

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Original Application No. 64 of 2020 (SZ)

IN THE MATTER OF:

V. Rajesh
Representative of Residents of
Rama Reddy Palayam
Minjur Selection Grade Town Panchayat.
Thiruvallur District. ...Applicant(s)

-versus-

Union of India
Rep. by its Secretary,
The Ministry of Environment, Forests and Climate Change,
New Delhi and Ors.Respondent(s)

**REPORT AFFIDAVIT FILED BY THE EXECUTIVE ENGINEER, WATER
RESOURCES DEPARTMENT, ARANIAR BASIN DIVISION, CHENNAI-5**

- I, A. Jayakumari daughter of A. Anbalagan aged about 50 years, officiating as Executive Engineer, Water Resources Department (WRD) of the Public Works Department, having my office at the PWD campus, Chepauk, Chennai-600 005, do, hereby, solemnly affirm and sincerely state as follows:
2. I am the 2nd respondent and Executive Engineer, WRD, Araniar Basin Division, Chennai and I am filing this report affidavit since the stretch of the Kosasthalaiyar River impugned in the Original Application herein is under the maintenance control of the Araniyar Basin Division, Chennai and the Araniyar Basin Sub Division, Ponneri.
 3. I state that this Hon'ble Tribunal by the order dated 21.01.2021 in paragraph 13 has directed the Committee appointed by this Hon'ble Tribunal vide orders dated 13.05.2020 and 20.08.2020 of the order as follows

"So under such circumstances, we direct the committee to submit a further action taken report with remedial measures to be taken for restoring the water quality to make it to potable level and also the District Collector and Public Works Department and Minjur Town Panchayat are directed to come with a concrete action plan for shifting the existing waste management facility to some other safe place and assure that no further waste is dumped in that area and also ascertain as to how the waste generated in that town Panchayat is being managed regarding collection, segregation and disposal of waste as provided under the Solid waste Management Rules, 2016. 14. The committee as well as the above said officials are directed to submit further report as directed to this Tribunal on or before 03.03.2021 by e-filing in the form of Searchable PDF/OCR Supportable PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per Rules."

4. It is stated that as per the directions of this Hon'ble Tribunal, the stretch of 2 km of the Kosasthalaiyar right bank in MinjurPanchayat limit was measured by the survey officials and demarcation stones were laid showing the PWD limit. As regards the removal of the Solid Waste Management Plant Unit put up by the local body, pursuant to the letter issued by the WRD, the local body has started removing the constructions made in the WRD limit without obtaining any permission and the local body has been instructed to complete the process quickly. The photographs of the earmarked river boundaries/ flood zone is filed herewith

5. As regards the removal of the solid waste dumped in the buffer zone, the WRD cannot undertake this work since the removal should be made by the water body only which had allowed the dumping of the solid waste in WRD limit. Another difficulty is that, even assuming that the same has to be removed by the WRD, here again, the WRD has to identify a suitable place for dumping for eventual disposal as according to the Solid Waste Management Rules, 2016 which cannot be enforced by the WRD. Hence, it would be appropriate and proper that the local body alone has to remove the solid waste dumped in the WRD limit and to dispose it off in the manner known the Rules, 2016 *ibid*.

6. In this regard, it is further stated that the Minjur Town Panchayat has been issued with notices on the aspects of the (i) quick dismantlement of the Solid Waste Management Plant and (ii) to remove the solid waste dumped in the WRD limit expeditiously. The copy of letters addressed to the Minjur Town Panchayat in both the above aspects are filed herewith.

7. It is further stated that the WRD is watching the area in question to prevent further dumping of any solid waste within the limits of the WRD either by the local body or by any individual.

8. It is also stated that the WRD is ready to render any assistance in this regard to the Minjur Town Panchayat so as to comply with the orders of this Hon'ble Tribunal in the matter of the dismantlement of the plant and removal of solid waste.

It is, therefore, prayed that this Hon'ble Tribunal may be pleased to take on record the submissions made on behalf of the Water Resources Department and pass appropriate further orders as deemed fit in the facts and circumstances of the case and thus render justice.


Executive Engineer, WRD
Araniyar Basin Division
Chennai-5

VERIFICATION

I, A. Jayakumari daughter of A. Anbalagan officiating as Executive Engineer, WRD, Araniyar Basin Division, Chennai, do, verify that the submissions made in paragraphs 1 to 8 are correct to the best of my knowledge and from records and I, verify the same on this Twenty Sixth Day of February, 2021.


Executive Engineer, WRD
Araniyar Basin Division
Chennai-5

Demarcation of Kosasthalaiyar River Boundary & Flood Plain Zone



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Demarcation of Kosasthalaiyar River Boundary & Flood Plain Zone



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Demarcation of Kosasthalaiyar River Boundary & Flood Plain Zone



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Demarcation of Kosasthalaiyar River Boundary & Flood Plain Zone



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Demarcation of Kosasthalaiyar River Boundary & Flood Plain Zone







