

**BEFORE THE NATIONAL GREEN TRIBUNAL  
(SOUTHERN ZONE) CHENNAI**

**ORIGINAL APPLICATION No. 216 OF 2024**  
*Earlier O.A. No. 645/2024 (PB)*

**In the matter of:**

Suo Moto matter in respect of news item appearing in The Hindu dated 01.05.2024 titled  
**“Greater Chennai Corporation identifies 25 hotspots where construction debris gets  
dumped regularly”**.

.... Applicant (s)

Versus

Tamil Nadu Pollution Control Board (TNPCB)  
Through its Member Secretary and Ors.


.....Respondent(s)

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**Place: Chennai**

**Date:08.10.2024**

  
**(R.Thirunavukarasu)**  
Counsel for  
Central Pollution Control Board

**BEFORE THE NATIONAL GREEN TRIBUNAL  
(SOUTHERN ZONE) CHENNAI**

**ORIGINAL APPLICATION No. 216 OF 2024**

**Earlier O.A. No. 645/2024 (PB)**

**In the matter of:**

Suo Moto matter in respect of news item appearing in The Hindu dated 01.05.2024 titled  
“Greater Chennai Corporation identifies 25 hotspots where construction debris gets  
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.... Applicant (s)

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Through its Member Secretary and Ors.

.....Respondent(s)

**REPORT ON BEHALF OF RESPONDENT NO. 2**

**i.e CENTRAL POLLUTION CONTROL BOARD (herein after referred as CPCB)**

1. It is respectfully submitted that, Hon'ble NGT(SZ) vide order dated 01.08.2024 has sought the report of CPCB in the instant matter. Thereby, the report is made in succeeding paragraphs.
2. It is submitted that CPCB is a statutory Board constituted under Section 3 of The Water (Prevention and Control of Pollution) Act, 1974. It performs the functions under The Water (Prevention and Control of Pollution) Act, 1974, The Air (Prevention and Control of Pollution) Act, 1981 and The Environment (Protection) Act, 1986.



  
**H.D. VARALAXMI**  
Regional Director  
CENTRAL POLLUTION CONTROL BOARD  
Regional Directorate (Chennai)  
MoEF & CC, Govt. of India  
2nd Floor, 40-E, BSNL Building, TVK Industrial Estate,  
TIPET Road, Guindy, Chennai - 600032

**PRELIMINARY SUBMISSIONS:**

3. That the above Original Application (herein after referred as O.A.) No. 645/2024 has been registered on Suo moto basis based on the news item published in 'The Hindu' dated 01.05.2024 titled, "Greater Chennai Corporation identifies 25 hotspots where construction debris gets dumped regularly" in the Hon'ble Tribunal, Principal Bench, Delhi and the said OA was subsequently transferred to Chennai Bench vide order dated 31.05.2024. Further, the case was renumbered as OA No. 216/2024 in the Southern Zone, Chennai.

4. That the Hon'ble Tribunal (PB) vide order dated 31.05.2024 impleaded this Respondent and directed as follows:

*"5. Hence, we implead the following as respondents in the matter.*

*(1). Tamil Nadu State Pollution Control Board, through its Member Secretary, No. 76, Mount Salai, Guindy, Chennai-600032.*

*(2). Central Pollution Control Board, through its Member Secretary, Parivesh Bhawan, East Arjun Nagar, Delhi-110032.*

*(3). Greater Chennai Corporation, through its Ducter, Kosi-Kataunal, Almora-263 643, Uttarakhand, India*

*(4). District Collector, Chennai, 4<sup>th</sup> Floor, M. Singaravelar Maaligai, 62, Rajaji Salai, Chennai Collectorate, Chennai – 600 001.*

*6. Issue notice to the above respondents for filing their response before the appropriate Bench of the Tribunal at least one week before the next date of hearing."*

The copy of the order dated 31.05.2024 is enclosed as **Annexure I**.

