

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No. 248 of 2020 (SZ)

(Through Video Conference)

IN THE MATTER OF:

Tribunal on its own motion
Suo Motu based on the news item in
The Times of India, Chennai Edition
Dt 09.11.2020 "Choked Buckingham Canal
May keep streets flooded during heavy rainfall"

Applicant

Versus

1. The Chief Secretary to Govt, of Tamil Nadu,
Govt, Secretariat, Fort St. George,
Chennai, Tamil Nadu-600009
2. The Principal Secretary to Govt,
Public Works Department.,
Govt, Secretariat, Fort St. George,
Chennai, Tamil Nadu-600009
3. The Additional Chief Secretary to Govt, of Tamil Nadu
Revenue and Disaster Management Department,
Govt, Secretariat, Fort St. George.,
Chennai, Tamil Nadu-600009
4. The Principal Secretary to Govt, of Tamil Nadu.,
Health and Family Welfare Department,
Govt, Secretariat, Fort St. George.,
Chennai, Tamil Nadu-600009
5. The Secretary to Govt, of Tamil Nadu,
Department of Environment & Forests,
Govt, Secretariat, Fort St. George.,
Chennai, Tamil Nadu-600009

6. The Additional Chief Secretary to Govt, of Tamil Nadu
Municipal Administration and Water Supply Department,
Govt, Secretariat, Fort St. George.,
Chennai, Tamil Nadu-600009
7. The Principal Secretary to Govt, of Tamil Nadu.,
Highways and Minor Ports Department,
Govt, Secretariat, Fort St. George.,
Chennai, Tamil Nadu-600009
8. Engineer in Chief (Water Resources Organization)
and Chief Engineer (General),
Public Works Department,
Chepauk, Chennai-600 005
9. The Chairman,
Tamil Nadu Pollution Control Board,
No.76, Anna Salai, Guindy,
Chennai, Tamil Nadu-600032
10. Chennai Metropolitan Water Supply & Sewerage Board,
Rep. by its Managing Director,
No.1, Pumping Station Road,
Chintadripet, Chennai-600031
11. The District Collector,
Chennai District,
District Collectorate office,
No.62, Rajaji Salai, 4th floor,
Chennai-600001
12. Greater Chennai Corporation,
Rep. by its Commissioner,
Ripon Building, Chennai-600003.
13. Tamil Nadu Coastal Zone Management Authority,
Rep. by its Member Secretary,
No.1, Jeenis Road, Panagal Building,
Ground Floor, Saidapet,
Chennai-600015

... Respondents

Status report filed on behalf of the Second and Eighth Respondent: -

I, A.Muthaiya son of Asokan aged about 57 years, residing at 'C' Block, 207 Casagrand Aristo Apartments, Nobel Street, Nanganallur, Chennai- 61 do solemnly affirm and sincerely state as follows:

2. I am the Superintending Engineer, Public Works Department, Water Resources Department, Palar Basin Circle, having my office at P.W.D. Campus, Chepauk, Chennai-600 005. I am acquainted with the facts of the case from records. I am filing this status report on behalf of the 2nd and 8th respondents.

3. It is submitted that Hon'ble National Green Tribunal (NGT), Southern Zone (SZ), Chennai has taken up Suo Motu case based on the News item in Times of India Chennai Edition dated 9.11.2020 "Choked Buckingham Canal May keep streets flooded during heavy rainfall". It is alleged in the newspaper report that that mounds of garbage especially plastic waste were seen floating, impeding the flow of water in the canal just outside the Chennai Central Railway Station. Due to unauthorized dumping of garbage and other things, free flow of water in that area has been affected. So, it is apprehended by the reporter that there is a possibility of flood being caused on account of this unauthorized blockage of flow of water in Buckingham Canal due to the unlawful dumping of garbage and other wastes.

4. It is submitted that National Green Tribunal (Southern Zone) in its order dated 23.11.2020 has given direction to constitute a Joint Committee comprising of (1) the District Collector, Chennai District, (2) the Superintending Engineer of Public Works Department (PWD) and Water Resources Organization (WRO) of the respective area,

(3) a Senior Officer from the Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB), (4) a Senior Officer from the Greater Chennai Corporation as deputed by its Commissioner, (5) a Senior Officer from Tamil Nadu Pollution Control Board (TNPCB) as designated by its Chairman and (6) a Senior Officer from Tamil Nadu Coastal Zone Management Authority (TNCZMA) to inspect the area in question and submit a factual as well as action taken report. Further the committee is also directed to ascertain the quality of the water in that canal and if there is any contamination caused on account of any such unauthorized act including the discharge of untreated sewage into that canal, what are all the remedial measures to be taken to restore the same to its original position.

