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JOINT COMMITTEE INSPECTION REPORT AS PER THE
HON'BLE NATIONAL GREEN TRIBUNAL (SZ), CHENNAI
ORDER DATED 15/06/2020 IN O.A. NO. 83 OF 2020

SUBMITTED TO
HON'BLE NATIONAL GREEN TRIBUNAL (SZ)
CHENNAI

SEPTEMBER 2020

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Report on the inspection made by the Joint Committee on 13.07.2020
(As per Hon'ble National Green Tribunal, Southern Zone, Chennai
Order dated 15.06.2020 in OA no. 83/2020)

1. Background

The Honourable National Green Tribunal, Southern Zone, Chennai, in the matter of OA no. 83 of 2020 directed on 15.06.2020 as;

"....10. So considering the circumstances, we feel it appropriate to appoint a Joint Committee comprising of the District Collector, Chennai, The Executive Engineer, Public Works Department, Water Resources Organization(WRO), Thiruvallur, the State Pollution Control Board and the Greater Chennai Corporation, Chennai and the Assistant Engineer, Irrigation Section, Water Resources Organization, Cholavaram to inspect the Sadayankuppam lake in question and submit a status as well as action taken report if there is any violation found."

12. The committee is also directed to ascertain the water quality of the lake to find out as to whether it confirms to the standards provided which must include the quantity of E-Coli, Total Coliform (TC) and Fecal Coliform (FC) apart from considering the question of TDS, BOD & COD."

Based on the receipt of the order, the joint committee has conducted an inspection on 13.07.2020 in the area of Sadayankuppam Lake in question and submitted the report as follows. The Sadayankuppam lake is situated in S.F.No:111 of Sadayankuppam village in Thiruvottriyur taluk of Chennai District. Sadayankuppam lake has one surplus weir and four sluices and a free catchment area of 0.09 Sq.km as per memoir. And also, the water spread area is 31.76.5 Ha and maximum discharge is 160 Cusecs and the capacity of the tank is 17.65 mcft.

Officers Present:

1. Tmt. A.N. Lavanya, B.Lit.,
Revenue Divisional Officer,
Chennai Central Division,(incharge)
Chennai.
2. Er. C. Podupanithilagam, M.E.,
Executive Engineer, W.R.D., P.W.D.,
Kosasthalaiyar Basin Division,
Thiruvallur.
3. Er. S. Indira Gandhi, M.E.,
The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Ambattur.
4. P. Srinivasa Prakash M.E,
Assistant Engineer, W.R.D., P.W.D.,
Cholavaram Irrigation Section
Redhills. as Nodal Officer.

5. R. Saravana Moorthy,
Junior Engineer.,
Greater Chennai Corporation,
Division 15, unit 4 Zone II,
Greater Chennai Corporation,
Chennai.

The following observations were made by the committee during the site visit;

The surplus water from the weir of the Sadayankuppam lake spreads over the vacant lands through a distance of 300m and joins in the Kosasthalaiyar River. Also the lake has a bund length of 3200m all-around the lake. It is located near the tail end of the Kosasthalaiyar River and also is located at the end of Kosasthalaiyar Basin.

The committee observed that no irrigation activities are being carried out through the sluices since it is very close to the Kosasthalaiyar river bank. In the middle portion of the lake, there are more than 22 survey numbers which are said to be patta lands as per the revenue records and its extent is about 16.77.0 Ha. The Sadayankuppam lake looks like a long channel having a bund all along its periphery. In the patta lands which are in the middle portion of the lake, some agriculture activities are being carried out and which are lying in the higher elevation. There is no supply channel to the lake and the lake receives water only from its own catchment. The Committee observed that during inspection, the lake was found empty and in dry condition.

The Committee observed that no sewage/sullage water or any trade effluents are being let into the Sadayankuppam lake and the bushes are in the lake bund portion. Further, it was observed that there are no industries located nearby the lake. The committee also observed that there are some temporary thatched and tiled houses are existing in the lake bund rear toe portion.

The Committee perused the encroachment details available with revenue department and found 13 encroachments in the lake bund and rear toe portion of the lake. The encroachments are in the form of thatched houses, tiled houses, and shed in the lake bund and rear toe portion,

The Committee instructed the Revenue Department to take necessary steps to issue the form I & II notices to the encroachments. The Tahsildhar, Thiruvottriyur is hereby instructed to survey the field and demarcate the boundaries of the lake and ensure the above encroachments as on now.

