

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

Original Application No.84 of 2022

East Kamaraj Nagar (North)  
Residents Welfare Association,  
Represented by M.N. Mahendran,  
Secretary, No.14, First East Street Kamaraj Nagar,  
Thiruvanmiyur, Chennai – 600 041.

...Applicant

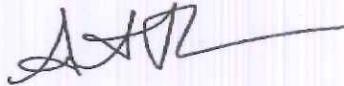
Vs

The Commissioner,  
Greater Chennai Corporation,  
Ripon Building,  
Chennai – 600 003 and others.

...Respondents

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Filed by  
Thiru. Sai Sathya Jith  
Advocate, Chennai.

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**REPORT FILED ON BEHALF OF THE 5<sup>TH</sup> RESPONDENT  
TAMIL NADU POLLUTION CONTROL BOARD.**

I, J. Josephine Sahayarani, D/o. Jesu Rajan, Christian, aged about 57 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 5<sup>th</sup> 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 petitioner East Kamaraj Nagar North Residents Welfare Association Represented by its Secretary Thiru M.N. Mahendar has filed an application before Hon'ble NGT (SZ) with the following prayer:

- a. To take immediate steps to prevent mixture of the storm water drain and the sewage lines in the East Kamaraj Nagar (North)
- b. To direct the respondents to take immediate action to prevent mixture of raw sewage from the sewage mains to the storm water drains in East Kamaraj Nagar (North) area
- c. To direct the respondents No 2 & 4 to immediately reconstruct the CMWSSB mains Chamber in 1<sup>st</sup> to 4<sup>th</sup> East Kamaraj Nagar and Siva Sunder Avenue 1<sup>st</sup> and 2<sup>nd</sup> street in Kamaraj Nagar.
- d. To Direct the Respondent No 1 & No 3 to reconstruct the storm water drain in 2<sup>nd</sup> and 3<sup>rd</sup> street in East Kamaraj Nagar.

*J. Josephine Sahayarani*  
26/4/2023  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No.76, MOUNT SALAI, GUINDY,  
CHENNAI-600 032.

2. It is respectfully submitted that this Hon'ble Tribunal in its Order dated 30.09.2022 has impleaded the Tamil Nadu Pollution Control Board has 5<sup>th</sup> respondent in this matter and directed to file reply.

3. It is further submitted that the Hon'ble Tribunal further directed in its Order dated 02.03.2023 inter alia as follows:

*Para 6. Therefore, we direct the (i) Deputy General Manager - BSNL, Adayar, (ii) Managing Director - Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB) and (iii) Commissioner - Greater Chennai Corporation to depute appropriate representatives of their departments to carry out the joint inspection in this regard.*

*Para 7. The District Environmental Engineer - Tamil Nadu Pollution Control Board, Chennai will be the nodal agency to organise the joint inspection and file an appropriate report. Let the authorities identify the problem (if any) in the above issue and come up with a solution which can be executed jointly.*

*Para 8. At the time of inspection, let the applicant's association also be put on notice".*

4. It is respectfully submitted that in due compliance with the orders dated 30.09.2022 & 02.03.2023 by this Hon'ble Tribunal, it is submitted that the petitioner and respondents were issued with notice of inspection by the Tamil Nadu Pollution Control Board vide letter dated 31.03.2023. Subsequently inspection was carried out on 01.04.2023 at 9.15 A.M. at the area in dispute along with the following officials in the presence of the petitioners:

- i. Zonal Officer, Zone-XIII (Adyar) of Greater Chennai Corporation.
- ii. Executive Engineer Zone-XIII (Adyar) of Greater Chennai Corporation.
- iii. Assistant Engineer, Zone-XIII (Adyar) of Greater Chennai Corporation.
- iv. Assistant Executive Engineers and Assistant Engineer (Area -XIII)
- v. The Deputy General Manager, Bharat Sanchar Nigam Limited (BSNL), Adyar.

Further, Thiru. M.N. Mahendar, Secretary, East Kamaraj Nagar (North) Residents Welfare Association was also present during joint inspection.

*J. S. Kumar*  
26/4/2023  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No.76, MOUNT SALAI, GUINDY,  
CHENNAI-600 032.

During the inspection the following observations were noticed:

- i. The Storm water drain at LB Road-ECR junction was inspected, wherein no sewage flow was observed. It was reported that CMWSSB & Greater Chennai Corporation regularly monitor the storm water drains in order to stop the illegal disposal of sewage into Greater Chennai Corporation storm water drains by the adjacent commercial establishments.
- ii. It was observed that the storm water drains laid at East Kamaraj Nagar was found to be at lower level with respect to the storm water drain at LB Road -ECR junction. In this regard, it was reported by the Greater Chennai Corporation that because of low lying topography of East Kamaraj Nagar, the free gravitational flow of storm water towards storm water drain at LB Road-ECR Road junction is not possible.
- iii. Greater Chennai Corporation officials and Petitioners affirmed that during rainy reasons storm water from drains at East Kamaraj Nagar is being pumped into storm water drain at LB Road-ECR Junction as a temporary measure.
- iv. The petitioners made the request during inspection is to ensure free flow of storm water drain at LB-ECR Junction without any obstacles which will reduce the flood inundation at the streets of East Kamaraj Nagar.
- v. The petitioners insisted that the BSNL cables obstruct free flow of storm water drain at LB Road-ECR junction and hence it has to be rerouted.
- vi. The petitioners also requested during inspection to find a permanent solution to ensure free gravitational flow of storm water during rainy seasons to prevent flooding.

5. It is respectfully submitted that the based on the said joint inspection, the following views and suggestion are submitted for the consideration of Hon'ble National Green Tribunal is as follows:

- i. It was ascertained that BSNL cables cross the storm water drain at LB Road and it may obstruct the free flow of storm water in case of floatable solid waste materials struck over the cable.
- ii. The BSNL officials have also claimed that BSNL cables were laid much before the storm water drains were constructed in that area

  
 26/4/2023  
 JOINT CHIEF ENVIRONMENTAL ENGINEER  
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and due consideration was not given while constructing the storm water drain above or below the said cables.

iii. However, it is the duty of the Greater Chennai Corporation to maintain gradient while designing and constructing the storm water drain based on to the topography of the region and the reconnaissance survey done by them. Hence the Greater Chennai Corporation may be advised to carryout detailed study to verify the gradient of the storm water drain and to take corrective measures for the free flow of storm water to ensure complete disposal of storm water in the Beckenham canal.

iv. After ensuring the proper gradient for the storm water drain, the BSNL may be re-laid the cable in consultation with the GCC.

v. The Zonal officer, Zone-XIII Greater Chennai Corporation may be directed to ensure to prevent the disposal of sewage and any other disposal of waste in the storm water drain LB Road-ECR junction.

vi. The CMWSSB shall not dispose any treated or untreated sewage into storm water drain and to ensure the complete collection of sewage and to treat the same in the existing Sewage Treatment Plant nearby and not to dispose the either treated or untreated sewage in the storm water drain.

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*  
26/4/2023  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No.76, MOUNT SALAI, GUINDY,  
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*  
26/4/2023  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
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RESPONDENT- TAMIL NADU POLLUTION  
CONTROL BOARD.**

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

**Date:26.04.2023.**

**Date of hearing on:27.04.2023**