

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Original Application No. 185 of 2023 (SZ)

In the matter of:

Tribunal on its own motion SUO MOTU

Based on the news item published in The Hindu, The Times of India and Dinamalar, Chennai Edition dated 06.12.2023, 07.12.2023 and 14.12.2023, “Illegal construction and encroachment of water bodies”.

With

The Chief Secretary to Government,

Govt. Secretariat, Fort St. George, Chennai and Others

... Respondents

INDEX

S. No.	Date	Description	Page No.
1.	25.03.2024	Affidavit filed on behalf of the 2 nd Respondent The Principal Secretary to Government, Public Works Department, Secretariat, Chennai	1 - 6
2.	07.06.2021	Personnel and Administrative reforms (A) Department G. O (Ms.) No. 55	7 - 10
3.	06.11.2021	Public (Special A) Department G. O. Rt. No. 4351	11 - 14

(Note: The page number are at the top centre of every page)



Through
Dr. D. Shanmuganathan
Standing Counsel of Tamil Nadu
National Green Tribunal
Southern Zone, Chennai
Date: 01.04.2024

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

Original Application No.185 of 2023 (SZ)

IN THE MATTER OF:

Tribunal on its own motion Suo Motu based on the News item published in The Hindu, The Times of India and Dinamalar, Chennai Edition Dated 06.12.2023, 07.12.2023 and 14.12.2023, "Illegal Construction and encroachment of Water bodies"

With ,

1. The Chief Secretary to Government, Government Secretariat, Fort St. George, Chennai, Tamil Nadu and others.
2. The Additional Chief Secretary to Government, Public Works Department, Government Secretariat, Fort St. George, Chennai-600 009.
3. The Principal Secretary to Government of Tamil Nadu, Revenue and Disaster Management Department, Government Secretariat, Fort St. George, Chennai, Tamil Nadu – 600 009.
4. The Principal Secretary to Government of Tamil Nadu, Department of Environment Climate Change & Forests, Government Secretariat, Fort St. George, Chennai, Tamil Nadu-600 009.

5. Additional Chief Secretary to Government of Tamil Nadu, Municipal Administration and Water Supply Department, Government Secretariat, Fort St. George, Chennai, Tamil Nadu-600 009.
6. The Principal Secretary to Government of Tamil Nadu, Housing and Urban Development Department, Government Secretariat, Fort St. George, Chennai, Tamil Nadu-600 009.
7. The Chairman, Tamil Nadu Pollution Control Board, No.76, Anna Salai, Guindy, Chennai, Tamil Nadu-600032.
8. Chennai Metropolitan Water Supply & Sewerage Board, Rep. by its Managing Director, No.1, Pumping Station Road, Chintadripet, Chennai-600 031.
9. Tamil Nadu Water Supply and Drainage Board, Rep. by its Managing Director, 31, Kamarajar Salai, Chepauk, Chennai-600 005.
10. Directorate of Town and Country Planning, Rep. by its Director, 2nd, 3rd & 4th Floor, C&E Market Road, Koyambedu, Chennai-600107.
11. Chennai Metropolitan Development Authority, Rep. by its Member Secretary, Thalamuthu - Natarajan Maaligai, No.1, Gandhi Irwin Road, Egmore, Chennai-600 008.

12. The District Collector, Chennai District, District Collectorate Office, No.62, Rajaji Salai, 4th Floor, Chennai-600 001.
13. The District Collector, Chengalpet District, Collectorate Office, GST Road, Chengalpattu-603 001.
14. The District Collector, Tiruvallur District, First Floor, Collectorate, Tiruvallur-602 001.
15. Greater Chennai Corporation Rep. by its Commissioner, Ripon Building, Chennai-600 003.
16. Tambaram City Municipal Corporation, Rep. by its Municipal Commissioner, 28, Muthuranga Mudali Street, Tambaram West, Chennai-600 045.
17. Avadi City Municipal Corporation Rep. by its Corporation Commissioner, N.M.Road, Avadi-600 054.

... Respondent(s)

AFFIDAVIT FILED ON BEHALF OF THE 2ND RESPONDENT THE PRINCIPAL SECRETARY TO GOVERNMENT, PUBLIC WORKS DEPARTMENT, SECRETARIAT, CHENNAI – 600 009.

