

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

**ORIGINAL APPLICATION No. 246 OF 2020 (SZ)
(THROUGH VIDEO CONFERENCE)**

IN THE MATTER OF:

Tribunal on its own motion
Suo Motu based on the news item in
Dinamani Newspaper, Chennai edition
Dt. 02.11.2020, "Vaiyavur and Nathappettail
Lakes: will become a bird sanctuary?"

...Applicant(s)

Versus

- 1) The Secretary to Govt. of Tamil Nadu,
Department of Environment,
Govt. Secretariat, Fort St. George,
Chennai, Tamil Nadu – 600 009.
- 2) The Principal Secretary to Govt.,
Public Works Department,
Govt. Secretariat, Fort St. George,
Chennai, Tamil Nadu – 600 009.
- 3) The Additional Chief Secretary to Govt. of Tamil Nadu
Revenue and Disaster Management Department,
Govt. Secretariat, Fort St. George,
Chennai, Tamil Nadu – 600 009.
- 4) PCCF (Head of Forest Force)
Department of Forests,
Panagal Maaligai, Saidapet
Chennai – 600 015.
- 5) The Chairman
Tamil Nadu Pollution Control Board,
No. 76, Anna Salai, Guindy,
Chennai, Tamil Nadu – 600 032.
- 6) Tami Nadu State Wetland Authority,
Rep. by Member Secretary,
Panagal Maaligai, Saidapet,
Chennai – 600 015.
- 7) The District Collector,
Kancheepuram District,
First Floor, Collectorate,
Kancheepuram – 631 501.

- 8) District Forest Officer,
Chengalpattu Division,
5/9, Varadharajan Farms,
Vandavasi Road, Kancheepuram – 603 501.
- 9) The Commissioner,
Kancheepuram Special Grade Municipality,
Annai Indira Gandhi Salai,
Kancheepuram – 631 502.

...Respondent(s)

**REPORT OF THE JOINT COMMITTEE CONSTITUTED
BY HON'BLE NGT (SZ) VIDE ORDER DATED 23-11-2020
IN O.A. NO. 246 OF 2020 (SZ)**

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Before the Hon'ble National Green Tribunal (SZ)
In
Original application No. 246 of 2020

**Report of the Joint Committee Constituted by Hon'ble NGT (SZ) vide
order dated 23-11-2020 in O.A. No. 246 of 2020**

The present application has been Suo-Motu registered by Hon'ble National Green Tribunal, Southern Zone on the basis of the newspaper report published in newspaper in Dinamani Daily, Chennai edition dated 02-11-2020 under the caption “வையாவூர், நத்தப்பேட்டை ஏரிகள்: பறவைகள் சரணாலயம் ஆகுமா”? (Vaiyavur and Nathappettai Lakes: Will become a Birds Sanctuary?). It is alleged in the newspaper report that there are two lakes namely, Vaiyavur lake having a spread of over 100 acres and Nathapettai lake having spread over of 500 acres respectively located on the left and right side of the road leading to the Rajakulam Village of Kancheepuram District.

In order to ascertain the possibilities and also whether the allegations made in the newspaper report are correct or not and also the possibility of converting these lakes into a proposed bird sanctuary as desired by the reporter in the newspaper report, we feel it appropriate to appoint a Joint Committee comprising of **(1)** Principal Chief Conservator of Forests and Chief Wildlife Warden, Chennai, **(2)** District Collector, Kancheepuram District, **(3)** the District Forest Officer, Chengalpattu District, **(4)** a Senior Officer from the Tamil Nadu State Wetland Authority as designated by its Member Secretary, Chennai, **(5)** a Senior Officer from Tamil Nadu Pollution Control Board (TNPCB) as designated by the Chairman, Tamil Nadu Pollution Control Board, **(6)** the Superintending Engineer of Public Works Department (PWD) and Water Resource Organization (WRO) of the respective area and **(7)** a Senior Officer deputed by the Commissioner, Special Grade Municipality, Kancheepuram to inspect these two lakes in question and ascertain the extent of lakes, the nature of encroachments, if any and what are the steps taken to remove the encroachments, if any, whether any garbage is dumped and sewage is discharged into these lakes and what is the nature of lake and whether the allegations made in the report that it attracts more migrant birds for a longer period in addition to staying back in Vedanthangal Birds Sanctuary and whether it can be included in the notified water bodies as required under the Wetlands (Conservation and Management) Rules, 2010 & 2017 and if so, what are all the steps to

be taken for that purpose. The committee may also assess the water quality of the lake and if the water is contaminated with sewage / garbage, illegally dumped and discharged, then what are all the steps to be taken to remedy the situation.

The Public Works Department (PWD) and Water Resources Organization (WRO) will be the nodal agency for coordination and also providing logistics for this purpose **(copy of the order dated 23-11-2020 is at Annexure-I).**

Brief facts on the issue

There are two lakes namely Vaiyavur lake having a spread of over 100 acres and Nathapettai lake having spread over of 500 acres respectively located on the left and right side of the road leading to the Rajakulam Village of Kancheepuram District under the control of Public Works Department. Both lakes are manmade. The Vaiyavur and Nathapettai Lakes are contiguous and the excess water of Nathapettai lake is passing to the Vaiyavur lake and subsequently drains into other chain of lakes.

The Kancheepuram Municipality has provided a common Sewage Treatment Plant [STP i.e., stabilization of four paved pond] in the western side of the Nathapettai Lake for the treatment and disposal of the sewage generated from the Kancheepuram Municipal area. The Public Works Department has given permission vide G.O. No. 259 dated 14-07-2011 **(copy enclosed as Annexure - II).**

In the meantime Hon'ble National Green Tribunal (SZ), Chennai registered a case Suo-Motu on the basis of the newspaper report published in newspaper in Dinamani Daily, Chennai edition dated 02-11-2020 under the caption "வையாவூர், நத்தப்பேட்டை ஏரிகள்: பறவைகள் சரணாலயம் ஆகுமா"? (Vaiyavur and Nathappettai Lakes: Will become a Birds Sanctuary?). In order to ascertain facts on the ground, the Hon'ble NGT (SZ) vide its order dated 23-11-2020 in Application No. 246 of 2020 has appointed a joint committee to inspect the two lakes in question and ascertain the extent of lakes, the nature of encroachments, if any and what are the steps taken to remove the encroachments, if any, whether any garbage is dumped and sewage is discharged into these lakes and what is the nature of lake and whether the allegations made in the report that it attracts more migrant birds for a longer period in addition to staying back in Vedanthangal Birds Sanctuary and whether it can be included in the notified water bodies as required under the Wetlands (Conservation and Management) Rules, 2010 &

2017 and if so, what are all the steps to be taken for that purpose. The committee may also assess the water quality of the lake and if the water is contaminated with sewage / garbage, illegally dumped and discharged, then what are all the steps to be taken to remedy the situation.

