

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

(Through Video Conference)

Original Application No.92 of 2023 (SZ)

IN THE MATTER OF:

Tribunal on its own motion SUO MOTU based on the news item published in 'The Times of India' Chennai Edition dated 14.07.2023, "SIPCOT kills a lake to build a park - Nearly 10 Acres filled with debris"

And

District Collector Kancheepuram
First Floor, Collectorate,
Kancheepuram District
Tamil Nadu and Ors.

REPORT FILED ON BEHALF OF THE MANAGING DIRECTOR,

STATE INDUSTRIES PROMOTION CORPORATION OF

TAMILNADU, EGMORE, CHENNAI - 8

I, Tmt.Pon Arul Thilagavathy, W/o.M.Rajasekar, Hindu, aged about 54 years, serving as the Deputy General Manager - Legal and having office at No.19-A, Rukmani Lakshmi pathy Road, Egmore, Chennai-8, do solemnly affirm and sincerely state as follows:

For STATE INDUSTRIES PROMOTION
CORPORATION OF TAMILNADU LTD.


Deputy General Manager (Legal)

I am the Deputy General Manager (Legal) of the State Industries Promotion Corporation of Tamil Nadu Limited, Egmore, Chennai – 600 008, and I am well aware of the facts and circumstances of the case from the available record. On behalf of the Managing Director, SIPCOT, I have been authorized to file this Report.

It is submitted that, I am the second respondent impleaded in the Original Application herein which has been Suo motu taken up by this Hon'ble Tribunal based on the news item published in the 'Times of India', Chennai Edition dated 14.07.2023 with the caption 'SIPCOT kills a lake to build a park – Nearly 10 Acres filled with debris' and I am filing this Comprehensive report in compliance of the order dated 26th November 2024 made by this Hon'ble Tribunal since Navalur Lake is in possession of this answering respondent the SIPCOT.

Comprehensive Report:

1. In order to form an Information Technology Park(Siruseri IT Park), 209.06 Hect land was transferred to SIPCOT based on G.O MS No. 10, Revenue (LA) 5(2) dt. 03.01.2002 (Annexure -I). Among other lands Navalur Lake area (SF.No.168) was also ordered to be handed over to SIPCOT.

The salient points are as follows: -

- a. The Navalur Lake area (SF.No.168/1) with an extent of 32.74 acres. (13.25.5 Hect) was Handed over on 27.05.2002.
- b. This G.O. has entrusted the responsibility of maintaining the lake and its environs- both from flood control and maintenance point of view to SIPCOT.

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2. SIPCOT, Siruseri IT Park was approved by DTCP Chengalpattu vide Approval No. 76/2005, in which, the water body area (Navalur Lake area) is mentioned as 10.60 acres, as part of the approval documentation and open space reservation as 22.14 acres (Annexure - II).

3. SIPCOT, in view of its commitment to ecology and green initiatives, had proposed to rejuvenate the Navalur lake in 2019. To start with, topographical cum bathymetric survey, hydrographic study, water quality study, lake ecological survey and soil investigations were conducted through a professional agency. It is pertinent to mention that, Times of India had covered the above status of the project vide their article dated 08 Nov 2019 (Annexure-III), in viz the intent and the scope of work was fully briefed. Hence there was adequate publicity for what was intended to be undertaken.

4. Subsequently, the Concept project report and the Detailed Project reports were prepared through reputed professional agencies with the following objectives.

- Protecting existing natural resources from further degradation,
- Augmentation of groundwater aquifers,
- Creating a coherent, visually pleasing and aesthetically vibrant landscaping around the periphery of the lake,
- Encouraging the use of the waterfront greenways as a daily commuter path and leisure amenity,
- The park to be self-sustaining in the long run.

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The salient design details suggested in the Detailed Project Report was presented to the Government. After careful examination, the intent to develop Navalur lake was announced under Rule 110 in the floor of the Assembly on 24.03.2020.

6. Accordingly, a GO was issued vide GO (Rt) 70 Industries (MIG 1) department dated 22.05.2020 (Annexure-IV), sanctioning the "Rejuvenation of Navalur lake by desilting, strengthening the tank bund, providing walking facilities, cycle track, landscaping and gardens etc."
7. As per the EIA notification, 2006 and its subsequent amendments the desilting of pond/lake/reservoir does not come under the purview of Environment Clearance. Hence, this project does not require Environmental Clearance.
8. The Detailed Project Report for Rejuvenation of Navalur Lake at an estimated cost of Rs.50.00 Crores was first placed before the Board of SIPCOT on 21.07.2020. This consists some commercial elements such as zorbing and hot air balloon, boating, angling etc. Subsequently, Board at its meeting on 16.03.2021 noted that Rejuvenation of Navalur Lake and establishment of an Ecological Park will improve the water table in that area besides benefitting the employees of allottee companies and the general public in that area. Board accorded administrative sanction for the Rejuvenation work of Navalur Lake including its ecological development at estimated project cost of Rs.30.00 Crores (Annexure-V).
10. A stake holder meeting was conducted on 20.04.2022 (Annexure-VI) inviting all the stake holders including WRD,

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Panchayat President, TNPCB, BDO, Tahsildar, local residents and others. The detailed scope of work was explained to all the attendees at site. They did not have any objections with the project. Panchayat President requested access for the patta holders towards the eastern and northern side of the lake, which was accepted. All their views and suggestions were considered and accommodated.