5. That, subsequently the Hon'ble Tribunal (SZ) vide order dated 01.08.2024 directed this Respondent to file report as follows:

*Paragraph 2. "Let notice be issued to the respondents through the Tribunal."*



*H. D. Varalaxmi*  
**H.D.VARALAXMI**  
Regional Director  
CENTRAL POLLUTION CONTROL BOARD  
Regional Directorate (Chennai)  
MoEF & CC, Govt. of India  
2nd Floor, 40-E, BSNL Building, TVK Industrial Estate  
CIPET Road, Guindy, Chennai - 500037

Paragraph 4. "The learned counsels appearing for the appropriate authorities are directed to take the papers from the Registry and file a report before the next date of hearing."

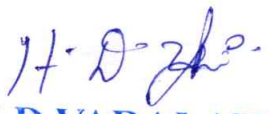
The copy of the order dated 01.08.2024 is enclosed as **Annexure II**.

6. That it is humbly submitted that the Construction and Demolition (C&D) Waste Management Rules, 2016 had been notified on 29<sup>th</sup> March, 2016 by the Central Government. As per the relevant provisions under the Construction and Demolition Waste Management Rules 2016 (hereinafter referred to as "the C&D W M Rules, 2016"), the waste generators are entrusted with the primary responsibility of collection, segregation and storage of C&D waste generated. Further, it is submitted that, in the said Rules, duties of the various Stakeholders are prescribed for effective implementation of the Rules. The relevant portion of the Rules with regard to management of C&D waste are given below:

As per Rule 4 (3), "Waste generators who generate more than 20 tons or more in one day or 300 tons per project in a month shall segregate the waste into four streams such as concrete, soil, steel, wood and plastics, bricks & mortar and shall submit waste management plan and get appropriate approvals from the local authority before starting construction or demolition or remodeling work and keep the concerned authorities informed regarding the relevant activities from the planning stage to the implementation stage and this should be on project to project basis."

As per Rule 4 (4), "Every waste generator shall keep the construction and demolition waste within the premise or get the waste deposited at collection centre so made by the local body or handover it to the authorised processing facilities of construction and demolition waste; and ensure that there is no littering or deposition of construction and demolition waste so as to prevent obstruction to the traffic or the public or drains."



  
**H.D.VARALAXMI**  
Regional Director  
CENTRAL POLLUTION CONTROL BOARD  
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As per Rule 5(2), The service providers shall remove all construction and demolition waste and clean the area every day, if possible, or depending upon the duration of the work, the quantity and type of waste generated, appropriate storage and collection, a reasonable timeframe shall be worked out in consultation with the concerned local authority. Further, as per Rule 3(i), “service provider” means authorities who provide services like water, sewerage, electricity, telephone, roads, drainage etc. often generate construction and demolition waste during their activities, which includes excavation, demolition and civil work.

As per Rule 6 (4), the local authority shall make arrangements and place appropriate containers for collection of waste and shall remove at regular intervals or when they are filled, either through own resources or by appointing private operators.

As per Rule 6(5), the local authority shall get the collected waste transported to appropriate sites for processing and disposal either through own resources or by appointing private operators.

As per Rule 8 (1), State Pollution Control Board or Pollution Control Committee shall monitor the implementation of these rules by the concerned local bodies and the competent authorities”

As per Rule 9 (2), The concerned department in the State Government dealing with land shall be responsible for providing suitable sites for setting up of the storage, processing and recycling facilities for construction and demolition waste.”

7. It is submitted that, in pursuant to the Rule 10 sub-rule 1(a) of the C&D W M Rules, 2016, the guideline titled “ENVIRONMENTAL MANAGEMENT OF C&D WASTES” was prepared by CPCB in March, 2017. Copy of the same had been



*H. D. Varalaxmi*  
**H.D.VARALAXMI**  
Regional Director  
CENTRAL POLLUTION CONTROL BOARD  
Regional Directorate (Chennai)  
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2nd Floor, 40-E, BSNL Building, TVK Industrial Estate,  
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uploaded on the Website of CPCB (Available at: <https://cpcb.nic.in/openpdffile.phpid=UmVwb3J0RmlsZXNmNTUyXzE1MTEyNjQwMTVfbWVkaWFwaG90bzQ2OTAucGRm>).

