

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

**ORIGINAL APPLICATION NO 23 OF 2018 & 92 OF 2017 (SZ)**

**IN THE MATTER OF:**

Punganur Consumer Protection Council

Applicant

Versus

State of Tamilnadu & Others

Respondent(s)

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**Place: Chennai  
Date: 05.02.2021**



*H.D. Varalaxmi*  
**H.D. Varalaxmi**  
Regional Director  
Central Pollution Control Board  
Regional Directorate, Chennai

**JOINT COMMITTEE REPORT ON LONG & SHORT TERM MEASURES TO IMPROVE THE WATER QUALITY IN THE WATER BODIES INCLUDING THE WATER TANKS AND THE CAUVERY RIVER IN THE MATTER OF ORIGINAL APPLICATION NO. 23 OF 2018 & 92 OF 2017, PUNGANUR CONSUMER PROTECTION COUNCIL Vs STATE OF TAMILNADU & OTHERS**

**1.0 Preamble**

In the matter of Original Application no. 23 of 2018 & 92 of 2017, Punganur Consumer Protection Council Vs State of Tamilnadu & Others, based on the findings and observations of joint committee report, National Green Tribunal, Southern Zone, Chennai has passed an order dated 06<sup>th</sup> October 2020 (**Annexure – 1**) and directed that;

*“10. The committee is also directed to suggest the remedial measures to improve the water quality in the water bodies including the water tank and the Cauvery River to make it uniform level of Category A.*

*11. The committee is also directed to submit an action plan with longer as well as short term measures with specific time lines with which the same will have to be completed and implemented by the Municipality as well.*

*12. The |committee is also directed to consider the question of providing Green Belt or Bio-diversity Park around the water bodies and the tanks to avoid further encroachment in this regard*

*13.The District Administration as well as Municipality and the irrigation Department are directed to come with a proper action plan regarding the measures taken be them to protect the Cauvery River and the water bodies which are under their control against encroachment and pollution. The committee as well as the district administration, Municipality and irrigation department are also directed to consider the objections raised by the applicant to the committee report and submit their responses to the same as well.*

*15.The committee as well as the regulating authorities are directed to submit their respective independent reports, on the basis of the observations made on or before 08.02.2021 by e-filing along with required hard copies to be produced as per Rules.”*

**2.0 Status of action taken by the District Administration, Municipality and the irrigation Department to improve the Water quality of water bodies of Mayiladuthurai and Cauvery River**

In Compliance of Hon'ble NGT order, CPCB (as a Nodal agency) addressed two letters dated November 05, 2020 and December 30, 2020 (**Annexure 2&3**) to District Collector, Nagapattinam with request to the district administration, Municipality and irrigation department to prepare time bound action plan for improving the water quality of water bodies and to communicate the same to Joint committee for reviewing of progress of action taken. However, no progress of action taken was received by the Joint committee, it was informed that due to flood in the area, respective departments were busy in addressing the public issues.

Subsequently, CPCB convened the Joint Committee meeting on January 22, 2021 at Mayiladuthurai to review the implementation of recommendations of joint committee and action plan to improve the quality of water bodies and Cauvery river.



The committee also met the District Collector, Mayiladuthurai, briefed the discussion held with respective departments and their limitation of intradepartmental issues, the committee requested District Collector intervention to resolve the intradepartmental issues for effective actions to improve the water quality of water bodies and Cauvery River. The record of Meeting of Joint committee is enclosed as **Annexure – 4**. The status of implementation of recommendations/ actions plans of individual departments are as below;

## **2.1 Progress of action taken by WRD, PWD, Mayiladuthurai**

### **Maintenance of Cauvery river, Pazhancauvery and Pattamangalam Channel**

- It is informed that 12.4 km stretch of the river Cauvery has been desilted under the special desilting scheme 2020-21 and its major channels passing through Mayiladuthurai viz. Pazhancauvery channel of 3.2 km and Pattamangalam channel of 5.00 km has been desilted under CDS Maintenance 2020-21.
- As per information, desilting works were completed in the month of September 2020 which facilitated all the major tanks (including Mattakulam) in and around the Mayiladuthurai town got filled multiple times during this monsoon.

### ***Removal of encroachments in Cauvery river and Pazhancauvery channel.***

- It is informed that, WRD, PWD obtained the **Form – I**, as per Tamil Nadu Protection of Tanks and Eviction of encroachment rules 2007 containing the names of encroachers, type of encroachment and its extent with maps from the revenue department on 21.07.2020. The list consists of 112 encroachments (Mayiladuthurai Town-71, Moovalur Village - 41) along the Cauvery river and Pazhancauvery.
- Further WRD, PWD issued the **Form-II** to the various departments concerned and the same was displayed in the respective department's notice boards on 10.08.2020.

- The District Collector, Nagapattinam has ordered on 23.08.2020 to remove the encroachments other than households initially in order to find suitable alternative to the people occupied in the encroached houses.
- It is reported that Form-III for all the individual encroachers containing their name, type and extent of encroachments were issued to them on 08.09.2020 with a notice period of 21 days to remove encroachment by themselves.
- Since the encroachers have not removed their encroachments even after the notice period, the Executive Engineer, WRD, Cauvery Basin Division(E), **Mayiladuthurai had issued an action plan dated 29.10.2020 to remove the encroachments.**
- Accordingly, the Assistant Engineer, PWD, WRD, Irrigation section No-1, Mayiladuthurai along with Revenue Tehsildhar, Police personnel and surveyors has initiated first phase of the eviction process on 16.11.2020. Out of 112 notified encroachments in Mayiladuthurai town and Moovalur village, 22 encroachments (other than houses) were removed in Phase –I.

#### **Maintenance of 84 tanks/water bodies and their feeder channels**

- It is informed that all the 84 tanks and their feeder channels mentioned in the court order are not coming under the purview of PWD.

The detailed report on action taken by WRD, PWD along with photographs showing desilting and removal of encroachments are enclosed at **Annexure -5**.

## **2.2 Progress of action taken by Mayiladuthurai Municipality**

### **Actions initiated to protect water bodies (water tanks)**

- ❖ The Mayiladuthurai Municipality has taken survey of 84 tanks out of which 5 tanks were selected for improvement works at a cost of Rs. 800.00 lakhs, the Detailed Project Report (DPR) yet to be submit to CMA, Chennai for sanctioning of grants.

Following are the five tanks selected for improvement of water quality as well as for protection from public inception;

- i. Senkulnir kulam in No. 2 Kumbakonam road
- ii. Angalamman kulam in No. 1 Kumbakonam road
- iii. Mattakulam in Chinnakadi street
- iv. Akkanam kulam in town station road
- v. Ayyankulam in Mayuranathur Kovil east street

❖ Following are the proposed activities included in the DPR for improvement of five tanks;

- Construction of retaining wall around the tank
- Desilting of tank and inlet channels
- Providing foot path around the bund of tank
- Fencing work

It was informed that the handing over of ownership of remaining water tanks by Revenue Department is not completed, this issue was discussed before the District Collector, Mayiladuthurai, it is agreed to sort out the issue shortly in consultation with Revenue Department and Municipality.

❖ It was also discussed that issue of maintenance of feeder channels to water bodies before District Collector, Mayiladuthurai, the Collector directed the WRD, PWD to list out feeder channels and its classifications and asked to take up maintenance of A & B class channels by WRD, PWD and Class C & D channels by Municipality.

### **Status of Underground Sewerage System and Sewage Treatment Plant (STP)**

- It is informed that, out of 36 wards, 35 wards were completed the installation of Under Ground Sewerage System (UGSS) and Detailed Project Report (DPR) is under preparation for providing UGSS in left out areas & extended areas of the Mayiladuthurai town.
- Presently one STP of 5.85 MLD capacity is in operation to treat the sewage generated from the Mayiladuthurai town. The total water supply of the town is 5.750 MLD (water supply through overhead tank is 5.250 MLD & local source is 0.5 MLD) and

sewage generated is worked about 5.06 MLD (4.6 MLD based on water supply & 0.46 MLD of seepage).

- As per the generation of sewage, the existing capacity of STP is adequate and informed that STP is operating at 75% capacity. However, Municipality proposed to provide one more STP with new technology (Sequence Batch Reactor – SBR) for design period of twenty years.
- It is also informed that they have formed special teams in all the 36 wards to identify the illegal discharge of sewage into water bodies and tributaries of Cauvery river.
- Municipality also planning to make mandatory to all house hold to connect into Under Ground Drainage system for 100% sewage collection.

#### **Status of Solid Waste Management system**

- Presently Mayiladuthurai town generates 22.00 MT of solid waste (10.00MT of dry waste & 12 Mt of Wet waste). Municipality has 3 Micro Compost facilities of capacity 5.0MT each to treat the wet waste generated. Dry waste being sent to cement industry for co processing in twice a week.
- It is informed that door to door collection will be extended to new areas to avoid the inception/throwing of garbage into water bodies. And also formed special team to prevent the throwing of garbage to water bodies by publics mainly along the Pazhancauvery and Pattamangalam channel.

