

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

Original Application No. 18 of 2020 (SZ)

Tribunal on its own motion Suo Motu
based on the news item in
The New Indian Express,
Chennai Edition Dated 27.01.2020,
"Urapakkam resident's brave death Threats,
turn cesspool into lake".

...Applicant(s)

Versus

The District Collector,
Chengalpattu District Collectorate Office,
Chengalpattu District and Ors.

...Respondent(s)

INDEX

S.No	Description	Page No.
1.	Inspection Report of the Joint Committee constituted by the Hon'ble NGT(SZ) in respect of NGT Original Application No.18 of 2020.	1 – 8

**Filed by
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INSPECTION REPORT OF THE JOINT COMMITTEE CONSTITUTED BY THE HON'BLE NATIONAL GREEN TRIBUNAL (SOUTHERN ZONE) IN RESPECT OF O.A NO.18 OF 2020 IN THE MATTER OF: TRIBUNAL ON ITS OWN MOTION SUO MOTU BASED ON THE NEWS ITEM IN THE NEW INDIAN EXPRESS, CHENNAI EDITION DT 27.01.2020. URAPAKKAM RESIDENTS BRAVE DEATH THREATS, TURN CESSPOOL INTO LAKE

The Hon'ble National Green Tribunal (NGT), Southern Zone(SZ), Chennai in its order dated 29.01.2020 in Original Application No.18 of 2020 has constituted a Joint Committee comprising of the (1) District Collector, Chengalpet District, (2) Secretary, Urapakkam Panchayat and (3) Tamil Nadu State Pollution Control Board and directed as follows:-

"to go to the allegation in the report and submit a factual report. If there are any violations or encroachment and deposition of waste and discharge of untreated effluent contaminating the water amounting to an amount to an offence under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 and also as per the provisions of the Solid Waste Management Rules read with Environment Protection Act, then take action against them in accordance with law. The committee should also consider the question of preparing an action plan for restoring of the water body with specific timeline within which the same can be completed to restore and protect the water body from encroachment and contamination and also take appropriate action against those persons who are violating the same including imposition of Environmental compensations and submit the report to this Tribunal within a period of two months.

In compliance of the direction of the Hon'ble National Green Tribunal (SZ), the Joint Committee as constituted has carried out the inspection in the area in question on 07.03.2020, 20.07.2020 and 01.08.2020 and the inspection report of the joint committee was submitted before the Hon'ble NGT (SZ)."

Further, the Hon'ble NGT (SZ) in its order dated 04.01.2021 has stated the following

"Though, certain long term and short term measures have been provided, there was no specific timeline provided within which the same can be completed. As a short term remedy, the solid waste dumped in the above said lake has to be cleared by doing Bio-mining within a period of 2 (TWO) months. The report is dated 08.08.2020 and it is not known as to what is the present stage of the same"

"Further, it is also mentioned that there are certain encroachments on the northern side of the lake and it is not known as to the steps taken by the authorities for removing all the encroachments to protect the water body against the encroachment"

"Though, it was mentioned that there are certain proposals for de-silting and cleaning the bushes and strengthening the bunds of the lake so as to protect the water body, but it is not known as to what is the present stage of the same as well"

"So under such circumstances, we feel it appropriate to direct the committee to conduct the inspection again and submit a present status of the lake. The Kattankolathur Panchayat Union is also directed to submit their independent response regarding the steps to be taken on the basis of the recommendations and the long term and short term remedies provided for protecting the water body as undertaken by them before the committee with specific timeline within which each activity will be completed by them"

"The District Collector, Chengalpattu is also directed to submit an independent response as to what are all the steps taken by them for removal of the encroachments found in the water body to protect the same against the encroachments."

"The Pollution Control Board is also directed to submit their action taken report against the Panchayat for not complying with the Solid Waste Management Rules, 2016 as directed by 7th Principal Bench of National Green Tribunal, New Delhi in O.A No. 606 of 2018 and also for discharging the sewage into the water body without proper treatment which itself is an offence under the water (Prevention and Control of Pollution) Act, 1974."

