

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

**OA No. 203 of 2024 (SZ)  
[Earlier O.A. No. 231 of 2024(LP) (PB)]**

**In the Matter of:-**

Dr. P. Devaraj

..... Petitioner

Vs

District Collector/ District Magistrate  
Puducherry and Anr.

..... Respondents

**PAPER – I**

**Status report on News item published in daily newspaper the Hindu (Tamil Edition) on 31.08.2023 complaining huge destruction of mangroves by some private entrepreneurs/companies at Thengaitthittu, Puducherry**

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*Mr. Ramaswamy*

**Through**

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

**OA No. 203 of 2024 (SZ)  
[Earlier O.A. No. 231 of 2024(LP) (PB)]**

**Status report on News item published in daily newspaper the Hindu (Tamil Edition) on 31.08.2023 complaining huge destruction of mangroves by some private entrepreneurs/companies at Thengaithittu, Puducherry**

I, Yasam Lakshmi Narayana Reddy, S/o Late Shri Yasam Veera Reddy, (Hindu) aged 52 years, working as Member Secretary in the Puducherry Coastal Zone Management Authority (PCZMA) with office at 3<sup>rd</sup> Floor, PHB Building, Anna Nagar, Puducherry – 605 005 do hereby solemnly affirm and sincerely state as follows based on the official records that is placed before me:

- 1) I respectfully submit that, O.A. 231 of 2024 was disposed off on 13.05.2024 by the Hon'ble NGT, Principal Bench, and transferred to this tribunal.
- 2) I respectfully submit that the status report is being filed in compliance to the O.A. NO. 203 of 2024 Order dated 01.10.2024 of this Hon'ble Tribunal.
- 3) I respectfully submit that Email communication received on 21.05.2024 from the Consultant (Judicial), Hon'ble National Green Tribunal, Principal Bench, New Delhi regarding the O.A No. 231 of 2024 in the Matter of Dr. P. Devraj vs State of Puducherry before the Hon'ble National Green Tribunal, Principal Bench, New Delhi on the basis of News item published in Hindu Newspaper (Tamil edition) on 31.08.2023 pertains to huge destruction of Mangroves at Thengaithittu, Puducherry. Annexure - I

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4) I respectfully submit that the said case was heard by the Hon'ble NGT (PB), New Delhi on 13.05.2024 and passed the wherein, the following order Annexure – II.

- i. *A factual Report by constituting a Joint Committee comprising District Magistrate, Pondicherry and a Senior officer of Pondicherry Coastal Zone Management Authority.*
- ii. *District Magistrate, Pondicherry shall be the Nodal Agency for compliance and co-ordination.*
- iii. *The said Committee shall visit the site, collect relevant information and submit a factual Report before Southern Zone Bench of this Tribunal.*
- iv. *Since, the matter relates to the Southern Zone Bench of Tribunal at Chennai, therefore, Registry is directed to transmit record to the Southern Zone Bench for further proceedings.*

5) I respectfully submit that, the said committee has to prepare the factual Report on the destruction of Mangroves at Thengaithittu, Puducherry and same shall be submitted to the Hon'ble NGT, Chennai on or before 01.08.2024.

6) I respectfully submit that, PCZMA vide communication dated 12.09.2023 and 22.12.2023 (Annexure – III) requested the Collector-cum-Chairman, Regional Coastal Zone Management Committee, Puducherry to take necessary action. PCZMA has requested on 12.09.2023 the Conservator of Forest, Directorate of Forests and Wildlife, Puducherry to take necessary action. Annexure – IV.



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7) I respectfully submit that the Hon'ble NGT in O.A No. 231 of 2024, has directed to Constitute a Joint Committee comprising the District Magistrate, Pondicherry, and a Senior Officer of Pondicherry Coastal Zone Management Authority. District Magistrate, Pondicherry shall be the Nodal Agency for compliance and co-ordination.

8) I respectfully submit that Senior Scientific Officer of DSTE is nominated as Committee member on behalf of the PCZMA vide dated 18.06.2024 (Annexure - V) by the Member Secretary (PCZMA). Meantime, District Collector-cum-District Magistrate, Puducherry had issued Order dated 25.06.2024 (Annexure - VI) constituting members of the Joint Committee as follows:

- i. District Magistrate / District Collector, Puducherry.
- ii. Deputy Collector (Rev.) North, Puducherry.
- iii. Deputy Director (Forests), Puducherry.
- iv. Commissioner of Puducherry Municipality.
- v. Member Secretary, Regional Coastal Zone Management Committee, Puducherry.

