

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Original Application No. 299 of 2013 (SZ)

With

Original Application No. 164 of 2014 (SZ)

With

Original Application No. 164 of 2015 (SZ)

With

Original Application No. 130 of 2016 (SZ)

AND

Original Application No. 170 of 2024(SZ)

In the matter of:

Tribunal on its own motion on the

News item reported in The Hindu

Dt. 25.10.2013 about beach at

Adyar Estuary with trash, rubble

And

The Principal Secretary,

Environment & Forests,

Govt. of Tamil Nadu, Chennai & Others

...Respondent(s)

With

P. Edwin Wilson,

Purasaiwalkam, Chennai

...Applicant(s)

Versus

The State of Tamil Nadu,

Rep. by its Chief Secretary,

Chennai & Others.

...Respondent(s)

With

Jawaharlal Shanmugam,

Thiruvanmiyur, Chennai

...Applicant(s)

Versus

Tamil Nadu Pollution Control Board & Others

...Respondent(s)

With

**S. Muthumeena,
Egmore, Chennai**

...Applicant(s)

Versus

**The Secretary to the Government,
PWD, Secretariat, Chennai & Others**

...Respondent(s)

And

**Tribunal on its own motion SUO MOTU
Based on the News item in Dinamalar,
Chennai edition, Newspaper dt: 09.05.2024,
Under the caption, “Encroachment by
dumping construction waste along the
banks of Aminthakarai Koovam”**

And

**The Chief Secretary to Govt. of Tamil Nadu,
Chennai and Others.**

...Respondent(s)

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**Through
Dr. D. Shanmuganathan
Standing Counsel of Tamil Nadu
National Green Tribunal
Southern Zone, Chennai
Date: 10.10.2024**

BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN
ZONE, CHENNAI

Original Application No.170 of 2024(SZ)

IN THE MATTER OF:

Tribunal on its own motion SUO-MOTU based on the news item in Dinamalar Newspaper, Chennai Edition Dt:09.05.2024, "Encroachment by dumping construction waste along the banks of Aminthakarai Koovam".

And

Water Resources Department

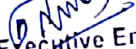
.....Respondent(s)

STATUS REPORT FILED BY THE WATER RESOURCES DEPARTMENT FOR CONSTRUCTION OF NEW FOUR
LANE ELEVATED ROAD FROM CHENNAI PORT TO MADURAVOYAL (NH 4):

I, G.R Radhakrishna, son of Govindarajulu Ramalingam, aged above 51 years, officiating as Executive Engineer in the Water Resources Department and having my office at the PWD Campus, Chepauk, Chennai - 5, do solemnly affirm and sincerely state as follows:

I humbly submit that I am presently working as Executive Engineer in the Water Resources Department and hence I am acquainted with the facts and circumstances of available records. I am filing this status report on behalf of Water Resources Department.

1. I humbly submit that As per the direction of the Chief Secretary, the Principal Secretary, to Government (MA&WS) has conducted a meeting on 02.09.2024 with all stakeholders to discuss the smooth flow of floods in the Cooum River. Post meeting the Regional Officer, NHAI, Chennai vide Lr: NHAI/ 11015/435.38/RO Chennai/2024/2597 dt: 19.09.2024, has stated that the 89 temporary platforms are formed and out of which, 69 platforms will be removed before 30th September 2024 and the balance 20nos will be removed by 10th October 2024 and as stated in meeting on 02.09.2024. It is also stated that the removed materials will be stacked along the Cooum River bund itself. The



Assistant Executive Engineer, PWD.,
Cooum Basin Sub Division,
Chepauk, Chennai - 600 005


Executive Engineer, W.R.D.,
Araniyar Basin Division, Chennai-5.



program schedule for removal of temporary platforms was shared with the Water Resource Department on 20.09.2024.

