

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

**O.A. NO. 132 OF 2022 (SZ)**

Thangavelraj  
S/o.Shanmugam  
141,Venus Nagar ,2<sup>nd</sup> Cross  
Rayanoor,  
Thanthoni(m) Karur,  
Tamil Nadu- 639005

... Applicant

**VERSUS**

1. Union of India  
Ministry of Environment, Forest & Climate Change  
Rep. by its Secretary to Government  
Paryavaran Bhavan  
Jor Bagh Road, New Delhi- 110 003  
Phone: 011-2469 5262 Email: secy-moef@nic.in
2. State of Tamil Nadu  
Rep. by its Principal Secretary to Government  
Department of Environment and Forests  
Secretariat, Fort St. George  
Chennai-600 009
3. Department of Municipal Administration, Urban and Water Supply,  
Rep. by its Additional Chief Secretary to Government  
Secretariat, Fort St. George  
Chennai-600 009
4. Tamil Nadu Pollution Control Board  
Rep. by its Member Secretary  
100, Anna Salai Guindy,  
Chennai-600 032
5. District Environmental Engineer, Karur  
No. 26, Ramakrishnapuram West  
Karur-639 001
6. The District Collector, Karur  
Thanthonimalai  
Karur
7. Karur City Municipal Corporation  
Rep. by its Commissioner  
Municipal Office  
Azad Road  
Karur-639 001

... Respondents

Corrections: Nil  
Page No: 1

**Commissioner**  
**Karur City Municipal Corporation**

**AFFIDAVIT FILED ON BEHALF OF THE 7<sup>TH</sup> RESPONDENT**

I, N.Ravichandran, Son of Thiru Natesan, Hindu aged about 55 years, employed as the Commissioner, Karur City Municipal Corporation Karur, do hereby solemnly affirm and sincerely state as follows:

1. I state that I am the 7<sup>th</sup> Respondent herein, and as such I am well acquainted with the facts of the case from the records.

2. I humbly submit that the present application has been filed under Section 14 and Section 15 of the National Green Tribunal Act, 2010, by the Applicant for the following relief:

- i) *Declare that the construction of the new bus stand at Thirumanilaiyur Village, Karur District as illegal, unauthorized and in violation of the Environment Protection Act, 1986 and all other applicable laws;*
- ii) *Quash the G.O Ms. No. 20 dated 25.01.2022 issued by the 3rd Respondent as illegal and violative of the environmental laws;*
- iii) *Direct the Respondents 2 and 6 to forthwith stop the construction of a Bus Stand at Thirumanilaiyur Village, Karur District;*
- iv) *Direct the Respondents 1,4 and 5 to initiate criminal action against the authorities for violations of the provisions of Environment(Protection) Act, 1986.*
- v) *Direct the Respondents to remove all the obstructions created on the Thirumanilaiyur Rajavaikkal and restore the same to its original status and protect the water bodies and pass such other further orders as this Hon'ble Tribunal may deem fit and proper and thus render justice.*

3. I humbly state that in compliance of the direction issued by this Honorable Tribunal to furnish the particulars about the extent of the land, the built up area in terms of square metres and would state that whether it will attract the EIA Notification, I am filing this Affidavit along with the required particulars. I state that the total extent of the Karur New bus stand at Thirumanilaiyur is 12.14 acre (49,209.377 Sq Mt), in which the built up area

Corrections: Nil  
Page No: 2

**Commissioner**  
**Karur City Municipal Corporation**

comes around 9216.586 Sq Mt. The planning approval was obtained for construction of building measuring to a total extent of 13991.16 Sq Mt vide proceedings of the Assistant Director of Town and Country Planning, Trichy in Na.Ka.1067/2015 Thi Ma 2 dated 14.08.2015. The particulars of the built up area are as follows:-

| SL. NO               | PARTICULARS                | AREA IN SQ.M     |
|----------------------|----------------------------|------------------|
| <b>SITE AREA</b>     |                            |                  |
| 1                    | Site Area                  | 49209.377        |
|                      | <b>Total Site Area</b>     | <b>49209.377</b> |
| <b>BUILT UP AREA</b> |                            |                  |
| 2                    | Admin Block Area           | 1793.134         |
| 3                    | Parking Area               | 1934.434         |
| 4                    | Horizontal Bay Area        | 1359.096         |
| 5                    | Area of the Bus Bay - 1    | 1460.500         |
| 6                    | Area of the Bus Bay - 2    | 1873.250         |
| 7                    | Area of the Bus Bay - 3    | 588.000          |
| 8                    | Area of Sanitary Room      | 208.172          |
|                      | <b>Total Built up Area</b> | <b>9216.586</b>  |

