

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**SOUTHERN ZONE, CHENNAI**

**Original Application No. 01 of 2024 (SZ)**

**In the matter of:**

Tribunal on its own motion SUO MOTU based

On the news item published on DInamalar E-Edition dated  
01.01.2024 under the caption 'Sewage mixed in Theppakulam  
In feared to be a health Hazard"

And

The District Collector,

Sivagangai District and Others

...Respondent(s)

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Through

Dr. D. Shanmuganathan

Standing Counsel of Tamil Nadu

National Green Tribunal

Southern Zone, Chennai



2. It is submitted that, the Sivagangai Municipality is a first Grade Municipality in the Sivagangai District and is also in the District headquarters. The population of the municipality as per the revenue records in census 2011 was 40,403 and the present population is 43,990. This Municipality is divided into 27 council wards.
3. It is submitted that, the Theppakulam is located in Neethipathi Rajasekaran Street which lies in the municipal ward No. 11, and town survey ward No. B, Block No-8, T.S.No-3, is classified as "Sarkar Poramboke" that spreads over to an extent of 26,710 Sq.mts (or) 6.60 acres.
4. It is submitted that, there are two major rain water channels that lead to the Theppakulam. One channel from the Chetti Oorani and the other from Sathappar Oorani. Both the Oorani's (ponds) when they get filled during rainy / monsoon season, the surplus water flows into Theppakulam. The Chetti Oorani water flows through a Storm water drain in Neethipathi Rajasekaran Street and reaches the culvert behind the Amma Unavagam. Accordingly, Sathappar Oorani water flows through the storm water drain in Majeed road and Raja Sathira Street and reaches the culvert behind Amma Unavagam. The above two Channels join and flows into the Culvert behind Amma Unavagam and reach the Theppakulam which is located to the South side of the Raja Sathira Street.
5. It is submitted that, only during monsoon/ heavy rains while the above two Oorani get filled up , the surplus water flows into this Theppakulam. In the remaining period the above said channels are always in dry state.
6. It is further submitted that, at present the storm water drain from Chetti oorani is dry and due to the disposal of waste water from commercial buildings and residential buildings has lead the waste water directly into the storm water drain located in Raja Sathira Street. The waste water flows into the drain and reaches Theppakulam.
7. In response to the above Suo motu application, the site was inspected by the District Environmental Engineer, TNPCB, Sivagangai along with the Commissioner, Sivagangai Municipality on 24.01.2024. During the inspection the District Environmental Engineer, TNPCB informed to sort

out the following issues vide letter No.02024/Complaint/DEE/TNPCB/SVG/2024, dt.24.01.2024.

- 1) To Clean the bushes and grass found in junction of Chetti oorani and Sathappar Oorani channel, located in Raja Sathira Street in ward 11.
  - 2) To prevent the disposal of sewage into Theppakulam and to complete the Under Ground Sewerage System in uncovered wards.
8. In continuation to the inspection and instructions given by the District Environmental Engineer, TNPCB, the buildings that let out the waste water into the Sathappar Oorani Storm water drain were identified and necessary action is initiated to issue the notice under rule 365 and 367 of the Tamil Nadu Urban Local Bodies Rules, 2023. To avoid the disposal of waste water into the above mentioned storm water drain, the bushes and grass grown obstructing the free flow of storm water drain have been cleared.
9. It is further stated that, out of 27 wards, 21 wards are fully covered under Under Ground Sewerage System and balance 6 wards are partially covered under Under Ground Sewerage System. The above said Raja Sathira Street falls under uncovered area of Under Ground Sewerage System. The existing UGSS Scheme was implemented by TWAD Board under TNUDF-III scheme at an estimate amount of Rs.31.30 crores, and the scheme was put into use to the public from 01.07.2020. Out of total 17,458 households, 7,126 households are connected to UGSS.
10. Necessary action is being taken to provide connection for the remaining households into UGSS system to avoid the health hazards and pollution of ground water.
11. Further UGSS for uncovered areas are under survey and DPR is under preparation. The DPR is expected to be completed within two week time. Once, the DPR is prepared, proposal will be submitted to the Government for sanction of the scheme and necessary fund allotment. After that the UGSS scheme will be implemented in the Uncovered areas. Since, the Raja Sathira Street in Ward-11 is under the uncovered UGSS area, the owners of the residential and commercial buildings have been instructed to stop the outlet of waste water into the storm water drain and to provide

