

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL (SZ),
CHENNAI

O.A.No.149 of 2016 (SZ)

IN THE MATTER OF:

V. Ramasubbu

.... Applicant

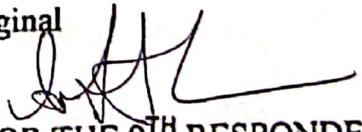
Versus

Union of India &Ors

... Respondents

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Certified that the above documents are true copies of the original


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M/S. S. SAI SATHYA JITH
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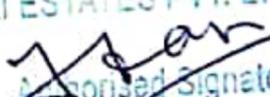
Union of India &Ors

... Respondents

**OBJECTIONS FILED BY RESPONDENT NO.9 TO THE JOINT
COMMITTEE REPORT DATED 25.08.2020**

I, Hemant Bahri, S/o. (Late) J. N. Bahri, aged about 57 years, Managing Director of M/s. Bahri Estates Pvt.Ltd., having office at No.44, 1st Floor, Jamal Nainar Enclave, Eldams Road, Alwarpet, Chennai- 600 018, do hereby solemnly affirm and sincerely state as follows:

1. I am the Managing Director of M/s Bahri Estates and as such I am well acquainted with the facts and circumstances of the case. The 9th Respondent has already filed a detailed reply dated 03.08.2016 to the main application which is prayed to be read as a part and parcel of this affidavit. I am filing the present affidavit as objections to the Joint Committee Report, being permitted by this Hon'ble Tribunal by order dated 25.08.2020.
2. At the outset, I deny the averments, findings and conclusions of the Joint Committee Report except those that are expressly admitted herein. Before replying to the contents of the Committee's report, the following background facts in brief are submitted for the sake of convenience.

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3. The project of the 9th respondent is called as "Bahri Beautiful Country" which is a plotted layout development. The extent of the project is 49.31 hectares. The lands and survey numbers along with their extent showing the entire project is tabled as below:

Survey No.	Extent (Hectare)		Survey No.	Extent (Hectare)
179B	0.50.0		405/1	0.57.0
209B/2 B	0.11.0		405/2	0.25.5
209B/ 3	0.11.5		406	0.60.5
210/2B	0.22.5		407	1.41.5
210/3	0.28.0		408	0.14.0
213	0.38.5		409	1.06.5
214	0.29.5		410/1	0.78.5
302/2	0.75.5		410/2	0.40.0
304	1.33.5		411	0.87.5
305/1	0.54.5		412	1.00.5
306/2	0.06.5		413	0.08.5
307	0.41.5		414/1	0.67.5
308	1.00.5		414/2	0.15.5
309	0.45.0		415	0.37.0
311/2A	0.64.0		416	0.84.0
311/2B	0.73.0		420	0.77.0
377	1.63.0		421/1	1.15.5
379	1.91.0		422	0.73.5
382	0.54.0		423	1.03.0
383	0.43.5		424	0.81.0
384	0.44.5		425/1	0.91.0
385/2	0.61.0		425/2	0.36.0
385/3	1.17.5		427	0.47.0
386	1.03.0		430	1.19.0
395/1	0.31.0		431	0.37.0

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395/2	0.40.5		432	0.50.0
395/3	0.70.0		433	0.70.5
396	0.50.0		435	0.23.0
397/1	0.42.0		436/1	0.77.5
397/2	1.04.5		436/2	1.32.5
399/1	1.35.5		436/3	0.42.0
399/2	1.33.0		436/4	0.35.5
400	0.88.0		437	1.01.0
401/1	0.44.0		438/1	0.41.5
401/2	0.26.0		439/1	0.19.5
402	0.41.5		442/2	0.21.0
403	0.62.5		443/1	1.00.0
404	0.36.5		443/2	0.92.0

4. The above lands were granted approval for plotted development by the competent authority namely the DTCP under the Town and Country Planning Act and was approved as Layout Number No. 13/2009 vide proceedings dated 09.03.2009 which is referred as Annexure A3 by the main applicant. The layout approval had been granted after all due process and verification.
5. In particular, the layout approval was granted after scrutinizing other required clearances obtained from various departments and authorities. At each and every instance, the 9th respondent has thoroughly obtained all permission and followed all due process of law in implementing the project. The entire permissions, approvals, etc., have been already submitted by the respondent along with its counter affidavit filed earlier as Annexure Nos.1-35 which would exhibit the compliances of the respondent.
6. It is submitted that the project is designed and styled as a retirement/ leisure home for elders and senior citizens. Therefore, the purchasers of the project plots are mostly abandoned elderly citizens with most of them having their children settled elsewhere or abroad and not taking care of them. It is pertinent to mention

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that the 9th respondent has undertaken the project as a social welfare one along with commercial interest. However, due to the nature of the purchasers and their elderly age, the 9th respondent has also been aiding and assisting them for a wholesome solution for their living. Therefore, the project of the 9th respondent which was proposed, implemented and completed is mainly only a plotted layout development for 49.31 hectares. The allied activities are only additional services offered by the respondent considering the old age of the purchasers which may or may not be required by them. Such additional services are provided only in the land of 49.31 hectares as approved by DTCP. Without appreciating the said difference, the applicant has confused and misleads this Hon'ble Tribunal by erroneously portraying the project.

7. It is submitted that the location of the project is nearby to a forest range on one side wherein a buffer of about 35 to 50 metres from the North-South along the BBC property line is maintained. At certain points, the buffer is maintained at about 500 metres. However, it is pertinent to state that none of the lands of the project is a forest area. Therefore, there is no necessity for obtaining any permission under Section 2 of the Forest Conservation Act. However, as abundant precaution, the 9th respondent was advised to inform of the project and seek a NOC from the Forest Department by the DTCP officials. Accordingly, the 9th respondent applied and obtained an NOC from the forest department dated 24.01.2008 in proceedings number 10772/07. Further at the time before the completion of the project in the year 2011 also, the 9th Respondent was granted another NOC dated 12.07.2011 in proceedings number 1492/2011 by the Forest Dept approving the plotted development and certifying the project as without any hindrance to the forest ecology or any man-animal conflict.
8. At the time of obtaining the NOC dated 24.01.2008, the project was yet to take its final shape and thus inadvertently included some additional Survey Nos. 426, 428 and 429 to a total extent of 6 acres. The project was at a very preliminary stage only. The project of the 9th respondent took shape later by purchase of lands and by investment of lands from 3rd parties to form the total extent of 49.31 hectares. Further, it is respectfully submitted that the land in Survey No.441/1 to

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an extent of 1 acre was never part of the NOC and had neither been purchased nor is not a part of the project even till date. The ownership of the said land of Survey No. 441/1 lies with a 3rd party and the land is never a part of the project. The activities that were carried on in the aforesaid lands were not done by the 9th respondent and as such the 9th respondent is not liable for any such activities much less these extent of lands cannot be considered to be a part of the project lands.

9. The remaining lands to the extent of 6 acres in Survey Nos.426, 428 and 429 were purchased by the 9th respondent after the plotted development was approved/completed. The said lands are totally vacant and lies without any activities ever. The lands are unnecessarily implicated in the Joint Committee's Report solely for the reason that they were in the NOC that was granted by the Forest Department. The lands are unutilised and I state that the same would never be utilised for the project.