I, Chandra Mohan. B, S/o Thiru Venkataramanappa, aged about 54 years, residing at C/04/02, AIS Housing Complex (TAISHA), Nerkundram, Virugambakkam, Chennai-92 do hereby solemnly affirm and sincerely state as follows:-

1. I am the Principal Secretary to Government, Public Works Department, Secretariat, Chennai-600 009 and the second respondent herein. I am well acquainted with the facts of the case from the records. I am filing this affidavit for myself. I have read the Order Dated 16.12.2023 in the Suo Motu Original Application No. 185 of 2023, wherein the Additional Chief Secretary to Government, Public Works Department has been arrayed as second respondent.
2. I respectfully submit that, in its order dated 16.12.2023, the Hon'ble Tribunal has taken up Suo Motu Original Application No.185 of 2023 (SZ) regarding failure of authorities / the State, in protection and maintenance of water bodies, rivers and flood plains. The subject matter relates to Water Resources Department.
3. I respectfully submit that in G.O. (Ms.) No.55, Personnel & Administrative Reforms (A) Department, dated 07.06.2021, amendments have been issued to the Tamil Nadu Government Business Rules, 1978 wherein the subjects relating to "Water Resources" which already existed under the heading "Public Works Department" have been omitted and those subjects have

been inserted under the heading "Water Resources Department" separately. As such, the subject matter is being dealt with Water Resources Department.

4. I respectfully submit that in G.O. (Rt.) No.4351, Public (Special A) Department, Dated 06.11.2021, sanction has been accorded for the creation of post of Additional Chief Secretary to Government, Water Resources Department and he is now looking after the subjects relating to water resources. The Principal Secretary to Government, Public Works Department is looking after only the subjects relating to construction and maintenance of Government buildings and the allied matters.
5. I respectfully submit that the subject matter involved in the present Suo Motu Original Application No.185 of 2023 (SZ) regarding failure of authorities / the State in protection and maintenance of the water bodies, rivers and flood plains, which is not falling within the Second Respondent.
6. I respectfully submit that the Additional Chief Secretary to Government, Public Works Department has been arrayed as second respondent and he will not be in a position to take any action on the orders to be passed by the Hon'ble Tribunal in Original Application No.185 of 2023 (SZ).

7. For the foregoing reasons, it is prayed that this Hon'ble Tribunal may be pleased to remove the second respondent herein, the Additional Chief Secretary to Government, Public Works Department, Secretariat, Chennai-600009 from the array of parties in the Original Application No.185 of 2023 on the ground of mis-joinder of parties and pass appropriate orders and thus render justice.

Solemnly affirmed at Chennai
on this the 25th day of March, 2024
and signed his name in
my presence.



Principal Secretary to Govt.
Public Works Department,
Secretariat, Chennai - 600 009.

BEFORE ME



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



ABSTRACT

Tamil Nadu Government Business Rules, 1978 - Change of Nomenclature of certain Departments of Secretariat – Amendment to the Tamil Nadu Government Business Rules, 1978 and the Secretariat Instructions - Orders - issued.

PERSONNEL AND ADMINISTRATIVE REFORMS (A) DEPARTMENT

G.O.(Ms).No.55

Dated : 07.06.2021

பிலவ, வைகாசி - 24,

திருவள்ளூர் ஆண்டு 2052,

Read:

G.O (Ms) No.267, Public (Spl-B) Department,
Dated 07.05.2021.

ORDER:

In exercise of the powers conferred by clauses (2) and (3) of Article 166 of the Constitution of India, the Governor of Tamil Nadu hereby makes the following amendments to the Tamil Nadu Government Business Rules, 1978 and the Secretariat Instructions:-

AMENDMENTS.

