

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No.244 of 2020 (SZ)

IN THE MATTER OF:

Tribunal on its own motion Suo Motu initiated proceedings on the basis of the news item published in The Time of India Newspaper, Chennai edition Dt.: 24.10.2020, under the caption "Over 3000 Encroachment found on Kolathur Lake; Landuse Maps of CMDA and Corporation Show 200 feet road cuts across water body"

- 1) The Principal Secretary to Government,
Public Works Department,
Govt. Secretariat, Fort St. George,
Chennai – 600 009.
- 2) The Additional Chief Secretary to Govt. of Tamil Nadu,
Revenue and Disaster Management Department,
Govt. Secretariat, Fort St. George,
Chennai – 600 009.
- 3) The Secretary to Govt. of Tamil Nadu,
Department of Environment & Forests,
Govt. Secretariat, Fort St. George,
Chennai – 600 009.
- 4) Additional Chief Secretary to Govt. of Tamil Nadu,
Municipal Administration and Water Supply Department,
Govt. Secretariat, Fort St. George,
Chennai – 600 009.
- 5) Chennai Metropolitan Water Supply & Sewerage Board,
Rep. by its Managing Director,
No.1, Pumping Station Road,
Chintadripet, Chennai – 600 031.
- 6) Chennai Metropolitan Development Authority,
Rep. by its Member Secretary,
„Thalamuthu – Natarajan Maaligai“,
No.1, Gandhi Irwin Road,
Egmore, Chennai – 600 008.
- 7) Greater Chennai Corporation,
Rep. by its Commissioner,
Ripon Building, Chennai – 600 003.



SUPERINTENDING ENGINEER
RDC-Office Central
Greater Chennai Corporation
Shenoy Nagar, Chennai-600 030.

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

9) The Tahsildar,
Ayanavaram Taluk,
Taluk Office – Ayanavaram Water Tank,
18/31, Palliarasan Street,
Aspiran Garden Colony, Kumar Nagar,
Kilpauk, Chennai – 600 010.

10) Chairman,
Tamil Nadu Pollution Control Board, Chennai.
(R10 impleaded as per order dt. 20.11.2020)

... Respondents

**REPORT FILED ON BEHALF OF
GREATER CHENNAI CORPORATION**

I, T.Saravanabavanantham, Son of Mr.N.Thangavelu, Hindu, aged about 56 years, the Superintending Engineer (Central), Greater Chennai Corporation, having office at No.36B, Pulla Avenue, Shenoy Nagar, Chennai – 600 030, do hereby solemnly affirm and sincerely state as follows:-

1. I am the Superintending Engineer (Central), Greater Chennai Corporation and as such am well acquainted with the facts and circumstances of the case from the available records. I am filing this report on behalf of Greater Chennai Corporation.
2. I submit that the English Daily “Times of India” had published a new article dated 24.10.2020 under caption “Over 3000 Encroachment found on Kolathur Lake; Landuse Maps of CMDA and Corporation Show 200 feet road cuts across water body”.



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3. I submit that this Hon'ble Tribunal has taken a Suo Moto case on the paper publication in O.A.No.244 of 2020 (SZ) and has passed an order dated 20.11.2020 as follows;-

"...7. So under these circumstances, in order to ascertain this aspect, we feel it appropriate to appoint a Joint Committee comprising of District Collector, Thiruvallur, Superintending Engineer, PWD, Water Resources Organisation of that area, Senior Officer from Chennai Metropolitan Water Supply and Sewerage Board and Chennai Metropolitan Development Authority and Senior Officer from Greater Chennai Corporation and Senior Professor having expertise in Hydrology, deputed by Anna University, to inspect the area in question and submit a factual and action taken report if there is any violation found. The Committee is directed to consider the nature and extent of the lake as shown in the revenue records, nature of encroachment and the measures required for the purpose of restoring the lake and to provide better storing capacity to increase the storage level, apart from improving the water recharge system of the lake. Nature of encroachment and the nature of action to be taken against the illegal encroachment in the water body and the remedial measures proposed to be taken for rejuvenation of the existing water body by providing any mechanism to regulate the flow of water in to the lake without affecting the water in the water body and the regulate the existing water body and prevent further encroachment into the water body and also directed to ascertain the quality of water and if there is any contamination, then they are directed to provide suggestions and recommendations for improving the quality of water. The committee is also directed to



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consider the inlet and out let which was in existence earlier to carry on the water to the water body and the water channels to drain the water and if there is any such drain or channels have been encroached, then steps to be taken to restore the same or providing alternate method by which the excess water during rainy season to drain into the existing lake to improve the recharge capacity.

8. The Committee is also directed to ascertain as to whether there was any illegal dumping of garbage in any portion of the existing water body and whether there is discharge of any trade effluents into the water body which is likely to contaminate the existing water body and suggest remedial measures to rectify the same. The Public Works Department will be the nodal agency for coordination and also providing necessary logistics for this purpose.

9. The Pollution Control Board is also directed to find out as to whether there is any violation of Solid Waste Management Rules, 2016 and take action against those persons who are responsible in accordance with law and also as directed by the Principal Bench of the National Green Tribunal in O.A.No.606 of 2018.

