

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

**ORIGINAL APPLICATION NO. 197 OF 2024 (SZ)  
[EARLIER ORIGINAL APPLICATION NO. 549 OF 2024 (PB)]**

**IN THE MATTER OF:**

Suo Moto matter in respect of news item appearing in The Times of India dated 07.04.2024 titled "ECR backwaters turn dump yard".

**VERSUS**

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

**-RESPONDENT(S)**

**INDEX**

S. No.	Particulars	Page No.
1	Reply along with Affidavit on Behalf of Respondent No. 2, i.e., Central Pollution Control Board	1 - 9
2	Annexure-1: Copy of the letter dated 02.08.2024 sent to Tamil Nadu Pollution Control Board (TNPCB) requesting to submit Action Taken Report (ATR) and Water Quality Monitoring report	10 - 11
3	Annexure-2: Copy of the ATR dated 02.12.2024 submitted by Tamil Nadu Pollution Control Board (TNPCB)	12 - 18
4	Annexure-3: Direction issued under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 vide dated 23.09.2024 by TNPCB to the Commissioner, Commissionerate of Transport and Road safety, Chennai	19 - 20
5	Annexure-4: Direction issued under Section 5 of the E(P) Act, 1986 vide dated 22.11.2024 by TNPCB to the Block Development Officer, Thiruporur Panchayat Union, Chengalpattu District	21 - 24

Place: Chennai

Date:

Counsel for Central Pollution Control Board

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Through its Member Secretary, Chennai and Ors.

**-RESPONDENT(S)**

**REPLY ON BEHALF OF THE RESPONDENT NO. 2: CENTRAL  
POLLUTION CONTROL BOARD (CPCB)**

1. That, Hon'ble NGT (PB) vide order dated 17.05.2024 in case of Original Application No. 549 of 2024 (PB), impleaded Central Pollution Control Board (hereinafter referred as CPCB) as Respondent No. 2 and sought the response in the instant matter. Thereby, the reply is made in this instant Original Application (hereinafter referred as OA) in succeeding paragraphs.
2. That at the outset, the Answering Respondent deny all claims, contentions, allegations and averments against answering respondent CPCB in the above OA contrary to anything stated or submitted in this reply. Nothing in the OA



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may be deemed to have been accepted or admitted by the Answering Respondent for want of a specific denial or on the ground of non-traverse, save and except any averment which has been expressly admitted hereinafter.

3. 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.

## REPLY

1. That, the matter is related to the dumping and burning of excess waste near Muttukadu backwaters in Chennai (Tamil Nadu) based on a News item published in The Times of India dated 07.04.2024 titled “ECR backwaters turn dump yard”. The issue raised in the News item is about, a dozen village panchayats along the East Coast Road have no solid waste management infrastructure and are therefore dumping excess waste in the backwaters. The article alleges that waste is dumped near the upcoming Kelambakkam bypass junction despite National Green Tribunal orders, causing health hazards and water body pollution. It was mentioned in the article that The Hon’ble NGT in the year 2021 directed Thiruporur Panchayat union to implement Solid Waste Management Rules, 2016 and also to file a status



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report (in the matter of OA No. 133/2021 (SZ) with OA No. 113/2021 (SZ)). The news item states that the residents of the area have complained that they are unable to open their windows as the wind pushes smoke from burning garbage towards their houses. It alleges that close to 1,000 tonnes of waste is generated daily by about 10 village panchayats on ECR-OMR stretch, with an approximate population of at least four-lakh people. The article further states that such dumping may create legacy landfills. Harmful leachate can enter backwaters and groundwater.

2. That, it is humbly submitted that The Hon'ble NGT (PB) in its order dated 17.05.2024 transferred the case to Hon'ble NGT Southern Zone, Chennai and was re-numbered as OA No. 197 of 2024 (SZ). The matter was taken up for hearing on 14.10.2024 and impleaded three more respondents and directed all respondents to file their replies/reports.
3. That, it is humbly submitted that CPCB has pursued the said matter with Tamil Nadu Pollution Control Board (hereinafter referred as TNPCB) vide email and letter dated 02.08.2024 to submit Action Taken Report (ATR). A copy of the letter addressed to TNPCB is annexed as **Annexure-1**. The Action Taken Report submitted by TNPCB vide Letter No. TNPCB/LAW/NGT/018515/2024 dated 2.12.2024 is attached as **Annexure-2**.
4. That, it is humbly submitted that, Ministry of Environment, Forest & Climate Change has notified the Solid Waste Management Rules (SWM)



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2016 vide notification No. S.O 1357(E) dated April 8, 2016 in supersession of Municipal Solid Waste (Management and Handling) Rules 2000. As per Rule 15 of the Solid Waste Management Rules 2016 (hereinafter referred to as 'SWM Rules 2016'), the local bodies and panchayats are entrusted with the primary responsibility of collection and management of municipal solid waste, maintenance and operation of the solid waste processing sites and dump sites etc. in accordance to the provisions of these Rules.

