

BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE,
CHENNAI

Original Application No.245 of 2021(SZ)

E. Velusamy,
2/811 PallanThottam,
Kanakampalayam,
PerumanallurVazhi.
Tiruppur 641 666.
Ph.No. 9842761757
E.mailuniversalmuthu@gmail.com

.. Applicant

-VS-

1. The President
KanakampalayamPanchayat,
2/99A Raja Street,
Kanakampalayam,
Tiruppur- 641 666.
2. The District Environmental Engineer,
Tamil Nadu Pollution control Board,
Kumaran complex,
Kumaran Road,
Tiruppur-641 601.
3. The District Collector,
Karuppagoundanpalayam,
Tiruppur,
Tamil Nadu 641 604.

.. Respondents

**INDEPENDENT REPORT FILED BY BLOCK DEVELOPMENT
OFFICER (VILLAGE PANCHAYATS) TIRUPPUR**

1. Background

In the matter of Original application No. 245 of 2021,
Thiru.E.Velusamy, S/o. Eswaramoorthy has filed an application before the
Hon'ble NGT stating that

*"....there is no proper sewage system in that area. On account of the
stagnation of untreated sewage water in agricultural lands of the applicant*


Block Development Officer (BP)
Tiruppur

which is surrounded by more than 750 houses, it case serious health hazards to the people in the locality. Though complaints were made to the authorities and the second respondent has inspected the area and directed the first respondent to provide necessary Under Ground Sewage System (UGSS) to avoid discharge of untreated sewage into private land, no effective steps have been taken by them

.....The applicant has approached the National Green Tribunal (Southern Zone), Chennai seeking the following reliefs

a) Direct the respondents to set up an effective drainage system and or treatment facility in Kanakkampalayam village to ensure safe collection, treatment and release of sewage in a time bound manner.

b) Direct the respondents to remediate the lands and well belonging to the applicant situated in survey numbers 199/1 and 198/ 1A in Kanakkampalayam, perumanalur vazhi, Tiruppur 64166.

c) Direct the 1st respondent to pay compensation to the applicant as determined by the respondent"

The Hon'ble NGT in its order dated 03.01.2022 has ordered that **"....The Tamilnadu State Pollution Control Board, District Environmental Engineer, Tiruppur District, Block development Officer-Kanakampalayam Village Panchayat, Tiruppur District and also the District Collector, Tiruppur District are directed to file their independent report regarding the allegations made in the application and the nature of action taken from their side to prevent such mischief being caused by the first respondent and if**


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Tiruppur

there is any violation found, what is the nature of action taken by them as providing a public sewage system is one of the important service that has to be rendered by the local bodies for the purpose of protection of health of people in that locality”.

In this connection, I submit that, the Applicant land and open well located in the S.F.no:199/1 and 198/1A1 ,Kanakampalayam Village,Tiruppur North Taluk, Tiruppur District was inspected jointly by Block Development Officer(V.P), Tiruppur with the officials of Tamilnadu Pollution Control Board on 11.02.2022 and it was noticed that there are approximately 650 houses belonging to Sri Kamatchi Nagar Extension (around 5 Houses) and Washington nagar of Kanakampalayam Panchayat is located adjacently on the southern side to the land of the applicant . The Washington Nagar area is located within 250 M distance(approximate) from the applicant’s land.

1). I submit that almost all the houses in Kankkampalayam Village including Washington Nagar and Kamatchi Nagar Extension are provided with septic tank latrines or soak pits. Only clean water used for domestic purposes alone let into the drainage. All the house owners who own septic tank toilets are periodically cleaning and disposing the deposits in their toilets. Hence there is no possibility of contaminated water in the soak pits let into the existing drainage. The statement of this applicant that contamination of drinking water through seepage of drainage into his agricultural land and as well as others of Kanakkampalayam village leads to health hazards are all untrue. The second respondent has stated that the applicants well water is not contaminated and also has not recommended for

Block Development Officer (BP)
Tiruppur

any compensation in his independent report. According to section 146 of Tamil Nadu panchayat Act 1994 "No person shall be entitled, save as otherwise expressly provided, to compensation for any damages sustained by reason of any action taken by the authorities of a panchayat Union Council or a Village Panchayat in pursuance of their powers under this chapter". .

