

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

OA No. 271of 2024 (SZ)

In the Matter of:-

S. Kanthan, Puducherry and Anr.

..... Petitioner

Vs

Puducherry Coastal Zone Management Authority and Ors. Respondents

PAPER – I

Status Report on unauthorized constructions and encroachment of bank in the Chunnambar river in CRZ – III (No Development Zone) by M/s. Lagoon Sarovar Premiere Resort (Earlier M/s. Puducherry Back Water Resort Pvt. Ltd.), Puducherry.

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Mr. Ramaswamy

Through

Mr. Ramaswamy Meyyappan
Government Advocate
(Counsel for Respondent No. 1, 2)
Government of Puducherry
Madras High Court Campus
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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
SOUTHERN ZONE, CHENNAI**

OA No. 271 of 2024 (SZ)

In re: Status Report on unauthorized constructions and encroachment of bank in the Chunnambar river in CRZ – III (No Development Zone) by M/s. Lagoon Sarovar Premiere Resort (Earlier Puducherry Back Water Resort Pvt. Ltd.), Puducherry.

I, Yasam Lakshmi Narayana Reddy, S/o Late Shri Yasam Veera Reddy, (Hindu) aged 53 years, working as the Member Secretary in the Puducherry Coastal Zone Management Authority (PCZMA) with office at 3rd Floor, PHB Building, Anna Nagar, Puducherry – 605005 do hereby solemnly affirm and sincerely state as follows based on the official records that is placed before me:

- 1) I respectfully submit that the status report is being filed in compliance to the Order dated 18.12.2024 of this Hon'ble Tribunal.
- 2) I respectfully submit that M/s. Lagoon Sarovar Premiere Resort (Earlier Puducherry Back Water Resort Pvt. Ltd.) is located at R.S. No. 5, Iyyanar Koil Street, Poornankuppam Revenue Village, Ariyankuppam Commune Panchayat, Puducherry that falls under CRZ – III, No Development Zone (NDZ) as per the existing Coastal Zone Management Plan (CZMP) prepared as per the Coastal Regulation Zone (CRZ) Notification, 2011. Annexure – I.


MEMBER SECRETARY
PUDUCHERRY COASTAL ZONE
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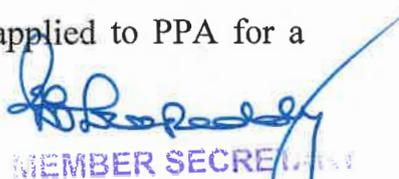
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Corrections :

- 3) I respectfully submit that a communication dated 24.11.2008 was forwarded by the Puducherry Planning Authority (PPA), wherein, opinion was sought from the Puducherry Coastal Zone Management Authority (PCZMA) for the proposed construction of two storeyed resort building for M/s. Puducherry Back Water Resort Pvt. Ltd., at R.S. No. 5, Iyyanarkoil Street, Poornakuppam Revenue Village, Ariyankuppam Commune Panchayat, Puducherry Annexure – II.
- 4) I respectfully submit that the Government of Puducherry has prepared CZMP as per CRZ Notification 1991 and the same was notified by the Government of Puducherry vide G.O.M.S. No. 18/93/Hg dated 13.12.1993 with the approval of the Ministry of Environment and Forest (MoEF). The CZMP prepared as per CRZ Notification, 1991 is restricted to the coastal land between 500 meters from HTL of sea. The land along tidal influenced water bodies were not notified as CRZ in CZMP approved in 1993. Annexure – III.
- 5) I respectfully submit that after scrutinizing the proposal it was observed that the project site does not fall under CRZ as per the approved CZMP 1993 which was in force and opinion was communicated to the Puducherry Planning Authority (PPA) vide dated 02.02.2009 that PCZMA has no objection for the proposed construction Annexure – IV.
- 6) I respectfully submit that while executing the construction, the project proponent had made changes from approved building plan which resulted increase in the Total built up area 2271.06 Sq.m to 3237.67 Sq.m. At the final stages of construction, project proponent had applied to PPA for a

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revised building plan approval. PPA had forwarded the same to PCZMA vide letter dated 03.08.2017, seeking opinion. The project proponent had already constructed the building based on the opinion issued to PPA by PCZMA vide letter dated 02.02.2009 and on the approval of PPA dated 28.03.2011. After scrutinizing the revised proposal, PCZMA communicated to PPA vide dated 11.04.2018 that the views furnished by PCZMA vide letter dated 02.02.2009 holds good since, CZMP 1993 was in force Annexure – V.

