

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

Original Application No. 119 of 2024

[Earlier O.A.No.169 of 2024 (PB)]

IN THE MATTER OF:

Suo Moto matter in respect of news
item appearing in the Times of India
dated 11.01.2024 titled
**"Encroachers remain on lake
despite HC fiat"**

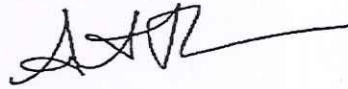
And

Water Resource Department - Tamil Nadu
Through its Chief Engineer & Director,
PWD, Chennai and others.

...Respondents.

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**Filed by
Thiru.S. Sai Sathya Jith,
Advocate, Chennai.**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE AT CHENNAI
Original Application No. 119 of 2024
[Earlier O.A.No.169 of 2024 (PB)]**

IN THE MATTER OF:

Suo Moto matter in respect of news item appearing in the Times of India dated 11.01.2024 titled **"Encroachers remain on lake despite HC fiat"**

And

Water Resource Department - Tamil Nadu
Through its Chief Engineer & Director,
PWD, Chennai and others.

...Respondents.

**REPORT FILED ON BEHALF OF THE SECOND RESPONDENT
- TAMIL NADU POLLUTION CONTROL BOARD.**

I, K.Nalini, D/o. K.Krishnasamy, aged about, 59 years, having my office at 76, Mount Salai, Guindy, Chennai-600032, do hereby solemnly affirm and sincerely state as follows:-

I Submit that I am working as the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board (hereinafter referred as TNPCB), Chennai - 600 032, and I am authorized to file this Report on behalf of the 2nd Respondent of the Tamil Nadu Pollution Control Board and as such I am well acquainted with the facts of the case from the records available in our records.

2. It is respectfully submitted that the OA has been registered as a Suo Motu by the Principal Bench of the National Green Tribunal, New Delhi as Original Application No.169 of 2024 (PB) on 26.2.2024, based on the news item appearing in the Times of India dated 11.01.2024 titled **"Encroachers remain on lake despite HC fiat"**.

3. It is respectfully submitted that the Order passed by the Hon'ble National Green Tribunal (PB), New Delhi on 26.02.2024 are as follows:

"1. This original application has been registered on the basis of the news item titled "Encroachers remain on lake despite HC fiat" appearing in the 'Times of India' dated 11.01.2024.

*Madam
- sign of
date pd*

K. Nalini
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

2. The news item discloses that the Chitlapakkam lake in south Chennai has a water spread of about 53 acres which is now only 47 acres and six acres have been taken over by the encroachers who have built houses on the western side of the lake. The news item further discloses that inspite of the order of the Madras High Court, many of the encroachers have been left untouched and out of 403 identified encroachments, authorities have removed only 74 till date. It further discloses that instead of complying with the order of the Court fully and removing all encroachments, WRD is carrying out restoration work at a cost of 25 crore on the available area, thereby legalizing the encroachments.

3. The news item raises substantial issue relating to compliance of the environmental norms and enforcement of Scheduled enactments.

4. Power of the Tribunal to take up the matter in suo-motu has been recognized by the Hon'ble Supreme Court in the matter of "Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors." reported in 2021 SCC Online SC 897.

5. Hence, we implead the following as respondents in the OA:

- i. Water Resource Department, Tamil Nadu, through its Chief Engineer and Director.
- ii. Tamil Nadu State Pollution Control Board through its Member Secretary.
- iii. District Collector/District Magistrate, Kanchipuram.
- iv. State Wetland Authority through the Member Secretary.

6. Let Notice be issued to the above Respondents for filing their response before appropriate bench of the Tribunal.

7. Since the matter relates to the Southern Zonal Bench, Chennai therefore, OA is transferred to the Southern Zonal Bench for appropriate further action. Let the original record of the OA be transferred to the Southern Zonal Bench, Chennai.

8. List before Southern Zonal Bench at Chennai on 15.04.2024."

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 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.78, MOUNT SALAI, GUINDY,
 CHENNAI-600 032.

