

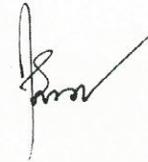
BEFORE THE NATIONAL GREEN TRIBUNAL (SOUTHERN ZONE)  
CHENNAI

ORIGINAL APPLICATION No: 140 of 2021 (SZ)

Tribunal on its own motion-SUO MOTU Based on the  
News item in The Times of India Newspaper, Chennai  
Edition Dated: 31st May 2021, "Sewage being dumped  
Into Buckingham Canal illegally" ....Applicant(s)

**Versus**

1. The Principal Secretary to Government,  
Public Works Department,  
Government Secretariat, Fort, St. George,  
Chennai – 600 009.
2. The Principal Secretary to Government of Tamil Nadu  
Health and Family Welfare Department,  
Government Secretariat, Fort, St. George,  
Chennai – 600 009.
3. The Secretary to Government of Tamil Nadu,  
Department of Environment, Climate Change & Forests,  
Government Secretariat, Fort, St. George,  
Chennai – 600 009.
4. Additional Chief Secretary to Govt. of Tamil Nadu,  
Municipal Administration and Water Supply Department,  
Govt. Secretariat, Fort St. George,  
Chennai, Tamil Nadu – 600 009.
5. Engineer in Chief (Water Resources Organisation)  
and Chief Engineer (General),  
Public Works Department,  
Chepauk, Chennai – 600 005.
6. The Member Secretary,  
Chennai Rivers Restoration Trust,  
6/103, Dr. D.G.S. Dinakaran Salai,  
Raja Annamalaipuram, Chennai – 600 028.
7. Chennai Metropolitan Water Supply &  
Sewerage Board,  
Rep. by its Managing Director,  
No.1, Pumping Station Road,  
Chintadripet, Chennai – 600 031.



Superintending Engineer (South)  
C.M.W.S.S. Board  
No. 1, Pumping Station Road,  
Chintadripet, Chennai-2.

8. Greater Chennai Corporation,  
Rep. by its Commissioner,  
Ripon Building, Chennai – 600 003.
9. The Chairman,  
Tamil Nadu Pollution Control Board ,  
No. 76, Anna Salai, Chennai – 600 032.  
(Impleaded as additional 9th respondent

..Respondent(s)

**REPORT FILED BY THE 7<sup>th</sup> RESPONDENT**

I, P. Ashok Kumar, son of Thiru V. Ponnuvel (late) Hindu aged about 59 years now working as Superintending Engineer (South) of Chennai Metropolitan Water Supply and Sewerage Board, Chennai do hereby solemnly affirm and sincerely state as follows:

1. I am the Superintending Engineer (South) in the Chennai Metro water supply and Sewerage Board (CMWSSB), Chennai and 7<sup>th</sup> Respondent herein and well acquainted with the facts of the case from the connected files.
2. I humbly submit that The Hon'ble National Green Tribunal (NGT), Southern Zone(SZ), Chennai has taken up on its own motion – SUO MOTU) based on the News item in The Times of India Newspaper, Chennai Edition Dated: 31st May 2021 under the caption "Sewage being dumped Into Buckingham Canal illegally".
3. I humbly submit that, the two private sewer tankers were caught by the CMWSSB officials while decanting sewage illegally into Buckingham canal near Iskon temple at Sholinganallur on 31.05.2021 and 01.06.2021. Necessary complaint has been lodged in the J8, Neelankarai police station and to the Assistant Commissioner of Police (Neelankarai range). In this regard, a



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No. 1, Dumaiar Station Post L.

letter also sent to the RTO, Sholinganallur to take necessary action to seize the private sewage lorries bearing registration no.TN52 D5024 & TN52 V2854 and also to cancel the registration of the vehicle as well as driving license of the driver.

4. I humbly submit that on 23.06.2021, The Hindu, English daily published news item under the caption "Residents complain of sewage dumping in Waterways" that sewage being let out into open storm water drain on the Maduravoyal Bypass service road near Mogappair west recently.
5. I humbly submit that, with regard to the press release, the reporter of "The Hindu" was contacted to find out the registration no. of the private sewage tanker. The vehicle registration no. has been identified as TN12 Y 6355. Subsequently, police complaint has been lodged in the V5 police station, Thirumangalam, Anna Nagar west extension and copy of the complaint is enclosed for kind perusal.
6. I humbly submit that, while disposing the O.A No.48/2020 on 18.02.2021, the Hon'ble Tribunal directed to strictly implement the following recommendations laid down by the committee.
  - i. The Greater Chennai Corporation is directed to identify the hot spot where such incidents are likely to happen along the Buckingham Canal and install CCTV cameras for proper vigilance and to avoid such things happening in future.
  - ii. The Greater Chennai Corporation as well as Chennai Metropolitan Water Supply and Sewerage Board are

  
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directed to maintain a register of vehicles which are entrusted with the collection of garbage and sewage with GPS installed in those vehicles so as to track their movement to find out whether the garbage/sewage entrusted to them are reaching the proper disposal facility centre.

