

**BEFORE THE NATIONAL GREEN TRIBUNAL (SZ) CHENNAI**  
**MEMORANDUM OF APPLICATION**

(Under Section 18(1) read with Sections 14, 15 of National Green Tribunal Act  
2010)

**Application No. 8 of 2016**

**Between:**

R.Ravimaran  
S/o Ramachandran  
No.42, Beach Road, Thazhankuppam  
Ennore, Chennai - 600057

.. Applicant

Vs

Union of India,  
Rep by its Secretary  
The Ministry of Environment, Forests and Climate Change  
Jorbagh, New Delhi & Ors

... Respondents

**MEMO FILED BY THE APPLICANT**

1. The committee appointed by this Hon'ble Tribunal has filed its report containing detailed findings on the extent of contamination, remedial measures required and terms of reference for the preparation of a Detailed project report for remediation. The committee has also made several recommendations.
2. For the convenience of this Hon'ble Tribunal, key portions of the report are indexed below:
  - a. Key Findings– page 20
  - b. Environmental contamination – Page 22
  - c. Impacts – page 22
  - d. Recommendations – page 24
  - e. Recommendations for ToR for DPR – page 26
  - f. Report on Compliance of NCTPS Stage I – Mr. Malaiyandi , TNPCB – page 32
    - i. Recommendations – pg 66
  - g. Report of compliance – T.Mahima, CPCB – page 69
    - i. Recommendations – pg 84
  - h. Report on Hydrology – Dr. Balaji Narasimhan – page 86
    - i. Summary and conclusions & recommendations – pg 149
  - i. Report on contamination and target for remediation – Dr. Indumati Nambi – pg 152.
    - i. Conclusions and recommendations – pg 190
  - j. Report on flora and suggested remediation – Dr. Narasiman
  - k. Impact on aquatic fauna – Dr. Deepak Samuel – page 228
    - i. Recommendations – page 231
  - l. Report on restoration – Dr. Jayashree Vencatesan – page 272
3. However, despite the report being filed a few weeks ago, tender has not been issued and there has been no forward movement. In these circumstances, the following directions are required to ensure that the matter progresses towards its logical conclusion in a time-bound fashion.

4. It is prayed that this Hon'ble Tribunal be pleased to consider issuing the following direction for the preparation and implementation of the DPR for remediation:

- a. Direct the Department of Environment to issue a tender for the preparation of DPR in strict compliance with Terms of reference prescribed by the Expert committee in its report dated March, 2022 within a week, and complete the tender process in a time-bound manner in compliance with the applicable rules.
- b. Direct the Department of Environment to obtain the opinions and views of the expert members of the Committee in finalising consultant and award of tender.
- c. Direct the Department of Environment, in coordination with TNPCB, to work with the DPR consultant to present the Draft DPR for expert opinion and public consultations, and to present the final DPR within six months of award of tender.

**Implementation of DPR**

- d. Direct TNPCB to depute a dynamic full-time officer to strictly monitor the execution of the finalised DPR.
  - e. Direct the TNPCB to constitute a Local Area Environment Committee comprising representatives of active inland fishers dependent on the Ennore backwaters, including from the inland fishing villages of Kattukuppam, Sivanpadaiveethi and Mugathwara Kuppam, and nominees of Fisheries Department, TNPCB and Revenue Department. The fisher representatives can serve as the eyes and ears of the LAEC in the project area. The LAEC may conduct monthly site inspections, entertain field reports from fisher representatives, and be engaged in the day-to-day monitoring of remediation and restoration. The LAEC may be headed by a senior officer of the TNPCB.
  - f. Direct the Joint Expert Committee constituted by the Tribunal to carry out quarterly audits of the execution of the DPR for clean-up and remediation. The Committee may consult with the Local Area Environment Committee in the evaluation process.
  - g. Direct the JEC as well as TNPCB to submit quarterly reports on the progress of implementation of DPR, including remediation, restoration of site and post-remediation.
  - h. Direct TANGEDCO to dismantle the unused/unusable ash pipelines immediately, and use only the fully replaced, leak-proof pipes if necessary.
5. The Committee in its report has also made significant recommendations which will help address the issues at hand. This Hon'ble Tribunal may consider these directions in light of the recommendations of the Committee in the report dated March 2022.

- a. Direct TANGEDCO to attain 100% ash utilisation within 12 months; TNPCB may be advised to include 100% ash utilisation as a specific direction in the Consent to Operate as and when it is renewed.
- b. Direct the Government of Tamil Nadu to notify the unencroached extent of Ennore wetlands, including salt pans (which were originally salt marshes), as a wetland under the state government's wetlands mission, and develop a plan for its wise-use.
- c. Direct the Government of Tamil Nadu to relocate the residents of Seppakkam village near the ash pond to a safe and habitable site with all amenities within 12 months. In the interim, they should be provided with clean water and accessible health care.
- d. Direct the Government of Tamil Nadu to make immediate arrangements for provision of clean water to all residents in the area.

It is therefore prayed that this Hon'ble Tribunal be pleased to issue orders as necessary in the facts and circumstances of the case and thus render justice.

Dated this the 18<sup>th</sup> day of April, 2022 at Chennai



Counsel for the Applicant

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**MEMO FILED ON BEHALF OF THE APPLICANT**

**YOGESHWARAN.A**  
**COUNSEL FOR APPLICANT**