

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Application Nos.14, 16, 38 & 40 of 2017 (SZ)

Applicant(s)

Respondents

Application No.14 of 2017

Meenava Thanthai
K.R. Selvaraj Kumar
Rep. by its President

M.R. Thiyagarajan
Royapuram, Chennai

1. The Chairman
National Coastal Zone Management
Authority, MoEF & C, New Delhi
2. The State of Tamil Nadu
rep. by its Secretary to Govt
Environment & Forest Dept, Chennai
3. The State of Tamil Nadu
Rep. by its Secretary to Govt, PWD, Chennai
4. The Member Secretary,
State Coastal Zone Management Authority
Chennai
5. The District Collector, Thiruvallur
6. The Chairman
Tamil Nadu Pollution Control Board
Chennai
7. The ADGP, Coastal Security Group
DGP Office Complex, Mylapore, Chennai
8. The Tahsildhar, Ponneri
9. M/s. Kamarajar Port Ltd., rep. by its
Chairman, Chennai
10. M.T. Dawn Kancheepuram
Arya Voyagers Pvt. Ltd.,
Rep. by its Managing Director, Mumbai
11. M.T. BW Maple, rep. by its Chairman
Chennai
12. The Member Secretary, Central
Pollution Control Board, New Delhi
13. The Director General
Ministry of Shipping, New Delhi.
14. MoEF, New Delhi (suo motu)

Counsel appearing for applicant

Counsel appearing for respondent/s

Mr. K. Mageshwaran

Mr. G.M. Syed Nurullah Sheriff for R1&14
M/s. M.K. Subramanian,
E. Manoharan &
P. Velmani for R2 to R5, R7 & R8
Mrs.H. Yasmeen Ali for R6
M/s.Krishna Ravindran
A.Charles Darwin & S.Praveen
Kumar for R9
Mr.S. Vasudevan for R10
Mr. Raghunathan, T.Poornam,
Sharanya Vaidyanathan for R11
M/s. D.S Ekambarm & P. Jayalakshmi for R12
Mr.Su. Srinivasan for R13

Application No.16 of 2017 (SZ)

Applicant (s)

Respondents

Saravanan Dakshinamurthy
No.11A, Muthallamman Kovil Stre
Selaiyur, Chennai 73

Vs. The Union of India
rep.by its Secretary, Ministry of
Environment and Forests,
Climate Change, Jorbagh,
New Delhi

2. The Union of India, rep. by its
Secretary, Ministry of Shipping
New Delhi

3. The Indian Coast Guard, rep by
Its Director General, Chennai

4. The State of Tamil Nadu, rep.
By its Director, Dept of Env &
Forest, Chennai

5. Kamarajar Port Ltd. Rep. by its
Chairman cum M.D, Chennai

6. M.T. Dawn Kanchipuram
Arya Voyagers , rep. by its M.D
Mumbai

7. M.T. BW Maple, rep. by its
Chairman, Chennai

8. The Central Pollution Control Bd
Rep. by its authorised officer

9. The Tamil Nadu Pollution Control Board, Delhi

Legal Practitioners for Applicant (s)

Yogeshwaran A,
Neha Miriam Kurian

Legal Practitioners for Respondents

Mr.Syed Nurullah Sheriff for R1
Mr.Su Srinivasan for R2 & R3
Mr.M.K.Subramanian for R4
M/s.Krishna Ravindran
A.Charles Darwin &
S.Praveen Kumar for R5
Mr. S. Vasudevan for R6
Mr. Raghunathan, T.Poornam,
& Sharanya Vaidyanathan for R7
Mr.D.S.Ekambaram &
P. Jayalakshmi for R8
Mr.H.Yasmeen Ali for R9

Application No.38 of 2017 (SZ)

Applicant(s)

Ashwini Kumar
R/o. E-38, Greenwood City
Sector – 46, Gurgaon – 122003

Respondent(s)

