

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

Original Application No. 247 of 2020 (SZ)

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

The Ministry of Environment, Forests and Climate Change,
Rep. by its Secretary,
Indira Paryavaran Bhawan,
Jorbagh Road,
New Delhi – 110 003& 10 others.

... Respondents

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**Filed by
Thiru.C. Kasirajan,
Advocate, Chennai.**

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI.

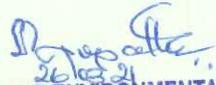
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...Applicant

-Vs-

1. The Ministry of Environment, Forests and Climate Change,
Rep. by its Secretary,
Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi – 110 003
2. The Principal Secretary to Govt.,
Public Works Department,
Govt. Secretariat, Fort St. George,
Chennai, Tamil Nadu – 600 009.
3. The Secretary to Govt. of Tamil Nadu,
Department of Environment,
Govt. Secretariat, Fort St. George,
Chennai, Tamil Nadu – 600 009.
4. Tamil Nadu Coastal Zone Management Authority,
Rep. by its Member Secretary,
No.1, Jeenis Road,
Panagal Building, Ground Floor,
Saidapet, Chennai – 600 015.
5. Engineer in Chief (Water Resources Organization)
and Chief Engineer (General),
Public Works Department,
Chepauk, Chennai – 600 005.
6. Chennai Metropolitan Water Supply & Sewerage Board,
Rep. by its Managing Director,
No.1, Pumping Station Road,
Chintadripet, Chennai – 600 031.
7. The District Collector,
Thiruvallur District,
First Floor, Collectorate,
Tiruvallur – 602 001.
8. BGR Energy Systems Limited,
Rep. by its Deputy General Manager,
443, Anna Salai,
Teynampet, Chennai – 600 018.


26/12/21
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD

9. M/s. Sattva Engineering Construction Private Limited
Rep. by its Managing Director,
"GREAMS DUGAR", 4th Floor,
North Wing, New No.64, Old No.149,
Greams Road, Thousand Lights,
Chennai – 600 006.
10. The Chairman
Tamil Nadu Pollution Control Board,
No. 76, Anna Salai, Guindy,
Chennai, Tamil Nadu – 600 032.
11. Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO)
Represented by its Chairman
cum Managing Director,
10th Floor, NPKRR Maaligai,
144, Anna Salai, Chennai - 600 002.

... Respondents

REPORT FILED ON BEHALF OF THE 10TH RESPONDENT –

TAMIL NADU POLLUTION CONTROL BOARD

I, S. Ragupathi, S/o. R.Sanganan, Hindu, aged about 56 years, having my 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 this Report on behalf of the 10th 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 (SZ) has passed an order dated 23.11.2020 and directed to inspect the site and submit a factual as well as action taken report, if there is any violation found. It is also directed to ascertain the genuineness of the allegation made in the News Paper, the nature of dumping made in the dispute canal, whether

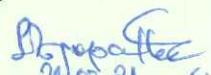

26.03.21
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
GUINDY

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 and as well as the Coastal Regulation Zone Notification, 2011 & 2019 and ascertain 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 steps to be taken by them to rectify the same and suggest the mode of restoring the flow of the water and made in the canal pollution free.

3. It is respectfully submitted that, in this regard the site from Ennore creek to Kamarajar Port Ltd., Main gate was inspected by the Joint Committee comprising the District Collector, Tiruvallur, Superintending Engineer, WRD, Superintending Engineer, CMWSSB, District Environmental Engineer, TNPCB, Gummidpoondi, Expert Member, TNCZMA and Scientist, MoEF&CC, Chennai on 08.01.2021 and 12.01.2021 and the following are observed:

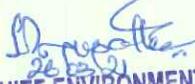
i). There is no discharge of sewage into the Buckingham canal from the industries or Corporation areas. There is no garbage or other waste is being dumped in that area in violation of the provisions of the Solid Waste Management Rules, 2016.

ii). Water Samples from Buckingham Canal have been collected on 12.01.2021 and it was noticed that the parameters analysed are within the


26/01/21
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No 76, MOUNT SALAI, GUINDY,

standards prescribed for the inland surface water prescribed by the Board and hence, there is no contamination in the Buckingham Canal water as per the ROA of the water sample. It has been proposed by the Board to collect monthly samples in the canal so as to ascertain the pollution level in the canal water. The copy of ROA report is submitted herewith as **Annexure**

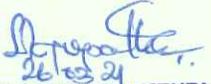
Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal may be pleased to pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of this case and thus render justice.