2. I humbly submit that, during the review meeting on pre-monsoon preparedness the Chief Secretary, Government of Tamil Nadu have instructed to remove all the temporary platforms and roads made in the Cooum River for the elevated corridor work by NHAI before 30.09.2024.
3. I humbly submit that, as per the MOU, the temporary platforms formed in the river by NHAI be removed and it should be conveyed to the safe dumping yard, which is not being adhere by the NHAI Contractor. It is also requested to adhere the same to safeguard the integrated of water bodies. In this regard, the Executive Engineer, WRD, Araniyar Basin Division, Chepauk, Chennai-5 have issued notice vide letter No.JDO.3 / DB / Express Way / EE / 2024 / Dt.23.09.2024 and the NHAI has not adhere the above notice yet.
4. I humbly submit that, as on 01.10.2024, the NHAI have removed 39 temporary platforms in various reaches from Padikuppam causeway to St. Andrews Bridge in Cooum River from Ls 3320m to Ls 15940m. The working platform and temporary roads were formed across the river in various locations (Upstream side and downstream side of Inner ring road bridge, Langs Garden road, Egmore and Chinthadripet are not removed.) weren't removed.
5. I humbly submit that, The Hon'ble National Green Tribunal, Southern Zone, Chennai, during the trial on 19.09.2024 over the OA No. 170/2024 have instructed NHAI to remove all the platforms before 30.09.2024 and instructed WRD file a status report on 01.10.2024. The Hon'ble National Green Tribunal, Southern Zone, Chennai, order dated:19.09.2024 is,


Assistant Executive Engineer, PWD.,
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Chepauk, Chennai - 600 005


Executive Engineer, W.R.D.,
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“1. The learned counsel appearing for the National Highways Authority of India (NHAI) states that the debris that has already been dumped into the river will be removed on or before 30.09.2024.


2. The learned counsel appearing for the Water Resources Department (WRD) would object that as the north-east monsoon would start at any time, the work has to be expedited and in the event of any cloud burst, the National Highways would be responsible for flooding that may happen.

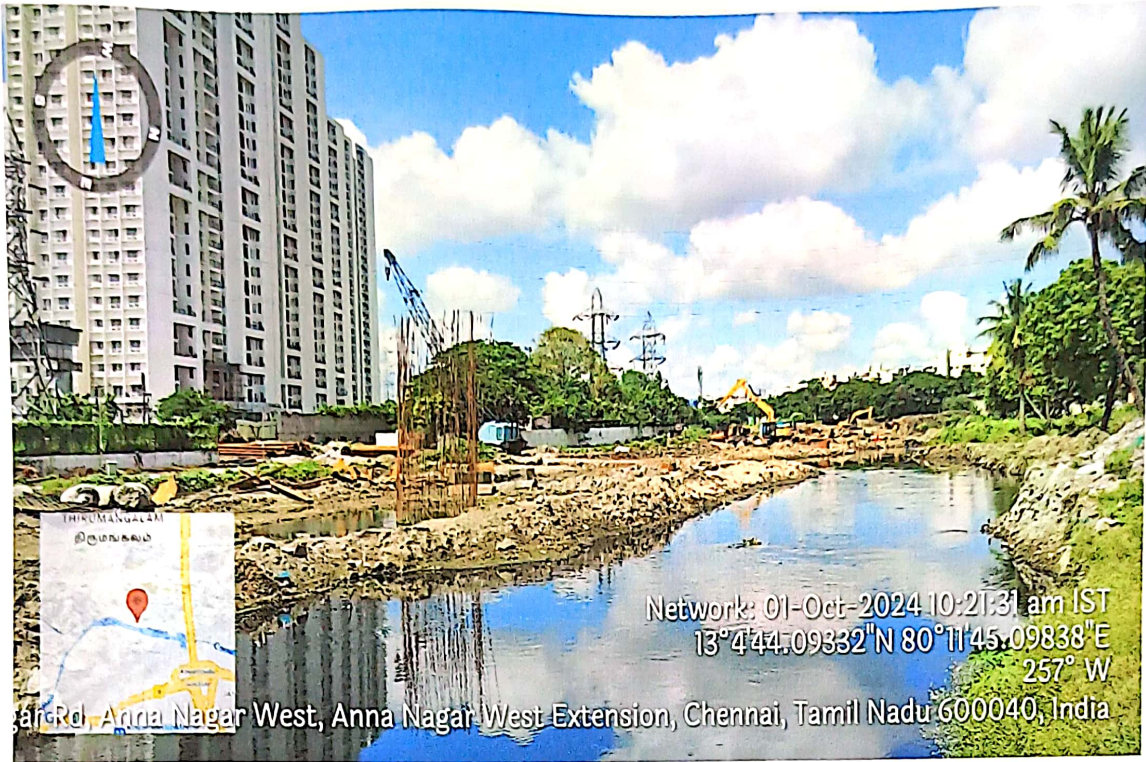
3. On the date of next hearing, the NHAI is directed to file a memo along with photographs showing that the debris are completely removed. As the deadline is only on 30.09.2024, the WRD may inspect the area on 01.10.2024 to ensure that all the dumping is removed and file their affidavit also. “

