

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

Original Application No. 25 of 2021 (SZ)

Tribunal on its own motion-SUO MOTU
Based on the News item in Times of India,
Chennai Edition, Dated 19.01.2021,
"Private tankers in Chennai brazenly dump
Sewage into storm water drains in broad daylight."

Vs

The Principal Secretary to Govt. of Tamil Nadu,
Health and Family Welfare Department,
Govt. Secretariat, Fort St. George Chennai,
Tamil Nadu 600- 009 and Others

... Respondents

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

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Tamil Nadu 600- 009 and Others

... Respondents

REPORT FILED ON BEHALF OF THE RESPONDENT
TAMILNADU POLLUTION CONTROL BOARD

I, G. Goplakrishnan, Son of V. Gandhi, Hindu, aged about 58
years, having office at No.76, Mount Road, Guindy, Chennai-600 032,
do hereby solemnly affirm and sincerely state as follows:-

1. I am the Joint Chief Environmental Engineer, Tamil Nadu
Pollution Control Board, Chennai - 600 032 and I am filing this Report
on behalf of the Respondents TNPC Board and as such I am well
acquainted with the facts of the case from the records.

2. It is submitted that the Hon'ble NGT has passed an order
dated 05.02.2021 and directed inter alia as follows:

*"The official respondents are also directed to file their
independent response regarding the manner of collection and disposal
of sewage generated in their area and what are all the actions that is
being taken by them against those persons who are violating the terms
of entrustment giving the details of such action taken, so as to*


JOINT CHIEF ENVIRONMENTAL ENGINEER

ascertain as to whether any proper mechanism is being adopted by the regulators to check such illegal activities.

3. It is respectfully submitted that, in order to comply the NGT Order dated 05.02.2021 in O.A. No. 25 of 2021, the Joint Committee has carried out inspection along with the officials of O/o DEE, TNPCB, Ambattur on 12.03.2021 in the stretches of Poonamallee By-pass road and found that 2 to 3 tanker Lorries have discharged their sewage into storm water drain and fled away. It was ascertained that the storm water drain was opened in some places in the said locations and tanker lorries have discharged the sewage into it. The sewage discharged here flows through the storm water drain and finally confluence into River Cooum located about 2km. During the Joint Committee inspection, the Tahsildhar Poonamallee Taluk reported that criminal action will be initiated against the tanker lorry owners.

4. It is further submitted that the said complained area was again inspected by the District Environmental Engineer, Tamil Nadu Pollution Control Board, Tiruvallur on 23.03.2021. During inspection of the complained stretches of Poonamallee By-pass road, it was noticed that sewage was found stagnated in the storm water drains along the Chennai- Bangalore National Highway near Parivakkam signal. Further, sewage sample in the storm water drain and water sample at River Cooum were collected and sent to TNPCB Laboratory for analysis.

In this regard, the Commissioner, Poonamallee Municipality and the Inspector of Police, T12-Poonamallee Police Station have been


JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,

addressed vide Office of the DEE, TNPCB, Tiruvallur letter dated 23.03.2021 to take necessary action to prevent illegal discharge of sewage into storm water drain by the private tanker lorries.

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 circumstances of this case and thus render justice.

G. Gopalakrishnan
23/3/21
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.

BEFORE ME

VERIFICATION

I, G. Gopalakrishnan, Son of V. Gandhi, working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-600 032 do hereby submit that the contents of above report are true to the best of my knowledge through records.

Verified at Chennai on this 23rd day of March, 2021.

G. Gopalakrishnan
23/3/21
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.



TAMILNADU POLLUTION CONTROL BOARD

From

P.Senthur Pandey, M.E.,
District Environmental Engineer,
Tamilnadu Pollution Control Board,
Master Plan complex, S.F.No. 1/6D& 1/5B,
Perumbakkam Village,
Tiruvallur - 602 001.

To

The Commissioner
Poonamallee Municipality,
Poonamallee,
Tiruvallur District-600056.

