

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

**Original Application No.61 of 2020 (SZ)
With
Original Application No.54 of 2020 (SZ)**

S.P. Surendranath Karthik

...Applicant(s)

Versus

The Secretary,
Indian Railway Welfare Organization and others

....Respondent(s)

With

Tribunal on its own motion Suo Motu
based on the News item in Dinamalar
Newspaper dt. 02.03.2020, Chennai Supplementary,
“Ambattur Lake getting polluted due to sewage water”

Versus

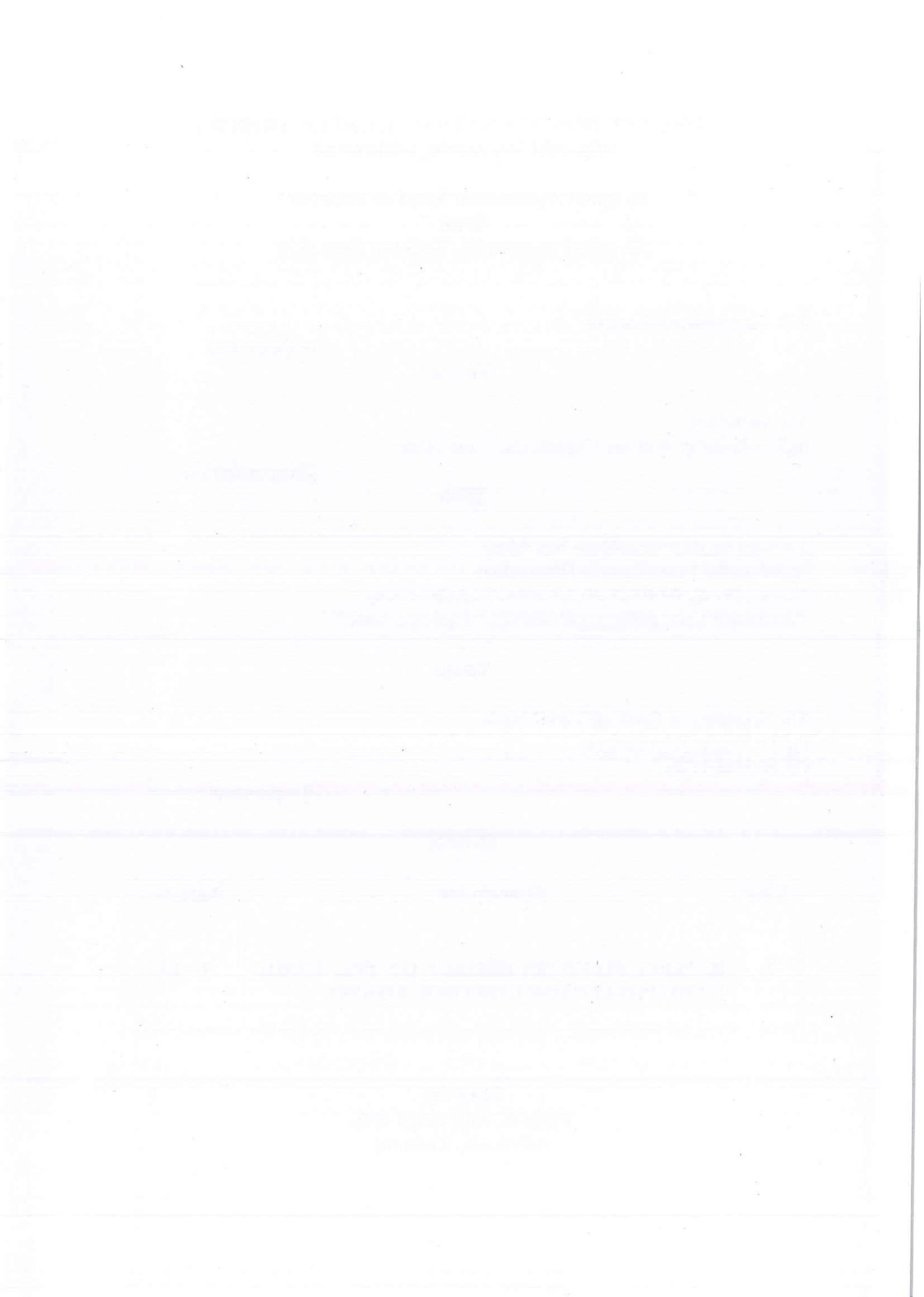
The Secretary to Govt. of Tamil Nadu,
Public Works Department,
Chennai and Ors.

