

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

Original Application No.231 of 2020 (SZ)

Tribunal on its own motion Suo Motu
based on the News Item in The New Indian Express
Newspaper, Chennai Edition dated 12.10.2020,
“Another Cooum in the making? Illegal landfills take life
out of the Muttukadu Backwaters”.

Versus

The Chief Secretary to Govt. of Tamil Nadu,
Government Secretariat,
Fort St. George, Chennai,
Tamil Nadu and Ors.

...Respondents

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Filed by
Thiru. S. Sai Sathya Jith,
Advocate, Chennai.

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REPORT FILED ON BEHALF OF THE 6TH RESPONDENT
TAMIL NADU POLLUTION CONTROL BOARD

I, , J. Josephine Sahayarani, Daughter of Jesu Rajan , Christian, aged about 57 years, , having office at No. 76, Mount Salai, Guindy, Chennai - 600032, do hereby solemnly affirm and sincerely state as follows:

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai and I am filing the Report on behalf of the 6th Respondent Tamil Nadu Pollution Control Board and as such I am well acquainted with the facts of the case as per records.

2. It is respectfully submitted that the Hon'ble NGT in its Order dated 18.04.2022 has issued the following directions among the other things, inter alia as follows:

J. Praveen
22/11/22

JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No. 76, MOUNT SALAI, CHENNAI-600 032.

3. It is respectfully submitted that TNPCB formed 2 Committees vide letter dt. 14.09.2021 to inspect the complaint prone area of Buckingham canal from Navalur Village Panchayat to Muttukadu Village Panchayat. The Committee inspected the site on 16.09.2021 and 17.09.2021. During the time of inspection it was found a private sewage tanker lorry with Registration No. TN04 V 2076 discharging raw sewage into Buckingham canal at Kanathur Reddikuppam.

4. It is respectfully submitted that based on the Committee recommendations, TNPCB issued directions vide Proc. dt. 27.11.2021 under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 as amended to the line Departments viz., Managing Director, Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB), Director of Rural Development and Panchayat Raj, Rural Development and Panchayat Raj Department and Regional Transport Officer (RTO), Chennai – East.

CMWSSB

i. The CMWSSB shall provide underground drainage system(UGDS) in unsewered area of Greater Chennai Corporation and to connect the sewage into nearby STP to curtail the discharge of sullage and sewage let out from the unsewered area of Greater Chennai Corporation (GCC) into Buckingham Canal

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- ii. The CMWSSB is liable to pay Environmental Compensation as per Hon'ble National Green Tribunal(NGT), Principal Bench order dt. 02.07.2020 in O.A.No. 606 of 2018 for non-compliance of the above directions.

Rural Development and Panchayat Raj Department

- i. The Rural Development and Panchayat Raj Department shall identify the residences/commercial establishments letting out sewage into the storm water drains leading to Buckingham Canal and plug the outlets in the village panchayats of Navalur, Muttukadu and Padur through the Tiruporur Panchayat Union.
- ii. The Rural Development and Panchayat Raj Department shall provide the underground sewerage system followed by STP in war footing basis so as to completely arrest the discharge of untreated sullage along with sewage let out from the above said areas into Buckingham Canal.
- iii. The Rural Development and Panchayat Raj Department shall take necessary action under the Local Body Acts against the sewage tanker lorries who are discharging sewage into Buckingham Canal in the village panchayats of Navalur, Muttukadu and Padur through the Tiruporur Panchayat Union.
- iv. The Rural Development and Panchayat Raj Department shall provide display boards at vulnerable points stating that " Don't discharge sewage/sullage into Buckingham Canal " through the Tiruporur Panchayat Union in the village panchayats of Navalur, Muttukadu and Padur.

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22/11/2022

- v. The Rural Development and Panchayat Raj Department shall identify and provide decentralized community soak pit arrangement at vulnerable locations to prevent the entry of sewage/sullage into the Buckingham Canal as a short term measure in village panchayats of Navalur, Muttukadu and Padur)
- vi. The Rural Development and Panchayat Raj Department shall instruct the Tiruporur Panchayat Union (Village panchayats of Navalur, Muttukadu and Padur) to levy fine on the violators found disposing sewage into the said water body and also dumping solid waste as per the provisions of the Local body Acts. The registration certificate of the sewage tanker lorries as well as other vehicles carrying out the illegal activities shall be got cancelled by approaching the concerned Regional Transport Officer.
- vii. The Rural Development and Panchayat Raj Department shall instruct the Tiruporur Panchayat Union (Village panchayats of Navalur, Muttukadu and Padur) to create awareness among the public with the help of associations in the local body area for proper source segregation of solid waste.
- viii. The Tiruporur Panchayat Union shall remove the solid waste dumped along the banks of Buckingham canal immediately.
- ix. The Tiruporur Panchayat Union shall ensure that no solid wastes are dumped along the banks of Buckingham canal.
- x. The Rural Development and Panchayat Raj Department is liable to pay Environmental Compensation as per Hon'ble National Green Tribunal(NGT), Principal Bench order dt. 02.07.2020 in O.A.No. 606 of 2018 for non-compliance of the above directions.

J. S. Kumar
22/7/2020

Regional Transport Officer (RTO), Chennai – East:

- i. The RTO shall cancel the Registration Certificate (RC) of the tanker lorry (**Registration No. TN04 V 2076**) under the Motor Vehicles Act, 1988 as the said sewage tanker lorry was found discharging raw sewage collected from the nearby habitation and disposing the same into the Buckingham canal and polluting the said water body.
 - ii. The RTO shall cancel the Registration Certificate (RC), 1988 of the tanker lorries who are discharging the raw sewage collected from the nearby habitation and disposing the same into the Buckingham canal and polluting the said water body under the Motor Vehicles Act as and when informed by the local bodies.
5. It is respectfully submitted that the registration of the said lorry was cancelled by RTO, Paralur, Chengalpattu Taluk. In this regard, a press release was issued on 10.03.2022.
6. It is respectfully submitted in due compliance of the above said NGT order dated 18.04.2022, the DEE, TNPCB, Maraimalai Nagar has suggested the following measures to improve the quality of the water in the Muttukadu Backwater is submitted as follows:
- i. Greater Chennai Corporation & CMWSSB shall ensure that the sewage/sullage inflow generated from the unsewered/sewered areas of southern part of Chennai Metropolitan area does not reach the storm water drain leading to the Buckingham Canal.

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JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.

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ix. PWD shall keep the bar mouth always open by carrying out periods dredging (removing of redeposited sand/silt) as there will be constant exchange of sea water leading to dilution of the nutrients in the estuary, resulting in reduction of eutrophication leading to reduction of algal bloom and there will be no choking of Kovalam bar mouth.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) may be pleased to pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstance of this case and thus render justice.

J. Josephine Sahayarani
22/11/2022

JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.

BEFORE ME

VERIFICATION

I, J. Josephine Sahayarani, Daughter of Jesu Rajan, working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-600 032, do hereby verify that the contents of above report are true to the best of my knowledge through records.

J. Josephine Sahayarani
22/11/2022

JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.

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**REPORT FILED ON BEHALF OF
THE 6TH RESPONDENT - TAMIL
NADU POLLUTION CONTROL
BOARD.**

Advocate for Respondent:TNPCB
Thiru. S. Sai Sathya Jith,
Advocate, Chennai.

Date:22.07.2022.

Date of hearing on:25.07.2022.