



The Public Newsense

October-December 2017

Private Circulation Only

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From the Executive Director

Dear Friends

Wish you all a very happy and fulfilling 2018! It is my pleasure to present to you the last newsletter for the year 2017. In the last quarter we finalised the strategy, CAG-2020, for our work for the next three years. The exercise provided us an opportunity to assess our existing work and our strengths, based on which we have drawn on the objectives for the next three years.

To further our efforts towards achieving a zero waste Chennai, in partnership with several other organisations, we have launched the Kuppai Matters initiative. The first Kuppai Tiruvizha and public consultation is covered by Kripa Ramachandran. Several hundred citizens of Chennai signed the pledge to reduce waste generated and going to landfills, with a focus on source segregation and decentralised waste management.

In a report on a visit to Trivandrum, Sudipta Mohanty describes the team's experience in seeing various waste management methods and meeting the team that is working closely with the Kerala Government to spearhead a zero waste policy. The visit inspired the team which returned with several innovative ideas which could be successful within the Chennai context.

Our advocacy for road safety legislations specifically on the Motor Vehicles (Amendment) Bill 2017 moved full steam ahead with twelve of the thirty-two district level meetings completed. These meetings will be organised across all districts of Tamil Nadu. Sumana Narayanan describes how the meetings have been particularly useful to understanding the mixed apprehensions about the Bill among key stakeholders, like commercial drivers and mechanics.

Sridhar S.I. and Bharath Ram write about their experience in collecting data on damages to electricity distribution infrastructure in the aftermath of Cyclone Ockhi in south Tamil Nadu. Vishnu Rao provides a perspective on power banking in electricity sector. Savitha writes about the dilution of rules governing the building plan approval process in the TN Town and Country Planning Act, 1971. She describes how these amendments are at variance with national safety standards and will allow for continued unplanned, development and unsafe buildings.

I hope you find these articles insightful. Please visit our website for additional details on our research work or write to us for any specific inputs that you may want.

Sincerely,
Om Prakash Singh

Banking of power (Part 1)

Indian Electricity Act 2003 mandates electricity regulators to promote and provide preferential treatments to electricity generated from renewable energy sources (RES), such as wind and solar. One of the preferential mechanisms adopted by the Electricity Regulatory

Commissions (ERCs) is banking of power. Electricity produced from solar and wind is variable in nature as the power generation depends on factors like velocity of wind, intensity of sun rays etc. This poses a fundamental problem - sometimes these sources generate too much power, and

sometimes not enough. Further, once the electricity is generated there is no control over the production and it gets sent to the grid. The issue occurs when renewable electricity generates more than the required power at a given point.

Under such circumstances, regulators have come up with a concept of banking of power. RES generators can virtually bank the electricity in the grid for self consumption and/or for consumption by an end customer at a later time. It should be noted that "bank is not a physical energy storage facility but rather, energy is virtually banked through accounting methods" (NREL, 2016). Banking is virtual because electricity cannot be stored physically as consumption is instantaneous. For example, if a wind generator produces energy during a period of high wind velocity, it can make use of the excess electricity later on for self consumption or by a consumer during different time periods in an accounting year.

In India, banking of power is composed of two components - wheeling and banking. Wheeling is making use of the transmission lines to send and receive power in the grid. Wheeling takes significance when generating stations and transmission lines are two separate companies. In this case, the RES company has to pay a rental to the transmission company for making use of the transmission lines. Another charge that is levied is towards banking of energy which is essentially charges for making use of the electricity system for an extended period of time.

But banking of energy has its drawbacks. It poses challenges for the electricity infrastructure in the form of system or grid stability. When large amounts of RES are sent to the grid at a single point of time, it can lead to problems such as congestion (akin to road traffic congestion) as the wires will not be able to accommodate it. For this purpose, the electricity companies resort to transmitting power at scheduled

intervals to avoid such issues. RES disrupts the scheduling mechanism. The second problem relates to timing of withdrawal of banked power by RES companies or consumer. There may be instances that consumers may bulk withdraw power when electricity is most needed by other consumers or during peak consumption e.g. 6.30 pm to 10.30 pm or summer months. This could lead to blackouts in the event of large scale withdrawals from the grid.

