

**BEFORE THE NATIONAL GREEN TRIBUNALS SOUTHERN ZONE AT
CHENNAI**

Original Application No. 125 of 2022

KORATTUR LAKE PROTECTING PEOPLE'S MOVEMENT

Represented by Mr. S. Sekaran (Regd. No. 189/2018)

Secretary,

Registered Office at:

No. 03, Duraisamy 1st street,

Korattur,

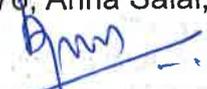
Chennai - 600050

maanidamanam@gmail.com 9840695674

.....Applicant

Verses

1. State of Tamil Nadu,
Rep. by its Secretary to Government,
Municipal Administration & Water Supply Department,
Sectetariat, Rajaji Road, Chennai – 600009
- 2 State of Tamil Nadu
Rep. by Secretary to Government
Public Works Department,
Fort St.George , Chennai 600009
- 3 The District Collector,
Chennai Collector
Chennai District, Chennai 600001
4. The Commissioner,
Greater Chennai Corporation
Rippon Building, Sydenhams Road, Periyamet,
Chennai-600 003
5. Chennai Metropolitan Water Supply & Sewerage Board,
Rep. by its Managing Director,
No.1, Pumping Station Road,Chinthatiripet,
Chennai - 600002
6. Tamil Nadu Pollution Control Board
Rep by its Chairman,
76, Anna Salai, Guindy, Chennai - 600032


AREA ENGINEER, VII

CMWSSB

No.1, Anna Nagar,
Mogappair, Chennai-37.


Superintending Engineer (Central/Co-ord)
C.M.W.S.S. Board,
Chennai-02

7. SIDCO Industrial Estate,
Rep. by its Managing Director,
Ambattur, Chennai North,
Chennai – 600 098
 8. Tube Investments of India Ltd,
Rep. by its Managing Director,
Unit – TIDC India,
Postbag No. 11,
MTH Road, Ambattur,
Chennai – 600053
 9. Universal Engineers Chennai Pvt. Ltd.,
Rep by its Managing Director,
No. 1A, North Phase,
SIDCO Industrial Estate,
Ambattur, Chennai – 600098
 10. Godrej & Boyce Mfg. Co. Ltd,
Rep. by its Managing Director,
Godrej Road,
SIDCO Industrial Estate,
Ambattur,
Chennai – 600053
 11. M/s. AAVIN
Rep. by it Joint Managing Director,
Plot No. 29 & 30, SIDCO Industrial Estate,
Ambattur, Chennai – 600098
- Respondent(s)

COUNTER AFFIDAVIT FILLED BY THE 5TH RESPONDENT

I, R. Sivamurugan S/oV. Raju, Hindu aged about 57 years now working as Superintending Engineer (Central / Coordination) in Chennai Metropolitan Water Supply And Sewerage Board, Chennai do hereby solemnly affirm and sincerely state as follows:

1. I am the Superintending Engineer (Central / Coordination) of the Chennai Metropolitan Water Supply And Sewerage Board (CMWSSB), Chennai and I have been authorized to file this counter affidavit before this Hon'ble Tribunal on behalf of


AREA ENGINEER-VII
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No. 9, Krishna Nagar,
Mogappair, Chennai-37.


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Chennai-02

the 5th Respondent herein as such I am well acquainted with the facts and circumstances of the case.