In the said Rules,-

(1) in Part -I in the FIRST SCHEDULE,-

- (i) for the heading "PERSONNEL AND ADMINISTRATIVE REFORMS DEPARTMENT", the heading "HUMAN RESOURCES MANAGEMENT DEPARTMENT" shall be substituted;
- (ii) for the heading "AGRICULTURE DEPARTMENT", the heading "AGRICULTURE AND FARMERS' WELFARE DEPARTMENT" shall be substituted;

-2-

- (iii) under the heading "AGRICULTURE AND FARMERS' WELFARE DEPARTMENT," as so substituted, under the sub-heading "State Subjects", after the entry "Farmers Training Centre", the entry "Farmers Welfare" shall be inserted;
- (iv) for the heading "ANIMAL HUSBANDRY, DAIRYING AND FISHERIES DEPARTMENT", the heading "ANIMAL HUSBANDRY, DAIRYING, FISHERIES AND FISHERMEN WELFARE DEPARTMENT", shall be substituted;
- (v) under the heading "ANIMAL HUSBANDRY, DAIRYING, FISHERIES AND FISHERMEN WELFARE DEPARTMENT", as so substituted, under the sub-heading "State Subjects", after the entry "Fisheries Department", the entry "Fishermen Welfare." shall be inserted;
- (vi) for the heading "ENVIRONMENT AND FOREST DEPARTMENT", the heading, "ENVIRONMENT, CLIMATE CHANGE AND FOREST DEPARTMENT" shall be substituted;
- (vii) under the heading "ENVIRONMENT, CLIMATE CHANGE AND FOREST DEPARTMENT", as so substituted under the sub-heading "State Subjects", after the entry "Cashew Plantation under control of the Chief Conservator of Forests", the entry "Climate Change." shall be inserted;
- (viii) for the heading in Tamil version "Makkal Nalvazhvu Matrum Kudumbanala Thurai" ("Health and Family Welfare Department") the heading Maruthuvam - Makkal Nalvazhvu Thurai" shall be substituted;
- (ix) for the heading "LABOUR AND EMPLOYMENT DEPARTMENT", the heading "LABOUR WELFARE AND SKILL DEVELOPMENT DEPARTMENT" shall be substituted;
- (x) under the heading "LABOUR WELFARE AND SKILL DEVELOPMENT DEPARTMENT." as so substituted under the sub-heading "Concurrent Subjects", after the entry "Labour Courts and Industrial Tribunals" the entry "Skill Development" shall be inserted;
- (xi) under the heading "PUBLIC WORKS DEPARTMENT", -
 - (a) under the sub-heading "State Subjects", the following entries shall be omitted, namely:-
 - "Canals including operation and maintenance of Buckingham canal.";
 - "Ground Water Project";

-3-

"Irrigation other than Minor irrigation works but including Special Minor Irrigation Works and desilting-cum-reclamation works";

"Mettur Township Committee"; and

"River – Conservancy";

(b) under the sub-heading "Union Subjects", the following entry shall be omitted, namely:-

"Regulation and development of inter-State rivers and river valleys to the extent to which such regulation and development under the control of the Union is declared by Parliament by law to be expedient in the public interest.";

- (xii) for the heading "SOCIAL WELFARE AND NUTRITIOUS MEAL PROGRAMME DEPARTMENT", the heading "SOCIAL WELFARE AND WOMEN EMPOWERMENT DEPARTMENT" shall be substituted;
- (xiii) under the heading "SOCIAL WELFARE AND WOMEN EMPOWERMENT DEPARTMENT", as so substituted under the sub-heading "State Subjects", after the entry "Welfare of Pre-School Children", the entry "Women Empowerment" shall be added;
- (xiv) after the heading "TAMIL DEVELOPMENT AND INFORMATION DEPARTMENT" and the entries relating thereto, the following heading and entries shall be inserted, namely:-

"WATER RESOURCES DEPARTMENT"

State subjects

Canals including operation and maintenance of Buckingham canal

Criminal Appeals

Ground Water Project

Irrigation other than Minor irrigation works but including Special Minor Irrigation Works and desilting-cum-reclamation works

Mettur Township Committee

Public services – Statutory Rules of the Services with which the department is concerned – Revision of and amendments to those Rules

-4-

River Conservancy
Sanction of prosecution of Government servants
Water Resources
Concurrent Subjects-

Nil

Union Subjects -

Regulation and development of inter-State rivers and river valleys to the extent to which such regulation and development under the control of the Union is declared by Parliament by law to be expedient in the public interest."