2). I submit that this applicant has not obtained any drinking water supply pipe connection from the panchayat to his house in his agricultural field. This applicant is using only the water from his well in his field for all his domestic purposes, for rearing his cattle's and for agricultural purposes. This applicant's family members and his cattle's are not affected in any way. Therefore it may be construed that applicants well in his field is not at all contaminated or not affected due to the existing drain passing through his field.

3). I submit that the Block health supervisor of Perumannallur Primary Health Centre has inspected on 29.01.2022, Washington Nagar, Kamatchi Nagar and adjacent places in Kanakkampalayam village and the Survey Field Nos.197/1B,198/1A, in which a two common community soak pit is constructing in order to divert the drainage water from the above said place and accorded his no objection certificate in his letter dated 29.01.2021 for the location of community soak pit proposed to be constructed stated supra.

4). I submit that S.F.No.197/1B of Kanakkampalayam village belongs to one M.Kariappan son of MalliChettiar who is the promotor of Washington Nagar Layout, as per the following records:

- 1) Purchase document No.3935 dated 07.11.2022,
- 2) Chitta issued by Revenue Authorities dated 30.01.2022,


Block Development Officer (VP)
TIRUPUR

S) Patta No.1587 issued by Revenue Authorities dated 30.01.2022.

The above said M.Kariappan has solemnly affirmed by proper Affidavit before the Notary Public on the following aspects.

1.That he would, by execution of a Gift deed, properly handover to KannakkampalayamPanchayat the portion of land required for the construction of common Community Soak Pit S.F.No.197/1B at Kannakkampalayam Village, Tiruppur North Taluk.

2.That he would construct a common community soak pit at his own cost in the S.F.No.197/1B of Kanakkampalayam village, at the site approved by the Block Health Supervisor, Primary Health Centre, Perumanallur on 29.01.2022.

3.That he would completely arrest the existing flow of drainage water to S.F.No.199/1 and 198/1A and divert it to the proposed common community soak pit to be located at S.F.No.197/1B at his own cost. and assuring common community soak pit construction work completed within 31.3.2022.

4.That he would periodically clean and maintain the said common community soak pit at his own cost.

5.That he would at his own cost carryout all the directions of KanakkampalayamPanchayat issued to him at any point of time relating to the common community soak pit stated ut supra.

Accordingly he has Executed an affidavit before the Notary Public at Avinashi on 31.01.2022.

5).I submit that the common community soak pit in S.F.Nos. 197/1B and S.F.Nos.198/1A,199/1, is being constructed and the works in progress in order to arrest the existing flow of drainage water to S.F.No.199/1 and

