

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Original Application No.152 of 2023 (SZ)

In the matter of:

Thiru. Kumaresan Sooluran
Thiruvallur.

... Applicant(s)

Versus

The Tamil Nadu Coastal Zone
Management Authority,
Rep by its Member Secretary,
Chennai and ors.

...Respondent(s)

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Through

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

DATE: 23.07.2024

BEFORE THE HONBLE NATIONAL GREEN TRIBUNAL

SOUTH ZONE AT CHENNAI

Original Application No. 152 of 2023

IN THE MATTER OF

Thiru. Kumaresan Sooluran

.....Applicant

Vs

The Executive Engineer PWD WRD

Araniyar Basin Division Chepauk

Chennai -05 And Others

Respondents

Report filed by the Fifth Respondent

1) I, G.R. Radhakrishna, Son of Thiru.Ramalingam Aged about 50 years and officiating as Executive Engineer, PWD, WRD, Araniyar Basin Division, Chepauk, Chennai-05 and having office at Chennai, do hereby solemnly affirm and sincerely state as follows.

2) It is respectfully submitted that the Hon'ble the National Green Tribunal (SZ) has directed to file a status report on invasive species "Mytella strigara" (**Charru Mussels**) spread over along the stretch of the Kosasthalaiyar backwater, Buckingham canal and Pazhaverkadu mouth.

3) It is respectfully submitted that, in this regard, a status report has been submitted on December 14 2023 to Hon'ble the National Green Tribunal (SZ) based on the factual observation made in the site inspection.

4) In pursuance to the direction of the Hon'ble the National Green Tribunal (SZ). It is respectfully submitted that, the proliferation of Charru Mussels, Microbes and allgaes which is harmful impact on the water bodies and marine eco system and the growth of Charru Mussels leads severe threaten to endemic species diversity of brackish water.

5) It is respectfully submitted that, Invasive species Charru mussels "Mytella strigara" native to South and Central Coast of America and it is already spread over the Indian shores by the movement of ship hulls. It is further submitted that the Kamarajar Port Limited, Ennore is the main reason for spread over the Charru mussels to the North Buckingham Canal, Kosasthalaiyar backwater and Pazhaverkadu Mouth by lack of ballasted water regulation for ship movement from South and Central coast of America to Indian Shores.

6) It is respectfully submitted that, the estimate has already been prepared for dredging the backwaters of the Kosasthalaiyar river upto 700m for an amount of Rs.8.5 Crores. This proposal has been sent to the Additional Principal Chief Conservator of Forest and Member secretary, Tamilnadu Wetland Authority, Chennai on 12.05.2023.

7) Further, It is respectfully submitted that as per the petitioner affidavit, it is observed that, the species like Charru Mussels have been spread beyond Karukumaram - Kandachedi Paadu till Pazhaverkadu mouth spanning for a length of 16km, between Ennore Creek to Palaverkadu. The dredging work need to be continued till the Pazhaverkadu mouth for facilitation of tidal exchange nourishing the growth of crustacean species such as crab, prawns and mullets, etc.

8) It is respectfully submitted that, unchecked discharge of ballast water from ships enters into the Kamarajar Port Limited has resulted in the spread of an invasive species to the Kosasthalaiyar Backwater and Buckingham Canal.

9) It is respectfully submitted that, the only reason for exotic presence of charru mussel in Kosasthalaiyar Backwater and Buckingham Canal is the failure of Indian coastal regulation of port authorities to stringently discharged ballast water regulation on ships enters into the Kamarajar Port Limited.

10) It is respectfully submitted that, In polluter pays principle is in force to make party responsible for causing pollution responsible for paying for the damage done to the natural environment and this principle has also used for enforcing cost of pollution prevention on the polluter.

