

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

Original Application No. 102 of 2021 (SZ)

With

Original Application No. 02 of 2020 (SZ)

IN THE MATTER OF:

S. Kumaradasan,
Vice President,
Velachery, Chennai

...Applicant(s)

Versus

The Government of Tamil Nadu,
Chief Secretary, Chennai and Others

...Respondent(s)

With

Tribunal on its own motion SUO MOTU based
On the News Item in Dinamalar Tamil newspaper,
“Velachery lake-full due to Monsoon” Plea for preventing
sewage waste get mixed in the lake.

And

The Government of Tamil Nadu,
Rep by its Chief Secretary and Others

...Respondent(s)

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Through
Dr. D. Shanmuganathan
Standing Counsel
National Green Tribunal
Southern Zone

BEFORE THE NATIONAL GREEN TRIBUNAL,
SOUTHERN ZONE, CHENNAI

Original Application No. 102 of 2021 (SZ)
&
Original Application No. 2 of 2020 (SZ)

IN THE MATTER OF:

S. Kumaradasan
Vice President Velachery Eri Pathukappu Iyakkam,
Velachery, Chennai

... Applicant(s)

-Versus-

1. The Government of Tamil Nadu,
Rep by its Chief Secretary
Government Secretariat
Fort St. George, Chennai-600 009
2. The Secretary to Government of Tamil Nadu
Department of Public Works
Government Secretariat
Fort St. George, Chennai-600 009
3. The Secretary to Government of Tamil Nadu
Department of Municipal Administration and
Water Supply
Government Secretariat
Fort St. George, Chennai-600 009
4. The Director of Environment
Department of Environment
Ground Floor, Panagal Building
No. 1, Jeenis Road, Chennai-600 015
5. The Chairman
Tamil Nadu Pollution Control Board
No.76, Anna Salai, Guindy
Chennai-600 032
6. The Greater Chennai Corporation
Rep. by Commissioner
Rippon Building, Park Town
Chennai-600 003


Special Chief Engineer, WRD,
Palar Basin Circle,
Chepauk, Chennai-5.

7. The Chennai Metropolitan Water and Sewerage Board
Rep. by its Managing Director
No.75, Santhome High Road, MRC Nagar
R.A. Puram, Chennai-600 028
8. Tamil Nadu Water Resources Organization
(Public Works Department)
Rep. by its Engineer-in-Chief and
Chief Engineer (General), PWD
PWD office compound, Chepauk, Chennai-600 005 .. Respondents

AND

Tribunal on its own motion suo motu based on the news item in Dinamalar Tamil Newspaper 'Velacherry lake full due to Monsoon'. Plea for preventing sewage waste get mixed in the lake.

-versus-

The Government of Tamil Nadu
Rep. by its Chief Secretary and Ors. .. Respondents

**ADDITIONAL AFFIDAVIT FILED BY THE SPECIAL CHIEF ENGINEER,
WATER RESOURCES DEPARTMENT, PALAR BASIN CIRCLE**

I, A. Kannan, S/o Arunachalam aged about 59 years, Special Chief Engineer, Water Resources Department, Chepauk do, hereby, solemnly affirm and sincerely state as follows:

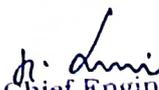
2. I state that I am the Special Chief Engineer, Water Resources Department, Palar Basin circle, Chepauk and the impugned Velachery Lake is under the control of the Lower Basin Division, Kanchipuram which is under the administrative control of the Chief Engineer, Water Resources Department, Chennai Region, Chennai-5. I am acquainted with the facts of the case from records. Hence, as a Nodal Officer appointed by this Hon'ble Tribunal by the order dated 19.05.2021 in the O.A herein, I crave leave of this Hon'ble Tribunal


Special Chief Engineer, WRD,
Palar Basin Circle,
Chepauk, Chennai-5.

to file this Additional Affidavit on behalf of the 2nd respondent/Principal Secretary to Government, Public Works Department and the 8th respondent/Engineer-in-Chief, Water Resources Department (WRD) and Chief Engineer (General), Public Works Department (PWD). The response filed in the O.A. herein may please be read part and parcel of this additional affidavit Iso

3. It is stated as a preamble to the O.A. herein that the Applicant herein has filed this Original Application at this Hon'ble Tribunal alleging the non-maintenance of Velachery Lake by the authorities and not doing de-silting in a regular manner affecting the storage capacity of the lake. Further untreated sewage is also being let in to the Velachery Lake which affects the quality of the water in the lake which caters the drinking purpose and also irrigation purpose of the people in the locality. According to the applicant, several representations have been made to the authorities, no proper action has been taken in this regard.

4. It is also mentioned in the application that the lake was having originally an extent of 265 acres, which has now been reduced to 55 acres. Large extent of land has been allotted to land less and some extent of land around 53 acres of land allotted to Tamil Nadu Housing Board and 34 acres to Tamil Nadu Slum Clearance Board for housing development. In order to reduce the heavy traffic, 100 feet road was laid dividing the Lake into two halves. The remaining area is being maintained as a lake without any proper maintenance. Hence, the Applicant has prayed for the following reliefs:-


Special Chief Engineer, WRD,
Palar Basin Circle,
Chepauk, Chennai-5.