The action taken report submitted by the Mayiladuthurai Municipality is enclosed as **Annexure – 6.**

**3.0 Conclusions of Joint Committee:** Following conclusions were drawn based on the discussion held and documents provided by concerned departments.

- i. The WRD, PWD has completed the desilting of Cauvery river and its tributaries viz Pazhan Cauvery and Pattmangalam Channel.

- ii. Action has been initiated to remove encroachment along the Cauvery river, Pazhan Cauvery and Pattmangalam channel, however 20% of encroachments evacuation and dismantling is completed.
- iii. Identification of feeder channels to water bodies from Cauvery river and tributaries is still pending and observed no progress towards maintenance of feeder channel due to ownership of water bodies
- iv. Except identification and preparation of DPR for improvement of 5 water tanks no significant progress was observed to improve the water bodies/tanks of Mayiladuthurai.
- v. It is learnt that in spite of existence of Under Ground Drainage (UGD) system less than 75% residences are connected to UGD system, hence STP also operating at 75% capacity.
- vi. Municipality has taken an initiation to constitute special team for close monitoring to prevent throwing of garbage and identification of illegal discharge of sewage from domestic/commercial activities into water bodies.

#### **4.0 Proposed Long and Short term remedial measures to improve the water quality in the water bodies including the water tank and the Cauvery River**

Based on the steps taken by the individual departments, the committee suggest the following remedial measures by concerned departments;

##### **A. WRD, PWD, Mayiladuthurai:**

###### **Short Term measures:**

- i. Identification of illegal discharge of sewage from domestic and commercial activities along the Cauvery river & its tributaries and to inform the same to Municipality to take action immediately.

- ii. Identification of locations in which illegal dumping of garbage's practiced by the publics and to bring the same to notice of Municipality to make arrangements of collection bins

**Long Term Measures:**

- iii. Continuous maintenance of Cauvery river, Pazhan Cauvery and Pattmanglam channel by removing weeds to make free flow.
- iv. To take up regular cleaning of main feeder canals of class A & B to ensure free flow to water bodies during monsoon to fill the water tanks.
- v. To provide wire fencing along the stretches of Cauvery, Pazhan Cauvery and Pattamanglam channel which are passing through Municipal limit to avoid public inception.
- vi. To make stone pitching to side walls of Pazhan Cauvery and Pattamanglam channel for rejuvenation of tributaries of Cauvery

**B. Municipality, Mayiladuthurai:**

**Short Term measures:**

- a. To ensure complete tapping of illegal discharges into river Cauvery, Pazhan Cauvery and Pattamangalam channel
- b. To keep dustbins in identified locations in which illegal dumping of garbage's practiced by publics.
- c. To take serious steps to identify the house holds not connected to UGD system and make those to connect to UGD so that no sewage from domestic/ commercial activity will enter into water bodies.
- d. To take steps to remove water weeds from all 84 tanks.

## **Long Term Measures**

- e. To provide storm water drain for entire Mayiladuthurai Municipality limit to collect and convey the rain water/surface runoff into water tanks which are located out skirt of the town limit.
- f. To install UGD system in omitted areas / extension areas of the town so that to avoid any inception of sewage from domestic / commercial activity into water bodies.
- g. To submit the time bound action plan for proposed activity of improvement works for selected 5 water tanks.
- h. To submit the action plan for improvement of remaining water bodies (79 no.).
- i. To identify the water bodies which are having area more than 1.5 hectares or based on any other suitable criteria to develop green belt and Bio-diversity Park around the water bodies to avoid further encroachment as well as to improve the aesthetic view of water bodies. For this activity Municipality is required to submit the time bound action plan for execution as well as completion.
- j. To submit the action plan for identification of feeder canals of class C & D and to take up maintenance of the same to ensure free flow to water bodies.
- k. To submit action plan for installation of proposed / new STP to treat entire sewage generated from the Mayiladuthurai Municipality.
- l. To ensure full fledged operation of Solid waste management system including door to door collection with segregation of wet and dry waste and to ensure no waste/ garbage entering into either water bodies or to dumping/throwing in the vicinity of water bodies.

### **5.0 Submission of Joint Committee:**

After reviewing of the progress of action taken by the individual departments viz. WRD, PWD, Municipality, Mayiladuthurai and Revenue department, the Joint Committee expressed to bring following issues before Hon'ble NGT and to request NGT to issue suitable directions to individual departments to submit the time bound action plan for implementation of above short & long term measures to improve the water quality to make it uniform level of category A.

- ✓ Co- ordination between Municipality and Revenue department for early transmission of ownership of all water bodies to ascertain the responsibility of improvement of water bodies
- ✓ Identification of feeder channels classifications and to take up early action by respective departments depending on the possession

With this Joint Committee humbly prays that this Joint Committee regularly filed their report in regular intervals and assisting this Hon'ble Tribunal for giving directions to the concerned Party/ Authority in the proceedings. Further this Hon'ble Tribunal may give directions to respective departments for improving the water quality as suggested by this JC for short & long term measures for clean-up and to make uniform level of category A. Hence it is prayed that this Hon'ble Tribunal may discharge the Joint Committee by considering the report.

**Signature of Committee Members :**

**(Mrs. H.D. Varalaxmi)**  
Sc.E & RD, CPCB, Chennai

**(Er. K. Elankumaran)**  
JCEE, TNPCB, Trichy

**(Mr. E. Mohanasundaram)**  
Executive Engineer, PWD - Building,  
(Representative of Chief Engineer, PWD),  
Nagapattinam

**(Mr. D . Dhaksnamoorthy)**  
Executive Engineer, PWD-WRD,  
Cauvery Basin Division (East),  
Mayiladuthurai

**Item No.8 & 9:**

**BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI**

**Original Application No. 92 of 2017 (SZ) &  
M.A. No.03 of 2020 (SZ)**

***With***

**Original Application No.23 of 2018 (SZ)**

**IN THE MATTER OF**

Punganur Consumer  
Protection Council

...Applicant(s)

***Versus***

The State of Tamil Nadu  
and Ors.

...Respondent(s)

**Date of hearing: 06.10.2020.**

**CORAM:**

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

**HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER**

**O.A. No. 92 of 2017:**

**For Applicant(s):**

Mr. S. Vijaya Kumar (*Party in Person*)

**For Respondent(s):**

Mr. S.V. Vijay Prashanth, Spl. Govt. Pleader  
for R1 to R7.

M/s. Purushothaman represented

M/s. P. Srinivas for R8.

M/s. C. Kasirajan through

Mr. Ajith Kumar for R10.

**O.A. No. 23 of 2018:**

**For Applicant(s):** Mr. S. Vijaya Kumar (*Party in Person*)

**For Respondent(s):** Mr. S.V. Vijay Prashanth, Spl. Govt. Pleader for R1 to R3 & R6 to R8.  
M/s. C. Kasirajan through Mr. Ajith Kumar for R4.  
M/s. Purushothaman represented M/s. P. Srinivas for R9.

**ORDER**

1. When the matter came up for hearing today through Video Conference, Sri. Vijay Kumar applicant appeared in person in both the cases. Sri. S.V. Vijay Prashanth, Special Government Pleader represented respondents 1 to 7 in O.A. No. 92 of 2017 and respondents 1 to 3 & 6 to 8 in O.A. 23 of 2018, Sri. Purushothaman represented Sri. P. Srinivas, the learned counsel appearing for 8<sup>th</sup> respondent in O.A. No. 92 of 2017 and 9<sup>th</sup> respondent in O.A. No. 23 of 2018, Sri. C. Kasirajan through Sri. Ajith Kumar represented 10<sup>th</sup> respondent in O.A. No. 92 of 2018 and 4<sup>th</sup> respondent in O.A. No. 23 of 2018.
2. As per order dated 19.06.2020, this Tribunal had considered the interim report submitted by the committee and passed the following order:

*“7. It is also mentioned in the report that some portion of some of the water tanks have been encroached upon but it is not mentioned as to what are all the steps that they have taken for*

*removing the same and restore the water bodies to its original position.*

*8. We have also directed the committee to consider the question as to whether there was any environmental impact on account of making some concretised work in the area and if so what is the remedial measures to be done but that aspect has also not been considered.*

*9. We also directed the committee to consider the environmental impact of these activities and then assess the environmental compensation if there is any damage has been caused including the remedial measures to restore the damage caused to the environment and assessment of environment compensation.*

*10. But the authorities who are expected to take the action though made as party to the committee, have not proposed action that they are going to take to remedy the situation on the basis of the observations and conclusions arrived by them.*

*11. Further, the applicant has filed some objection to the report. We direct the committee to consider the same as well and make necessary further report in this regard after considering the observations made by this Tribunal regarding the lack of materials mentioned above and submit a further report to this Tribunal within a period of two months.”*

3. The case was posted to 04.09.2020 for consideration of report and on 04.09.2020, the matter was adjourned to 24.09.2020 and on 24.09.2020, the case was adjourned to today by successive notifications.

