

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
SOUTHERN ZONE AT CHENNAI**

O.A.No.67of 2022

KumaresanSooluran,
S/o. Sooluran,
C-9, 1st Street,
Ramamoorthy Nagar Ennore,
Kathivakkam,
Ennore Thermal Station,
Thiruvallur – 600 057.

... Applicant in O.A.No.67of 2022.

-Versus-

1. M/s. Tamilnadu Transmission Corporation
Rep By its Chairman,
A-10, Thiru Vi Ka Industrial Estate,
SIDCO Industrial Estate,
Guindy, Chennai – 600 032.
2. The Union of India,
Rep by its Secretary to Government,
Ministry of Environment & Forest & Climate Change,
IndraparyavaranBhavan, JorBagh,
New Delhi.
3. Tamil Nadu Pollution Control Board,
Rep By its Member Secretary,
No.76, Mount Salai, Guindy,
Chennai – 600 032.
4. The Public Works Department,
Rep by its Engineer in Chief,
Water Resources Organisation,
Chepauk, Chennai 600 005.
5. Tamil Nadu State Coastal Zone Management Authority,
Represented by Member Secretary,
Director of Environment,
Chennai – 600 015.

... Respondents in O.A.No.67of 2022.

O.A.No.93 of 2022

R.L.Srinivasan,
31/36, Porkali Amman Street,
Kattukuppam, Ennore,
Chennai – 600 057.

... Applicant in O.A.No.93 of 2022

-Versus-

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Rep By its Chairman,
A-10, Thiru Vi Ka Industrial Estate,
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... Respondents in O.A.No.93 of 2022

OBJECTION MEMO FILED BY THE RESPONDENT No.1

It is submitted on behalf of the Respondent No.1 as follows:-

1. At outset memo to counter is unknown to law of pleadings and the same is liable to be rejected in toto.
2. It is submitted that 1st respondent deny para no.1 and 2 are false and due to rainy reasons and all officer are engaged relaying the lines and ensured uninterrupted power supply and also involved in Phase III project to achieve State demand for power supply.

3. It is submitted that for the execution of the project wherever there is no motorized path, a temporary approach road is laid using Hume pipes for free flow of water and in compliance with the above condition, the approach road is being removed as and when the erection work is completed. It is necessary to point out that no hindrance is caused in the flow of water, to the fisherman in the erection of towers and if any hindrance is pointed out by the fishermen the same is removed without any delay.

4. Approach road has been laid for the following locations AP 15, AP 17, AP 30, and AP 07 under 400 KV project and for AP 3, AP 7 and AP 8 in 765KV project. The said approach roads have been removed upon the completion of the said towers.

5. Though the project is established in Eco sensitive area, it is ensured that the existing Mangroves in the project area are not disturbed, and for the establishment of the towers, no Mangrove has been uprooted/destroyed. Further, it was presented before the authorities that if towers had to be laid in Mangroves area, then Mangroves will be removed and replanted in the ratio of 1:6 and the same has been accepted and CRZ clearance has been granted by the 2nd Respondent. Utmost care has been ensured to date and no Mangroves have been uprooted/destroyed for the erection of towers.

6. While submitting the proposal for approval, the tower locations have been mentioned and the same has been approved by the Authorities. In such case, an approved route and location cannot be altered/ deviated by TANTRANSCO, and any such alteration/ deviation would amount to a violation of all statutory clearances as well as the CRZ clearance. In the present case, TANTRANSCO has not laid any tower in violation of the statutory clearances.

7. That in so far as the specific claim of the Applicant in O.A.No.93 of 2022 is concerned, that the tower location mentioned in the Application is not an approved location as per CRZ Clearance, it is submitted that the said location has been approved by the PWD and as well in CRZ clearance and the Applicant is put to strict proof of the allegation leveled in the said Application.

8. It is reiterated that TANTRANSCO has not violated the CRZ clearance and other statutory clearances and the work is being carried on in strict compliance with the said clearances.

9. Towers are being laid ensuring that there is no hindrance/ disturbance to the free flow of water and movement of fishermen. Any hindrance that is caused during the erection of the towers are being immediately removed and the temporary approach road is also removed once the work is complete. Hence, the allegation of the Applicant is without any basis and hence liable to be rejected.

10. The work carried on by TANTRANSCO is always under the scrutiny of the 2nd Respondent and other statutory authorities and deviation if any would be considered serious by the authorities. Further, the erection of the towers cannot be deviated from the approved locations as alleged by the Applicants for the reason any such deviation would damage the stability of that particular tower and would in turn damage the entire grid.

