

TNPCB REPORT IN O.A.NO.01 OF 2017 AS PER THE
HON'BLE NATIONAL GREEN TRIBUNAL(SZ),
CHENNAI ORDER DATED 03.01.2022 & 26.04.2022

Submitted to
Hon'ble National Green Tribunal (SZ)
Chennai

May 2022

1. Orders of the Hon'ble Tribunal

It is respectfully submitted that the Hon'ble National Green Tribunal (SZ) in its order dated 03.01.2022 in OA.No.01 of 2017 has directed the Joint Committee inter alia that vide para 7.

“The TANGEDCO is also directed to submit the entire report to the Joint Committee members, so that the Joint Committee can also peruse the same and come with their independent opinion regarding the report submitted as to whether that is sufficient and comprehensive covering flood mitigation measures also or further study, if any is to be conducted, if so what is the nature of further study will have to be conducted before the next hearing date”

The copy of the order is enclosed as Annexure-I.

2. Action taken by TNPCB.

Accordingly, it is submitted that the above order and the entire report submitted by the TANGEDCO was forwarded to the Joint Committee Members through email message dated 21.01.2022 for submitting the independent opinion so as to file the same before the Hon'ble NGT(SZ), Chennai vide TNPCB Chairman letter dated 21.01.2022 (**Copy submitted as Annexure-II**) .

It is further respectfully submitted that the Hon'ble NGT (SZ), Chennai in its order dated 26.04.2022 has directed as follows among others vide para.

3. The learned counsel appearing for the Tamil Nadu Pollution Control Board (TNPCB) who is the nodal agency submitted that if some time is granted, they may be able to file the report.

4. The matter is of the year 2017. The committee members are also expected to rise to the occasion and discharge their responsibility of filing the report especially when the direction was issued as early as on 03.01.2022 and followed by order dated 07.03.2022.

5. However considering the circumstances, we feel that some time can be granted to them to file their report and they are directed to file the report to this Tribunal on or before **29.04.2022** by e-filing in the form of searchable PDF/OCR Supportable PDF and not in the form of Image PDF along with

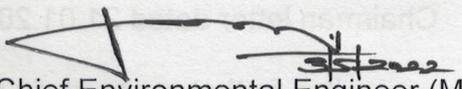
necessary hardcopies to be produced as per rules and if the same is not filed, then, this Tribunal will be compelled to dispose of the matter on the basis of the material available on record and hearing on both sides.

The copy of the order is enclosed as Annexure-III.

In order to comply with the Hon'ble NGT(SZ) order, it is submitted that the Joint Committee Members were requested to furnish independent opinion on the reports filed by the TNGEDCO within a week time so as to file the same before the Hon'ble NGT(SZ), Chennai vide respondent Board Joint Chief Environmental Engineer(Monitoring) letter dated 28.04.2022 **(Copy submitted as Annexure-IV)** .

It is respectfully further submitted that the Tribunal observed on 29.04.2022 as received from the TNPCB Board's standing council was also forwarded to the Joint Committee Members through respondent Board Joint Chief Environmental Engineer(Monitoring) through email message dated 29.04.2022 **(Copy submitted as Annexure-V)** and requested to furnish independent opinion on the reports filed by the TNGEDCO immediately so as to file the same before the Hon'ble NGT(SZ), Chennai.

By considering the above facts, the Hon'ble Tribunal may pass appropriate Order(s)/Directions(s) as deemed fit.


Joint Chief Environmental Engineer (M),
Tamil Nadu Pollution Control Board,
Chennai Zone.

Item No.11:

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No. 01 of 2017 (SZ)

(Through Video Conference)

IN THE MATTER OF

R.L. Srinivasan, Chennai.

...Applicant(s)

Versus

Union of India and others.

...Respondent(s)

Date of hearing: 03.01.2022.

CORAM:

HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s):

Mr. G. Stanley Hebzon Singh.

For Respondent(s):

Mrs. Me. Saraswathy for R1.

Mr. S. Sai Sathya Jith for R2.

Mr. Abdul Saleem and

Mr. Saravanan for R3.

Dr. D. Shanmuganathan for R4 & R5.