11. During the preparation of Detailed Project Report, the hydraulic data was analysed and suggestions were made. Based on the suggestions following is being implemented: -

a. The water spread area has been increased to 14.82 acres as against the DTCP approved water body area of 10.60 Acres. Due to which the shape has been modified to some extent.

b. The water holding capacity has been increased from 3.066 MCFT as per WRD Memoir (Annexure-VII) to 8.30 MCFT. This will result in aquifer recharge for nearby areas, additional buffer storage and minimization of evaporation losses (minimal surface area increase and maximizing the depth).

c. For flood protection and to maintain water balance, inlet level is maintained at +4.15m, the outlet (Surplus Weir) at +3.62m and the lake is deepened upto 5.00m level below the top of the bund level. The desilted material has been used for strengthening of bund and forming mound and no earth was carted away or brought inside from any other source.

d. To design the surplus weir to cater for safe passage of excess runoff, even at double the normal value. This will ensure flood control.

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12. During the execution of work, a news article was published in the Times of India on 14.07.2023 stating “SIPCOT kills a lake to build a park- Nearly 10 Acres filled with debris”. Based on the news article The Hon’ble National Green Tribunal, Southern Zone Chennai on its own motion SUO Motu on 14.07.2023 has issued notice to the,

- i. District Collector, Kancheepuram.
- ii. Managing Director, SIPCOT, Chennai
- iii. Chief Engineer, WRD, Chennai.

And the matter was listed on 31.07.2023,

13. The details of Hon’ble NGT orders and the reports submitted by Respondent are tabulated as below:

Hon’ble NGT orders and Responses

Sl. No	Date of Hearing	Orders	Response
1	14.07.2023	OA.92 of 2023 (S2) SUO moto by court (Based on news in Times of India) dt.14.07.2023. posted on 31.07.2023	Respondent: 1. District collector/ Kancheepuram 2. SIPCOT 3. CE/WRD

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2	31.07.2023	<p>1. Independent reports from respondents.</p> <p>2. Walking/ cycling track on the periphery of water supply. No structures in water supply area.</p> <p>Posted on 29.08.2023</p>	<p>Independent reports filed by respondents:</p> <ul style="list-style-type: none">● WRD<ul style="list-style-type: none">i. In the peripheral area, walking track, cycling track, constructed wet land, open wells, STP's, Demo farms and Nesting mount.ii. No debris is used in the lake area.ii. Solar panels provided over cycling track.iv. Compound wall constructed on 3 sides.v. Encroachment by third party in the form of Huts (27 nos) on Northern west side of the lake.● SIPCOT<ul style="list-style-type: none">i. Walking and cycling track provided on periphery.ii. Water holding capacity and Water spread area increased by the way of desilting.ii. Surplus weir provide for flood control.iv. No debris used in the lake area.v. To relocate the encroachment Rs.6,58,746 paid to TNUHDB for 27 tenements.
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3	29.08.2023	Hearing will be taken on 08.09.2023	
	08.09.2023	<p>1. SIPCOT to provide the documents in support of land with sketches.</p> <p>2. Details of Encroachments and permeant structures put up in the water body</p> <p>Posted the matter 11.10.2023</p>	<p>1. District collector</p> <p>a) SF168/1 (13.25.50 classified as Navalur Taluk and handed over to SIPCOT and its under the maintenance of SIPCOT.</p> <p>b) SF168/2 (0.28.0) registered on temple and battai.</p> <p>2. SIPCOT</p> <p>a) FMB sketch with boundaries and LDR are enclosed.</p> <p>b) Encroachment by third party in the form of Huts (27 Nos) are enumerated in the presence of revenue officials. To relocate the encroachers Rs.6,58,746 paid to TNUHDB for 27 tenements.</p> <p>c) Walking, cycling track, paved parking area, temporary shelter, toilets, STPs and constructed wet land are provided in the periphery of the lake.</p> <p>d) 24 feet common pathway allotted on the eastern side of lake.</p>

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4	11.10.2023	At the request of learned counsel posted to 22.11.2023	
5	22.11.2023	<p>i. We direct to remove the projection in the water spread area.</p> <p>ii. District collector jointly evicts at these encroachments.</p> <p>iii. As we already stated that the lake area has not been shrunk and though the water spread area is reduced, the capacity of the lake is enhanced by deepening it and the further direction given with better storage capacity. Hence IA. No.90 of 2023 (SZ) is dismissed. Posted on 10.01.2024</p>	<p>i. Action plan submitted for removing the projection.</p> <p>ii. SIPCOT is in touch with district collector and eviction will be in 4th week of Jan 2024.</p>

