

**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"

-Vs-

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 Building,  
No. 1, Gandhi Irwin Road, Egmore, Chennai – 600008

  
Member-Secretary  
Chennai Metropolitan  
Development Authority  
Chennai - 600 008

7. Greater Chennai Corporation,  
Rep. by its Commissioner,  
Ripon Building, Chennai – 600 003
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

...Respondents

**REPORT FILED BY THE SIXTH RESPONDENT (CMDA)**

I, Anshul Mishra, I.A.S. son of Late Harishchandra Mishra, Hindu, aged about 44 years, having office at No.1, Gandhi-Irwin Road, Egmore, Chennai-600 008, do hereby solemnly and sincerely affirm as follows:

1. I am the Member Secretary of Chennai Metropolitan Development Authority (CMDA) and the Sixth Respondent herein. As such, I am aware of the facts of the case as borne out from records.

2. I submit that the matter pertains to suo moto proceedings initiated by this Hon'ble Tribunal on its own motion vide O.A. No. 244 of 2020, based on a news article published in the English daily 'Time of India' dated 24.10.2020 under caption that 'over three thousand encroachments found on Kolathur Lake; land use maps of CMDA and Corporation show 200 feet cut across water body'.

3. I submit that this report is filed in compliance of the Order dated 17.12.2021 by this Hon'ble Tribunal directing the District Collector, Public Works Department, Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB),

  
Member-Secretary  
Chennai Metropolitan  
Development Authority

Chennai Metropolitan Development Authority (CMDA), Additional Chief Secretary for Municipal Administration and Water Supply, and the Principal Secretary for Revenue and Disaster Management, to file their report on the steps taken to remove the unauthorized encroachments and prevent discharge of untreated sewage into the water body.

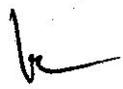
4. I submit that the Second Master Plan (SMP) – 2026 was approved by the Government of Tamil Nadu in G.O. Ms. No. 190 H & UD Department dated 02.09.2008 and notification was made in the Tamil Nadu Government Gazette Extraordinary No. 266, part-II Section 2, dated 02.09.2008, and from this date, the Second Master Plan (SMP) is prevalent. I further submit that as per the Second Master Plan, the Block No. 4, S. No. 2 (Part) of Kolathur village is classified as water body and 2 (Part) as Institutional use zone and the Block No. 3, S. No. 158 has been classified as road (Inner Ring Road) (extract of the map is kept below).

5. I further submit that the joint committee comprising of officers from RDO, Chennai Central division Chennai, Executive Engineer, WRD, PWD, Divisional Executive Engineer, TNPCB, Executive Engineer GCC, Executive Engineer, CMWSSB, Professor Hydrology, Anna University have conducted an inspection on 24.10.2020 in the area of Kolathur Lake, however, CMDA was not intimated of the Joint Inspection.

6. I further submit that the Joint Committee has made the following observations:

*"The surplus water from the weir of the Kolathur Lake leads to Thanikachalam Nagar drain and then leads to Bay of Bengal. It is located near the tail end of the Kosasthalaiyar River and also is located at the end of Kosasthalaiyar Basin.*

*The committee further observed that no irrigation activities are being carried out due to urbanisation. The committee observed that sewage/sullage water is being let into the Kolathur Lake through storm water drain along the GNT road and Korattur surplus channel in the KolathurRedhills main road. Both the Executive Engineer, zone-6, GCC and Area Engineer, Area-6 CMWSSB assured to take action*

  
Member-Secretary  
Chennai Metropolitan  
Development Authority

*against those persons who are illegally letting the sewage/sullage water into the storm water drain and plug the same within a short period. The Revenue Department submitted the plan showing the encroachments. The surveying of Kolathur Lake was already done by the Revenue Department. The enumeration of encroachments should be done by forming a committee including the members from Greater Chennai Corporation, Slum Clearance Board, Revenue Department and Public Works Department. After the enumeration work is over the resettlement should be planned accordingly by the Revenue and Slum Clearance Board Department.*

*The Assistant Environmental Engineer, Office of District Environmental Engineer, Tamil Nadu Pollution Control Board, collected the water sample to ascertain the water quality of the Lake to find out as to whether it conforms to standard provided which must include the quantity of 'E-coli, Total coliform (Tc) and Fecal coliform. The Committee instructed the Corporation to check if any other sewage inlets or trade effluents are being let into the Lake. The encroachments were found in the form of RCC building, thatched roofs, tiled roofs, and shed inside the Lake and foreshore of the Lake. The Committee instructed the Revenue Department to take necessary steps to issue the form I & II notices to the encroachments.*

*During inspection, the hydrology expert from Anna University suggested that a hydrology study may be undertaken (i) to estimate the likely quantum of runoff reaching the Kolathur Lake during high rainfall period, (ii) Present capacity of Lake may be estimated through a hydrographic survey and (iii) A hydraulic channel may be designed to discharge the inundation water (with elevation data collection) till restoring the Lake into original water holding capacity.."*

7. I further submit that based on the inspection of the committee, the short term plan and long term action plan were suggested, in which there was no task assigned to CMDA.

  
Member-Secretary  
Chennai Metropolitan  
Development Authority  
Chennai-600 008.

8. I further submit that as far as encroachments are concerned, it is under the purview of Greater Chennai Corporation and Water Resources Department and if the Water Resources Department/ Greater Chennai Corporation requires any assistance from CMDA, it will be provided.

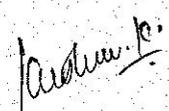
It is therefore prayed that this Hon'ble Tribunal may be pleased to consider the submissions of this Respondent and thus, render justice.

Solemnly affirmed at Chennai on

this the 21<sup>st</sup> day of February, 2022

and signed in my presence.

  
**Member-Secretary  
Chennai Metropolitan  
Development Authority  
Chennai-600 008.  
BEFORE ME**

  
**ADVOCATE: CHENNAI**

**K. KRISHNAN LL.M.,**  
Advocate ENRL.No. MS.1145/17  
No.5, Law Chamber,  
High Court Building,  
Chennai - 600 104.  
Mobile : 96000 02613

**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 bod

-Vs-

1. The Principal Secretary to  
Government,  
Public Works Department,  
Govt. Secretariat, Fort St. George,  
Chennai -- 600 009 & 9 others  
...Respondents

**REPORT FILED BY THE SIXTH  
RESPONDENT (CMDA)**

**Tmt. Veena Suresh  
COUNSEL FOR CMDA**