

**Inspection Report of the Joint Committee
(As per Hon'ble National Green Tribunal, Southern Zone, Chennai
Order dated 10.08.2020 in O.A. No. 110/2020)**

1. Background

The Honourable National Green Tribunal, Southern Zone, Chennai, in the matter of O.A. No. 110 of 2020 directed on 20.07.2020 as;

"...**15.** The Hon'ble Apex Court as well as the National Green Tribunal and also Hon'ble High Court of Madras in several decisions, reiterated the responsibility of the State Authorities to maintain the water bodies free from encroachment and pollution as providing clean water is part of right to life enshrined Under Article 21 of the Constitution of the India. It is seen from the report itself that some action had been taken earlier on the basis earlier paper report, but the work is moving at a snail space; it has to be quickened especially as the monsoon is approaching.

16. Considering the circumstances and also to ascertain the present state of affairs, we feel it appropriate to constitute a Joint Committee comprising of the 1. District Collector, Chennai or an Officer, not below the rank of Assistant Collector or Sub Divisional Magistrate who is in charge in that area nominated by the District Collector,
2. Superintending Engineer of Public Works Department and Water Resources Organisation, who is in charge of that Lake
3. A Senior Officer designated by the Chairman Tamil Nadu State pollution Control Board and
4. Any Senior Officer who is in charge of maintaining the water bodies deputed by the Commissioner, Greater Chennai Corporation, Chennai to inspect the area in question and submit a factual as well as action taken report if there is any violation found including the action taken for removal of encroachment, any action plan prepared for the

purpose of beautifying the lake and whether pollution has been caused to the water quality on account of any illegal activity that is being done in that lake.

17. *The Public Works Department is designated as the nodal agency for co-ordination and also for providing all necessary logistics for this purpose.*
18. *The committee is also directed to look into the issue as to whether there were any inlet and outlet existed earlier for discharging the flow of rain water into and out of the lake during rainy season and if there were any encroachment caused to the same, then submit as to whether these outlets can be restored, so as to maintain the lake in better position. If, there is already a plan prepared by the Government or respective Departments to protect this water body, then the committee is directed to evaluate the present status of the implementation of that scheme as well and mention about the same in the report.*
19. *Since, the monsoon is fast approaching and there is intermittent rain coming during summer as well, the committee is directed to prepare a short term as well as long term measure with shorter timelines to protect the lake against the encroachments as well as keeping the water body pollution free.*
20. *The committee is also directed to take water sample and ascertain the quality of the water and if there is any contamination caused, then the committee is directed to suggest the ways and means to purify the water to make it atleast bathing standard and there after convert the same into potable level.*
21. *The committee is also directed to consider the question as to whether there was any dumping of waste or debris and if so trace out those persons who are responsible for the same and take appropriate action against them including imposition of environmental*

compensation as directed by this Tribunal in several cases of this nature.

22. *The committee is directed to submit the report to this Tribunal within a period of two months i.e., on or before 05.10.2020 through e-mail @ nqtszfilinq@gmail.com or by e-filing...*

Based on the receipt of the order, the joint committee has conducted an inspection on 30.09.2020 in the area of Alapakkam Lake in question and submitted the report as follows. The Alapakkam lake is situated in S.F.No: 465, 579 & 580 of Madhuravoyal village in Madhuravoyal taluk of Chennai District under the control of Public Works Department. As per revenue record the Alapakkam lake is having an extent of 23.12.50 Hectares i.e., 57.12 Acres.

Officers Present:

1. Er.C.Podupanithilagam, M.E.,
Executive Engineer, W.R.D., P.W.D.,
Kosasthalayar Basin Division, Thiruvallur.
2. Er. B.Sivasankar, M.E.,
Executive Engineer,
Regional Deputy Commissioner (south),
Greater Chennai Corporation,
Chennai.
3. Er. N.Murugavel, B.E.,
Assistant Executive Engineer,
Zone XI, Unit 32,
Greater Chennai Corporation,
Chennai.
4. Er. A. Shanthi, B.E.,
Assistant Executive Engineer,
Storm water Drain Department,
Greater Chennai Corporation,
Chennai.

5. Tmt.Parvathi,
Tahsildar,
Maduravoyal Taluk.
6. Er.S.Indragandhi,
District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Ambattur.