4. It is respectfully submitted that the above mention OA was renumbered as Original Application No.21 of 2024 by the Hon'ble National Green Tribunal, (SZ), Chennai and on 1.8.2024, the Hon'ble Tribunal directed to file a report by the respondents. As per the Order of the Hon'ble Tribunal, the report is submitted by the second respondents herein.

5. It is respectfully submitted that based on the above direction the Chitlapakkam lake area was inspected by the TNPCB official on 10.10.2024 and during inspection the following were noticed:

- a. The Chitlappakkam lake was surrounded by residential area.
- b. The Chitlapakkam lake was provided with Bund on all sides with foot path maintained by PWD(WRD). Beautification of lake area was done.
- c. Plantation was done all along the bund and boundary periphery of the Chitlapakkam lake.
- d. During inspection no sewage discharge into the lake was noticed. No solid waste dumped in and along the boundary of the Chitalapakkam lake.
- e. During inspection it was noticed that a collection well was constructed for the collection of sewage passing through earthen channel by the local body but it was not put in operation.
- f. Domestic sewage from the residential areas of Chitlapakkam, Tambaram Sanatorium, Chromepet areas etc., flows through open earthen channel adjacent to the Chitlapakkam lake but not reaching the Chitlapakkam lake boundary and flows to the Selaiyur lake/Sembakkam lake.

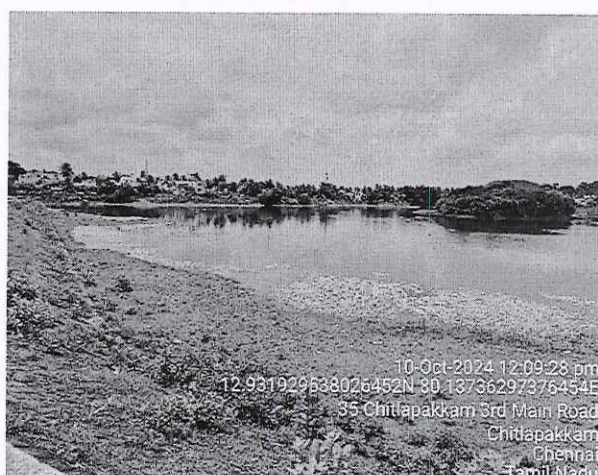
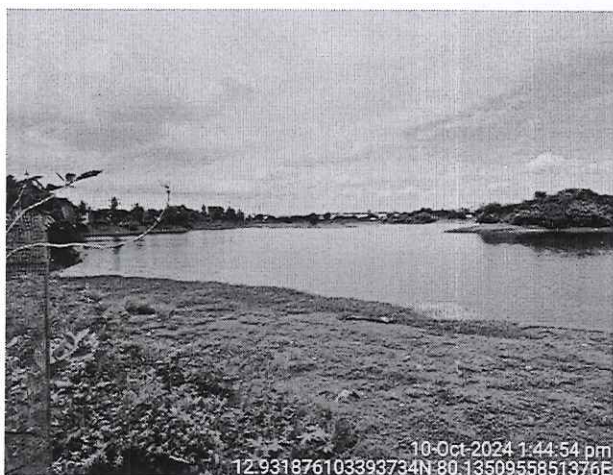
6. It is respectfully submitted that water samples were collected from 4 locations of Chitlapakkam Lake by TNPCB officials on 10.10.2024. The samples were analyzed at the Advanced Environmental Laboratory, Guindy, Chennai, and the District Environmental Laboratory, Maraimalai Nagar. A comparison of the Results of Analysis (ROA) of predominant parameters with the BIS Drinking Water Specification (IS 10500:2012) and CPCB Designated Best Use Water Quality Criteria, along with details of exceedance, is attached herewith. The ROA values indicate a significant exceedance of TDS and Coliform levels compared to the designated standard values, suggesting the possible intrusion of sewage into the lake.


 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI-600 032.

