

INSPECTION REPORT OF THE JOINT COMMITTEE CONSTITUTED BY THE HON'BLE NATIONAL GREEN TRIBUNAL (SOUTHERN ZONE) IN ITS ORDER DATED 19.06.2020 IN O.A.NO.82 OF 2020 (SZ) TAKEN UP AS SUO MOTU BY THE HON'BLE TRIBUNAL

1. ORDERS OF THE HON'BLE TRIBUNAL

It is respectfully submitted that the Hon'ble National Green Tribunal (SZ), Chennai in its order dated: 19.06.2020 in the matter of O.A.No.82 of 2020 directed the following,

"So, considering the circumstances and also to ascertain the present status of affairs, we feel it appropriate to appoint a joint committee comprising of (1) District Collector, Chengalpet (2) 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 Organization, Executive Engineer, Lower Palar Basin Bridge Division, Kancheepuram and Assistant Engineer of Irrigation Section of Chengalpattu to inspect the lake in question and submit a status as well as action taken report if there is any violation found"

"The Committee is directed to consider the question as to whether there were any encroachment and what are the steps taken by the authorities to remove the encroachment if any and whether also necessary maintenance is being done by the authorities for protecting the lake in order to maintain its storing capacity which will act as a water recharge source to protect the groundwater level in that area. The Committee may also ascertain as to whether there is any scheme framed by the Government for protecting water bodies in the State including this lake and if so what is the status of its implementation and whether any steps have been taken by the local bodies as well as the authorities who are in charge of maintaining this water body to maintain and protect it against encroachment and also pollution and whether any permanent steps have been taken to protect environment, to avoid further encroachment in future. They are also directed to prepare an action plan with short term and long term measures to protect the water body including the possibility of creating bio-diversity parks/tree plantation around the lake area, so that further encroachment can be avoided in future"

"The Committee is also directed to go into the question as to whether any untreated sewage is being discharged either by the residents of the locality or by the local bodies without providing necessary measures for treating the same before being discharged into the lakes. As per the provisions of the Solid Waste Management Rules,2016, the local bodies are expected to maintain the sewage treatment plants and discharge water into the water bodies only after treating the same making it in conformity with the standard for such discharge into the water body, if there is any violation found in this regard, then the committee is also directed to suggest the action to be taken against the violators including launching of prosecution and assessment of the environmental compensation."

"The Assistant Engineer, Irrigation, Chengalpattu District will be the nodal agency for co-ordination and for providing all necessary logistics for this purpose. The District Collector is also directed to supervise and co-ordinate with the officers in complying with the direction of this tribunal"

"The committee is directed to submit the report to this Tribunal within a period of three months through e-mail or e-filing @ ngtszfilings@gmail.com"

It is respectfully submitted that the joint committee as constituted by the Hon'ble National Green Tribunal inspected the said site on 28.09.2020 and submitted the joint committee report before the Hon'ble Tribunal along with the action plan and recommendations.

Further, it is respectfully submitted that the Hon'ble Tribunal in its order dated 29.09.2020 has directed as below

"Though in the paper report it was mentioned that sewage from Maralaimalai Nagar Municipality is also discharged into the water body apart from Private Medical College Hospital and Private hospitals and Health Care clinics in that area, nothing was mentioned about the manner in which the sewage as well as the Solid waste generated are being managed in Maralaimalai Nagar Municipality as well as private hospitals and healthcare facilities. They have also not mentioned as to whether they have got any proposal to establish any Bio- diversity park/tree plantation around the lake which will act as a barrier to prevent further encroachment has been directed by this Tribunal in several case of this nature in future and also to improve the aesthetic beauty of the lake."

"When this was pointed out, the learned counsel appeared for the State Department submitted that they will come with further report in this regard, if some more time is granted and the Maralaimalai Nagar municipality will also come with their reply statement as to how they are handling their solid waste and the sewage that is being generated in their area."

"So, the Joint Committee is directed to submit a further report in respect of the above matter and the Maralaimalai Nagar Municipality is also directed to submit their response regarding the allegations made in the paper report".

In this regard, it is respectfully submitted that the joint committee has inspected the said area on 22.10.2020 and the following observations were made

1. The total extent of the Guduvancheri lake water spread area at Guduvancheri Village, Vandalur Taluk, Chengalpattu District is 19 Hectares and the lake is owned by Public Works Department (PWD).
2. The Guduvancheri lake is surrounded by railway station on the Eastern side, residences on the Western side, vacant land and residences on the Southern side and Aadhanur main road on the Northern side.
3. An inflow channel is carrying overflow (surplus) water from Potheri Eri and Vallancheri Eri in the eastern side of the lake leading into the Guduvancheri Lake.
4. An outflow surplus channel is located at the Western side of the Lake leading to River Adyar.
5. There are three storm water drains in the eastern side of the lake discharging sullage generated from the Town panchayat, for which the local body has submitted the short term and long term plan to mitigate the same.
6. Encroachment was found on the Southern and Western side of the Lake for which PWD has submitted the short term and long term measures to evict the same.
7. The Guduvancheri panchayat is carrying out the processing of the bio degradable solid waste collected from the Town Panchayat area through Micro composting centre located at SF No.

