

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No. 145 of 2020 (SZ)

Tribunal on its own motion-SUO MOTU

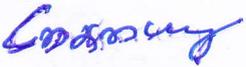
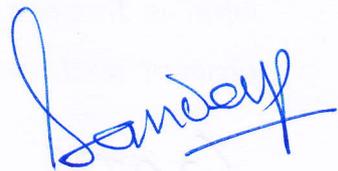
Based on the News item in Dinamalar Newspaper,

Chennai Edition dated 05.08.2020, " Retteri Lake become a Sewage water pond-Will Jayalalitha's dream project be fulfilled?"

...Applicant

Versus

1. The Principal Secretary to Government,
Public Works Department,
Govt. Secretariat, Fort St. George, Chennai,
Tamil Nadu - 600 009.
2. The Additional Chief Secretary to Govt. of Tamil Nadu,
Revenue and Disaster Management Department,
Govt. Secretariat, Fort George
Chennai,
Tamil Nadu 600 009.
3. The Secretary to Govt. of Tamil Nadu, Department of Environment,
Govt. Secretariat, Fort St. George, Chennai,
Tamil Nadu - 600 009.
4. Additional Chief Secretary to Govt. of Tamil Nadu,
Municipal Administration and Water Supply Department,
Govt. Secretariat, Fort. George, Chennai, Tamil Nadu - 600 009.
5. The Chairman,
Tamil Nadu Pollution Control Board,
No. 76, Anna Salai, Guindy, Chennai,
Tamil Nadu 600 032.



Special Secretary to Government
Public Works Department
Secretariat, Chennai-600 009.

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Additional Chief Secretary to Government
Water Resources Department,
Secretariat, Chennai - 600 009.

6. The District Collector, Chennai District,
District Collector Office,
No. 62, Rajaji Sali,
4th Floor,
Chennai 600 001.
7. Greater Chennai Corporation, Rep. by its Commissioner,
Ripon Building,
Chennai 600 003.

.... Respondents

**INTERIM REPORT FILED BY THE ADDITIONAL CHIEF SECRETARY TO
GOVERNMENT, WATER RESOURCES DEPARTMENT, TAMIL NADU.**

I, Dr. Sandeep Saxena I.A.S., S/o. late Krishna Gopal Saxena, Hindu, aged about 55, residing at 2/632-B, Narmada Street, 4th Main Road, River View enclave, Manapakkam, Chennai do solemnly affirm and sincerely state as follows:

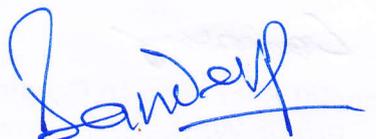
2. I state that, I am the Additional Chief Secretary to Government, Water Resources Department, Tamil Nadu and I am filing this report in order to comply with the orders of the Hon'ble National Green Tribunal dated 09.11.2021. I am well acquainted with the facts of the case from records.

3. It is submitted that the Hon'ble Tribunal in its order dated 09.11.2021 ordered as follows:

" 7. In most of the cases, the grievance is regarding encroachment into the water bodies or in the course of water path without leaving the buffer zone and flood plain level, but it is not known as to what is the nature of action that authorities have proposed to prevent such encroachment as Precautionary Principle to avoid


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Public Works Department

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Water Resources Department,
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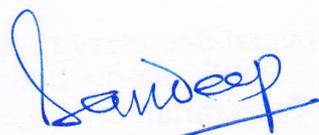
flood in future. Unless holistic steps are taken resolving all those issues in a permanent manner and provide a proper solution for this, any number of temporary steps taken by the Government or its department is not going to give the full result or expected result to avoid flood in future. Taking into consideration of all these aspects, the higher level officials namely, the Additional Chief Secretary for Water Resources Department and Principal Secretary for Revenue and Disaster Management are directed to file a detailed action plan to be evolved by them to minimize the impact of flood and inundation in those areas to save the lives of the people who are normally put to such hardship every year and what is the nature of steps taken for removal of encroachments in the inlets which lead to the water bodies and their outlets and also encroachments into the storm water drain to ensure efficient discharge of storm water or measures initiated to collect excess rain water in a scientific manner and then discharge the same using safer methods."

4. It is submitted that, the Water Resources Department has drafted an action plan earlier to evict the encroachments and to restore the lake by providing protection arrangements in the fore shore areas. In this regard, the Encroachments have to be surveyed in the land classification of Eri, Eri ulvoy, tank bund, and all the Poramboke lands pertaining to Water Resources Department and Form-I & II notice has to be issued by the concerned Thasildar. The Form I and II notices are not yet received from the Revenue Department. After getting the details of encroachments, the Water Resources Department will act accordingly. Considering the lack of inter departmental


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co-ordination, the Revenue and Disaster Management Department has recently issued the order in G.O.(Ms) No. 64, Revenue and Disaster Management Department, dated 08.02.2022 for formation of committee for effective reporting / monitoring of developments in identifying and evicting of encroachments in water bodies and other Government lands.

