

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

Original Application No. 146 of 2020 (SZ)

Tribunal on its own motion-suo motu

Based on the News item in Dinamalar Newspaper, Chennai Edition dated 31.07.2020, "Will Irumbuliyur Lake be redeemed from encroachers?"

-Vs.-

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

...Respondent(s)

...

**REPORT FILED BY THE SUPERINTENDING ENGINEER, WRD, PALAR
BASIN CIRCLE, CHENNAI**

I, A. Muthiah, s/o. Asokan, aged about 58 years residing at "C" Block, 207, Casagrand Aristo Apartments, Nobel Street, Nanganallur, Chennai-61, do, hereby, solemnly affirm and sincerely state as follows:

2. I am the Superintending Engineer, WRD, Palar Basin Circle, Chennai-5 and the administrative control of the Medavakkam Tank lies within my control and I am filing this individual report pursuant to the order dated 11.07.2022 of this Hon'ble Tribunal in the Original Application herein.

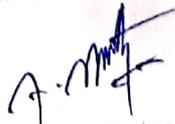
**3. ALLEGATIONS IN THE REPORT AND THE DIRECTIONS OF THE
HON'BLE TRIBUNAL DATED 10.08.2020:**

i) I submit that the above case has been *suo motu* registered by this Tribunal on the basis of the newspaper report published in Dinamalar Chennai City Supplement Edition dated, 31.07.2020 under the caption "Will Irumbulliyur Lake be redeemed from encroachers?"


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 Chepauk, Chennai - 600 005.

(ii) The Hon'ble Tribunal observed that the particular lake is situated in East Tambaram, Chennai. Ongoing through the allegations in the report, there arises a substantial question of environment which requires the interference of this Tribunal for resolving the same.

1. Originally having an extent of more than 100 acres and it was appearing like a sea and it was spread over with peripheral span of 3 km including M.E.S. Road and Mahalakshmi Nagar.
2. In course of time, large extent of area has been encroached by the miscreants with aid of local politicians and real estate mafia with the connivance of the Revenue Department in selling the lake. Now it has been reduced to 50 acres. There were lot of demand by the people to restore the lake to its original position and maintain the same. But no action has been taken.
3. 4. There were three outlet canals to this lake. The rain water coming out from 5A Bus stop which was located in East Tambaram - Velacherry Road and its surroundings were used to be drained in the first canal which is in the entrance of M.E.S. Road and not to reach the lake.
4. 5. Thereafter, from M.E.S. Road was also draining through the same canal which is having a breadth of 10 ft, and length of 1 km and that also reaches the lake. But, some political parties, temple and private owners have built some unauthorised constructions by encroaching this canal.
5. Similarly, the rain water flowing from Railway Quarters, railway underground subway and SuthananthaBharathi Street in Tambaram - Velacherry road drain which reaches the second canal and then reaches the lake. There was a third canal flowing through Murugesan Street which is old G.S.T. Road, 4 Vijayarangan Street and SelliyammanKovil Street and finally reaches the lake.
6. Now, all these canals have disappeared due to encroachment without any trace of their existence itself. Because of these encroachments during 2015 flood, the whole Irumbuliyur got submerged in water and then, I.A.S. Officer Ms.Amutha surveyed the encroachments in the lake


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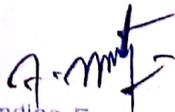
and ordered for removal of the same. But after her transfer, no steps have been taken. 8. Due to the encroachments and the non-maintenance, it has become a place of garbage dumping and sewage discharge.

4. The Hon'ble Tribunal, therefore, in the order dated 10.08.2020 in the above Original Application, in order to ascertain the present state of affairs and also the steps taken by the authorities for maintaining the water body, appointed a joint committee comprising of:

- 1) the District Collector, Chengalpattu District, or a Senior Officer not below the rank of Assistant Collector or Sub Divisional Magistrate designated by the District Collector, Chengalpattu District,
- 2) Superintending Engineer of Public Works Department and Water 6 Resources Organisation, who is in charge of that area,
- 3) The Municipal Commissioner, Tambaram Municipality and 4) Senior Officer deputed by the Chairman Tamil Nadu State Pollution Control Board to inspect the area in question and submit a factual as well as action taken report if there is any violation found, and further directed that the committee is directed to ascertain the total extent covered by the lake as per revenue records and the extent of encroachment, action taken to remove the same and restore it and the action taken to protect the same from future encroachment.