4. We have received the Joint Committee report which reads as follows:

**“2.1 Findings of committee on Thula Kattam:**

As per the direction given in Para 38 of Hon'ble NGT order, the Committee inspected the newly constructed Thula Kattam in Cauvery river and submitted committee report as preliminary report on 02.12.2019 (**Annexure – 2**), the extracted part of the preliminary report is as below;

**A. Field observations of Committee :**

- i. During committee visit, water was flowing in the river Cauvery, people were taking bath in newly constructed Thula kattam and few people washing the cloth in the bank where old structure was renovated.
- ii. Due to ongoing monsoon and flow in the river, only one well was visible above the water level (Theertha Keni).
- iii. The average depth of the water flowing observed was only the height less than the waist of man i.e. less than 3 feet.
- iv. The committee observed free flow in the river where Thula kattam constructed and no obstruction of flow was observed.
- v. The committee studied the photographs taken before constructing the Thula kattam, it was observed that the river was found filled with sand and shrubs, both side of river banks were found encroached by local people and no proper side walls existed which indicates that unsafe condition for taking mass bath in the river during Maha Pushkaram.
- vi. The photographs taken during execution of work and as per drawing of longitudinal section, the boundary wall of the bathing ghat was constructed for depth of 2.80 m below the river bed level. To make bathing ghat, the river bed between boundary wall of size 115 m length and 16 m width was excavated for 2.0 m and made two layer of concrete bed of depth 10 cm & 25 cm above that sand filling of 90cm and provided only 75 cm clear depth for filling water to take holy dip during Maha Pushkaram.
- vii. As per the photo graphs taken during excavation , Nine theertha Keni were found filled with sand and all nine were renovated by providing 0.75 m clear water depth and holes around the wall of Keni to facilitate the movement of water into Keni which can be seen from the photographs taken during inspection of District

Collector, Nagapattinam on 10.07.2019, when there was no water flow in the river Cauvery.

- viii. Apart from construction of Thula kattam, committee observed works related to reconstruction of retaining wall, steps, revetment of left bank and steel grill fencing in the right bank for the purpose of strengthening of the river bank, facilitate the safety of public and to prevent encroachments.
- ix. As per the photographs taken after final construction of bathing ghat, the river bed and bathing ghat walls are in the same level and no difference observed. The water flow in the river during committee visit also confirms that no obstruction due to construction of bathing ghat.
- x. The present features of Thula Kattam were found to serve the purpose of mass bath during maha pushkaram and side fencing along the river is protecting from encroachment and other activities which may lead to pollution.

**B. Conclusions of committee:**

Following conclusions were drawn based on the field visit and documents provided by concerned departments.

- i. The structure constructed in the Cauvery River for the purpose of mass Bath during Maha Pushkaram i.e. 115m x 16m x 0.75 m is not obstructing the flow in river Cauvery which was witnessed by the committee since the water was flowing in the river due to prevailing monsoon.
- ii. As per the design drawing, 115m x 16m was provided with two layers of concrete bed which was necessity for safety of people to take mass bath. Due to this impervious platform, in this area only obstructing the recharge of ground water. However, the nine wells act as infiltration wells as they don't have any impervious base and facilitate the recharging of ground water.
- iii. Due to renovation of side walls of river Cauvery at Thula kattam aesthetic appearance has found enhanced and providing additional safety to public.
- iv. The construction of fence along the river bank protecting from encroachment and other activities which may lead to pollution.

- v. **The committee noticed no impact on the environment due to construction of Thula kattam and felt that this structure was necessary for the safety of people during mass bath.**

**2.2 Committee Report on quality of water in Cauvery, Pazhancauvery rivers and its tributaries and the Water tanks and other bodies :** As per the direction given in Para 39 of Hon'ble NGT order, the Committee inspected and monitored the 3 stretches of Cauvery river, Pazhancauvery river and its tributaries and 89 water tanks of Mayalduthurai town and submitted the report on 22.05.2020 (**Annexure – 3**), the extracted part of the Committee report on quality of water is as below;

**A. Observations and Discussion :**

Following are the salient observations made during Field visit;

**a. Observations w.r.t River Cauvery and its Tributaries :**

- ❖ In Upstream of the Cauvery river, no drains were found joining , the analysis report of samples taken from up stream of river Cauvery indicates that (BOD – 2.4 mg/L, DO of 8.1 mg/L and TC of 11 MPN/100 ml) meeting with Class B criteria (Outdoor bathing) designated best uses of water.
- ❖ The quality of river Cauvery at newly constructed Thula Kattam (Bathing Ghat) found slightly polluted (BOD – 5.4 mg/L, DO of 3.3 mg/L and TC of 25 MPN/100ml) in spite of continuous rain on the day of monitoring due to washing cloth, bathing and surface runoff from nearby residential as well as commercial activities.
- ❖ The water quality of river Cauvery at downstream of the Mayiladuthurai town ( near Mankudi village) found improved (BOD – 2.8 mg/L, DO of 5.1 mg/L and TC of 17 MPN/100ml) and meeting with Class B criteria (Outdoor bathing) designated best uses of water due to non inception of human activity and continues rain in the area.
- ❖ The water quality Pazhancauvery at upstream found (BOD – 2.2 mg/L, DO of 5.5 mg/L and TC of 12 MPN/100ml) meeting with

Class B criteria (Outdoor bathing) designated best uses of water and found no drains joining the tributary.

- ❖ The water quality at downstream of Pazhancawery and Pattamangal Channel found (BOD – 4.4 mg/L, DO of 1.3- 2.9 mg/L and TC of 20 - 32 MPN/100ml) polluted due to discharge of domestic waste and inception of solid waste into these channels. Downstream of Pazhancawery regulator, both channels (Pazhan Cauvery as well as Pattamangala Channel) carrying domestic effluent mixed with rain water, no flow was observed due to closing of regulator in Pazhancawery.

**b. Observations w.r.t 84 water tanks of Mayiladuthurai Municipality:**

- Out of 89 tanks, presently 84 tanks information's were available in the records of Mayiladuthurai Municipality
- As per the information provided by the officials of Mayiladuthurai Municipality one Odai (Natural Storm water drain) and 4 water tanks were not exist, these were encroached while constructing road, railway and other public activities.
- Present status of 84 existing water bodies are depicted in Table 3;

**Table : Physical Status of 84 water tanks of Mayiladuthurai Municipality**

| <b>Number of Water tanks fully encroached</b> | <b>Number of Water tanks partially encroached and partially filled with earth and plants</b> | <b>Number of water tanks existing and serving the purpose of Ground water recharge only</b> | <b>Number of Water tanks existing and serving the purpose of Ground water recharge and Fisheries</b> | <b>Number of Water tanks used for irrigation purpose in past, presently these tanks are serving the purpose of ground water</b> | <b>Number of Water tanks belongs to Temple premises</b> |
|---|--|---|--|---|---|
|   |  |   |  |   |   |

|  |  |  |  | <b>recharge<br/>due to<br/>urbanization</b> |                               |
|--|--|--|--|---|-------------------------------|
| 6<br>( Tank no.<br>12,20,62,63,<br>64 &80) | 14<br>(Tank<br>no.11,17,18,<br>19,24,26,35,<br>36,40,41,54,<br>58,79&81) | 46<br>( Tank no.<br>3,4,6,7,14,<br>16,<br>21,22,23,25,<br>27,28,29,30,<br>32,33,34,37,<br>38,39,42,43,<br>44,45,46,47,<br>48,49,50,51,<br>52,<br>53,55,56,57,<br>60,61,65,66,<br>67,68,69,72,<br>78,82 &83 | 12<br>( Tank no.<br>1,2,5,9,10,13<br>,15,59,73,74,<br>77 & 84) | 3<br>( Tank no.<br>31,75 & 76)              | 3<br>(Tank no. 8,<br>70 &71 ) |

- *Most of the tanks were found filled with silt/ earth and water weeds, water tanks bunds are not maintained properly, all are covered by wild plants and trees.*
- *Maintenance of tanks were found very poor, most of the tanks were found with floating of plastic materials and other used wastes.*
- *Through physical observation, the committee felt that the area of the tank mentioned in the records is not matching with the existing area of the tank.*
- *Open defecation was still observed near the tanks.*
- *The house keeping at tanks used for fishing activity were found moderately good.*
- *Out of 84 tanks, only 64 (62 +2 tanks merged with neighbour one) tanks were found partially/ fully filled with water. In this 36 tanks water quality meets with C class criteria w.r.t DO*

level, only 8 tanks water quality meets the Class A w.r.t DO concentration as per BOD concentration the water quality meets the criteria of class B. As per the analysis report of samples taken, details of water quality is depicted in the Table ;

**Table : The water quality status of 64 water tanks of Mayiladuthurai Municipality**

| <b>Number of water tank meeting water quality criteria of Class A &amp; B w.r.t DO &gt;6.0 mg/L &amp; BOD (2-3 mg/L) concentration</b> | <b>Number of water tank having nil DO and high BOD</b>  | <b>Number of water tank having DO in the range of 1-4 mg/L</b> | <b>Number of water tank having moderate DO (&gt;4 &amp; &lt;6 mg/L)</b>  |
|--|---|--|--|
| 8<br><br>(Tank no.3,4,5,6,9,34,49 & 57)  | 12<br><br>(Tank no. 8,13,27,28,39,48,51,53,55,59,66&78) | 8<br><br>(Tank no. 14,15,16,44,45,50,52 &84)                   | 36<br><br>(1,2,7,10,21,22,23,25,29,30,31,32,33,37,38,42,43,46,47,56,60,61,65,67,68,69,70 &71,72,73,74,75,76,77,82 &83) |

**Note :** As per best designated use classification, Class A is suitable for Drinking water source without conventional treatment but with chlorination, Class B is suitable for Outdoor bathing, Class C is suitable for Drinking water source with conventional treatment, Class D is suitable for Propagation of wild life and fisheries and Class E is suitable for Irrigation, industrial, cooling and controlled discharge.