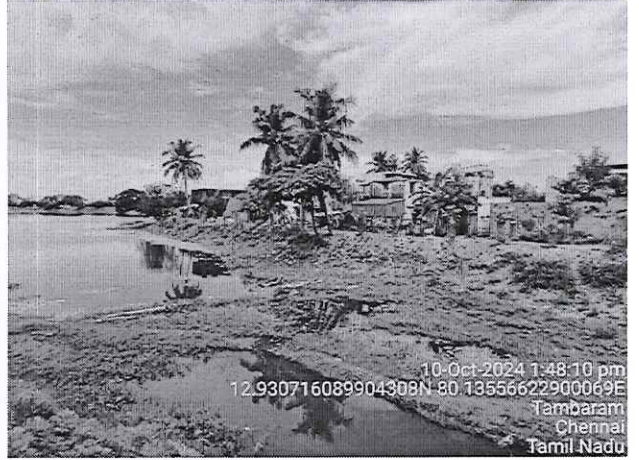
Report of Analysis

S. No	Parameters	Chitlappakkam Lake water sample collected on the southern side near to Periyar Nagar (mg/l)	Chitlappakkam Lake water sample collected on the Eastern side near to Chitlappakkam town along Chitlappakkam Lake (mg/l)	Chitlappakkam Lake water sample collected on the Western side adjacent to Periyar Nagar (mg/l)	Chitlappakkam Lake water sample collected on the Western side adjacent to Periyar Nagar near Sluice door. (mg/l)	Standards for Drinking Water Specification (IS 10500:2012) (mg/l) (Acceptable Limits)	CPCB Designated Best Use Water Quality Criteria Class A & B
1.	pH	7.03	7.81	8.06	7.24	6.5-8.5	
2.	Total Suspended Solids	7	8	12	15	-	
3.	Total Dissolved Solids	1535	278	305	529	500	
4.	Chloride	410	89	71	125	250	
5.	Sulphate	154	33	52	102	200	
6.	BOD	2	2	4	5		A = 2 mg/l (or) less B = 3 mg/l (or) less
7.	COD	24	8	16	32	-	
8.	DO	6.3	5.6	6.5	6.3		6 mg/l (or) more
9.	Fecal Coliform	74 MPN/100ml	-	-	59.1MPN/100ml	E Coli & TC Shall not be detectable in any 100 ml sample.	-
10.	Total Coliform	1732.9 MPN/100ml	-	-	1413.6 MPN/100ml	Shall not be detectable in any 100 ml sample	A = MPN/100ml, shall be 50 or less B = MPN/100ml, shall be 500 or less

Photographs taken during inspection of Chitlapakkam Lake on 10.10.2024




JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI-600 032.



Photographs taken during inspection of Chitlapakkam Lake on 10.10.2024



7. It is respectfully submitted that, in view of the above, DEE Maraimalainagar, TNPCB has submitted a report to the Board vide Lr No: dated: 06.01.2025 along with recommendations to issue directions to the Commissioner, Tambaram City Municipal Corporation under the Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 as amended in 1988 to comply the following with respect to the treatment and disposal of sewage. (Enclosed as Annexure - 1).

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JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

- i) During inspection of the Chitlapakkam Lake on 10.10.2024, it was noticed that domestic sewage from the residential areas of Chitlapakkam, Tambaram Sanatorium, Chromepet areas etc., flows through open earthen channel adjacent to the Chitlapakkam lake but not reaching the Chitlapakkam lake and the collection well constructed for the collection of sewage passing through earthen channel by the local body but it was not put in operation. Hence the Tambaram City Municipal Corporation shall expedite the action of providing full-fledged Underground Sewerage System (UGSS) for the entire Tambaram City Municipal Corporation area immediately so as to avoid the entering of sewage into the water bodies or stagnation in the open land area.
- ii) The Tambaram City Municipal Corporation shall ensure that no sewage from the residential areas/commercial buildings shall be discharged into storm water drain/ water bodies in Tambaram City Municipal Corporation limit and shall take immediate action to plug all the sewage outfalls from the unsewered residential areas/commercial buildings into water bodies and to provide with necessary underground sewerage system in Tambaram City Municipal Corporation.
- iii) The Tambaram City Municipal Corporation after connecting the underground sewerage connection for all the individual residences in the said area shall collect the sewage, transport through the conveyance pipeline and treat and dispose the same in Tambaram Municipality Common Sewage Treatment Plant/ to nearby CMWSSB Sewage pumping station.