10. Further, with respect to the Eco-Sensitive Zone buffer regulations, it is submitted that the same is not applicable to the present project as the same does not require Environmental Clearance as per the EIA Notification, 2006. In any event, the Kodaikanal Wildlife Sanctuary itself was notified only on 20.09.2013 under Section 26 of the Wild Life (Protection) Act, 1972 which is after the completion of the project during the year 2011 itself, as evidenced by the proceedings of the District Collector dated 15.09.2011. Even for projects that require Environmental clearance the regulations for providing an eco-sensitive zone buffer was enforced by the notification of the MOEF dated 02.12.2019 only. Even in that aspect, the same is after the DTCP's grant of approval dated 09.03.2009 to the present project.

11. In order to evidence that the instant project is not attracted as per the EIA Notification, 2006, one need not consider beyond the approval granted by the DTCP in Layout No.13/2009 and the permissions given by the Tahsildhar which alone is the description, status and valid legal extent of the 9th respondent project including the Survey Numbers and their respective extents as evidenced

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by the reply filed by DTCP before this Hon'ble Tribunal. The aforesaid approvals are for a total of 49.3 Hectares only and more importantly excludes the 7 acres of land in Survey Nos. 426, 428, 429 and 441/1. The 9th respondent has been unnecessarily and wrongly implicated to certain activities in Survey Number 441/1 which are neither owned or is a project activity nor carried out by the 9th respondent. The lands in Survey Numbers 426, 428 and 429 are implicated purely because they find a part of the NOC granted by the Forest Dept without appreciating that the lands of 6 Acres in the said Survey Nos. were purchased after the approval/completion of the project and are not approved by the DTCP and as such lying totally vacant with no activities till date. Thus, it is submitted that the project of the 9th respondent does not require an Environmental Clearance under EIA Notification 2006 as being below the threshold of 50 Hectares of project area.

12. PARAWISE REPLY TO THE COMMITTEE'S OBSERVATIONS:

Sl.No.	Terms of reference	Observations of the committee
(i)	To inspect the area in question and consider the question regarding the environment impact of the project in Eco-Sensitive area in forest wildlife and existing and existing water bodies and whether the project developer had started their construction without getting environment	<p>Regarding the eco-sensitive area: the project activity falls within 10 km of eco-sensitive zone (in the absence of delineation of Eco-sensitive Zone of Kodaikanal Wildlife Sanctuary prior to the Gazette notification dated 23/1/2020), it is mandatory requirement of getting Clearance from the Standing Committee of National Board for Wildlife (NBWL). Further, Govt. Of India vide S.O. 412(E) dated 23/01/2020 has notified the Kodaikanal Wildlife Sanctuary, wherein notified an area to an extent of 0 Km to 1.0 Km around the boundary of the Kodaikanal Wildlife Sanctuary as Eco-Sensitive zone.</p> <p>Whether the project developer had started their construction without getting environment</p>

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	clearance.	<p>clearance: As per the affidavit submitted by SEIAA and as per the records of TNPCB, it is observed that, the unit has continued the project related activity without obtaining environmental clearance from SEIAA and consent from the TNPCB. The unit continues to violate the provisions of Water & Air Acts, as per the report submitted by TNPCB, DEE, Theni vide TNPCB, Theni letter No. F.0001 (N.A)/DEE/TNPCB/2016/ dated 06.10.2016. In this regard, TNPCB vide Proceeding dated 18/05/2016 issued Show cause Notice to the Unit.</p> <p>The Member Secretary, SEIAA vide letter dated 02.04.2014 instructed the Project developer not to commence any activity other than cleaning of the site, fencing the site and putting up temporary structure for accommodation of labour, along with basic facilities like toilets and water supply, made as a temporary arrangement.</p> <p>Though the project developer has obtained approval from DTCP, requisite Consent & Authorization has not been obtained from the TNPCB.</p> <p>Impact of the project in Eco- Sensitive area in forest wildlife and existing water bodies:</p> <p>The Committee has inspected various constructions of villas, Oddai (small seasonal streams) flowing through the project site, treatment system of sewage, solio waste disposal and distance between reserved forest and the project site.</p>
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		<p>Committee has shown the records of Revenue for various oddai in the project site and verified the existence along with revenue officials. There are four oddais in the project site. Widths of the oddais are not altered in the site. However, bridges are constructed along the cross roads within the developed project area for free flow of water during monsoon. The Project Developer has left 35 meter buffer zone from the reserved forest.</p> <p>The sewage from the villas are collected and disposed periodically through tanlers authorized by local body. Also the unit is converting the Bio degradable solid waste through vermicomposting.</p>
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Reply to Point No. (i):

Eco-sensitive area:

(a) It is submitted that the issue relating to the violation of Eco-Sensitive Zone regulation is unsustainable for the reason that the application of the said regulations applies only to projects that require Environmental Clearance. This proposition of law is established and settled by the orders of the Hon'ble Supreme Court in the landmark judgement in Goa Foundation v. Union of India and the resultant notification by the MoEF dated 02.12.2009. In the instant case, the project does not attract the EIA Notification 2006 and thus does not require EC as per EIA 2006. Therefore, the Eco-Sensitive Zone buffer regulations do not apply to the present project at all.

(b) In arguendo, it is submitted that the approval for the project was granted much prior on 09.03.2009 itself before the ESZ regulations came into force which is on 02.12.2009 by a notification of the MOEF and as such at the time of grant of approval, there was no regulations of eco-sensitive area.

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(c) Notwithstanding all of the above, it is pertinent to state that the Kodaikanal Wildlife Sanctuary itself was notified only on 2013. The buffer Eco-Sensitive Zone of the Sanctuary was fixed up to a distance of 1 km only during the year 2020. Even earlier, when the default buffer of 10Kms were made applicable procedure for such regulations were made by an Office Memorandum of the MOEF dated 02.12.2009 only. Thus, looking from any angle, the project is not covered under the ESZ regulations.

(d) It is pertinent to state that the enforcement of ESZ, the notification of the Kodaikanal Sanctuary, the fixing of buffer zone can apply only prospectively and in the instant case, as explained herein above, the regulations cannot be retrospectively applied.

Environmental clearance:

- (a) It is submitted that the entire extent of the project is 49.31 hectares and thus does not require environmental clearance as being less than 50 hectares as per Entry 8 of Schedule to the EIA notification 2006.
- (b) The observations of the committee are firstly that an extent of 7 acres of land in Survey Nos. 426, 428, 429 and 441/1 are also project lands over and above 49.31 hectares and as such the total land usage exceeds 50 hectares. The Committee came to the above conclusion based on the reason that the Survey Number except 441/1 are a part of the NOC given by the Tamil Nadu Forest Department dated 24.01.2008 and 12.07.2011 which are not amended till date. Further certain activities of organic farming were carried on in Survey No.441/1 and some other activities of brick manufacturing in some other land which makes it a part of the project activity.
- (c) It is submitted that the above findings of the Committee is erroneous because the committee has failed to compare the approved DTCP layout dated 09.03.2009 which forms the basis and describes the extent of the project. The Committee also failed to consider the proceedings of the District Collector dated 2011, which has observed the

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completion of the project as per the DTCP conditions which also points to only 49.31 hectares. All the activities are confined only to DTCP approved area only. Further, out of the 49.31 Hectares of land, almost 12.51 hectares is gifted for forming of roads to the local body as per DTCP norms who had taken charge and completed the same. The 9th Respondent is thus only having 36.8 hectares of land for the project area. In addition, the application for environmental clearance for Phase II of the project submitted by the Applicant clearly explained the confusion and recorded Phase I of the project to be 49.31 hectares which is the actual project size and the remaining extent of lands including the aforesaid Survey Numbers in 426, 428, 429 and 441/1 as proposed expansion areas. The expansion was also subsequently given up and the application for expansion stands withdrawn.