11) It is respectfully submitted that, the WRD has suggested that the Kamarajar Port Limited, Chennai as to contribute the fund for an amount Rs.160 Crore, is required for eradicating the exotic invasive species "Mytella strigara" (**Charru Mussels**) by dredging of Kosasthalaiyar Backwater, North Buckingham Canal at LS 19500m upto Pazhaverkadu Mouth. Further, It is respectfully submitted that, the dredging of Kosasthalaiyar backwater and Buckingham canal will be carried out for preventing the growth of Charu Mussels, facilitating the boat movement of the fisherfolk and finally the livelihood the fisherfolk will be safeguarded.

Solemnly affirmed and signed before me on this 22TH
July 2024 at Chennai



**Executive Engineer, WRD,
Araniyar Basin Division ,
Chepauk, Chennai-600005**

VERIFICATION

I, G.R. Radhakrishna, Executive Engineer, WRD, Araniyar Basin Division, Chepauk, Chennai- 5 do hereby verify that the contents of the above paragraphs are true and correct on the basis of ground truth, no part of it is false and nothing material has been concealed there from.

Date: 22.07.2024



**Executive Engineer, WRD,
Araniyar Basin Division ,
Chepauk, Chennai-600005**

**Water Resources Department**

From
Er. A. Jayakumari, BE.,
Executive Engineer, WRD,
Araniyar Basin Division,
Chepauk, Chennai - 600 005.

To
The Superintending Engineer, WRD,
Palar Basin Circle,
Chepauk, Chennai-5.

Letter No. DB / JDO.4 / F -402 / ESTIMATE / 2023 / Dated: 12.05.2023.

Sir,

Sub: Wetlands - Water Resources Department - Kosasthalaiyar Backwaters - Inspection Kosasthalaiyar River for Ecological Restoration of Ennore Creek part in Athipattu Village with focus on livelihood of local fisher folk - Karugumaram Padu - Desilting requested - Deposit Amount of Rs.1.50 Lakhs - Remittance - DPR Submitted - Regarding.

- Ref:**
1. The Additional Principal Chief Conservator of Forests and Member Secretary, Tamil Nadu State Wetland Authority, Chennai, Ref. No. TNSWA1 / 28723 / 2022 / Dt.07.11.2022.
 2. This office Lr.No.DB / JDO.4 / F-402 / General / 2022 / Dt.13.12.2022.
 3. This office Lr.No.DB / JDO.4 / F-402 / General / 2022 / Dt.19.12.2022.
 4. The Additional Principal Chief Conservator of Forests and Member Secretary, Tamil Nadu State Wetland Authority, Chennai, Ref. No. TNSWA1 / 28723 / 2022 / Dt.06.02.2023.
 5. The Additional Principal Chief Conservator of Forests and Member Secretary, Tamil Nadu State Wetland Authority, Chennai, Ref. No. TNSWA1 / 28723 / 2022 / Dt.17.04.2023.

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With above reference to the letters cited, I submit that the DPR has been prepared for the work of "Dredging the Backwaters of the

Kosasthalaiyar River at Karukamaram Paadu Village (LS.0 m to LS.700m) by using Dredger for Ecological Restorariion of backwater of the Kosasthalaiyar River focus on livelihood of fisher folk and facilitate Tidal Exchange" for an amount of Rs.8.50 Crore.

Hence, I request that the estimate may please be submitted to the Additional Principal Chief Conservator of Forests and Member Secretary, Tamil Nadu State Wetland Authority, Chennai for taking further necessary action please.

Encl.: 1. Estimate - 1 No.
2. Plan Valume - 1No.

Sd/---
Executive Engineer, WRD.,
Araniyar Basin Division,
Chepauk, Chennai - 600 005.

Copy submitted to the Additional Principal Chief Conservator of Forests and Member Secretary, Tamil Nadu State Wetland Authority, Chennai for information Please.

Copy submitted to the Chief Engineer, WRD, Chennai Region, Chepauk, Chennai-05 for information Please.


Executive Engineer, WRD.,
Araniyar Basin Division,
Chepauk, Chennai - 600 005.