5. That, as per Rule 15 (y) of the SWM Rules 2016, local bodies have to obtain an authorization for setting up waste processing, treatment, recycling or disposal facility including sanitary landfills from State Pollution Control Board or Pollution Control Committees. As per Rule 16 of the said rules, the State Pollution Control Board or Pollution Control Committees (SPCBs/PCCs) are entrusted with the responsibility of enforcement of the SWM Rules 2016 in their states through local bodies in their respective jurisdiction and a periodical review of implementation with monitoring of environmental standards and adherence to conditions prescribed under these Rules. The SPCBs/PCCs are also entrusted with the responsibility of issuance of authorization to the local bodies after examining the proposals submitted by them.
6. That, it is submitted that, municipal solid waste shall be processed, treated and disposed as per schedule II of SWM Rules, 2016 and that the local bodies within their jurisdiction are responsible for the implementation of the



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provisions of the SWM Rules, 2016, and for any infrastructure development for collection, storage, segregation, transportation, processing and disposal of municipal solid wastes.

7. That, it is submitted that, as per the Action Taken Report (ATR) dated 2.12.2024 received from TNPCB, the following are the key observations and action taken by TNPCB:

- i. TNPCB officials of Maraimalainagar, Chengalpattu inspected Muttukadu backwaters on 30.05.2024 & 31.05.2024 along with Block Development Officer, Thiruporur Panchayat Union. During inspection, it was noticed that sewage tanker lorries were discharging raw sewage collected from nearby habitation disposing into Buckingham canal and polluting the water body. It was recommended to issue directions to Transport Commissioner, Chennai to cancel registration certificate of sewage tankers as per The Motor Vehicles Act, 1988 and also to Block Development Officer, Thiruporur Panchayat Union, to stop dumping & burning of solid waste along the bank of Buckingham canal and to levy Environmental Compensation of Rs. 63Lakhs for not properly implementing Solid Waste Management Rules, 2016 & also for not complying with Hon'ble NGT directions in the matter of OA No. 231 of 2020 (SZ) informed vide letter dated 31.05.2024.
- ii. Further, TNPCB officials carried out Ambient air quality monitoring for PM<sub>10</sub>, PM<sub>2.5</sub>, SO<sub>2</sub>, & NO<sub>2</sub> parameters at four locations near



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Thiruporur Block on 31.05.2024. It was stated that as per analysis results, all the parameters are within the prescribed standards.

iii. TNPCB issued the following directions on 23.09.2024 (**Annexure-3**) to the Commissioner, Commissionerate of Transport and Road safety, Chennai under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974:

a. To direct the concerned Regional Transport Officers to cancel the registration certificate of the tanker lorries with the following register number (i) TN 14 AC 3549 (ii) TN 20 BY 5650 (iii) TN 07 BY 4020 (iv) TN 40 B 7268 (v) TN 30 Y 4569 & (vi) TN 18 P 5737 as per the Motor Vehicles Act, 1988 as amended for discharging raw sewage collected from the nearby habitations into Buckingham Canal and the vehicles shall be kept under the custody of Block Development Officer, Thiruporur Panchayat Union.

b. To give wide publicity about the cancellation of the Registration Certificate of the tanker lorries in the daily newspapers through concerned RTOS so as to curtail the illegal disposal of sewage by the tanker lorries in the future.

iv. TNPCB officials of Maraimalainagar, Chengalpattu once again inspected the said area on 12.10.2024, and observed that the solid waste generated from the villages of Thiruporur Panchayat Union are being collected and dumped on the banks of the Buckingham Canal



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without any segregation. Then, the unsegregated solid waste is frequently transported to the Kolathur Village, Kattankulathur Block for further processing; thus failed to implement the provisions stipulated under Solid Waste Management Rules, 2016 w.r.t mandatory segregation, collection, transportation, storage, processing and disposal methods.

- v. Subsequently, TNPCB issued the following directions on 22.11.2024 (**Annexure-4**) to the Block Development Officer, Thiruporur Panchayat Union, Chengalpattu District under Section 5 of the Environment (Protection) Act, 1986:
- a. To ensure 100 percent 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.
  - b. To stop dumping and burning of unsegregated municipal solid waste along the bank of the Buckingham Canal or at any site of the Panchayat Union.
  - c. To setup required capacity of solid waste processing facilities for the processing of municipal solid waste generated in the Panchayat Union.
  - d. To ensure no discharge of untreated sewage into the Buckingham Canal and to provide Underground Sewerage System within their jurisdiction to collect the sewage generated



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and transmit it to the Sewage Treatment Plant for treating the same.

