

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

Application No. 15 of 2023

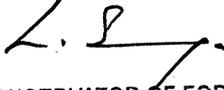
1. Kannappan,
S/o Theepanjan,
Tsunami Quarters,
Tazhuthali Kuppam, Cheyyur,
Kancheepuram.
Ph: 9566254546
Mail id: yoeshwaranadv@gmail.com
2. Panneer,
S/o Sengeni
Tsunami Quarters,
Tazhuthali Kuppan, Cheyyur,
Kancheepuram.
Ph: 9566254546
Email: yogeshwaranadv@gmail.com

... Applicants

Versus

1. The Tamil Nadu Coastal Zone Management Authority,
Rep by its Member Secretary,
No.1, Jeenis Road, Panagal Bulding,
Ground floor, Saidapet,
Chennai – 600 015
Email: tndoe@tn.nic.in
Ph: 044 – 24336594
2. The District Collector,
Chengalpet District,
GST Road,
Chengalpattu – 603001
Phone – 044- 27427412
Mail id: collr-cpt@nic.in
3. The Tamil Nadu Tourism Development Corporation Ltd,
Rep by its Director,
Tamil Nadu Tourism Complex, No: 2, Wallajh Road,
Chennai – 600 002.
Phone: 044 25333333
Mail id: support@ttdconline.com

... Respondents

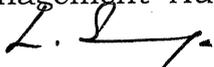

ASSISTANT CONSERVATOR OF FORESTS
GREEN SQUAD,
O/o. DIRECTOR OF ENVIRONMENT
PANAGAL MALIGAI,
SAIDAPET, CHENNAI-600 015.


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

REPLY COUNTER AFFIDAVIT FILED BY THE 1st RESPONDENT

I, Deepak.S.Bilgi, S/o Dr.S.R.Bilgi, aged about 44 years and having office at Ground Floor, Panagal Buildings, Saidapet, Chennai – 600 015 solemnly affirm and sincerely state as follows.

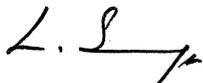
1. I humbly submit that I am the Director, Department of Environment and Climate Change and also the Member Secretary, Tamil Nadu State Coastal Zone Management Authority and I am well acquainted with the facts of the case from the records available and I am filing this reply in my official capacity of 1st respondent.
2. I humbly submit that I have gone through the averments contained in the affidavit filed by the Applicant and I deny all the averments except those that are specifically admitted herein and the Applicant is put to strict proof of the same.
3. I humbly submit that the applicant has alleged that the 3rd respondent viz. M/s Tamil Nadu Tourism Development Corporation is constructing various facilities such as toilets, huts with concrete flooring and pilling, compound wall etc. at S.No: 241, Mudaliyarkuppam Village, Cheyyur taluk, Tazhuthali Kuppam estuary.
4. I humbly submit that the Ministry of Environment Forest & Climate Change, Govt. of India have promulgated Coastal Regulation Zone (CRZ) Notification 2011 on 06.01.2011 in supersession of CRZ Notification 1991, came into the date of the notification, restrictions on the setting up and expansion of industries, operations, processes and the like in the Coastal Regulation Zone. The development or construction in different categories of CRZ shall be regulated by the Coastal Zone Management Authority in accordance with the CRZ notification.


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CHENNAI - 600 015.

.3.

5. I humbly submit that no such application received for CRZ clearance under CRZ notification, 2011 from the 3rd respondent, either to us or to the DCZMA.
6. I humbly submit that, the Government of Tamil Nadu have 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 Collector is the Chairman & the District Environmental Engineer of the Tamil Nadu Pollution Control Board is the Convener of the District Coastal Zone Management Authority.
7. It is further submitted that the DCZMAs are entrusted with the following responsibilities, in their respective jurisdictions, as per the above G.O.
 - to be responsible for monitoring and enforcement / Implementation of the provisions of the Coastal Regulation Zone Notification.
 - to ensure that the activities within Coastal Regulation Zone take place as per the approved Management Plan.
 - to assist the State Authority in undertaking the sponsored investigation and research activities in relation to protection and conservation of coastal Environment.
 - to advice the State Government on any matter relating to protection and control of pollution in Coastal areas.
 - 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.
 - to co-ordinate the activities of the Coastal Zone Management Committees of various coastal areas and to provide guidance.
8. Hence, I humbly submit that DCZMA is the appropriate authority to take action against any CRZ violation found in their respective jurisdiction.


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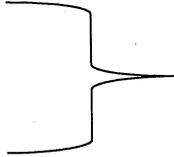

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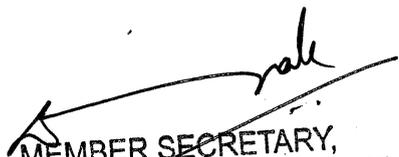
.4.

9. I humbly submit that the representation received against the 3rd respondent from various Fishermen Association regarding the averments made by the applicant have been forwarded to the Chairman, DCZMA, Chengalpattu for taking action vide letter dated 02.02.2023 from the Member-Secretary, Tamil Nadu State Coastal Zone Management Authority (TNSCZMA).

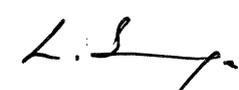
It is therefore humbly prayed that this Hon'ble Tribunal may be pleased to record the above mentioned facts and pass such further order or orders as this Hon'ble Tribunal may deem fit and proper in the interest of justice.

Solemnly affirmed at Chennai
This the 03 day of March 2023
and Signed his name in presence




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

BEFORE ME


ASSISTANT CONSERVATOR OF FORESTS
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