- *In only three tanks viz. Tank no. 10,28,76, Total Coliform was found more than 500 MPN/100ml which indicates the inception of domestic wastes from near by residential areas. In 33 water tanks (Tank no. 8,13,14,16,21,22,23,29,32,37,38,39,42,44,45,46, 47,48,50, 51,52, 53,55,59,60,66,67, 70&71, 73,75,77 &78) Total coli form was found > 50 & < 500 MPN/100 ml which confirms less inception of domestic waste and human activities. In remaining 28 water tanks Total coli form was found less than 50 MPN/100 ml.*
- *In all water tanks Nitrate & Nitrite concentration found less than 1 mg/L.*
- *Over all maintenance of water tank was found poor and not desilted since long period.*

**B. Conclusions of Committee :**

*After detail monitoring, field observation and analysis report of samples taken, the Committee concluding as below;*

**River Cauvery and its Tributaries:**

- *The upstream and Downstream Stretches of Cauvery River was found meeting with Class B criteria of Designated Best Uses of Water.*
- *The Water quality at Thulakattam (bathing ghat) was found poor due to inception of human activity like taking bath, washing cloth etc.,*
- *The water quality in upstream of Pazhancauvery stretch was found meeting with Class B criteria of Designated Best Uses of Water. In other two stretches of Pazhancauvery (downstream) as well as Pattamangal Channel (branch of Pazhancauvery), the water quality was found poor due to discharge of domestic effluent from nearby residential area and inception of solid waste into these channels.*
- *The maintenance of Pazhancauvery and Pattamangala channels found very poor and not desilted since long period, by physical appearance these channels look like drains meant for carrying sewage.*

### **Water Tanks of Mayiladuthurai Municipality**

- *Out of 64 water tanks only 8 water tanks, water quality was found good and meeting with Class A w.r.t DO and Class B w.r.t BOD criteria of Best Designated use of water. In 12 water tanks, water quality was found very poor due to direct inception of domestic waste and other domestic solid wastes. Eight water tanks found meeting with Class D criteria of Designated Best use of water. Remaining 36 water tanks found meeting with class B criteria w.r.t DO.*
- *Except 12 water tanks which are used for ground water recharge & fishing activity other water tanks maintenance was found very poor.*
- *Wherever UGD does not exist, nearby dwellers were found discharging their sewage into nearest water tanks.*
- *Most of the water tanks found covered with water weeds and shrubs which confirm the poor maintenance of water tank.*
- *The tanks located in between residential areas were found floating with solid wastes, plastic waste and the same causing very unhygienic and breeding place of mosquitoes and also causing odour nuisance.*

### **C. Suggestion of Committee to improve the Water Quality of Tributaries of Cauvery and Water Tanks of Mayiladuthurai Municipality:**

*To protect water quality of Cauvery, Pazhancauvery and water tanks of Mayiladuthurai Municipality, it is suggested to take following measures;*

- i. *To take regular maintenance of Pazhancauvery and Pattamangal Channel by desilting and renovating the side walls of channels.*
- ii. *To take steps to rejuvenate these channels by evacuating the encroachments (the stretches in which illegal settlement exist) as per the Re-survey Records of Tamilnadu Government.*
- iii. *To install Under Ground Drainage system to collect domestic effluent and to install STP to treat the same and not to allow any effluent into Cauvery, Pazhancauvery and water tanks.*

- iv. To direct the municipal authority to take steps to divert the drains carrying domestic effluent into either downstream of Pazhancawery or to nearby STP till installation of adequate STP.
- v. To ensure the proper collection of solid waste from residential areas and not to allow any public to throw any solid wastes into any nearby water bodies toss throw
- vi. To direct all commercial activities located around the water bodies not to discharge any waste and not to throw any wastes into water tanks.
- vii. To take periodical maintenance of all water tanks by removing silt and water weeds to increase water storage capacities of water tanks since all water tanks are either rain fed or filled through feeder canal during rainy days.
- viii. To take proper maintenance of all feeder canals of water tanks and to make clear ways to carry the water from river Cauvery to respective tanks so that to make live appearance of water tanks.
- ix. To delineate the water tank area and to construct the proper bund with fence to protect these water bodies from human inception since these water bodies serve the purpose of improving ground water in the surrounding area.
- x. To take steps to restore the water quality of water tanks by removing the unwanted substances from water tanks and to avoid the mosquito breeding and odour nuisance.

**3.0 Objections filed by the applicant :** Copy of the objection is enclosed at **Annexure - 4**, Para wise reply on the said objections are as below;

Para 1 : That this para about General information about river Cauvery, water tanks of Mayiladuthurai, hence no comments to offer from this committee.

Para 2 : That this para about historical functions and construction of Thula Kattam, the committee noticed no impact on the environment due to construction of Thula Kattam and felt that this structure was necessary for the safety of people during

mass bath. The Committee submitted the detailed report on 02.12.2019 before the Hon'ble Tribunal.

Para 3 : That this para about local administration procedures, hence no comments to offer from this committee

Para 4 : That this para about Hon'ble NGT orders, the committee constituted w.r.t OA No. 23 of 2018 completed the work in compliance of NGT order and submitted the two reports.

Para 5 to 8 : That this para about Respondent No. 1, COVID- 19 situation and alteration in local administration, hence no comments to offer from this committee.

Para 9 to 15 : That this para about encroachment of water tanks, the Hon'ble NGT passed an order dated 28.08.2019 and directed to constitute a committee and also given direction to District Collector, Nagapattinam to coordinate with committee as Nodal Officer, hence no comments to offer from this committee.

Para 16 : That this para about difficulties faced by applicant for appearing in Hon'ble NGT due to ongoing COVID – 19 pandemic situation in Chennai, hence no comments to offer from this committee.

Para 17 : That this para about construction of Thula Kattam by utilising various fund and pumping of water from Cauvery basin, in this regard applicant stated that the issue was discussed and the court fined the past District Collector as Penalty, hence no comments to offer from this committee.

Para 18 : That this para about death of student in the Cauvery River due to illegal construction, the committee had meeting through Video conference **on 17.08.2020**, discussed the issue with respective department viz WRD, Cauvery Basin Division (E). It is informed that for creating awareness among the public, caution boards were placed in the river as well as on the bank of the river to alert about depth and also steel pipe with ropes around the Thulakaattam was provided to restrict the public movement. In spite of that, the deceased boy family took their own risk to perform the Thithi Pooja in the river during maximum flow, the water current might have been caused for imbalance to boy and results into unfortunate death. The

WRD, Cauvery Basin Division (E), made submission to committee that the unfortunate incident happened due to over enthusiasm & negligence of family and not due to the Thulakattam structure constructed over there. The note along with photographs submitted by WRD, Cauvery Basin Division is enclosed as **Annexure – 5**.

As per the evidences (photographs) provided by the responsible department, committee felt that, the unfortunate incident might be happened due to lack of awareness about water current during maximum flow in the river and lack of importance about public notices & restrictions.

Para 19 & 20 : That these paras about submission of preliminary report by CPCB and postponement of case to 27.05.2020, hence no comments to offer from this committee.

Para 21 : That this para about demolition of one bridge in the Cauvery river near Moovalur, this issue pertains to local administration, hence no comments to offer from this committee.

Para 22 & 23 : That these paras about applicant expression regarding committees constituted by Hon'ble NGT and submission of preliminary report by committee in which CPCB is nodal agency.

Para 24 & 25 : That these paras about discussion held in the Hon'ble NGT in the matter of O.A No. 92 of 2017 and directions given to District Collector desilting and encroachment of water bodies. Regarding this issue, Hon'ble NGT directed to constitute committee and appointed the district collector as Nodal officer, hence no comments to offer from this committee.

