

ORIGINAL APPLICATION NO.247 OF 2020 (SZ)

INTERIM REPORT OF THE JOINT COMMITTEE IN THE MATTER OF TRIBUNAL ON ITS OWN MOTION SUO MOTU BASED ON THE NEWS ITEM IN THE NEW INDIAN EXPRESS, CHENNAI EDITION DT.06.11.2020, “BUCKINGHAM CANAL TURNS DUMP, POSES FLOOD THREAT” VS UNION OF INDIA & ORS IN COMPLIANCE OF HON'BLE NGT ORDER DATED 23.11.2020

1. BACKGROUND

The Hon'ble NGT, Southern Bench in the matter of OA No. 247 of 2020 (SZ) vide order dated 23-11-2020 (**ANNEXURE-1**) has constituted a Joint committee to inspect the area in question and submit a factual as well as action taken report, if there is any violation found. The directions of NGT are reproduced below:

“11. The committee is directed to ascertain the genuineness of the allegations made in the newspaper report, the nature of dumping made in disputed canal, whether there is any untreated sewage being discharged into the water body and whether any garbage or other waste is being dumped in that area in violation of the provisions of the Solid Waste Management Rules, 2016 as well as the Coastal Regulation Zone Notification, 2011 & 2019 and ascertain as to whether there is any encroachment into those areas and if so, what are all the steps taken by them to remove the encroachment, whether the State Government or the District Administration has got any scheme to protect this canal and water body and if so, what is the stage of its implementation and if there is any contamination caused to the water or any blockage caused to the flow of water, then what are all the steps to be taken by them to rectify the same and suggest the mode of restoring the flow of the water and make the water in the canal pollution free.”

“12. The Regional Office, Ministry of Environment, Forests & Climate Change (MoEF&CC), Chennai will be the nodal agency for co-ordination and also for providing necessary logistics for this purpose.”

“13. The Registry is directed to communicate this order to the members of the committee as well as to the official respondents and also to the Regional Office, MoEF&CC, Chennai along with the amended cause title and gist of the Suo Motu proceeding immediately by e-mail so as to enable them to comply with the direction and also to file their independent response regarding the allegations made in the newspaper report.”

“14. The committee as well as the official respondents are directed to submit their report as well as independent response as directed on or before 18.01.2021 by e-filing along with necessary hardcopies to be produced as per Rules.”

2. JOINT COMMITTEE

The MoEF&CC, Regional Office, Chennai, as the nodal agency, requested all concerned authorities for the nomination of the officials for the Joint Committee and site inspection. As per the nominations received from concerned departments including from the Regional Office of MoEF&CC, the Joint Committee consists of the following members:

1.	Shri A. Ponniah, I.A.S, District Collector, Thiruvallur District, Tamil Nadu
2.	Shri A. Muthaiya, Superintending Engineer, Water Resource Department, Palar Basin Circle, Chepauk, Chennai – 05
3.	Shri A. Malaichamy, Superintending Engineer, WWT&R, Chennai Metropolitan Water Supply & Sewerage Board (CMWSSB), Chennai
4.	Shri. P. Ravichandran, District Environmental Engineer (DEE), Tamil Nadu Pollution Control Board, Gummdipoondi, Tamil Nadu
5.	Dr. V. Selvam, Executive Director, MS Swaminathan Research Foundation/Expert Member/Tamil Nadu Coastal Zone Management Authority (TNCZMA), Taramani Institutional Area, Taramani, Chennai
6.	Dr. R. Sridhar, Scientist ‘D’, Regional Office, MoEF&CC, Chennai

3. JOINT INSPECTION OF THE COMMITTEE

The Joint Committee visited the site-Buckingham Canal along the Ennore Creek, on 12-01-2021. One of the Committee members from the Tamil Nadu Coastal Zone Management Authority (TNCZMA) could not attend the inspection due to rain. Before the site visit, a preliminary discussion was held with the District Collector in Collectorate Office (A copy of the Attendance sheet is given at **ANNEXURE-2**). In addition to the members, Revenue Department Officials from the Thiruvallur District also participated in the site inspection. Photos taken during the site inspection placed at **ANNEXURE-3**.

The project of CMWSSB is to lay underwater pipeline to ferry treated water from the 45-MLD Tertiary Treatment and Reverse Osmosis (TTRO) plant at Kodungaiyur to industries at Manali-Ennore corridor. During the site visit, the Committee noted that the CMWSSB was carrying out dredging activity near the project locations along the Ennore creek. It was noted that the sand material which was dumped in some locations along the Ennore creek was being removed with excavators by CMWSSB. It was explained by CMWSSB that the actual location which was identified for sand deposition was found unsuitable, hence the sand material was dumped in other locations near 1st Confluence point 1 & 2, so far being desilted now (A map indicating area where sand is being removed is shown in **ANNEXURE-4**).

The Committee asked further details of project including compliance status of conditions given in the Environmental/CRZ Clearances from CMWSSB, present status of water flow in Buckingham canal due to sand deposition by project operation from PWD and details of schemes, if any for protection of canal for preparation of final report.

4. PRAYER

In view of the above, it is submitted that the Hon'ble NGT may kindly consider to grant **FOUR WEEKS-TIME** to the Joint Committee for the purpose of submission of final report.

Date: 13-1-2021

Chennai



(Dr. R. Sridhar)
Scientist 'D'
Regional Office of the MoEF & CC