

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No.145 of 2020 (SZ)

IN THE MATTER OF:

Tribunal on its own motion-SUO MOTU

Initiated proceedings Based on the News item in
Dinamalar Newspaper, Chennai Edition dated
05.08.2020 Under the caption " Retteri Lake become
a Sewage water pond-Will Jayalalitha's dream project
be fulfilled?"

VERSUS

1. The Principal Secretary to Government,
Public Works Department,
Govt. Secretariat, Fort St. George,
Chennai, Tamil Nadu - 600 009.
2. The Additional Chief Secretary to Govt. of Tamil Nadu,
Revenue and Disaster Management Department,
Govt. Secretariat, Fort George
Chennai, Tamil Nadu 600 009.
3. The Secretary to Govt. of Tamil Nadu,
Department of Environment,
Govt. Secretariat, Fort St. George,
Chennai, Tamil Nadu - 600 009.
4. Additional Chief Secretary to Govt. of Tamil Nadu,
Municipal Administration and Water Supply Department,
Govt. Secretariat, Fort. George
Chennai, Tamil Nadu - 600 009.
5. The Chairman,
Tamil Nadu Pollution Control Board,
No. 76, Anna Salai, Guindy,
Chennai, Tamil Nadu 600 032.
6. The District Collector,
Chennai District,
District Collector Office,
No. 62, Rajaji Sali, 4th Floor,
Chennai 600 001.


ZONAL OFFICER-III
Zone-III
Greater Chennai Corporation

7. Greater Chennai Corporation,
Rep. by its Commissioner,
Ripon Building,
Chennai 600 003.

... Respondent(s)

**REPORT FILED ON BEHALF OF
GREATER CHENNAI CORPORATION**

I, H.Murgan Son of Harijakku Hindu aged about 56 years, the Zonal Officer, Zone – III, Greater Chennai Corporation, having office at No.1, Thattankulam Street, Madhavaram, Chennai – 600 060, do hereby solemnly and sincerely affirm as follows:-

1. I am the Zonal Officer, Zone – III, Greater Chennai Corporation and as such am well acquainted with the facts and circumstances of the case from the available records. I am filing this report on behalf of Greater Chennai Corporation.
2. I submit that the Tamil Daily “Dinamalar” had published a new article dated 05.08.2020 under caption “ Retteri Lake become a Sewage water pond-Will Jayalalitha’s dream project be fulfilled?”.
3. I submit that this Hon’ble Tribunal has taken a Suo Moto case on the paper publication in O.A.No.145 of 2020 (SZ) and has passed an order dated 11.01.2021 as follows;-

“...7. However, considering the circumstances, we feel that some more time can be granted to the committee to submit the report. The committee as well as the official respondents are directed to file their interim report as well as independent response regarding the allegations and the steps taken to protect the water body from their level on or before 17.2.2021 by e-filing in the form of Searchable PDF/OCR Supportable

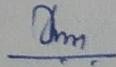

**ZONAL OFFICER-III
Zone-III
Greater Chennai Corporation**

PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per Rules.

8. The Registry is directed to communicate this order to the Members of the committee as well as the official respondents, including the Chief Secretary, State of Tamil Nadu by e-mail immediately so as to enable them to comply with direction of this Tribunal.

For consideration of further report and independent response by the State Departments, post on 17.2.2021.....”

4. I submit that pursuant to the orders of this Hon'ble Tribunal the Joint Committee headed by the Public Works Department has conducted an inspection of the Madhavaram Lake on 13.10.2020. I further submit that after conducting the joint inspection the Committee has filed a report which may be read as part and parcel of this report.
5. I submit that the committee has recommended the Greater Chennai Corporation and the CMWSSB to plug the illegal sewage inlets in Madhavaram lake through the Storm Water Drain in Vinayagapuram Drain and Korattur surplus channel in the Kolathur Redhills Main Road. Further submit that directed the Greater Chennai Corporation to shift the temporary solid waste dumping yard nearer to the right flank weir of Madhavaram tank.
6. I submit that as per the recommendation of the joint committee the Greater Chennai Corporation has taken step by plugging the illegal sewage inlets in the Madhavaram lake through the Storm Water Drain maintained by the Greater Chennai Corporation. Further the CMWSSB has to take

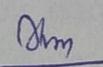

ZONAL OFFICER-III
Zone-III
Greater Chennai Corporation

action to plug the illegal inlets in the Vinayagapuram Drain and Korattur surplus channel in the Kolathur Redhills Main Road.

7. I further submit that as per the recommendation of the joint committee the Greater Chennai Corporation has shifted the temporary solid waste dumping yard nearer to the right flank weir of Madhavaram tank.

It is therefore prayed that this Hon'ble Tribunal may be pleased to accept the report and to pass suitable order or orders as this Hon'ble Tribunal may deem fit and proper under the circumstances of this case and thus render Justice.

