bazar Main Road, Madipakkam coming under Greater Chennai Corporation, Zone-14, Unit - 42, Division-169 and it is having a water spread area to an extent of 9.87.5 Ha

Garbage Generation and Disposal Details:

| S. No | Division | Total Population | Total no of House holds | No. of Garbage Bins | Approx wet waste Collected from households /day in Kg | Approx Plastic collected /day in Kg |
|-------|----------|------------------|-------------------------|---------------------|---|-------------------------------------|
| 1 | 169 | 59292 | 14823 | 100 | 6500 Kg | 600 Kg |

The segregated wet waste is composted on a daily basis at the Micro Composting Centre (MCC) located at the Pallikaranai old dumping ground in div 188, at Tambaram - Velachery main road.

Sewage Management Details:

The following Streets were adjacent to the lake

| S. No | Name of Street | Total No of House holds | UGD Sewerage Connection given CMWSSB | Septic tank |
|-------|--|-------------------------|--------------------------------------|-------------|
| 1 | Lake View Road, div-169 | 6 | 6 | 0 |
| 2 | Sheela Nagar 1 st Street, div-169 | 72 | 10 | 62 |
| 3 | Sheela Nagar 2 nd Street, div-169 | 15 | 8 | 7 |
| 4 | Sheela Nagar 3 rd Street, div-169 | 36 | 6 | 30 |
| 5 | Sheela Nagar 4 th Street, div-169 | 15 | 5 | 10 |
| 6 | Sheela Nagar 5 th Street, div-169 | 34 | 10 | 14 |
| 7 | Ishwarya Street, div-169 | 64 | 64 | 0 |

| | | | | |
|--------------|---|------------|------------|------------|
| 8 | Andavar Street, div-169 | 76 | 10 | 66 |
| 9 | Otteri Salai, div-169 | 173 | 20 | 153 |
| 10 | Ravanan Nagar 2 nd Street, div-169 | 24 | 24 | 0 |
| 11 | Sengazhaniemman Koil Street, div-169 | 321 | 9 | 312 |
| TOTAL | | 836 | 172 | 654 |

Details of streets with no of household having UGD connection and septic tank.

The Revenue departments yet to submit encroachment detail report at Puzhuthivakkam Sitter Lake.

The Puzhuthivakkam lake restoration work was taken up in the year 2019-20 at an amount of Rs.2.46 Crore under Smart City Scheme. Totally there are 17 numbers Rain water inlets connected to the Lake by means of Cement Concrete pipes (0.60 M Dia – 15Nos. and 0.30 M Dia – 2 Nos.). These inlets will be opened only during the North-East monsoon period by the Zonal authorities for letting the rain water inside the Puzhuthivakkam Lake.

Out of 19 streets, 8 streets pertaining to division-188 and 11 streets pertaining to division-169. In div-188, UGD system works still under progress by CMWSSB.

In this regard, it is submitted that, no sewage water letting into the Puzhuthivakkam Sitheri lake.

JOINT INSPECTION OF THE COMMITTEE

The members of the Joint committee have carried out the inspection in the area in question on 05/10/2020.

COMMITTEE RECOMMENDATIONS:

Based on the above observation, the joint committee submits the following recommendation before the Hon'ble National Green Tribunal (Southern Zone)

01. Greater Chennai Corporation shall ensure that CMWSSB to provide Under Ground Sewage connection to all Households in the entire area of Division 169 Puzhuthivakkam and cover the Under

Ground Sewage System for the balance left out portion in Division 188 within six months.

02. Greater Chennai Corporation shall arrange for the regular monitoring of the water body to avoid dumping of solid waste if any into the lake.
03. Greater Chennai Corporation shall levy fine on the violators dumping solid waste and CMWSSB shall take action against the disposing the sewage/sullage into the Puzhuthivakkam Sitheri lake under Local body Acts.
04. Greater Chennai Corporation shall create awareness among the public with the help of Residential welfare associations in the local body area for proper segregation of solid waste.
05. Greater Chennai Corporation with the help of Revenue Authorities shall make survey to identify encroachments in the Puzhuthivakkam Sitheri Lake within six months and to take necessary steps to evict them.

