

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-

The Tamilnadu Pollution Control Board,
and Others.

....Respondents

AFFIDAVIT 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 has given following order in 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) and Original Application No.175 of 2016 (SZ) and M.A.No.141/2017(SZ).

"Considering the circumstances we feel it appropriate to get a fresh report from the District Collector, who is the District Level Committee Chairman under the Act, to consider these applications. The Pollution Control Board is also directed to inspect the units and take appropriate

action if there is any violation in accordance with law. The District Collector is also directed to take appropriate action against those units which have not registered or not complying with the directions in this regard. The District Collector, Tiruvallur as well as Tamil Nadu Pollution Control Board are directed to submit the reports to the Tribunal within a period of two months

The authorities are also directed to consider the question of carrying capacity of allowing such activity in that area and also consider the effect on groundwater level on account of this activity. If there is such depletion there, then they are directed to conduct the study whether the activities can be restricted to particular number and take necessary steps in that regard as well, taking into account, the duty of the State Government to protect environment and ecology applying the principle of inter generation equity".

3) I humbly submit that the Assistant Director, Fisheries has reported that in Thirupalaivanam 1(Kaanchivayal) village, they are culturing shrimp in freshwater using Borewell water. The details of the shrimp farms are as follows

| Sl.No | Village Name | Beneficiaries Name / Father Name | No.of Shrimp Farm Ponds | Registration and Present Status |
|-------|--------------|----------------------------------|-------------------------|--|
| 1 | Kanchivayal | Dhayalan / Jayaraman | 2 | Applications submitted for registration under DFFDA. |
| 2 | Kanchivayal | Ravi / Kuppureddiyar | 3 | Applications submitted for registration |
| 3 | Kanchivayal | Murali / Balu | 2 | Applications submitted for registration |
| 4 | Kanchivayal | Nagaraj / Emrose | 2 | Applications submitted for registration |
| 5 | Kanchivayal | Paleswaran / Emrose | 2 | Applications submitted for registration |
| 6 | Kanchivayal | Mani / Munusamy | 1 | Applications submitted for registration |

| | | | | |
|----|-------------|---------------------------|---|---|
| 7 | Kanchivayal | Ramesh / Munusamy | 2 | Applications submitted for registration |
| 8 | Kanchivayal | Surya / Munusamy | 2 | Applications submitted for registration |
| 9 | Kanchivayal | Nirmala / Subramani | 3 | Applications submitted for registration |
| 10 | Kanchivayal | Jaysankar / Munusamy | 1 | Applications submitted for registration |
| 11 | Kanchivayal | Rasi / Ramachandran | 2 | Applications submitted for registration |
| 12 | Kanchivayal | Gomathi / Venkadeshwaralu | 1 | Applications submitted for registration |
| 13 | Kanchivayal | Srinivasan / Emrose | 2 | Applications submitted for registration |

4) I humbly submit that, a total of 13 farmers are involved in freshwater shrimp culture in Kaanchivayal village. All have established farms in Patta land. Out of the mentioned 13 people, two have registered in District Fish Farmers Development Agency(DFFDA) and remaining 11 have applied for membership in DFFDA. Necessary steps to make all of them as members of DFFDA are being taken. The mentioned shrimp farms have not affected nearby agricultural land. The agricultural farmers themselves are practicing shrimp farming in their land. And some of them are also growing coconut trees along the banks of the shrimp culture ponds and involved in integrated shrimp farming activities. No harmful antibiotics or chemicals are being used for shrimp culture. The water from the shrimp culture ponds are actually being used as fertilizer for agricultural crops. Therefore, it is evident from the field inspection that the shrimp culture activities are not being harmful for agricultural practices.

5) I humbly submit that, the Assistant Director, Fisheries has further stated that, The shrimp farms in Thirupalaivanam 2 (Onpaakam) and Paakam village are situated within 2 Kms from Pazhaverkadu estuary which comes under the purview of Coastal Aqua Culture Authority. A total of 16 farmers are involved in shrimp culture in Thirupalaivanam 2 (Onpaakam) and Paakam village. All the 16 farms in Thirupalaivanam 2 (Onpaakam) and Paakam village are culturing shrimp in brackishwater. These farms are mandated to be

registered with the Coastal Aquaculture Authority, the details of which are as

follows

| Sl. No | Village Name | Beneficiaries Name / Father Name | No. of Shrimp Farm Ponds | Registration and Present Status |
|--------|--------------|----------------------------------|--------------------------|--|
| 1 | Onpakkam | Raji / Ramachandran | 2 | Application not submitted for registration |
| 2 | Onpakkam | Ganeshan | 2 | Application not submitted for registration |
| 3 | Onpakkam | Arul / Alaiyappan | 4 | Application not submitted for registration |
| 4 | Onpakkam | Thirusangu | 8 | Application not submitted for registration |
| 5 | Onpakkam | Shri ramulu / Rathinam | 4 | Registered under the act of CAA 2005. Registration Number TN-11-2017-(1300) |
| 6 | Onpakkam | Kabali / Sivalingam | 4 | Application not submitted for registration |
| 7 | Pakkam | Srinivasan | 2 | Registered under the act of CAA 2005. Registration Number TN-11-2017-(0022). Renewal application not received and necessary steps to do the renewal process. |
| 8 | Pakkam | Chandran / Iyyauv | 2 | Not in cultured. Cultured in porompoke land and Pond was demolished by Revenue officials |
| 9 | Pakkam | Arun / Venkadakrishanan | 2 | Application not submitted for registration. Pond culture is not carried out presently. |
| 10 | Pakkam | Anandh | 5 | Registered under the act of CAA 2005. Registration Number TN-11-2007-(0033). Renewal application not received and necessary |

