

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

Original Application No. 278 of 2017

John Fernandes,
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

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**Filed by
Thiru. Sai Sathyajith.
Advocate, Chennai.**

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REPORT FILED ON BEHALF OF THE RESPONDENTS
TAMIL NADU POLLUTION CONTROL BOARD.

I, S.Ragupathi, Son of R.Sanganan, 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 further submitted that the unit of M/s. Nanjil Sea Foods (fish processing unit and cold storage with Ice Plant) at S.F.No.478/4C, Painkulam Village, Vilavancode Taluk, Kanyakumari District has already been issued with closure order and power supply was disconnected, and the unit remains under closure since 02/11/2020. In order to comply the Hon'ble NGT order dated 09.09.2021, the subject on the demolition of the unit was discussed in the 90th DCZMA meeting


21/09/21
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.

held on 02.12.2021 and the Committee decided to direct the Assistant Director (Village Panchayat) to take necessary action for demolishing the building, considering the fact that sea food processing is a prohibited activity under CRZ Rules, and report the action taken details within 8 weeks to District Coastal Zone Management Authority.

In this regard, as per the decision of the District Coastal Zone Management Authority, the District Collector vide Letter No. F. CRZ 245/2021/ dated 29/12/2021 has directed the Assistant Director, Village Panchayat, Nagercoil to take necessary action for demolishing the said building, considering the fact that sea food processing is a prohibited activity under CRZ Rules, and report the action taken details within 8 weeks time to ensure the compliance of Hon'ble NGT directions.

3. It is respectfully submitted that, subsequently the Hon'ble NGT in its order dated 24.02.2022 has directed inter alia as follows:

"... It is seen from the report that as per the minutes of the 90th District Coastal Zone Management Authority (DCZMA) meeting held on 02/12/2021, the Committee decided to direct the Assistant Director, Village Panchayat, Nagercoil to take action for demolition of the building, considering the fact that sea food processing is a prohibited activity under the CRZ Notification and report action taken details within eight weeks to the DCZMA and this was communicated by their Letter No. F. CRZ. 245/2021 dated 29/12/2021.

Considering the circumstances, we feel that some time can be granted to the DCZMA to file a report regarding the further action taken on demolition of building on the basis of the decision taken in DCZMA meeting and directed to file further report".

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21/03/22
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.

4. It is further submitted that the District Collector, Kanniyakumari District vide letter dated 17.03.2022 has requested the Assistant Director, Village Panchayat, Kanniyakumari District to furnish the action taken details immediately to the District Collector with respect to demolishing the said building since 8 weeks' time already granted has been expired on 26/02/2022. A copy of the letter is enclosed as Annexure.

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.


21/03/22
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.
BEFORE ME

VERIFICATION

I, S.Ragupathi, Son of R.Sanganan, 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


21/03/22
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.

ANNEXURE

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RPAD

From

The District Collector,
Kanniyakumari District/
Chairman, DCZMA,
Kanyakumari District
@ Nagercoil.

To

The Assistant Director,
Village Panchayat,
Nagercoil, Kanniyakumari district

Letter No. F. CRZ -245/2021/ Date: 17.03.2022

Sir,

Sub : DCZMA –Kanyakumari District –Compliance of Hon'ble NGT (SZ) order dated 09/09/2021 in O.A. No. 278 of 2017 filed against M/s. Nanjil Sea Foods (Fish Processing Unit & Cold Storage with ice Plant) at S.F.No. 478/4C, Painkulam Village, Vilavancode Taluk, Kanyakumari District – Compliance of Hon'ble NGT (SZ) order dated 09/09/2021 in O.A. No. 278 of 2017 –action taken report – called for – Regarding

- Ref :
1. Hon'ble NGT (SZ) order dated 09/09/2021 in O.A. No. 278 of 2017
 2. Item No. 6 of Minutes of the 90th DCZMA Meeting held on 02/12/2021
 3. Letter No. F. CRZ -245/2021 Dated 29.12.2021
 4. Hon'ble NGT (SZ) order dated 24/02/2022 in O.A. No. 278 of 2017

The Hon'ble NGT (SZ) vide order dated 09/09/2021 in O.A. No. 278 of 2017 has directed to issue orders for demolition of the building of M/s. Nanjil Sea Foods, S.F. No. 478/4C, Painkulam Village, Vilavancode Taluk, Kanyakumari District for the violation of CRZ Notification and the subject was placed in 90th District Coastal Zone Management Authority Meeting held on 02/12/2021.

The Committee vide Item No. 6 of the minutes of the 90th DCZMA Meeting decided to direct the Assistant Director (Village Panchayat) to take necessary action for demolishing the building considering the fact that sea food processing is a prohibited activity under CRZ Rules, and report the action taken within 8 weeks to District Coastal Zone Management Authority and furnish the action taken details so as to furnish the same to the NGT. In this regard, a letter vide reference 3rd cited was addressed to Assistant Director, Village Panchayat, Kanniyakumari District to take necessary action for demolishing the building, considering the fact that sea food processing is a prohibited activity under CRZ Rules, and report the action taken within 8 weeks to District Coastal Zone Management Authority and the letter was acknowledged by the Assistant Director, Village Panchayats on 31/12/2021. However, no action taken report has so far been from your end.

G.M.
அனுப்பப்பட்டது
-1.02/22

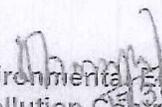
Further it is informed that the Hon'ble National Green Tribunal (SZ) vide order dated 24.02.2022 has directed the DCZMA to file the report regarding further action taken on demolition of said building.

Hence, it is instructed to furnish the action taken details immediately to the District Collector so as to furnish the compliance report to the NGT (SZ) since 8 weeks' time already granted has been expired on 26/02/2022.

(Sd/- 17/03/22)

District Collector,
Kanniyakumari District.
(Chairman, DCZMA,
Kanniyakumari District)

//Forwarded By Order//


District Environmental Engineer,
Tamilnadu Pollution Control Board,
Nagercoil
(Convenor, DCZMA, Kanyakumari District)

20/3/22

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

Advocate for Respondent: TNPCB
Thiru. Sai Sathyajith
Advocate, Chennai.

Date: 21.03.2022

Date of Hearing: 22.03.2022

