

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

**ORIGINAL APPLICATION NO. 128 OF 2021**

In the matter of:

Ibrahim Karim, Munnar

----Applicant

-VS-

State of Kerala, Rep by its Chief Secretary,

Thiruvananthapuram and ors

----Respondent(s)

**COMPILATION OF DOCUMENTS**

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Dated at Chennai on this the 05<sup>th</sup> October, 2023.

  
M/s. **E.K. KUMARESAN**

Standing Counsel for State Government of Kerala - NGT(SZ) Chennai Bench

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, CHENNAI

O.A. No.128 of 2021

Ibrahim Karim  
S/o. Ibrahim  
Pallivasal Estate  
Factory Division  
Munnar P.O., Kerala

... Applicant

Vs

State of Kerala & 5 Ors.

... Respondents

**AFFIDAVIT FILED BY THE 6<sup>th</sup> RESPONDENT**

I, ~~A. M. S.~~ <sup>A. M. S.</sup> working as the Superintending Engineer, Public Works Department (Buildings), South Circle, Government of Kerala, Thiruvananthapuram, do hereby solemnly affirm and sincerely state as follows:

1. It is respectfully submitted that I am the 6<sup>th</sup> Respondent in this Original Application and am fully conversant with the facts of the case as disclosed from the relevant records and hence competent to swear to this Affidavit.

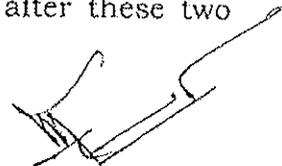
2. It is respectfully submitted that the matter under issue is a 'Public Project', (as defined under Sec.2(xiv) of the Kerala Conservation of Paddy Land & Wetland Act, 2008), of Pilgrim Centre and K.S.R.T.C. Bus Station, Ittiyappara, proposed by the Pazhangadi Panchayat in Ranni, Pathanamthitta District in the year 2000. The project was included and announced as one among the most important projects in the Budget Speech 2009-10. The land was acquired by the Panchayat in two phases, first as per G.O.(Rt) 223/2001/LSGD, Thiruvananthapuram dated 20.01.2001 (Acquired 76.25 Acres of land in re-survey No.258/6, 258/7, 258/8 (258/8+258/8-1+258-1-1), 258/9 (258/9+258/9-1+258/9-1-1) & 258/10) and the second as per G.O.(Rt) 3598/2008/LSGD, Thiruvananthapuram dated 07.10.2008 (Acquired 34.03 area of land in re-survey No.260/2), in total an area of 1 hectare 10 acres and 28 m2. At that time, mutation of the land was effected in the name of K.S.R.T.C. only, but now when the issue



came up, on perusal of the records only, it came to our notice that mutation was effected in the name of K.S.R.T.C. only. As the acquisition is for the project funded by PWD also, necessary proceedings are initiated for correction of revenue records so as to effect mutation of the 'Pilgrim Centre' project land in the name of PWD. There is small 'Thodu' (canal) flowing some 11 meters away from the project site on the eastern side and main thodu approximately 200 meters away on the southern side in the East-West direction, but the boundary of the project site is not sharing with the main 'Thodu' and small 'Thodu'. The properties situated adjacent to the 'Thodu' and in between the project site and the 'Thodu' are having Survey Nos.256, 257, 258/1, 258/2, 258/3 and 258/4. In between, the property adjacent to the 'Thodu' and the project site, there is one more property having Survey No.258/5 in the eastern side also one property having survey No.257/6 is also situated between the small 'thodu' and the construction property. That means the construction land is situated after these adjacent properties on both direction. To be specific, the Project Site is not sharing any common boundary with the 'Thodu' in any direction.

3. It is respectfully submitted that it is pertinent to note that the project land was acquired in the year 2001 and the data bank was prepared in the year 2008 and published on 2012.

4. It is respectfully submitted that it is true that the lands comprising in Survey Nos.258/1, 258/2, 258/6, 258/8, 258/9 & 258/10 are mistakenly marked as 'WETLAND' and included in the data bank. Out of these lands having the same soil property, land having Survey Nos.258/8, 258/8-1, 258/8-1-1 (not recorded as WETLAND), 258/9, 258/9-1 & 258/9-1-1 are marked as WETLAND in data bank. But the lands having Sy.Nos.258/3, 258/4 and 256 sharing boundary with the 'Thodu' and land in Survey No.258/5 having the same soil property with the construction land are marked as 'BUILDING', but included in the data bank. Moreover, buildings are already constructed in land having Survey Nos.258/1 and 258/2 which are also included in the data bank. Hence, the inclusion of construction land not sharing boundary with the 'Thodu' and situated after these two



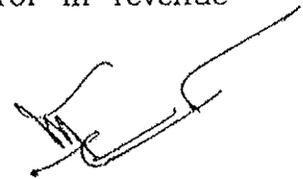
properties in the data bank marking as 'WETLAND' is only a mistake and necessary proceedings are initiated through proper channel for correcting the same and corrections shall be made in the data bank with respect to the land in Survey Nos.258/8 and 258/9 at the earliest.

5. It is respectfully submitted that the mistake committed in the data bank is more clear from column Nos.70 to 75 of the relevant page of the data bank wherein column No.72 shows land in 258/8 is wetland and the extent is 6.75 and in column No.71 land in 258/8-1 which is also shown as wetland the extent is 4.5 and the remaining extent in Survey No.258/8 can only be 2.25, but the area of land in Survey No.258/8-1-1 in column No.70 still showed as 6.75 and it is not wet land also. Similarly, in column No.73, area of land in Survey No.258/9 is 14.4 and in column No.74, the area in survey No.258/9-1 is 6.8 and the remaining area in 258/9 should only be 7.6, but column No.75 shows the remaining area in 258/9 as 14.4. Under Sec.5(3)(i) of the 2008 Act, the Local Level Monitoring Committee can recommend for reclamation of even paddy land for 'Public purpose'.

6. It is respectfully submitted that in the satellite data received from KSREC, it is clearly mentioned that all the lands in the Survey No. belongs to the construction site mentioned having the same nature is 'Paddy', but in data bank, some lands are marked as 'Wet Land'.

7. It is respectfully submitted that because of these errors, a request was made to the Village Officer concerned asking for the area of land in these Survey numbers and by letter dated 07.03.2022, the Village Officer has given the exact area of land in the said survey numbers and its nature shown in the Revenue Records. It was thereafter necessary proceedings are initiated for correction of error in the Revenue Records.

8. It is respectfully submitted that So far as Point No.3.2 of the report of the Joint Committee regarding the Terms of Reference is concerned, construction of the building will be restarted after getting mutation of the project land in the name of PWD and correction of error in revenue records, marked as 'Wet Land'.



9. It is respectfully submitted that so far Point No.3.3 is concerned, on enquiry with the Irrigation Department regarding the flood plain area, it is informed that flood plain areas are not demarcated in the State. Moreover, in so far as the construction land is not sharing boundary with the 'Thodu', there is no chance of any obstruction to the water flow or holding of excess water from the 'Thodu'.

10. It is respectfully submitted that so far as point No.3.7 is concerned, it is on the basis of Revenue Records and considering the entry showing the project land as 'WETLAND' and the entry with respect to the land comprising in Survey No.258/8 and 258/9 in the Revenue Record as 'WETLAND' is only an error and proceedings are already initiated for correction of Revenue Records and it will be done without any delay.

11. It is respectfully submitted that the environmental compensation suggested was for causing damage by converting wetland to normal plain land and the mention of 'wetland' in the Revenue Record being an error and it is about to be corrected by due process, there is no question of 'converting wetland to normal plain land'.

12. It is respectfully submitted that from the nature and lie of the land in question, it will not come under the definition of 'Paddy Land' under Sec.2(xii) or 'wetland' under Sec.2(xvii) of the Kerala Conservation of Paddy Land and Wetland Act, 2008. The High Court of Kerala has held in the case of Matha Nagar Residents Association Vs. District Collector, reported in 2020 (2) KLT 192 that:

'Going by the definition of wetland in order to treat a particular land as wetland, it should have the characteristic features and requirement as is provided under the Act, 2008. Fallow land is never treated as wetland in accordance with the provisions of Act, 2008. It is also significant to note that from the definition of wetland under the Act, 2008, paddy land and rivers are excluded. Merely because the property is lying fallow and water gets logged during rainy season or otherwise due to the low lying nature of



the property, it cannot be termed as wetland or paddy land in contemplation of Act, 2008".

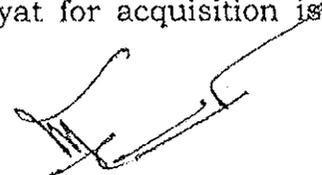
13. It is respectfully submitted that the decision reported as M.K. Balakrishnan Vs. Union of India, (2017) 7 SCC 805 also states about identified wetlands. The Court directed that the application of the principles of R.4 of the Wetlands (Conservation and Management) Rules, 2010 is limited to these 2,01,503 wetlands that have been mapped by the Union of India. The Union of India will identify and intendorise all these 2,01,503 wetlands with the assistance of the State Governments and will also communicate our order to the State Governments which will also bind the State Governments to the effect that these identified 2,01,503 wetlands are subject to the principles of R.4 of the Wetlands (Conservation and Management) Rules, 2010. It is respectfully submitted that the lands in question were not identified as wetlands by any of the said legislations.

14. It is respectfully submitted that regarding the construction in issue before the Hon'ble National Green Tribunal, Writ Petition (C) No.13713 of 2019 was pending before the Hon'ble High Court of Kerala at Ernakulam on the ground of 'Environment Impact' and the Hon'ble National Green Tribunal has already taken note of the said Writ Petition. The Hon'ble High Court of Kerala has dismissed the said Writ Petition (C) No.13713 of 2019 on 05.01.2022 specifically finding that:

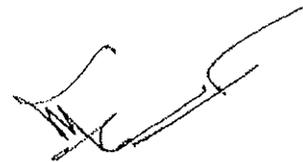
**"We do not find there is any illegality or dereliction of duty, as alleged".**

15. It is respectfully submitted that the Original Application filed before the Hon'ble Tribunal by taking advantage of the error in the Revenue Record is only for causing obstruction to a 'Public Purpose Project' and not maintainable in view of the above, and also the Judgement of the Hon'ble High Court after considering the 'Environment Impact' in detail.

16. It is respectfully submitted that the Copy of G.O.(Rt).223/2001/LSGD dated 20.01.2001 granting permission to the Panchayat for acquisition is



produced as Annex. 1. Copies of letters written by Sri.Raju Abraham, Member of the Kerala Legislative Assembly dated 30.06.2009,25.11.2010 and 17.10.2012 available in the file is produced as Annex-2 to 4 Copy of Certificate No. G1-6046/04 dated 17.11.2004 of the Deputy Director of Panchayat is produced as Annex-5. Copy of G.O.(Rt) No. 1184/09/PWD dated 14.08.2009 giving Administrative Sanction for various projects including the present project in issue is produced as Annex. 6. Copy of the decision taken by the Pazhangadi Grama Panchayat in Ranni dated 18.06.09 for giving land for the project is produced as Annex. 7. Copy of Govt. Order No. 1748/10/PWD dated 20/11/2010 granting fund for acquisition of land for the project is produced as Annex. 8. Copy of letter No. C2-4537/01 dated 09.12.2010 issued by the District Collector for release of the fund for the project is produced as Annex. 9. Copy of Order No. D3-859/A/09 dated 30.11.2010 issued by the Executive Engineer allowing fund for acquisition of the project is produced as Annex. 10. Copy of letter No. C2-4537/01 dated 12.11.2011 issued by the District Collector allowing utilization of fund for the project is produced as Annex. 11. Copy of Order G.O.Rt) No. 1550/2013/PWD dated 27.11.2013 issued by the District Collector granting Administrative Sanction of funds for the project is produced as Annex.12. Copy of letter given to the District Collector to rectify the mistake in Data Bank as Annex. 13. Copy of the sketch showing the alignment of land is produced as Annex-14, Copy of the relevant page of the Data Bank is produced as Annex.15. Copy of the Judgment in Writ Petition O) No. 13713 of 2019 dtd. 05.01.2022 is produced as Annex-16. Copy of letter No. F3-1594/2022 of Tahsildar dated 07.03.2022 showing the Survey numbers of land to be used for the project and its nature showed in the Revenue Record is produced as Annex. 17. Copy of letter of the Village Officer having No. 117/22 dated 07.03.2022 is produced as Annex. 18. Copy of the minutes of the meeting dated 22.03.2022 is produced as Annex. 19( **To be Enclosed**). Copy of Satellite data report received from KSREC as Annex. 20.



17. I submit that all the facts stated above are true to the best of my knowledge, belief and information.

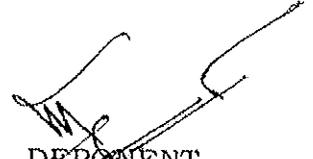
18. Therefore, it is humbly prays this Hon'ble Tribunal consider the reply and pass suitable order and thus render Justice.

Dated at Thiruvananthapuram on this 28<sup>th</sup> day of April, 2022.

Solemnly affirmed and signed at

Thiruvananthapuram on this

the 28<sup>th</sup> day of April, 2022 in my presence



DEPONENT

**LAIJU. M.G**

PEN : 129113

SUPERINTENDING ENGINEER

R.W.D. Buildings South Circle

Thiruvananthapuram

GOVERNMENT OF KERALA

Abstract

Local Self Government Department – Ranni-Pazhavangadi Gram Panchayat

**Order granting prior sanction to acquire 1 Hec. 12 Are 68 Sq.mtr. land  
for establishing KSRTC Bus Depot**

**LOCAL SELF GOVERNMENT (B) DEPARTMENT**

**G.O.(R.T) 223/2001/L.S.G. Thiruvananthapuram, 20.01.2001**

Reference: (1) Decision No.5 (2) of Ranni-Pazhavangadi Grama Panchayat dated 24.11.2000  
(2) Letter No.C5/349/2000 dated 5.12.2000 of Ranni-Pazhavangadi Grama Panchayat  
President

**ORDER**

1. Ranni-Pazhavangadi Pannchayat had requested the Government as per the decision in the subject one, to give sanction for acquiring 1 Hectare 12 Are 68 Sq.mtrs. land for establishing KSRTC Bus Depot for development of Pazhavangadi Panchayat in Ranni, Pathanamthitta District.
2. Government examined this matter considering the interest of the Panchayat and the requirement of establishing a KSRTC bus depot at the place, it is hereby ordered granting permission to Ranni-Pazhavangadi Panchayat to acquire by including in the urgency class as per land acquisition law and give prior possession of 1 Hectare 12 Are 68 Sq.mtr. land in Survey numbers 259/11, 259/10, 258/9, 258/6, 258/8, 258/7 and 258/10 for establishing KSRTC Sub-depot
3. It is made clear that the Government shall not have any financial burden in this matter, the Panchayat shall make available to the District Collector in advance, the amount required for acquisition of land, and in case of any litigation in this matter, the Panchayat shall be fully responsible for the same also.

By order of Governor  
A. Nelson  
Jt. Secretary

The District Collector, Pathanamthitta  
..... Director, Thiruvananthapuram  
District Collector, Pathanamthitta

1060/VIP/12/M(W)/2890 13.12.12

ANNEXURE - 2

Raju Abraham  
(Ranni) Member, Kerala Legislative Assembly  
Kandanatti (PO), Angadi, Ranni  
Thiruvananthapuram (Ph: 0471-2512258)

Phone : Office : 04735-227077  
Residence : 04735-225090  
Mobile : 94471 225090

Camp: .....

Date :

Kandanatt  
Angadi P.O.  
Ranni

The Executive Engineer  
PWD Building

Estimate is given of 10.5 Crore for Sabarimala Pilgrim Centre, 1.52 Crore for Ranni Rest House annex, 5.22 crore for Vechuchira Polytechnic, 4.85 crore for Ranni Taluk Hospital O.P. Block, crore for Pamba Nilakkal guest houses, 3.75 for Ranni working women's hostel, included in the budget speech.

It is urged that there should be space for parking 2000 vehicles and semi-permanent garage for parking 20 heavy vehicles in Sabarimala Pilgrim Centre. Inside the building there should be 5000 chairs, sound system required for the devotees, space for resting, rooms, furniture, plumbing and electric equipments.

Sd/-  
Raju Abraham

ANNEXURE - 3

Raju Abraham  
(Ranni) Member, Kerala Legislative Assembly  
Kandanatti (PO), Angadi, Ranni  
Thiruvananthapuram (Ph: 0471-2512258)

Phone : Office : 04735-227077  
Residence : 04735-225090  
Mobile : 94471 25090

Place: Ranni

Date : 25.11.2020

The Executive Engineer  
PWD Building

It is urged that the design now prepared for Sabarimala Pilgrim Centre constructing at Ittiyapara may be modified as follows:

- Construct Pilgrim Centre having 12 floors;
- Construct place for 1000 vehicles to park on four sides;
- Dining hall, kitchen, toilet, shops etc. required for the pilgrims at ground & 1<sup>st</sup> floors
- 2<sup>nd</sup> floor enabling 5000 people to rest;
- From 3<sup>rd</sup> floor to 11<sup>th</sup> floor, halls etc. for resting, having temple arrangements and facilities for performing pooja and connected things;
- Toilets, electric-plumbing facilities and furniture in every floor;
- In the ground, bio-treatment plants to sanitize toilets, generators.
- In the first phase, 5000 chairs, stage facilities for using at times other than season in the 2<sup>nd</sup> floor hall for resting 5000 people

Sd/- Raju Abraham

AE(W) – put up letter addressing Chief Architect  
(initial) xxxx / 25.11.

E.E.

ANNEXURE - 4

Raju Abraham  
(Ranni) Member, Kerala Legislative Assembly  
Kandanatti (PO), Angadi, Ranni  
Thiruvananthapuram (Ph: 0471-2512258)

Phone : Office : 04735-227077  
Residence : 04735-225090  
Mobile : 94471 25090

Camp: Ranni  
Date : 17.10.2012

Dear Sri V.K. Ibrahim Kunj  
Hon'ble PWD Minister  
Thiruvananthapuram.

Exe. Engr. (Builds) – take necessary action.

Sabarimala Pilgrim Centre, is the project published as the most important among the 100 days action plan declared after the Government came into power. As per the decision of the higher level committee convened by you, yourself in the chamber, its estimate is made as two phase, Phase II 14.50 Crore rupees, phase III 26.10 crore rupees made available to your goodself for sanction. It is requested that by giving administrative sanction on the next AS committee for these works which have provision in volume 1 of the budget, the well being of the pilgrims and the promise of the government may be fulfilled.

Faithfully

Sd/-

Raju Abraham

Panchayat Deputy Collector Officer  
Pathanamthitta, Date: 17.11.2004

No.G1-6046/04

CERTIFICATE OF LAND STABILITY

A total of One Hectare 99 Are 33.6 Sq.mtr of land mentioned in decision-II dated 25.10.2004, 4(1) dated 10.11.2004 of Ranni-Pazhavangadi Grama Panchayat and proposed to acquire for KSRTC bus stand, comprising in Ranni Taluk, Ranni Pazhavangadi village Survey No.257/6, 33.98 Are, Survey No.258/1 to 258/10 165.35 Are, Survey No.260/2 00.60 Sq.mtr. was directly inspected. Accordingly, it is hereby certified that 33.98 Ares of Survey No.258/1 to 258/10, 00.60 Sq.mtrs. of land comprising in Survey No.260/2 altogether one Hectare 99 Are 33.6 Sq.mtr. of land is suitable for KSRTC bus stand construction.

Sd/-  
Radhakrishnan Nair  
Panchayat Assistant Director  
holding the Additional Charge of  
Panchayat Deputy Director

RANNI-PAZHAVANGADI GRAMA PANCHAYAT  
Decision No.II(1) of the Ordinary Meeting held on 18.06.2009

Committee unanimously decided to give land required for constructing Pilgrim Centre for Sabarimala Pilgrims in the land belongs to Ranni-Pazhavangadi Grama Panchayat.

Sd/-  
President

// true copy //

Sd/-  
Secretary (Special Grade)  
Ranni Pazhavangadi Grama Panchayat

## GOVERNMENT OF KERALA

## Abstract

Works- Roads & Bridges- Administrative Sanction and Special Sanction for works during the year 2009-10- Sanction accorded - Orders issued.

Public Works (C) Department

G.O.(R) No:1184/09/PWD

Dated . 14.08.2009, Thiruvananthapuram

- Read: 1. Rough Cost Estimates furnished by Chief Engineer, Buildings & Local Works, Thiruvananthapuram.  
2. Minutes of the Administrative Sanction Committee held on 07.08.2009

## ORDER

The Chief Engineer, Buildings & Local Works, submitted rough cost estimates for various works for issuing Administrative Sanction during the financial year 2009-10. The Administrative Sanction Committee held on 07.08.2009 recommended to issue Administrative Sanction for 85 Building works, for an amount of Rs.187.73 crores.

2.The Government have examined the matter in detail and are pleased to accord Administrative Sanction and Special Sanction for 85 Building works, for a total amount of Rs.187.73 crores, in the year 2009-10 as per the list appended to this order and subject to the following conditions:

- 1.Works shall be tendered only if hindrance free land is readily available.
- 2.Validity of the Administrative Sanction shall be limited to two years from the date of issue.

By Order of the Governor

Tom Jose

Principal Secretary to Government

To

The Chief Engineer, Roads & Bridges, Thiruvananthapuram  
Superintending Engineer, Roads & Bridges, South Circle, TVPM/ Central Circle, Aluva/  
North Circle, Kozhikode  
The Accountant General (A&E / Audit), Kerala, Thiruvananthapuram  
The General Administration (S.C) vide agenda item no: 3585 dated 12.08.2009.  
The Finance Department  
S/E, O/c

Copy to:

The Private Secretary to the Minister for Works

Approved for issue

Section Officer

29	Construction of Adoor General Hospital Building (3rd Phase)	300.00
30	Construction of Thiruvalla Taluk Hospital IP Block (First Phase)	650.00
31	Ittiyappara - Sabarimala Pilgrim centre	500.00
32	Velliyanoor Panchayat Office Building	100.00
33	Construction building to Teekoy THS	150.00
34	New Building to Kanjirappally Taluk Hospital	250.00
35	Judicial Complex at Chethimattom Pala (Phase 1)	260.00
36	Kanjirappally Court Complex	280.00
37	Construction of Mini Civil Station at Ponkunnam	400.00
38	Kaduthuruthy Mini Civil Station	350.00
39	Construction of Fire & Rescue Station at Peerumade	101.00
40	Devikulam Mini Civil Station	150.00
41	Building to Nedumkandam Taluk Hospital	200.00
42	Construction of Girls and Boys Hostel, Canteen and Staff Quarters to Vandiperiyar Polytechnic	293.00
43	Building to Udumbanchola Polytechnic College	300.00
44	Mega Office Complex of Taxes Department at Kutcherry	100.00
45	Construction of second phase of Aluva Civil Station	150.00
46	Kothamangalam Mini Civil Station	150.00
47	Kolencherry Court Complex	200.00
48	Building for Women and Children Block in Muvattupuzha Taluk Hospital	300.00
49	Thrissur Chembukavu Mini Civil Station (Second phase of Thrissur Civil Station)	135.00
50	Construction of Thalappally Taluk Civil Station	150.00
51	Construction of Mala Civil Station	150.00
52	Mini Civil Station at Anthikkad	150.00
53	Mini Civil Station Kodungaloor	170.00
54	Kunnamkulam Keezhur Govt Polytechnic Materail Testing Lab Building	250.00
55	Construction of Thrissur Court Complex	484.00
56	Construction of Thrithala MRS Hostel for Girls	100.00
57	Construction of Prakulam MRS Hostel	100.00
58	Judicial Officers flat at ottapalam	100.00

- 15 -

Annexure -

Date: 28.2.2011

REPORT

Sir,

Subject: Regarding handing over of Ranni-Pazhavangadi KSRTC Bus stand to Ranni-Pazhavangadi Grama Panchayat Secretary

Reference: Letter No.B-125/2001 dated 18.02.2001

Politely invite your attention to the reference. 01.1028 Hectare land comprising in Pazhavangadi Village BL-9 Re-Survey 258/6, 258/7, 258/8, 258/9, 258/10, 260/2 taken for Ponnunvila for Ranni-Pazhavangadi KSRTC bus stand is acquired to the Government and handed over to the Ranni Pavazhangadi Grama Panchayat Secretary today. Submitting the sketch of properties handed over and 2 copies of mahazar along with this.

Faithfully,

Sd/- 28.2.2011  
Abraham P.J.

Sd/-  
Sibi George SR

GOVERNMENT OF KERALA

- Abstract -

Public Works Department – Sanctioning amount from the 5 Crore rupees for which Administrative sanction is granted by including in stimulus package for acquisition of land for constructing building for Sabarimala Pilgrim Centre and KSRTC Bus stand in Pazhavangadi Village – Orders – issued.

PUBLIC WORKS (E) DEPARTMENT

G.O.(Rt) No.1748/10/PWD

Thiruvananthapuram  
Dt. 20/11/2010

Reference: 1. G.O.(Rt) No.1184/09/PWD date 8.9.2009  
2. Letter No.C2-4537/01 of District Collector, Pathanamthitta dated 13.09.2010

ORDER

As per reference 1, order issued by giving Administrative Sanction and Special Sanction of five crores by including in stimulus project for construction work of Ittiyappara-Sabarimala Pilgrim Centre proposed to be constructed in the Ranni-Pazhavangadi Grama Panchayat, Pazhavangadi Village, Ranni Taluk in Pathanamthitta District.

2. It is informed as per reference two, letter of District Collector that 75 lakh rupees is required for acquisition of land for construction project of Sabarimala Pilgrim Centre and KSRTC Bus stand.

3. It is recommended as per reference three, letter of Chief Engineer, Building section, that out of five crores rupees sanctioned in the stimulus package, 72.69 lakh rupees can be spent for land acquisition for the said projects.

4. Government elaborately examined this matter and ordered by allowing 72.69 lakh (seventy two lakhs sixty nine thousand rupees) from the 5 crore rupees (five crore) for which Administrative Sanction and Special Sanction was accorded by including in the stimulus project for acquisition of land for the said project Sabarimala Pilgrim Centre and KSRTC bus stand proposed to be constructed in the Ranni-Pazhavangadi Grama Panchayat, Pazhavangadi Village, Ranni Taluk

By order of Governor

A.P.S. Sreekumar  
Addl. Secretary

Chief Engineer (Building Section/Roads & Bridges)  
District Collector, Pathanamthitta  
Accountant General (A&E/Audit), Kerala, Thiruvananthapuram  
Finance Department  
Devaswam Department  
Office File

By Order  
Section Officer

Assistant Engineer  
PWD Building Section, Ranni

- 17 -

Annexure -

No. C2-4537/2001

Collectorate,  
Pathanamthitta  
Dated: 09-12-2010

From

District Collector  
Pathanamthitta.