5. It is submitted that in compliance with the directions of the NGT, the joint inspection was conducted on 29.1.2021 and the water samples from the North Buckingham Canal near Central Railway Station were taken by the Tamil Nadu Pollution Control Board in order to ascertain the water quality of the canal. The disputed area is the Buckingham Canal down side of Poonamallee Road Bridge near Central Railway Station. At this stretch, the Buckingham Canal is surrounded by Chennai Metro Rail Limited (CMRL) Central Square on the West, Pallavan Saalai Bridge on the East side, Poonamallee Road Bridge on the North side and Railway lines (Chennai Park to Chennai Fort) on the South side. Since the canal is devoid of approach for deployment of heavy machineries to clean the floating wastes and vegetations in the Buckingham Canal. The CMRL has been addressed to the provide approach for the deployment of heavy machineries in the Canal and they have assured to provide approach for clearing

the obstructions in the Canal. Accordingly, the obstructions in the canal will be removed with the help of Greater Chennai Corporation.

6. It is further submitted that the Government of Tamil Nadu has accorded administrative sanction at an estimated cost of Rs.1281.88 Crore vide Municipal Administration and Water Supply (MC.I) Department G.O (D) No.419 dated 03.12.2020 for the project of comprehensive restoration and rejuvenation of Buckingham Canal, its associated drains and major drains draining into Adayar & Cooum River. This project scheme envisage components such as Sanitation, Resettlement & Rehabilitation, Channel Improvement, Solid Waste Removal and Urban Water Front Development which will be implemented by the line Departments such as Public Works Department and Greater Chennai Corporation. The encroachments on the banks of the Buckingham canal i.e the Project Affected Families (PAF's) living within the Right of Way (ROW) / demarcated boundary will be rehabilitated in the tenements provided by the Tamil Nadu Slum Clearance Board. This project scheme will kick-start by June 2021 and scheduled to be completed by 2023. After completion of this comprehensive scheme, the canal will be restored to the original condition without obstruction thereby ensuring free flow of flood between Ennore to Mutlukadu for a stretch of 48 Kms.

It is, therefore, prayed that this Hon'ble Tribunal may be pleased to take on record the above submissions made and pass appropriate order/further orders as deemed fit and necessary in the circumstances of the case and thus render justice.


Superintending Engineer, W.R.D.,
Palar Basin Circle,
Chepauk, Chennai- 5



TAMIL NADU POLLUTION CONTROL BOARD
DISTRICT ENVIRONMENTAL LABORATORY – MANALI

REPORT OF ANALYSIS

ROA No. 83 / 2020-21

Dated : 10.02.2021

Name of the Sender : DEE/Chennai
Nature and Number of sample : One number of sample
Date and Time of Receipt : 29.01.2021 at 04.00 PM

Code No. & Point of Collection : 1. M – 01/01 - NGT
Buckingham Canal – opposite to M.G.R.
Central railway station in Pallavan salai - NA

Sl.No.	Parameters	Unit	1
1.	pH	Number	7.83
2.	Total Suspended Solids	mg/L	6
3.	TDS	mg/L	830
4.	BOD for 3 days at 27 ⁰ C	mg/L	4
5.	Chemical Oxygen Demand	mg/L	80
6.	Total Nitrogen	mg/L	<2
7.	Ammonical Nitrogen	mg/L	22

for *Kanitha Leonard*
CSO (L) 10/2/21
DEL, Manali

Draft

Report on the Inspection of B.Canal by joint committee constituted as per the Hon'ble NGT (SZ), Chennai order dated: 23.11.2020 in O.A.No: 248 of 2020 Suo Motu (SZ), under the caption "Choked Buckingham Canal May keep streets flooded during heavy rainfall" on 29.01.2021

Based on the Hon'ble NGT (SZ), Chennai order dated: 23.11.2020 in O.A.No: 248 of 2020 Suo Motu (SZ), the joint committee has inspected Buckingham Canal – opposite to Puratchi Thalaivar Dr. M.G. Ramachandran Central Railway Station in Pallavan salai on 29.01.2021. During inspection, it was noticed that, stagnation of sewage in B.Canal along with garbage dumping. Also, growth & spreading of water hyacinth were noticed on that location. Sample of water mixed with sewage was collected on the above location and analysed in TNPCB, Laboratory & (Fecal Coliform was analysed in G-lens Innovation Labs Pvt.Ltd., Arumbakkam, Chennai-106).

The report of analysis of sample collected against the standards for the sewage as per CPCB are tabulated below:

S.No	Parameters	Units	Report of Analysis	Standards (Source: NGT (PB) order dt:30.04.2019 in O.A.No:1069/2018)
1	pH	Number	7.83	5.5-9.0
2	Total Suspended Solids	mg/l	6	20
3	BOD for 3 days at 27° C	mg/l	4	10
4	Chemical oxygen demand (COD)	mg/l	80	50
5	Total Nitrogen	mg/l	2	10
6	Faecal Coliform	MPN/100 ml	<2	Desirable - 100 Permissible - 230

From the above report of analysis, it is observed that Chemical oxygen demand is exceeding the limits prescribed.

R. Murugesan
District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Chennai District.

11/02/2021