4. I humbly state that the total extent of the built up area is 9216.586 Sq. Mt and the project proponent undertakes to construct the buildings as per the approved plan dated 14.08.2015 only. I also humbly state that there shall not be any further extension of bus stand in a phased manner. Therefore the proposed project does not require prior Environmental Clearance(EC) from Environment Impact Assessment Authority. The

Corrections: Nil  
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**Commissioner**  
**Karur City Municipal Corporation**

integration of environmental condition in building bye- laws was inserted by S.O.3999 (E) dated 09.12.2016, therefore the project does not require any clearance from Environment Impact Assessment Authority since the planning approval was obtained as early as on 14.08.2015.

It is therefore humbly prayed that this Honourable Tribunal may be pleased to accept the Affidavit filed and to pass such further or other suitable order as this Honorable Court deems fit and proper in the circumstances of the case and thus render justice.

Solemnly affirmed at Karur,  
on this 4<sup>th</sup> day of February 2023 and  
the deponent put his signature in  
my presence:-

BEFORE ME,

**Commissioner**  
Karur City Municipal Corporation

A.  Advocate - Karur  
**A. MUHAMED YOUSUFF, B.A.,B.L.,**  
ADVOCATE & NOTARY,  
Reg. No: 5293/08,  
En. Roll. No. Ms.1212/92  
No: 77, Covai Road, Near Canara Bank,  
KARUR - 639 002. T.N.  
Cell: 9443338397

04/2/2023

**Proceedings of Assistant Director, Town and Country Planning,  
Tiruchirappalli Zone  
Present: Thiru.S.Dhanarasu, B.E.,**

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Na.Ka.No.1067/2015 Thee.Ma.2, Dated.14.08.2015

Sir,

Sub: Bus Stand – Civic Design – Office of the Assistant Director, Town and Country Planning – Tiruchirappalli Zone – Karur District – Karur Local planning Area – Thirumanilaiyoor Village – Karuppampalayam Panchayat – Following the request for permission to construct a new bus stand at the extent of 12.14 acres situated at in Survey Nos.95/2, 97/2, 98/1, 113/1, 114/A2, 115/1B, 116/2, 117/1, 118, 119, 120, 121, 122, 123/1, 146/A, 147/A1, 148/1, 149, 150/1, 151/1, 152/1B, 243/2, 246/2, 247/2 and 248/2 – Grant of Technical approval of Civic Design – Regarding.

- Ref:
1. Letter from the Commissioner, Karur Municipality, Karur, in Na.Ka.No.F1/9310/2014, dated.09.07.2015.
  2. Karur Municipal Council Resolution No.1445, dated 23.05.2013.
  3. Government Order No.87, Municipal Administration and Water Supply (MA-4) Department, dated 20.06.2013.
  4. Government Order (2D) No.76, Department of Housing and Urban Development, dated 17.07.2014.
  5. Details of Government Order published in Tamil Nadu Gazette Part-VI, Section.1, Page No.45.
  6. Circular letter from the Commissioner, Town and Country Planning, Chennai in Na.Ka.No.30615/1992 UB2, dated.11.09.1998.

7. Circular letter from the Commissioner, Town and Country Planning, Chennai in Na.Ka.No.21075/2009 BA1, dated.04.04.2012.