6. I humbly submit that the removal working platforms formed by construction debris and earth from Ls 3320m St. Andrews Bridge to Padikuppam Causeway Bridge Ls 15940m is not fully completed and also the removed debris was dumped on the Cooum River bund at all locations. The temporary causeway formed across river on two locations. The temporary causeway at NSK Nagar is removed and the temporary causeway formed at upstream Inner ring road bridge was not removed. In the earlier letters and meetings it was instructed to increase the number of RCC Hume pipes in road were not complied by the NHAI construction. The photographs were taken on 01.10.2024 by this Department.

The following Photographs show the debris removed from the Cooum River and dumped on the Cooum River Bund itself:


Assistant Executive Engineer, PWD.,
Cooum Basin Sub Division,
Chepauk, Chennai - 600 005


Executive Engineer, W.R.D.,
Araniyar Basin Division, Chennai-5.



Inner Ring Road Up Stream (Near Sathya Sai Nagar)



Inner Ring Road Down Stream (Near Sathya Sai Nagar)

[Signature]
 Assistant Executive Engineer, PWD.,
 Cooum Basin Sub Division,
 Chepauk, Chennai - 600 005.

[Signature]
 Executive Engineer, W.R.D.,
 Araniyar Basin Division, Chennai-5.



Inner Ring Road Up Stream (Near Sathya Sai Nagar)



Chinthadripet(near Harris Road bridge)

[Signature]
 Assistant Executive Engineer, PWD.,
 Cooum Basin Sub Division,
 Chepauk, Chennai - 600 005.

[Signature]
 Executive Engineer, W.R.D.,
 Araniyar Basin Division, Chennai-5.



