

IN THE NATIONAL GREEN TRIBUNAL,
SOUTHERN ZONE BENCH, CHENNAI
ORIGINAL APPLICATION No. 247 of 2020

IN THE MATTER OF:-

IN THE MATTER OF:

TRIBUNAL ON ITS OWN MOTION SUO MOTU BASIS ON THE NEWS
ITEM IN THE NEW INDIAN EXPRESS, CHENNAI EDITION DATED
06.11.2020, "BUCKINGHAM CANAL TURNS DUMP, POSES FLOOD
THREAT"

.....APPLICANT

-Vs-

MoEF & CC and Ors

.....RESPONDENTS

REPLY AFFIDAVIT ON BEHALF OF THE
MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE
CHANGE,

Ms.M.SUMATHI
COUNSEL FOR MoEF&CC

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

ORIGINAL APPLICATION NO. 247 of 2020

IN THE MATTER OF:

Tribunal On Its Own Motion Suo Motu Basis On The News Item In The New Indian Express, Chennai Edition Dated 06.11.2020, "Buckingham Canal Turns Dump, Poses Flood Threat"

Applicant

-Vs-

Moef & Cc And Ors.

..... Respondents

**REPLY AFFIDAVIT ON BEHALF OF THE MINISTRY OF ENVIRONMENT,
FOREST AND CLIMATE CHANGE, RESPONDENT NO. 1:**

I, Dr.R.Sridhar S/o P.Rengarajan aged about 41 years, presently working as Scientist 'D', in the Ministry of Environment, Forest & Climate Change (hereinafter referred to as MoEF& CC)do hereby, in my official capacity, solemnly affirm and state on oath as follows:-

1. That I am duly authorized by the Ministry of Environment, Forest and Climate Change (Respondent No. 1) to swear this affidavit and I am conversant with the facts and circumstances of the present case and am thereby competent to depose as under:
2. That the main mandate of MoEF&CC is policy formulation for abatement, control and prevention of pollution, prescribing environmental standards which are implemented through the Central Pollution Control Board (CPCB) and State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs).
3. It is submitted that Environment (Protection) Act, 1986 empowers the State Pollution Control Boards to take all such measures as it deems necessary or



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MoEF&CC

expedient for the purpose of protection and improving the quality of environment and prevention, controlling and abating environmental pollution.

4. That the Ministry has enacted Water (Prevention and Control of Pollution) Act, 1974, which specifically deals with issues related to control and abatement of pollution in water bodies including drains. The implementation of the provisions of these Act are with the Central Pollution Control Board (CPCB) and concerned State Pollution Control Boards (SPCBs).
5. That water is a State subject and the major sources of pollution including sewage pollution and dumping of solid waste fall under the civic, health and sanitation responsibilities of the State Government and/or municipalities/ local bodies. The respective States/municipalities/local bodies, therefore, are having the primary responsibility in tackling these sources of pollution out of their budget and internal revenue generation. They are also responsible for setting-up proper facilities for collection and treatment of sewage being generated in various towns to ensure that untreated sewage does not pollute the water bodies and surroundings.
6. That the Ministry had notified the Solid Waste Management (SWM) Rules, 2016 in supersession to the Municipal Solid Waste (Management and Handling) Rules, 2000 vide GSR no. 1357 (E) on dated 8th April, 2016. As per the Rule 16 of SWM Rules, 2016, the State Pollution Control Board or Pollution Control Committee are responsible for the effective enforcement of these rules in their State through local bodies in their respective jurisdiction and review implementation of these rules at least twice a year in close coordination with concerned Directorate of Municipal Administration or Secretary-in-Charge of State Urban Development Department. Moreover, the State Pollution Control Board is responsible to monitor environmental standards and adherence to conditions as specified under the Schedule (I) and Schedule II for waste processing and disposal sites.



DEPONENT
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MoEF & CC

VERIFICATION:

Verified at Chennai on this the 24 th day of February 2021 that the contents of this reply affidavit based on official record(s) maintained and information available in the office are correct to my knowledge and belief. No part of it is false and nothing has been concealed there from.



DEPONENT
Scientist-D
MOEF-SCC

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Ms.M.SUMATHI
COUNSEL FOR MoEF&CC