10. The committee as well as the official respondents are directed to submit their response and reports as directed on or before 12.1.2021 by e-filing at ngtszfilling@gmail.com along with necessary hard copies as per Rules.

10. The Registry is directed to communicate this order to the Members of the Committee and also the official respondents by e-mail immediately along with copy of the suo motu proceedings with full cause title so as to enable them to comply with the direction of this


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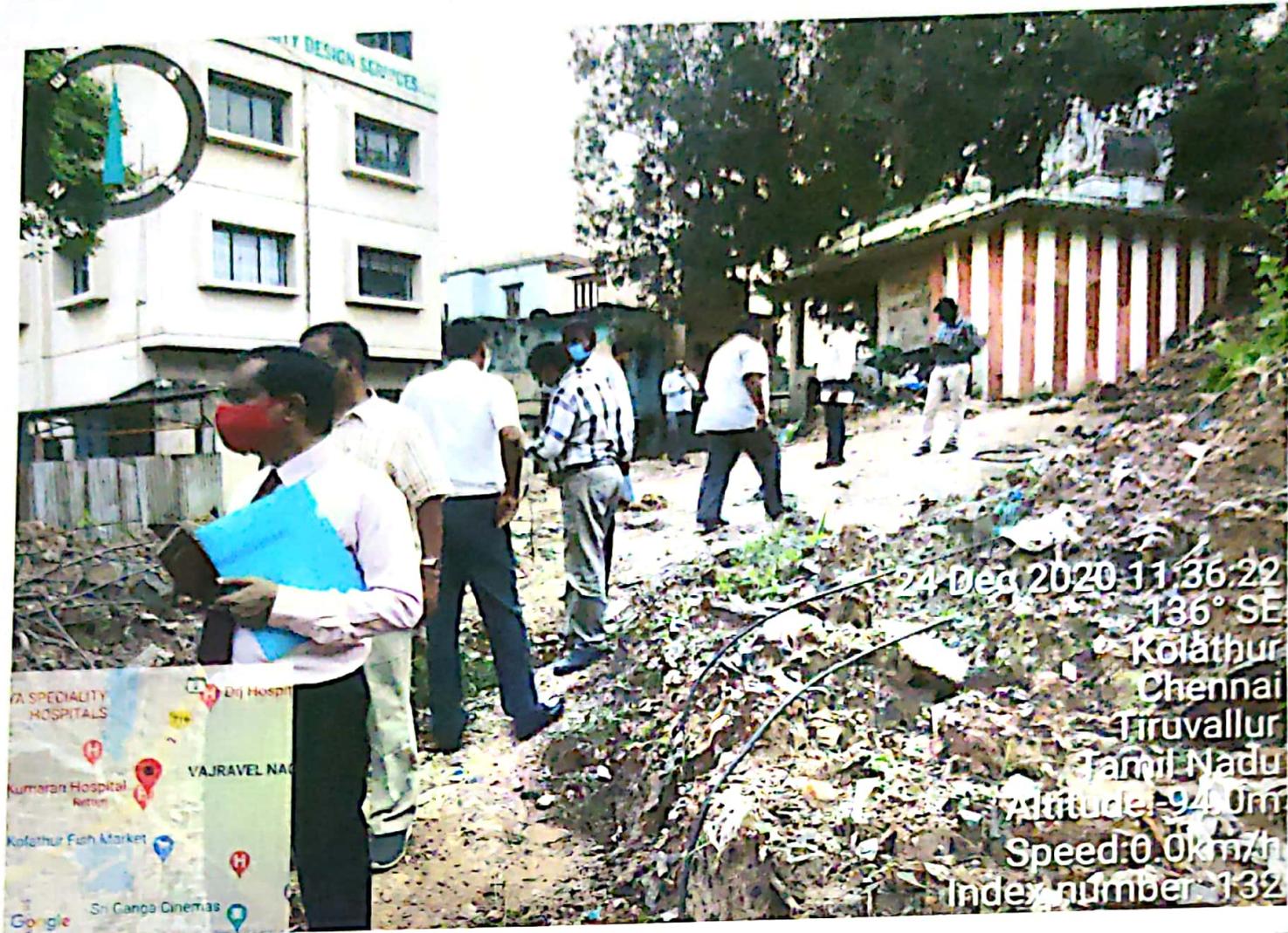
Tribunal and also for filing independent response regarding the allegations in the newspaper report and the steps to be taken from their level.

For appearance of parties, for filing independent response by the official respondents and for consideration of report, post on 12.1.2021.....”

