

BEFORE THE NATIONAL GREEN TRIBUNAL,
SOUTHERN ZONE, CHENNAI.

Original Application No.121 of 2024(SZ)
In earlier OA No. 172 of 2024 (PB)

News Item titled "Landgrabbers
take over Cooum" appearing in The Times
of India dated 11.01.2024.

-Vs-

Tamil Nadu Coastal Zone Management/
Regulation Authority,
Rep.by its Member Secretary and others.

...Respondents

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Filed by
Thiru.S. Sai Sathya Jith,
Advocate, Chennai.

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**REPLY AFFIDAVIT FILED ON BEHALF OF THE THIRD
RESPONDENT -TAMIL NADU POLLUTION CONTROL BOARD.**

I, K.Nalini, Daughter of Thiru.K.Krishnasamy, aged about 59 years, having office at No.76, Mount Salai, Guindy, Chennai - 600 032, 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 reply affidavit on behalf of the 3rd respondent Tamil Nadu Pollution Control Board (TNPCB) and as such I am well acquainted with the facts of the case from the records available in our office and I am authorized to file this reply affidavit on behalf of the 3rd respondent.
2. It is respectfully submitted that on 27.2.2024, the Hon'ble Tribunal has taken up a SUO MOTU based on the article "Landgrabbers take over Cooum" published in the daily "The Times of India" dated 11.01.2024. The Hon'ble Tribunal has impleaded the following respondents:
 - (i) Tamil Nadu Coastal Zone Management/Regulation Authority, through its Member Secretary,
 - (ii) Collector/District Magistrate, Chennai,
 - (iii) Tamil Nadu Pollution Control Board, through its Member Secretary,


**JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.**

- (iv) Chennai Rivers Restoration Trust, through Chief Secretary,
Government of Tamil Nadu,
- (v) Water Resources Department, through Secretary, Government of
Tamil Nadu

and directed to file their response atleast one week before the date of next hearing i.e 16.4.2024 before the concerned Bench and transferred the case to the Hon'ble NGT(SZ), Chennai.

3. It is respectfully submitted that the article relates to alleged (relates to the allegation of) taking over in the stretch of river Cooum in Chennai, Tamil Nadu by the landgrabbers. The article discloses that the land grabbers have been dumping loads of sand and debris and leveling a vast area, entering more than 10 feet into the river bed near Koyambedu. It alleges that, though this is happening in public view but no official has visited the spot or taken any preventive action. It also alleges that the landgrabbers have even dumped sand inside the river bed itself and brought in earthmovers to level the ground. It discloses that the Tamil Nadu District Municipalities Building Rules, 1972, mandate buffer zones of 15 metres from the margin of the waterways but the landgrabbers are violating it. As per the news item Chennai Rivers Restoration Trust claims to have spent Rs. 500 crore to restore the Cooum, but the river boundaries have not been demarcated on 45% of its course.
4. It is respectfully submitted that the Tamil Nadu Pollution Control Board enforces the Water (Prevention and Control of Pollution)Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981.
5. It is respectfully submitted that land grabbing over the river Cooum and dumping of sand inside the river bed does not fall under the purview of the Tamil Nadu Pollution Control Board.


 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
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In the above circumstances and facts, it is humbly prayed that this Hon'ble National Green Tribunal may be pleased to pass further order or other orders as this Hon'ble Tribunal may deem fit and necessary in the circumstances of the case and thus render justice.


JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
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CHENNAI-600 032.

VERIFICATION

I, K.Nalini, Daughter of Thiru.K.Krishnasamy, working as Joint Chief Environmental Engineer, office at No.76, Mount Salai, Guindy, Chennai 600 032, do hereby submit that the above contents are true to the best of my knowledge and belief.


JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
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RESPONDENT -TAMIL NADU
POLLUTION CONTROL BOARD.

Advocate for Respondent: TNPCB
Thiru.S. Sai Sathya Jith,
Advocate, Chennai.

Date:06.09.2024

Date of hearing on:15.10.2024.