8. It is submitted that CPCB vide letter dated 08.07.2024 requested Tamil Nadu Pollution Control Board (TNPCB) to issue appropriate directions to the concerned authorities to take action against the violators and also requested to furnish action taken report with reference to assertions made in the news item titled "Greater Chennai Corporation identifies 25 hotspots where construction debris gets dumped regularly" published in 'The Hindu' dated 01.05.2024. The copy of the CPCB letter dated 08.07.2024 is enclosed as **Annexure III**.
9. It is submitted that TNPCB has submitted the action taken report (ATR) vide letter dated 22.08.2024 in which it is stated that, TNPCB vide proceedings dated 23.07.2024 has issued the direction under section 5 of the Environmental (Protection) Act, 1986 to the Greater Chennai Corporation to comply with the provisions of the C&D Waste Management Rules, 2016 and CPCB Guidelines on Environmental Management of C&D Wastes, March 2017. The copy of the ATR is enclosed as **Annexure IV**.
10. It is respectfully submitted that in light of the above submission, that this answering respondent i.e. CPCB files the above reply and the same may taken on record for passing further order(s) or direction(s) by this Hon'ble Tribunal in the instant O.A. and render justice.



Counsel for the 2<sup>nd</sup> Respondent

(H. D. Varalaxmi)  
Scientist 'E' & Regional Director, Chennai  
Central Pollution Control Board

**ORIGINAL APPLICATION No. 216 OF 2024**

***Earlier O.A. No. 645/2024 (PB)***

**In the matter of:**

Suo Moto matter in respect of news item appearing in The Hindu dated 01.05.2024 titled  
**“Greater Chennai Corporation identifies 25 hotspots where construction debris gets  
dumped regularly”.**

.... Applicant (s)

Versus

Tamil Nadu Pollution Control Board (TNPCB)  
Through its Member Secretary and Ors.

.....Respondent(s)

**AFFIDAVIT**

I, H. D. Varalaxmi, D/o Shri H.S. Devaiah, Hindu, aged about 55 years currently working as Scientist ‘E’ in Central Pollution Control Board, Regional Directorate- Chennai, 2nd Floor, 40-E, BSNL Building, TVK Industrial Estate, CIPET Road, Guindy, Chennai – 600 032, do hereby solemnly affirm, declare on oath and sincerely state as under: -

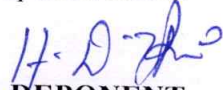
1. That, the deponent herein is authorized representative to represent the Respondent CPCB in the present case, and as such, well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, competent and authorized to verify, sign and swear this affidavit on behalf of the Respondent CPCB.
2. That, the accompanying report may be read part and parcel of the present affidavit.


3. That, the accompanying report has been drafted and filed under my instructions and authority the contents thereof are true and correct on the basis of the record maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.


**VERIFICATION**

Verified at Chennai on this the 08<sup>th</sup> day of October, 2024 that the contents of the above report are correct and true on the basis of the record of the cases as mentioned in the day to day affairs of the CPCB. Nothing has been concealed therefrom or mis-stated.

Signed and verified at Chennai on this the 08<sup>th</sup> Day of October, 2024

  
**DEPONENT**  
**H.D. VARALAXMI**  
Regional Director  
CENTRAL POLLUTION CONTROL BOARD  
Regional Directorate (Chennai)  
MoEF & CC, Govt. of India  
2nd Floor, 40-E, BSNL Building, TVK Industrial Estate,  
CIPET Road, Guindy, Chennai - 600032

  
**DEPONENT**  
**H.D. VARALAXMI**  
Regional Director  
CENTRAL POLLUTION CONTROL BOARD  
Regional Directorate (Chennai)  
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2nd Floor, 40-E, BSNL Building, TVK Industrial Estate,  
CIPET Road, Guindy, Chennai - 600032

  
**M/s. R. Thirunavukarasu**  
**Counsel for the 2<sup>nd</sup> Respondent**  
**M-9444012986**

Item No. 07

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 645/2024

News Item titled "Greater Chennai Corporation identifies 25 hotspots where construction debris gets dumped regularly" appearing in The Hindu dated 01.05.2024

Date of hearing: 31.05.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

**ORDER**

1. This original application is registered *suo motu* on the basis of the news item titled "Greater Chennai Corporation identifies 25 hotspots where construction debris gets dumped regularly" appearing in 'The Hindu' dated 01.05.2024.

