

Item No. 01:

Court No.2

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No. 71 of 2022 (SZ)
(Through Video Conference)

IN THE MATTER OF

R.J. Radhika, Chennai

...Applicant(s)

Versus

The Commissioner, Greater Chennai Corporation & ors.

...Respondent(s)

Date of hearing: 08.07.2022.

CORAM:

HON'BLE SMT. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER
HON'BLE DR. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s):

Ms. Gayathri Devi

For Respondent(s):

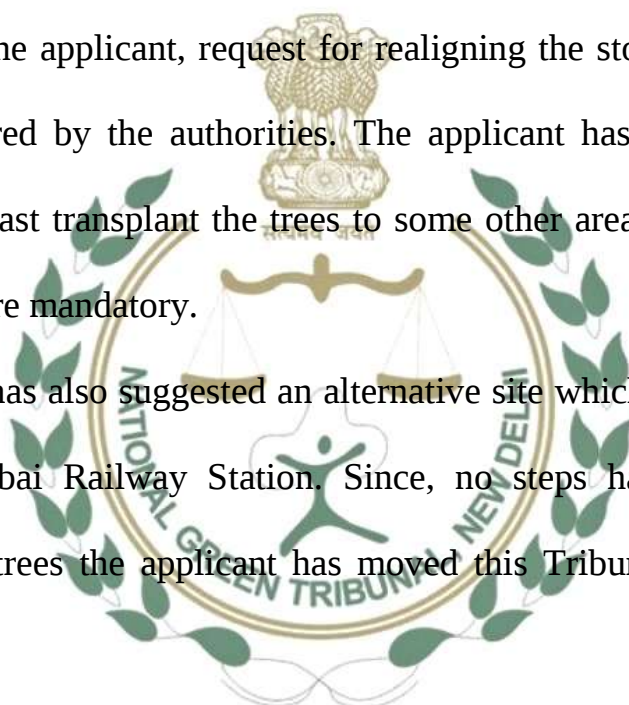
Mr. Vijay Meghanathan for respondent



ORDER

1. The above application is filed seeking a direction against the Greater Chennai Corporation to make changes/alteration in alignment of storm water drains in the city of Chennai for maximum protection of trees.
2. The contention of the applicant is that for the purpose of avoiding water logging in the city of Chennai during rains, storm water drain systems are being constructed all along the major roads of the city.

3. In the said process certain trees have to be removed. Aggrieved by cutting or removal of the trees, the applicant has come to this Tribunal seeking a direction to the Greater Chennai Corporation to consider realignment of the storm water drain system to avoid cutting or removal of the trees.
4. The applicant, who is the resident of Adyar had noticed that the respondent's officials were about to cut down three Neem trees right outside her apartment's compound wall which are approximately 30 years old. According to the applicant, request for realigning the storm water drainage is not considered by the authorities. The applicant has now also made a request to at least transplant the trees to some other area, if the removal of the said trees are mandatory.
5. The applicant has also suggested an alternative site which is at the backside of the Kasturibai Railway Station. Since, no steps have been taken to transplant the trees the applicant has moved this Tribunal with the above reliefs.
6. Heard both the Learned Counsels.
7. In this regard, the attention is invited to G.O. (Ms). No. 39, Environment, Climate Change and Forest Department dated 02.07.2021 which was issued pursuant to the orders of the Hon'ble High Court of Madras to constitute a 'Green Committee' in each department to consider the proposal for cutting and removing trees in public lands and in the public offices.



8. Accordingly, the State Green Committee and a District Green Committee in all districts were constituted. The responsibilities of the above Committees are defined in the said G.O. The above said G.O. clearly mandates the Committees to preserve the trees in the public land and in public places and provide policy support to District Green Committees for felling/removal/disposal of standing or fallen trees on public lands and in public places.
9. Subsequently, another G.O. was issued in G.O. (Ms). No. 66 dated 07.04.2022 amending the composition of the Committee by including two experts from environment or civil society groups in the State Green Committee. Thus from the above, it is evident that the Government has already constituted the State and District Green Committees to regulate the cutting and to take up the tree planting activities in public lands.
10. The Committees are also incharge of regulating the cutting of the trees, therefore, it would be open to the applicant to approach the said Committee to consider her request of realigning the storm water drain or transplant the trees to some other areas as the respondent, Greater Chennai Corporation has taken note of the fact that trees are to be removed for the purpose of construction.
11. A joint or separate representation can be made to the Green Committee at the earliest and once such representation is made the Green Committee has

to decide the request considering all the possibility of saving the trees and pass appropriate orders within a period of 10 days.

12. With the above directions and observations the application is disposed of.

.....J.M.
(Smt. Justice Pushpa Sathyanarayana)

.....E.M.
(Dr. Satyagopal Korlapati)

O.A. No. 71/2022(SZ)
8th July , 2022. (AM)

