

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE
BENCH, CHENNAI**

ORIGINAL APPLICATION NO. 13 of 2024

IN THE MATTER OF: -

S. Sivadas

.... Applicant

Versus

The MoEFcc and Ors.

.... Respondent

**COUNTER AFFIDAVIT FILED ON BEHALF OF STATE LEVEL
ENVIRONMENT IMPACT ASSESSMENT AUTHORITY (SEIAA)**



Filed by:
G.M. SYED NURULLAH SHERIFF
Senior Standing Counsel
MoEF&Cc.
Mob. No. 9444015330
Counsel for Respondent no. 2

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

ORIGINAL APPLICATION No. 13 of 2024

S. Sivadas

Son of Sivakumar Kulasekar,
No.2, Periyapalayathamman kilo west street,
Basin bridge, Washermen pet,
Chennai – 600021.

.... APPLICANT

/Versus/

1. The Ministry of Environment, Forest and Climate Change,

Rep. by its Secretary,
India Paryavaran Bhavan,
Jorbagh Road,
New Delhi – 110 003.
Email: - mefcc@gov.in
Ph No: - +91-11-2301196

2. State Level Environment Impact Assessment Authority – Tamil Nadu

Rep. by its chairman,
Third floor, Panagal Maligai,
No. 1, Jeenis Road, Saidapet,
Chennai – 600 015.
Email: - tndoe@tn.nic.in
Mob: - 044-24359973

**3. The Member Secretary,
Tamil Nadu Coastal Zone Management Authority,**

Panagal Building,
No. 1, Jeenis Road, Saidapet,
Chennai – 600 015.
Email: - tndoe@tn.nic.in
Mob: - 044-24336928



Member Secretary
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY - TN
Panagal Maligai, No.1, Jeenis Road,
Saidapet, Chennai - 15

Member Secretary
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY - TN
Panagal Maligai, No.1, Jeenis Road,
Saidapet, Chennai - 15

- 4. The District Collector,**
Vilupuram District,
 Collector Office Rd, Moovendar Nagar,
 Vilupuram,
 Tamilnadu 605602.
 Email: - collrvpm@tnic.in
 Mob: - 04146-222470
- 5. The Deputy Director,**
Directorate of Town and Country Planning,
 Villupuram Region,
 GH Road, TADCO Building,
 Villupuram – 605 602.
 Email: - ctcptn@tngov.in
 Mob: - 044-2958 5992
- 6. The Executive Officer,**
Marakkanam Town Panchayat,
 Marakkanam Taluk,
 Office of Town Panchayat, 39, Pandy Road,
 Marakkanam Post & Taluk,
 Villupuram District.
 Email: - eotpv11@gmail.com
 Mob: - 04147-239370
- 7. The Chairman,**
Tamil Nadu Pollution Control Board,
 76, Mount Salai, Guindy
 Chennai – 600 032.
 Email: - tnpcb-chn@gov.in
 Mob: - 044-2235 3134
- 8. District Environmental Engineer,**
Tamil Nadu Pollution Control Board,
 District Collector Master Plan Complex,
 Back side of Taluk Office,
 Villupuram – 605 602.
 Email: - tnpcbvpm@yahoo.co.in
 Mob: - 04146-259955



Member Secretary
 STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY - TN
 Panagal Maligai, No.1, Jeenis Road,
 Saidapet, Chennai - 15

Member Secretary

STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY - TN
 Panagal Maligai, No.1, Jeenis Road,
 Saidapet, Chennai - 15