As per the above direction, the Joint Committee comprising of (1) Thiru. Syed Muzammil Abbas, I.F.S., Principal Chief Conservator of Forests and Chief Wildlife Warden, Chennai, (2) Dr. (Tmt) Jayanthi M. I.F.S., Additional Principal Chief Conservator of Forests and Member Secretary (i/c), Tamil Nadu State Wetland Authority, Chennai, (3) Tmt. Mageswai Ravikumar, I.A.S., District Collector, Kancheepuram, (4) Thiru. K.S. Sathyamoorthy, I.F.S., District Forest Officer, Chengalpattu Division, Kancheepuram, (5) Thiru. K. Vijayakumar, Assistant Executive Engineer, Public Works Department, Water Resource Department, Lower Palar Basin Division, Kancheepuram and Thiru. S. Baskaran, Assistant Engineer, Public Works Department, Water Resource Department, Irrigation Section, Kancheepuram (nominated by the Superintending Engineer of Public Works Department), (6) Dr. M. Somasundaram, Assistant Engineer, Tamil Nadu Pollution Control Board, Sriperumpudur, Kancheepuram District (nominated by the Chairman, Tamil Nadu Pollution Control Board, Chennai) and (7) a Senior Officer deputed by the Commissioner, Special Grade Municipality, Kancheepuram was constituted.

On 05-01-2021, all the members of the Joint Committee (District Collector, Kancheepuram has inspected the lake on 05.12.2020 and 24.12.2020, Commissioner, Special Grade Municipality, Kancheepuram had inspected the lake on 12.12.2020) had inspected the above said two lakes and the detailed report is submitted below:-

1) The extent of lakes, Survey Nos. Village, Taluk and District

The Public Works Department, Water Resources Department has informed that the water spread area of Nathapettai Tank is 180 Ha in Survey No. 484 of Nathapettai Village, Kancheepuram, Taluk and District and Vaiyavur Tank is 79.40 Ha in Survey No. 239 of Vaiyavur Village, Kancheepuram Taluk and District.

2) Nature of encroachments if any and steps taken to remove the encroachments

The Public Works Department, Water Resources Department has informed that in respect of Nathapettai Tank there are 50 encroachments. Form I & II are sought from Revenue Department and in respect of Vaiyavur Tank there is no encroachment. Further he has stated that in respect of Nathapettai tank entire Kancheepuram municipal limit sewage is let down to this tank through Manjal neer vaikal out of which 20% alone is treated water from the STP, the remaining is untreated and moreover Kancheepuram Municipal garbage dumping yard is placed in the foreshore of this tank. Therefore all the chemical hazards are mixed with tank water and it is not fit for drinking purpose. ***Hence, it is not advisable for converting this tank into a bird Sanctuary.*** In respect of Vaiyavur Tank, the total command area of 175.64 Ha is under cultivation and the available stored water in the tank is barely enough to cater the need of the crop water requirement to cultivate 176.64 Ha of agricultural land. The tank will get empty quickly within the one crop season (3 months). ***Hence, converting this tank is not possible without water availability for more than 9 months in a calendar year.***

3) Whether any garbage is dumped and sewage is discharged into these lakes

The Commissioner, Kanchipuram Special Grade Municipality has stated that the Kanchipuram Municipality is comprised of 51 Wards with a total population of 2,32,816 as on 2011 Census. The total area is 36.14 Square Kilometers. The Kanchipuram Municipality was increased in area with the addition of 1 Town Panchayat (Sevilimedu), Nathapettai, Thenambakkam, Orikkai Panchayats in the year 2011. Prior to that the Kanchipuram was already having an underground Sewage system with a capacity of 14.84 MLD. The collected sewage is treated at the STP in Nathapettai. The discharge of the treated water is into the Nathapettai after treatment of the sewage by the WSP method. This system has been functioning from the year 1978. A DPR has also been prepared for renovating the STP by changing the treatment methodology to ASP process. The outlay for the same is Rs.243 crores and the DPR has been prepared by the TWAD Board and pending for the sanctioning of Funds. As on date the existing STP using the WSP technology is functioning properly and the Test Reports of the discharge water are taken periodically to ensure the discharge meets the Surface water standards.

After the areas were added in the year 2011 the said areas are also part of the proposed new STP under the outlay of Rs.240 Crores.

No solid waste is dumped in the lake or the surrounding areas of the two lakes. The Nathapettai Lake is within the boundary of the Kanchipuram Municipality. But the Vaiyavur lake is within the Vaiyavur Panchayat.

The inflow channels that carry run-off water to the Nathapettai Lake passes through the Municipal areas of Kanchipuram and a noticeable amount of Plastics are found to reach the lakes through the said Channels. In order to prevent the said Plastics reaching the lake, the intervention measures have been taken to stop the inflow of plastics by installing Mesh Filters in the said channels and the plastics have been removed on a daily basis from November 2020 till date.

4) Nature of Lake and whether the allegations made in the report that it attracts more migrant birds for a longer period in addition to staying back in Vedanthangal Bird Sanctuary

The District Forest Officer, Chengalpattu Division, Kancheepuram has stated that the Vaiyavur and Nathapettai Lakes are under the control of Public Works Department. Both the lakes are manmade. The Vaiyavur and Nathapeetai lakes are contiguous and the excess water of Nathapettai lake is passing to the Vaiyavur lake and subsequently drains into other chain of lakes. The treated effluents generated from Kancheepuram town is being treated and discharged into Nathapettai lake. There are no standing trees inside the lake to support nesting of water birds but some of the trees present at the periphery of both the lakes are useful for perching. Mainly, the aquatic birds are visiting the lake for feeding, but the number of birds is very less and conspicuous only during rainy season (October to January). The following species of birds visit both the lakes:-

Sl. No.	Species	Number of Birds
i.	Painted Stork	50 to 100 Nos.
ii.	Grey Heron	30 to 40 Nos.
iii.	Grey Pelican	10 to 20 Nos.
iv.	White Ibis	20 to 25 Nos.
v.	Pond Heron	50 to 60 Nos.
vi.	Purple Swamp Hen	10 to 20 Nos.
vii.	Coot	10 to 20 Nos.
viii.	White Breasted Water Hen	20 to 30 Nos.
ix.	Open Billed Stork	50 to 70 Nos.

