

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

**Original Application No. 153 of 2020 (SZ)  
(Through Video Conference)**

**IN THE MATTER OF**

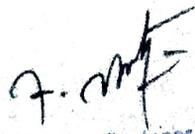
Tribunal on its own motion-suo motu Based  
on the News item in The Time of Indian Newspaper,  
Chennai edition dated 30.07.2020,  
"Raw Sewage, Encroachments continue to threaten Lake". ...

Applicant(s)

-Versus-

- 1) The Chief Secretary to Govt. of Tamil Nadu,  
Govt Secretariat, Fort St. George,  
Chennai, Tamil Nadu – 600009.
- 2) The Principal Secretary to Government,  
Public Works Department,  
Govt. Secretariat, Fort St. George,  
Chennai – 600009.
- 3) The Additional Chief Secretary to Govt. of Tamil Nadu,  
Revenue and Disaster Management Department,  
Govt. Secretariat, Fort St. George,  
Chennai, Tamil Nadu – 600009. 4)
- 4) The Secretary to Govt. of Tamil Nadu,  
Department of Environment, Govt. Secretariat,  
Fort St. George Chennai,  
Tamil Nadu – 600009.
- 5) Additional Chief Secretary to Govt. of Tamil Nadu,  
Municipal Administration and Water Supply Department,  
Govt. Secretariat, Fort St. George,  
Chennai, Tamil Nadu – 600009.
- 6) Additional Chief Secretary to Govt. of Tamil Nadu,  
Rural Development and Panchayat Raj Department,  
Govt. Secretariat, Fort St. George  
Chennai, Tamil Nadu – 600009.
- 7) The Principal Secretary to Govt. of Tamil Nadu,  
Housing and Urban Development Department,  
Govt. Secretariat, Fort St. George  
Chennai, Tamil Nadu – 600009.
- 8) The Principal Secretary to Govt. of Tamil Nadu,  
Industries Department, Govt. Secretariat,  
Fort St. George,  
Chennai, Tamil Nadu – 600 009.
- 9) The Chairman,  
Tamil Nadu Pollution Control Board,  
No.76, Anna Salai, Guindy,  
Chennai, Tamil Nadu – 600032.

  
Assistant Engineer, W.R.D., P.W.D.,  
Anti Sea Erosion Section-III,  
Chepauk, Chennai-600 005.

  
Superintending Engineer, PWD.,  
PALAR BASIN CIRCLE, WRD.,  
Chepauk, Chennai - 600 005.

10) Commissionerate of Municipal Administration,  
Rep. by its Commissioner,  
No.78, Urban Administrative Building,  
Santhome High Road, Chennai – 600028

11) Directorate of Town Panchayats,  
Rep. by its Director, Kuralagam,  
Chennai 600108.

12) Chennai Metropolitan Water Supply & Sewerage Board,  
Rep. by its Managing Director,  
No. 1, Pumping Station Road,  
Chintadripet, Chennai - 600031.

13) Tamil Nadu Water Supply and Drainage Board,  
Rep. by its Managing Director,  
31, Kamarajar Salai,  
Chepauk, Chennai - 600 005.

14) The District Collector,  
Chennai District,  
District Collectorate Office,  
No.62, Rajaji Salai, 4th Floor,  
Chennai- 600 001.

15) The District Collector, Kancheepuram District,  
First Floor, Collectorate,  
Kancheepuram – 631 501.

16) The District Collector,  
Chengalpet District, Collector Office,  
GST Road, Chengalpattu – 603 001.

17) The District Collector,  
Tiruvallur District,  
First Floor, Collectorate, Tiruvallur – 602 001.

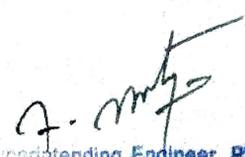
18) Greater Chennai Corporation,  
Rep. by its Commissioner, Ripon Building,  
Chennai - 600 003.

19) Engineer in Chief (Water Resources Organisation) and  
Chief Engineer (General),  
Public Works Department,  
Chepauk, Chennai - 600 005.

20) Tamil Nadu Biodiversity Board,  
Rep. by its Secretary, TBGP Campus, 2nd Floor,  
Velacherry-Tambaram Main Road,  
Nanmangalam, Medavakkam Post,  
Chennai - 600 100.

21) Tamil Nadu State Wetland Authority,  
Rep. by its Member Secretary,  
No.1, Jeenis Road, Panagal Building,  
Saidapet, Chennai - 600 015.

  
Assistant Engineer, W.R.D., P.W.D.,  
Anti Sea Erosion Section-III,  
Chepauk, Chennai-600 005.

  
Superintending Engineer, P.W.D.,  
PALAR BASIN CIRCLE, WRD,  
Chepauk, Chennai - 600 005.

22) Department of Environment, Rep. by its Director,  
No.1, Jeenias Road, Panagal Building, Ground Floor,  
Saidapet, Chennai - 600 015.

23) The Member Secretary,  
Chennai Rivers Restoration Trust,  
6 / 103, Dr. D. G. S. Dinakaran Salai,  
Raja Annamalaipuram,  
Chennai - 600 028.