...Respondent

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**Filed by
Thiru.S. Sai Sathya Jith,
Advocate, Chennai**



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Chennai and Ors.

...Respondent

**REPORT FILED ON BEHALF OF THE RESPONDENT
TAMIL NADU POLLUTION CONTROL BOARD**

I, J. Josephine Sahayarani, Daughter of Jesu Rajan, Christian, aged about 57 years, having office at No. 76, Mount Salai, Guindy, Chennai - 600032, do hereby solemnly affirm and sincerely state as follows:

J. Josephine Sahayarani
26/7/2022

JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai and I am filing the Report on behalf of the Tamil Nadu Pollution Control Board and as such I am well acquainted with the facts of the case as per records.

2. It is respectfully submitted that the Hon'ble NGT in its order dated 26.05.2022 directed inter alia as follows:

"Para 8. After completion of the temporary measures suggested by the Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB) to prevent discharge of untreated sewage into the water body, the Tamil Nadu Pollution Control Board is directed to verify the water quality and its efficiency to prevent the compliant of discharge of untreated sewage into the water body and if any, further steps will have to be taken, then they are at liberty to suggest the further remedial measures in this regard and submit an updated status report to this Tribunal before the next hearing date.

3. It is respectfully submitted that, in earlier, directions were issued to the Commissioner, Avadi City Municipal Corporation under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 as amended in 1988 vide Proceeding No. TNPCB/Ambattur Estate/2019-2 dated 04.12.2019 for the disposal of untreated domestic sewage into Ambattur lake from the Periyar Nagar, Anna Nagar and Sathya Nagar of Avadi City Municipal Corporation, directly into Ambattur lake, since these areas are not provided with Underground Sewerage System.

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TAMILNADU POLLUTION CONTROL BOARD,
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- i. Avadi Corporation shall make necessary provision in Periyar Nagar, Sathya Nagar and Anna Nagar to pump the sewage into STP plant so as to stop the discharge of sewage into Ambattur Lake.
- ii. Avadi Corporation shall ensure that no discharge of residential sewage into Ambattur Lake.

Further direction was again issued to the Commissioner, Avadi City Municipal Corporation vide proceeding dated 18.06.2021 to comply with certain conditions inter alia to complete the underground sewerage system for unsewered area to ensure 100% treatment of sewage, else Board shall impose Environmental Compensation.

4. It is further submitted that, during subsequent inspection of the Ambattur Lake area by TNPCB on 11.03.2022 along with the officials of Villivakkam Panchayat union the following were noticed:

- i. It was observed that sewage/sullage water are being let into the Ambattur lake directly through earthen drain in the areas of Moontru nagar (Periyar Nagar, Anna Nagar, Sathya Nagar) and Ganapathy nagar in Thirumullaivoyal Village as mentioned in the earlier joint committee inspection report.
- ii. In addition to that the Avadi City Municipal Corporation has recently constructed the storm water drain in Sivasakthi nagar, Annai Anjugam nagar and Gangai Amman nagar which carries the sullage water and let into the Ambattur lake.
- iii. No steps were taken by the Avadi City Municipal Corporation to implement Under Ground Drainage system and Common STP for the treatment of sewage generated from the areas of Moontru nagar

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(Periyar Nagar, Anna Nagar, Sathya Nagar) and Ganapathy nagar in Thirumullaivoyal Village and also in Sivasakthi nagar, Annai Anjugam nagar and Gangai Amman nagar, located within Avadi City Municipal Corporation area and also not taken any steps to stop the discharge of sewage into Ambattur lake from the above said area.