Sl. No.	Species	Number of Birds
x.	Spot Bill Duck	20 to 30 Nos.
xi.	Pheasant – Tailed Jacana	10 to 20 Nos.
xii.	Little Egret	90 to 100 Nos.
xiii.	Little Cormorant	80 to 100 Nos.
xiv.	Black Winged Stilt	20 to 30 Nos.

5) Whether it can be included in the notified water bodies as required under the Wetland (Conservation and Management) Rules, 2010 and 2017 and if so, what are all the steps to be taken for that purpose

The Additional Principal Chief Conservator of Forests and Member Secretary (i/c), Tamil Nadu State Wetland Authority, Chennai has stated that based on the report of District Forest Officer, Kancheepuram in his letter No. C. No. D/6579/2020 dated 08-01-2020, it is reported that

- Vaiyavur and Nathapettai Lakes are under the control of Public Works Department.
- Both the lakes are manmade for irrigation purpose.
- The Vaiyavur and Nathapeetai lakes are contiguous and the excess water of Nathapettai lake is passing to the Vaiyavur lake and subsequently drains into other chain of lakes.
- The treated effluents generated from Kancheepuram town is being treated and discharged into Nathapettai lake.
- There is no standing trees inside the lake to support nesting of water birds but some of the trees present at the periphery of both the lakes are useful for perching.
- Mainly, the aquatic birds are visiting the lake for feeding, but the number of birds is very less and conspicuous only during rainy season (October to January).

6) To assess the water quality of the lake

The District Environmental Engineer, Tamil Nadu Pollution Control Board, Sriperumbudur has stated that the Kancheepuram Municipality has provided a common Sewage Treatment Plant (STP i.e., stabilization of four paved pond) in the western side of the Natahpettai Lake for the treatment and disposal of the sewage generated from the Kancheepuram Municipal area. Treated sewage from the said common STP is disposed into the Nathapettai lake, for which the Public Works Department has given permission vide G.O. No. 259 dated 14-07-2011. The Kancheepuram Municipality has also provided

micro composting centre located at the Western side of the Nathapettai lake for composting the municipal solid wastes generated from the Kancheepuram Municipality. Water samples were collected from the inlet, outlet of the common STP and water sample from the Nathapettai lake on 14-12-2020 and the test report of analysis of the said water sample **is enclosed as Annexure III**. Water sample from the Vaiyavur lake was collected on 05-01-2021 and the same is sent for analysis (Report is awaited).

7) If the water is contaminated with sewage / garbage, illegally dumped and discharged, then what are all the steps to be taken to remedy the situation

The Commissioner, Kanchipuram Special Grade Municipality has stated that the area leading to the Lakes has been surveyed with the deputation of a Team of Staff and workers of the Municipality and the houses that are discharging the sewage into channels have been identified and they have been issued with notices to stop the discharge of sewage into the Channels. A total of 450 notices have been issued to the houses and from December 2020 till date and out of the same. 30 houses have obtained connections to the UGSS system. The houses that were discharging their sewage into the Channel namely Manjal Neer Channel that leads to the Nathapettai Lake have been 15 days time to stop their discharge and obtain UGD connections. Further action has been taken to stop the discharge and obtain of UGD connection on the expiry of the time the out flows of houses will be sealed using cement concrete.

The Septage Trucks operating in the areas that have been added recently with the Kanchipuram Municipality have also been issued with warnings to refrain from dumping the collected Septage into the Lakes and open areas. A meeting was held with the Truck operators on 15.12.2020 and also warnings have been issued through news items published on 16.12.2020. Any trucks found dumping a septage in the lake or other open areas are levied penalties. In this connection the operators have been warned of Penalty of Rs. 25,000/-. Since then there has been no incident of dumping of sewage into the open areas of the Nathapettai Lake.

A consultant under the Tamil Nadu Water Investment Company (TWIC) was appointed to survey the inlet channels that flow to the Nathapettai lake, was appointed in the Month of October 2020 and they have identified 18 inlet channels that lead to the Manjal Neer Channel which in turn leads to the Nathapettai Lake. These inlet channels have been proposed to be linked into a Sewage Treatment Plant and a DPR for the

establishment of the STP at a cost of Rs.24.86 Crores. This proposed STP is independent from the common STP at Natapattai.

8) To ascertain whether the Solid Waste Management Rules, 2016 is strictly complied with and if there is any dumping of waste or illegal discharge of untreated sewage into these lakes, then what are all the steps taken to avoid such things and implement the Solid Waste Management Rules, 2016 in strict sensu in that area

The District Environmental Engineer, Tamil Nadu Pollution Control Board, Sriperumbudur has stated that show cause notice was issued to the Kancheepuram Municipality for non compliance of the Hon'ble National Green Tribunal (PB), New Delhi in order dated 23-04-2019 in O.A. No. 606 of 2018 vide DEE Proc. No. DEE/TNPCB/SPR/SWM/F. No. M-002/2020 dated 25-02-2020. The Commissioner, Kancheepuram Municipality has been informed that as the local body has not complied the directions issued by the Hon'ble NGT (PB), New Delhi necessary compensation will be levied and also requested to furnish the status of compliance report immediately. If no, reply is received, further action shall be initiated as directed by Hon'ble NGT (PB), New Delhi order dated 02-07-2020 in OA No. 606 of 2018 vide T.O. letter DEE/TNPCB/SPR/F. No. M-001/SWM/2020 dated 29-08-2020. As there is no reply received, reminder letter were addressed to the Municipality with RPAD and requested to furnish the compliance and status report before 15-12-2020 vide T.O. letter No. DEE/TNPCB/SPR/F-M-001/SWM/2020 dated 30-11-2020. Till date the Kancheepuram Municipality has not furnished any reply for the said show cause notice issued. Further action will be initiated against the local body.