The third problem relates to generation and withdrawal of power by RES. Due to uncontrollable nature of generation, RES generators may send electricity when there is already excess power in the region and withdraw their banked power when power is scarce. On the other hand, distribution companies purchase high cost power when supply is scarce. As a result, distribution companies bear a loss when RES producers withdraw high cost power from the grid as they are bound by regulations to return the excess power on a preferential basis.

To overcome the above situation, several SERCs have established banking regulations that include banking fees to be paid, indicating the period or timing of withdrawal. For example, Telangana ERC has allowed banking with restrictions on consumption or withdrawal of banked energy between February to June, and also during peak hours (i.e., 6:30 PM to 10:30 PM). An additional provision has been added that banked but unutilised power, by December of that year, shall get lapsed.

Technological advances are important in overcoming problems surrounding banking of power in terms of control over generation, especially predicting wind patterns and velocity and availability of solar radiation at that location which will go a long way in rectifying situation. This will be explored in part 2 and its implications on shaping regulations.

...to be continued in the next newsletter

Mapping electricity infrastructure damage caused by cyclone Ockhi

On November 30th, 2017, a cyclonic storm named Ockhi caused havoc and destruction in the southernmost districts of Tamil Nadu and Kerala, particularly in Kanyakumari district of Tamil Nadu. The cyclone caused damage to infrastructure and crippled power infrastructure in Kanyakumari district of Tamil Nadu. Media reports revealed that 4000 power lines and 1500 tension lines were affected, resulting in no power for more than a week. Government reports, stated that most of the power lines were restored and power supply would be

restored in two days. On the other hand, there were contradictory reports from citizens and civil society groups claiming that electricity was not restored.

Thus, with the intent to identify and map geographical locations of the electricity damages that would help the utility in identification and rectification of power lines, Electricity Consumer Cells (ECC) and Federation of Consumer Organizations of Tamil Nadu and Pondicherry (FEDCOT) conducted a survey and mapped the

electricity infrastructure damages caused by the cyclone Ockhi.

The purpose of the survey was to identify and map geographical locations of the electricity infrastructure damages, so that the rectification work can be done at the earliest. For this purpose, a crisis mapping and reporting tool called "USHAHIDI" was used. Photos of the infrastructure damages and the description were taken along with the latitude and longitude of the locations using USHAHIDI. This information then automatically gets mapped on the USHAHIDI website so that people could view the survey data. This tool has been used by citizens in other countries, for example, to report damages caused by earthquake in Haiti and to report human right violations in Kenyan elections. In India it is the first time that such a reporting tool is being used for surveying and mapping electricity infrastructure damages.

Day 1: The survey team was divided into two teams: Team A was headed by Sridhar, Researcher (CAG), and with two FEDCOT volunteers, Mr. Murugadoss and Mr. Ganesan. Team B was headed by Bharath Ram, Researcher (CAG), and with two FEDCOT volunteers, Mr. Sriram and Mr. Pazhavesan Muthu. Team A headed towards Kanyakumari and the other team focused on the entire Nagercoil area using a local taxi. On day one, the survey team surveyed eight villages (Suchindram, Mayiladi, Kunchanvillai, Udarapatti, Ethamozhi, NGO Colony, Konam, and Kalai Nagar) which had electricity infrastructure damages. With the guidance of the FEDCOT volunteers, the survey team interacted with villagers and documented their difficulties in meeting daily needs without electricity for more than a week.

Day 2: The survey team covered the remaining four villages (Rajakkamangalam, Theckurichi,

Mandaikadu, and Colachel) to investigate and map the electricity issues. The team interacted with the TNEB officials there, who said that the streets were very narrow in rural areas, thus making it difficult for them to rectify damaged electric poles. They also said that they had inspected many villages to undertake repair work. More than 1500 employees were deployed in Nagercoil and Kanyakumari areas to carry out restoration work. Around 50 – 60% of the work was completed already and the remaining will be completed within a week, they said. The survey team photographed and mapped the electricity damages using USHAHIDI tool as follows:

Categories	No. of complaints
Infrastructure damage and no power	35
Rectification under progress - no power	10
Rectified but no power	15
Total	60

The team has mapped this information along with the geographical locations. The team mapped around 60 locations with electricity infrastructure damages and shared the same with the officials in the TANGEDCO. The survey team covered an area of 250 KMs in Kanyakumari district, which was severely affected by the cyclone.

