

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

O.A. NO. 75 OF 2019

IN THE MATTER OF:

THIRU S.MATHIVANAM

APPLICANT

VERSUS

STATE OF TAMIL NADU

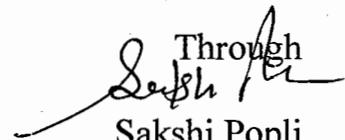
RESPONDENTS

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N.D.O.H - 09/10/19

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Respondent

Through


Sakshi Popli
Advocate

CH. No. 614 Patiala House Court
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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO.75/2019**

Thiru. S.Mathivanan

... Applicant

Versus

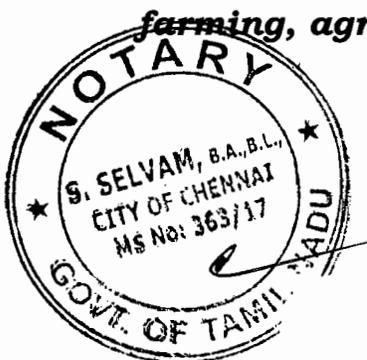
State of Tamil Nadu

... Respondents

**REPORT SUBMITTED BY STATE LEVEL ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY, TAMIL NADU**

1. It is respectfully submitted that the Application is registered in the Hon'ble National Green Tribunal, Principal Bench, New Delhi based on the complaint received from Thiru.S.Mathivanan. The complaint was registered as Original Application No.75 of 2019 before the Hon'ble National Green Tribunal, Principal Bench, New Delhi. In this connection, the Hon'ble National Green Tribunal, Principal Bench, New Delhi order dated: 26.02.2019 has directed that

"This letter petition has highlighted the serious consequence of a highway being NH-844 proposed through 7 important lakes/water bodies in and around Hosur, Tamil Nadu. Hosur is stated to be premium farming, agriculture and horticulture center of the State

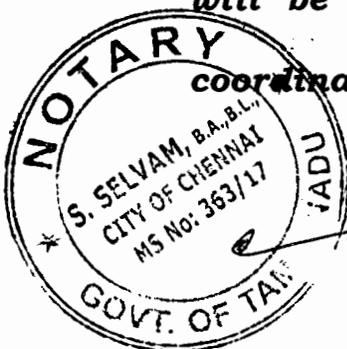


Jayshankar
Member Secretary
State Level Environment Impact Assessment Authority - Tamilnadu
Third Floor, Panagal Maaligai,
Saidapet, Chennai - 600 015.

and, therefore, the proposal of such project would further burden the existing water scarcity. Besides that, the inflow to the water bodies in the area shall also be affected as the 7 lakes lie within the space of 7 Kms. As the construction of the National Highway would be through those water bodies, it would also effect the water flow and inter-linking of water resources apart from causing irreparable damage to the agriculture and horticulture of the villages.

It is also contended that destruction already caused by the NH-44 to the critical elephant habitat would be aggravated as the proposal for the present project for the NH 844 highway would increase the traffic load and consume more area of the reserve forest.

In view of serious issues raised in the application, we deem it appropriate to forward this application to SEIAA, Tamil Nadu, Principal Chief Conservator of Forest (HOFF), Tamil Nadu, Chief Wildlife Warden, Tamil Nadu and Regional Office of MoEF&CC at Banglore who shall jointly consider the facts and circumstances set out in the application and after its examination, to take appropriate steps for mitigation of the apprehended damages expressed in the application. The Nodal Agency will be the SEIAA, Tamil Nadu for compliance and coordination.



Jayanti
 Member Secretary
 State Level Environment Impact Assessment Authority - Tamilnadu
 Third Floor, Panagal Maaligai,
 Saidapet, Chennai - 600 015.

Let the action taken report be filed before this Tribunal within one month from the date of receipt of copy of this order by e-mail at ngt.filing@gmail.com. A copy of this order, along with complaint, be sent to the SEIAA, Tamil Nadu by e-mail for compliance.