- e. To deploy Security Guards, Crush barrier, Compound wall (with temporary sheets) to avoid discharge of untreated sewage by the tanker lorries into the Buckingham Canal.
  - f. To remit interim Environmental Compensation of Rs.75 lakhs (Rs.25 lakh X 3 Village Panchayats – Muttukadu, Padur and Navalur) from the period 25.08.2022 to 31.09.2024 for noncompliance of the Solid Waste Management Rules, 2016.
8. That TNPCB shall monitor and ensure compliance of the above directions and also ensure enforcement of provisions of the SWM Rules 2016.
9. That, in light of the above submission, it is respectfully submitted that this Answering Respondent, i.e. CPCB shall abide by any order(s) or direction(s) passed by this Hon'ble Tribunal in the instant OA.



H. D. Varalaxmi

H. D. Varalaxmi  
Scientist E & Regional Director  
CPCB, Chennai

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

**ORIGINAL APPLICATION NO. 197 OF 2024 (SZ)  
[EARLIER ORIGINAL APPLICATION NO. 549 OF 2024 (PB)]**

**IN THE MATTER OF:**

Suo Moto matter in respect of news item appearing in The Times of India dated 07.04.2024 titled "ECR backwaters turn dump yard".

**VERSUS**

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

**-RESPONDENT(S)**

**AFFIDAVIT**

I, H. D. Varalaxmi, D/o Shri H.S. Devaiah, Hindu, aged about 55 years and having office at the Regional Directorate - Chennai, Central Pollution Control Board, 40-E, 2nd Floor, BSNL Building, TVK Industrial Estate, CIPET Road, Chennai - 600 032, do hereby solemnly affirm and sincerely state as follows:

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



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3. That the accompanying reply has been drafted and filed under my instructions and authority the contents thereof of 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.

*H.D. Varalaxmi*

**DEPONENT**

**H.D. VARALAXMI**, M.Tech  
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### VERIFICATION

Verified at Chennai on this 9<sup>th</sup> day of December 2024 that the contents of the above reply 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.

Verified at Chennai on this the 9<sup>th</sup> day of December 2024

*H.D. Varalaxmi*

**DEPONENT**

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COUNSEL FOR CPCB



केंद्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

F.No. Tech/12/Gen(TN)/RDC/2024-25/ 418

Date: 02.08.2024

To

The Member Secretary  
Tamil Nadu Pollution Control Board  
No.76, Mount Road, Guindy  
Chennai-600032

**Sub: Request to provide ATR in case of OA No. 549 of 2024 against dumping and burning of waste near Muttukadu backwaters in Chennai (Tamil Nadu).**

Sir,

The Hon'ble National Green Tribunal, Principal Bench, Delhi has registered a Suo Motu case Original Application No.549/2024 based on the News item published in the Times of India dated 07.04.2024, titled "ECR backwaters turn dump yard". This News item relates to the dumping and burning of excess waste near Muttukadu backwaters in Chennai (Tamil Nadu).

In this connection, it is kindly requested to provide action taken report (ATR) and analysis results, if any water quality monitoring conducted to this office at the earliest.

Yours faithfully

**(H. D. Varalaxmi)**  
Regional Director

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

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

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फ़ा. नतक :./12/जनरल(त.ना)/क्षे.नि.चे./2024-25/ 418

दिनांक: 02.08.2024

सेवा में

सदस्य सचिव  
तमिलनाडु राज्य प्रदूषण नियंत्रण बोर्ड  
नंबर 76, माउंट रोड, गिंडी  
चेन्नई-600032

**विषय: चेन्नई (तमिलनाडु) में मुत्तुकाडु बैकवाटर के पास कचरे को डंप करने और जलाने के खिलाफ एटीआर प्रदान करने का अनुरोध।**

महोदय,

माननीय राष्ट्रीय हरित अधिकरण, प्रधान पीठ, दिल्ली ने टाइम्स ऑफ इंडिया में दिनांक 07.04.2024 को प्रकाशित समाचार आइटम, जिसका शीर्षक था "ईसीआर बैकवाटर्स टर्न डम्प यार्ड" के आधार पर स्वप्रेरणा से मामला मूल आवेदन संख्या 549/2024 दर्ज किया है। यह समाचार आइटम चेन्नई (तमिलनाडु) में मुत्तुकाडु बैकवाटर्स के पास अतिरिक्त कचरे को डंप करने और जलाने से संबंधित है।

इस संबंध में, कृपया टीएनपीसीबी द्वारा की गई कार्रवाई रिपोर्ट प्रदान करने का अनुरोध किया जाता है। यदि कोई जल गुणवत्ता निगरानी की गई है, तो कृपया कार्रवाई रिपोर्ट के साथ जल गुणवत्ता विश्लेषण रिपोर्ट इस कार्यालय को जल्द से जल्द उपलब्ध कराएं।

निष्ठापूर्वक,

(एच. डि. वरलक्ष्मी)  
क्षेत्रीय निदेशक



# TAMIL NADU POLLUTION CONTROL BOARD



From  
Er. R. Kannan, M.Tech.,  
Member Secretary,  
Tamil Nadu Pollution Control Board,  
76, Mount Salai, Guindy,  
Chennai – 600 032.