- (d) Therefore, the committee has not considered the various statutory documents and has concluded only on the basis of the forest NOC which was an inadvertent mistake and not binding on the project since the lands are itself are not forest lands. Thus, the above findings of the Committee warrant revision and interference by this Hon'ble Tribunal.
- (e) The 2nd observation of the Committee in Point No.(i) is that the project related activity such as nursery, composting yard, etc. are being undertaken in the aforesaid additional Survey Number and thus amounts to land utilised for the project. It is submitted that the referred activity is organic farming carried on in 1 acre of land in Survey No. 441/1. The said land is not owned by the 9th Respondent and as such is not a part of the project or a part of the DTCP approval.
- (f) In fact, the activity is not a project activity since what has been implemented by the 9th respondent is only plotted layout development. The activity of organic farming does not find a part as a project activity in any permissions or clearances.
- (g) It is understood by the respondents that it is only upon a request by the residents who are senior citizens, as a leisure activity, that they

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obtained consent and had an arrangement with the original landowner to carry out such activities which seems to be permitted by the landowner on a temporary basis until the lands are required by him. Therefore, an activity that is purely temporarily carried on by purchasers, not promised as a project activity, in lands that are not owned by the 9th respondent, in lands that do not form part of the clearances are now portrayed on assumptions and presumptions to be that of the project. It is submitted that the Committee had not noticed this fact and the allegation that the activity is a project activity is without verification, perusal and assessment of the activities. Therefore it is submitted that the above are contrary to true facts and those facts cannot be denied on the basis of suspicions and presumptions.

- (h) It is further submitted that with regard to the issue pertaining to hollow brick manufacturing which was noticed as undertaken in part of the lands in Survey No.441/1, the same was carried out by 3rd party agencies on a contractual basis to supply material for the project. The lands on which such units were established were never a part of the project nor owned by the 9th Respondent. The units are white category industries as per Type Code No.4016 in BP No.6 dated 2.8.2016 and as such the white category industries do not require consent from the TNPCB as per the guidelines of CPCB. These units are not in operation which were also confirmed by TNPCB in their reply to this Hon'ble Tribunal.

Environmental Impact:

- (a) It is submitted that the report of the committee clearly establishes that there is absolutely no impact of the project in eco-sensitive area in forest wildlife and existing water bodies. The committee has also observed that the sewage and solid waste are properly disposed. The committee has further observed that no water bodies or odai are disturbed by the project. The committee also observed that a 35 metre

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buffer zone is also left from the forest. Therefore, the committee has given a clean chit to the 9th respondent in terms of viability and impact of the project on the environment. Therefore, the entire issues only relate to procedural compliances by the 9th respondent.

Sl.No.	Terms of reference	Observations of the committee
(ii)	Whether the project proponent had started their construction without getting environment clearance and if so, what is the extent of construction made in that area covered for the project and also the applicability of EIA Notification 2006 for the project and if there is any violation.	From the NOC and communication obtained from the Tamilnadu Forest Department, it has been observed that project developer has more than 50 Ha. Area in their possession from 2008 to 2011. Through the project developer claims that the total project area is less than 50 Ha., it is pertinent to mention here that in the absence of the ownership one cannot get the NOC. Further, the NOC obtained for 128 Acres (51.82 Ha.) from the forest Department has not been amended till date. During the visit, committee has observed few project related activities viz. Nursery, composting yard etc., are being undertaken in the adjoining area of the project, which is not part of the project area. But, considered to be activity area. Accordingly, it is observed that the area of layout development and allied activities exceeds 50 Ha., therefore obtaining Environmental Clearance under EIA Notification, 2006 is mandatory.

Reply to Point No (ii):

- (a) It is submitted that the observations in the above point are already discussed and replied to in the previous paragraph itself. It is only reiterated that the forest department's NOC is referred without context to the DTCP approval and ground reality. The alleged activities are not

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project activities, not carried on by the 9th respondent and not within the project site.

Sl.No.	Terms of reference	Observations of the committee
(iii)	Area of construction and proximity of the project to the reserve forest and Kodaikanal Wildlife Sanctuary.	<p>Out of 298 allotted plots, 172 plots including undivided shares are sold out to the private individuals. Presently, 103 villas are constructed. Built up area of each villa is at about 950 Sq. ft (9093.86 m²). At present 40 villas are occupied by the owners and remaining villas have occasionally occupied.</p> <p>The project site is 35 m away from the boundary of the Kodaikanal Wildlife Sanctuary. Since the project activity falls within the 10 km of eco-sensitive zone (in the absence of delineation of Eco -Sensitive Zone of Kodaikanal Wildlife Sanctuary prior to the Gazette notification dated 23/01/2020), it is mandatory requirement of getting Clearance from the Standing Committee of National Board for Wildlife (NBWL). Further, Govt. of India vide S.O. 412 (E) dated 23/01/2020 has notified the Kodaikanal Wildlife Sanctuary, wherein notified an area to an extent of 0 km to 1.0 km around the boundary of the Kodaikanal Wildlife Sanctuary as Eco Sensitive Zone.</p>

Reply to Point No (iii):

- (a) It is submitted that the reply and objections to this paragraph is already discussed under the heading "Eco-sensitive zone" and thus not repeated for the sake of convenience and brevity.

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Sl.No.	Terms of reference	Observations of the committee
(iv)	Whether there is any water body available near and within the project area which requires preservation and protection	During the visit Committee observed there is no any water body available near and within the project area. Further, the natural drains/ oddais passing through the project area have been verified with the revenue authorities/ FMB and observed that the four existing natural seasonal drains/ oddais in the project area have not been realigned/ obstructed. Widths of the oddais are not altered. Further, M/s Bahri Estates Pvt. Ltd. Has constructed the bridge on the natural drains after obtaining requisite permissions from the Tamil Nadu Public Works Department.

Reply to Point No (iv):

- (a) It is submitted that as stated earlier, the observations of the committee establish the fact that no environmental hazard or damage has been caused by the 9th respondent.

Sl.No.	Terms of reference	Observations of the committee
(v)	If there are violations, the committee may also specify the violation aspects and the extent of violation having impact environment and the action taken by the authorities for the said violation and submit a report.	Based on the records made available during the visit, it has been observed that the unit continuing the construction activity without obtaining environmental clearance and Consent & Authorization from the authorities concerned. The unit violated the provisions of Air & Water Acts. In this regard, TNPCB, Theni vide Proceeding dated 18/05/2016 issued Show cause notice to the unit for continuing the project activity without obtaining Consent from the board. Based on the direction of the Tamil Nadu

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	<p>Pollution Control Board, the developer vides their letter dated 02/04/2014 applied for Environmental Clearance before the State Level Environment Impact Assessment Authority- Tamil Nadu and it appears that the matter is still pending.</p> <p>SEIAA- Tamil Nadu vide letter dated 02.04.2014 instructed the developer not to commence any activity other than cleaning of the site, fencing the site and putting- up temporary structure for accommodation of labour, along with basic facilities like toilets and water supply, made as a temporary arrangement.</p> <p>MoEF&CC vide Notification No. S.O. 804 (E) dated 14th March 2017 provided a six month window for the entities not complying with environment regulations under Environment Impact Assessment Notification, 2006, i.e., those entities which did not obtain prior Environment Clearance to apply for grant of Environment Clearance in order to bring them under compliance with the prevalent environment laws.</p> <p>Subsequently, MoEF&CC also issued an Office Memorandum dated 9th September, 2019 for consideration of violation proposals through lateral entry. As per the said O.M., proposals involving violation can be considered as per the notification No. S.O. 804 (E) dated 14/03/2017 only, if it is applied during the window period 14/03/2017 to 13/09/2017 and 14/03/2018 to 13/04/2018 (or) prior to the violation window period. It appears that the developer has not</p>
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		availed this opportunity also.
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Reply to Point No (v):