soak pit within their premises. Accordingly notice under rule 365 and 367 of TNULB Rules, 2023 is issued to the building owners who have let out the waste water into the storm water drain.

12. Further a DPR has been prepared for construction of Storm water drain with culverts in the main road to a length of 5300 meters at an estimation of Rs.9.50 crores. Out of the above 5300 meters, 700 meters length of storm water drain is proposed exclusively for the drain from Chetty Oorani to Theppakulam at an estimation of Rs.1.00 crore. To avoid the over flow of the rain water into the roads . DPR plan is to be sent for the government approval and necessary fund allocation. Once the approval is processed, the scheme will be implemented for the benefit of the public.

It is further submitted that the response submitted herein are true to my knowledge and available records. I, request that the Hon'ble National Green Tribunal, Southern Zone, Chennai may be pleased to pass orders and render justice.

Verification

I, D.Senthil Kumar , working as Commissioner, Sivagangai Municipality ,the 3<sup>rd</sup> respondent in this application do hereby verify and declare that the facts stated in the above paragraphs are all true to the best of my knowledge and I request the tribunal to consider the same and render justice.

Date:

செ. சந்தில்குமார்  
25/1/24

Commissioner  
Sivagangai Municipality

செ. சந்தில்குமார்  
25/1/24

செ. சந்தில்குமார்  
25/1/24

Commissioner  
Sivagangai Municipality

செ. சந்தில்குமார்  
25/1/24



**TAMIL NADU POLLUTION CONTROL BOARD**



**Plastic Pollution Free  
Tamilnadu**

**From**

**To**

Er. S. Pandiarajan, M. Tech.,  
District Environmental Engineer,  
Tamil Nadu Pollution Control Board,  
Collectorate Complex,  
Sivagangai - 630 562.

The Commissioner,  
Sivagangai Municipality,  
Sivagangai Municipality Office,  
Thondi Road,  
Sivagangai District – 630 561

**Lr.No. 02024/Complaint/DEE/TNPCB/SVG/2024 dated 24.01.2024**

**Sir,**

**Sub:** TNPCB - O/o DEE - SVG – Before the National Green Tribunal Application No. 01 of 2024 (S2) by Suo Motu based on the news item published in Dinamalar, E-Edition dated 01.01.2024 under the caption “Sewage mixed in Theppakulam is feared to be a health hazard” – Requested to take necessary action - Reg.

**Ref:** 1. Before the National Green Tribunal Application No. 01 of 2024 (SZ) by Suo Motu  
2. Inspection of theppakulam and surrounding area by DEE and AE, TNPCB, SVG on 24.01.2024.

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With reference to the Suo Motu registered by based on the news item published in Dinamalar, E-Edition dated 01.01.2024 under the caption “Sewage mixed in Theppakulam is feared to be a health hazard”, Sivagangai Theppakulam was inspected by District Environmental Engineer and Assistant Engineer, Tamilnadu Pollution Control Board, Sivagangai on 24.01.2024. During inspection, the following observation were made,

1. It was noticed that sewage from residence of 11<sup>th</sup> ward of Raja sathira street, Sivagangai Municipality were discharged into sathappar oorani channel which leads to theppakulam.
2. It was noticed that bushes & grasses were found in the junction of chetti oorani channel & Sathappar oorani channel located at 11<sup>th</sup> ward of Raja sathira street, Sivagangai.
3. During inspection it was reported that, Out of 27 wards in the municipality 21 wards were connected with Under Ground Sewerage System with Sewage Treatment Plant. The remaining 6 wards were partially connected in Under Ground Sewerage System and work is under progress.