ORDER

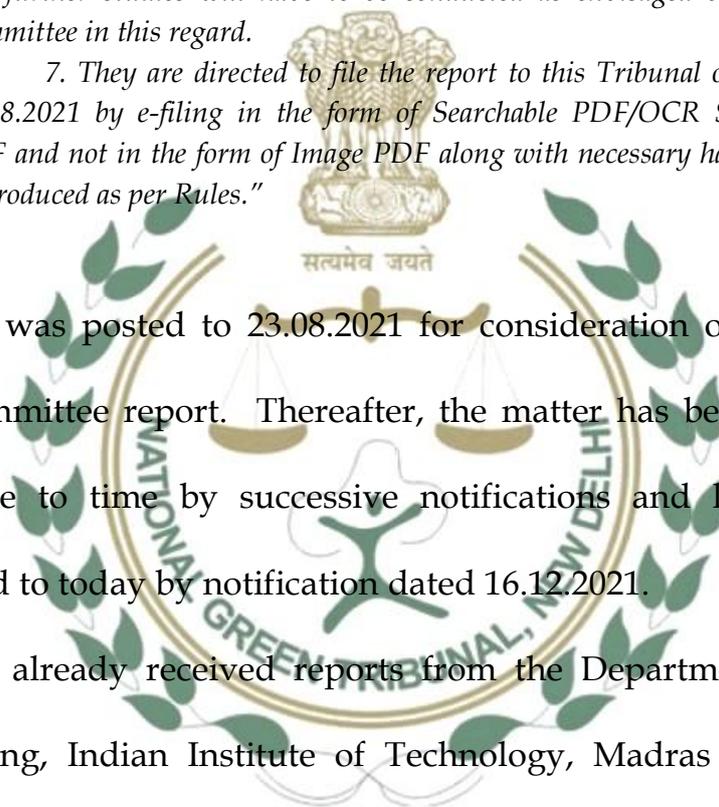
1. As per order dated 12.08.2021, this Tribunal had considered the report submitted by the Joint Committee dated Nil, e-filed on 20.07.2021, extracted in Para (3) of the order and then, passed the following order:-

"4. In the report, it was mentioned that TANGEDCO has to release the work order along with the funds for the studies to be conducted by the NEERI and Anna University, Chennai and they want further two more months time thereafter.

5. The learned counsel appearing for the TANGEDCO submitted that the study has already been conducted by Anna University and there is no necessity to conduct further study as mentioned by the Joint Committee and if some time is granted, they may be able to file the report that has been submitted by the Anna University for this purpose.

6. So, we feel that before passing further orders, an opportunity can be given to the TANGEDCO to file the report which is said to have been prepared by the Anna University in this regard, so as to ascertain whether any further studies will have to be conducted as envisaged by the Joint Committee in this regard.

7. They are directed to file the report to this Tribunal on or before 23.08.2021 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."

- 
2. The case was posted to 23.08.2021 for consideration of the present Joint Committee report. Thereafter, the matter has been adjourned from time to time by successive notifications and lastly, it was adjourned to today by notification dated 16.12.2021.
 3. We have already received reports from the Department of Ocean Engineering, Indian Institute of Technology, Madras of August - 2020, another report of May - 2019 by Madras School of Social Work, Chennai and a report of Institute of Remote Sensing, Anna University of July - 2019 and another report of the same institute of August - 2020 as produced by the TANGEDCO.
 4. In the report of Institute of Remote Sensing, Anna University, Chennai - 25 of August - 2020, Page No.1 to 4, 7 & 8 are missing. On

perusal of report, it appears to be incomplete also. When this was pointed out, the learned counsel appearing for the TANGEDCO submitted that he will verify the same and come with the entire report, if there is any missing pages, for which, he wanted some time.

5. The TANGEDCO is directed to produce the entire report, so that this Tribunal can consider all these aspects for the purpose of passing further orders in this matter.
6. They are directed to submit the report to this Tribunal on or before **18.01.2022** 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.
7. In the meantime, the TANGEDCO is also directed to submit the entire report to the Joint Committee members, so that the Joint Committee can also peruse the same and come with their independent opinion regarding the report submitted as to whether that is sufficient and comprehensive covering flood mitigation measures also or further study, if any is to be conducted, if so what is the nature of further study will have to be conducted before the next hearing date.
8. The Registry is directed to communicate this order to the members of the Joint Committee and also to the official respondents by e-mail for their information and compliance of directions.

9. For production of entire report in respect of the study conducted by the agency appointed by the TANGEDCO and also further report of the Joint Committee, post on 24.01.2022.

Sd/-

.....J.M.
(Justice K. Ramakrishnan)

Sd/-

.....E.M.
(Dr. Satyagopal Korlapati)

O.A. No.01/2017 (SZ),
03rd January, 2022. Mn.





ANNEXURE-II

TAMIL NADU POLLUTION CONTROL BOARD

From
Thiru. A.Udhayan I.F.S.,
Chairman
Tamil Nadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai - 600 032.

To

1. Dr. C. Kaliyaperumal,
Director, MoEF & CC,
Regional Office,
Chennai.
2. Dr. S.S.Ramakrishnan,
Director, IRS,
Anna University,
Chennai.
3. Er. Jowin Joseph,
Scientist, NEERI.
4. Dr. V. Sundar,
Professor Emeritus,
Department of Ocean Engineering,
IIT Madras, Chennai.

