

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE – AT CHENNAI**

Application No. 103 of 2021

C. Ramu ,
Devampattu Village,
Ponneri Taluk, Tiruvallur District & Anr.

...Applicant(s)

- Versus -

The District Collector,
Tiruvallur District and Ors

...Respondents

ACTION TAKEN REPORT FILED BY THE DISTRICT COLLECTOR

THIRUVALLUR

I, Alby John Varghese, S/o John Varghese., aged 33 years, residing at Collector's Bungalow, Master Plan Complex, Tiruvallur District - 602001, do hereby solemnly affirm and sincerely state as follows:

1. I am the District Collector, Tiruvallur and 1st Respondent herein. I am acquainted with the facts of the case from the records available. I am filing this action taken report on behalf of Respondent No.1.

2. It is submitted that the Hon'ble National Green Tribunal, Southern Zone, Chennai has given an interim directions to the committee members as follows.

"4. Even today, reports have not been filed. They want some time to file the report. It is quite unfortunate that though the case is pending from 19.05.2021, none of the parties have filed any independent statement, apart from the Joint Committee not filing the report as well. This Tribunal in several matters of this nature expressed its displeasure to the Government Departments and the Government officials who have been made as part of the committee for not discharging their responsibility to submit the report to this Tribunal. When the Court / Tribunal is appointing

a committee to go into the question, apart from their official capacity, they will become an officer of the Court / Tribunal to collect the data and submit the same before the court / Tribunal.

5. However, considering the request made by the counsel appearing for the respective departments, we feel that some more time can be granted to them. They are directed to submit the respective reports to this Tribunal on or before 24.12.2021 by e-filing in the form of Searchable PDF / OCR Supportable PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per Rules.

6. If the official respondents did not file their independent statement before the next hearing date (i.e.24.12.2021), then they are liable to pay a cost of Rs.10,00/- (Rupees Ten Thousand only) each to be deposited with the Tamil Nadu State Legal Service Authority and this amount should be recovered from the officers who are responsible for filing such statements as will, instead of spending the amount of coffer of the State Government. If the Joint Committee did not file the report, then the committee members are directed to show cause as to why action should not be taken against them for non - compliance of the directions as contemplated under section 25 and 28 of the National Green Tribunal Act, 2010”.

3. It is submitted that, in order to comply the order of the Hon'ble National Green Tribunal, Southern Zone, Chennai, the necessary directions has been given to the Assistant Director of Fisheries, Ponneri, the District Environmental Engineer, Gummidipoondi and Revenue Divisional Officer, Ponneri for taking necessary action on the prayer of the petitioner. Accordingly the officials concerned submitted their reports and the same is revealed as follows:-

- i) It is submitted that, the District Environmental Engineer, Tamilnadu Pollution Control Board, Gummidipoondi, has reported that, the Joint Committee comprising of Revenue Divisional Officer, Ponneri, Assistant Director of Fisheries, Tiruvallur, the District Environmental Engineer, Tamilnadu Pollution Control Board, Gummidipoondi, have inspected the subject location on 09.07.2021 and observed that the following activities.

a) Fish culture activity, the earthen bunds are raised to 2 to 3 feet and filled with borewell water. The small fishes are grown in the earthen ponds to the required size, No chemicals or salts are added in the water for the fish culture activity. The prepared foods with natural grains are kept in the pond for the consumption of fish and the certain quantity of Borewell water is filled at regular intervals.

b) During inspection, waste water samples were collected in the discharge points of vannameen culture ponds. The waste water samples were analysed in the TNPCB lab and the result of analysis report is detailed below(Copy enclosed):-

- Except the Total Dissolved solids(TDS) and chlorides, all other parameters are within the prescribed standards.
- The TDS exceeds the permissible limit. This is because of the nature of the ground water in that area and withdrawal of higher quantity of ground water for the fish culture activity.
- The complainant Mr.Ramu, Devampattu stated that due to the construction of earthen ponds with high raise earthen bunds, the rain water does not drain properly leading to inundation of crops and loss of revenue and hence objected the fish culture in the agricultural lands.
- As TNPCB does not have facility to analyse the soil samples and the fish culture activity is carried out in the agricultural lands, the soil samples were collected by the Fisheries Department to analyse in the Lab of Agricultural Department and the report is received from the fisheries Department. In the report, it has been stated that the land is not suitable for agriculture purposes due to the presence of higher quantity of salts.
- These fish culture ponds are not coming under the purview of TNPCB, since the aquaculture farm with more than 5.0 hectare land area only comes under the purview of TNPCB as per the CPCB guidelines. As far as TNPCB concerned, no violations were noticed in these type of fish culture activities.

- ii) It is submitted that, the Assistant Director of Fisheries has reported that, in order to ascertain whether any damages or losses to the agriculture lands due to the ornamental fishing and shrimp farming, the water and sand samples were collected from the place of ornamental fishing pond and the adjacent agricultural lands including the petitioner's land and the same were analysed in the Agricultural Research Lab, Kakkalur. In which, the Senior Agricultural Officer has reported that, there is no disparity between the sand and water samples taken from the ornamental fishpond and the adjacent agricultural lands, including the petitioner's land and the bore well.
- iii) The Senior Agricultural Officer has further reported that, there is no damages caused to the land and water due to the formation and functioning of ornamental fishpond and the salt content of water (EC) in the above said location is naturally high in the Villages Devampattu, Agaram, Palipalayam, Uppunelvoyal and Periyakarumpur of Ponneri Taluk.
- iv) It is submitted that, in order to avoiding the inundation of agricultural lands due to the release of water from the Periyakarumpur lake, the depth of water drain canal of Periyakarumpur lake has been increased to 25 feet from 10 feet.

Therefore, I pray that the Hon'ble National Green Tribunal, Southern Zone, Chennai may be pleased to accept my action taken report and thus render justice.

Solemnly affirmed at Chennai
this the 21st day of December, 2021
and signed his name in my presence

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21.12.2021
DISPENSER
BEFORE ME
TIRUVALLUR