To

The Executive Engineer  
PWD Buildings,  
Pathanamthitta

Sir,

Sub: - I.A-Regarding Sabarimala Pilgrim Centre KSRIC- Bus Stand  
Acquisition of land and construction of building in Pazhavangadi  
Village

Ref: - Your Order No. D3-859/A/09 dated 30-11-2010

Attention is invited for the above reference. An amount of Rs. 72.69 Lakh allotted to District Collector, Pathanamthitta for the acquisition of land for Sabarimala Pilgrim Centre and KSRIC Bus Stand in Pazhavangadi Village at Ranni Taluk. Please give the amount by DD through District Collector or Special Tahzildar. I.A (General). Pathanamthitta.

*Yours Faithfully*

Sd/-  
for DISTRICT COLLECTOR

Copy to Special Tahazildar. I.A (General). Pathanamthitta

**ANNEXURE - 10**

**Office of the Executive Engineer, Public Works Department (Building Section), Pathanamthitta**

**Present: P.K. Rajeev, M. Tech.**

**Subject:** Public Works Department – for construction of building for Sabarimala Pilgrim Centre and KSRTC Bus stand at Pazhavangadi Village in Ranni Taluk- Regarding Land acquisition

**Reference:** 1. G.O.(Gen). No.1748/10/PWD dated 20.11.2010  
2. G.O. (Rt) No.1184/2009/PWD dated 8.9.2010  
3. Letter No. C2-4537/-1 of District Collector, Pathanamthitta dated 13.9.2010

**ORDER NO.D3-859/A09 dated 30.11.2010**

As per reference (3) letter of Pathanamthitta District Collector 75 lakh rupees had been asked from Government for acquiring land for construction of Sabarimala Pilgrim Centre and K.S.R.T.C. bus stand.

As per reference (1) Government Order 72.69 lakhs (seventy two lakhs sixty nine thousand rupees) from the 5 crore rupees for which Administrative Sanction and Special sanction was accorded by including in the stimulus project as per reference (2) has been sanctioned for acquisition of land for the project Sabarimala Pilgrim Centre and K.S.R.T.C. bus stand proposed to be constructed in the Ranni-Pazhavangadi Grama Panchayat, Pazhavangadi Village, Ranni Taluk.

In this circumstances, it is sanctioned for the Pathanamthitta District Collector to utilize the said 72.69 lakhs rupees for the specified land acquisition.

Encl; Copy of order

sd/-

Executive Engineer

District Collector, Pathanamthitta

Copy: Chief Engineer, Public Works Department (Building Section), Thiruvananthapuram

(Reference-Letter No.FB8/4855/10 dated 23.11.10)

District Treasury Officer, Pathanamthitta

Assistant Executive Engineer, Building Sub-Division, Pathanamthitta

ANNEXURE - 11

Proceedings of the District Collector, Pathanamthitta

Present: S. Lalithambika, IAS

No.C2-4537/01

Dt. 12.01.2011

Subject: L.A. regarding land acquisition of Sabarimala Pilgrim Centre & SRTC Bus Stand

- Reference:
- (1) G.O.(Ord.) No.1/48/10 PWD dated 20.11.10
  - (2) Order No.D3-859/A/09 of Executive Engineer, Public Works Dept (Building Section) dated 30.11.10
  - (3) Letter No.D3-859/A/09 of Executive Engineer, Public Works Dept (Building Section) dated 13.12.10
  - (4) Proceedings No.C2-4537/01 dated 31.12.2010 of the District Collector, Pathanamthitta
  - (5) Letter No.D3-859/A/09 of Executive Engineer, Public Works Dept (Building Section) dated 13.12.10

Order has been passed as per reference (1) Government order allowing 72.69 lakhs rupees for acquisition of land for Sabarimala Pilgrim Centre and KSRTC Bus stand at Pazhavangadi Village in Ranni Taluk.

It is informed as per reference (2) and (3) of Executive Engineer, Public Works Dept. (Buildings Section) that the said amount can be used by the District Collector for the acquisition including in the head "4050-01-051-71 stimulus package" and accordingly order had been given on 31.12.10 to transfer the amount to L.A. (General). But it is informed that as per reference (5) PWD Executive Engineer (Buildings Section) withdrew account 4059-01-051-71as per order No.D3-859/A9 of 10.11.11 and amount to be spent in the head of account 8782-00-102-97-02 IAPW.

In this circumstance, it is hereby ordered by cancelling the same number proceedings of this office as per reference (4) of 31.12.10 and authorizing the Special Tahzildar L.A. (General), Pathanamthitta to withdraw from the head 8782-00-102-97-02-IAPW and spend Rs.72.69 lakhs (Seventy Two lakhs sixty nine thousand rupees) for the land acquisition project of Sabarimala Pilgrim Centre & KSRTC Bus stand, Ranni.

Special Tazildhar L.A. (General), Pathanamthitta has to spend the amount after examining the related documents. If any excess amount is paid, Land Acquisition Officer alone shall be responsible for the same.

Sd/-  
District Collector

Special Tazildar L.A. (General), Pathanamthitta  
Copy: Executive Engineer, PWD (Buildings), Pathanamthitta  
District Treasury Officer, Pathanamthitta  
Finance Officer  
Stock file

By order  
Sd/-  
Junior Superintendent

2807

3/12/13

-20- Annex



**GOVERNMENT OF KERALA**

**Abstract**

Public Works Department- Construction of Building for Pilgrim Centre, Ittiyappara, Ranni – Revised Administrative Sanction Accorded - Orders Issued.

**PUBLIC WORKS (E) DEPARTMENT**

**G.O(Rt.)No.1550/2013/PWD**

**Dated, Thiruvananthapuram, 27/11/2013**

EE	
AEF	usw
DA	10
AEI	10
ISI	
ISI	

Read:- 1 GO (Rt) No.1748/2010/PWD dated 20/11/2010  
 2. Letter No.CE/BL/PL1/PTA/1161/2013 dated 23.2.2013, from the Chief Engineer, PWD (Buildings), Thiruvananthapuram

**ORDER**

As per the Government order read above administrative sanction was accorded for an amount of Rs.500 lakh for the 'Construction of Building for Pilgrim Centre, Ittiyappara, Ranni'. Technical Sanction was issued by the Chief Engineer, PWD (Buildings) for Rs.502 lakh. The original proposal was to construct a 12 storeyed building. But the amount sanctioned was just sufficient to construct the foundation of the building and frame of half portion of Ground floor. Hence an estimate was prepared for half portion of the building limiting to the Administrative Sanction amount Rs.5 crore. The work was tendèred and awarded to the contractor Sri. Mathew Korah. But the contractor could not start the work due to shifting of the site to the boundary of the yard where the bus stand was located. As the time of completion expired, the contractor requested to release him from this work and to release his security.

2.A meeting in this regard was convened by Hon'ble Minister (Works) on 13/2/13. Based on the decision taken in the meeting, Chief Engineer (Buildings) has submitted a revised estimate vide her letter read above incorporating all the items required for the completion of the ground floor portion with foundation for twelve storeyed building amounting to 16.5 crore and requested to accord Revised Administrative Sanction.

3. Government have examined the matter in detail and are pleased to accord Revised Administrative Sanction for 'Construction of Building for Pilgrim Centre, Ittiyappara, Ranni Pattanamthitta District' for an amount of Rs. 16.5 crore (Rupees sixteen Crore and fifty lakh only) based on SoR 2012 subject to the following conditions:

.....2.....)

(a) The soil investigation report is for the original proposal of three storeyed building. Recommendations suiting to 12 storeyed structure have to be obtained from the soil investigation agency and modifications if any incorporated while issuing technical sanction

(b) The sufficiency of the land available for the twelve storeyed building for suiting the municipal bylaws has to be ensured before giving technical sanction.

(c) Technical sanction may be issued based on detailed design drawings incorporating changes if any on account of revised recommendations from soil investigation consultants also and copy of technically sanctioned estimate has to be forwarded to Chief Technical Examiner for concurrence.

(By order of the Governor)  
K.SOMARAJAN  
Special Secretary to Government

To

The Chief Engineer, PWD (Buildings), Thiruvananthapuram.  
The Principal Accountant General (Audit), Kerala, Tvpm.  
The Accountant General (A&E), Kerala, Thiruvananthapuram.  
Finance Department [Vide UO.No.57694/Ind&PWB2/13/Fin dated  
23.10.2013]

✓ The Executive Engineer, PWD Buildings Division, Pathanamthitta  
The Information officer, Web& New media  
Stock File/Office Copy

Forwarded/ by order

Mangal  
Section Officer

Encl to ACE (B) sub dr, OIA  
dated 5/12/13 for n/a

BS  
for CE

No. D3-3054/2012 Office of the Executive Engineer  
Public Works Department(Building Section)  
Pathanamthitta-689645  
Phone: 04882 224833  
pwdbuildings@gmail.com  
Date: 16/03/2022

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From

Executive Engineer

To

District Collector  
Pathanamthitta.

Sir,

Subject:- Land in which Ranni Ittiyappara Sabarimala Pilgrim  
Centre exists- Regarding.

Reference:- 1. Case OA 128/2021 before the Hon'ble National  
Green Tribunal.

2. Same number letter of this office dated 14/03/2022.

3. Letter No. OA 128/AGCAMPANNEXE dated  
04.03.2022 received from the Office of the Advocate General, Kerala

Invite your attention to the above subject and  
reference. It is directed to correct the mistake as mentioned in the  
letter received as per reference (3) from the office of the Advocate  
General as part of OA 128/2021 pending before the National Green

Tribunal in connection with construction of Ranni Ittiyappara Sabarimala Pilgrim Centre within the jurisdiction of this office, in conversion of land wherein the said construction goes on. It is seen that some survey numbers of the said land is included in Data bank and some portion of it is recorded as wet land. It can be understood that some mistake is happened in recording only some survey numbers as Paddy/Wet land in the Data Bank, when the nature of the entire land in the said area is 'Nilam'.

It is 110.28 Ares of land which includes Re-survey No. 258/6 (22.85 Are), 258/7 (22.85 Are), 258/8 (13.50 Are), 258/9 (28.80 Are), 258/10 (5.70 Are) and 260/2 (34.03 Are) is what is acquired for construction of Pilgrim Centre. Its conversion is given below.

No.	Re-survey No.	Data Bank order No.	Area		Category of Land		Remarks
			Original (As per survey No.)	Data Bank	FMB	Data Bank	
1	258/10	65	5.70	5.26	Nilam	Building	Difference in Area
2	258/6	66	22.85	22.85	Nilam	Building	----
3	258/8-1-1	70	2.25	6.75	Nilam	Building	Difference in Area
4	258/8-1	71	4.50	4.50	Nilam	Wet land	----
5	258/8	72	6.75	6.75	Nilam	Wet land	----
6	258/9	73	14.40	14.40	Nilam	Wet land	Same survey number
7	258/9	75	14.40	14.40	Nilam	Wet	

						land	included twice
8	258/9-1	74	6.80	6.08	Nilam	Nilam	Difference in Area

It can be seen from the above table that same survey number is repeated, converted and area is recorded incorrectly. Also, when 13.50 Ares of land in survey No. 258/8 was divided as three sub-divisions 258/8, 258/8-1, 258/8-1-1, and 28.80 Are in 258/9 was divided as 258/9, 258/9-1, 258/9-1-1, it is seen that 258/8-1-1 and 258/9-1-1 alone are not included in the category of wet land. It is clear from the land in different sub-divisions in same survey number is categorized as different category, survey numbers are repeated, and the area is incorrect, that mistake has happened while preparing the Data bank.

Another thing mentioned in this case is whether this is flood plain area. For that, in the report given from the Irrigation Department, what is reported is that flood plain area is not categorized in our State and from 2018 onwards this is flood affected area. Further, it is also reported that the said land is sharing boundary with canal. As it is evident from the FMB sketch submitting along with this that the construction land is a portion surrounded by other survey numbers, this land is not sharing boundary with canal, at the time of flood of 2018 75% portion of Pathanamthitta District became flood affected, and by the low-pressure and heavy rain due to the changing climate in the succeeding years most of the areas of Ranni town became flood

affected. It can be factually asserted that the flood caused in this way is not because of the construction works in the said place.

Hence it is requested that the clerical mistake in the Data Bank regarding categorization of land mentioned above to be corrected and a report regarding the flood plain area mentioned in the case may be made available urgently for producing in the said case.

Faithfully,

Sd/-

Executive Engineer

Encl: 1. Copy of letter dated 04.03.2022

Received from the office of  
Advocate General- 1 number.

2. FMB Copy- 1 number

3. Copy of letter No. 117/22 dated  
07.03.2022 of Village Officer, Pazhavangadi.

4. Copy of page of Data Bank including number  
63 to 80.

(9)

Annex

-26-

SKETCH SHOWING THE ALIGNMENT OF LANDS  
PROPOSED FOR ACQUISITION

N  
S

DISTRICT - PUTHUCHERRY

TALUK - RANNY

VILLAGE - PACHAVANSAL

BLOCK NO. 9

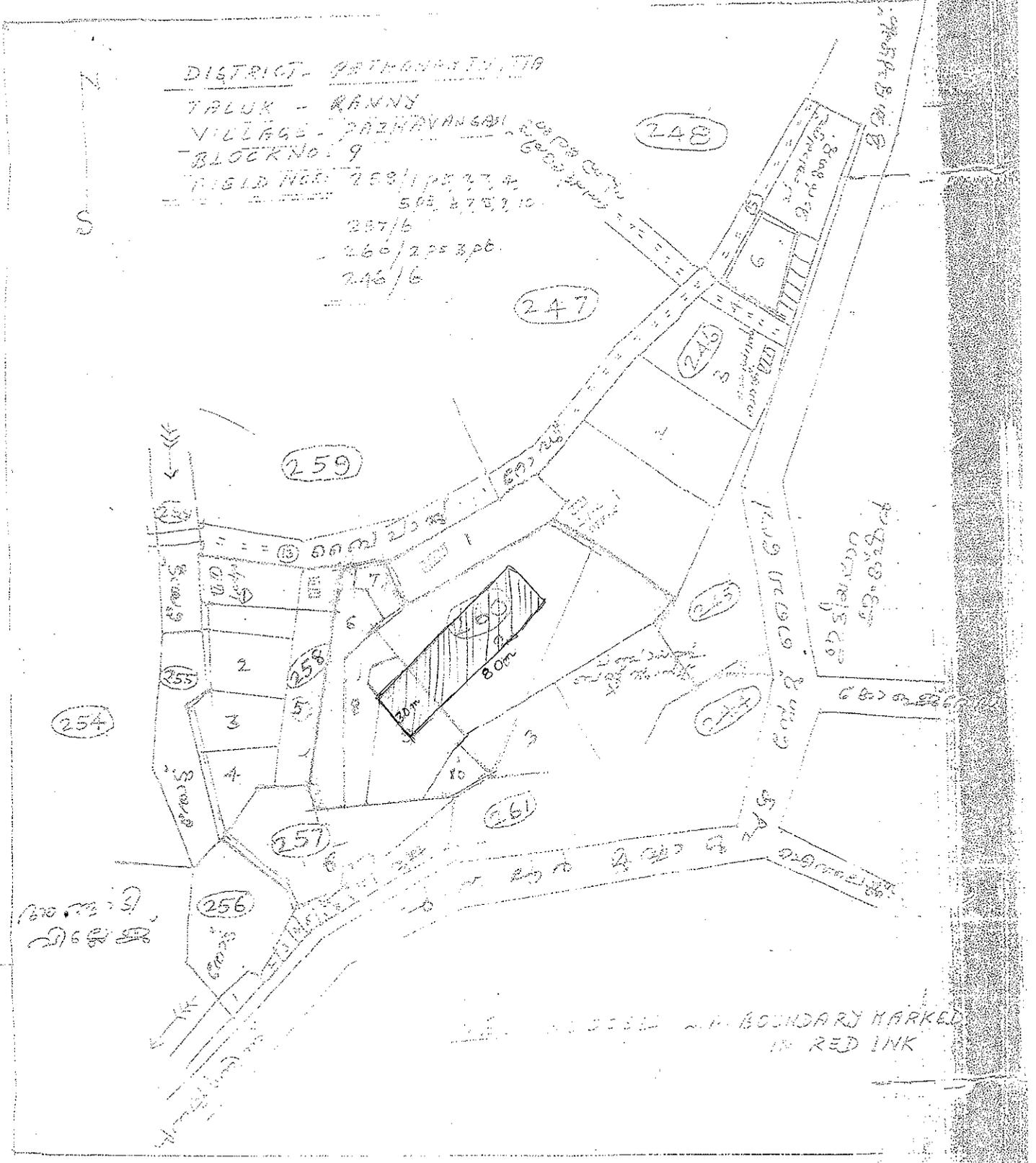
FIELD NOS. 258/1, 258/2, 4

5A, 27, 9, 10

257/6

260/2, 3, 3pb.

246/6



BOUNDARY MARKED  
IN RED INK

	3	4	5	6	7	8	9	10	11	12	13	
63				252/5								
64				252/4								
65				258/10								
66				258/6								
67				258/1								
68				258/1								
69				258/2								
70				258/8-1-1								
71				258/9-1								
72				258/9								
73				258/9-								
74				258/9-1								
75				258/9								
76				260/1								
77				260/3								
78				260/4								
79				260/4								
80				260/7								

M. NUTHUSWAMI  
AGRICULTURAL OFFICER

AGRICULTURE  
TAMIL NADU

260/3-1

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR. S. MANIKUMAR

288  
28/1/22

THE HONOURABLE MR. JUSTICE SHAJI P. CHALY

WEDNESDAY, THE 5<sup>TH</sup> DAY OF JANUARY 2022 / 15<sup>TH</sup> POUSHA, 1943

WP(C) NO. 13713 OF 2019

PETITIONERS:

K. O. JOHNEY  
AGED 56 YEARS  
S/O. PAPPACHAN, KOCHI MEDIA, OPPOSITE ST. ANTONY'S CHURCH,  
KALOOR, ERNAKULAM - 82017  
BY ADVS.  
SRIBIJU ANTONY ALOOR  
SRI. K. P. PRASANTH  
SMT. BHAVNA THAMPI  
SHRI. ARUNRAJ S.  
SHRI. PRASANTH N.O.  
R. G RAGESH CHAND

RESPONDENTS:

- 1 DISTRICT COLLECTOR  
PATHANAMTHITTA, CIVIL STATION,  
PATHANAMTHITTA DISTRICT - 689 645.
- 2 KERALA STATE ENVIRONMENTAL IMPACT ASSESSMENT  
PALLIMOKKU, PETTAH P.O, THIRUVANANTHAPURM, KERALA - 695  
024 REPRESENTED BY ITS CHAIRMAN.
- 3 RANNI - PAZHAVANGADI GRAMA PANCHAYATH  
PANCHAYATH OFFICE, RANNI, PATHANAMTHITTA DISTRICT - 689  
673.
- 4 SECRETARY  
RANNI- PAZHAVANGADI GRAMA PANCHAYAT OFFICE, RANNI,  
PATHANAMTHITTA DISTRICT - 689 673.
- 5 STATE OF KERALA  
REPRESENTED BY SECRETARY, DEPARTMENT OF REVENUE,  
SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
- 6 PUBLIC WORKS DEPARTMENT  
BUILDING DIVISION, PATHANAMTHITTA - 691 523,  
REPRESENTED BY THE EXECUTIVE ENGINEER.
- 7 PRINCIPAL SECRETARY FOREST, FOREST AND WILD LIFE

DEPARTMENT, GOVERNMENT OF KERALA, SECRETARIAT,  
1ST FLOOR, MAIN BLOCK, THIRUVANANTHAPURAM.

8 CHIEF TOWN PLANNING OFFICER, DEPARTMENT OF TOWN  
AND COUNTRY PLANNING, GOVERNMENT OF KERALA, SWARAJ  
BHAVAN, 2ND FLOOR, NANTHANCODE, KOWDIAR. P.O.,  
THIRUVANANTHAPURAM.

9 STATE OF KERALA, REPRESENTED BY CHIEF SECRETARY,  
SECRETARIAT, THIRUVANANTHAPURAM DIST. - 695001.

ADDITIONAL RESPONDENTS 7 TO 9 ARE IMPLEADED AS PER  
ORDER DATED 5/1/2022 IN I.A.NO.2 OF 2021

BY ADVS.

SRI.M.P.SREEKRISHNAN, STANDING COUNSEL FOR R2  
SRI.TEK CHAND, SENIOR GOVERNMENT PLEADER FOR R1,  
R5 & R6

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 05.01.2022, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

**JUDGMENT**

Dated this the 5<sup>th</sup> day of January, 2022

**S. MANIKUMAR, CJ.**

Petitioner has sought for the following reliefs:

*(i) Issue a writ of mandamus or any other appropriate writ directing respondent Nos.1 to 6 to ensure that no building construction more than 20,000 square meter is carried out in the Government land by any person including the 6<sup>th</sup> respondent without obtaining all statutory permission and licenses, including prior environmental clearance.*

*(ii) Issue a writ of mandamus or any other appropriate writ directing 1<sup>st</sup> respondent to do the needful to take cognizance of the offence under the Environment (Protection) Act, 1986 against the persons concerned.*

2. Grounds raised by the petitioner in support of the reliefs are as hereunder:

"A. The constructional activity carried out by the 6<sup>th</sup> respondent in the property of the 5<sup>th</sup> respondent without obtaining various clearances and permissions under the provisions of the EIA Notification, 2006, Kerala Panchayat Raj Act, 1994 and Kerala Land Utilization Order, 1967 is *per se* illegal and is liable to be stopped immediately.

B. The constructional activity carried out by the 6<sup>th</sup> respondent by working hand in glove with the respondents herein according to their whims and fancies without any proper supervision by the proper statutory authorities is clear exploitation of the tax payer's money. Since, the construction is being carried out by the 6<sup>th</sup> respondent without any clearances or permissions, there is no accountability for the same. Since, the respondents No. 1 to 3 who are the competent authorities curtail the act of the 6<sup>th</sup> respondent, is sitting mum over the petitioner's complaint, the petitioner has no other option than to approach this Hon'ble Court for the redressal of his grievance.

C. The petitioner has no other alternate or efficacious remedy than to approach this Hon'ble Court for the invocation of the extra ordinary jurisdiction under Article 226 of the Constitution of India.

D. It is evident from Exhibit P1 that the project of the 6th respondent

exceeds more than 20,000 square metres and hence the same requires prior environmental clearance from the 2<sup>nd</sup> respondent before starting any construction. However, it is seen from Exhibit P3 communication that no prior clearance has been granted to the 5<sup>th</sup> or 6<sup>th</sup> respondent till date for constructing the multi utility complex. This is clear violation of the provision of the EIA Notification, 2006.

E. The 6th respondent ought to have preferred an application under Section 235 F of the Kerala Panchayat Raj Act, 1994 and obtained a building permit from the 3<sup>rd</sup> and 4<sup>th</sup> respondents before starting any constructional activities. However, it is seen from Exhibit P5 communication that no permission has been accorded from the office of the Secretary of the 3<sup>rd</sup> respondent till date to start the constructions activities of the multi utility complex till date. This is clear cut violation of the provisions of the Kerala Panchayat Raj Act, 1994 and the Kerala Panchayat Building Rules.

F. The petitioner has also come to learn from the local residents that the land in question was a 'nilam' till some time back. However, it is learnt reliably that neither the 5th respondent nor the 6th respondent has obtained any permission under the Kerala Conservation of Paddy Land and Wetland Act, 2008 or the Kerala Land Utilization Order, 1967 for use of land for any other purpose. This is per se illegal and is to be curtailed by the 1st respondent.

G. The inaction on the part of the respondents No. 1 to 3 on the illegality committed by the 5<sup>th</sup> and 6<sup>th</sup> respondents is clear dereliction of duty

and clearly indicates that the respondents are working hand in glove to perpetuate the illegality to extort the tax payer's money from the public ex-chequer.

H. The careless manner in which the construction materials are being dumped in the construction site is posing huge threat to the life of the local residents, pedestrians as well as motorists. This is unacceptable and stringent action has to be taken against the illegality done against the public at large."

3. Refuting the averments, the Executive Engineer, Public Works Department, Building Division, Pathanamthitta has filed a counter affidavit dated 1<sup>st</sup> August, 2019, wherein it is contended thus:

"3. It is respectfully submitted that the project in question was proposed by the Member of Legislative Assembly of Ranni Legislative Assembly Constituency as a multi-storied pilgrim centre for Sabarimala Pilgrims within the limits of Ranni-Pazhavangadi Grama Panchayath. The 3<sup>rd</sup> respondent acquired necessary land required for construction of the Pilgrim Centre based on the Order of the Government No. GO(RI) No. 3598/08/LSGD /Tvm. dated 07.10.2008. The administrative sanction for the work was obtained vide GO(Rt) No. 1550/13/PWD dated 27.11.2013 - for an amount of Rs. 16.5 Crores. The technical sanction was obtained

by Order No. CE/L/PTA/2597/11 dated 05.03.2014 of the Chief Engineer, PWD. After obtaining the necessary sanction, the work was tendered and site was handed over to M/s. Rojer Mathew and Company as per Agreement No. 23/SCVSC/14-15 dated 30.09.2014. Pursuant to the handing over of the site to the Contractor for construction, the piling works commenced at the site. It is apposite to mention here that there is no pathway inside the site and trespassers were not allowed to enter the site. No building materials are kept outside the premises where the construction is effected so as to obstruct pedestrian movement. Therefore, the allegation to the effect that the entire area is in a chaotic mess, as a result of building materials being strewn all over obstructing the pathway of pedestrians is made only to suit the Writ Petition.

4. It is respectfully submitted that the allegation in the Writ Petition to the effect that the 2<sup>nd</sup> respondent has not issued any prior environmental clearance to the 5<sup>th</sup> or 6<sup>th</sup> respondent till date for construction of the multi-utility complex is unfounded, in as much as the building now under construction is only having a total area of 18,720.4 M<sup>2</sup>, due to non-availability of funds earmarked for the project. The total area has been reduced to 18,720.4 M<sup>2</sup> from the proposed area of

22351.90 M<sup>2</sup>. Under the circumstances, there is no necessity for prior environmental clearance for construction of the work as the total area of the building in question is less than 20,000 Sq. M. Further as per Rule 5 of the Kerala Panchayath Building Rules, application for development permit is not necessary as the construction is for a State Government Department. Likewise, 6<sup>th</sup> respondent has confirmed with the stipulations necessitated as per Rule 7 of the Kerala Panchayath Building Rules."

4. The said respondent has also filed an additional affidavit dated 28<sup>th</sup> October, 2019, wherein it is contended thus:

"3. It is respectfully submitted that the split up area of the floor in the building in question is given in a tabular form hereunder.

