

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

Original Application No. 50 / 2017 (SZ)

Arapporlyakkam
Represented by Jayaram Venkatesan,
Managing Trustee,
140A, Rukmini LaksmipathySalai,
Egmore, Chennai.

..... Petitioner

Versus

1. The Ministry of Environment,
Forests and climate change,
Rep by its Secretary,
Indira Paryavaram Bhawan,
Jorbagh Road,
New Delhi - 110 003
2. The Principal Secretary to Govt.,
Public Work Department,
Govt. Secretariat, Fort. St. George,
Chennai, Tamilnadu -600 009.
3. Chennai Metropolitan Water Supply & Sewerage Board,
Rep by its Managing Director,
No. 1 Pumping Station Road,
Chintadripet, Chennai- 600 002
4. Tamil Nadu Coastal Zone Management Authority,
Rep by its Member Secretary,
No.1. Jeenis Road, Panagal Building,
Ground Floor, Saidapet,
Chennai - 600 015.
5. Engineer in Chief (Water Resources Organization), and
Chief Engineer(General),
Public Works Department,
Chepauk, Chennai- 600 005
6. The Secretary to Govt of Tamil Nadu,
Department of Environment,
Govt. Secretariat, Fort St. George,
Chennai, Tamilnadu -600 009.
7. The Secretary to Govt of Tamil Nadu,
Department of Environment,
Govt. Secretariat, Fort St. George,
Chennai, Tamilnadu -600 009.


Principal Secretary / Managing Director
Chennai Metropolitan Water Supply
and Sewerage Board
Chennai - 600 002.

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8. The District Collector,
Thiruvallur District,
First Floor, Collectrate,
Thiruvallur - 602 001.
 9. BGR Energy Systems Limited,
Rep by its Deputy General Manager,
443, Anna Salai, Teynampet,
Chennai -600 018.
 10. M/s. Sattava Engineering Construction Pvt Ltd,
Rep by its Managing Director,
"GREAMS DUGAR", 4TH floor,
North wing, New No.64, Old No.149,
Greams Road, Thousand lights,
Chennai -600 006
 11. The Chairman,
TamilNadu Pollution Control Board,
No.76, Anna Salai , Guindy,
Chennai, Tamilnadu - 600 032
 12. Tamil Nadu Generation and Distribution,
Corporation Limited (TANGEDCO)
Represented by its Chairman cum Managing Director,
10th Floor, NPKRR Maaligai,
144, Anna Salai, Chennai- 600 002.Respondents

REPORT FILED BY THE 3rdRESPONDENT

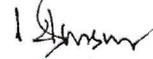
I, Mr. C. Vijayaraj Kumar S/o Charles, aged about 56 years presently working as Principal Secretary/Managing Director, Chennai Metropolitan Water Supply & Sewerage Board, having office at Urban Administrative Building, 1st to 4th Floor, No.75, Santhome High Road, MRCNagar, Chennai-28 do hereby solemnly affirm and states as follows:-

1. I am the Principal Secretary/Managing Director of Chennai Metropolitan Water Supply & Sewerage Board and representing for the 3rd Respondent herein and as such I am well acquainted with the facts of the case from records.
2. I submit that I am filing this report pursuant to the directions of this Tribunal dated 07.01.2022, directing a responsible officer at the rank of Managing Director of


Principal Secretary / Managing Director
Chennai Metropolitan Water Supply
and Sewerage Board

CMWSSB. I state that all the previous reports submitted before this Tribunal by the 3rd respondent and its officials may be read as part and parcel of this report, except to those amendments and modifications made in the present report.

3. I humbly submit that the Villivakkam Konnur Lake situated in Villivakkam Town in Aminjikarai Taluk in the North West of Chennai measuring around 214 acres was originally under the control of the Public Works Department, Govt of Tamil Nadu. The PWD had transferred the same to the Tamil Nadu Housing Board (TNHB). Thereafter, the TNHB allotted the lands to SIDCO Industrial Estate and SIDCO Residential Blocks. An area of 39 acres out of the 214 acres was allotted to CMWSSB and the lands were handed over to CMWSSB in the year 1991. It is pertinent to mention that, while handing over the 39 acres, the TNHB handed over the lands with an oxidation pond, which was used for treatment of sewage. Further in the year 1993, the CMWSSB had provided aerators in the oxidation pond. However by 2007 due to wear and tear the aerators were worn out and therefore, the said area was not used for Sewage Treatment and the Sewage received from the Villivakkam and adjoining areas were diverted to the STP in Kodungaiyur and a pumping station was built in the above area utilizing around 0.5 acres out of the 39 acres.
4. I humbly submit that in the above circumstances, as per the decision taken by CMWSS Board on 15.07.2017, CMWSSB permitted GCC to enter upon the land inside Villivakkam STP of CMWSSB for an area of about 27.50 acres to restore it as water body and at present has only retained 11.5 acres of land out of the 39 acres.
5. In the above said circumstances, in the year 2016, Applicant herein had originally filed WP No.43839/2016 before the Hon^{ble} High Court of Madras which had been transferred to