Letter No. TNPCB /LAW/LA-III/NGT/20531/2017 dated:21.01.2022.

Sir,

SLB -TNPCB - Law -NGT O A No.01 of 2017 - Filed by R.L. Srinivasan,
Ennore against Union of India & others - Copy of Order of the Hon'ble
NGT dated 03.01.2022 - Sent herewith - For information - Reg.

Ref: 1. Copy of orders of the Hon'ble NGT dated 03.01.2022 passed in NGT
O.A.No.01 of 2017.
2. Email message received from the TANGEDCO along with reports in
respect of OA NO.01 of 2017.

I am to invite kind attention to the reference cited. It is informed that, the
Hon'ble NGT has passed order dt.03.01.2022 in NGT O.A.NO.01 of 2017 and
directed the committee inter alia that

*"The TANGEDCO is also directed to submit the entire report to the Joint
Committee members, so that the Joint Committee can also peruse the same
and come with their independent opinion regarding the report submitted as to
whether that is sufficient and comprehensive covering flood mitigation
measures also or further study, if any is to be conducted, if so what is the
nature if further study will have to be conducted before the next hearing".*

In this regard, the TANGEDCO has submitted its entire report on 20.01.2022
and the same was forwarded to the committee members through email message on
21.01.2022 for submitting independent opinion, so as to file the same before the
Hon'ble NGT(SZ), Chennai.

No. 76, MOUNT SALAI, GUINDY, CHENNAI - 600 032
Telephone - 22 353131 to 141. Fax - 044-22353066
Email - tnpcb-chn@gov.in Web - www.tnpcb.gov.in

Further, it is hereby informed that Thiru. M. Malaiyandi, Joint Chief Environmental Engineer (Monitoring), TNPCB, Chennai has been nominated as Nodal Officer instead of Thiru. R. kannan, Additional Joint Chief Environmental Engineer, TNPCB, Chennai.

This is for kind information and necessary compliance.

Nodal Officer:

Thiru. M. Malaiyandi,

JCEE(M), TNPCB, Chennai.

Mob:8056042264

Email:jceechn@tnpcb.gov.in

Encl:-As above.

7 reds
21/1/22
For CHAIRMAN

Copy to: Thiru. M. Malaiyandi, JCEE(M), TNPCB, Chennai.

Item No.07:

Court No – 1

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Original Application No. 01 of 2017 (SZ)
(Through Video Conference)

IN THE MATTER OF

R.L. Srinivasan,
Chennai

...Applicant(s)

Versus

Union of India and others.

..Respondent(s)

Date of hearing: 26.04.2022.

CORAM:

HON'BLE Mr. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s):

Mr. Saurabh Sharma

For Respondent(s):

Mr. S. Sai Sathya Jith for R2

Mr. Abdul Saleem and

Mr. S. Saravanan for R3

Dr. D. Shanmuganathan for R4 & R5

ORDER

1. As per order dated 07.03.2022, this Tribunal had considered the submissions made by the learned counsel appearing for 3rd respondent/Tamil Nadu Generation and Distribution Corporation (TANGEDO) that the copy of the report submitted by the agency appointed by them has been forwarded to the nodal agency, namely, Tamil Nadu Pollution Control Board (TNPCB) and this Tribunal had directed the applicant to file objections, if any, to the study conducted by the Institute of Remote Sensing, Anna University, Chennai and directed the office to forward the same to the Joint Committee, so that they can also consider this while filing their further report and directed the committee to file the report on or before 04.04.2022. The case was originally posted to that date for consideration of further report of the Joint Committee. On 04.04.2022, the matter was adjourned to today by notification.
2. The Institute of Remote Sensing, Anna University, Chennai who have been engaged by the Tamil Nadu Generation and Distribution Corporation (TANGEDO) to conduct the study has prepared the report which was produced by Tamil Nadu Generation and Distribution Corporation (TANGEDO) before this Tribunal which was e-filed on 20.01.2022 which reads as follows:-

PROJECT DATA SHEET

Title: GIS MAPPING AND ASSESSMENT OF MANGROVE IN THE VICINITY OF REMOVED TEMPORARY APPROACH ROAD (EASTERN BUND) IN ENNORE CREEK AND BUCKINGHAM CANAL STRETCH USING TEMPORAL REMOTE SENSING DATA IN THIRUVALLUR DISTRICT, TAMIL NADU