(2) in Part II, in the Secretariat Instructions, for the entries "Personnel and Administrative Reforms Department" and "Personnel and Administrative Reforms (Personnel) Department, wherever they occur, the entry "Human Resources Management Department" shall be substituted;

(BY ORDER OF THE GOVERNOR)

V. IRAI ANBU
CHIEF SECRETARY TO GOVERNMENT.

To

All Secretaries to Government, Secretariat, Chennai -600 009.
All Departments of Secretariat, Secretariat, Chennai -600 009.
All Heads of Departments
The Secretary to Governor, Chennai-22.
The Secretaries to Chief Minister, Secretariat, Chennai - 600 009.

Copy to:

The Senior Personal Assistants to all Ministers, Chennai-600 009.
The Private Secretary to Chief Secretary to Government,
Chennai - 600 009.
Chief Minister's Office, Chennai - 600 009.
The Private Secretary to Secretary, Personnel and Administrative Reforms
Department, Chennai - 600 009.
All Officers & Sections, Personnel and Administrative Reforms
Department, Chennai - 600 009.
The Personnel and Administrative Reforms (AR II) Department, Secretariat,
Chennai-600 009 (to publish in the Government web-site)
Stock file /Spare copy.

//FORWARDED BY ORDER//

J. Aravindan
7.6.21
SECTION OFFICER

AR
7/6/21

(C)
12/11/2024 11



Abstract

Appointment - Temporary - Posts of Additional Chief Secretary to Government, Industries Department; and Additional Chief Secretary to Government, Water Resources Department in the Chief Secretary Grade of IAS - Sanctioned.

Appointment - Temporary - Posts of Principal Secretary to Government, Finance Department; Principal Secretary to Government, Transport Department; and Principal Secretary to Government, Youth Welfare & Sports Development Department in the Higher Administrative Grade of IAS - Sanctioned.

Transfers and postings - Tvl. S. Krishnan, IAS; N. Muruganandam, IAS; Tmt. P. Amudha, IAS; Dr. K. Gopal, IAS; Dr. Sandeep Saxena, IAS; Tvl. Dayanand Kataria, IAS; Ramesh Chand Meena, IAS; Dharmendra Pratap Yadav, IAS; Selvi Apoorva, IAS; and Dr. Beela Rajesh, IAS - Notified.

PUBLIC (SPECIAL A) DEPARTMENT

G.O. Rt. No. 4351

Dated: 06.11.2021

Pilava, Iyppasi - 20,
Thiruvalluvar Aandu 2052

READ:

- i. G.O. Ms. No. 158, Public Works (D2) Dept., dated 1.11.2021.
- ii. G.O. Rt. No.4350, Public (Special A) Dept., dated 3.11.2021.

ORDER:

Under Rule 4(2) of the IAS (Cadre) Rules, 1954, sanction is accorded for the creation of a temporary posts of Additional Chief Secretary to Government, Industries Department; and Additional Chief Secretary to Government, Water Resources Department in the Chief Secretary Grade of IAS for a period of one year with effect from the date of appointment, or till the need for them cease, whichever is earlier.

2. Under Rule 4(2) of the IAS (Cadre) Rules, 1954, sanction is accorded for the creation of a temporary posts of Principal Secretary to Government, Finance Department; Principal Secretary to Government, Transport Department; and Principal Secretary to Government, Youth Welfare & Sports Development Department in the Higher Administrative Grade of IAS for a period of one year with effect from the date of appointment, or till the need for them cease, whichever is earlier.

- 2 -

3. The following transfers and postings are notified:-

i) Thiru S. Krishnan, IAS, Additional Chief Secretary to Government, Finance Department is transferred and posted as Additional Chief Secretary to Government, Industries Department in the post created in para 1 above vice Thiru N. Muruganandam, IAS;

ii) Thiru N. Muruganandam, IAS, Principal Secretary to Government, Industries Department is transferred and posted as Principal Secretary to Government, Finance Department in the post created in para 2 above vice Thiru S. Krishnan, IAS;

iii) Tmt. P. Amudha, IAS, formerly Additional Secretary to Prime Minister's Office, on return to State cadre, is posted as Principal Secretary to Government, Rural Development and Panchayat Raj Department vice Dr. K. Gopal, IAS;

iv) Dr. K. Gopal, IAS, Principal Secretary to Government, Rural Development and Panchayat Raj Department is transferred and posted as Principal Secretary to Government, Transport Department in the post created in para 2 above vice Thiru Dayanand Kataria, IAS;

