

BEFORE THE NATIONAL GREEN TRIBUNAL (SZ) AT CHENNAI
MEMORANDUM OF APPLICATION
(Under section 18 (1) read with section 14, 15 of National Green
Tribunal Act 2010)
Application No. 82 of 2020

IN THE MATTER OF:

Tribunal on its own motion SUO MOTU
Based on the News Item in the Dinamalar
Newspaper dated 13.06.2020, "Will Guduvancheri
Lake turns out to be an Eco-park?"

...Applicant(s)

VERSUS

1. The Principal Secretary to Government,
Public Works Department, Secretariat,
Fort St. George, Chennai 600 009.
2. The Secretary to Government of Tamil Nadu,
Department of Environment,
Government Secretariat, Fort St. George
Chennai, Tamil Nadu 600 009.
3. The Secretary to Government of Tamil Nadu,
Health and Family Welfare Department,
Government Secretariat, Fort St. George
Chennai, Tamil Nadu 600 009.
4. Additional Chief Secretary to Government of Tamil Nadu,
Municipal Administration and Water Supply Department,
Government Secretariat, Fort St. George
Chennai, Tamil Nadu 600 009.


Commissioner
Maraimalai Nagar Municipality

5. The Chairman,
Tamil Nadu Pollution Control Board,
No.76, Anna Salai, Guindy,
Chennai, Tamil Nadu 600 032.
6. The District Collector,
Chengalpet District,
Collector Office, GST Road,
Chengalpattu 603 001.
7. Maraimalainagar Municipality,
Rep. by its Municipal Commissioner,
Municipal Office, Maraimalainagar,
Chengalpattu 603 209.
8. Nandivaram Guduvancheri Town Panchayat,
Rep. by its Executive Officer,
GST Road, Guduvancheri (Near Uzhavar Sandhai)
Chengalpattu 603 202.

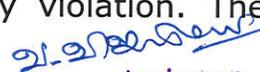
Counter Affidavit filed by the 7th Respondent

I, V.Vijayakumari Wife of G.Gunasekaran, aged about 56 years, working as the Municipal Commissioner of Maraimalai Nagar Municipality, Chengalpattu, Tamil Nadu., do hereby solemnly affirm and sincerely state as follows;

1. I am the 7th Respondent herein and as such, I am well acquainted with the facts and circumstances of the case. I am swearing this affidavit on the basis of the records available in the office of this Respondent.


Commissioner
Maraimalai Nagar Municipality

2. It is submitted that this Application is filed by this Hon'ble tribunal in exercise of its "SUO MOTO' powers based on News paper report published in Dinamalar – Daily Chennai Edition dated, 13-06-2020 under the caption "Will Guduvancheri Lake turn out to be an ecopark?". It is alleged in the news paper report that the lake is situated near Guduvancheri Railway Station. It is being maintained by the Public Works Department. As per Government records, agriculture in 150 acres of land in more than 20 villages including Guduvancheri, Aadanur and Madambakkam were dependent on this lake. It is having an extent of 46.95 acres. At present cultivation is taking place only in 30 acres.
3. It is further alleged in the newspaper report that the sewage from households in Nadivaram- Guduvancheri Town Panchayats and Maraimalai Nagar Municipality are being discharged in the lake apart from effluents from Private Medical College Hospital and Private hospitals and Clinics in that area. Due to this the ground water level in that area has been affected and the quality of water has also deteriorated.
4. It is submitted that by order dated 19.06.2020 the Hon'ble National Green Tribunal was pleased to pass orders, constituting a joint committee, comprising of the District Collector, Chengalpet District, Senior Officer/Scientist from Tamil Nadu Pollution Control Board designated by the Chairman Tamil Nadu Pollution Control Board, the Superintending Engineer of Public Works Department and also Water Resources Organisation, Executive Engineer, Lower Palar Basin Bridge Division, Kancheepuram and Assistant Engineer of Irrigation Section of Chengalpattu to inspect the land in question and submit a status as well as action taken report if there is any violation. The said


Commissioner
Maraimalai Nagar Municipality

Committee had filed a report before this Hon'ble National Green Tribunal, which stated that no solid waste or sewage discharge is being done by the Panchayat.

5. It is submitted that prior to current case, an Original Application in O.A. No. 423/13 was filed before this Hon'ble Tribunal, alleging that SRM hospital and college is discharging sewage water in Guduvancheri lake through rain water drain which was under-construction by this respondent. Subsequently the case was disposed. In the area of this respondent there is only one college functioning i.e. SRM college and the said college has a sewage treatment plant within their premises.
6. It is necessary to state that this respondent is taking effective steps for collecting of daily waste, from the Municipality, door-to-door and had taken the earnest efforts to dispose the same following the rules, as stipulated under the Solid waste rules, 2016. The following are the details of the waste generated and methods of disposal, in this Respondent Municipality.

| | |
|------------------------------------|----------|
| Population as per 2011 Censes | 90096 |
| Per day Generation waste /per head | 0.250 gm |
| Total Waste Generation | 22.52 MT |
| Wet Waste (50 %) | 11.26 MT |
| Saleable Dry Waste (10 %) | 2.25 MT |
| Non -Saleable Waste (30 %) | 6.76 MT |
| Inert Waste (10 %) | 2.25 MT |
| Total | 22.52 MT |


Commissioner
Maraimalai Nagar Municipality

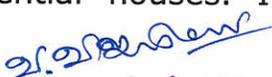
Wet Waste

| SI NO | Method of Process | Total No's | Capacity | Put in Use |
|-------|-------------------|------------|----------|------------|
| 1 | MCC | 5 | 5 MT | 5 |
| 2 | OCC | 2 | 4 MT | 1 |
| 3 | BWG | 35 | 2 MT | 11 |

Dry Waste

| SI NO | Method of Process | Total Generation | Present Position | Remarks |
|-------|------------------------|------------------|------------------|---|
| 1 | Saleable Dry waste | 2 | 1 MT | Daily 2 MT saleable dry waste which is saleable is being sold to recycling vendors |
| 2 | Non Saleable Dry Waste | 7 | 3 MT | 7 MT Daily Non- Saleable and Combustible fraction sent to Ultra tech Cement Factory, Ariyalur |

7. Further this respondent has also built a sewage treat plant in Adikalar road. This plant was built at a cost of Rs.375 lakhs in 2007-08 financial year. The discharged sewage water from the residential houses of this respondent Municipality is being treated in this plant. It is necessary to state that a Writ petition in W.P No. 14387/18, is pending before the Hon'ble High Court of Madras, alleging that the STP of this Respondent is treating industrial waste too Wherein a Joint committee inspection was conducted, to test the said allegation on 17-12-18 and based on which few illegal connections were disconnected and now the STP in this Respondent's Municipality is treating only the sewage waste of the residential houses. It is


 Commissioner
 Maraimalai Nagar Municipality

submitted that this respondent is strictly adhering to the Solid Waste Management Rules and further untreated sewage generated is neither released in Guduvancheri lake nor in any other water body.

It is therefore prayed that this Hon'ble Tribunal may be pleased to pass appropriate orders and thus render Justice.


Commissioner
Maraimalai Nagar Municipality

Solemnly affirmed on this the :

BEFORE ME

05th day of October, 2020 :

And signed his name in my presence. :