Project No : AU/IRS/RV/115 - 2020 Dated 21.08.2020

Coordinator : Dr.R.VIDHYA, Professor

Done for : M/s.TANGEDCO (TNEB LTD)
CHENNAI, TAMIL NADU

Survey Team : Dr.R.VIDHYA, Professor

: Thiru.E.Singaravelu

Data Processing : Dr. Manonmani and M.Alphons

Report Preparation : Dr.R.Vidhya, Professor

: Dr. Manonmani and M.Alphons

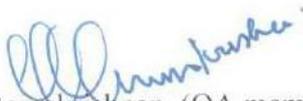
Quality Check : Dr. S.S. Ramakrishnan, Professor,

Dr. K.Srinivasa Raju, Associate Professor,

Dr. S.Jayalakshmi, Associate Professor,

The quality Assessment of Map and Report has been verified as on 24.08.2020


Dr.R.Vidhya, Professor


Dr. S.S. Ramakrishnan,,(QA member)


Dr. K.Srinivasa Raju(QA member)


Dr. S.Jayalakshmi (QA member)


DIRECTOR
Director
Institute of Remote Sensing
Anna University,
Chennai - 600 025.

ABSTRACT

This report presents the findings of the consultancy work titled "GIS mapping and assessment of mangrove in the vicinity of removed temporary approach road (eastern bund) in Ennore Creek and Buckingham Canal stretch using temporal remote sensing data" carried out by the Institute of Remote Sensing, Anna University for M/S. TANGEDCO. The work was to map the mangrove vegetation, if any, near the takeoff and landing of the temporary approach road (eastern bund) in the past and current period.

The temporary approach road claimed to have been removed is between the northern tip of the bridge ETPS POINT _ A (app. $13^{\circ} 13' 56.165''$ N $80^{\circ} 19' 4.554''$ E) in the Ennore creek and on the head of Buckingham canal behind Ennore ETPS POINT _ B (app. $13^{\circ} 12' 8.897''$ N $80^{\circ} 18' 30.029''$ E), where Buckingham canal runs parallel to the Kosasthalaiyar river at this point. The presence of mangrove vegetation was analyzed using the temporal satellite data and in consultation with the maps already prepared from other sources. The recent mangrove mapping was done after a detailed field investigation and in consultation with satellite data.

The analysis done on temporal satellite data pertaining to 1972, 1981, 1991, 2000, 2011, 2014 and 2019 do not indicate presence of mangrove at the ends of the removed temporary approach road. The CRZ maps and reports submitted to various agencies by the institute do not indicate the presence of mangrove at the locations under investigation. The approved CZMP map of MoEF, GOI with HTL /LTL/ESZ generated by NCSCM, Chennai do not indicate the presence of Mangrove in the locations under investigation. The young and sparse patches at about 57 m from point A and 47 m from point B are much less than 1000 sq.m, not warranting any mangrove buffer as per CRZ guidelines of MoEF, GOI

1. Introduction:

The coastal eco systems was to be preserved for sustenance of the flora and fauna specific to that region and the local population that depend on it. Therefore, it is of national importance and economic value. The development of a nation and the sustenance of the eco system are to be balanced for general prosperity by appropriate scrutiny of the prevailing eco system and proposed development plans.

Mangrove is a salt-tolerant plant of tropical and subtropical intertidal regions of the world. The specific regions where these plants occur are termed as 'mangrove ecosystem'. These were highly productive but extremely sensitive and fragile. Besides mangrove, the ecosystem also harbors other plant and animal species. Experiences had proved that the presence of mangrove ecosystems on coastline save lives and property during natural hazards such as cyclones, storm surges and erosion. They were breeding, feeding and nursery grounds for many estuarine and marine organisms. The ecosystem have a very large unexplored potential for natural products useful for medicinal purposes and also for salt production, aquaculture, fuel and fodder, etc.

2. Remote sensing :

Remote sensing data depicts the earth's objects as it is at the time of data acquisition from the space borne sensors aboard the satellite platforms. The interpretation of the earth surface objects from data acquired in a specific band width was a standard and well established mechanism to map the earth's surface. This capability of generating maps that consist of the information related to land cover from the remote sensing images make it a direct and dependable means to analyze and understand the conditions prevailing in the past time periods. Therefore remote sensing is a proven technology any study that

involves the data collection and compilation pertaining to the past and present time periods. The physical characteristics, natural impressions/ land cover footprints and tonal/textural indications can be interpreted with these images for land cover mapping.

It is important to ascertain the geographical location of a land area to be developed for a specific purpose along the coastline by appropriate technology. Especially because of the escalated land values in recent times, a very accurate assessment of the spatial disposition of the land area in relation to the coastal eco system at a suitably larger scale is warranted.

Satellite data pertaining to years 1972,1981,1991,2000,2011,2014 and 2019 were analyzed for investigating the presence of mangrove in the takeoff and landing point of the said approach road in this study.