REPORT OF THE GREATER CHENNAI CORPORATION – ZONE XIV:

The Greater Chennai Corporation had taken action necessary action as follows:-

In exercise of the powers conferred under section 3,6 and 25 of the Environment (Protection) Act, 1986 (Central Act 29 of 1986), the Central Government have made the Solid Waste Management Rules,2016 to regulate the management of solid waste. The Solid Waste Management Rules, 2016 shall apply to every municipal authority which shall, within their territorial area be responsible for the implementation of the provisions of these rules, and for any infrastructure development for collection, storage, segregation, transportation, processing and disposal of municipal solid wastes. Further, it shall be the responsibility of the generator of wastes to co-operate with the municipal authority concerned to avoid littering and ensure delivery of segregated wastes in accordance with the collection and segregation system as notified under the Solid Waste Management Rules, 2016.

In exercise of the power conferred under section 349 of the Chennai City Municipal Corporation Act, 1919 (Tamil Nadu Act IV of 1919) and under Rule 15 of the Solid Waste Management Rules, 2016 and in order to ensure effective solid waste management in the Corporation of Chennai, the Council hereby makes the Solid Waste Management Bye-Laws, 2019.

This bye-law applies to the domestic, institutional, commercial and any other non-residential solid waste generators, situated in the Corporation area, and the public who throw the solid waste in to storm water drain, underground sewerage system, water bodies within the limits of Corporation of Chennai.

COMMITTEE RECOMMENDATIONS

1. Greater Chennai Corporation shall ensure that CMWSSB to provide Under Ground Sewage connection to all Households in the entire area of Division 169 Puzhuthivakkam and cover the Under Ground Sewage System for the balance left out portion in Division 188 within six months.

REPLY

THE CHENNAI METROPOLITAN WATER SUPPLY AND SEWERAGE ACT, 1978. (TAMIL NADU ACT 28 OF 1978).

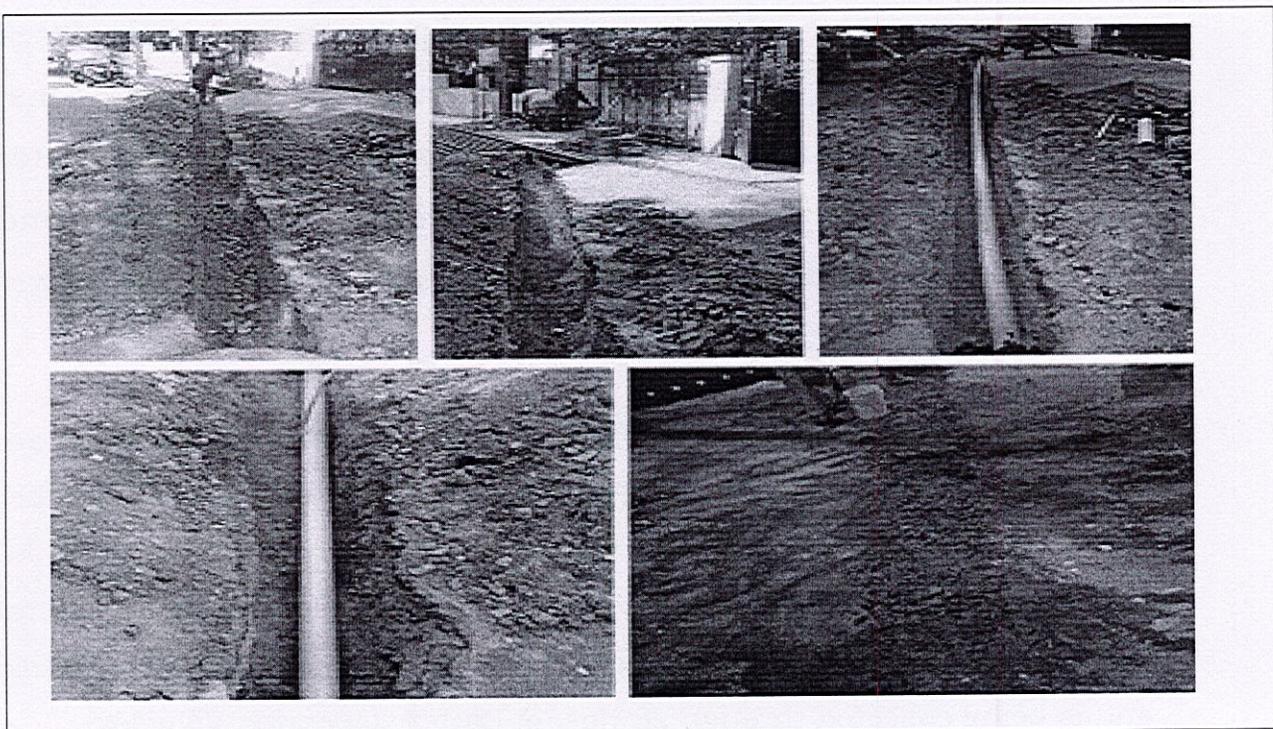
As Amended upto 30th November 1998. The Chennai Metropolitan Water Supply and Sewerage (Second Amendment) Act, 1997.