8. It is respectfully submitted that, subsequently, based on that, Board has issued directions to the Commissioner, Tambaram City Municipal Corporation vide Board's Proc No.T3/TNPCB/C.No.004201/NGT O.A 119 of 2024/2025, Dated: 04.03.2025. under the Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 as amended in 1988 to comply the following within a period of **Six months of time**,


 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI-600 032.

- a. The Tambaram City Municipal Corporation shall expedite the action of providing full-fledged Underground Sewerage System (UGSS) for the entire Tambaram City Municipal Corporation area immediately so as to avoid the entering of sewage into the water bodies or stagnation in the open land area.
- b. The Tambaram City Municipal Corporation shall ensure that no sewage from the residential areas/commercial buildings shall be discharged into storm water drain/ water bodies in Tambaram City Municipal Corporation limit and shall take immediate action to plug all the sewage outfalls from the unsewered residential areas/commercial buildings into water bodies and to provide with necessary underground sewerage system in Tambaram City Municipal Corporation.
- c. The Tambaram City Municipal Corporation after connecting the underground sewerage connection for all the individual residences in the said area shall collect the sewage, transport through the conveyance pipeline and treat and dispose the same in Tambaram Municipality Common Sewage Treatment Plant/ to nearby CMWSSB Sewage pumping station.

Therefore, it is humbly prayed that this Hon'ble National Green Tribunal may be pleased to pass an order or such further other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstance of this case and thus render justice.

K. Nalini
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI-600 032.

VERIFICATION

I, K.Nalini D/o.K.Krishnsamy, working as Joint Chief Environmental Engineer, having office at No. 76, Mount Salai, Guindy, Chennai – 32, do hereby submit that the above contents are true to the best of my knowledge and belief through records.

K. Nalini
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI-600 032.



TAMIL NADU POLLUTION CONTROL BOARD

From

Er.G.Udhayakumar M.E.,M.Tech.,
District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Maraimalai Adigalar Street,
Maraimalai Nagar,
Chengalpattu District – 603 209.

To

The Member Secretary,
Tamil Nadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai - 600 032

Lr No: DEE/TNPCB/MMN/NGT O.A. No. 119 of 2024 dated: 06.01.2025

Sir,

Sub: TNPC Board – Industries - Hon'ble National Green Tribunal (PB) Order in Original Application No. 169 of 2024 dated 26.02.2024 and Hon'ble National Green Tribunal (PB) Order in Original Application No. 119 of 2024 dated 01.08.2024 – SUO MOTU based on the news item published in "Times of India" Newspaper dated 11.01.2024 under the caption "Encroachers remain on lake despite HC fiat" – Present status report submitted – regarding.

Ref: 1. Hon'ble NGT (PB), New Delhi Order dated: 26.02.2024 in O.A No. 169 of 2024.
2. Hon'ble NGT (SZ), Chennai Order dated: 01.08.2024, 30.08.2024 & 15.10.2024 in O.A No. 119 of 2024.

Brief History:

A news item published in the "Times of India", Newspaper dated 11.01.2024 under the caption "Encroachers remain on lake despite HC fiat" wherein it was highlighted that,

- In continued violation of Madras high court's three-year-old order to remove encroachments in Chitlapakkam lake in south Chennai, the water resources department has left nearly 330 encroachers untouched. Of the 403 identified encroachments, authorities have removed only 74 till date.
- The lake has a waterspread of only 47 acres now against the original 53 acres. Six acres have been taken over by encroachers who have built houses on the western side of the lake. Instead of complying with the court order fully and removing all encroachments, WRD is carrying out restoration works at a cost of 25 crore on the available area, thereby legalising the encroachments. WRD is carrying out beautification work such as footpaths, bird island, lighting, seating, greenery and more in the lake.

Based on the above News item, the Hon'ble National Green Tribunal (PB), New Delhi has initiated a Suo Motu proceedings vide Original Application No. 169 of

2024 based on the news item published in "Times of India" Newspaper dated 11.01.2024 under the caption "Encroachers remain on lake despite HC fiat".

