

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
(SOUTHERN ZONE BENCH, CHENNAI)
IN
ORIGINAL APPLICATION NO. 184 OF 2021 (SZ)

**THE JOINT COMMITTEE REPORT AND INDIVIDUAL REPORTS OF
COMMITTEE MEMBERS**

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Dated at Chennai on this the 9th day of November, 2021.

M/s. E.K.KUMARESAN

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

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

(SOUTHERN ZONE), CHENNAI

Original Application No. 184 of 2021 (SZ)

IN THE MATTER OF

Abraham Mathew,
S/o.P.V.Mathew,
Veloor. P.O., Kottayam-686 003

... Applicant(s)

Versus

State of Kerala and Ors.

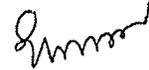
... Respondents

**THE JOINT COMMITTEE REPORT AND INDIVIDUAL REPORTS OF
COMMITTEE MEMBERS**

It is respectfully submitted that this Hon'ble Tribunal vide its order dated 18.08.2021 in OA No.184/2021 has directed the Joint Committee to submit a report.

Therefore it is most humbly prayed that this Hon'ble Tribunal may be pleased to record the said Report filed by the Joint Committee and individual reports of committee members on Record and thus render justice.

Dated at Chennai on this the 9th day of November, 2021.



(E.K.Kumaresan)

Counsel for R1 to R3

Standing Counsel for State
Government of Kerala

NGT(SZ), Chennai Bench



1

SN2 – OA.184/2021

കേരള അഡ്വക്കേറ്റ് ജനറലിന്റെ കാര്യാലയം,
എറണാകുളം, കൊച്ചി-682 031

പ്രേഷിതൻ

അഡ്വക്കേറ്റ് ജനറൽ
കേരളം

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ഫാക്സ് : 0484 2394674

E-mail : advocategeneralkerala@gmail.com

16.09.2021.
തീയതി.....

To

E.K.Kumaresan,
M/s.EKK Legal,
No.6, Indian Chamber (SICCI),
Annex Building, Ground Floor,
Esplanade, Chennai- 600 108.

Sir,

Sub:- OA.184/2021 filed by Abraham Mathew before the Hon'ble
National Green Tribunal, Chennai – Reg..

Ref:- 1) Letter No. DM1-3878/2021/D.C, KTM dated 14.09.21 from District
Collector, Kottayam.

2) Statement of Facts submitted by Ex. Engineer, Irrigation Department,
Kottayam.

Kind attention is invited to the reference cited. I am directed to forward herewith a copy of Joint Committee report submitted by 1) District Collector, Kottayam. 2) independent report of Assistant Conservator of Forests, Social Forestry Department, Kottayam 3) Statement of Facts submitted by Executive Engineer, Irrigation Department duly approved by Hon'ble Advocate General for further necessary action

Yours faithfully,
Sd/-
Rinimol Raphy
Joint Secretary,
for Advocate General

Encl: As above

Approved for issue,

Section Officer.

12.6.21
A.H.

DM1-3878/2021/DC KTM

2021

Collectorate, Kottayam
Date: 14.09.2021

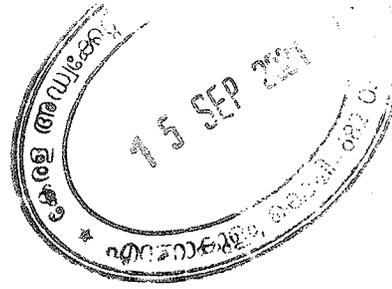
2

From

The District Collector
Kottayam

To

Advocate General, Kerala
Ernakulam



Sir,

Sub: OA No. 184/2021 before the Hon'ble Green Tribunal filed by Sri. Abraham Mathew- Joint Committee Report submitting -Reg:

Ref: Judgement dated 18.08.2021 in OA 184/2021

The Joint committee report and individual reports of committee members in OA No. 184/2021 before the Hon'ble Green Tribunal is submitted herewith for necessary action.

Yours faithfully,

District Collector

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE, CHENNAI IN
ORIGINAL APPLICATION NO. 184/2021 (SZ)

REPORT FILED BY THE COMMITTEE CONSTITUTED IN THE MATTER OF
O.A.NO.117/2021 (SZ) and O.A.184/2021(SZ) IN ACCORDANCE WITH THE THE ORDER
DATE 25/05/2021 AND 18.08.2021 OF HON'BLE NATIONAL GREEN TRIBUNAL
(SOUTHERN BENCH, CHENNAI)

PREAMBLE

Hon'ble National Green Tribunal (SZ, Chennai) vide its order dated 18.08.2021 on O.A 184 /2021), directed the committee appointed in OA. No. 117/2021 (SZ) to look in to the issues raised in this application as well and file comprehensive report to the Tribunal. The Joint Committee consists of the following representatives:

- (i) Senior Officer from MoEFCC Regional Office (Bangalore).
- (ii) Scientist having expertise botanical study from Kerala State Bio Diversity Board, Thiruvananthapuram, Kerala.
- (iii) Assistant Conservator of Forest, Kerala Forest & Wildlife Department, Kottayam.
- (iv) Executive Engineer, Major Irrigation Department, Kottayam.
- (v) District Collector, Kottayam District.

The Hon'ble NGT directed the Joint Committee to examine the issues /allegations raised in the application and submit a comprehensive report.

COMPOSITION OF THE JOINT COMMITTEE

As per the directions of the Hon'ble NGT, Joint Committee constituted for OA 117/2021 ,with the following Members gone through the issues raised in the OA 184/2021

S. No	Name	Representative Department/ Agency
1	Dr. P. K. Jayasree, IAS	District Collector, Kottayam
2	Dr. Murali Krishna	Scientist-D, Ministry of Environment, Forest and Climate Change, Integrated Regional Office, Bangalore
3.	Dr. Pradeep C.G	Senior Research Officer Kerala State Bio- diversity Board Trivandrum.
4	Dr. Prasad G	Assistant Conservator of Forests Social Forestry Division, Kottayam District.
5	Smt. Mollykutty Emmanuel	Executive Engineer, Irrigation Division Kottayam.

MANDATE OF THE JOINT COMMITTEE

1) To examine the issues /allegations raised in the application and submit a comprehensive report.

KEY ISSUES RAISED IN THE PETITION

This instant petition filed by Sri Abraham Mathew ,aged 70 years ,Son of P.V Mathew primarily filed this application to the restitution of his property and environment damaged on account of works undertaken by irrigation department in Meenachil river. He alleges that on account of desilting activities being carried out , a loss of 10 cents of land, boundary wall fell from his property , 6 coconut trees ,3 attuvanchis , 4 Areca trees 4 herds of Bamboo were fallen.

APPROACH ADOPTED BY THE JOINT COMMITTEE

- In order to ascertain the factual situation on the ground, the Joint Committee constituted as per the directions of the Hon'ble NGT inspected the alleged location on 09.09.2021 along the banks of the Meenachil River near Cherickal Bhagom. Due to scheduling of the site visit on a very short notice and due to travel restrictions in the Covid pandemic situation, one Member representative from MoEFCC Regional Office, Bangalore could not join for physical inspection but was available through video conferencing mode and representative from forest department also could not join the inspection due to health problems and intimated the reason to the committee, all the other members attended the physical inspection.



Fig 1. Site Inspection by Joint Committee on 09.09.2021

- Pursuant to physical inspection, all the relevant agencies were requested to offer their specific observations and comments and the same was discussed during the videoconference held on 13.09.2021. A detailed discussion of the allegations in the OA 184 were held in the video conference and all the members were convinced of existing facts ,on observing the vedios, and Survey sketches of the alleged property , in which river puramboke of about 6.498 cents is seen on the western side and the If Honourable NGT considers that ,the site visit by the two experts are essential, site visit at a later date can be done .

OBSERVATIONS OF THE JOINT COMMITTEE TO THE ALLEGATIONS MADE IN THE PETITION

Allegations in the original application were discussed Para wise ,as report is to be given for the allegations.

