

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI.**

Original Application No. 01 of 2017(SZ)

R.L. Srinivasan,
31/36 Porkali Amman Street,
Kattupakkam, Ennore,
Chennai-600 057.

....Applicant

Vs

Union of India
Through the Secretary
Ministry of Environment, Forests & Climate Change,
Indira Paryavaran Bhavan,
Jor Bag Road,
New Delhi-110 003 and 4 Others

... Respondents

INDEX

S.No	Description	Page No.
1.	Joint Committee report with respect to the outcome of Hon'ble NGT in O.A.No. 01 of 2017 of order dated: 15.04.2021 in the matter of temporary approach road formed to construct pillar in the Ennore creek by TANGEDCO.	1 - 4

Filed by
Thiru. C. Kasirajan,
Advocate,
Chennai.

Joint Committee report with respect to the outcome of Hon'ble NGT in O.A.No.01 of 2017 of order dated: 15.04.2021 in the matter of temporary approach road formed to construct pillar in the Ennore creek by TANGEDCO.

Hon'ble NGT order in O.A.No.01 of 2017 dated:15.04.2021 directed the Joint committee to consider the written submission submitted by the applicant and also the objections filed by 3rd respondent and give their remarks regarding the same while submitting the further report.

In this regard Joint committee convened a meeting with petitioner and TANGEDCO and their views were recorded. Petitioner raised the following objections and views with respect to Hon'ble NGT in O.A.No.01 of 2017:

1. TANGEDCO has laid the approach road without approval of the MoEF, CC and the CRZ.
2. Temporary approach road laid had affected free flow of water and fish catching.
3. The removed approach road areas shall not be formed again.
4. Existing rail for conveyance of coal or alternate advanced technology shall be re-examined.
5. Socio-Economic survey has to be conducted.

And theTANGEDCO has raised the following objections with respect to theJoint committee decision to carry out the study:

S.No	Joint Committee Decision	TANGEDCO objection
1.	Third party audit to verify the quantity of the materials left over in the Greek / Buckingham canal for its removal.	Also IIT Madras , is a third party agency and study by them concluded that there are some traces of minor remnants of sediments which will not affect the free flow of water and also Eco system in Ennore Creek area, <u>Therefore Joint Committee's recommendation for a further third party audit for investigation is not necessary.</u>

		Anna University in their report dated:24.8.2020 stated that no mangroves were present in the location prior and after construction of approach road.
2.	Socio-Economic survey to conduct in the affected fish community region to evaluate aspects of impact on fish catch.	Statistic of Fish catch obtained for the past 5 yrs from Fishery department shows that there is a steady increase of fish catch since 2014-2015. <u>Hence there is no need of social – economic survey of the affected fishing region.</u>
3.	Study on impact on the Creek bed ecosystem due to construction and removal of temporary roads and its associated activities.	The visit of Joint Committee on 30.01.2020 did not observe any adverse impact on the Ecosystem in the said location, Hence recommendation to study the impact on the creek bed Ecosystem due to formation / removal of temporary approach road, with importance to planktons community and also remote sensing & GIS study to determine the changes if any, in landscape, ecology and biodiversity is not required at this stage.
4.	Remote sensing and GIS study to determine the change in landscape, ecology and bio-diversity (terrestrial & marine) along the Creek before /after.	

Further, TANGEDCO has assured that, the impact assessment study due to proposed formation of roads by the new EPC contractor will be done by engaging accredited agencies approved by the MoEF and CC, after obtaining necessary permission from the competent authority before the resumption of the temporary approach road formation work and subsequent main work of ECHS and requested to drop further study and also alternate/advanced technology for conveyance of the coal will be examined.

In Pursuant to the appraisal of the petitioner & the TANGEDCO the Joint Committee has decided to conduct the following studies as proposed earlier along with certain decisions with a view to conclude on the impact due to construction and removal of temporary roads and its associated activities at Ennore creek and Buckingham canal and to quantify the damages to the environment so as to arrive at Environmental Compensation if needed.

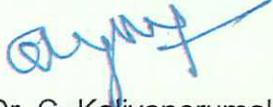
1. Third party audit to verify the quantity of the materials left over in the Greek / Buckingham canal for its removal.
2. Socio-Economic survey to conduct in the affected fish community region to evaluate aspects of impact on fish catch.
3. Study on impact on the Creek bed ecosystem due to construction and removal of temporary roads and its associated activities.
4. Remote sensing and GIS study to determine the change in landscape, ecology and bio-diversity (terrestrial & marine) along the Greek before /after.

Out of the above four studies NEERI has agreed to conduct the studies mentioned in sl.(1), sl.(2) & sl.(3) and Centre of Advanced Study (CAS) in Marine biology, Annamalai University has agreed to take up the study mentioned in sl (4) with a time a period of three months after release of funds by TANGEDCO.

Hence, the Joint committee suggested to accord the above study as reported and felt that the expenditure incurred for the above study shall be met by TANGEDCO and the same have been addressed to the TANGEDCO vide letter dated: 30.04.2021.

With the above remarks, Joint committee request the Hon'ble NGT to direct TANGEDCO to release the work orders along with funds within a month to carry out the above studies by NEERI and Annamalai University so as to complete the study within a period of two months after the release of funds by TANGEDCO and also

TANGEDCO shall be directed to look for an alternate option for construction of pillars for conveying coal without causing damage to the Environment instead of again constructing temporary roads across the Ennore creek and Buckingham canal.



1. Thiru: Dr. C. Kaliyaperumal,
Director,
Regional Office of MoEF& CC,
Chennai

RAGHAVAN
KANNAN

Digitally signed by
RAGHAVAN KANNAN
Date: 2021.07.19 22:12:49
+05'30'

2. Thiru. R. Kannan,
Additional Chief Environment Engineer
Tamil Nadu Pollution Control Board,
Chennai



3. Thiru.D.Thirumalaivasan
Director
Institute of Remote Sensing,
Anna University, Chennai



4. Er.Jowin Joseph ,
Scientist ,
CSIR-NEERI, Chennai



5. Prof. V. Sundar
Dept. of Ocean Engineering
Indian Institute of Technology
(IIT), Madras

BEFORE THE NATIONAL GREEN
TRIBUNAL SOUTHERN ZONE,
CHENNAI.

Original Application No. 01 of 2017

R.L. Srinivasan,
31/36 Porkali Amman Street,
Kattupakkam, Ennore.

...Applicant

Vs

Union of India
Through the Secretary
Ministry of Environment, Forests &
Climate Change.
Indira Parayavaran Bhavan,
Jor Bag Road,
New Delhi-110 003 and 4 Others.

...Respondents

**Joint Committee report with respect
to the outcome of Hon'ble NGT in
O.A.No. 01 of 2017 of order dated:
15.04.2021 in the matter of
temporary approach road formed to
construct pillar in the Ennore creek
by TANGEDCO.**

Advocate for Respondent: - TNPCCB
Thiru.C. Kasirajan,
Advocate, Chennai.

Date:20.07.2021.

Next date of hearing on :~~23~~07.2021