For Statement of Objects and Reasons see Part IV - Section 1 of the Tamil Nadu Government Gazette Extraordinary, dated the 10th January 1978, page 196; For Act see Part IV - Section 2 of the Tamil Nadu Government Gazette Extraordinary, dated the 14th June 1978 pages 269-341. Received the assent of the President on the 8th June 1978, first published in the Tamil Nadu Government Gazette Extra-ordinary on the 14th June 1978.

**CHENNAI METROPOLITAN WATER SUPPLY AND SEWERAGE
DEPUTY AREA ENGINEER -UNIT-42 WRITTEN STATEMENT REPORT**

Details of streets adjacent to the Puzhuthivakkam Chitteri lake - Report

| S. No | Name of Street | Total No of House holds | UGD Sewerage Connection | | Balance Connection |
|--------------|--------------------------------------|-------------------------|-------------------------|------------------|--------------------|
| | | | Before 9 months | as of 14.08.2021 | |
| 1 | Lake View Road | 6 | 6 | 0 | 0 |
| 2 | Sheela Nagar 1 st Street | 72 | 10 | 62 | 0 |
| 3 | Sheela Nagar 2 nd Street | 15 | 8 | 7 | 0 |
| 4 | Sheela Nagar 3 rd Street | 36 | 6 | 30 | 0 |
| 5 | Sheela Nagar 4 th Street | 15 | 5 | 10 | 0 |
| 6 | Sheela Nagar 5 th Street | 34 | 10 | 24 | 0 |
| 7 | Ishwarya Street | 64 | 64 | 0 | 0 |
| 8 | Andavar Street | 76 | 10 | 66 | 0 |
| 9 | Otteri Salai | 173 | 20 | 143 | 10 |
| 10 | Ravanan Nagar 2 nd Street | 24 | 24 | 0 | 0 |
| 11 | Sengazhaniamman Koil Street | 321 | 9 | 267 | 45 |
| TOTAL | | 836 | 172 | 609 | 55 |



In division 169,

All the balance 55 households are provided with septic tank. They are also advised to take sewer connection.

Regarding 188, no underground sewer system is available. Detailed project report has been prepared and sent for funding all the house hold are with septic tank arrangements.

2. Greater Chennai Corporation shall arrange for the regular monitoring of the water body to avoid dumping of solid waste if any into the lake.

REPLY

SOLID WASTE MANAGEMENT BYE-LAWS OF THE CORPORATION, FRAMED UNDER SECTION 349 OF THE CHENNAI CITY MUNICIAPL CORPORATION ACT, 1919 (TAMIL ANDU ACT IV OF 1919) AND UNDER RULE 15 OF THE SOLID WASTE MANAGEMENT RULES, 2016.

a. Definition:

(50) “ Public Place” includes any road, arch road, viaduct, lane, footway, alley or passage whether a thoroughfare or not over which the public have a right of passage, and such places to which the public has access such as parks, gardens, recreation grounds, playgrounds, beaches, water bodies, water courses, public plazas and promenades, government and municipal buildings, public hospitals, markets, slaughter houses, courts, etc.;

The Greater Chennai Corporation, Zone 14, Division 169, there are about 59,292 total populations. The Division consists of 14,823 number of Households. In this division, wet waste garbage compactor bins 50 Nos. & dry waste compactor bins of 50 Nos. have been placed in several locations. Garbage is being segregated & collected from every household and is being collected through 28 Nos. of Battery Operated Vehicles.

About 6300 kgs of wet waste collected is processed on a daily basis in Micro Composting Centres located in Pallikaranai Old Dumping Ground in Tambaram-Velachery Main Road.

