

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH, CHENNAI
ORIGINAL APPLICATION No.203 of 2021(SZ)
I.A.No. 140 of 2021 (SZ)**

IN THE MATTER OF:

Meenava Thanthai K.R. Selvaraj Kumar
Meenava Nala Sangam
Represented by its President M.R.Thiyagarajan
Chennai

... Applicant(s)

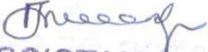
-Versus-

1. State of Tamil Nadu
Through the Chief Secretary,
Government of Tamil Nadu, Secretariat
Chennai – 600 009.
2. State Coastal Zone Management Authority
Government of Tamil Nadu,
Through the Director,
Saidapet, Chennai – 600 015.
3. Public Works Department
Through the Chief Executive Engineer
PWD Estate, Chepauk,
Chennai – 600 005.
4. The District Collector,
Rajaji Salai,
Chennai – 600 001.

...Respondent(s)

**INDEPENDENT REPORT FILED BY THE 4th RESPONDENT,
THE DISTRICT COLLECTOR, CHENNAI.**

I, Dr. J. Vijaya Rani I.A.S., W/o. Thiru. Roshan, Hindu, aged about 47 years now working as District Collector, Chennai from 16.06.2021 do hereby solemnly affirm and sincerely state as follows:-


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COLLECTORATE
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PIN - 600 001**

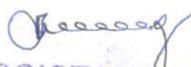

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2) I am the 4th respondent herein and as such I am well acquainted with the facts and circumstances of the case from the records available with our office. I am filing this independent report as per orders dated 10.12.2021 of this Hon'ble Tribunal.

3) It is respectfully submitted that, on my behalf, the Revenue Divisional Officer-Chennai North, the Assistant Director (Mines) and the Assistant Director (Survey) had jointly inspected the disputed site along with other Committee members constituted by this Hon'ble Tribunal on 07.10.2021 and furnished their inspection report as follows.

“During inspection, it has been observed that no quarrying activities are going on in the river mouth of Cooum river. Heavy machineries namely 2 – Hitachi (earth movers) and 1- Bulldozer are in operation in the spot. When enquired by the committee members, the Superintending Engineer, (PWD), Water Resources Department, Palar Basin Circle, Chennai has stated that, the said vehicles are used to remove the sand bar deposited in the mouth of the river in order to make free flow of water. Illicit quarrying operations are not noticed in the spot at the time of inspection.”

4) It is respectfully submitted that, in compliance with the National Green Tribunal (SZ) Order dated 22.11.2021, notice has been issued to the Petitioner Meenava Thanthai K.R.Selvaraj Kumar Meenava Nala Sangam Rep. by its President, M.R.Thiyagarajan and the


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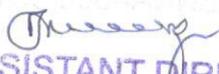

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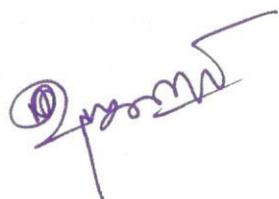
New Indian Express Reporter Mrs.Nirupama Viswanathan vide this Office letter dt. 30.11.2021, to provide evidence on the matter. Accordingly, Personal Enquiry has been conducted by me on 03.12.2021 along with the Assistant Commissioner of Police, Triplicane.

5) It is respectfully submitted that, the petitioner herein has neither appeared nor submitted any statements / Documents before me on the date of enquiry in spite of personal service notice. On discreet credential verification the petitioner's bonafides appears to be doubtful. The New Indian Express Reporter Mrs.Nirupama Viswanathan appeared before me along with Mrs.Ranjitha Gunasekaran (ARE, TNIE) and furnished her statement as follows.

"We would like to state that the article was based on a first – hand witness of the incident on the night of Sept.4 (Saturday between 11.30pm – 1 am). The details are published in the article. We witnessed trucks parked ahead of the Napier bridge near Anna Square bus depot going in one by one in the lane adjacent to the depot and coming out with sand. Before publishing the article, we confirmed with two PWD officials (SE & EE) if the sand was taken for Government purposes but both officials said that no permission has been given to take out sand".

Further, she has given Registration No. of one vehicle (Lorry) personally to the Assistant Commissioner of Police requested to trace


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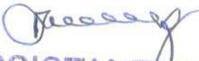

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out the vehicle in all possible ways and to take suitable action in this regard.