v) Dr. Sandeep Saxena, IAS, Additional Chief Secretary to Government, Public Works Department is transferred and posted as Additional Chief Secretary to Government, Water Resources Department in the post created in para 1 above;

vi) Thiru Dayanand Kataria, IAS, Additional Chief Secretary to Government, Transport Department is transferred and posted as Additional Chief Secretary to Government, Public Works Department vice Thiru Sandeep Saxena, IAS;

vii) Thiru Ramesh Chand Meena, IAS, Principal Secretary/Member Secretary, Sports Development Authority of Tamil Nadu is transferred and posted as Principal Secretary to Government, Energy Department vice Thiru Dharmendra Pratap Yadav, IAS;

viii) Thiru Dharmendra Pratap Yadav, IAS, Principal Secretary to Government, Energy Department is transferred and posted as Principal Secretary to Government, Handlooms, Handicrafts, Textiles and Khadi Department vice Selvi Apoorva, IAS.

ix) Selvi Apoorva, IAS, Principal Secretary to Government, Handlooms, Handicrafts, Textiles and Khadi Department is transferred and posted as Principal Secretary to Government, Youth Welfare & Sports Development Department in the post created in para 2 above vice Tmt. Kakarla Usha, IAS, holding additional charge;

x) Dr. Beela Rajesh, IAS, Commissioner of Handlooms and Textiles is transferred and posted as Principal Secretary/Commissioner of Land Reforms in the cadre post vice Thiru S. Nagarajan, IAS, holding additional charge.

Consequently, the orders issued in para (i) of the G.O. second read above posting her as Principal Secretary/Commissioner of Textiles is hereby cancelled.

4. Under Rule 12(1) of the IAS (Pay) Rules, 2016, the Government declare that the posts of Additional Chief Secretary to Government, Industries Department; and Additional Chief Secretary to Government, Water Resources Department in the Chief Secretary Grade of IAS created in para 1 above be equivalent in status and responsibilities to the cadre post of "Chief Secretary" specified in Schedule II-A of the IAS (Pay) Rules, 2016.

5. Under Rule 12(1) of the IAS (Pay) Rules, 2016, the Government declare that the posts of Principal Secretary to Government, Finance Department; Principal Secretary to Government, Transport Department; and Principal Secretary to Government, Youth Welfare & Sports Development Department in the Higher Administrative Grade of IAS created in para 2 above be equivalent in status and responsibilities to the cadre post of "Principal Secretary to Government" specified in Schedule II-A of the IAS (Pay) Rules, 2016.

(BY ORDER OF THE GOVERNOR)

**V. IRAI ANBU
CHIEF SECRETARY TO GOVERNMENT**

To
Officers concerned.
All Secretaries to Government. .
The Commissioner of Revenue Administration/ Land Reforms /
Land Administration, Chepauk, Chennai-5.
The Member Secretary, Sports Development Authority of Tamil Nadu,
Chennai.
The Commissioner of Handlooms, Chennai.
The Commissioner of Textiles, Chennai.
The Finance (OP/Bills) / Industries (OP/Bills) / RD & PR (OP/Bills) /
Transport (OP/Bills) / Public Works (OP/Bills) / Energy (OP/Bills) /
YW & SD (OP/Bills) / HHT & K (OP/Bills) / School Edn. (OP/Bills) Dept.,
Chennai-9.
The Accountant General, Chennai-18.
The Pay and Accounts Officer, Chennai-9.
The Resident Audit Officer, Chennai-9.
The Secretary to Chief Minister / Governor.

-4-

Copy to:-

- The Vigilance Commissioner and Commissioner for
Administrative Reforms, Chennai.
The Secretary to Government of India,
Department of Personnel and Training, New Delhi.
The Research Officer, Career Management Division (Room No.215),
Department of Personnel and Training, North Block, New Delhi.
The Technical Director, NIC, Secretariat, Chennai-9.
The Secretary, Tamil Nadu IAS Officers Association, Chennai.
The Public (Special-B/SC/Misc./Tel./Liby./MV/Military/HR/RH) Department,
Chennai-9.

/Forwarded/By order/

சு.பன்கிள் குதல்லம் 6/11/2021
Additional Secretary to Government