"The committee as well as the local body, the District Collector, Chengalpattu and also the Pollution Control Board are directed to submit a further action taken report regarding the implementation of the Solid Waste Management Rules, 2016 respectively before this Tribunal on or before 02.02.2021 by e-filing"

In due compliance to the Hon'ble NGT (SZ) order dated 04.01.2021, the joint committee constituted by the Hon'ble NGT (SZ) has submitted its report before the Hon'ble NGT (SZ). Further, the Hon'ble NGT (SZ) in its order dated 02.02.2021 has stated

"Considering the circumstances, we feel that some more time can be given to the respondents to come with a proper compliance report of the work done by them to restore the water body against pollution and encroachment and what are all the steps taken by them to prevent further encroachments in that area. The compliance report of the State departments and also of the local bodies are directed to be submitted before this Tribunal on or before 9.3.2021 by e-filing"

In due compliance to the Hon'ble NGT (SZ) order dated 02.02.2021, the further compliance report on the action taken on the short term and long term remedies is furnished below

Action taken on the short term remedies and long term remedies as mentioned in the Joint Inspection report dated 31.01.2021 submitted before the Hon'ble NGT (SZ) in OA No.18 of 2020

S.No	Short Term Remedies mentioned in the Joint Inspection report dated 31.01.2021	Present Status
1.	Solid waste (legacy) dumped in the above said site (Survey no 388/A) will be cleared by carrying out Bio mining within the period of two Months.	The solid waste dumped earlier was cleared from the site and no fresh dumping is carried out in the said location and also the local body has provided wired fencing in a portion of the eastern side of the water body (Photographs enclosed).
2.	Sanitary staffs will be posted in the said site throughout the day.	Sanitary staffs are posted in the said site throughout the day.
3.	During the night time, sanitary staffs will be posted to carry out monitoring activities to prevent any further dumping of wastes.	Sanitary staffs on shift basis carry out night patrolling to monitor the dumping of solid wastes in the area in question regularly
4.	Village Panchayat of Karanaipudhucherri will be issuing notices to the households regarding not to dump the wastes and liquid waste (sewage) on the road side leading to the Lake and also with instruction to the public to provide septic tank and soak pit in their houses respectively to prevent the sewage being discharged into the Lake.	Notices were issued to the violators for dumping of solid wastes in the said area in question.
5.	Persons dumping solid waste in the road side will be identified and fine will be imposed. Due to this, the instances of dumping of wastes in public places other than the designated areas for the deposited of solid wastes will be reduced to a great extent	Notices were issued to the violators for dumping of solid wastes in the said area in question. In case of violation, fine will be imposed on the violators.
6.	Warning boards will be installed to prevent the dumping of the solid wastes.	Warning boards were placed at the Garbage Vulnerable Points to prevent the dumping of