In this regard, a show cause notice was issued to the Commissioner, Avadi City Municipal Corporation under Section 5 of Environmental (Protection) Act, 1986 vide proceeding dated 08.04.2022 why the Board shall not levy the environmental compensation of Rs.1,20,00,000/- (Rupees One Crore and Twenty Lakhs) for not providing common STP for the treatment of sewage generated from the left out areas of Moontru Nagar (Periyar Nagar, Anna Nagar, Sathya Nagar) and Ganapathy Nagar in Thirumullaivoyal Village and also in Sivasakthi Nagar, Annai Anjugam Nagar and Gangai Amman Nagar located within Avadi City Municipal Corporation area for the period from April 2020 to March -2022.

Further directions were issued to the Executive Engineer, J.J.Nagar division, Tamil Nadu Housing Board, Thirumanagalam, hennai & Block Development Officer, Villivakkam Panchayat Union vide proceeding dated 08.04.2022 under section 33A of the Water (P&CP) Act, 1974 as amended to comply with certain conditions.

5. It is further submitted that, in order to comply the Hon'ble NGT Order dated 26.05.2022, and also for the news item appeared in the Hindu "Untreated Sewage, Garbage choke Ambattur lake" dated 07.05.2022, the Ambattur Lake area was inspected by the Officials of the O/o. DEE,

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TNPCB, Tiruvallur on 16.06.2022 along with officials of Villivakkam Panchayat Union and the following were observed:

- i. It was observed that leakage/overflow of sewage from the manholes of the Underground Sewerage System (UGSS) constructed in the TNHB residential area, Ayappakkam by the Tamil Nadu Housing Board, was being let into the Ambattur lake near Plot No. 4861, 7904, 8067 and 12th Main Road (Plot No. 9260) of Housing Board, Ayappakkam.
- ii. The TNHB common STP provided for the treatment of sewage generated from Ayappakkam Tamil Nadu Housing Board colony was in operation without obtaining consent of the Board and the same is being operated by the Executive Engineer, J.J. Nagar Division, TNHB Thirumangalam, Chennai-600 101.
- iii. It was also observed that sewage/sullage water are being let into the Ambattur lake directly through earthen drain in the areas of Moontru Nagar (Periyar Nagar, Anna Nagar, Sathya Nagar) and Ganapathy nagar in Thirumullaivoyal Village as mentioned in the earlier joint committee inspection report.
- iv. In addition to that the Avadi City Municipal Corporation has recently constructed the storm water drain in Sivasakthi Nagar, Annai Anjugam Nagar and Gangai Amman Nagar which carries the sullage water and let into the Ambattur lake.
- v. The solid wastes were found dumped along the south west bunds of the Ambattur Lake at 12th Main Road of Tamil Nadu Housing Board colony, Ayappakam and also solid wastes were found

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dumped in some pockets on both side bunds of Ayappakkam surplus channel which leads to Ambattur lake.

vi. In this regard, Villivakkam Panchayat Union has been instructed to initiate door to door collection and to handle the solid wastes in a scientific manner by setting up of Solid waste processing and disposal facility as per the Solid Waste Management Rules, 2016 for the Villivakkam Panchayat Union.

vii. Also, solid wastes were found dumped in the foreshore area of the lake in the Moontru Nagar (Periyar Nagar, Anna Nagar, Sathya Nagar) and Ganapathy nagar in Thirumullaivoyal village, which falls under the jurisdiction of Avadi City Municipal Corporation.

viii. No industrial estates/Industries are located in the vicinity all along the Ambattur lake boundry. During inspection it was noticed that there was no discharge of industrial trade effluent into the Ambattur Lake.