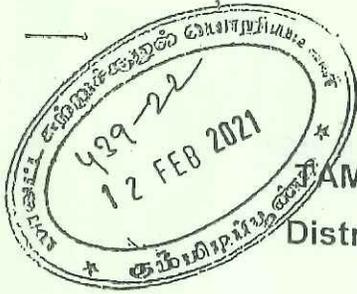

26.03.21
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUNDEY,
CHENNAI-600 032.
BEFORE ME

VERIFICATION

I, S. Ragupathi, S/o. R. Sanganan, working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai, do hereby verify that the contents of above report are true to the best of my knowledge through records.

Verified at Chennai on this 29th day of March, 2021.


26.03.21
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUNDEY,
CHENNAI-600 032.



12/2/21
Annexure

TAMILNADU POLLUTION CONTROL BOARD
District Environmental Laboratory, Ambattur.

From
Dr.P.Vijayalakshmi,M.Sc.,Ph.D.,
Dy.Chief Scientific Officer ,
District Environmental Laboratory,
No.77-A South Avenue Road,
Ambattur Industrial Estate, Ambattur,
Chennai 600 058.

To
The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
EPIP Building, A.O Block,
SIPCOT Industrial Complex,
Gummidipoondi - 601 201.

Lr.No. TNPCB /DCSO /DEL/ AMB/ ROA/ 995-996 /2021. Dt. 02.02.2021.

Sir,

Sub: Analysis of Water/Effluent sample(s) – Report of Analysis –
Furnished – Reg.

Ref: 1. your letter No.DEE/TNPCB/SPR/ROA//2019 dt.11.01.2021.
2. This Office Ask. No.17557 dt.12.01.2020.

Please find enclosed here with the report of analysis in duplicate for each code number of the sample(s) detailed below for favour of further action.

Sl.No.	Code No.
1.	STR -114
2.	STR -115

Sample Collection Charges Rs.800/- (Rupees Eight Hundred Only)

Analytical Charges Rs. 8420/- (Rupees Eight Thousand Four Hundred and Twenty Only)

Dy.CHIEF SCIENTIFIC OFFICER
DEL, AMBATTUR.



TAMILNADU POLLUTION CONTROL BOARD
District Environmental Laboratory, Ambattur.
Report of Analysis

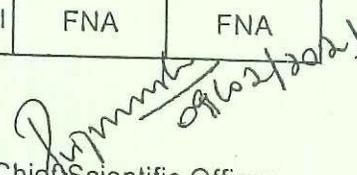
ROA NO.995-996/2020-2021

Dated: 02.02.2021

1. Nature and Number of sample(s) Two Number Samples
2. Date of Collection 11.01.2021
3. Sample Code No. and Point of Collection STR -114 In Front of NCTPS -1
STR -115 In Front of KPL

Sl.No.	Parameters	DEE Code No.	STR -114	STR -115
		Lab. Code No.	995	996
		Unit	1	2
1	pH		7.73	7.76
2	Total Suspended Solids	mg/l	18	72
3	BOD for 3days at 27° C	mg/l	5	6
4	C O D	mg/l	48	56
5	Zinc	mg/l	0.10	0.09
6	Copper	mg/l	< 0.033	< 0.033
7	Cadmium	mg/l	< 0.013	< 0.013
8	Lead	mg/l	< 0.07	< 0.07
9	Nickel	mg/l	0.69	0.69
10	Total Chromium	mg/l	< 0.05	< 0.05
11	Hexvalent Chromium	mg/l	< 0.05	< 0.05
12	Total Nitrogen (NO ₃ +NO ₂)	mg/l	<1	<1
13	Ammonical Nitrogen	mg/l	< 2	< 2
14	Fecal Coliform	MPN/100ml	FNA	FNA

FNA-Facility not available


Deputy Chief Scientific Officer
DEL, Ambattur.





TAMILNADU POLLUTION CONTROL BOARD
District Environmental Laboratory, Ambattur.
Report of Analysis

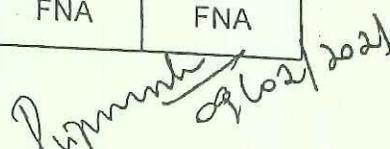
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NADU POLLUTION CONTROL
BOARD.**

**Advocate for Respondent:
Thiru. C. Kasirajan
Advocate, Chennai.**

Date: 29.03.2021

Date of hearing on: 30.03.2021