		the solid wastes.
7.	In addition, sanitary workers will be deputed as a special step to remove the non-biodegradable wastes from the Garbage Vulnerable Points (GVP) and from the vacant private lands and to prevent further dumping of wastes in the road sides across the panchayat area.	In addition to the existing sanitary workers, 2 sanitary workers on contract basis were engaged for the monitoring of the dumping of solid wastes in said water body.
8.	Pamphlets will be issued in the locality regarding the source segregation of the solid wastes and the public will be encouraged to deposit only segregated wastes in the respective area. The sanitary supervisors will be conducting various demonstrations regarding the segregation of the wastes and the home composting process will also be demonstrated to the residents in all the residential areas.	Pamphlets were issued in the locality regarding source segregation of the solid wastes and the public were encouraged to deposit only segregated wastes.
9	The Village Panchayat has provided 5 Nos of community soak pits at the northern bund of the Lake to handle the sewage discharged from the residences thereby preventing the same entering into the Lake.	5 Nos of community soak pits at the northern bund of the Lake were provided to handle the sewage discharged from the residences thereby preventing the same entering into the Lake.
S.No	Long Term Remedies mentioned in the Joint Inspection report dated 31.01.2021	Present Status
1	Door to Door Collection will be made 100% Segregated Municipal Solid Waste will be collected and the collection of garbage shall commence at 6am and the daily operations shall close by 2p.m	Implemented 100% of Door to Door Collection of Municipal Solid Waste and the collection of garbage shall commence at 6am and the daily operations shall close by 2p.m
2	Total generation of solid waste is 1.00 MT. Segregated Biodegradable waste will be composted by providing a Micro Composting Centre and non degradable waste including plastic waste will be collected and will be sent to cement factories for co processing	The total generation of solid waste in the said Village Panchayat is 1.00 MT and the plastic wastes were collected and sent for recycling. Also for the treatment of bio degradable waste the local body was establishing a Micro Composting Centre at SF No.205, Urapakkam Village, Vandalur Taluk, Chengalpattu District in an extent of about 0.6Acre and the above said facility will be completed and commissioned within a period of 1 month for handling the bio degradable waste generated from the Urapakkam and Karanaipudhucheri Panchayat area.
3	Micro composting centre is proposed to be set up to handle the bio degradable waste. Necessary sanctions had been obtained for an estimated cost Rs 24.40 lakhs to prepare bio organic manure and also proposed to have a segregation shed to ensure proper segregation. The above said facility will be established within a period of three months.	For the treatment of bio degradable waste the local body was establishing a Micro Composting Centre at SF No.205, Urapakkam Village, Vandalur Taluk, Chengalpattu District in an extent of about 0.6Acre and the above said facility will be completed and commissioned within a period of 1 month for handling the bio degradable waste generated from the Urapakkam and Karanaipudhucheri Panchayat area.

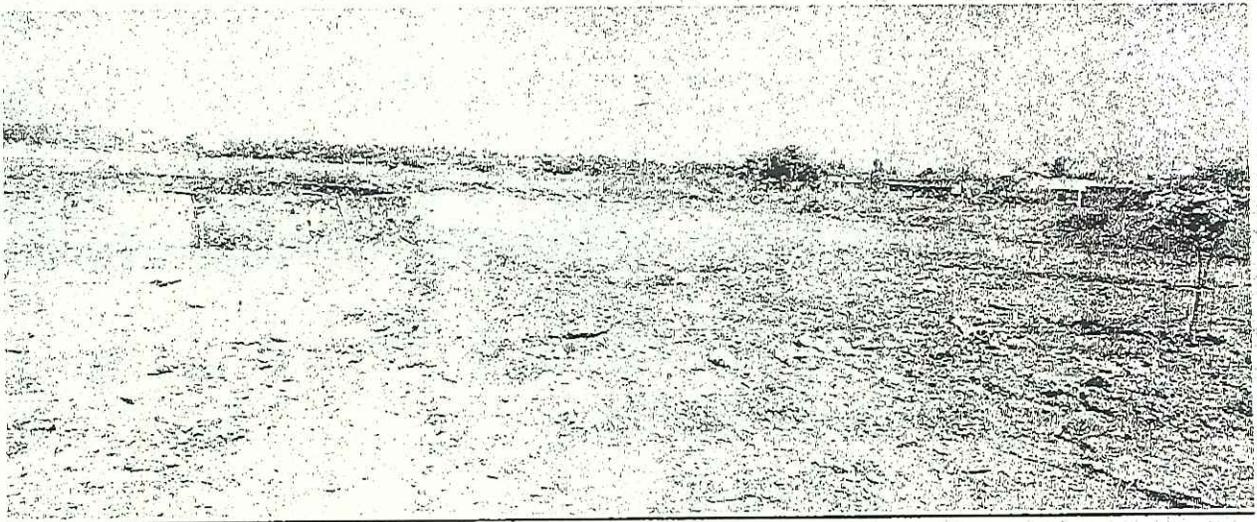
4	It is proposed to provide fencing in the eastern corner of the Lake so as to prevent the public dumping the solid waste. This work will be completed within three months.	Fencing in the eastern corner of the Lake so as to prevent the public dumping the solid waste was completed (Photograph enclosed).
5	3 Green Friends (sanitary workers) with hired tractor shall be deployed to collect wastes from every household and one LCV to cover households on a daily basis supported by 3 E Carts and 3 push carts fitted with 4 bins (30ltrs) to handle the biodegradable, recyclable and domestic hazardous wastes separately.	Sanitary workers on contract basis had been hired in addition to the existing man power along with a tractor to handle the solid waste generated within the village panchayat area.
6	De-silting and cleaning of the bushes and strengthening of bunds in the said Lake is proposed to be carried out under CSR Scheme with help of Environmentalist Foundation of India (EFI) with an estimate cost of Rs 32.37 Lakhs.	De-silting and cleaning of the bushes and strengthening of bunds in the said Lake is proposed to be carried out under CSR Scheme with help of Environmentalist Foundation of India (EFI) with an estimate cost of Rs 32.37 Lakhs and the same work will be completed within 3 months.
7	Proposed to construct a Cement Concrete Drain to a Length of 405m with Horizontal Filter to treat the sewage generated from the residences and the treated sewage will only be discharged into the Lake.	The proposal sent MGNRESGS Scheme 2020-21 at the Estimate amount of Rs.11, 57,100/- for the construction of cement concrete drain to a length of 700m with Horizontal Filter to treat the sewage generated from the residences will be completed within 2 months.
8	The eviction of encroachment in the lake will be carried out by approaching the Revenue authorities.	Officials from the Tamil Nadu Slum Clearance Board had inspected the area in question and demarcation of the encroachments was done. Also, officials from Revenue department have inspected the site for identification of the encroachment and they have identified about 562 Nos. of houses as encroachment in the Northern side of the Lake and the same will be evicted within a period of 6 months.