(a) With respect to the notices issued by the TNPCB, it is submitted that the 9th respondent had approached the authorities only for consent for the construction of club house in a total built up area of 4000 sq.m. The show cause notice issued by the TNPCB have been complied with and reply along with applications have been made by the 9th Respondent. Thus, it is for the TNPCB to conclude the statutory process and pass final orders on the Show Cause notice after considering the reply given and the applications made by the 9th Respondent. It is submitted that the same is a statutory process as per Section 25 of the Water Act and Section 21 of the Air Act by exercise of powers granted under Section 33-A and Section 31-A of the aforesaid acts respectively, where there are appeal remedies available to the 9th Respondent. Thus, without appreciating the above stated, the Committee had drawn conclusions on the notices issued by the TNPCB which is unsustainable.

(b) In so far as the applications and withdrawals for EC are concerned, it is submitted that they were made only for a proposed expansion of about 31.02 Hectares of land as contained in the application dated 02.04.2014. The proposed expansion lands had no activity going on at the time application or even till date. When the expansion was proposed, the total extent of the project including the existing 49.31 hectares became liable for environmental clearance. Accordingly, the existing project was shown as Phase I with an extent of 49.31 hectares and proposed expansion was shown as Phase II with an extent of 31.02 hectares.

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- (c) It is submitted that as explained above, the lands shown as Phase I had become liable for obtaining EC only due to proposed expansion activity. Therefore, as per the existing regulations and procedure the 9th respondent submitted the application for expansion and also subsequently submitted a letter of apology in so far as the construction in Phase I is concerned. Thereafter, the said application was delisted by the SEIAA.
- (d) However, it is crucial to state that the project proponent thereafter could not pursue the proposed expansion due to failure to secure the land and due to economic situation and business-related reasons. Therefore, the proposed expansion was given up by the 9th respondent and the application for EC was also withdrawn vide letter dated 03.09.2015.
- (e) Thereafter, it has been clearly explained to the authorities that with the withdrawal of the proposed expansion, the project is confined only to 49.31 hectares and as such there is no violation as were before the application for expansion. In continuation to the same, the 9th respondent has also submitted such explanations to the TNPCB and EC authorities whenever called upon. With respect to the show cause notice received from the TNPCB, the 9th respondent complied with the same and applied for consent under Section 25(5) of the Water Act for the establishment of the Club House in a total built up area of 4000 sq.m which is unrelated to the issue of Environmental Clearance.
- (f) Thus, the proceedings of SEIAA and TNPCB directing the 9th respondent to not commence the construction or permitting clearing the area, etc. were all made in the intervening time period starting from application for proposed expansion and withdrawal of that application. It is further submitted that the project of "Bahri Beautiful Country" which is a plotted layout development was completed in the year 2011

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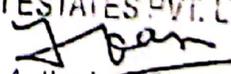
itself as evidenced by the proceedings of the District Collector dated 15.09.2011.

(g) Therefore, these correspondences are relied upon without context by the joint committee and based on observations in those correspondence, has concluded as if the authorities had found the 9th respondent to be a violator. Such findings are erroneous, unsustainable and perhaps made out of caution by the joint committee.

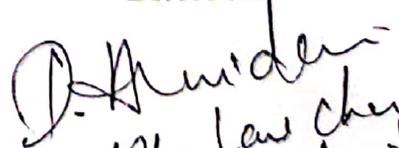
(h) Finally, it submitted that it is a matter of fact and a matter of record that the project of the 9th respondent is only 49.31 hectares. Only that extent of lands were developed and completed in total compliance to the DTCP regulations. Infact the aforesaid possession was admitted by the DTCP authorities while granting layout approval and Environmental Clearance was also not insisted at the time of approval. Therefore, looking from any angle, the committee report is erroneous and unsustainable and contract to actual facts and circumstances.

13. The Conclusions made by the Committee are only based on the above Observations and as such the same is not replied to separately for the sake of brevity. The conclusions holding the 9th respondent as a violator is denied in terms of the explanations as given above.

It is therefore, humbly prayed that this Hon'ble Tribunal may be pleased to set aside the findings of the joint committee to the extent of holding the 9th respondent to be a violator and thus render justice.

BAHRI ESTATES PVT. LTD.

 Authorised Signatory

Solemnly affirmed at Chennai
 on this 08th day of October 2020
 and signed the same in my presence.

Before me

 10th Law Chamber,
 10th Court,
 Advocate- Chennai

Duty Collection NO2

பொருள்

டாக்டர் கே.எஸ்.பழனிசாமி, இ.ஆ.ப.,
மாவட்ட ஆட்சித் தலைவர்,
தேனி

பெறுநர்

தலைவர்,
ஊராட்சி மன்றம்,
ஜி.கல்லப்பட்டி.

ந.க.எண். 02435/2010/க்யூ-5
ஊரா.

நாள் : 15.09.2011

பொருள் : மனைப்பிரிவு அங்கீகாரம் - பெரியகுளம்
ஊராட்சி ஒன்றியம் - ஜி.கல்லப்பட்டி ஊராட்சி
பாரி எஸ்டேட் - மனைப்பிரிவு அங்கீகாரம்
வழங்கப்பட்டது - கட்டிடம் கட்ட
வழங்கப்பட்ட அனுமதியை தற்காலிக ரத்து
செய்து உத்தரவிட்டதை ரத்து செய்தல் -
கட்டிடம் கட்ட அனுமதி வழங்க உத்தரவிடக்
கோரல் - தொடர்பாக.

பார்வை : 1) நகர ஊரமைப்பு ஆணையர் சென்னை
அவர்களின் ந.க.எண். 3082/2008/LA2
நாள் 09.03.2009.
2) தேனி மாவட்ட ஆட்சித்தலைவர் அவர்களின்
கடித எண் 2435/2010/Q5 நாள் 09.09.2010.
3) தலைவர், ஊராட்சி மன்றம், ஜி.கல்லப்பட்டி
ஆணை எண் 10 முதல் 59 வரை
நாள் 16.8.2010 மற்றும் 17.9.2010.
4) செயற்பொறியாளர் மாவட்ட ஊரக வளர்ச்சி
முகமை, தேனி அவர்களின் அறிக்கை
நாள் 12.07.2011.
5) திட்ட இயக்குநர், மாவட்ட ஊரக வளர்ச்சி
முகமை, தேனி அவர்களின் அறிக்கை
நாள் 14.09.2011.

பெரியகுளம் ஊராட்சி ஒன்றியம், ஜி.கல்லப்பட்டி ஊராட்சியில் பாரி எஸ்டேட்,
நில அளவை எண் 179 பி, 209/2பி3, 210/2பி, 3, 213 மற்றும் பல - 122.95
ஏக்கர் பரப்பில், நகர ஊரமைப்பு ஆணையர் சென்னை அவர்களால் தொழில்நுட்ப
அனுமதி வழங்கப்பட்ட மனைப்பிரிவினை 03.09.2010 அன்று செயற்பொறியாளர்,
ஊரக வளர்ச்சி முகமை, தேனி அவர்கள் ஆய்வு செய்து, புலத் தணிக்கை செய்த
போது கீழ்க்கண்ட குறைபாடுகள் கண்டறியப்பட்டது.