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Plot site for Proposed new bus stand building situated at extended of 12.14 acres in Karur District, Karur Local Plan Area, Thirumanilaiyoor Village, Karuppampalayam Panchayat in Survey Nos.95/2, 97/2, 98/1, 113/1, 114/A2, 115/1B, 116/2, 117/1, 118, 119, 120, 121, 122, 123/1, 146/A, 147/A1, 148/1, 149, 150/1, 151/1, 152/1B, 243/2, 246/2, 247/2 and 248/2 bounded as "ABCDEFGH" the plot approval.

**Area details of the proposed bus stand:-**

**Area**

Basement (Two Wheeler Parking Place) : 3514.14 Square Meters

**Main Building:-**

Ground Floor : 1719.43 Square Meters

First Floor : 1794.71 Square Meters

Transport Office : 86.46 Square Meters

Municipal Ward Office : 43.21 Square Meters

Municipal Section Office : 44.91 Square Meters

Bus Bay Area (including shops & Toilet) : 6788.30 Square Meters

No.of Bus Bays : 77 Nos

No.of Car Parks : 65 Nos

No.of Two Wheeler Parks : 605 Nos

OSR Area : 1944.90 Square Meters

## **Amenities Provided**

|                              |                                       |
|------------------------------|---------------------------------------|
| 1. Total No of Bays          | : 77                                  |
| 2. Shops                     | : 40                                  |
| 3. Pay & use Toilet (Male)   | : 5 (including Physically Challenged) |
| 4. Pay & use Toilet (Female) | : 5 (including Physically Challenged) |
| 5. Booking Counter           | : 1                                   |
| 6. Food Court / Restaurant   | : 3                                   |
| 7. Drinking Water            | : 2                                   |
| 8. Entrance Arch             | : 1                                   |
| 9. Two Wheeler Parking       | : 605 Nos                             |
| 10. Cloak Room               | : 1                                   |
| 11. Four Wheeler Parking     | : 65 Nos                              |
| 12. Bank Space               | : 1                                   |
| 13. SIP                      | : 80 KLD                              |
| 14. Lift                     | :1 No                                 |

For the construction of the said proposed bus stand building in the reference 3<sup>rd</sup> cited vide Government Order No.87, Municipal Administration and Water Supply (MA -4) Department, dated 20.06.2013, following the permission given to Karur Municipality to construct a new bus stand in the reference 4<sup>th</sup> cited vide Government Order (2D) No.76, Department of Housing and Urban Development, Department dated 17.07.2014, in the Karur Master Plan approved by the Government for the establishment of a bus stand at the said land, following the change of land use from agricultural land use to commercial land use, this change of land use in the Tamil Nadu Gazette Part.VI, Section.1,

following the publication of the Government Order at page no.45, in the reference 6<sup>th</sup> cited vide circular letter No.30615/1992 UP2, dated.11.09.1998 of the Commissioner of Town and Country Planning, Chennai, for the Civic design of the proposed bus stand building plan numbered as BP/R(TR) No.04/2015 and given technical approval.

**Special Conditions:-**

1. It is responsibility of the builders to ensure safe bearing capacity of the soil and adequacy of the foundations.

2. Planning permission is issued in accordance with the provisions of the Town and Country Planning Act and the rule made there under and does not cover the structural stability aspects or loading the safety during the construction which are covered under the Building Rules under the Local Bodies Act Planning Permission is issued subject to the condition that the applicant / developer and also the Architects / Licensed Surveyors and the Structural Engineer associated with the development shall ensure that developments shall be structurally sound and adequate safety measures are taken during the process of construction.

3. Circular Letter No.12641/2014/CP, dated 25.07.2014 of Town and Country Planning Commissioner, Chennai (**FORM FOR CERTIFICATE FOR EXECUTION OF WORK AS PER STRUCTURAL SAFETY REQUIREMENTS to be submitted to Local Body quarterly**) is attached herewith this form should be filled and submitted by the petitioner to the Local Body every three months after the commencement of the construction.

4. Circular letter from the Commissioner, Town and Country Planning, Chennai, in Na.Ka.No.25350/2012/D, dated 14.07.2013 as notified.

To obtain consent of TNPCB Under Water (Prevention and Control of Pollution) at 1974 as amended and the Air (Prevention and Control of Pollution) act 1981 is amended.

