

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Original Application No. 126 of 2023 (SZ)

In the matter of:

K. Saravanan,

Chennai and Anr

...Applicant(s)

Versus

The Tamil Nadu Coastal Zone Management Authority,

Chennai and others

...Respondent(s)

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Through

Dr. D. Shanmuganathan

Standing Counsel for Tamil Nadu

National Green Tribunal

Southern Zone, Chennai

Date: 01.05.2024

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Original Application No.126 of 2023(SZ)

In the matter of

1. K. Saravanan,
No, 30, UrurKuppam,
Besant Nagar,
Chennai – 600 090.

2. M. Yuvadeepam,
B2, Ramaniyam Marvel,
Seshadripuram,
1st Main Road,
Velachery,
Chennai – 600 042.

...Applicant(s)

Versus

1. The Tamil Nadu Coastal Zone Management Authority,
No, 1, Jeenis Road,
Panagal Building,
Ground Floor, Saidapet,
Chennai – 600 015.

2. The Tami Nadu State Highways Department,
CKICP Complex, HRS Campus,
No.76, Sardar Petal Road,
Guindy, Chennai – 600 015.

3. KNR Constructions Limited,
SF No. 162/3A1, Kalyanapuram Village,
Chetpet Taluk,
Thiruvannamalai – 606 601.

4. The Additional Chief Secretary,
Highways and Minor ports Department,
Chennai.

...Respondents(s)

**Site Inspection Report on Construction of Road near Odiyur
Lagoon by State Highways Department at Cheyyur Village,
Chengalpattu District**

Prologue:

OA No. 126 of 2023 has been filed before the Hon'ble NGT (SZ) by Mr. K. Saravanan and Mr. M. Yuvadeeban, alleging illegal activities such as clearing and widening of roads through the Odiyur Lagoon, in Cheyyur Village, Chengalpattu District. The road in question is a narrow one branching off the ECR at Panaiyur and connecting Cheyyur. It traverses across the lagoon for approximately 1km, constructed atop the embankment. Only two bridges, spanning 30-40 meters each, have been provided on this stretch, severely impacting tidal exchange across the lagoon. It's noted that the road, falling largely within CRZ IB and IVB areas, should have been built on stilts rather than embankments.

The applicants have also mentioned that they noticed ongoing work at the project site on 27.08.2023. They are seeking directives to the respondents, namely the Tamil Nadu State Highways Department and the contractor, to construct the ECR link road from Cheyyur to Panaiyur passing through the lagoon on stilts. Additionally, they request the demolition and removal of the embankment to restore the area to its original state, and the removal of all construction and demolition debris from the lagoon.

The case was heard on 05/02/2024, during which the Hon'ble NGT (SZ) issued the following orders:

“...It was also pointed out that the additional vents have to be constructed throughout the intertidal zone viz., the CRZ IB area (about 1km stretch). In this regard, let the SCZMA- Tamil Nadu file a report by expressing their opinion.”

In this matter, the Director, Department of Environment & Climate Change has instructed the Assistant Conservator of Forests and Deputy Director (Land Use), Department of Environment & Climate Change to conduct a site inspection and submit a report.

In this connection, a site inspection was conducted on 12.03.2024 by Tmt L. Sowmya, ACF and Deputy Director (Land Use), Thiru V.K. Saravanan, Forest Range Officer, and Thiru. M. Vinothkumar, Programme Officer from the Department of Environment & Climate Change. The inspection was carried out in the presence of the Assistant Director, Tamil Nadu State Highways Department, Tahsildar, Cheyyur Taluk, Village Administrative Officer, Cheyyur Village, and Assistant Engineer, TNPCB, Chengalpattu.