Based on the inspection by the Committee, following actions are suggested to take immediately and requested the concerned departments to submit the action taken report to the nodal agency ie., Public works Department.

Public Works Department:

- 1. To remove the bushes in the lake bund portion and to standardise the lake bund portion before the onset of monsoon.
- 2. To co-ordinate with the Revenue Department to identify the encroachments in the lake portion.

Revenue Department:

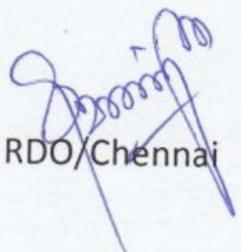
- 1. To take necessary steps to issue the form I & II notices to the encroachments after surveying the field and demarcate the boundaries of the lake and to renumerate the encroachers if necessary.

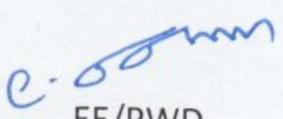
Pollution Control Board

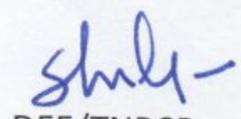
- 1. To collect water samples if found available to ascertain the water quality for the parameters mentioned in the order of the National Green Tribunal.

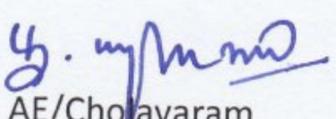
Greater Chennai Corporation:

- 1. To ensure the discharge of sewage or any trade effluents are being letting in to the lake.


RDO/Chennai


EE/PWD


DEE/TNPCB


AE/Cholavaram

DATE: 20/11/2015

Item No.2:**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI****Original Application No.83 of 2020(SZ)****IN THE MATTER OF**

Tribunal on its own motion
Suo Motu based on the News Item in
Dinamalar, Chennai News paper
Dt.15.06.2020, "Indifference in
Maintenance inspite of de-silting
Sadayanguppam lake has become a Gutter"

...Applicant(s)

Versus

1. The Principal Secretary to Government,
Public Works Department,
Secretariat, Fort St. George,
Chennai.
2. The Secretary of Govt. of Tamil Nadu
Department of Environment,
Govt. Secretariat, Fort St. George,
Chennai, Tamil Nadu – 600 009.
3. Additional Chief Secretary to Govt. of Tamil Nadu
Municipal Administration and Water Supply Department,
Govt. Secretariat, Fort St. George,
Chennai, Tamil Nadu – 600 009.
4. The District Collector,
Tiruvallur District,
First Floor, Collectorate,
Thiruvallur – 602 001.
5. Greater Chennai Corporation,
Rep. by its Commissioner,
Ripon Building,

Chennai – 600 003.

... Respondent(s)

6. The Chairman,
Tamil Nadu State Pollution Control Board,
Chennai.

...Additional 6thRespondent

Date of hearing: 19.06.2020.

CORAM:

HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER

HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER

For Applicant(s):

By Court.

For Respondent(s):

M/s.Kamalesh Kannan for R1 to R4.

M/s. Abdul Saleem through

Mr. Saravanan represented for R6.

ORDER

1. The above case has been Suo Motu taken by this Tribunal on the basis of a newspaper report published in Dinamalar, Chennai dated 15.06.2020 under the caption “*தூர்வாரியும் பராமரிப்பில் அலட்சியம் சாக்கடையானது சடையங்குப்பம் ஏரி*” (Indifference in maintenance in spite of de-silting Sadayanguppam Lake which has become a Gutter).

2. It is alleged in the report that earlier at the instance of the public and some non-governmental organization who are interested in protecting the lake in co-operation with the Government departments have carried out some de-silting work in Sadayanguppam Lake in Manali Zone of Greater Chennai Corporation limit. It was a source of water for the village having 3.2 KM long shore length having an extent of 79 Acres. It is having a capacity to store more than one crore cubic feet of water which not only helps as a source for drinking water but also acts as a water recharging system and thereby maintaining the ground water level in that area.
3. It is alleged in the report that now no steps are taken to maintain the lake and it has become a sewage pond. Further, it is also mentioned that this village is like a Peninsula surrounded by Puzhal Surplus Water Canal in the South, Buckingham Canal in South-East, Kottralai Surplus Water Canal in North-East and thereby it is having water bodies on three sides and a main road on the remaining side.
4. On account of the negligence on the part of the authorities, it has gone back to the original position and also it has been polluted as well. Large scale bushes are coming up in the lake, especially in

the inlet water passages which is likely to affect the storing capacity as well as the flow of water inside the lake.