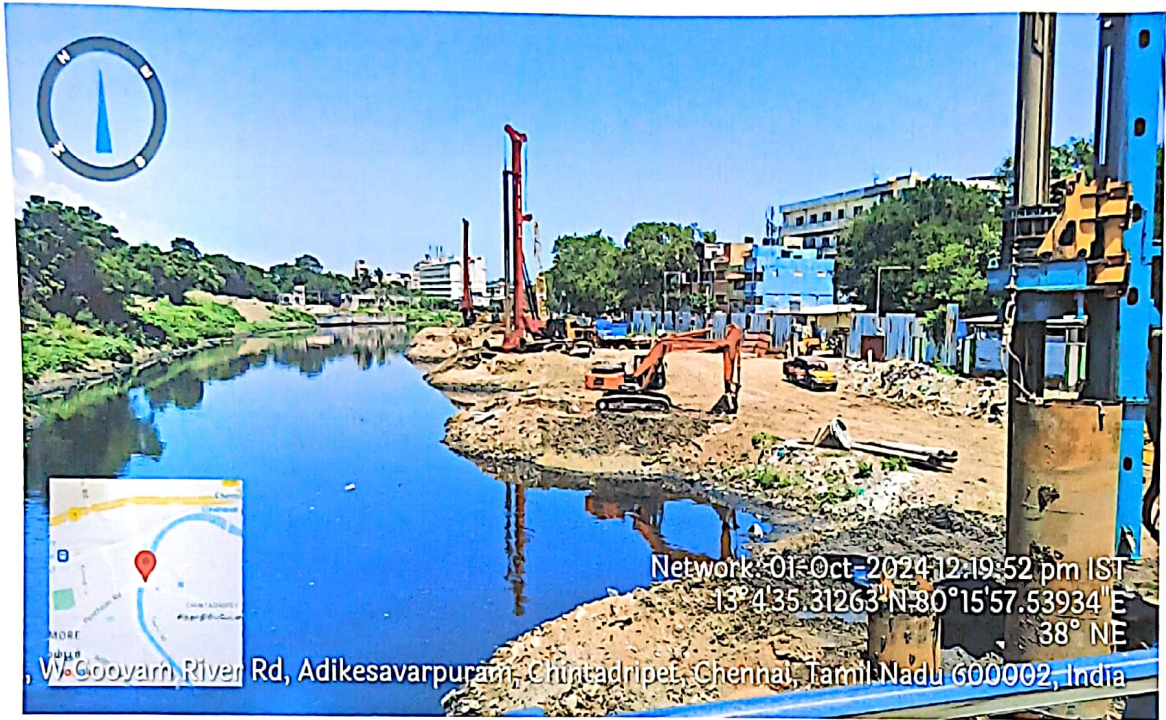
Chinthadripet (near Harris Road bridge)



Nungambakkam near College road bridge

[Signature]
 Assistant Executive Engineer, PWD.,
 Cooum Basin Sub Division,
 Chepauk, Chennai - 600 005


[Signature]
 Executive Engineer, W.R.D.,
 Araniyar Basin Division, Chennai-5.



Chinthadripet (near Harris Road bridge)