6. It is respectfully submitted that the short term & long term Action Plan suggesting remedial measures to arrest the discharge of untreated sewage into water body as recommended by the Joint Committee and the present status as per the DEE, Tiruvallur letter dated 08.07.2022 is submitted herewith as Annexure.

In this regard, the Tamil Nadu Pollution Control Board has issued the directions under Section 5 of the Environment (Protection) Act, 1986 as amended to the Commissioner, Avadi City Municipal Corporation vide Board's Proc dated 22.07.2022 to remit the interim environmental compensation of Rs.1,20,00,000/- (Rupees One Crore and Twenty

J. J. Anand
26/7/2022

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TAMILNADU POLLUTION CONTROL BOARD,
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Lakhs)to the Tamil Nadu Pollution Control Board through Demand Draft drawn in favour of TNPCB-Environmental Compensation Fund within a week time for not providing common STP for the treatment of sewage generated from the left out areas of Moontru Nagar (Periyar Nagar, Anna Nagar, Sathya Nagar) and Ganapathy Nagar in Thirumullaivoyal Village and also in Sivasakthi Nagar, Annai Anjugam nagar and Gangai Amman Nagar located within Avadi City Municipal Corporation area for the period from April 2020 to March -2022. Failure to comply with the above said direction, necessary legal action will be initiate against the unit as per the provisions of the Environment (Protection) Act, 1986.

7. It is further submitted that in due compliance of the Hon'ble NGT Order dated 26.05.2022, water samples were collected from Ambattur Lake on 16.06.2022 at various locations and sent to TNPCB Laboratory, Ambattur for analysis to ascertain any improvement in Ambattur lake water quality. The analysis results of the Lake water samples collected on 16.06.2022 at various locations for the following parameters ranges as below:

pH – 8.52 to 8.67 (as against the standard of 6.5 – 8.5), TSS(mg/l) – 18 to 22, BOD (mg/l) – 6 to 7 (as against the standard of less than 3mg/l), Fecal Coliform (MPN/100ml) - 210 to 230, Total Coliform (MPN/100ml) - 700 to 790 as against the standards (less than 500 MPN/100ml) which reveals that the lake water does not satisfy designated best use water quality criteria for bathing water standards

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The above report of analysis of Lake water sample indicates that the lake pollution is due to mixing of untreated sewage/sullage from the nearby residential areas.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) at Chennai may be pleased to pass such further or other orders as this Hon'ble tribunal may deem fit and proper in the facts and circumstances of this case and thus render justice.

J. Josephine Sahayarani
26/12/2022

JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.

BEFORE ME

VERIFICATION

I, J. Josephine Sahayarani, Daughter of Jesu Rajan, Working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-32, do hereby submit that the contents of the above report are true to the best of my knowledge through records.

J. Josephine Sahayarani
26/12/2022

JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.

ANNEXURE

Short term & Long term action plan suggesting remedial measures to arrest the discharge of untreated sewage into water body as recommended by the Joint Committee & the present status is as follows:

| Status on compliance of Short Term Plan as recommended by the Joint Committee Pertaining to the Local Bodies (BDO Villivakkam & Executive Engineer, Tamil Nadu Housing Board, Ayappakkam Scheme and Commissioner, Avadi City Municipal Corporation) | | | |
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| S.No. as per the Joint Committee Report | Description of Work | Department | Present Status |
| 1. | Construction of sump in Moontru nagar and Ganapathy nagar area in Thirumullaivoyal Village and dispose of the sewage periodically. | Commissioner, Avadi City Municipal Corporation | <p>It was noticed that sewage/sullage water are being let into the Ambattur lake directly through earthen drain in the areas of Moondru nagar (Periyar Nagar, Anna Nagar, Sathya Nagar) and Ganapathy nagar in Thirumullaivoyal Village as mentioned in the earlier joint committee inspection report.</p> <p>In addition to that the Avadi City Municipal Corporation has recently constructed the storm water drain in the Sivasakthi nagar, Annai Anjugam nagar and Gangai Amman nagar which carries the sullage water and let into the Ambattur lake.</p> <p>Earlier, Direction was issued under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 as amended in 1988 to the Commissioner, Avadi City Municipal Corporation vide Proceeding No. TNPCB/Ambattur Estate/2019-2 dated 04.12.2019</p> |