11. The above would stand as evidence that TANTRANSCO is carrying out the project in strict compliance with the CRZ clearance and other statutory clearances.

The below tabulation shows that, none of the towers were deviated from the CRZ approval.

765KV Line:

CRZ Classification	Number of 765KV Transmission Towers in CRZ clearance	Number of 765KV Transmission Towers On-ground	Location of 765KV Transmission Towers on-ground in line with approved alignment
CRZ I A	0	0	0
CRZ I B	1	1	1
CRZ II	7	7	7
CRZ IV B	5	5	5
TOTAL	13	13	13

400 KV Line:

CRZ Classification	Number of 400 KV Transmission Towers in CRZ clearance	Number of 400 KV Transmission Towers On-ground	Location of 400 KV Transmission Towers on-ground in line with approved alignment
CRZ I A	0	0	0
CRZ I B	25	25	25
CRZ II	23	16	16
CRZ IV B	3	3	3
CRZ III	7	7	7
TOTAL	58	51	51

Note: Out of 58 approved towers in CRZ, only 51 towers are being executed as 2 Double Circuit line coordinates has been converted into 1 Multi circuit corridors.

Comparison of CRZ Approved towers VsOn Ground towers.

On Ground 765 KV towers					Approved CRZ 765 KV towers		
S . N o	SITE LOCATION S	LATI TTUDE E	LONG ITUDE E	CRZ- CLASI FICAT ION	LATTI TUDE	LONGIT UDE	CRZ - CLASSIFI CATION
1	NCT PS III to NCP S AP 15	13°12'38.33"N	80°18'17.81"E	CRZ II	13°12'35.561"N	80°18'27.82"E	CRZ II
2	AP 14	13°12'46.28"N	80°18'31.51"E		13°12'47.835"N	80°18'31.957"E	
3	AP 13	13°12'53.74"N	80°18'33.72"E		13°12'51.720"N	80°18'33.15"E	
4	AP12	13°13'7.77"N	80°18'33.61"E		13°13'2.373"N	80°18'33.165"E	
5	AP 11	13°13'20.18"N	80°18'36.53"E		13°13'11.243"N	80°18'33.432"E	
6	AP 10	13°13'30.80"N	80°18'40.62"E	CRZ II	13°13'27.082"N	80°18'39.096"E	CRZ II
7	AP 9	13°13'40.82"N	80°18'49.83"E	CRZ IB	13°13'33.922"N	80°18'52.001"E	CRZ IB
8	AP 6	13°14'2.78"N	80°18'59.17"E	CRZ IV B	13°13'38.282"N	80°18'58.365"E	CRZ IV B
9	AP 5	13°14'16.57"N	80°18'59.82"E		13°13'43.411"N	80°18'57.931"E	
10	AP 3	13°14'41.80"N	80°18'56.90"E		13°13'54.026"N	80°18'59.264"E	

11	AP 2	13°14' '47.38 "N	80°19' 1.81"E		13°14' 5.99"N	80°19'0.6 84"E	
12	AP 8	13°13' '46.41 "N	80°18' 58.16" E		13°13' 43.41 1"N	80°18' 57.931"E	
13	AP 4	13°14' '29.54 "N	80°18' 59.07" E		13°14' 23.11" N	80°18'59. 589"E	

On Ground Approved 400 KV Towers					Approved CRZ 400 KV Towers		
S. No	SITE LOCATIONS	LATITUDE	LONGITUDE	CRZ - CLASSIFICATION	LATITUDE	LONGITUDE	CRZ - CLASSIFICATION
1	AP 41 S-N	13°12' 15.98" N	80°17' 59.58" E	II	13°12' 14.47 8"N	80°18'2.0 16"E	II
2	AP 36 MC	13°12' 52.23" N	80°18' 41.79" E		13°12' 40.79 0"N	80°18'36. 139"E	
3	AP 30A MC	13°14' 15.55" N	80°19' 2.29" E		13°14' 6.129" N	80°19'2.4 69"E	
4	AP 29 MC	13°14' 39.15" N	80°19' 1.36" E		13°14' 36.02 2"N	80°19'1.7 34"E	
5	AP 17 MC	13°16' 27.33" N	80°19' 33.43" E	III	13°16' 27.33 5"N	80°19'33. 431"E	III
6	AP 16 MC	13°16' 36.41" N	80°19' 31.81" E	III	13°16' 36.41 5"N	80°19'31. 815"E	III
7	AP 14 MC	13°17' 5.37" N	80°19' 38.18" E	I B	13°17' 5.512" N	80°19'39. 229"E	IB
8	AP 7	13°17'	80°19'	IB	13°17'	80°19'30.	IB

