

BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

In

Original Application No. 214 of 2017 (SZ)

REPORT OF JOINT COMMITTEE

I, Dr.C.Kaliyaperumal S/o Chinnakkannu aged 59 years currently working as Scientist 'F' in the Ministry of Environment, Forest & Climate Change, do hereby submitting the report of Joint Committee constituted by the Hon'ble NGT vide Order dated 27.01.2020.

It is submitted that the Competent authority of the Ministry of Environment, Forest & Climate Change, Integrated Regional Office, Chennai has nominated the undersigned as Nodal Officer to this Committee. The Tamil Nadu Coastal Zone Management Authority has nominated Shri. Dr.V. Selvam, Independent Researcher as their representative and District Collector Chennai has nominated Shri. Muthukazhuvan, Revenue Divisional Officer (North Chennai) as their representative to the Joint Committee and the Committee has carried out the site visit on 20.03.2020 accordingly, the report is prepared.

It is submitted that Shri. Muthu Kazhuvan Revenue Divisional Officer (North Chennai) has not signed the report by claiming that the area in question is not coming under his jurisdiction despite District Collector has nominated him and he has also participated site visit. In this regard several request/reminders has been sent to Revenue Divisional Officer (North Chennai) from this Office through telephonically/ E-mail and Wahtsapp message.

Submitted the Joint Committee Report before the Hon'ble Green Tribunal Southern Zone, Chennai.



(Dr.C.Kaliyaperumal)

Scientist 'F' & Nodal Officer to Committee

BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

In

Original Application No. 214 of 2017 (SZ)

IN THE MATTER OF:

Meenava Thanthai
K.R. Selva Kumar
Meenavar Nala Sangam

...Applicant(s)

Versus

The Director,
Ministry of Environment,
Forest & Climate Change,
New Delhi and Others.

...Respondent(s)

REPORT OF THE JOINT COMMITTEE

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Original Application No. 214 of 2017 (SZ)

Introduction:

Vide Order dated 27.01.2020 in the matter of O.A No.214 of 2017 (SZ), the Hon'ble NGT (SZ) has constituted a Joint Committee comprising of Regional Office, of MoEF & CC, Chennai and State Coastal Zone management Authority and District Collector, Chennai to go into the allegations to inspect the area in question and submit a factual and action taken report if there is any violation in respect of cutting down of trees in the proposed Green Belt of stage I and stage II and how many trees have been cut against the conditions imposed in the clearances without getting proper permission from authorities, whether, Environment Clearance provides for cutting of trees and also suggesting the remedial measures to remedy the situation.

As Nodal Agency, the Competent Authority in the Ministry of Environment, Forest and Climate Change, Regional Office Chennai has nominated Dr.C.Kaliyaperumal, Director as the Nodal Officer to the Joint Committee and accordingly MoEF&CC vide letter dated 17.03.2020 has requested all other concerned officers to nominate their representatives to the committee.

Accordingly, the District Collector, Chennai has nominated Shri.M.Muthukaluvan, RDO, Tondiarpet, as their representative to the Joint Committee, Tamil Nadu State Coastal Zone Management Authority has nominated Dr.V.Selvam, Expert Member, TNCZMA as their representative to the committee.

(Copy of the letter dated 17.03.2020 is at **Annexure I**)

The Joint Committee has visited the site on 20.03.2020 namely Stage I, Stage II and Stage III of North Chennai Thermal Power Plants. The list of participants is at **Annexure II**.

Back ground of the Projects:

M/s.TANGEDCO acquired 1067 acres of land during 1987 – 1990 to established Thermal Power plants and the entire area was enclosed with a pucca compound wall constructed during 1990. Stage I and Stage II power plant areas were declared as industrial land. The CMDA has also declared as industrial land. Stage I and Stage II were constructed, commissioned and are in operation.

Stage III is under construction stage and about 90% of the work is completed and remaining works are under progress. The total land area of Stage III is 190 acre of barren land. The photos showing the progress of construction work at site **Annexure III**.