2. The news item relates to the dumping of construction debris in Chennai, Tamil Nadu. As per the news item, the Greater Chennai Corporation (GCC) has identified 25 dumping hotspots. The article records a statement from a resident saying that debris continues to be dumped in the pathways behind Arupadai Veedu Murugan temple in Basant Nagar since 2018. The news item highlights the plight of the people who live in the city as they face various problems due to such dumping. The news item states that in another hotspot, roughly 7-8 months after over 50 tonnes of waste was cleared by GCC, the waste has reappeared and has been increasing since. The news item discloses rise in the real estate development as one of the issues cited by many which is leading to increase in construction debris. The news item further highlights the top five hotspots identified by GCC for dumping - Otteri

Nullah, Mambalam Canal banks, behind Omandurar Tamil Nadu Government Multi Super Speciality Hospital, Mylapore Railway Station surroundings, and East Coast Road fringes.

3. The news item raises substantial issue relating to compliance of the environmental norms, especially compliance of the Solid Waste Management Rules, 2016, the Construction and Demolition Waste Management Rules, 2016 and the Environment (Protection) Act, 1986.

4. Power of the Tribunal to take up the matter *suo-motu* has been recognized by the Hon'ble Supreme Court in the matter of "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors.*" reported in 2021 SCC Online SC 897.

5. Hence, we implead the following as respondents in the matter:

- (1). Tamil Nadu State Pollution Control Board, through its Member Secretary, No. 76, Mount Salai, Guindy, Chennai-600032.
- (2). Central Pollution Control Board, through its Member Secretary, Parivesh Bhawan, East Arjun Nagar, Delhi-110032.
- (3). Greater Chennai Corporation, through its Director, Kosi-Katarmal, Almora-263 643, Uttarakhand, India
- (4). District Collector, Chennai, 4<sup>th</sup> Floor, M. Singaravelar Maaligai, 62, Rajaji Salai, Chennai Collectorate, Chennai – 600 001.

6. Issue notice to the above respondents for filing their response before the appropriate Bench of the Tribunal at least one week before the next date of hearing.

7. Since the matter falls within the jurisdiction of Southern Zonal Bench of the Tribunal, therefore, the OA is transferred to the Southern Zonal Bench, Chennai for appropriate further action. Let the original record of the OA be transferred to Southern Zonal Bench, Chennai.

8. List before Southern Zonal Bench at Chennai on 24.07.2024.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

May 31, 2024  
Original Application No. 645/2024  
DV

**Item No.12:-**

**BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI**

(Through Video Conference)

**Original Application No. 216 of 2024 (SZ)**

[Earlier O.A. No. 645 of 2024(PB)]

**IN THE MATTER OF:**

Suo Moto matter in respect of news item appearing in The Hindu dated 01.05.2024 titled **“Greater Chennai Corporation identifies 25 hotspots where construction debris gets dumped regularly”**.

*And*

Tamil Nadu Pollution Control Board (TNPCB),  
Through its Member Secretary,  
Chennai and ors.



...Respondent(s)

**Date of hearing: 01.08.2024.**

**CORAM:**

**HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER**

**HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER**

For Applicant(s): Suo Motu.

For Respondent(s): Mr. S. Sai Sathya Jith for R1.  
Dr. D. Shanmuganathan represented  
Mr. Thirunavukarasu for R2.  
Dr. D. Shanmuganathan for R4.

**ORDER**

1. The above case has been Suo Motu registered by the Principal Bench of the National Green Tribunal, New Delhi as Original Application No.645 of 2024 (PB) based on the news item published in 'The Hindu' dated 01.05.2024 titled, "**Greater Chennai Corporation identifies 25 hotspots where construction debris gets dumped regularly**" which has been transferred to this Bench and renumbered as Original Application No.216 of 2024 (SZ).
2. Let notice be issued to the respondents through the Tribunal.
3. The learned counsel Mr. S. Sai Sathya Jith accepts notice on behalf of Respondent No.1, Dr. D. Shanmuganathan representing Mr. Thirunavukarasu accepts notice on behalf of Respondent No.2 and Dr. D. Shanmuganathan accepts notice on behalf of Respondent No.4.
4. The learned counsels appearing for the appropriate authorities are directed to take the papers from the Registry and file a report before the next date of hearing.
5. Post the matter on **30.08.2024**.