5. It is submitted that the committee as per the above Government order is as below:-

(i). DIVISIONAL MONITORING COMMITTEE

Chairperson/ Convenor: Revenue Divisional Officer

Members:

- Jurisdictional Deputy Superintendent of Police/ Assistant Commissioner of Police
- Municipal Commissioners
- All Tahsildars
- Sub-Divisional Officer/Water Resources Department
- Assistant Divisional Engineer, Highways of C &M wing of Highways
- Zonal Officer of Assistant Director Cadre from Rural Development & Panchayat Raj Department
- Divisional Inspector of Survey
- Any other Special Invitees as decided from time to time by the Chairman

The divisional level committee is entrusted with the works of identifying, enumerating and reporting of category wise objectionable and unobjectionable


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encroachments and monitoring the action taken against the encroachments at Taluk level. The Committee shall meet once in a month.

(ii) DISTRICT MONITORING COMMITTEE:

Chairperson: District Collector

Members:

- Superintendent of Police/ Commissioner of Police (if applicable)
- Corporation Commissioner (if applicable)/ Municipal Commissioner of District Headquarter Municipality
- Executive Engineer/Water Resources Department of all relevant Divisions
- Divisional Engineer Highways of C & M wing of Highways
- Project Director/Joint Director of Rural Development Additional Director (Panchayat)
- Assistant Director, Town Panchayats
- Assistant Director, Survey & Land Records
- All Revenue Divisional Officers

Convenor - District Revenue Officer

- Any other Special Invitees as decided from time to time by the Chairman

The District level Committee shall prepare a District level action plan on enumeration and eviction of encroachments in Government lands with priority given to water bodies and monitor the progress and report to the Commissioner of Land Administration. The Committee shall meet monthly on the date of District Revenue Administration Meeting/ Law & Order Meeting.

(iii) STATE STEERING COMMITTEE

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Special Secretary to Government
Public Works Department
Secretariat, Chennai-600 009.

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Sanjeev
Additional Chief Secretary to Government
Water Resources Department,
Secretariat, Chennai - 600 009.

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Chairperson: Chief Secretary to Government

Members:

- Secretary, Revenue & Disaster Management Department
- Secretary, Municipal Administration and Water Supply Department
- Secretary, Water Resources Department
- Secretary, Highways & Minor Ports Department
- Secretary, Rural Development and Panchayat Raj Department
- Secretary, Home, Prohibition and Excise Department
- Secretary, Housing and Urban Development Department
- Director General of Police
- Director of Rural Development and Panchayat Raj Department
Commissioner, Greater Chennai Corporation
- Director of Municipal Administration
- Engineer-in-Chief, Water Resources Department
- Director General, Highways
- Managing Director, TN Urban Habitat Development Board
- Director of Survey and Settlement

Convenor - Commissioner of Land Administration

- Any other Special invitees as decided from time to time by the Chairperson.

The State Level Committee shall monitor and review the overall progress in eviction of encroachments and compliance of Court orders in respect of encroachments in water bodies and other highly objectionable poramboles. The Committee will convene once in a month and the issues will be taken up for discussion along with the all Secretaries Meeting. The



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Public Works Department
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Water Resources Department,
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committee has been instructed to look into the issues and the encroachments will be identified and evicted at the earliest.

6. It is submitted that the Government has issued an order in G.O.(2D) No. 78, Public works (K2) Department, dated 07.09.2021 to accord sanction for execution of 95 Nos. of Premonsoon preparedness works for the year 2021 in the major waterways in Chennai, Thiruvallur, Kancheepuram, Chengalpattu and Cuddalore Districts at an estimated cost of Rs.11.70 Crores. All the works have been completed and flood in the year 2021 has been effectively managed by our department which was appreciated by the Hon'ble High Court of Madras, Media etc.,. However the Government has formed an advisory panel on mitigation and management of flood risk in the city in which the retired IAS officer V. Thiruppugazh has been appointed as head of the advisory panel. The Government take all necessary steps to mitigate the flood and eviction of encroachments in the water bodies.

It is important to note that the orders issued in G.O. (Ms) No. 64, Revenue and Disaster Management Department, dated 08.02.2022 is applicable to all over the State of Tamil Nadu. As soon as, Divisional Monitoring Committee constituted under the head of Revenue Divisional officer further action will be taken for eviction of the encroachments.

In view of the above, it is humbly prayed that this Hon'ble National


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Water Resources Department,
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Green Tribunal may be pleased to accept this report and pass orders as this Hon'ble National Green Tribunal may deem fit and proper in the circumstances of the case and thus render justice.

Signed :

Date :



Additional Chief Secretary to Government
Water Resources Department,
Secretariat, Chennai - 600 009.

Verification

I, Dr. Sandeep Saxena I.A.S., Additional Chief Secretary to Government, Water Resources Department, Tamil Nadu, St. George Fort, Chennai-09, do hereby verify that the contents of the paragraphs stated above are true and correct to the best of my knowledge and belief.

Signed :

Date :



Additional Chief Secretary to Government
Water Resources Department,
Secretariat, Chennai - 600 009.

Solemnly affirmed at Chennai on this the 23rd day of February, 2022 and signed his name in my presence

BEFORE ME


Special Secretary to Government
Public Works Department
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