

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH, CHENNAI
IN

ORIGINAL APPLICATION No. 191 OF 2021 (SZ)

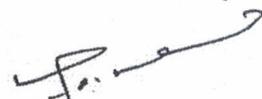
IN THE MATTER OF:

S.Sekar,
Chennai.

...Applicant(s)

Versus

- 1) The Secretary,
Ministry of Agriculture & Farmers Welfare,
Government of India,
Krishi Bhawan,
Rajendra Prasad Road,
New Delhi – 110001
- 2) The Chief Secretary / Chairperson,
Tamil Nadu Wetland Authority and Chief Wildlife Warden,
Government of Tamil Nadu, Fort St. George,
Chennai – 600009.
- 3) The Revenue Secretary,
Tamil Nadu Revenue Department,
Government of Tamil Nadu, Fort St. George,
Chennai – 600009.
- 4) The Secretary,
Tamil Nadu Agriculture Department,
Government of Tamil Nadu, Fort St. George,
Chennai – 600009.
- 5) The Secretary,
Tamil Nadu Public Works Department,
Government of Tamil Nadu, Fort St. George,
Chennai – 600009.
- 6) The Director,
Directorate of Town & Country Planning,
No. 807, AnnaSalai,
Chennai 600 002.


DISTRICT COLLECTOR,

- 7) R.P.Dharmalingam,
S/o. (Late) Ramakrishnan,
Plot No. 1379C, 6th Street,
18th Main Road,
Anna Nagar, (West) Chennai 600 040
- 8) The District Collector,
Kancheepuram District,
Kancheepuram.
- 9) The Chairman,
Tamil Nadu Pollution Control Board,
Chennai 600 032.
- 10) The District Forest Officer,
Chengalpattu Division,
5/9, Varadharajan Farms,
Vandavasi Road, Kancheepuram. – 603 501.

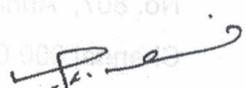
...Respondent(s)

**Report filed by the 8th Respondent , The District Collector,
Kancheepuram**

I, Dr. M. Aarthi, I.A.S., D/o Thiru.Manickavasagam, Hindu, aged about 36 years, now working as District Collector, Kancheepuram District residing at the Collector's Bungalow, Vandavasi road, Kancheepuram do hereby solemnly affirm and sincerely state as follows :-

2) I am the 8th respondent herein, as such, I am well acquainted with the facts and circumstance of the case from the available records and I am filing this Status Report as below.

3) It is respectfully submitted that the present grievance application filed by Thiru.S.Sekar, in OA no 191/2021 (SZ) before the the Hon'ble National Green Tribunal Southern Zone, Chennai (SZ) regarding the layout that the 7th respondent proposed to make in survey No. 441, 442, 443, 445, 446, 448, 460 & 469 of Ezhichur Village, Sriperumbudur Taluk, Kancheepuram District.


**DISTRICT COLLECTOR,
KANCHEEPURAM**

4) It is submitted that as per the direction given by the Hon'ble National Green Tribunal Southern Zone, Chennai (SZ) order dated 20.09.2021 as stated inter alias as follows in para no 8, 9 & 10 (Annexure I).

(8) "In order to ascertain the genuineness of the allegations made in the application, we feel it appropriate to appoint a Joint Committee comprising of (i) the District Collector, Kancheepuram District or his/her nominee not below the rank of Assistant Collector or Sub Divisional Magistrate, (ii) the District Forest Officer, Kancheepuram or his/her nominee not below the rank of Range Officer and (iii) a Senior Officer from the Tamil Nadu Pollution Control Board of the respective area to inspect the area in question and submit a factual as well as action taken report, if there is any violation found".

(9) "The committee is also directed to ascertain as to (i) Whether any work is being done by the party respondent without obtaining necessary permission from the authorities for this purpose, (ii) Whether any diversion or filling up of water channel flowing through the property leading to the forest has been blocked, (iii) Is there any damage caused to the environment on account of the same and if so, what is the nature of remedial measures to be taken to restore the same, apart from assessing environmental compensation payable".

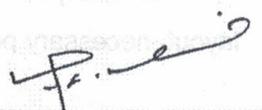
(10) " The District Forest Officer will be the nodal officer for co-ordination and also for providing necessary logistics for this purpose.

Based on the above direction a Joint Committee is formed by the District Collector, Kancheepuram in her proceedings RC No.16290/2021/B3 Dt.20.10.2021 and the following Officers were appointed to ascertain the above work.

1. The District Forest Officer, Kancheepuram, Nodal Officer
2. Revenue Divisional Officer, Sriperumbudur,
3. Senior Officer, TNPCB/EE, TNPCB, Sriperumbudur at Padapai,
4. Assistant Director, Survey, Kancheepuram,
5. Tahsildar, Kundrathur as Joint Committee Members.