Hence, it is requested to take action to prevent the disposal of sewage into sivagangai theppakulam and to complete the uncovered wards in the UGSS and submit the action taken report to this office.

The receipt of this letter shall be acknowledged.

*S. Pandiarajan*  
24.1.24  
**District Environmental Engineer  
Tamil Nadu Pollution Control Board  
Sivagangai**

**Copy submitted to:**

The District Collector, Sivagangai – For kind information please.

நகராட்சி அலுவலகம்  
சிவகங்கை  
நாள்.25.012024

ந.க.எண்.163/2024/எச்1

அறிவிப்பு

தமிழ்நாடு நகர்புற உள்ளாட்சி அமைப்புகள் விதிகள் 2023, விதி எண்.365 மற்றும்  
367ன் கீழ் வழங்கப்படும் அறிவிப்பு

இந்நகராட்சி எல்லைக்குட்பட்ட வார்டு எண்.11, ராஜாசத்திரத் தெருவில் அமைந்துள்ள தங்கள் நிறுவனம்/வீட்டிலிருந்து வெளியேற்றப்படும் கழிவுநீர், இந்நகராட்சியில் அமைந்துள்ள பிரசித்தி பெற்ற தெப்பக்குளத்திற்கு செல்லும் பிரதான மழைநீர் கால்வாயில் நேரடியாக விடப்படுகிறது. இதனால் தெப்பக்குளத்தில் தங்கள் நிறுவனம்/வீட்டிலிருந்து வெளியேற்றப்படும் கழிவுநீர் கலந்து தெப்பக்குளம் மாசடைந்து வருகிறது. இதனால் அக்குளத்தினை பயன்படுத்தும் பொதுமக்களுக்கு நோய்தொற்று ஏற்பட வாய்ப்புள்ளதாலும், பொது சுகாதாரத்திற்கு கேடு விளைப்பதாலும், தாங்கள் இவ்வறிவிப்பு கிடைக்கப் பெற்ற 48 மணி நேரத்திற்குள் தங்கள் நிறுவனத்தின்/வீட்டின் கழிவுநீர் குழாயினை இந்நகராட்சியில் செயல்படுத்தப்பட்டு வரும் பாதாளச் சாக்கடைத் திட்டத்தில் இணைப்பதற்கு மேற்படி சட்ட விதிகள் 365ன் கீழ் பாதாளச் சாக்கடை இணைப்பு பெற இந்நகராட்சியில் விண்ணப்பம் சமர்பித்து இணைப்பு பெற அறிவுறுத்தப்படுகிறது. அல்லது இணைப்பு பெறும் வரை தங்களது இடத்தில் உறிஞ்சுத்தொட்டி அமைப்பு (SOAK PIT) ஏற்படுத்தியோ கழிவு நீர் மழைநீர் கால்வாயில் கலக்காமல் தடுத்திட அறிவுறுத்தப்படுகிறது. தவறும் பட்சத்தில் தங்கள் மீது மேற்குறிப்பிட்ட சட்ட விதிகளின்படி நடவடிக்கை மேற்கொள்ளப்படும் என இதன் மூலம் தெரிவிக்கப்படுகிறது.

2026  
25/1/24  
ஆணையாளர்

சிவகங்கை நகராட்சி

பெறுநர்:

நகல்:

துப்புரவு ஆய்வாளர் தொடர் நடவடிக்கைக்கு

25/1/24

25/1/2024



**TAMIL NADU  
GOVERNMENT GAZETTE  
EXTRAORDINARY** PUBLISHED BY AUTHORITY

No. 124]

CHENNAI, WEDNESDAY, APRIL 12, 2023  
Panguni 29, Subakiruthu, Thiruvalluvar Aandu-2054

**Part III—Section 1(a)**

**General Statutory Rules, Notifications, Orders, Regulations, etc.,  
issued by Secretariat Departments.**

**NOTIFICATIONS BY GOVERNMENT**

**MUNICIPAL ADMINISTRATION AND WATER SUPPLY (ELECTION) DEPARTMENT**

THE TAMIL NADU URBAN LOCAL BODIES RULES, 2023

[G.O. Ms. No. 45, *Municipal Administration and Water Supply (Election) Department, 12th April 2023,*  
பங்குனி 29, சுபகிருது, திருவள்ளூர் ஆண்டு-2054.]