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6	10.01.2024	<p>i. Lake is intake even after heavy rain in December 2023.</p> <p>ii. Create of mount in the lake and plant trees.</p> <p>ii. It will be open for public use.</p> <p>Posted on 11.03.2024</p>	<p>i. Island formed by removing the projection.</p> <p>ii. Encroachments evicted on 21.02.2024 by District Administration.</p>
7	11.03.2024	<p>Counsel changed Vakalat to be filed before next date of hearing.</p> <p>Posted in 02.05.2024</p>	
8	02.05.2024	<p>Report not before us posted to 20.05.2024</p>	
9	20.05.2024	<p>Matter stands adjourned to 09.08.2024</p>	
10	09.08.2024	<p>At the request of the learned counsel appearing for the SIPCOT.</p> <p>Post the matter on 17.09.2024</p>	
11	17.09.2024	<p>The report of the SIPCOT is said to have been filed, which not before us.</p> <p>Post the matter on 20.11.2024</p>	

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12	20.11.2024	Matter stands adjourned to 26.11.2024	
13	26.11.2024	Let the matter be listed on 21.01.2025	Comprehensive report submitted to Hon'ble NGT.

In summary the following points are submitted to Hon'ble the National Green Tribunal Southern Zone, Chennai for consideration (Photos enclosed as Annexure-VIII):

a) The Navalur Lake is desilted and the deepening work is completed and the desilted earth has been utilized for strengthening the bund and formation of nesting mount on the west side of the lake.

b) The bund is not raised above the existing level and the components like cycling track and walking track are provided at existing ground level only. No permanent structures were constructed in the Peripheral area. During heavy raining season, at the worst condition of maximum flood, the water may stagnate on the Peripheral area. After a short period, the stagnated water will recede and the components like walking track, cycling track will be put in to regular use.

c) The water holding capacity has been increased from 3.066 MCFT as per PWD Memoir to 8.30 MCFT. This will result in aquifer recharge for nearby areas and additional buffer

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storage. The lake has evolved from an agricultural tank earlier, into a rainwater management tank now, this is the best usage option assessed by us.

d) Since the water spread area has been increased from 10.60 acres to 14.82 acres the shape has been modified to some extent. This has helped in increased recharge area.

e. Constructed the surplus weir to cater for safe passage of excess runoff from the lake. This will ensure flood control.

14. In the Peripheral area structures like, walking track, cycling track, constructed wet land, Security cabin, Ticket counter, Cafe, Amphitheatre, Bird Watching Centre, Eco Knowledge Centre, 10Huts and Demo farms are provided.

15. Sewage Treatment Plant (STP) (50 KLD & 5 KLD) are provided for treating the sewage of Navalur Village and urban habitats.

16. Constructed wetland is provided for natural treatment of storm water coming from SIPCOT IT Park.

17. Solar panel 4 Nos. provided over the cycle track at 4 places of each 15 KW capacity (Total 60kw) on to partly cater for the electricity load of the park and is part of green initiative policy by SIPCOT.

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18. Compound wall is provided on all the sides to protect the water body. The water inlets which were feeding the lake earlier has been retained.

19. Native saplings 2000 Nos are being planted all-round the Periphery on the Navalur Lake to maintain a micro climate and air quality.

20. Now, as directed by the Hon'ble Tribunal, the lake is deepened by way of cutting the projections inside the water. The earth thus cut is utilized for creating an island of 25m dia inside the water spread of Navalur Lake. The island planted with native species and will invite the birds for nest and roost that will enhance the beauty and environs of the lake.

21. Also as directed by the Hon'ble Tribunal order dt.22.11.2023 the encroachment by third party in the form of huts (27nos) have been peacefully evicted on 21.02.2024 after issuing patta in Cheyyur Taluk by the District administration.

22. From the above, it is clearly established that SIPCOT,

a. Has ensured that the water spread area is not reduced. In fact, it has been increased. b. Has made sure that the water holding capacity is increased.

c. Has taken effective measures for flood prevention by way of adequate surplus weir capacity.

d. It is verified from the work done statement of the contractor, photo records and sample site investigation, that no debris/building concrete was dumped in the lake area.

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e. Has carried out the planning and execution of the project in a scientific manner and has ensured that, there are no negative aspects from hydrological point of view, environmental point of view, preservation of flora and fauna, socio-economical development aspects of all stake holders by providing them access, even the encroachers have been resettled in a humane manner.

f. The complete project scope has been in public domain, right from inception stage and there has been no deviation from the intent of the Government to create an asset not only for employees of Siruseri IT Park but also for the nearby public. This project not only covers the water management aspect and protects water body, but also provides public recreational space.

23. It is also submitted that on completion of this Rejuvenation the Navalur Lake project will be inaugurated and will be thrown open to public usage.

It is, therefore, prayed that this Hon'ble Tribunal may be pleased to take on record the submissions made above and pass appropriate further orders as deemed fit in the facts and circumstances of the case and thus render justice.

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Second Respondent



**IN THE COURT OF
NATIONAL GREEN
TRIBUNAL SITTING
AT CHENNAI**

OA.No.92 of 2023

**Report filed by the State
Industries Promotion
Corporation of Tamil Nadu**

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