

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI.**

Original Application No. 109 of 2017 (SZ)

K. S. Suresh Kumar, Chennai
and another.

...Applicant

-Vs-

The State of Tamil Nadu,
Municipal Administration and Water Supply Department,
Chennai and Ors.

...Respondents

S. No	Description	Page No.
1.	Report filed on behalf of the Respondent – Tamil Nadu Pollution Control Board	1 – 4

**Filed by
Thiru. Sai Sathyajith,
Advocate, Chennai.**

Action taken report submitted by the District Environmental Engineer, TNPCB, Chennai in O.A.No. 109 of 2017 F/b. K.S. Suresh Kumar, Chennai and another Vs The State of Tamil Nadu Municipal Administration and Water Supply Department, Chennai and Ors before the National Green Tribunal (Southern Zone), Chennai.

I submit to state that the Hon'ble NGT (SZ) vide order dated 16.09.2021 issued the following directions:

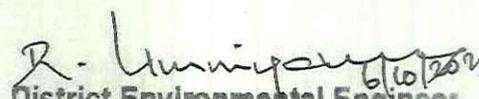
Para 3: Learned Counsel appearing for the SEIAA submitted that Coastal Zone Management Authority has been directed to take further steps and it appears that they have directed the Pollution Control Board to take further action in this regard.

Para 4. Learned Counsel appearing for the Pollution Control Board submitted that after the passing of the order, certain development happened and if some time is granted, they may be able to file the further action taken report from their side.

Para 5. SEIAA as well as District Collector and District Environment Engineer are directed to file action taken report in this regard before the next hearing date. They are directed to submit their respective report on or before 07.10.2021 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.

In this regard, it is respectfully submitted that, as per the G.O.(Ms) No.85 dated 29.6.2020, District Coastal Zone Management Authority (DCZMA) has been reconstituted as follows.

1. Chairman – Additional Director of Department of Environment, Tamil Nadu
2. Member – Senior level Executive / representative from CMDA
3. Member – District Environmental Engineer, TNPCB, Chennai Region
4. Member – Senior Level Officer/ Representative Chennai Corporation


District Environmental Engineer
Tamil Nadu Pollution Control Board
Chennai District.

The Convener of the Committee will be the District Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai.

The main functions of the District Coastal Zone Management authority are as follows.

1. For monitoring and enforcement / Implementation of the provisions of the Coastal Regulation Zone Notification.
2. To ensure that the activities within coastal regulation zone take place as per approved Management Plan.
3. To assist the State Authority

It is respectfully submitted that M/s. T V Sathya Narayana, RS No 4310/5, Block No 96 and RS No 4569/34&35, Block No 100 of Mylapore village bearing Door No 40, South Canal Bank Road, R.A.Puram, Chennai-600028 has demarcated the CRZ boundaries with the help of Institute of Remote sensing, Anna university, Chennai 600025 in the CRZ and Non CRZ boundary at the above project site.

It is submitted that, Tamil Nadu State Coastal Zone Management Authority, Chennai in the CRZ Clearance issued vide Proc.No.P1/1275/2015 dated 27/08/2015 to the residential complex at S No:4310/5 and 4569/34, 35 of Block No 96 and 100 respectively of Mylapore village, Chennai District informed that

Para (4) As per the amendment issued by MoEF, GOI in notification S.O.No.1599 (E) dated 16th June 2015 as para 8 II CRZ II (ii) "buildings permitted on the landward side of the existing and proposed roads of existing authorized structure shall be subject to the local town and country planning

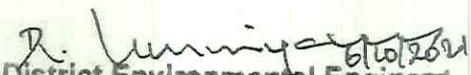

District Environmental Engineer
Tamilnadu Pollution Control Board
Chennai District.

regulations as notified time to time except the Floor Space Index or Floor Area Ratio which shall be as per 1991 level.

CRZ Clearance was issued to the above project under para 8 II CRZ-II (i) and para (ii) of CRZ Notification 2011 subject to certain conditions and the following conditions:

- a) The proposed construction should conform to the local town and country planning regulations and modified from time to time except the Floor Space Index or Floor Area Ration which shall be as per 1991 level.
- b) Planning permission shall be obtained from the Chennai Metropolitan Development Authority.
- c) Environmental Clearance shall be obtained under EIA Notification 2006 from the State Environmental Impact Assessment Authority.

M/s.T.V.Sathya Narayana, at S.No.4310/5, Block No 96 & R S No 4569/34, 4569/35 Block No 100 pf Mylapore village, Mylapore- Triplicane Taluk, Chennai District has obtained Environmental Clearance from SEIAA-TN, Chennai vide Lr.No:SEIAA/TN/F3751/EC/8(a)/420/2015 dated 06/11/2015. Above project has obtained Consent to Operate from TNPCB under Water (P&CP) Act, 1974 as amended and Air (P&CP) Act 1981 as amended vide proc.No:T1/TNPCB/F.745 CHN/OL/CHN/W&A/2021 dated 12/04/2021 with validity up to 31/03/2022. CMDA has also issued planning permission to the above project vide C/PP/MSB/26A/X/2016 dt 11.05.2016 for the total built up area of 51642.86 Sq.mts and completion certificate was


District Environmental Engineer
Tamilnadu Pollution Control Board
Chennai District.

issued by CMDA vide Letter No: CMDA/CC/HRB/S/0056/2020 DT 28.12.2020.

It is respectfully submitted that whether the construction in CRZ area by the above residential complex was carried out as per the Floor Space Index/Floor Area ratio as per 1991 level is to be verified and CMDA is the competent Authority to verify whether the construction of the above residential complex was carried out in the CRZ area as per the CRZ Clearance issued and the construction is as per Floor Space Index/Floor area ratio as per 1991 level. CMDA is one of the member (on behalf of TNCZMA) in the District Coastal Zone Management Authority and also one of the member in the Joint committee formed by the Hon'ble NGT(SZ), Chennai to inspect & report the above project.

It is respectfully submitted that CMDA may kindly be directed to verify whether there is any violation in the construction made by the above project with respect to CRZ clearance and if any violation is noticed and informed by CMDA, the Environmental Compensation will be assessed as per the CPCB guidelines and levied to the Project Proponent by TNPCB.

R. Vinayagam
District Environmental Engineer
Tamilnadu Pollution Control Board
Chennai District.

**BEFORE THE HON'BLE NATIONAL
GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI.**

Original Application No.109 of 2017 (SZ)

K. S. Suresh Kumar,
Chennai and another.

...Applicant

-Vs-

The State of Tamil Nadu,
Municipal Administration and Water
Supply Department,
Chennai and Ors.

...Respondents

**REPORT FILED ON BEHALF OF THE
RESPONDENT – TAMIL NADU
POLLUTION CONTROL BOARD**

Advocate for Respondent: TNPCB
Thiru. Sai Sathyajith
BSC, Chennai.

Dated: 06.10.2021

Date of hearing: 07.10.2021