... Respondent(s)

**AFFIDAVIT FILED BY THE SUPERINTENDING ENGINEER, WRD, PALAR BASIN  
CIRCLE, CHENNAI ON BEHALF OF THE PUBLIC WORKS DEPARTMENT**

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I, **A.Muthiaya** son of **L.Ashokan** aged about 56 years officiating as Superintending Engineer, Water Resources Department, Palar Basin Circle, and having my office at PWD campus, Chepauk, Chennai-5 do, hereby, solemnly affirm and sincerely state as follows:

2. I am the Superintending Engineer and included in the Committee formed by this Hon'ble Tribunal in the Original Application herein taken suo motu by this Hon'ble Tribunal and I am filing this affidavit since the PWD is ordered to be the nodal agency for co-ordinating logistic arrangements.

3. I submit that this Hon'ble Tribunal has, by the order dated 18.08.2020 on the Original Application herein has directed as follows:

*" 9. Since, the Principal Bench of National Green Tribunal, had already issued directions to the Chief Secretaries of the States throughout India in respect of preventing pollution being caused to the water bodies and rejuvenate the polluted river stretches in all the States, we feel that it is necessary to direct the Chief Secretary of the State of Tamil Nadu to monitor the progress of the inspection and preparation of the report to be submitted by the committee that is being appointed by this Tribunal and give necessary input and official logistics if necessary, for better co-ordination and submission of the report.*

7.10.2020  
Assistant Engineer, W.R.D., P.W.D.,  
Anti Sea Erosion Section-III,  
Chepauk, Chennai-600 005.

Superintending Engineer, PWD,  
PALAR BASIN CIRCLE, WRD.,  
Chepauk, Chennai - 600 005.

10. The committee is also directed to take water samples from all the water body and if there is any contamination, trace out the sources for the contamination and also suggest the remedial measures to be taken for rectifying the same.

11. 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 the water bodies in these Districts and if so, what is the stage of its implementation.

12. The committee will also consider the steps taken by the authorities for protecting the water bodies against encroachment and feasibility of establishing bio-diversity parks and green belt along the bunds of the water bodies.

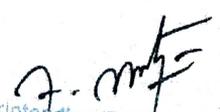
13. The Public Works Department will be the nodal agency for co-ordination and for providing all necessary logistics for this purpose.

14. The committee is directed to submit the report to this Tribunal within a period of four months i.e., on or before 18.12.2020 by e-filing”.

4. It is further submitted that in view of the heavy rainfall during the months of November due to successive impact of the severe cyclonic storm at short intervals, almost all the tanks in Kanchipuram maintained by PWD and the local bodies are either full or with 75% storage. The test results of the pollution and contamination in the tanks at this time would not show the correct data and the ideal time for taking samples and for testing the proportions of the contaminating elements in water would be during summer only. Besides also the fact that all the officers would be engaged in flood relief works.

5. It is submitted that the Palar Basin Circle has three Divisions, namely, Lower Palar Basin Division, Kanchipuram, Kosasthalaiyar Basin Division, Tiruvallur and Araniar Basin Division, Chennai and the water bodies are maintained by these three Divisions

  
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Chepauk, Chennai - 600 005.

in Tiruvallur, Kanchipuram, Chengalpattu and Chennai Districts. In Kanchipuram District alone, there 1151 tanks under the maintenance of PWD.

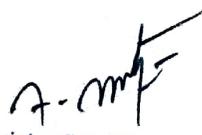
6. It is also submitted that pursuant to the orders dated 18.08.2020, I have convened a meeting on 11.12.2020 with all the officers of the line departments as to sort out the modalities for identifying the water bodies maintained by PWD and local bodies which are polluted by dumping garbage, letting of sewage and other polluting elements. In this meeting I have requested the officers of the departments concerned to send report about the actions taken by them to comply with the order of this Hon'ble Tribunal which are yet awaited.

7. As regards the identification of encroachments in the water bodies, the District Collectors concerned have been addressed to identify, enumerate and demarcate the encroachments to PWD and the local bodies so as to enable the respective departments could take eviction proceedings under the due process of law.

8. It is at this juncture submitted that view of the wrath of the heavy downpour in these four districts due to successive impact of two cyclonic storms all the tanks in these four districts are almost full or not less than 75% storage. Hence, taking of samples for tests and analysis would not show the correct results and the proportions of the pollutional ingredients water bodies. Also in view of the fact that all the officers would be busily engaged in the relief works to restore the damages caused to the water bodies of PWD and local bodies, sufficient time is required for effectively carrying out the tests on pollutional and encroachment aspects.

9. It is, therefore, submitted that it is considered ideal for taking water samples from the water bodies and for identification of encroachments in all water bodies of the above four districts during summer when water level would be less.

  
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Chepauk, Chennai-600 005.

It is, therefore, prayed that this Hon'ble Tribunal may be pleased to take on record the above statement and to grant a further period of 6 months to collect the details as ordered by the Hon'ble Tribunal on 18.08.2020 in this matter and thus render justice.

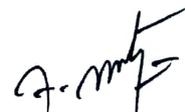
Superintending Engineering,  
Palar Basin Circle, Chepauk,  
Chennai-5.

### VERIFICATION

I, **A.Muthiaya** son of **L.Ashokan** officiating as Superintending Engineering, Palar Basin Circle, Chepauk, Chennai-5. do verify that the particulars stated in paragraphs 2 and 3 are correct to the best of my knowledge and from records and I signed this at Chennai on this 18<sup>th</sup> Day of December, 2020

Superintending Engineering,  
Palar Basin Circle, Chepauk,  
Chennai-5.

  
Assistant Engineer, W.R.D., P.W.D.,  
Anti Sea Erosion Section-III,  
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PALAR BASIN CIRCLE, WRD.,  
Chepauk, Chennai - 600 005.

Superintending Engineer,  
PALAR BASIN CIRCLE,  
Chepauk