| | | | | steps to do the renewal process. |
|----|--------|--------------------------------|---|--|
| 11 | Pakkam | Baskaran / Rathinapandhiyan | 4 | Applications submitted for registration under CAA 2005 and DFFDA. Shrimp Culture carried out presently |
| 12 | Pakkam | Renuka / Sakthikumar | 1 | Applications submitted for registration under CAA 2005 and DFFDA. Shrimp Culture carried out presently |
| 13 | Pakkam | Sakthikumar / Rathinapandhiyan | 4 | Applications submitted for registration under CAA 2005 and DFFDA. Shrimp Culture carried out presently |
| 14 | Pakkam | Shanmugasakila / Sakthikumar | 3 | Applications submitted for registration under CAA 2005 and DFFDA. Shrimp Culture carried out presently |
| 15 | Pakkam | Rajkumar / Rathinapandhiyan | 1 | Applications submitted for registration under CAA 2005 and DFFDA. Shrimp Culture carried out presently |
| 16 | Pakkam | Sivachitra / Ramkumar | 1 | Applications submitted for registration under CAA 2005 and DFFDA. Shrimp Culture carried out presently |

6) I humbly submit that, the farms in Paakam and Onbakkam villages are situated within 2 kms from the Pazhaverkadu estuary and these areas are surrounded by brackish water and are not suitable for agriculture. In order to make such areas usable to motivate the shrimp farming the Coastal Aquaculture Authority was established during the year 2005. It was inferred from the field inspection that there are no agricultural lands surrounding the

shrimp farms in Paakam and Onbakkam villages and hence there is no possibility of harmful effects on agriculture.

Conclusion

I humbly submit that as inspection made by the official concerned, the details are revealed as follows:

| SHRIMP FARM DETAIL - PONNERI TALUK | | | | | | | | | | | | | |
|------------------------------------|----------------|---|----------------------------|----------------------------------|-----------------|-----------------------------|---------------------------------------|--|------------------------|---|---|-----------------------------|-------------------------------|
| Sl. No | Village | Survey Number | Patta Land or Encroachment | Name of the Shrimp Farm Operator | Source of Water | When applied for permission | When was the first permission granted | Expiry date of the permission / Is the permission live today | In operation from when | Whether in operation today / of not, when last operated | Distance from another nearest shrimp farm | Whether located in crz area | Capacity & Extent of the Pond |
| 1 | Kaanchivalayal | 19-6,17-2,3,6,16-3 | Patta | Dhayalan / Jayaraman | Bore well | 27.03.2020 | - | - | 2019 | In operation condition | 100-150 m | No | 1 acre |
| 2 | Kaanchivalayal | 20-8,9,10 | Patta | Ravi / Kuppureddiyar | Bore well | 27.03.2020 | - | - | 2019 | In operation condition | 100-150 m | No | 1 acre |
| 3 | Kaanchivalayal | 19-4,5 | Patta | Murali / Balu | Bore well | 27.03.2020 | - | - | 2019 | In operation condition | 100-150 m | No | 1 acre |
| 4 | Kaanchivalayal | 22-4,5,6B,26-13B | Patta | Nagaraj / Emrose | Bore well | 27.03.2020 | - | - | 2019 | In operation condition | 100-150 m | No | 1 acre |
| 5 | Kaanchivalayal | 24-1 | Patta | Paleswaran / Emrose | Bore well | 27.03.2020 | - | - | 2019 | In operation condition | 100-150 m | No | 1 acre |
| 6 | Kaanchivalayal | 22-6A | Patta | Mani / Munusamy | Bore well | 27.03.2020 | - | - | 2019 | In operation condition | 100-150 m | No | 1 acre |
| 7 | Kaanchivalayal | 21-3 | Patta | Ramesh / Munusamy | Bore well | 27.03.2020 | - | - | 2019 | In operation condition | 100-150 m | No | 1 acre |
| 8 | Kaanchivalayal | 22-6A | Patta | Surya / Munusamy | Bore well | 27.03.2020 | - | - | 2019 | In operation condition | 100-150 m | No | 1 acre |
| 9 | Kaanchivalayal | 1/1, 4/1, 10/1, 4/3, 4/6, 5/1,2,3, 50/1B2, 52/1, 51/2,3, 53/2 | Patta | Nirmala / Subramani | Bore well | 22.05.2017 | 22.05.2017 | - | 2017 | In operation condition | 100-150 m | No | 2.5 Acre |
| 10 | Kaanchivalayal | 18-7,8 | Patta | Jaysankar / Munusamy | Bore well | 27.03.2020 | - | - | 2019 | In operation condition | 100-150 m | No | 1 acre |
| 11 | Kaanchivalayal | 10-2,3 | Patta | Rasi / Ramachandran | Bore well | 27.03.2020 | - | - | 2019 | In operation condition | 100-150 m | No | 1 acre |
| 12 | Kaanchivalayal | 24-3 | Patta | Gomathi / Venkadeshwaralu | Bore well | 27.03.2020 | - | - | 2019 | In operation condition | 100-150 m | No | 1 acre |
| 13 | Kaanchivalayal | 24-2,4 | Patta | Srinivasan / Emrose | Bore well | 27.03.2020 | - | - | 2019 | In operation condition | 100-150 m | No | 1 acre |
| 14 | Onpakkam | - | Patta | Raj / Ramachandran | Creek water | - | - | - | 2018 | In operation condition | 250-300 m | Yes | 2 acre |