Directions given by the Hon'ble NGT (SZ) to the Joint Committee

Vide Order dated 27.01.2020 in the matter of O.A No.214 of 2017 (SZ) three directions were given to the Joint Committee and the observations of the joint committee against each direction is as follows:

1. *“If there is any violation in respect of cutting down of trees in the proposed Green Belt of stage I and stage II and how many trees have been cut against the conditions imposed in the clearances without getting proper permission from authorities, whether, Environment Clearance provides for cutting of trees and also suggesting the remedial measures to remedy the situation”.*

Observation:

M/s. TANGEDCO has developed green belt in Stage I and Stage II areas. The Committee has not observed any tree cutting in Stage I and Stage II green belt development areas. However, some uprooted and fallen trees were observed in these areas. The green belt development work in Stage I and Stage II is inadequate. There are lots of vacant areas available in Stage I and Stage II. The Green belt development work is unsatisfactory and needs improvement. The committee requested the authorities to improve the green belt development.

2. *“What is the extent of the plantation planted by the 10th respondent in compliance with the conditions imposed in Environmental Clearance for establishment of stage I and stage II and what is the survival percentage and whether any tree has been cut and removed from that area for this expansion which was not permitted by the Ministry of Environment, Forest and Climate and Change as it was mentioned in the Environmental Impact Report that it is a barren land”.*

Observation:

As per the details submitted by the project authority, 177 acres of land (30%) was allocated for green belt development in Stage I and against this 116 acres of land is brought under green belt by planting 20,750 numbers of trees. Survival rate is about 85% i.e. 17,640 numbers of plants survived.

For Stage II, 67.66 acres of land is allocated for developing green belt. Against this 50.99 acre is brought under green belt by planting 15,000 numbers of plants. The survival rate is 82%. Tree cutting was not observed during the visit. However, some uprooted and fallen plants/trees were observed in Stage I and Stage II green belt areas.

As mentioned in the EIA report, Stage III land is a barren land. Further, as remarked by the Wild life Warden, Guindy the project site was with bushes and juliflora and some species of low value fire wood, shrubs of small girth which have been grown naturally as a vegetative cover. Here some trees were cut and removed during the initial stage of construction. The exact number of trees removed/cut from the site of Stage III was not made available to the committee. Photographs showing the routes of removed trees take during the visit is at Annexure – IV.

3. *“Whether there is availability of 190 acres of barren land for establishment of stage III as mentioned by the project proponent in their proposal for obtaining the Environmental Clearance/Coastal Zone Clearance and if there is any violation what is the action to be recommended and what is the environment compensation that has to be recovered from the project proponent for such violations to restore the loss caused to ecology”.*

Observations:

As per the provided details, the land availability for Stage III is 190 acre of barren land. Stage III Power Plant is under construction in this land. As per EC condition of Stage III, green belt consisting of 3 tiers of plantations of native species all around the plants and at least 50m width shall be raised. Wherever 50m width is not feasible a 20m width shall be raised and adequate justification shall be submitted to the Ministry. The density shall not be 2500/ha. with survival rate not less than 80%. In this regard the Project Authorities has already started to develop green belt and so far 677 trees were planted in 5 acres earmarked for green belt developments. No violation has been noticed during the visits.

Conclusion:

1. No trees have been cut/removed from the proposed green belt of Stage I and Stage II. However, some trees were fallen and uprooted in these areas. The green belt development work is inadequate and lot of vacant areas available for green belt development. It needs further improvements.
2. The Joint Committee observed that sufficient area is available for the establishment of Stage III.
3. No violations were noticed at the construction site of Stage III and therefore the question of Environment Compensation is not arising at this stage.
4. There are no National Parks, Wild life sanctuaries and other protected areas within 10Km radius and no mangroves were noticed at the site.
5. The site is 500m away from High Tide Line (HTL) of sea and 100m away from the HFL of canal and no CRZ violations were noticed during the visit.