Sd/-  
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-  
Dr. Satyagopal Korlapati, EM

O.A. No. 216/2024 (SZ)  
01<sup>st</sup> August, 2024. AD.



File No.: CM-13013/17/2024-TECH-RD-CHENNAI-RD (Chennai)/326

08.07.2024

To

The Member Secretary  
Tamil Nadu Pollution Control Board  
No. 76, Mount Salai  
Guindy, Chennai – 600 032

**Sub: Submission of Action Taken Report (ATR) in the matter of O.A.No.645/2024 (PB), Suo Moto matter regarding News item appearing in The Hindu dated 01.05.2024 Titled "Greater Chennai Corporation identifies 25 hotspots where construction debris gets dumped regularly"**

Sir,

Hon'ble NGT, PB, Delhi has registered original application no. 645 of 2024, *suo motu* on the basis of the news item titled "Greater Chennai Corporation identifies 25 hotspots where construction debris gets dumped regularly" based on the news article published in 'The Hindu' dated 01.05.2024.

Hon'ble Tribunal in its order dated 31.05.2024 directed to Issue notice to the respondents for filing the response before the Southern Zonal Bench at least one week before the next date of hearing and also transferred the matter to Southern Zonal Bench, Chennai for hearing on 24.07.2024.

The matter is related to illegal dumping of debris and violating the various environmental laws including the non-compliance of the Construction and Demolition Waste Management Rules, 2016

Whereas, CPCB has published a "GUIDELINES ON ENVIRONMENTAL MANAGEMENT OF C & D WASTES" in compliance of Rule 10 sub-rule 1(a) of C & D Waste Management Rules, 2016.

In view of the above-mentioned observation, it is kindly requested to issue appropriate directions to the concerned authorities to take action against the violators and also requested to submit the Action Taken Report at the earliest for filing in Hon'ble NGT(SZ), Chennai.

Yours faithfully

(H. D. Varalaxmi)  
Regional Director

क्षेत्रीय निदेशालय ( चेन्नई ) : द्वितीय तल , 40-ई, बीएसएनएल बिल्डिंग, थिरु-वी-का औद्योगिक एस्टेट, सिपेट रोड गिंडी, चेन्नई – 600032

दूरभाष: 044-29998683/044-29567019 ईमेल: rdchennai.cpcb@gov.in

Regional Directorate (Chennai): Second Floor, 40-E, BSNL Building, TVK Industrial Estate, CIPET Road Guindy, Chennai – 600032

Phone: 044-29998683/044-29567019 Email: rdchennai.cpcb@gov.in

प्रधान कार्यालय : परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली -110 032

Head Office: Parivesh Bhawan, East Arjun Nagar, Delhi – 110032

दूरभाष /Telephone: 011-43102030, Fax : 22305793, 22307078, 22307079, 22301932, 22304948

ई-मेल / E-mail: cpcb@nic.in वैबसाइट / Website : www.cpcb.nic.in



Page no. 14  
केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

फ़ा.सं. सीएम-13013/17/2024-टेक-क्षे. नि.-चेन्नई- क्षे. नि. (चेन्नई)/326

08.07.2024

सेवा में,

सदस्य सचिव  
तमिलनाडु प्रदूषण नियंत्रण बोर्ड  
नंबर 76, माउंट सलाई  
गिंडी, चेन्नई - 600 032

**विषय:** द हिंदू में दिनांक 01.05.2024 को प्रकाशित समाचार आइटम जिसका शीर्षक था "ग्रेटर चेन्नई कॉर्पोरेशन 25 हॉटस्पॉट की पहचान करता है जहां निर्माण मलबे को नियमित रूप से डंप किया जाता है" के संबंध में सुओ मोटो मामला मूल आवेदन संख्या 645/2024(प्रधान पीठ) के मामले में की गई कार्रवाई रिपोर्ट (एटीआर) प्रस्तुत करना।

महोदय,

द हिंदू में दिनांक 01.05.2024 को प्रकाशित समाचार आइटम जिसका शीर्षक था "ग्रेटर चेन्नई कॉर्पोरेशन 25 हॉटस्पॉट की पहचान करता है जहां निर्माण मलबे को नियमित रूप से डंप किया जाता है" के संबंध में सुओ मोटो मामले में माननीय राष्ट्रीय हरित न्यायाधिकरण, प्रधान पीठ, दिल्ली ने पंजीकृत कर ली है।

