

Item No.42

BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI  
Original Application No. 48 of 2020 (SZ)

*(Through Video Conference)*

IN THE MATTER OF:

Tribunal on its own motion  
Suo Motu initiated proceedings  
based on the News Item in  
Dinamalar Newspaper dt.: 26.02.2020, Chennai  
Supplementary, "Sewage in Buckingham Canal;  
Will action be taken against lorries?"

The Secretary to Government of  
Tamil Nadu, Department of  
Environment & Forest,  
Chennai and Ors.

... Respondent(s)

Date of hearing: 20.10.2020

CORAM:

HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER

HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER

For Applicant(s): By Court.

For Respondent(s): Mr. S.N. Parthasarathi through

Ms. Girija for R1 to R5.

Mrs. P.T. Rema Devi through

Mr. Raghul Aditya for R7.

Mr. C. Kasirajan through

Ms. Meena for R8

Mr. Janakiraman for R6

## ORDER

The above case has been suo motu registered by this Tribunal on the basis of the paper report published in Dinamalar newspaper – Chennai supplementary edition dated 26.2.20 under the caption

gf;fpq;cwhk; fhy;thapy; fopT ePh; yhhpfs; kPJ ghAakh eltb;fif and we have constituted a committee to go into the allegations and submit the report and posted the case to 13.4.2020. On 13.04.2020, it was adjourned to 8.5.2020, on 8.5.2020, it was adjourned to 9.6.2020 on 9.6.2020, it was adjourned to 26.6.2020 on 26.6.2020, it was adjourned to 2.7.20 and on 2.7.20 it was adjourned to 24.8.2020 by successive notifications. On 24.8.2020, it was taken up and at the request of the Government Pleader, the matter was adjourned to today for submitting the report.

2. When the matter came up for hearing today through Video Conference, Mr. S.N. Parthasarathy through Ms. Girija represented respondents 1 to 5, Mr. Janakiraman represented sixth respondent, Mr. Rahul Aditya represented Mrs. P. T. Ramadevi, counsel for seventh respondent and Mr. C. Kasirajan through Ms. Meena represented eighth respondent.

3. We have received the report submitted by the Joint Committee which reads as follows:

*INSPECTION REPORT OF THE JOINT COMMITTEE CONSTITUTED BY THE HON'BLE NATIONAL GREEN TRIBUNAL (SZ) IN RESPECT OF O.A NO.48 OF 2020 TAKEN UP SUO MOTU BY THE HON'BLE TRIBUNAL.*

*The Hon'ble National Green Tribunal (NGT), Southern Zone(SZ), Chennai has taken up suo motu case based on the News item in Dinamalar Newspaper dated 26.2.2020, Chennai Supplementary "Sewage in Buckingham Canal; will action be taken against Lorries?"*

*The Hon'ble Tribunal in its order dated 28.2.2020 in Original Application No.48 of 2020 has constituted a Joint Committee comprising of the (1) Engineer in Chief Water Resources Organisation (WRO) Public Works Department & Chief Engineer (General) Public Works Department (2) Chennai Metropolitan Water Supply and Sewerage Board (3) Commissioner, Greater Chennai Corporation (4)Tamil Nadu State Pollution Control Board to inspect the area in question and submit a factual and action taken report.*

*The Committee shall also*

*"to furnish the mechanism that is being adopted by the local bodies to monitor the transport of sewage and garbage and also report on any mechanism to register the tankers with them, are only reregistered tankers being used for transportation of sewage to the treatment plant after getting acknowledgement from the local bodies, etc. and They must also ascertain as to whether they have got any mechanism of registering such vehicles with the local body or whether they are getting any prior permission from the local body before collecting and taking the same and what action is taken by the local body in case they find any violation committed by these transporters.."*

*Sholinganallur is a residential locality of [Chennai](#), located on the [IT corridor](#) south of the city. The rapid growth of Sholinganallur's economy, population and infrastructure can be attributed to information technology business parks and dedicated [special economic zones](#) (SEZ). Sholinganallur is surrounded by other IT based suburbs such as [Siruseri](#), [Perungudi](#) and [Taramani](#). [Tamil Nadu](#) government's [TIDCO](#) is building a Financial City in Sholinganallur to house global financial corporations. Sholinganallur is one among the 42 local bodies added in the expanded area of Chennai city and under the administrative*

*jurisdiction of Greater Chennai Corporation and it is assigned as Zone 15 of the Greater Chennai Corporation.*