2. I am filing the action taken and progress report on behalf of the 5th respondent in the present case, based on the final order issued by the Hon'ble National Green Tribunal, Southern Zone, Chennai in O.A.No. 268 of 2016 (SZ) and IA No. 59 of 2022 (SZ) dated 01.07.22
3. I humbly submit that the Hon'ble National Green Tribunal, (SZ) vide its order dated 01.07.2022 in O.A. No. 268 of 2016 & I.A. No. 59 of 2022 directed the Additional Chief Secretary to Government – Department of Municipal Administration and Water Supply to file periodical reports regarding the progress and action taken for implementation of the directions of this Tribunal, including removal of encroachments (if any) found during survey once in 6 (Six) months till the entire directions and process of providing UGSS to avoid discharge of untreated sewage into the water body is completed.
4. I respectfully further submit that this Hon'ble Tribunal was pleaded to hold that since various directions have been issued to the respective stake holders to implement the directions in an effective manner, hence there is no necessity to take any stringent action of prosecution for violation of directions as sought for by the applicant in I.A. No. 59 of 2022 and with above observation, the applications were closed.
5. I submit that the applicant has filed the above memorandum of application before this Tribunal on 6.10.22 vide Application No. 125 of 2022 and prayed for (a) to pass an order directing the Respondents 1 to 7 to take appropriate effective steps to restore and maintain "TNHB Korattur Lake" pollution free; (b) to pass an order for bearing the Respondents 8 to 11 from directly discharging the untreated effluents into the said TNHB Korattur Lake; (c) to pass an order by directing the Respondents 1 to 7 herein to take action and to remove the debris and solid waste left over on the eastern side of the TNHB Korattur lake area and consequently convert the said area into Bio park.
6. I respectfully submit that the averments made in para 3 is a prayer sought for by the applicant

(10-00) Central/Co-ord)
Engineering Board,
Chennai-02
M.O
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7. I respectfully submit that the averments made in para 4(i) to (vi), this respondent offers no remarks. I respectfully submit that as against the allegations raised by the petitioner in 2nd part of para 4(vi) is concerned, there is no STP adjacent to the lake area and the 5th Respondent is not letting out any sewage into the lake. There has been no leaks or diversion of sewage into the lake from these Sewage Pumping Stations.
8. I respectfully submit that with respect to the averments made in para 4(vii) to (xiii) are concerned, I have no remarks to offer.
9. I respectfully submit that with respect to the grounds (a) to (d) raised by the applicant, this respondent has no remarks to offer.
10. I respectfully submit that with respect to the grounds (e) to (g) is concerned, this respondent deny the allegations raised, I submit that CMWSSB has taken adequate care to ensure that none of the Sewer lines under their operational control are letting Sewage into any water body. I further submit that the total sewerage generated in Ambattur area from Depot 79 to 93 is 45MLD. The sewage from this area VII is diverted to Kodungaiyur STP, through 33 Nos of Sewage pumping Stations with total capacity of 60 MLD. Therein raw sewage is being pumped from adequate No of SPS to Treatment plant for treatment.
11. I submit that for the areas which are yet to have sewer connections or where Under Ground Sewerage Systems (UGSS) are in the process of construction, CMWSSB has taken adequate measures to ensure that there are no outfalls into the water bodies, as will be further elaborated below:
 1. Area 07-Ambattur is an added area; The work of Laying of sewer main and construction Machine holes works are carried out simultaneously for the unsewered areas to avoid letting out of sewage into the waterways. CMWSSB is effecting HSC's through "IllamThorumInnaipu Scheme" wherever sewer system is available. More number of contractors are being engaged for effecting house sewer connections.



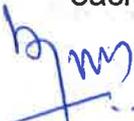
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2. Though the new sewer network is being provided by CMWSSB the households who otherwise have septic tanks/ insitu treatment arrangements are reluctant to pay full charges and come forward to take connections with the CMWSSB's sewer system. Therefore CMWSSB has started a scheme namely IllamThorumInnaipu. By way of this scheme CMWSSB is voluntary approaching the public to avail Sewer Connection and provides the option to pay the required connection charges either One time payment or Installment (10 Installments over a period of 5 years).In this regard, **Frequent campaigns** are conducted to create more awareness among the public to take house sewer connections to their households.
3. Public representatives and residential association members are requested to extend their co-operation for creating awareness among public for availing house sewer connections.
4. It is further submitted that, public in **unserved locations are using septic tank for collecting their domestic sewage for which CMWSSB** is providing sewer clearance service namely "Dial for sewer" (044 - 4567 4567) to remove sewage from the septic tank by providing sewer lorry on receipt of telephonic call from public.
5. The government of Tamil Nadu vide G.O.(Ms) No. 183, M.A. & W.S. (MA-3) Dept. dated 31.12.2022 has issued Septage Management (Regulation) Rules for regulating periodic cleaning of septic tanks and transportation, treatment and disposal of faecal sludge and septage. de-sludging operators, CMWSSB is Appellate Authority in respect of Chennai Metropolitan Area to do the following activities.
 - To grant licence in Form – II for any eligible persons who intends to collect, transport or dispose faecal sludge or septage after verification of applications along with documents submitted to the licensing authority for grant of licence in Form – I along with a fee of Rs. 2000/- for a period of 2 years.
 - Decanting fees will be collected from sewer lorry operator (Licencee) for each trips.