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| | | | <p>for the disposal of untreated domestic sewage into Ambattur lake from the Periyar Nagar, Anna Nagar and Sathya Nagar of Avadi City Municipal Corporation into Ambattur lake, since these areas are not provided with Underground Sewerage System.</p> <p>As per the above Board's Proc. dated 04.12.2019, the Commissioner, Avadi City Municipal Corporation was directed to comply the following:</p> <ol style="list-style-type: none"> 1. Avadi Corporation shall make necessary provision in Periyar Nagar, Sathya Nagar and Anna Nagar to pump the sewage into STP plant so as to stop the discharge of sewage into Ambattur Lake. 2. Avadi Corporation shall ensure that no discharge of residential sewage into Ambattur Lake. <p>The commissioner, Avadi City Municipal Corporation vide its letter dated 16.12.2021 has reported that Construction of collection sump with pipeline arrangement at Moondru Nagar & Ganapathi Nagar area in Thirumullaivoyal Village was delayed due to Covid pandemic and North East monsoon. The work will be started after monsoon period and the same will be completed by March 2022.</p> |
| 2. | Providing drainage facilities for the residents of Moontru Nagar and Ganapathy Nagar area in Thirumullaivoyal | Commissioner, Avadi City Municipal Corporation | The Avadi City Municipal Corporation has not provided drainage facilities for the residents of Moontru nagar (Periyar Nagar, Anna Nagar and Sathya Nagar) and Ganapathy Nagar area in Thirumullaivoyal Village. |

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| | Village. | | The commissioner, Avadi City Municipal Corporation vide its letter dated 16.12.2021 has reported that for providing the 100% UGSS connections in Avadi City Municipal Corporation limit, Preparation of detailed Project Report for the left out area, work order issued to TWIC and the work is under progress. The execution of scheme will be completed by 2025. |
| 3. | Ward No. 15 Jothi Nagar residents drainage water and grey water discharging to Ambattur Lake. | Commissioner, Avadi City Municipal Corporation | The commissioner, Avadi City Municipal Corporation vide its letter dated 16.12.2021 has reported that to stop the drainage water entering in to Ambattur lake, UGSS connections have been started where ever UGSS line available and the same will be completed by March 2022. The work was delayed due to Covid pandemic and North East monsoon. Hence the work will be started after monsoon period and the same will be completed by March 2022. |
| 4. | Ward No. 10, 11, 12 Cholambedu Main road residents drainage water and grey water discharging to Ambattur lake. | Commissioner, Avadi City Municipal Corporation | The commissioner, Avadi City Municipal Corporation vide its letter dated 16.12.2021 has reported that to stop the drainage water entering into Ambattur lake the UGSS connections has been started where ever UGSS line available and the same will be completed by March 2022. The work was delayed due to Covid pandemic an North East monsoon. So the work will be started after monsoon period and the same will be completed by March 2022. |
| 6. | Plugging the illegal sewage inlets near plot No.4861, 7904, | Block Development Officer, Villivakkam & | Earlier during inspection on 22.07.2021 the joint committee observed that leakage/overflow of sewage from the manholes of the |