9) Possibility of converting these lakes into proposed birds sanctuary

The District Collector, Kancheepuram / the District Forest Officer, Chengalpattu Division, Kancheepuram and the Superintending Engineer, Public Works Department and Water Resources Departments have stated that the Vaiyavur and Nathapettai Lakes are under the control of Public Works Department. Both the lakes are manmade for irrigation purpose. The Vaiyavur and Nathapeetai lakes are contiguous and the excess water of Nathapettai lake is passing to the Vaiyavur lake and subsequently drains into other chain of lakes. The treated effluents generated from Kancheepuram town is being

treated and discharged into Nathapettai lake. There is no standing tree inside the lake to support nesting of water birds but some of the trees present at the periphery of both the lakes are useful for perching. The District Level Wetland Management Committee meeting conducted on 11-01-2021 has also not recommended to convert the above two lakes into a Bird Sanctuary (**Copy of Minutes of the meeting of the District Level Wetland Monitoring Committee, Kancheepuram District is enclosed as Annexure IV**). Hence there is no possibility of converting these lakes into a Bird Sanctuary.

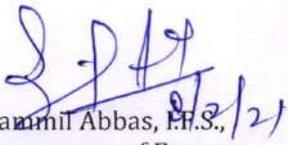
Overall comments of committee:-

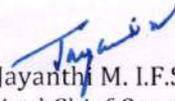
Vaiyavur Lake:- This lake is under the control of Public Works Department. The total extent of water spread area is 79.40 Ha. The total command area of 175.64 Ha is under cultivation and the available stored water in the tank is barely enough to cater the need of the crop water requirement to cultivate 176.64 Ha of agricultural land. The tank will get empty quickly within one crop season (3 months).

Nathappetai Lake:- This lake is under the control of Public Works Department. The total extent of water spread area is 180 Ha. This tank has 50 encroachments and entire Kancheepuram municipal limit sewage is let into this tank through Manjal near vaikal out of which 20% alone is treated water from the STP, the remaining is untreated and more over Kancheepuram municipal garbage dumping yard is placed in the foreshore of this tank. Therefore, all the chemical hazards are mixed with tank water and it is not fit for drinking purpose.

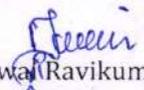
Further, the District Collector, Kancheepuram has stated that there are no standing trees inside the said lakes to support nesting of water birds but some of the trees present at the periphery of both the lakes are useful for perching. Mainly, the aquatic birds visit the lakes for feeding, but the number of birds is very less and conspicuous only during rainy season (October to January). **Hence, there is no possibility of converting the above said two lakes into a Bird Sanctuary.**

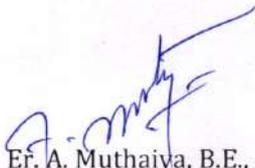
The above facts are submitted before the Hon'ble National Green Tribunal
for consideration.

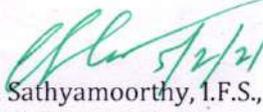

Thiru. Syed Muzammil Abbas, I.F.S.,
Principal Chief Conservator of Forests
and Chief Wildlife Warden, Chennai

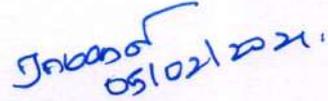

Dr. (Tmt) Jayanthi M. I.F.S.,
Additional Principal Chief Conservator
of Forests and Member Secretary (i/c),
Tamil Nadu State Wetland Authority,
Chennai


Thiru. A.V. Venkatachalam, I.F.S., (Retd.)
Chairman,
Tamil Nadu Pollution Control Board,
Chennai.


Tmt. Mageswari Ravikumar, I.A.S.,
District Collector,
Kancheepuram


Er. A. Muthaiya, B.E.,
Superintending Engineer,
Public Works Department, Water
Resource Department,
Palar Basin Circle, Chennai


Thiru. K.S. Sathyamoorthy, I.F.S.,
District Forest Officer,
Chengalpattu Division, Kancheepuram


Tmt.R.Maheswari, B.Com.,
The Commissioner,
Kanchipuram Special Grade Municipality
Kanchipuram.

ANNEXURE - I

Item No.1:

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No.246 of 2020 (SZ)

(Through Video Conference)

IN THE MATTER OF:

Tribunal on its own motion
Suo Motu based on the news item in
Dinamani Newspaper, Chennai edition
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...Applicant(s)

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- 2) The Principal Secretary to Govt.,
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- 3) The Additional Chief Secretary to Govt. of Tamil Nadu
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- 4) PCCF (Head of Forest Force)
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- 5) The Chairman
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Chennai, Tamil Nadu - 600 032.

- 6) Tamil Nadu State Wetlands Authority,
Rep. by Member Secretary,
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- 7) The District Collector,
Kancheepuram District,
First Floor, Collectorate,
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- 8) District Forest Officer,
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Vandavasi Road, Kancheepuram – 603 501.
- 9) The Commissioner,
Kanchipuram Special Grade Municipality,
Annai Indira Gandhi Salai,
Kanchipuram- 631 502.

*(Suo Motu impleaded as additional 9th respondent as per
Order dt.23.11.2020.)*

...Respondent(s)

Date of hearing: 23.11.2020.

CORAM:

HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER

For Applicant(s):

Suo Motu by Court.

For Respondent(s):

Dr. V.R. Thirunarayanan for R1 to R4,
R6 to R8.

Sri. C. Kasirajan through
M/s. Meena for R5.

Sri. P. Srinivas for R9.

ORDER

1. The above case has been Suo Motu registered by this Tribunal on the basis of the newspaper report published in Dinamani Daily, Chennai edition dated 02.11.2020, under the caption “*வையாவூர், நத்தப்பேட்டை ஏரிகள் : பறவைகள் சரணாலயம் ஆகுமா?* (Vaiyavur and Nathapettai Lakes: Will become a bird sanctuary?).
2. It is alleged in the newspaper report that there are two lakes namely, Vaiyavur lake having a spread of over 100 acres and Nathapettai lake having spread over an extent of 500 acres respectively located on the left and right side of the road leading to the Rajakulam Village of Kanchipuram District.
3. It is alleged in the newspaper report that there is large accumulation of water even during summer in these two lakes and it attracts foreign migrant birds in large number and they are staying back there, though, it is not declared as a bird sanctuary. It is also alleged in the newspaper report that birds are building nest on the branch of the tress along the shores of these two lakes and laying eggs and breeding there and if it is properly maintained, it could be an another Vedanthangal Bird sanctuary and the birds which are not able to stay back in Vedanthangal Bird Sanctuary due to lack of water during

summer, this area can be utilized for that purpose, if these lakes are properly maintained.

