

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Original Application No.82 of 2016 (SZ) And M.A.No.141/2017(SZ)

**Original Application No.173 of 2016 (SZ) And M.A.No.139
&140/2017(SZ)**

Original Application No.175 of 2016 (SZ) And M.A.No.141/2017(SZ)

Mr. A. Paramasivan

.... Applicant(s) in
Original Application No.82 of 2016 (SZ)
And M.A.No.141/2017(SZ)

Mr. K.M. Raji

.... Applicant(s) in
Original Application No.173 of 2016 (SZ)
And M.A.No.139 &140/2017(SZ)

Mr.S. Srinivasan

.... Applicant(s) in
Original Application No.175 of 2016 (SZ)
And M.A.No.141/2017(SZ)

-Vs-

TheTamilnadu Pollution Control Board,
and Others.

....Respondents

ACTION TAKEN REPORT FILED BY THE DISTRICT COLLECTOR,

TIRUVALLUR DISTRICT

I, Mageswari Ravikumar D/o.(Late).Ramasamy, Hindu, aged about 44 years, residing at Camp Office, Master Plan complex, Tiruvallur do hereby solemnly affirm and sincerely state as follows:-

2. I humbly submit that the Hon'ble National Green Tribunal, South Zone, Chennai in its order dated 24.09.2020 in the Original Application No.82 of 2016 (SZ) and M.A.No.141/2017(SZ), Original Application Nos.173 of 2016 (SZ) and M.A.No.139 &140/2017(SZ) and Original Application No.175 of 2016 (SZ) and M.A.No.141/2017(SZ) has given following direction:-

"10. So we feel that some opportunity can be given to the applicant to submit their objections to the report and thereafter, it will be better to pass further orders in this regard. In the meantime, the District Collector, as well as the committee can proceed with the further action to be taken on the basis of

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the present report against those persons whom they found to be conducting the units illegally and submit the further action taken report as directed in the earlier paragraphs.

11. The committee as well as the District Collector is directed to submit the report to this Tribunal on or before 13.10.2020 by e-filing along with required hard copies to be produced as per rules."

3. I humbly submit that, as directed by the Hon'ble National Green Tribunal, Southern Zone, Chennai, the District Level Committee meeting has been conducted on 05.10.2020, 09.10.2020 and 10.10.2020 under the Chairmanship of the District Collector, Tiruvallur and given necessary instructions to the Committee Members to submit the action taken report in order to comply with the interim order passed by the Hon'ble National Green Tribunal on 24.09.2020 in the Original Application No.82 of 2016 (SZ) and M.A.No.141/2017(SZ), No.173 of 2016 (SZ) and M.A.No.139 &140/2017(SZ) and No.175 of 2016 (SZ) and M.A.No.141/2017(SZ). Accordingly, the Committee Members have submitted their inspection reports before the District Level Committee on 10.10.2020, in which the following facts are revealed:-

4) I humbly submit that in order to implement the order of the Hon'ble National Green Tribunal, the Assistant Director, Fisheries Department, Tiruvallur District has sent notice to the following owners of Shrimp Culture through registered post vide his letter Rc.No 704/A3/2020/1-11 Dated 06.10.2020 to remit the Environmental Compensation and served to the Shrimp farms owners on 08.10.2020, with 7 days time to remit the amount.

Sl.No	Beneficiaries Name / Father Name	Village Name	Environmental Compensation amount fixed per Unit
1	Raji S/o Ramachandran	Onpakkam	Rs. 3,93,750/-
2	Ganeshan	Onpakkam	Rs. 3,93,750/-

3	Arul S/o Alaiyappan	Onpakkam	Rs. 3,93,750/-
4	Kabali S/o Sivalingam	Onpakkam	Rs. 3,93,750/-
5	Srinivasan	Pakkam	Rs. 3,93,750/-
6	Baskaran S/o Rathinapandhiyan	Pakkam	Rs. 3,93,750/-
7	Renuka S/o Sakthikumar	Pakkam	Rs. 3,93,750/-
8	Sakthikumar S/o Rathinapandhiyan	Pakkam	Rs. 3,93,750/-
9	Shanmugasakila S/o Sakthikumar	Pakkam	Rs. 3,93,750/-
10	Rajkumar S/o Rathinapandiyan	Pakkam	Rs. 3,93,750/-
11	Sivachitra S/o Ramkumar	Pakkam	Rs. 3,93,750/-
12	Thirisangu S/o Natarajan	Ennore, Chennai-57	Rs. 3,93,750/-
13	Thiru.SriRamalu S/o Rathinam	Thiruppalaivanam	Rs. 3,93,750/-
14	Thiru.Arul S/o Vengateshwaran	Cuddalore	Rs. 3,93,750/-
15	Thiru.Ananth	Thiruvanmiyur, Chennai	Rs. 3,93,750/-

