

IN THE NATIONAL GREEN TRIBUNAL,
SOUTHERN ZONE BENCH, CHENNAI
ORIGINAL APPLICATION No. 133 of 2020

IN THE MATTER OF:-

Tribunal On Its Own MotionSuoMotuAppellant

-VS-

The Chief Secretary To
GovtOf Tamil NaduRespondents

AFFIDAVIT ON BEHALF OF RESPONDENT NO. 2 (MINISTRY OF
ENVIRONMENT, FOREST AND CLIMATE CHANGE)

Mrs. M. Sumathi,
COUNSEL FOR MoEF&CC
Mobile No. 9884177779

IN THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
ORIGINAL APPLICATION 133 OF 2020

IN THE MATTER OF:

Tribunal On Its Own Motion

SuoMotu

.....Petitioners

-Vs-

The Chief Secretary To

GovtOf Tamil Nadu

..... Respondents

AFFIDAVIT ON BEHALF OF RESPONDENT NO. 2 (MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE)

I, Dr. C. Palpandi, S/o ShriP. Chendurpandiaged about 38 years, presently working as Scientist 'C', in the Ministry of Environment, Forest & Climate Change (hereinafter referred to as MoEF& CC) do hereby, in my official capacity, solemnly affirm and state on oath as follows-

1. That I am acquainted with the facts and circumstances of the instant case and duly competent to swear the present affidavit on behalf of the MoEF& CC on the basis of the official records maintained therein.
2. I state that I have perused and understood the contents of the present Original Application. At the outset, I deny all averments, submissions, statements and allegations made therein except as may be specifically admitted herein after.


 Dr. C. Palpandi
 Scientist 'C'
 Government of India
 MOEF&CC, Regional Office (S&Z),
 No. 34, 1st and 2nd floor, HEPC Building,
 Cathedral Garden Road, Nungambakkam,
 Chennai-600 034

3. That in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, Ministry of Environment and Forest had notified the Coastal Regulation Zone Notification, 1991 on 19th February, 1991, which, inter-alia, provided classification of Coastal Regulation Zone (hereinafter referred to as CRZ) areas and norms for regulating developmental activities therein. This Notification was subsequently amended from time to time.
4. That it is submitted that in supersession of the CRZ Notification, 1991, the Coastal Regulation Zone Notification, 2011 was notified on 6th January, 2011 for regulation of developmental activities along the coastal stretches and to ensure the livelihood security to the fisher communities and other local communities, living in the coastal areas, to conserve and protect coastal stretches.
5. It is humbly submitted that this said CRZ Notification, 2011 was amended from time to time based on representations received and a need was felt overtime to undertake a comprehensive revision of the notification on the basis of number of representations from various Coastal States and Union territory Administrations, besides other stakeholders.
6. It is humbly submitted that as per para 4(ii)d of the CRZ Notification, 2011 laying of pipelines in the CRZ areas for transportation of natural gas requires prior CRZ clearance after following due procedure as laid in the said notification.
7. It is further humbly submitted that installation/operation of the pipeline for transportation of natural gas within the CRZ without a prior CRZ clearance, as alleged in the present application constitutes violation of CRZ regulations and the State Coastal Zone Management Authority is duty bound to take appropriate action in accordance with law.

(C. Paipandi)
 Dr. C. Paipandi
 Scientist 'C'
 Government of India
 MOEF&CC Regional Office (SEZ),
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 Cathedral Garden Road, Nungambakkam,
 Chennai-600 024.

8. It is humbly submitted that the answering Ministry (Respondent No.2) has not received any recommendation from the concerned State Coastal Zone Management Authority on the instant proposal for consideration till date.
9. It is most humbly also submitted that as per the said CRZ notification, the SCZMAs are primarily responsible for enforcement and implementation of the provisions of the notification. For the purpose of implementation and enforcement of the provisions CRZ Notification and compliance of the conditions stipulated thereunder, the powers either original or delegated, under the Environment (Protection) Act, 1986 with the State Governments and State Coastal Zone Management Authorities (SCZMAs). The provisions related to the composition, tenure and mandate of SCZMAs, have been notified from time to time by the Ministry. The main function of these Authorities include amongst others, enquiring into the cases of alleged violation of the provisions of the CRZ Notification, 2011 and take appropriate decision including power to enforce provisions under Section 5, 10 and 19 of the Environment (Protection) Act, 1986.
10. It is respectfully submitted that the answering respondent without prejudice reserves his right to file an additional affidavit at a later stage, if so necessary
11. It is respectfully submitted that in view of the above mentioned facts, the respondent humbly prays that the Hon'ble Court may be pleased to pass such order as deemed fit in the interest of the justice.

C. Palanivel
 Dr. C. Palanivel
 Scientist 'C'
 Government of India
 MOEF&CC, Regional Office (SEZ),
 No. 34, 1st and 2nd Floor, K.F.H. Building,
 Cathedral Drive, Chennai-600 021.
DEPONENT

CHAPTER 1

The first part of the book discusses the history of the subject and the various methods used to study it. It also covers the basic principles of the theory and the applications of the subject.

1.1

1.2