S. No	Allegation Raised in the Petition	Remarks of the Joint Committee
1	<p>Para 1 In the first para the appellant has given a statement in the OA, that he is the owner of 9 ares 60 sqmts of land in Resurvey 60/1 also there was a boundary wall on all sides including west and south</p>	<ul style="list-style-type: none"> ▪ To ascertain the genuiness of allegations in each para of the original Application a survey of the alleged property was conducted by taluk Surveyor as per the directions of District collector and Irrigation Department on 03.09.2021. <p>It is noted that the appellant has given false information in the OA, that he is the owner of 9 ares 60 sqmts of land in Resurvey 60/1 , as is evident in the documents (Land tax receipt dated 04.06.2020, submitted along with the representation dtd 26.06.2021 (Annexure 4 in OA 184) and Thandaper No 6654 of Velloor Village) the survey number shown is 60/2) This matter stated in the first paragraph of the petition is to be proved by the petitioner itself with cogent evidence. Annexure I</p> <ul style="list-style-type: none"> • The statement that there was a boundary wall on all sides including west and south is wrong. <p>The facts noticed in general are noted</p>

		<p>below. The applicants property mentioned is on the left bank of Meenachil river at Cherickal bhagam in Kottayam District . On verification of the Survey records of the property , by the survey department ,it is understood that the alleged portions of the applicants property is the puramboke of Meenachil river ,which is the land assigned to him years back. . Meenachil river shares the northern and western side of the petitioners property and on the other side of Meenachil river is the Kottayam Thiruvapu PWD road .</p> <p>There is no loss on western side as per the survey sketches and It may be stated that there is river purampoke of 6.498 Cents on the western side by the appellant , and he put forwards claims for loss ,based on the assumption that it was his land and is enjoying this as his frontyard.</p> <p>Again there are no new dislocations of bank on Northern side, as alleged by him . There is a boundary wall on western side of the Property near to the appellants house , which is given as protection to the River purampokku .</p>
2	<p>Para 2 In this para , the statement is that Respondent has framed a Scheme for desilting of Meenachil River from Chungam to Kanjiram and is intended for the purpose of improving the plying of houseboats and other country boats so as to attract tourism</p>	<p>2. The Joint Committee noted that the alleged property comes in the end portion of the proposed work CSIND- Desilting of Meenachil river from Chungam to Kanjiram which have been initiated by Major Irrigation Department in Meenachil River and is one of the works related to OA 117/2021.</p> <p>It is noted that the work undertaken by the department were arranged on public interest, recommendations of M.L.A, Presidents of</p>

		<p>various Local Self Governments,,memorandum of flood affected victims,etc. These works are beneficial for mitigating flood hazards ,especially the protection of life and property of the people residing near the river bank and western low lying areas of Kottayam district as well as for making the boat routes navigable that are severely blocked by various deposits, vegetation leaning in to the waterway and weed growth, for mitigating the effects of flood and for facillitation of inland navigation.</p>
<p>3.</p>	<p>Para 3 In this para , it is stated that on 21st May and 22nd May , a raft over which big excavator was brought to the said river ,cut many of the trees ,plants on the boundary</p>	<p>3. As to the points mentioned in the Para 3 of the OA 184 /2021, the Joint Committee noted that , the work had already been started, but the same was also stopped on 05.06.2021, owing to the order of Hon. NGT on OA 117/2021 dtd 25.05.2021</p> <p>Since the alleged property was located in the curved portion of the river ,The herds of bamboo leaning in those portions caused obstruction to flow and the force of flow is towards the opposite bank ,which was already in dangerous condition . It may be stated that leaning branches of bamboo herds ,which obstructed the flow of water were cut using cutting machines. Buildings on the opposite banks are in collapsible position</p> <p>Also as the activities are proposed at specific locations where there are obstructions to flow and not the entire length of the river, for reaching those locations and for the easy execution of the work the contractor made use of a barge for moving in the river ,for doing the activities mentioned in the work</p>

		<p>and all the equipments and machinaries were mounted on the barge and were used when and where required as per the requirement at the site .</p> <p>It may be noted that no excavation / desilting were done on this specific location. No deposition of desilted spoils was observed anywhere at the location and no new dislocations were noted at the site . (Photos attached).Hence the statements in paragraph 3 is not fully acceptable.</p>
4	<p>Para 4 In this para the allegation is that</p> <p>1) the applicant has lost about 10 cents of land on account of erosions on account of dredging done ,as if it is desilting activities.</p> <p>(2) six coconut trees, four herds of bamboo plants,4 Areca trees and several other trees were fallen on account of the excavation</p> <p>(3) Applicants representation to</p>	<p>4. Allegations in para 4 is false and It is fully against the existing facts. The irrigation department has not initiated any earthwork or dredging works in the alleged portion or in the surroundings.</p> <p>The statement that six coconut trees, four herds of bamboo plants, 4 Areca trees and several other trees were fallen on account of the excavation done is false..</p> <p>There is no such incident happened during the recent period so far. The work of removal of leaning branches of bamboos which obstructs the natural flow of water was done with the help of machinaries and the same is seen deposited on the banks, the cut portions of the same is seen regrowing . The department has planned the work after conducting proper study and investigation.</p> <p>The statements in Annexure 4 (the</p>

<p>Revenue Divisional officer, dtd 26.06.2021 in which ,he demands restitution of property damaged and restitution of environment . (Annexure 4 of OA 184 / 2021)</p>	<p>representation of applicant dtd 26.06.2021) of OA184/2021 is false and misguiding.</p> <p>It may be noted that in the representation dtd 26.06.2021 (Annexure 4.), the applicant has stated that ,he has already lost some coconut trees and arecanut trees in before years due to obstructions of existing "Pulimuttu in the region, which were laid 20 years before , for reducing the force of flow in the curve so as to protect the opposite bank from degradation/ scouring.</p> <p>" So It is clear that , the river itself has eroded the flood plain in due course ,which is assigned to the appellant, (as mentioned in the 1st para ,ie. the alleged property was the puramboke land assigned to him), and he himself has forgotten his statement in para 5 of OA 184/2021, that ,erosion movement and deposition of sediment in river are natural regulating functions of a river and put the blame on the department.</p> <p>From the survey sketches itself it can be seen that , these eroded areas were actually projected in to the river compared to the crossection in the upstream of the river and naturally it is eroded ,owing to hydro morphological changes of river, associated with climatic changes.</p> <p>He failed to substansiate his false statement of loss of 10 cents of land on account of dredging ie .in the sketch (Annexure 4 of OA 184) produced along with the representation, he has marked the portions lost , in red ink as several bits on</p>
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		<p>the Northern side and western side of his property. <i>Annexure II</i></p> <p>But as per the survey conducted by the survey department at the site ,there is no loss of land on western side and the same is the purampoke of river itself wich is to be kept as flood plain. The bit wise red markings on the Northern side is also misguiding and false. As per the survey at the site , nearly 4 cents were seen lost continuously and not bit wise dislocation from that side, and there is no indication of recent dislocation at the site and no deposits of any silt on the banks are seen. <i>(Annexure III)</i></p> <p>Regarding cutting of bamboo bushes which obstruct the flow of water ,it may be stated that in the case of monsoon related flood hazards , department is bound to act as per the directions in the Orange Book of Disaster Management 2021, and in the light of changing climatic conditions , and prolonged monsoon seasons and the previous floods of 2018 and 2019, it is the responsibility of the Irrigation department to ensure, the free flow of flood water by removing the obstructions in all the canals, streams and rivers under the jurisdiction (Pg 140 -145 of Orange Book of Disaster Management 2021) already submitted for OA 117/2021. North East Monsoon is yet to arrive in kerala.</p>

5	<p>In para 5 ,the appellant mentions about the duty of Irrigation department, alleges the activities done are diverting the river, river ecology destroyed , at the same time ,he agrees that erosion ,movement and deposition of sediments are natural regulating functions of river and a stable river would constantly transport the flow of sediments, and maintains the original width and depth of the river without aggrading (building up) or degrading (Scouring down)</p>	<p>5. The Department and the officials are fully concerned about the environmental and ecological aspects and are bound to maintain its balance and has no objective of taking actions that affect the biological diversity along the river side. No activity that affect river ecology is being conducted at the site</p> <ul style="list-style-type: none"> ▪ instead all acts done were to remove the obstructions to water flow by cutting the leaning bamboo bushes, for easy draining of flood water . <p>The proposed area of the subject work is a flood prone area.. Also in this specific location ,opposite banks are heavily eroded causing threat to people living on the banks during floods. Annexure IV . Irrigation department arranged the work with proper Engineering skill of the departmental engineers and technical staffs.</p>
6	<p>In Para 6 the importance of trees and plants along the banks to protect ecology , the importance of micro organisms underneath the river which may get destroyed ,if dredging done and as the silt has biological value it cannot be disturbed without approval of the Biodiversity board etc are stated</p>	<p>6. The Meenachil river has an average depth of 5m to 4 m within the location and no dredging is required in the riverbed .No dredging of bed is proposed as alleged by the applicant, instead the proposal is to maintain the width and depth of river ,by removing the deltas formed and obstruction by hanging branches and bamboo bushes at identified reaches ,for maintaining flood discharge capacity of the river and for easy flow of flood water. Here the applicants area has no delta formation and no dredging was necessitated.Hence no</p>

		question of destruction of Micro organisms.
7	In the Para 7 ,duty of state to protect the peoples common heritage of streams, lakes,rivers etc is mentioned.	7. The statement in Para 7 is true. Irrigation department is the government wing to protect and maintain the waterbodies also flood control and mitigation is one of the prime duties of Irrigation Department.,For this obstructions in water way need to be cleared to restore the waterway . These activities are done as and when necessitated as per the site conditions.
8	In Para 8 it is stated respondants have not conducted any study to ascertain the depth of river and the quantity to of silt to be removed etc.	8. The statement in para 8 is wrong. Irrigation department has conducted developmental studies in the entire stretch of Meenachil river from Chungam to Kanjiram and the excavation quantity is ascertained based on the initial investigation levels taken , by the department, to reinstate the original crossection of river by removing the deltas formed at various locations. Annexure V As the banks of meenachil river are flood prone areas, the proposal in the works undertaken by the department was only to maintain the width and depth of river ,by removing the deltas formed at identified reaches ,for easy flow of flood water ,and for removing obstructions to the flow of water by hanging branches of vegetation . As this is an Inland navigation canal the work helps in easy plying of vessels as well.
9	In para 9 he states the Polluter Pays Principle and demands loss for the	9. No Restitution or compensation to be payed as no dredging activities are done in the location . In the remarks for Para 4

property and environment.damaged.

the reasons are well explained.