1. (1) நகர - ஊரமைப்புத்துறை ஆணையர் சென்னை அவர்களின் மனைப்பிரிவு
நிபந்தனை 1-ன்படி மனைப்பிரிவுக்குள் வரும் தெருக்கள் அனைத்தும்
தமிழ்நாடு ஊராட்சி கட்டிட விதி 3(5)-ன் படி ஏற்படுத்தப்பட்டுள்ள
விதிமுறைகளை சரளைக் கற்களை கொண்டு மனுதாரரால், நிர்வாக
அதிகாரியால் (Executive Authority) நிர்ணயிக்கப்படும் மட்டத்திற்கும்,
அகலத்திற்கும் ஏற்ப மனுதாரரால் அமைக்கப்பட வேண்டும்.

-2-

(ii) அத்தோடு தேவையான பாலங்கள் சாக்கடை வசதி, குடிநீர் வசதி, தெருளிளக்கு அமைத்தல் ஆகிய வசதிகளை நினைவு அறியாரியின் கருத்திற்கேற்ப மனுதாரர் அமைத்து தர வேண்டும்.

மேற்குறிப்பிட்ட இரு நிபந்தனைகளை நிறைவேற்றுவதற்கு முன்பு எந்த ஒரு மனையையும் விற்கவோ, குத்தகைக்கு விடவோ வேறு எந்த விதத்திலும் பரிமாற்றம் செய்யவோ அல்லது எந்த ஒரு மனையிலும் கட்டடம் கட்டவோ கூடாது. ஆனால், மேற்கண்ட விதிமுறைகளை மீறி ஊராட்சி மன்றத்தின் மூலம் இறுதி மனைப்பிரிவு அங்கீகாரம் வழங்கப்பட்டிருந்ததால், பார்வை 1ல் காணும் சென்னை 2ல் ஊரமைப்பு துறை ஆணையர், அவர்களின் நிபந்தனைகளுக்குட்பட்டு மனைப்பிரிவுகளுக்கு கட்டிடம் கட்ட அனுமதி வழங்கியதை ரத்து செய்து ஆணையிட பார்வை 2ல் காணும் கடிதம் வழி கேட்டுக்கொள்ளப்பட்டது.

அதன் பேரில் பார்வை 3ல் காணும் ஊராட்சி மன்ற தலைவரின் 17.09.2010-ம் தேதியிட்ட உத்தரவின்படி கட்டிடம் கட்ட வழங்கப்பட்ட அனுதியை, மேற்காணும் குறைபாடுகள் நிவர்த்தி செய்து மாவட்ட ஆட்சியரின் அனுமதி பெறப்பட்டு உத்தரவு வழங்கும் வரை தற்காலிகமாக நிறுத்தி வைத்து உத்தரவிடப்பட்டுள்ளது.

தற்சமயம், மேற்காணும் குறைபாடுகள் நிவர்த்தி செய்யப்பட்டு, குடியிருப்புக்கு ஏற்ற அனைத்து வசதிகளும் உள்ளதாக, செயற்பொறியாளர், மாவட்ட ஊரக வளர்ச்சி முகமை அவர்கள் நேரடி ஆய்வு செய்தும், திட்ட இயக்குநர், மாவட்ட ஊரக வளர்ச்சி முகமை அவர்கள் நேரடி ஆய்வு செய்தும் பார்வை 4 மற்றும் 5 காணும் அறிக்கைகள் மூலம் தெரிவித்துள்ளார்கள்.

எனவே, ஜி.கல்லூரிப்பட்டி ஊராட்சி மன்ற தலைவரின் 17.09.2010 ன் தேதியிட்ட ஆணையினை ரத்து செய்திடவும், கட்டிடம் கட்ட அனுமதி வழங்கப்பட்ட உத்தரவை தற்காலிகமாக நிறுத்தி வைத்த உத்தரவினை ரத்து செய்து, மேற்காணும் புல எண்களில் அமைக்கப்பட்டுள்ள மனைப்பிரிவுகளில் ஊராட்சி மன்றம் மூலம் கட்டிடம் கட்ட அனுமதி வழங்கலாம் என்ற விபரத்தினை தெரிவித்துக் கொள்கிறேன்.

மேலும், இப்பொருள் தொடர்பாக எடுக்கப்பட்ட நடவடிக்கை விபரத்தினை உடன்தெரிவித்திட கேட்டுக்கொள்ளப்படுகிறது.


ஊராட்சிகளின் ஆய்வாளர் /
மாவட்ட ஆட்சித் தலைவருக்காக
தேனி

நகல்:

- 1) வட்டார வளர்ச்சி அலுவலர் (கி.ஊ.) பெரியகுளம்.
- 2) க்யூ 5 பிரிவு முக்கிய ஆணைத் தொகுப்புக்கு
- 3) புகள் எல்லை,
ஆலமன்,
2.5.2.பி.கி.கி.

From

DR. K.S. PALANISAMY, I.A.S,
District Collector
Theni

To,

President Panchayat,
G. KALLUPATI,

Doc.No. 02433/2010/Q-5

Date : 15.09.2011

Sir,

Subject	Plot Development approval Temporarily withdrawn for Bahri Estates. – Seeking approval for building constructions regarding.
References	1) DTCP Commissioner-Chennai, Doc.NO. 3082/2008/LA2.
	2) Theni District Collectors letter no. 2435/2010/Q5 dt.09.09.2010.
	3) President Panchayat, G. Kallupatti, order no. 10 to 50 dt. 16.08.2010 and 17.09.2010.
	4) Notice dt. 12.07.2011 by Chief Engineer-District Rural Development Department. Theni Dist.,
	5) Notice dt.14.08.2011 by The Project Director, District Rural Development Deptt.

Periyakulam Municipality Corporation, G. Kallupatti Panchayat, Bahri Estates land measuring no.179 b, 209/2B3, 210/2B, 3, 214 plus other 122.95 acres approved by the Directorate of Town and Country Planning, Chennai dt. 3.09.2010. The Chief Engineer, District Rural Development have inspected the above said development of land and found the following discrepancies.

1. (i) The Applicant, According to the order of Directorate Town-Country Planning, Director Chennai, rules 1, and The roads should be made on the subdivided plots by complying with the Tamil Nadu Rural Building act 3(5). Under the supervision of the appointed officer (Executive Authority) according to the width and length.
- (ii) Along with that required bridges, sewer/drainage system, street lights should be made by the applicant under the instructions/terms of the officers.

The applicant should not build, develop, sell, lease or do any other dealing, but apart from crossing the all the above rules, obtained approval of Panchayat for the subdivisions. With reference to point no.1 according to the DTCP approval rules & regulations and it is being conveyed/ passed orders to temporarily withdraw the approval through the letter reference on point 2.

Therefore, as per referred in point 3, the approval order of Panchayat President dt. 17.09.2010 will be temporarily withdrawn till the time the above mentioned discrepancies are being resolved an order is passed by the District Collector, referred in letter mentioned in point 2.

In the meantime, it is being informed that the above referred discrepancies were corrected by the applicant and done as per the housing norms, and all the facilities required are been checked / inspected personally by the Chief Engineer DRDO and PD, DRDO as per reference no. 4 to 5.

Therefore, it is informed that the approval order given by the President, G. Kallupatti dt. 17.09.2010 and temporary withdrawal of building approval has been cancelled. The referred survey numbers may be given approval through the panchayat for constructions.