#### **4.0 Submission of the Committee w.r.t issues raised in the Hon'ble NGT order dated 18.06.2020:**

- i. **Survey and steps to remove the Encroachment:** The Hon'ble NGT constituted two Separate Committees viz. (1) To ascertain as to whether the present concrete structure constructed as detailed in the inspection report by the District collector, Nagapattinam will

affect the flow of water..... in the matter of O. No. 23 of 2018, **which is headed by CPCB** and (2) To conduct necessary survey, to take steps to remove the encroachment and protect the water bodies by taking appropriate measures to prevent encroachment over that area in the matter of O.A. 92 of 2017, **which is headed by District Collector. Hence, it is submitted that Survey of encroachment and steps to remove encroachment pertains to Second Committee and this activity is not pertains to the Committee headed by CPCB.**

- ii. **Regarding environmental impact on account of making concretized work in the area:** The committee headed by CPCB studied in detail and elaborated the committee findings and conclusion in **Para 2.1** and concluded that no impact on the environment due to construction of Thula kattam and felt that this structure was necessary for the safety of people during mass bath.
- iii. **Environmental damages / remedial measures :** As per the monitoring conducted by the committee, two stretches of Cauvery river was found meeting with Class B criteria and water quality at bathing ghat of Cauvery river was found slightly polluted due to bathing, cloth washing and surface runoff. Similarly, tributaries of Cauvery viz. Pazhancauvery and Pattmangala Channel also found slight pollution (meeting with Class B & E) due to inception of domestic sewage from nearby houses.

Out of 89 water tanks, presently 84 tanks information's are available in the records of Mayiladuthurai Municipality, in which 6 water tanks were found fully encroached and no sign of existence of water tank, 14 water tanks found partially encroached & partially filled with earth. During committee visit, water was available only in 64 water tanks, as per the monitoring conducted by the committee, the water quality of 20 water tanks were found very poor quality and meeting the Class E criteria, 36 water tanks meeting with Class C criteria and 8 water tanks were meeting partially with Class A and B. The degradation of water quality in the water tanks is due to lack of protection from public inception

and not due to any discharge of trade effluent. Hence the Committee suggested the sets of remedial measures in **para 2.2 (C)** to improve the water quality as well as to protect from public inception.

- iv. **Since there is no adverse impact on recharge of water in the Cauvery river and no adverse impact on environment or quality of water in the Cauvery was observed by the committee and degradation of water quality in the water tanks are due to public inception and no traces of toxic pollutants observed in these tanks, the assessment of quantum of damage caused to the environment could not arise.**
- v. **The objections filed by the Applicant :** Para wise reply is given in **Para 3.0**, most of the objections are w.r.t Encroachment of water bodies, fund utilized for constructing the Thula kattam and other administration issues viz. demolishing of bridge, death of student in Cauvery river, transfer of officials in local administration, PWD etc.

**However the para 18 of the objection was about** death of student in the Cauvery River due to illegal construction, the committee had meeting with responsible department viz WRD, Cauvery Basin Division (E) on 17.08.2020 through Video Conference, the officials of responsible department submitted the report along with photographs showing safety measures and informed that the unfortunate incident happened due to over enthusiasm & negligence of family and not due to the Thulakattam structure constructed over there. The committee examined the documents provided and observed the photographs showing the existence of caution board regarding depth and steel pipe with ropes around the Thulakaattam to restrict the public movement. Hence, the committee felt that, the unfortunate incident might be happened due to lack of awareness about water current during maximum flow & its consequences in the river and lack of importance about public notices & restrictions.”

5. We have also received a letter dated 05.10.2020 said to have been sent by the District Environmental Engineer to the Member Secretary, Tamil Nadu Pollution Control Board which reads as follows:

|   |  |
|---|--|
| <p>“From<br/>Er. V. Dhanaraj M.E.,<br/>District Environmental Engineer,<br/>Tamil Nadu Pollution control<br/>Board,<br/>District Collectorte, Master Plan<br/>Complex,<br/>Nagapattinam – 611 002</p> | <p>To<br/>The Member Secretary,<br/>Tamil Nadu Pollution Control<br/>Board,<br/>No. 76, Mount Salai,<br/>Guindy, Chennai 32.</p> |
|---|--|

Lr. No.DEE/TNPCB/NPM/NGT/O.A.No.23/2018/2020 Dated:  
05/10/2020

Sir,

Sub: TNPC Board-Nagapattinam-NGT- O.A. No. 23 of  
2018 filed by Punganur Consumer Protection  
Council- Present status- Submitted – Reg.

Ref: 1. This Office Lr. No. DEE/TNPCB/NPM/NGT/O.A.  
No. 23 of 2018/2020. Dated: 28/08/2020.  
2. Hon’ble NGT order Dated 19.06.2020 in O.A. No.  
23 of 2018 filed by the Punganur Consumer  
Protection Council.

\*\*\*\*\*

With references to the above, I submit herewith the updated status of implementation of Solid Waste Management Rules, 2016 and status of Sewage Treatment Plant pertaining to Mayiladuthurai Municipality, Mayiladuthurai and the following details may also be added in the affidavit to be submitted before Hon’ble NGT at Board’s level in O.A. No. 23 of 2018.

“Mayiladuthurai Municipality has obtained authorization for the Solid Waste Management Processing facility located at T.S.No. 855/1, at Mayiladuthurai Town, Mayiladuthurai Taluk, Nagapattinam District under Solid Waste Management Rules, 2016 for processing, recycling, treatment and disposal of municipal solid wastes of 12.0 MT Day vide Authorization No. 037 Dated: 20.04.2019, Proceeding’s No. JCEE/TNPCB TRY/F.MSW – 037/RS/NPM/2019 dated: 20.04.2019 with validity up to 30.09.2020 Bio mining and Micro Composing Centre (MCC) activities are carrying out in the facility.

One of the condition imposed in the authorization is “The

Municipality shall apply and obtain amendment for the inclusion of Site-II located at T.S. No. 173, 174 Mayiladuthurai Town & Taluk, Nagapattinam District and Site- III located at T.S. No. 184 1C, Mayiladuthurai Town & Taluk, Nagapattinam District in the authorization after commissioning of the facility at Sit-II and Site-III.

At present, MCC facility located at Site II & III are under completion. The unit has yet to obtain amendment of authorization under Solid Waste Management Rules, 2016. In this regard, letter was addressed to the Commissioner, Mayiladuthurai Municipality to apply for amendment of authorization under Solid Waste Management Rules, vide this office letter dated 23/06/2020. "The unit has not submitted application for renewal of authorization under Solid Waste Management Rules, 2016 so far.

The Commissioner, Mayiladuthurai Municipality has submitted action plan on implementation of Solid Waste Management Rules, 2016 and status of Sewage Treatment Plant pertaining to Mayiladuthurai, Municipality vide letter dated 21.08.2020 and the same was submitted to the Board vide reference 1<sup>st</sup> cited.

Mayiladuthurai Municipality has provided underground sewerage system covers 87.34 km against their total length of 117.20 km. Municipality has provided Sewage Treatment Plant with treatment capacity of 5.00 MLD and obtained consent under Water Act vide this office proceedings was issued to the unit vide this office proceedings dated 01.08.2019 for non payment of consent fee and operation of the STP without obtaining valid consent to operate from the Board. Subsequently show cause notice was again issued t the unit for discharge of sewage from Mayiladuthurai Municipality UGDSS (Under Round Drainage Sewerage System) pipe line into the pazhan Cauvery channel near railway cross road bridge vide this office proceedings dated 17.12.2019. In this regard, Board has issued Environmental Compensation of Rs.9,00,000/- to the M/s. Mayiladuthurai Municipality vide Board's letter dated 23.12.2019. Municipality has not yet remitted the Environmental Compensation amount to the Board so far. The Commissioner, Mayiladuthurai Municipality has reported that they have received tender for removal of silt from the Sewage treatment pond on 20.08.2020 and complete the work before 30.09.2020. During inspection on 29.09.2020, it was noticed that the Municipality has not started the said work so far.

This is submitted for kind information and necessary action please.

District Environmental Engineer  
Tamil Nadu Pollution Control Board  
Nagapattinam

Copy Submitted to:

The Joint Chief Environmental Engineer (M),  
TNPCB, Trichy for kind information please."

6. The applicant also filed some objections to the committee report.

The District Collector has filed M.A. No. 03 of 2020 stating that some steps have been taken for the purpose of identifying the encroachments into the water bodies, after conducting land survey and some more steps will have to be taken for identifying some more encroachments and they require time till May 2021 for completion of the same.

7. We have perused the nature of steps taken by the District Collector on the basis of the findings and observations made by the joint committee regarding the encroachment into the water bodies in that area but the time till May 2021 will be a longer time for the purpose completion of process of removal of encroachments and submit the further action report. So, we feel that four months time can be granted to the District Collector to complete the exercise in accordance with law to remove the encroachment and to save the water bodies and submit the further action taken report. With the above directions and observations, M.A. No. 03 of 2020 is disposed of.