Meenachil river shares the northern and western side of the petitioners property and on the other side of Meenachil river is the Kottayam Thiruvapur PWD road . **There is no loss on western side as per the survey sketches and It may be stated that there is river puranpoke of about 6.498 cents on the western side by the appellant and he put forwards claims for loss ,based on the assumption that it was his land and is enjoying this as his frontyard.** Again there are no new dislocations of bank on Northern side, as alleged by him. **As per the survey at the site , nearly 4 cents were seen lost continuously and not bit wise dislocation from that side, and there is no indication of recent dislocation at the site and no deposits of any silt on the banks are seen. From the survey sketches itself it can be seen that , these eroded areas were actually projected in to the river compared to the crosssection in the upstream of the river and naturally it is eroded ,owing to hydro morphological changes of river, associated with climatic changes.**

The applicant has **to understand ,that** Department and the officials are fully concerned about the environmental and ecological aspects and are bound to maintain its balance and at the same time as **officials bound to maintain and protect the waterbodies under their jurisdiction, no activities that may affect the life and property could be taken as alleged by the appellant.**

		<p>As the specific location is in a sharp curve any obstruction to the flow will pose danger to opposite banks as well as to the adjacent bank, as vortex flow is created due these obstructions. Here in this case (the right bank of the river) got eroded rendering the PWD road in danger. Now PWD is operating the traffic needs of the Thiruvarpu road by temporarily arranging it through the nearby private land. <i>Annexure IV</i></p>
10	<p>In para 10 applicant demands ,restitution of damages caused to the property.</p>	<p>As is evident from the facts based on the survey sketch of the area attached and as explained in remarks for Para 4, Irrigation department did not do any damage to the property of the petitioner, on the otherhand ,the petitioner has been enjoying the benefits of about 6.498 cents of river purampoke. The river purampoke enjoyed by the applicant on the western side of the river (ie. Left bank of the river) needs to be kept as flood plain to ensure the free flow of flood water.</p>



CONCLUSION AND FINAL REMARKS

- The Joint Committee noted that the Kottayam District especially the regions along the banks of Meenachil River are prone to floods and the same have been already evidenced during the years 2018 and 2019 wherein considerable amount of loss have been incurred. In order to avoid recurrence of such situation again, it is important that desilting activities in the River Meenachil may be taken up on a priority basis.
- On verification of the Survey records of the alleged property , by the survey department ,it is understood that the alleged portions of the applicants property is the puramboke of Meenachil river ,which is the land assigned to him years back. Instead ,during survey of his possession ,it is found that ,**there is river purampoke of about 6.498 cents on the western side and he is enjoiing the benenefits (encroachment)** which is demarcated by the taluk surveyor ,by fixing survey stones.
- Loss of 4 cents of his property,which was identified in Taluk survey ,has been lost years back as he himself has mentioned in his representation dated 26.06.2021(Annexure 4 of OA184) **The irrigation department has not initiated any earthwork or dredging works in the alleged portion or in the surroundings.** Only bamboo bushes leaning in to the river,which caused obstructions to flow were cut using cutting machines .Here the force of flow is

towards the opposite bank ,which was already in dangerous condition. Hence no restitution of property or environment needed .

- Since the present work is of urgent nature for mitigating the ill effects of the impending monsoon , exemptions may be given as per Gazette Notification SO 1224 (E) dated 28.03.2020 issued by the Ministry of Environment, Forest and Climate Change which states that for dredging and desilting of dams reservoirs, weirs, barrages, rivers and canals for the purpose of their maintenance, upkeep and disaster management does not need any prior Environmental Clearance.
- As the area is now facing the threat of flood due to Monsoon 2021 and the Government have already given orange alerts in the months of June ,July, August and September ,prompt action without delay, as regarding the mitigating steps warranted to avoid flood and related calamities must be taken. Hence the Honorable Tribunal may issue appropriate orders, so as to enable the District Administration /District Disaster Management Authority, to carry out flood hazard mitigation activities.
- In the light of changing climatic conditions , and prolonged monsoon seasons and the previous floods of 2018 and 2019, **it is the responsibility of the Irrigation department to ensure, the free flow of flood water by removing the obstructions in all the canals, streams and rivers under the jurisdiction.**

Climate

Ch. P. K. K. K.

[Signature]

Division

[Signature]
15/09/21



കേരള സർക്കാർ

രസീത്

ജില്ല : കോട്ടയം

രസീത് നമ്പർ : KL05032501091/2020

താലൂക്ക് : കോട്ടയം

വില്ലേജ് : വേളൂർ

തണ്ടപ്പേർ നമ്പർ 6654 അനുസരിച്ച് കരം ഒടുക്കിയതിന് രസീത്

ഇനം	ഉപ ഇനം	തുക	കാലയളവ്	വിശദാംശങ്ങൾ
അടിസ്ഥാന ഭൂനികുതി	തൻവർഷം	₹160	2020-2021	<p>സ്റ്റോക്ക്: 190, തണ്ടപ്പേർ നം: 6654</p> <p>പട്ടാഭാരന്മാരുടെ വിവരങ്ങൾ</p> <p>1) ഏബ്രഹാം മാത്യു, വർക്കി മാത്യു മകൻ, പെരുന്തേക്കേരിൽ, വേളൂർ കര, വേളൂർ വില്ലേജ് സർവ്വേ & സബ് നം. വിസ്തീർണ്ണം, തരം 1) 1/1, 20 സ്ക്വ.മീ., പുരയിടം</p> <p>2) 2/3, 4 ആർ, 30 സ്ക്വ.മീ., പുരയിടം</p> <p>3) 60/2, 9 ആർ, 60 സ്ക്വ.മീ., പുരയിടം</p> <p>ആകെ വിസ്തീർണ്ണം: 14 ആർ, 10 സ്ക്വ.മീ.</p>
ആകെ തുക		₹160		

മേൽ വിവരിച്ച പ്രകാരം ₹160 (ആറു അറുപത് രൂപ) 2020 ജൂൺ മാസം 04 തീയതിയായ ഇന്നേ ദിവസം സ്വീകരിച്ച് വില്ലേജ് കണാക്കിൽ മുതൽ വച്ചിരിക്കുന്നു.

സമ്പാദന വേളൂർ
തീയതി: 04/06/2020



ഈ രസീത് വമ്പു വകുപ്പിന്റെ ഓൺലൈൻ സംവിധാനം മുഖേന തയ്യാറാക്കി ലഭ്യമാക്കുന്നതിനാൽ വില്ലേജ് ഓഫീസറുടെ ഒപ്പോ ഓഫീസ് സീലോ ആവശ്യമില്ലാത്ത രസീതിന്റെ ആധികാരികത വമ്പു വകുപ്പിന്റെ www.revenue.kerala.gov.in എന്ന പോർട്ടലിൽ പരിശോധിക്കാവുന്നതാണ്.

QR കോഡ് സ്കാൻ ചെയ്ത് രസീതിന്റെ ആധികാരികത ഉറപ്പു വരുത്താവുന്നതാണ്.

Sl. No.	Name of the person	Age	Sex	Religion	Caste	Occupation	Address	Village	Taluk
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Village Officer
Vellore

ജെ.കെ.എസ്. കമ്പനിയിൽ നിന്നും കിട്ടിയ വാഹനങ്ങൾ
 വേഗത്തിൽ വിൽക്കാനും മറ്റും ഉപയോഗിക്കാനും
 കമ്പനിയിൽ കിട്ടിയ വാഹനങ്ങൾ ഉടൻതന്നെ വിൽക്കാനും
 വേഗത്തിൽ വിൽക്കാനും മറ്റും ഉപയോഗിക്കാനും
 കമ്പനിയിൽ കിട്ടിയ വാഹനങ്ങൾ ഉടൻതന്നെ വിൽക്കാനും
 വേഗത്തിൽ വിൽക്കാനും മറ്റും ഉപയോഗിക്കാനും

ഏകദേശം 2021 മാർച്ച് മാസം 21, 22 തീയതികളിൽ Hitachi
 ഉപയോഗിച്ച് പണയപ്പെട്ടവരും, കേന്ദ്രവഞ്ചികളും
 മറ്റും ഉപയോഗിച്ച് പണയപ്പെട്ടവരും പണയപ്പെട്ടവരിൽ
 ഉൾപ്പെടെ പണയപ്പെട്ടവരിൽ ഉൾപ്പെടെ പണയപ്പെട്ടവരിൽ

കേന്ദ്രവഞ്ചികൾ, നിർമ്മാണ വാഹനങ്ങൾ, മറ്റും
 കമ്പനിയിൽ ഉൾപ്പെടെ പണയപ്പെട്ടവരിൽ ഉൾപ്പെടെ
 പണയപ്പെട്ടവരിൽ ഉൾപ്പെടെ പണയപ്പെട്ടവരിൽ ഉൾപ്പെടെ

26-06-21
 വേട്ടൂർ

Abraham Mathew
 Ponth. Phone 944650926

losures-

- Copies of photos,
- ② Copy of tax receipt.
 - ③ Copy of survey plan showing the damages by Hitachi.