FLOOR	AREA IN SQ.M
Ground Floor	1406.9
Parking	1888.1
First Floor	1228.2
Second Floor	1741.5
Typical Floor (3,4,5,6,7,8 & 9th Floors)	1741.5 X 7 =12190.5
Terrace Floor	
Total Area	18720.4

The Plan of ground floor, 1<sup>st</sup> floor, 2<sup>nd</sup> floor and the floors from 3 to 9 are produced herewith and marked as Exhibit R6(a). The above would show that the total area of the building is 18,720 M<sup>2</sup> excluding 10<sup>th</sup> & 11<sup>th</sup> floor. Under the circumstances, this Honourable Court may be pleased to find that no Environmental Clearance is required as a total area of the building is less than 20000 M<sup>2</sup> and the contention to the contrary is devoid of merit.

In view of the above, this Honourable Court may be pleased to dismiss the Writ Petition and permit the respondents to proceed with the construction of the pilgrimage centre at Ranni, in the interest of justice."

5. Going through the material on record, we found that the respondents have taken a stand that the construction proposed is for Sabarimala pilgrims and that the total area of construction has been reduced to 18720.4 M<sup>2</sup> from the proposed area of 22351.90 M<sup>2</sup>.

6. As there was no supporting materials for the said contention, we directed proof to be filed. Accordingly, a memo dated 8<sup>th</sup> June, 2020 has been filed by the Senior Government Pleader substantiating the contention that construction has been reduced to 18720.4 M<sup>2</sup> and not beyond 20000 M<sup>2</sup>, as provided under the Environment Impact Assessment Notification, 2006.

7. Proceedings of the Chief Engineer, Public Works Department (Buildings), Thiruvananthapuram dated 3<sup>rd</sup> January, 2020, restricting the total area of construction to 18720.4 M<sup>2</sup>, is reproduced hereunder:

*"PROCEEDINGS OF THE CHIEF ENGINEER, PUBLIC WORKS DEPARTMENT  
(BUILDINGS), THIRUVANANTHAPURAM*

(Present:Er. Huygheen Albert)

Sub:- PWD -Sanctioning of Environmental Clearance for the Construction of Pilgrim Centre at Ranni Ittiyappara- Order issued - reg:

- Read: 1) Letter No. 18/PWD(B)SCTVPM/3299/2013 dated 08/11/2019 of the Superintending Engineer of PWD Buildings South Circle, Thiruvananthapuram Read:  
2) Writ Petition No. 13713/2019 filed by Mr. K.O. Johnny  
3) Letter received from Sri. Raju Abraham, M.L.A. of Ranni Constituency dated 23.01.2014

**ORDER NO: CE/BL/PTA/A1/5266/2018 DATED 03/01/2020**

The Superintending Engineer of PWD Buildings South Circle, Thiruvananthapuram has reported vide ref. cited 1<sup>st</sup> that due to inadequacy of funds for construction of the Pilgrim Centre at Ittiyappara and based on the request of the Hon'ble M.L.A. of Ranni Constituency, by excluding the construction of the 10<sup>th</sup> and 11<sup>th</sup> floors, the area of the building would be only 18720/M2 and prior Environmental Clearance is not

required. And also, the Hon'ble MLA of Ranni Constituency requested vide letter cited 3<sup>rd</sup> to rearrange the work by excluding construction of the 10<sup>th</sup> and 11<sup>th</sup> floors of the proposed building.

Hence sanction is hereby accorded to fix the total area of the building as 18720/M2 by excluding the construction of the 10<sup>th</sup> and 11<sup>th</sup> floors of the proposed building.

Sd/-  
CHIEF ENGINEER "

8. In respect of the grounds that permission has not been required from the 3<sup>rd</sup> and 4<sup>th</sup> respondents viz., Ranni – Pazhavangadi Grama Panchayath, Pathanamthitta District and its Secretary, we are satisfied with the reasons assigned in the counter and additional affidavits filed by Public Works Department, Building Division, Pathanamthitta, represented by the Executive Engineer – the 6<sup>th</sup> respondent. We do not find there is any illegality or dereliction of duty, as alleged.

9. Thus, when respondents have filed the proof of restricting the construction of the proposed building to 18720.4 M<sup>2</sup>, there is no need to obtain clearance from the Authorities under the EIA Notification – 2006.

10. Placing on record the above, we are of the view that there is no need to issue any mandamus, as sought for.

Writ petition is dismissed accordingly.

Sd/-

S.MANIKUMAR  
CHIEF JUSTICE

Sd/-

SHAJI P.CHALY  
JUDGE

smv

APPENDIX OF WP(C) 13713/2019

PETITIONER EXHIBITS

- EXHIBIT P1 TRUE PHOTOCOPY OF THE REPLY DATED 16.04.2019 ISSUED FROM THE OFFICE OF THE 6TH RESPONDENT TO THE PETITIONER ALONG WITH ITS ENGLISH TRANSLATION.
- EXHIBIT P2 A TRUE COPY OF THE REPLY DATED 30.07.2018 ISSUED FROM THE OFFICE OF THE 2ND RESPONDENT TO THE PETITIONER ALONG WITH ITS ENGLISH TRANSLATION.
- EXHIBIT P3 A TRUE PHOTOCOPY OF THE DETAILED REPRESENTATION THROUGH EMAIL DATED 14.08.2018 PREFERRED BY THE PETITIONER BEFORE THE 1ST RESPONDENT ALONG WITH ITS ENGLISH TRANSLATION
- EXHIBIT P4 A TRUE PHOTOCOPY OF THE COMMUNICATION DATED 14.11.2018 ISSUED FROM THE OFFICE OF THE 1ST RESPONDENT TO THE PETITIONER BEFORE THE 1ST RESPONDENT ALONG WITH ITS ENGLISH TRANSLATION.
- EXHIBIT P5 A TRUE PHOTOCOPY OF THE COMMUNICATION DATED 20.12.2018 ISSUED BY THE SECRETARY OF THE 3RD RESPONDENT TO THE PETITIONER ALONG WITH ITS ENGLISH TRANSLATION.
- EXHIBIT P6: TRUE COPY OF THE PHOTOGRAPHS

RESPONDENT EXHIBITS

- EXHIBIT R6 (a) TRUE COEY OF THE PLAN OF GROUND FLOOR 1ST FLOOR, 2ND FLOOR AND THE FLOORS FROM 3 TO 9.

-41-

ANNEXURE - 17

Taluk Office, Ranni  
PH & FAX: 04735227442  
E-mail: [rannitahasildar1@gmail.com](mailto:rannitahasildar1@gmail.com)

F3-1594/2022

Date: 07/03/2022

Tahzildar (Land Records)  
Ranni

Assistant Executive Engineer  
Public Works Building Sub-Section  
Pathanamthitta

Sir,

- Sub: 1. Ittiyappara Pilgrim Centre construction – Giving Land details – Regarding.  
2. Report of Taluk Surveyor dated 02/03/2022.

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As per reference, letter is given is for knowing in which are all survey numbers the land acquired and started construction for building Ittiyappara Pilgrim Centre includes. It is reported as per reference (2) that on inspection of land, piling done and pillar installed for the said purpose is in land comprised in re-survey No.258/8, 9, 10, 260/2, Block 9 of Pazhavangadi village. You are informed that it is also reported that all the said sub-divisions are seen recorded 'Nilam' in the re-survey records. It is seen that land comprising in 206/3 is not included in this.

Faithfully,  
Tahzildar (Land Records)

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ANNEXURE - 18

No.117/2022

Village Office, Pazhavangadi  
07.03.2022

Village Officer  
Pazhavangadi

Asst. Engineer  
PWD Building Section, Ranni

Sir,

Sub: Regarding Ranni Ittiyappara Pilgrim Centre land  
Ref: Your letter dated 07.03.2022 without number.

Please see the reference. On examination of Thandapper account 11090, Block 9 of Pazhavangadi Village, it is seen that the said account is started as per order of the Special Tahzildar (L.A.) General (65/12/D dt. 11.01.12) Award No.58/11 dt. 16.02.11 as incoming from Thandapper Nos.9/9187, 9/1549, 9/7066, 9/6815/9/1691, 9/1694, 9/1553. Date of opening of Thandapper account is not mentioned in the register. Basic tax as per this Thandapper from 2012-2013 to 2014-2015 is remitted on 01.10.14. It is seen that last tax payment is made on 15.02.2021 by online mode.

It is reported that in the present inspection of records, except the details mentioned above, no other information or records could be found out from this office.

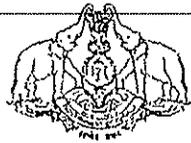
Faithfully,

Sd/-

Village Officer, Pazhavangadi

No.D3-3054/2012

Office of the Executive Engineer  
Public Works Department (Building Section)  
Pathanamthitta 689645  
Phone: 04882-224833  
[pwdbuildings@gmail.com](mailto:pwdbuildings@gmail.com)  
Date: 16/03/2022



Annexure :

Office of the Superintending Engineer,  
P.W.D., Buildings South Circle,  
Public Office Building, Museum. P.O  
Thiruvananthapuram- 695 033

Phone/Fax : 0471-2327898 e-mail: [pwdbuildingsouthcircle@gmail.com](mailto:pwdbuildingsouthcircle@gmail.com) / [sescbl.pwd@kerala.gov.in](mailto:sescbl.pwd@kerala.gov.in)  
Mobile 8086395122

Minutes of meeting on re-starting of Construction of Pilgrim Centre at Ittiyappara,  
Ranni held on 21/05/2022 at 3.00pm via online

The meeting began at 3.00 pm

The list of participants are appended herewith.

An online meeting regarding re-starting of Construction of Pilgrim Centre at Ranni was held by former Principal Secretary, P.W.D. on 22/03/2022 at 3.00 pm. The following decisions were taken on the above meeting.

1. RDO & Agricultural Officer to submit report to Panchyath Secretary. Panchayath Secretary to issue notification regarding whether the land in question is wet land or not before 26/03/2022.
2. Chief Engineer, Buildings to issue satellite image in this regard before 26.03/2022.
3. The Chief Engineer, Irrigation to give report on flood level marking system during the period 2010-11 to Chief Engineer, Buildings.
4. The decision regarding possession of land will be considered later.

Since notification for correction regarding the type of land in data bank can be made only after the decision of Local Level Monitoring Committee (LLMC), Executive Engineer, Pathanamthitta was directed to get clarification regarding the decision of LLMC and type of land acquired for construction was wet land or not, the minutes of meeting held on 22/03/2022 was not approved.

In the above circumstances, in order to sort out the issues and to confirm the decisions of meeting held on 22/03/2022, the Secretary, PWD, has called for a meeting with officials of concerned departments on 21/05/2022 at 3.00pm via online. In the meeting the Additional Secretary PWD has informed the decisions taken in the previous meeting and the above decisions were approved by the participants. In the deliberations, the District Collector, Pathanamthitta has informed that as per the report of LLMC the land allotted for the construction of pilgrim centre at Ittiyappara marked on wet land in some Survey Nos, as per the Data Bank was corrected and accordingly revised Notification issued via Gazette No.1348 Dated, 25/04/2022. Executive Engineer, Pathanamthitta was directed to collect the report in this regard.

The meeting came to an end by 3.15pm

(Cont ?)

List of Participants

1. Secretary, Agricultural Department
2. District Collector, Pathanamthitta.
3. Chief Engineer, P.W.D., Buildings.
4. RDO Adoor
5. Divisional Forest Officer, Ranni
6. Executive Engineer, Planning, Thiruvananthapuram.
7. Executive Engineer, P.W.D., Buildings Division, Pathanamthitta.
8. Superintending Engineer, P.W.D., Buildings South Circle, Thiruvananthapuram.
9. Assistant Engineer, P.W.D., Thiruvananthapuram.
10. Pollution Control Board, Pathanamthitta

Sd/-  
Ajith Kumar IAS  
Secretary

45

കേരള സർക്കാർ  
Government of Kerala  
2022



Regn.No. KERBIL/2012/45073  
dated 05-09-2012 with RNI  
Reg.No.KL/TV(N)/634/2021-2023

# കേരള ഗസറ്റ് KERALA GAZETTE

## അസാധാരണം EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്  
PUBLISHED BY AUTHORITY

വാല്യം 11 Vol. XI	തിരുവനന്തപുരം, തിങ്കൾ	2022 ഏപ്രിൽ 25 25th April 2022	നമ്പർ No.	1348
	Thiruvananthapuram, Monday	1197 മേടം 12 12th Medam 1197 1944 വൈശാഖം 5 5th Vaisakha 1944		

റാന്നി പഴവങ്ങാടി ഗ്രാമപഞ്ചായത്ത്

സി 4/1795/22

25/04/2022

തിരുത്തൽ വിജ്ഞാപനം

പത്തനംതിട്ട ജില്ലയിലെ റാന്നി താലൂക്കിൽ റാന്നി പഴവങ്ങാടി ഗ്രാമപഞ്ചായത്തിൽ പഴവങ്ങാടി വില്ലേജിൽ നിലവിൽ പ്രസിദ്ധീകരിച്ചിരിക്കുന്ന ഡേറ്റാ ബാങ്കിൽ (വോല്യം LVII No 595/03/GP-26 തീയതി 24-03-2012) നിന്നും സർക്കാർ ഉത്തരവ് (സാധാ) നമ്പർ 4592/17/റവന്യൂ തീയതി 31-10-2017 പ്രകാരമുള്ള പരിശോധനകൾ നടത്തിയതിന്റെ അടിസ്ഥാനത്തിൽ പ്രാദേശിക നിരീക്ഷണ സമിതി യോഗത്തിന്റെ 26-03-2022 ലെ തീരുമാന പ്രകാരം ചുവടെ പറയുന്ന വിവരങ്ങൾ ഒഴിവാക്കി ഡേറ്റാ ബാങ്കിൽ തിരുത്തൽ വിജ്ഞാപനം ചെയ്യുന്നു.

(ഒപ്പ്)

സെക്രട്ടറി

റാന്നി പഴവങ്ങാടി ഗ്രാമപഞ്ചായത്ത്

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1	2	3	4	5	6	7	8	9	10	11	12	13
63	*		252/5				മുഖേന, പുഴയിലെ പുഴക്കര, തൃശ്ശൂർ	1523	85			*
64	*		252/4				തൃശ്ശൂർ നഗരം, പുഴക്കര, തൃശ്ശൂർ	1523	14.26			Building
65	*		258/10				മുഖേന, പുഴക്കര, തൃശ്ശൂർ		5.26			
66	*		258/6				മുഖേന, പുഴക്കര, തൃശ്ശൂർ		22.85			
67	*		258/1				മുഖേന, പുഴക്കര, തൃശ്ശൂർ	1544	16.8			
68	*		258/1				മുഖേന, പുഴക്കര, തൃശ്ശൂർ	1544	14.75			
69	*		258/2				മുഖേന, പുഴക്കര, തൃശ്ശൂർ	15705	16.1			
70	*		258/0-1-1				മുഖേന, പുഴക്കര, തൃശ്ശൂർ	6814	6.75			
71	*		258/8-1				മുഖേന, പുഴക്കര, തൃശ്ശൂർ	6814	4.5			Welland
72	*		258/8				മുഖേന, പുഴക്കര, തൃശ്ശൂർ	1551	6.75			
73	*		258/9-				മുഖേന, പുഴക്കര, തൃശ്ശൂർ	6814	14.4			
74	*		258/9-1				മുഖേന, പുഴക്കര, തൃശ്ശൂർ	6814	6.8			
75	*		258/9				മുഖേന, പുഴക്കര, തൃശ്ശൂർ	1552	14.4			
76	*		260/1				മുഖേന, പുഴക്കര, തൃശ്ശൂർ					
77	*		260/1				മുഖേന, പുഴക്കര, തൃശ്ശൂർ		37			Building Bus stand
78	*		260/4				മുഖേന, പുഴക്കര, തൃശ്ശൂർ		29			Bus stand
79	*		260/4				മുഖേന, പുഴക്കര, തൃശ്ശൂർ	1567	29			
80	*		260/7				മുഖേന, പുഴക്കര, തൃശ്ശൂർ	5072	375			





റാന്നി ഇട്ടിയപ്പാറ ഇടത്താവളനിർമ്മാണം പുനരാരംഭിക്കുന്നത് സംബന്ധിച്ച് പൊതുമരാമത്ത് വകുപ്പ് സെക്രട്ടറി ഓൺലൈനായി 21.05.2022-ന് 3.00 Pm ന് വീട്ടിച്ച ചേർത്ത യോഗത്തിന്റെ നടപടിക്കുറിപ്പ്.

യോഗം 3.00 Pm ന് ആരംഭിച്ചു.

യോഗത്തിൽ പങ്കെടുത്തവരുടെ ലിസ്റ്റ് അനുബന്ധമായി ചേർക്കുന്നു.

റാന്നി ഇട്ടിയപ്പാറ ഇടത്താവളനിർമ്മാണം പുനരാരംഭിക്കുന്നത് സംബന്ധിച്ച് പൊതുമരാമത്ത് വകുപ്പ് യൂൺ പ്രിൻസിപ്പൽ സെക്രട്ടറി ബന്ധപ്പെട്ട വകുപ്പുകളുടെ പ്രധിനിധികളെ ഉൾപ്പെടുത്തിക്കൊണ്ട് 22.03.2022-ന് 3.00 മണിക്ക് ഒരു ഓൺലൈൻ യോഗം നടത്തിയിരുന്നു. പ്രസ്തുത മീറ്റിംഗിൽ നടന്ന ചർച്ചയുടെ അടിസ്ഥാനത്തിൽ ചുവടെ പറയുന്ന തീരുമാനങ്ങൾ കൈക്കൊണ്ടിരുന്നു.

1. ആർ.ഡി.ഒ യും , കൃഷി ഓഫീസറും റിപ്പോർട്ട് പഞ്ചായത്ത് സെക്രട്ടറിയ്ക്ക് നൽകേണ്ടതും പഞ്ചായത്ത് സെക്രട്ടറി ടി ഭൂമി wetland ആണോ അല്ലയോ എന്നത് സംബന്ധിച്ച റോട്ടീഫിക്കേഷൻ 26.03.2022 നു മുമ്പ് നൽകേണ്ടതുമാണ്.
2. ചീഫ് എഞ്ചിനീയർ കെട്ടിട വിഭാഗം ഇതു സംബന്ധിച്ച സാറ്റ് ലൈറ്റ് ഇമേജ് 26.03.2022-ന് മുമ്പ് നൽകേണ്ടതാണ്.
3. 2010-11 കാലയളവിൽ flood level marking സംവീധാനം സംബന്ധിച്ച റിപ്പോർട്ട് ഇറിഗേഷൻ സൂപ്രണ്ടിംഗ് ചീഫ് എഞ്ചിനീയർ, കെട്ടിട വിഭാഗം ചീഫ് എഞ്ചിനീയർക്ക് നൽകേണ്ടതാണ്.
4. ടി ഭൂമിയുടെ ഉടമസ്ഥത സംബന്ധിച്ച തീരുമാനം പീനീട് കൈക്കൊള്ളുന്നതാണ്.

റാന്നി ഇട്ടിയപ്പാറ ഇടത്താവളനിർമ്മാണം പുനരാരംഭിക്കുന്നതുമായി ബന്ധപ്പെട്ട ഭൂമി തരം മാറ്റുന്നത് സംബന്ധിച്ച തീരുമാനം ലോക്കൽ ലെവൽ മോണിറ്ററിംഗ് കമ്മറ്റി (LLMC) കൂടി തീരുമാനിച്ച ശേഷം മാത്രമേ തീരുത്തൽ വിജ്ഞാപനം പുറപ്പെടുവിക്കാൻ സാധിക്കുകയുള്ളൂ എന്നതിനാൽ LLMC -യുടെ തീരുമാനവും നിർമ്മാണത്തിനേറ്റേടുത്ത ഭൂമി Wetland ആണോ അല്ലയോ എന്നത് സംബന്ധിച്ച് കൂടുതൽ ക്ലാരിഫിക്കേഷനും പത്തനംതിട്ട എസ്റ്റിമേറ്റിംഗ് എഞ്ചിനീയറോട് ലഭ്യമാക്കുവാൻ ആവശ്യപ്പെട്ടിരുന്നതിനാൽ 22.3.2022ലെ മീറ്റിംഗിന്റെ നടപടിക്കുറിപ്പ് അംഗീകരിച്ചിരുന്നില്ല.

മേൽപ്പറഞ്ഞ സാഹചര്യത്തിൽ ഇടത്താവളനിർമ്മാണ പ്രവൃത്തി പരിഹരിക്കുന്നതിനും, 22.03.2022-ൽ നടന്ന മീറ്റിംഗിലെ തീരുമാനങ്ങളുടെ സമിരീകരണത്തിനും, നിലവിലെ സമിതി അറിയുന്നതിനു വേണ്ടിയും പൊതുമരാമത്ത് വകുപ്പ് സെക്രട്ടറി ബന്ധപ്പെട്ട വകുപ്പുകളുടെ പ്രധിനിധികളെ ഉൾപ്പെടുത്തിക്കൊണ്ട് വീണ്ടും ഒരു യോഗം 21.05.2022-ന് 3.00 pm-ന് ചേരുകയുണ്ടായി. പ്രസ്തുത യോഗത്തിൽ കഴിഞ്ഞ യോഗത്തിലെ തീരുമാനങ്ങൾ

പൊതുതൊഴിലാളി വകുപ്പ് അഡീഷണൽ സെക്രട്ടറി യോഗത്തെ അറിയിക്കുകയും പ്രസ്തുത തിരുമാനങ്ങൾ യോഗത്തിൽ പങ്കെടുത്ത അംഗങ്ങൾ അംഗീകരിക്കുകയും ചെയ്തു. അതിനെത്തുടർന്ന് നടന്ന ചർച്ചയിൽ റാന്നി ഇടിയപ്പാറ ഇടത്താവളനിർമ്മാണത്തിനായി അനുവദിച്ച ഭൂമിയിൽ കുറച്ച് സർവ്വേ നമ്പറുകളിൽ ഉൾപ്പെട്ട ഭൂമി Data bank ൽ Wetland ആയി രേഖപ്പെടുത്തിയിട്ടുള്ളത് പ്രാദേശിക നിരീക്ഷണ സമിതിയുടെ റിപ്പോർട്ടിന്റെ അടിസ്ഥാനത്തിൽ തിരുത്തൽ വരുത്തി 25.04.2022 ലെ ഗസറ്റിൽ 1348 നമ്പറായി വിജ്ഞാപനം ചെയ്തിട്ടുണ്ടെന്ന് പത്തനംതിട്ട ജില്ലാകളക്ടർ യോഗത്തിൽ അറിയിച്ചു. ആയതിന്റെ പകർപ്പ് ശേഖരിക്കുവാൻ പത്തനംതിട്ട എക്സിക്യൂട്ടീവ് എഞ്ചിനീയർക്ക് സെക്രട്ടറി നിർദ്ദേശം നൽകുകയും ചെയ്തു.

യോഗം 3.15 pm ന് അവസാനിച്ചു.

യോഗത്തിൽ പങ്കെടുത്തവർ:-

1. സെക്രട്ടറി, കൃഷി വകുപ്പ്
2. ജില്ലാ കളക്ടർ, പത്തനംതിട്ട
3. ചീഫ് എഞ്ചിനീയർ, കെട്ടിട വിഭാഗം, പൊതുതൊഴിലാളി വകുപ്പ്
4. ആർ.ഡി.ഒ, അടുർ
5. ഡിവിഷണൽ ഹോറസ്റ്റ് ഓഫീസർ, റാന്നി
6. എക്സിക്യൂട്ടീവ് എഞ്ചിനീയർ, പ്ലാനിംഗ്, തിരുവനന്തപുരം
7. എക്സിക്യൂട്ടീവ് എഞ്ചിനീയർ കെട്ടിട വിഭാഗം സബ്ഡിവിഷൻ, പത്തനംതിട്ട
8. സൂപ്രണ്ടിംഗ് എഞ്ചിനീയർ, സൗത്ത് സർക്കിൾ, തിരുവനന്തപുരം
9. അസിസ്റ്റന്റ് എഞ്ചിനീയർ, തിരുവനന്തപുരം
10. പൊഖ്യൂഷൻ കൺട്രോൾ ബോർഡ്, പത്തനംതിട്ട

അജിത് കുമാർ ഐ എ എസ്  
സെക്രട്ടറി

### REPORT ON LANDUSE CHANGE

The Kerala State Remote Sensing & Environment Centre (KSREC), the state nodal agency for remote sensing applications under Department of Planning and Economic Affairs, Thiruvananthapuram had received a request from the Chief Engineer, Kerala Public Works Department, Thiruvananthapuram- letter no. CE/BL/PTA/A1/5266/18 dated 10/03/2022 for land use/ cover change detection report and maps of the survey plots 258/6, 258/7, 258/9, 258/10 and 260/2 in Pazhavangadi village, Ranni taluk of Pathanamthitta district. KSREC had examined the survey plot mentioned in the letter with all available Indian Remote Sensing satellite (IRS) data in the Centre as well as online open source data available in public domain and reporting the following.

#### LOCATION OF THE STUDY AREA

- District - Pathanamthitta
- Taluk - Ranni
- Village - Pazhavangadi
- Survey No - 258/6, 258/7, 258/8, 258/9, 258/10 and 260/2 (Fig.1)

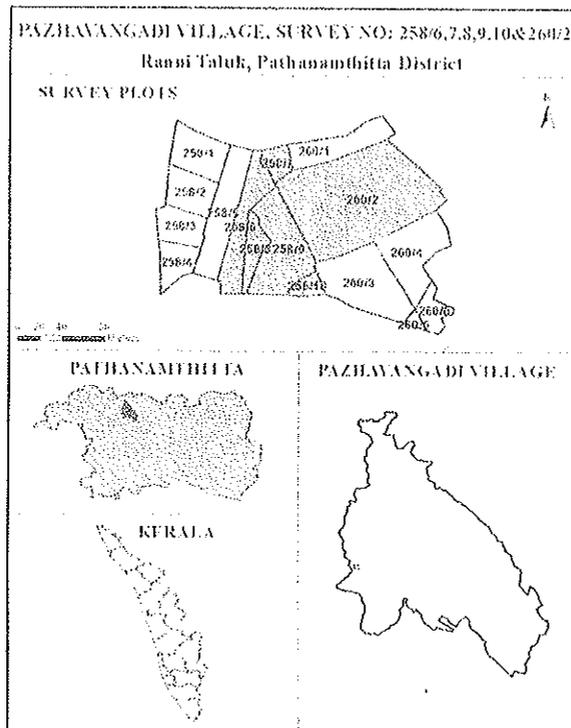


FIGURE - 1. LOCATION OF THE SURVEY PLOT

The survey plots 258/6, 258/7, 258/8, 258/9, 258/10 and 260/2 in Pazhavangadi village, Ranni taluk of Pathanamthitta district was vectorised and located in the Survey of India Toposheet number 58D/14 of 1967 in 1:50,000 scale, using Ground Control Points. The survey plot lies between 9°23'12.8"N to 9°23'14.111"N latitude and 76°47'5.626"E to 76°47'11.281"E longitude

#### DATA USED FOR CHANGE ANALYSIS

The location of the survey plot maps provided is identified in all available data sets using Remote Sensing (RS) and Geographical Information system (GIS). The boundaries of the survey plot mentioned in the request were drawn from the cadastral sheets pertaining to the area.