375/2 etc, Nandhivaram Village, Vandalur Taluk, Chengalpattu District and the remaining waste is disposed through recyclers. Furthermore, the said local body has obtained authorization under Solid Waste Management Rules, 2016 valid up to 31.03.2020 vide Proceedings No.JCEE(M)/ TNPCC/CHN,ZONE/SWM/F.6844/MMN/2019 Dated:08.04.2019 which was extended for a period up to 30.09.2020.The Town Panchayat has also submitted the application for renewal of authorization and the same is under process.

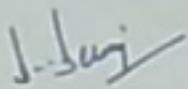
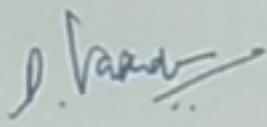
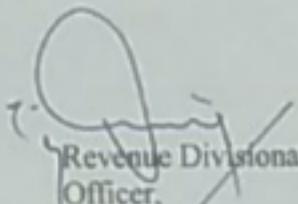
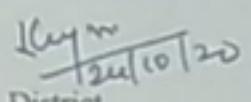
8. No municipal solid waste was found dumped in the lake area.
9. The Public Works Department has already carried out the strengthening of the tank bund and repairs to the weir and reconstruction of sluice of the Guduvanchery Lake at a cost of Rs. 24.00 lakh under Kudimaramath scheme in the year 2017-18.
10. The PWD has also carried out deepening of the Guduvancheri Lake at a cost of Rs. 23.0 lakh in the year 2018-19 under Long term flood mitigation works.
11. No bio medical waste was found dumped in the lake area. Furthermore the educational institution such as M/s. SRM Institute of Science and Technology (SRM Medical College & Research Centre) located in the eastern side of the lake area at about 3 Kms from the Guduvancheri lake has their own treatment system to handle the sewage and trade effluent generated from their activity, utilized within the premises for gardening and green belt development and to handle the solid waste generated under the provisions of Solid Waste Management Rules,2016. Further the said institution has made an agreement with Common Bio Medical Waste Treatment and Disposal Facility namely M/s. G J Multiclave India Pvt Ltd for the treatment and disposal of bio medical waste generated from their health care facility.
12. There are 1 primary health centre and 2 private hospitals catering the health care needs of the public in the said panchayat area. All the said health care facilities have obtained consent under the Water (P&CP) Act, 1974 and the Air (P&CP) Act, 1981 and Authorization under the Bio Medical Waste Management Rules, 2016.
13. The Maraimalai Nagar Municipality has provided Micro composting facilities at 5 places in their jurisdiction for composting the biodegradable waste of quantity 11.26 T/day generated in the municipality area. The Maraimalai Nagar Municipality has obtained authorization for the same under Solid Waste Management Rules, 2016 vide proceedings dated 08.04.2019 valid upto 31.03.2020 which was further extended upto 30.09.2020. The Municipality has also submitted the application for renewal of authorization and the same is under process
14. The Maraimalai Nagar Municipality has provided Sewage Treatment Plant of capacity 2.2 MLD for treating the sewage generated from the municipality area.
15. It was noticed that no sewage was discharged into the Guduvancheri Lake from Maraimalai Nagar Municipality.
16. It was reported by the Public Works Department that providing park in the tank premises is not technically and spatially viable with respect to most of tanks, especially it is not possible for Gudvancheri tank. Necessary greening activities at foreshore and the areas which will not affect the water resources development and maintaining the same will be carried out with the

assistance from the Eco-Societies or Non Government Organization (NGO) for the afforestation activities.

Recommendations:

Based on the above observation, the joint committee submits the following recommendation before the Hon'ble National Green Tribunal (Southern Zone)

1. The Town Panchayat shall ensure 100% collection of solid waste being generated within its jurisdiction with proper segregation, door to door collection, processing and disposal by complying with the provisions of the Solid Waste Management Rules 2016
2. The Town Panchayat shall not dump solid waste under any circumstances in the said area in question.
3. The Town Panchayat shall dispose the non degradable waste of 4.5 MT/day including plastic waste shall be sent to cement factories for co processing complying with the provisions of the Solid Waste Management Rules, 2016.
4. The Town Panchayat will stop the flow of sullage into the Guduvancheri Lake within a period of 3 months.
5. The Guduvancheri Town Panchayat shall identify the violators who are discharging sullage into the storm water drain leading to the lake and also levy environmental compensation/fine on the violators under the provisions of the Local Body Acts within a month's time
6. The Public Works Department will evict the encroachments from the Lake with the help of Revenue officials within a period of 6 months

 Executive Engineer, WRD, PWD, Lower Palar Basin Division, Kancheepuram	 District Environmental Engineer, Tamil Nadu Pollution Control Board, MMNagar	 Revenue Divisional Officer, Tambaram, Chengalpet District.	 District Collector, Chengalpattu District
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