Copy to

- ① The Revenue Minister -
TVM.
- ② The Forest Minister, TVM.
- ③ THASILDAR, KOTTAYAM.
- ④ DFO, Forests, Kottayam.

Abraham Mathew

ഭരണഭാഷ മാതൃഭാഷ

കെ2.8636/21

താലൂക്ക് ഓഫീസ്, കോട്ടയം
തീയതി 10.09.2021

തഹസിൽദാർ
കോട്ടയം.

ജില്ലാ കളക്ടർ
കോട്ടയം

സർ,

വിഷയം: നാഷണൽ ഗ്രീൻ ട്രൈബ്യൂണൽ മുമ്പാകെ ഏബ്രഹാം മാത്യു എന്നയാൾ ഫയൽ ചെയ്ത OA-184/2021 നമ്പർ കേസ് സംബന്ധിച്ച്

- സൂചന:
1. അങ്ങയുടെ 31.08.21 ലെ DM1-3878/2021/DCKTM നം. കത്ത്.
 2. എക്സി. എഞ്ചിനീയർ, മൈനർ ഇറിഗേഷൻ കോട്ടയത്തിന്റെ 29.07.21 ലെ കത്ത്.
 3. വേളൂർ വി.ഒ.യുടെ 225/21 നം, റിപ്പോർട്ട്.
 4. താലൂക്ക് സർവ്വേയറുടെ 08.09.21 ലെ റിപ്പോർട്ട്.

മേൽ സൂചനയിലേക്ക് അങ്ങയുടെ ശ്രദ്ധ ക്ഷണിക്കുന്നു. അങ്ങയുടെ സൂചന (1) പ്രകാരമുള്ള നിർദ്ദേശത്തിന്റെ അടിസ്ഥാനത്തിൽ വേളൂർ വില്ലേജിൽ ഇല്ലിക്കൽ പാലത്തിന് സമീപം ചേരിക്കൽ ഭാഗത്ത് മീനച്ചിലാറിന്റെ ഇടതു കരയിൽ പുറമ്പോക്കിന്റെ അതിർത്തി ഇറിഗേഷൻ ഉദ്യോഗസ്ഥരുടെയും ബന്ധപ്പെട്ട കക്ഷികളുടെയും വില്ലേജ് ഉദ്യോഗസ്ഥരുടെയും കക്ഷിയുടെയും സാന്നിധ്യത്തിൽ താലൂക്ക് സർവ്വേയർ പുനർ നിർണ്ണയം ചെയ്തിട്ടുള്ളതാണ്.

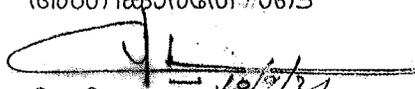
ടി വിഷയം സംബന്ധിച്ച് താലൂക്ക് സർവ്വേയറുടെ സൂചന (4) റിപ്പോർട്ട് പ്രകാരം നിലവിലുള്ള റീസർവ്വെ റിക്കാർഡ് പ്രകാരം പരാതി സ്ഥലം ഉൾപ്പെട്ടുവരുന്ന ആറു പുറമ്പോക്കായ സർവ്വെ നമ്പർ 506 തിരുവാർപ്പ് വില്ലേജിലും സർവ്വെ നമ്പർ 558 ചെങ്ങളം സൗത്ത് വില്ലേജിലും ഉൾപ്പെട്ടുവരുന്നതിന്റെ അതിർത്തി നിർണ്ണയിച്ച് സർവ്വെക്കല്ലുകൾ സ്ഥാപിച്ച് ബന്ധപ്പെട്ട കക്ഷികളെ ബോധ്യപ്പെടുത്തിയിട്ടുള്ളതായും കക്ഷിയുടെ അവകാശത്തിലുള്ള സ്ഥലം വേളൂർ വില്ലേജിൽ ബ്ലോക്ക് 190 ൽ സർവ്വെ നമ്പർ 59, 60 എന്നിവയുടെ ഭാഗമായിട്ടാണ് കാണുന്നതെന്നും സർവ്വെ നമ്പർ 60 ൽ നിന്നും കക്ഷിയ്ക്ക് അവികാശപ്പെട്ട സ്ഥലത്തിന്റെ ബാക്കി ഭാഗം മുൻപിനാലെ ആറു പുറമ്പോക്കിൾപ്പെട്ടും എന്നാൽ തണ്ടപ്പേരു കക്ഷി പേരിൽ നിലനിൽക്കുന്നതാണെന്നും റിപ്പോർട്ട് ചെയ്തിരുന്നു. കൂടാതെ ആറു പുറമ്പോക്കായ സർവ്വെ നമ്പർ 506 ൽ നിന്നും 0.0214 ഹെക്ടർ (5.287 സെന്റ്) ഉം സർവ്വെ നമ്പർ 558 ൽ നിന്നും 49 ച.മീ. ഉം ചേർത്ത് 0.0263 ഹെക്ടർ (6.498 സെന്റ്) സ്ഥലം പുറമ്പോക്കിൽ നിന്നും കക്ഷിയുടെ കൈവശത്തിലും, കക്ഷിയുടെ കൈവശത്തിലും അവകാശത്തിലുമുള്ള

സ്ഥലത്തുനിന്നും 0.0166 ഹെക്ടർ (4 സെന്റ്) സ്ഥലം ഇടിഞ്ഞ് സർവ്വെ നമ്പർ 558 ആദ്യം പുറമ്പോക്കിലേക്ക് പോയിട്ടുള്ളതും നിലവിൽ റവന്യൂ റിക്കാർഡുകളിൽ അവകാശ രേഖകൾ പരിശോധിച്ച് മേൽ നടപടി സ്വീകരിക്കാവുന്നതാണെന്നും താലൂക്ക് സർവ്വെയർ റിപ്പോർട്ട് ചെയ്തിരിക്കുന്നു.

വേളൂർ വില്ലേജ് ഓഫീസറുടെ സൂചന (3) പ്രകാരമുള്ള റിപ്പോർട്ടിൽ വേളൂർ വില്ലേജിൽ ബ്ലോക്ക് 190 ൽ നീസർവ്വെ 59 ൽപ്പെട്ട 16.45 ആർ പുരയിടം ടി കരയിൽ പെരുന്തേക്കേരിൽ ഏബ്രഹാം മാത്യു പേരിൽ 1698 നമ്പർ തണ്ടപ്പേരിൽ കിടന്നിരുന്നതാണെന്നും കോട്ടയം താലൂക്ക് ഓഫീസിലെ 16.11.82 ലെ LA 33/81, 100/82 നമ്പർ പട്ടയ പ്രകാരം സിദ്ധിച്ചിട്ടുള്ളതാണ് ടി സ്ഥലം എന്നും ടി സ്ഥലത്തിന്റെ ഭൂ നികുതി വില്ലേജ് റിക്കാർഡുകൾ പ്രകാരം 1994-95 സാമ്പത്തിക വർഷം മുതൽ അടച്ചു വരുന്നതാണെന്നും ടി സ്ഥലത്തുനിന്നും ടിയാൻ കോട്ടയം സബ് രജിസ്ട്രാർ ഓഫീസിലെ 28.03.2008 ലെ 1233/08 നമ്പർ ഇഷ്യുറേഷനയാധാര പ്രകാരം 59/2 എന്ന സബ് ഡിവിഷൻ നമ്പരായി 10.12 ആർ സ്ഥലം കൈമാറിയിട്ടുള്ളതും ശേഷം സർവ്വെ 59 ൽ 6.33 ആർ പുരയിടം ടിയാന്റെ പേരിൽ കരമടച്ച് വരുന്നതാണെന്നും വില്ലേജ് ഓഫീസർ റിപ്പോർട്ട് ചെയ്തിരുന്നു.