Apart from wet waste; Dry waste fractions like garden garbage, chappals, e-waste, coconut shells, plastics, thermocol, cardboards, pet bottles etc are collected and stored in Resource recovery centre located in Division 169.

Plastics collected are bailed using bailing machine and bailed bundles of plastics and thermocol are sent to Dalmia Cement. Otherhand, garden garbage and coconut husk are being processed separately.

Since, all wastes are segregated and processed, there is no dumping of garbage around Puzhuthivakkam Chitheri Lake and its surroundings. The Conservancy Inspector, Conservancy Supervisors and Assistant Executive Engineer (Conservancy) Solid Waste Management will be regular monitoring of the water body to avoid dumping of solid waste into the lake and vehicle marchouts; source segregation, sweeping activities on a daily basis throughout the entire Zone – XIV area regularly.



3. Greater Chennai Corporation shall levy fine on the violators dumping solid waste and CMWSSB shall take action against the disposing the sewage/sullage into the Puzhuthivakkam Sitheri lake under Local body Acts.

REPLY

SOLID WASTE MANAGEMENT BYE-LAWS OF THE CORPORATION, FRAMED UNDER SECTION 349 OF THE CHENNAI CITY MUNICIPAL CORPORATION ACT, 1919 (TAMIL ANDU ACT IV OF 1919) AND UNDER RULE 15 OF THE SOLID WASTE MANAGEMENT RULES, 2016.

5.1 Levying Penalties

The powers for levying penalties for non-compliance of Solid Waste Management (SWM) Rules, 2016 as mentioned in Schedule IV of this Bye law is vested with ward level Assistant Engineers and Conservancy Inspectors of Corporation of Chennai.

8.0 Penalties for contravention of these Bye-laws:

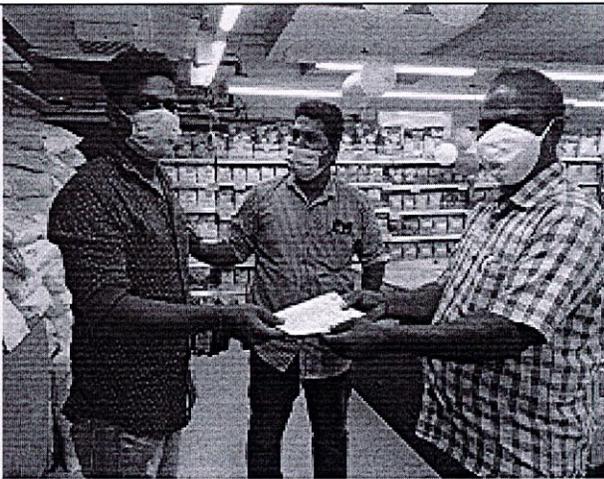
- (1) On and after the date of commencement of these Bye-laws, there will be a familiarization/warning period of 30 days, after which, any contravention of these Bye-laws shall be punishable with fines as per the Schedule of Fines (Schedule IV) for every instance of breach of these Bye-laws. In case the generator of waste is found contravening any of these Bye-laws next time, the fine amount will be doubled.
- (2) In case of a person or any polluter is not able to pay the fine as mentioned in Schedule, while contravening any of these Bye-laws he/she will be prosecuted under the provisions made in City Police Act and District Police Act / Indian Penal Code.