Needless to state that order of National Green Tribunal is binding as a decree of Court and non-compliance is actionable by way of punitive action including prosecution, in terms of the National Green Tribunal Act, 2010.

List for further consideration on 12.04.2019"

2. It is respectfully submitted that, as per the Hon'ble National Green Tribunal order, the action taken report should be submitted to tribunal on or before 12.04.2019. It is respectfully submitted that the copy of the order with the complaint, copy was not received by State Level Environment Impact Assessment Authority, Tamil Nadu (SEIAA-TN) through E-mail. The order has been received from the Environment and Forest Department, Secretariat, Chennai on 21.03.2019 to State Level Environment Impact Assessment Authority, Tamil Nadu (SEIAA-TN) without the copy of the complaint as stated in the order.

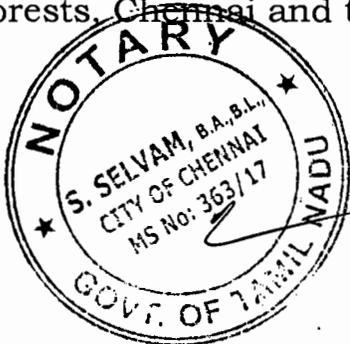
3. It is respectfully submitted that the SEIAA TN letter dated 25.03.2019, the above fact has been communicated to the Registrar, Hon'ble National Green Tribunal, Principal Bench, New Delhi and requested to



[Signature]
Member Secretary
State Level Environment Impact Assessment Authority - Tamilnadu
Third Floor, Panagal Maaligai,
Saidapet, Chennai - 600 015.

serve the copy of complaint filed by Thiru.S.Mathivanan, before the Hon'ble National Green Tribunal, Principal Bench, New Delhi to SEIAA- TN and also with a request to extent the time for filing the action taken report. Since, SEIAA-TN is the Nodal agency for compliance and coordination.

4. It is respectfully submitted that the complaint copy received from Hon'ble National Green Tribunal, Principal Bench, New Delhi through Senior Standing Counsel, SEIAA-TN on 04.04.2019.
5. It is respectfully submitted that the copy of the Hon'ble National Green Tribunal, Principal Bench, New Delhi order dated: 26.02.2019 along with the complaint has been communicated to the Principal Chief Conservator of Forests, Head of Department, Chennai, the Principal Chief Conservator of Forests/ Chief Wild Life Warden, Chennai, Ministry of Environment, Forest & Climate Change, Regional Office (SZ), Bangalore and copy marked to the Director, Ministry of Environment, Forest and Climate Change, Regional Office, Chennai – as requested by Regional Office, MoEF&CC, Bangalore and also requested to send the compliance report (both hard and soft copy) on or before 10.04.2019 so as to submit the same to Hon'ble National Green Tribunal vide SEIAA letter dated 06.04.2019.
6. It is respectfully submitted that the Principal Chief Conservator of Forests, Chennai and the Principal Chief Conservator of Forests/




Member Secretary
State Level Environment Impact Assessment Authority - Tamilnadu
Third Floor, Panagal Maaligai,
Saidapet, Chennai - 600 015.

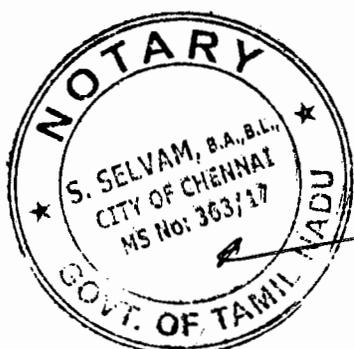
Chief Wild Life Warden, Chennai, Ministry of Environment, Forest and Climate Change, Regional Office (SZ), Bangalore and SEIAA-TN has collectively took a decision to inspect the site to take further course of action.

7. It is respectfully submitted that the Project Director, National High Ways Authority of India (NH 844 – Dharmapuri to Hosur), Krishnagiri District has been requested to furnish the following details in above said cases vide SEIAA-TN letter dated 06.04.2019.

