

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No.109 of 2021 (SZ)

With

Original Application No.81 of 2021 (SZ)

Tribunal on its own motion-SUO MOTU
Based on the News items published in
Dinamalar Tamil Newspaper, Chennai
Edition Dated: 08.04.2021 "Ranganathar
Temple pond is becoming a hub for drinking alcohol."

...Applicant

Vs

Additional Chief Secretary to
Govt. of Tamil Nadu, Tourism, Culture
and Religious Endowments Department,
Government Secretariat, Fort, St. George,
Chennai, Tamil Nadu - 600 009 and Ors

... Respondents

With

Tribunal on its own motion Suo Motu
based on the news item in Dinamalar
Newspaper, Chennai Edition dt. 15.02.2021,
"The Kothandaramar Temple pond in T Nagar,
Chennai which is left without maintenance is
Turning out to be a dumping yard"

... Applicant(s)

Versus

The Principal Secretary to Government
of Tamil Nadu, Health and Family Welfare
Department, Chennai and Ors.

... Respondent(s)

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Filed by
Thiru. S. Sai Sathya Jith
Advocate, Chennai.

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**REPORT FILED ON BEHALF OF THE RESPONDENT
TAMIL NADU POLLUTION CONTROL BOARD.**

I, R. Rajamanickam, Son of M. Ramasamy , Hindu, aged about 57 years, having my office at 76, Mount Salai, Guindy, Chennai-600032, do hereby solemnly affirm and sincerely state as follows:-

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board (TNPCB), Chennai – 32, and filing this Report on behalf of the Respondent Tamil Nadu Pollution Control Board (TNPCB) and as such I am well acquainted with the facts of the case from the records.

2. It is respectfully submitted that the Hon'ble National Green Tribunal (Southern Zone), Chennai has passed an order dated 21.05.2021 in NGT

R. Rajamanickam
24/9/2024
**JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.**

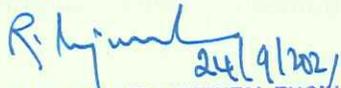
O.A.No.109 of 2021 in respect of Ranganathar Temple pond located in Thiruneermalai Vilalge and directed as follows:

Para 9: In the mean time, the Commissioner, Hindu Religious & Charitable Endowments Department (HR & CED) is directed to look into the issue and submit a detailed report as to the present status and the action taken to revive the tank to its original position and safeguard the same against the misuse by the miscreants. Apart from this tank, there is another case pending before this Tribunal in O.A. No. 81 of 2021 in respect of Kothandaramar Temple T. Nagar with similar complaint. So under such circumstances, we feel it appropriate to direct the Commissioner, Hindu Religious & Charitable Endowments Department (HR & CED) to convene the meetings of the temple authorities to ascertain the status of the temple tanks attached to the respective temple and if any maintenance is required look into the issue and issue necessary directions to take steps to maintain those temple tanks which in fact have some role to play in protecting environment while providing natural water recharge system to improve the ground water level in that areas.

Para 12: The Commissioner Hindu Religious & Charitable Endowments Department (HR & CED) is directed to submit the report in this regard to this Tribunal on or before 30.06.2021”

Para 13: The Registry is directed to communicate this order to the above officials and also to the other official respondents immediately through e-mail along with the copy of the news paper report and the gist of the Suo Motu proceedings with full cause title so as to enable them to comply with the direction and for filing their independent response regarding the allegations in the news paper report”.

3. It is respectfully submitted that in earlier the Hon'ble NGT has passed in its order dated 04.03.2021 in O.A.No.81 of 2021 and directed as follows: “In order to ascertain the genuineness of the allegations and the gravity of the issue and the remedial measures to be taken for resolving the issue, we feel it appropriate to appoint a Joint Committee comprising of (1) a Senior Officer/Scientist from Tamil


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Nadu Pollution Control Board (TNPCB) as deputed by its Chairman, (2) a Senior Officer from the Hindu Charitable Endowments Department (HRCED) as deputed by its Commissioner and (3) a Senior Officer from Greater Chennai Corporation to be deputed by its Commissioner to inspect the tank in question and submit a factual as well as action taken report, if there is any violation found".

4. It is respectfully submitted that, further the Hon'ble NGT has tagged the O.A.No.109 of 2021 with O.A.No.81 of 2021 and directed in its common order dt.26.07.2021 as follows:

"The Tamil Nadu Pollution Control Board is directed to inspect both the tanks in question to find out whether any pollution has been caused to the tanks and if so, what is the nature of steps to be taken to rectify the same".

STATUS REPORT OF THE HON'BLE NGT O.A.NO.109 OF 2021 REGARDING RANGANATHAR TEMPLE POND:-

5. It is respectfully submitted that in pursuance to the above said NGT order dt.26.07.2021, it is submitted that the Ranganathar Temple Pond is located in Thiruneermalai Village in an area of 146713 sq.ft surrounded by residences belonging to HR & CED. The said temple pond is maintained by Hindu Religious & Charitable Endowments Department.