5. On going through the report, we are satisfied that there arises a substantial question of environment which requires the interference of this Tribunal to resolve the issue.
6. When the matter came up for hearing today through Video Conference, Sri. Kamalesh Kannan entered appearance for the respondents No.1 to 4. On going through the allegations in the report, we feel that Tamil Nadu State Pollution Control Board (TNSPCB) is also a necessary party to the proceedings in order to ascertain as to whether any sewage or trade effluents are being discharged into the lake. So, we are Suo Motu impleading the Chairman, Tamil Nadu State Pollution Control Board (TNSPCB) as a necessary party as additional sixth respondent. Sri. Abdul Saleem through Saravanan entered appearance for additional sixth respondent, Suo Motu impleaded.
7. The Registry is directed to carry out the amendment in the cause title.
8. It may be mentioned here that it has been time and again insisted by the Hon'ble Apex Court as well as the National Green Tribunal, both Principal Bench as well as Zonal Bench that there is a duty

cast on the Government and also the local bodies to maintain the water bodies against pollution as well as encroachments. It is well settled principle of environment that water bodies plays a greater role in protecting the environment. They not only cater to the needs of drinking water but also maintain the ecological balance which is very much required for the purpose of protecting the environment. This Tribunal in several cases of similar nature whenever dealing with the water bodies directed the respective Government to evolve a scheme for protecting the water bodies, creation of Bio-diversity park around the lakes and remove the encroachments thereby, protecting the lakes from encroachment as well as pollution.

9. Further, the local bodies or industries are also not expected to discharge their sewage water or trade effluent without treating the same to a particular standard prescribed under the environment laws before discharging the same into the water bodies. If there is any violation committed by any of them, then the regulating authorities are bound to take steps to trace those persons responsible and bring them before law either by punishing them or by collecting environmental compensation from them to restore the damage caused to environment.

10. So considering the circumstances, we feel it appropriate to appoint a Joint Committee comprising of District Collector, Chennai, Executive Engineer of PWD, Kosasthalaiyar Basin Division and Assistant Engineer, Irrigation Section, Cholavaram and senior officer or scientist deputed by the Chairman, Tamil Nadu State Pollution Control Board to inspect the lake in question and submit a status as well as action taken report, if there is any violation found.
11. The committee is also directed to go into the question of any trespass into the lake and what are the steps taken to remove the same and also ascertain as to whether any trade or sewage effluents are being discharged into the water bodies without proper treatment.
12. The committee is also directed to ascertain the water quality of the lake to find out as to whether it confirms to the standard provided which must include the quantity of E-Coli, Total Coliform (TC) and Fecal Coliform (FC) apart from considering the question of TDS, BOD& COD.
13. The committee is also directed to go into the question if there is any pollution caused to the lake, find out the source and also suggest the remedial measures to rectify the same.

14. The committee is also directed to evolve an action plan with short term and long term measures to protect the water body and also mention as to whether there are any schemes provided by the Government for this purpose and if so what is the stage of implementation. If the committee finds any violators, then the committee which includes the regulators are directed to take necessary steps against those persons by way of launching prosecution and also imposing environmental compensation apart from removing encroachment if any, caused to the lake. They must also consider the question as to whether a Bio-diversity Park / tree plantation can be established around the lake so that it can act as a protection/buffer against future encroachment.
15. The Assistant Engineer, Irrigation Section, Kosasthalaiyar Basin Division is designated as the nodal agency for co-ordination and also for providing necessary logistics for that purpose apart from the District Collector supervising the same and taking a leadership in co-operating with the committee.
16. Three months time is granted to the committee to submit the report to this Tribunal by e-mail or by e-filing at ngtszfiling@gmail.com.

17. The Registry is also directed to communicate this order to the members of the committee as well as the official respondents so as to enable them to comply with the direction and also filing their independent response regarding the status of the lake and the action plan if any prepared by them for protecting the lake against trespass and pollution.

18. For consideration of report post on 28.09.2020.

.....J.M.
(Justice K. Ramakrishnan)

.....E.M.
(Shri. SaibalDasgupta)

**O.A. No.83/2020,
19th June 2020. Mn.**



Joint Committee Inspecting the Sadayankuppam Lake on 13.07.2020



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