1. Union of India
Ministry of Environment and Forests
New Delhi, through Secretary
2. Ministry of Shipping, through its
Director, New Delhi
3. State of Tamil Nadu
Through Chief Secretary, Chennai
4. Tamil Nadu State Pollution Control Board
Thro. Its Member Secretary, Chennai
5. Kamarajar Port Ltd., Chennai
6. Tamil Nadu Maritime Board, Chennai
7. Indian Oil Corporation, New Delhi
8. Tokio Marine Holdings Inc
Rep.in India thro
M/s.IFFCO – Tokio General Ins.Co
Owners of MV Maple Galaxy
Gurgaon, Hasryana
9. M.T. Dawn Kanchipuram
Arya Voyagers , rep. by its M.D
Mumbai

Counsel appearing for applicant

M/s. VSA Legal Advocates

Counsel appearing for respondent/s

Mrs. Me. Saraswathy for R1
Mr. Su. Srinivasan for R2
Mr. M.K. Subramanian for R3
Mrs. Yasmeen Ali for R4 & R6
M/s.Krishna Ravindran
A.Charles Darwin &
S.Praveen Kumar for R5
Mr. S.Vasudevan for R9

Application No.40 of 2017 (SZ)

Applicant(s)

P. Somasundaram
Advocate
Delhi

Respondent(s)

1. Union of India
Ministry of Environment and Forests
New Delhi, through Secretary
2. Union of India, rep.by its Secretary
Ministry of Shipping & Road Transport
And Highways, New Delhi
3. Director General of Shipping
Bombay
4. Central Pollution Control Board
Through its Chairman, New Delhi

Counsel appearing for applicant

M/s. P.V. Yogeswaan
K. Maylsamty

Counsel appearing for respondent/

Mrs. Me. Saraswathi for R1
Mr. Su. Srinivasan R2 & R3
Mr.D.S.Ekambaram &
Mrs. P. Jayalakshmi for R4

M.A. No.32 of 2017

M.A.No.35 of 2017

Note of the Registry	Orders of the Tribunal
Item No.6-9	Date: 6th July, 2017 We have heard the learned counsel appearing for the parties. The Director of Fisheries has filed a Compliance Report

in which the Director has enumerated various steps taken for the purpose of ascertaining the persons who are affected. It is stated that certain applications have been received from the Members of the applicant association viz., Meenava Thanthai K.R. Selvaraj Kumar Meenavar Nala Sangam. However, Mr. Sridhar, learned counsel appearing for the said Association would submit that remaining applications are not received and they are prepared to submit the applications in proper format.

The learned counsel appearing for the Government would submit that if the applications are submitted they will be received.

We make it clear that the remaining applications shall be submitted by the concerned persons within two weeks from today in the prescribed format. We make it clear that after the expiry of the said period, no application shall be received by the Fisheries Department.

After the receipt of all the applications within the time stipulated, within six weeks thereafter, the Fisheries Department shall process the applications and decide the persons who are eligible for receiving compensation and

file a Status Report. The eligibility criteria shall be in respect of individual fisherman. After the completion of the said process by the Fisheries Department, the other respondents shall complete the process of settling the entire claim within two weeks thereafter.

In so far as it relates to the investigation, we have directed in our order dated 26.4.2017 that the Government shall take proper steps for the purpose of conducting investigation by the properly trained officer.

We make it clear that while proceeding with the investigation, the government shall get the assistance of the Expert specialised in the field and file a Status Report on the next date of hearing.

In our order, we have made it very clear that all these activities shall be done under the supervision of the Director General of Shipping and this direction shall continue to be in force.

Mr. Syed Nurullah Sheriff, Mrs.Me.Saraswathy learned counsel appearing for the MoEF & CC submits that the MoEF & CC and the Tamil Nadu Pollution Control Board have conducted a joint inspection on 29.6.2017 and the

ground water samples taken have been sent for analysis and report will be filed on the next date of hearing.

The other directions given in our order dated 26.4.2017 shall continue to be in force.

Post the applications on 12.9.2017.

....., JM
(Justice Dr.P.Jyothimani)

.....,EM
(Shri P.S. Rao)