5. Wiring should be done by a Government approved electrical contractor during construction of the building.

**Conditions:-**

1. Solar Water Heating System should be installed for the proposed bus stand utility construction.

2. The designated parking area on the map should be used for that purpose only.

3. The open spaces shown on the plot should be positioned accordingly.

4. No alterations should be made to the building contrary to the plan until such time as approval is obtained. If any alternations are to be made prior approval from the Assistant Direct of Town and Country planning shall be obtained.

5. Rainwater harvesting facilities as shown in the map should be implemented in the building as per Government Order No.138, Municipal Administration and Water Supply Department, dated.11.10.2002.

6. The petitioner shall provide at his own cost the disposal of sewage from the proposed building through private vehicles, secured drinking water facilities for the users and water facilities for other needs.

7. Anti-mosquito device should be fitted to drinking water overhead tank and well located in the plot.

8. Fire prevention and firefighting equipment shall be provided as per rules in the proposed construction.

9. As per Government Order No.341, Municipal Administration and Water Supply (Na.Ni.1) Department dated 03.11.2004 "U" Trap should be set up in septic tank.

10. Fly Ash Bricks and materials should be used for the proposed building as per Environment and Forest Department notification.

11. A copy (True Copy) of the approved drawing shall be installed on the board in a manner visible to all at the site during construction.

12. Consent of the said board as per section 25 (Water Act) of the Tamil Nadu Pollution Control Board Act, 1974 shall be obtained in respect of the proposed discharge of sewage.

13. A copy of this order approved along with the original on the approved drawing shall be furnished to the purchasers.

14. Action should be taken as indicated in the structural design sufficiency certificate and supervision form obtained as per the circular of Urban Development Commissioner, Chennai as seen in Reference letter No .7.

Two copies of the stamped drawings are enclosed herewith with technical approval for the proposed bus stand design drawing and building construction.

The Commissioner, Karur Municipality is requested to proceed and grant planning permission for this proposal.

Sd/- 14.08.2015  
Assistant Director, Town and Country Planning,  
Tiruchirappalli Zone