Observations:

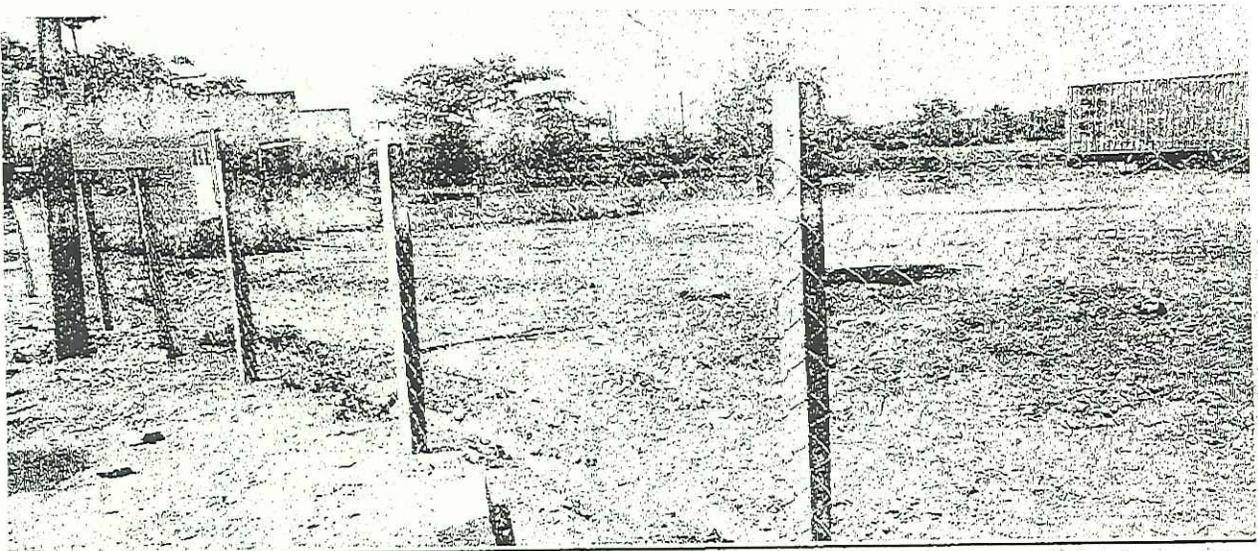
The committee as constituted by the Hon'ble National Green Tribunal (South Zone) has inspected the said area in question on 06.03 2021 and the following observations were made

