

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI.

Original Application No.06 of 2021

Tribunal on its own motion-SUO MOTU
Based on The News item in the Hindu
Newspaper Edition Dated: 21.12.2020,
"Villnjyambakkam Lake shrunk due to Encroachment,"

Vs

The Principal Secretary to Government,
Public Works Department,
Govt. Secretariat, Fort St. George,
Chennai, Tamil Nadu and others.

...Respondents

INDEX

S.No	Description	Page No.
1.	REPORT FILED ON BEHALF OF THE 4TH RESPONDENT - TAMIL NADU POLLUTION CONTROL BOARD.	1 - 7

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

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...Respondents

REPORT FILED ON BEHALF OF THE 4TH RESPONDENT
TAMIL NADU POLLUTION CONTROL BOARD.

I, J. Josephine Sahayarani, D/o. Jesu Rajan, of Christian, aged about 56 years, having office at No.76, Mount Salai, Guindy, Chennai-600 032, do hereby solemnly affirm and sincerely state as follows:-

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board and I am filing this Report on behalf of the 4th Respondents 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 (SZ) has passed order dated 22.02.2022 and directed that

"Pollution Control Board is also directed to file a further report in this regard".

3. It is respectfully submitted that in pursuance to above said order, the Vilinjyambakkam Lake area was inspected by the officials of the DEE, TNPCB, Tiruvallur on 18.03.2022. During inspection the following were observed:

- During inspection, the sewage/sullage flows through open drains confluence into Vilinjyambakkam lake from the areas of Bharathidasan Nagar, Sri Devi Nagar, Foreshore encroachment areas of Vilinjyambakkam Lake and from the residential areas in the vicinity of Sekkadu lake surplus feeding channel and on either side of residential

J. Josephine Sahayarani
29/3/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,

areas of Govindhanthangal lake surplus feeding channel (Kavarappalayam) leading to Vilinjiyambakkam Lake. The above said areas falls under the jurisdiction of Avadi City Municipal Corporation.

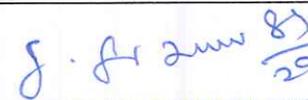
- The Avadi City Municipal Corporation has not implemented full-fledged Under Ground Sewerage System (UGSS) for the above said areas.
- During inspection it was noticed that there was no solid waste dumping within the Vilinjiyambakkam Lake boundary.
- No industrial estates/Industries are located in the vicinity all along the Vilinjiyambakkam lake boundary. During inspection it was noticed that there was no discharge of industrial trade effluent into the Vilinjiyambakkam Lake.

Status of Compliance regarding discharge of Sewage/Sullage into the Vilinjiyambakkam Lake

Status on compliance on the recommendation of the Joint Committee report Pertaining to the Avadi City Municipal Corporation			
SHORT TERM PLAN			
S. No.	DESCRIPTION OF WORK	DEPARTMENT	ACTION TAKEN
1.	Providing connections of UGSS to all House hold in the Bharathidasan nagar and Sridevi nagar in Avadi City Municipal Corporation.	Commissioner, Avadi City Municipal Corporation	The Commissioner, Avadi City Municipal Corporation vide its letter dated 22.03.2022 has reported that UGSS House service connection work has been started in Bharathidasan Nagar & Sridevi Nagar and the work will be completed on or before 31.07.2022.
2.	Controlling of Sewage/Sullage drained into Vilinjiyambakkam lake at Bharathidasan nagar and Sridevi nagar in Avadi City	Commissioner, Avadi City Municipal Corporation	The Commissioner, Avadi City Municipal Corporation vide its letter dated 22.03.2022 has reported that the Avadi City Municipal Corporation has