माननीय न्यायाधिकरण ने अपने आदेश दिनांक 31.05.2024 में प्रतिवादियों को सुनवाई की अगली तारीख से कम से कम एक सप्ताह पहले दक्षिणी जोनल बेंच के समक्ष जवाब दाखिल करने के लिए नोटिस जारी करने का निर्देश दिया और 24.07.2024 को सुनवाई के लिए मामले को दक्षिणी जोनल बेंच, चेन्नई में स्थानांतरित कर दिया।

यह मामला मलबे की अवैध डंपिंग और निर्माण और विध्वंस अपशिष्ट प्रबंधन नियम, 2016 का अनुपालन न करने सहित विभिन्न पर्यावरण कानूनों का उल्लंघन करने से संबंधित है।

जबकि, केंद्रीय प्रदूषण नियंत्रण बोर्ड ने निर्माण और विध्वंस अपशिष्ट प्रबंधन नियम, 2016 के नियम 10 उप-नियम 1 (ए) के अनुपालन में "निर्माण और विध्वंस कचरे के पर्यावरण प्रबंधन पर दिशानिर्देश" प्रकाशित किया है।

उपर्युक्त अवलोकन के मद्देनजर, कृपया उल्लंघनकर्ताओं के खिलाफ कार्रवाई करने के लिए संबंधित अधिकारियों को उचित निर्देश जारी करने का अनुरोध किया जाता है और माननीय राष्ट्रीय हरित न्यायाधिकरण (एसजेड), चेन्नई में दाखिल करने के लिए जल्द से जल्द की गई कार्रवाई रिपोर्ट प्रस्तुत करने का भी अनुरोध किया जाता है।

निष्ठापूर्वक

*(एच. डी. वरलक्ष्मी)*

(एच. डी. वरलक्ष्मी)  
क्षेत्रीय निदेशक

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By Speed Post



## TAMIL NADU POLLUTION CONTROL BOARD



**Proc. No. T3/TNPCB/LAW/NGT/F.16075/C& D/2024 dated: 23.07.2024**

**Sub:** TNPCB – Construction & Demolition Waste Management– Hon'ble NGT O.A.No.645 of 2024 – To comply with the provisions of Construction & Demolition Waste Management Rules, 2016 and CPCB Guidelines on Environmental Management of Construction & Demolition (C&D) Wastes, March 2017 - Directions under Section 5 of the Environment (Protection) Act, 1986 as amended- Orders issued- Regarding.

**Ref:** 1. Construction & Demolition Waste Management Rules, 2016.  
2. CPCB Guidelines on Environmental Management of Construction & Demolition (C&D) Wastes, March 2017.  
3. Hon'ble NGT (PB) O.A.No. 645 of 2024.  
4. CPCB Lr.No.CM-13013/17/2024/TECH-RD-CHENNAI-RD(Chennai)/326 dated: 08.07.2024.

\*\*\*\*\*

Whereas the Ministry of Environment Forest and Climate Change, Government of India, in exercise of the powers conferred by section 6, and 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Municipal Solid Waste (Management and Handling) Rules, 2000, except as respect things done or omitted to be done before such suppression has notified the Construction and Demolition waste Management Rules, 2016. The rules is self explanatory.

Whereas, in Rule 6 of the Construction and Demolition waste Management Rules, 2016 prescribes the duties of local authority as follows,

**“(6) Duties of local authority-**

*The local authority shall,-*

*(1) issue detailed directions with regard to proper management of construction and demolition waste within its jurisdiction in accordance with the provisions of these rules and the local authority shall seek detailed plan or undertaking as applicable, from generator of construction and demolition waste;*

*(2) chalk out stages, methodology and equipment, material involved in the overall activity and final clean up after completion of the construction and demolition ;*

*(3) seek assistance from concerned authorities for safe disposal of construction and demolition waste contaminated with industrial hazardous or toxic material or nuclear waste if any;*

*(4) shall make arrangements and place appropriate containers for collection of waste and shall remove at regular intervals or when they are filled, either through own resources or by appointing private operators;*

(5) shall get the collected waste transported to appropriate sites for processing and disposal either through own resources or by appointing private operators;