കൂടാതെ സൂചന (3) റിപ്പോർട്ട് പ്രകാരം വേളൂർ വില്ലേജിൽ ബ്ലോക്ക് 190 ൽ നീസർവ്വെ 60 ൽപ്പെട്ട 10.20 ആർ പുരയിടം വേളൂർ കരയിൽ പെരുന്തേക്കേരിൽ സാറമ്മ മാത്യു പേരിൽ 1699 നമ്പർ തണ്ടപ്പേരിൽ കിടന്നിരുന്നതും ടിയാൻ 1994-95 കാലയളവ് മുതൽ കരമടച്ച് വന്നിരുന്നതുമാണ് എന്നും കോട്ടയം താലൂക്ക് ഓഫീസിലെ 29.10.82 ലെ LA-29/81/B7 നമ്പർ പട്ടയ പ്രകാരം ടിയാൾക്ക് സിദ്ധിച്ചതാണ് ടി സ്ഥലം എന്നും കോട്ടയം സബ് രജിസ്ട്രാർ ഓഫീസിലെ 1234/2008 നമ്പർ ധനനിശ്ചയാധാര പ്രകാരം ടിയാന്റെ മകനായ ഏബ്രഹാം മാത്യു പേർക്ക് 9.60 ആർ പുരയിടം കൈമാറിയിട്ടുള്ളതായും ആയത് ടിയാൻ 6654 നമ്പർ തണ്ടപ്പേരിൽ 2008-09 കാലയളവ് മുതൽ കരമടച്ച് വരുന്നതായും വേളൂർ വില്ലേജ് ഓഫീസർ റിപ്പോർട്ട് ചെയ്തിരുന്നു. ടി വിവരങ്ങൾ അടയ്ക്കുയുടെ അറിവിലേയ്ക്കും തുടർ നടപടികൾക്കുമായി താലൂക്ക് സർവ്വെയർ തയ്യാറാക്കിയ സ്കെച്ച് അനുബന്ധ റിക്കാർഡുകൾ എന്നിവ സഹിതം റിപ്പോർട്ട് ചെയ്യുകൊള്ളുന്നു.

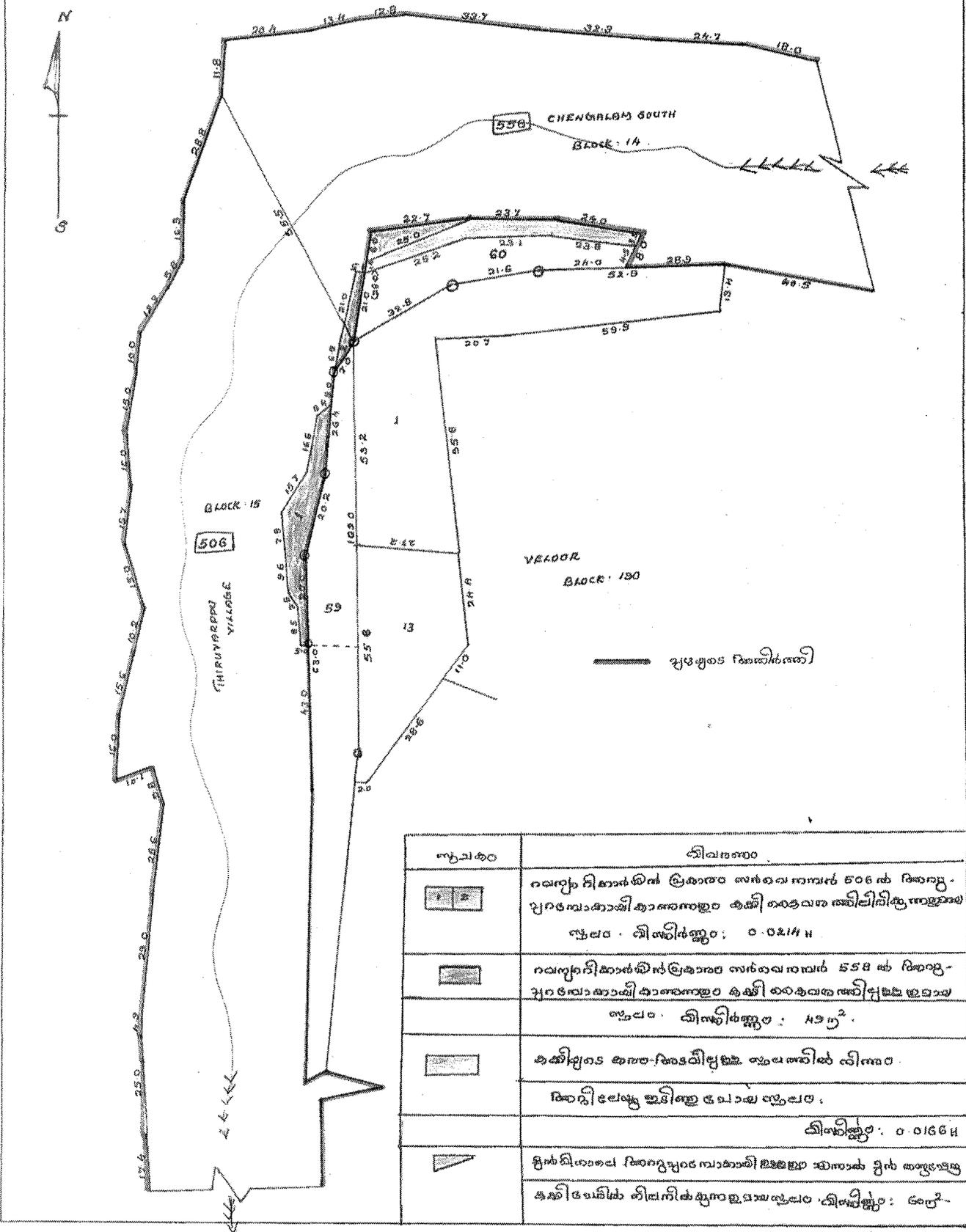
വിശ്വസ്തയോടെ
(ഒപ്പ്)
തഹസീൽദാർ(ഭൂരേഖ)

അംഗീകാരത്തോടെ

ജൂനിയർ സൂപ്രണ്ട് (ഭൂമി സെക്ഷൻ)

താഴെ കാണിക്കുന്ന ഭൂപടം

മുൻപ് നമ്പർ : 506

ഇറിക്കൽ കമ്മീഷൻ്റെ അനുമതിയോടെ നം: 08 184/21.20 നമ്പർ ഭൂപടത്തിന്മേലുള്ള ഇറിക്കൽ ഉദ്യോഗസ്ഥരുടെയും വിഭാഗം വാടകക്കടമെ ഉദ്യോഗസ്ഥരുടെയും കമ്മീഷൻ്റെ സാന്നിധ്യത്തിൽ നടന്നു തയ്യാറാക്കിയത്.



ക്രമനമ്പർ	വിവരണം
1	നവരൂപ നിർമ്മാണ പ്രകാരം സർവ്വതലത്തിൽ 506 ന്റെ ഭൂമി- പുനഃനിർമ്മാണത്തിനുള്ള കമ്മീഷൻ്റെ അനുമതിയോടെ ഏകദേശം വിസ്തീർണ്ണം : 0.0214 ഹ
2	നവരൂപ നിർമ്മാണ പ്രകാരം സർവ്വതലത്തിൽ 506 ന്റെ ഭൂമി- പുനഃനിർമ്മാണത്തിനുള്ള കമ്മീഷൻ്റെ അനുമതിയോടെ ഏകദേശം വിസ്തീർണ്ണം : 49.2
3	കമ്മീഷൻ്റെ അനുമതിയില്ലാതെ ഏകദേശം വിസ്തീർണ്ണം അറിയില്ലാത്തതുകൊണ്ട് വിസ്തീർണ്ണം : 0.0166 ഹ
4	മുൻപ് നിശ്ചയിച്ച ഭൂമിയിൽ നിന്നും കമ്മീഷൻ്റെ അനുമതി കമ്മീഷൻ്റെ അനുമതിയില്ലാതെ വിസ്തീർണ്ണം : 0.0214 ഹ

