

BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE, CHENNAI

Original Application No. 149 of 2020 (SZ)

REPORT FILED BY THE EXECUTIVE ENGINEER, WATER RESOURCES DEPARTMENT, LOWER PALAR BASIN DIVISION, KANCHIPURAM

I R.Ramesh son of K.Ramamoorthy aged about 55 years officiating as Executive Engineer, Water Resources Department (WRD) of the Public Works Department, Lower Palar Basin Division having my office at the Collectorate campus, Kanchipuram submit my report as follows:

2. I am the Executive Engineer having maintenance control over the water bodies under the control of WRD in Kanchipuram, Chengalpat, part of Tiruvallur and Chennai Districts and as such I am filing this report affidavit on behalf of the Superintending Engineer, WRD, Palar Basin Circle, Chennai-5 appointed as the Nodal Agency by this Hon'ble Tribunal in the Original Application herein.

3. I submit that this Hon'ble Tribunal has registered the above Original application by on the basis of the newspaper report published in Dinamalar Chennai City Supplement Edition dated, 06.08.2020 under the caption "Will Perumbakkam Lake become tourist spot?".

4. It is submitted that the observations made by this Hon'ble Tribunal and Directions issued by the Order dated 17.08.2020 are extracted as under:

- (i) *Perumbakkam Lake which has been engulfed by the encroachers has now become polluted by garbage and sewage.*
- (ii) *It was originally having an extent of 400 acres in the middle of borders of Vengaivaasal, Chithalapakkam and Perumbakkam and it was covering a large area of cultivable lands for providing water for irrigation. Large scale encroachment has been made due to urbanisation and now as per the survey of 2015, the size of the Perumbakkam Lake has been reduced to 258 acres.*
- (iii) *The facilities of electricity connection, Road, Drinking water and other facilities have been given by the authorities to the encroachers instead of taking steps to remove the encroachment.*
- (iv) *The garbage is being dumped by Lorries and they are also using the same for discharging untreated sewage water. Few years back, the water was tested by the authorities and it was found to be contaminated. Some steps have*

been taken to rejuvenate certain water bodies, and some cleaning work was done at the instance of the Welfare Associations and social activists.

(v) The Public works Department has planned to reform this lake at a cost of Rs. 3 crores by desilting the lake, strengthening bunds, setting up a bio diversity park on bunds of Perumbakkam Lake. But the work was not carried out completely. Lot of work will have to be done for bringing the dream of the people by making Perumbakkam Lake a tourism spot with eco-park facility a reality. 6.

(vi) Ongoing through the allegations in the report there arises a substantial question of environment which requires the interference of the Hon'ble Tribunal for resolving the same.

(vii) The Hon'ble Tribunal, therefore, in the order dated 17.08.2020 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, Palar Circle, Chepauk, Chennai of Public Works Department and Water Resources Organisation, who is in charge of that area,

3) Senior Officer deputed by the Chairman Tamil Nadu State Pollution Control Board and

4) Executive Officer, Perumbakkam Village Panchayat 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.

The Hon'ble Tribunal has issued the following directions to the Committee as follows:

(i) " The committee is directed to ascertain the original 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.

(ii). The committee is directed to consider the question as to whether there is any scheme launched by the State Government or by the District administration for the purpose of rejuvenation and protection of this water body and if so, what is the stage of its implementation and whether there is any unauthorised dumping of garbage and discharge of untreated sewage into the lake 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.

(iii) The committee is also directed 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.

(iv). The Tamil Nadu State Pollution Control Board 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, New Delhi in Original Application No 606 of 2018 in respect of Solid Waste Management Rules, 2016 in Perumbakkam Panchayat and if there is any gap, then what are the steps taken by them, on the basis of the directions given by the Principal Bench against the erring local bodies apart from assisting the committee to incorporate those things in the report.

(v) The Public Works Department will be the nodal agency for co-ordination and for providing all necessary logistics for this purpose,.

(VI). The Tamil Nadu Pollution Control Board as well as the committee are directed to submit the report to this Tribunal within a period of two months.”

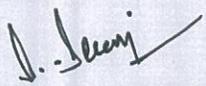
5. REPORT OF THE PUBLIC WORKS DEPARTMENT:

- (i) The Perumbakkam tank in Perumbakkam Village of Sholinganallur Taluk in S.F.No. 428 has the capacity to store 0.74 Mcm of water to feed an extent of 229.15 Ha which was originally intended to be fed by the tank for irrigation. It has a water spread area of 2.27sq.miles and its own catchment is 9.25 sq.m. As such, the Perumbakkam 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 mostly as a natural aquifer.
- (ii) As per the estimation of PWD, there are about 358 encroachments in the water spread area and the bund of the tank extending in 0.07.16 ha and hence actual survey has to be made to identify the exact No. of encroachments as on date and the particulars thereon in Form I and II are to be sent to the PWD to take up eviction process under the due process of law.
- (iii) The rehabilitation of the Perumbakkam eri has been taken up under EPRED scheme at an estimated cost of Rs. 4.5 crore. The works of

construction of walkway, compound wall to prevent encroachment and pollution, strengthening of the tank bund, nesting island and reconstruction of sluice are in progress and will be completed soon.

- (iv) As regards the pollutant factors in this tank, it is noticed that the main source of pollution is due to letting sewage water into the lake by Perumbakkam and Sithalappakkam Panchayats as a result of which there is growth of water hyacinth. The Block Development Officer has to take action in consultation with the local Panchayat to prevent this menace. The water sample has been collected by the 5th respondent/TNPC Board to test the same in the laboratory 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 *Faecal Coli* Form and other prohibited metals. Hence, the test results from the 5th respondent/TNPC Board has to be filed by the 5th respondent/TNPC Board so as to incorporate in the Report of the Joint Committee. However, the WRD, as a Nodal Agency, is committed and assures that it will render all assistance and co-operation as may be required by the TNPC/ Board and comply with the orders that may be passed in the Original Application herein by the Hon'ble Tribunal.
- (v) If the problem of letting sewage water into the tank by the local bodies is stopped, the tank may be converted as a tourist spot in consultation with the Tamil Nadu Tourism Development Corporation.

6. It is, therefore, prayed that this Hon'ble Tribunal may be pleased to take on record the report filed herein with regard to directions issued by this Hon'ble Tribunal pertaining to Water Resources Department.


Executive Engineer W.R.D., P.W.D
Lower Palar Basin Division,
Kancheepuram.