4. It is also mentioned in the report that these two lakes are full, even during summer in the past 10 consecutive years making it an attraction for migrant birds from different countries to come and stay. It is also seen from the newspaper report that it is not properly maintained and water hyacinth are growing and further, there are large scale encroachments there and if this is declared as a wetland under the Wetlands (Conservation and Management) Rules, 2017, then it can be properly developed. So according to the newspaper report, it is necessary to remove the encroachments and regulate the fishing by fisher men, prevent sewage being discharged into the lake and dumping of waste in those lakes and if such measures are taken and these lakes are handed over to the forest department declaring this as a sanctuary or a declared water body, then in future, it can be converted into a recognized bird sanctuary attracting large scale migrant birds in addition to Vedhanthangal Bird Sanctuary in the State of Tamil Nadu

5. Since, the dispute area falls within the jurisdiction of Kanchipuram Special Grade Municipality, we feel that the Kanchipuram Special Grade Municipality represented by its Commissioner, Kanchipuram has to be Suo Motu impleaded as

additional 9th respondent. So, the Commissioner, Kancipuram Special Grade Municipality is impleaded as additional 9th respondent in this proceeding.

6. The Registry is directed to carry out the amendment in the cause title.
7. When the matter came up for hearing today through Video Conference for admission, Dr. V.R. Thirunarayanan, State Government Advocate for National Green Tribunal, Southern Zone entered appearance for respondents 1 to 4, 6 to 8, Sri. C. Kasirajan through M/s. Meena entered appearance for 5th respondent and Sri. P. Srinivas, entered appearance for the additional 9th respondent. So, service is complete.
8. On going through the allegations made in the newspaper report we are satisfied that there arises a substantial question of environment which requires the interference of this Tribunal. So, the matter is admitted.
9. Further, the nature of allegations made in the newspaper report shows that it is a water body which is expected to be protected and if it is properly maintained, then it can be converted into a known bird sanctuary. It is also having the characteristic of water body as defined under the Wetlands (Conservation and Management) Rules, on the basis of which the State Government

should also take necessary steps to protect these water bodies which in turn will improve the eco system.

10. In order to ascertain the possibilities and also whether the allegations made in the newspaper report are correct or not and also the possibility of converting these lakes into a proposed bird sanctuary as desired by the reporter in the newspaper report, we feel it appropriate to appoint a Joint Committee comprising of **(1)** Principal Chief Conservator of Forests & Chief Wildlife Warden, Chennai, **(2)** the District Collector, Kanchipuram District, **(3)** the District Forest Officer, Chengalpet District, **(4)** a Senior Officer from the Tamil Nadu Wetland Authority as designated by its Member Secretary, Chennai, **(5)** a Senior Officer from Tamil Nadu Pollution Control Board (TNPCB) as designated by the Chairman, Tamil Nadu Pollution Control Board, **(6)** the Superintending Engineer of Public Works Department (PWD) and Water Resources Organization (WRO) of the respective area and **(7)** a Senior Officer deputed by the Commissioner, Special Grade Municipality, Kanchipuram to inspect these two lakes in question and ascertain the extent of lakes, the nature of encroachments, if any and what are all the steps taken to remove the encroachments, if any, whether any garbage is dumped and sewage is discharged into these lakes and what is the nature of lake and whether the allegations made in the

report that it attracts more migrant birds for a longer period in addition to staying back in Vedanthangal Bird Sanctuary and whether it can be included in the notified water bodies as required under the Wetlands (Conservation and Management) Rules, 2010 & 2017 and if so, what are all the steps to be taken for that purpose. The committee may also assess the water quality of the lake and if the water is contaminated with sewage/garbage, illegally dumped and discharged, then what are all the steps to be taken to remedy the situation.

11. The Tamil Nadu Pollution Control Board (TNPCB) is also directed to ascertain as to whether the Solid Waste Management Rules, 2016 is strictly complied with and if there is any dumping of waste or illegal discharge of untreated sewage into these lakes, then what are all the steps taken by them to avoid such things and implement the Solid Waste Management Rules, 2016 in stricto sensu in that area and incorporate those things in the report to be filed.
12. The Public Works Department (PWD) & Water Resources Organization (WRO) will be the nodal agency for co-ordination and also for providing necessary logistics for this purpose.
13. The Registry is directed to communicate this order to the members of the committee as well as to the official respondents along with the amended cause title and gist of the Suo Motu

proceeding immediately by e-mail so as to enable them to comply with the direction and also to file their independent response regarding the allegations made in the newspaper report.

14. In the mean time, the State Government of Tamil Nadu is directed to submit their independent response regarding the fact as to whether these lakes can be declared as a bird sanctuary for attracting the migrant birds as a part of developing eco-tourism in Kanchipuram District and the steps to be taken in this regard. They are also directed to mention in their independent response as to whether these lakes are included in the protected water body as on going through the allegations, the nature of lake appears to be falling within the definition of wetland in the above said Rules.
15. The Registry is directed to communicate this order by e-mail with gist of the Suo Motu proceeding and newspaper report to the Chief Secretary, State of Tamil Nadu to consider the above aspects and submit their views in this aspect.
16. The committee as well as the official respondents are directed to submit their report as well as independent response as directed on or before 18.01.2021 by e-filing along with necessary hardcopies to be produced as per Rules.

17. For appearance of parties, filing of independent response by the concerned department as directed and for consideration of report, post on 18.01.2021.

.....J.M.
(Justice K. Ramakrishnan)

.....E.M.
(Shri. Saibal Dasgupta)

O.A. No.246/2020,
23rd November, 2020. Mn.



ANNEXURE - II



கருக்கம்

புதைவடிகால் திட்டம் - காஞ்சிபுரம் பெருநகராட்சி சுத்திகரிக்கப்பட்ட கழிவு நீரை மஞ்சள் நீர் கால்வாயின் மூலம் பொதுப்பணித்துறைக்கு சொந்தமான நத்தப்பேட்டை ஏரியில் விடுவதற்கு உரிய அனுமதி வழங்கி - ஆணை வெளியிடப்படுகிறது.

நகராட்சி நிர்வாகம் மற்றும் குடிநீர் வழங்கல் (நநி3) துறை.

அரசாணை (ப) எண்: 259

நாள்: 14.07. 2011

படிக்க:

நகராட்சி நிர்வாக ஆணையரின் கடித ந.க.எண்.131809/2011/பாசாதி, நாள் 14.2011.