3. Geographical Information System:

Geographical Information System (GIS) is a technology where the ground related information like land cover was depicted as map with their spatial / location details intact. Various information pertaining to particular area from different sources can be compiled in a uniform base for further analysis. GIS is a platform where a comprehensive analysis of a particular theme or many themes can be performed for a better decision making. The temporal analysis of any process can be clearly captured with this spatial system by superimposing the process or unit as on different time periods in a common base.

4. Study area

The study was conducted to map the mangrove near the ends of the removed temporary approach road from the eastern side of the northern end of the Ennore creek flyover Bridge and in the Buckingham canal joining the Kosasthalaiyar river just behind the ETPS campus. The exact locations of the

points are shown in the Figure 1. The recent status was ascertained with the information collected during the field visit and the past status was inferred from the collated information collected from literature, field inquiry and the maps/reports generated for other agencies by the Institute.

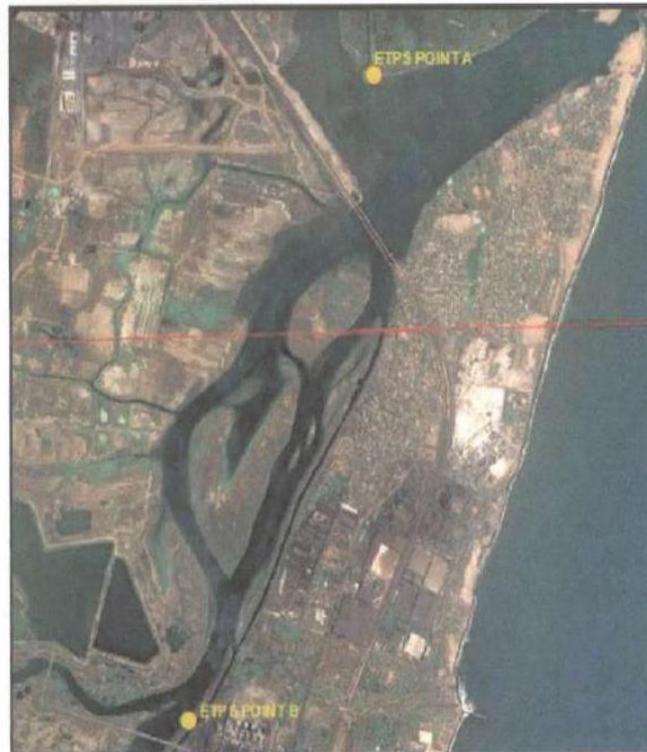


Fig. 1 Google earth image showing the study area and points of removed temporary approach road. The end at the eastern side of the proposed temporary approach road is referred as point A and the other end just behind the ETPS campus in the Buckingham is referred as point B in this report.

5. Field investigation

The technical team from the institute visited the field locations on **27.07.2020** and the observations made on that date are recorded as follows.

The team visited both the ends of removed temporary approach road namely point **A** on the eastern side of the northern end of the Ennore creek

flyover Bridge and point B in the Buckingham canal joining the Kosasthalaiyar river just behind the ETPS campus to check the presence of mangrove in the area. Annexure A presents the photographs of the field conditions.

No mangrove vegetation was observed in point A during the field visit. There is a jetty just east of the western edge of the bridge near the take off point of the removed approach road. The mangrove vegetation was seen on the eastern (seaward) side of the jetty. Young upland vegetations like neem tree were seen at the point A. Sparse mangrove vegetation was seen below the NTPC conveyor line as shown in Plate 5 in Annexure A.

The point B is located in the Buckingham canal which runs parallel to the Kosasthalaiyar river that is separated by approximately 12 feet high bund. The canal is connected to the river intermittently. There is no mangrove in the canal in the landing of removed approach road (fig. 2)



Fig.2 Mangrove patches observed during field near point B

A thin line of mangrove vegetation were seen beyond the canal bund on the banks of the river was observed on the date of field visit. This line of mangrove vegetation was present on the river side but not in the canal. The mangrove vegetation were on the river banks was generally sparse and up to where the high tide would reach. Beyond this elevation, upland vegetation mostly *Juliflora* plants were observed.