Lr No.: DEE/TNPCB/TLR/NGT/OA No. 25 of 2021/2021 dated: 23.03.2021

Sir,

Sub: TNPC Board - Hon'ble NGT Order dated 05.02.2021 in O.A No. 25 Of 2021 (SZ) - Suo Motu based on the Newspaper report published in the Times of India, Chennai Edition dated: 19.01.2021, under the caption "Private tankers in Chennai brazenly dump sewage into storm drains in broad daylight" - Action requested - Reg.

Ref:

1. Hon'ble NGT (SZ) Order dated: 05.02.2021 in O.A. No. 25 Of 2021 (Copy enclosed).
2. Board's Letter No. TNPCB/LAW/LA-III/NGT/004013/2021 dated: 15.03.2021.
3. Board's Memo No. TNPCB/LAW/LA-V/NGT/04013/2021 dated: 16.03.2021.

In the reference 1st cited, the Hon'ble NGT has initiated a Suo Motu proceedings vide O.A. No. 25 of 2021 dated 05.02.2021 based on the Newspaper report published in the Times of India, Chennai Edition dated: 19.01.2021, under the caption "Private tankers in Chennai brazenly dump sewage into storm drains in broad daylight".

In this regard the Hon'ble NGT in the Order dated 05.02.2021 in O.A. No. 25 of 2021 has issued the following directions among the other things, inter alia as follows:

"2. It is seen from the newspaper report, that private tanker Lorries continue to brazenly dispose raw sewage in storm water drains alongside Highways in Chennai and its Suburbs. On previous newspaper report three private tankers were spotted disposing raw sewage in the drains alongside the AH-45 highway near the AGS Dental College, next to Maduravoyal. The Activists who spotted the tankers said all three were dumping it by hiding the outlet pipes through sheets. "Due to this method, no fast moving vehicles on the highways would spot this at first sight. This open dumping of sewage into drains has become a growing concern," in that area.

10. In order to ascertain the genuineness of the allegations in the newspaper report and if it is found to be proved what is the nature of action taken by the authorities against such mischief mongers, we feel it appropriate to appoint a joint committee comprising of (1) The District

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Divisional Magistrate to be deputed by the District Collector, (2) a Senior Officer from the Tamil Nadu State Pollution Control Board (TNPCB) as designated by its Chairman, (3) the Superintending Engineer from Public Works Department (PWD) and Water Resources Organisation (WRO) who is in charge of that area (4) a Senior Officer from Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB) and (5) a Senior Health Officer from Greater Chennai Corporation to be deputed by its Commissioner who is dealing with such issues in the Corporation to inspect the area in question and submit a factual as well as action taken report, if there is any violation found.

11. The committee is also directed to ascertain the persons responsible for doing such mischief by conducting proper enquiry after collecting details from the person mentioned in the newspaper report and also from the reporter who published report and take appropriate action against such persons including launching of prosecution and imposing environmental compensation and other coercive steps in accordance with law.

12. If storm water drains are discharging the same into the any water body, then the committee is also directed to ascertain the water quality of the water body and if it is contaminated to suggest the remedial measures to be taken to rectify the same including assessment of environmental compensation and recover such amount from those who are responsible for the same.

13. Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB) will be the nodal agency for co-ordination and also for providing necessary logistics for this purpose.

14. The District Collector, Tiruvallur District is directed to supervise and coordinate the committee members and review their work and enable them to submit the report to this Tribunal on time instead of asking for time again and again by filing some vague reports.

15. The official respondents are also directed to file their independent response regarding the manner of collection and disposal of sewage generated in their area and what are all the actions that is being taken by them against those persons who are violating the terms of entrustment giving the details of such action taken, so as to ascertain as to whether any proper mechanism is being adopted by the regulators to check such illegal activities.

16. The committee as well as official respondents are directed to submit their report as well as independent responses to this Tribunal on or before 24.03.2021 by e-filing in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per rules.

