

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE AT CHENNAI**

Application No. 278 of 2017

John Fernandez,
S/o Soosai, Inayam,
Inayam Post,
Kanniyakumari District.

...Applicants

Vs

1. The Member Secretary
Tamilnadu Pollution Control Board
76, Mount Salai, Guindy
Chennai – 600 032 & others .

...Respondents

INDEX

S.No	Description	Page No.
1.	ACTION TAKEN REPORT FILED ON BEHALF OF THE RESPONDENTS - TAMIL NADU POLLUTION CONTROL BOARD.	1- 3

Filed by
Thiru. C. Kasirajan,
Advocate, Chennai.

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**ACTION TAKEN REPORT FILED ON BEHALF OF THE
RESPONDENTS - TAMIL NADU POLLUTION CONTROL BOARD.**

I, G. Gopalakrishnan, S/o. V. Gandhi, Hindu, aged about 57 years, having my office at No. 76, Mount Salai, Guindy, Chennai – 32, do hereby solemnly affirm and sincerely state as follows:-

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

2. It is respectfully submitted that as per the directions of the Hon'ble NGT dated 08.09.2020 and the recommendations of the Joint Committee, the respondent Board has assessed for levying the environmental compensation of Rs. 39, 41, 250/- to the unit of M/s. Nanjil Sea foods, located at D. No.24/251, Mullurthurai, Araiyanthoppu, Vilavancode taluk, Kanyakumari District.

G. Gopalakrishnan
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD.
No.76, MOUNT SALAI, CHENNAI-600 032.

3. It is respectfully submitted that, the respondent Board has issued Show Cause Notice vide Board's proceeding dated 12.10.2020 to levy and recover the Environmental compensation of Rs.39,41,250/- for operating the unit without obtaining CRZ Clearance required under provisions of the Coastal Regulation Zone Notification 2011 made under the Environmental (Protection), Act, 1986.

In response to the said show cause notice, the unit vide its letter dated 15.11.2020 informed that the unit has received the said proceeding only on 27.10.2020 and requested 15 days time to furnish its reply.

Further, the respondent Board has issued closure direction and disconnection of power supply to the unit of M/s. Nanajil Sea Foods vide Board's proceedings dated 27.10.2020.

Based on the direction for closure, EB power supply to the unit was disconnected by the AE (Distribution), TANGEDCO, Puthukadai on 02.11.2020.

4. It is further submitted that, Thiru. Antony Kanselin, Kanyakumari District has filed a Writ Petition(MD) No.15189 of 2020 before the Hon'ble Madurai Bench of Madras High Court, Madurai against the orders issued by the Board vide proceeding No.T1/TNPCB/LAW/NGT/A/Shoe Cause Notice /2020 dated 12.10.2020 and direction for closure and disconnection of power supply issued by the Board vide proceeding no.T1/TNPCB/F.32895/OS/NGL/W&A/2020-1 dated 27.10.2020.

5. It is respectfully submitted that the Hon'ble NGT has passed order dated 03.02.2021 and directed that "we direct the official respondents as well as the committee to submit their independent response regarding the action taken by them from their side and also further action taken report by the committee respectively to this Tribunal on or before 01.03.2021".

6. It is further submitted that, in pursuance the orders of the Hon'ble Tribunal dated 03.02.2020 , the respondent Board has addressed a Memo dated 27.02.2021 to the JCEE(Monitoring), Tirunelveli requested to conduct personal hearing with the unit of M/s. Nanjil Sea Food, Kanyakumari District and furnish report to Board.

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.

G. Gopalakrishnan
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMILNADU POLLUTION CONTROL BOARD,
 No. 76, MOUNT SALAI, CHENNAI-600 032.
BEFORE ME

VERIFICATION

I, G. Gopalakrishnan, S/o. V. Gandhi, 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

Verified at Chennai on this 3rd day of March 2021.

G. Gopalakrishnan
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMILNADU POLLUTION CONTROL BOARD,
 No.76, MOUNT SALAI, CHENNAI-600 032.

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TAMIL NADU POLLUTION CONTROL
BOARD.**

**Advocate for Respondent No. TNPCB
Thiru. C. Kasirajan
Advocate, Chennai.**

Date:04.03.2021.

Date of hearing on: 22.04.2021