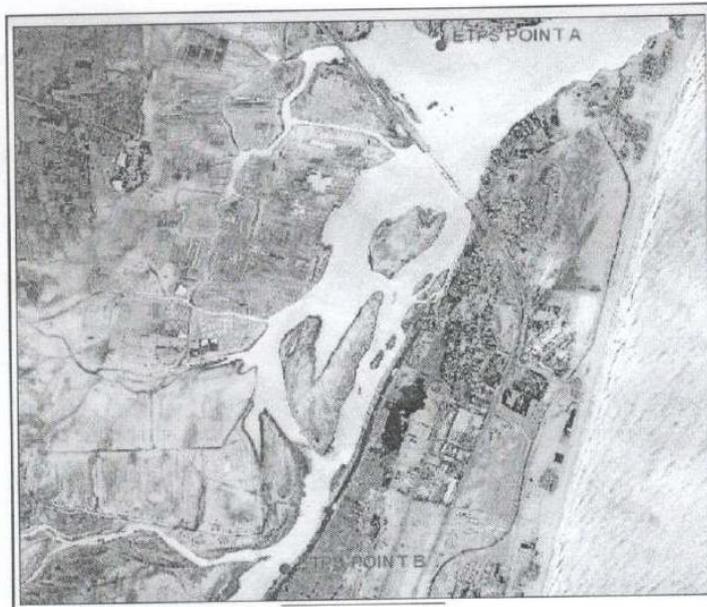
6. Remote sensing and ancillary data analysis

The condition and presence of mangrove pertaining to the past years were analyzed using the remote sensing data and past reports and literature. The satellite data used for this study were presented in the following Table 1.

Table 1 Showing list of satellite data used in this study

S.No	Sensor	year	Resolution
1	CORONA imagery	1972	1.8 m
2	Landsat MSS	1981	80 m
3	Landsat TM	1991	30m
4	LandsatETM+ PAN	2000	15m
5	GOOGLE earth	2011	1-3m
6	GOOGLE earth	2014	1-3m
7	GOOGLE earth	2019	1-3m

The analysis of the multi temporal data are presented from Fig .3 to Fig.10.



POINT A

POINT B



Fig. 3 Analysis with CORONA imagery of 1972

No mangrove vegetation was observed at the points A and B with CORONA data of year 1972 as above.

Fig. 4 Analysis with Landsat MSS of 1981

No mangrove vegetation was observed at the points A and B with Landsat MSS data of year 1981 as above.

Fig. 5 Analysis with Landsat TM of 1991

No mangrove vegetation was observed at the points A and B with Landsat TM data of year 1991 as above.

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Fig. 6 Analysis with Landsat ETM+PAN of 2000

No mangrove vegetation was observed at the points A and B with Landsat ETM+PAN data of year 2000 as above.

Fig 7 Point A and Point B shown in Google earth of 2011

No mangrove vegetation was observed at the points A and B with Google earth data of year 2011 as above.



No mangrove vegetation was observed at the points A and B with Google earth data of year 2014 as above.



No mangrove vegetation was observed at the points A and B with Google earth data of year 2019 as above.

The CRZ map pertaining to the CRZ Guidelines of 2011 with CRZ features including ESA generated by NCSCM and approved by MoEF also do not show

any mangrove in the points A and B of this study. The CRZ maps pertaining to 2011 CRZ guideline and are shown in fig 10 and 11.



Fig.10 CRZ map as per the approved CZMP as per CRZ Notification 2011 – prepared by NCSCM

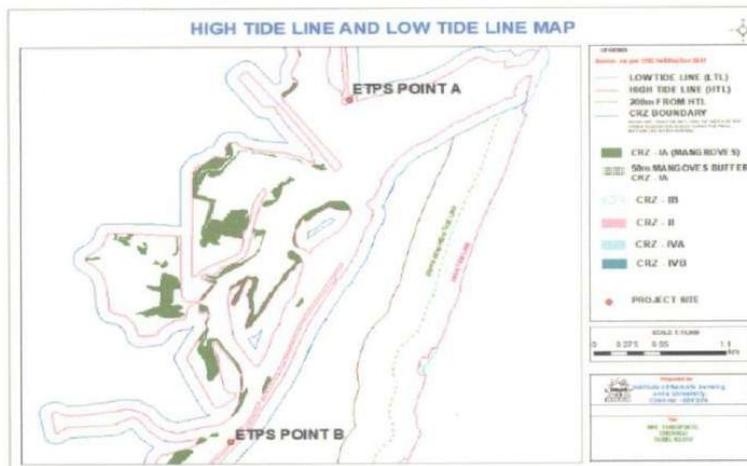


Fig 11 CRZ map prepared by IRS with HTL/LTL/ESZ showing no mangrove in the vicinity of point A and B

In addition, CRZ/ HTL/LTL maps and reports submitted by Institute of Remote Sensing to various agencies like CPCL (2012), TNEB (2016) and BPCL(2019) do not indicate the presence of mangrove as presented in Annexure B.

The present conditions of presence and spread of mangrove near point A and B are presented in fig. 12 as follows.