This tool will not only help officials easily locate areas of damage and carry out rectification work but will also help citizens report electricity supply issues and demand for better services. The USHAHIDI website features electricity infrastructure damages as one of the most active deployments.

Click on the link for details - www.ecc.ushahidi.io

Zero Waste team's trip to Thanal

From 14 to 16, October 2017, CAG's Zero Waste Team composed of Ariel, Durga, Kripa, Samantha, Sriram and Sudipta went to visit Thanal in Trivandrum. This was for the team to understand how Thanal has been instrumental in helping the Thiruvananthapuram Corporation set up an effective zero waste management system in place.

There were several qualitative and quantitative lessons we drew from this trip, of which, the most prominent was that waste in India is generally considered as a disposal issue. However, a proper management of waste needs to take into account its entire lifecycle as well as the different stakeholders involved in its creation, use and management. This is



Team CAG together with Team Thanal

why Thanal's Zero Waste Centre was a precious takeaway for the team. It is a resource recovery centre that functions as a training centre for women to learn tailoring, craft making and entrepreneurship, complete with a small retail outlet

for the organic and sustainable products they create. This model of social empowerment through the generation of environmentally sustainable employment could be implemented in Chennai.

We were also introduced to the Kudambashree programme, which is an example of employment generation for women in Trivandrum that also mitigates the waste problem. This programme, started and supported by the Kerala government in 1988, supports micro enterprises run by women. Through this programme, a group of 200 women have been appointed to collect enough wet waste from four wards to provide fuel for the Manacaud Biogas Plant to run a little office situated at site.

We saw the scope of social enterprises as well with our visit to Haritagaram. As a 3-year old enterprise, it has come a long way since its CSR funded start. It is now a for-profit company that caters to a shifting range of 2800-3600 households. Haritagaram started off with pipe composting for individuals to take care of their own waste. It began a door-to-door campaign comprising of a strategic mix of school children, IAS officers and politicians to convince citizens to make the shift. It also gave waste pickers a social upgrade by training them as technicians to help householders with their composting. It has since reworked the flaws in design and shifted to kitchen bin composting. There were many such useful pointers with respect to technical issues and human interfacing from this encounter.

Considering that India's composition of waste is largely biodegradable, a lot of our trip was focused around composting. We were shown examples of how different waste generators could opt for this option. Kowdiyar Manor, our first visit of the three, is a Resident Welfare Association that comprises of 60 households. In this large, well-to-do apartment complex, we were given information on composting in pits and the common challenges that came along

with this. The compost is used for edible and ornamental plants around the residence. Their recyclables are also stocked together and sold off. The only downside from their management of waste is the treatment of sanitary waste which is simply burned, a common practice in Trivandrum. The next composting we witnessed was of a bulk waste producer. Trivandrum Club with its multiple recreational activities, marriage halls and resorts produces at least a ton of waste a day. This waste, thanks to the strict regulations laid out by the government, needs to be managed onsite. We visited its compost site as well as its biogas unit. Compost is used for its terrace garden, where the yield of the plants are either used for the restaurants or sold off to club members.

The final composting example was a useful one since it caters to today's fast-paced, cramped lifestyles. Jagathy Aerobic Composting Unit, a project by the Corporation, was inaugurated by Finance Minister Thomas Isaac. Households residing around the facility drop off their kitchen waste at their convenience (the opening hours are kept specifically long to accommodate different lifestyles). Compost is given off free of cost to those wishing to take it. Aside from the valuable field visits we made during this trip, Mr. Shibu Nair shared a wealth of information, of which we will share only the core pointers. He attributed Thanal's success to three factors: social engineering or its ability as an organisation to understand the strengths and weakness of every stakeholder. The second is democratisation or its firm stance never to weaken any government institution but strive to work together instead. And finally, what he called de-education: investing in inculcating any relevant skills, even social if necessary, so that you create an empowered and useful workforce. With its beautiful balance of qualitative and technical insights, the team returned full of ideas and inspiration to put to test here in Chennai.

World Day of Remembrance for road traffic victims

Every year, the third Sunday of November is marked as the day of remembrance for victims of road crashes. This internationally commemorated day, fell on November 19th in 2017. As in 2017, CAG marked this day with an event in Chennai at Besant Nagar beach in the Car-Free Sunday space.