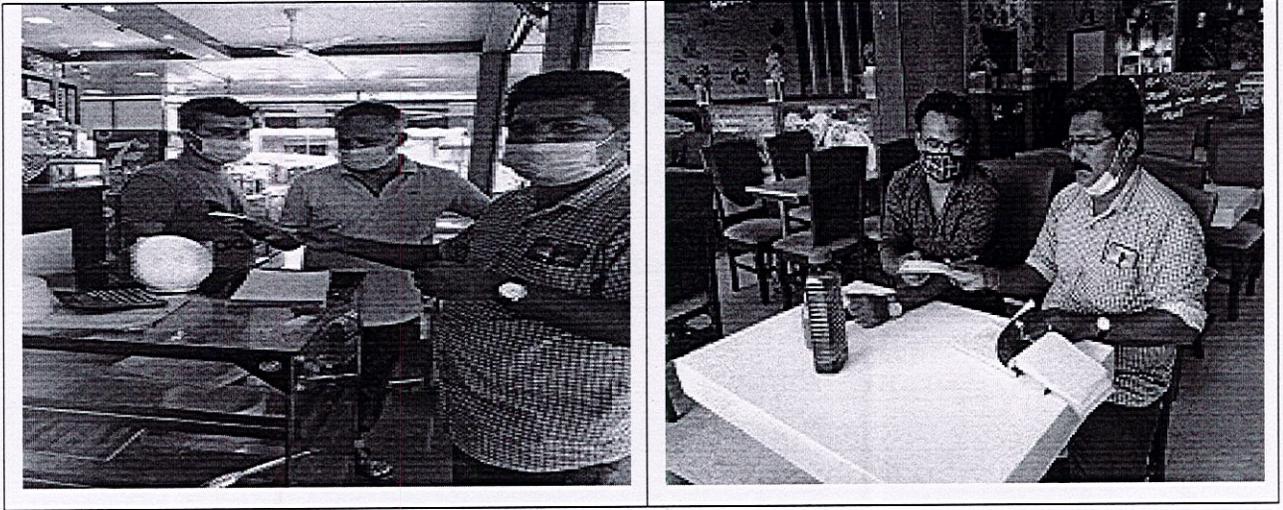
Schedule IV

Penalties

(see bye-law 5.01 and 8)

| S.No | Sub section/Details of section rules | Penalty amount (Rs.) |
|------|---|----------------------|
| 1 | Throwing garbage in public and private place/ littering from vehicles | 500 |
| 2 | Category under Non Segregation of waste | |
| | A. Individual House Holds | 100 |
| | B. Apartments / group house holds | 1000 |
| | C. Bulk waste generator | 5000 |
| 3 | Unauthorised dumping of Construction and Demolition waste in all public places | |
| | A. Up to 1 ton | 2000 |
| | B. 1 ton and above | 5000 |
| 4 | Horticulture, Wood waste not properly dumped at public place | 200 |
| 5 | Littering around bin / littering in sewer / canal / water bodies | 500 |
| 6 | Burning of solid waste | |
| | A. Private premises | 2000 |
| | B. Public places | 5000 |
| | C. Burning of solid waste generated from commercial places | 2000 |
| 7 | Fish, pet birds, meat waste (not from households) handing over without segregation | 1000 |
| 8 | Vendors / Hawkers/Shopkeepers without bin / Garbage basket | 100 |
| 9 | Vendors / Hawkers handing over without segregation | 200 |
| 10 | Unless a place not kept clean within 12 hrs after a public gathering/ public program events irrespective of number of persons | 500 |





The Greater Chennai Corporation, Zone 14, Zonal Officer, Assistant Executive Engineer - SWM, Conservancy Supervisors and Conservancy Inspectors had collected the fine amount of Rs. 9,000/- as per the Bye-laws in Solid Waste Management (SWM) Rules, 2016 Schedule of Fines (Schedule IV) for Debris and Garden garbage & Source Segregation. The Fines amount has been deposited in the Treasury, Greater Chennai Corporation as follows:

| Bye Law 2019-Fine Collection | | | | | |
|-------------------------------------|-------------|-------------|--------------------------------------|-----------------------|-----------------------------|
| S No | Zone | Date | Reason for Collecting Penalty | Chellan Number | Penalty Amount in Rs |
| 1 | 14 | 19.01.2021 | Debris and Garden garbage | NP/2021-22/0009672 | 9,000 |

- Greater Chennai Corporation shall create awareness among the public with the help of Residential welfare associations in the local body area for proper segregation of solid waste.

