

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Original Application No. 224 of 2024 (SZ)

In the matter of:

K.Saravanan

... Applicant(s)

Versus

The Commissioner,
Fisheries and Fishermen Welfare Department,
Government of TamilNadu

...Respondent(s)

INDEX

S. No.	Date	Description	Page No.
1	01.08.2024	Status Report filed on behalf of 1 st Respondent-(The Commissioner, Fisheries and Fishermen Welfare Department).	1-12

(Note: The page numbers are at the top centre of every page)



Through

Dr. D. Shanmuganathan
Standing Counsel of Tamil Nadu
National Green Tribunal
Southern Zone, Chennai

DATE: 16.08.2024

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

Original Application No.224 of 2024(SZ)

In the matter of:

Thiru.K.Saravanan,

Son of Kasinathan,

Aged about 37 years

No. 30, Urur Kuppam,

Besant Nagar, Chennai - 90

...Applicant

Versus

1. The Commissioner,

Fisheries and Fishermen welfare Department,

Government of Tamil Nadu

3rd Floor, Integrated Animal Husbandry and Fisheries Building,

Nandanam, Chennai - 600 035

2. The Tamil Nadu Coastal Zone Management Authority

Rep by its Member Secretary

No.1, Jeenis Road, Panagal Building,

Ground Floor, Saidapet, Chennai-600 015

...Respondent(s)

STATUS REPORT FILED ON BEHALF OF 1st RESPONDENT

1. I, Saravanakumar B.E., S/o N.Kanthasamy aged 55,
discharging my duties as Executive Engineer, Fishing Harbor Project

Division, Chennai in the office of the Commissioner/Director, Department of Fisheries and Fishermen Welfare, Chennai-35, file the report as:

2. I am the Executive Engineer, Fishing harbor Project Division, Chennai in the office of Commissioner/Director of Fisheries and Fishermen Welfare, Department of Fisheries and Fishermen Welfare, Chennai-35 and I am well acquainted with the facts and circumstances of the case based on the records available. I am authorized to file this Status report on behalf of the Commissioner/Director of Fisheries and Fishermen Welfare, Department of Fisheries and Fishermen Welfare, Chennai-35 (1st Respondent). I have perused the affidavit filed by the Petitioner in support of the above Original application and I deny each and every averment and allegations contained therein save those that are specifically admitted herein.

3. It is respectfully submit that the applicant vide para A has filed that the illegal construction of two long Groynes at karikattukuppam near Kovalam in Chengalpattu District. I respectfully submit that karkattukuppam fishing village was severely affected by sea erosion during the last 5 years (Photographs enclosed). Sea erosion would start towards the villages due to seasonal variation and severe wave action. I respectfully submit that the Engineers and Assistant Director of Fisheries and Fishermen Welfare Department

visit the eroded portion of the sea shore area in the presence of the fishermen community and prepare a feasibility report and send it to the Indian Institute of Technology, Madras (IIT, M) for preparation of Detailed Project Report regarding length, Breadth and Height of the Groynes and Length of Sea wall. The experts of the Indian Institute of Technology, Madras inspected the location of the eroded area of Sea shore line and conducted various investigations and Modelling studies such as Wave modelling and Numeric modelling. Based on the test results, the length and height of the Groynes to be used will be provided by them. After receipt of the report of the Indian Institute of Technology, Madras, the detailed estimates will be prepared and send to the Government to obtain the administrative approval from the Government.

Based on the Government Order, the technical sanction will be obtained from the Chief Engineer, Fisheries and Fishermen Welfare Department, Chennai. Then only the shore protective works will be executed according to the site requirements and as per existing rules and regulations in force. This methodology is quite useful and technically standard one. The ultimate aim is to protect the livelihood of the fishermen and their coastal stretch from erosion. In order to safeguard the fishermen and to protect their fishing villages from erosion in the above villages, the Government of Tamil Nadu has accorded Administrative Sanction for Construction of Fish landing

Centre and shore protection works including boat berthing facilities at Karikattukuppam in Chengalpattu District for an amount of 16.00 Crore vide G.O.(D).No. 318, Animal Husbandry, Dairying, Fisheries and Fishermen Welfare dept. dated: 13.12.2021 under NABARD RIDF- XXVII.