1. The solid waste dumped earlier in the fringes of the eastern corner of the Karanaipudhucheri Lake was found cleared from the said location and no fresh dumping was noticed.
2. The local body has provided fencing in a portion of the eastern side of the Lake to prevent the dumping of solid wastes.
3. The local body has provided 5 Nos. of community soak pits at the northern bund of the Lake to handle the sewage discharged from the residences and to prevent the sewage entering into the Lake.
4. No discharge of industrial effluent into the said water body was noticed.
5. Encroachment was noticed in the northern side of the lake and as ascertained the revenue authorities have made assessment of the encroachment in the said water body.
6. The local body was found establishing a Micro Composting Centre (MCC) at SF No.205, Urapakkam Village, Vandalur Taluk, Chengalpattu District to handle the bio degradable waste generated from the Urapakkam and Karanaipudhucheri village areas.

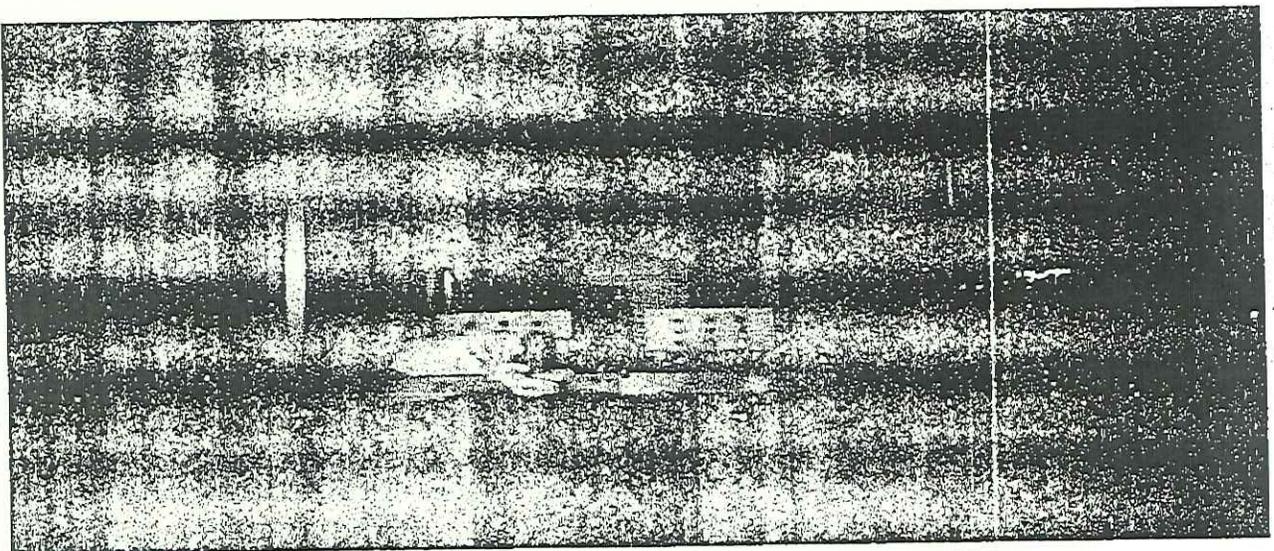
Photographs taken during the inspection by the Joint Committee constituted by the Hon'ble National Green Tribunal (Southern Zone) in OA No.18 of 2020 at Karanaipudhucheri Lake (Urapakkam Village)



