

BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI

Original Application No.125 of 2021 (SZ)

R.Balakrishnan,  
S/o.Rangarajan,  
No.296, Thillaiamman Nagar,  
Lalpuram (Post), Chidambaram Taluk,  
Cuddalore District - 608 602.  
Tamilnadu.

... Applicant(s)

-Vs-

The District Collector,  
Cuddalore District,  
Cuddalore and 9 others

---- Respondent(s)

**ADDITIONAL REPORT FILED BY THE 1<sup>st</sup> RESPONDENT**

I, K.Balasubramaniam, I.A.S., S/o. K. Krishnaswamy,  
Hindu, aged about 52 years, working as District Collector,  
Cuddalore District do here by solemnly affirm and sincerely state  
as follows :-

1) I am the District Collector, Cuddalore and the First  
Respondent herein and as such I am well acquainted with the  
facts of the case from the available records.

  
Personal Assistant (Legal Matters)  
to Collector, Cuddalore.

  
Collector  
Cuddalore District

2) It is submitted that the Hon'ble National Green Tribunal in its order dated 13.12.2022 has directed to file a report as to whether the District Collector had to authority to convert kulam/water bodies (Alang Kulam) to a Government poramboke and grant patta to the residents. In this regard it is submitted that a report was e-filed on 23.01.2023. The Transaction Id (3300510010432023) of the same is enclosed herewith for Hon'ble Commission perusal. The Hon'ble Tribunal in its order dated 24.01.2023 has observed as follows:

*"We direct the District Collector to file a report regarding the encroachments on the water bodies referred to in the application and removal of the same. In case the encroachers are otherwise entitled to the District Collector may also address the rehabilitation of them. Let the said report be filed on or before 22.02.2023, failing which the same would be accepted only on payment of cost of Rs.10,000/- (Rupees Ten thousand only)".*


3) In compliance with the said order the report is once again filed before this Hon'ble Tribunal. The Government in G.O.No.75, Revenue Department dated 05.02.2000 has constituted a

  
Personal Assistant (Legal Matters)  
to Collector, Cuddalore.

  
Collector  
Cuddalore District

committee to examine about the possibility of granting house site patta to the people who were residing for more than 20 years in the Government poramboke lands which were not needed for the Government purpose. In G.O.No.168, Revenue Department dated 27.03.2000 the Government issued orders empowering the committee consisting of the District Collector, District Revenue Officer and the officer of the concerned department to inspect the Government lands which were in possession and enjoyment of the public by way of building houses for more than 10 years and which were not required for the Government purposes. The committee was empowered to change the classification of such (Water course, Grassing land, Burial ground, Path) lands as natham after obtaining the resolution from the local bodies. Based on the said Government order an extent of 0.37.5 ares out of 1.48.0 Hectares in survey no.129 (Alang Kulam) had been converted to natham and 37 persons were granted house site patta. In the said land 59 families are residing as on date. Since the classification of the said land is natham as of today eviction was not carried out. It is submitted that out of the 1.48.0 hectares 0.37.5 ares was given patta and 0.0570 sq meter was used for

  
Personal Assistant (Legal Matters)  
to Collector, Cuddalore,

  
Collector  
Cuddalore District

creating path and common space and remaining 0.59.5 ares (1.46 Acre) remains as kulam / water body. At present there are 5 encroachments in the water bodies the Tahsildar, Chidambaram has issued Form-1 notice to Block Development Officer, Kumaratchi who in turn is taking action to remove the encroachments. The encroachments will be removed by following due process of law.

3) Regarding Palaman Vaikal it is submitted that the 94 encroachments in survey no.1128 in an extent of 0.5301 sq. meter had been removed by the Public Works Department. The 34 encroachments in survey no.1127 in and extent of 0.5277 sq. meter had been removed by the Tahsildar, Chidambaram. The Municipal Commissioner, Chidambaram has directed to remove the remaining 8 encroachments in the bund of the one of the branch of Palaman Vaikal in survey no.1122 vide Letter No. A1/1821/2021, dated 19.01.2023. It is humbly submitted the same will be removed by following due process of Law.

4) It is submitted that the encroachments in Periya Anna Kulam, Chinna Anna Kulam and Karai Kuttai Kulam has been completely removed. The details are given as follows:

  
Personal Assistant (Legal Matters)  
To Collector, Cuddalore.

  
Collector  
Cuddalore District

| Sl. No. | Name of the water bodies | No. of encroachments | Extent | No. of evicted encroachments | Date of encroachments removed |
|---------|--------------------------|----------------------|--------|------------------------------|-------------------------------|
| 1       | Chinna Anna Kulam        | 3                    | 0.0107 | 3                            | 16.03.2022                    |
| 2       | Periya Anna Kulam        | 26                   | 0.1426 | 26                           | 21.03.2022                    |
| 3       | Karai Kuttai Kulam       | 20                   | 0.0443 | 20                           | 17.03.2022                    |

It is humbly prayed that the Hon'ble National Green Tribunal may accept the report and pass further appropriate orders as it may deem fit and thus render justice.

*R. M. F.*  
 Personal Assistant (Legal).  
 To Collector, Cuddalore.

*A. Kumar*  
 District Collector,  
 Cuddalore.