The following data sets were used for the analysis. The month and year of the satellite data used is mentioned in the respective maps provided for the survey number.

- |                   |   |                                     |
|-------------------|---|-------------------------------------|
| 1. Topo Map       | - | Year 1967 (58D/14 Survey of India)  |
| 2. Cadastral Map  | - | Year 1940 (Survey and land Records) |
| 3. FMB            | - | Survey & Land Records               |
| 4. Satellite data | - | Year 2011 (Google Earth)            |
| 5. Satellite data | - | Year 2013 (Google Earth)            |
| 6. Satellite data | - | Year 2017 (Google Earth)            |
| 7. Satellite data | - | Year 2021 (Google Earth)            |

#### ANALYSIS

High resolution ortho-rectified Indian Remote sensing satellite data products were used for geo-referencing the cadastral maps pertaining to the survey plot and change detection in land use and land cover of the site. **Figure 2** shows the cadastral map of the plot super imposed over Indian Remote Sensing satellite data- Cartosat-1. **Figure.3** is the plot map superimposed / geo-referenced with LISS IV MX of IRS data. These imageries show the spatial reference of plots in ground.

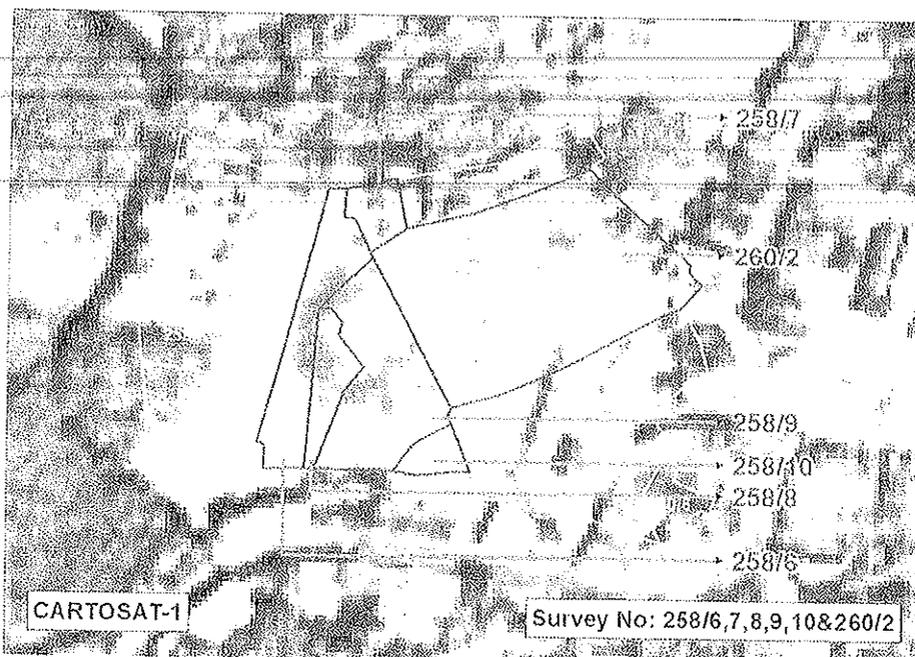


FIGURE – 2. SURVEY PLOT GEO-REFERENCED WITH INDIAN REMOTE SENSING SATELLITE DATA – CARTOSAT-1

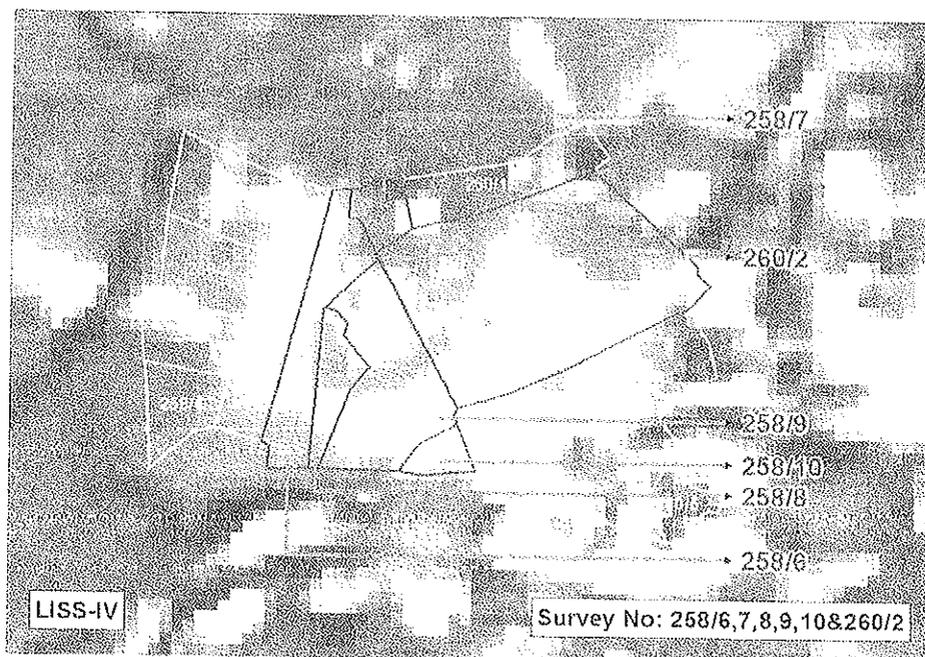


FIGURE – 3. SURVEY PLOT GEO-REFERENCED WITH INDIAN REMOTE SENSING SATELLITE DATA – LISS IV

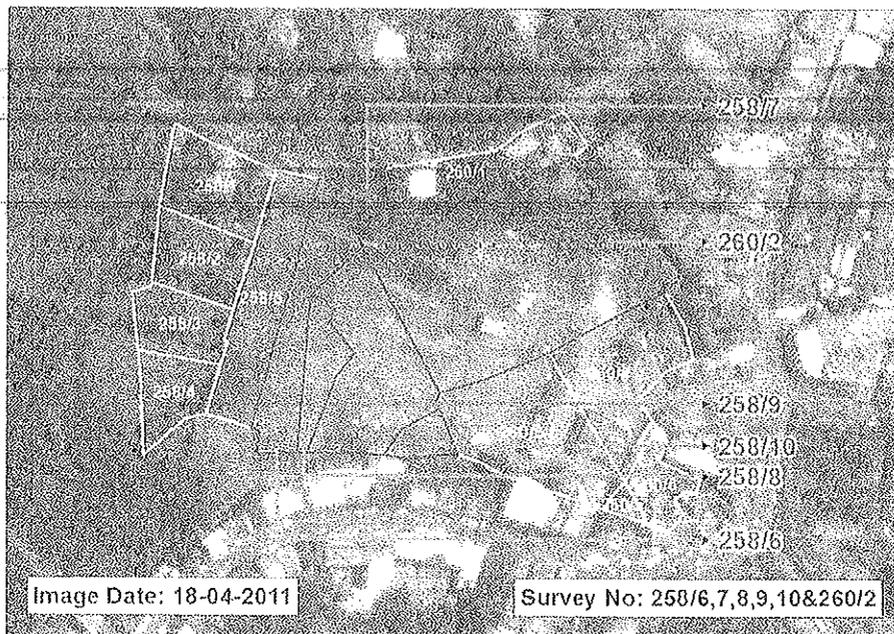


FIGURE -- 4. SURVEY PLOT GEO-REFERENCED WITH 2011 SATELLITE DATA

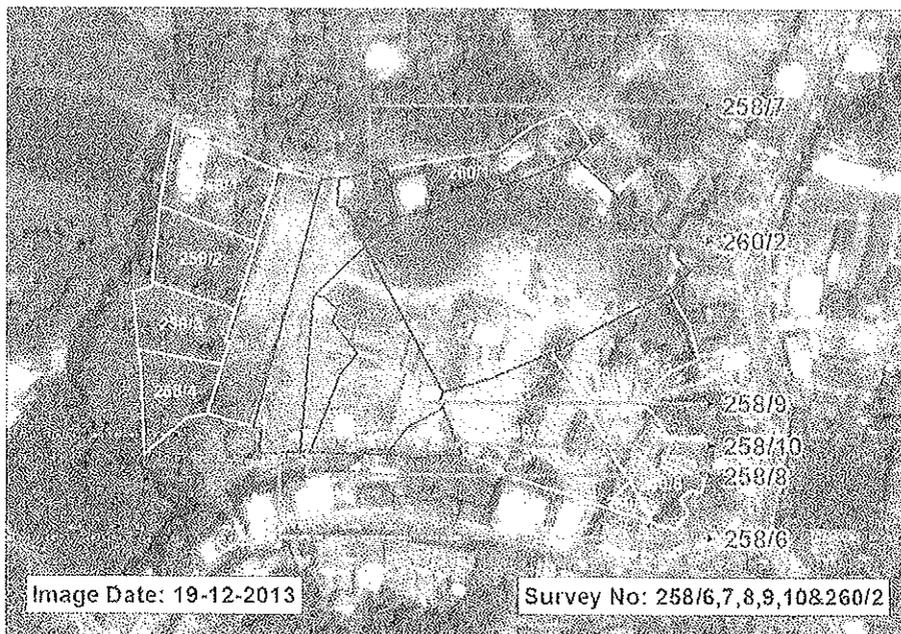


FIGURE -- 5. SURVEY PLOT GEO-REFERENCED WITH 2013 SATELLITE DATA

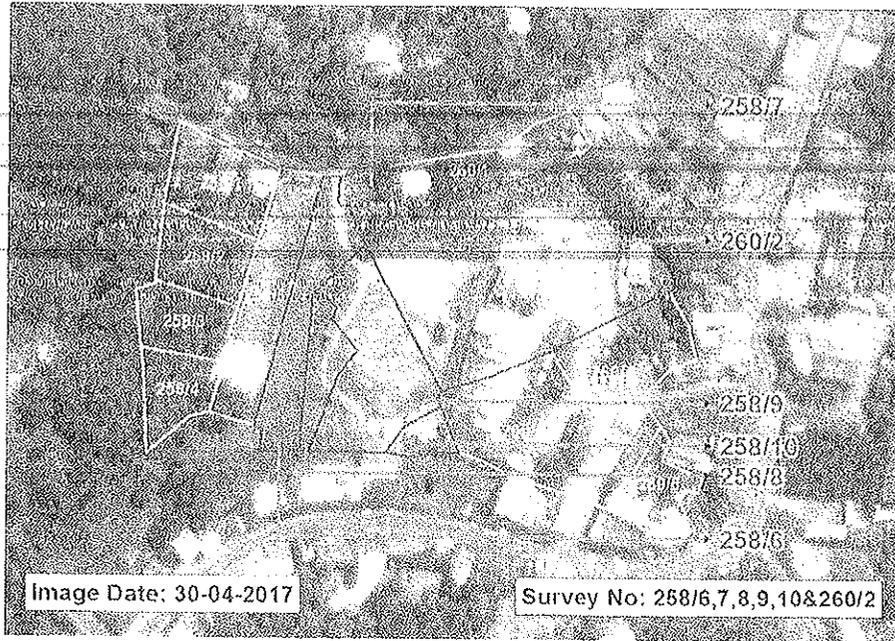


FIGURE -- 6. SURVEY PLOT GEO-REFERENCED WITH 2017 SATELLITE DATA

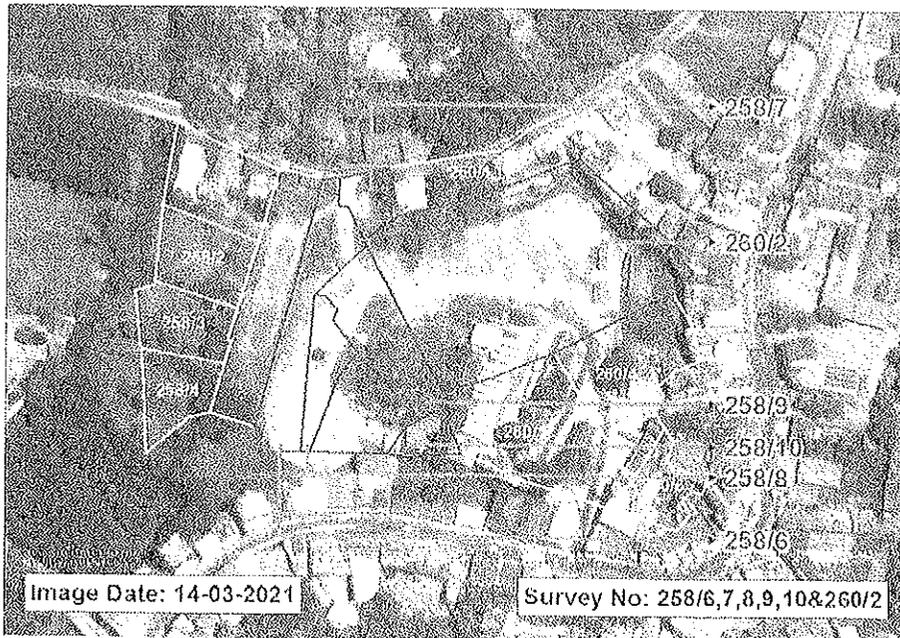


FIGURE -- 7. SURVEY PLOT GEO-REFERENCED WITH 2021 SATELLITE DATA

**SURVEY NUMBER 258/6**

As per the toposheet of 1967, the survey plot 258/6 was observed under paddy land. The plot bordered by a road on north side was observed under exposed soil in the data of 18/04/2011 (Fig: 4). The same landuse pattern was continued in the data of 19/12/2013 (Fig: 5). In addition to the existing landuse pattern, a linear feature represents pathway was align towards north-east side in 30/04/2017 (Fig: 6) data. The same landuse pattern was continued in the data of 14/03/2021 (Fig: 7).

**SURVEY NUMBER 258/7**

As per the toposheet of 1967, the survey plot 258/7 was observed under paddy land. The plot bordered by a road on north side was observed under mixed vegetation/plantation/trees in the data of 18/04/2011 (Fig: 4). The same landuse practices were continued in the data of 19/12/2013 (Fig: 5) and 30/04/2017 (Fig: 6). Further in 14/03/2021 (Fig: 7) data, mixed vegetation/plantation/trees were observed as removed from the predominant area.

**SURVEY NUMBER 258/8**

As per the toposheet of 1967, the survey plot 258/8 was observed under paddy land. The plot was observed under exposed soil in the data of 18/04/2011 (Fig: 4). In addition to the existing landuse pattern, temporary building/structures were observed in the data of 19/12/2013 (Fig: 5) and the 30/04/2017 (Fig: 6) data shows temporary building/structures removed. Plot was observed under exposed soil in the data of 14/03/2021 (Fig: 7).

**SURVEY NUMBER 258/9**

As per the toposheet of 1967, the survey plot 258/9 was observed under paddy land. The plot was observed under exposed soil in the data of 18/04/2011 (Fig: 4). In addition to the existing landuse pattern, temporary building/structures were observed in the data of 19/12/2013 (Fig: 5). The 30/04/2017 (Fig: 6) data shows temporary building/structures removed from the plot. The same landuse pattern was continued in the data of 14/03/2021 (Fig: 7).

### **SURVEY NUMBER 258/10**

As per the toposheet of 1967, the survey plot 258/10 was observed under paddy land. The plot was observed under exposed soil in the data of 18/04/2011 (Fig: 4). The same landuse pattern was continued in the data of 19/12/2013 (Fig: 5). Further in 30/04/2017 (Fig: 6) data, the entire area was observed under building/structures. The same landuse pattern was continued in the data of 14/03/2021 (Fig: 7).

### **SURVEY NUMBER 260/2**

As per the toposheet of 1967, the survey plot 260/2 was observed under paddy land. The plot was observed under exposed soil with building/structure towards south and plantation/trees towards north in the data of 18/04/2011 (Fig: 4). The same landuse practices were continued with additional building/structures in the data of 19/12/2013 (Fig: 5), 30/04/2017 (Fig: 6) and 14/03/2021 (Fig: 7).

### **LIMITATIONS**

This report is prepared based on the observations from the available satellite data of different years without physical verification. Particularly the data of year 2008 is not available.

### **OBSERVATIONS & CONCLUSION**

The analysis has been carried out from all available data sets of toposheet (1967) and different satellite data sets of 2011, 2013, 2017 and 2021 for the survey plot.

As per the toposheet of 1967, the survey plot 258/6 was observed under paddy land. The plot bordered by a road on north side was observed under exposed soil in the data of year 2011 and 2013. In addition to the existing landuse pattern, a linear feature represents pathway was align towards north-east side in 2017 and 2021 data.

As per the toposheet of 1967, the survey plot 258/7 was observed under paddy land. The plot bordered by a road on north side was observed under mixed

vegetation/plantation/trees in the data of year 2011, 2013 and 2017. Further in 2021 data, mixed vegetation/plantation/trees were observed as removed from the predominant area.

As per the toposheet of 1967, the survey plot 258/8 was observed under paddy land. The plot was observed under exposed soil in 2011 data. In addition to the existing landuse pattern, temporary building/structures were observed in 2013. 2017 data shows temporary building/structures were removed. Plot was observed under exposed soil in 2021 data.

As per the toposheet of 1967, the survey plot 258/9 was observed under paddy land. The plot was observed under soil exposed in the data of year 2011. In addition to the existing landuse pattern, temporary building/structures were observed in the data of year 2013. The 2017 and 2021 data shows that temporary building/structures removed from the plot.

As per the toposheet of 1967, the survey plot 258/10 was observed under paddy land. The plot was observed under exposed soil in the data of year 2011 and 2013. Further in 2017 and 2021 data, the entire area was observed under building/structures.

As per the toposheet of 1967, the survey plot 260/2 was observed under paddy land. The plot was observed under exposed soil with building/structure towards south and plantation/trees towards north in the data of year 2011. The same landuse practices were continued with additional building/structures in the data of year 2013, 2017 and 2021.

Dr. S. Jane Mithra  
Scientist, KSREC

**DIRECTOR**  
**KSREC**

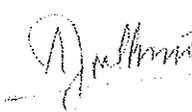
vegetation/plantation/trees in the data of year 2011, 2013 and 2017. Further in 2021 data, mixed vegetation/plantation/trees were observed as removed from the predominant area.

As per the toposheet of 1967, the survey plot 258/8 was observed under paddy land. The plot was observed under exposed soil in 2011 data. In addition to the existing landuse pattern, temporary building/structures were observed in 2013. 2017 data shows temporary building/structures were removed. Plot was observed under exposed soil in 2021 data.

As per the toposheet of 1967, the survey plot 258/9 was observed under paddy land. The plot was observed under soil exposed in the data of year 2011. In addition to the existing landuse pattern, temporary building/structures were observed in the data of year 2013. The 2017 and 2021 data shows that temporary building/structures removed from the plot.

As per the toposheet of 1967, the survey plot 258/10 was observed under paddy land. The plot was observed under exposed soil in the data of year 2011 and 2013. Further in 2017 and 2021 data, the entire area was observed under building/structures.

As per the toposheet of 1967, the survey plot 260/2 was observed under paddy land. The plot was observed under exposed soil with building/structure towards south and plantation/trees towards north in the data of year 2011. The same landuse practices were continued with additional building/structures in the data of year 2013, 2017 and 2021.

  
Dr. S. Jane Mithra  
Scientist, KSREC

  
DIRECTOR  
KSREC

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4471 / 13/10

കേരള സർക്കാർ

സംഗ്രഹം

തദ്ദേശ സ്വയംഭരണ വകുപ്പ് - റാന്നി പഴവങ്ങാടി ഗ്രാമപഞ്ചായത്ത് - കെ.എസ്.ആർ.റ്റി.സി. ബസ് ഡിപ്പോ സ്ഥാപിതമാക്കൽ - സ്ഥലമേറ്റെടുക്കാൻ അനുമതി നൽകിയ സർക്കാർ ഉത്തരവിൽ 260/2 എന്ന സർവ്വേ നമ്പർ കൂടി ഉൾപ്പെടുത്തി ഭേദഗതി ഉത്തരവാകുന്നു.

തദ്ദേശ സ്വയംഭരണ (ആർ.സി) വകുപ്പ്

സ.ഉ. (സാധാ) 2598/2008/ത.സ്വ.ഭ.വ. നിയതി, തിരുവനന്തപുരം, കോടമ്പർ 07, 2008.

- പരാമർശം:
1. 20-01-2001-ലെ സ.ഉ. (സാധാ) നം. 223/2001/ത.സ്വ.ഭ.വ.
  2. റാന്നി പഴവങ്ങാടി ഗ്രാമപഞ്ചായത്തിന്റെ 31-07-2008-ലെ III (1) -ാം നമ്പർ തീരുമാനം.
  3. റാന്നി പഴവങ്ങാടി ഗ്രാമപഞ്ചായത്ത് പ്രസിഡന്റിന്റെ 12-8-2008-ലെ സി.1-335/07 നമ്പർ കത്ത്.

ഉത്തരവ്

പത്തനംതിട്ട ജില്ലയിലെ റാന്നി പഴവങ്ങാടി ഗ്രാമപഞ്ചായത്തിൽ കെ.എസ്.ആർ.റ്റി.സി. ബസ് ഡിപ്പോ സ്ഥാപിതമാക്കുന്നതിനായി റാന്നി പഴവങ്ങാടി വില്ലേജിൽ സർവ്വേ 259/11, 259/10, 258/9, 258/6, 258/8, 258/7, 258/10 എന്നിവയിൽപ്പെട്ട 1 ഹെക്ടർ 12 ആർ 68 ച.മീ.കൃമി അർജൻസി ക്ലോസിൽപ്പെടുമ്പോൾ അക്വയർ ചെയ്യുന്നതിന് പരാമർശം (1) പ്രകാരം അനുമതി നൽകിയിരുന്നു. എന്നാൽ അലൈൻമെന്റിൽ ഉൾപ്പെടുന്ന സർവ്വേ നമ്പർ 260/2ൽപ്പെട്ടതും മറിയാമ മെഡിക്കൽ ട്രസ്റ്റിനുവേണ്ടി മാനേജിംഗ് ട്രസ്റ്റി പനംതോട്ടത്തിൽ ശ്രീ.തോമസ് മാത്യുവിന്റെ പേരിലുള്ളതുമായ 34 ആർ 3 ച.മീ. സ്ഥലം പ്രസ്തുത ഉത്തരവിൽ ഉൾപ്പെട്ടിട്ടില്ലാത്തതിനാൽ ആയതിന്റെ പൊന്നുംവില നടപടിക്രമം നടത്താൻ സാധിക്കാത്ത സാഹചര്യത്തിൽ ആയത് കൂടി ഉൾപ്പെടുത്തി അനുമതി നൽകണമെന്ന് റാന്നി പഴവങ്ങാടി ഗ്രാമപഞ്ചായത്ത് പരാമർശം (2) പ്രകാരം തീരുമാനിച്ചു പരാമർശം (3) പ്രകാരം സർക്കാരിൽ അപേക്ഷിച്ചിട്ടുണ്ട്.

(2) ഈ സാഹചര്യത്തിൽ, പരാമർശം (2)-ലെ തീരുമാനത്തിന്റേ പരാമർശം (3)-ലെ അപേക്ഷപ്രകാരം അടിസ്ഥാനത്തിൽ കെ.എസ്.ആർ.റ്റി.സി. ബസ് ഡിപ്പോ സ്ഥാപിതമാക്കുന്നതിനായി റാന്നി പഴവങ്ങാടി വില്ലേജിൽ സർവ്വേ നമ്പർ 260/2ൽപ്പെട്ടതും സ്വകാര്യ വ്യക്തിയുടെ പേരിലുള്ളതുമായ 34 ആർ 3 ച.മീ. സ്ഥലം അർജൻസി ക്ലോസിൽ അക്വയർ ചെയ്യുന്നതിന് റാന്നി പഴവങ്ങാടി ഗ്രാമപഞ്ചായത്ത് അനുമതി നൽകുന്നു.

(സ്വയംഭരണ)

അടടി ഗ്രാമപഞ്ചായത്തിന് അനുമതി നൽകി ഉത്തരവ് പുറപ്പെടുവിക്കുന്ന  
ാവസ്ഥ വകുപ്പിന്റെ അനുമതി ലഭ്യമാകുന്ന മുറയ്ക്ക് 33.98 ആർ പുറത്തോട്  
ബുധിപ്പടി എടുക്കുന്നതിനുള്ള അനുമതി നൽകുന്നതാണ്.

3. പരാമർശം (1)-ലെ സർക്കാർ ഉത്തരവ് ഇപ്രകാരം ഭേദഗതികളോടെ  
നിലനിൽക്കുന്നതാണ്.

ഗവർണ്ണറുടെ ഉത്തരവിൽ പ്രകാരം.

ടി.ശ്യാമളകുമാരി,  
ഡെപ്യൂട്ടി സെക്രട്ടറി.

- സെക്രട്ടറി, പ്രസിഡന്റ്, റാന്നി പഞ്ചായത്ത് ഗ്രാമപഞ്ചായത്ത്.  
ചത്തനംതിട്ട ജില്ല.
- ജില്ലാ കളക്ടർ, ചത്തനംതിട്ട.
- പഞ്ചായത്ത് ഡയറക്ടർ, തിരുവനന്തപുരം.
- പ്രിൻസിപ്പൽ അക്കൗണ്ടന്റ് ജനറൽ (ആഡിറ്റ്), കോളം, തിരുവനന്തപുരം.
- അക്കൗണ്ടന്റ് ജനറൽ (എ & ഇ), കോളം, തിരുവനന്തപുരം.
- ഡയറക്ടർ, ലോക്കൽ പബ്ലിക് ആഡിറ്റ്, തിരുവനന്തപുരം.
- ഡയറക്ടർ ഇൻ്റർ-ഡെപാർട്ട്മെന്റ് കോളിബറേഷൻ, തിരുവനന്തപുരം പ്രൈംറി  
സെല്ലിലും മറ്റും പ്രസിദ്ധീകരിക്കുന്നതിനായി.
- കമ്മ്യൂണിറ്റി റെലേഷൻ ഓഫീസ് കോപ്പി.

*Rachin*  
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സെക്രട്ടറി, ഗവർണ്ണറുടെ ഉത്തരവ്.

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Transliterated Copy of  
No. 3598/2008/LSGD.

GOVERNMENT OF KERALA

Abstract.

Local Self Govt Department -Ranni Pazhavangadi Grama Panchayat  
Establishment of KSRTC Bus Depot-Inclusion of Sy.No-260/2 amending the Govt Order  
in which sanction was recorded for the land acquisition-Issued order

LOCAL SELF GOVT. (R.C)DEPARTMENT.

GO(Rt)3598/2008/LSGD.

Thiruvananthapuram, Dated 7<sup>th</sup> October, 2008

Ref: 1) GO (Rt) No.223/2001/LSGD Dt 20/01/2001.

2) The Resolution No.III (1) of Ranni, Pazhavangadi Grama Panchayat Dt 31/07/2008.

3) Lr.No.C1/335/07 of President, Ranni, Pazhavangadi Grama Panchayat Dt. 12/08/2008.

