

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

Original Application No. 48 of 2020 (SZ)

Tribunal on its own motion Suo Motu
initiated proceedings based on the
News Item in Dinamalar Newspaper
dt.: 26.02.2020, Chennai Supplementary,
"Sewage in Buckingham Canal;
Will action be taken against lorries?"

...Applicant

Versus

The Secretary to Government of Tamil Nadu,
Department of Environment & Forest,
Chennai and Ors

...Respondent(s)

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

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

I, S.Ragupathi, Son of Thiru.R.Sanganan, Hindu, aged about 56 years, having my office at No. 76, Mount Salai, 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 and I am filing this Report on behalf of the Respondent TNPC 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 National Green Tribunal (SZ), Chennai has passed order Dt: 19.01.2021 in O.A.No.48 of 2020 Suo Motu and constituted the Joint Committee comprising of

"We direct the Pollution Control Board and also the Greater Chennai Corporation who are expected to take action under the respective statutes which govern them to submit an independent report


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

regarding the action taken against the persons who have committed mischief".

3. It is respectfully submitted that the DEE, TNPCB, Maraimalai Nagar has inspected the said area in question on 05.02.2021 along with CMWSSB Officials and the following were observed:

i. A private sewage carrying tanker lorry with Reg. No. TN 09 AY 6278 was found discharging the raw sewage in to Buckingham Canal near to M/s. KCG College of Technology and M/s. Hindustan International School at Karapakkam.

ii. Details of the above unauthorized disposal point is at 12.916553 N 80.241241 E.

4. It is further submitted that in due compliance of the said order and in exercise of the powers conferred under section 33 A of the Water (P&CP) Act, 1974 as amended, the Board issued directions to the Regional Transport Officer, (RTO), K.K. Nagar, Chennai and the Regional Transport Officer(RTO), Sholinganallur to take action to cancel the Registration Certificate (RC) of the above said tanker lorry with Reg. No.TN 09 AY 6278 as per the Motor Vehicles Act, 1988 as amended for unauthorized discharge of raw sewage into Buckingham Canal near to M/s. KCG College of Technology and M/s. Hindustan International School at Karapakkam and polluting the said water body. Copy of the Board's proceeding dated 18.02.2021 is submitted herewith as Annexure.


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

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (SZ) 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.


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

BEFORE ME

VERIFICATION

I, S.Ragupathi, Son of Thiru.R.Sanganan, working as Joint Chief Environmental Engineer, TNPCB, office at No. 76, Anna Salai, Guindy, Chennai – 32, do hereby verify that the above contents are true to the best of my knowledge and belief through records.

Verified at Chennai on this day of March, 2021.


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



TAMIL NADU POLLUTION CONTROL BOARD

PROCEEDING No:T1/TNPCBd/LAW/LA-III/F.003707/W / 2021 Dated: 18.02.2021

Sub : TNPCB - Industries – Orders issued by the Hon'ble NGT in O.A.No.48 of 2020 (SZ) dated 19.01.2021 — Unauthorized Discharge of sewage by tanker lorry bearing Reg.No.TN09 AY 6278 into the Buckingham Canal near to M/s. KCG College of Technology and M/s. Hindustan International School at Karapakkam and polluting the said water body - Direction under Section 33 A of the Water (Prevention and Control of Pollution) Act, 1974 as amended to take action to cancel the Registration Certificate (RC) of the above said tanker lorry as per the Motor Vehicles Act, 1988 as amended - Issued - Regarding.

Ref : 1. Hon'ble NGT dated: 19.01.2021 passed in O.A.No.48 of 2020 (SZ).
2. DEE, MMN Letter No. DEE/TNPCB/MMN/Hon'ble NGT O.A.No.48 of 2020 dated 12.02.2021

The Hon'ble NGT(SZ), issued the order dated . 19.01.2021 in O.A.No.48 of 2020 (SZ) and directed inter alia that:-

"8. So under these circumstances, we direct the Pollution Control Board and also the Greater Chennai Corporation who are expected to take action under the respective statutes which govern them to submit an independent report regarding the action taken against the persons who have committed mischief.

In pursuance to the above said order dt.19.01.2021, the DEE, Maraimalai Nagar vide reference 2nd cited has reported that that the said area was inspected on 05.02.2021 along with CMWSSB Officials and the following were observed:

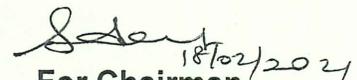
- A private sewage carrying tanker lorry with Reg.No.TN09 AY 6278 was found discharging the raw sewage into Buckingham Canal near to M/s. KCG College of Technology and M/s. Hindustan International School at Karapakkam.
- Details of the above unauthorized disposal point is at 12.916553° N 80.241241 ° E.

Further, the DEE has recommended to issue directions to the Regional Transport Officer, (RTO), Chennai West and Regional Transport Officer(RTO), Sholinganallur under section 33A of the Water (P&CP) Act, 1974 to cancel the Registration Certificate (RC) of the above said tanker lorry as per the Motor Vehicles Act, 1988 as amended as the said sewage tanker lorry was found unauthorized disposal of raw sewage into the Buckingham Canal and polluting the said water body.

Therefore, in compliance of above said Hon'ble NGT(SZ), Chennai order and in exercise of the powers conferred under Section 33 A of the Water (P&CP) Act, 1974 as amended, the Board issues directions to the **Regional Transport Officer, (RTO), K.K.Nagar, Chennai and Regional Transport Officer(RTO), Sholinganallur** to take action to cancel the Registration Certificate (RC) of the above said tanker lorry with **Reg.No.TN09 AY 6278** as per the Motor Vehicles Act, 1988 as amended for unauthorized discharge of raw sewage into the Buckingham Canal near to M/s. KCG College of Technology and M/s. Hindustan International School at Karapakkam and polluting the said water body.

Failure to comply with the above said direction , necessary steps will be initiated as per the provisions in the said Act .

The receipt of this proceeding shall be acknowledged.


18/02/2021
For Chairman
Mary
18.2.2021

To

1. The Regional Transport Officer, (RTO),
Chennai West
No.1, Bharathidasan Colony, K.K.Nagar,
Chennai – 600 078
2. The Regional Transport Officer(RTO), Sholinganallur
No.275, Old Mahabalipuram Road,
Survey No.494/2A 2), Sholinganallur,
Chennai- 600 119

Copy to

1. The Managing Director
Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB),
No. 1, Pumping Station Road,
Chintadripet, Chennai, Tamil Nadu - 600031
2. The Joint Chief Environmental Engineer (Monitoring),
Tamil Nadu Pollution Control Board,
Chennai
3. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Maraimalainagar- for information and necessary action please
4. Technical File.

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...Respondents

**REPORT FILED ON BEHLAF OF THE
RESPONDENTS - TAMIL NADU
POLLUTION CONTROL BOARD**

Advocate for Respondent: TNPCB
Thiru. Kasirajan
Advocate, Chennai

Date: 02.03.2021