The event saw a skit performed by Alternate Media Centre that highlighted the World Day of Remembrance for Road Traffic Victims (WDR), that drew a substantial crowd. The skit also spoke about the Motor Vehicles Amendment Bill and the country's

poor road safety record and exhorted citizens to obey the road rules and drive safely. CAG also launched its Road Safety Snakes & Ladders game at the event. The game modified the traditional Snakes & Ladders to reflect road rules such as wearing helmets and recognising traffic signs so that it would be a fun way for children to learn the road rules.

The game was printed on a 15 feet by 15 feet canvas sheet and a large stuffed dice was provided as well. As can be seen in the photo, children were able to stand on the game and move up the 'ladder'. We had children (and even adults) lining up



to play. The game has been handed over to the organisers of the Car-Free Sunday event so that they may continue to use the game every week.

CAG is happy to share the design with any organisation who would like to use it. In fact, at the launch, CAG was approached by Chutti TV, a Tamil channel for children, about using the game. We hope to be collaborating with them on this in the near future.

Kuppai Matters more than ever

Solid Waste Management (SWM) is one among the basic essential services provided by municipal authorities to the citizens. Throughout the developing world it is the urban poor, often in the peri-urban areas, that suffer most from the life-threatening conditions as a result of deficient solid SWM system. Despite a high growth rate, India and Indian mega-cities fair very poorly in SWM.

In order to abate this looming environmental emergency, The Solid Waste Management Rules of 2016 was notified in April 2016. These rules mandate the 'urban local bodies' and 'urban agglomerations' among other entities to adopt these rules for sustainable waste management solution. In furtherance of these rules, the Greater Corporation of Chennai has also mandated door-to-door collection and segregation of household waste since October, 2017. Within days of enforcing these rules, the Corporation went on record to declare these efforts as a failure, owing to poor response and participation from the citizens. The denizens, on the other hand, blamed the Corporation for its failure to deliver a robust mechanism for ensuring compliance with the SWM Rules. It comes as no surprise, therefore, that Chennai has been besmirched as one of the few least compliant cities in the country.

One of the many reasons for the city's abysmal state is the lack of effective and honest public participation, absence of inclusive spaces and inadequate efforts to ensure that matters of SWM are brought to the fore. Recognising the need for an urgent collaborative action in this space, in early October last year, CAG conceived 'Kuppai Matters'-a platform for residents, workers' organisations, educational institutions, environmental groups and other associations. Since its founding, the initiative has steadily drawn allegiance from spirited individuals and several reputed organisations like Vettiver Collective, Urban Design Collective, Arappor Iyakkam, Pennurimai Iyakkam, WeBe Design Lab, Poovulagin Nanbargal, Voice of People, Real Charitable Trust, Nodal Point, ExNoRa, Action Aid,

Ilantamizhalagam, and Care Earth Trust. The initiative, inter-alia, aims to transform public hearings from a mere ritual to an earnest participatory action planning by forging a cooperative partnership between people and public institutions.

The initiative was officially launched on the 25th of November, 2017 at SBOA School in Anna Nagar. The grand launch spanned over two days much like a 'Thiruvizha' and comprised an array of activities to engage young and old, novices and experts, sceptics and optimists. The event comprised merchandise stalls that provided affordable alternatives to everyday plastics, activities and games for people to learn and practice segregation and composting at household and neighbourhood levels, story-telling sessions by Informal Waste Pickers (IWPs), people who are seldom represented in such fora. The launch culminated in a public consultation session in which speakers enlightened the audience on the need to push for a centralised waste management model on the themes of environmental sustainability, rights and dignity of IWPs and public health effects of poor SWM. Over these two days, hundreds of residents pledged for change in the way solid waste was being managed in the city.



The event was very well received by the members of the management, teachers, students and parents of the students of SBOA group of schools and local residents and has generated considerable interest

amongst the participants as understood from the social media traction. The event managed, in a small yet significant way, to change the narratives around the problems of waste management, as observed by one of the participants. With this experience and the lessons learnt thereof, Kuppai Matters aims to take this initiative to the residents of

other zones in the city over the next few months. Taking urgent action matters now than ever before, because, if left unchecked, poor SWM will undo a lot of the progress made over the past years. It can also exacerbate, as we are already seeing, current threats to the environment, public health and rights and dignity of labour.