ORDER

As per the 'GO' under reference(1) sanction was accorded, under urgent clause, for the acquisition of land having an area of 12 Ares 68 M<sup>2</sup> comprised in survey Nos.259/11, 259/10, 258/6, 258/8, 258/9, 258/7, 258/10 of Pazhavangadi Village in Pathanamthitta District. But the land comprised in Sy.No. 260/2 having an area of 34 Ares 3 M<sup>2</sup> that belongs to Sri.Thomas Mathew, Panamthottathil, the Managing Trustee of Mariyam Medical Trust have not been included in the above Govt Order even though it was included in the alignment. As per the resolution under reference (2) Ranni Pazhavangadi Panchayat resolved to request to include the said survey number vide reference (2) and Ranni, Pazhavangadi Panchayat submitted a requisition before the Government as per the reference (3) for the inclusion of the said land in the Government Order.

In this circumstances, as per the resolution under reference (2) and the requisition under reference (3) sanction is hereby accorded, under urgent clause, to Ranni, Pazhavangadi Panchayat for acquisition of land having an area of 34 Ares 3 M<sup>2</sup> that comprised in Survey No.260/2 in Pazhavangadi Village in Pathanamthitta district which belongs to a Private Person.

Sanction will be accorded for the acquisition of Puramboke land having an area of 33.98 Ares as and when the sanction of the Revenue Department is received.

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-2-

The Government Order under reference (1) will stand as modified by these amendments.

By order of the Governor

T. Syamala Kumari,  
Deputy Secretary.

To

1. Secretary/President Ranni Pazhavangadi Grama Panchayat, Pathanamthitta District.
2. District Collector, Pathanamthitta.
3. Director of Panchayats, Thiruvananthapuram.
4. Principal Accountant General (Audit) Kerala, TVM.
5. Accountant General (A&E) Kerala, Thiruvananthapuram.
6. Director, Local Fund Audit, Thiruvananthapuram.
7. Director, Information Kerala Mission, Thiruvananthapuram.  
(For Publication in Website)
8. Stock File/Office Copy.

Forwarded / By Order  
(sd/-)  
Section Officer.

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# BTR Copy Before 2000

FORM F  
(See Rule 4)

തൃശ്ശൂർ പ്രവിശ്യയിലെ പട്ടണങ്ങൾ

1	2		3	4	5	6	7	8	9	10	11	
	12	13									14	15
1802	242	242	1540	1540	1540	1540	1540	1540	1540	1540	1540	1540
1803	242	242	1540	1540	1540	1540	1540	1540	1540	1540	1540	1540
1804	242	242	1540	1540	1540	1540	1540	1540	1540	1540	1540	1540
1805	242	242	1540	1540	1540	1540	1540	1540	1540	1540	1540	1540

True copy  
C.M.O.  
TSCUP  
New District College  
Palakkad



(See Rule 4)

അസിസ്റ്റന്റ് കലക്ടർക്ക് സമർപ്പിക്കേണ്ട രസീദ്

നമ്പർ: 2250

തീയതി: 10/06/2000

ക്രമ നമ്പർ	സർക്കാർ/സംസ്ഥാന സ്വീകരിക്കാൻ തയ്യാറാക്കിയ		പേര്	പി.ഒ. നമ്പർ / മേജർ ഓഫീസ് / മേജർ ഓഫീസ്	പി.ഒ. നമ്പർ	അടവ് നമ്പർ	കു. ഉടമസ്ഥൻ		സംസ്ഥാന / മേജർ ഓഫീസ് / മേജർ ഓഫീസ് നമ്പർ
	പേര്	നമ്പർ					പേര്	നമ്പർ	
1	2	3	4	5	6	7	8	9	10
207	258	242		കോള	05	40	15		കോള
208	258	242		കോള	13	50	15		കോള
209	258	242		കോള	22	80	15		കോള
210	258	242		കോള	05	70	15		കോള

COLLECTOR  
 2/10  
 75000  
 2/10  
 75000





# MINUTES 66

പ്രാദേശിക കിരീടത്ത സമിതി തീർപ്പ് .  
 തീയതി : 26/03/22 സ്ഥലം : പഞ്ചായത്ത് ഹാൾ  
 സമയം : 10.30 ന്ന .

1. Ranjith K. Village Officer Pazhavandur Panchayat  
26/3/22
2. Gireesh Kumar Gireeshma
3. Anitha Anilkumar President
4. M.T. Muthusami Agril Officer

പഴയങ്ങാടി ഗ്രാമപഞ്ചായത്ത് പ്രാദേശിക കിരീടത്ത സമിതി തീർപ്പ് 26/03/22 ന് പഞ്ചായത്ത് ഹാളിൽ വെച്ച് 10.30 ന് ഗ്രാമപഞ്ചായത്ത് പ്രസിഡന്റ് കിഴിനി. അനന്ത ദേവനന്ദൻ കുമാർ അമ്പലമുക്ക് അമ്പലമുക്ക് ക്ഷേത്രത്തിൽ അനുദിച്ച് ഈ തീർപ്പിന്റെ അടിസ്ഥാന പ്രാധാന്യത്തെക്കുറിച്ച് ഉച്ചിഠംഗിസർ വിശദീകരിച്ചു.

പഴയങ്ങാടി വില്ലേജിൽ Block no. 9 ന് തങ്ങൾ നം. 11090 അകത്തു KSRIC ബസ് സ്റ്റാന്റിനു വേണ്ടി പഴയങ്ങാടി ഗ്രാമപഞ്ചായത്ത് എന്ന തങ്ങൾക്കും പട്ടികയുള്ള വസ്തുക്കളുടെ കിലവില അമ്പലം വില്ലേജ് ട്രാക്ടർ വിശദീകരിച്ചു.

കമ്മിറ്റിയുടെ വിശദമായ പര്യവേക്ഷണങ്ങൾ കിലവില അപ്രീകരിച്ചിരിക്കുന്ന ഡാറ്റാബാങ്കിലെ കോളം നം. 13 ന് പാർപ്പിട്ട അകത്തു Wet Land എന്ന ഭരണപരിഷ്കരിക്കുന്ന പുലം ഡാറ്റാബാങ്കിൽ തന്നെ ഒഴിവാക്കുവാൻ കമ്മിറ്റി നിരൂപിക്കുന്നു.

അതേസമയം അകത്തു റിപ്പോർട്ട് നൽകുവാൻ തങ്ങൾ നിന്നുപോകുന്ന പട്ടികയിൽ ചേർക്കുന്നു.

കർമ്മ സാധനങ്ങളിൽ KSRIC Bus Stand എന്ന പേരിൽ ഭരണപരിഷ്കരിക്കുന്ന പട്ടികയ്ക്ക് Sy.No. കമ്മിറ്റി ഡാറ്റാബാങ്കിൽ ഒഴിവാക്കുവാൻ കമ്മിറ്റി നിരൂപിക്കുന്നു.

  
 AGRICULTURAL OFFICER

  
 Anitha Anilkumar  
 PRESIDENT  
 Ranni-Pazhavandur Grama Panchayat

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BLOCK - 9

Extract of  
Thandepet

തണ്ടപ്പേരൂ കണക്ക്

നാമം ..... പഴവണ്ടടി വില്ലേജ്

പട്ടണ നമ്പർ 11090 - പഴവണ്ടടി വില്ലേജിൽ നാമം

തണ്ടപ്പേരൂകാരന്റെ പേര് ..... KSRTE ബസ് സ്റ്റാൻഡിനുവേണ്ടി

പഴവണ്ടടി താലൂക്കിൽ

സർവ്വേ		വിസ്തീർണ്ണം			നിലയാ പുരയിടം	ഭൂമി	അധിഷ്ഠാന നികുതി അല്ലെങ്കിൽ മാതൃഭാഗം	റിമാർക്ക്
നമ്പർ	സബ് ഡിവിഷൻ നമ്പർ	ഹെ.	ആർ.	സ്ക്വയർ മീറ്റർ				
1	2	3			4	5	6	
<p>ബസ് സ്റ്റാൻഡിനുവേണ്ടി (ഭൂമി) ജനറലിന്റെ (65/12/9) dt 11.10.12) Award No. 58/11 dt 16.02.11 ഉത്തരവ് പ്രദാനം ചെയ്ത 9/187, 9/1549, 9/7086, 9/6815 9/1691, 9/1694, 9/1553 എന്നീ തണ്ടപ്പേരിൽ നിന്നും വെട്ടി</p>								
260	2	-	34.03	നിലം	<p>Attachment as per Sult number LAR 174/1991 EP. 20/2007 P Sub court PTA 03 29.10.2015</p>			
258	6	-	22.85	നിലം				
258	7	-	05.40	പാലപ്പാലം				
258	8	-	06.75	നിലം				
258	9	-	14.40	നിലം				
258	8-1-1	-	02.25	നിലം				
258	8-1-2	-	04.50	നിലം				
258	9-1-1	-	08.32	"				
258	9-1-2	-	06.08	"				
258	10	-	05.70	"				
		01. 10. 28						

Village Officer  
PAZHAVANGADI

For  
210  
Dulle  
K. K. K. K.

For താലൂക്കിൻ്റെ (ഭൂമി) നാമം

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Thandapper Extract

Taluk : Ranri

Village Pazhavangadi

Thandapper Number: 11090 ( Block No.9)

Name of Thandapper Holder: Pazhavangadi Grama Panchayathi, For KSRTC Bus stand,  
Ranri

Right transferred from TP numbers 9/9187,9/1549,9/7065,9/6815,9/1691, 9/1694,9/1553  
as per order number 65/12/D dtd 11.10.2012 of The Special Tahsildar , ( Land Acquisition )  
General , Award No. 58/2011 dtd 16.02.2011

Survey		Area			Wet/Dry	Type	Basic Tax	Remarks
Number	Sub division	He	Are	Sq m				
260	2	0	34	03	Wet			
258	6	0	22	85	Wet			
258	7	0	05	40	Dry			
258	8	0	06	75	Wet			
258	9	0	14	40	Wet			
258	8-1-1	0	02	25	Wet			
258	8-1	0	04	50	Wet			
258	9-1-1	0	08	32	Wet			
258	9-1	0	06	08	Wet			
258	10	0	05	70	Wet			

  
**DEPUTY COLLECTOR (L.R)**  
 Collectorate  
 Pathanamthitta

  
**VILLAGE OFFICER**  
**PAZHAVANGADI**

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Local Level Monitoring Committee

Date : 26/03/2022 Time : 10.30am Venu : Pazhavangadi Panchayat Hall

Attendance:

1. Rejani G K Village Officer Pazhavangadi
2. Giressh Kumar S LLMC Member
3. Anitha Anilkumar President Pazhavangadi Gramapanchayat
4. M T Muthuswami Agrcultural Officer KB Pazhavangadi

On 26/03/2022 at 10.30 am in Pazhavangadi Gramapanchayath Community hall Local Level Monitoring Committee meeting was convened, the meeting was Presided by Smt. Anitha Anilkumar, President Pazhavangadi Gramapanchayat.

Agrcultural Officer Krishibhavan Pazhavangadi explained in detail the importance and need to convene such a meeting.

Village Officer Pazhavangadi Village, explained in details about the present position of land in Block No.9 under Thandaper number 11090 owned by Pazhavangadi Gramapanchayat for KSRTC (Kerala State Road Transport Corporation) Bus stand.

As per detailed discussion in the committee and decision taken thereafter, it was decided to omit 'wet land' from column no. 13 in the currently published data bank

The committee entrusted the convenor for submitting the report.

The committee also took decision to omit land areas with survey numbers against which KSRTC bus stand has been mentioned in Data bank

Signed  
Agricultural Officer  
Krishibhavan Pazhavangadi

Signed  
President  
Pazhavangadi Gramapanchayat



17/10/24  
DEPUTY COLLECTOR (L.R.)  
Collectorate  
Pathanamthitta

70

FORM F  
(See Rule 4)

BASIC TAX REGISTER

TALUK: RANNI

VILLAGE: PAZHAVANGADI

Sl No	Survey/Sub division number		Name of land	Type of land (Wet/Dry/Theruvu/Forest/Pu rampoke/Nikuthi Kettathal)	Area He Are M	Basic Tax(Rs)	Land Owner's	
	New	Old					Thandapper Number	Name
1	2	3	4	5	6	7	8	9
1803	258/6			Wet Land	0.2285		1549	Handwritten Name
1804	258/7	242/6-2		Dry Land	0.0540		1550	Sakkariya
1805	258/8	242/5-4		Wet Land	0.1350		1551	Kochu Eappan
1806	258/9	242/5-4		Wet Land	0.2880		1552	Thomas Mathew
1807	258/10	242/4		Wet Land	0.0570		1553	Handwritten Name
1823	260/2	235/1C1, 242/5- 2,235/1C 1,1C2		Wet Land	1.0060		1565	Mathew Mariyamma etc

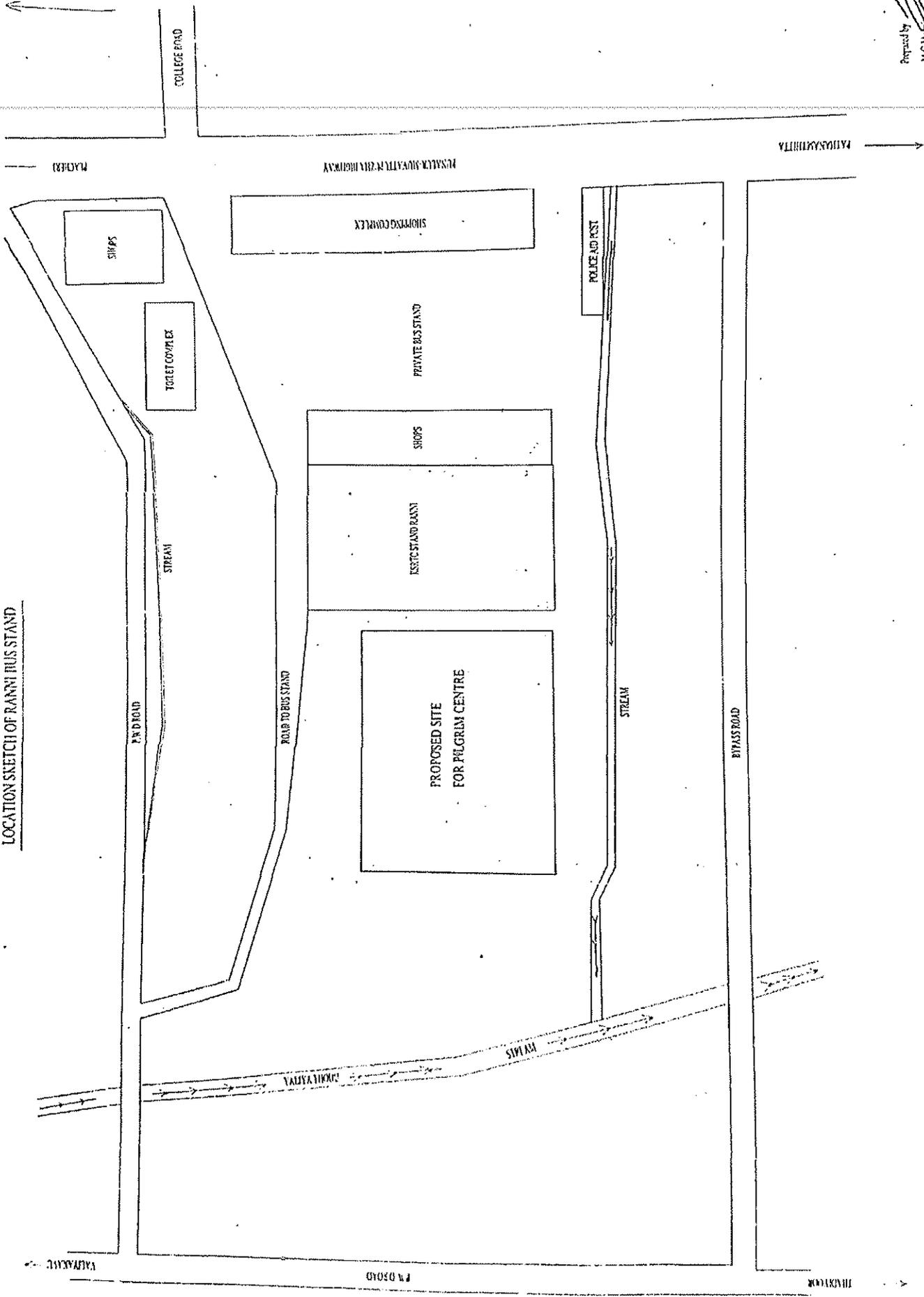
*[Handwritten Signature]*

VILLAGE OFFICER  
PAZHAVANGADI

*[Handwritten Signature]*  
DEPUTY...  
RANNI

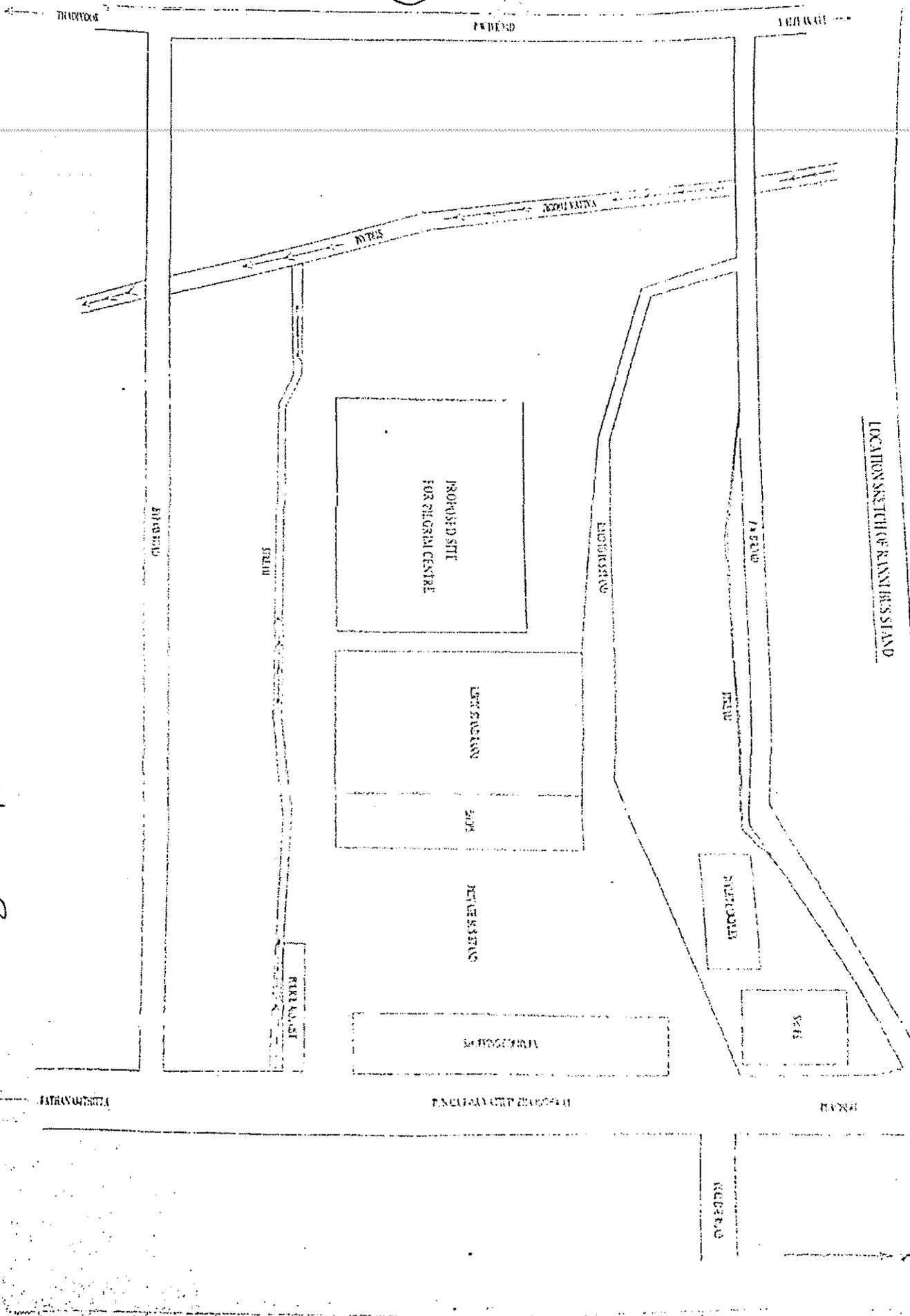
71

Prepared by  
M.C. MATHUR  
TALUK SURVEYOR  
TALUK OFFICE, RAJES



LOCATION SKETCH OF RANNI BUS STAND

72



LOCATION SITE OF RAINI BHS STAND

*Handwritten signature*

Tahsildar (Land Records)  
RANI

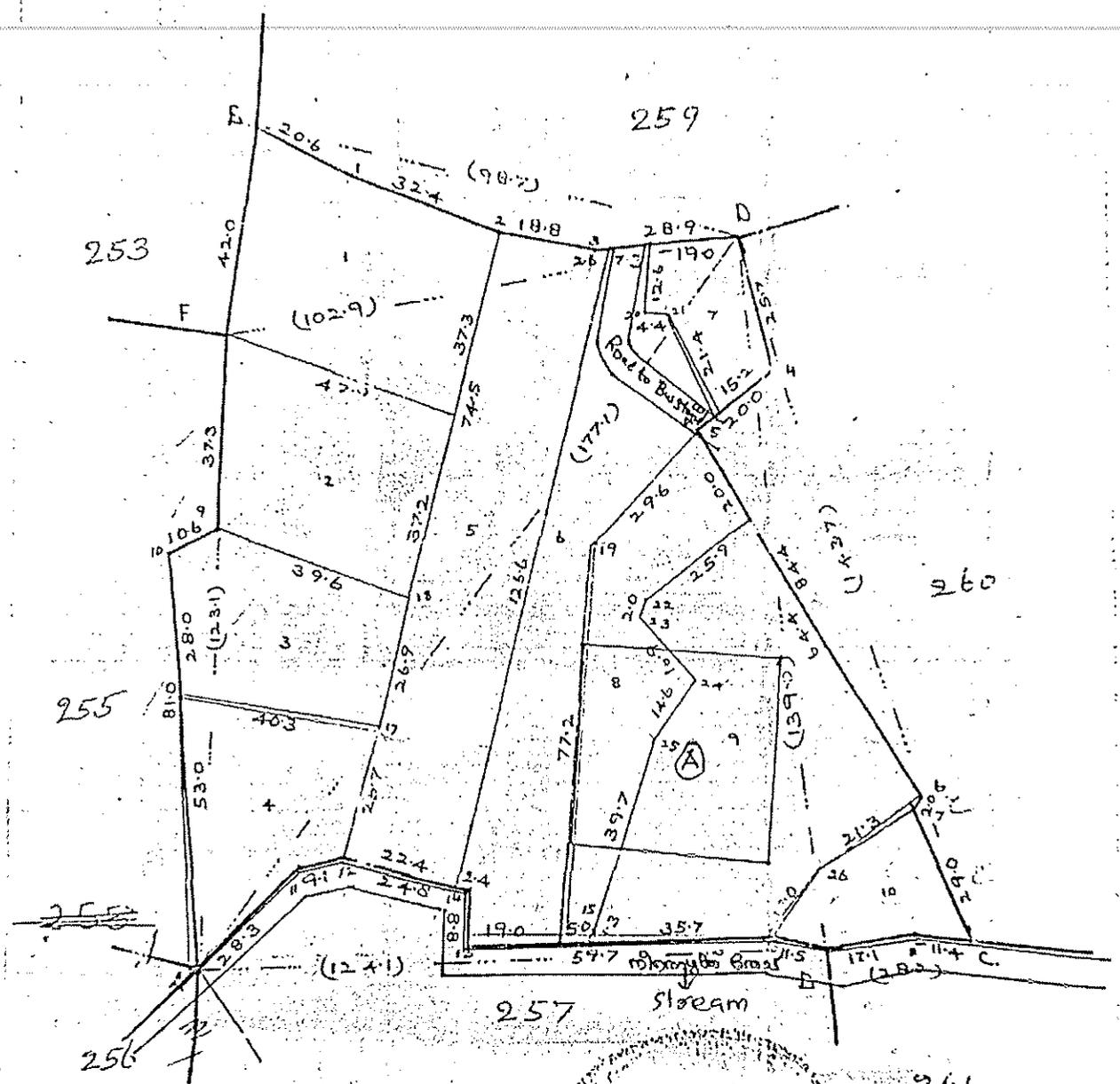
NO RECORDS  
AVAILABLE

73

Dist: Puthanamthitta  
 Taluk: Ranni  
 Village: Puthanamthitta

Field No.  
258

Block No. 9  
 Area: 1.6535 Hectare



A - ചുരിയ തടവിലുള്ള  
 തൊഴിലാളി ഭാഗ്യലക്ഷ്മി  
 തയ്യാറെടുപ്പ്.

A - The part whose  
 piling works completed  
 for the new building.



P. S. ...

Scale 1cm = 10m

...

GPT 27/5044/0: V-2

...

...

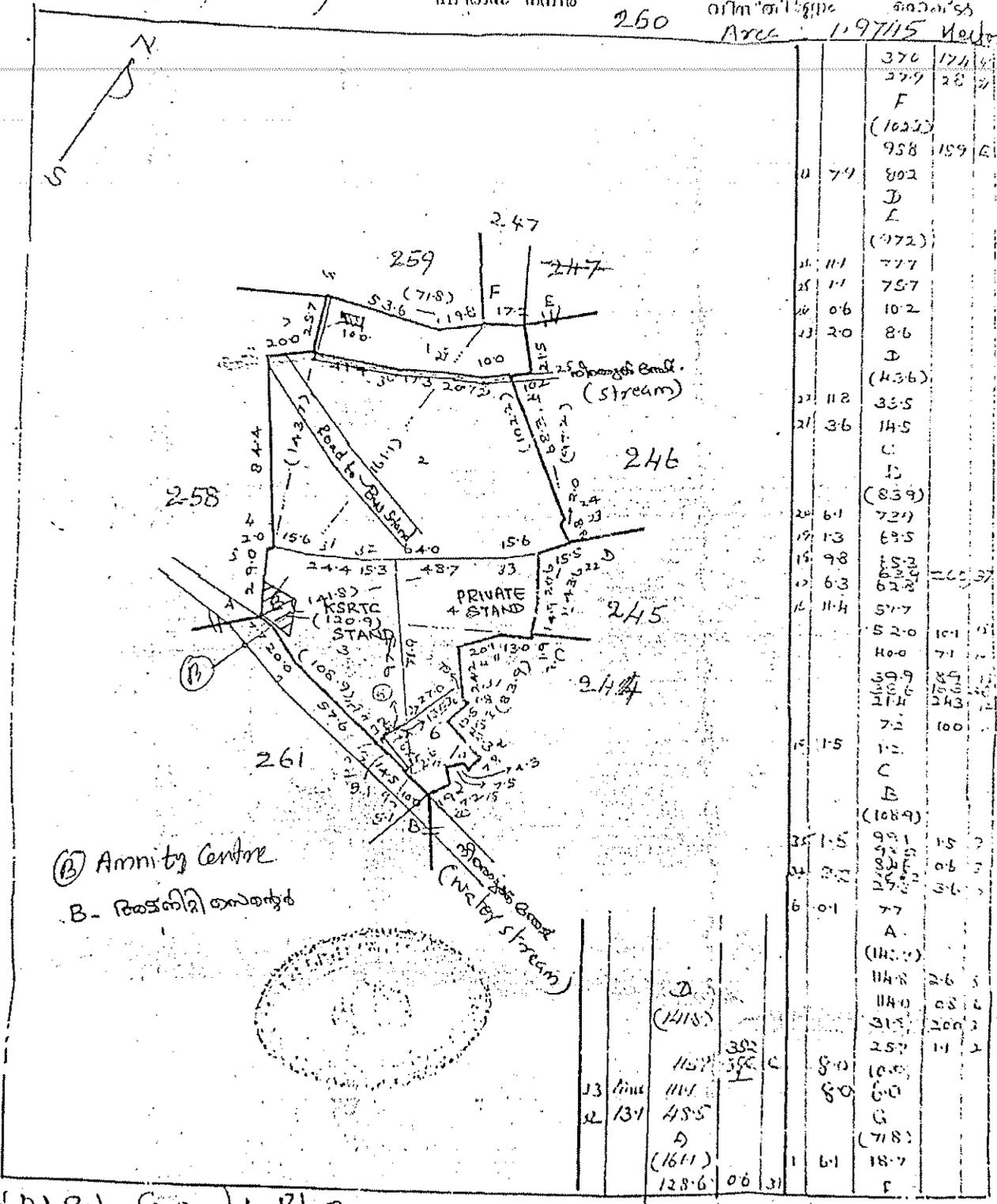
M. S. ...  
 Taluk ...