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- The sewer lorry operator shall adhere to timing of operations and Area / Routes of operations for the vehicle specified in the licence.
- The sewer lorry operator shall only be allowed to desludge septic tanks/pits and transport faecal sludge and septage to the designated disposal facility during operational hours as mentioned in the licence.
- The sewer lorry used for transportation of faecal sludge and septage shall be fitted with a Global Positioning System (GPS) instrument or vehicle tracking system approved by the CMWSSB.
- The sewer lorry operator found dumping faecal sludge and septage at any location or site other than disposal facility, the Area Engineer of CMWSSB may seize the vehicle or other article including motor, pump, tube, tool or equipment used for the commission of such offence.
- If any person contravenes or fails to comply with rules shall be punishable penalties for the first offence with fine, which may extend to Rs. 25,000/- The second or any subsequent offence, which may extend to Rs. 50,000/-
- The licencing authority may suspend or cancel the licence, if the licensee commits breach of any of the terms and conditions or imposed with penalty for the second offence.

At this juncture, as per direction of Hon'ble NGT (SZ) in O.A.No. 268 of 2016, all the works mentioned in the short and long term action plan were taken up and the progress of works are as detailed below:

Short Term Action Plan			
S.No	Issues	Details of work	Status of Work
1	<u>Ramapuram/ Ward 85</u> <u>: 25 Nos of streets</u> Underground sewer system available but house sewer connections are not connected in the main sewer system. They are using septic tank for collection of domestic sewage.	<ul style="list-style-type: none"> • Total 700 Nos of house sewer connections are effected under "illamthorumlnnaipu scheme" 	Work Completed

[Signature]

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[Signature]

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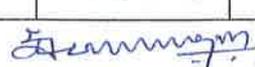
Short Term Action Plan

S.No	Issues	Details of work	Status of Work
2	Teachers Colony/ Ward 85 i) Underground sewer System available in 8 streets.	<ul style="list-style-type: none"> Total 340 Nos of house sewer connections are effected under "illamthorumInnaipu scheme" 	Work completed.
	ii) Underground sewer system not available in 6 streets, the residents are using septic tank for collection of domestic sewage.	<ul style="list-style-type: none"> Total length of sewer main :1100m completed Numbers of Manholes constructed. : 37 Nos Total 190 Nos of house sewer connections are effected under "illamthorumInnaipu scheme" 	Work completed.

LONG TERM ACTION PLAN

S.No	Issues	Action Plan submitted (till 31.01.2022)	Work Progress 1.2.2022 - 3.11.2022	Work completed between 4.11.22 and 19.1.2023	Balance work to be completed	Target Date/ Remark
1	Ward 90 – Padikuppam, Golden George Colony Ward 92 – Paaraisalai, Mogappair East (10-12 Blocks). Ward 93 – Mogappair East (1-6 Blocks) Underground Sewage System is completed recently.	<ul style="list-style-type: none"> Entire 12789 m length of sewer main is completed Sewer mains provided in 90 streets Total 1314 Nos of House Sewer connections to be effected Completed :761 Nos 522 number of Manholes construction completed 	761+88 = 849 Nos. of HSC were effected.	182	(1314 –849-182 = 283) Net balance to be effected: 283 Nos	Work under progress. Probable date of completion : 31.08.2023