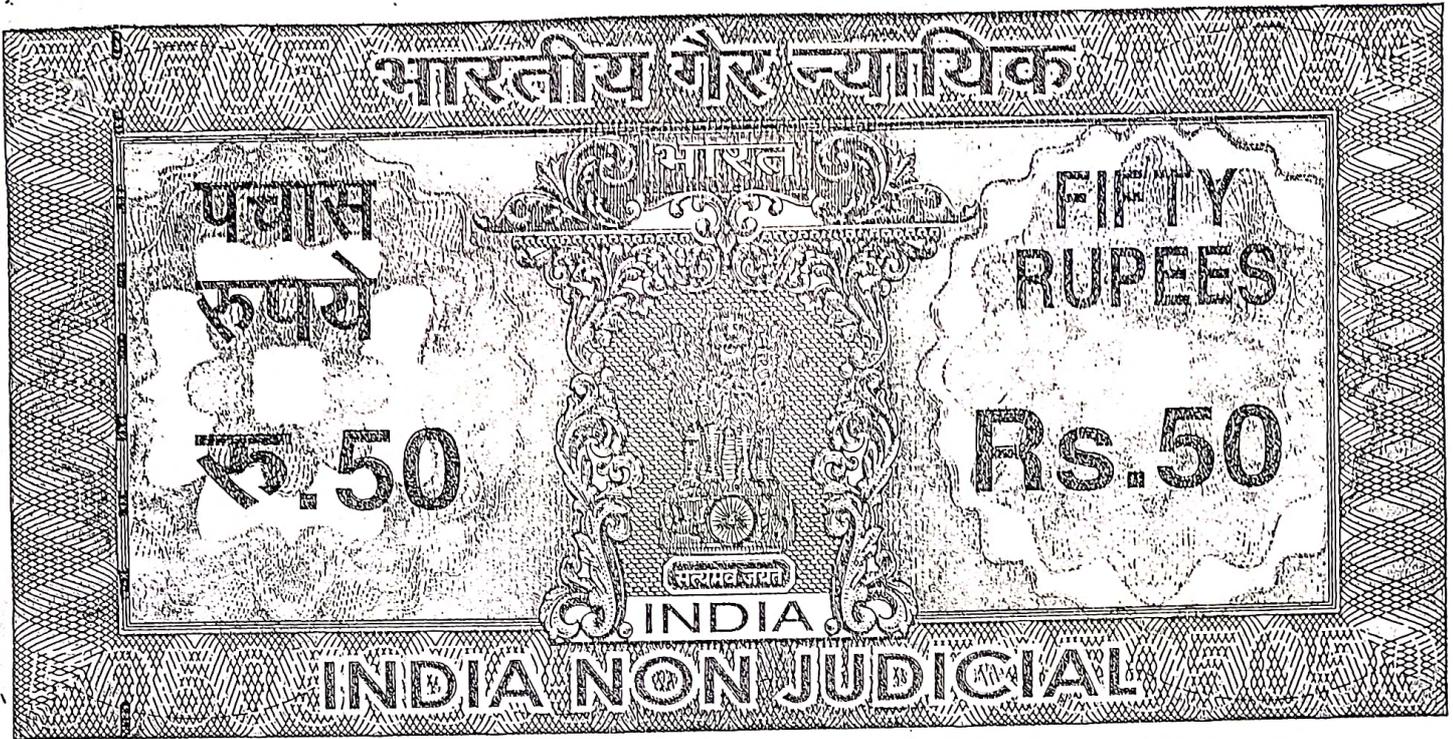

Block Development Officer (WP)
TIRUPUR

198/1A and now to divert it to the said common community soak pit. This work will be completed within 31.3.2022 (approximate) and put into public use. Two common community soak pit with sucking capacity is 71000litre each (approximate). The deposits in this community soak pit will be periodically collected and disposed by the promoter in an proper manner, as agreed by him. **Now there is no flow of drainage water in to the applicants Land .**

. Hence, for the foregoing reasons stated ut supra, it is humbly prayed that this Hon'ble Tribunal may be pleased to dismiss this application as devoid of merits and may pass any such other orders as this Hon'ble Tribunal may thinks fit and proper to the facts and circumstances of the case.

Dated February 2022 at Tiruppur


15.2.22
BLOCK DEVELOPMENT OFFICER,
(VILLAGE PANCHAYATS)
TIRUPPUR.



AT 358348

தமிழ்நாடு தமில்நாடு TAMILNADU

28.1.22

கனகம்பலயம்

சுலாபம்

R. KARAKKAMPALAYAM
சுலாபம் வெள்ளம்
மெயின் சாட்டு, அவிநாசி
உரிமம் எண்: 4839/B1/2011/TRP

AFFIDAVIT

I M.KARIAPPAN Son of Malli Chettiar, Hindu aged 56 years, residing at Door No.7 Neethiammal Nagar, Nesavalar Colony North, P.N.Road, Tiruppur Town, Tiruppur District, do hereby solemnly affirm and sincerely state as follows:-

I am the land owner of S.F.No.197/1B part of Kanakkampalayam Village in Tiruppur North Taluk, Tiruppur District as per document No.3935 dated 07.11.2002, Chitta issued by Revenue authorities-dated 30.01.2022, and as per patta No.1537.

I am also the real estate promoter of Washington Nagar located in Kanakkampalayam Village, Tiruppur North Taluk.

M. S. Sundar



31/1/2022
E.P. ELAVARASU B.L.,
ADVOCATE & NOTARY
(GOVT. OF INDIA) ROLL No. 6731
AVANASHI - 641 654
TIRUPPUR (DT). TAMILNADU

I would by execution of a Gift deed, properly handover to Kanakkampalayam Panchayat, the portion of land required for the construction of common community soak pit in S.F.No.197/1B at Kanakkampalayam Village.

I would construct a common community soak pit at my own cost in S.F.No.197/1B of Kanakkapalayam Village, at the site approved by the Block Health Supervisor of Primary Health Centre, Perumanallur on 29.01.2022.