	MC	58.02" N	20.68" E		54.33 5"N	365"E	
9	NA	13°17' 43.41" N	80°19' 21.96" E	Existing 230 KV Line			
10	AP 31 MC	13°14' 2.63" N	80°19' 2.20" E	II	13°14' 6.129 "N	80°19'2.4 69"E	II
11	AP 42 S- N	13°12' 15.92" N	80°17' 59.77" E		13°12' 19.77 3"N	80°17'52. 848"E	
12	AP 15 MC	13°16' 48.40" N	80°19' 36.73" E	III	13°16' 48.40 4"N	80°19'36. 729"E	III
13	AP 30 MC	13°14' 26.91" N	80°19' 2.13" E	II	13°14' 26.94 1"N	80°19'2.1 46"E	II
14	AP 25 S- N	13°15' 7.02" N	80°19' 5.14" E	IB	13°15' 4.645 "N	80°18'52. 622"E	IVB
15	AP 25 S- E	13°15' 7.22" N	80°19' 7.27" E		13°15' 15.92 2"N	80°19'10. 276"E	II
16	AP 24 S- N	13°15' 17.79" N	80°19' 4.35" E		13°15' 12.31 9"N	80°18'52. 622"E	IB
17	AP 24 S- E	13°15' 18.45" N	80°19' 7.04" E		13°15' 23.21 8"N	80°19'8.8 37"E	II
18	AP 23 S- N	13°15' 30.50" N	80°19' 9.20" E		13°15' 21.53 4"N	80°18'51. 044"E	IB
19	AP 22 S- N	13°15' 38.52" N	80°19' 13.83" E		13°15' 28.28 8"N	80°18'57. 273"E	IB
20	AP 23 S- E	13°15' 29.82" N	80°19' 11.39" E		II	13°15' 29.99 5"N	80°19'10. 786"E

21	AP 22 S- E	13°15' 36.96" N	80°19' 15.79" E	IB	13°15' 36.83 6"N	80°19'12. 890"E	II
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12. It is seen that in respect to co-ordinates, only minor differences in seconds are inferred which has been done in order to avoid disturbing the mangrove plants. Also the Petitioner has miscalculated the 400 KV towers to be 765 KV towers. 13 Nos of 765 KV towers and 20Nos 400 KV towers are positioned in CRZ areas where the petitioner have made allegation.

13. It is also stated that the Applicant's claim of 8 extra towers constructed as opposed to a total of 13 approved towers are false. Only 13 Nos of 765KV towers are constructed for 765 KV towers. The rest of the towers are 400KV and which is also as pre the CRZ approval.

14.The Public works department in their Public Works(R1) Department G.O.(Ms).No.191, dated 17.08.2020and G.O.(4D).No.73 dt:10.08.2022 have instructed TANTRANSCO to erect towers with a minimum offset of 50 meter away from the B'canal edge to facilitate navigation in the near future. In accordance to that the 400 KV & 765KV towers were shifted with minor deviation in co-ordinates to adhere to the conditions of PWD in their GO.

15.For the queries raised by the petitioner the following replies are furnished in this regard.