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S.No	Issues	Action Plan submitted (till 31.01.2022)	Work Progress 1.2.2022-3.11.2022	Work completed between 4.11.2022 and 19.1.2023	Balance work to be completed	Target Date/ Remark
2	i) SIDCO Industrial Estate/Depot 84 /Ward 85 & Depot 86/Ward 86 (P) TINY SHED-70 Nos. Provision of Underground sewer system is under progress. (Industries located in station road, 5th street and 4th cross street are discharging sewage into the storm water drain).	<ul style="list-style-type: none"> Entire 2700m length of sewer main completed Sewer mains provided in 9 streets 70 Nos of House Sewer connections are to be effected under Illamthoruminna ipu 92 Nos of manholes construction completed 	WO has been issued for laying left out portion(Gap work) of sewer main for a length of about 100 m	Sewer main for length of 100m laid in the Gap work	Net HSC to be effected -70 nos	Work under progress and entire 70 Nos of HSC will be effected Probable date of completion 31.03.2023
	ii) Depot 84 & 86 Korattur&Mannurpettai Underground sewer system is under progress. The residents are using septic tank for collection of domestic sewage.	<ul style="list-style-type: none"> Entire Sewer of length 10380m completed Sewer mains provided in 157 streets 1300 Nos. of House Sewer connections are to be effected Completed : 746Nos 524 number of Manholes construction completed 	746 nos. of HSC were effected WO has been issued for laying left out portion(Gap work) of sewer main for a length of about 707 m	14 Nos of HSC	(1300-746-14=540) Net balance to be effected - 540nos.	Work under progress. Balance540 Nos of HSC will be effected upon completion of laying of sewer main for a length of 707 m. Probable date of completion 31.08.2023


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S.No	Issues	Action Plan submitted (till 31.01.2022)	Work Progress 1.2.2022-3.11.2022	Work completed between 4.11.2022 and 19.1.2023	Balance work to be completed	Target Date/ Remark
3	<p>Patravakkam (84), Mannurpettai(84) Kachanankuppam (84), Ambattur, SIDCO Estate : 65 streets</p> <ul style="list-style-type: none"> No Underground Sewerage System. Work is under progress 	<ul style="list-style-type: none"> 1301 Nos. of House Sewer connections are to be effected Completed: 315 Nos Entire Sewer main of length 10380 m has been completed. 524 Nos of manholes construction completed 	<p>315 nos. of HSC were effected</p> <p>WO has been issued for laying left out portion(Gap work) of sewer main for a length of about 893m</p>	Nil	(1301-315=986) Net balance to be effected :986 Nos	<p>Work under progress.</p> <p>Balance 986 Nos of HSC will be effected upon completion of laying of sewer main for a length of 893 m.</p> <p>Probable date of completion : 31.08.2023</p>
4	<p>Ward 86 – Athipattu, Mannurpettai (P), Ambattur Estate (P), ICF Colony. -211 streets</p> <p>Underground Sewerage System.</p>	<ul style="list-style-type: none"> Entire laying of 30823m length of sewer main work completed 2690 Nos. of House Sewer connections are to be effected Completed:319Nos Entire 1377 Nos of Manholes constructed 	<p>319Nos of HSC were effected</p> <p>WO has been issued for laying left out portion(Gap work) of sewer main for a length of about 1470 m</p>	16 Nos of HSC	(2690-319-16=2355) Balance 2355nos to be effected.	<p>Work under progress.</p> <p>Balance 2355Nos.of HSC will be effected upon completion of laying of sewer main for a length of 1470 m.</p> <p>Probable date of completion : 31.12.2023</p>
5	<p>Karukku(D/82-40 streets), Gnanamoorthy (D/82-25 streets), DTP Colony(D/82-5 streets), Poompuhar Nagar(D/81-5 streets), Mangalapuram (D/85-8 streets)</p> <p>Underground sewer system available but not connected in the main sewer system. The residents are using septic tank for collection of domestic sewage.</p>	<ul style="list-style-type: none"> Entire 3950 Nos. Of House sewer connections effected 		Completed as on 25.05.2021		Work completed

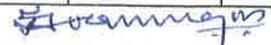
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(D/10-02/V/1000) CMWSSB
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C.M.W.S.S Board,