- 7) I respectfully submit that the Ministry of Environment, Forest and Climate Change (MoEF&CC) had issued notification vide S.O. 2444(E) dated 31.07.2017 which states that the validity of the prevailing CZMP is extended up to 31.07.2018. Also, the CZMP prepared as per the CRZ Notification, 2011 was approved by the MoEF&CC on 24.10.2018. In this approved CZMP, tidal influenced water bodies, back water, river and the like were included and classified as CRZ areas Annexure – VI.
- 8) I respectfully submit that public complaint was received from Thiru. V. Chandrasekhar, President, Bangaaru Vaickal Neeraadhara Koottamippu, Bahour Puducherry stating that unauthorized constructions and encroachment of bank in the Chunnambar river had taken place by dumping of soil and stones, redefining the river and laying of concrete road without following CRZ provisions. Annexure – VII.
- 9) I respectfully submit that PCZMA officials inspected the resort on 29.11.2024 and 03.12.2024 and noted the following. Annexure – VIII.

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Sl. No.	Components	Building plan proposal forwarded by PPA dated 24.11.2008 (Area in Sq.m)	Revised building plan forwarded by PPA dated 03.08.2017 (Area in Sq.m)	Unauthorized / activities noted during the inspection on 29.11.2024 and 03.12.2024
1	Total land area	11134.54	11134.54	1. Concrete structures were constructed in part of R.S. No. 5, 6 & 26 which falls under CRZ – III (NDZ). 2. Constructed two-storeyed building for resort workers on the western side of the resort. 3. Beautification and construction of permanent structures including compound wall at the entrance. 4. Pavement block road was laid along the riverbank. 5. Constructed a wooden jetty. 6. Modifications to the Administrative Block. 7. Constructed a stage near the swimming pool. 8. Installed 4 Nos. of rainwater overflow pipelines leading into the river. 9. Constructed a Sewage Treatment Plant (STP) with a capacity of 15 MLD. 10. Dumping of soil and stones for beautification purposes. 11. Reclamation and landfilling activities at R.S. No. 24/12A and R.S. No. 24/12B near the Chunnambar river bank.
2	Ground Floor area	891.05	1349.15	
3	First Floor area	892.18	1349.15	
4	Administrative block	82.50	67.62	
5	Electrical & Genset Room	48.96	48.96	
6	Change Room area	21.07	65.98	
7	Swimming pool area	240.00	255.46	
8	Head floor area	95.30	95.30	
9	Security Room	-	6.05	
10	Plot Coverage	12.38%	16.10%	
11	Floor Area Ratio	20.39%	16.10%	
Total built up area		2271.06	3237.67	

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10) I respectfully submit that Direction was issued on 10.01.2025 to the project proponent under Section 5 of the Environment (Protection) Act, 1986 for unauthorized constructions and encroachment of bank in the Chunnambar river in CRZ-III area and directed to comply with the following:

1. To remove all the unauthorized structures which are built in the No Development Zone i.e., within 100m from the HTL of Chunnamabar tidal influenced water body as per the approved CZMP prepared under Coastal Regulation Zone Notification, 2011 and the area shall be restored to its original condition.
2. To immediately stop any unauthorized construction activity in the CRZ area, if any.
3. To submit compliance status to the building permissions issued by the Puducherry Planning Authority.
4. To submit valid CTE/CTO issued by the Puducherry Pollution Control Committee.
5. To submit details of modifications / alteration / additional buildings constructed within the CRZ area with year of construction.
6. To submit the CRZ maps as per Para 4.2 of the CRZ Notification, 2011 superimposing the project site with label for different buildings.
7. Not to dispose any debris into the water bodies thereby changing the water course.

11) I respectfully submit that, the factual report is submitted before the Hon'ble Tribunal and 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
MEMBER SECRETARY
PUDUCHERRY COASTAL ZONE
MANAGEMENT AUTHORITY
PUDUCHERRY

VERIFICATION

Verified at Puducherry on 03.03.2025 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.



**Respondent No. 1
adopted with Respondent No. 2**

**MEMBER SECRETARY
PUDUCHERRY COASTAL ZONE
MANAGEMENT AUTHORITY
PUDUCHERRY**



SIGNED BEFORE ME

MS 03/03/2025
M. SIVAPRAKASH, B.L.,
ADVOCATE & NOTARY PUBLIC
Govt. of India
Regd. No. 7933/2010
No.5, IIIrd CROSS, ILANGO NAGAR
PUDUCHERRY - 605 011

**BEFORE THE HON'BLE
NATIONAL GREEN TRIBUNAL,
SOUTHERN BENCH, CHENNAI
O.A No: 271/2024**

**IN RE: STATUS REPORT ON
UNAUTHORIZED
CONSTRUCTIONS AND
ENCROACHMENT OF BANK IN
THE CHUNNAMBAR RIVER IN
CRZ – III (NO DEVELOPMENT
ZONE) BY M/s. LAGOON
SAROVAR PREMIERE RESORT
(EARLIER M/s. PONDICHERRY
BACKWATER RESORT PVT.
LTD.), PUDUCHERRY.**

PAPER BOOK – I

**RESPONDENT No. 1
ADOPTED WITH RESPONDENT No. 2**

Through

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Madras High Court campus
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