With a request to distribute this order for information of all departments.

Sd/-

Director Panchayat
For District Collector, Theni

Copy :

1. B.D.O, Periyakulam
2. Q-5 Deptt.



ABSTRACT

23

Forests – Wildlife – Formation of Kodaikanal Wildlife Sanctuary – Notification under Section 26 A 1 (b) of Wildlife (Protection) Act, 1972 (Central Act 53 of 1972) – Orders – Issued.

ENVIRONMENT AND FORESTS (FR.5) DEPARTMENT

G.O.(Ms.) No.143

Dated: 20.09.2013

விஜய, புரட்டாசி 4

திருவள்ளூர் ஆண்டு 2044

Read:

From the Principal Chief Conservator of Forests and Chief Wildlife Warden letter No.WL5/76747/2006, dated 31.10.2012. and 30.4.2013

ORDER:-

The Government accept the proposal of the Principal Chief Conservator of Forests and Chief Wildlife Warden received in the letter read above for the declaration of Kodaikanal Wildlife Sanctuary under section 26 A1(b) of Wildlife (Protection) Act, 1972 (Central Act 53 of 1972). The Notification appended to this order shall be published both in English and Tamil in the Tamil Nadu Government Gazette and in Tamil in the District Gazette of the Dindigul and Theni Districts.

2. The Tamil Development, and Information Department is requested to send immediately a Tamil Translation of the Notification to the Works Manager, Government Central Press, Chennai for publication in the Tamil Nadu Government Gazette and in the District Gazette of Theni and Dindigul.

3. The Works Manager, Government Central Press, Chennai is requested to send 20 copies of each of the Notification to Government and to the Principal Chief Conservator of Forests and Chief Wildlife Warden and to the Collector of Theni and Dindigul Districts as soon as the Notification is published.

(BY ORDER OF THE GOVERNOR)

MOHAN VERGHESE CHUNKATH
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT

To
The Works Manager,
Government Central Press, Chennai-79.
The Principal Chief Conservator of Forests, Chennai.15
The Principal Chief Conservator of Forests and
Chief Wildlife Warden, Chennai-15.

24

The Tamil Development and Information Department,
Chennai-9.

The Secretary to Government of India,
Ministry of Environment and Forests,
Paryavaran Bhavan, CGO Complex,
Lodhi Road, New Delhi-110 003.

Copy to:-

The Law Department., Chennai 9

The Collector, Theni District.

The Collector, Dindigul District.

/FORWARDED BY ORDER/

SECTION OFFICER

APPENDIX

NOTIFICATION

In exercise of the powers conferred by clause (b) of sub-section (1) of section 26-A of the Wildlife (Protection) Act, 1972 (Central Act 53 of 1972), the Governor of Tamil Nadu, having considered that the area declared as reserved forest under the Tamil Nadu Forest Act, 1882 (Tamil Nadu Act V of 1882), the boundaries of which are specified in the Schedule below is of adequate ecological, faunal, floral, geomorphological, natural and zoological significance for the purpose of protecting, propagating and developing wildlife and its environment hereby declares that the said area as a Kodaikanal Wildlife Sanctuary on and from the 20.09.2013.

THE SCHEDULE

- 1. Name of the district : (1) Dindigul district and
(2) Part of Theni district.
- 2. Name of the taluks : (1) Kodaikanal
(2) Palani
(3) Periyakulam
- 3. Name of Wildlife Sanctuary : Kodaikanal Wildlife sancturay.
- 4. Area in extent : 60895.482 Hectares
or
608.95 Sq.Km as detailed in the Annexures.

ANNEXURE - I

Name of the district : Dindigul
 Name of the taluk : Palani
 Extent : 18463.44 Hectares

Serial Number	Name of the reserved forest	Area Extent in Hectares	Area excluded for tourists site in Hectares	Area excluded for Roads in Hectares	Area excluded for Leased out in Hectares	Area after exclusion in Hectares
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	Kudhiraiyar	4344.53	--	--	--	4344.53
2	Oliyanuthu	1761.25	--	--	--	1761.25
3	Poombarai Vilpatty	7165.45	--	13.0	--	7152.45
4	Velancombai	67.59	--	--	--	67.59
5	Andipatti	5155.42	--	--	17.80	5137.62
	Total	18494.24	--	13.0	17.80	18463.44

Boundary Description

North.- Starting from the northern most junctions of the Anamalai reserved forest and Andipatti reserved forest. Thence, the boundary runs generally towards east along the northern and eastern boundary of the Andipatti reserved forest till it meets the Kudhiraiyar River and then cuts across and generally runs along northern and eastern boundary of Andipatti reserved forest till it meets the Pachaiyar River and then cuts across and runs along northern boundary of Kudhiraiyar reserved forest till it meets northern boundary of Oliyanuthu reserved forest; Thence, it runs along northern boundary of Oliyanuthu reserved forest till it meets northern boundary of Poombarai Vilpatti (PV) valley reserved forest; thence, it runs along northern boundary of Poombarai Vilpatti valley reserved forest till it meets western boundary of Velancombai reserved forest, thence it runs along western, northern and eastern boundary of Velancombai reserved forest, till it meets northern boundary of Poombarai Vilpatti valley reserved forest; thence, it runs along northern boundary of Poombarai Vilpatti valley reserved forest till it meets north east corner of Poombarai Vilpatti valley reserved forest (Southern side of road near Kannadipermai Koil at 9.2 km).

East.- Thence, the boundary runs generally towards south along the eastern boundary of the said Poombarai Vilpatti valley reserved forest till it meets the Gundar River and then cuts across and runs along eastern boundary of the said Poombarai Vilpatti valley reserved forest till it meets the south east corner of said Poombarai Vilpatti valley reserved forest.

South.- Thence, the boundary runs generally towards west along the southern and western boundary of the said Poombarai Vilpatti valley reserved forest till it meets southern boundary of Oliyanuthu reserved forest; thence, it runs towards west along the southern boundary of said Oliyanuthu reserved forest till it meets south east corner of Kudhiraiyar reserved forest; thence, it runs towards west along the southern and eastern boundary of said Kudhiraiyar reserved forest till it meets northern boundary of Samikanal reserved forest; thence, it runs towards south west along the northern boundary of Samikanal reserved forest till it meets southern boundary of said Kudhiraiyar reserved forest; thence it runs along southern boundary of Kudhiraiyar reserved forest till it meets the Kudhiraiyar River and then cuts across and runs along southern boundary of said Kudhiraiyar reserved forest till it meets the district boundary of Thiruppur and Dindigul districts.

west.- Thence, the boundary runs generally towards north along the district boundary of Thiruppur and Dindigul districts till it meets the southern boundary of said Andipatti reserved forest; thence the boundary runs towards west along the southern boundary of said Andipatti reserved forest till it meets south west corner of said Andipatti reserved forest; thence, the boundary runs towards north along the western boundary of said Andipatti reserved forest till it meets the starting points through Ellaigundu Rock (1250m).