- 1. Name of the Local Body..... Sholinganallur-(Zone 15) Greater Chennai Corporation*
- 2. Total Area of the Zone 15 .... 45 sq.km*
- 3. Total Population of the Zone 15..... 3,98000Nos.*
- 4. Total Household of the Zone 15.....89000 Nos.*
- 5. Total No. of Major Hotels..... 12 Nos.*
- 6. Total No. of wards..... 9 Wards*
- 7. Generation of total Sewage in the Zone 15 ....6MLD (approximately)*

*Present Sewage Collection, Treatment & Disposal Mechanism*

*Chennai Metropolitan Water Supply and Sewerage Board is in the process of providing underground sewer lines, partially completed in the Sholinganallur area and has already established, commissioned Sewage Treatment Plant at Kalignar Karunanidhi Salai, Sholinganallur to a capacity of 18 MLD, further proposed to establish another 54 MLD Sewage Treatment Plant (STP) to handle the sewage generation from the Sholinganallur and nearby areas. Tamil Nadu Pollution Control Board has accorded consent to operate to the above said 18MLD STP. After the establishment of the said STPs and the underground sewer network, the entire sewage generated from the Sholinganallur area will be handled scientifically. Presently the sewage generated from the individual households is collected in the septic tank arrangements and the sewage generated from the commercial sector is disposed through sewage tanker lorries which inturn decant the same in the decanting arrangements provided in the Perungudi STP complex which has the capacity of handling 126MLD of sewage for the treatment and disposal.*

*In compliance of the direction of the Hon'ble National Green Tribunal (SZ), the Joint Committee as constituted, has carried out the inspection in the area in question on 5.9.2020 and the observed that there was no decanting of sewage in the Buckingham Canal by the Private Sewage Lorries near the Sholinganallur zone which includes Sholinganallur East Coast Road (E.C.R)- Old Mahabalipuram Road (OMR) area and then further the Committee has decided to conduct a meeting with the Private Sewer Lorry Owners Association.*



*Minutes of the meeting of the Private Sewage Lorry Owners Association held on 19.9.2020 at CMWSSB Area Office XV, Sholinganallur.*

*The Private Sewage Lorry Owners Association President complained that there is only one Sewage Treatment Plant at Perungudi which covers the area of entire South Chennai as a result of which the lorries need to travel so much distance from far off places and decant into the Perungudi Sewage Treatment Plant. Some of these Private Sewage Lorries avoid this long-distance travel and dispose the sewage into the Buckingham Canal.*

*Another major issue alleged by the Private Sewage Lorry Owners Association is that the Corporation Road connecting the Perungudi Sewage Treatment Plant has been deteriorated and needs to be re-laid immediately. This can avoid the waiting time of the Sewage Lorries as a result of which a greater number of Sewage loads can be decanted into the Perungudi Sewage Treatment Plant. It is mentioned by the Association that there are around 150 Private Sewage Lorries are operated in Zone 15. Out of this around 50 lorries are operated in Sholinganallur.*

*The Association Representatives denied that no such illegal decanting is being carried out into the Buckingham Canal with their associated lorries and they claim some of the lorries not associated with the private sewage lorry owners association being indulged in such illegal decanting activities.*

*Action Plan to comply with directions of the Hon'ble National Green Tribunal in O.A. No. 48/2020*

- 1. The CMWSSB has informed that Underground Sewerage Scheme in Karapakkam and Sholinganallur has been completed and trial commissioning work is under progress. On completion of the trial commissioning action will be initiated for effecting the House Service Connections to all the premises covering Sholinganallur area*
- 2. The CMWSSB has proposed to purchase and operate 20 Nos of Sewage Lorries for Sholinganallur area for which tendering works are under progress. Once the CMWSS Board lorries start operating, the need for private sewage lorries would be reduced and the menace of illegal decanting into Buckingham Canal would also be stopped.*

3. *The CMWSSB has intimated that in the existing system all private sewage lorries operating at Sholinganallur Area are decanting through 11 decanting points available at Perungudi Sewage Treatment Plant after collecting an amount of Rs.150/- per trip for treatment and disposal. Further it is submitted, in order to avoid waiting time of sewage lorries, an additional 13 Nos of decanting points are proposed at Perungudi Sewage Treatment Plant and the work will be commenced by November 2020.*
4. *The CMWSSB has stated that in order to avoid long distance travel to Perungudi Sewage Treatment Plant, it is proposed to provide decanting facilities in the newly constructed Sholinganallur Sewage Treatment Plant and the work will be commenced by November 2020. By creating a new infrastructure at Sholinganallur Sewerage Treatment Plant itself, the menace of illegal decanting activities into the Buckingham canal will be stopped.*