4. It is respectfully submit that the applicant vide para B has filed that that the Department of Fisheries and Fishermen Welfare have violated the CRZ notification,2011 and the judgement of Hon'ble national Green Tribunal OA No.4 of 2013. But I kindly admit that for this project, based on the design report was received from the IIT, Madras, the Environmental Impact Assessment (EIA) study were conducted by the consultancy agency, the Coastal Regulation Zone (CRZ) map were prepared by the Indian Remote Sensing (IRS) under Anna University, Chennai, these three reports namely Environmental Impact Assessment (EIA) study report, Coastal Regulation Zone (CRZ) map and IIT design reports were submitted to the District Coastal Zone Management Authority (DCZMA) through Tamil Nadu Pollution Control Board for District level CRZ clearance (Reports enclosed). All the reports were scrutinized and the District level CRZ meeting has been conducted. The District level CRZ clearance has been obtained from the District Coastal Zone Management Authority (DCZMA) and recommended to State Coastal Zone Management Authority (SCZMA) for state level CRZ clearance. But, in due course

of time, an Application No. 04/2013(SZ) with Appeal No.18/2017(SZ) was filed for which the Honorable NGT, Chennai dated:11.04.2022 has iterated the following 2 points:

i) The Shoreline Management Plan (SMP) should be prepared for all the fishing Villages along the coast of Tamil Nadu mentioning erosion, accretion and stabilized beaches. The consultancy service towards preparation of Shoreline Management plan will be finalized by the Department of Environment, Forest and Climate change, Government of Tamil Nadu.

ii) Further stated that, soft solutions may be adopted for shore protection works and Hard structures like Groynes, RMS wall are not allowed. The identification of site specific solutions whether hard structures/Soft structures should be mentioned in the Shoreline Management Plan (SMP).

Based on the NGT order, the State level CRZ authorities have returned the proposal by informing that,

"The approved CZMP shall contain the parameters as listed in the CRZ 2019 Notification including High, Medium and Low erosion stretches for such erosion prone areas. SMP shall be prepared as illustrated by NIOT for such erosion prone areas. We further direct preparation / updation of their SMPs for such identified eroding stretches shown in the CZMPs within six months. Pending

preparation/ updation of such SMPs by the Coastal States/UTs, no further hard structures for erosion control be raised or constructed”.

But due to continuous demand to control erosion and to prevent casualties, they staged a protest to commence the work immediately.

Therefore, the tetrapods casting was commenced on 26.06.2023 and the breakwaters namely Southern breakwater 160m and Northern breakwater 80m were commenced on 22.01.2024 and completed.

I humbly admit that without understanding the consequences of not getting CRZ clearance, inorder to pacify the situation in the area and also to prevent law and order issues, the work was commenced. Also to mention that this work has been recommended by District CRZ committee and recommended to State Coastal Zone Management Authority (SCZMA) for state level CRZ clearance.

5. It is respectfully submit that the applicant vide para C has filed that the illegal groynes constructed are causing serious erosion to the coastline to the north of these structures by starving the coastline of sediment. I respectfully submit that the construction of breakwaters and groynes were properly planned and wisely advised by the reputed institution like Indian Institute of Technology, Madras. Earlier, only breakwaters were constructed and not the groynes were proposed along with the breakwaters. Nowadays, based on the design

report of IIT(M), the advance method is being followed wherein the groynes were proposed at the north along with the breakwaters as a mitigation measure. By this method, the erosion at the northern side of the breakwater will be reduced marginally lower and hence the higher rate of erosion will be controlled. Therefore, the erosion cannot be transformed to any other adjoining coastal villages at the north and further erosion is prevented. This helps to conserve the adjoining coastal villages from the effect of sea erosion.

This methodology is highly effective. In this project also, along the Breakwaters, two short groynes namely G1 of length 40m at a distance of 150m from the Northern breakwater and G2 of length 20m at a distance of 100m from the short groyne G1 was proposed by IIT (M) after the detailed study and surveys (Layout enclosed). The Short Groyne G1 was commenced and laid for 5m. But in the meantime, the present application was filed and the case O.A 136 of 2024 at the NGT, Chennai hence we stopped the work from 05.05.2024. If we were allowed to continue the work, the erosion at the northern side of the Northern breakwater will be avoided and hence the coastline will be protected.

6. With regard to the averments made from para D of the affidavit, I respectfully submit that after the construction of breakwaters only, the beach was formed for a length of 60m. The fishermen and their livelihood has been saved from severe sea

erosion. At present, the fishermen berth their boats in the newly formed beach area.