J. ...  
 P. ...  
 29/8/83

74

Dist: Puthanambitha  
 Taluk: Ranni  
 Village: Pazhavangadi  
 ഏരിയ: 260

Block No. 9  
 Field No - 260  
 അളവ്: 1.9715 Hectare



(B) Amnity Centre  
 B - അടക്കിയിരിക്കപ്പെട്ട



Prepared by...

Scale 1 cm = 20 m

SMT 27/262/83 2,00,000

...

by H9

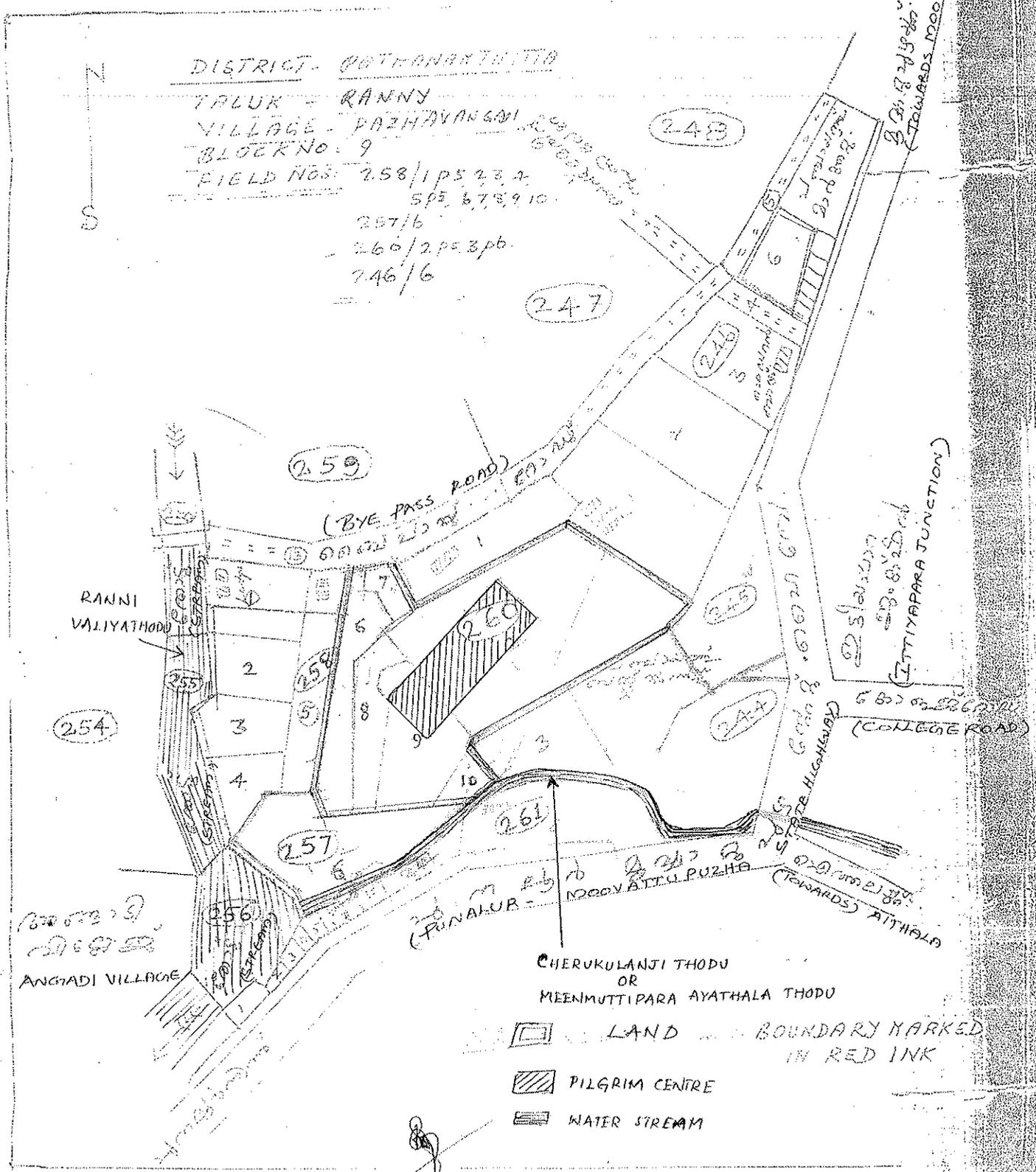
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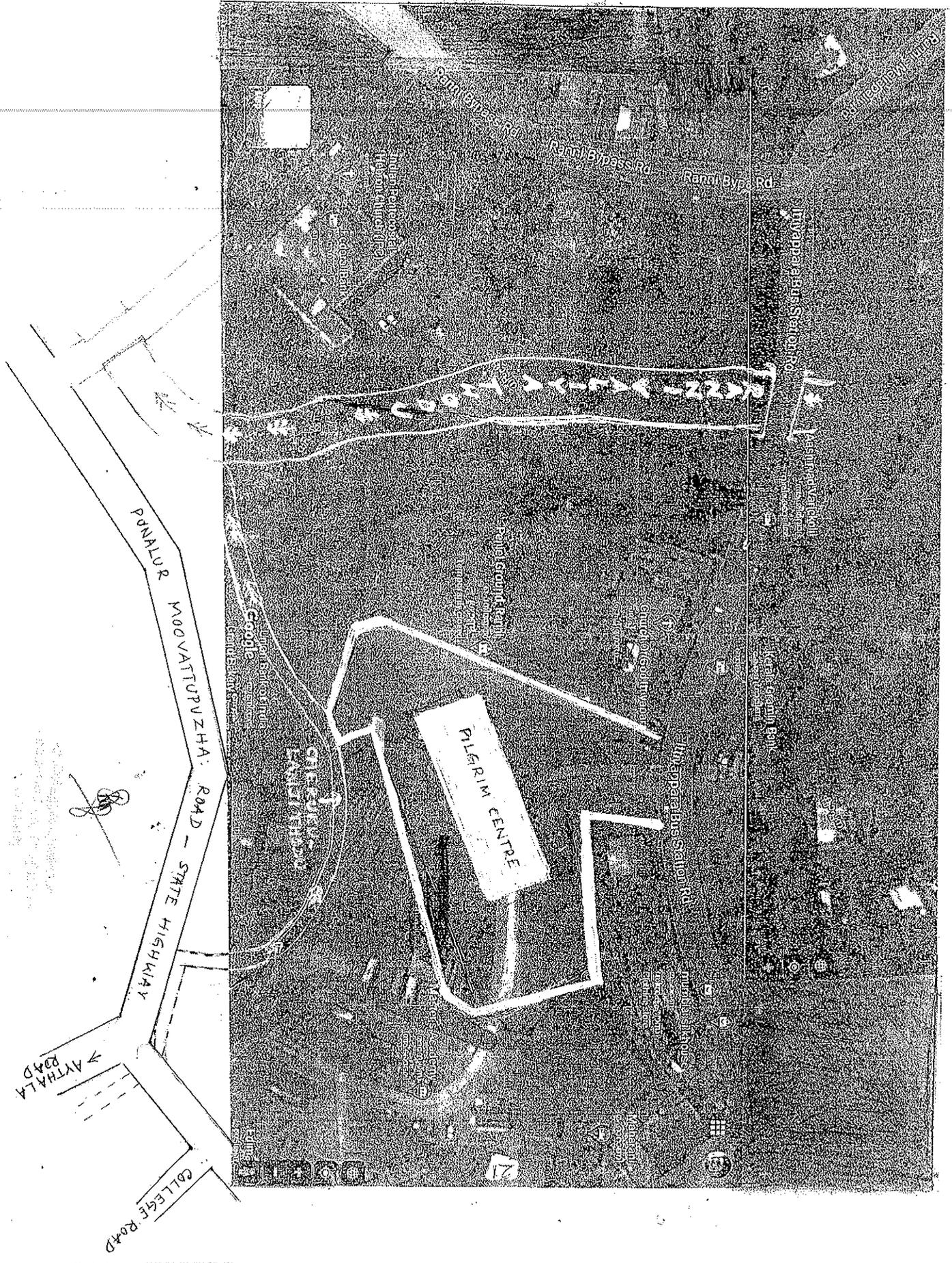
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18-2 847 1000

SKETCH SHOWING THE ALIGNMENT OF LANDS PROPOSED FOR ACQUISITION





**Report in OA 128/2021 before the Hon'ble National Green Tribunal**  
**South Zone, Chennai.**

I am submitting herewith a detailed report as per the directions of the Hon'ble National Green Tribunal in order dated 05.01.2023 in OA 128/2021.

Envisioning the possibilities of a pilgrim center that could be used as a base camp for the pilgrims coming from far and wide, the State Government of Kerala had undertaken the Project of a Sabarimala Pilgrim Centre. For this project a suitable location was acquired in Ranny Pazhavangadi by the Ranny Pazhavangadi Gramapanchayth. An extent of 110.28 Ares of land had been acquired for the purpose and the work "Construction of Sabarimala Pilgrim Centre" is entrusted with PWD (Buildings) and vide GO(Rt) No.1550/2014-15 dated 27/11/2013 Administrative Sanction for Rs 16.50 Crores had been accorded for the entire Project.

The work was awarded to M/S Roger Mathew & Co. and agreement executed vide Agmt.No.23/SEBSC/2014-15 dated 30.09.2014 and the contractor had started work in the acquired land on 10/10/2014. The construction work is in its initial stages and so far the contractor has completed 310 piles and an amount of Rs 2,67,87,072/- had been paid to the contractor towards bill payment of the work he had done so far. An amount of Rs.1,41,983/- is the outstanding balance bill amount payable to the Contractor. Apart from the payments made to the Contractor, an amount of Rs.2,13,57,444/- is to be remitted by the Government of Kerala before the Hon'ble Sub Court Pathanamthitta, Kerala in different LAR Cases.

Out of the 110.28 Ares of land acquired for the Sabarimala Pilgrim Centre Project certain portions of land were included in the Data bank as wet land and to make necessary amendments in the Data Bank based on the report of the local level monitoring committee, Gazette Notification No.1348 dated 25.04.2022 had been published removing the survey no's included in the Data Bank as wet land.

The Hon'ble Green Tribunal's apprehension that the Sabarimala Pilgrim Centre Project will end up to be like the one in Marad is farfetched as the land acquired for the Project Construction of Sabarimala Pilgrim Center is not situated in an ecologically sensitive zone. This fact is evident from the number of constructions already in place in the area. The site had been inspected as per the directions of the Hon'ble Tribunal and findings are reported as below.

The Klappana - Madatharuvi stream is a small stream that flows through a culvert of span 3.5 to 4 metre and gains strength only during heavy rains. More than 60 residential and commercial buildings (including multi storied buildings) are seen in 150 meter vicinity of the stream. Within 80 meters of the stream three residential buildings are seen situated. All those buildings have been legally constructed as per the norms of the Building Construction Act and after obtaining permit from the Grama panchayath concerned. No violations in the construction of any buildings have been so far reported in the area. The project is an Ecofriendly Project. The flow of the stream is not in any way obstructed by the proposed construction of Sabarimala Pilgrim Center. As regards the waste generated by the Pilgrim Center efficient waste management methods are

also being implemented once the Project is completed and the center starts functioning. Utmost care will be taken to not to pollute the water stream in any way by recycling the waste generated by the pilgrims using the shelter.

The Hon'ble Tribunal may kindly note that for the lakhs of Lord Ayyappa devotees coming to Sabarimala from different parts of the country, staying in Sabarimala Poonkavanam at all times is not possible as it is part of the Periyar Tiger Reserve and such a huge influx of devotees cannot be accommodated in the forest as it will damage the ecology of the forest and also pose a threat both to human and wild animals in the area. Hence time limit is set by the government from time to time for entering the shrine. Even though the Government has envisaged various methods to regulate the inflow of the devotees into the temple at times it becomes quite difficult to manage the huge crowd of devotees entering the area. The importance of Sabarimala Pilgrim Center comes into prominence here as the place can be used as a breaker wherein the devotees could be accommodated and manage the crowds without inconveniencing the devotees. The devotees could be asked to stay at the Pilgrim Center and they could be sent for darshan in small manageable groups thereby avoiding the unnecessary crowding of devotees and avoid accidents that may occur from it. Thus the Pilgrim Center will be an effective base camp to avoid crowding of temple premises and the roads to the shrine which is now a very serious problem being faced by the authorities. Since there is no other place to accommodate large masses of devotees enroute to Sabarimala Temple and accommodating such a crowd in forest area is not feasible, the Sabarimala Pilgrim Center at Itiyappara in Ranny Pazhavangadi will prove to be a boon to the pilgrims. Moreover pilgrims coming from other States will find it a blessing as they can climb Sabarimala after a short rest at the center and also for those who intend to climb the Hills upon daybreak can spend the night in safety rather than in the outskirts of the forest.

No other suitable land could be found to acquire for the Project and also Government funding in the matter is not possible as already funds had been released and land acquired for the same. Moreover 5 LAR's are pending in Sub Court Pathanamthitta (LAR 70/2011, 71/2011, 72/2011, 74/2011, 86/2011) and a WP(C) no. 23474/2022 in the High Court of Kerala.

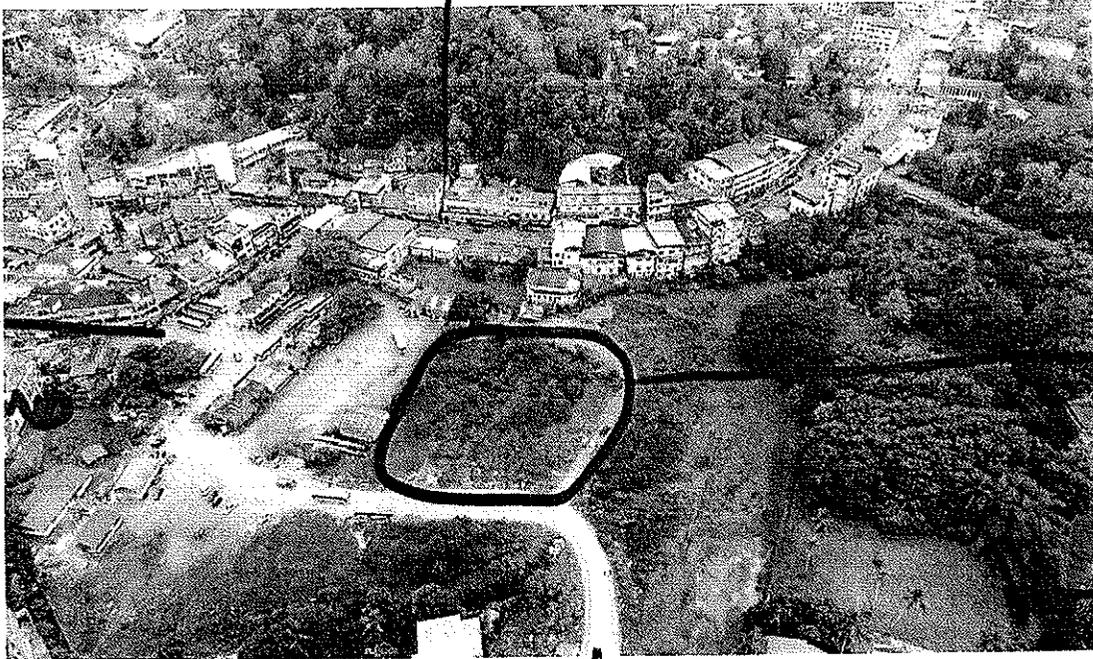
It is humbly brought to the notice of the Hon'ble Tribunal that more than 3.5 crores had already been spent for the project and another 2.5 crores need to be deposited before the Sub Court, Pathanamthitta for satisfying the decrees in various LAR's. Hence it is humbly prayed that taking into note the importance of such a project to the devotees of Lord Ayyappa and also taking note of the burden so far it has brought to the State exchequer and in case the project is not completed or shifted to another place will further burden the State exchequer leading to irreparable loss, the OA may be decided in favour of the State.



EXECUTIVE ENGINEER

79

Punalur - Muvattupuzha SH



RANNI  
BUS STAND

RANNI  
BYEPASS  
PROJECT  
SITE

Ranni  
Valya  
thodu

Road to Bus Stand

NARAYAN  
STREAM PUNALUR MUVATTUPU  
ZHA

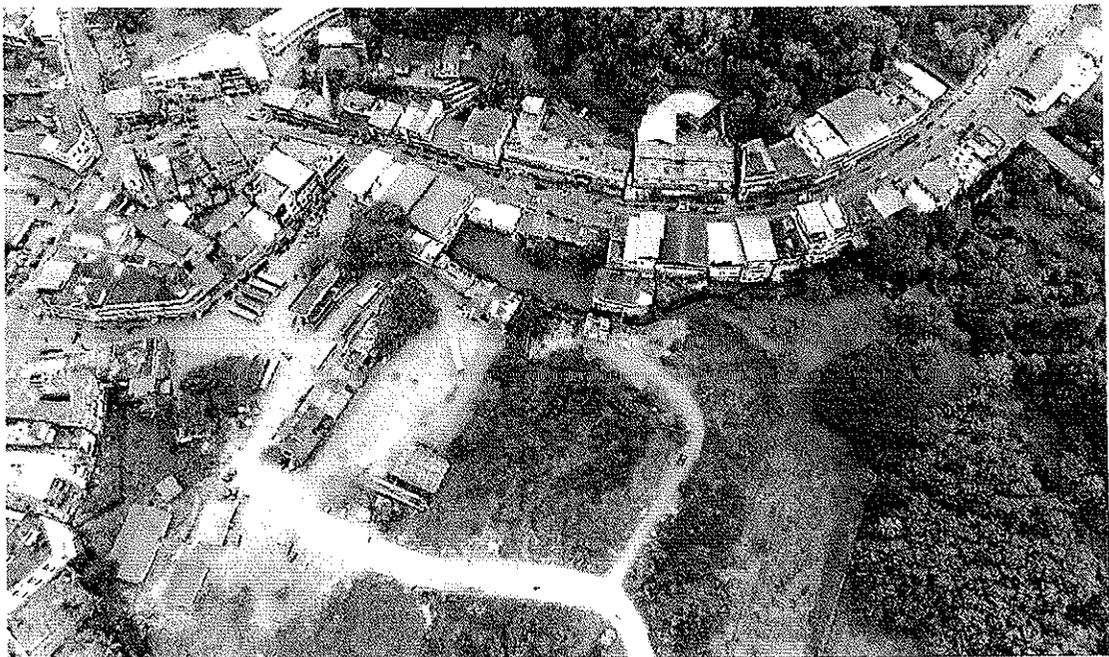


PROJECT  
SITE

RANNI  
VALYATHODU

RANNI BYPASS

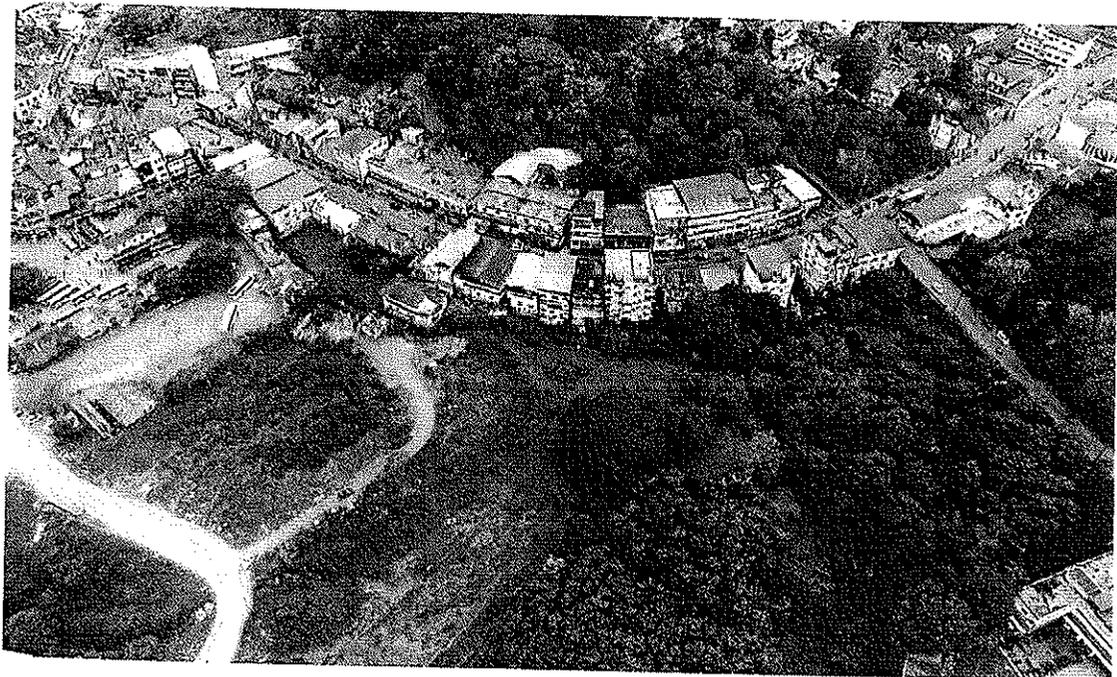
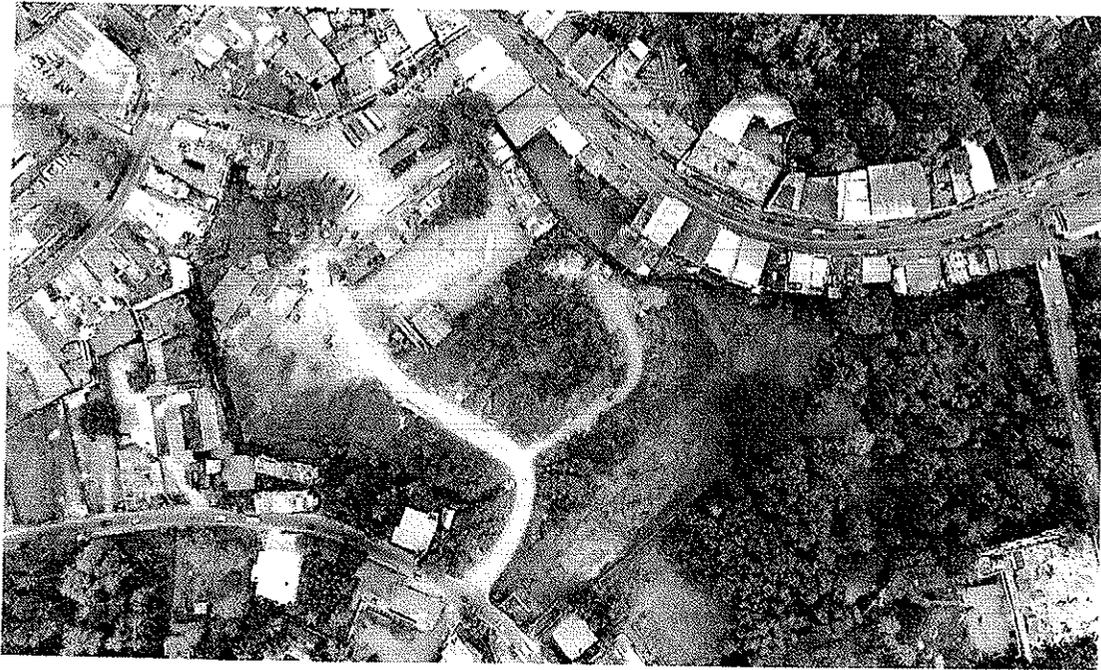
കേരളത്തിലെ പദ്ധതി കമ്മീഷൻ  
പരിഷ്കരിക്കപ്പെട്ടത് 1956-57-ൽ  
പുനഃനിർമ്മിച്ചത് 1960-61-ൽ  
പുനഃനിർമ്മിച്ചത് 1960-61-ൽ