TAMIL NADU 32: A Road Safety Tour of the districts

The Government of India, in an attempt to improve the country's abysmal road safety record, has been trying to amend the Motor Vehicles Act, 1988. After a long process, including review by several committees, the Amendment Bill is now poised to be tabled in the Rajya Sabha during the current session of Parliament.

While the Amendment Bill is being debated by Parliamentarians, CAG has been conducting stakeholder meetings in all 32 districts of Tamil Nadu to discuss the Amendment Bill, to share opinions and insights into the state of road safety in Tamil Nadu, the likely impact of the Amendment Bill and the need for such strong legislation. These meetings include government officials, elected representatives, public transport staff, members of several unions, students, consumer groups, and the general public. The meetings have also, included a pop quiz on road rules, aimed at the students present.

As of date, twelve district-level meetings have been held in Thiruvallur, Kanchipuram, Villupuram, Cuddalore, Nagapattinam, Thiruvallur, Karur, Dindigul, Tiruchirappalli, Dharmapuri, Thanjavur and Pudukottai districts. The meetings have seen a range of participants (as mentioned before) with varied opinions on the Amendment Bill. Government officials by and large have been against certain provisions in the Amendment Bill because they are concerned the Centre is usurping their powers. In Thiruvallur, auto and bus drivers were convinced that the Amendment Bill, if passed, would require them to retake a driving test as their licences would no longer be valid. They also believed that the licensing system would be privatised and were strongly against this. Another concern was that repairs to vehicles could be done only at service centres authorised by the vehicle manufacturer and this would escalate maintenance costs. In addition, such a move could put small 'unauthorised' mechanic shops out of business adversely impacting livelihoods.

These were interesting points as these had been a part of the original Road Transport and Safety Bill (RTSB), which was shelved due to strong opposition



Speakers addressing the gathering

from various stakeholders on certain provisions. Following this, the Government decided to amend the existing Motor Vehicles Act of 1988. The last two points raised in the meetings, had faced opposition from many quarters including CAG and other non-profits working on road safety. While there was in the RTSB, a move to privatise public transport (a concern expressed by government officials), thankfully this has been dropped in the current Amendment Bill. As for privatisation of the licensing system, while the wording in the Amendment Bill is not very lucid, it is clear that licensing can only be done by the government and certainly there is no requirement for drivers to retake the test if their current licence is valid. Bus drivers at several meetings welcomed the move for scientific investigation of road crashes, highlighting that under the current system, cases are invariably foisted on them as they are usually driving the larger vehicle involved.

These meetings have shown us that awareness of the Amendment Bill and its contents is varied. Some participants had no clue; others knew a fair amount about the RTSB but seemed to think that the Amendment Bill had much the same changes as the RTSB; and yet others felt that the current system is just fine and no changes at all are required. This is exactly why we feel these district-level meetings have great value - they create a forum to discuss the Bill, debunk myths, understand different stakeholders' viewpoint and potentially work together for safer roads for all. The district-level

meetings will be held through January and February 2018, culminating in the 32nd meeting at Chennai in

March. Regular updates on the meetings are available on the Facebook page.

Building Plan Approval in TN – dilution of Rules over time

The Tamil Nadu Town and Country Planning (TN TCP) Act, 1971 is a legislation that provides for planning the development and use of rural and urban land in Tamil Nadu. Chennai Metropolitan Development Authority (CMDA) is a statutory body constituted under the TN TCP Act, 1971 and is the nodal town planning authority for the city of Chennai. For any type of development, two types of approvals are to be obtained. First is the planning permission which is governed by the TN TCP Act 1971, with the rules in Development Regulation of Second Master Plan and second is the building permit which is governed by the Chennai City Municipal Corporation Act, 1919 with the rules in Chennai City Building Rules. While the Greater Chennai Corporation issues building permits, planning permits are issued by CMDA.

The National Building Code of India (NBC), formulated by the Bureau of Indian Standards, is a comprehensive Code, providing guidelines for regulating the building construction activities across the country. It serves as a Model Code for adoption by all agencies involved in building construction works and mainly contains administrative regulations, development control rules and general building requirements, fire safety requirements, stipulations regarding use of materials, structural design and construction (including safety); building and plumbing services and approach to sustainability.