6) It is respectfully submitted that, on 05.12.2021, Mrs.Ranjitha Gunasekaran (ARE, The New Indian Express) has shared a photo through whatsapp messenger by stating that the photo was taken at April 2020, Cooum river mouth, showing the lorries taking mud from that spot.

7) It is respectfully submitted that, as directed by the Hon'ble Tribunal order dated 10.12.2021, in paragraph-9, the petitioner has submitted the photographs and video graphs to me by post / courier on 20.12.2021 afternoon. It contained 3 photographs and 2 video clips.

8) On scrutiny of the said Photographs and Videographs, it has been ascertained that, one of the photograph is the one and the same which was sent by the New Indian Express Reporter earlier on 05.12.2021 through whatsapp messenger which shows the Month and Year as April 2020. I am to state that it is the proof of evident, that no illicit quarrying is taken place recently. However, stringent action will be initiated to curtail illicit movement of minerals in the Chennai District and instructions are issued to the Enforcement Officials to take strict vigil over the River Mouth of Cooum.


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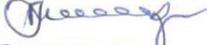
9) It is respectfully submitted that, the following actions have been taken to prevent illicit transportation / quarrying of minerals in the Chennai District:

i) It is respectfully submitted that, to prevent illicit transportation / quarrying of minerals in the District, an adhoc “**District Level Task Force**” has been constituted vide District Collector’s Proceedings Rc.No.C2/9364/2020, dated 17.11.2021.

Members of the District Level Task Forces are:

Sl.No	Name	Designation
1.	The District Collector, Chennai.	Chairman
2.	The Assistant Commissioner of Police, Harbour Range, Chennai	Member
3.	The District Forest Officer, Chennai	Member
4.	The District Revenue Officer, Chennai	Member
5.	Regional Transport Officers, Chennai	Member
6.	Revenue Divisional Officers, Chennai	Member
7.	Assistant Commissioners of Greater Chennai Corporation	Member
8.	The Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai.	Member
9.	Assistant Director (Mines), Chennai.	Convenor
10.	The Executive Engineer, (PWD) (WRO), Tiruvallur / Chennai / Kancheepuram	Member

ii) It is respectfully submitted that, the functions of the District Level Task Force is to monitor illegal mining and transportation of


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minerals effectively, also to monitor the functions of Taluk Level Task Forces and to prevent loss of revenue to the State exchequer.

iii) It is respectfully submitted that, all Tahsildars of the District have been directed to constitute “**Taluk Level Task Force**” to curtail illicit quarrying and transportation of mineral at Taluk level.

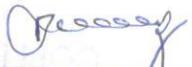
iv) Accordingly, Taluk Level Task Force have been constituted by the Tahsildars in all 16 Taluks of this Chennai District.

v) It is respectfully submitted that, the functions of the Taluk Level Task Force Members is to make frequent surprise checks so as to arrest illicit quarrying / mining / transportation / storage of minerals by forming flying squads.

Members of the Taluk Level Task Forces are:

1.	Tahsildar – Convenor
2.	Inspector of Police, Crime
3.	Inspector of Police (Law and Order)
4.	Forest Officer
5.	Assistant Geologist (Mines)
6.	Representative of Regional Transport Officer.
7.	Village Administrative Officers.
8.	Assistant Engineer, (PWD)(WRO)

vi) It is respectfully submitted that, in response to the above, the Tahsildar of Velachery / Convenor has convened Taluk Level Task Force Meeting on 24.11.2021 and furnished Minutes of the Meeting vide his Letter in Rc.No.E3/1751/2021 dated 20.12.2021 and all other Taluks have been directed to convene the meeting at the earliest.


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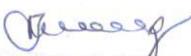

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10) It is respectfully submitted that, on perusal of this office records, it has been ascertained that, during the year - 2020, 4 vehicles had been seized by Mines Officials and during the year 2021(up to December-15/21) 4 vehicles and 1 vehicle seized by Mines and Revenue Departments respectively which involved in illicit transportation of minerals and FIR had been lodged against all the offenders.

11) It is respectfully submitted that, for the unauthorised storage of Sand and M-sand, penalty of Rs. 25,000/- has been imposed to the offender Thiru. S. Sundaramoorthy, S/o. Subba Reddy, Maduravoyal, Chennai vide District Collector's Proceedings Rc.No.C2/13372/2020 dated 04.09.2020.

