

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE AT CHENNAI

ORIGINAL APPLICATION NO. 85 OF 2020

(Filed under Sections 14 and 15 of the

National Green Tribunal Act, of 2010)

IN THE MATTER OF:

1. Mr. ANTONY CLEMENT RUBIN

Flat No. 35, Block 3

Priyadarshini Apartments,

89, Barakka Road,

Chennai – 600012.

E-mail ID: antonyrubin@gmail.com

Phone No :9840126263.

...APPLICANT

VERSUS

1. The State of Tamil Nadu

Representing through the Chief Secretary,

Government of Tamil Nadu,

Namakkal Kavingar Maaligai,

Fort St. George,

Chennai- 600 009.

E-mail ID : cs@tn.gov.in

Phone No : 044- 2566 5566.

2. The State of Tamil Nadu,

Rep by Secretary to the Government,

Department of Environment and Forests,

Fort St. George,

Chennai – 600 009.

E-mail ID: forsec@tn.gov.in

Phone No: 044- 2566 5566.

3. The Corporation Commissioner,

The Greater Chennai Corporation,

Ripon Building,

Chennai-600003.

E-mail ID: commissioner@chennaicorporation.gov.in

Phone No: 044- 25381330.

4. The District Collector,

District Collectorate

Chennai District,

Chennai- 60001.

E-mail ID: collrchn@nic.in

Phone No: 044-25228025.

5. The Tamil Nadu Pollution Control Board,

Rep.through its Member Secretary,

76, Mount Salai, Guindy,

Chennai- 600 032.

E-mail ID: tnpcb-chn@gov.in

Phone No: 044- 22353134.

6. District Environmental Engineer,

Tamil Nadu Pollution Control Board,

First Floor,950/1, Poonamallee High Road,

Arumbakkam,

Chennai- 600 106.

E-mail ID: tnpcbchennai@yahoo.in

Phone No: 044-26223603.

...RESPONDENTS

OBJECTIONS TO THE STATUS REPORT DATED 10.09.2020 FILED BY THE 5TH RESPONDENT AND THE STATUS REPORT DATED 12.04.2022 FILED BY THE 3RD RESPONDENT

I, Antony Clement Rubin, S/o. Late Mr.R.B.Rubin, aged about 37 years, residing at Flat no. 35, Block 3, Priyadharshini Apartment, 89, Berack Road, Namalwarpet, Chennai – 600012, Tamil Nadu, India do hereby solemnly affirm and sincerely state as follows:

1. I humbly submit that I am the Applicant in the above-mentioned application and as such I am well acquainted with the facts and circumstances of the case.
2. I sincerely submit that this Hon'ble Tribunal vide order dated 24.06.2020 directed the 3rd and 5th Respondents to file Status Report regarding the steps taken by them for the implementation of the G.O (Ms) No.84 dated 25.06.2018 and also regarding the implementation of the Plastic Waste Management Rules, 2016 within their jurisdiction.
3. I humbly submit that pursuant to the above, the 5th Respondent filed the Status Report dated 10.09.2020 and I had retrieved the same from the website of this Hon'ble Tribunal in the month of July, 2021 wherein the 5th Respondent had stated that several measures were undertaken by the said Respondent to ensure compliance in accordance with the said order dated 24.06.2020.
4. I sincerely submit that in the said Status Report dated 10.09.2020, the 5th Respondent in paragraph 8 had stated that *"In this connection, Closure direction and disconnection of power supply were issued to 58 industries involved in the manufacture of banned plastic manufacturing*

items which include non-woven carry bags, plastic carry bags, water pouches, etc". Further, in Sub-Paragraph (xiv) of Paragraph 10 of the said Status Report dated 10.09.2020 in the measures taken by the 5th Respondent in instructing the Star Hotels of the Tamil Nadu in the reduction of the usage of plastic, one of the said measures included, Non-woven Laundry bags replaced with cotton bags.

5. I sincerely submit that woven carry bags also contain polypropylene material and are equally harmful to the environment, similar to non-woven carry bags. Although, the Respondents vide publication which is a English version of a press release given in Tamil in local dailies and published in the 'Plastic Pollution Free Tamil Nadu Campaign" website which was established for the purpose of spreading awareness on the perils of use and throwaway plastics, clarified that non-woven carry bags are not exempted by the said G.O (Ms) No.84 dated 25.06.2018, no similar publications were published by the 5th Respondent with respect to woven carry bags, due to which, there was rampant production and distribution of the said bags, the photographs of which were filed along with this Application in **ANNEXURE A-1** filed along with this Application.

6. I sincerely the said Status Report dated 10.09.2020 and the said Status Report dated 12.04.2022 makes no mention about the measures taken against the use of the said plastic woven carry bags as stated in this Application. The said bags due to the nature of composition are easily misconstrued as woven sack bags which are permissible in accordance with paragraph (1) (b) (b) of the said G.O (Ms) No.84 dated 25.06.2018. Therefore, a similar publication clarifying the said ambiguity that woven carry bags are not permitted by the said G.O (Ms) No.84 dated 25.06.2018 as it was done in the case of non-woven carry bags are highly

imperative for the effective enforcement of the said G.O (Ms) No.84 dated 25.06.2018.