4. I submit that pursuant to the above orders the Executive Engineer, Public Works Department, WRD., Kosasthalaiyar Basin Division, Thiruvallur had addressed a letter dated 15.12.2020 requesting the Commissioner, Greater Chennai Corporation to depute the concerned officials for joint inspection on 24.12.2020 as per the orders of this Hon'ble Tribunal.
5. I submit that accordingly a joint inspection was carried on 24.12.2020 by the delegated officials from District Collector, Thiruvallur, Public Works Department, Chennai Metropolitan Water Supply and Sewerage Board, Greater Chennai Corporation and also from the Senior Professor in Hydrology, from Anna University.
6. I submit that at time of joint inspection water samples have been collected by the Tamil Nadu Pollution Control Board. Further the Senior Professor in Hydrology, from Anna University has noted down the water inlet sources and extent of the Kolathur Lake.
7. I submit that the Executive Engineer, Assistant Executive Engineer, Unit - 15, Greater Chennai Corporation along with the Assistant Engineer, Division 64 and 65 have attended the joint inspection on 24.12.2020. I further submit that the Kolathur Lake comes under the jurisdiction of the Public



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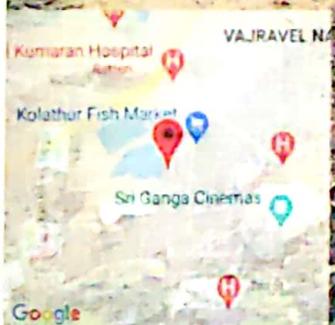




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Chennai
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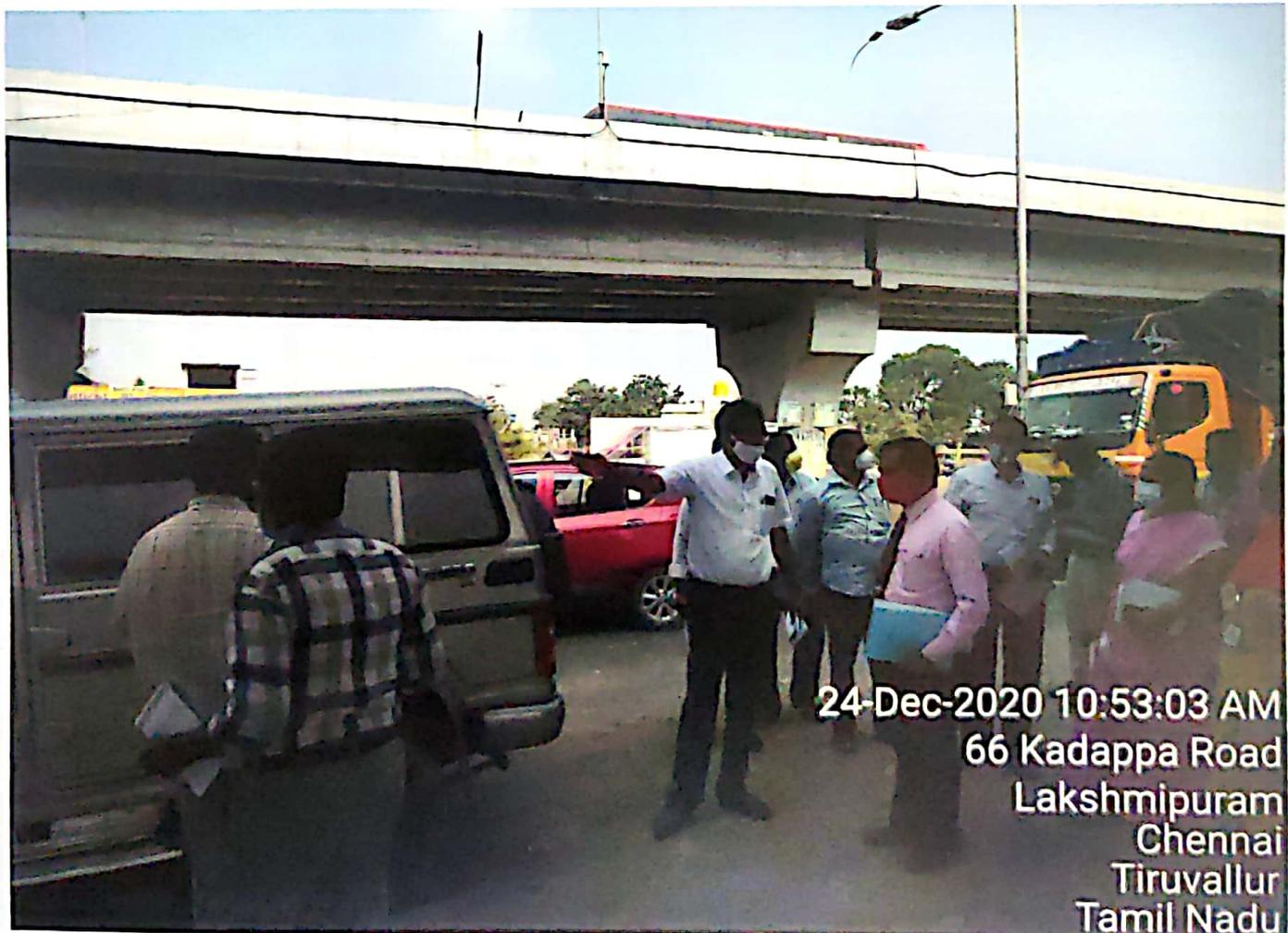


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24 Dec 2020 10:55:48
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