

**BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI**

In

ORIGINAL APPLICATION No. 203 Of 2021 (SZ) &  
I.A. No. 140 OF 2021 (SZ)

IN THE MATTER OF:

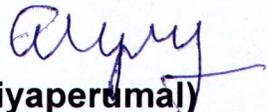
MeenavaThanthaiK.R.Selvaraj Kumar  
MeenavaNalaSangam

...Applicant(s)

Vs

State of Tamil Nadu and Ors.

...Respondent(s)

  
(Dr.C.Kaliyaperumal)

Director

Integrated Regional Office

Ministry of Environment, Forest & Climate Change, Chennai

**BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI**

**Individual Report on OA No. 203 of 2021 (SZ) & I.A. No. 140 of 2021 (SZ) filed before the Hon'ble National Green Tribunal, Southern Zone, Chennai.**

**1. Introduction**

Vide Order dated 15.09.2021 in O.A No. 203 of 2021 & I.A. No. 140 of 2021, the Hon'ble NGT (SZ) has constituted a Joint Committee comprising of (1) District Collector, Chennai District (2) a Senior Officer from the Regional Office of MoEF & CC, Chennai (3) Senior Officer from Tamil Nadu Coastal Zone Management Authority as deputed by its Chairman (4) Superintending Engineer, PWD, Chennai (5) The Commissioner of Police or nominee by him not below the rank of Joint Commissioner to inspect the area in question and to file a factual report as well as action taken report if there is any violation found.

Accordingly the competent authority in the Regional Office of MoEF & CC, Chennai has nominated Dr.C.Kaliyaperumal, Director as the member to the Joint Committee and the Joint Committee comprising of the Superintending Engineer, WRD, Palar basin Circle, Chennai, the Revenue Divisional Officer, North representing the District Collector, Chennai, the

Joint Commissioner of Police (Eastern Zone), the Assistant Director representing the Department of Geology and Mining and the undersigned visited the site on 07.10.2021

Further vide order dated 22.11.2021 the Hon'ble NGT (SZ) has directed to submit the report to this Tribunal, apart from individual respondents filing their reports on or before 10.12.2021 by e-filing.

**2. Observation of the Committee on the following questions raised by the Hon'ble NGT is as follows.**

- i. Whether any illegal sea sand mining is being done in the eco-sensitive zone, namely CRZ – 1-A and 1-B in the river mouth of Coovum near the Napier Bridge which ultimately reaches the Bay of Bengal.

**During the visit it is noticed that some channelization work was undertaken near the Napier Bridge to facilitate the free flow of water during flood times, which results in less damage to the river banks.**

- ii. Whether any heavy vehicle like excavator/earth removers and other heavy vehicles like tipper lorries etc., are being parked in the eco-sensitive zone.

**During the visit vehicle excavators was observed at the site, which were engaged in the channelization work.**

- iii. Whether such vehicles-have been used for such sea mining, even if it is being done by the authorities,

**No sea sand mining and its transport have noticed during the visit except channelization work to facilitate the free flow of water during the post monsoon season.**

- iv. If such vehicles are found, the concerned authorities are directed to remove the same by seizure or other method known to law and impose appropriate penalty against such persons who are engaged in parking such vehicles which ineco-sensitive areas which is in fact prohibited,

**No such vehicles were found during the visit. However the Joint committee has requested The Revenue Department and Police Authorities to impose appropriate penalty against such persons who are engaged in parking.**

- v. Even if any, permitted activity is being done as part of dredging in that area, whether it is being done after obtaining necessary permission/clearance and in tune with the guidelines given by the Ministry of Environment, Forest and Climate change (MoEF&CC) under the Enforcement and Monitoring Guidelines for Sand Mining, 2020 as well as the Sustainable Sand Mining Management Guidelines, 2016.

**No clearance has been taken for dredging. The detected activity during the site visit was only channelization work which is usually performed as a preparative work before the starting of every monsoon season.**

- vi. To ascertain the ecological damage caused to the environment on account of such illegal activity and assess the environmental compensation to be recovered from the persons who are responsible for the same.

**As per CRZ Notification, 2011, CRZ-IA areas are ecologically sensitive and the geomorphologic features which play a role in the maintaining the integrity of the coast,- (a) Mangroves, in case mangrove area is more than 1000 sq mts, a buffer of 50meters along the mangroves shall be provided; (b) Corals and coral reefs**

and associated biodiversity; (c) Sand Dunes; (d) Mudflats which are biologically active; (e) National parks, marine parks, sanctuaries, reserve forests, wildlife habitats and other protected areas under the provisions of Wild Life (Protection) Act, 1972 (53 of 1972), the Forest (Conservation) Act, 1980 (69 of 1980) or Environment (Protection) Act, 1986 (29 of 1986); including Biosphere Reserves; (f) Salt Marshes; (g) Turtle nesting grounds; (h) Horse shoe crabs habitats; (i) Sea grass beds; (j) Nesting grounds of birds; (k) Areas or structures of archaeological importance and heritage sites.

The area in question is coming under any of the above category and therefore ecological damage caused to the environment. However the Joint committee has recommended to impose huge amount as fine from the violators and to take action against them as per the law.

- vii. To suggest the permanent mechanism by which such illegal activities can be averted or put under surveillance for the purpose of tracing out the persons involving in such illegal activities.

**Installation of CCTV Camera and link it with Revenue, Geology & Mining and Police Department.**

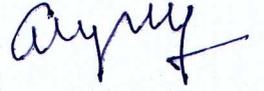
- viii. To ascertain regarding the end user of the alleged sea sand that is illegally mined and if so, what are all the purposes for which it is being used and if it is being done illegally what is the nature of action taken against those persons, who are involved illegally in such activities.

**Requested the Police Department and Geology & Mining to ascertain the end user of the sea sand that is illegally mined, if any and to report for taking action.**

- ix. The committee members are directed to inspect the area at different times during the night on different dates, as a surprise inspection, so as to ascertain the alleged ongoing illegal activities as even according to the allegation illegal mining is being done during the night time, not during the day time.

**Requested the police department and Revenue department to inspect the area at different times during the night on different dates, as a surprise inspection and to report for taking further necessary action.**

**The photos taken during the site visit is at Annexure.**



**Dr. C. Kaliyaperumal**  
Director  
MoEFCC, IRO, Chennai



















