

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No. 76 of 2022 (SZ)

&

I.A. No. 116 of 2022(SZ)

(Through Video Conference)

IN THE MATTER OF

Damayanti Subray Mesta

...Applicant(s)

Versus

Department of Public Works, Ports and
Inland Water Transport, Bangalore & ors.

...Respondent(s)

Date of hearing: 14.07.2022.

CORAM:

HON'BLE SMT. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE DR. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s):

Ms. Sreeja Chakraborty

For Respondent(s):

Mr. H.K. Vasanth for R3 and R4

ORDER

1. The applicant has raised a question relating to environment arising out of the ongoing project, namely, the construction of 4-lane, 4km long, 25-40 m wide road on ' No Development Zone' of CRZ III area and on CRZ-IA and IB area on forest land in violation of CRZ Notification, 2011 undertaken by the 1st respondent.

2. The dedicated road corridor is to provide port connectivity from the Honnavar Port project of M/s Honnavar Port Private Limited (HPPL) at Kasarkod Tonka to National Highway-66.
3. The allegations of the applicant is that the ongoing construction of the road is spilling over the CRZ areas of Kasarkod village which has impacted the livelihood of fisherwomen who are traditionally engaged in drying and processing fish. The said project is to provide connectivity to HPPL.
4. The Learned Counsel for the applicant stated that originally it was proposed to have over bridge to connect the port for which she is not having any objection but laying of the road on prohibited CRZ area is cause of concern as it is an ecological sensitive area where Olive Ridley Turtle are nesting. Learned Counsel for the applicant also has produced an annexure enlisting the turtle nesting data.
5. By the impugned project, it is alleged that the excavated soil has been dumped on the nesting area ruining the Olive Ridley Turtle breeding.
6. Though, the applicant has made out a prima facie case that the sole object was only to connect HPPL whether it should be by way of over bridge or to encroach upon the CRZ area is the question to be considered. Therefore, Original Application is admitted and notice is issued to the respondents.
7. Mr. H.K. Vasanth accepts notice for respondents 3 and 4.
8. Let notice be issued to rest of the respondent through Tribunal as well as privately by the applicant.

9. Notice returnable on 20.07.2022.

.....J.M.
(Smt. Justice Pushpa Sathyanarayana)

.....E.M.
(Dr. Satyagopal Korlapati)

O.A. No. 76/2022(SZ) &
I.A. No. 116/2022(SZ)
14th July , 2022. (AM)