17. The Registry is directed to communicate this order to the members of the committee as well as to the official respondents immediately through e-mail along with the copy of the paper report and the gist of the Suo Motu proceeding with full cause title so as to enable them to comply with the direction and for filing their independent response to the allegations made in the newspaper report and filing the report as directed by this Tribunal.

In the reference 2nd cited, addressed to the Superintending Engineer (South West), CMWSSB Head Office, No. 75, Santhome High Road, M.R.C. Nagar, R.A.Puram, Chennai based on the direction issued by the Hon'ble NGT Order dated: 05.02.2021 in O.A. No. 25 of 2021,

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the District Environmental Engineer, TNPCB, Tiruvallur has been nominated as member of the Joint Committee from Tamil Nadu Pollution Control Board.

In due compliance of the Hon'ble NGT Order dated 05.02.2021 in O.A. No. 25 of 2021, the Joint Committee has carried out inspection along with the officials of O/o DEE, TNPCB, Ambattur on 12.03.2021 in the stretches of Poonamallee By-pass road and found that 2 to 3 tanker Lorries have discharged their sewage into storm water drain and fled away. It was ascertained that the storm water drain was opened in some places in the said locations and tanker lorries have discharged the sewage into it. The sewage discharged here flows through the storm water drain and finally confluence into River Cooum located about 2km. During the Joint Committee inspection, the Tahsildhar Poonamallee Taluk reported that criminal action will be initiated against the tanker lorry owners.

In continuation to that and as per the reference 3rd cited the said complained area was again inspected by the District Environmental Engineer, Tamil Nadu Pollution Control Board, Tiruvallur on 23.03.2021. During inspection of the complained stretches of Poonamallee By-pass road, it was noticed that sewage was found stagnated in the storm water drains along the Chennai- Bangalore National Highway near Parivakkam signal.

In this regard, it is kindly requested to take necessary action to prevent illegal discharge of sewage into storm water drain by the private tanker lorries and furnish the action taken report to this office at the earliest.

Encl: As above.


**District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Tiruvallur.**

1. Copy to the Superintending Engineer (South West) CMWSSB Head Office, No. 75, Santhome High Road, MRC Nagar, R.A. Puram, Chennai-600 028.
2. Copy submitted to the Member Secretary, Tamil Nadu Pollution Control Board, 76, Mount Salai, Guindy, Chennai-600 032 - for favour of kind information please.



TAMILNADU POLLUTION CONTROL BOARD

From

P.Senthur Pandey, M.E.,
District Environmental Engineer,
Tamilnadu Pollution Control Board,
Master Plan complex, S.F.No. 1/6D& 1/5B,
Perumbakkam Village,
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To

The Inspector of Police,
T12-Poonamallee Police Station,
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10. In order to ascertain the genuineness of the allegations in the newspaper report and if it is found to be proved what is the nature of action taken by the authorities against such mischief mongers, we feel it appropriate to appoint a joint committee comprising of (1) The District Collector, Tiruvallur District or a Senior Officer not below the rank of Assistant Collector or Sub

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Divisional Magistrate to be deputed by the District Collector, (2) a Senior Officer from the Tamil Nadu State Pollution Control Board (TNPCB) as designated by its Chairman, (3) the Superintending Engineer from Public Works Department (PWD) and Water Resources Organisation (WRO) who is in charge of that area (4) a Senior Officer from Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB) and (5) a Senior Health Officer from Greater Chennai Corporation to be deputed by its Commissioner who is dealing with such issues in the Corporation to inspect the area in question and submit a factual as well as action taken report, if there is any violation found.

11. The committee is also directed to ascertain the persons responsible for doing such mischief by conducting proper enquiry after collecting details from the person mentioned in the newspaper report and also from the reporter who published report and take appropriate action against such persons including launching of prosecution and imposing environmental compensation and other coercive steps in accordance with law.

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Encl: As above.


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Tamil Nadu Pollution Control Board,
Tiruvallur.
23/03/21

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RESPONDENT - TAMIL NADU
POLLUTION CONTROL BOARD**

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

Dated:23.03.2021.

Date of hearing on 24.03.2021.