- 9. Principal Chief Conservator of Forests,
And Chief Wildlife Warden,
Forest Department Government of Tamilnadu,
Saidapet, Chennai – 600 015,
Email: - tnforest@tn.nic.in
Mob: - 2430 5800**
- 10. The Sub Registrar, Marakkanam,
Marakkanam Registrar Office,
Marakkanam Taluk, Villupuram District,**
- 11. Manju Foundations Pvt. Ltd.,
Rep. by its Managing Director,
No.8, Saphaswara Apartments,
2nd Floor, 1st Avenue, Ashok Nagar, Chennai – 83,
Email: - info@manjugroups.in
Mob: - 044-6666 8888**
- 12. Pedro Developers (P) Ltd.,
Rep. by its Managing Director,
Flato No. 621 – A, 6th Floor,
Devika Towers, 6, Nehru Place, New Delhi-19.**
- 13. Metis Developers (P) Ltd.,
Rep. by its Managing Director,
Flato No. 621 – A, 6th Floor,
Devika Towers, 6, Nehru Place, New Delhi-19.**
- 14. Kaleema Developers (P) Ltd.,
Rep. by its Managing Director,
Flato No. 621 – A, 6th Floor,
Devika Towers, 6, Nehru Place, New Delhi-19.**
- 15. P. Nagarajan,
S/o. late Mr. Ponnurangan,
15 and 16 at No. 2/387, Singaravelan Street,
Opposite Community Hall,
Chinna Neelangarai, Chennai – 115.**

16. K.P. Loganathan,

S/o. late Mr. Ponnurangan,
15 and 16 at No. 2/387, Singaravelan Street,
Opposite Community Hall,
Chinna Neelangarai, Chennai – 115.

.... RESPONDENT(S)

COUNTER AFFIDAVIT FILED ON BEHALF OF SEIAA – TAMILNADU,
THE SECOND RESPONDENT

I, A.R. Rahul Nadh I.A.S, aged 36 years, working as Member Secretary, State Level Environment Impact Assessment Authority, Tamil Nadu (SEIAA-TN) having office at Third Floor, Panagai Maligai, Saidapet, Chennai - 600 015, solemnly affirm and sincerely state as follows:

1. I am filing this counter affidavit on behalf of the Second Respondent/SEIAA-TN herein and as such I am well acquainted with the facts and the circumstances of the case from the records available in this office.
2. At the outset, I deny the averments and allegations stated in this original application No. 13 of 2024 except those that are specifically admitted hereunder and put the applicant to strict proof of the same.
3. I respectfully submitted that, EIA Notification mandates prior Environmental Clearance (EC) for the 'Township and Area development projects' – 8(b), Covering an area \geq 50 hectares and (or) built-up area \geq 1,50,000 square metres.
4. I respectfully submitted that, Real Estate projects of area less than 50 hectares does not fall under the purview of EIA Notification, 2006. Further no application seeking EC/CRZ clearance was received in this office till date.
5. I respectfully submitted that, the complaint received from S. Sivadas dated: 27.01.2023 forwarded to Deputy Director, DTCP vide letter no. SEIAA-TN/Complaint/005717/F.No.638/2023 dated 20.02.2023. Subsequently, said complaint was forwarded by Deputy Director, DTCP to Assistant Director, DTCP vide letter no. 20887/2020/TCP dated: 18.04.2023. Again, a Complaint petition was received from Thiru. S. Sivadas dated: 21.09.2023 vide letter no. SEIAA-TN/Complaint/ 5717/F.No.1057(638)/2023 dated :11.10.2023 which was forwarded



Member Secretary

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Member Secretary
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Panagai Maligai, No.1, Jeenis Road,
Saidapet, Chennai - 15

to the Member Secretary, The Tamil Nadu Coastal Zone Management Authority to till date no action taken report was received in this office.

6. I respectfully submitted that; a RTI petition was received from Thiru.S. Sivadas dated: 07.09.2023, which was forwarded to Tamil Nadu Coastal Zone Management Authority vide letter no. SEIAA-TN - TN/RTIA/2120/F.No.356/2023 dated: 29.09.2023.

It is therefore humbly prayed that this Hon'ble National Green Tribunal Court, South Zone, may be pleased to record the above-mentioned facts and pass appropriate orders as this Hon'ble NGT(SZ) may deem fit and proper in this case and thus render justice.

Solemnly affirmed at Chennai on
this 12th day of February 2024 &
Signed his name in my presence

**SECOND
RESPONDENT**

BEFORE ME


12/2/24
MEMBER SECRETARY

SEIAA-TN

Member Secretary
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY - TN
Panagal Maligai, No.1, Jeenis Road,
Saidapet, Chennai - 15