ஆணை:

மேலே படிக்கப்பட்ட கடிதத்தில், நகராட்சி நிர்வாக ஆணையர், காஞ்சிபுரம் நகராட்சி பாதாள சாக்கடைத் திட்டம் 1978 ஆண்டு முதல் செயல்பட்டு வருகிறது என்றும் இத்திட்டத்தில் விடுபட்ட பகுதிகளை சேர்த்தும், ஏற்கனவே சரியான முறையில் செயல்படாத கழிவுநீர் சுத்திகரிப்பு நிலையத்தினை மேம்படுத்தும் நோக்குடனும் காஞ்சிபுரம் நகராட்சி தமிழ்நாடு நகர்ப்புர உட்கட்டமைப்பு நிதி நிறுவனம் மூலம் கலந்தாலோசகர் நியமித்து விரிவான திட்ட மதிப்பீடு ரூ.12.59 கோடிக்கு தயாரித்து அரசாணை (3டி) எண்.31, நகராட்சி நிர்வாகம் மற்றும் குடிநீர் வழங்கல் (நநி.3) துறை, நாள்.18.08.2004-ன் படி நிர்வாக அனுமதியும் மற்றும் அரசாணை (3டி) எண்.18, நகராட்சி நிர்வாகம் மற்றும் குடிநீர் வழங்கல் துறை, நாள்.30.12.2009-ன் படி ரூ.17.06 கோடிக்கு திருத்திய நிர்வாக அனுமதியும் பெற்று, பணிகளின் செயலாக்கம் நகராட்சியில் எடுத்துக் கொள்ளப்பட்டு, பணிகளின் தீர்ப்போதைய நிலை கீழ்க்கண்டவாறு உள்ளது என்றும் தெரிவித்துள்ளார்.

1.	கழிவுநீர் குழாய் அமைத்தல்	65 சதவீதம்
2.	ஆழ் இறங்கும் தொட்டி (Manhole)	89 சதவீதம்
3.	உந்து குழாய் அமைத்தல்	84 சதவீதம்
4.	கழிவுநீர் சுத்திகரிப்பு நிலையம் மேற்கு	80 சதவீதம்
5.	கழிவுநீர் சுத்திகரிப்பு நிலையம் கிழக்கு	35 சதவீதம்
6.	கழிவுநீர் உந்து நிலையம்	77 சதவீதம்

2. மேலும், இப்பணிகள் யாவும் மே 2011-ல் முடிக்க உத்தேசிக்கப்பட்டுள்ளது என்றும் ஏற்கனவே இயங்கிவந்த கழிவுநீர் நிலையத்திலிருந்து வெளியேறும் 9 எம்எஸ்டி சுத்திகரிக்கப்பட்ட கழிவுநீர் இதுவரை பக்கத்தில் உள்ள மஞ்சள் நீர் கால்வாய் மூலம் நத்தப்பேட்டை ஏரிக்கு சென்று கொண்டிருந்தது என்றும், தற்போது 14.71 எம்எஸ்டி

சுத்திகரிக்கப்பட்ட கழிவுநீரை மஞ்சள் நீர் கால்வாய் மூலம் நத்தப்பேட்டை ஏரியில் விடுவதற்கு பொதுப்பணித்துறையினரிடமிருந்து தக்க தடையில்லாச் சான்று கோர 13.04.2010, 28.07.2010, மற்றும் 24.09.2010 ஆகிய தேதிகளில் பிரேரணைகள் அனுப்பி அனுமதி கோரப்பட்டதற்கு செயற்பொறியாளர் நீர் ஆதாரத்துறை கீழ் பாலாறு வடிநில கோட்டம் காஞ்சிபுரம் அவர்கள், தலைமைப் பொறியாளர் நீர் ஆதார துறை சென்னை மண்டல அவர்களுக்கு அனுப்பி அனுமதி கோரியதில், தலைமை பொறியாளர் அவர்கள் கடித எண்.9(7)/22626/அனுமதி/2010, நாள்.27.01.2011-ன் படி உரிய வழி முறையாக அரசு செயலர் பொதுப்பணித்துறை, சென்னை அவர்களின் மூலம் தான் அனுமதி பெறப்பட்டு வேண்டும் என்று அறிவுறுத்தியுள்ளார் என்றும் அதனடிப்படையில் நகராட்சி ஆணையர் அவர்களின் கருத்துருவினை செங்கற்பட்டு நகராட்சி நிர்வாக மண்டல இயக்குநர் ந.க.எண்.1325/2011/பி2, நாள்.22.03.2011 மூலம் பரிந்துரைத்து அரசிடமிருந்து உரிய அனுமதி பெற்றுத் தரும்படி கோரியுள்ளார் என்றும் நகராட்சி நிர்வாக ஆணையர் தெரிவித்துள்ளார்.

3. நகராட்சி நிர்வாக ஆணையரின் செயற்குறிப்பு, அரசினால் கவனமுடன் பரிசீலிக்கப்பட்டது. பரிசீலனைக்குப்பின், காஞ்சிபுரம் பெருநகராட்சியில் புதியதாக அமைக்கப்பட்டு வரும் கழிவுநீர் சுத்திகரிப்பு நிலையத்திலிருந்து வெளிபேறும் சுத்திகரிக்கப்பட்ட கழிவுநீரை மஞ்சள் நீர் கால்வாய் மூலம் பொதுப்பணித்துறைக்கு சொந்தமான நத்தப்பேட்டை ஏரியில் விடுவதற்கு அனுமதி வழங்கி அரசு ஆணையிடுகிறது.

//ஆளுநரின் ஆணைப்படி//

ச.சுருத்தையா பாண்டியன்,
அரசு செயலாளர்.

பெறுநர்:

நகராட்சி நிர்வாக ஆணையர், சேப்பாக்கம், சென்னை-600 005.
நகராட்சி ஆணையர், காஞ்சிபுரம் பெருநகராட்சி, (நகராட்சி நிர்வாக ஆணையர், சென்னை- 5 வழியாக)

நகல்:

மாண்புமிகு நகராட்சி நிர்வாகம் மற்றும் ஊரக வளர்ச்சித் துறை அமைச்சர் அவர்களின் சிறப்பு நேர்முக உதவியாளர், சென்னை-600 009
பொதுப்பணித்துறை, சென்னை - 600 009.
நகராட்சி நிர்வாகம் மற்றும் குடிநீர் வழங்கல் துறைச் செயலாளரின் தனிச் செயலாளர், சென்னை - 600 009.
நகராட்சி நிர்வாகம் மற்றும் குடிநீர் வழங்கல் துறை (அந-2) துறை, சென்னை- 600 009.
இ.கோ./உதிரி நகல்.