6. It is respectfully submitted that the said area was inspected by the officials of the DEE, TNPCB, Maraimalai Nagar on 24.07.2021 and it was noticed during the time of inspection that the said temple pond is grill fenced on all four sides with an entrance gate provided with lock and key arrangement. However, a part of the temple pond wall was found damaged and the same was also provided with wired fencing. The source of water to the pond is the rain water collected from the temple area and from the vicinity. It was reported by the Thiruneermalai Town Panchayat that the said temple pond is managed by the HR & CE Department and the solid wastes in the area surrounding the temple are removed periodically by the Thiruneermalai Town Panchayat.

R. Jeyaraj
24/9/2024
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7. It is respectfully submitted that during inspection it was noticed that no solid waste found in the temple pond and in the surrounding area of the pond. There is no sewage drain into the temple pond. Further, water sample was collected from the temple pond on 24.07.2021 to ascertain the quality of water in the said pond. The presence of Total coliform 790 MPN/100ml, BOD 9 mg/l, pH 7.79 and DO 5.8 mg/l indicates that pH & DO are within the desirable standard prescribed by CPCB for outdoor bathing, Total Coliform (500 MPN/100ml or less), BOD (3 mg/l) are exceeding the standards.

**STATUS REPORT OF THE HON'BLE NGT O.A.NO.81 OF 2021
REGARDING KOTHANDARAMAR TEMPLE POND:-**

8. It is respectfully submitted that in respect of NGT O.A.No.81 of 2021, the Kothandaramar Temple and the abutting areas were inspected by the officials of the DEE, TNPCB, Chennai on 19.07.2021. During inspection it was observed that the said Kothandaramar Temple tank is located outside the Kothandaramar Temple compound, adjacent to the temple in the southern side and the extent of the pond is around 4200 sq.mts. This was a old pond which was handed over to the Kothandaramar temple by the District collector, Chennai in the year 1992. During inspection, water was found stagnated in the pond and the depth of the water storage was reported to be around 2 mts. The physical appearance of the pond water was in green colour and algae growth was found in the entire water spread area. No garbage dumping was noticed in the water storage area.

9. It is respectfully submitted that, from the Report of analysis of the water sample collected from the above pond on 09.07.2021 and analysed by TNPCB, Laboratory it was found that the Total coliform in the pond water: 140 MPN/100 ml, is within the desirable standards prescribed by the CPCB for outdoor bathing (500MPN/100ml).

10. It is further submitted that, during inspection the Executive Engineer, Greater Chennai Corporation has reported that a contractor was allocated to


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improvising the water storage area and surrounding area of the pond at a cost of Rs.95 Lakhs. The work is mainly to deepen the pond, provide stone pitching on the sides of the pond, developing of pathway and to construct compound wall to restrict the entry of outsiders and also to avoid dumping of solid waste into the pond. The Contractor has completed the work partially and during inspection it was noticed that no work was carried out and only deepening of pond was carried out. Part of the stone pitching work was found completed. There is access from two sides of the pond. By that ways, public can access the pond freely from the eastern and southern side.

11. It is respectfully submitted that, as the premises of the pond was handed over to the HR & CE long back, HR & CE has to take steps to construct compound wall all around the pond attaching the same to the existing Kothandaramar Temple and provide access only through the temple thereby public movement can be restricted and also dumping of solid waste etc., can be completely stopped.

12. It is further submitted that the TNPCB has addressed to the Commissioner, Hindu Religious and Charitable Endowments Department, Chennai vide letter dated 23.08.2021 and informed that in order to prevent the illegal dumping of solid waste by the public in and around the said pond, the responsible authorities of Kothandaramar Temple, T.Nagar, Chennai shall be strictly instruct to comply the following:

i. To construct compound wall/fencing all around the pond and stabilize all the sides of the pond by developing walkways & also to develop green belt all around the pond. Also access to the pond can be provided from the temple to curtail the movement of public near the pond and to avoid the dumping of solid waste

ii. to place a display board stating not to dump solid waste in the temple premises and in and around the pond. CCTV shall also be placed in the temple premises and pond area to monitor the same and shall arrange to post security guard so as to watch and mitigate the illegal disposal of solid wastes.


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iii. Arrangements shall be made to source segregation of solid wastes generated within the temple premises and to hand over the same to the Greater Chennai Corporation.

iv. Strict instruction shall be issued to the shop keepers to avoid illegal disposal of solid waste.

Further, the TNPC Board has addressed to the Commissioner, Greater Chennai Corporation vide letter dated 23.08.2021 requested to strictly comply with the provisions of the Solid Waste Management Rules, 2016 and Corporation shall ensure that 100% door to door collection of solid waste is carried out and disposed in accordance with the SWM Rules, 2016.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal may be pleased to pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstance of this case and thus render justice.


24/9/2021
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.
BEFORE ME

VERIFICATION

I, R. Rajamanickam, Son of M. Ramasamy, working as Joint Chief Environmental Engineer, having office at No. 76, Anna Salai, Guindy, Chennai – 32, do hereby submit that the above contents are true to the best of my knowledge and belief through records.


24/9/2021
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
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**REPORT FILED ON BEHALF OF THE
RESPONDENT - TAMIL NADU
POLLUTION CONTROL BOARD**

**Advocate for Respondent: TNPCB
Thiru.S. Sai Sathya Jith,
Advocate, Chennai.**

Date:24.09.2020

Date of hearing on 27.09.2021