I submit that based on the above Hon'ble National Green Tribunal (PB), New Delhi in its order dated 26.02.2024 in O.A. No. 169 of 2024 has directed the following:

- "1. This original application has been registered on the basis of the news item titled **"Encroachers remain on lake despite HC fiat"** appearing in the 'Times of India' dated 11.01.2024.
2. The news item discloses that the Chitlapakkam lake in south Chennai has a water spread of about 53 acres which is now only 47 acres and six acres have been taken over by the encroachers who have built houses on the western side of the lake. The news item further discloses that inspite of the order of the Madras High Court, many of the encroachers have been left untouched and out of 403 identified encroachments, authorities have removed only 74 till date. It further discloses that instead of complying with the order of the Court fully and removing all encroachments, WRD is carrying out restoration work at a cost of 25 crore on the available area, thereby legalizing the encroachments.
3. The news item raises substantial issue relating to compliance of the environmental norms and enforcement of Scheduled enactments.
4. Power of the Tribunal to take up the matter in suo-motu has been recognized by the Hon'ble Supreme Court in the matter of "Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors." reported in 2021 SCC Online SC 897.
5. Hence, we implead the following as respondents in the OA:
 - i. Water Resource Department, Tamil Nadu, through its Chief Engineer and Director.
 - ii. Tamil Nadu State Pollution Control Board through its Member Secretary.
 - iii. District Collector/District Magistrate, Kanchipuram.
 - iv. State Wetland Authority through the Member Secretary.
6. Let Notice be issued to the above Respondents for filing their response before appropriate bench of the Tribunal.
7. Since the matter relates to the Southern Zonal Bench, Chennai therefore, OA is transferred to the Southern Zonal Bench for appropriate further action. Let the original record of the OA be transferred to the Southern Zonal Bench, Chennai.
8. List before Southern Zonal Bench at Chennai on 15.04.2024."

I submit that based on the above Hon'ble National Green Tribunal (SZ), Chennai in its order dated 01.08.2024 in O.A. No. 119 of 2024 has directed the following:

- "1. The above case has been Suo Motu registered by the Principal Bench of the National Green Tribunal, New Delhi as Original Application No.169 of 2024 (PB) based on the news item published in 'The Times of India' dated 11.01.2024 titled, **"Encroachers remain on lake despite HC fiat"** which has been transferred to this Bench and renumbered as Original Application No.119 of 2024 (SZ).

4. The learned counsels appearing for the appropriate authorities are directed to take the papers from the Registry and file a report before the next date of hearing.