Recommendations:

It is recommended to improve the green belt of Stage I, II with adequate density as specified in the Environmental Clearance granted for Stage I & II and also recommended to comply the condition regarding green belt developments as specified in the Environmental Clearance granted for Stage III project.



Dr.C.Kaliyaperumal
Director,
MoEF&CC



Dr.V.Selvam
Expert Member
TNCZMA

M.Muthukaluvan
RDO

EP/12.7/NGT(SZ)/06/2018/TN | 0376

Government of India
Ministry of Environment, Forests and Climate Change
(Regional Office - Chennai)

1st and 2nd floor, HEPC Building,
No.34, Cathedral Garden Road,
Nungambakkam, Chennai - 600034
E-mail: roefcccl@gmail.com
Tel: 044-28222325

Dated: 17th March, 2020.

To

1. The Member Secretary
Tamil Nadu Coastal Zone Management Authority,
Panagal Maligai, No.1 Jeenis Road, Saidapet, Chennai-600 015

2. Shri Muthukazhuvan,
Revenue Divisional Officer (North)
Chennai District, 62, Rajaji Salai, Chennai-600001
Email: rdptpt-chn@gov.in

Subject: Constitution of Joint committee as per the order of Hon'ble NGT(SZ) order dated 27.01.2020 in Application No.214 of 2017 (SZ).

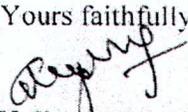
Reference: Hon'ble NGT (SZ) dated 27.01.2020 in Application No.214 of 2017 (SZ)..

Sir,

With reference to the above mentioned subject, the Hon'ble NGT(SZ) constituted a Joint Committee comprising of Officers from Regional Office of the Ministry of Environment Forest and Climate Change, Chennai, State Coastal Zone Management Authority, Tamil Nadu, and the District Collector, Chennai District, vide order dated 27.01.2020 in Application No.214 of 2017. The matter is about the violations of the conditions of Coastal Regulation Zone Clearance granted to TANGEDCO. As per the order dated 27.01.2020 the report should be filed before 27.3.2020 (i.e within two months from the date of order). Copy of the order is enclosed for further reference.

As the Nodal Agency, the Competent Authority has nominated the undersigned as the Nodal Officer to the Joint committee and in this regard it is requested to nominate a suitable officer from your organization for the site inspection followed by report preparation, which is planned for 20.03.2020.

Yours faithfully,


(Dr.C.Kaliyaperumal)
Director

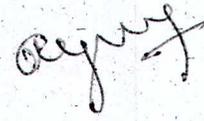
Encls: As above

Copy to: The District Collector, 62, Rajaji Salai, Fourth Floor, Chennai-600001.

Annexure - II

Joint Committee Meeting on 20.3.2020
Application No. 214 of 2017

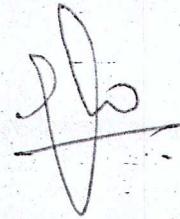
① Dr. C. Kaliyaperumal
Director
MoEFCC, RO, Chennai



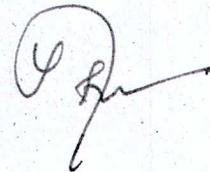
② Dr. K.G. Prjidal
Research Officer (Env)
MoEFCC, RO, Chennai



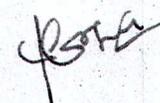
③ Dr. V. Selvam
Expert member
State Coastal Zone Mgmt.
Authority.
Pondicherry.



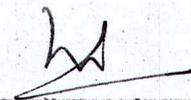
④ M. Muthukalvan
RDO - Tondiarpet



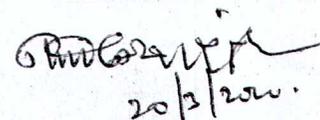
5. D. GANGESAN
Tahsildar
Thiruvannamalai



6. D. Purushothaman
Zonal deputy Tahsildar
Thiruvannamalai



7. S. Seshathai RI
Thiruvottiyur


20/3/2020



BOILER



ESP & DUCTS