9) I respectfully submit that the District Magistrate, Puducherry District scheduled the site inspection of the Joint Committee on 29.06.2024. During the inspection, the following were observed:

- i. T.S. No. 2/4, R.S. No. 13/3 to an extent of 1H 79A and T.S. No. 2/6, R.S. No. 13/5 to an extent of 57A 25CA of Ward P, Block No. 2 at Thengaithittu are under private ownership.
- ii. The site is on the bank of Uppanaru drain, Thengaithittu, Puducherry.

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- iii. *The site falls under CRZ-IA, CRZ-IB and CRZ-II as per the existing and draft Coastal Zone Management Plans (CZMPs) prepared under CRZ Notification, 2011 and 2019 respectively.*
- iv. *The site falls partially within 50 Mts. of the mangrove buffer.*
- v. *The site is levelled condition and a few grown up mangroves in dry state are existing in a corner portion. Except these, no green cover (Mangroves) are noticed in the entire site suggesting that the mangroves may be destructed and removed for preparing the site for a construction purpose.*
- vi. *Ground truthing of the Google Earth Images of the site from the year 2011 to 2024 reveals that once existing green cover (Mangroves) at about 80% of the site extent in the site was destructed.*
- vii. *As per the Revenue records a drainage channel / back water running across the site and connected to the Uppanaru is mentioned as GP land but the same is not existing in the site. The site owner has made some reclamation of the land and has over-layed with the gravels which resulted in the closure of the drainage channel / back water and raising of the land from the Uppanaru backwater area has resulted in the withdrawal of the inundated back water, which has also deprived nutrients and exposed the roots resulting in destruction of the mangroves in the site.*
- viii. *Semi-finished metal road is existing along the western boundary of the site and the road which is further extended towards the Northern direction and connected to the main road.*
- ix. *As per the Revenue records another drainage channel / back water running adjacent to the Northern boundary of the site and connected to the Uppanaru is mentioned as GP land but the same is not existing in the site.*

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10) I respectfully submit that Subsequent to the inspection of the Joint Committee, the following are carried out:

- i. *An eviction drive was executed by the Sub Divisional Magistrate (North) on 18.06.2024.*
- ii. *The Scientific Officer (DSTE)/Member Secretary (RCZMC) submitted the Inspection Report dated 18.07.2024 to the Member Secretary (PCZMA) with copy to the District Magistrate-cum-District Collector / Chairman (RCZMC), Puducherry and to the Sub-Divisional Magistrate (North) / Chairman Inter Departmental Task Force, DRDM, Puducherry w.r.t. Letter dated 15.07.2024.*
- iii. *.Communication was sent to the Sub Divisional Magistrate (North)-cum-Chairman IDTF, DRDM, Puducherry vide dated 26.07.2024 to conduct local enquiry of the violator(s) for issue of Direction by PCZMA under Section (5) of the Environment (Protection) Act, 1986.*
- iv. *A communication was received on 01.08.2024 from the Deputy Collector (Revenue), North, regarding the ownership of T.S. No. 2/4 and 2/6, R.S. No. 13/5 and 13/3, located in Ward P, Block 2, Thengaithittu.*

*The communication indicated that Thiru. Aravindhan, S/o., Jayakumar, residing at No. 5, Villianur Main Road, Villianur, Puducherry – 605 110, is the landowner of the aforementioned T.S., which is adjacent to T.S. No. 2/5 and R.S. No. 13/4 of the GP land.*



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11) I respectfully submit that as per para 3(iv) and 4(g) of the CRZ Notification, 2011 – Land Reclamation, and Construction of the road by way of reclamation in CRZ area is a regulated activity and necessary recommendation has to be obtained from the PCZMA before carrying out such an activity.


12) I respectfully submit that PCZMA had issued Direction on 25.11.2024 under Section (5) of the Environment (Protection), Act, 1986 to Thiru. Aravindhan, S/o., Jayakumar, residing at No. 5, Villianur Main Road, Villianur, Puducherry.