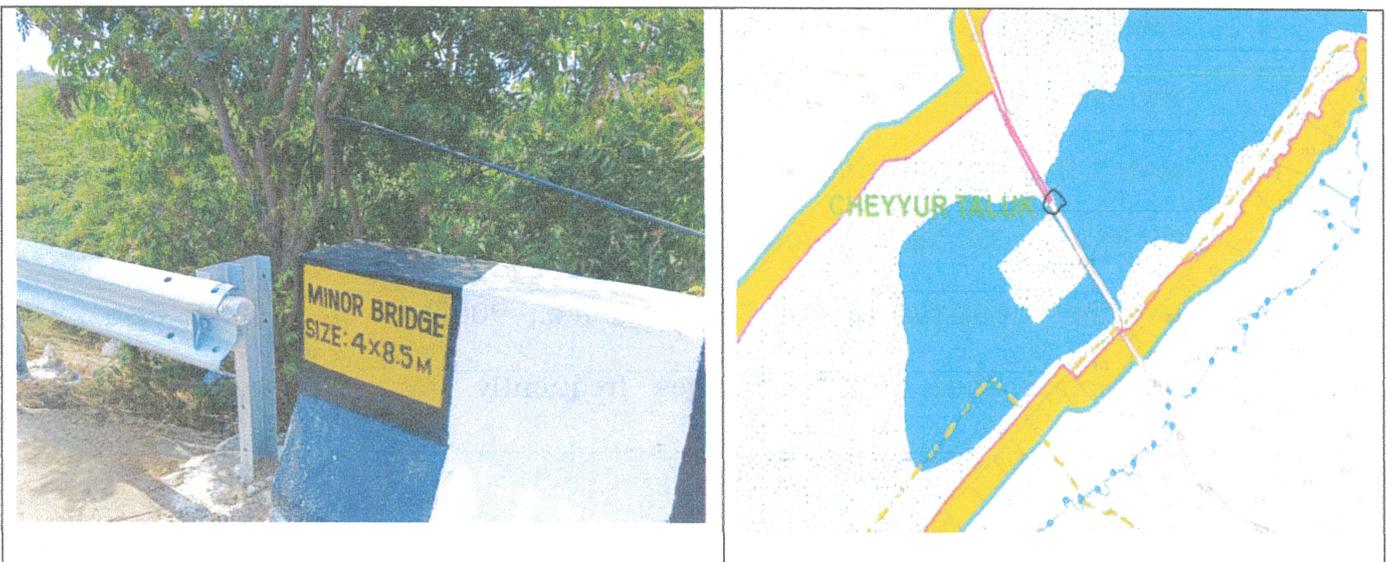
Observations made during the site inspection:

- The site inspection was conducted on the Cheyyur-Panaiyur ECR link road, where the road traverses the Odiyur lagoon atop an embankment.
- In the stretch of about 900 meters, there are two existing minor bridges (minor bridge 1 and 2), each measuring 4 * 8.5 meters, with a vent height of about 3.60 meters each (as reported by the State Highways department). These bridges facilitate the flow of water from one side of the lagoon to the other and were reportedly constructed in 2014.

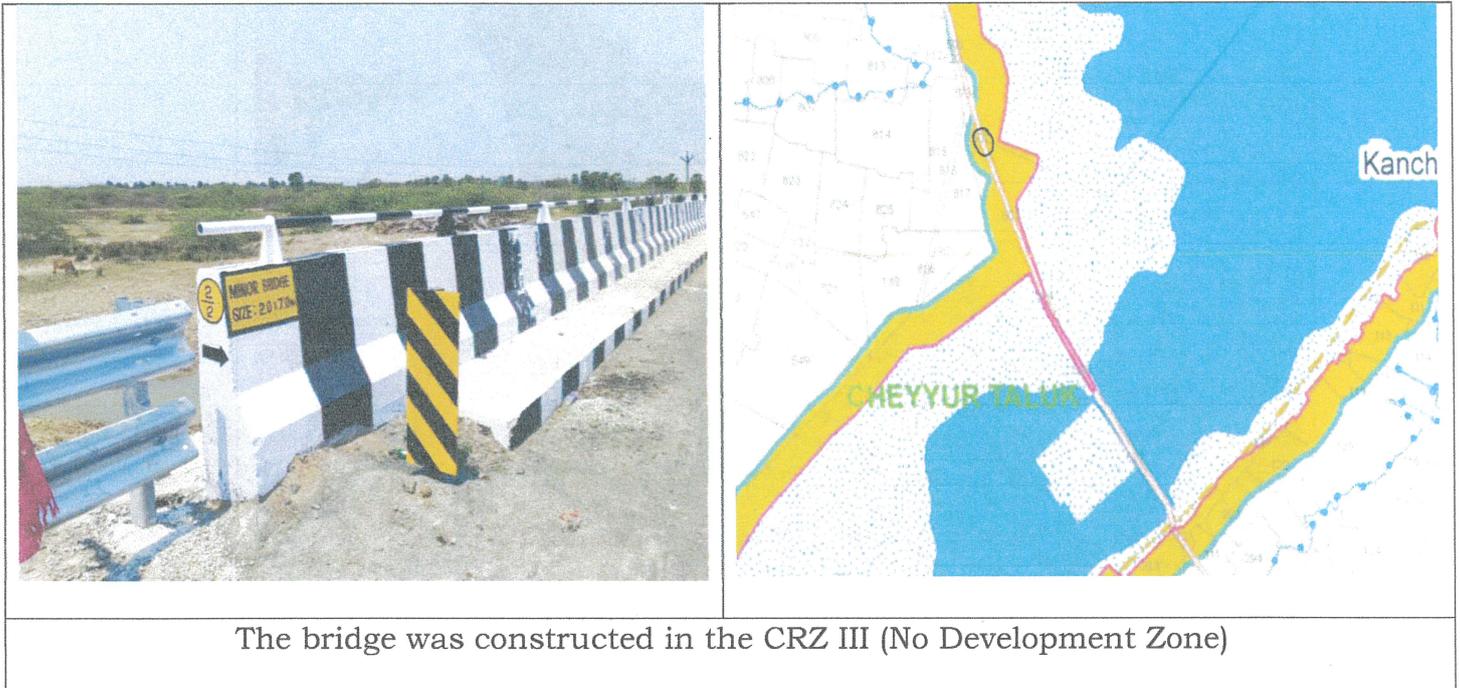
- The two bridges are approximately 350 meters apart from each other, with bridge 1 located in the CRZ-IB (Inter-tidal zone) area within Survey No. 312, 121, and 527, and bridge 2 situated in both CRZ-IB and CRZ-IVB (water area of the lagoon) areas within Survey No. 526.
- During the inspection of the road stretch over the embankment in the lagoon area, no construction activity or dumping of any demolition waste was observed. It was confirmed with the State Highways department that no road expansion work had been carried out, but only relaying of existing road, on the Cheyyur-Panaiyur link road. They also clarified that the 900-meter stretch on the embankment across the Odiyur lagoon, including the two existing minor bridges, was not within their scope of work and hence no work was carried out.
- At the time of site inspection, it was observed that, even though there was meagre water level in the lagoon, water flow was observed across the vents in the two minor bridges. The State Highways department stated that even during heavy rainfall of about 84.50mm recorded at Cheyyur on 03.12.2023 and 04.12.2023 during Cyclone Michaung, no breaches occurred in the CRZ area (i.e., 900m stretch). They also mentioned that tidal exchanges frequently occur through these balancing bridges at this location.
- A new bridge (bridge 3) of size 2.0 * 7.0 meters was observed at a distance of 700 meters from bridge 2 in Survey No. 502. According to the State Highways Department, the vent underneath this bridge also facilitates water flow in the lagoon.