No. SRO A-17(a)/2023.

In exercise of the powers conferred by section 198 of the Tamil Nadu Urban Local Bodies Act, 1998 (Tamil Nadu Act 9 of 1999), the Governor of Tamil Nadu hereby makes the following rules, namely:—

<b>CHAPTER XI</b>		
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**362. Power to order cleaning of insanitary private water course, spring, tank, well, etc. used for drinking purposes.—** (1) The Commissioner may by notice require the owner or person having control over any private water course, spring, tank, well or other places, the water of which is used for drinking purposes to keep the same in good repair, to cleanse it in such a manner as the Commissioner may direct and to protect it from pollution caused by surface drainage or other matter in such manner as may be provided in the notice.

(2) If the Commissioner is satisfied that the water in any private tank, well or other place which is used for drinking is unfit for that purpose, he may by notice require the owner or any person having control thereof to,—

- (a) refrain from using or permitting the use of such water for drinking; or
- (b) close or fill up such place or enclose it with substantial wall or fence.

(3) If the owner or any person having control over a private tank fails to comply with the direction issued under sub-rule (1) or (2), the Commissioner shall carryout such works or such things as is necessary to protect the people from drinking the insanitary water and recover the cost from the owner or the person having control and the amount thereto shall be recoverable as if it were an arrear of tax under the Act.

**363. Prevention of pollution etc.—** It shall not be lawful for any person to,—

(a) bath in any tank, reservoir, conduit, fountain, well or other place set apart by the municipality for drinking purposes;

(b) wash or cause any animal or thing to be washed in any water set apart for drinking purpose;

(c) throw, put or cause to enter into the water in any such place, any animal or thing whereby the water may be fouled or polluted; and

(d) cause or allow to drain into or upon any place set apart for storage of drinking water or cause or suffer anything to be brought therein or do anything whereby the water may be fouled or polluted.

**364. Prohibition of construction of any building or digging of wells or bore wells or dumping of garbages or removing of sand in areas near municipal water supply sources.—** The Commissioner shall prohibit digging of wells including borewells or dumping of garbages or removing of sand in and around 1,000 meters upstream and 500 meters downstream of the municipal water supply sources areas to be declared as prohibited area under section 163-A of the Act.

## PART II.

### SEWERAGE.

**365. Application for sewer connections.—** (1) Where there is an underground sewerage system in a municipality, the owner or occupier of any premises shall apply for sewerage connection to the Commissioner either through online or offline in Form 1.

(2) On receipt of such application and after satisfying himself the details furnished in the application, the Commissioner may grant the permission to such person in Form 2.

(3) The Commissioner may by notice direct the owner or occupier of any premises to construct the sewer and connect all waste waters leading from such premises to such municipal sewer or place and execute all such works as may be necessary at the cost of the person concerned:

Provided that, no permission for sewer connection shall be granted unless the building has been constructed or modified or altered after obtaining permission of the municipality.

(4) (a) In places where there are group of houses the Commissioner may allow for the provision of any sewerage system covering the group of houses and the expenses incurred shall proportionately based on the number of houses be collected from the owner or users of such houses.

(b) In places where there are multistoried buildings, the Commissioner may allow for the provision of any sewerage system covering the multi-storied building and the expenses incurred shall proportionately based on their carpet area of the building be collected from the owner or users of such apartments.

**366. Control over house-sewers, privies and cesspools.—** All house sewer whether within or outside the premises to which they belong and all septic tanks, cess pools within the municipal area shall be under the control of the municipality, but shall be altered, repaired and kept in proper order at the expenses of the owner of the premises to which the same belong or for the use of which they were constructed.