RECOMMENDATIONS: -

*The Joint Committee has considered the action proposed by the CMWSSB and submit the following recommendations before the Hon'ble National Green Tribunal.*

- i. *The CMWSSB shall expedite the process of establishment of Underground sewer lines with Sewage Treatment Plant to handle the sewage generated from the Sholinganallur area.*
- ii. *The CMWSSB shall regulate the sewage tanker lorries operating in their jurisdiction by properly registering them and streamlining the sewage tanker lorries in co-ordination with Greater Chennai Corporation, Public Works Department and Tamil Nadu Pollution Control Board.*
- iii. *The Regional Transport Officers shall take immediate action to cancel the license issued to the sewage tanker lorries found decanting the sewage in the Buckingham Canal and shall issue necessary instruction to the sewage tanker lorry owners in this regard.*

- iv. *The Police Department shall keep a vigil in the area in question and take action on the sewage tanker lorries decanting the sewage other than the Perungudi and Sholinganallur STPs.*
- v. *Tamil Nadu Pollution Control Board shall collect water samples periodically in the Buckingham Canal and monitor the said area in question.*

<i>The Area Engineer, CMWSSB, Area-XV Sholinganallur</i>	<i>District Environmental Engineer, Tamilnadu Pollution Control Board, Maraimalainagar</i>	<i>The Executive Engineer, PWD, WRD Araniyar Basin Division, Chepauk,</i>	<i>The Zonal Officer, Greater Chennai Corporation Zone-15, Sholinganallur.</i>
--	--	---	--

4. We are really unsatisfied with the manner in which the serious issue has been considered by the authorities who are vested with the honorary duty of protecting environment and waterbodies. In the report there is an admission that certain private sewage lorries are responsible for such mischief of dumping sewage into the Bunkingham canal but unfortunately they were not able to trace out those persons who are responsible though photograph of such vehicle has been shown in the newspaper itself. They could have got the information from the reporter who published such news report so that at least the number of the vehicle which was found in the photograph could have been traced out and action could have been taken against those persons and that could have been a lesson for others who are likely to commit such mischiefs, preventing them from doing the same in future. It is also mentioned in the report that there are 150 private

sewage lorries operating which are engaged in getting the sewage and discharging the same into the recognised disposal point and out of the same, 50 such lorries are operating in Solinganallur where the incident has been reported. In spite of that they could not make any attempt to trace out the persons who are responsible by making enquiry to find out the violator who have committed such mischiefs.

5. Further, we are also not satisfied with the action plan which is very general in nature. It does not contain any specific time line within which the suggestions will have to be implemented. They have also not mentioned as to whether any mechanism will be formulated for the purpose of monitoring the movement of the vehicles which are entrusted with the task of disposal of waste collection and disposal in accordance with law. In several such cases this Tribunal has directed the authorities to find out the possibility of providing CCTV cameras in such areas abetting the water bodies. At any rate for prevention of encroachment and sewage pollution, no effective suggestion has been made in this report by the persons who are responsible to implement such directions so as to monitor these things and protecting the water bodies against the illegal activities. Even in earlier orders, when such things were brought to the notice of this Tribunal, certain directions have been issued such as to register the vehicles which were permitted to carry on that activity and fixing of GPS unit in those vehicles, so as to track their movement to find out whether they are properly



collecting and discharging the waste sewage collected in the appropriate recognised areas. But inspite of that nothing has been mentioned about this in the report as well.

6. So under these circumstances, we direct the committee to re-look into the matter and submit a proper report in the manner expected of by this Tribunal to give appropriate direction to the concerned authorities to implement the same in its letter and spirit so as to protect the water bodies against such illegal activities being done in future.

7. The Committee is directed to submit the further report on or before 3.12.2020 to this Tribunal by e-filing at [ngtszfilling@gmail.com](mailto:ngtszfilling@gmail.com).

8. The Registry is directed to communicate this order to the Members of the Committee by e-mail immediately so as to enable them to comply with the directions of this Tribunal.

For consideration of further report, post on 3.12.2020

.....J.M.  
(Justice K. Ramakrishnan)

.....E.M.  
(Shri. Saibal Dasgupta)

O.A. No.48/2020-20.10. 2020.kkr