To  
The Regional Director,  
Central Pollution Control Board,  
Regional Directorate (Chennai)  
40 – E, BSNL Building,  
TVK Industrial Estate,  
CIPET Road, Guindy  
Chennai – 600 032..

**LetterNo.TNPCB/LAW/NGT/018515/2024, Dated:02 12.2024**

Sir,

**Sub:** TNPC Board – LAW – NGT (PB), New Delhi - O.A. No.549 of 2024 taken as a Suo Motu in respect of news item appearing in The Times of India dated 07.04.2024 titled “ECR backwaters turn dump yard”– Action Taken Report and ROA- sent herewith - Reg.

**Ref:** - 1. CPCB - F.No.Tech/12/Gen(TN)/RDC/2024-25/ dated 2.8.2024.  
2. Order of NGT, (PB) in OA No.549 of 2024 - dated 17.5.2024.

The Hon'ble NGT (PB) has initiated a Suo Motu proceeding in O.A. No.549 of 2024 based on the News published in the "Times of India" dated 07.04.2024 titled: " ECR backwaters turn dump yard" in the matter of dumping and burning of excess municipal solid waste near Muttukadu backwaters in Chennai. The above said O.A has been transferred to NGT, Southern Zone, Chennai and renumbered as O.A No.197 of 2024, (SZ), Chennai.

In the reference first cited, the Regional Director, CPCB, Chennai has requested the Board to provide Action taken report (ATR) and any submitted, if any water quality monitoring conducted for the above case. In this regard, the said area was inspected by TNPCB officials of O/o DEE, Maraimalai Nagar along with the Block Development Officer, Thiruporur Panchayat Union on 30.05.2024 & 31.05.2024 and the following recommendations were submitted to the Board vide the District Environmental Engineer, Maraimalainagar letter dated 31.05.2024

I. To issue direction to the Transport Commissioner, Chennai

- a. To cancel the Registration Certificate (RC) of the sewage tanker lorries as per THE MOTOR VEHICLES ACT, 1988 as the sewage tanker lorries were found discharging raw sewage collected from the nearby habitation and disposing the same into the Buckingham canal and polluting the said water body.

II. To issue the following directions to the Block Development Officer, TiruporurPanchayat Union

- a. The Block Development Officer, TiruporurPanchayat Union shall ensure that no discharge of untreated sewage into the Buckingham Canal and take all initiatives steps to provide Underground Sewerage Scheme within their respective area of jurisdiction to collect the sewage generated and transmit the same to the Sewage Treatment Plants and treat the same before it is discharged into the water bodies after achieving the standards prescribed by the Board and to deploy Security Guards, Crush barrier, Compound wall with (temporary sheets) to be avoid decanting of untreated sewage by the sewage loaded tanker lorries in the Buckingham Canal and to remove the garbage near Buckingham Canal in the said location.
- b. The Block Development Officer, Tiruporur Panchayat Union shall take necessary steps to stop the dumping and burning of unsegregated municipal solid waste along the bank of the Buckingham Canal.
- c. The Block Development Officer, Tiruporur Panchayat Union shall stop the dumping and burning of unsegregated municipal solid waste and 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.
- d. The Block Development Officer, Tiruporur Panchayat Union shall create awareness regarding the source segregation of the solid wastes and to encourage the public to deposit only segregated wastes and shall deploy sanitary supervisors to conduct various demonstrations regarding the segregation of the solid wastes and



## TAMIL NADU POLLUTION CONTROL BOARD



to demonstrate the home composting process to the residents in all the residential areas in its jurisdiction.

Further, it is informed that the District Environmental Engineer, Maraimalainagar recommended the Board for levying Environmental Compensation of Rs.63 lakhs (Sixty three lakhs) under Section 5 of the Environment (Protection) Act 1986, to the Block Development Officer, Thiruporur Panchayat Union, Chengalpattu District for not properly carrying out the implementation of Solid Waste Management Rules, 2016 & not adhering to the direction of the Hon'ble National Green Tribunal (SZ), Chennai in its order dated.25.08.2022 in the matter of O.A.No.231 of 2020 (SZ) vide the letter dated 31.05.2024.

