

**BEFORE THE NATIONAL GREEN TRIBUNAL (SOUTHER ZONE)**

**AT CHENNAI**

(Special Original Jurisdiction)

**Original Application No. 15 of 2021 (SZ)**

**In the matter of:**

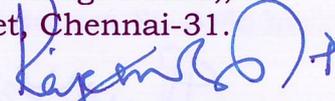
Tribunal on its own motion,  
Suo Motu based on the news item in  
The Hindu English Newspaper dated 05/01/2021  
& In Dinamalar Tamil Newspaper dated: 05/01/2021,  
“White foam Observed in Cooum Stretch  
near Napier Bridge”

... Applicant(s)

Versus

1. The Chief Secretary to Govt. of Tamil Nadu,  
Govt. Secretariat, Fort St. George,  
Chennai, Tamil Nadu – 600 009.
2. The Secretary to Govt. of Tamil Nadu,  
Department of Environment,  
Govt. Secretariat,  
Fort St. George, Chennai,
3. The Principal Secretary to Govt. of Tamil Nadu,  
Department of Industries,  
Govt. Secretariat, Fort St. George, Chennai.
4. The Additional Secretary to Govt. of Tamil Nadu,  
Municipal Administration and Water Supply Department,  
Govt. Secretariat, Fort St. George, Chennai.
5. The Director,  
Department of Environment,  
No 1, Jeenis Road, Panagal Building,  
Ground Floor, Saidapet, Chennai-15.
6. The Chairman,  
Tamil Nadu Pollution Control Board,  
No 76, Anna salai, Guindy,  
Chennai, Tamil Nadu.
7. The Managing Director,  
Chennai Metropolitan Water Supply & Sewerage Board,,  
No 1, Pumping Station Road, Chintadripet, Chennai-31.

  
Accounts Officer  
Department of Environment  
Chennai - 15

  
MEMBER SECRETARY,  
TAMIL NADU STATE COASTAL ZONE  
MANAGEMENT AUTHORITY,  
CHENNAI - 600 015.

.2.

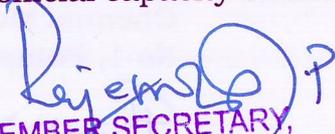
8. The Member Secretary,  
Tamil Nadu Coastal Zonal Management Authority,  
No 1, Jeenis Road, Panagal Building,  
First Floor, Saidapet, Chennai - 15.
9. The Member Secretary ,  
Chennai Rivers Restoration Trust,  
No 6, Adyar Eco-Park, 103,  
Dr DGS Dhinakaran Salai,  
RajaAnnamalai Puram, Chennai - 28.
10. The Director,  
National Center for Coastal Research,  
2<sup>nd</sup> Floor, NIOT Campus,  
Velachery – Tambaram Main Road,  
Pallikaranai, Chennai,  
Tamil Nadu - 100.
11. The District Collector,  
Chennai District,  
District Collectorate Office,  
No.62, Rajaji Salai, 4<sup>th</sup> Floor,  
Chennai – 1
12. The Commissioner,  
Greater Chennai Corporation,  
Ripon Building,  
Chennai - 3

**REPLY AFFIDAVIT FILED BY THE 5<sup>th</sup> & 8<sup>th</sup> RESPONDENT**

I, P.Rajeswari, I.F.S, W/o P.Singaiiah about 57 years and having office at Ground Floor, Panagal Buildings, Saidapet, Chennai – 600 015 solemnly affirm and sincerely state as follows.

1. I humbly submit that I am the Director, Department of Environment and also the Member Secretary, Tamil Nadu State Coastal Zone Management Authority and I am well acquainted with the facts of the case from the records available and I am filing this reply in my official capacity on behalf of 5<sup>th</sup> & 8<sup>th</sup> respondent.

  
Accounts Officer  
Department of Environment  
Chennai - 15

  
MEMBER SECRETARY,  
TAMIL NADU STATE COASTAL ZONE  
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CHENNAI - 600 015.

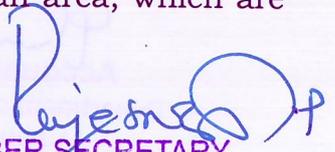
.3.

2. I humbly submit that the Hon'ble NGT (SZ) has filed an O.A. No. 15 of 2021 as Suo Motu based on the news item in the Hindu English newspaper dated 05/01/2021, under the caption "White Foam observed in Cooum Stretch near Napier Bridge". The Hon'ble NGT (SZ) states that High Phosphate content in water, rough sea and high wind conditions may be a possible reasons and also another newspaper report published in Dinamalar Tamil newspaper, Chennai edition dated 05/01/2021 wherein they have mentioned that similar issue has projected in Pattinapakkam beach area, showing large scale foam being formed near Napier Bridge at a place where Cooum River joins the marina Beach.