Solemnly affirmed at Chennai ()
On this the 10th day of June 2021 ()
And signed his name in my presence ()


ZONAL OFFICER-III
Zone-III
Greater Chennai Corporation

Before Me
ASBA (2291/2019)
119 Addl. Law Chambers,
High Court, Ch-104
Advocate : Chennai

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

SUO MOTU

Original Application No.145 of 2020 (SZ)

**REPORT FILED ON BEHALF OF
GREATER CHENNAI CORPORATION**

P.T.RAMADEVI
Counsel for Chennai Corporation
Cell No.9444344552

0/2

Inspection Report of the Joint Committee
(As per Hon'ble National Green Tribunal, Southern Zone, Chennai
Order dated 10.08.2020 in OA no. 145/2020)

1. Background

The Honourable National Green Tribunal, Southern Zone, Chennai, in the matter of OA no. 145 of 2020 directed on 10.08.2020 as;

"...12 .So, under such circumstances, in order to ascertain the present state of affairs and action to be taken we feel it appropriate to appoint a joint committee comprising of 1) the District Collector, Chennai District, or a Senior Officer not below the rank of Assistant Collector or Sub-Divisional Magistrate deputed by the District Collector, 2) Superintending Engineer of Public Works Department and Water Resources Organisation, who is in charge of that area, 3) Commissioner or a Senior Officer designated by the Commissioner of Greater Chennai Corporation, and 4) Senior Officer deputed by the Chairman Tamil Nadu State Pollution Control Board to inspect the area in question and submit a factual as well as action taken report if there is any violation found.

13. The committee is directed to consider the question as to whether there was any scheme launched by the State Government or by the District administration for protection of this water body and if so, what is the stage of its implementation and whether there is any unauthorised

discharge of untreated sewage into the lake and if so, trace out the persons who are responsible for the same and take appropriate action including imposition of environmental compensation, against such persons.

14. The committee is also directed to suggest an action plan with short term and long term measures with shorter time lines to restore the water body including establishing bio-diversity park/tree-planting around the lake, apart from strengthening the lake by providing compound wall or other fences to avoid future encroachments as well.

15. The committee is also directed to take the water samples from the lake for analysis to ascertain as to whether it confirms to the standard for drinking purpose including Bio Chemical Oxygen Demand (BOD) and Chemical Oxygen Demand (COD), Total Coli Form and Fecal Coli Form and other prohibited metals. If there is any contamination they are also directed to suggest the ways and means to rectify the same.

16. The Tamil Nadu State Pollution Control Board is at liberty to conduct the independent inspection as provided Under the Water (Prevention and Control of Pollution) Act, 1974 and also Under the Solid Waste Management Rules, 2016 to ascertain the water quality and implementation of Solid

Waste Management Rules, 2016 in that area and if there is any violation and non-compliance of the directions given by the Principal Bench of National Green Tribunal in Original Application No 606 of 2018 then what are the steps taken by them, on the basis of the directions given by the Principal Bench against the erring local bodies apart from assisting the committee to incorporate those things in the report.

17. The committee is directed to ascertain the total extent covered by the lake as per revenue records and the extent of encroachment, action taken to remove the same and restore it and the action taken to protect the same apart from future encroachment.

18. The committee is also directed to issue necessary interim directions which they feel is required for immediate maintenance of the water body to the concerned department who are bound to carry out the same as monsoon is fast approaching and intermittent rains are also coming nowadays, so as to strengthen the storing capacity of the lake.

19. The Public Works Department will be the nodal agency for co-ordination and for providing all necessary logistics for this purpose.

20. The committee is directed to submit the report to this

Tribunal within a period of two months i.e., on or before 16.10.2020 by e-filing.."

Based on the receipt of the order, the joint committee has conducted an inspection on 13.10.2020 in the area of Madhavaram Lake in question and submitted the report as follows. The Madhavaram lake is situated in S.F.No:647 & 1420 of Madhavaram village in Madhavaram taluk of Thiruvallur District. Madhavaram lake has two surplus weir and a free catchment area of 1.06 Sq.km as per memoir. As per memoir, the water spread area is 141.93.0 Ha and maximum discharge is 5000Cusecs and the capacity of the tank is 31.78 mcft.

Officers Present:

1. V.Ravi, Revenue Divisional Officer,
North Chennai Division, Tondaiarpeta, Chennai -81.
2. Tr.H.Murugan, Zonal Officer,
Madhavaram Zone, Greater Chennai Corporation,
Chennai.
3. Er.C.Podupanithilagam, M.E.,
Executive Engineer, W.R.D., P.W.D.,
Kosasthalayar Basin Division, Thiruvallur.
4. Er.Tmt. Indra, District Environmental Engineer,
Tamil Nadu Pollution Control Board, Ambattur.
5. Er.Tr.K.Karthikeyan, Executive Engineer, GCC,
Madhavaram Zone.

The following observations were made by the committee during the site visit:

The surplus water from the weir of the Madhavaram lake leads to Thanikachalam Nagar drain and then leads to Bay of Bengal. Also the lake has a bund length of 3030m around the lake. It is located near the tail end of the Kosasthalaiyar River and also is located at the end of Kosasthalaiyar Basin.