### III. Details of Ambient air quality survey conducted in the said location

It is respectfully submitted that the Ambient air quality survey was conducted through Board's laboratory in four locations near Thiruporur Block on 31.05.2024 and RoA reveals that all the parameters are within the standards prescribed by the Board

S.No.	Location	PM <sub>10</sub> µg/m <sup>3</sup>	PM <sub>2.5</sub> µg/m <sup>3</sup>	SO <sub>2</sub> µg/m <sup>3</sup>	NO <sub>2</sub> µg/m <sup>3</sup>	TVOC
01	Ramaniyam Apartment	81.20	27.31	14	60	3.594
02	Kidzee School	51.81	-	23	45	1.019
03	OutsideM/s Valeth Hitech Composites (P) Ltd	40.76	90-	19	32	0.815
04	Samathuva Nagar	29.30	-	10	14	0.512

### IV. Direction issued to the Commissioner, Commissionerate of Transport and Road Safety, Chennai:

Based on the District Environmental Engineer, Maraimalainagar inspection report and his recommendation, the Board has issued the following directions under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 as amended to the Commissioner, Commissionerate of

Transport and Road Safety, Chennai vide Board's Proc. No. T3/TNPCB/F.05958/Complaint/Sewage/2024 dated 23.09.2024.

1. To direct the concerned Regional Transport Officers to cancel the registration certificate of the tanker lorries with the following register number (i) TN 14 AC 3549 (ii) TN 20 BY 5650, (iii) TN 07 BY 4020, (iv) TN 40 B 7268, (v) TN 30 Y 4569 & (vi) TN 18 P 5737 as per the Motor Vehicles Act, 1988 as amended for discharging raw sewage collected from the nearby habitations into Buckingham Canal and the vehicles shall be kept under the custody of Block Development Officer, Thiruporur Panchayat Union.
2. To give wide publicity about the cancellation of the Registration certificate of the tanker lorries in the daily newspapers through concerned RTOsso as to curtail the illegal disposal of Sewage by the tanker lorries in the future.

**V. Present status**

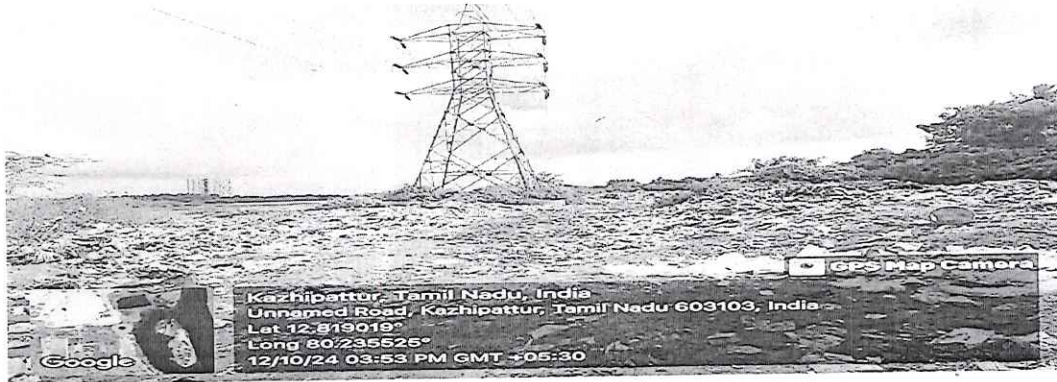
The said area was inspected by the TNPCB official on 12.10.2024, during inspection it was observed that the solid waste generated from the village Panchayats of Tiruporur Panchayat Union are being collected from the various village panchayat of Thiruporur and dumped on the banks of the Buckingham Canal without any segregation. Further, the unsegregated solid waste stored in the said areas is reported to be transported frequently to the Kolathur Village, Kattankulathur Block for the further processing. It is evident that the village Panchayats of Tiruporur Panchayat Union have failed to implement the mandatory segregation, collection, transportation, storage, processing, and disposal methods for Municipal Solid Waste under the Solid Waste Management Rules of 2016.



# TAMIL NADU POLLUTION CONTROL BOARD



Photographs taken during time of inspection is submitted below.





Based on the DEE Maraimalai Nagar recommendations, the Board vide Proc. No. T3/TNPCB/F.022998/NGT/SWM/2024, Dated: 22.11.2024 has issued the following directions to the Block Development officer, Thiruporur Panchayat Union, Chengalpattu District under Section 5 of the Environment (Protection) Act, 1986.