- iii. The District Administration as well as the Police are also directed to make periodical surveillance of the water bodies like Bunckingham Canal, Cooum and Adyar rivers and also directed to take appropriate action against persons in accordance with law, including seizure of the vehicle and imposing heavy penalty while returning the vehicle to them, apart from taking action for violation of the terms and conditions, including cancellation of permission if any granted in accordance with law.
  - iv. The Pollution Control Board is also directed to monitor these things and take appropriate action against the violators if it is brought to their notice either directly or by complaint or through newspaper report.
7. I further humbly submit that, in respect of the regulation of Private sewer tanker lorries, the monitoring and controlling the illegal discharge can be established only through the

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co-ordinated action of various Departments. The Transport Commissionerate and the State transport Authority (RTO) is the licensing authority for a sewer lorry. The responsibility of facilitation for the discharge of the septage collected by the sewer lorry vests upon CMWSSB and the respective local bodies concerned. The possession and maintenance of the water bodies and the drains/ canals leading to the water bodies belongs to the Public Works Dept – WRO, whereas the storm water drains are constructed by the GCC and Highways Department. The monitoring and prevention of the illegal discharge can be done by the patrolling wing of the Police Department.

8. I humbly submit that, in event of any illegal discharge made by any private sewer tanker lorry in the water ways, the Board is not vested with any powers beyond filing of complaints with the Police and Transport Departments requesting to take suitable action on the erring tanker operators. As the issues of regulation of sewer lorries for septage management cannot be unilaterally addressed by CMWSSB alone, since it involves monitoring and control wing by various other departments viz., TNPCB, PWD, TNRDC, RTO, Police, GCC, Local bodies etc.,. Hence a comprehensive Operative Guidelines for septage collection, transportation and disposal within and outside Chennai City with the following strategies has been prepared and put forward to the Government for approval. The details of the same are as follows

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- i. Registration of Private sewer tanker lorries with CMWSSB or with the respective local bodies depending upon their disposal location.
  - ii. Issue of Registration Certificate by the State Transport Authority (RTO) only after getting No Objection Certificate from the respective Utility Board/ Local bodies.
  - iii. License of the sewer lorry booked for Illegal discharge in the water body issued by the Transport Commissionerate and State Transport Authority (RTO) be cancelled forthwith if reported by either CMWSSB/ Local body/ PWD/ TNPCB/ Police Department/ NHAI.
  - iv. To monitor and control the illegal disposal of septage in water bodies GPS devices has to be mandatorily installed in all the sewer lorries and the consumer booking has to be through only online or approved mobile application that will be developed to book both sewer lorries operated by the CMWSSB/ local body at their tariff allowed. The booking for the operator will be enabled only if the last disposal of septage is certified or closed in an approved facility. This will help in stopping or identifying the illegal discharge of septage in the water body.
  - v. Continuous monitoring of the water bodies has to be carried by the PWD- WRD, TNPCB, GCC, Police, Highways Departments through NGO/ Public participation
9. I humbly submit that, as ordered by the Hon'ble National Green Tribunal, Southern Zone, all necessary actions are being taken by the Board in co-ordination with GCC and PWD officials in this regard to prevent illegal discharge of sewage

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into storm water drains/ water bodies by the private sewer tankers lorries in its Jurisdictional areas of Greater Chennai City.

10. It is therefore humbly prayed that, this Hon'ble Tribunal may be pleased to accept my response on behalf of the Board and thus render justice.

Solemnly affirmed at Chennai )(  
this 6<sup>th</sup> day of August, 2021 and )(  
signed his name in my )(  
presence )(  
)

  
Superintending Engineer (South)  
C.M.W.S.S. Board  
No. 1, Pumping Station Road,  
Chintadripet, Chennai-2.

Before me



K. Gopi

E.No. 702/06

16 Law Chambers

Highway Building,

Ch-104

BEFORE THE NATIONAL GREEN  
TRIBUNAL (SOUTHERN ZONE)  
CHENNAI,

O.A.No.140 of 2021 (SZ)

Tribunal on its own motion-SUO MOTU  
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"Sewage being dumped into Buckingham  
Illegally"

:Applicant

Vs.

The Principal Secretary to Government.  
Public Works Department,  
Government Secretariat,  
Fort St. George,  
Chennai-600 009 & 8 others

.. Respondents

REPORT FILED BY 7th RESPONDENT

Mr. G.JANAKIRAMAN  
Counsel for 7th Respondent