Fig.12 Distance and area of mangrove patches in the vicinity of points A and B extracted from the satellite image (the mangrove vegetation was observed during the field visit)

7. Conclusion

The consultancy work titled "GIS mapping and assessment of mangrove in the vicinity of removed temporary approach road (eastern bund) in Ennore Creek and Buckingham Canal stretch using temporal remote sensing data" carried out by the Institute of Remote Sensing, Anna University for M/S. TANGEDCO. The temporary approach road claimed to be removed was between the northern tip of the bridge ETPS POINT _ A (app. $13^{\circ} 13' 56.165''$ N $80^{\circ} 19' 4.554''$ E) in the Ennore creek and on the head of Buckingham canal behind Ennore ETPS POINT _ B (app. $13^{\circ} 12' 8.897''$ N $80^{\circ} 18' 30.029''$), where Buckingham canal runs parallel to the Kosasthalaiyar river at this point. The end at the eastern side of the removed temporary approach road was referred as point A and the other end just behind the ETPS campus in the Buckingham canal was referred to as point B in this report. The results deduced from temporal analysis of satellite data, field visit for the current condition and collation of previous reports and other sources are presented as follows.

Following are the salient conclusions

- Satellite data pertaining to years 1972,1981,1991, 2000, 2011, 2014 and 2019 were analyzed for assessing the presence of mangrove at the Point A and Point B. There was no mangrove vegetation that could be identified at the point A and point B during the years of study. Other infrastructures such as the road bridge, NTPC conveyor belt were already existing in that point much before .
- The approved CZMP (with HTL/LTL/ESZ) by MoEF as per 2011 CRZ guideline does not indicate presence of mangrove in the vicinity. The HTL/LTL/ESZ map prepared by NCSCM ,Chennai (from the year 2018)

and approved by MoEF also does not indicate presence of mangrove in the location under investigation.

- The nearest young and sparse vegetation patches noticed during the field visit from point A is at 57.03 m distance with an area of 20.0 sq.m on western side .
- The nearest patch of mangrove vegetation to point A on the eastern side is at 67.3 m distance with an area of 25.4 sq.m.
- The nearest patch of mangrove vegetation observed in the vicinity of point B is at 47.8 m. distance with an area of 348.14 sq.m. This is much less than 1000sq.m, which is the critical value for mangrove buffer as per CRZ guidelines.


PROJECT COORDINAOR


DIRECTOR/IRS
Director
Institute of Remote Sensing
Anna University,
Chennai - 800 025



3. The learned counsel appearing for the Tamil Nadu Pollution Control Board (TNPCB) who is the nodal agency submitted that if some time is granted, they may be able to file the report.
4. The matter is of the year 2017. The committee members are also expected to rise to the occasion and discharge their responsibility of filing the report especially when the direction was issued as early as on 03.01.2022 and followed by order dated 07.03.2022.

5. However considering the circumstances, we feel that some time can be granted to them to file their report and they are directed to file the report to this Tribunal on or before **29.04.2022** 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 and if the same is not filed, then, this Tribunal will be compelled to dispose of the matter on the basis of the material available on record and hearing on both sides.

6. The Registry is directed to communicate this order to the members of the committee, official respondents and also to the Chairman, Tamil Nadu Pollution Control Board for their information and also for compliance of the direction.

7. For consideration of further report and also for hearing, post on **29.04.2022.**

.....Sd/J.M.
(Justice K. Ramakrishnan)

Sd/-

.....E.M.
(Dr. Satyagopal Korlapati)

O.A. No. 01/2017 (SZ)
26.04.2022 Sr.



Plastic Pollution
free Tamilnadu

TAMIL NADU POLLUTION CONTROL BOARD



From	To
<p>M.Malaiyandi, M.E., Joint Chief Environmental Engineer(M), Tamil Nadu Pollution Control Board, Chennai Zone, No.950/1, 1st Floor, Poonamallee High Road, Arumbakkam, Chennai – 600 106.</p>	<ol style="list-style-type: none"> 1. Dr.C.Kaliyaperumal, Director, MoEF&CC Regional Office, Chennai. 2. Dr. S.S.Ramakrishnan, Director, IRS Anna University, Chennai. 3. Dr.M.Thirunavoukkarasu, Chief Scientist and Head, NEERI, Chennai. 4. Dr.V.Sundar, Professor Emeritus, Department of Ocean Engineering, IIT Madras, Chennai.

Letter.No.F. 296/JCEE(M)/TNPCB/CHN.ZONE/2022-1, Dated: 28.04.2022

Sir,

Sub: TNPC Board – O/o.JCEE (M), Chennai Zone – NGT O.A.No.01 of 2017 filed by R.L.Srinivasan, Ennore against the Union of India & Others – Orders of the Hon'ble NGT(SZ), Chennai dated 03.01.2022 & 26.04.2022 – Independent opinion regarding the report furnished by the TANGEDCO forwarded to the Joint Committee members requested for compliance of direction of Hon'ble NGT(SZ), Chennai – Reg.