5. Post the matter on **30.08.2024.**"

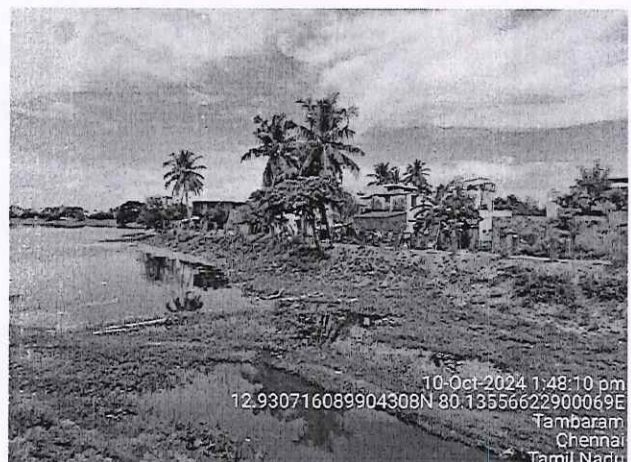
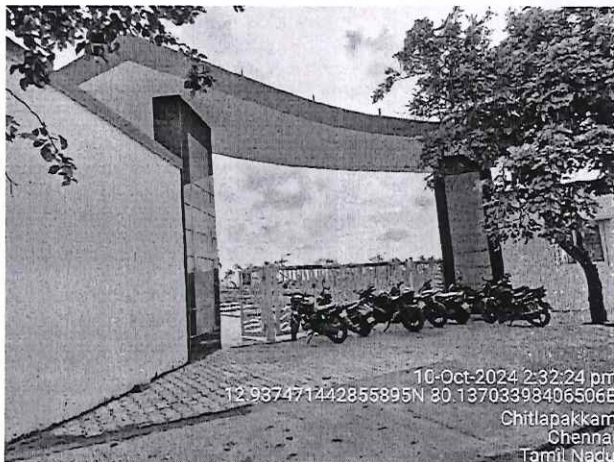
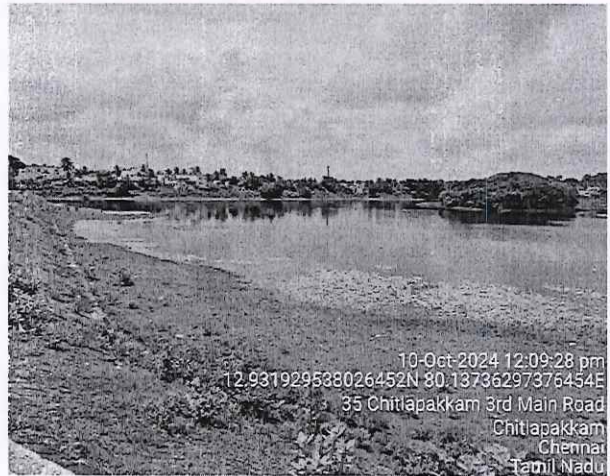
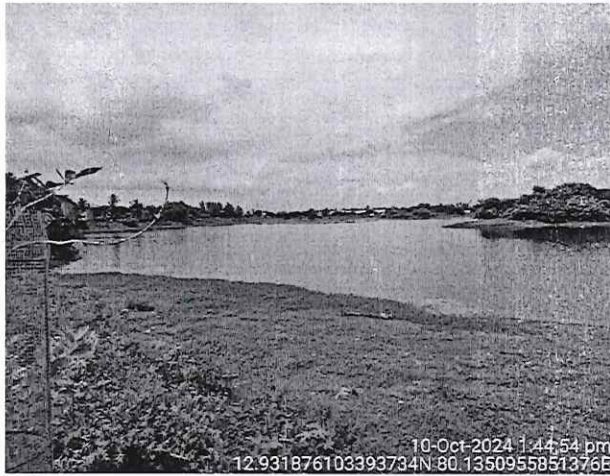
I submit that, based on the above the Chitlapakkam lake area was inspected by the TNPCB official on 10.10.2024 during inspection the following were noticed:

1. The Chitlappakkam lake was surrounded by residential area.
2. The Chitlappakkam lake was provided with Bund on all sides with foot path maintained by PWD(WRD). Beautification of lake area was done.
3. Plantation was done all along the bund and boundary periphery of the Chitlappakkam lake.
4. During inspection no sewage discharge into the lake was noticed. No solid waste dumped in and along the boundary of the Chitalapakkam lake.
5. During inspection it was noticed that a collection well was constructed for the collection of sewage passing through earthen channel by the local body but it was not put in operation.
6. Domestic sewage from the residential areas of Chitlapakkam, Tambaram Sanatorium, Chromepet areas etc., flows through open earthen channel adjacent to the Chitlapakkam lake but not reaching the Chitlapakkam lake.
7. It is submitted that water sample were collected from the Chitlapakkam Lake by TNPCB officials on 10.10.2024 and the report of analysis obtained from Advanced Environmental Lab, Guindy, Chennai and District Environmental Laboratory, Maraimalai Nagar are enclosed as follows:

S.No	Parameters	Chitlappakkam Lake water sample collected on the southern side near to Periyar Nagar (mg/l)	Chitlappakkam Lake water sample collected on the Eastern side near to Chitlappakkam town along Chitlappakkam Lake (mg/l)	Chitlappakkam Lake water sample collected on the Western side adjacent to Periyar Nagar (mg/l)	Chitlappakkam Lake water sample collected on the Western side adjacent to Periyar Nagar near Sluice door. (mg/l)	Standards for Drinking Water Specification (IS 10500:2012) (mg/l)
1.	pH	7.03	7.81	8.06	7.24	6.5-8.5
2.	Total Suspended Solids	7	8	12	15	-
3.	Total Dissolved Solids	1535	278	305	529	500
4.	Chloride	410	89	71	125	250
5.	Sulphate	154	33	52	102	200
6.	BOD	2	2	4	5	2 mg/l (or) less
7.	COD	24	8	16	32	-
8.	Copper	<0.004	<0.004	<0.004	<0.004	0.05
9.	Zinc	<0.003	<0.003	<0.003	<0.003	5
10.	Cadmium	<0.0028	<0.0028	<0.0028	<0.0028	0.003
11.	Lead	<0.012	<0.012	<0.012	<0.012	0.01