//ஆணைப்படி அனுப்பப்படுகிறது //

பிரிவு அலுவலர்.

ANNEXURE - III

No. 76, MOUNT SALAI, GUINDY,
CHENNAI - 32.
TEST REPORT



TC687320000001488F

COA No Dec-1236 - Dec-1238/2020 - 2021/ Dated: 18.12.2020

Name and Address of the sender	The District Environmental Engineer, Tamil Nadu Pollution Control Board, Sriperumbudur		
Nature and number of samples	3 Numbers of NGT Samples	Sample quantity 2.5 L	Sealed and fastened in 2.5 L polythene container
Date and time of sample collection	14.12.2020	Date the time of sample receipt at the lab	15.12.2020 at 10.30 AM
Point of Collection	1	Inlet of STP - Untreated	
	2	Outlet of STP - Treated	
	3	Nathapet Lake / -	
Analysis Starting date	16.12.2020	Analysis Completion date	18.12.2020

Sl. No.	DEE Code No.	Unit	MS-31/12	MS-32/12	MS-33/12	Test Method
	Lab Code No.		Dec-1536	Dec-1537	Dec-1538	
	Parameters					
1	pH @ 25°C	Number	6.77	7.14	7.91	APHA 23rd Edn 2017, 4500 H+ B
2	Total Suspended solids @ 105°C	mg/L	48	46	38	APHA 23rd Edn 2017, 2540 D
3	Total Dissolved Solids @ 180°C	mg/L	1546	1026	768	APHA 23rd Edn 2017, 2540-C
4	Chloride as Cl	mg/L	430	320	195	APHA 23rd Edn 2017, 4500-Cl B
5	Sulphate as SO ₄	mg/L	204	155	96	APHA 23rd Edn 2017 4500-SO ₄ - E
6	Oil & Grease	mg/L	<2	<2	<2	APHA 23rd Edn 2017, 5520 - B
7	BOD (3 days @ 27°C)	mg/L	53	20	11	IS 3025 - 1993, Reaff. 2009
8	COD	mg/L	280	144	40	IS 3025 (Part - 58), Reaff 2006
9	Dissolved Oxygen	mg/L	-	-	Nil	APHA 23rd Edn 2017-4500-O C
10	Fecal Coliform	MPN/100ml	210	92	45	APHA 23rd Edn 2017,-9221 B,E
11	Total Coliform	MPN/100ml	1100	460	230	APHA 23rd Edn 2017,-9221 B,C

Note: < BDL indicates Less than minimum detectable limit.


 Authorized Signatory
 [AD (L), Dy.CSO]

ANNEXURE - IV

ந.க.எண்.6579/2020/வ

மாவட்ட ஆட்சியர் அலுவலகம்,
காஞ்சிபுரம் மாவட்டம்,
காஞ்சிபுரம்.
நாள்:11.01.2021

மாவட்ட ஆட்சித்தலைவர் / மாவட்ட ஈரநில மேலாண்மை குழுத்தலைவர் தலைமையில் 11.01.2021ந் தேதியன்று பிற்பகல் 3.00 மணியளவில் நடைபெற்ற காஞ்சிபுரம் மாவட்ட ஈர நில மேலாண்மைகுழு (**District Level Wetland Management Committee**) கூட்டத்தின் நடவடிக்கை குறிப்புகள்

அரசாணை (பல்வகை) எண்.55 சுற்றுச்சூழல் மற்றும் வனம் (வனம் 5) துறை நாள்.23.05.2016ன் படி தமிழ்நாடு மாநில ஈர நில அதிகாரக் குழு உருவாக்கப்பட்டுள்ளது. இக்குழுவில் தமிழ்நாடு அரசு முதன்மைச் செயலர் தலைவராகவும் மற்றும் பிற்துறை அரசு உயர் அலுவலர்கள் உறுப்பினர்களாகவும் நியமிக்கப்பட்டுள்ளனர். அரசாணை (பல்வகை எண்.113 சுற்றுச்சூழல் மற்றும் வனத்துறை (வனம் 5) நாள்.20.09.2017ன் படி மாவட்ட அளவிலான ஈர நில மேலாண்மைக்குழு (District Level Wetland Management Committee) உருவாக்க ஆணை பிறப்பிக்கப்பட்டு அதன்படி காஞ்சிபுரம் மாவட்ட அளவிலான ஈர நில மேலாண்மைக்குழு உருவாக்கப்பட்டது. மேலும் அரசாணை பல்வகை எண்.132 சுற்றுச்சூழல் மற்றும் வனத்துறை நாள்.13.11.2019ன் படி இக்குழுவானது மறு சீரமைப்பு செய்யப்பட்டது.

இக்குழுவில் மாவட்ட ஆட்சித் தலைவர் அவர்கள் தலைவராகவும், மாவட்ட வன அலுவலர் உறுப்பினர் செயலாளராகவும் மற்றும் பிற துறை அலுவலர்கள் உறுப்பினர்களாகவும் நியமிக்கப்பட்டுள்ளனர்.

காஞ்சிபுரம் மாவட்ட அளவிலான ஈரநிலங்கள் மேம்பாடுக்குழுவின் கூட்டம் மாவட்ட ஆட்சித் தலைவர் / மாவட்ட ஈரநில மேலாண்மைக்குழுத்தலைவர் அவர்களின் தலைமையில் மாவட்ட ஆட்சியர் அலுவலக கூட்ட அரங்கில் நடைபெற்ற போது கீழ்க்கண்ட உறுப்பினர்கள் / பிரதிநிதிகள் கலந்து கொண்டனர்.

