

BEFORE THE NATIONAL GREEN TRIBUNAL,  
SOUTHERN ZONE

Application No. 246 of 2020 (SZ)

Tribunal on its own motion SUO MOTU  
Based on News Item in Dinamani Newspaper  
Dated 02-11-2020, Chennai Edition  
"Vaiyavur and Nathapettai  
Lakes: Will become a Bird Sanctuary?"

..... Applicant,

-Vs-

1. Secretary to Government  
Department of Environment  
Govt. Secretariat, Fort St George,  
Chennai, Tamil Nadu- 600 009 and others.

... Respondents

**REPORT FILED BY THE 9<sup>th</sup> RESPONDENT**

I, R. Maheswari, Wife of R. Anandraj, Hindu aged about 39 years, Working as Commissioner, Kancheepuram Municipality, Kanchipuram, do hereby solemnly affirm and sincerely state as follows:-

1. I am the Commissioner of the Kanchipuram Municipality, the 9<sup>th</sup> respondent herein and well conversant with the facts of the case from the connected files.

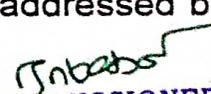
2. It is submitted that the Newspaper report of the dated 02-11-2020 was a report regarding the state of the Vaiyavur and Nathapettai Lakes.

3. After receipt of the notice from this Honourable Tribunal through the Counsel for this respondent, various steps have been taken to address the issues pointed out as follows:-

A. Whether the two Lakes of Vaiyavur and Nathapettai can be converted into Bird Sanctuaries:-

i. The Lakes are vested with the Public Works Department and the waters from the said lakes are being utilized for agriculture in the ayacut areas. In this regard the Report of the PWD is adopted by this Respondent.

ii. Conversion into Bird Sanctuary is an issue to be addressed by the Forest Department.

  
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B. Encroachments on the Lakes:

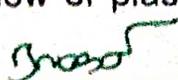
The Lakes being vested with the PWD, the further action for identification and removal of the encroachments has to be carried out by the PWD.

C. Whether any garbage is dumped and sewage is discharged into these lakes and are steps taken to prevent the same:-

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 1 Town Panchayat (Sevilimedu), Nathapettai, Thanambakkam, 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.

i. 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.

ii. 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

  
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by installing Mesh Filters in the said channels and the plastics have been removed on a daily basis from November 2020 till date.

iii. Inflow of sewage:-

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 to 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, 10 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. On the expiry of the time, the outflows of the houses will sealed using Cement concrete.

iv. The Septage Trucks operating in the areas that have been added recently with the Kanchipuram Municipality have all 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 the 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 or the Nathapettai Lake.

v. 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 Nathapettai.

  
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D. Solid waste Management Bye-laws and compliance with the Solid Waste Management Rules 2016:-

Bye laws for the management of the system of Solid Waste collection and processing have been notified. The Solid Waste is being collected door to door by imposing source segregation. The workers are ensuring the deposit of Solid wastes only after segregation. The bio-degradable wastes are handled through 4 Micro Compost Centres each of a capacity of 5 TPD situated in various parts of the Kanchipuram town. Total collection of Solid wastes is 65 TPD and out of this 20 tons is being processed through the MCCs, 5 Tons through Bio-methanation plant and 5 Tons by 21 On-site Compost Centres of each about 500 Kgs. Thereby 30 Tons is disposed of by composting at the MCCs and OCCs. Plastics and e-Wastes, are being handled through Resource recovery Center (RRC) at Nathapettai area. 50 acres of land in Nathapettai has been vested with the Kanchipuram Municipality for the purpose of carrying out the processing of the Solid waste management apart from the Sewage Treatment Plant. Sanitary Landfill has been also established in the site with necessary safeguards. The above facilities are all functioning with the Consent to Establish and Consent to operate issued by the TNPCB.

ii. Penal provisions of the SWM Bye laws have been given wide publicity in the Kanchipuram area by installation of boards warning the public from throwing the Solid wastes in the open areas and without segregation. Fines for residential users of Rs 200 per instance of dumping in the open area is imposed. Further dumping the fines will be increased to Rs 500/-. For commercial establishments the fine amount is Rs 1000/- and 2000/- for further dumping.

Due to the above steps, the extent of Solid wastes being dumped in the streets has been greatly reduced.

E. Inspection of the Water bodies:-

The inspection of the twowater bodies was carried out by the Joint committee on 12-12-2020 under the DEE, TNPCB and in the presence of the Executive Engineer, Public Works Department and this respondent apart from the subordinate officers. The District Collector, Kanchipuram had deputed the DRO, Kanchipuram, apart

*B. S. S.*  
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from the Assistant Chief Conservator of Forests along with the District Forest Officer.

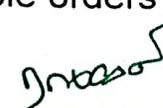
F. Declaration of the Nathapettai and Vaiyavur as Bird Sanctuary:-

In this regard it is submitted that the said two Lakes are surrounded by developed areas that are having resident populations right adjacent to the Nathapettai Lake. This apart, there are two Police Stations on the banks of the lake. This apart, the 50 acre site allotted to the respondent herein in the year 1972 for the establishment of the Solid waste management Plants and the Sewage Treatment Plants. Therefore the declaration of the Lake at Nathapettai into a Bird Sanctuary may not meet the requirements of the Forest Act as well as the requirements under the restrictions for the areas surrounding the declared Sanctuaries under the various Central Enactments.

4. It is further submitted that the development of the tourism related facilities around the Lakes may not be feasible as the areas are already developed areas with residences and other establishments apart from agricultural fields. The opinions expressed in the Newspaper article that is basis for the present Suo Motu Case is an individual opinion of the author and the same does not have justification on site.

In the foregoing circumstances it is prayed that this Honourable Tribunal may be pleased to accept the above and pass suitable orders and thus render Justice.

Solemnly affirmed on  
This the 7<sup>th</sup> day of  
February 2021 and the  
Deponent herein has  
Affixed his signature  
in my presence

  
COMMISSIONER,  
KANCHEEPURAM MUNICIPALITY.

before me

  
S. RAM SENTHIL KUMAR  
ADVOCATE, E. No. 2522/06  
Advocate, Chennai, Main Road,  
Gandhi Nagar, Adyar,  
Chennai - 600 020.

**BEFORE THE NATIONAL  
GREEN TRIBUNAL (SZ)  
AT CHENNAI**

**O. A. No.246 of 2020**

**STATUS REPORT**

**M/s. P. SRINIVAS (828/1994).  
N.K. PONRAJ (2263/2009).  
R. PURUSHOTHAMAN(253/2011**

**COUNSEL FOR 9<sup>th</sup> RESPONDENT**

**Mobile No. 94862 04469**