

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

**Original Application No. 183 of 2021**

Meenavathanthai K.R.Selvaraj Kumar,  
Meenavar Nala Sangam,  
m.R.Thiyagarajan,  
S/o. Late C. Rajalingam,  
Office at No.48, East Madha Church,  
Royapuram, Chennai – 600 013.

...Applicant

Versus

The State of Tamil Nadu  
Through the Chief Secretary,  
Govt. of Tamil Nadu,  
Govt. Secretariat, Fort St. George,  
Chennai, Tamil Nadu – 600 009 & 5 others.

... Respondents

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**Advocate for the Respondent: TNPCB**

Tr. S. Sai Sathya Jith,  
Advocate, Chennai.



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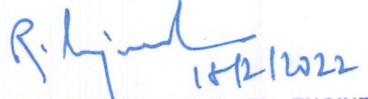
**REPORT FILED ON BEHALF OF THE 3<sup>RD</sup> RESPONDENT  
TAMILNADU POLLUTION CONTROL BOARD.**

I, R. Rajamanickam, S/o P.M. Ramasamy , Hindu, aged about 57 years, having office at No.76, Mount Salai, Guindy, Chennai-600 032, do hereby solemnly affirm and sincerely state as follows:

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board and I am filing this Report on behalf of the 2<sup>nd</sup> Respondent Board and as such I am well acquainted with the facts of the case as per records.

2. It is respectfully submitted that earlier this Hon'ble Tribunal in its Order dated 05.01.2022 in O.A No. 183 of 2021 (SZ) has issued the following directions inter alia as follows:

*"Para 7: As per order in I.A.No.08/2022 (SZ) this tribunal had directed the committee appointed by this Tribunal to go into the question as to whether there was any violation of the permission*

  
15/12/2022  
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TAMILNADU POLLUTION CONTROL BOARD,  
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granted by the Chennai Metropolitan Development Authority (CMDA) to the 6<sup>th</sup> respondent in construction of the impugned building for the fish market and whether there is any encroachment into the flood plain of the Cooum river while making their construction.

*Para 9: The committee is directed to consider the allegation mentioned in I.A.No. 08 of 2022 (SZ) and also the permission plan and the photograph produced by the applicant to ascertain as to whether any violation of the permission granted while making the construction by the 6<sup>th</sup> respondent and if so what is the nature of proposed action taken in this regard."*

It is respectfully submitted that, subsequently, the Hon'ble NGT (SZ) in its orders dated 27.01.2022 has issued the following directions inter alia as follows:

*"11. The Joint Committee as well as the District Collector, Thiruvallur District, Chennai Metropolitan Development Authority (CMDA), Tamil Nadu Pollution Control Board (TNPCB) and the Water Resources Department are directed to file the reports as directed by this Tribunal as per order dated 14.12.2021 and subsequent order dated 05.01.2022 on or before 16.02.2022 and get ready with the matter for consideration on 23.02.2022."*

It is respectfully submitted that in due compliance of the Hon'ble NGT order dated 05.01.2022 & 27.01.2022, the 6<sup>th</sup> respondent unit of M/s. The Chennai Fish, S.F.No. 98/12, 98/5A1B, Noombal Village, Poonamallee Taluk, Tiruvallur District was inspected by the Joint Committee on 12.01.2022 along with the official of Public Works

*R. Vijay*  
15/12/2022  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMILNADU POLLUTION CONTROL BOARD,  
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Department(WRD), Tamilnadu Pollution Control Board, State Level Environment Impact Assessment Authority, Tahsildar, Poonamallee and along with CMDA official. During the joint committee inspection the following were observed:

i. The unit was in operation and the ETP & STP were also in operation and the treated sewage and trade effluent are stored in the treated sewage & trade effluent collection tank respectively for further disposal.

ii. The unit has reported that the treated sewage/trade effluent is disposed to the nearby CMWSSB pumping station through tanker lorry. The unit has furnished the copy of the CMWSSB receipt dated 26.10.2021, 26.11.2021, 13.12.2021, 11.01.2022 & 10.02.2022 for the disposal of treated Sewage/trade effluent into CMWSSB pumping station.

iii. The unit has plugged the outlet storm water drain leads to Cooum river and there was no discharge of sewage/trade effluent outside the unit premises into the Cooum river.

iv. The underground Sewage collection sump & trade effluent collection sump which were earlier constructed within 15m of the buffer zone are presently not in use and it was observed that the unit has constructed new underground Sewage collection sump & trade effluent collection sump, 15m away from the buffer zone and the same were in use presently.

v. The buffer zone area and surrounding area of the unit is paved with cement concrete flooring.

  
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vi. The unit has constructed the compound wall along with its patta land boundary line parallel to the River Cooum on the northern side of the unit.

vii. The Tahsildar, Poonamallee has reported that the unit has realigned its compound wall within their patta land boundary which is away from the original encroachment area of River Cooum and presently there is no encroachment by the unit in river Cooum.

viii. The Committee observed that 15m Buffer Zone as demarcated in the CMDA approved Plan vide planning permission No. B/NHRB/127/A-C/2020 dated 21.5.2020, has been provided to the main building of the Fish market.

ix. Further, the Committee observed that the unit has extended its unit premises than the CMDA approved land extent to the adjoining area on the north-eastern side (SF. No. 98/14) and being paved with cement concrete flooring and used as vehicle parking of the vehicles coming to the fish market and also constructed a small temple and a shed installed with ice crushing machine-2Nos.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) may be pleased to pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of this case and thus render justice.

  
18/12/2022  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMILNADU POLLUTION CONTROL BOARD,  
No.76, MOUNT SALAI, CHENNAI-600 032.

**BEFORE ME**

**VERIFICATION**

I, R. Rajamanickam, Son of Thiru. Ramasamy, working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-600 032 do hereby verify that the contents of above report are true to the best of my knowledge through records.

  
14/2/2022  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMILNADU POLLUTION CONTROL BOARD,  
No.76, MOUNT SALAI, CHENNAI-600 032.



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RESPONDENT  
TAMILNADU POLLUTION CONTROL BOARD.**

**Advocate for the Respondent: TNPCB**

**Tr. S. Sai Sathya Jith,  
Advocate, Chennai.**

Date: 21.02.2022

Date of Hearing: 23.02.2022

