

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

ORIGINAL APPLICATION NO. 181 OF 2020 (SZ)

Sarangam,
Cuddalore

...Applicant

Versus

The Collector,
Cuddalore and Others

...Respondents

REPORT FILED BY THE 1st RESPONDENT

I, K.Balasubramaniam, IAS, S/o. Krishnaswamy, Hindu, aged about, 51 years, now working as District Collector, Cuddalore District, do hereby solemnly affirm and sincerely state as follows:

1. It is submitted that the Hon'ble Green Tribunal in its order dated : 07.12.2021 in O.A.No.181 of 2020 (SZ) has observed as follows:

5. *" However, the question as to whether the person who is maintaining the fish pond, requires permission under the CRZ Notification, apart from obtaining membership under the District Fish Farmers Development Agency and whether they will*


Personal Assistant (Legal Matters)
to Collector, Cuddalore.


DISTRICT COLLECTOR,
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have to obtain any permission from the Tamil Nadu Pollution Control Board for conducting the same, if it falls under any category which is regulated by the pollution control laws applicable (B.P.No.6 of 2004)

7. The District Collector being the District Authority under the CRZ Notification is also directed explain this aspect as to whether this pond requires any CRZ clearance under the CRZ Notification”

2. It is submitted that Section 8 of the Coastal Regulation Zone notification deals with the norms for regulation of activities permissible under the notification. Section 8 (III) which deals with the Coastal Regulation Zone III reads as follows:

“Coastal Regulation Zone III

Area upto 200mts from HTL on the landward side in case of seafront and 100mts along tidal influenced water bodies or width of the creek whichever is less is to be earmarked as “No Development Zone (NDZ)”,-

- (i) the NDZ shall not be applicable in such area falling within any notified port limits;
- (ii) No construction shall be permitted within NDZ

P. M. S.
Personal Assistant (Legal Matters)
to Collector, Cuddalore.

A. S. S.
DISTRICT COLLECTOR,
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except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities; Construction/reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF;

(iii) however, the following activities may be permitted in NDZ -

- (a) agriculture, horticulture, gardens, pasture, parks, play field, and forestry;**
- (b) projects relating to Department of Atomic Energy;
- (c) mining of rare minerals;
- (d) salt manufacture from seawater;
- (e) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II;
- (f) facilities for regasification of liquefied natural gas subject to conditions as mentioned in subparagraph (ii) of paragraph 3;

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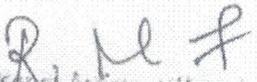
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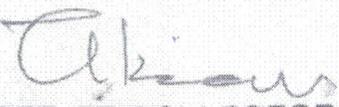
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- (g) facilities for generating power by non conventional energy sources;
- (h) Foreshore facilities for desalination plants and associated facilities;
- (i) weather radars;
- (j) construction of dispensaries, schools, public rain shelter, community toilets, bridges, roads, provision of facilities for water supply, drainage, sewerage, crematoria, cemeteries and electric sub-station which are required for the local inhabitants may be permitted on a case to case basis by CZMA;
- (k) construction of units or auxiliary thereto for domestic sewage, treatment and disposal with the prior approval of the concerned Pollution Control Board or Committee;
- (l) facilities required for local fishing communities such as fish drying yards, auction halls, net mending yards, traditional boat building yards, ice plant, ice crushing units, fish curing facilities and the like;
- (m) development of green field airport already permitted only at Navi Mumbai"

Since fish culture is an allied activity of agriculture, fish culture is a permitted activity in Coastal Regulation Zone III. Therefore the person who is maintaining the fishpond, apart from obtaining membership under the District Fish Farmers development Agency


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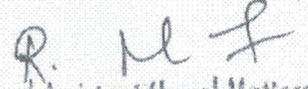

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do not require any other permission/clearance, including permission from TamilNadu Pollution Control Board under the CRZ notification.

Hence it is humbly prayed that the Hon'ble Court may be pleased to accept this report and pass further orders as the Hon'ble Court may deem fit and thus render justice.

Solemnly affirmed at **CUDDALORE**
On this the day **24th** of December 2021
and signed his name in my presence.


DISTRICT COLLECTOR,
CUDDALORE.
BEFORE ME


Personal Assistant (Legal Matters)
to Collector, Cuddalore.