(6) shall give appropriate incentives to generator for salvaging, processing and or recycling preferably in-situ;

(7) shall examine and sanction the waste management plan of the generators within a period of one month or from the date of approval of building plan, whichever is earlier from the date of its submission;

(8) shall keep track of the generation of construction and demolition waste within its jurisdiction and establish a data base and update once in a year;

(9) shall device appropriate measures in consultation with expert institutions for management of construction and demolition waste generated including processing facility and for using the recycled products in the best possible manner;

(10) shall create a sustained system of information, education and communication for construction and demolition waste through collaboration with expert institutions and civil societies and also disseminate through their own website;

(11) shall make provision for giving incentives for use of material made out of construction and demolition waste in the construction activity including in non-structural concrete, paving blocks, lower layers of road pavements, colony and rural roads.”

Whereas, the Hon'ble NGT (PB) has admitted a Suo Motu based on the news item published in the daily, The Hindu dated: 01.05.2024 titled “Greater Chennai Corporation identifies 25 hotspots where construction & debris gets dumped regularly”. The news item further highlights the top five hot spots identified by GCC for dumping – Otteri Nullah, Mambalam Canal banks, behind Omandurar Tamil Nadu Government Multi Super Speciality Hospital, Mylapore Railway Station surroundings, and East Coast Road fringes.

In this connection, Central Pollution Control Board vide reference 4<sup>th</sup> cited has stated that, the matter is related to illegal dumping of debris and violating the various environmental laws including the non compliance of the Construction and Demolition Waste Management Rules, 2016 and directed the TNPCB to issue appropriate directions to the concerned authorities to take action against the violators.



## TAMIL NADU POLLUTION CONTROL BOARD



Whereas, in compliance of Rule 10 sub rule 1 (a) of the Construction & Demolition Waste Management Rules, 2016 the Central Pollution Control Board has developed and published "Guidelines on Environmental Management of Construction and Demolition (C&D) Wastes (March 2017).

Now therefore, in exercise of the powers conferred under Section 5 of the Environment (Protection) Act, 1986 as amended the TNPCBoard hereby issues the following direction to the Commissioner, Greater Chennai Corporation for compliance,

1. To comply with the provisions of the Construction & Demolition Waste Management Rules, 2016 and the duties prescribed therein.
2. To take action on the violators to prevent illegal dumping of the Construction and Demolition Wastes.
3. To ensure implementation of the CPCB Guidelines on Environmental Management of Construction & Demolition (C&D) Wastes, March 2017 related to Construction & Demolition Waste processing.

To

The Commissioner,  
Greater Chennai Corporation  
Ripon Building,  
Chennai -600 003.

For Chairperson

*[Signature]*  
23/07/2024

### Copy Submitted To:

1. Principal Secretary to Government,  
Environment, Climate Change & Forests Department,  
Secretariat,  
Chennai – 600 009.
2. The Additional Chief Secretary to Government,  
Municipal Administration and Water Supply Department,  
Secretariat,  
Chennai – 600 009.

### Copy To

1. The Joint Chief Environmental Engineers ,  
Tamil Nadu Pollution Control Board,  
Chennai & Chengalpattu.
2. The District Environmental Engineers,  
Tamil Nadu Pollution Control Board,  
Chennai, Chennai (South), Ambattur, Marai Malai Nagar.
3. ✓ File Copy.

**BEFORE THE NATIONAL GREEN TRIBUNAL  
(SOUTHERN ZONE) CHENNAI**

**O.A. No. 216 OF 2024 (SZ)**

*Earlier O.A. No. 645/2024 (PB)*

**In the matter of:**

Tribunal on its own motion SUO MOTU based on the News Item appearing in The Hindu dated 01.05.2024 titled “**Greater Chennai Corporation identifies 25 hotspots where construction debris gets dumped regularly**”.

”

..... Applicant (s)

Versus

Tamil Nadu Pollution Control Board  
Through its Member Secretary and Ors.

.....Respondent(s)

**REPORT ON BEHALF OF RESPONDENT No. 2**  
**CENTRAL POLLUTION CONTROL BOARD**

**M/s R.Thirunavukarasu**  
**Counsel for the 2<sup>nd</sup> Respondent**

**M-9444012986**