

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

Original Application No.110 of 2020 (SZ)

(Through Video Conference)

IN THE MATTER OF:

Tribunal on its own motion SUO MOTU Based on the News Item in Tamil Newspaper Dinamalar Chennai Edition dated 13.07.2020, "Different Decisions on the issue of encroachments- Save Aalapakkam Lake „O“ My Lord".

...Applicant(s)

Versus

The Principal Secretary to Government, Public Works Department, Secretariat, Fort St. George, Chennai and Ors.

...Respondent(s)

**STATUS REPORT AFFIDAVIT FILED BY THE EXECUTIVE ENGINEER,
WRD., KOSASTHALAIYAR BASIN DIVISION, THIRUVALLUR.**

1. I, C.Podupanithilagam son of Chinnathambi aged about 47 years, Executive Engineer, Public Works Department / Water Resources Department, Kosasthalaiyar Basin Division, Thiruvallur do, solemnly affirm and sincerely state as follows:
2. I state that the impugned Alappakkam eri is under the maintenance control of Kosasthalaiyar Basin Division, Thiruvallur and as such I am filing this status report affidavit in the O.A. on hand pursuant to the orders dated 17.06.2021 made by this Hon'ble Tribunal.
3. It is submitted that the Joint Committee before this Hon'ble Tribunal on 08.01.2021, has filed the following action plan of short term and long term.


Executive Engineer PWD
Kosasthalaiyar Basin Division WRD
Thiruvallur.

SHORT TERM PLAN

SL.NO.	DESCRIPTION OF WORK	DEPARTMENT	TIME SCHEDULE
1	Plugging the sewage/sullage water being let into the Alapakkam lake through storm water drain from Nethajinagar Ist, IInd and IIIrd 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	Thasildar, Maduravoyal, Executive Engineer, GCC, Executive Engineer, PWD/WRD.	1 month
3	Providing drainage facilities for the residents of Nethajinagar Ist, IInd and IIIrd 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 Ist, IInd and IIIrd street area in Maduravoyal Village.	Executive Engineer, CMWSSB.	1 Year
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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

It is stated that since the entire extent of the impugned tank is under the control of PWD WRD, surveying and carrying out of eviction have to be done in the manner known to law viz., the Tamil Nadu Protection of Tank and Eviction of Encroachments Act, 2007 and Rules framed there under.

4. It is stated that as per the Act and Rules ibid, the survey has to be made by the revenue department and the encroachments have to be identified. After demarcation, the particulars of encroachments have to be furnished to the Assistant Engineer, WRD, Irrigation Section, St. Thomas Mount by the Tahsildar/Maduravoyal in Form I and II whereupon, the Assistant Engineer will have to issue notice under sub rule (1) to rule 6 of the Rule 6.


Executive Engineer PWD
Kosasthalayaru Basin Division WRD
Thiruvallur.

5. It is further stated that in view of the grim lockdown restrictions imposed by the Government due to COVID-19 pandemic, which is prevailing even now, the survey could not be done following the order dated 17.06.2021.

6. It is submitted that nearly 1900 encroachments is expected in the subject area. Now that the survey is being carried out by the Revenue department nearly 727 Numbers as identified so far and after assessing the particular of encroachments completely in the tank, the Revenue department will issue Form-I & II notices, and then Assistant Engineer will issue Form-III notices to the encroachers and the process of eviction would be carried out in accordance with the law.

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.

VERIFICATION

C.Podupanithilagam son of Chinnathambi aged about 47 years, Executive Engineer, Public Works Department / Water Resources Department, Kosasthalaiyar Basin Division, Thiruvallur, do verify that the submissions made in paragraphs 1 to 6 are true and correct to the best of knowledge as per records and I verify the same at Chennai on this ..11th.....Day of August, 2021.


Executive Engineer, PWD
Kosasthalaiyar Basin Division WRO
Thiruvallur.

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The Principal Secretary to
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And others.

.. Respondents

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ENGINEER, WRD.,
KOSASTHALAIYAR BASIN
DIVISION, THIRUVALLUR.**

GOVERNMENT PLEADER