3. I humbly submit that the Ministry of Environment and Forests, GoI have promulgated CRZ Notification 2011 on 06.01.2011 in supersession of CRZ Notification 1991 in the notification S.O.No.19(E) dated 06.01.2011. In the said notification, classification of different coastal zones are stipulated as follows.

- a) CRZ-I, areas viz.,** Mangroves, Corals and coral reefs and associated biodiversity, Sand Dunes, Mudflats which are biologically active, National parks, marine parks, sanctuaries, reserve forests, wildlife habitats and other protected areas, Salt Marshes, Turtle nesting grounds, Horse shoe crabs habitats, Sea grass beds, Nesting grounds of birds, areas or structures of archaeological importance and heritage sites and the area between the Low Tide Line and the High Tide Line;
- b) CRZ-II areas viz., the** areas that have been developed upto or close to the shoreline.
- c) CRZ-III areas viz.,** area that are relatively undisturbed and those do not belong to either CRZ-I or II which include coastal zone in the rural area (developed and undeveloped) and also area within the municipal limits or in other legally designated urban area, which are not substantially builtup.

  
Accounts Officer  
Department of Environment  
Chennai - 15

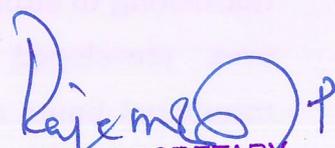
  
MEMBER SECRETARY,  
TAMIL NADU STATE COASTAL ZONE  
MANAGEMENT AUTHORITY,  
CHENNAI - 600 015.

.4.

**d) CRZ-IV areas viz.,** the water area from the Low Tide Line to twelve nautical miles on the seaward side and also the water area of the tidal influenced water body from the mouth of the water body at the sea upto the influence of tide which is measured as five parts per thousand during the driest season of the year.

4. I humbly submit that according to the Clauses (vi) & (vii) of Para 3 of the CRZ Notification, 2011 (i) discharge of untreated waste and effluents from industries, cities or towns and other human settlements and (ii) dumping of city or town wastes including construction debris, industrial solid wastes, fly ash for the purpose of land filling and the like have been declared as prohibited in the CRZ area. The concerned authorities should implemented schemes for phasing out such existing practice if any.
5. I humbly submit that the issues with reference to the discharge of untreated waste and effluents from industries, cities or towns and other human settlements and dumping of city or town wastes including construction debris, industrial solid wastes, fly ash for the purpose of land filling and the like, are vested with the Tamil Nadu Pollution Control Board, Municipal Administration and Water Supply Department, Revenue Department, Department of Town Panchayats and the local bodies concerned, as they are only the concerned authorities.
6. I humbly submit that the Government of Tamil Nadu constituted District Coastal Zone Management Authorities (DCZMA) for all the Coastal districts in G.O.Ms.No.163, Environment and Forests Department dated 09.06.1998. The District Environmental Engineer of the Tamil Nadu Pollution Control Board is the Convener of the District Coastal Zone Management Authority and is the appropriate authority to take action in this regard.

  
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Chennai - 15

  
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.5.

7. I humbly submit that the DCZMAs are entrusted with the following responsibilities, in their respective jurisdictions, as per the said G.O.
- a) to be responsible for monitoring and enforcement / Implementation of the provisions of the Coastal Regulation Zone Notification.
  - b) to ensure that the activities within Coastal Regulation Zone take place as per the approved Management Plan.
  - c) to advice the State Government on any matter relating to protection and control of pollution in Coastal areas.
  - d) to act as an Authority under Sec. 4 of Coastal Regulation Zone Notification, 1991 dated 19.02.1991 for taking action on Coastal Regulation Zone Plan violations.

It is therefore humbly prayed that this Hon'ble Tribunal may be pleased to pass appropriate orders as this Hon'ble Tribunal may deem fit and thus render justice.

Solemnly affirmed at Chennai  
This the      day of January 2022  
and Signed his name in presence

  
MEMBER SECRETARY,  
TAMIL NADU STATE COASTAL ZONE  
MANAGEMENT AUTHORITY,  
CHENNAI - 600 015.  
BEFORE ME

  
Accounts Officer  
Department of Environment  
Chennai - 15