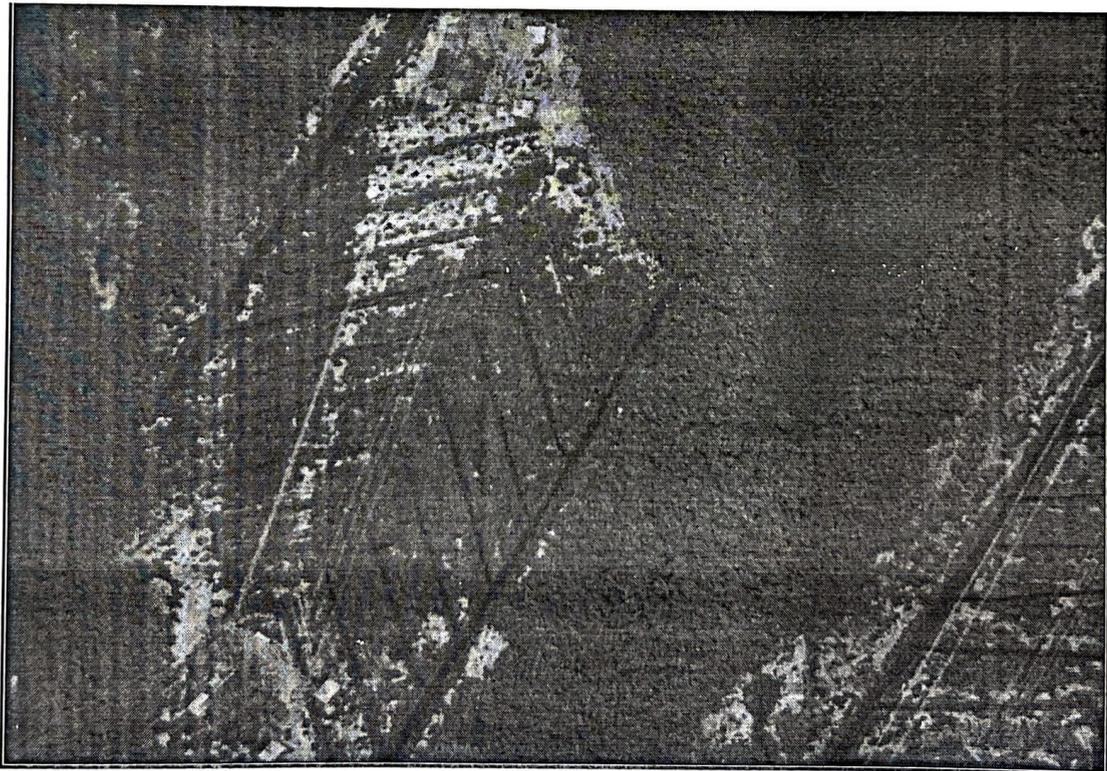
S No	Queries raised by petitioner	Reply submitted
1	More than 40 acres of ecologically sensitive wetlands are encroached.	Got Approval from MoEFF & CC and wetlands are not being encroached.

2	Destruction of mangroves (At- least 17 acres)	No mangroves were uprooted. Only juliflora trees grown surplus have been uprooted and the Forest department officials were also present during the cleaning of Juliflora jungle. (Photographs are enclosed).Also towers are positioned to avoid uprooting of mangrove trees.
3	Reclamation of waterbody	The water bodies will be restored to its original condition after completion of works.
4	Blockage of tidal flow	Hume pipes were used for free flow of water in order to avoid blockage of water. (Photographs are enclosed).
5	Disrupting fishing livelihoods by encroaching Paadu- the fishing grounds	Fishing livelihood is not disturbed and it will be restored to its original condition after work is completed.
6	Obstruction for movement of boats due to non-removal of temporary roads/construction debris	Movements of boats are not obstructed. Only in part of the Ennore creek the temporary roads are laid without any obstruction to the movement of boats. All temporary roads formed will be removed once the work has been completed. (Photographs are enclosed).
7	Compromised flood carrying capacity of Kosathalaiyar river.	The flood carrying capacity of the river has not been compromised. In fact the temporary roads formed are removed immediately