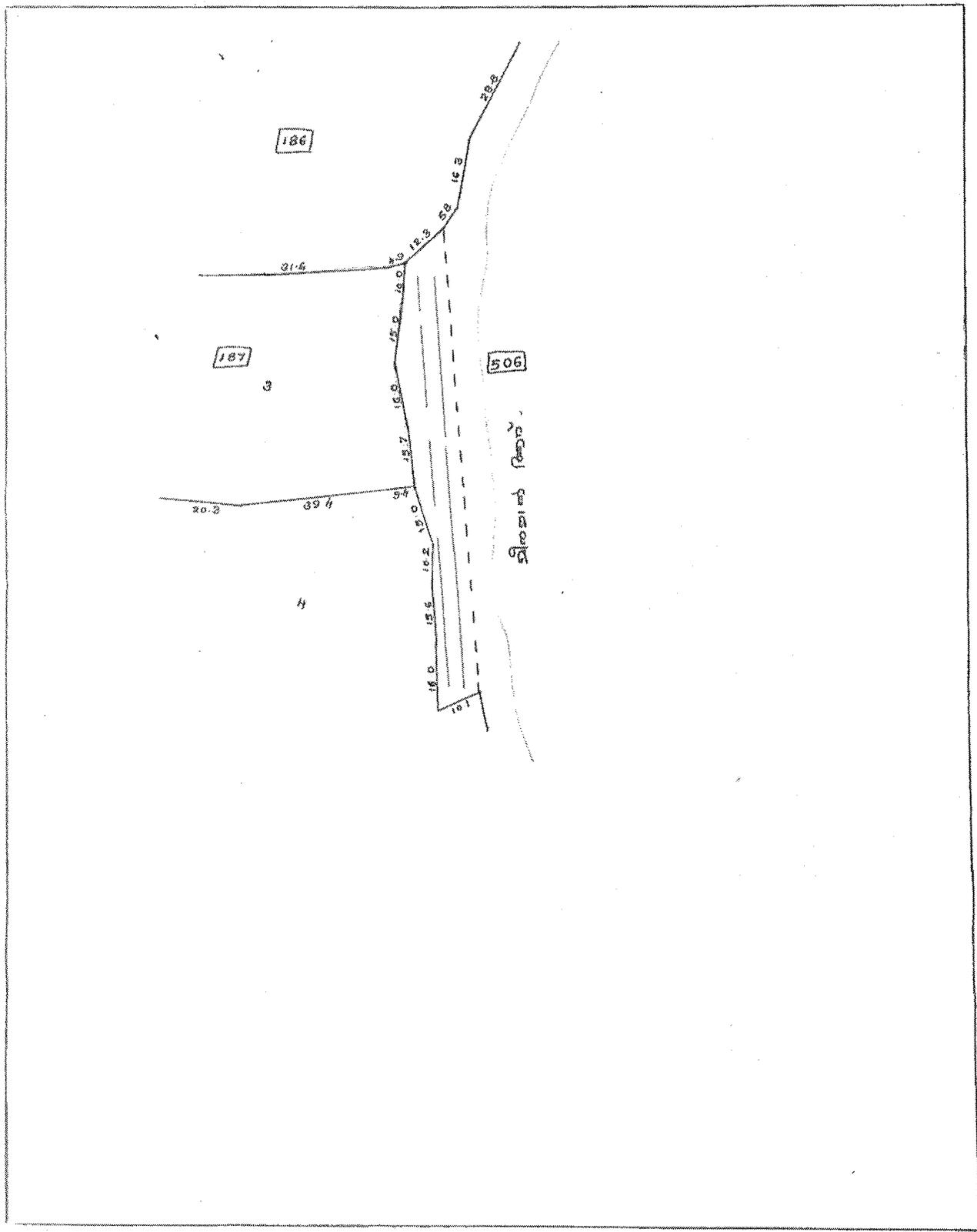
TALUK SURVEYOR
Taluk Office, Kottayam
S. Beena
P.O.S.

പാലക്കാട് : കോട്ടയം

വിഭാഗം : തിരുവാർപ്പ്

ചിത്രീകരണം : 187, 506

അളവുകൾ : 15



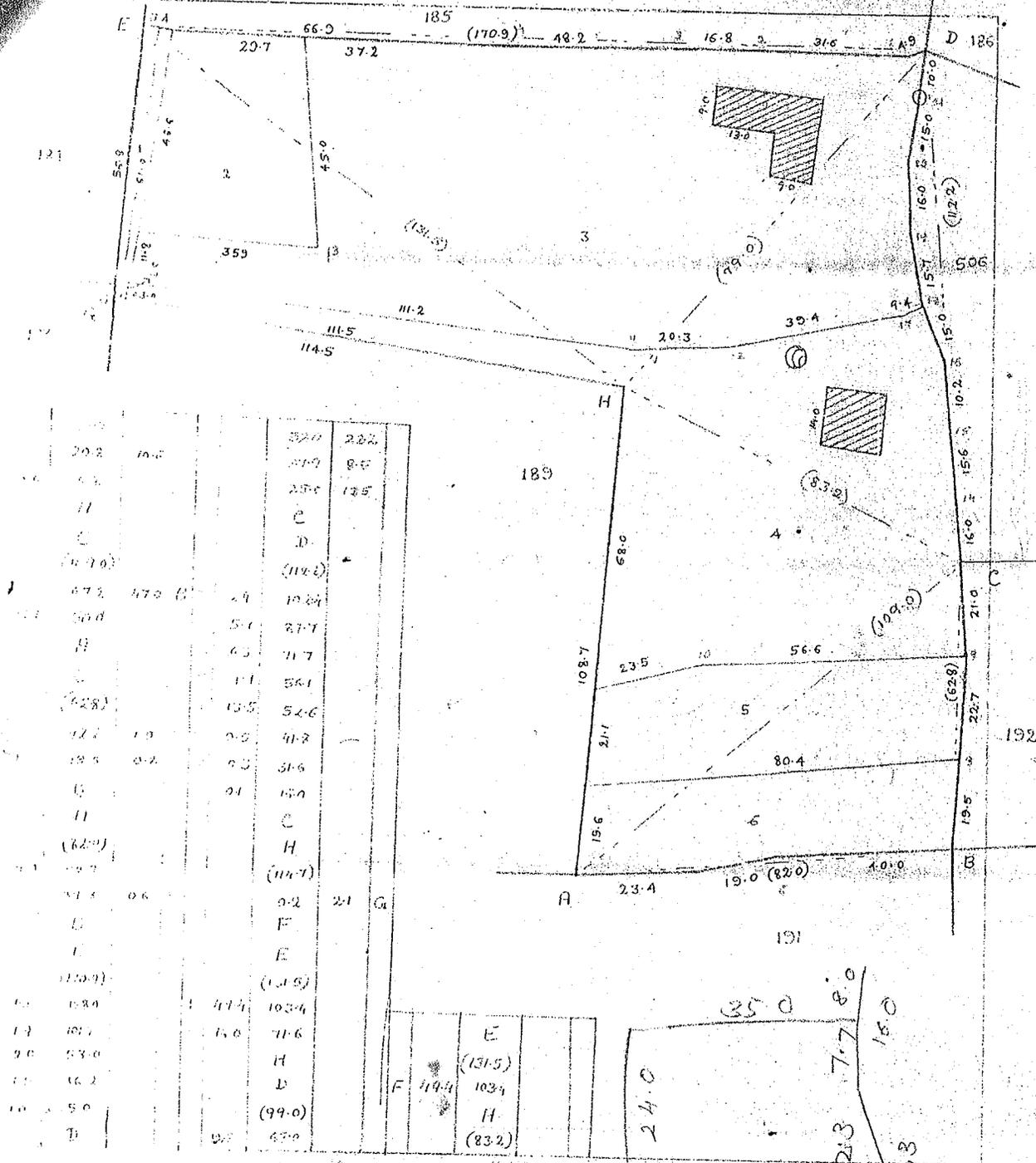

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 മുൻപാലം പാലം

OTTAYAM.
OTTAYAM.

Field No. 187.

BLOCK. No. 15.
Village Name.

Area - 2.0165 Hectares



20.2	10.5	32.0	22.2
5.6		24.9	8.5
H		25.4	12.5
C			
(112.0)			
67.2	47.0	2.9	10.24
50.0		5.1	27.7
B		6.3	21.7
		1.1	33.1
(628)		13.5	52.6
12.2	1.0	0.2	41.2
18.3	0.2	0.3	31.6
C		0.1	13.0
H			
(62.0)			
12.7			
11.3	0.6	0.2	21
D		F	
E		E	
(110.9)			
13.34	4.74	103.4	
1.7	1.0	11.6	
2.0	53.0	H	
1.1	16.2	D	
1.0	5.0	(99.0)	
		D	
		67.0	

Scale - 1 cm = 10 Metres

Signature in full of Surveyor with date

Checked by: *[Signature]*
15/4/73

No: 225/2

നാടുകുത്തിയിലിലേക്കുള്ള നിലയിൽ

൨൯

വീട്: വഴിക്ക് ചിലക്കിനം നവീനം
മീനപ്പിള്ളി സെ. പൂർവാക്
നിരവധി/അമ്പൽ. നൂറുമീറ്റർ.

ക്രമം : ൨൨൨൨൧൧൨൩൩ ഭാഗം
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൨൨൨൨൨൨.

