

DEPARTMENT OF ENVIRONMENT

From

Thiru. K.V. Giridhar, I.F.S.,
Director of Environment,
Ground Floor, Panagal Building,
No.1, Jeenis Road,
Saidapet, Chennai - 600 015.

To

Dr.V.R. Thirunarayanan, M.A.,M.L, Ph.D
Special Govt., Pleader (Forests),
No.24 Law Officers' Block,
2nd Floor, High Court,
Chennai - 600 104

Letter No.226/EMAT/AEE II/2020 Dated 12.01.2021

Sir,

Sub: Department of Environment - OA No.153 of 2020 taken on Suo-Motu pertaining to Raw Sewage Encroachments in Korattur, Ambathur, Madhavaram, Peerkankaranai and Adambakkam Lakes - taken by Hon'ble National Green Tribunal - South Zone - Regarding.

Ref: 1. This office letter No.226/EMAT/AEEII/2020 dated 11.11.2020
2. Vetted copy received from Addl. Govt., Pleader on 04.01.2021

In continuation of the reference 3rd cited, I am enclosing herewith a copy of Reply Counter Affidavit in White with reference to the OA No.153 of 2020 taken on Suo - Motu pertaining to Raw Sewage Encroachments in Korattur, Ambathur, Madhavaram, Peerkankaranai and Adambakkam Lakes taken by Hon'ble National Green Tribunal South Zone (SZ) for e-filing.

It is requested to furnish the facts contained therein to the Hon'ble NGT (SZ) on behalf of the Department of Environment.

Encl: As above.

Yours faithfully,
(Sd) xxx 12.01.2021
Director of Environment

//Forwarded by order//

A handwritten signature in blue ink, followed by the date '12/01/2021' written below it.

For Director of Environment

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE AT CHENNAI**

Application No. 153 of 2020

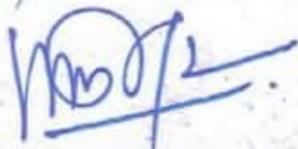
1. Tribunal on its own motion-SUO MOTU
Based on the News item in the Times of India Newspaper,
Chennai edition dated 30.07.2020,
"Raw Sewage, Encroachments continue to threaten Lake"

... Applicants

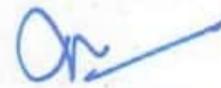
Versus

- 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) 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.

Before me



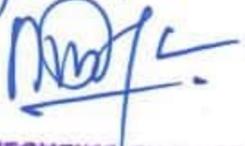
**EXECUTIVE ENGINEER
ENVIRONMENT MANAGEMENT
AGENCY OF TAMIL NADU
CHENNAI-15**



**Director
Department of Environment
Chennai - 15.**

- 9) The Chairman,
Tamil Nadu Pollution Control Board,
No.76, Anna Salai, Guindy,
Chennai, Tamil Nadu - 600032.
- 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 Organization)
and Chief Engineer (General),
Public Works Department, Chepauk, Chennai - 600 005

Before Me



ASST. EXECUTIVE ENGINEER
ENVIRONMENT MANAGEMENT
AGENCY OF TAMIL NADU
CHENNAI-15.



Director
Department of Environment
Chennai - 15.

- 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.
- 22) Department of Environment,
Rep. by its Director,
No.1, Jeenis 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.

... Respondents

COUNTER AFFIDAVIT FILED BY THE 22nd RESPONDENT

I, Thiru.K.V. Giridhar, I.F.S, S/o Thiru. K.Seetharama rao, aged about 57 years and having office at Ground Floor, Panagal Buildings, Saidapet, Chennai - 600 015 solemnly affirm and sincerely state as follows;

1. I humbly submit that I am the 22nd Respondent herein and Director, Department of Environment and as such I am well acquainted with the facts and circumstances of the case.
2. I humbly submit that I have gone through the Application, SuoMotu registered by the Hon'ble Tribunal on the basis of the news paper report published in The Times of India, Chennai Edition dated, 30.07.2020 under the caption "RAW SEWAGE, ENCROACHMENTS CONTINUE TO THREATEN LAKES".

Before Me

REGISTRAR
ENVIRONMENT MANAGEMENT
AGENCY OF TAMIL NADU
CHENNAI-15.

Director
Department of Environment
Chennai - 15.