The following observations were made by the committee during the site visit:

The Alapakkam Lake restoration work is being taken over by the Greater Chennai Corporation to an extent of 11.59 Acres out of 57.12 Acres. In this work the desilting of lake, strengthening the bund and construction of protection wall works are included. The Greater Chennai Corporation is restoring the Kadapakkam Lake, Nesavaalar Lake, Sadayankuppam Lake, Alappakkam Lake, Anai Lake (Near Ambal Nagar, Mount Road) and Big tank (Near Bhavani Amman Nagar) in this year. While giving the no objection certificate to the Greater Chennai Corporation by the Chief Engineer, PWD/WRD, Chennai Region, Chennai-5 vide Letter No. T1/AE1/F-GCC-7 Tanks/2018 dated 20.09.2019, eighteen conditions were imposed to follow while executing the work. In the first condition, it was clearly mentioned that the Greater Chennai Corporation should commence the restoration work only after evicting the encroachments in the water spread area of the lake. In the second condition it was mentioned that the Greater Chennai Corporation should commence the restoration work only after evicting the encroachments in the bund, Eri ulvoi, and in the channel bed of the lake. In the thirteenth condition it was mentioned that the water spread area extent should not be reduced at any cost.

At the time of inspection, the Junior Engineer, Public Works Department present explained that, while executing the pile foundation work in a smaller portion of the lake he issued the notice in his Letter No. 102 / JE / Adayar Irrigation Section / 2020 / Dated: 18.06.2020 to the Assistant Executive Engineer, Storm water Drain Department, Greater Chennai Corporation to stop the foundation work and instructed

to evict the encroachments and to construct protection wall to the entire extent. If the protection work is being carried out for a smaller portion, the encroachers will easily occupy the remaining portion. The Executive Engineer, Regional Deputy Commissioner (south) office, Greater Chennai Corporation present in the inspection accepted the fact and assured to execute the work after completion of eviction procedure and for the entire extent of lake.

The committee observed that no irrigation activities are being carried out due to urbanisation. The Committee observed that sewage/sullage water are being let into the Alapakkam lake through storm water drain from Nethaji Nagar Ist, IInd and IIIrd street. The Assistant Executive Engineer, Zone XI, Unit 32, Greater Chennai Corporation assured to take action against the persons those who are illegally letting the sewage/sullage water into the storm water drain and plug the same within a short period.

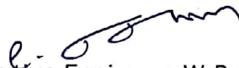
The District Environmental Engineer, Tamil Nadu Pollution Control Board, collected the water sample to ascertain the water quality of the lake to find out as to whether it confirms to standard provided which must include the quantity of E-coli, Total coliform (Tc) and Fecal coliform. The Committee instructed the Corporation to check if any other sewage inlets or trade effluents are being let into the lake. The committee instructed the Revenue Department to list out the encroachment details in the lake and eri ulvoy and channel. The encroachments in the form of thatched roofs, tiled roofs, and shed in the S.F.No: 465, 579 & 580 of Madhuravoyal village which is classified as lake and surrounding eri ulvoi areas in Madhuravoyal Village. The Committee instructed the Revenue Department to take necessary steps to survey the field and demarcate the boundaries of the lake and ensure the above encroachments as of now. The Greater Chennai Corporation is assured to evict the encroachments by due procedure. In the western side of the foreshore area of lake, it is found that, old building materials and solid wastes are dumped by the street vendors. The Greater Chennai Corporation stated that the solid wastes are periodically removed. The committee suggested that fine should be imposed by the

Greater Chennai Corporation, those who are polluting the water body area.

Based on the inspection by the Committee, following actions are suggested to take in short term and long term and requested the concerned departments to submit the action taken report to the nodal agency ie., Public works Department.

SHORT TERM PLAN			
S.No.	DESCRIPTION OF WORK	DEPARTMENT	TIME SCHEDULE
1	Plugging the sewage/suillage water being let into the Alapakkam lake through storm water drain from Nethajinagar I st , II nd and III rd street in Maduravoyal Village.	Executive Engineer, Greater Chennai Corporation & Executive Engineer, CMWSSB.	1 month
2	Surveying of Lake area in S.F.No. 465, 579 & 580 of Maduravoyal village and demarcating the boundary and assessment of encroachments	Tahsildar, Maduravoyal, Executive Engineer, GCC, Executive Engineer, PWD/WRD.	1 month
3	Providing drainage facilities for the residents of Nethajinagar I st , II nd and III rd street.	Executive Engineer, CMWSSB.	3 months
4.	Disposing of the old building materials and solid wastes present in the western side of the foreshore area of lake.	Executive Engineer, GCC.	Immediately or within 1 week.

LONG TERM ACTION PLAN			
1.	Construction of under ground sewage system for Nethajinagar I st , II nd and III rd street area in Maduravoyal Village.	Executive Engineer, CMWSSB.	1 Year
2.	Eviction of encroachments in the Alapakkam lake	Executive Engineer, GCC, Executive Engineer, PWD/WRD, Thiruvallur	1 Year
3.	Restoration of Alapakkam lake by providing protection arrangements in the foreshore area, strengthening of bund and desilting of lake.	Executive Engineer, GCC. Since the works are already taken up by GCC.	1 Year


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