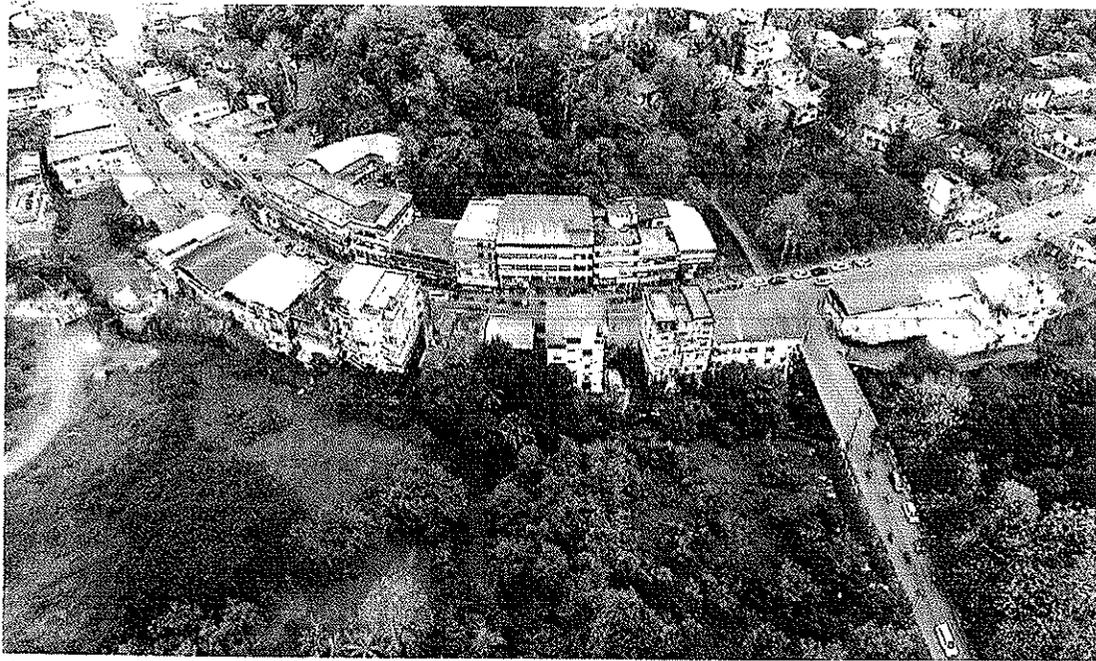
*F.R.*

എക്സിക്യൂട്ടീവ് എഞ്ചിനീയർ  
പൊതുമരാമത്ത് വകുപ്പ് കെട്ടിടവിഭാഗം  
പട്ടണപ്പാലം

81



എക്സിക്യൂട്ടീവ് എഞ്ചിനീയർ  
പൊതുമാതൃകയ്ക്ക് വകുപ്പ് കെട്ടിടവിഭാഗം  
ചെന്നൈ



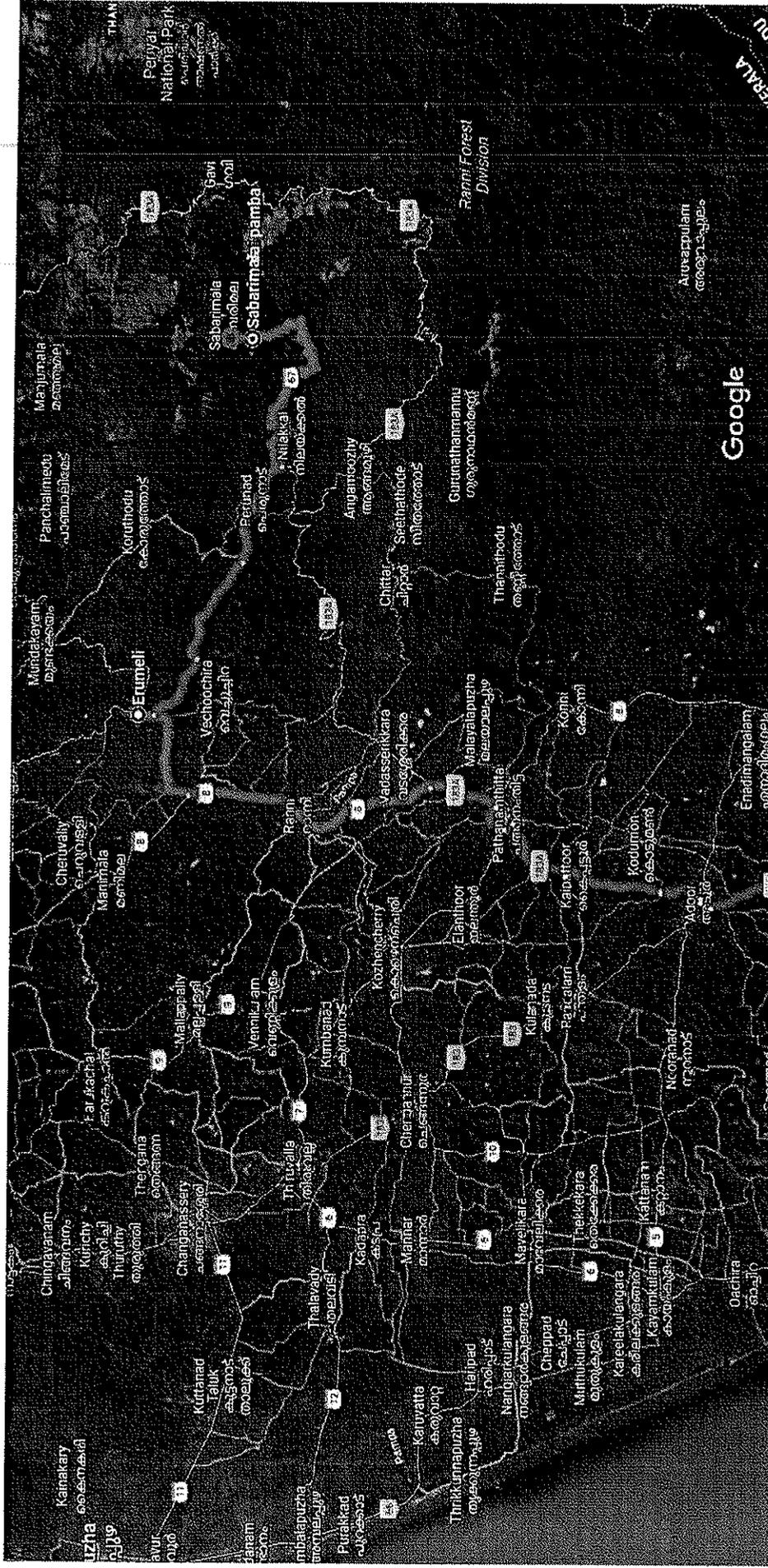
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പൊതുമരാമത്ത് വകുപ്പ് കെ.എസ്.ടി.ഡി.ഒ.  
കോട്ടയം

Google Maps

Kanyakumari, Tamil Nadu to Sabarimalai pamba, C389+F75, Pamba, Kerala 689662

Drive 278 km, 7 hr 2 min

The Devotees coming from South India, and the Sabarimala Pilgrimage Ritual Route starts only from Erumeli-Nilakkal-Pampa-Sannidhanam. To Reach Erumeli, the Route travels only through Ranni.



via MC Rd

7 hr 2 min

7 hr 2 min without traffic

278 km

Imagery ©2023 TerraMetrics, Map data ©2023 5 mi

Google Maps

Kanyakumari, Tamil Nadu to Sabarimalai pamba, C389+F75, Pamba, Kerala 689662

Drive 278 km, 7 hr 2 min

The Devotees coming from South India, and the Sabarimala Pilgrimage Ritual Route starts only from Erumeli-Nilakkal-Pampa-Sannidhanam. To Reach Erumeli, All the Route travels only through Ranni.



via MC Rd  
 7 hr 2 min without traffic  
 278 km

Imagery ©2023 TerraMetrics, Map data ©2023 20 mi

Google Maps

Tenkasi, Tamil Nadu to Sabarimalai pamba, C389+F75, Pamba, Kerala 689662

Drive 159 km, 5 hr 1 min

The Devotees coming via Tenkasi, Tamilnadu, and the Sabarimala Pilgrimage Ritual Route starts only from Erumeli-Nilakkal-Pamba-Sannidhanam. To Reach Erumeli, All the Route travels only through Ranni.



Google

Imagery ©2023 TerraMetrics, Map data ©2023 10 mi

 via Konni Achankovil Road and SH8  
5 hr 1 min  
159 km

85


**SABARIMALA**


## Rituals

[Home](#) >> [Rituals](#)

**Malayidal:** A pilgrimage to Sabarimala is all about the test of senses. Pilgrims are expected to lead a simple pious life known as 'Vrutham' for the successful completion of the pilgrimage.

Ideally, 'Vrutham' starts from the day when the pilgrim adorns a chain (Mala in Malayalam) denoting willingness to undertake austerity. This ritual is known as 'Malayideel' in local parlance.

The devotee may wear a bead chain with the locket of Sree Ayyappan. Once the chain is worn, the devotee has to lead a life free of worldly pleasures.

Vices such as smoking and alcohol use are also a strict no-no. The pilgrim is also required to lead a life of conjugal abstinence.

Religious practices mandate that the Mala should be accepted after prayers from a temple priest or a Guru Swami – a person who has completed 18 Sabarimala pilgrimage.

Alternatively, the Mala may be also worn in the prayer room/place of one's own home.

The Mala may be taken-off after the completion of the pilgrimage.

**Mandala Vrutham :** Mandala Vrutham denotes austerity measures by followers and devotees of Lord Ayyappa for a Mandala or 41 days.

Simple and pious living sans any vices is called for during the 'Vrutham' pe.

Wearing the Mala denotes the onset of the 'Vrutham'. Devotees consider wearing the Mala on a Saturday or on the day of Uthram, the astral sign considered auspicious. Uthram is the birth star of Sree Ayyappan.

The idea behind the 41-day 'Vrutham' is to develop discipline and healthy practices and make it a habit. It is all about good habit formation through sustained efforts achieved through a combination of self-control and prayers.

Black is the recommended colour for clothes during the 'Vruthum' period as the colour denotes detachment from material things. Cutting hair, shaving off facial hair, and cutting nails are forbidden.

**Kettunirakkal :** This ritual is the preparation and packing of 'Irumudi kettu' for Sabarimala pilgrimage. It is prepared under the guidance of a guru swamy. Only those who carry the Irumudi kettu on the head would be allowed to climb the 18 sacred steps to the temple, as they are the ones considered to have observed the austerities and thus eligible to climb the holy steps.

Other devotees have to resort to a different passage to reach in front of the sanctum sanctorum for worship.

During the Kettunira, after the initial prayers, the sacred offering of ghee (clarified cow's butter) is filled inside a coconut, the fibrous covering of which is removed.

The draining of the water within the coconut through a small hole on the top and filling it with ghee is a symbolic act. It signifies the draining out of worldly attachments from the mind and filling it with spiritual aspirations. Coconut is called 'thenga' in Malayalam and now the ghee-filled coconut, an offering for Lord Ayyappa, is known as the neyy-thenga.

First, the front compartment of the bag will be filled in with the neyy-thenga and other sacred offerings to Lord Ayyappa and the accompanying deities. The front compartment is now closed by tying it with a string. The filled in front compartment is believed to be vibrant with spiritual power. Then the other compartment is filled with a few coconuts to be broken at various holy spots.

**Petta Thullal:** Petta Thullal, the ritualistic sacred dance to celebrate the victory of good over evil in the legend of Lord Ayyappa who killed the demon princess Mahishi, which denotes the beginning of the last leg of the annual Sabarimala pilgrimage season.

Traditionally, Petta Thullal is performed first by the Ambalappuzha team.

The team comprising more than 1,000 devotees starts the ritualistic dance after sighting the kite in the skies around noon from the Kochambalam at Petta junction. The team will dance its way into the Nainar mosque across the road to pay obeisance to Lord Ayyappa's trusted lieutenant, Vavar.

They will be formally received by the Erumeli Mahallu Jamaat committee leaders who later would accompany them to the Sree Dharma Sastha Temple (Valiambalam) nearly a kilometre away where the Ambalappuzha team and the Jamaat leaders would be received by the Travancore Devaswom Board officials.

The ceremonial dance by the Alangad team begins in the afternoon after sighting the star in the daylight sky. The two teams after an overnight stay at the Valiambalam would trek to Pampa to participate in the Pampa Sadya and later in the Makaravilaku festival at the Sannidhanam.

**Traditional Path:** There are several routes to reach Sabarimala including Erumeli route, Vandiperiyar route and the Chalakayam route.

The route via Erumeli is considered the traditional path as it is held that Ayyappan took this route to subdue Mahishi. It is also the toughest of the lot, requiring a trek of about 61 km through forest and hill tracks.

Devotees taking the Erumeli route pass through a series of spots before they reach Sabarimala. The journey starts with offering prayers at the shrines of Dharma Sastha and Vavar Swami at Erumeli.

About 4 km from Erumeli is Perur Thodu, a place where Ayyappa is believed to have rested during his expedition. This place is also important as it marks the start of the ascent/climb to Sabarimala. As a practice, pilgrims give alms seeking asylum in Ayyappa. The forest beyond Perur Thodu is known as 'Poongavanam' meaning 'Ayyappa's garden.

The next spot in the traditional path is Kaalaketti, about 10 km from Perur Thodu. 'Kaala' in Malayalam means ox and 'ketti' is tying. It is believed that Lord Shiva tied his ox here and witnessed Ayyappa slaying the Mahishi. Pilgrims offer prayers in the shrine here, lighting camphor and breaking coconuts.

About 2 km from Kaalaketti is Azhutha river, a tributary of the river Pampa. Pilgrims make it a point to collect pebbles from the Azhutha river before proceeding on to the steep Azhutha hill. The 2-km steep hilly terrain is considered very tough, making in one weep and cry. Kallidumkunnu rests at the summit of Azhutha

this step pilgrims throw the pebbles down, commemorating the act of flinging down Mahishi's mortal remains.

root2

Inchhipparakota marks the descent of journey after successfully navigating the uphill terrain. At Inchhipparakota, there is a shrine dedicated to Sastha known as Kotayil Sastha, where pilgrims offer their respects. The descent across the slippery path ends at Karimala thodu (canal) flanked by the Azhutha hill on one side and the Karimala hill on the other.

Karimala is the grooming ground of elephants and the pachyderms visit the Karimala canal to drink water. To protect themselves from the chilly weather and animal invasion, pilgrims set up campfires. Karimala is a hill with seven levels and the journey is undertaken in stages. The 5 km ascent is very difficult and devotees course this leg of journey chanting 'Swamiye Saranam Ayyappa'. The flat terrain on top of the Karimala hill offers scope for rest. The 'Nazhikkinar', well within a well in this place has fresh spring water, quenching thirsts and tiredness after the steep climb. At this spot prayers are offered to various deities including 'Karimalanthan', 'Kochu Kadutha Swami' and Bhagawathi.

root 3

After an exhausting descent of 5 km covering spots such as Valiyaanavattam and Cheriyaanavattam, one reaches the Pampa river. The significance of Pampa in the Sabarimala pilgrimage also draws from the belief that King Rajasekhara of Pandalam found infant Ayyappa here. Considered as holy as the Ganges, worshippers believe that the water purifies one from curse and evil. The Sannidhanam (the spot of the sanctum sanctorum) is around 8 km from the Pampa river valley. Mullimala, Appachimedu, Sabaroppeedom and Saramkuthi are some of the spots en route.

It is interesting to note that ascent and descents of the journey teach one to recognise that life is all about ups and downs, and one has to brave it all to reach the summit!

**Ulsavam:** 'Ulsavam' is the annual festival held at Sabarimala temple during the Malayalam month of 'Meenam' or the Tamil month of 'Panguni' (March-April). The temple remains open for a period of 10 days during the 'Ulsavam'.

'Ulsavam' begins with the hoisting of the temple flag, 'Kodiyettam'. Over the course of the next days, several special poojas including 'Ulsavabali' and 'Sree Bhootha Bali' are conducted. The 9th day of the annual festival marks 'Pallivotta', wherein Sree Ayyappa goes on a ceremonial procession to perform the royal hunt at Saramkuthi. This is followed by the Sabarimala 'Arattu' or holy dip at the Pampa river.

Special poojas to mark 'Panguni Uthram' draws the annual 'Ulsavam' to a close. 'Uthram' is the birth star of Sree Ayyappan.

CONTACT

CONTACT

Connect us



Sabarimala Help Number

ഫോൺ നമ്പർ

കാർഷിക് സെക്ടർ ഓഫീസ്	04735 20366
ടി.ടി	04735 20366
മെറ്റീംഗ്	04735 20302
പുരാതന പൂജാ സമയം സെക്ഷൻ	0468 232515
പു പുസ്തക സെക്ഷൻ	04735 20302
മെറ്റീംഗ് സെക്ഷൻ	04735 20507
കമ്പ്യൂട്ടർ സെക്ഷൻ	04735 20204
പുരാതന പൂജാ സമയം സെക്ഷൻ	0468 207200
പുരാതന പൂജാ സമയം സെക്ഷൻ	0468 202625
പുരാതന പൂജാ സമയം സെക്ഷൻ	04735 20322
മെറ്റീംഗ് സെക്ഷൻ	04735 20507
പുരാതന പൂജാ സമയം സെക്ഷൻ	915146216
സെക്ഷൻ	04735 20208
സെക്ഷൻ	9445544992/9627805
സെക്ഷൻ	0460 2772420 (പുസ്തക)
സെക്ഷൻ	04735 20303
സെക്ഷൻ	04735 20304

Sabarimala help Line

sabarimala.jal@kerala.gov.in

DISCLAIMER

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Designed and Maintained by C-Dit

**2009 SCC OnLine Ker 3828 : (2009) 3 KLT 899****Kerala High Court**  
(BEFORE THOTTATHIL B. RADHAKRISHNAN, J.)

Shahanaz Shukkoor

*Versus*

Chelannur Grama Panchayat

W.P.(C) No. 18144 of 2009  
Decided on August 19, 2009

Page: 900

**JUDGMENT**

1. Notice was issued on this Writ Petition to the respondents with hearing date fixed as 13.7.2009. The matter was listed in court on 13.8.2009. Though service is complete, none appeared for the respondents. The matter was adjourned awaiting appearance. Even today, none appears for the respondents.

2. Perused the materials and heard the learned counsel for the petitioner.

3. The petitioner purchased a building, which was shown in the assessment register of the 1st respondent Panchayat. She, thereafter, paid property tax in her own name. Later, she applied for building permit for construction of yet another building in the plot. That is rejected as per Ext.P 12 on the ground that the land is shown in the revenue records as 'Nilam' and, therefore, the petitioner has to apply for permission to convert such user, if she wants to put up a building. In Ext.P 12, it is also notified that such decision has to be taken by a committee consisting of different persons and that such conversion will be granted only to build a home for a homeless person. Alleging that, the petitioner started construction without obtaining permit, Ext P 13 is issued on the ground that the building would be an unauthorised one. The petitioner, through the materials on record, has demonstration to the satisfaction of this Court that the immediately surrounding lands have also, either buildings standing thereon, or have buildings being constructed with the permission of the Panchayat. The petitioner's plea, on facts, stands uncontraverted. Not only that, the mere description of an item of property as 'Nilam' (paddy field) or wetland, in the revenue records, is insufficient to assume that the land cannot be used for any purpose other than those for which a paddy field or wetland can be used. This is because the Kerala Conservation of Paddy Land and Wetland Act, 2008, deals with the conversion of lands, which are wetland or paddy fields, on the basis of the actual fact situation and not depending on the description of the property in the revenue records. The definition of

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the terms 'paddy field' and 'wetland' in the said Act is sufficient material to hold that the said statute operates on the basis of the facts as they exist on ground realities and not on any quality or type of land, depending on its description in the title document.

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On facts, it having been shown that the land in question is surrounded by lands on which buildings were being constructed and a part of the land in question also has another building, which is one that stands with the approval of the Panchayat, there is no reason to hold that the petitioner has to obtain the decision of the committee under the aforesaid Act to put the land to use for the purpose of constructing a building. For the aforesaid reasons, Exts.P 12 and P13 are unsustainable and are arbitrary. They are accordingly quashed. The respondents are directed to take up Exts.P10 and P11 and issue orders, granting building permit, if the applications are otherwise in order and without reference to the grounds stated in Ext.P12. If the decision on the application is not communicated to the petitioner within a period of 45 days from the date of receipt of a copy of this judgment, the petitioner will be entitled to commence and complete the construction by virtue of the deeming provisions in the Act.

**4. The Writ Petition is allowed as above.**

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2017 SCC OnLine Ker 41696 : (2017) 1 KLT 392 : (2017) 1 KLJ  
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In the High Court of Kerala at Ernakulam  
(BEFORE A.K. JAYASANKARAN NAMBIAR, J.)

Salim C.K. and Another ... Petitioner(s);

*Versus*

State of Kerala Represented by its Secretary,  
Revenue Department, Secretariat and Others ...  
Respondent(s).

W.P. (C) No. 40499 of 2016 (J)

Decided on January 16, 2017

Advocates who appeared in this case :

By Advs. Sri. P.B. Krishnan

Sri. P.M. Neelakandan

Sri. P.B. Subramanyan

Sri. Sabu George

R by Government Pleader Sri. Surin George IPE

The Judgment of the Court was delivered by

**A.K. JAYASANKARAN NAMBIAR, J.:**— The petitioners purchased an extent of 14.997 Ares of property in Resurvey No. 107/1-1-2 in Block No. 23 of Marampally Village on 19.7.2012, as per sale deed registered as document No. 4163/2012 in Perumbavoor SRO. The predecessors-in-interest of the petitioners had purchased the said property in 1977, when the property was situated in the then Vazhakkulam Village. Pursuant to a bifurcation of Vazhakkulam Village as Vazhakkulam and Marampally Villages, a re-survey was conducted, and fresh survey numbers allotted. At the time of re-survey, however, the description of the property was shown as 'Nilam' in the Village and Re-survey records. The same description was mentioned in the draft data bank prepared for the area as well. Although the predecessor-in-interest of the petitioners preferred an application seeking correction of the entry in the revenue records as well as the draft data bank, no effective steps were taken by the respondents towards that end.

2. On the petitioners purchasing the property, they preferred an application [Ext.P10] before the 2<sup>nd</sup> respondent, for correcting the description of the property in the revenue records. The 2<sup>nd</sup> respondent, by Ext.P11 order dated 12.4.2016, advised the petitioners to prefer an application under Section 3A of the Kerala Conservation of Paddy Land and WetLand Act, 2008, [hereinafter referred to as the "2008 Act"] so

That the same could be considered after finalisation of the data bank. The petitioners impugned Ext.P11 order through W.P.(C) No. 20490/2016. During the pendency of the writ petition, the petitioners submitted Ext.P12 application before the 4<sup>th</sup> respondent Local Level Monitoring Committee. The writ petition was thereafter disposed by Ext.P13 judgment, with a direction to the 4<sup>th</sup> respondent to consider the application preferred by the petitioners, after conducting a site inspection, within two months from the date of receipt of a copy of the judgment. Pursuant to the said judgment, the 4<sup>th</sup> respondent drew up a report, which was communicated to the petitioners as Ext.P16. In Ext.P16 report, the 4<sup>th</sup> respondent suggests that the property belonging to the petitioners was wrongly included in the draft data bank as 'Nilam'. It is indicated that, there is an old double storied building, and trees that are more than 20 years old standing on the property. The report shows the property as bounded by residential houses on three sides, and the Perumbavoor Aluva transport road on the northern side. In the writ petition, the petitioners are aggrieved by the inaction on the part of the respondents in taking steps to correct the entry in the data bank, by declaring that the property in question is not 'Nilam'.

3. I have heard Sri. P.B. Krishnan, the learned counsel appearing for the petitioners as also Sri. Surin George Ipe, the learned Government Pleader for the respondents.

4. On a consideration of the facts and circumstances of the case as also the submissions made across the bar, I find that the 2008 Act was enacted to check the indiscriminate and uncontrolled reclamation and massive conversion of paddy land and wetland that was taking place in the State of Kerala. Noticeably, over the years, the farmers had demonstrated a preference for cultivation of cash crops over paddy cultivation, and this had led to the area under rice cultivation declining drastically from above eight lakh hectares in the early 1970's to nearly two lakh hectares in early 2000. It was found that the said conversion had also resulted in ecological degradation. It was therefore thought that the wider interests of society mandated that the paddy lands in the State should be preserved.

5. A perusal of the statutory provisions under the 2008 Act and Rules would indicate that the object of conservation of paddy land and wetland is sought to be achieved through a complete prohibition on reclamation of wetland and removal of sand therefrom, as also through restrictions against the conversion and reclamation of paddy land except in accordance with the provisions of the 2008 Act. The limited purposes for which paddy land can be reclaimed are spelt out in the 2008 Act, and cover only 'public purposes' meaning thereby, purposes for schemes undertaken or financed by the Centre-State Governments, Government-Quasi-Government Institutions, Local Self Government

Institutions, Statutory Bodies and other schemes as may be specified by the Government from time to time. There is also provision for accommodating requests from persons owning small extents of land, for reclamation of the same, for construction of residential buildings therein. Thus, the object of the enactment is sought to be achieved through a policy that insists on preservation of the paddy lands as existed on the date of coming into force of the 2008 Act, and taking steps to keep in check, attempts at reclamation of the said paddy lands and wetlands.

6. As a first step for identifying the paddy lands and wetlands that were in existence as on the date of coming into force of the 2008 Act, it was envisaged that a Local Level Monitoring Committee [LLMC], that was constituted in terms of the Act, would be entrusted with the task of preparing a data bank with the details of cultivable paddy land and wetland, within the area of jurisdiction of the Committee, with the help of the map prepared by the State Land Use Board or Centre-State Science and Technology Institutions on the basis of satellite pictures by incorporating the survey numbers and extent in the data bank, and to get it notified by the Panchayat/Municipality/Corporation concerned, and thereafter exhibit the same for the information of the public, in the respective Panchayat/Municipality/Corporation Office and in the Village Offices. It must be noticed immediately, that the data bank that was contemplated under the provisions of the Act, was to contain details only of cultivable paddy land and wetland within the area of jurisdiction of the LLMC concerned, and was not intended to contain details of any other category of land. A perusal of the Kerala Conservation of Paddy Land and Wetland Rules, and in particular, Rule 4, would indicate that, as a first step for collecting the data for preparation of the data bank, the revenue records pertaining to the lands within the area of jurisdiction of the LLMC, had to be perused, and the details of such lands as were shown as paddy lands and wetlands in the revenue records, collected, and the lands inspected by the Village Officer and the Agricultural Officer concerned, and it was only on their satisfaction, with regard to the nature of the land being a paddy land or a wetland, that the same was to be included in the draft data bank that was to be initially prepared. Thereafter, the draft data bank had to be considered by the LLMC, and on a review of the details in the said draft data bank, after obtaining the reports from the National Remote Sensing Agencies, State Land Use Boards, Centre-State Science and Technology Institutions or the Information Kerala Mission, a final data bank had to be prepared. Thereafter, the finalised land data bank had to be forwarded to the Secretary, Local Self Government, who is obliged to notify the said finalised data bank, by publication in the Kerala Gazette, and issue directions to publish the same in the

Panchayat/Municipality/Corporation Offices and also the Village Offices concerned.

7. While the statutory scheme noticed above contemplates the inclusion of only paddy lands and wetlands in the Land Data Bank, it would appear that, as a matter of fact, many lands that were not paddy lands or wetlands as on the date of coming into force of the 2008 Act, came to be included in the Land Data Bank solely because the said lands were classified as paddy land or wetland in the revenue records. The instant case appears to be one of that nature, where the land in question was erroneously included in the land data bank. Ext.P16 order of the Agricultural Officer, who is the Convenor of the 4<sup>th</sup> respondent LLMC, clearly indicates that the land is not a paddy land or wetland, but has in fact been converted prior to 2008. In such cases the problem that arises is that consequent to the erroneous inclusion of lands in the Land Data Bank, a statutory presumption arises that the land in question is either a paddy land or a wetland. Such a presumption arises because the statutory scheme envisages that the LLMC should include only paddy lands and wetlands in the Land Data Bank prepared in terms of Section 5 of the 2008 Act. On an error being noticed in the final notified data bank, the LLMC cannot suo motu or on an application correct the same since it becomes functus officio once the final data bank is notified in the Gazette. It follows, therefore, that once it is established that the entry in the notified data bank is erroneous then only this Court, in exercise of its power under Article 226 of the Constitution of India can declare, based on the material produced before it, that the entry of any particular property in the data bank is erroneous and that the said property should be excluded from the said data bank. Consequential directions can then be given to the statutory authorities to give effect to the declaration by modifying the entries in the data bank. In the instant case, the material on record would indicate that the land in question is to be excluded from the data bank.