- i) To direct the 6th and 8th respondents to de-silt the Velachery Lake under the supervision of respondents 1 to 5;
- ii) To direct the 8th respondent to strengthen the bunds of the Velachery Lake by planting Palm trees;
- iii) To direct the 4th and 5th respondents to take necessary steps to stop the discharge of sewage and dumping of garbage into the Lake
- iv) To direct all the respondents to restrain from using the said Velachery Lake area for other purposes.

5. As such, it is stated that reliefs sought for by the Applicant against the 8th respondent are to desilt the lake, strengthening of the lake bund and directions to all the respondents to restrain from using the said Velachery lake area for other purpose.

6. In this regard, it is stated that this Hon'ble Tribunal on its own motion was pleased to take a *suo motu* case based on the news item published in the Dinamalar Daily dated 08.02.2020 under the caption " பருவ மழையால் நிரம்பிய வேளச்சேரி ஏரி, கழிவு நீர் கலப்பதைத் தடுக்க கோரிக்கை" and this Hon'ble Tribunal was pleased to appoint a Joint Committee by the order dated 10.01.2020 (vide paragraph 1 of the order dated 16.03.2020) in the *suo motu* proceedings.

7. In this regard, it is stated that the hydraulic details of the Velacherry tank are as follows:


 Special Chief Engineer, WRLD,
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 Chepauk, Chennai-5.

Sl. No.	Technical Profile	Details
1	Tank Type	Non-system (Rainfed)
2	Capacity	0.60 Mem; 21.19 Mcft
3	Full Tank Level (FTL)	7.795 Meter
4	Maximum Water Level (MWL)	8.185 meter
5	Top Bund Level (TBL)	10.015 meter
6	Storage Depth	1.21 meter or 3' 96"
7	Ayacut	387.47.0 Hectare
8	Waterspread Extent	107.48.0 Hectare
9	No. of weirs	1
10	Length of weir	5.60 meter
11	No. of sluices	Nil
12	Regulator sill level	5.95 meter
13	Length of Bund	2,420 meter
14	Designed Discharge	655 cusecs
15	Length of Surplus Course	2150m
16	Drain into	Pallikaranai Marsh Land

8. It is stated further that the land in the tank was alienated to the following authorities as against each:

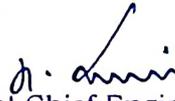
1. Tamil Nadu Housing Board	.. 21.44.81 Ha
2. Tamil Nadu Slum Clearance Board	.. 56.39.60 Ha.
3. Road A and B	.. 04.06.44 Ha.
Total alienation	.. 81.90.85 Ha.

9. It is further stated that an extent of 03.17.21 Ha are under encroachments in the tank and the present water spread area is 22.39.94 Ha and as per the direction of the Hon'ble High Court in W.P.Nos. 19282, 19285,


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19288, 19289, 19290, 19291,19296, 19297,19324,19308,19320,19323 and 19326 of 2023 before the Hon'ble Madras High Court dated 07.06.2023 and in W.P.No.20406 of 2023 dated 12.07.2023 the resurvey was commenced on 26.07.2023 in the presence of the petitioners and completed on 03.08.2023. The details of the encroachment have to be submitted by the Revenue Department. After the submission, the action will be taken to evict the encroachments.

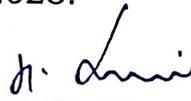
It is, therefore, prayed that this Hon'ble Tribunal may be pleased to take on record the submissions made above and pass appropriate further orders as deemed fit in the facts and circumstances of the case and thus render justice.


Special Chief Engineer, Water,
Palar Basin Circle,
Chepauk, Chennai-5.

VERIFICATION

I, A.Kannan son of Arunachalam Special Chief Engineer, Water Resources Department, Palar Basin Circle, Chepauk do, hereby verify that the contents of above Paragraphs are true to the best of my knowledge and are believed to be true on legal advice and that I have not suppressed any material fact.

Verified at Chennai on this the day 20th of September, 2023.


Special Chief Engineer, WRD,
Palar Basin Circle,
Chepauk, Chennai-5.

DISTRICT : CHENNAI
 TALUK : MAMBALAM-GUNDIRY
 VILLAGE : VELACHERI
 SURVEY NO. : 123/1,123/2
 EXTENT : Ha Ar Sqm
 TOTAL : 107.48.20 (265.48 ACRES)

FIELD BOUNDARY
 SCALE : 1:4000

	Ha Ar Sqm	Ac C
T.N.H.B. ALIENATED AREA	21.45.74	53.00
T.N.S.C.B.REGULARISED HOUSE SITE AREA	56.37.65	139.25
NON-REGULARISED SLUM ENCROACHMENT	03.17.40	7.84
ROADS - A & B	04.06.47	10.04
WATER CATCHMENT AREA		
EASTERN SIDE OF BY-PASS ROAD	02.51.41	6.21
WESTERN SIDE OF BY-PASS ROAD	19.89.47	49.14