1. To ensure 100 percent 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. To stop dumping and burning of unsegregated municipal solid waste along the bank of the Buckingham Canal or at any site of the Panchayat Union.
3. To setup required capacity of solid waste processing facilities for the processing of municipal solid waste generated in the Panchayat Union.
4. To ensure no discharge of untreated sewage into the Buckingham Canal and to provide Underground Sewerage System within their jurisdiction to collect the sewage generated and transmit it to the Sewage Treatment Plant for treating the same.
5. To deploy Security Guards, Crush barrier, Compound wall (with temporary sheets) to avoid discharge of untreated sewage by the tanker lorries into the Buckingham Canal.

and



## TAMIL NADU POLLUTION CONTROL BOARD



To remit interim Environmental Compensation of Rs.75 lakh (Rs.25 lakh X 3 Village Panchayats -Muttukadu, Padur and Navalur) from the period 25.08.2022 to 31.09.2024 for noncompliance of the Solid Waste Management Rules, 2016

Further it was informed that failure to comply with the above said directions will attract action as per provisions of the Environment (Protection) Act, 1986 and the action taken report shall be submitted to the Tamil Nadu Pollution Control Board.

This is for your kind information.

*[Handwritten Signature]*  
3/12/24

For Member Secretary

*[Handwritten initials]*  
02/11/24

**Enclosure:**

1. Report of Analysis of AAQ Survey
2. Board Proc. No. T3/TNPCB/F.022998/NGT/SWM/2024, Dated: 22.11.2024



## TAMIL NADU POLLUTION CONTROL BOARD



**Proc. No.T3/TNPCB/F.05958/Complaint/Sewage/2024, Dated: 23.09.2024**

**Sub:** TNPCB – Industries – Complaint regarding disposal of untreated sewage into water bodies – Direction under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 as amended – Orders Issued – Regarding.

**Ref:** Lr.No.DEE/TNPCB/MMN/Tanker Lorries/2024 dated: 31.05.2024.

\*\*\*\*\*

Whereas, Tamil Nadu Pollution Control Board has already issued press release dated: 07.11.2022 stating the following:

*“The Board hereby appeals that the sewage generated from the residential and commercial complexes shall be disposed through lorries having necessary licence obtained from Municipal Administration & Water Supply Department (MA& WS) to treat the same in the nearby Sewage Treatment Plants (STPs) operated by the Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB)/local bodies.*

*Any illegal discharges of sewage into any water bodies or vacant lands will be dealt with very seriously including prosecution. The public are also requested to inform the nearby District Environmental Engineer Office of TNPCB/ TNPCB helpline 18004256750/ E-mail:complaint@tnpcb.gov.in, office of CMWSSB, GCC and concerned local body if they notice any such illegal discharge by the sewage tanker lorries”.*

Whereas, a complaint received regarding illegal disposal of sewage by unauthorized tanker Lorries along the bank of the Buckingham Canal at Kazhipattur village, Chengalpattu District. Based on that, the site was inspected on 30.05.2024 & 31.05.2024 by the officials of TNPCB, Maraimalai Nagar along with Block Development Officer, Thiruporur Panchayat Union. During inspection it was noticed that untreated sewage carrying tanker Lorries are being illegally discharging sewage into the Buckingham Canal. The raw sewage is being disposed regularly through tanker Lorries in the location (**GPS Coordinates 12.819467, 80.235423**) along the Buckingham Canal. Details of registration of tanker Lorries are as below:

1. TN 14 AC 3549
2. TN 20 BY 5650
3. TN 07 BY 4020
4. TN 40 B 7268
5. TN 30 Y 4569
6. TN 18 P 5737

Whereas, under the above circumstances, the District Environmental Engineer (DEE), TNPCB, Maraimalai Nagar has recommended to issue directions under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974 as amended to the Transport Commissioner, Commissionerate of Transport & Road Safety, Chennai to cancel the Registration Certificate of the said tanker lorries as per the Motor Vehicles Act, 1988 for illegal discharge of raw sewage into Buckingham Canal.

In the light of the above said facts, the Board decided to issue directions to the Transport Commissioner, Commissionerate of Transport & Road Safety, Chennai under section 33A of the Water (Prevention and Control of Pollution) Act, 1974 as amended.

Now therefore, in exercise of the powers conferred under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 as amended, the Board hereby issues the following directions to the Transport Commissioner, Commissionerate of Transport & Road Safety, Chennai,

1. To direct the concerned Regional Transport Officers to cancel the Registration Certificate of the tanker lorries with the following Register numbers,
  - i. TN 14 AC 3549
  - ii. TN 20 BY 5650
  - iii. TN 07 BY 4020
  - iv. TN 40 B 7268
  - v. TN 30 Y 4569
  - vi. TN 18 P 5737

as per the Motor vehicles Act, 1988 as amended for discharging raw sewage collected from the nearby habitations into the Buckingham canal and the vehicles shall be kept under the custody of Block Development Officer, Thiruporur Panchayat Union.

2. To give a wide publicity about the cancellation of the Registration Certificate of the tanker lorries in the daily newspapers through concerned RTO so as to curtail the illegal disposal of sewage by the tanker lorries in the future.