**367. Power of Commissioner to issue directions.—** Where any sewer, toilet, septic tank, cess-pool or any other sewerage line in any premises on inspection is found to be not in good condition or constructed in contravention of the conditions laid down in the permission issued under these rules, the Commissioner may, by notice in writing, require the owner or occupier of the premises to close or repair or take such other action as he may think necessary so as to make the sewerage system workable and serviceable.

**368. Fixation of charges by the council for sewerage connections.—** The council shall fix monthly charges for houses based on kitchens and for non-residential buildings based on the carpet area of the building collectable, including a non-refundable security deposit, from the owner or occupier of buildings within the municipal limit for having sewerage connections, taking into account, the capital cost involved in construction of such sewerage system, the debt charges and expenditure to be incurred towards maintenance of such sewerage system in the municipality.

**369. Privatization of water supply service and sewerage system.—** The council may, with the prior approval of the Director, enter into an agreement with a private operator for any one or all of the following:--

(a) construction, together with maintenance and operation of the entire water supply scheme, starting from the source to the consumer;

(b) maintenance and operation of the water system;

(c) maintenance and operation of a part of the sewerage system in treatment plant, head works, billing and collection etc.; and

(d) construction, together with maintenance of sewerage system:

Provided that,—

(i) such privatization should not lead retrenchment of personnel;

(ii) specific approval of the Government shall be obtained.

### **PART III.**

#### **SINKING OF WELL.**

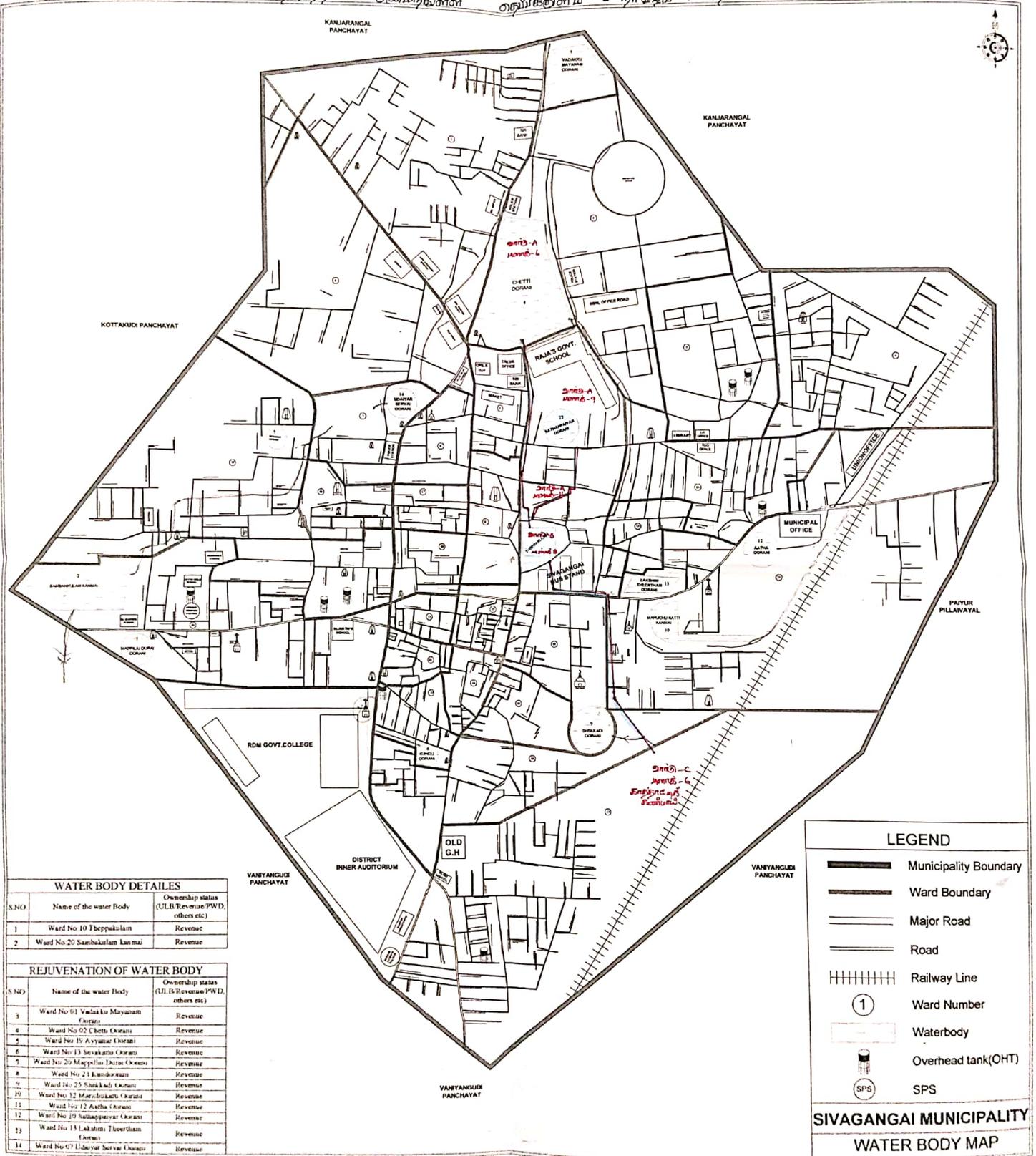
**370. Grant of permit to sink a well.—** (1) Every application for grant of permit to sink a well shall be made to the Commissioner in Form 5 and shall be accompanied by a fee of Rs.5,000/- (Rupees five thousand only), by means of demand draft or online payment.