3. I humbly submit that, the Department of Environment is the Nodal Department and extended financial support for the selective ponds, Eris, Lakes, with in the limited fund availability. During the past several years, the Department of Environment have extended financial assistance as follows towards the eco-restoration of water bodies, through the concerned custodian of the water bodies in the Northern three districts viz., Chennai, Chengalpattu and Thiruvallur.

- i) Chetpet Lake in Chennai district through Fisheries Department.
- ii) Madavaram, Ambathur and Korattur Lakes in Chennai district through PWD.
- iii) Paruthipattu Lake in Avadi City Municipal Corporation in Thiruvallur district through PWD.
- iv) Thiruthani Nallathaneerkulam in Thiruthani Municipality in Thiruvallur district through Commissionerate of Municipal Administration.
- v) Chitlapakkam Lake in Tambaram Taluk of Chengalpattu district through PWD.
- vi) Adambakkam Tank in Alandur Taluk of Chennai district through PWD.
- vii) Permbakkam Tank in Sholinganallur Taluk of Chennai district through PWD.
- viii) Vengaivasal Periya Eri in Tambaram Taluk of Chengalpattu district through PWD.

4. I humbly submit that the Public Works Department has submitted a Proposal for the Rehabilitation and Restoration of Madavaram, Ambathur and Korattur Wetland Complex at a cost of Rs.59.18 Crores. The Proposal was considered by the Government of Tamil Nadu and the funds have been routed through the Department of Environment between 2014-15 and 2017-18, in several installments based on the Utilization Certificates and Progress of works.

5. I humbly submit that under the proposals the works viz., Mud flat, foreshore fund formations, removal of encroachments, erection of Boundary pillars, foot path, removal of Hyacinth, de-silting, removal of deposition in the bed of Tank like Solid waste, sediments, biological and chemical wastes, provision of retaining wall, hand rails, Diversion of Sewage inlets, formation of diversion bunds, plantations, formation of islands for bird diversity, fencing etc., have been carried out.

Refuse Me

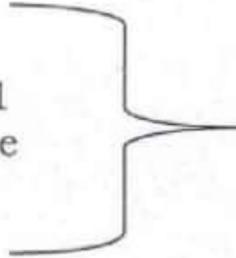
ASST. EXECUTIVE ENGINEER
INSTRUMENT MANAGEMENT
AGENCY OF TAMIL NADU
CHENNAI-15.


Director
Department of Environment
Chennai - 15.

6. I humbly submit that the Department of Environment has approached all the line Departments viz., Greater Chennai Corporation, PWD, Micro, Small and Medium Enterprises, TANSIDCO etc., with reference to the Sewage issues, said to have affected at the Madavaram, Ambathur and Korattur Wetland Complex.
7. I humbly submit that the Housing and Urban Development Department has furnished a report on the action taken on arresting the Sewage in their letter dated 20.12.2019.
8. I humbly submit that the above works were completed by the PWD and the PWD is the custodian of the above Wetland Complex and hence it is obligatory on the part of PWD to maintain the above wetland free from the encroachment and Pollution.
9. I humbly submit that the Public Works Department, Municipal Administration & Water Supply Department, Rural Development & Panchayat Raj Department, Directorate of Town panchayats, District Administration, Chennai district, Kancheepuram district, Chengalpattu district & Thiruvallur district, Greater Chennai Corporation and Tamil Nadu State Wet land Authority are related Departments to ascertain the number of water bodies in these Districts and nature of encroachments and steps taken for protecting the water bodies in the above districts.

It is therefore humbly prayed that this Hon'ble tribunal may be pleased to record the above mentioned facts and pass such further order or orders as this Hon'ble tribunal may deem fit and proper in the interest of justice.

Solemnly affirmed at Chennai
This the 12th day of January 2021
and Signed his name in presence




Director
Department of Environment
Chennai - 15.

BEFORE ME


DIRECTOR GENERAL
ENVIRONMENT MANAGEMENT
AGENCY OF TAMIL NADU
CHENNAI - 15.

**MEMORANDUM OF
APPLICATION**

**(UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA)**

**In the Hon'ble National Green
Tribunal (Southern Zone)**

Application No. 153 of 2020

1) Tribunal on its own motion-
SUO MOTU

Versus

1) The Chief Secretary to
Govt. of Tamil Nadu,
Govt. Secretariat,
Fort St. George,
Chennai,
Tamil Nadu – 600009.

and 22 others

COUNTER AFFIDAVIT FILED ON
BEHALF OF THE 22ND
RESPONDENT

ADDL. GOVERNMENT PLEADER
COUSEL FOR THE RESPONDENT