

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

In

O.A.No.1 of 2017 (SZ)

IN THE MATTER OF:

R.L Srinivasan

.....Applicant(s)

With

Union of India and Ors.

.....Respondent(s)

Individual Report

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Introduction:

The Hon'ble NGT(SZ) vide order dated 3.1.2022 in Application No.1 of 2017 has directed the Joint Committee to come with their independent opinion regarding the report submitted by TANGEDCO 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.

Back Ground:

The petitioner alleging that the third respondent had encroached into the Kosathalaiyar River and Buckingham Canal and constructed roads and other structures beyond the permissive area without getting further necessary permission required under law.

In this regard the Hon'ble NGT (SZ) vide order dated 13.12.2019 in Application No.1 of 2017 constituted a Joint Committee to inspect the area in question where the alleged encroachments were made and to submit a factual and action taken report.

Accordingly the Joint committee has conducted a meeting on 30.1.2020 and decided to conduct bathymetric study for ascertaining the complete removal of earthen bund, to obtain the quantity and quality of materials used for the construction of road and removed, to obtain the

statistics of fish catch within the Ennore Creek for five years from the Fisheries department in order to check the variation in the fish catch to obtain the super imposed map of GIS from Institute of Remote sensing, Anna University for verifying the existence of mangrove as claimed and to carry out study on sediment sampling to identify the left over construction debris in the area if any.

After getting the desired inputs the joint committee has submitted the report and requested the Hon'ble court to grant more time to for conducting some studies including a third party audit to ascertain the environmental compensation part. Thereafter the Joint Committee has submitted another report and the TANGEDCO proposed 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.

Opinion on the report of Anna University

The report of Anna University clarifies that there were no mangroves vegetation as claimed by the applicant other than some patches of mangroves in the vicinity having less than 1000 sq.km. and the density was not enough for classifying the area as CRZ-IA category.

The aim of the study conducted by the Anna University is to map the mangrove vegetation in the area in question if any in the past and present and not a hydrological model study. Therefore the report is not covering any flood mitigation measures.

For suggesting any flood mitigation measures, scientific analysis and a detailed survey of the topography including the storm drainage system in and around the Kosathalaiyar River and Buckingham Canal and the flood carrying capacity of the area should be carried out. The data thus obtaining should integrate with different types of numerical models including Storm Water Management Model SWMM to quantify the capacity of the existing drains and to redesign and resize them.

Conclusion:

The studies conducted so far revealed that, presently there is no remains of the temporary road, there were no mangroves vegetation as claimed by the applicant and there were no decline in fish catch instead a steady increase in the area in question.

Therefore further study need not necessary in this juncture. However a detailed hydrological model study can be conducted by the Government to mitigate any unprecedented flood in future.



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MoEFCC