| | | | | | | | | | | | | | |
|----|----------|-------------------------|------------|--------------------------------|-------------|--|-----------------------|------|------|--|-----------|-----|----------|
| 15 | Onpakkam | - | Patta | Ganeshan | Creek water | - | - | - | 2018 | In operation condition | 250-300 m | Yes | 2 acre |
| 16 | Onpakkam | - | Patta | Arul / Alaiyappan | Creek water | - | - | - | 2018 | In operation condition | 250-300 m | Yes | 3 Acre |
| 17 | Onpakkam | - | Patta | Thirusangu | Creek water | - | - | - | 2018 | In operation condition | 250-300 m | Yes | 3 Acre |
| 18 | Onpakkam | 189/2A,2D, 2E,2B,2F, 2C | Patta | Shri ramulu / Rathinam | Creek water | Registered under the act of CAA 2005. Registration Number TN-11-2017-(1800) | 2017 | 2022 | 2017 | In operation condition | 250-300 m | Yes | 3 Acre |
| 19 | Onpakkam | - | Patta | Kabali / Sivalingam | Creek water | Not applied | - | - | 2018 | In operation condition | 250-300 m | Yes | 3 Acre |
| 20 | Pakkam | - | Patta | Srinivasan | Creek water | Not applied | - | - | 2018 | In operation condition | 400-500 | Yes | 2.5 acre |
| 21 | Pakkam | - | Porom boke | Chandran / Iyyauv | Creek water | Not applied | - | - | - | Pond was demolished by Revenue officials | - | Yes | - |
| 22 | Pakkam | - | Patta | Arun / Venkadakrishnan | Creek water | Not applied | - | - | - | Not in operation | 250-300 M | Yes | 2 acre |
| 23 | Pakkam | 150 | Patta | Anandh | Creek water | Registered under the act of CAA 2005. Registration Number TN-11-2007-(0033). | 2007 | - | - | In operation condition | 150-200 M | Yes | 3 Acre |
| 24 | Pakkam | 142-5,6,1 | Patta | Baskaran / Rathinapandhiyan | Creek water | 31.07.2019 | Under scrutiny of DLC | - | 2019 | In operation condition | 50-100 M | Yes | 2 acre |
| 25 | Pakkam | 141-2A,2B | Patta | Renuka / Sakthikumar | Creek water | 31.07.2019 | Under scrutiny of DLC | - | 2019 | In operation condition | 50-100 M | Yes | 2 acre |
| 26 | Pakkam | 138-6,7A,7B | Patta | Sakthikumar / Rathinapandhiyan | Creek water | 31.07.2019 | Under scrutiny of DLC | - | 2019 | In operation condition | 50-100 M | Yes | 2 acre |
| 27 | Pakkam | 140-2 | Patta | Shanmugasakilla / Sakthikumar | Creek water | 31.07.2019 | Under scrutiny of DLC | - | 2019 | In operation condition | 50-100 M | Yes | 2 acre |
| 28 | Pakkam | 137-2,5,6 | Patta | Rajkumar / Rathinapandhiyan | Creek water | 31.07.2019 | Under scrutiny of DLC | - | 2019 | In operation condition | 50-100 M | Yes | 2 acre |
| 29 | Pakkam | 137-4 | Patta | Sivachitra / Ramkumar | Creek water | 31.07.2019 | Under scrutiny of DLC | - | 2019 | In operation condition | 50-100 M | Yes | 1 acre |

I humbly submit that, the shrimp farmers in Pakkam and Onbakkam village have applied for registration and their application is under scrutiny by the District Level Committee including Agriculture, Revenue, and Forest and Fisheries department. Additionally, the other farmers, who have not applied for registration have been instructed to do the same at the earliest, failing which, necessary action would be initiated against them.

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


District Collector,
Tiruvallur.


10-08-2020
AD Fisheries, Tiruvallur.