S.No	Issues	Action Plan submitted (till 31.01.2022)	Work Progress 1.2.2022-3.11.2022	Work completed between 4.11.22 and 19.1.23	Balance work to be completed	Target Date/ Remark
6	TASS Industrial Estate/Depot 85 (Corporation) - 26 streets No Underground Sewer system available. & 143 Industries are existing	<ul style="list-style-type: none"> Total length of sewer main: 2974 m Completed: 2839 m 	Length of sewer main completed: 2839 mtrs.	Nil	(2974-2839=135) Balance length of sewer main to be completed :135mtrs.	Work under progress. Probable date of completion 30.6.2023
		<ul style="list-style-type: none"> Total Manholes: 100Nos Completed: 95Nos 	Completed: 95 Nos	Nil	(100-95=5) Manholes to be constructed: 5	
		<ul style="list-style-type: none"> Entire 143 Nos of House Sewerconnections are to be effected under illamthoruminnai pu scheme 	24	6	(143 -24-6=113) Balance 113nos to be effected.	
7	Depot 79 to 83,87to 88 /Ward79 to 83,87to 88 Ambattur(OT) -145 streets, Kallikuppam-90 streets Underground sewer system available but not connected in the main sewer system. The residents are using septic tank for collection of domestic sewage.	<ul style="list-style-type: none"> Total No. of houses : 29237 Nos. House sewer connections effected under illamthoruminnai pu scheme: 16791Nos. 	16791	236	(29237-16791-236=12210) Net balance to be effected - 12210 nos.	Work under progress. Probable date of completion 31.12.2023


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S.No	Issues	Action Plan submitted (till 31.01.2022)	Work Progress 1.2.2022-3.11.2022	Work completed between 4.11.22 and 19.1.2023	Balance work to be completed	Target Date/ Remark
8	Depot 81/ Ward 81 KK Road, Ambattur OT, Indira Nagar, Kalayanapuram, Thiruvallur Nagar Ward 82 Kallikuppam Menambedu, Karruku, DTP Colony, Gnanamoorthy Nagar, Madanamkuppam(Part) Ward : 91- Ebinezer avenue	<ul style="list-style-type: none"> Entire Sewer main length :11110m Completed:9974 m; 	Length of sewer main completed: 9974+1136 =11110 mtrs.	-	Work completed	Work under progress. Probable date of completion 15.2.2023 (Apart from this, Sewer mains are yet to be provided in 64 streets)
		<ul style="list-style-type: none"> Manholes:356 Completed:326 	Manholes: 326+30=356 nos. were completed.	-	Work completed	
		<ul style="list-style-type: none"> 1115 House Sewer connections are to be given under illamthoruminnai puscheme. Completed:1048 	1048	55	(1115-1048-55=12) Net balance to be effected - 12 Nos	
9	Depot 79 / Ward 79 Oragadam, Gandhi Nagar, Ram Nagar, Ezhil Nagar Depot 80 / Ward 80 Puthur, VijayalakshmiPuram, Banu Nagar	<ul style="list-style-type: none"> Entire Sewer main length : 10648m Completed:10450 	Length of sewer main completed: 10450 mtrs.	-	(10648-10450=198) Balance length of sewer main to be completed: 198 mtrs.	Work under progress. Probable date of completion 31.12.2023 (Apart from this, sewer mains are yet to be provided in 100 streets)
		<ul style="list-style-type: none"> Manholes: 348 Completed:348 	Manholes: 348 nos. were completed.	-	Work Completed	
		<ul style="list-style-type: none"> 1246 House Sewer connections to be given under illamthoruminaipu scheme. Completed:1026; 	1026	32	(1246-1026-32=188) Balance 188 Nos of HSC are to be effected only after completion of sewer main works	


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S.No	Issues	Action Plan submitted (till 31.01.2022)	Work Progress 1.2.2022-3.11.2022	Work completed between 4.11.2022 and 19.1.2023	Balance work to be completed	Target Date/ Remark
10	Depot83 /Ward 83 Katchanankuppam, Korattur, TVS Nagar, Annai Nagar, Madanamkuppam (Part) Depot85 /Ward85 KamarajaPuram, TASS Avenue, Vanchinagar	<ul style="list-style-type: none"> Entire Sewer main length : 4205m Completed:3860 m 	Length of sewer main completed: 3860mtrs. 100% of construction of roadside pumping station is completed.	-	(4205-3860=345) Balance length of sewer main to be completed: 345 mtrs	Work under progress. Probable date of completion 31.12.2023 (Apart from this, sewer mains are yet to be provided in 56 streets)
		<ul style="list-style-type: none"> Manholes:147 Completed:147 	Manholes:147 nos. were completed	-	Work completed.	
		<ul style="list-style-type: none"> 686 House Sewer connections to be given under illamthoruminnaipuscheme. Completed: 96; 	Completed: 96	5	(686-96-5=585) Balance 585 Nos of HSC are to be effected only after completion of sewer main works	