5) It is further Submitted that all the members of the Joint Committee had inspected the above proposed layout on 22-10-2021 in the Survey No. 441, 442, 443, 445, 446, 448, 460 & 469 of Ezhichur Village, Sriperumbudur Taluk, Kancheepuram District. In this regard,

(1) Whether any work is being done by the party respondent without obtaining necessary permission from the authorities for this purpose.


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For the formation of layout in the Survey No. 441, 442, 443, 445, 446, 448, 460 & 469 of Ezhichur Village, Sriperumbudur Taluk, Kancheepuram District, necessary permission was accorded as follows.

1. The Director, Town and Country Planning Chennai vide R.C.No.10982/2019/TCP-5 Dt.10.09.2019 (Annexure II).
2. The permission was accorded by The Regional Deputy Director, Town and Country Planning, Chengalpattu, vide R.C.No.3401/19 (CPT-3) Dt.03.10.2019 (Annexure III).
3. The permission was accorded by Special Officer/ Block Development Officer (Village Panchayat V.P) Ezhichur vide R.C.No.7298/2019/B1 Dt.17.10.2019 (Annexure IV).
4. Technical approval Map for the proposed layout No.11/2019 (Annexure V).
5. No Objection Certificate for the proposed layout issued by The District Forest Officer, Chengalpattu Division, Kancheepuram vide Proc.No.3592/12/D Dt.15.06.2012 (Annexure VII).

(2) Whether any diversion or filling up of water channel flowing through the property leading to the Forest has been blocked.

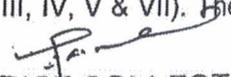
As per the village Map of Ezhichur, (Annexure VI) a Water Channel from the Vadakkupattu Reserved Forest coming out of the Reserved Forest near Forest boundary stone No.38 and enters into the Survey No. 445 and passes through Survey No. 442 of the proposed layout and crosses Survey Nos. 441, 438, 437 (outside the proposed layout) and again enters Survey No.460 of the proposed layout and finally drains into Ezhichur Lake.

But in the field there is no trace of this Water Channel. The Water from the Vadakkupattu Reserved Forest flows out from the Forest near Forest boundary stone No.38 and flows in the proposed layout as surface run off due to the absence of the above channel to reach the Ezhichur Lake. Moreover there is a small pond located in the Survey No.444 which is totally located outside the boundary of the proposed layout and also now, It's available as a shallow depression.

(3) Is there any damage caused to the environment on account of the same and if so, what is the nature of remedial measures to be taken to restore the same, apart from assessing environmental compensation payable.

Due to the absence of drainage channel from the boundary of the Forest area to the Ezhichur Lake, the free flow of rain water is obstructed. Generally prolonged stagnation of water in particular area will create adverse soil condition. Hence, the proper drainage of rain water to be ensured.

6) It is respectfully submitted as per the Joint Committee report that for the proposed layout, necessary permissions have been obtained. (Annexure II, III, IV, V & VII). The rain


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water from the Reserved Forest is passes through the proposed layout as surface runoff and drains into the Ezhichur Lake due to the absence of drainage channel.

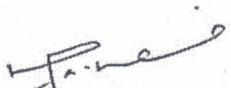
Hence, proper drainage structure to be provided for the free flow of rain water from the Reserved Forest to the Ezhichur Lake. As per the condition No.1 mentioned in the No Objection Certificate issued by the District Forest Officer, Chengalpattu Division, Kancheepuram Proc.no.3592/12D dated15.06.2012 (Annexure – VII) i.e ***"the seven feet height compound wall to be constructed all along the boundary of Reserved Forest adjoining to the proposed layout"***.

7) It is further submitted that a Joint Committee Report, along with field Inspection notes and Connected Copies of Revenue records including combined sketch are also submitted before the Hon'ble National Green Tribunal Southern Zone, Chennai for Consideration (Annexure VIII).

8) It is humbly prayed that this Hon'ble National Green Tribunal Southern Zone at Chennai may be pleased to take this report on record and pass such further or other Orders as this Hon'ble National Green Tribunal may deem fit and proper in the facts and Circumstances of this Case and thus render Justice.

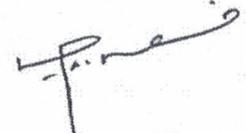
Enclosure as above.

Dated.24.11.2021


District Collector,
Kancheepuram.

Verification

I, Dr M Aarthi I.A.S., eighth respondent herein do hereby verified the contents of this Report and they are true to my personal knowledge based on the records and I have not suppressed any facts.

Signature: 

Official stamp: **DISTRICT COLLECTOR
KANCHEEPURAM.**