നാടുകുത്തിയിൽ (നവീന) ഭാഗം

ഭാഗം മേൽക്കൽ ഭാഗം 190 ന് നിലയിൽ
59 ന് ൧൨3 16.45 ഭാഗം പൂർവാക് ടി. അമ്പൽ
൧൨൨൨൨൨൨൨൨ 26൨൨൨൨൨൨൨൨ ൧൨൨൨൨൨൨൨൨
1698-11 നമ്പർ നവീനപ്പിള്ളി. ടി. അമ്പൽ
നാടുകുത്തി. ഭാഗം നാടുകുത്തി നാടുകുത്തി
16.11.82 ന് LA 33/81, 100/82 നമ്പർ.
൧൨൨൨൨൨൨൨ നിലയിൽ നിലയിൽ ടി. അമ്പൽ.
ടി. അമ്പൽപ്പിള്ളി നിലയിൽ. നിലയിൽ
നവീനപ്പിള്ളി 1994-95 നിലയിൽ
നമ്പർ 20 നമ്പർ ഭാഗം നവീനപ്പിള്ളി.
ടി. അമ്പൽപ്പിള്ളി ടി. അമ്പൽ ഭാഗം SRO
28.3.200൨ ന് 1233/08 നമ്പർ
൨൨൨൨൨൨൨൨൨ 59/2 ഭാഗം
നവീനപ്പിള്ളി നമ്പർ 10.12 ഭാഗം

77-1698

අනුමත බැර

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1/8/85	804/8	25 96		
1/1/96	321/69	96 00		
1/12/85	258/14	92 84		
6/11/85	41/74	99 200000		
5/12/04	1978/163372	2003-04		35
2/07/89	66879/6666948	2005-06		68
1/5/116	84 220/6663034	2006-07		80
1/1/85	3500/350000	2007-08		24
2/09-2/95	9/29518 50	2008-09		28
1/6/12	3590000	2011-12		36
4/5/2013	54786/5478500	2012-13		28
1/1/15	3833/3833	2014-15		17
20/1/16	38338/3833716	2016-17		23
2/1/17	1055/1055	2017-18		24

United States District Court for the District of Columbia

Case No. 08-1000

Case No. 08-1000

Case No. 08-1000

Case No. 08-1000

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P.N. 99/2008 Dated 10/2/2008

To - 6694 - rd Ewha

09 60 (Ano 4/2)

18/01/2008 60

[Signature]

Village Officer
Veloor

TP-1699

091403 01100

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13135	11/15/54	1800	11/15/54
1571	10/1/54	2000	11/15/54
196	3/21/50	96-95	11/15/54
47	11/1/54	47-3000	60
2000	5/15/54	2000-2001	22
2001	10/15/1603/54	2003-04	66
2705	10/15/1603/54	2003-04	21
280	10/15/1603/54	2003-04	21
2900/1800	10/15/1603/54	2003-04	21
209	10/15/1603/54	2003-04	21
118	10/15/1603/54	2003-04	21

Village Union
Veldor

TP - 6654

31/03/2010

AS/AN/CO	AS/AN/CO	AS/AN/CO	AS/AN/CO	AS/AN/CO	AS/AN/CO
3/5/2008	3089	3149053	2008	57	5
20/6/12	37969	3740655	2012-13		112
4/5/2013	34786	3478507	2013-14		56
14/10/15	3552	3560051	2015-16		280
20/4/2016	38338	3833717	2016-17		56
19/1/19	40503250	40503250	19-20		20
29/8/19	40503250	40503250	19-20		160

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[Issued under Rule 9 (2) of Kerala Land Assignment Rules, 1964]

PATTA

Number A. 38/81, 100/82
Village... Thiruvestpu

The amount of tax as per this patta should be paid to the Village Officer or the Village Assistant according to the kistbandi mentioned below and receipt obtained therefor.

KIST

October/February
January/March

1. Survey number... 177/11B
2. Subdivision number.....
3. Wet or Dry.....
4. Area Cent 45.545
Hectare — Acre —
5. Tax Rs. P.

(Subject to revision after final survey and demarcation)

Taluk... Kottayam
 Pattadar... P. Abraham Mathan
Perumtholekavayil, Vela
Thiruvestpu

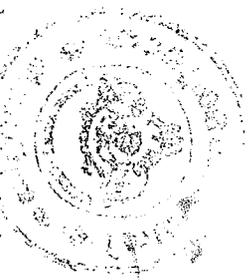
Rs.	P.
—	46
—	46
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—	92
<hr/>	

Declaration

I declare that I shall bind myself to the conditions specified below :

CONDITIONS

1. The full right over all the trees within the grant and specified in the schedule vests in the Government and the assignee is bound to take care of all such trees standing on the land at the time of assignment or that may come into existence subsequent to it.
2. The assignee is bound to afford all facilities to the officers of Government in the matter of inspecting the land periodically for checking the trees referred to in condition (1) above and removing them, if necessary.
3. All established rights of way and other easement right shall be respected by the assignee.
4. The land revenue or any tax or fee levied in lieu thereof on the land will be liable to revision.
5. In the case of concessional grant to members of Scheduled Castes or Tribes and indigent families, if the land is at any time brought to sale under the Revenue Act for the time being in force for arrears of revenue due from the grantee, no fresh grants of land will be made to the grantee under the concessional terms.



Talsildar
Assignee

43

ഞങ്ങളുടെ ഹിന്ദു മതം ഉറപ്പാക്കി
 കൊണ്ട്, P.W.D കാരാൻ വെട്ടേഴ
 കനം നോക്കി പോയി. കഴിവാൻ
 കൂടെ ഞങ്ങളുടെ പിതാവിന്റെ മൃതദേഹം
 കിടത്തിയിട്ടുള്ള കിടപ്പുമുറിയിൽ
 വെട്ടേഴ. നമ്മുടെ മതം നശിപ്പിക്കാൻ
 നമ്മുടെ മതം നശിപ്പിക്കാൻ - നമ്മുടെ മതം
 കിടന്നു വെട്ടേഴ കൊണ്ടിരിക്കുക.

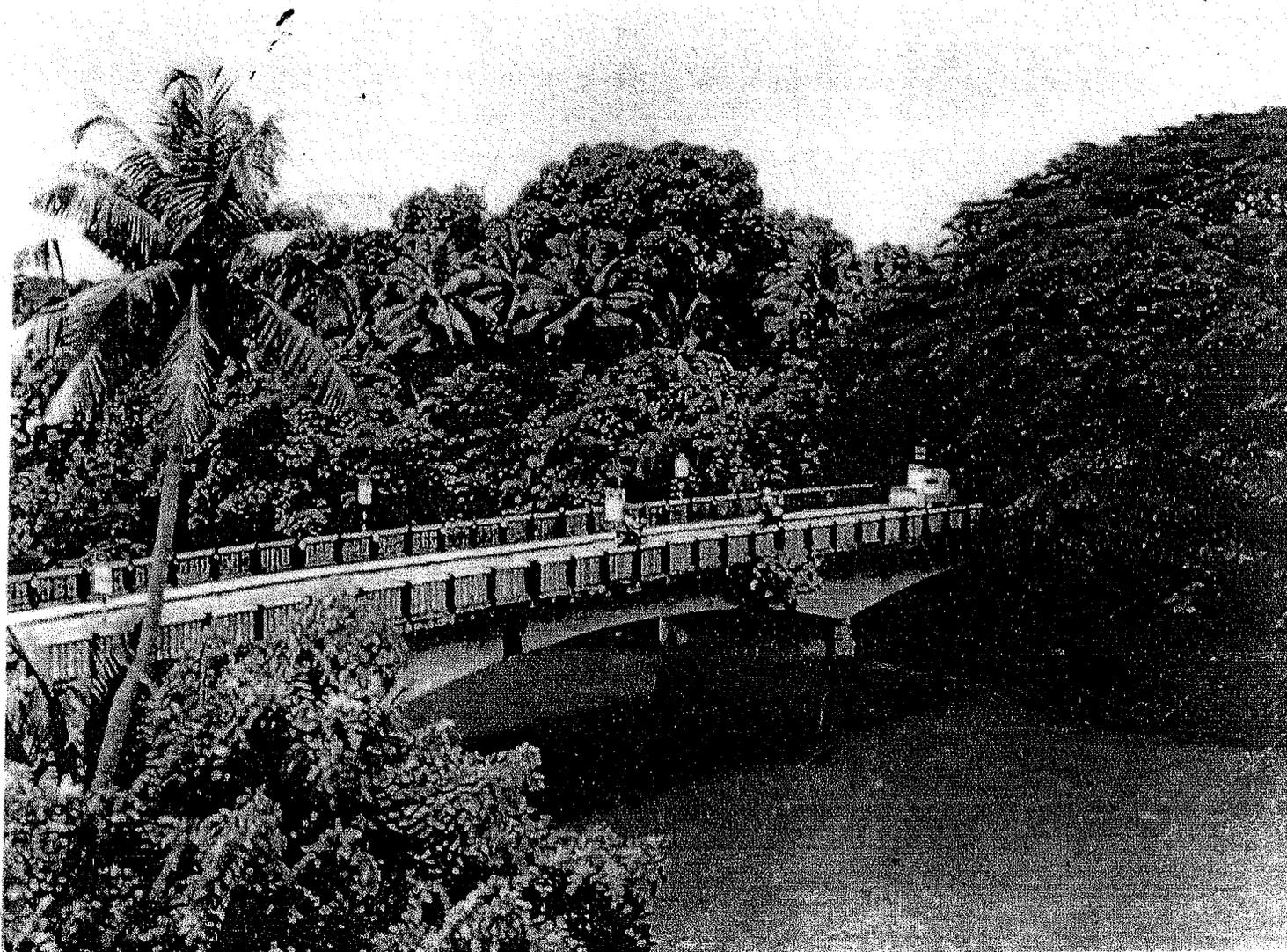
കേൾക്കുക
 8-6-2020

മേൽ വിവരങ്ങൾ
 നോക്കുക
 നോക്കുക

IRRIGATION SUB DIVISION KADUTHURUTHY



**IWT-Development of State Water ways and Feeder Canals –
Conducting study classification of State waterway and
deriving development standards and preparation of master
plan for state water ways – For Meenachil River from
Chungam to Kanjiram in Kottayam District.**



45 IWT-Development of State Water ways and Feeder Canals – Conducting study classification of State waterway and deriving development standards and preparation of master plan for state water ways – For Meenachil River from Chungam to Kanjiram Canal in Kottayam District

Introduction

Inland Water Transport (IWT) is a fuel efficient and environment friendly mode of transportation. IWT for passenger and freight movement involves lower operating costs and environmental pollution than road, rail or air.