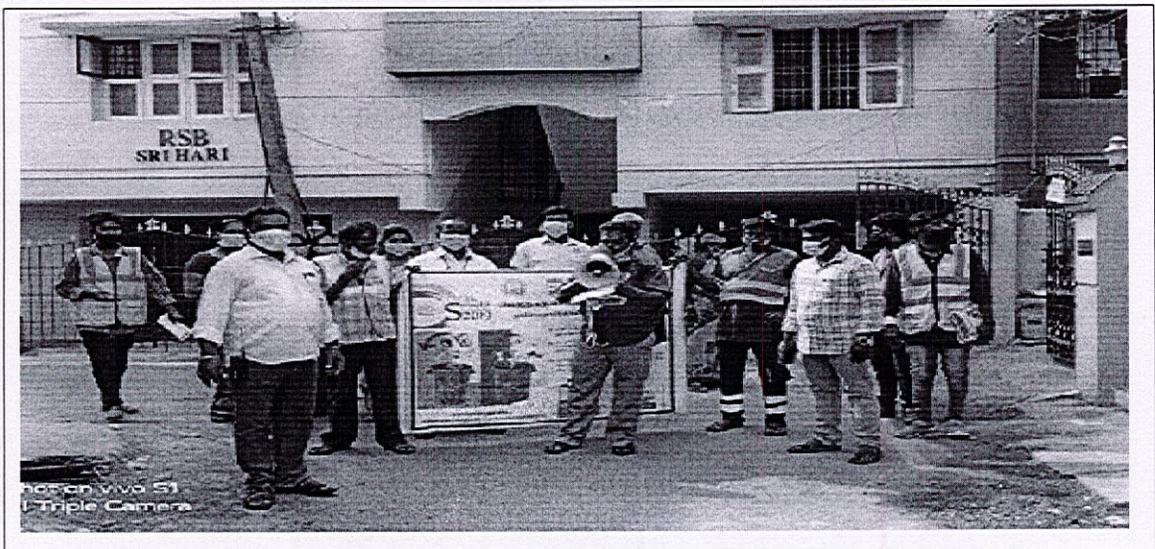
REPLY

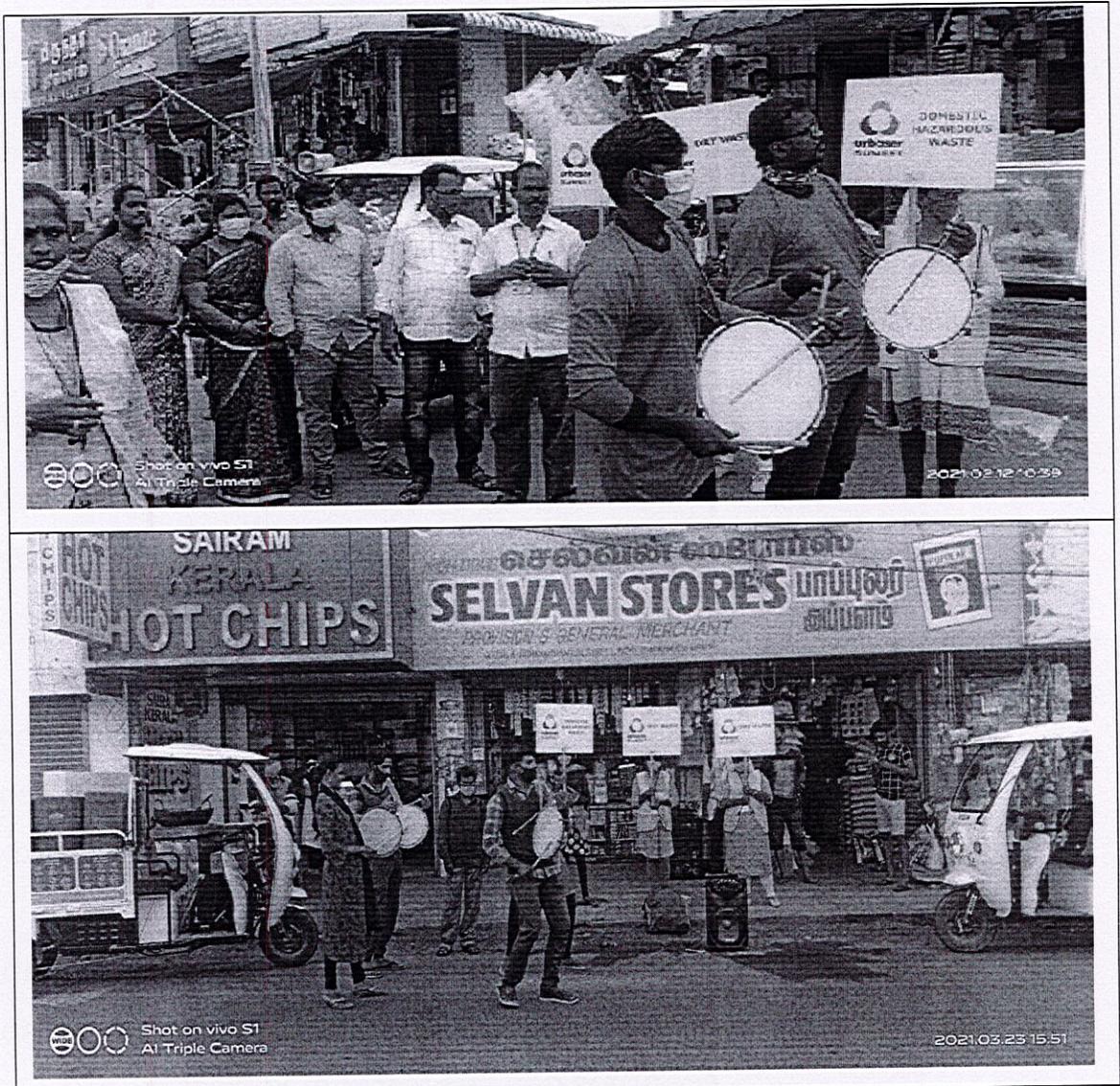
SOLID WASTE MANAGEMENT BYE-LAWS OF THE CORPORATION, FRAMED UNDER SECTION 349 OF THE CHENNAI CITY MUNICIPAL CORPORATION ACT, 1919 (TAMIL ANDU ACT IV OF 1919) AND UNDER RULE 15 OF THE SOLID WASTE MANAGEMENT RULES, 2016.

