

Suo Motu Proceedings Based On The News ... vs The Government Of Tamil Nadu, Rep.By Its ... on 30 June, 2021

Bench: K. Ramakrishnan, K. Satyagopal

Item No.10:-

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No. 224 of 2017 (SZ)

(Through Video Conference)

IN THE MATTER OF:

Tribunal on its own motion in the matter of
"Dumping of Medical Wastes in Puzhal Lake"
News item published in Tamil Daily
Newspaper "Dinakaran", Chennai - City supplement
dt. 10.10.2017.

... Applicant(s)

Versus

The Government of Tamil Nadu,
Rep. by its Chief Secretary,
Govt. Secretariat,
Fort St. George,
Chennai and Ors.

... Respondent(s)

Date of hearing: 30.06.2021.

CORAM:

HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE MR. Dr. K. SATYAGOPAL, EXPERT MEMBER

For applicant(s): Suo Motu by Court.

For Respondent(s): Mr. C. Harsharaj through
Mr. Arun for R1 to R4, R6, R7.
Mr. C. Kasirajan through
Ms. D. Ashwini for R5.

1

ORDER

1. The above case has been Suo Motu registered by this Tribunal on the basis of the newspaper report alleging that there were lot of biomedical waste dumped in the Puzhal Lake, which is likely to affect the quality of the water. Thereafter, this Tribunal had considered the report submitted by the authorities and certain directions were issued and posted the case to today for consideration of further report to be filed by the Public Works Department (PWD) and also by the Tamil Nadu Pollution Control Board regarding further status of Puzhal Lake and also further action taken by the Pollution Control Board in this regard.
2. When the matter came up for hearing today through Video Conference, Mr. C. Harsharaj through Mr. Arun represented respondents 1 to 4, 6 & 7 and Mr. C. Kasirajan through Ms. D. Ashwini represented 5th respondent.
3. We have received an e-mail dated 29.06.2021 from Mr. Sai Sathya Jith learned counsel appearing for the 8th respondent seeking for an adjournment stating that he is infected with COVID-19 Virus and advised for home isolation and for medical treatment.
4. We have not received any report either from the Public Works Department (PWD) or from the Tamil Nadu Pollution Control Board.
5. In the mean time, we came across a newspaper report in Dinamalar, Chennai Edition dated 14.06.2021 under the caption "RUq;fp tUk; Goy; Vup gug;gsT muR Jiw mjpgfhupfs; myl;rpak;". It is alleged in the newspaper report that there were lot of encroachment made in the Puzhal lake by the encroachers who have not only encroached into the area but also dumping the waste.
6. It is also seen from the newspaper report that certain houses and also small industries are also established and a road has been formed through this area and the place was identified as Jayam Nagar. It is also alleged that persons who encroached into the water body have made unauthorized layout and selling the same also, which innocent people are purchasing and put to difficulties. It is also mentioned that the Electricity Board has granted electricity connection to these unauthorizedly constructed houses. Time and again the Hon'ble Apex Court as well as the various Hon'ble High Courts and the National Green Tribunal have been reiterating the responsibility of the State Government to protect the water bodies against the encroachment and pollution. In spite of several directions given in several matters of this nature, such things are still continuing.
7. For the limited purpose of considering this aspect, we feel it appropriate to implead the TANGEDCO represented by its Chairman cum Managing Director as additional respondent to this proceeding. So, the Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO) represented its Chairman cum Managing Director, 6th Floor, TANTRANSCO Building, 144, Anna Salai, Chennai - 600 002 is Suo Motu impleaded as additional 9th respondent.
8. The Registry is directed to carry out the amendment in the cause title and send notice to the newly impleaded party by registered post along with Acknowledgment Due along with the copy of the newspaper report, gist of the Suo Motu proceedings with full amended cause title so as to enable them to comply with the direction.

9. Considering the circumstances, we feel it appropriate to direct the District Collector, Thiruvallur District, Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO), Public Works Department (PWD) & Water Resource Organization (WRO) and the Tamil Nadu Pollution Control Board (TNPCB) jointly to inspect the area in question and submit a factual as well as action taken report regarding the encroachments as alleged in the newspaper report mentioned above.

10. The official respondents are also directed to comply with the directions issued by this Tribunal as per order dated 03.06.2021.

11. The above said officials are directed to submit their respective reports to this Tribunal on or before 29.07.2021 by e-filing in the form of Searchable PDF/OCR Supportable PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per Rules.

12. The Registry is directed to communicate this order to the District Collector, Thiruvallur District, Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO), Public Works Department (PWD) and the Tamil Nadu Pollution Control Board (TNPCB) and also to the official respondents by e-mail immediately so as to enable them to comply with the direction.

13. For consideration of further reports, post on 29.07.2021.

Sd/-

.....J.M. (Justice K. Ramakrishnan) Sd/-

.....E.M. (Dr. K. Satyagopal) 30th June, 2021. Mn.