1. மாவட்ட வன அலுவலர், காஞ்சிபுரம்
2. மாவட்ட வருவாய் அலுவலர், காஞ்சிபுரம்
3. திட்ட அலுவலர், ஊரக வளர்ச்சி முகமை, காஞ்சிபுரம்
4. கண்காணிப்பு பொறியாளர் / செயற்பொறியாளர், தமிழ்நாடு நீர் வழங்கல் மற்றும் வடிகால் வாரியம், காஞ்சிபுரம்.
- 5.உதவி செயற்பொறியாளர் (பொ.ப.து) நீர்வள ஆதார அமைப்பு,காஞ்சிபுரம்
- 6.உதவி இயக்குநர், பேரூராட்சிகள், காஞ்சிபுரம்
- 7.உதவி செயற்பொறியாளர், வேளாண்மை பொறியியல் துறை, காஞ்சிபுரம்
- 8.துணை இயக்குநர், நகர மற்றும் ஊரமைப்பு இயக்கம், காஞ்சிபுரம்
- 9.மாவட்ட சுற்றுச்சூழல் பொறியாளர், தமிழ்நாடு மாசு கட்டுப்பாட்டு வாரியம், காஞ்சிபுரம்.

இக்கூட்டத்தில் மாவட்ட வன அலுவலர் / உறுப்பினர் செயலர் மாவட்ட ஈர நில மேலாண்மைக்குழு குறித்தும் குழுவின் செயல்பாடுகள் குறித்தும் விவாதித்தார்கள்.

முதன்மை தலைமை வனப்பாதுகாவலர் / வன உயிரினக்காப்பாளர், சென்னை அவர்களின் கடித எண்.W25/46048/2020 நாள்.24.12.2020ன் படி காஞ்சிபுரம் மாவட்டம், காஞ்சிபுரம் தாலுக்கா, பொதுப்பணித்துறை கட்டுப்பாட்டில் உள்ள பின்குறிப்பிட்டுள்ள 2 ஏரிகளை / ஈரநிலங்களை பறவைகள் சரணாலயமாக மாற்றுவதற்கு உண்டான சாத்தியக்கூறுகள் குறித்து அறிக்கை கோரியது தொடர்பாக கூட்டத்தில் விவாதிக்கப்பட்டது.

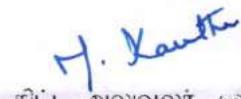
வ. எண்	ஈரநிலத்தின் பெயர்	ஈரநிலம் கட்டுப்பாட்டில் உள்ள துறை
1	நத்தப்பேட்டை ஏரி	பொதுப்பணித்துறை
2	வையாவூர் ஏரி	பொதுப்பணித்துறை

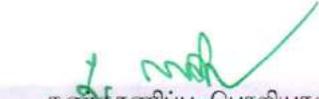
மேற்குறிப்பிட்டுள்ள ஈரநிலங்கள் / ஏரிகள் குறித்து விவாதித்ததில் உறுப்பினர்கள் இந்த ஏரிகள் / ஈரநிலங்கள் நீர்பாசன நோக்கத்திற்காக மனிதனால் உருவாக்கப்பட்டது. (Manmade for Irrigation purpose) என்றும், இந்த ஏரிகளில் நீர்நிரம்பினால் அதாவது நத்தம்பேட்டை ஏரிக்கு வரும் அதிக தண்ணீர் வழிந்து வையாவூர் ஏரி வழியாக பாய்ந்து மற்றும் தொடர்ந்து இதர ஏரிகள் வழியாக செல்கிறது என தெரிவித்தார்கள். இந்த ஏரிகளில் நிலை மரங்கள் ஏதும் இல்லை என்பதால் பறவைகள் அமரக்கூடிய வசதி ஏதும் இல்லை என்றும் தெரிவித்தார்கள். முக்கியமாக இங்கு நீர்வாழ் பறவைகள் உணவுக்காக வருகிறது என்றும், ஆனால் மிகவும் குறைவான அளவு பறவைகளே மழைகாலங்களில் மட்டும் (அக்டோபர் முதல் ஜனவரி வரை) வந்து செல்வதாக தெரியவருகிறது என்றும் குறிப்பிட்டு விவாதித்தார்கள்.

இந்நிலையில் மேற்குறிப்பிட்டுள்ள ஏரிகள் / ஈரநிலங்கள் குறித்து குழு உறுப்பினர்களிடையே விவாதிக்கப்பட்டதன்படி பெரும்பாலான குழு உறுப்பினர்கள் மேற்குறிப்பிட்ட ஈரநிலங்கள் பறவைகள் சரணாலயமாக மாற்றுவதற்குண்டான சாத்தியக்கூறுகள் ஏதும் இல்லை என தெரிவித்ததின் அடிப்படையில் மேற்படி 2 ஏரிகள் / ஈரநிலங்கள் பறவைகள் சரணாலயமாக மாற்ற இயலாது என்று மாவட்ட ஈரநில மேலாண்மைக்குழு ஒருமனதாக முடிவு செய்யப்பட்டது.

இறுதியில் மாவட்ட வன அலுவலர் / உறுப்பினர் செயலர் நன்றி நலிழ்தல்களுடன் கூட்டம் இனிதே முடிவுற்றது.


மாவட்ட வருவாய் அலுவலர், காஞ்சிபுரம்


திட்ட அலுவலர், ஊரக வளர்ச்சி முகமை காஞ்சிபுரம்


கண்காணிப்பு பொறியாளர் / செயற்பொறியாளர், தமிழ்நாடு நீர் வழங்கல் மற்றும் வடிகால் வாரியம், காஞ்சிபுரம்.


செயற்பொறியாளர் (பொ.ப.து) நீர்வள ஆதார அமைப்பு, காஞ்சிபுரம்


உதவி இயக்குநர், பேரூராட்சிகள், காஞ்சிபுரம்


உதவி செயற்பொறியாளர், வேளாண்மை பொறியியல் துறை, காஞ்சிபுரம்

சுலீமன்

துணை இயக்குநர்,
நகர மற்றும் ஊரமைப்பு இயக்கம்,
காஞ்சிபுரம்

Rehman

மாவட்ட சுற்றுச்சூழல்
பொறியாளர், தமிழ்நாடு மாசு
கட்டுப்பாட்டு வாரியம்,
காஞ்சிபுரம்

சுலீமன்

உறுப்பினர் செயலர்,
மாவட்ட ஈரநிலை மேம்பாட்டு குழு
மற்றும் மாவட்ட வன அலுவலர்,
செங்கற்பட்டு வனக்கோட்டம்,
காஞ்சிபுரம்.

Rehman

மாவட்ட ஈரநிலை மேம்பாட்டு
குழு தலைவர் / மாவட்ட
ஆட்சித்தலைவர்,
காஞ்சிபுரம் மாவட்டம்.