I respectfully submit that due to Global warming and climate change, there has been a considerable sea level rise all over the world, which leads to severe sea erosion all over the coastal stretches mainly during the last five years. Further, due to Seasonal variation and severe waves, the shoreline pattern has been changed drastically and the beach portions were fully eroded. The shoreline was forwarded from the sea and progressed towards the fishermen living area so the fishermen were unable to protect their livelihood, dwellings and also to berth their boats safely. During 2019, there was a considerable beach at Karikattukuppam. But during 2021, due to natural factors such as climate change, global warming, sea level rise and severe wave action, the shoreline was eroded and comes closer to the village area. At present (2024), after the construction of breakwaters only, the beach was restored and formed for a length of more than 60m comparing to the shoreline 2021 (Photos enclosed). Therefore, I respectfully submitted that the beaches are not destructing due to this work. On the other hand, the beaches were formed only after the construction of this work.

I respectfully submit that the soft solutions like Geotubes were proposed at Bommaiypalayam in Villupuram

District. But the fishermen has opposed that the geotubes will not control erosion and they staged an indefinite strike at Bommaiplayam ECR. Therefore, hybrid solutions comprising groynes (major portion) and geotubes were proposed and implemented. But the geotubes were prone to wear & tear, sunlight and subjected to damage due to movement of boats. Geotubes will not sustain longer and its inclusion will only escalate the project cost which burdens the government. That's why hard solutions were recommended by the IIT Madras. Soft solutions were recommended only where the erosion is very low.

7. With regard to the averments made from para F of the affidavit, I respectfully submit that Government has issued orders for preparing the Shoreline Management Plan through National Centre for Coastal Research (NCCR), a unit of National Institute of Ocean Technology (NIOT), Chennai vide G.O. (Ms.) No. 69, Environment, Climate Change & Forests Department, dated 29.03.2023. After a period of 1 year of field visits and surveys, NCCR has submitted the inception report and Shoreline Change Assessment Report along Tamil Nadu Coast. The draft report of the Shoreline Management Plan was submitted by NCCR on 28.03.2024 and the same was circulated to Commissioner of Fisheries & Fishermen Welfare, Department of Tourism, Public Works Department, Water Resources Department and

Revenue Administration & Disaster Management Department for their comments and suggestions. Final report and the approval from Government of India are still awaited.

Due to the NGT Verdict, the groynes were not provided until the sea shore starts eroded towards the village and the fishermen staged a protest for indefinite strike if Groynes were not constructed. Practically, NCCR team has to conduct so many surveys all along the coast of Tamil Nadu to finalise the Shoreline management plan which will take years to complete. But until that, the sea erosion will not wait and the livelihood and their belongings will be under serious threat. Coastline protection is important but protection of fishermen life and livelihood are much more important.

8. With regard to the averments made from para G of the affidavit, I respectfully submit that the Government has doesn't damage the shoreline by constructing groynes, instead the Government has only developed the eroded beach and safeguarded the livelihood of the fishermen and their dwellings. Since necessary Environment Impact Assessment (EIA) has been conducted in which turtle nesting ground was not listed. Based on the report, District Coastal Zone Management Authority (DCZMA) has recommended to State Coastal Zone Management Authority (SCZMA) for CRZ Clearance

9. With regard to the averments made from para I of the affidavit, I respectfully submit that in anticipation of CRZ Clearance, only the work was taken up. Coastline protection is important but protection of fishermen life and livelihood are much more important. The work was commenced by following all the necessary procedures. The Fisheries and Fishermen Welfare Department is taking necessary and required steps in order to protect the fishermen and their belongings as well as to mitigate the sea erosion by adopting suitable advanced methodology.

In view of the reasons and circumstances stated above, I prayed that this Hon'ble Tribunal may be pleased to accept this Status Report and pass such further other orders which it deems fit to the case and thus render justice.

Signature


**Executive Engineer,
Fishing Harbour Project Division,
Chennai.**

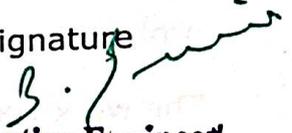
Date: 01.08.2024

VERIFICATION

I, Saravanakumar B.E., S/o N.Kanthasamy aged 55, presently discharging my duties as the Executive Engineer, Fishing Harbor Project Division, Chennai in the office of the Commissioner/Director, Department of Fisheries and Fishermen Welfare, Chennai-35,

Solemnly affirm that the contents of this Report are true to the best of my knowledge based on the records and I have not suppressed any facts.

Signature



Executive Engineer'
Fishing Harbour Project Division
Chennai,

Date: 01.08.2024



Executive Engineer,
Fishing Harbour Project Division,
Chennai.