Bridge -1:

The bridge was constructed in the CRZ IB (Intertidal Zone) area as per the approved CZMP Map 2011

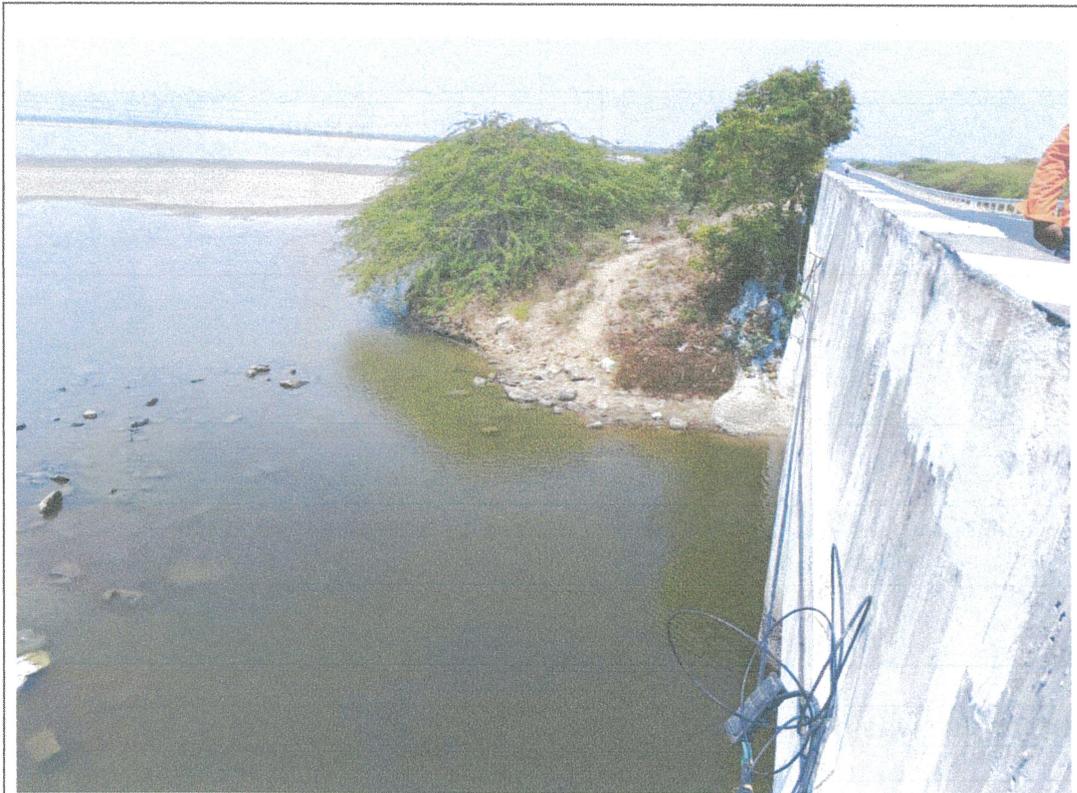
Bridge -2:

The bridge was constructed in the CRZ IB and CRZ IVB (Back Water) areas

Bridge -3:

Images captured during the site visit which shows water flowing through the areas where the bridges have been constructed:





Site Location:



Date: 17.04.2024

Assistant Conservator of Forests/
Deputy Director, DOE&CC