5.0 Responsibilities of the Corporation of Chennai

(23) Create public awareness through information, education and communication campaign and educate the waste generators on the following; namely:-

- (i) not to litter;
- (ii) minimize generation of waste;
- (iii) reuse the waste to the extent possible;
- (iv) practice segregation of waste into bio-degradable, non-biodegradable (recyclable and combustible), sanitary waste and domestic hazardous wastes at source;
- (v) practice home composting, vermin-composting, bio-gas generation or community level composting;
- (vi) wrap securely used sanitary waste as and when generated in the pouches provided by the brand owners or a suitable wrapping as prescribed by the local body and place the same in the bin meant for non-biodegradable waste;
- (vii) storage of segregated waste at source in different bins;
- (viii) handover segregated waste to waste pickers, waste collectors, recyclers or waste collection agencies; and
- (ix) pay monthly user fee or charges to local bodies or any other person authorized by the local body for sustainability of solid waste management.





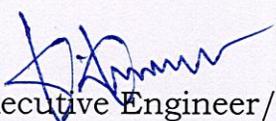
The Greater Chennai Corporation, Source Segregated awareness programs have been conducted for various “Resident Welfare Association” in Zone XIV. Also awareness extended on daily basis through battery operated vehicle helpers using Radio Speakers while collecting segregated garbage from households. Private Urbaser Sumeet IEC (Information Education Communication) Executive conducted awareness through “Drama Play” in various locations in Greater Chennai Corporation, Zone –XIV.

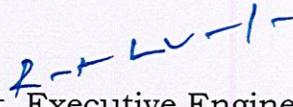
Apart from BOV-helpers, division conservancy inspectors also give source Segregation awareness to all those garbage non- Segregated houses.

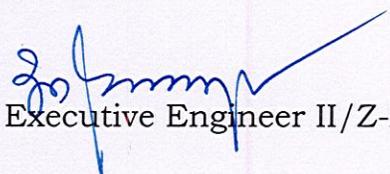
5. Greater Chennai Corporation with the help of Revenue Authorities shall make survey to identify encroachments in the Puzhuthivakkam Chitheri Lake within six months and to take necessary steps to evict them.

REPLY

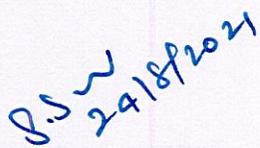
The Greater Chennai Corporation a letter dated 10.06.2021 has been addressed to the Tahsildar, Sholinganallur Taluk requesting to furnish a report stating the land classification, extent of encroachment. I further submit that the in continuation to the earlier letter reminder letters dated 15.07.2021 and 10.08.2021, were addressed to the Tahsildar, Sholinganallur Taluk requesting to furnish a report after inspecting the site in question for taking further action.


Asst. Executive Engineer/SWM


Asst. Executive Engineer/Unit-42


Executive Engineer II/Z-XIV


Zonal Officer /Zone-XIV


Superintending Engineer (South)