8. The Tamil Nadu State Pollution Control Board as well as Mayiladuthurai Municipality are directed to implement the recommendations made by the committee regarding the short

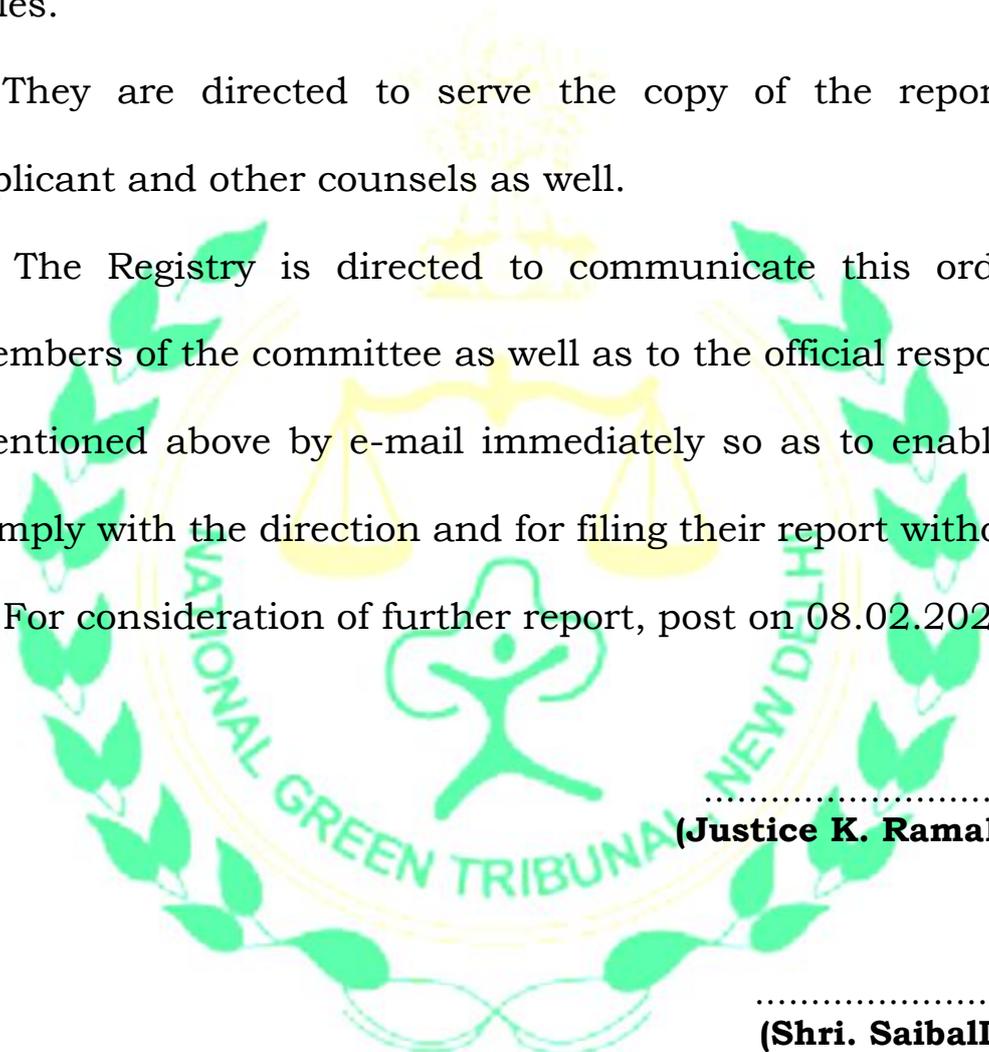
falls found on their side and submit a compliance report in this regard.

9. The Pollution Control Board is also directed to submit an independent report regarding the action taken against the Mayiladuthurai Municipality for not complying with the Solid Waste Management Rules, 2016 and the directions issued by the Principal Bench of National Green Tribunal, New Delhi in O.A. No. 606 of 2018 in this regard.
10. The committee is also directed to suggest the remedial measures to improve the water quality in the water bodies including the water tank and the Cauvery River to make it uniform level of Category A.
11. The committee is also directed to submit an action plan with longer as well as short term measures with specific time lines with which the same will have to be completed and implemented by the Municipality as well.
12. The committee is also directed to consider the question of providing Green Belt or Bio-diversity Park around the water bodies and the tanks to avoid further encroachment in this regard.

13. The District Administration as well as Municipality and the Irrigation Department are directed to come with a proper action plan regarding the measures taken by them to protect the Cauvery River and the water bodies which are under their control against encroachment and pollution. The committee as well as the district administration, Municipality and irrigation department are also directed to consider the objections raised by the applicant to the committee report and submit their responses to the same as well.

14. The Irrigation Department as well as the District Administration are directed to take precautionary measures to avoid such unfortunate things as mentioned by the applicant regarding the death of a boy by drowning in the Cauvery River during the festival season by providing necessary warning boards and also restricting the area where the bathing can be done during the festival season and other life saving methods while such rituals are being conducted during festival season. They can also make some restrictions regarding the use of detergent and other polluting activities while engaged in washing and bathing in the river area so as to avoid the quality of the water being contaminated on account of such activities.

15. The committee as well as the regulating authorities are directed to submit their respective independent reports, on the basis of the observations made on or before 08.02.2021 by e-filing along with required hard copies to be produced as per Rules.
16. They are directed to serve the copy of the report to the applicant and other counsels as well.
17. The Registry is directed to communicate this order to the members of the committee as well as to the official respondents as mentioned above by e-mail immediately so as to enable them to comply with the direction and for filing their report without delay.
18. For consideration of further report, post on 08.02.2021.



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

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

**O.A. No. 92/2017 &  
O.A. No.23/2018,  
06th October, 2020. Sr.**

Annexure - 2

## NGT MATTER – MOST URGENT

Tech/39/legal(NGT)/TN/RDS/2020-21 763-767

November 05, 2020

To,

The District Collector  
Collector's Office  
Nagapattinam – 611003  
Tamil Nadu

Sub. : Hon'ble National Green Tribunal, (SZ), Chennai Order dated 06.10.2020 in the matter of O.A No. 23 of 2018 and O.A. No. 92 of 2017 filed by Punganur Consumer Protection Council

Sir,

A copy of Hon'ble NGT, Chennai, order dated 06.10.2020 was received by CPCB, Regional Directorate in the matter of OA no. 23 of 2018 and OA no. 92 of 2017 Punganur Consumer Protection Council Vs State of Tamilnadu & Ors. is enclosed. The Content of the order is self-explanatory. The Hon'ble NGT directed that;

" 10. the committee is also directed to suggest the remedial measures to improve the water quality in the water bodies including the water tank and the Cauvery River to make it uniform level of Category A.

11. The committee is also directed to submit an action plan with longer as well as short term measures with specific time lines with which the same will have to be completed and implemented by the Municipality as well.

12. The committee is also directed to consider the question of providing Green Belt or Bio-diversity Park around the water bodies and the tanks to avoid further encroachment in this regard.

15. The committee as well as the regulating authorities are directed to submit their respective independent reports, on the basis of the observations made on or before 08.02.2021 by e-filing along with required hard copies to be produced as per Rules."

In view of the above, it is requested to give appropriate directions to District Administration as well as Municipality and the Irrigation Department to prepare time bound action plan to improve the water quality in the water bodies including the water tank & the Cauvery River in compliance with Hon'ble NGT order dated October 06, 2020 and to communicate the same to joint Committee in which CPCB is a nodal agency and Mrs. H.D Varalaxmi, AD/Sc. E, is a Nodal officer.

S. Swath  
5/11/2020

O/C

It is also propose to organise the joint committee meeting in first week of December 2020 to review the progress of action taken by Administration as well as Municipality and the Irrigation Department. Please treat as MOST URGENT since it is time bound activity requires to be complete well before January 31, 2021 in compliance of NGT order.

Yours faithfully

*S. Suresh*  
5/11/2020  
(S. Suresh)

**Regional Director**

9480672128, ssuresh.cpcb@nic.in

Encl.: As above

**Copy to:**

The Member Secretary  
Tamil Nadu Pollution Control Board  
76, Mount Salai, Guindy  
Chennai – 60032

: for kind information pl.

The District Environmental Engineer  
Tamilnadu Pollution Control Board  
No.14, Perumal Sannathi Street  
Nagapattinam – 611001

: for necessary follow up pl.

The Member Secretary  
CPCB, Delhi

: for kind information pl.

Divisional Head, Legal Division  
CPCB, Delhi

: for Kind information pl.

*S. Suresh*  
5/11/2020  
(S. Suresh)

**Regional Director**

Annexure - 3

**Reminder -1**  
**NGT MATTER – MOST URGENT**

Tech/39/legal(NGT)/TN/RDS/2020-21

December 30, 2020

To,

1010-1014

The District Collector  
Collector's Office  
Nagapattinam – 611003  
Tamil Nadu

Sub. : Hon'ble National Green Tribunal, (SZ), Chennai Order dated 06.10.2020 in the matter of O.A No. 23 of 2018 and O.A. No. 92 of 2017 filed by Punganur Consumer Protection Council

Sir,

This is in continuation to CPCB letter dated November 05, 2020, requested to give appropriate directions to District Administration as well as Municipality and the Irrigation Department to prepare time bound action plan to improve the water quality in the water bodies including the water tank & the Cauvery River in compliance with Hon'ble NGT order dated October 06, 2020 and to communicate the same to joint Committee in which CPCB is a nodal agency (copy enclosed).