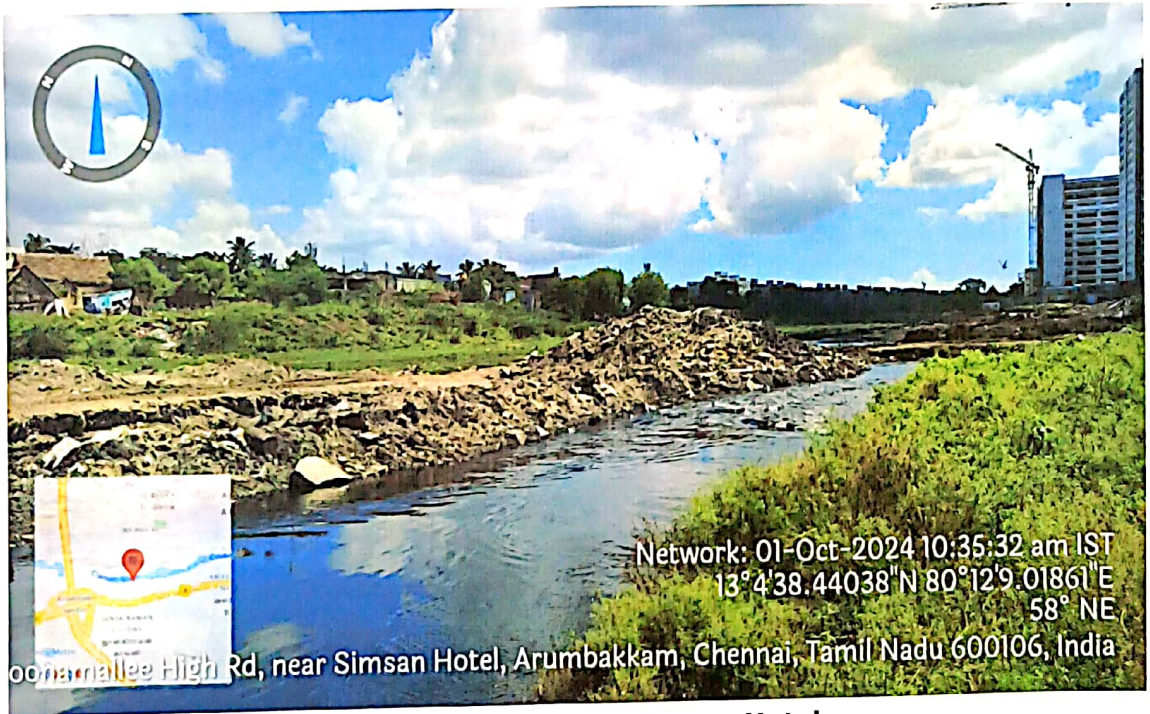
Egmore


Assistant Executive Engineer, PWD.,
Cooum Basin Sub Division,
Chepauk, Chennai - 600 005.



Executive Engineer, W.R.D.,
Araniyar Basin Division, Chennai-5,




Anna Nagar, Naduvankarai Bridge



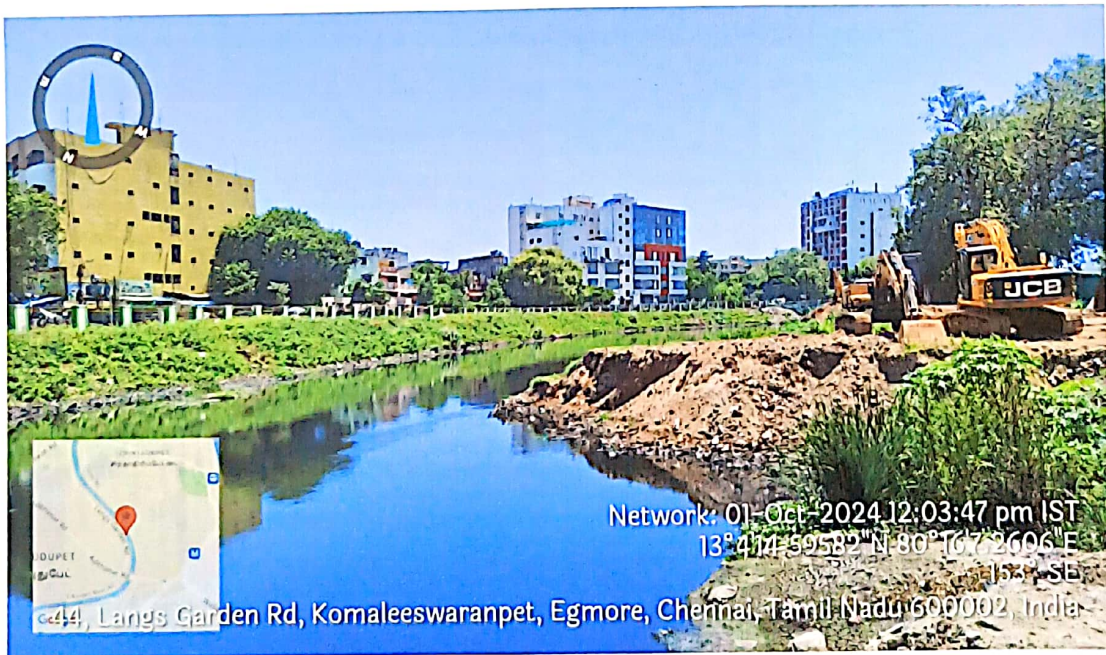
Arumbakkam Near Simson Hotel


Assistant Executive Engineer, PWD.,
Cooum Basin Sub Division,
Chepauk, Chennai - 600 005

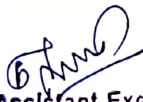

Executive Engineer, W.R.D.,
Araniyar Basin Division, Chennai-5.