MOHAN VERGHESE CHUNKATH
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT

/TRUE COPY/

SECTION OFFICER

ANNEXURE – II

Name of the district : Dindigul
 Name of taluk : Kodaikanal.
 Extent : 24051.084 Hectares

Serial Number (1)	Name of the reserved forest (2)	Extent in Hectares (3)	Area excluded for tourists site (Hectares) (4)	Area excluded for Roads (Hectares) (5)	Area excluded for Leased out (Hectares) (6)	Area after exclusion (Hectares) (7)
1	Gundar Valley	1809.04	0.76	1.5	0	1806.78
2	Gundar Valley Extension	2228.39	7.50	15.2	72.009	2133.681
3	Amph Hill Down	12583.00	172.75	17.72	0.367	12392.163
4	Kookal	346.01	0	0	0	346.01
5	Poombarai	6.83	0	0	0	6.83
6	Shengalvarayar	1816.35	0	0	3.73	1812.62
7	Karungalthon imedu	1134.47	0	0	0	1134.47
8	Amburuvi	3543.86	0	5.76	0	3538.1
9	Kilanavayal	226.37	0	0	0	226.37
10	Samikanal	655.66	0	1.60	0	654.06
	Total	24349.98	181.01	41.78	76.106	24051.084

Boundary Description

North.- Starting from the north west corner of Kokkal reserved forest. Thence the boundary runs generally towards east along the northern boundary of Kokkal reserved forest and towards south along the eastern boundary of Kokkal reserved forest till it meets northern boundary of Amphill Downs reserved forest; thence, it runs towards east along northern boundary of Amphill Downs reserved forest till it meets south west corner of Samikanal reserved forest; thence, it runs towards north along the western boundary of Samikanal reserved forest and towards north east along the northern boundary of Samikanal reserved forest till it meets southern boundary of Kudthiraiyar reserved forest.

East.- Thence, the boundary runs generally towards south along the eastern boundary of Samikanal reserved forest till it meets the eastern boundary of Ampthill Down reserved forest; thence it runs along the eastern and northern boundary of Ampthill Downs reserved forest till it meets north west corner of Poomburai reserved forest; thence it runs along the northern boundary of Poomburai reserved forest till it meets western boundary of (Umaiayar Block reserved forest) Gundar valley extension reserved forest; thence, it runs along the northern and eastern boundary of the said Gundar valley extension reserved forest till it meets northern boundary of Shengalvarayar reserved forest; thence, it runs along the northern and eastern boundary of said shengalvarayar reserved forest till it meets northern boundary of Karungal Dhonimedu reserved forest; thence, it runs along the northern and eastern boundary of said Karungal Dhonimedu reserved forest till it meets south east corner of said Karungal Dhonimedu reserved forest.

South.- Thence, boundary runs generally towards west along the southern boundary of said Karungal Dhonimedu reserved forest till it meets eastern boundary of Amburuvi reserved forest; thence, it runs along the southern boundary of said Amburuvi reserved forest till it meets southern boundary of Ampthill Downs reserved forest; thence, it runs along southern boundary of Ampthill Downs reserved forest till it meets south west corner of Ampthill Downs reserved forest (Pambadi Shola Malai (2425 M)).

West.- Thence, boundary runs generally towards north along the western boundary of Ampthill Down reserved forest till it meets Kadavarai Kanavai; thence, it runs towards south east along eastern boundary of Ampthill Down reserved forest till it meets Uruman Kanavai; thence, it runs towards east along the northern boundary of Ampthill Down reserved forest till it meets Tuppiyan Kanavai; thence, it runs towards north along the western boundary of Ampthill Down reserved forest till it meets south east corner of Kilanavayal reserved forest; thence, it runs along southern, western and eastern boundary of Kilanavayal reserved forest till it meets western boundary of Ampthill Down reserved forest; thence, it runs towards north along the western boundary of Ampthill Down reserved forest till it meets south west corner of Kookal reserved forest; thence, it runs towards north along the western boundary of Kookal reserved forest till it meets the starting point.

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ANNEXURE - III

Name of the districts : Dindigul and Theni
 Name of taluks : Kodaikanal and Periyakulam.
 Extent : 18380.958 Hectares

Serial Number	Name of the reserved forest	Extent in Hectares	Area excluded for tourists site (Hectares)	Area excluded for Roads (Hectares)	Area excluded for Leased out (Hectares)	Area after exclusion (Hectares)
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	Unjalnachi	208.82	0	0.36	--	208.46
2	Palani Hills Southern Slope East	5042.69 + 264.43	0	50.65	0.56	5255.91
3	Mulaiyar	959.94	0	0	0	959.94
4	Pambar	1710.14	2.00	1.148	13.619	1693.373
5	Perumal-malai	2598.04	0	15.55	0.58	2581.91
6	Arunkanal	493.51	0	2.38	1.075	490.055
7	Adukkam	2277.29	0	3.50	4.00	2269.79
8	Marutha-nadiyar	1983.39	0	3.60	0	1979.79
9	Kaduguthadi	149.33	0	0.60	0	148.73
10	Murugamalai	2794.27	0.43	0.84	0	2793.00
	Total	18481.85	2.43	78.628	19.834	18380.958

Boundary Description

North.- Starting from the north west corner of Pambar reserved forest. Thence, the boundary runs generally towards east along the northern boundary of Pambar reserved forest till it meets western boundary of Adukkam reserved forest; thence, it runs along northern and eastern boundary of Adukkam reserved forest till it meets western boundary of Palani Hill Southern Slope reserved forests near Sanniyasi malai (1319 m); thence, it runs towards north along the western boundary of Palani Hill Southern Slope reserved forests till it meets southwest corner of Perumalmai reserved forest; thence it runs along western boundary of Perumalmai reserved forest till it meets Perumalmalail Peak (2234 m); thence, it runs towards south west along northern boundary of Perumalmai reserved forest till it meets western boundary of Mulaiyar reserved forest; thence, it runs towards north east along northern boundary of Mulaiyar Reserved forest till it meets north east corner of Mulaiyar reserved forest.

East.- Thence, the boundary runs generally towards south along the eastern boundary of Mulaiyar reserved forest till it north east corner of Arankanal reserved forest; thence, it runs along eastern boundary of Arankanal reserved forest till it meets north west corner of kadugutadi reserved forest; thence, it runs along northern and eastern boundary of Kadugutadi reserved forest till it meets northern boundary of Marudanadiar reserved forest; thence, it runs along northern and eastern boundary of Marudanadiar reserved forest till it meets north east corner of Palani Hill Southern Slope reserved forests; thence, it runs along eastern boundary of Palani Hill Southern Slope reserved forests till it meets Manturai odai.

South.- Thence, the boundary runs generally towards west along the southern boundary of Palani Hill Southern Slope reserved forests till it meets Manjal Ar and then cuts across and then runs along southern boundary of Palani Hill Southern Slope reserved forests till it meets northern boundary of Murugamalai reserved forest; thence, it runs along the northern, eastern, southern and western boundary of Murugamalai reserved forest till it meets the trijunction of Palani Hill Southern Sloper reserved forests, Adukkam Reserved forest and Murugamalai reserved forest (near Kaludai kanavay); thence, it runs along southern boundary of Adukkam reserved forest till it meets eastern boundary of Pambar reserved forest; thence it runs along southern boundary of Pambar reserved forest till it meets Kumbakkarai falls.

West.- Thence, boundary runs generally towards north along the western boundary of Pambar reserved forest till it meets starting point.