J. for 2000 83 25/3/2022
**JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.**

	Municipal Corporation from the unsewered areas.		planned to construct collection tanks at the entry point of sewage/sullage drained into Viliinjiyambakkam Lake. The collected sewage water will be disposed to the nearby UGSS manhole by dewatering pumping method. The tender for the above work will be floated during April-2022 and the work will be completed on or before 31.07.2022.
3.	Controlling of Sewage/Sullage drained into Viliinjiyambakkam lake from the residential areas in the vicinity of Sekkadu lake surplus channel and on either side of residential areas of Govindhanthangal lake surplus channel (Kavarappalayam) in Avadi City Municipal Corporation.	Commissioner, Avadi City Municipal Corporation	The Commissioner, Avadi City Municipal Corporation vide its letter dated 22.03.2022 has reported that the Avadi City Municipal Corporation has planned to construct collection tanks at the entry point of sewage/sullage drained into Viliinjiyambakkam Lake. The collected sewage water will be disposed to the nearby UGSS manhole by dewatering pumping method. The tender for the above work will be floated during April-2022 and the work will be completed on or before 31.07.2022.
LONG TERM ACTION PLAN			
1.	Construction of Underground Sewerage System in the left out areas of Bharathidasan nagar and Sridevi nagar in Avadi City Municipal Corporation.	Commissioner, Avadi City Municipal Corporation	The Commissioner, Avadi City Municipal Corporation vide its letter dated 22.03.2022 has reported that in order to provide the 100% UGSS connections in Avadi City Municipal Corporation, work order was issued by the Avadi City Municipal Corporation to TWIC for the preparation of Detailed Project Report (DPR).


 29/3/2022
**JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMILNADU POLLUTION CONTROL BOARD,**

			The DPR preparation is under progress by the TWIC for the left out areas. The entire scheme will be completed by Dec-2025.
2.	Construction of Underground Sewerage System in the residential areas in the vicinity of Sekkadu lake surplus channel and on either side of the residential areas of Govindhanthangal lake surplus channel (Kavarappalayam) in Avadi City Municipal Corporation.	Commissioner, Avadi City Municipal Corporation	The Commissioner, Avadi City Municipal Corporation vide its letter dated 22.03.2022 has reported that in order to provide the 100% UGSS connections in Avadi City Municipal Corporation, work order was issued by the Avadi City Municipal Corporation to TWIC for the preparation of Detailed Project Report (DPR). The DPR preparation is under progress by the TWIC for the left out area. The entire scheme will be completed by Dec-2025.

4. It is respectfully submitted that, the TNPC Board has already issued directions under Section 5 of Environment (Protection) Act, 1986, to the Commissioner, Avadi City Municipal Corporation to remit the interim Environmental compensation of Rs. 8 Lakhs vide Proceeding No. T1/TNPCB/F.32363/SWM/NGT 606 of 2018/2020-2 dated 27.11.2020 for the non-compliance of Solid Waste Management Rules, 2016 as per Hon'ble NGT Order dated 28.02.2020 & 02.07.2020 in O.A. No. 606 of 2018. However, the Avadi City Municipal Corporation has not yet remitted the said environmental compensation till date.

Also, the TNPC Board has already issued directions under Section 33 A of the Water (Prevention and Control of Pollution) Act, 1974 as amended, to the Commissioner, Avadi City Municipal Corporation vide Proceedings dated 20.09.2021 to comply with the following:

- i) The Avadi City Municipal Corporation shall provide connections of UGSS to all households in the Bharathidasan nagar and Sridevi nagar in Avadi City Municipal Corporation by 31.12.2021 as committed.

J. J. Kumar
29/12/2021

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

- ii) The Avadi City Municipal Corporation shall construct collection tanks at the entry point of sewage/sullage drained into Viliinjyambakkam Lake at Bharathidasan nagar and Sridevi nagar and from the residential areas in the vicinity of Sekkadu lake surplus channel and on either side of residential areas of Govindhanthangal lake surplus channel (Kavarappalayam) by 31.12.2021 as committed.
- iii) The Avadi City Municipal Corporation shall expedite the action of providing full-fledged Underground Sewerage System (UGSS) for the entire Avadi City Municipal Corporation area with adequate Sewage Treatment Plants to treat the sewage/sullage in a year period.
- iv) The Avadi City Municipal Corporation shall ensure that no discharge of residential sewage/sullage into Viliinjyambakkam lake and other water bodies.
- v) The Avadi City Municipal Corporation shall comply with the directions issued by TNPCB vide Proc. dt. 18.06.2021.
- vi) The local body is liable to pay Environmental Compensation as per Hon'ble National Green Tribunal (NGT), Principal Bench order dt. 02.07.2020 in O.A.No. 606 of 2018 for non-compliance of the above directions.

