

BEFORE THE NATIONAL GREEN TRIBUNAL (SZ) AT CHENNAI

Original Application No. 185 of 2023 (SZ)

Tribunal on its own motion SUO MOTU based on the news item published in The Hindu, The Times of India and Dinamalar, Chennai Edition dated 06.12.2023, 07.12.2023 and 14.12.2023, "Illegal construction and encroachment of water bodies".

... Applicant

Verses

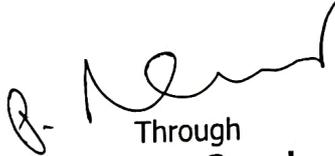
The Chief Secretary to Government, Govt. Secretariat, Fort St. George, Chennai, Tamil Nadu and Ors

... Respondents

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Certified to be True Copies of the respective originals
Dated at Chennai on this the 10th day of September, 2025


Through
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(Advocate)

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BEFORE THE NATIONAL GREEN TRIBUNAL (SZ) AT CHENNAI

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Tribunal on its own motion **SUO MOTU**
based on the news item published in The
Hindu, The Times of India and Dinamalar,
Chennai Edition dated 06.12.2023,
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construction and encroachment of water
bodies**".

-Vs-

The Chief Secretary to Government,
Govt. Secretariat, Fort St. George,
Chennai, Tamil Nadu and Ors.

...Respondents

STATUS REPORT FILED BY THE 10th RESPONDENT (CMDA)

I, G. Prakash, IAS, son of Govindasami, aged about 49 years, having office at No.1,
Gandhi-Irwin Road, Egmore, Chennai-600 008, do hereby solemnly and sincerely
affirm as follows:

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Corns: Nil

Initials: f


Member Secretary 6/10
Chennai Metropolitan
Development Authority
Chennai- 600 008.

1. I am the Member Secretary of Chennai Metropolitan Development Authority (CMDA) and the 10th Respondent herein. As such, I know the facts of the case as borne out from records.
2. I submit that in O.A. No.185 of 2023 (SZ), the Hon'ble National Green Tribunal, Southern Zone, Chennai, initiated Suo Motu proceedings based on news reports published in The Hindu, The Times of India and Dinamalar (dated 06.12.2023, 07.12.2023 and 14.12.2023) highlighting the issue of illegal construction and encroachment of water bodies in Chennai and its neighbouring districts.
3. I submit that the Tribunal observed that repeated floods in Chennai (2003, 2015 and 2023) have been exacerbated not only by extreme weather events but also by large-scale anthropogenic activities, including damage to water bodies, floodplains, rivers, and wetlands. The Tribunal emphasised the Public Trust Doctrine and directed the State and its agencies to safeguard natural resources for public welfare.
4. I submit that accordingly, notice was issued to the Chief Secretary, Government of Tamil Nadu and other authorities, directing them to submit a detailed report covering, inter alia:
 - Status of water bodies in Chennai, Tiruvallur, Chengalpattu and Kancheepuram,
 - Extent and nature of encroachments on water bodies, wetlands and poromboke lands,
 - Action taken/plan of action for eviction of encroachments,
 - Allotments of wetlands/rivers to Government departments,
 - Reduction in water storage capacity due to shrinkage/encroachments,

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Member Secretary 7/10
Chennai Metropolitan
Development Authority
Chennai- 600 008.

- Policies and regulations for restoration/protection of water bodies and floodplains,
- Action on buffer zones as per Hon'ble Supreme Court orders,
- Ongoing and pending projects to enhance water storage capacity, and
- Planning and regulatory measures by CMDA/DTCP to prevent inundation of residential colonies during monsoons.

5. I further submit that during the hearing on 21.07.2025, the Hon'ble National Green Tribunal, Southern Chennai had directed the Chennai Metropolitan Development Authority to file a detailed report regarding the mitigation measures, etc. during the flood seasons. The Competent Authorities for formulating the flood mitigation measures would be the WRD , and CMDA follows the recommendations of the WRD in matters relating to the water bodies, Marshlands, catchment area etc., However, CMDA has been following many Regulatory and preventive measures before granting any approvals for the developments taking place in the nearby places of the water bodies, marsh lands, catchment areas etc., within the Chennai Metropolitan Area, .

i). Regulatory measures taken at the time of issue of Planning Permission

- While issuing Planning Permission for buildings or layouts on sites adjacent to water bodies, the Chennai Metropolitan Development Authority (CMDA) has mandated that remarks/NOC from the Water Resources Department ("WRD"), focusing specifically on the Inundation (flood risk) aspects.

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Member Secretary 8/10
Chennai Metropolitan
Development Authority
Chennai- 600 008.

- CMDA further insists on obtaining WRD's input, such as the construction of culverts, construction of habitable space above MSL and raising the land as per WRD conditions.

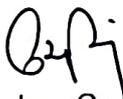
ii). Prevention Measures

- CMDA, in the Second Master Plan for the Chennai Metropolitan Area (CMA), the water bodies such as rivers, canals, tanks, etc., as per the revenue records, were identified and zoned as Waterbodies, in which no Planning Permission for development is permitted within these designated areas.

iii). Preparation of Third Master Plan is under progress in CMDA

- CMDA, as part of the Third Master Plan (2027-2046), has commenced studies on Blue-Green infrastructure in 1189 Sq.km of Chennai Metropolitan Area for identifying all the water bodies, including channels, and to recommend measures for the protection of water bodies as well as parameters for development to avoid inundation. Further, the Japan International Cooperation Agency ("JICA") is doing a study for the Formulation of a Comprehensive Flood Control Master Plan in urbanised river Basins in Chennai for the WRD, and the recommendations of the study after the approval of the WRD will be incorporated in the Third Master Plan for implementation.

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Member Secretary
Chennai Metropolitan
Development Authority
Chennai- 600 008. 9/10

It is therefore prayed that this Hon'ble Tribunal may be pleased to consider the submissions of this Respondent and pass suitable Orders in the facts and circumstance of the case, in the interest of justice and render justice.

Solemnly affirmed at Chennai on
this the 10th day of September, 2025
and signed in my presence.


Member Secretary
BEFORE ME 10/9
Chennai Metropolitan
Development Authority
Chennai- 600 008.

ADVOCATE



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