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| | <p>8067 and 12th main road of Housing Board, Ayappakam and ensure the maintenance of STP Plant, Ayappakkam.</p> | <p>Executive Engineer, Housing Board, Ayappakkam Scheme.</p> | <p>Underground Sewerage System (UGSS) constructed in the TNHB residential area, Ayappakkam by the Tamil Nadu Housing Board was being let into the Ambattur lake near Plot No. 4861, 7904, 8067 and 12th main road of Housing Board, Ayappakkam.</p> <p>In this regard, the Assistant Executive Engineer, Tamil Nadu Housing Board has earlier stated that since the underground sewerage system was provided while the Ayappakkam Tamil Nadu Housing Board colony was established, the silt already deposited should be removed periodically from the Underground Sewerage System to avoid overflow of sewage from the Underground Sewerage System manholes. Also suggested that the local body of Villivakkam Panchayat Union has to purchase desilting machine, sewer suction cum jet rodding machine to maintain the Underground Sewerage System in the said area to avoid overflow of sewage from the manhole.</p> <p>Earlier Consent to Establish was issued to the Commissioner, Villivakkam Panchayat Union to establish STP for TNHB Colony, Ayappakkam with 7 MLD capacity vide Proc. No. T7/TNPCB/F.7375/AMB/RL/W/2013 Dated: 10.03.2014.</p> <p>During earlier inspection on 22.07.2021 it was noticed that the TNHB common STP provided for the treatment of sewage generated from Ayappakkam Tamil Nadu Housing Board colony was in operation without obtaining consent to operate from the Board and the same is being operated by the Executive Engineer, J.J. Nagar Division, Tamil Nadu Housing Board, Thirumangalam, Chennai-600 101.</p> |
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| | | | <p>Hence show cause notice was issued to the TNHB common STP/BDO, Villivakkam Panchayat Union vide Proceedings No. DEE/TNPCB/TLR/F.TLR2004/RL/W &A/2021 Date: 26.07.2021 for the violations stated therein.</p> <p>The BDO, Villivakkam Panchayat Union, Ambattur vide reply Letter R.C.No.2105/20/A6 dated 27.10.2021 for the show cause notice has reported the following:</p> <ol style="list-style-type: none">1. In 2015, the Tamil Nadu Housing Board constructed a Sewage Treatment Plant at an estimate cost of Rs.13.87 crores at 7 MLD capacity for the treatment of sewage generated from TNHB area in Ayapakkam Panchayat and for 1500 TNHB Houses in Athipattu area which comes under the jurisdiction of Greater Corporation of Chennai Zone-VII and the treated sewage is let out in Tiruverkadu Cooum River area.2. The Sewage Treatment Plant was constructed 7 years ago and no proper maintenance has been carried out for the functioning of the plant and most of the motors in the plant are not functioning properly. Since only two motors functioning out of 5 motors, there is a constant overflow in the manhole of underground sewerage system from Ayapakkam TNHB Ward No. 2,6,8,9,10.3. It is estimated that it will cost around Rs.1.00 Crore to repair the Sewage Treatment Plant. |
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| | | | <p>For the maintenance of the Sewage Treatment Plant it costs around Rs.2.00 crores per annum approximately which is a heavy expenditure for the Ayapakkam Panchayat which is a Rural Local Body whose major source of revenue is the State Finance Commission's Grant and the House tax collection from the Households of the Panchayat. Even though Ayapakkam Panchayat is thickly populated, the Panchayat Administration is maintaining Solid Waste Management and other activities with the limited resources and available funds. Proper functioning of the Sewage Treatment Plant is possible only after receiving necessary funds from Tamil Nadu Housing Board.</p> <p>During inspection on 16.06.2022, the following were observed:</p> <ol style="list-style-type: none">1. It was noticed that leakage/overflow of sewage from the manholes of the Underground Sewerage System (UGSS) constructed in the TNHB residential area, Ayappakkam by the Tamil Nadu Housing Board was being let into the Ambattur lake near Plot No. 4861, 7904, 8067 and 12th main road of Housing Board, Ayappakkam.2. The Underground Sewerage System (UGSS) provided in the TNHB residential colony, Ayappakkam area was not maintained properly and frequent sewage overflow from |
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| | | | <p>UGSS manholes was noticed.</p> <ol style="list-style-type: none">3. The common STP-7MLD provided for the treatment of sewage generated from the TNHB residential colony, Ayappakkam was under operation without obtaining Consent to operate from the Board.4. The treated sewage from the TNHB STP, Ayappakkam is being discharged directly into River Cooum without obtaining prior approval from Public Works Department (Water Resources) and Chennai Rivers Restoration Trust (CRRT).5. The sludge dewatering system was not operated effectively and the sludge is stored in the sludge holding tank itself.6. The report of analysis (ROA) of the treated sewage sample collected from the outlet of TNHB STP, Ayappakkam on 22.07.2021 reveals that the parameters such as PH,TSS, BOD are within the standards prescribed by the Board and copy of the ROA is enclosed for kind reference. Further, the Report of Analysis (ROA) of the treated sewage sample collected from the outlet of TNHB STP, Ayappakkam on 10.12.2021 reveals that except pH, the parameters such as TSS, BOD are exceeding the standards prescribed by the Board and copy of the ROA is enclosed for kind reference. |
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Status on compliance of Long Term Plan as recommended by the Joint Committee Pertaining to the Commissioner, Avadi City Municipal Corporation:

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| 1. | Construction of Underground Sewerage System (UGSS) for Moontru nagar and Ganapathy nagar area in Thirumullaivoyal Village. | Commissioner, Avadi City Municipal Corporation | <p>The Avadi City Municipal Corporation has not provided drainage facilities for the residents of Moontru nagar (Periyar Nagar, Anna Nagar and Sathya Nagar) and Ganapathy Nagar area in Thirumullaivoyal Village.</p> <p>It was noticed that sewage/sullage water are being let into the Ambattur lake directly through earthen drain in the areas of Moontru nagar (Periyar Nagar, Anna Nagar and Sathya Nagar) and Ganapathy nagar in Thirumullaivoyal Village as mentioned in the earlier joint committee inspection report.</p> <p>The commissioner, Avadi City Municipal Corporation vide its letter dated 16.12.2021 has reported that for providing the 100% UGSS connections in the Avadi City Municipal Corporation limit, Preparation of Detailed Project Report for the left out area, Work order issued to TWIC and the work is under progress. The execution of scheme will be completed by 2025.</p> |
| 2. | Construction of Underground Sewerage System (UGSS) for Ward No. 15 Jothi Nagar residents. | Commissioner, Avadi City Municipal Corporation | <p>The commissioner, Avadi City Municipal Corporation vide its letter dated 16.12.2021 has reported that for providing the 100% UGSS connections in Avadi City Municipal Corporation limit, Preparation of Detailed Project Report for the left out area, Work order issued to TWIC and the work is under progress. The execution of scheme will be completed by 2025.</p> |
| 3. | Construction of Underground Sewerage System (UGSS) for Ward No. 10, | Commissioner, Avadi City Municipal Corporation | <p>The commissioner, Avadi City Municipal Corporation vide its letter dated 16.12.2021 has reported that the Corporation has planned to construct five number of collection tanks to collect the all</p> |

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| | 11, 12 Cholambedu Main road residents | | grey water in that respective area and it will be removed through sullage water tanker vehicle and disposal will be in their UGSS Pumping station. More over it has floated tender on 29.05.2020 for construction of five numbers of collection tanks and also work awarded on 01.07.2020 to the contractor M/s. K.K.R. Builders. The work will be started and the same will be completed by March 2022. |
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**BEFORE THE HON'BLE
NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI.**

**Original Application No.61 of 2020
With
Original Application No.54 of 2020**

S.P. Surendranath Karthik

...Applicant(s)

Versus

**The Secretary,
Indian Railway Welfare Organization
and others.**

....Respondent(s)

**REPORT FILED ON BEHALF OF
THE RESPONDENT - TAMIL
NADU POLLUTION CONTROL
BOARD.**

**Advocate for Respondent: TNPCB
Thiru.S. Sai Sathya Jith,
Advocate, Chennai.**

Date:26.07.2022.

Date of hearing on:27.07.2022.