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ANNEXURE - IVDETAILS OF TOURIST AREAS EXCLUDED FROM WILD LIFE SANCTUARYDIVISION - KODAIKANAL

Serial Number (1)	Tourism spots (2)	Name of reserved forests (3)	Area in Hectares (4)
KODAIKANAL DIVISION			
1	Caps valley	Gundar Valley	0.25
2	Moir Point	Gundar Valley	0.50
3	Silent Valley	Gundar Valley	0.01
	Total	Gundar Valley	0.76
4	Pillar Rock	Gundar Valley Extension	1.00
5	Pine Forest	Gundar Valley Extension	0.50
6	Guna Cave	Gundar Valley Extension	6.00
	Total	Gundar Valley Extension	7.50
7	Berijam Lake	Amphill Down	86.30
8	Berijam Staff Quarters	Amphill Down	3.45
9	Mannavanur Lake	Amphill Down	83.00
	Total	Amphill Down	172.75
10	Kumbakkarai Falls	Pambar	2.00
11	Paramasivan koil	Murugamalai	0.43
	Total		183.44

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ANNEXURE – VDETAILS OF ROADS AND PATHS EXCLUDED FROM WILD LIFE SANCTUARY

Serial Number	Name of Road	Name of Reserved Forest	Length of road	Width of road	Proposed width of road to be excluded for further expansion	Area excluded for road (in Hectares)	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	Palani – Perumalmalai Road	Poomparai - Vilpatti	13.0 Km	5.5 m	10.0 m	13.00	Bus Route
2.	Paniyaraparai to Berijam	Gundar valley	9.00 Km	5.00 M	--	1.5	Forest Road
3.	Poomparai to Krishnan Kovil	Gundar Valley Extension	6.00 Km	5.00 M	6m	3.6	Bus Route
4.	Moirpoint to Gundar	Gundar Valley Extension	4.00 Km	4.00 M	6 m	2.4	Bus Route
5.	Moirpoint to Paniyaraparai	Gundar Valley Extension	5.00 Km	4.00 M	--	2.0	Forest Road
6.	Observatory to Kosan Road	Gundar Valley Extension RF	5.00 Km	5.00 M	6 m	3.0	Bus Route
7.	Pambarpalam to Moirpoint	Gundar Valley Extension	7.00 Km	6.00 M	--	4.20	Bus Route
		Gundar Valley Extension			Total	15.20	
8	Krishnan Kovil to Vettuvurai	Amphthil down	2.00 Km	5.00 M	--	1.0	Bus Route
9	Kaikatti to Kookalpirivu	Amphthil down	7.40 Km	5.00 M	6m	4.44	Bus Route
10	Kookal pirivu to Thalvukad Asam	Amphthil down	5.00 Km	5.00 M	--	2.5	Bus Route
11	Kookal pirivu to Thanneerparai	Amphthil down	2.80K m	5.00 M	6m	1.68	Forest Road
12.	Grassland to Athupalam	Amphthil down	1.00K m	5.00 M	6m	0.60	Bus Route
13.	Mannavanur to Berijam	Amphthil down	9.00K m	5.00 M	--	4.50	Forest Road
14	Paniyaraparai to Berijam	Amphthil down	9.00 Km	5.00 M	--	3.00	Forest Road
		Amphthil down			Total	17.72	

15	Kumbakkarai to Agamalai	Amburuvi	2 Km	9 m	--	1.80	Foot path
16	Kumbakkarai to Chinnur	Amburuvi	2.4 Km	9 m	--	2.16	Foot path
17	Kumbakkarai to Periur	Amburuvi	4 Km	4.5 m	--	1.80	Foot Path
		Amburuvi			Total	5.76	
18	Kookal to Puthur - Poomparai	Samikanal	3.20 Km	5.00 M	--	1.6	Bus Route
19	Kumbarakadu to Pulathur	Unjalnatchi	0.80 Km	6 Feet (1.8 m)	3m	0.24 Ha	Bus Route
20	Kumbarakadu to Sethukanal	Unjalnatchi	0.40 Km	6 Feet (1.8 m)	3m	0.12 Ha	Bus Route
		Unjalnatchi			Total	0.36	
21	Ghat Road – Kodaikanal to Ganguvarpatti	Palani Hills Southern Slope	25.00 Km	40+6=46 Feet (13.8 m)	20 m	50	Bus Route
22	Mulaiyar to Vilangulam	Palani Hills Southern Slope	0.36 Km	6 Feet (1.8 m)	1.8m	0.65	Only foot path to enclosure
		Palani Hills Southern Slope East			Total	50.65	
23	Kumbakkarai to Vellagavi	Pambar	4.8 Km	1.8 m	--	0.86	Foot Path
24	Fairy Falls	Pambar	1.00 Mile (or) 1.60 Km	6 Feet or 1.8m	--	0.288	Foot Path
		Pambar			Total	1.148	
25	Pannaikadu to Kodaikanal	Perumalmalai	6 Mile (or) 9.60 Km	20 Feets or 6 m	15 m	14.4	Bus Route
26	Perumalmalai to Samaikattu Pallam	Perumalmalai	1.0 Mile (or) 1.60 Km	24 Feets or 7.2m	--	1.15	Forest Road
		Perumalmalai			Total	15.55	
27	Pannaikadu to Geronium	Arunganal	4.60 Km	10 Feet (3m)	3m	1.38 Ha	Forest Road
28	Pannaikadu to Ethiroli Parai	Arunganal	2.00 Km	15 Feet (4.5m)	5m	1.0 Ha	Bus Route
		Arunganal			Total	2.38	

29	Kumbakarai – Selumbu to Adukkam	Adukkam	5.00 Km	7.50 M	15 m	3.50	Bus Route
30	Kaduguthadi RF Boundary to Pannaikadu	Maruthanadi yar	6 Km	5.5 m	6 m	3.60	Bus Route
31	Kaduguthadi puthur to Perumparai	Kaduguthadi	1.0 Km	5.5 m	6 m	0.60	Bus Route
32	Kannimar Combai kanavai to Simmaraya Perumal koil	Muruga-malai	2.8 Km	1.0 m	--	0.28	Foot Path
33	Endapuli Route	Muruga-malai	2.0 Km	1.0 m	--	0.2	Foot Path
34	Devadanappatt y to Paramasivam Koil	Muruga-malai	2.0 Km	1.8 m	--	0.36	Foot Path
		Muruga- malai				Total	0.84
	Grand Total					133.408	

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ANNEXURE - VI

DETAILS OF LEASED AREA EXCLUDED FROM WILDLIFE SANCTUARY

Serial Number	Name of reserved forest	Name of the project	User Agency	Area diverted (in Hectares) (5)
(1)	(2)	(3)	(4)	
(1)	Andipatty	Kuthiraiar Reservoir Project	Public Works Department	17.80
(2)	Gundar Valley Extension	Golf Ground	Golf Club, Kodaikanal	53.57
(3)	Gundar valley extension	Laying pipe line	Tamil Nadu Water and Drainage Board	0.079
(4)	Gundar Valley Extension	Research Station	Tamil Nadu Agricultural University	18.36
	Gundar Valley Extension	Total		72.009
(5)	Amphill Down	Laying Pipe Line	Tamil Nadu Water and Drainage Board	0.367
(6)	Shengalvarayar	Golf Ground	Golf Club, Kodaikanal	3.73
(7)	SSRF	Laying fibre cable	Bharat Sanchar Nigam Limited	0.56
(8)	Pambar	Electric line	Electricity Board	13.619
(9)	Perumalmai	Laying fibre cable	Bharat Sanchar Nigam Limited	0.24
(10)	Perumalmai	Laying pipe line	Tamil Nadu Water and Drainage Board	0.34
	Perumalmai	Total		0.58
(11)	Arunkanal	Police Repeater station	Police Department, Government of Tamil Nadu	1.075
(12)	Adukkam	Adukkam Road	District Rural Development Agency, Dindigul	4.0
		Grand Total		113.74

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