It is interesting to note that the Development Regulations of CMDA very clearly state that "In so far as the determination of sufficiency of all aspects of such structural designs, building services, plumbing, fire protection, construction practice and safety are concerned the specifications, standards and code of practices recommended in the NBC of India shall be fully conformed to and any breach thereof shall be deemed to be a breach of the requirements under these regulations".

However, blatant violation of building norms has been a cause of concern for many years now. The consequences of unauthorized constructions are being borne by individuals and the city alike. It spoils organized development and undermines the benefits of city planning and the susceptible buyers of such properties face many hardships. As a result of insufficient provision of car parking, traffic issues prevail. By not providing mandated open spaces around buildings, rescue efforts during emergencies and fire accidents become difficult. Buildings

exceeding the permissible Floor Space Index (FSI) bring in more people and vehicles to the area than the neighbourhood can handle, thus adding to the woes.

While the Government is expected to work out measures to stem the trend of flouting rules, it is saddening to witness its continued lackadaisical approach in dealing with the issue. Section 113 of the Town and Country Planning Act already provides wide and arbitrary powers to the Government to exempt any land or building from any of the provisions of the Act and Rules there under. This being so, the Government amended the Act to introduce Section 113A and introducing a scheme of regularization by which buildings that were completed as on 28.02.1999 could apply for regularization of their unauthorized construction/deviation for a prescribed fee. Citizen consumer and civic Action Group (CAG) challenged both, Section 113 and 113 A, and the Supreme Court (SC), while upholding the validity of both the Sections, held that while Section 113 was intended to mitigate hardship caused to the people who put up construction with marginal violation, Section 113A was valid as one time measure. However, the State Government extended the regularization scheme for three consecutive years, which was challenged by CAG, once again. The Madras High Court held the validity of the regularization scheme post 28.02.1999 to be ultra vires and appointed a Monitoring Committee consisting of both official and non official members to monitor violations of planning laws and to recommend enforcement action by the statutory authorities against errant buildings and builders. Without implementing the directions of the High Court, the State, along with the CMDA and violators, approached the Supreme Court. However their Special Leave Petition (SLP) was dismissed by the SC.

Following this, there were several attempts made by the Government to protect the interest of violators, the latest one being the introduction of Section 113C to the Town and Country Planning Act, where it exempts buildings, constructed before July 1, 2007. The Rules under Section 113C were notified recently, based on Justice Rajeshwaran Committee's report. In these Rules, we see gross compromise on set-back spaces, road width, building heights, FSI and parking as against the Development Regulations. Thus, the NBC standards quoted in the Development Regulations have been observed only in their

breach and safety has been diluted.

The reduction of setback spaces and road width and increase in FSI in the Rules under Sec 113C has implications both inside and beyond the site or plot. In such a scenario, fire vehicles and rescue equipments cannot squeeze through and these buildings could potentially lead to a Towering Inferno, risking the lives of the occupants and those in the building. The reduction of Road Width and Setbacks also affects the efficacy of the DFRS in reaching and putting out of fire in such plots – preventing the usage of the equipment and posing great danger to the life of the rescuers (DFRS personnel). Movement and manoeuvrability of the fire tenders and Aerial Ladder platform vehicles will be severely restricted. Reduced spaces do not provide adequate fire separation between buildings and the road, thus endangering the lives of residents in the building, those in adjacent buildings and even to those on the road in front of such buildings. It also does not evaluate the needs of

other activities in emergencies like building collapse, suicide threats, etc.

Similarly, building heights have to be concomitant to and correlated with available road widths and setbacks, for movement of vehicle and operation of equipment. However, Rules under Section 113C has increased the height permitted and this has implications for safety. With more FSI and height, fire risk will be greater. Further compromising fire safety and life safety provisions, the National Building Code of India will end in death trap of hundreds of innocent people trapped in the higher reaches of the buildings. It is a well recognized norm that the provisions of an Act, including amendments thereto, must harmoniously move towards realizing the objectives of the relevant legislation. However, the said Rules are at complete variance with the other provisions of the Town and Country Planning Act and seek to completely obliterate the purpose of planned urban development of the State.



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