S.No	Parameters	Chitlappakka m Lake water sample collected on the southern side near to Periyar Nagar (mg/l)	Chitlappakka m Lake water sample collected on the Eastern side near to Chitlappakka m town along Chitlappakka m Lake (mg/l)	Chitlappakka m Lake water sample collected on the Western side adjacent to Periyar Nagar (mg/l)	Chitlappakka m Lake water sample collected on the Western side adjacent to Periyar Nagar near Sluice door. (mg/l)	Standards for Drinking Water Specification (IS 10500:2012) (mg/l)
12.	Nickel	<0.008	<0.018	<0.008	<0.008	0.02
13.	Total Chromium	<0.6	<0.6	<0.6	<0.6	0.05
14.	Hexavalent Chromium	<0.05	<0.05	<0.01	<0.05	Nil
15.	Percent Sodium	43	43	48	23	-
16.	TKN	<2	<2	<2	<2	-
17.	SAR	1.9	1.9	2.2	1.2	-
18.	DO	6.3	5.6	6.5	6.3	6 mg/l (or) more
19.	Fecal Coliform	74 MPN/100ml	-	-	59.1MPN/100 ml	500(desirable) 2500 (Maximum Permissible)
20.	Total Coliform	1732.9 MPN/100ml	-	-	1413.6 MPN/100ml	MPN/100ml, shall be 500 or less

Photographs taken during inspection of Chitlapakkam Lake on 10.10.2024



Photographs taken during inspection of Chitlapakkam Lake on 10.10.2024



In view of the above, it is submitted that Board may issue direction to the Commissioner, Tambaram City Municipal Corporation under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 as amended in 1988 to comply the following:

- i) During inspection of the Chitlapakkam Lake on 10.10.2024, it was noticed that domestic sewage from the residential areas of Chitlapakkam, Tambaram Sanatorium, Chromepet areas etc., flows through open earthen channel adjacent to the Chitlapakkam lake but not reaching the Chitlapakkam lake and the collection well constructed for the collection of sewage passing through earthen channel by the local body but it was not put in operation. Hence the Tambaram City Municipal Corporation shall expedite the action of providing full-fledged Underground Sewerage System (UGSS) for the entire Tambaram City Municipal Corporation area immediately so as to avoid the entering of sewage into the water bodies or stagnation in the open land area.
- ii) The Tambaram City Municipal Corporation shall ensure that no sewage from the residential areas/commercial buildings shall be discharged into storm water drain/ water bodies in Tambaram City Municipal Corporation limit and shall take immediate action to plug all the sewage outfalls from the unsewered residential areas/commercial buildings into water bodies and to provide with necessary underground sewerage system in Tambaram City Municipal Corporation.

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iii) The Tambaram City Municipal Corporation after connecting the underground sewerage connection for all the individual residences in the said area shall collect the sewage, transport through the conveyance pipeline and treat and dispose the same in Tambaram Municipality Common Sewage Treatment Plant/ to nearby CMWSSB Sewage pumping station.

This is submitted for kind information and further process please.


**District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Maraimalai Nagar.**
06/01/2025

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

Original Application No. 119 of 2024

[Earlier O.A.No.169 of 2024 (PB)]

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11.01.2024 titled "Encroachers remain
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Water Resource Department - Tamil Nadu
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**REPORT FILED ON BEHALF OF
THE SECOND RESPONDENT -
TAMIL NADU POLLUTION
CONTROL BOARD.**

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

Date:24.03.2025.

Date of hearing on:03.04.2025