I would completely arrest the existing flow of drainage water to S.F.No.199/1 and 198/1A and divert it to the proposed common community soak pit to be located at S.F.No.197/1B at my own cost.

I would periodically clean and maintain the common community soak pit at my own cost.

I would in my own cost carry out all the directions of Kanakkampalayam Panchayat whenever issued to me relating to the common community soak pit stated supra.

I am making this solemn declaration sincerely and conscientiously believing the same to be true and with full knowledge that it is on the strength of this declaration that I would not claim any objection for the location of common community soak pit at S.F.No.197/1B and its future maintance at my cost and also according to directions of the authorities concerned.

These facts stated are true to the best of my knowledge and belief and if any wrong or false statements are found at a later date in this regard I will be responsible for the same and compensate the same at my cost.



[Handwritten Signature]
DEPONENT

Solemnly affirmed and signed before me at Avinanshi on 31.01.2022.



[Handwritten Signature]
31/1/2022
E.P. ELAVARASU B.L.,
ADVOCATE & NOTARY
(GOVT. OF INDIA) ROLL No. 6731
AVANASHI - 641654

அனுப்புநர்:
மு.வரதராசு,
வட்டார சுகாதார மேற்பார்வையாளர்
அரசு ஆரம்ப சுகாதார நிலையம்
பெருமாநல்லூர், திருப்பூர் வட்டாரம்.

பெறுநர்:
தலைவர்,
கணக்கம்பாளையம் ஊராட்சி.

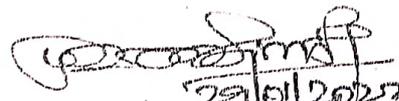
ஐயா,

பொருள் : பொது சுகாதாரம் - கணக்கம்பாளையம் ஊராட்சி - வாஷிங்டன் நகர்
பகுதியில் ஊராட்சிக்காக தனிநபர் சமுதாய உறிஞ்சுகுழி அமைத்து
கொடுத்தல் - தடையின்மை சான்று வழங்குதல் சம்பந்தமாக.
பார்வை : 28.01.2022 நாளிட்ட தலைவர், கணக்கம்பாளையம் ஊராட்சி
அவர்களின் கடிதம். ந.க.எண். இல்லை.

பார்வையில் கண்ட கணக்கம்பாளையம் ஊராட்சி தலைவர் அவர்களின்
கடிதத்தின் படி, கணக்கம்பாளையம் ஊராட்சிக்குட்பட்ட வாஷிங்டன்நகர் பகுதியில் தனிநபர்
மூலம் க.ச.எண். 197/1B, 197/2B ல் சமுதாய உறிஞ்சுகுழி அமைத்து தர உள்ளதால் சுகாதார
துறையின் தடையின்மை சான்று கோரப்பட்டுள்ளது. அதன்பேரில் 29.01.2022 அன்று சுகாதார
ஆய்வாளர் மற்றும் ஊராட்சி செயலாளர் ஆகியோருடன் குறிப்பிட்ட பகுதியில் (க.ச.எண்.
197/1B, 197/2B) ஆய்வு மேற்கொள்ளப்பட்டது.

மேலும் குறிப்பிட்ட க.ச.எண். 197/1B, 197/2B ல் சமுதாய உறிஞ்சுகுழி
அமைக்க சுகாதார கண்ணோட்டத்தில் தடையின்மை சான்று வழங்கப்படுகிறது.