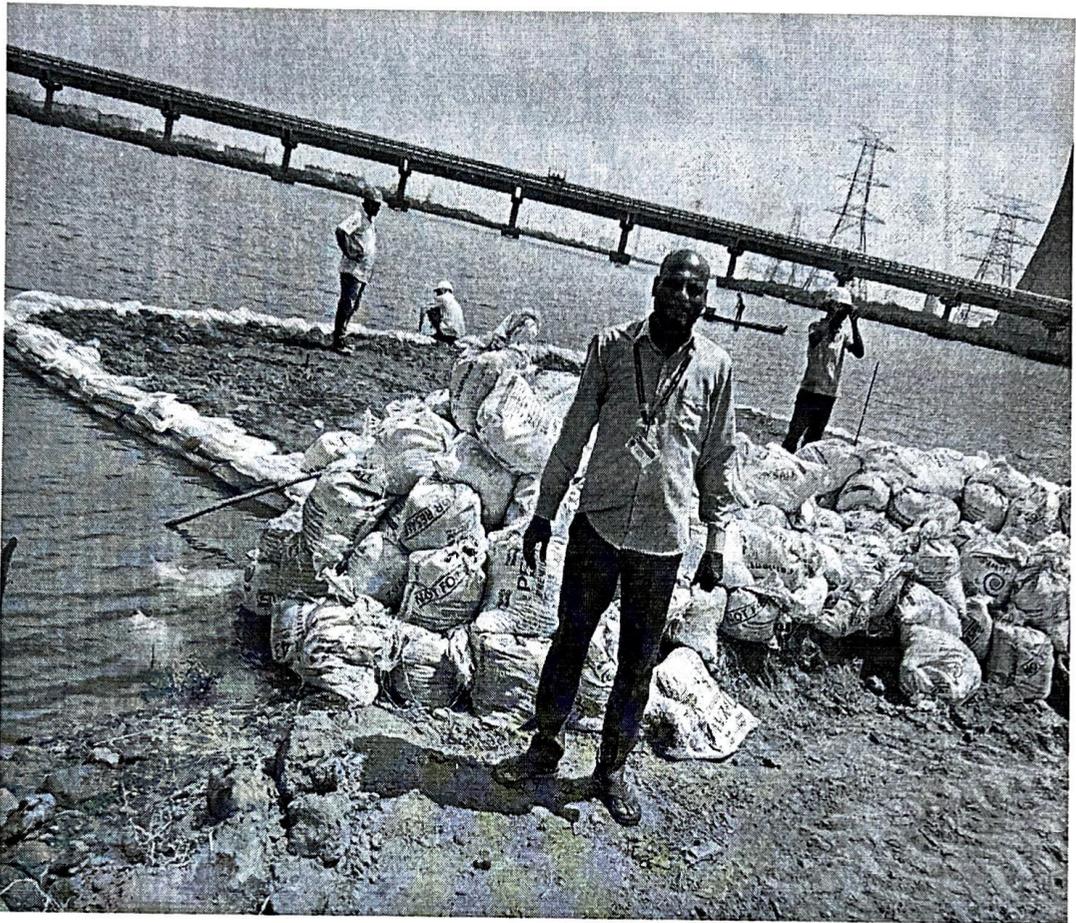
		during the onset of monsoon and no works were carried out until the offset of monsoon. The towers are positioned along the river and enough space is provided between the legs of the transmission towers to enable free flow of water and movement of boats. Also the temporary roads are to be laid again by TANTRANSCO which involves huge revenue loss. (Photographs are enclosed).
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16.The towers were located in the western side of the B-canal considering not only the free flow of the water / Navigation in the B-canal, but also considering the free flow of water in Kosasthalaiyar river. Constructing the tower entirely inside the Kosasthalaiyar river will affect the eco system. In order to avoid such situation, the towers were located in the land available in between KosasthalaiyarRiver and B.canal without affecting both.