8. The upshot of the above discussions is that, the writ petition is allowed, by declaring that the property of the petitioners covered by Ext.P9 document and situated in Block No. 23 of Resurvey No. 107/1-1-2 is not either paddy land or wetland, for the purposes of inclusion in the Land Data Bank prepared in accordance with the 2008 Act. The 4<sup>th</sup> respondent is directed to exclude the said land of the petitioners from the Land Data Bank. If the data bank is at the draft stage, the land shall be excluded before finalising the data bank, and notifying the same. If, on the other hand, the data bank has already been finalised, and notified through publication in the Gazette, then the 4<sup>th</sup> respondent shall issue a corrigendum notification showing the exclusion of the land from the data bank, and publish the said corrigendum notification in the Gazette. In the meanwhile, the 4<sup>th</sup> respondent shall, after excluding

the lands from the data bank, issue a certificate to the petitioner within a week from the date of receipt of a copy of this judgment, certifying that the lands in question have been excluded from the data bank. The petitioner can utilise the said certificate for approaching the authorities under the Kerala Land Utilisation Order for getting permission to utilise the land for other purposes. The other actions, such as finalising of the Data bank or issuance of the corrigendum notification, shall be taken by the 4<sup>th</sup> respondent, within a period of six weeks from the date of receipt of a copy of this judgment.

9. On the notification/corrigendum notification being published in the Gazette, the petitioner may along with the orders, if any, obtained under the Kerala Land Utilisation Order, approach the authority under the Land Tax Act, for the purpose of getting a fresh assessment done, based on the revised classification of the land as 'puriyadom', and a consequent change of the description of the land as 'puriyadom' in the Basic Tax Register.

10. The writ petition is disposed as above.

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Government of Kerala  
2019



Regn.No. KERBIL/2012/45073  
dated 05-09-2012 with RNI  
Reg No.KI/TV(N)/634/2018-20

# കേരള ഗസറ്റ് KERALA GAZETTE

## അസാധാരണം EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്  
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GOVERNMENT OF KERALA  
Local Self Government (RD) Department

NOTIFICATION

G O (P) No 78/2019/LSGD.

*Dated, Thiruvananthapuram, 2nd November, 2019.*

*16th Thulam, 1195.*

S. R. O. No. 829/2019

In exercise of the powers conferred by sections 235A, 235B, 235F, 235P, 235W read with section 254 of the Kerala Panchayat Raj Act, 1994 (13 of 1994) and in supersession of the Kerala Panchayat Building Rules, 2011 issued under G.O. (Ms.) No 41/2011/LSGD. dated 14<sup>th</sup> February, 2011 and published as S.R.O. No. 127/2011 in Kerala Gazette Extraordinary No. 351 dated 14<sup>th</sup> February, 2011, the Government of Kerala hereby make the following rules, namely:—



which is either partly or fully covered by a Development Plan published or sanctioned as per the provisions contained in the Town Planning Act in force, shall be categorised as Category-I Village Panchayat.

which do not fall under Category-I Village Panchayat shall be categorised as Category-II Village Panchayat.

## CHAPTER II

### DRAWINGS, PERMITS AND OCCUPANCY CERTIFICATES

4. *Essentiality of permit* - (1) No person shall develop or redevelop any parcel of land by subdividing into plots or cause the same to be done without first obtaining a permit for each such development or redevelopment from the Secretary.
- (2) No person shall construct or reconstruct or make addition or extension or alteration to any building or cause the same to be done without first obtaining a building permit for each such work from the Secretary.
- (3) No person shall change the occupancy of an existing building from one group to another, without first obtaining the permit from the Secretary.
5. *Application for development/building permit*.- (1) Every person other than a Central or State Government Department who intends to:-
- (a) develop or redevelop any parcel of land by subdividing into plots shall apply in writing to the Secretary in the form in Appendix A3 and/or
- (b) construct or reconstruct a building or make alteration or addition or extension or change in occupancy to a building shall apply in writing to the Secretary in the form in Appendix - A1; and

such application shall be accompanied by plans and statements in duplicate as per these rules along with documents to prove the ownership of the land concerned such as title deed proving the ownership of the applicant, land tax receipt issued by the village office and the possession certificate issued by the village office and payment of application fee as specified in Schedule I, along with a copy of certificate of registration of the Institution, Architect, Building Designer, Engineer, Town Planner or Supervisor, as the case may be, who has prepared and signed the plans, drawings and statements. The applicant shall submit the details of Court cases, if any, pertaining to the land. In case of a Joint Venture development, the agreement between the land owner and the developer shall also be produced.

- (2) Applications may also be submitted through e-filing system, as may be prescribed, if such system is in force in the Local Self Government institution concerned and, the Secretary may receive, process and issue necessary orders on the application through e-filing system.



- (3) In the case of any development or redevelopment of land and/or construction or reconstruction of a building or alteration or addition or extension or change in occupancy to a building by Central or State Government Department, the officer authorized shall, before thirty days of commencement of the work, submit to the Secretary a set of layout plan or plans of the proposed plot subdivisions and/or, a set of plans of the proposed building, as the case may be, together with all other details with a certificate duly signed by the Chief Architect or the Engineer-in-charge of the works to the effect that the plans are in conformity with the provisions of these rules in all respects including conformity to any Master Plan / Detailed Town Planning Scheme / Interim Development Order in force under the Kerala Town and Country Planning Act, 2016 (9 of 2016), prepared for the area. In such cases approvals from Chief Town Planner or District Town Planner, as the case may be, and permit from the Secretary as per these rules are not required.
- (4) In the following cases the Secretary shall obtain, if not produced by the applicant, after receiving the application for permit / written information from the applicant, whether it is Central Government, State Government, autonomous bodies, Quasi-governmental agencies, local self-government institutions, Co-operative Societies, Devaswom boards, private parties etc., a written consent/ concurrence/ NOC from the officer/ authority concerned before issuing the permit. The applicant may directly obtain NOC/Permission, if any required, from organizations and submit along with the application for permit.

Sl. no.	Location/ Use of the site and or building	Officer/ authority
1	Proposed building is within 10m from Defence Establishment or Proposed high rise buildings within 500m from Defence Establishment or Telecommunication towers within 200m from Defence establishment or as per notification issued by Defence establishment from time to time	Officer in charge of the Defence establishment
2	Proposed buildings within 30m from Railway track boundary or Telecommunication towers within 100m from Railway track boundary.	Railway Authority concerned
3	Proposed site/buildings in areas declared, identified or advised by the Kerala Urban Arts Commission as possessing heritage value.	The Kerala Urban Arts Commission
4	Proposed buildings within any Security Zone	District Collector
5	Proposed buildings/places for religious purpose or worship	District Collector
6	Proposed fuel filling stations	District Collector
7	Proposed crematoria or burning and burial grounds including cemetery and vaults	District Collector



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8	Proposed site/buildings in any area notified by the Government of India as a coastal regulation zone under the Environment Protection Act, 1986 (Central Act 29 of 1986) and rules made there under.	Kerala Coastal Zone Management Authority (KCZMA)
9	Any activity as specified in the schedule to the Notification No. S.O. 1533(E) dated the 14 <sup>th</sup> September, 2006 and as amended from time to time, issued by the Ministry of Environment and Forests, Government of India	State Level Environment Impact Assessment Authority (SEIAA) / Ministry of Environment and Forests
10	As per prevailing statutes of the Kerala State Pollution Control Board.	Kerala State Pollution Control Board
11	Proposed traffic terminal stations like mobility hubs, bus stands or inter-state bus terminals	Chief Town Planner
12	i. All buildings under Group A1, A2, B, C,E,F,G1,G2and H occupancy exceeding 1000 sqm of built-up area or exceeding 15 m of height ii. All buildings under Group D, I and J occupancy irrespective of the number of storeys.	Director of Department of Fire and Rescue Services or an officer authorized by him in this regard to the effect that the construction of the building conforms to the fire and safety norms specified in part 4 Fire and Life Safety of National Building Code of India, 2016 and subsequent amendments.
13	All buildings under Group A1, A2, B, C, E, F, G1, G2 and H occupancy exceeding 300 sqm and below 1000 sqm of built-up area, as also in the case of buildings not exceeding 15 m height.	A self-declaration in the form in Appendix-L from the applicant along with a certificate from the architect/engineer, who had prepared the plan, to the effect that the construction of the building conforms to the fire and safety norms specified in part 4 Fire and Life Safety of National Building Code of India, 2016 and subsequent amendments. Also, a copy of the self declaration form and



		certificate of the architect/ engineer shall be submitted to the nearest Fire Station.
14	Proposed buildings within 20km vicinity from Airport Reference Point (ARP) and/or as per the colour coded zoning map approved for each airport and/or all buildings having elevation more than 150m from ground level	Airport Authority of India (AAI)
15	Proposed single storcyed buildings below the Electrical line and if clearance not available as per rule 22 (5) Table 2 and for installation of transformers	Chief Electrical Inspector / an Officer authorized by him in this regard
16	Any activity within 300 metre distance from any protected monument/area notified by the Archacological Survey of India	Archacological Survey of India
17	Buildings of various occupancies as mentioned in Table 11 of these rules	District Town Planner/ Chief Town Planner concerned, if required
18	Proposed site/ building forms part of any Town Planning Scheme for the area	District Town Planner/ Chief Town Planner concerned, if required

Provided that, the required permission/No Objection Certificate of any other Departments/Agencies as required under law may also be obtained for any land developments or constructions.

Provided that the Secretary shall issue permit for Single family residential buildings upto 300 m<sup>2</sup> of build up area coming under Coastal Regulation Zone, in accordance with the provisions of the relevant Coastal Regulation Zone notification in force.

Provided further that, such officer/authority concerned shall furnish his reply within fifteen days from the date of receipt of the consultation letter, if such establishment has any objection to the proposed work. The objection, if any, raised by the officer within the said fifteen days shall be duly considered by the Secretary before issuing permit. All these are subjected to amendments of the relevant Acts from time to time.

In cases where final remarks are not received within the said fifteen days from the Officer or Railway Authority as in sub-rule (4), the Secretary may delay final decision in the application for permit, if any interim reply is received from the Officer/Railway Authority concerned. Provided that provisions regarding the height of the building as specified in the National Building Code of India 2016 shall not apply to multiplexes.

Note:

- (i) In the case of all livestock and poultry farms under group G1 or G2 occupancies, and vaults and burial grounds under Group I occupancy, certificate of approval from the Director of Department of Fire and Rescue Services is not necessary.



(ii) Applications for renovation without involving additional built-up area or structural alterations of existing buildings for religious purpose or places of worship can be considered by the Secretary after informing the District Collector in Form in Appendix-I duly filled by the applicant and verified by the Secretary.

(5) (1) Any new building under any of the following occupancies as provided under rule 25 of these rules, having a connected load of 100 kW or greater, or a contract demand of 120 kVA or greater, or having air conditioned area of 500 sqm. or greater, require the compliance of the provisions of Kerala State Energy Conservation Building Code:-

- Group A2: Special Residential,
- Group B: Educational,
- Group C: Medical / Hospital
- Group D: Assembly,
- Group E: Offices/Business
- Group F: Mercantile/Commercial and
- Group H: Storage

(2) Along with the application for building permit submitted to the Local Self Government Institution concerned for issuing building permit, the applicant shall submit the forms mentioned in the Kerala State Energy Conservation Building Code Rules, notified by Kerala Government.

Provided that a copy of the above said documents, with certification from a certified Energy Auditor (Building) shall be submitted simultaneously to the State Designated Agency, who shall scrutinize the same and intimate any non-compliance to the applicant and to the Local Self Government Institution concerned within thirty days of receipt.

If any noncompliance has been pointed out by the State Designated Agency, the Local Self Government Institution shall get a further certificate of rectification from the applicant through the certified Energy Auditor (Building) before issuing the building completion certificate as per schedule, section 3 of Kerala State Energy Conservation Building Code (KSECBU)

(6) Layout of buildings and/or usage of plots/ concurrence:-

(1) While issuing approval for plot sub division lay outs or usage of plot and/or layout of buildings, the District Town Planner or Chief Town Planner as the case may be, shall consider the following aspects.

(a) Usage of Plot: Usage of plot shall be governed by the provisions of the Master Plan / Detailed Town Planning Scheme / Interim Development Order in force under the Kerala Town and Country Planning Act, 2016 (9 of 2016) prevailing in the area. In the absence of such a plan / scheme / order, approval for usage of the plot is determined in consideration of the following:



- (i) The surrounding developments
  - (ii) Availability of infrastructure facilities
  - (iii) Physical aspects of the plot
  - (iv) Impact on the surrounding area
- (b) Layout of Building: Approval for layout of building(s) is determined in consideration of the following;
- (i) Access to the plot and building
  - (ii) Alignment of the internal roads
  - (iii) General setting of the building
  - (iv) Parking arrangements and maneuverability
  - (v) Aspects related to FAR and Coverage
  - (vi) Different uses within building
  - (vii) Provisions of the Master Plan / Detailed Town Planning Scheme/ Interim Development Order, if any, in force under the Kerala Town and Country Planning, Act, 2016 (9 of 2016).
- (c) Concurrence : Concurrence shall be governed by the provisions of the Master Plan / Detailed Town Planning Scheme / Interim Development Order in force under the Kerala Town and Country Planning Act, 2016 (9 of 2016) prevailing in the area considering the following aspects and suggest conditions with respect to the following.
- (i) The surrounding developments
  - (ii) Availability of infrastructure facilities
  - (iii) Physical aspects of the plot
  - (iv) Impact on the surrounding area
- (2) Application for Layout approval and Usage of plot/Concurrence shall be submitted in the form in Appendix-A4 along with scrutiny fee as per Schedule III
- (3) Such approval from District Town Planner or Chief Town Planner, as the case may be, may specify conditions with due consideration to various planning aspects pertaining to the particular development/construction and local developments and there may also be additional conditions not specified in these rules;



Provided that these conditions so specified shall not in any form be interpreted to relax the provisions of these rules;

Provided further that, before the approval of the site and plans and issue of permit, the Secretary shall ensure that the application, drawings and specifications conform to the provisions of these rules and other applicable statutes and the conditions, if any, stipulated by Chief Town Planner or District Town Planner, as the case may be.

- (4) For any deviation without change in occupancy and upto 5% of the total built up area in the plan approved by the District Town Planner / Chief Town Planner for layout of buildings and usage of plot as per these rules, but limited to 500 sqm. without change in occupancy, revised approval from the District Town Planner/ Chief Town Planner is not necessary. However, if there are serious deviations from such approved plan, fresh approvals shall be obtained from the Chief Town Planner or District Town Planner as the case may be.
- (5) Approval / Rejection /any other communication of layout and/or usage of plot shall be intimated to the applicant in writing within one month in the case of District Town Planner and within two months in the case of Chief Town Planner.
- 6 Plans to be submitted -** (1) An application for a development permit shall be accompanied by atleast 3 copies of site plan, service plan and key map together with details and specifications as prescribed in these rules.
- (2) An application for building permit shall be accompanied by atleast 3 copies of site plan, service plan, key map, building plan, safety plan in case of high rise buildings, parking plan wherever the building requires parking space as per these rules, together with details and specifications as prescribed in these rules.
- (3) All plans submitted shall include the name, address and signature of the land owner, applicant and registered Institution/Architect/ Engineer/ Town Planner/ Supervisor. Also, the plans have to be certified by the registered Architect/ Engineer/ Town Planner/ Supervisor as given in Appendix II.
- (4) Site Plan;- (a) The site plan shall be drawn to a scale of not less than 1:400, fully dimensioned and shall show:
- (i) boundaries of the plot intended for the proposed construction and any contiguous land belonging to the same owner including the revenue details like survey number with sub division, block, village, taluk, extent of plot etc.
- (ii) the number of the nearest building and electric post and the position of the site in relation to the neighboring street and its main access;
- (iii) the name of such street, if any; street levels and its width, which shall be the width in between the plot boundaries on the opposite sides;



- (iv) shall clearly show the setbacks of all existing and proposed buildings within the plot and also show all existing and proposed buildings above or below the ground level with their uses, appurtenant structures, proposed finished ground levels and authorised building numbers of the existing buildings within the plot issued by the Panchayat;
- (v) consolidated statement of the plot area, covered area and floor wise and use wise built-up area of both existing and proposed buildings including that of accessory buildings, Floor Space index and Coverage
- (vi) all existing and proposed streets or foot - paths within the plot with its width to scale;
- (vii) the area and location of any land within the plot that is undevelopable such as rocky outcrops, steep terrains, marshes, water bodies, puramboke land etc;
- (viii) the area and location of any land within the plot that is not proposed to be developed or redeveloped and any land that is proposed to be reclaimed;
- (ix) the area and location of any paddy fields and/or other agricultural land that are proposed to be reclaimed and /or converted for the said development or re- development;
- (x) the position of external toilets, cattle sheds, stables, wells and other appurtenant structures; and
- (xi) the north direction, predominant wind direction in relation to the site and any other relevant information of the plot not specifically mentioned, but may be required by the Secretary.
- (xii) topographic contours (with contour intervals not greater than 1.5 metre to show the features of the plot clearly) of the site if required by the Secretary / District Town Planning Office.
- (xiii) All existing natural streams/drains within the plot, if any
- (xiv) World Geodetic System (WGS -84) coordinates (latitude and longitude) of the site and elevation of the top most point of the building with respect to mean sea level, if the plot falls within the Colour Coded Zone Map (CCZM) prepared by the Airport Authority of India and/or for buildings with elevation more than 150m as per Aircraft Act, 1994. (Central Act XXII of 1934)

Provided that when circumstances are such as to make a smaller plan necessary or sufficient, the plan may be drawn to a scale of 1: 800 if acceptable by the Secretary.

- (b) In the case of site plan for plot sub division layouts, in addition to items in (a) above, the following details shall also be furnished:-



- (i) the layout of cul-de-sac, streets or foot-paths within, adjoining or terminating at the site, existing and/or proposed to be widened or newly aligned;
  - (ii) the proposed plot subdivision, and the area and use of each sub division thereof;
  - (iii) the access to each plot subdivision;
  - (iv) the layout of any service road or foot path and public parking spaces proposed or existing, if any;
- (5) Key map:-The site plan shall be accompanied by a key map giving full details of the location of the site with reference to north direction, all adjacent streets, junctions, premises and landmarks.
- (6) Service Plan:-The service plan shall be drawn to a scale not less than that of the site plan, and shall show:-
- (i) the proposed plot sub-division, if any, and the uses of such sub- division;
  - (ii) the layout of existing and proposed water supply, electricity, drainage and sewerage main lines from or to which connections are proposed to be given with dimensions and specifications;
  - (iii) the layout of existing and proposed water supply, electricity, drainage and sewerage lines within the plot, with dimensions, specifications and description of installation;
  - (iv) any other relevant information not specifically mentioned but may be required by the Secretary; and
  - (v) the north direction and predominant wind direction in relation to the site.
- (7) Building Plan:- The plans, elevations and sectional elevations in the building plan accompanying the application shall be accurately drawn to a scale of not less than 1: 100, fully dimensioned and shall,-
- (i) include floor plans of all floors together with consolidated statement on the plot area, covered area and floor wise and use wise built-up area, including that of accessory buildings, if any, and such drawings shall clearly indicate the sizes and spacing of all framing members, size of rooms, levels of each floor, position of staircases, travel distance between staircases, ramps and lift wells;
  - (ii) show the use or occupancy of all parts of the buildings;
  - (iii) show the exact location of essential services like water closets, sink and bath;
  - (iv) include sectional drawings showing the lowest ground level contiguous to the building, highest ground level contiguous to the building, levels of each floor,



abutting road level, the height of rooms, building and parapet, thickness and spacing of structural members, floor slabs and roof and details of staircase.

- (v) show all street elevations;
- (vi) give dimensions of the projections, if any;
- (vii) include a terrace plan indicating the drainage and the slope of the roof;
- (viii) show the direction of north line relative to the plan of the building; and
- (ix) specify total and floor wise built up area of the building
- (x) specify, In the case of Group G1 or G2 industrial occupancy and Group 1 hazardous occupancy, wherever applicable;
- (a) power used in H.P.
  - (b) number of workers
  - (c) raw materials used
  - (d) flow chart indicating the process
  - (e) details of waste generated
  - (f) details and methods of disposal of waste
- (8) **Parking Plan:**-Parking plan shall be drawn to a scale not less than that of the site plan, in cases where parking is to be provided as per these rules, and shall show clearly parking spaces, width and slope of drive-ways/ ramps and maneuvering spaces, parking space for differently abled persons, visitors parking, loading and unloading spaces etc. along with consolidated statement on calculation of parking requirements, as per these rules.
- (9) **Safety Plan:** -In the case of high rise buildings, every application for approval shall be accompanied by a safety plan suitable for the proposed construction duly certified by the Architect / Licensee/ Engineer that it is in accordance with the Health and Safety Manual published by the Labour Department.
- (10) In the case of High rise building the suggestions in the guidelines on use of Glass in buildings-Human safety, 2015 shall be adhered to wherever glass is extensively used in building.
- (11) **Plan showing surrounding developments:** -In the case of applications which need approval of usage of plot and/or layout of building(s) from the District Town Planner/ Chief Town Planner as per these rules and/or as per the provisions of any Town Planning Schemes, a sketch shall also be provided showing surrounding developments approximately within 50 metres from the boundary of the plot indicating:



- (i) distance from plot boundary, use and number of storeys of buildings and details of other developments, if any;
- (ii) vacant land, agricultural land, water bodies and other features;
- (iii) any other relevant information not specifically mentioned, but may be required by the Secretary/ District Town Planner/ Chief Town Planner.

(12) The minimum size of the paper on which all plans are drawn shall not be less than 297 mm X 420 mm or A3.

(13) The plans accompanying the application shall have the colour scheme as specified in Table 1 and shall be indicated in the legend in the plans.

TABLE 1  
COLOUR SCHEME

Sl.No.	Item	Notational colouring
1	Plot line	Thick black line
2	Street (existing)	Brown line
3	Street (proposed)	Brown dotted line
4	Permissible building line	Thick black dotted line
5	Building(Existing)	Black outline
6	Building (proposed to be demolished)	Yellow hatching
7	Building (proposed)	Red outline
8	Drainage sewerage work	Red dotted line
9	Water supply works	Black dot and dash line
10	Electric line	Green line

- (14) All plans, drawings and specifications shall be certified and signed by a registered Institution or Architect or Engineer or Town Planner or Supervisor or Building Designer, registered as provided for in these rules, as well as the applicant.
- (15) If the plot is owned by more than one person, the application shall be submitted jointly and signed by all the persons or by legally authorized representatives of such persons, if any.
- (16) If the application is for construction or reconstruction of a single building or block of buildings in more than one adjoining plots owned by different persons, or to make addition or extension or alteration to such building, the application



shall be submitted jointly and signed by all the persons or by legally authorized representatives of such persons, if any.

- (17) The Secretary shall, after considering the application, plans and drawings and other documents, issue development permit in the form in Appendix B1 or building permit in the form in Appendix B2, as the case may be.

7. *Certain operational constructions by Government to be exempted from these rules-*

The operational constructions of the Central or State Government, whether temporary or permanent which is necessary for the operation, maintenance, development or execution of any of the following services shall be exempted from these rules. namely:-

- (a) Railway;
- (b) National Highway;
- (c) National Waterways;
- (d) Major Ports;
- (e) Airways and Aerodromes;
- (f) Posts and telegraph, telephones, wireless, broadcasting and other like forms of communications;
- (g) Roads, bridges, street furniture, toll plazas and wayside amenities by the Central Government, State Government and/or Local Self Government.
- (h) Waterway amenities like boat jetties and other waterside facilities for transportation by the Central Government, State Government and/or Local Self Government
- (i) Regional grid for electricity
- (j) Any other service which the State Government may, if it is of opinion that the operation, maintenance, development or execution of such service is essential to the life of the community, by notification, declare to be a service for the purpose of this clause:

Provided that the following constructions by the services do not come under the purview of operational constructions, namely: -

- (i) New residential colonies, new residential buildings (other than temporary shelters which are used for essential operational quarters for limited essential operational staff and the like) roads and drains in railway colonies, community halls, hospitals, clubs, all type of educational institutions and offices, shopping complexes, railway mail service offices, parcel offices; and



- (ii) Post offices, other type of office of Posts and Telegraphs Department, residential colonies.

**8. Permit not necessary for certain works** - Notwithstanding anything contained in these rules, no building permit shall be necessary for executing the following works which do not otherwise violate any provisions regarding general building requirements, structural stability and fire safety requirements of these rules, namely:-

- (i) Providing or removing of windows or doors or ventilators;
- (ii) Providing inter-communication doors;
- (iii) Providing or removing of partitions without any structural alteration;
- (iv) Gardening excluding any permanent structures;
- (v) White or color washing;
- (vi) Painting;
- (vii) Petty repairs to the building and pitched roof;
- (viii) Plastering and patch work;
- (ix) Interior decoration without any structural alterations; and
- (x) Changing of the location of the building or construction within the plot;
- (xi) Compound wall not abutting a public street;
- (xii) Huts, except huts adjacent to roads mentioned in section 235P of the Kerala Panchayat Raj Act, 1994;
- (xiii) Single family residential buildings in Category -II Village Panchayats under Group A1-Residential occupancy with total built-up area on all floors upto 100 sq.metres (including existing and proposed within the plot) and the number of storeys limited to two.

Provided that the changing of the location under item (x) shall be incorporated in the completion plan.

Provided further that, except in cases as specified in rule 5(6)(3), if the change in location under item (x) above, is in deviation from any approvals, concurrences etc. obtained from any of the agencies/authorities concerned, other than that obtained from the Panchayat, as per these rules or bye laws made under the Act and any other law, such approval, concurrences etc. shall be obtained afresh.

- 9. Approval of site and plans and issue of permit** - (1) On receipt of the application with the supporting documents attached thereto, the Secretary or the officer duly authorised by the Secretary shall issue an acknowledgement to the applicant on the same day and inform the applicant whether any No Objection certificate required from other authorities is /are not attached with the application.



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

**ORIGINAL APPLICATION NO. 128  
OF 2021**

In the matter of:  
Ibrahim Karim, Munnar  
-----Applicant

-VS-

State of Kerala, Rep by its Chief  
Secretary,  
Thiruvananthapuram and ors  
-----Respondent(s)

**COMPILATION OF DOCUMENTS**

**E.K. KUMARESAN,  
Standing Counsel for Government  
of kerala**

No.6, Indian Chambers (SICCI)  
Annex Building, Ground Floor,  
Esplanade, Chennai - 600 108.

Cell No: 94443 98701