Failure to comply with the above said direction, necessary steps will be initiated as per the provisions of Water (Prevention and Control of Pollution) Act, 1974 as amended.

The receipt of this proceeding shall be acknowledged.

*For Member Secretary*  
*23/09/2024*

To

The Commissioner,  
Commissionerate of Transport and Road Safety,  
Anna Salai, Guindy,  
Chennai- 600 032.

Copy To

1. Additional Chief Secretary to Government,  
Transport Department,  
Secretariat, Chennai – 600 009
2. Principal Secretary to Government,  
Municipal Administration and Water Supply Department,  
Secretariat, Chennai – 600 009
3. The Joint Chief Environmental Engineer (Monitoring),  
Tamil Nadu Pollution Control Board,  
Chengalpattu.
4. The District Environmental Engineer ,  
Tamil Nadu Pollution Control Board,  
Maraimalai Nagar.
5. The Block Development Officer,  
Block Development Office,  
Thandalam, Thiruporur-603 105.

6. File Copy.



## TAMIL NADU POLLUTION CONTROL BOARD



**Proc. No. T3/TNPCB/F.022998/NGT/SWM/2024, Dated: 22.11.2024**

**Sub:** TNPCB – SWM – Hon'ble NGT(SZ) O.A.No.197 of 2024 -Non-Compliance of Solid Waste Management Rules, 2016 by Muttukadu, Padur and Navalur Village Panchayats of Thiruporur Panchayat Union, Chengalpattu District, Tamil Nadu - Directions under section 5 of the Environment (Protection) Act, 1986 as amended to remit Interim Environmental Compensation of Rs.75 Lakh for noncompliance of the Solid Waste Management Rules, 2016 - Orders- issued- Regarding.

**Ref:**

1. Solid Waste Management Rules, 2016.
2. Lr.No.DEE/TNPCB/MMN/Tanker Lorries/2024, dated:31.05.2024.
3. Lr.No.DEE/TNPCB/MMN/Whatsapp complaint/2024 dated: 31.07.2024
4. Present Status report from DEE, TNPCB, MMN received through Email on 28.10.2024.

\*\*\*\*\*

Whereas, the Ministry of Environment Forest and Climate Change, Government of India, in exercise of the powers conferred under section 3,6, and 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Municipal Solid Waste (Management and Handling) Rules, 2000, has notified the Solid Waste Management (SWM) Rules, 2016. The Rule 15 of the Solid Waste Management Rules, 2016 prescribes, the role of local body specifying the implementation of solid waste management in the respective local bodies.

Whereas, the Hon'ble NGT (PB) has admitted a Suo Motu case with O.A. No.549 of 2024 based on the News item published in the daily "Times of India" dated 07.04.2024 titled, "ECR backwaters turn dump yard" in the matter of dumping and burning of excess municipal solid waste near Muttukadu backwaters in Chennai. The O.A No.549 of 2024 (PB) was renumbered as O.A.No.197 of 2024 by the Hon'ble NGT, (SZ), Chennai.

Whereas, earlier based on a complaint petition an inspection was carried out by the officials of TNPCB, Maraimalai Nagar on 30.05.2024 & 31.05.2024 in the Thiruporur Panchayat Union and during inspection the following were observed,

1. Illegal discharge of sewage by 6 tanker lorries into Buckingham Canal at Kazhipattur village were noticed.
2. Municipal solid waste being collected every day from Muttukadu, Padur and Navalur Panchayat areas (about 10 to 15 tons of waste garbage) were dumped along the bund of Kazhipattur Buckingham canal.

No. 76, MOUNT SALAI, GUINDY, CHENNAI - 600 032.

Tel : 044-22353134 - 139 Fax : 044-22353068

Email : tnpceb-chn@gov.in Web : tnpceb.gov.in

3. Un-segregated municipal solid waste collected by the local body was found dumped and burnt at backside of unit M/s. Valeth Hitech Composites (P) Ltd near Buckingham Canal.
4. One number of Fire engine vehicle, JCB and truck was engaged in put-off the fire and smoke was emanating from that site.
5. A tractor carrying unsegregated solid waste for dumping in the said site was noticed.
6. Thiruporur Panchayat Union is not having solid waste processing facility for handling the solid waste generated in their Village Panchayat area.
7. The Block development officer, Thiruporur Panchayat Union has reported that the dumped municipal solid waste is transferred to the garbage dump site located at Kolathur panchayat for further treatment on daily basis.
8. However, approximately around 300 T of solid wastes were dumped in the said site. As reported that burning of waste at the said site was seen for the past two days and fire vehicle was engaged to put off the fire.
9. In this connection, Ambient Air quality Survey was also carried out by Advanced Environmental Laboratory, TNPCB, Chennai on 31.05.2024 in the said area.