Apart from the above, the Government vide G.O. (D) No. 383, MA&WS (MC1) dated 20.10.22 have accorded administrative sanction for Rs. 18. 16 crores for Detailed Project Reports for the work of UGSS for total length of **6702 Mtr** in the unsewered locations namely AnnaiSathya Nagar in Depot 86, Sivanadha Colony, MKB Nagar in Depot 85 and Padavattamman Estate and Tiny shed in Depot 84 and status of the same are detailed below:

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STATUS OF DPR WORKS			
S.No	Issues	Details of work to be taken up	Target Date/ Remarks(to be filled)
1	AnnaiSathiya Nagar (D/86) <ul style="list-style-type: none"> No Underground Sewer system available at present Sewer mains are to be provided in 12 streets. 	Length of sewer main to be completed: 1725mtrs	Administrative sanction has been accorded by the Govt. Vide G.O.(D) No. 383, dated 20.10.22 for implementation of the project which is under tender stage
		Manholes to be constructed: 60 Nos	
		Total 400 nos. of HSC are to be effected only after completion of above works	
2	Sivanandha Colony(D/85) <ul style="list-style-type: none"> No Underground Sewer system available at present Sewer mains are to be provided in 12 streets. 	Length of sewer main to be completed: 887 mtrs	Work order has been issued. Probable date of completion : 31.1.2024
		Manholes to be constructed: 37 Nos	
		Total 450 nos. of HSC are to be effected only after completion of works	
3	MKB Colony (Depot 85/Ward 85) <ul style="list-style-type: none"> No Underground Sewer system available at present. Sewer mains are to be provided in 21 streets. 	Length of sewer main to be completed: 2852 mtrs	Administrative sanction has been accorded by the Govt. Vide G.O.(D) No. 383, dated 20.10.22 for implementation of the project which is under tender stage
		Manholes to be constructed: 120 Nos	
		Total 630 nos. of HSC are to be effected only after completion of work	
4	Patavatamman Estate and Tiny shed / Depot 84/Ward 84 <ul style="list-style-type: none"> No Underground Sewer system available. Sewer mains are to be provided in 15 streets. 	Length of sewer main to be completed: 1238 mtrs	Work order has been issued. Probable date of completion : 31.08.2023
		Manholes to be constructed: 45 Nos	
		Total 237 nos. of HSC are to be effected only after completion of works	

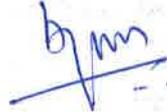
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KORATTUR Lake-DETAILS OF WORKS EXECUTED BY CMWSSB TO AVOID LETTING OUT SEWAGE INTO KORATTUR LAKE as on 19.1.2023(excluding DPR works)

S.No	House sewer Connection(HSC) in Nos			Sewer Main in m			Machine holes in Nos		
	Total HSC Nos to be given	No of Connections given	Balance to be given	Total length to be laid	Completed	Balance	Total MH to be constructed	Constructed	Balance to be constructed
1	44282	25710	18572	97109	96431	678	4027	4022	5

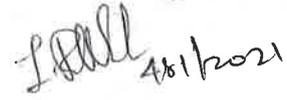
12. It is therefore humbly prayed that, this Hon'ble Tribunal may be pleased to dismiss the above application by accepting the above counter affidavit on behalf of the Board and thus render justice.


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BEFORE ME

Solemnly affirmed at Chennai on this day ^{26th} of January 2023 and signed in my presence.


ADVOCATE - CHENNAI

I. Rollence Samuel
 57, LL, MHC, CH-104.

**BEFORE THE NATIONAL GREEN TRIBUNALS SOUTHERN
ZONE AT CHENNAI**

O.A. No. 125 of 2022

KORATTUR LAKE PROTECTING PEOPLE'S MOVEMENT
Represented by Mr. S. Sekaran Regd. No. 189/2018
Secretary,
Registered Office at:
No. 03, Duraisamy 1st street,
Korattur,
Chennai - 600050

.....Applicant

Verses

Chennai Metropolitan Water Supply & Sewerage Board,
No.1, Pumping Station Road,
Chintatripet, Chennai – 2

Respondent(s)

REPORT FILLED BY THE 5TH RESPONDENT

Gautam S Raman
Counsel for 5th Respondent