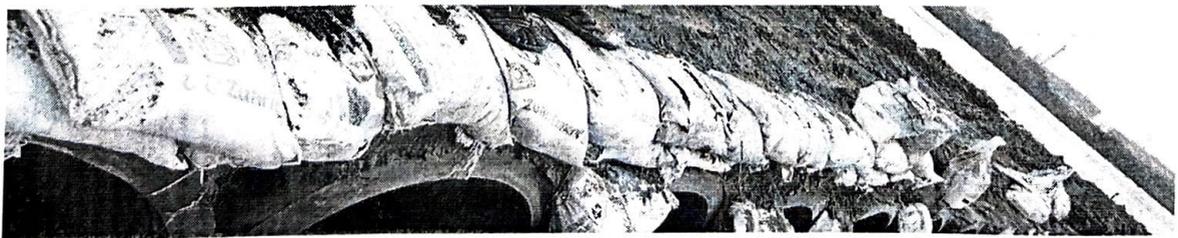
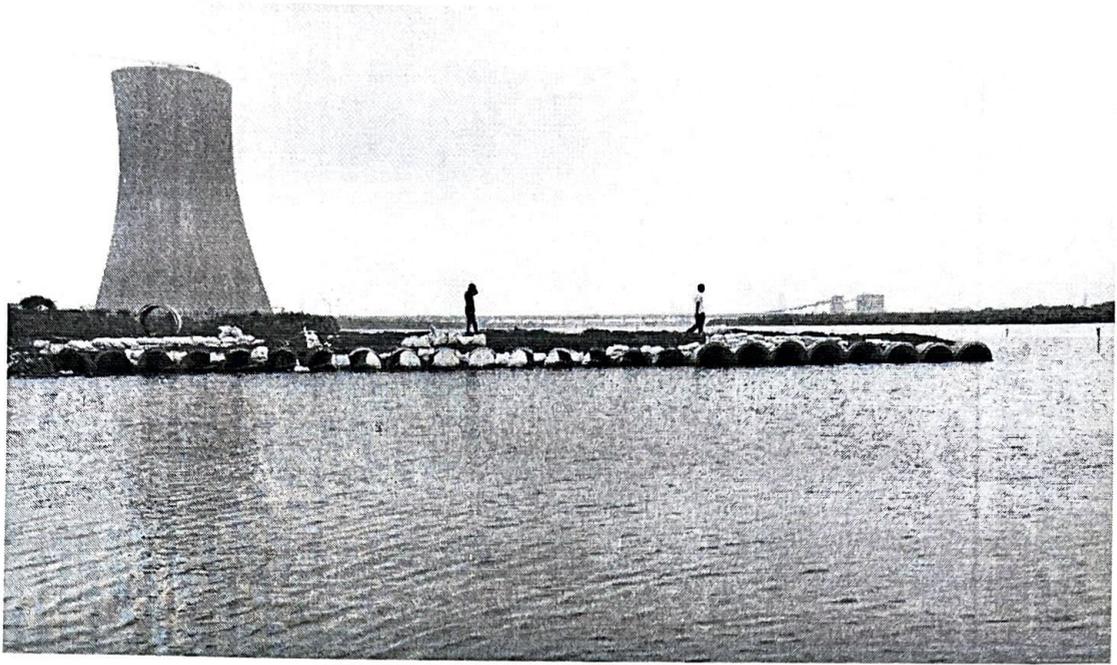
17.Moreover the report of the Chief Engineer / WRD / Chennai region, Chepauk on 14/07/2022 endorsed the work executed by TANTRANSCO and suggested only the debris dumped for making temporary approach has to be removed to ensure the free flow of the water in the canal and the same has been accepted by TANTRANSCO and the same is being removed once after completion of the Tower erection and stringing of the lines.



a. Photographs showing the juliflora trees in the location which was cleaned by TANTRANSCO for Forest Department to form fish bone method of planting Mangroove tree.

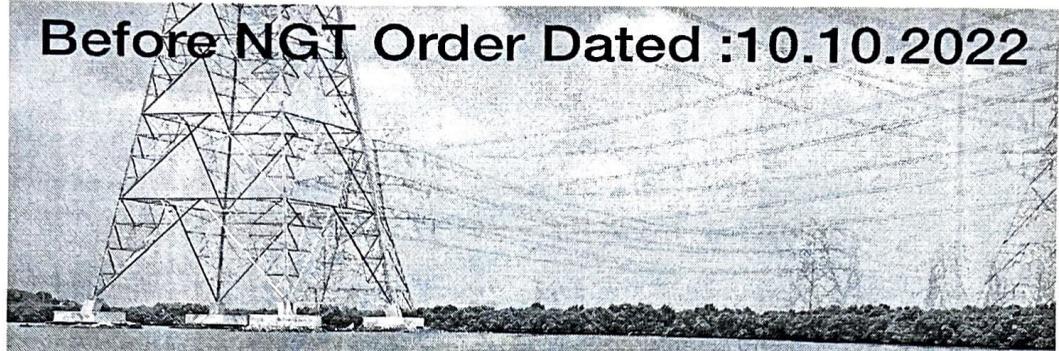


b. Movement of boats after formation of temporary approach roads.

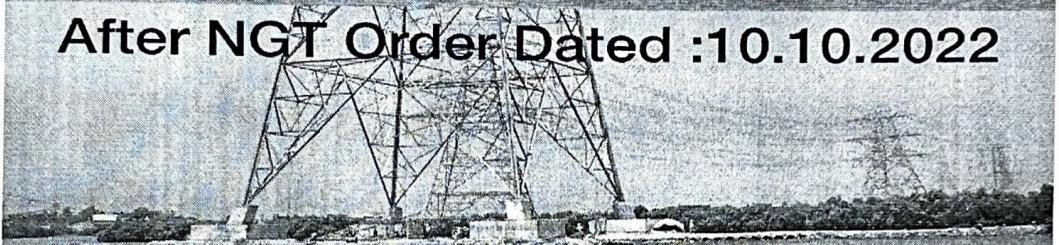


c. Hume pipes were laid for free flow of water.