Whereas, again a WhatsApp complaint received at O/o. TNPCB, Maraimalai Nagar regarding dumping and burning of municipal solid waste by Muttukadu village Panchayat, Thiruporur Panchayat Union along the bank of the Buckingham Canal at Muttukadu village. In this connection the site was again inspected by the officials of TNPCB on 31.07.2024 and during inspection following were observed,

1. Un-segregated municipal solid waste was found dumped at two locations (i.e. Location one: Latitude: 12.829546 & Longitude: 80.238396 and Location two: Latitude: 12.827064 & Longitude: 80.237889) on the bank of the Buckingham Canal at Muttukadu village and burning of wastes were noticed.
2. Around 70 Tonnes of unsegregated Municipal solid waste were dumped in the said two locations.
3. Around 3 T/Day of solid waste collected from Muttukadu village Panchayat was dumped on the bank of the Buckingham Canal.

Whereas, the area under complaint was again inspected by the official of TNPCB on 12.10.2024 and during inspection it was observed that,

1. Solid waste generated from various Village Panchayats of Thiruporur Panchayat Union are being dumped on the banks of the Buckingham Canal without any segregation.
2. Solid waste dumped in the said area is transported frequently to the Kolathur Village, Kattankulathur Block for further processing.
3. It is evident that the village Panchayats of Thiruporur Panchayat Union have failed to implement the mandatory segregation, collection, transportation, storage, processing and disposal methods of Municipal Solid Waste under the Solid Waste Management Rules, 2016.



## TAMIL NADU POLLUTION CONTROL BOARD



Whereas, as the Thiruporur Panchayat Union is not complying with the provisions of the Solid Waste Management Rules, 2016 and continuing dumping and burning of municipal solid waste the District Environmental Engineer, TNPCB, Maraimalai Nagar has recommended the following,

- i. To issue certain Directions under section 5 of the Environment (P) Act, 1986 to the Block Development officer, Thiruporur Panchayat Union, Chengalpattu District.
- ii. To levy interim Environmental Compensation of Rs.75 lakh (Rs.25 lakh X 3 Village Panchayats - Muttukadu, Padur and Navalur) from the period 25.08.2022 to 31.09.2024 for noncompliance of the Solid Waste Management Rules, 2016.

In the light of the above said facts, the Board decided to issue directions to the Block Development officer, Thiruporur Panchayat Union, Chengalpattu District under Section 5 of the Environment (Protection) Act, 1986.

Now therefore, in the exercise of the powers vested under Section 5 of the Environment (Protection) Act, 1986, the Board hereby issues the following Directions to the Block Development officer, Thiruporur Panchayat Union, Chengalpattu District for strict compliance.

1. To ensure 100 percent 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. To stop dumping and burning of unsegregated municipal solid waste along the bank of the Buckingham Canal or at any site of the Panchayat Union.
3. To setup required capacity of solid waste processing facilities for the processing of municipal solid waste generated in the Panchayat Union.
4. To ensure no discharge of untreated sewage into the Buckingham Canal and to provide Underground Sewerage System within their jurisdiction to collect the sewage generated and transmit it to the Sewage Treatment Plant for treating the same.
5. To deploy Security Guards, Crush barrier, Compound wall (with temporary sheets) to avoid discharge of untreated sewage by the tanker lorries into the Buckingham Canal.

and

To remit interim Environmental Compensation of Rs.75 lakh (Rs.25 lakh X 3 Village Panchayats - Muttukadu, Padur and Navalur) from the period 25.08.2022 to 31.09.2024 for noncompliance of the Solid Waste Management Rules, 2016

Failure to comply with the above said directions will attract action as per provisions of the Environment (Protection) Act, 1986. The action taken report shall be submitted to the Tamil Nadu Pollution Control Board.

The receipt of this proceeding shall be acknowledged.

  
For Chairperson

  
25/11/2024

**To:**

The Block Development Officer,  
Thiruporur Panchayat Union,  
Block Development Office,  
Thandalam, Thiruporur-603 105.

**Copy submitted To:**

1. The Principal Secretary to Government,  
Environment, Climate Change & Forests Department,  
Secretariat, Chennai - 600 009.
2. The Principal Secretary to Government,  
Municipal Administration & Water Supply Department,  
Secretariat, Chennai - 600 009.
3. The Director of Rural Development & Panchayat Raj Department,  
Panagal Maaligai,  
4th & 5th floor, Abdul Razzak St,  
Saidapet, Chennai – 600015.

**Copy To :**

1. The Joint Chief Environmental Engineer (M),  
Tamil Nadu Pollution Control Board,  
Chengalpattu.
2. The District Environmental Engineer,  
Tamil Nadu Pollution Control Board,  
Maraimalai Nagar.
3. File Copy.