**Enclosures:-**

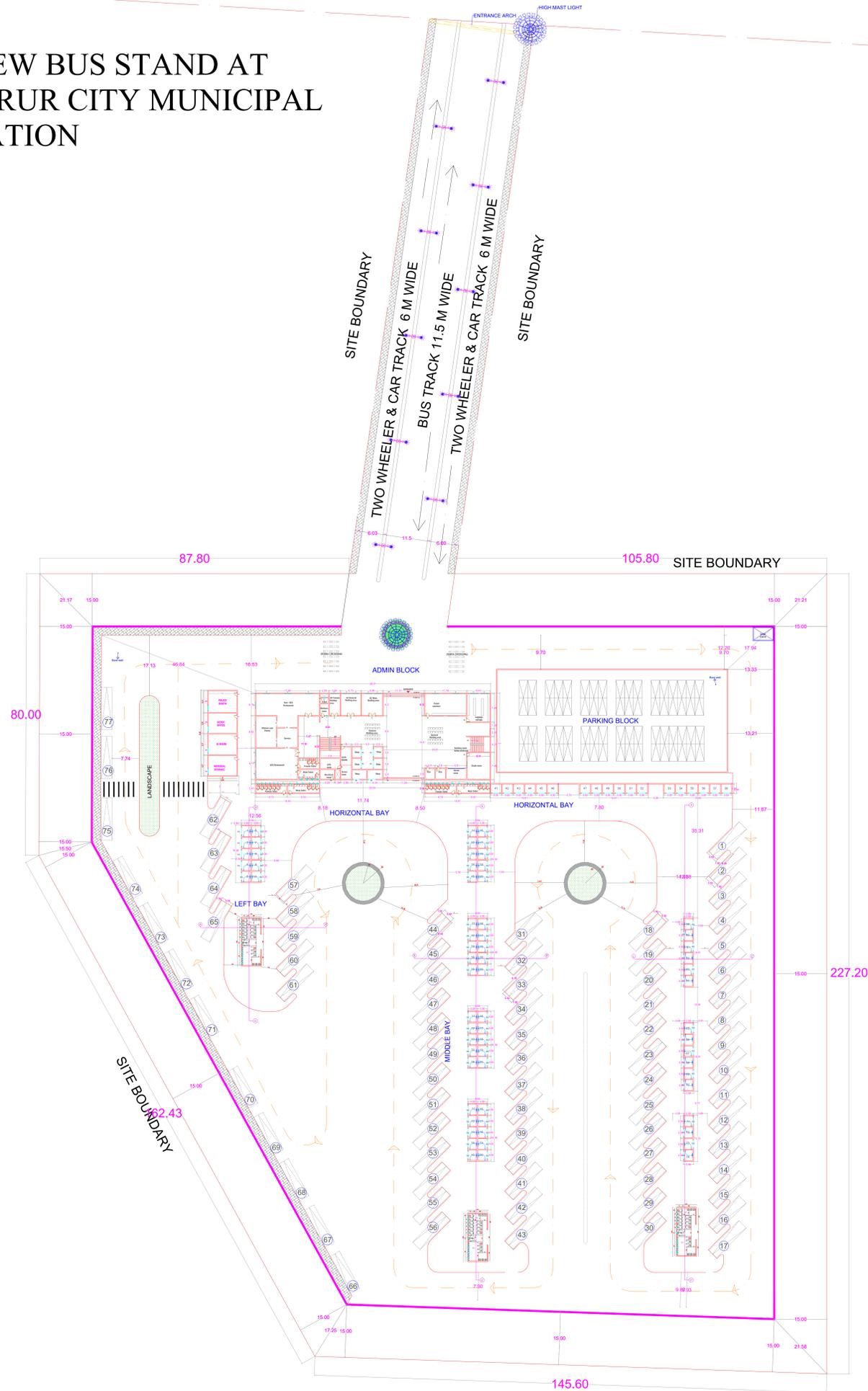
Only two sets of maps

To

The Commissioner,  
Karur Municipality,  
Karur District.

# CONSTRUCTION OF NEW BUS STAND AT THIRUMANILAYUR IN KARUR CITY MUNICIPAL CORPORATION

Annexure E



**LEGEND**

| SYMBOL | DESCRIPTION                        |
|--------|------------------------------------|
|        | 18W FOUR FEET LET FITTING WITH LED |
|        | LIGHTING SWITCH - SINGLE           |
|        | MIRROR LIGHT POINT                 |
|        | CEILING LIGHT POINT                |

**COLOR INDEX**

|                      |  |
|----------------------|--|
| <b>SITE BOUNDARY</b> |  |
| <b>PROPOSED BLDG</b> |  |
| <b>EXISTING ROAD</b> |  |

**AREA DETAILS**

| S NO, | PARTICULARS | NUMBERS |
|-------|-------------|---------|
| 1     | BUS BAY     | 75      |
| 2     | SHOP        | 74      |
| 3     | LIGHT POST  | 43      |

**AREA DETAILS**

| S NO, | PARTICULARS            | SQ.MT            | SQ.FT             |
|-------|------------------------|------------------|-------------------|
| 1     | SITE AREA              | 49209.377        | 529492.897        |
|       | <b>TOTAL SITE AREA</b> | <b>49209.377</b> | <b>529492.897</b> |

**BUILD UP AREA**

|   |                            |                 |                  |
|---|----------------------------|-----------------|------------------|
| 2 | ADMIN BLOCK AREA           | 1793.134        | 19294.122        |
| 3 | PARKING AREA               | 1934.434        | 20814.510        |
| 4 | HORIZONTAL BAY AREA        | 1359.096        | 14623.873        |
| 5 | AREA OF THE BUS BAY-1      | 1460.500        | 15714.980        |
| 6 | AREA OF THE BUS BAY-2      | 1873.250        | 20156.170        |
| 7 | AREA OF THE BUS BAY-3      | 588.000         | 6326.880         |
| 8 | AREA OF SANITARY ROOM      | 208.172         | 2239.931         |
|   | <b>TOTAL BUILD UP AREA</b> | <b>9216.586</b> | <b>99170.465</b> |

SITE PLAN