Ref: 1. Hon'ble NGT (SZ), Chennai order dated 03.01.2022 in O.A.No.01 of 2017 (Copy enclosed).
2. Chairman, TNPCB Lr.No.TNPCB/LAW/LA-1/NGT/20531/2017 dated 21.01.2022.
3. E-mail dated 21.01.2022 from Law Section, TNPCB.
4. Hon'ble NGT(SZ), Chennai order dated 26.04.2022 in O.A.No.01 of 2017 (Copy enclosed).

I am to inform that in the reference 1st cited above, the Hon'ble NGT (SZ), Chennai in its order dated 03.01.2022 has directed the Joint Committee inter alia that vide para 7.

“The TANGEDCO is also directed to submit the entire report to the Joint Committee members, so that the Joint Committee can also peruse the same and come with their independent opinion regarding the report submitted as to whether that is sufficient and comprehensive covering flood mitigation measures also or

further study, if any is to be conducted, if so what is the nature of further study will have to be conducted before the next hearing date”

The above order and the entire report submitted by the TANGEDCO was forwarded to the Committee Members through email message dated 21.01.2022 to file the independent opinion so as to file the same before the Hon'ble NGT(SZ), Chennai vide reference 2nd & 3rd cited above.

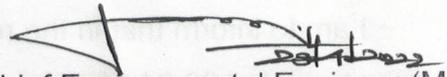
In the reference 4th cited above, the Hon'ble NGT (SZ), Chennai in its order dated 26.04.2022 in O.A.No.01 of 2017 has directed as follows among others vide para.

1. 3. The learned counsel appearing for the Tamil Nadu Pollution Control Board (TNPCB) who is the nodal agency submitted that if some time is granted, they may be able to file the report.
2. 4. The matter is of the year 2017. The committee members are also expected to rise to the occasion and discharge their responsibility of filing the report especially when the direction was issued as early as on 03.01.2022 and followed by order dated 07.03.2022.
3. 5. However considering the circumstances, we feel that some time can be granted to them to file their report and they are directed to file the report to this Tribunal on or before **29.04.2022** 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 and if the same is not filed, then, this Tribunal will be compelled to dispose of the matter on the basis of the material available on record and hearing on both sides

In view of the above, all the Joint Committee Members are requested to furnish independent opinion on the reports filed by the TANGEDCO (which was already forwarded vide reference 3rd cited) **within a week time** so as to forward the same to the Law Section of TNPCB in order to file the same before the Hon'ble NGT(SZ), Chennai.

The receipt of the letter may kindly be acknowledged.

Encl: As stated.


Joint Chief Environmental Engineer (M),
Tamil Nadu Pollution Control Board,
Chennai Zone.



Let us join hands to Beat Plastic Pollution!!!

Email**JCEEM CHN TNPCB**

Fwd: Adjudication detail in respect of NGT O.A. N.01 of 2017

From : JCEEM CHN TNPCB <jceemchn@tnpcb.gov.in> Fri, Apr 29, 2022 05:29 PM
Subject : Fwd: Adjudication detail in respect of NGT O.A. N.01 of 2017
To : drsramakrishnan@yahoo.com, vsundar@iitm.ac.in, vallamsundar@gmail.com, RO MOEF&CC CHENNAI <ro.moefccc@gov.in>, roefccc@gmail.com, Thirunavoukkarasu Manikkannan <mt_arasu@neeri.res.in>

Sir,

Message received from the TNPCB standing counsel in respect of NGT OA.No. 01 of 2017 is forwarded to the Joint Committee members for kind perusal and further action please.

From: "Law Sec TNPCB" <lawsec@tnpcb.gov.in>
To: "JCEEM CHN TNPCB" <jceemchn@tnpcb.gov.in>
Sent: Friday, April 29, 2022 5:16:31 PM
Subject: Adjudication detail in respect of NGT O.A. N.01 of 2017

Sir,

while the case come up for hearing today before the NGT and the Hon'ble observed as follows: (which is informed by the Bds St. Counsel Sai Sathya Jith)
"

Case No : OA 01 of 2017
Item No : 6
Next date of Hearing : 04.05.2022
Report To be filed on or before :

Action Required: To make an attempt to contact the JC member and require the report or comments. If not the JC members are directed to appear, Kindly instruct the concerned officer coordinating with the JC to contact me so that i can clarify the orders of the Court.

PLEASE INSTRUCT WHAT ACTION HAS BEEN TAKEN TO CONTACT MEMBERS OF JC BERFORE NEXT HEARING."

Therefore, the JCEE(M) Chennai is requested to take necessary action in this matter please.

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JCEE-IV/Law TNPCB