

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**SOUTHERN ZONE, CHENNAI**

Appeal No.10 of 2021(SZ)

**IN THE MATTER OF**

G.Devarajan, Arumbakkam,  
Chennai

... Appellant(s)

Versus

State of Tamil Nadu,  
Rep.by the Chief Secretary to Government,  
And Others

... Respondent(s)

**INTERIM REPORT FILED ON BEHALF OF THE SECOND RESPONDENT**

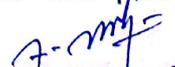
I, A. Muthiah, son of A.L.Asokan, aged about 57 years, officiating as Superintending Engineer, WRD, Palar Basin Circle, Chennai having my office at Chepauk, Chennai-5 do, hereby solemnly affirm and sincerely state as follows:

2. I am to state that I am the Superintending Engineer, Water Resources Department (WRD) of the Public Works Department (PWD), Palar Basin Circle, Chepauk, Chennai-5 and I am well acquainted with the facts of the case from records.

3. I respectfully submit that the Appellant had filed Original Application No.91 of 2021(SZ) & I.A.No.73 &74 of 2021(SZ) earlier alleging certain irregularities in carrying out the 'mixed-use development' in Arumbakkam, Chennai by the Tamil Nadu Housing Board. It was alleged that the appellant was challenging the Environmental Clearance granted by the State Environmental Impact Assessment Authority (SEIAA) for the proposed project. It was further alleged in the application that the proposed construction was against the No - Objection Certificate granted by the Public Works Department (2<sup>nd</sup> Respondent) by way of encroaching the flood plain

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Superintending Engineer, WRD,  
Palar Basin Circle,  
Chennai-5.

of Cooum river and the baby canal constructed within the Cooum river thereby affect the riverine ecology of Cooum river.

4. It is further stated that in order to ascertain the genuineness of the allegations made in the application and the violations pointed out, the Hon'ble National Green Tribunal (SZ) in its order dated 08.04.2021 directed to constitute a Joint Committee comprising of (1) The District Collector, Chennai District or a Senior Officer not below the rank of Sub-Divisional Magistrate or Assistant Collector as deputed by the District Collector (2) a Senior Officer from Ministry of Environment, Forests and Climate Change (MoEF& CC), Integrated Regional Office, Chennai (3) a Senior officer from the State Level Environment Impact Assessment Authority (SEIAA), (4) a Senior officer from Chennai River Restoration Trust (CRRT) and (5) The Superintending Engineer from Public Works Department (PWD) and Water Resources Organisation (WRO) in charge of Cooum river and submit a factual as well as action taken report if there is any violation found. The PWD/WRO will be the nodal agency for co-ordination.

5. The Committee was directed to ascertain whether any encroachment into the flood plains of Cooum river and the Baby canal has been made due to the construction project by the TNHB, assess the environmental damage caused any, environmental compensation if so and remedial measures to restore the damaged environment and submit a report to the Hon'ble Tribunal on or before 25.05.2021. With these observations and directions, the application was disposed off.

6. It is further submitted that an appeal has been filed by the appellant against the grant of Environmental Clearance to the 3<sup>rd</sup> respondent Tamil Nadu Housing Board (TNHB) for the proposed project where in encroaching the flood plain of Cooum river and the baby canal constructed within the Cooum river have not been considered by the State Level

Environment Impact Assessment Authority (SEIAA) while granting Environmental Clearance (EC) and hence the appellant has relied on the directions by the Hon'ble Tribunal in O.A. No. 558 of 2018 and the connected matters in this regard. The appeal was considered reasonable and hence admitted.

7. It is respectfully submitted that while the Joint Committee was about to be constituted pursuant to the directions of the Hon'ble Tribunal in O.A.No.91 of 2021 (SZ), second wave of COVID pandemic was triggered across India due to which the Government of Tamil Nadu has imposed Lock Down since May 10<sup>th</sup> of 2021 till date. Consequently, field inspection by the Joint Committee is yet to be done to assess the encroachment of Cooum River and Baby canal by the Tamil Nadu Housing Board (TNHB) for their project and also the environmental damage caused, if any. In the meantime, the case stands posted for hearing on 16.06.2021.

14. It is, therefore, prayed that this Hon'ble Tribunal (SZ) may be pleased to grant four weeks of time considering the present pandemic scenario to submit the factual as well as action taken report by the Joint Committee in this regard.

  
Superintending Engineer, WRD,  
Palar Basin Circle,  
Chepauk, Chennai-5.

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