However the steps taken to prepare time bound action plan is yet to be received. It is once again kindly requested to inform the status of steps taken, so that the joint committee meeting will be organised in third week of January 2021 to review the progress of action taken by Administration as well as Municipality and the Irrigation Department. Please treat as MOST URGENT since it is time bound activity requires to be complete well before January 31, 2021 in compliance of NGT order.

Yours faithfully

S. Suresh  
30/12/2020

(S. Suresh)

**Regional Director**

9480672128, ssuresh.cpcb@nic.in

Encl.: As above

Copy to :-

The Member Secretary  
Tamil Nadu Pollution Control Board  
76, Mount Salai, Guindy  
Chennai – 60032

: for kind information pl.

The District Environmental Engineer  
Tamilnadu Pollution Control Board

: for necessary follow up pl.

o/c

P. T. O

3-2020

No.14, Perumal Sannathi Street  
Nagapattinam - 611001

The Member Secretary  
CPCB, Delhi

: for kind information pl.

Divisional Head, Legal Division  
CPCB, Delhi

: for Kind information pl.

S. Suresh  
30/12/2020  
(S. Suresh)  
Regional Director

Sub: Law of National (River Tribunal, 1925) Central Order dated 06.10.2020 in the matter of G.A. No. 23 of 2018 and G.A. No. 92 of 2017 filed by Pongalur Community Protection Council

This is in continuation to CILH letter dated 10.09.2020. The CILH requested to give appropriate directions to District Administration as well as Municipality and the Irrigation Department to prepare time bound action plan to improve the water quality in the water bodies including the water tank at the Curaway River in compliance with the WWT order dated October 06, 2020 and to communicate the same to Joint Committee in which CILH is a member (copy attached).

However, the steps taken to prepare time bound action plan is yet to be received. It is requested to submit the status of steps taken so far. The joint committee meeting will be organized in third week of January 2021 to review the progress of action taken by Administration as well as Municipality and the Irrigation Department. Please that as AFOOT DIRECT since it is time bound activity requests to be completed well before January 31, 2021 in compliance of WWT order.

Yours faithfully,

*S. Suresh*  
(S. Suresh)  
Regional Director  
948082178

9/10

0/0

**RECORD OF MEETING OF JOINT COMMITTEE IN CONNECTION WITH HON'BLE NGT ORDER  
DATED 06.10.2020 IN THE MATTER OF O.A. NO. 92 OF 2017 & O.A.NO. 23 OF 2018 FILED BY  
PUNGANUR CONSUMER PROTECTION COUNCIL**

**Background:**

1. In view of the compliance of Hon'ble n NGT order dated 06.10.2020, the Committee met on 22.01.2021. During the meeting, officers from the different departments are present. List of officials present are enclosed as Annexure I.

**2. Discussion of the committee:**

Tmt.H.D.Varalakshmi RD-Chennai, CPCB (Nodal Agency) welcomed all the committee members and briefed about the court order and in compliance of the court order reviewed the action taken by the respective department.

**(a) Progress of action taken by WRD, PWD department**

- (i) It is informed that, 113 encroachments were identified and evacuated 23 encroachments. Regarding this, the committee requested to provide the detailed action taken by the WRD, PWD.
- (ii) It is also informed that desilting of Pazhancauvery and Pattamangalam Channel was completed in the month of September 2020. Regarding this committee requested to furnish the brief note along with the evidences .
- (iii) Regarding the protection of water bodies such as River Cauvery, Pazhancauvery and Pattamangalam Channel, they agreed to submit the time bound action plan for protection of water body to avoid public inception on or before January 25<sup>th</sup> 2021.
- (iv) Maintenance of Class A & B Channel pertains to EE, WRD irrigation department and other feeder channels pertain to Revenue department. The progress made on above activity to be provided to the committee on or before January 25<sup>th</sup> 2021.
- (v) It is also informed that all the 84 tanks is under the purview of Revenue department at present.

**(b) Progress of action taken by Mayiladuthurai Municipality:**

- (i) Commissioner, Mayiladuthurai Municipality informed that they have sent the proposal to the Government for 50 crores in which 14.5 crores has been allotted for installation of storm water drain. Proposal to be submitted to committee on or before January 25<sup>th</sup> 2021.
- (ii) Status of implementation of Solid waste Management Rule, 2016 to be provided to the committee on or before January 25<sup>th</sup> 2021.
- (iii) Status of UGD, operation of existing STP, proposal for new STP if any and arresting of illegal discharge of sewage in to water bodies to be furnished to the committee on or before January 25<sup>th</sup> 2021.

**(c) Discussion held with District Collector, Mayiladuthurai:**

The Committee met District Collector, Mayiladuthurai and brief the Hon'ble NGT order, discussions held with the respective departments regarding progress made in compliance with the Hon'ble NGT order and requested Collector's intervention in the following issues;

- (i) *Identification of feeder channels which are coming under purview of irrigation department, Municipality and Panchayat union*---In this regard, Collector instructed WRD, PWD to identify and to furnish the information to committee on or before January 25<sup>th</sup> 2021.
- (ii) *Ownership of 84 water tanks located within the jurisdiction of municipality*--- Regarding this Collector agreed to sort out the issue in consultation with Revenue department and Municipality.
- (iii) *Rejuvenation of water bodies*---Collector informed about the DPR prepared for four major water tanks and the same is pending with the Finance department for approval.
- (iv) *Arresting of illegal discharge of sewage and dumping of solid waste into water bodies*--- Collector instructed the Commissioner, Mayiladuthurai Municipality to form a committee for effective surveillance.
- (v) *Status of implementation of Solid Waste Management, Rules 2016*--- Collector informed the Commissioner, Mayiladuthurai Municipality to engage additional manpower to ensure door to door collection, Segregation, transportation and treatment.

(vi) *Obtaining of authorization under Solid Waste Management, Rules 2016 for operation of Micro Composting Centres(MCC)*---Collector informed to speed up the process for obtaining authorization for all 3 MCC from TNPCB.

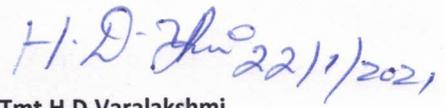
Committee requested the District Collector to instruct the respective departments to furnish the time bound action plan on above discussed activities on or before January 25<sup>th</sup> 2021 so as to enable the committee to submit the report to the Hon'ble NGT before 5<sup>th</sup> February 2021.

Meeting ended with vote of thanks.

  
22/01/21  
Thiru.E.Mohanasundaram  
EE, Buildings, PWD  
Nagapattinam.

  
22/1/21  
Thiru.D.Dhakshnamoorthy  
EE, WRD, PWD,  
Mayiladuthurai

  
22/1/2021  
Thiru.K.Elankumaran  
JCEE(M), TNPCB, Trichy

  
22/1/2021  
Tmt.H.D.Varalakshmi  
RD, CPCB, Chennai.

**Report of action taken by Executive Engineer, WRD, Cauvery Basin Division(E), Mayiladuthurai regarding NGT case O.A 92 of 2017 & 23 of 2018.**

In view of the PCB committee meeting conducted on 22.01.2021, this detailed report of actions taken by WRD, Cauvery Basin Division(E), Mayiladuthurai is hereby submitted to the committee with annexures I & II.

*I. Regarding maintenance of Cauvery river, Pazhancauvery and Pattamangalam Channels.*

- It is submitted that the entire stretch of the river Cauvery from LS 118.400 Km to 130.800 Km has been desilted under the special desilting scheme 2020-21 and its major channels passing through Mayiladuthurai viz. Pazhancauvery channel from LS 4.00 Km to 7.20 Km and Pattamangalam channel from LS 0.00 Km to 5.00 Km have been entirely desilted under CDS Maintenance 2020-21.(Photos enclosed as ANNEXURE -I.
- It is also submitted that all the desilting works were completed in the month of September 2020 which facilitated all the major tanks (including Mattakulam) in and around the Mayiladuthurai town got filled multiple times during this monsoon.(Photos enclosed)

*II. Regarding removal of encroachments in Cauvery river and Pazhancauvery channel.*

- It is submitted that, as per *Tamil Nadu Protection of Tanks and Eviction of encroachment rules 2007*, **Form-I** containing the names of encroachers, type of encroachment and its extent with maps have been received from the revenue department on 21.07.2020. It consists of a total number of 113 encroachments. (Mayiladuthurai Town-71 Nos, Moovalur Village - 41 Nos)
- Further the **Form-II** was issued to the various departments concerned and the same was kept in the respective departments notice boards on 10.08.2020.
- Meanwhile The District Collector, Nagapattinam has ordered on 23.08.2020, to remove the encroachments other than households initially in order to find suitable alternate resettlement to the people occupied in the encroached houses.
- It is reported that **Form-III** for all the individual encroachers containing their name, type and extent of encroachments were issued to them on 08.09.2020 with a notice period of 21 days to remove them by themselves.