5. It is further submitted that the Report of Analysis of the seven sediment soil samples collected in Viliinjyambakkam Lake in different locations and analysed through TNPCB, DEL, Ambattur and the report of analysis is illustrated in the following table:

Characteristics of sediment samples collected in Viliinjyambakkam Lake										
Sl. No	Parameters	Units	Screening levels (Agricultural) mg/kg	Date of Sample Collection						
				26.07.2021		05.08.2021				
				VL02/07	VL04/07	VL07C/08	VL08B/08	VL09B/08	VL10B/08	VL11B/08
				1	2	3	4	5	6	7
1	pH	-	6 to 8	8.41	7.63	7.86	7.62	7.91	7.46	8.27
2	Conductivity	micro S/cm	-	425	838	882	708	476	674	1692

3	Chlorides	mg/kg	-	40	110	116	74	50	112	166
4	Sulphates	mg/kg	-	128	272	150	136	76	108	324
5	Zinc	mg/kg	200	9.38	37.1	58	24	41	102	243
6	Copper	mg/kg	63	14.66	31.7	30	11	27	41	49
7	Cadmium	mg/kg	1.4	0.26	0.26	0.26	0.26	0.26	0.26	0.26
8	Lead	mg/kg	70	1.4	1.4	1.4	1.4	1.4	1.4	1.4
9	Nickel	mg/kg	50	10	10	10	10	10	10	10
10	Total Chromium	mg/kg	64	10	10	10	10	10	10	10
11	Manganese	mg/kg	-	16.2	18.4	22	15	17	28	54
12	Total Iron	mg/kg	-	24	32.6	56	24	38	66	94
13	Nitrate Nitrogen	mg/kg	-	12	12	4.4	3.6	4.0	5.6	6.4
14	Nitrite Nitrogen	mg/kg	-	10	10	6.2	5.6	5.8	7.0	8.2
15	Calcium	mg/kg	-	90	160	42	54	24	22	102
16	Magnesium	mg/kg	-	8	18	21	12	8	6	58
17	Sodium	mg/kg	-	112	196	124	130	64	104	264
18	Potassium	mg/kg	-	48	64	48	36	28	32	90
19	Total Kjeldhal Nitrogen	mg/kg	-	5.6	9.8	11.2	4.2	8.4	15.4	19.6
20	Total Phosphate	mg/kg	-	1.6	1.4	1.4	1.2	0.7	1.8	2.5
21	SAR in soil extract		5	2.2	3.58	2.81	3.01	2.07	3.64	3.68

Screening levels are important to assess the level of contamination. The MoEF vide "Guidance document for assessment and remediation of contaminated sites in India" Volume-II – Standards and Checklists illustrated the following:

Screening levels: Screening levels are generic concentrations of hazardous substances in soil and sediments, groundwater and surface water at or below which potential risks to human health or the environment are not likely to occur and where no further investigation and assessment is needed. These Screening levels are distinguished for land use.

J. Arjun 29/3/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.

6. It is submitted that, from the above results, it is found that the sediments samples collected at various locations inside Vilijiyambakkam Lake contains heavy metals such as Zinc, Copper, Cadmium, Lead, Nickel & Total Chromium which is compared with the screening levels (Agricultural) prescribed by the MoEF vide "Guidance document for assessment and remediation of contaminated sites in India" Volume-II – Standards and Checklists, which reveals that except Zinc (243 mg/kg) in one sample the remaining heavy metals are within the screening level prescribed by the MoEF.

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

J. Josephine Sahayarani 29/3/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.
BEFORE ME

VERIFICATION

I, J. Josephine Sahayarani, D/o. Jesu Rajan , working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai, do hereby verify that the contents of above report are true to the best of my knowledge through records.

J. Josephine Sahayarani 29/3/2022
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.

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RESPONDENT - TAMIL NADU
POLLUTION CONTROL BOARD.**

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

Date:30.03.2022.

Date of hearing on:22.04.2022