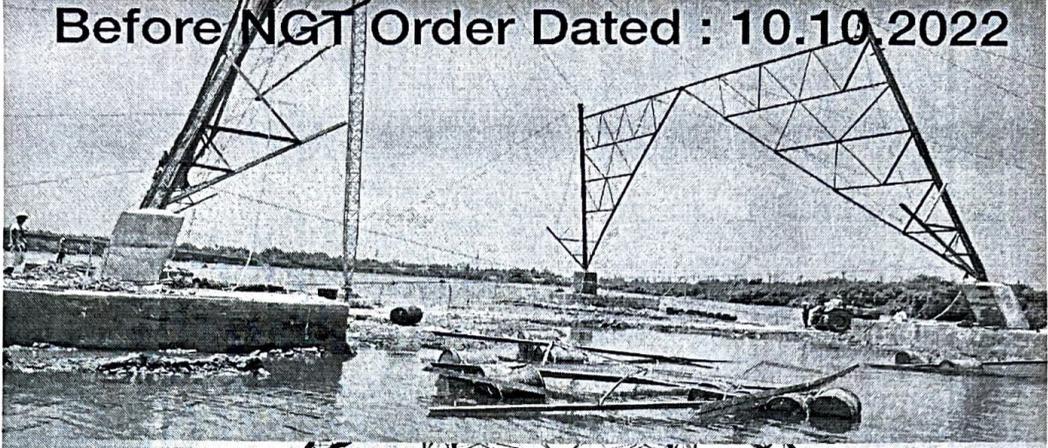
Before NGT Order Dated :10.10.2022



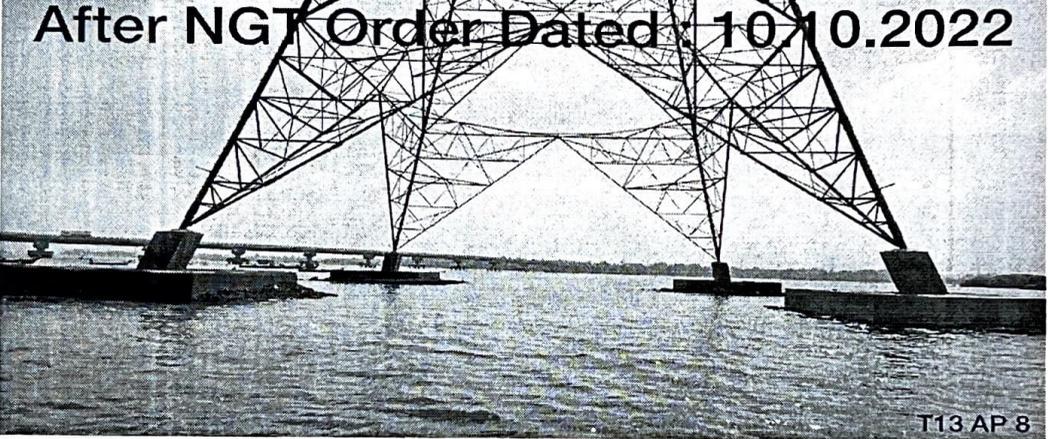
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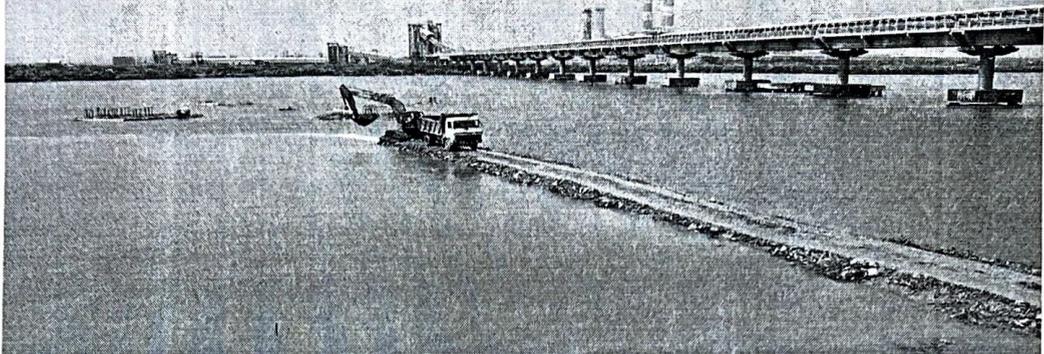