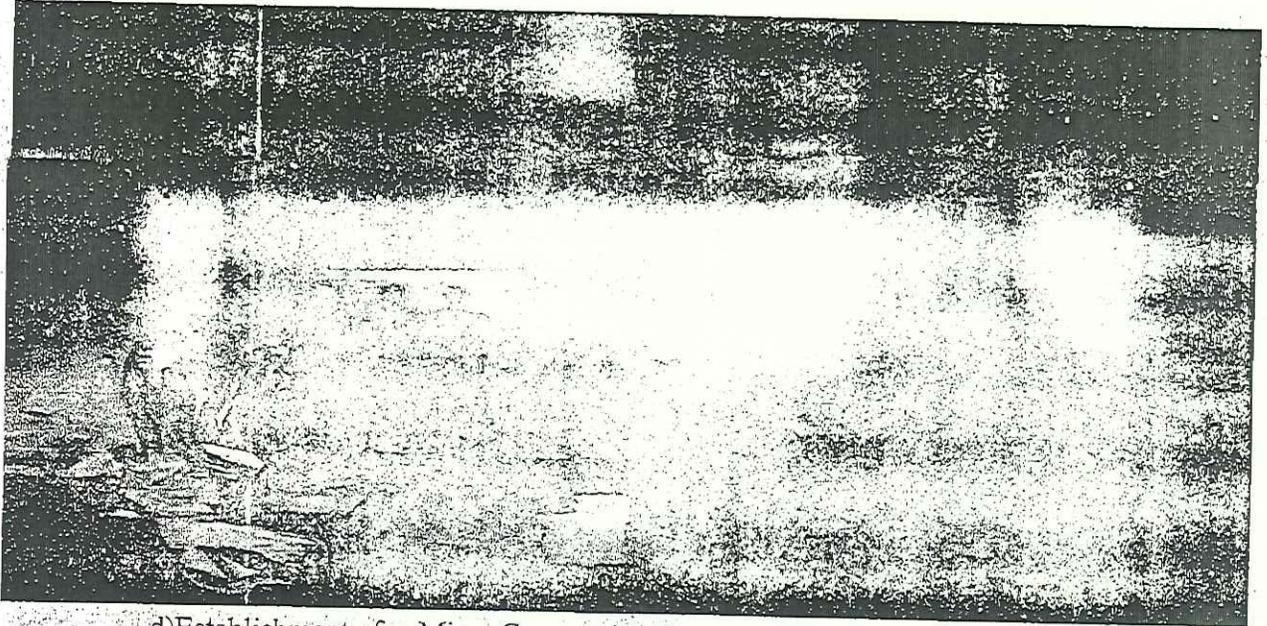
a) Eastern side of the Karanaipudhucheri Lake



