

BEFORE THE NATIONAL GREEN TRIBUNAL,
SOUTHERN ZONE, CHENNAI

O.A.No.103 of 2021 (SZ)

C.RAMU

..Applicant

-vs-

The District Collector and
Others

...Respondents

COUNTER AFFIDAVIT FILED BY THE

I, G.Velan S/o. Ganapathy, aged about 52 years and working as Assistant Director of Fisheries and Fishermen Welfare, having office at Thiruvallur @ Ponneri.

1. I am well acquainted with the facts and circumstances of the case from the available records. In pursuant to the order of the judicial and expert members of the NGT, Southern Zone, Chennai dated 31.03.2022. I am filing this report on behalf of 2nd respondent.

2. It is respectfully submitted that the applicant filed this application No.103/2021 before the Hon'ble NGT, Southern Zone, Chennai with the following prayers "directing the respondent to take appropriate action against the unauthorized shrimp and ornamental fish farms established over and adjacent to agricultural lands in Devampattu, Agararam, Pallipalayam, Uppunelvoyal and Periya Karumbur Villages in Kolar Sub Taluk, Ponneri Taluk, Thiruvallur District by removing the farms and take necessary action to restore the land back to agricultural use".


Assistant Director of Fisheries
Thiruvallur @ Ponneri.

3. It is respectfully submitted that the Hon'ble NGT, Southern Zone, Chennai In its order dated 31.03.2022 directed inter-alia that

Para 11: The District Collector and the Fisheries Departments are directed to file their statements regarding the regulating mechanism to supervise the activities of the ornamental fish and shrimp farms and if so, units that are functioning have obtained such permission or not and if not, what is the nature of action taken by them in this regard.

Para 12: They are directed to file their respective reports on or before 27.04.2022.

4. It is respectfully submitted that in pursuance to the said order caused by the NGT, Southern Zone, Chennai a joint committee was constituted as per the letter dated 09.07.2021, Na.Ka.No.179/A3/2021 by the District Collector – Respondent, which following members.

- (i) Assistant Director of Fisheries & Fishermen, Tiruvallur at Ponneri
- (ii) District Environmental Engineer, Tamil Nadu Pollution Control Board, Gummidipoondi.
- (iii) Revenue Divisional Officer, Ponneri, to conduct an inspection.

5. It is respectfully submitted that joint committee members visited and inspected the alleged areas of ornamental fish farms and shrimp farms in the presence of the petitioner Mr.C.Ramu in order to ascertain the impact of ornamental fish rearing and shrimp culture on groundwater, soil, and water pollution. The experts/officials of the committee have verified the veracity of the allegation made in the

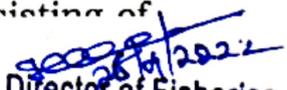
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petition. Also, soil and water samples have been collected randomly from the places of ornamental fish farms and shrimp farms, the adjacent agricultural lands including the petitioner's agricultural lands. In order to check the physiochemical parameters of the collected samples so as to decide whether the ornamental fish and shrimp farming would have any impact on the soils and water and it is related to pollution. The soil and water have been analyzed in the recognized laboratory at Kakkalur, Agriculture Department in Thiruvallur District. In which the Senior Agricultural Officer has reported that there is no disparity between the sand and water samples taken from the ornamental fish farm and shrimp farm and adjacent agricultural lands, including the petitioner land and the borewell.

6. It is respectfully submitted that the petitioner Mr.C.Ramu, Devampattu stated that due to the construction of earthen ponds with high raised earthen bunds, the rainwater and the excess water released from the lake does not drain properly leading to inundation of the agricultural lands and thereby loss of revenue and hence the petitioner objected. The petitioner requested the joint committee members to widen and deepen the water drain canal of Periya Karumbur Lake in order to avoid the inundation of crops during the rainy season. The petitioner further voluntarily informed that there are no damages to the agricultural lands by the ornamental fish and shrimp farms as alleged in this petition.

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7. It is respectfully submitted that accordingly, the Joint Committee members organized a committee meeting with the members of ornamental fish farmers and other associations members. In the meeting discussion, it was requested to increase the depth and widen the water canals from 10 feet to 25 feet wide and deep. Accordingly, the ornamental fish farm association members agreed to widen and increase the depth of the water canals up to 25 feet and work has been completed while inspection on 15.12.2021.
8. It is respectfully submitted that the Senior Agricultural Officer has further reported that there is no damage caused to the lands and water to the formation and functioning of ornamental fish farms and the salt contents of the water (EC) in the above - said locations are naturally high in the villages Devampattu, Agaram, Pallipalayam, Uppunelvoyal, and Periya karumbur Villages in Kolar Sub Taluk, Ponneri Taluk, Thiruvallur District
9. Further, it is respectfully submitted that in compliance with the order of the Hon'ble National Green Tribunal, Southern Zone, Chennai, the 57 ornamental fish farms were rearing in the Devampattu, Agaram, Pallipalayam, Uppunelvoyal, and Periyakarumbur Villages in Kolar Sub Taluk, Ponneri Taluk, Thiruvallur District. It is submitted that the ornamental fish culture cooperative society was formed and registered by the ornamental fish farmers on 03.03.2012 Registered FMC No 10. There are 375 members were in the registered society in Devampattu consisting of


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Agaram, Pallipalayam, Uppunelvoyal, Periya karumbur, Ummipedu, and Seliyampedu Villages and approximately 2000 non-members were working at the farms on daily wages and approximately 100 persons were doing indirect business regarding fish farming and allied agricultural activities in Kolar Sub Taluk, Ponneri Taluk, Thiruvallur District.

10. It is further respectfully submitted that the fish farmers regularly clean the ponds by clearing the mud/sludge in the ponds and applying limestone powder coating to the pond after 10 days of drying the ponds, fill the ponds with water up to 1 foot for 3 days. After 3 days the farmers add neem cake, cow dung, Urea or DAP per hectare in the ponds for a period of 6 to 7 days in order to grow natural micro-organisms like Phyto-plankton, Zoo-plankton thereafter fish seed will be stocked in the pond at the rate of 20,000 no's of late fry (young ones after 15 days of hatching) per hectare. The farmers will feed the fish at 10 Kg of grain flours like Wheat, Corn, Millet, Groundnut Oil Cake, Raggi, Rice and fish meal per day for rearing ornamental fish after the rearing period of 60 to 70 days which was harvested 12,000 No's of fish seeds (60% survival). Culturing of different varieties of ornamental fishes like Mollies, Black Molly, White Molly, Sunrise Molly, Baloon Molly, Gold Fish, Blue Gold, Patches Carp, White Carp, Morphs varieties etc., and the rearing period is 60 to 70 days and at the time of stocking 1.5 cm

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size after rearing 60-70 days it became 8.0 cm to 10 c.m sold to the whole seller. It is one of the allied activities of agriculture practices.

Under these circumstances it is therefore humbly prayed that this Hon'ble National Green Tribunal, Southern Zone, Chennai may be pleased to pass such further or other orders as this Hon'ble Tribunal may deem fit and proper; in the facts and circumstances of this case and thus render justice.

Solemnly affirmed at Chennai

on this 25th day of April 2022

and signed his name in my

presence

J. 2000P
26/4/2022
Assistant Director of Fisheries
Thiruvallur @ Ponneri.