

Item No. 3:

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

Original Application No. 72/2017 (SZ)

IN THE MATTER OF

Puducherry Environment

Protection Association

...Applicant(s)

With

Union of India and Others.

...Respondent(s)

Date of hearing: 26.05.2020.

CORM:

HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER

HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER

For Applicant(s) : Mr. Yogeshwaran represented Mr. Kamalesh Kannan

For Respondent(s): Mr. M.R. Gokula Krishnan for R1,2 and 10

Mr. Parthasarathy represented by Mr. Kamalesh
Kannan for R7 and R9

Mr. Kamalesh Kannan

ORDER

1. As per order dated 04.02.2020, this Tribunal, after considering the pleadings and submissions of the Advocates, has passed the following order :

“Under such circumstances we feel it appropriate to appoint a Joint Committee comprising of the Chief Wild Life Warden Tamil Nadu and Puducherry, Senior Scientist/ Officer of Regional Office, Ministry of Environment Forest and Climate Change (MoEF&CC), Chennai, an Officer/Scientist from Wetland Authority of both Tamil Nadu and Puducherry State and a Scientist from Wild Life Institute, Dehradun to conduct a study as directed above on this project and submit a report showing the impact of drawal of the water from Ousuddu lake as envisaged by the project and also whether such drawl of the water can be permitted and if so to what extent it can be permitted, keeping in view the protection of the water body for the purpose of maintaining the bio-diversity and the flora, fauna and the migratory birds in that area.

They may also consider the question as to whether any approval is required form the Wildlife Chief Wildlife Warden as well as the National Board of Wildlife for this purpose.

The Regional Office of Ministry of Environment, Forest and Climate Change (MoEF&CC), Chennai will act as nodal agency for the purpose of co-ordination and providing logistics for this purpose.

The committee shall submit the report to this Tribunal through e-mail at ngtszfilng@gmail.com within a period of three months.

The Registry is directed to communicate this order to the concerned authorities through e-mail immediately so as to enable them to comply with the direction. In the meantime the Puducherry Government is also directed to submit their statement as to whether they are still interested in continuing this project and if there is any change the nature of change made by them in the implementation of this project.”

2. The above case was posted to 13.05.2020 for consideration of report.

On 13.05.2020 the matter was adjourned to today by notification.

3. When the matter came up for hearing for today, Mr. M.R.Gokula Krishnan represented Respondent 1, 2 and 10, Mr. Parthasarathy represented by Mr. Kamalesh Kannan represented

Respondent No. 7 and 9. Mr. Kamalesh Kannan has also submitted that counsel for the applicant Sri. Yogeshwaran could not enter appearance for today due to some technical difficulties in his system.

So, his presence could not be obtained through Video Conference today.

4. Sri. Gokula Krishnan wanted some more time to file a report as inspection could not be conducted due to the present pandemic situation due to Corona Virus infected in both the State and Union Territory. So, considering the circumstances, we feel it appropriate to grant two more months time to the committee to submit the report.

1. The committee is directed to submit the report to this Tribunal on or before 10.08.2020 through e-mail or e-filing at ngtszfilling@gmail.com.
2. The Registry is directed to communicate this order to the members of the committee by e-mail immediately, so as to enable them to file comply with the direction.
3. For consideration of report post on 10.08.2020.

O.A.No. 72/2017(SZ)
26th May, 2020.
Sr.

.....J.M.
(Justice K. Ramakrishnan)

.....E.M.
(Shri. SaibalDasgupta)