

**INDEPENDENT REPORT OF THE MEMBER OF THE COMMITTEE FORMED
PURSUANT TO THE ORDER OF THE HON'BLE NATION GREEN TRIBUNAL
SOUTHERN ZONE CHENNAI IN O.A.NO.183 OF 2021 DATED 17.08.2021**

1. It is respectfully submitted that Thiru. Meenava Thanthai K.R Selvaraj Kumar, Meenavar Nala Sangam, Chennai has filed an Original Application No.183 of 2021(SZ) and an I.A.No. 117 of 2021(SZ) before the Hon'ble National Green Tribunal, Southern Zone, Chennai levelling certain complaints against the construction of large scale Fish market adjacent to River Cooum at S.F.No. 1/93 of Poonamalle High Road, Pallikuppam, Vanagaram, Chennai 600 007 by the 6th respondent, Thiru A. Durai as stated therein.
2. It is further submitted that the Hon'ble National Green Tribunal, Southern Zone, Chennai in Para 9 of the order dated 17.08.2021 formed a joint committee and directed the Committee to inspect the area in question and to submit a factual as well as action taken if there is any violation found.
3. It is further submitted that the Hon'ble National Green Tribunal, Southern Zone, Chennai in Para 10 of the order dated 17.08.2021 has directed the committee to ascertain the following:



(M. SUHANYA)

- i. Whether the sixth respondent has obtained necessary clearance or permission for construction of the fish market as required under the environmental laws,
- ii. Whether the 6th respondent had encroached the Cooum river poramboke or any other Government property and made reclamation of any portion of the river for the purpose of construction,
- iii. Whether he had committed any violation of Construction and Demolition of Waste Management Rules, 2016 in the disposal of the construction demolition wastes, generated during the construction of this project.
- iv. Whether 6th respondent had deposited the construction debris in any portion of the Cooum river or river bank, so as to obstruct the free flow of water in the Cooum river.
- v. Whether the 6th respondent had made any unauthorized attempt of putting up pipelines to discharge untreated sewage/trade effluent into the Cooum river illegally,
- vi. If there is any violation found or encroachment done, then the committee is directed to ascertain the nature of the damage


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caused to the environment and assess the environmental compensation including the cost required for restoration of damage caused to the environment apart from taking steps to remove the encroachment and prevent untreated sewage/trade effluent being discharged into the Cooum river after following all the legal formalities as provided under the respective statues in accordance with law.

4. It is further submitted that the Hon'ble National Green Tribunal, Southern Zone, Chennai in Para 18 of the order dated 17.08.2021 has directed the Committee members to file independent report in this regard.

5. It is respectfully submitted that, as directed by the Hon'ble National Green Tribunal, Southern Zone, Chennai, a joint committee was constituted and the Committee inspected the site on 30.09.2021. During inspection the following were ascertained:

- i. It is respectfully submitted that, the built up area of the fish market is 1802 Sqm. As per the Notification of Environment Impact Assessment Notification dated 14th September 2006, only the Building and Construction Projects with built-up area of more than or equal to 20000 Sqm are required to obtain prior


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Environmental Clearance from State Level Environment Impact Assessment Authority. Hence the area in question does not attract EIA Notification 2006. The unit has obtained Consent to Establish from TNPCB and was informed that application for Consent to Operate is under process at TNPCB.

- ii. It is respectfully submitted that the 6th respondent has encroached River Coovum at two places on the northern side and eastern side of the fish market and the Revenue Officials have been requested the details such as GPS coordinates and total encroachment area and the same will be detailed in the joint inspection report to be submitted before the Hon'ble Court.
- iii. It is respectfully submitted that during inspection of the site, no construction debris generated during the construction of this project were seen dumped at the site.
- iv. It is respectfully submitted that during inspection of the site, no construction debris were seen dumped in River Cooum or the river bank disrupting the flow.
- v. It is respectfully submitted that during inspection of the site, no pipelines discharging untreated sewage/trade effluent into River Cooum was noticed. Sewage Treatment Plant and Effluent


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Treatment Plant have been provided within the premises for treating the generated sewage and trade effluent. The 6th respondent produced the original receipts pertaining to disposal of treated sewage and treated trade effluent to CMWSSSB.

- vii. It is respectfully submitted that the details of nature of damage caused to the environment and the environmental compensation including the cost required for restoration of damage caused to the environment and the steps taken to remove the encroachment in accordance with law will be submitted to the Hon'ble Court in the joint inspection report.



9/11/21

(M. SUGANYA)

Assistant Engineer,
SEIAA-TN.



**TMT.P.RAJESWAI, I.F.S.,
MEMBER SECRETARY**

**STATE LEVEL ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY -TAMILNADU**

3rd Floor, Panagal Maaligai,
No.1 Jeenis Road, Saidapet,
Chennai-600015.

Telephone No.: 044-2435 9973

Mail ID : cmantnseiaa@yahoo.com

Lr.No.SEIAA-TN/NGT/O.A.No.183 of 2021/2021-1 dated: 20.09.2021

To

The Engineer in Chief
Public Works Department/
Water Resources Organisation
Chepauk , Chennai – 600005

Sir/Madam,

Sub: SEIAA-TN - Court Case – Hon'ble NGT, SZ, Chennai in Original Application No.183 of 2021 order dated: 17.08.2021 – Member nominated on behalf of SEIAA-TN – Communicated – Regarding

Ref: Hon'ble NGT, SZ, Chennai in O.A.No.183 of 2021 order dated: 17.08.2021.

The Hon'ble National Green Tribunal, Southern Zone Chennai in the matter of Original Application No.183 of 2021 vide order dated: 17.08.2021 has constituted a joint committee comprising (1) The District Collector, Thiruvallur District or a Senior Officer not below the rank of District Revenue Officer (DRO) as deputed by the District Collector (2) a Senior Officer from Tamil Nadu State Environment Impact Assessment Authority (TNSEIAA) (3) a Senior Officer from Tamil Nadu Pollution Control Board (TNPCB) designated by its Chairman and (4) a Senior Officer not below the rank of Superintending Engineer from Public Works Department (PWD) and Water Resources organization Department (WRO) who is in charge of area to inspect the area in question and submit a factual as well as action taken report, if there is any violation found.

The Public Works Department (PWD) and Water Resources Department (WRO) will be the nodal agency for co-ordination and for providing necessary logistics for this purpose. The copy of NGT order dated 17.08.2021 is enclosed as annexure.

In this regard, it is informed that Tmt.M.Suganya, Assistant Engineer, (Mobile No: +91- 8870470678, E- Mail Id: cmantnseiaa@yahoo.com) has been nominated as a Member for the joint committee from SEIAA-TN. The date of joint committee meeting and inspection may be informed to Tmt.M.Suganya, Assistant Engineer well in advance.


For **MEMBER SECRETARY**
SEIAA - TN

MA
20/9/2021

Copy to

Tmt.M.Suganya, AE, SEIAA-TN