

**Before the National Green Tribunal  
Southern Zone, Chennai**

**Original Application No.120 of 2021 (SZ)**

Tribunal on its own motion-SUO  
MOTU based on the news items  
published in Dinamalar E-edition,  
dated 26.04.2021 under the caption  
"Crisp coloured fish farms are  
accused of affecting ground water"

...Applicant(s)

Versus

1. The Secretary to Govt. of Tamil  
Nadu, Department of Environment  
& Forests, Govt. Secretariat, Fort  
St.George, Chennai, Tamil Nadu –  
600 009

2. The Chairman,  
Tamil Nadu Pollution Control Board,  
No. 76, Anna Salai,  
Guindy, Chennai - 600 032

3. Department of Fisheries,  
Rep. by its Commissioner,  
3<sup>rd</sup> Floor, Integrated Animal  
Husbandry and Fisheries Building,  
Nandanam, Chennai – 600 035

4. The District Collector,  
Tiruvallur District,  
First Floor, Collectorate,  
Tiruvallur – 602 001

5. State Ground and Surface Water  
Resources Data Centre,  
Rep. By its Chief Engineer,  
Tharamani, Chennai - 600 113



**Assistant Director of Fisheries  
(Information and Extension)  
Chennai-600 006.**



**Commissioner of Fisheries &  
Fisherman Welfare Department,  
Chennai - 600 035**

6. Central Ground Water Board,  
Rep. by its Regional Director,  
E-Wing, G-Block, Rajaji Bhavan,  
CGO Complex, Besant Nagar,  
Chennai – 600 090

...Respondents

**COUNTER AFFIDAVIT FILED BY 3<sup>rd</sup> RESPONDENT**

I, Dr. K.S. Palanisamy, S/o. C. Subramani, Age 52, Commissioner of Fisheries and Fishermen Welfare having office at Integrated Office Complex for Animal Husbandry and Fisheries Department, Nandanam, Chennai – 600 035 do hereby solemnly affirm and sincerely state as follows:

- 1) I am well acquainted with the facts and circumstances of the case from the available records. In pursuant to the orders of the Judicial and expert members of the National Green Tribunal, Southern Zone, Chennai dated 04.06.2021, I am filing this Report on "Crisp coloured fish farms are accused of affecting ground water" as follows:
- 2) It is respectfully submitted that with respect to para no.2, necessary steps are being taken by the Department of Fisheries and Fishermen Welfare to register the ornamental fish farms located in Lakshimipuram, Konimedu, Mettupalayam, Pammathukulam, Erangauppam, Krishnampet, Old Pammathukulam and Sarathkandigai under Tiruvallur District Fish Farmer's Development Agency (DFFDA).
- 3) It is respectfully submitted that with respect to para no.3, based on the Joint Inspection Committee report, it is ascertained that the used soil and water outlet from ornamental fish culture farms located in the

  
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alleged area doesn't have adverse impact on agriculture practice and contamination to ground water.

- 4) It is respectfully submitted that with respect to para no.4, the ornamental fish farms located in the above said villages are near to Puzhal reservoir and have potential water source for cultivation of fish. As per the Joint committee report the ground water department inspected the above said area and informed that the ornamental fish farms located in this area is classified as semi critical category which is eligible category for getting No Objection Certificate for extraction of ground water. However, due to the lack of knowledge on the existing rules, the farmers could not apply to get No Objection Certificate from concerned authorities. During the inspection the ground water department officials have severely warned the farmers and advised them to apply for No objection certificate for extraction of ground water. The farmers are now in the process of applying No objection certificate and Fisheries department will monitor the developments and assist the farmers to get No objection certificate from the concerned department for drawal of ground water. It is further submitted that, all the ground water which are drawn for culture of fishes once again will be reused for the purpose of agriculture. Except 5-10 % of evaporation loss of total water drawn remaining 90% are being reused or let into the adjacent lands in order to facilitate ground water recharge. Hence, there is no water wastage and scarcity in the area due to the culture of ornamental fishes.

  
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5) It is respectfully submitted that with respect to para no.8, as per the National Green Tribunal, Southern Zone order, a joint committee has been constituted by the District Collector, Tiruvallur vide reference no.13155/2021/B3, dated: 22.06.2021 with the following members.

- a) Revenue Divisional Officer, Ponneri (On behalf of District Collector, Tiruvallur)
- b) Assistant Director of Fisheries and Fishermen Welfare, Tiruvallur
- c) District Environmental Engineer, Tamil Nadu Pollution Control Board, Gummidipoondi
- d) Assistant Director, State Ground and Surface Water Resources Data Centre, Taramani, Chennai

Further it is respectfully submitted that Fisheries and Fishermen Welfare Department act as the Nodal agency for coordination with the joint committee for the aforesaid allegation.

6) It is respectfully submitted that with respect to para no.8, the joint committee members have visited the alleged areas of Ornamental fish farms on 14.07.2021 in order to ascertain the impact of ornamental fish culture on ground water, soil and water pollution. The experts/officials of the committee have verified the veracity of the allegation published in the newspaper on their domain expertise. The committee submitted the report based on the points mentioned in the para no.9. Soil and water samples were collected randomly from the alleged area to analyse the physico-chemical parameters of the collected samples so as to know, whether the ornamental fish farming would have any impact

  
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on the soil and water. The soil and water samples were analysed in the laboratories of Department of Agriculture and Tamil Nadu Pollution Control Board. The joint committee submitted the field inspection report based on the points mentioned in para no.9 and the report is submitted as annexed.

- 7) Hence, The Hon'ble National Green Tribunal, Southern Zone, Chennai may kindly be requested to drop the action on the News of Ornamental fish culture published in the Dinamalar Newspaper E-edition dated: 26.04.2021 and issue suitable orders to continue the culture of Ornamental fishes in Sengundram area with guidance from Department of Fisheries and Fishermen Welfare and by obtaining necessary No Objection Certificate (NOC) from Ground water department for the drawal of ground water.

Solemnly affirmed and signed his name in my presence at Chennai, this the 13<sup>th</sup> day of September 2021

  
Commissioner of Fisheries &  
Fisherman Welfare Department,  
Chennai - 600 035  
Before me

  
Assistant Director of Fisheries  
(information and Extension)  
Chennai-600 006.





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3<sup>rd</sup> Floor, Integrated Animal  
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Nandanam, Chennai – 600 035

and 3 Others

...Respondents

**Counter affidavit filed by the 3<sup>rd</sup>  
Respondent**

**Government Counsel**