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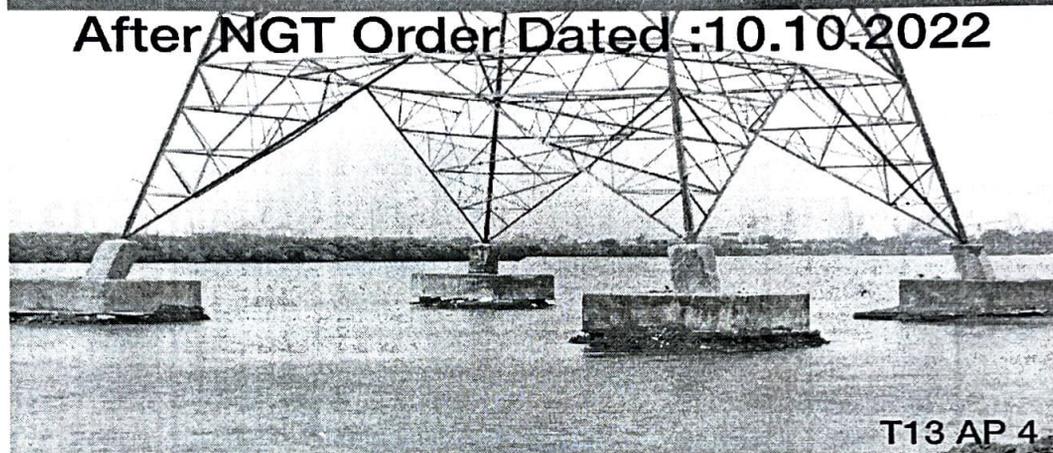
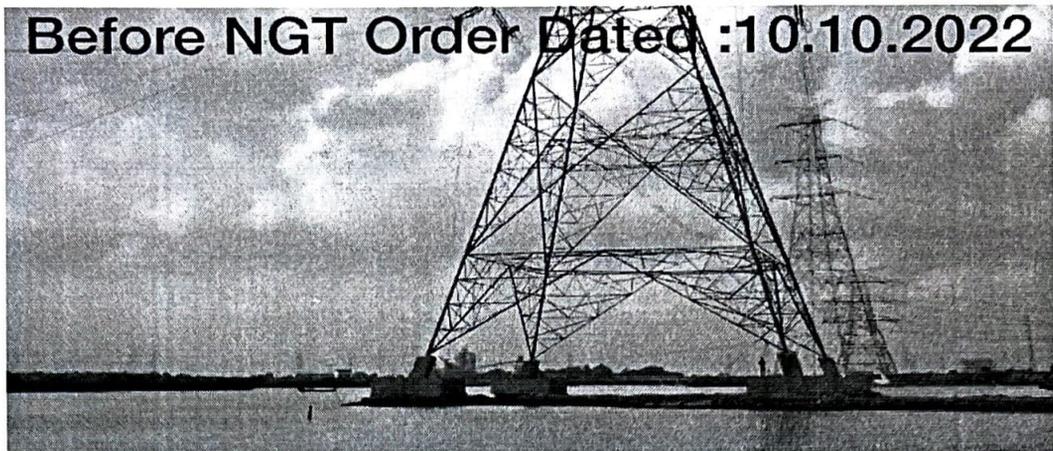
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Before NGT Order Dated :10.10.2022



After NGT Order Dated :10.10.2022





d. Removal of temporary roads formed after completion of the work.

18. It is submitted that as explained above, there is no violation of the clearance or deviation from the approved location as contended by the Applicants. I state that in any case, the Applications are not maintainable for the reason that these Applications indirectly intend to challenge the CRZ clearance which is impermissible since as per the CRZ clearance any appeal against the clearance would lie to this Hon'ble Tribunal within a period of 30 days.

19. It is submitted that the project is of great importance to the public at large and would help the industries in and around Chennai and mitigate the ever-increasing demand for electricity. It is submitted that as explained above, TANTRANSO had secured all statutory approvals before initiating of the project and has not violated or deviated from the established procedures in the erection of high-tension electric towers. It is submitted that this scheme will improve low voltage problems, and uninterrupted

power supply and also will cater to the growing power demand, besides improving the system stability in the transmission network for the benefit of the State.

20. It is submitted that Respondent no.1 have always ensured the strictest compliance with the norms and will further comply with all norms prescribed in the future.

It is humbly pray that this Hon'ble Tribunal may be pleased to record objection of 1st respondent and dismiss the above application and pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case and thus render justice.

Dated at Chennai on this the 20th day of February 2023


COUNSEL FOR THE RESPONDENT