(2) The Commissioner shall examine the application and may either grant the permit in Form 6 subject to such conditions as may be specified therein, or refuse to grant the permit for reasons to be recorded in writing, within thirty days from the date of receipt of the application:

Provided that no permit shall be refused unless the applicant has been given an opportunity of being heard.

(3) The Commissioner shall intimate the decision regarding the grant or refusal to grant the permit to the applicant along with the reasons for such refusal, in writing.

சிவகங்கை நகராட்சியின் அமைந்தகள்ளு ஒன்றியத்தினால் - நீர்வழியிற் பாதை



WATER BODY DETAILS		
S.NO	Name of the water Body	Ownership status (U.L.B./Revenue/P.W.D. others etc)
1	Ward No 10 Theppakulam	Revenue
2	Ward No 20 Sambakulam kamrai	Revenue

REJUVENATION OF WATER BODY		
S.NO	Name of the water Body	Ownership status (U.L.B./Revenue/P.W.D. others etc)
3	Ward No 01 Vaidaku Mayanam Oorani	Revenue
4	Ward No 02 Chetti Oorani	Revenue
5	Ward No 19 Ayyanar Oorani	Revenue
6	Ward No 13 Sevakkatu Oorani	Revenue
7	Ward No 29 Mappallu Durai Oorani	Revenue
8	Ward No 21 Kunduram	Revenue
9	Ward No 25 Sirkkudi Oorani	Revenue
10	Ward No 12 Marichukudi Oorani	Revenue
11	Ward No 12 Agtha Oorani	Revenue
12	Ward No 19 Nannappayar Oorani	Revenue
13	Ward No 13 Lakshmi Theertham Oorani	Revenue
14	Ward No 07 Edayar Serval Oorani	Revenue

**LEGEND**

- Municipality Boundary
- Ward Boundary
- Major Road
- Road
- Railway Line
- Ward Number
- Waterbody
- Overhead tank(OHT)
- SPS

**SIVAGANGAI MUNICIPALITY**  
**WATER BODY MAP**

செய்த நாள் - 2014.1.24  
பேரவைத் தலைவர் - சிவசுப்பிரமணியன்

PHOTOGRAPHS



Before



During the process



During the process



After