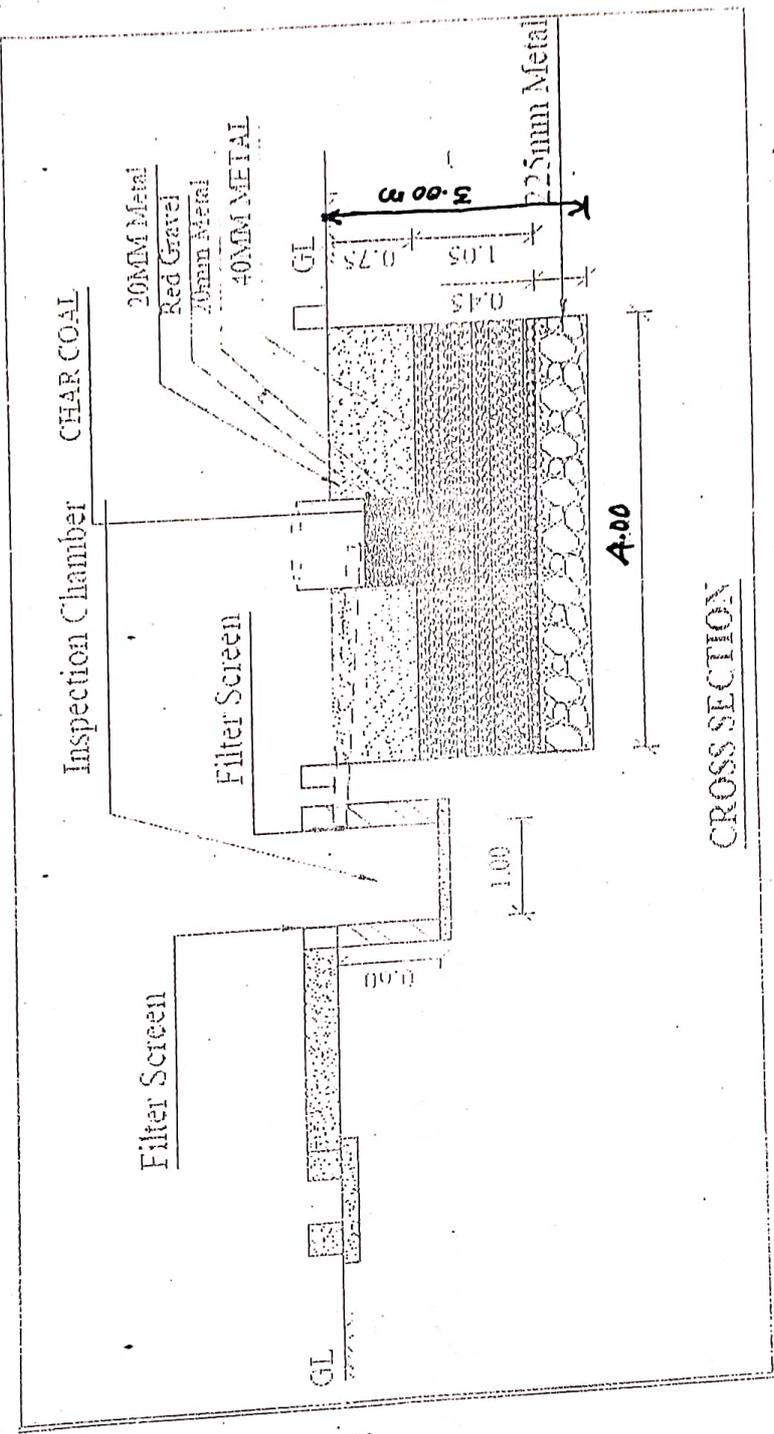
வரும் காலங்களில் மேற்கண்ட சமுதாய உறிஞ்சுகுழி செயல்படாவிட்டால்
இத்தடையின்மை சான்று தானாக இரத்தாக்கிவிடும்.


29/01/2022
வட்டார சுகாதார மேற்பார்வையாளர்
அரசு ஆரம்ப சுகாதார நிலையம்
பெருமாநல்லூர், திருப்பூர் வட்டாரம்.

நகல் பணிந்து சமர்ப்பிக்கப்படுகிறது.
துணை இயக்குநர், சுகாதார பணிகள், திருப்பூர்.

Dimensions: 6.00 m (L) x 4.00 m (B) x 3.00 m (D)

Community soak pits - (Vertical type)
 Community Soak pits - (குறுழில் நுழை வகை)



Dimensions: 4.46 m (Diameter) x 2.25 m (Depth)

W 222
 SUPERVISOR
 PANCHAYAT UNION
 TRIPURUR



**Tiruppur Block - Kanakkampalayam Panchayat - Kamatchiamman Nagar Extension -
SF.No : 198/1A and 199/1
Soak Pit Construction Work Under Progress**



**Tiruppur Block - Kanakkampalayam Panchayat - Kamatchiamman Nagar Extension -
SF.No : 198/1A and 199/1
Soak Pit Construction Work Under Progress**









Tiruppur Block - Kanakkampalayam Panchayat - Washington City - SF.No : 197/1B

Soak Pit Construction Work Under Progress