In the year 2019, due to acute shortage of drinking water the CMWSSB drew water from Madhavaram Tank from 05.06.2019 to 10.10.2019 for drinking purpose at the rate of ten million litres per day.

The Public Works Department prepared the estimate to an amount of 12.90 Crores with the following provisions:

- Deepening of tank bed and forming artificial inland island
- Strengthening the Foreshore Bund in Madhavaram Tank
- Providing Compound wall Arrangements for Foreshore Bund in Madhavaram Tank
- Providing fencing Arrangements for Bund portion in Madhavaram Tank to prevent water contamination
- Provision for Providing fencing Arrangements on both sides of GNT Road
- Providing Toe wall and Revetment , Kerb wall and Foot path Arrangements for Bund portion in GNT Road both sides

The above work has been announced by the Hon'ble Chief Minister of Tamil Nadu and the work will be commenced after getting the Administrative sanction from the Government.

The committee observed that no irrigation activities are being carried out due to urbanisation. The Committee observed that sewage/sullage water are being let into the Madhavaram lake through storm water drain in Vinayagapuram drain and Korattur surplus channel in the Kolathur Redhills main road. The Zonal officer, GCC, Madhavaram assured to take action against the persons those who are illegally letting the sewage/sullage water into the storm water drain and plug the same within a short period. The committee observed that the land adjacent to Kolathur Redhills main road and nearer to the right flank weir of Madhavaram tank is being used for temporary solid waste dumping yard. The Zonal officer, GCC, Madhavaram assured to clear all the solid waste and alternate arrangements will be made in a short while. The Public

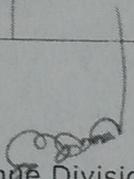
Works Department stated that nearly 5 houses were evicted in the year 2015 in the western side of the lake i.e., in northern part of lake. Further, nearly 178 encroachments were identified and necessary Form III notice has been issued to the encroachers. After the resettlement procedure is over the encroachments will be evicted by the Public Works Department.

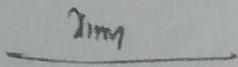
The District Environmental Engineer, Tamil Nadu Pollution Control Board, collected the water sample to ascertain the water quality of the lake to find out as to whether it confirms to standard provided which must include the quantity of E-coli, Total coliform (Tc) and Fecal coliform. The Committee instructed the Corporation to check if any other sewage inlets or trade effluents are being let into the lake. The committee instructed the Revenue Department to list out the encroachment details in the foreshore area of lake. The encroachments in the form of thatched roofs, tiled roofs, and shed in the foreshore of the lake in MGR Nagar, Anna nagar, Nehru nagar and Lakshmi puram area in Madhavaram Village. The Committee instructed the Revenue Department to take necessary steps to issue the form I & II notices to the encroachments. The Tahsildhar, Madhavaram is hereby instructed to survey the field and demarcate the boundaries of the lake and ensure the above encroachments as on now.

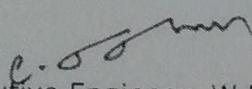
Based on the inspection by the Committee, following actions are suggested to take in short term and long term and requested the concerned departments to submit the action taken report to the nodal agency i.e., Public works Department.

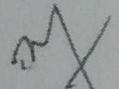
SHORT TERM PLAN			
S.No.	DESCRIPTION OF WORK	DEPARTMENT	TIME SCHEDULE
1	Plugging the illegal sewage inlets in Madhavaram lake through storm water drain in Vinayagapuram drain and Korattur surplus channel in the Kolathur Redhills main road	Zonal officer, GCC and Executive-Engineer CMWSSB, Madhavaram.	3 months

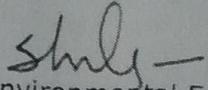
2	Shifting of temporary solid waste dumping yard nearer to the right flank weir of Madhavaram tank	Zonal officer, GCC, Madhavaram.	1 week
3	Surveying of Lake area and demarcating the boundary and assessment of encroachments	Thasildar, Madhavaram	1 month
LONG TERM ACTION PLAN			
1.	Construction of under ground sewage system for the residents residing adjacent to Korattur surplus channel.	CMWSSB, Chennai	2 Years
2.	Eviction of encroachments in the Ambattur lake	Executive Engineer, PWD/WRD, Thiruvallur	6 Months
3.	Restoration of lake by providing protection arrangements in the foreshore area.	Executive Engineer, PWD/WRD, Thiruvallur	1 Year


 Revenue Divisional Officer,
 North Chennai Division,
 Tondaiarpet,
 Chennai -81,


 Zonal Officer, Madhavaram Zone,
 Greater Chennai Corporation,
 Chennai.


 Executive Engineer, W.R.D., P.W.D.,
 Kosasthalayar Basin Division,
 Thiruvallur.


 Executive Engineer,
 Greater Chennai Corporation
 Chennai.


 District Environmental Engineer,
 Tamil Nadu Pollution Control Board,
 Ambattur.

RETERI LAKE BEFORE PHOTOS



RETERI LAKE AFTER PHOTOS