- Since the encroachers have not removed their encroachments even after the notice period, The Executive Engineer, WRD, Cauvery Basin Division(E), Mayiladuthurai had issued an action plan dated 29.10.2020 to remove the encroachments.
- Accordingly the Assistant Engineer, PWD,WRD, Irrigation section No-1, Mayiladuthurai along with Revenue Tehsildhar, Police personnel and surveyors has initiated first phase of the eviction process on 16.11.2020. Out of 113 notified encroachments in Mayiladuthurai town and Moovalur village, 22 encroachments (other than houses) were removed in Phase -I (Photos enclosed as ANNEXURE-II)
- It is further submitted that the eviction of remaining encroachments is in progress and will be removed in subsequent phases.

*III. Regarding maintenance of 84 tanks and their feeder channels.*

- It is hereby cleared that all the 84 tanks and their feeder channels mentioned in the court order are not coming under the purview of PWD.

Executive Engineer,PWD,WRD  
Cauvery Basin Division(E)  
Mayiladuthurai

**ANNEXURE- I**  
**DESILTING PHOTOS**



**Cauvery River @ LS 120.400 Km (Before desilting)**



**Cauvery River @ LS 120.400 Km (After desilting)**



**Pazhancauvey channel @ Mayiladuthurai town (Before desilting)**



**Pazhancauvey channel @ Mayiladuthurai town (After desilting)**



**Pazhancavey channel @ Mayiladuthurai town ( During Monsoon )**



**Pazhancavey channel @ Mayiladuthurai town (After desilting)**



**Pazhancauvey channel @ Mayiladuthurai town (After desilting )**



**Pazhancauvey channel @ Mayiladuthurai town (During Monsoon )**



**Pazhancauvey channel @ Mayiladuthurai town (During monsoon)**



**Pattamangalam channel @ Mayiladuthurai town (During desilting)**



**Pattamangalam channel @ Mayiladuthurai town (After desilting)**



**Pattamangalam channel @ Mayiladuthurai town ( During monsoon)**



**Mattakulam tank filled by water from Pazhancauvery channel on  
29.09.2020**



**Mattakulam tank filled by water from Pazhancauvery channel on  
29.09.2020**

**ANNEXURE- II**

**EVICTON PHOTOS (ON 16.11.2020)**



**Encroachment removal in LB of Cauvery river @ Mayiladuthurai town**



**Encroachment removal in LB of Cauvery river @ Mayiladuthurai town**



**Encroachment removal in LB of Cauvery river @ Mayiladuthurai town**



**Encroachment removal in LB of Cauvery river @ Mayiladuthurai town**



**Encroachment removal in LB of Cauvery river @ Mayiladuthurai town**



**Encroachment removal in LB of Cauvery river @ Mayiladuthurai town**



**Encroachment removal in LB of Cauvery river @ Mayiladuthurai town**

**4 • தினகரன் • திருச்சி 17.11.2020**

## மயிலாடுதுறை காவிரி கரையோரம் ஆக்கிரமிப்பு அகற்றும் பணி துவக்கம்

மயிலாடுதுறை, நவ.17: பசுமை தீர்ப்பாயத்தின் உத்தரவின்படி மயிலாடுதுறைகாவிரிகரையோரம் ஆக்கிரமிப்புகள் அகற்றும் பணி நேற்று துவங்கியது. அப்போது ஆக்கிரமிப்பாளர்கள் எதிர்ப்பால் பரபரப்பு ஏற்பட்டது.

மயிலாடுதுறை நகர பகுதியில் உள்ள காவிரி மற்றும் பழங்காவிரி ஆறுகளில் அதிக அளவில் ஆக்கிரமிப்புகள் செய்யப்பட்டு நீர் நிலைகள் பாழாவதை தடுத்து நீர் நிலைகளை பாதுகாக்க வேண்டுமென்றுபுங்கனூர் நுகர்வோர் பாதுகாப்புக் குழு விஜயகுமார் என்பவர் சென்னை பசுமை தீர்ப்பாயத்தில் வழக்கு தொடர்ந்தார்.

ஆக்கிரமிப்புகளை அகற்றுவதற்கு உத்தரவிட்டது. அதனைத்தொடர்ந்துமயிலாடுதுறைவட்டாட்சியர் ஜெனிடாமேரி, பொதுப்பணித்துறை உதவிபொறியாளர் கண்ணதாசன் மற்றும் போலீஸ் பாதுகாப்புடன்

கூறைநாடு, ஆடியபிள்ளையார்கோவில் தெரு, திருமஞ்சன் வீதி தீப்பாய்ந்த அம்மன் காவிரிவடக்கு கரையோரம் ஆற்றையொட்டி கட்டப்பட்டிருந்த கொட்டகைகள், குளியல் அறைகள், ஆக்கிரமித்து வைக்கப்பட்டிருந்த வேலிகள் ஆகியவற்றை பொக்லைன் இயந்திரம் மூலம் அகற்றி வருகின்றனர். குடியிருப்பு வீடுகளை உடனடியாக அகற்றிக்கொள்ள வேண்டும், இல்லை என்றால் அகற்றப்படும் என்று அதிகாரிகள் தெரிவித்தனர். முன்னதாக ஆக்கிரமிப்புகளை அகற்றுவதற்கு பொதுமக்கள் எதிர்ப்பு தெரிவித்தனர். இதனால் அப்பகுதியில் பரபரப்பு ஏற்பட்டது.

**▶ மயிலாடுதுறை தீப்பாய்ந்த அம்மன் கோயில் அருகில் காவிரிகரையோரம் ஆக்கிரமிப்பு அகற்றும் பணி நடந்தது.**

## **Mayiladuthurai Municipality – Plan of Action Report**

### **Improvement of water bodies**

In Mayiladuthurai municipality there are 89 tanks as per existing records but now only 84 tanks are in the municipal limit.

The present 84 tanks are surveyed, the following five tanks are now only taken up for improvement works at an estimate cost of Rs.800.00 lakhs, which will be submitted to CMA, Chennai -28 for sanctioning of grants within 15 days.

Wd.20 – Senkuinir kulam in No.2 Kumbakonam road.

Wd.28 – Angalamman kulam in No.1 Kumbakonam road.

Wd.30 – Mattakulam in Chinnakadi street.

Wd.31 – Akkanam kulam in town station road.

Wd.32 – Ayyankulam in Mayuranathar kovil east street.

The following provisions are made in the estimate.

1. Construction of retaining wall around the tank
2. Desilting of tank and inlet channels.
3. Providing foot path around the bund of tank.
4. Fencing work.

### **UGSS – Sewage treatment Plant (STP)**

The present STP at Arupathy village is having 5.85 MLD capacity with WSP method (Waste Stabilization Pond).

The present population of the municipality is 90125 (yr.2021). The daily water supply through over head tanks are 52.50 lakhs liters. From the local source 5.00 LL water has been supplied. The total quantity of daily water supply is 57.50 LL at the rate of 64 lpcd.

### **Calculation for Sewage Quantity/day**

|   |   |                         |
|---|---|-------------------------|
| Total qty of water supply/day               | - | 57.50 LL                |
| Sewage generated                            | - | 80% (water supply)      |
|   | - | 80% (57.50)             |
|   | - | 46.00 LL                |
| Add Seepage generated<br>(10% of the above) | - | 4.60 LL                 |
| Total qty of sewage generated               | - | 50.60 LL (or) 5.06 MLD. |

Hence the generated sewage quantity of 5.06 MLD is less than the STP capacity 5.85 MLD. The STP is adequate for the present sewage quantity.

Further the detailed project report is under preparation for providing UGSS in omitted areas / extension areas of the town. Also, one more STP is proposed with new technology (SBR – Sequence Batch Reactor) for the design period of twenty years. (Yr. 2040 - anticipated population) in Arupathy village near existing STP to treat entire sewage quantity.

Special teams were formed in all the 36 wards to identify the unwanted sewage connections to prevent the sewage water mingle with water bodies. like river, channel and tank.

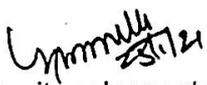
Further to submit that UGD connection will be provided for all the houses in the municipality with in six months.

### **Solid Waste Management**

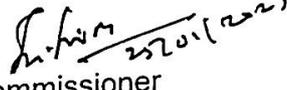
In Municipal limit, 22.00 MT garbages were collected daily in 36 wards. (Dry waste:10.00 MT & Wet waste: 12.00 MT). Wet waste has been dumped in 3 MCC for a total quantity of 15.00 MT (each MCC having 5.00 MT capacity). Dry waste has been sent to cement factory, Ariyalur twice in a week.

At present door to door collection of garbage is done daily, due to this practice possibility of garbages mingle with water bodies are avoided.

Special teams have also formed to prevent the throwing of garbages to water bodies by public mainly in pazhang cauvery river and pattamangalam channel.

  
Sanitary Inspector  
Mayiladuthurai Municipality

  
Municipal Engineer  
Mayiladuthurai Municipality

  
Commissioner  
Mayiladuthurai Municipality