5. This Hon'ble Tribunal has directed to consider the question as to whether there was any scheme launched by the State Government or by the District administration for protection of this water body and if so, what is the stage of its implementation and whether there is any unauthorised discharge of untreated sewage into the water and if so, trace out the persons who are responsible for the same and take appropriate action including imposition of environmental compensation, against such persons.

6. The committee was further directed to suggest an action plan with short term and long term measures with shorter time lines to restore the water body including establishing bio-diversity park/tree-planting around the


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lake, apart from strengthening the lake by providing compound wall or other fences to avoid future encroachments as well and the committee to take the water samples from the lake for analysis to ascertain as to whether it confirms to the standard for drinking purpose including Bio Chemical Oxygen Demand (BOD) and Chemical Oxygen Demand (COD), Total Coli Form and Fecal Coli Form and other prohibited metals. If there is any contamination they are also directed to suggest the ways and means to rectify the same.

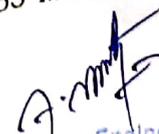
7. The Tamil Nadu State Pollution Control is at liberty to conduct independent inspection as provided Under the Water (Prevention and Control of Pollution) Act, 1974 and also Under the Solid Waste Management Rules, 2016 to ascertain the water quality and implementation of Solid Waste Management Rules, 2016 in that area and if there is any violation and non-compliance of the directions given by the Principal Bench of National Green Tribunal as Original Application No 606 of 2018 then what are the steps taken by them, on the basis of the directions given by the Principal Bench against the erring of the local bodies apart from assisting the committee to incorporate to those things as well in the report.

8. The committee was further directed to issue necessary interim directions which they feel is required for immediate maintenance of the water body to the concerned department who are bound to carry out the same as monsoon is fast approaching and intermittent rains are also coming nowadays, so as to strengthen the storing capacity of the lake.

9. It is submitted that as per the directions dated 11.07.2022 of this Hon'ble Tribunal in the Original Application herein, I am filing the report with regard the issues relevant to the Water Resources Department as follows:

As regards the matters affecting PWD in the news report, it is submitted that:

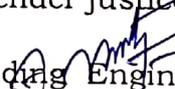
- (i) The Irumbuliyur tank in Irumbuliyur Village of Tambaram Taluk in S.F.No. 176 has the capacity to store 12.53 MCft of water to


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feed an extent of 80.97 Ha which was originally intended to be fed by the tank for irrigation. It has a water spread area of 3.12 sq.miles and its own catchment is 0.81 sq.m. As such, the Irumbuliyur tank is a PWD tank. It has lost its major irrigation potential long back due to agglomeration of Chennai City and its suburb over the period of time. Now, the tank serves as a natural aquifer.

- (ii) As per the survey made in the year 2009 by the survey officials, there are about 846 encroachments in the water spread area and the bund of the tank extending in 0.16.90 ha. Hence, fresh survey is being done in the tank and in progress. After the receipt of the particulars of encroachments in Form I and II from the Tahsildar concerned, notices in Form III will be issued by the Assistant Engineer, WRD, Irrigation Section, Padappai and eviction would be carried out in accordance with law.

It is, therefore, prayed that this Hon'ble Tribunal may be pleased to take on record the report filed herein and pass appropriate further orders as deemed fit in the facts and circumstances of the case and thus render justice.


Superintending Engineer, WRD
Palar Basin Circle
Chennai-5

VERIFICATION

I, A. Muthiah son of Asokan, aged about 58 years officiating as Superintending Engineer, WRD, Palar Basin Circle, Chennai-5, do, verify that the submission made above are correct to the best of my knowledge and from records and I verify this on this.....Day of July, 2022 at Chennai.


Superintending Engineer, WRD
Palar Basin Circle
Chennai-5