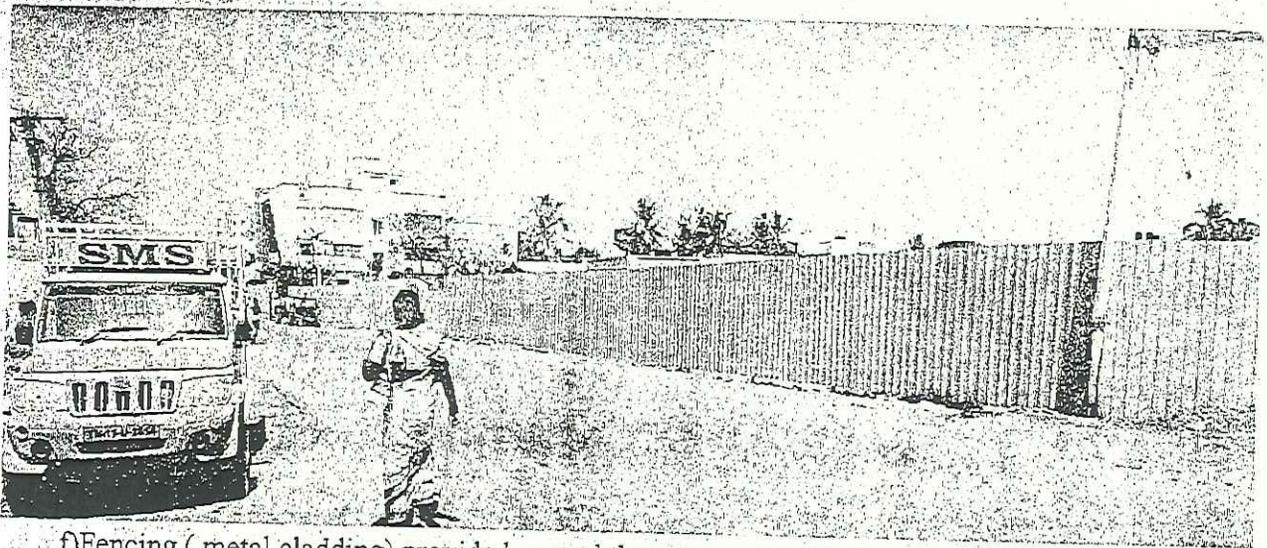
b) Fencing provided on the eastern side of the Karanaipudhucheri Lake



c) Establishment of a Micro Composting Centre at Urapakkam



d) Establishment of a Micro Composting Centre at Urapakkam (Another view)



f) Fencing (metal cladding) provided around the proposed MCC Centre at Urapakkam

Recommendation:

The Joint Committee has considered the remedial measures and the action taken report submitted by the Block Development Officer, Kattankolathur Panchayat Union and has suggested the following recommendations:

- i. The local body shall expedite the process of remedial measures as suggested above and shall be in letter and spirit and the time line shall be followed in strict sense, without any further delay.
- ii. The local body shall ensure 100% collection of solid waste being generated within its jurisdiction by adopting door to door collection of the segregated solid waste, processing and disposal within 3 months.
- iii. The Block Development Officer, Kattankolathur Panchayat Union shall monitor and ensure that the local body is complied with the statutory requirements and for the scientific disposal of solid waste that are being generated in the local body.
- iv. The Block Development Officer, Kattankolathur Panchayat Union shall ensure that there is no discharge of sewage and dumping of solid waste from the local body area into the said water body.
- v. The Local body in co ordination with Revenue authorities shall take necessary steps for the eviction of encroachment in the water body within 6 months.

- vi. The Block Development Officer, Kattankolathur Panchayat Union shall apply and obtain authorization under the Solid Waste Management Rules, 2016 for handling bio degradable waste within 2 months.
- vii. Tamil Nadu Pollution Control Board shall conduct periodical inspection of the site in question and ensure that the local body is handling the sewage and solid waste in accordance with law.
- viii. The local body shall ensure that the de-silting, cleaning of the bushes and strengthening of bunds in the said Lake under CSR Scheme with help of Environmentalist Foundation of India (EFI) to be completed within 3 months.
- ix. The local body shall ensure that the Cement Concrete Drain to a Length of 405m with Horizontal Filter to treat the sewage generated from the residences will be completed within 2 months and shall ensure that only treated sewage is discharged into the said Lake

S. Babu

Block Development
Officer,
Kattankolathur
Panchayat Union,
Kattankolathur

D. Vaidya

District Environmental
Engineer,
TNPC Board,
Maraimalainagar

[Signature]

Revenue
Divisional
Officer,
Tambaram.

[Signature]

District
Collector,
Chengalpet
District

(2/2)



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TRIBUNAL SOUTHERN ZONE,
CHENNAI**

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**Inspection Report of the Joint
Committee constituted by the Hon'ble
NGT(SZ) in respect of NGT Original
Application No.18 of 2020.**

Advocate for Respondent No.TNPCB
Thiru. C. Kasirajan.

Date:08.03.2021.

Date of hearing on: 09.03.2021