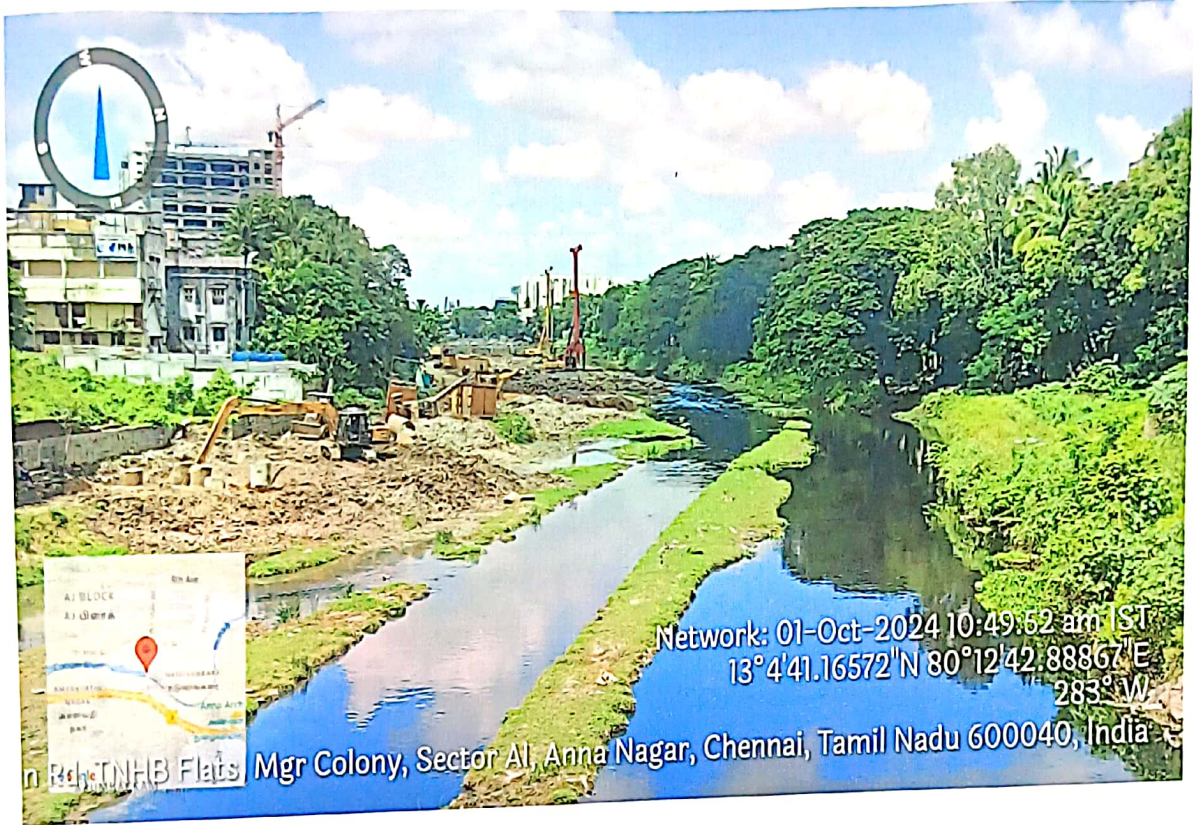
Officers Colony ,Aminjikarai



Egmore


Assistant Executive Engineer, PWD.,
Cooum Basin Sub Division,
Chepauk, Chennai - 600 005


Executive Engineer, W.R.D.,
Araniyar Basin Division, Chennai-5.



Anna Nagar



Chinthadripet

[Signature]
 Assistant Executive Engineer, PWD.,
 Cooum Basin Sub Division,
 Chepauk, Chennai - 600 005

[Signature]
 Executive Engineer, W.R.D.,
 Araniyar Basin Division, Chennai-5.

10. It is therefore most respectfully prayed that this Hon'ble Tribunal may be pleased to accept this status report filed on behalf of the Water Resource Department, record the same and be pleased to pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case and thus render justice.


Solemnly affirmed at Chennai

on this the 03rd day of October, 2024

and signed his name in my presence.


Executive Engineer, W.R.D.,
Araniyar Basin Division, Chennai-5.

Advocate : Chennai


Assistant Executive Engineer, PWD..
Cooum Basin Sub Division,
Chepauk, Chennai - 600 005