Principal Secretary / Managing Director
Chennai Metropolitan Water Supply
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Chennai - 600 002.

this Tribunal and registered as Application No.50/2017 SZ. The grievance of the Applicant before this Tribunal was that the Original extent of 214 acres of Water Spread area of Villivakkam- Konnur Lake has been reduced to 39 acres and even in the said 39 acres, encroachments are being made and therefore the official respondents have to take steps to restore the lake to its original form and also remove the encroachments in the said area.

6. This Hon'ble Tribunal after taking into consideration the facts and circumstances of the case, by an order dated 12.01.2017, restrained the CMWSSB from making any constructions in the 11.5 acres retained by them. However, in the same order this Tribunal has noted the fact that the pre-existing STP at the place has become defunct and the same had been converted into a pumping station. The relevant portion of the order dated 12.10.2017 is extracted for reference:-

"In respect of extent of 11.5 acres of land which is under the control of CMWSSB, the Assistant Executive Engineer, STP(North), Kodungaiyur, CMWSSB who is present in the Tribunal, has submitted that there has been a STP in this place for a longtime and it has become defunct and thereafter converted as a sewage pumping station and now there is a proposal for putting up a full fledged STP plant.

7. I state that after the orders were passed by the Tribunal, the GCC has requested CMWSS Board to construct a 5 MLD TTUF Plant to feed the treated water to the pond which is being developed in 27.5 acres of land(Letter copy Enclosed). Based on this, a report has been submitted before Hon'ble NGT tribunal towards the construction of 10 MLD TTUF Plant in the available 11 Acres for the said proposal. However, after the directions issued by this Hon'ble



Principal Secretary / Managing Director
Chennai Metropolitan Water Supply
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Chennai - 600 002.

Tribunal on 07.01.2022, myself along with the concerned Officials of CMWSSB & DC (Works) ,Greater Chennai Corporation have jointly inspected the Villivakkam Lake on 03.02.2022. Again, I have joined the Principal Secretary/Commissioner, Greater Chennai Corporation, when he took up inspection of the above lake on 14.02.2022.

8. I state that taking into consideration the facts and circumstances, and also the relevant orders passed by this Hon'ble Tribunal, CMWSSB has taken a considered decision not to proceed with the establishment of TTUF Plant and has kept the said proposal in abeyance as the same would not serve the purpose of restoring the Lake back to its original form as ordered by this Hon'ble Tribunal. Thus, to that extent the CMWSSB is ready to abide by the orders of this Tribunal, that no further constructions/development would be made in the 11.5 Acres of Land out of the 39 acres.

9. However, it is humbly submitted that there is an existing Relay pumping station consisting of a collection well, pump room and Genset room at an area covering 0.5 acres available at the North East edge of the land so as to pumpout the sewage at an average of 12 MLD daily from collecting points nearby such as Madras battai road, SIDCO Nagar, North Jaganathan Nagar and Agathiar Nagar Sewage Pumping Stations and finally it is pumped to the Kodungaiyur STP for further treatment and from this relay pumping station ,400 mm dia pipeline is running to 100 feet road along the eastern and northern edge of this land, which is very much essential for pumping the sewage received from Villivakkam and the nearby neighborhood to the nearest STP at Kodungaiyur. Therefore, except for the above pumping station which has been established even before the order of this Tribunal, in order to take a decision on the subject of utilizing the remaining 11 acres without any violation of



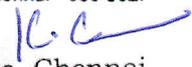
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Hon'ble Tribunal's order in 2017, a subject will be placed in the ensuing CMWSSB Board meeting.

10. For all the aforesaid reasons, this Hon'ble Tribunal may be please to accept this report and pass such other orders in the interest of justice.

Solemnly affirmed at
Chennai on this the 14th day of
February 2022 and signed his
name in my presence.


Principal Secretary / Managing Director
Chennai Metropolitan Water Supply
and Sewerage Board
Chennai - 600 002.


Advocate, Chennai

K. Gopi

E.NO. T02/2006

16 Law Chambers,

Highcourt Buildings,

Ch-104.

**BEFORE THE HON'BLE
NATIONALGREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

ORIGINAL APPLN No.50 of 2017(SZ)

The National Green Tribunal,
Southern Zone,
Chennai.

(Petitioner)

Vs

The Managing Director
CMWSSB Board.

(Respondent)

STATUS REPORT FILES BY
THE RESPONDENT

ADVOCATE COUNSEL
FOR CMWSSB BOARD