7. I humbly submit that for the effective enforcement of the said G.O (Ms) No.84 dated 25.06.2018, the same mandates continuous monitoring. In pursuance of which, a Permanent Committee as constituted by this Hon'ble Tribunal vide order dated 26.02.2020 in OA No. 107 of 2017 (*Antony Clement Rubin v. State of Tamil Nadu & Ors*) be constituted in the present case also under the chairmanship of the 2nd Respondent for the periodic and effective enforcement of the said G.O (Ms) No.84 dated 25.06.2018. The actions of the said Committee should further be operationalized through Sub- Committees at the panchayat and municipal level throughout the State of Tamil Nadu.

Therefore, in the light of the above, it is most humbly prayed that this Hon'ble Tribunal may be pleased to;

- (i) Direct the Respondents to take effective enforcement against woven carry bag manufacturers to curtail the production of the said bags and further issue publications clarifying that the said bags are in fact non-permissible plastic bags as was done in the case of non-woven carry bags to curtail the usage of the same.
- (ii) Direct the Constitution of a Permanent Committee under the chairmanship of the 2nd Respondent for the periodic and continuous monitoring of the effective enforcement of the said G.O (Ms) No.84 dated 25.06.2018.
- (iii) Direct the Respondents to ensure proper disposal of single use plastic waste, the improper disposal of which, has adverse implications for animal welfare and is further the largest contributor of micro plastic



pollution which has also has adverse implications on the life of several marine animals.

Solemnly affirmed at Chennai
on this 27th day of May,
2022 and signed his name
in my presence.



BEFORE ME



MS 2090/2020

ADVOCATE:

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

OA No. 85 of 2020

Antony Clement Rubin

...Applicant

V.

The State of Tamil Nadu & 6 Ors

...Respondents

**OBJECTIONS FILED BY THE
APPLICANT**

**M/s. S.V.PRAVIN RATHINAM (Ms.3069/07)
B.KARTHIKEYAN (Ms 1431/14)
JOSEPHINE SHREELA G (Ms.2280/19)**

Counsel for the Applicant

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

ORIGINAL APPLICATION NO. 85 OF 2020

*(Filed under Sections 14 and 15 of the
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IN THE MATTER OF:

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...Respondents

**INDEX TO TYPED SET OF DOCUMENTS FILED ALONG WITH THE
OBJECTIONS FILED BY THE APPLICANT**

S.No.	Date	Particulars	Pg No
1.	27.05.2022	E-mail evidencing the service of the Objections filed by the Applicant to the Respondents	1

Dated at Chennai on this the 27th day of May, 2022

Josephine G

Counsel for the Applicant



SVPR & Co

Admin @ SVPR & Co <admin@svprandco.in>

Fwd: OA No.85 of 2020_ Antony Clement Rubin v. State of Tamil Nadu & 6 Ors

Josephine Shreela G @ SVPR & Co <josephineshreela.g@svprandco.in>

27 May 2022 at 12:37

To: "Admin @ SVPR & Co" <admin@svprandco.in>

----- Forwarded message -----

From: **Josephine Shreela G @ SVPR & Co** <josephineshreela.g@svprandco.in>

Date: Fri, 27 May 2022 at 12:36

Subject: OA No.85 of 2020_ Antony Clement Rubin v. State of Tamil Nadu & 6 Ors

To: <grija.giri.balashanmugam@gmail.com>

Cc: <saleemattorney@gmail.com>, <lawyersdesk@hotmail.com>, S V Pravin Rathinam <svpr@svprandco.in>, <raguladhithya9955@gmail.com>

Dear Sir/Madam,

I am the Counsel for the Applicant in the subject mentioned case. Please find attached the Objections of the Applicant to the Status Report dated 10.09.2020 filed by the 5th Respondent and Status Report dated 12.04.2022 filed by the 3rd Respondent in the subject mentioned case. Kindly acknowledge the receipt of the same.

Regards,
Josephine.G
Advocate
For SV Pravin Rathinam & Co

On Fri, 17 Dec 2021 at 16:48, Josephine Shreela G @ SVPR & Co <josephineshreela.g@svprandco.in> wrote:
Dear Sir/Madam,

I am the Counsel for the Applicant, please find attached the Index to Additional Documents filed by the Applicant. Kindly acknowledge the receipt of the same.

Regards,
Josephine.G
Advocate
For SV Pravin Rathinam & Co

On Fri, 29 Oct 2021 at 15:13, Josephine Shreela G @ SVPR & Co <josephineshreela.g@svprandco.in> wrote:
Dear Sir/Madam,

I am the Counsel for the Applicant/Applicant in the subject mentioned case. We are hereby filing the attached Advance Hearing Petition in the said case. Please find the said attachment and kindly acknowledge the receipt of the same.

Regards,
Josephine.G
Advocate
For SV Pravin Rathinam & Co

On Mon, 22 Feb 2021 at 18:54, Josephine Shreela G @ SVPR & Co <josephineshreela.g@svprandco.in> wrote:
Dear Sir,

I am the Counsel for the Applicant in OA No. 85 of 2020. Please note that we are filing an IA _____ of 2021 in the said application. Please find attached the scanned copy of the same and kindly acknowledge the receipt of the same.

Regards,
Josephine.G
Advocate
For SV Pravin Rathinam & Co

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NATIONAL GREEN TRIBUNAL,
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JOSEPHINE SHREELA G (Ms.2280/19)**

Counsel for the Applicant