- i. Detailed Project Report of the NH 844
- ii. Environmental Clearance obtained for this project
- iii. Forest Clearance obtained for this project
- iv. No Objection Certificate from PWD for this project
- v. National Board For Wild Life Clearance for this project
- vi. Consent order from TNPCB
- vii. Project Status of the project

8. It is respectfully submitted that the reply was received from National Highway Authority of India on 09.04.2019 for the above said SEIAA-TN letter dated 06.04.2019

9. It is respectfully submitted that the SEIAA letter dated 08.04.2019, the Principal Chief Conservator of Forests, Head of Department, Chennai and the Principal Chief Conservator of Forests/ Chief Wild



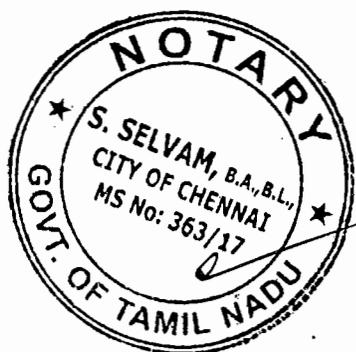
Jayanti
Member Secretary
State Level Environment Impact Assessment Authority - Tamilnadu
Third Floor, Panagal Maaligai,
Saidapet, Chennai - 600 015.

Life Warden, Chennai, Ministry of Environment, Forest and Climate Change, Regional Office (SZ), Bangalore has been requested to depute concerned officer for the joint inspection as well as to prepare joint inspection report to submit the detailed action taken report in compliance of Hon'ble NGT order. Further, it is decided that the date of inspection to be carried out on 10th and 11th April 2019.

10. It is respectfully submitted that accordingly aforesaid department has sent their representative details for the joint inspection to be carried out on 10th and 11th April 2019.

11. It is respectfully submitted that the State Level Environment Impact Assessment Authority Tamil Nadu has kindly request the Hon'ble National Green Tribunal, Principal Bench, New Delhi to extent time for submission of the detailed action taken report to the Hon'ble National Green Tribunal, Principal Bench, New Delhi after the above said site inspection on 10th and 11th April 2019.

Date of Submission: 09.04.2019



S. SELVAM, B.A., B.L.,
ADVOCATE & NOTARY
26-J-BLOCK,
VENKATAPURAM,
SAIDAPET, CHENNAI-15.

10.04.19

Jayanti
Member Secretary
State Level Environment Impact Assessment Authority - Tamilnadu
Third Floor, Panagal Maaligai,
Saidapet, Chennai - 600 015.

Item No. 07

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
(Through Video Conferencing)**

Original Application No. 75/2019

S. Mathivanan

Applicant(s)

Versus

State of Tamil Nadu

Respondent(s)

Date of hearing: 12.04.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s): -

For Respondent (s): Ms. Sakshi Popli, Advocate for SEIAA, TN.

ORDER

A report in pursuance of order of this Tribunal dated 26.02.2019 may now be furnished within next two months by e-mail at ngt.filing@gmail.com

The State Environment Impact Assessment Authority (SEIAA) Tamil Nadu may be informed accordingly by e-mail.

List for further consideration on 17.07.2019.

Adarsh Kumar Goel, CP

Dr. Nagin Nanda, EM

April 12, 2019
DV

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

O.A. NO. 75 OF 2019

IN THE MATTER OF:

THIRU S. MATHIVANAM

APPLICANT

VERSUS

STATE OF TAMIL NADU

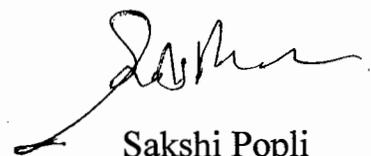
RESPONDENTS

PROOF OF SERVICE

SL. NO	PARTIES	SIGNATURE
		No. Dited of
		Applicant Abdul
		Sakshi Popli
		27/2/18

Respondent

Through



Sakshi Popli
Advocate

CH. No. 614 Patiala House Court
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