13) I respectfully submit that, CRZ Notification, 2019 para 2.0, 2.1 CRZ-I 2.1.1 CRZ-I A: (a) (i) Mangroves (in case mangrove area is more than 1000 square meters, a buffer of 50 meters along the mangroves shall be provided and such area shall also constitute CRZ-I A).

14) I respectfully submit that, as per CRZ Notification, 2019 para 5, 5.1 CRZ-I: 5.1.1. CRZ-IA: (iii) Construction of roads and roads on stilts, by way of reclamation in CRZ-I areas, shall be permitted only in exceptional cases for defence, strategic purposes and public utilities, subject to a detailed marine or terrestrial or both environment impact assessment, to be recommended by the Coastal Zone Management Authority and approved by the Ministry of Environment, Forest and Climate Change; and in case construction of such roads passes through mangrove areas or is likely to damage the mangroves, a minimum three times the mangrove area affected or destroyed or cut during the construction process shall be taken up for compensatory plantation of mangroves.

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15) I respectfully submit that, as per CRZ Notification, 2019 Annexure- I - Conservation, Protection and Management framework for Ecologically Sensitive Areas; Para 1 1.1: (i) Mangroves declared as forest under the Forest (Conservation) Act, 1980 (69 of 1980). Notwithstanding anything contained in this notification, such mangroves declared by the concerned State Governments or Union territory Administrations or Central Government as forest land under the Forest (Conservation) Act, 1980 (69 of 1980) shall attract the provisions of the said Act.

*(ii) Mangroves not declared under Forest (Conservation) Act, 1980:*

*(a) Mangroves in Government land shall be protected based on a detailed plan to be prepared by the concerned State Governments or Union territory administrations, and in case the mangrove area is more than 1000 square meters, a buffer of 50 metre along the periphery of mangrove area shall be provided. This buffer zone of 50 metre may be utilised for public facilities for developing parks, research facilities related to mangrove biodiversity, facilities for conservation and the like.*

*(b) Mangroves in private land will not require a buffer zone.*

16) I respectfully submit that, as per the draft Coastal Zone Management Plan prepared under CRZ Notification, 2019 for Puducherry region the said mangroves areas in Government land are classified as CRZ – IA. The mangroves in Puducherry region are not declared as Forest (Conservation) Act, 1980 by the Department of Forests and Wildlife, Puducherry.

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17) I respectfully submit that the violators have engaged in the following illegal activities that have led to the destruction of these ecosystems:

- i. *Illegal land reclamation and filling in the CRZ area, causing the permanent loss of mangrove cover.*
- ii. *Unauthorized cutting and removal of mangrove trees for construction and development purposes.*
- iii. *Encroachment of Government Land .*

These activities are in clear violation of the CRZ Notification, 2011, the Environment Protection Act, 1986, and the principles of sustainable environmental governance.

18) I respectfully submit that in view of the above submissions, it is humbly prayed that this Hon'ble Tribunal may pass such further or other orders(s) as deemed fit and proper in the facts and circumstances of the case.



DEPONENT

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## VERIFICATION

Verified at Puducherry on 09.12.2024 that the contents of the above status report are true and correct to the best of my knowledge and information as derived from the official records and nothing material has been concealed therefrom.

SIGNED BEFORE ME



*MW 09/12/2024*  
**M. SIVAPRAKASH, B.L.,**  
ADVOCATE & NOTARY PUBLIC  
Govt. of India  
Regd. No. 7933/2010  
Vo.5, 111rd CROSS, ILANGO NAGAR  
PUDUCHERRY - 605 011

*[Handwritten Signature]*  
Respondent No. 2

**MEMBER SECRETARY  
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Through

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**OA No. 203 of 2024 (SZ)  
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**IN RE: STATUS REPORT ON NEWS ITEM PUBLISHED IN DAILY  
NEWSPAPER THE HINDU (TAMIL EDITION) ON 31.08.2023  
COMPLAINING HUGE DESTRUCTION OF MANGROVES BY SOME  
PRIVATE ENTREPRENEURS/COMPANIES, THENAITHITTU,  
PUDUCHERRY**

**PAPER BOOK – I**

**RESPONDENT No. 2**

**Through**

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