12) It is respectfully submitted that, in another case, 12 units of Sand and 5 units of M-sand had been seized and handed over to the Junior Engineer, PWD, Adyar Basin Division, St.Thomas Mount, Chennai for safe custody.

13) It is respectfully submitted that, based on the article published in The New Indian Express News dated 07.09.2021, surprise raid was conducted by the Assistant Geologist, O/o. the Assistant Director of Geology and Mining, Chennai on 16.09.2021 from 11.00 P.M. to 12.00 Noon (17.09.2021) in and around Chennai including the areas of


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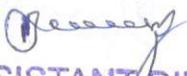
Kotturpuram, Pattinapakkam, Santhome, Napier Bridge and Thoraipakkam and furnished his report as follows.

Surprise raid has been conducted on 16.09.2021 and started at 11.00P.M. from kathipara of Alandur Taluk for checking and curbing of illicit transportation of minerals.

Around 12.00 A.M. the surprise raid was continued at Kotturpuram, Pattinapakkam, Santhome and upto Napier Bridge for next 2 hours. Vehicles involved in illicit transportation of minerals has not been found / seized in the above areas.

Regarding illicit mining in Cooum River mouth, the said area has also been inspected around 2.A.M.(17.09.2021), and it has been noticed that the vehicle access road to the mouth of Cooum river blocked by barrication near the Police Station.

The surprise raid was continued at around 4.00 A.M. in Thoraipakkam Junction, 200 feet OMR road, Shollinganallur Taluk. The vehicle bearing Registration No.TN 22CY 7744 found carrying 6 units of Earth without valid documents has been seized and handed over to the Inspector of Police, J9-Thoraipakkam Police Station and FIR has been lodged against the offender vide FIR No.708/2021 dated 17.09.2021. The surprise raid was continued till 12.00 Noon of next day (17.09.2021).


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14) It is respectfully submitted that, Tahsildars of all Taluks are instructed to make frequent surprise raids with flying squads so as to arrest illicit movement of Minerals in the District vide this Office Lr. Rc. No.C2/9364/2020 dated 17.11.2021.

15) It is respectfully submitted that, a surprise visit has been made by me personally in the disputed place along with Police personnel on 23.12.2021 during mid night (Photographs enclosed) to ascertain about any illegalities. During inspection, the following were noticed.

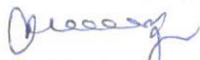
“ i) Few fishermen making fishing at the spot was seen.

ii) Under CRRT Project, the process of River mouth cleaning work has been carried out jointly by Greater Chennai Corporation, Chennai and Public Works Department (WRD), Chennai and the cleaned sediments were deposited there like a river bund.

iii) 3 heavy Machineries are permanently stationed there to attend any emergency work near the mouth of the Cooum river. ”

16) It is respectfully submitted that, effective steps are being taken in co-ordination with other Enforcement Departments to curtail illicit quarrying / transportation of minerals in Chennai District.

17) It is respectfully submitted that, as per G.O. (Ms). No.85 Environment and Forest (EC-3) Department dated 29.06.2010, the


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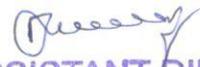
Chairman for the District Coastal Zone Management Authority for Chennai Metropolitan Development Authority is “the Additional Director of Department of Environment”. Hence, it is suggested that the Chairman of the District Coastal Zone Management Authority for Chennai Metropolitan Development Authority jurisdiction may be directed to monitor and to take appropriate action as per CRZ Notifications, if any violation have been noticed in the Coastal Regulatory Zone.

18) In view of the above, it is therefore humbly prayed that this Honourable Tribunal may be pleased to accept this individual report and to pass such other orders as this Honourable Tribunal may deem fit and proper in the fact and circumstance of this case and thus render justice.

Solemnly affirmed at Chennai On this
27th day of December 2021 and signed
his name in my presence


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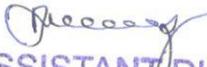
BEFORE ME


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VERIFICATION

I, Dr. J.Vijaya Rani, W/o. Thiru. Roshan now working as District Collector, Chennai District do hereby verify that the contents of above report are true to the best of my knowledge through records.

Verified at Chennai District on this th 27 day of December 2021.


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