5) I humbly submit that as ordered by the Hon'ble National Green Tribunal, Southern Zone, Chennai, the Committee members viz., the Deputy Director of Agriculture, Tiruvallur, the Assistant Director of Fisheries, Ponneri, the Revenue Divisional Officer, Ponneri, Assistant Engineer, Tamilnadu Pollution Control Board (TNPCB), Gummidipondihave inspected the shrimp farms in Kanchivayal village and taken soil samples and water samples from the shrimp farms and as well as the nearby agricultural lands. The same water samples and soil samples were sent to Dr.MGR Fisheries College and Research Institute, Ponneri and Agricultural Lab, Kakkalur respectively on 09.10.2020.The results of samples are awaited. After made detailed field verification in the fresh water shrimp farms, it was clearly

evident that the shrimp farmers, who were registered in a District Fish Farmers Development Agency, were culturing Shrimp culture instead of Prawn cultures. Hence the environmental compensation has been calculated as on 12.10.2020 as follows:-

$$\begin{aligned} \text{Environmental Compensation (EC)} &: PI*N*R*S*LF \\ &: 50*83*250*0.5*1 \\ &: \text{Rs.5,18,750/-} \end{aligned}$$

Hence, the Environmental Compensation calculated by the committee is Rs.5,18,750/- for each unit, totally Rs.67,43,750/- for 13 units.

6) I humbly submit that as ordered by the Hon'ble National Green Tribunal in its order dated 24.09.2020 in O.A.Nos.82/2016, 173/2016 & 175/2016 filed by A. Paramasivan, K.M. Raji and S. Srinivasan, the Committee consisting of the Deputy Director of Agriculture, Tiruvallur, the Assistant Director of Fisheries, Tiruvallur, the Revenue Divisional officer, Ponneri and the District Environmental Engineer, Tamilnadu Pollution Control board, Gummidipoondi have jointly inspected the units which are running in the areas on 08.10.2020 and 09.10.2020 and submitted their report on 10.10.2020 as detailed below:

(A) Shrimp farms comes under Coastal Aquaculture Authority Act purview

Sl.No.	Subject	No. of Ponds
1	Total No. of Shrimp farms identified in the area of Brackish Water Culture	182
2	No. of cases License issued by CAA (Coastal Aquaculture Authority)	97
3	<i>No. of cases having valid license as on date</i>	42
4	<i>No. of cases Licence period lapsed</i>	55
	<i>a) No. of cases applied for renewal</i>	21
	<i>b) No. of cases not applied for renewal</i>	34
5	No. of cases functioning without License	85
	<i>a) Applications received</i>	59
	<i>b) Not yet applied</i>	26

The Assistant Director of Fisheries, Ponneri has stated that, out of 182 Brackish water farms, 42 alone having valid license and in 21 cases they have applied for renewal. He also stated that the remaining 119 shrimp farms including 59 applicants who applied for grant of new license are functioning without obtaining permission from the Coastal Aquaculture Authority and requested to take action for closing. The Assistant Director of Fisheries has further requested the District Level Committee to consider the 21 renewal applications submitted by the shrimp farm owners.

(B) Shrimp culture carried out in fresh water:

Sl.No.	Subject	No. of Ponds
1	Total No. of Fresh water Shrimp farms	113
2	Not registered under DFFDA	71
3	Registered in DFFDA (District Fish Farmers Development Agency)	42

The Assistant Director of Fisheries has stated that, in respect of Inland Shrimp farming, a proposal has been sent to the Government of Tamil Nadu by the Department of Fisheries regarding regulation of Inland shrimp farming. It is still under the consideration of Government. Hence, the Assistant Director of Fisheries has requested the Committee action may be taken to temporality suspend the activities in all the 113 fresh water shrimp farms which are functioning without getting any order.

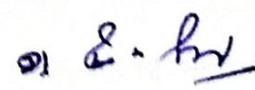
7) I humbly submit that, the District Level Committee has carefully pursued the reports submitted by the Assistant Director of Fisheries, Ponneri and given following direction to the officials concerned.

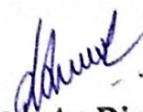
i) The Assistant Director of Fisheries, Ponneri and the Revenue Divisional Officer, Ponneri are instructed to close all the 119 brackish water shrimp farms functioning without license & temporarily suspend the activities in all 113 Inland shrimp farms which are functioning by giving notice as per law.

ii) The Assistant Director of Fisheries, Ponneri, instructed to submit the renewal applications applied by the shrimp farm owners in brackish water, before the District Level Committee within 15 days.

It is therefore humbly prayed that this Hon'ble Court may be pleased to accept the action taken report and thus render justice.


District Collector,
Tiruvallur.


District Revenue
Officer,
Tiruvallur.


Deputy Director of
Agriculture,
Tiruvallur


District Forest Officer,
Tiruvallur.


Secretary of the District
Panchayat,
Tiruvallur


Assistant Director of
Fisheries,
Ponneri.


District Environmental
Engineer, TNPCB,
Gummidipoondi