

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

Original Application No. 477/2024

News item titled "Buckingham Canal remains choked with garbage, sewage" appearing in The Times of India dated 19.02.2024

Date of hearing: 30.04.2024

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

Respondent: Mr. Vikrant Pachnanda, Adv. for R – 1 (Through VC)
Ms. Purnima Krishna, Adv. for R – 2 (Through VC)
Mr. Narender Pal Singh, Adv. for R – 3
Mr. D. Kumanan & Mr. Veshal Tyagi, Adv. for R - 4

ORDER

1. This Original Application is registered *suo-motu* on the basis of the news item titled "Buckingham Canal remains choked with garbage, sewage" appearing in The Times of India dated 19.02.2024. The news item relates to the clogging of Buckingham canal in Chennai with plastic waste and sewage flowing in from storm water drains. The news item discloses that original depth of the canal should be 6 feet below sea level but due to silt and sewage piling up it is now only 3 feet above the sea level. As per the news item a bed of waste including plastic, thermocol, rubber and wrapper, blocks the channel for a stretch of 100 metres near Chepauk MRTS station. The piling up of the sewage leads to swelling of the canal after the spell of rains. The news item also refers to January, 2024 study published in Aqua, a journal of water supply, research and technology showing that a biological oxygen demand value (BOD) ranged from 1.2 to 2.5 mg/L, indicating the presence of organic matter consuming oxygen.

2. The news item raises substantial issue relating to compliance of the environmental norms.

3. 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.

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

- (i) Central Pollution Control Board, through its Member Secretary
- (ii) Tamil Nadu Pollution Control Board (TNPCB), through its Member Secretary
- (iii) Ministry of Environment, Forest and Climate Change, Regional Office (SEZ), Chennai
- (iv) Collector/District Magistrate, Chennai

5. Learned counsel appearing for Respondent No. 2 i.e. TNPCB on advance notice has informed that the cleaning of the canal has been done on 26.04.2024 and that the inspection was done on 27.04.2024 and sample have been collected but the sample analysis report is awaited. She has sought time to file the comprehensive report showing the status of the canal.

6. All other respondents are also represented through the counsel therefore no notice is necessary. Let the response be filed by the respondents within six weeks before the appropriate bench of the Tribunal.

7. Since the matter relates to the Southern Zonal Bench, Chennai, therefore, OA is transferred to the Southern Zonal Bench for appropriate further action. Office is directed to transfer the original record of the OA to Southern Zonal Bench, Chennai.

8. List before Southern Zonal Bench at Chennai on 04.07.2024.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

April 30, 2024
Original Application No. 477/2024
AS.