There are 41 rivers in Kerala that flows towards west clubbed with numerous backwaters. All these are part of the inland water transport system having a length of approx. 1895 km. Important places which are commercially important are situated on the banks of these rivers. Of this, the Kollam-Kottappuram stretch (168 km) is already declared as National Waterway-3 with effect from 1993. (NW-3) along with Champakkara (14 km) and Udyogamandal canals (23 km) is almost made fully functional. Recently Central Government has declared the extension of NW-3 between Kottappuram and Kozhikode (160 km) as national waterway. Besides, four canals viz. Alappuzha-Changanassery (28 km), Alappuzha – Kottayam – Athirampuzha (38 km) and Kottayam – Vaikom (42 km) have also been declared as national waterway by Central Government in April, 2016.

The State Water Transport Department caters to the traffic needs of the inhabitants of the waterlogged areas of the Districts of Alappuzha, Kottayam, Kollam, Ernakulam, Kannur and Kasaragod.

Location and History

Inland Water Transport is one of the most environmental friendly modes of transport because of low fuel usage and ability to carry in bulk thereby reducing pollution and congestion. The main constraint in the development of water transport is the conflict of interest between traditional fisher folks and navigation operation, friction between Road-IWT operators, insufficient navigation lock/bridge clearances, lack of maintenance of navigation system and bank protection, lack of modern inland craft terminals and cargo handling system, lack of end user incentivisation, delay in project execution and poor fund utilization. Keeping in mind the constraints facing IWT, and recognizing its potential for growth, there is a need for reduction in cost and time of transportation and enhancement of the safety and reliability of cargo. To achieve this, the thrust should be on the creation of infrastructure in the form of fairways, with adequate depth and width, besides the setting up of terminals. Private investment should be attracted for the development of this mode through suitable incentives. In short in order to make the sector more effective, there is a need to create adequate infrastructure facilities, simplify customs procedures and provide necessary fiscal incentives for the development of the sector.

IWT-Development of State Water ways and Feeder Canals - Conducting study classification of state waterway and deriving development standards and preparation of master plan for state water ways - For Meenachil River from Chungam to Kanjiram Canal in Kottayam District

Most of the Check dams were affected by silt deposits. The silt deposits reduced their storage capacity and obstructed the free flow of the river. Maintenance of the check dams and the silt removal are urgent in nature and provisions for the same are to be included for the preparation of master plan.

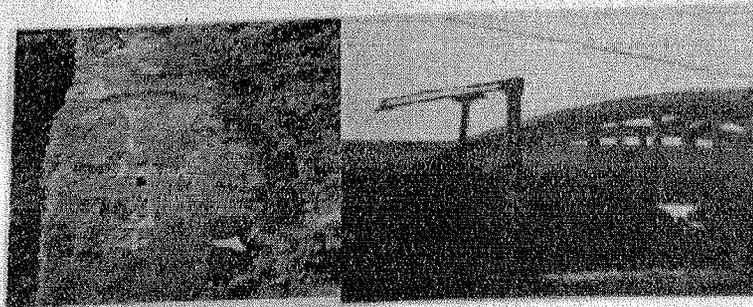
At many portions, the river banks were totally damaged. Several residential buildings along the banks are in the dangerous position and many roads passing along the banks eroded. These spots were selected based on their proximity to residential buildings and public roads and should be protected properly. The people in the region are economically weak and they not have the financial capability to execute the work on their own.

Field Investigation

The field survey investigation work is conducted for the entire canal width of 40 M and about 5M on both sides of bank. For this three separate survey teams with GPS RTK system has carried the topographic survey specifying the obstructions along the canal for the entire stretch of about 7.500 kms.

Topographic Survey

Topographic survey is conducted using both total station and GS 14 GPS RTK system. The MSL Datum 4.925 is shifted from the nearest Nagampadm Bridge as shown by Irrigation department (fig a)



Total station and GPS data is processed using Liscad software and presented in Autocad format at the required scale. Necessary Topographic Map is also prepared and submitted in Scale 1 : 500 (A1 size) both digital and Hard copy format. Volume-2

Longitudinal and cross sections were prepared and submitted in hard and digital copies and presented in appendix (A)

IWT-Development of State Water ways and Feeder Canals - Conducting study classification of State waterway and deriving development standards and preparation of master plan for state water ways - For Meenachil River from Chungam to Kanjiram Canal in Kottayam District

Physiography

The Meenachil river is formed by several streams originating from the Western Ghats. The river flows through the Poonjar, Teekoy, Erattupetta, Pala, Ettumanoor and Kottayam. A few miles upstream of Kottayam Town the river bifurcates in Neelimangalam branch and Nagampadam branch and both the branches finally into vembanad lake.

The length of the river, including the tributaries under the jurisdiction of the irrigation Sub Division, Kadithuruthy is 118.2 kms and total drainage is 1272 sq. km. Meenachil river does not have any major dams. The important check dams in Meenachil river are Erattupetta, Kalariamackal, Kadappattu and Kidangoor. The detailed break up of the river and tributaries is listed below:-

- | | | |
|---|---|----------|
| 1) Meenachil river | - | 64.00 km |
| 2) Meenanthara river (branch of Meenachil river) | - | 5.50 km |
| 3) Neelimangalam river (branch of Meenachil river) | - | 16.00 km |
| 4) Thiruvattakavanattinkara river (branch of Meenachil river) | - | 15.00 km |
| 5) Thiruvappu kumarakom canal (branch of Meenachil river) | - | 8.00 km |
| 6) Chengalam kumarakom canal (branch of Meenachil river) | - | 8.5 km |
| 7) Prapuzha Pulikuttiseet thodu (branch of Meenachil river) | - | 1.2 km |

Total 118.2 km

The unprecedented floods, which hit Kerala in the month of August 2018, created huge havoc to the banks of Meenachil river. Erosion along the river banks damaged several residential buildings and infrastructure located near the river banks. Upper reaches of the Meenachil river such as Teekoy, Thidanad Poonjar Panchayath and Erattupetta municipality were affected by heavy rain landslides whereas kidangoor, Arpookara, Thiruvappu, Kumarakom, Neendur, thirampuzha, Vijayapuram Panchayat and Kottayam/Ettumanoor municipalities were badly affected by the floods.



Amara VI

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Annex VI

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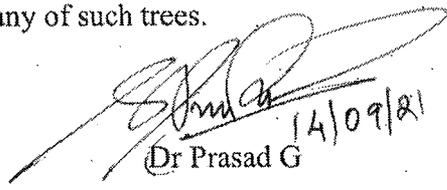
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**Independent Report of Assistant Conservator of Forests, Social
Forestry Division, Kottayam**

As per the direction received in office letter No. DM1 – 3878/2021/DC-KTM of District Collector, Kottayam dated 08/09/2021 received in my office on the evening of 08/09/2021, I could not attend the proposed joint inspection which was directed in the order of Hon National Green Tribunal (Southern Zone) Chennai. Due to my un health and medical leave. I could not attend the joint inspection on 09/09/2021. My official department e- mail acf.sf-ktym.for@kerala.gov.in was temporarily shut down from 17/08/2021 due to mandatory KAVACH installation by National Informatics Centre. Hence no communications were received regarding the OA No. 184/2021 filed before the Hon'ble National Green Tribunal (Southern Zone) Chennai to my office till 09/09/2021.

Later the proposed committee members had met in a Google meet as directed by the District Collector Kottayam where in the incidents that happened during the said day's inspection was briefed by the District Collector, Kottayam and the Executive Engineer, Irrigation division, Kottayam. Since I could not attend the joint inspection on 09/09/2021 which was not fixed with my concurrence, I am willing to have another combined joint inspection, if the Hon'ble Court directs. I may submit that the riparian vegetation has to be protected along the river Meenachil and a proper scientific study is required for taking up of any kind of works related with removal of riparian vegetation and ecology. Even if it is related to flood, the depth of Vembanad Lake and the areas under question may be studied and works taken upon based on that only. In this instance, it is alleged by the petitioner that some trees and bamboo had been cut and removed by the work force. As inferred from the survey sketches and maps exhibited by the Executive Engineer during the Google meet meeting the said removal of bamboo etc., are made from public lands, which is in the possession of the petitioner. The mandatory sanction from District Tree Committee stipulated vides G.O (Rt) No. 68/2010/Forest & Wildlife Department dated. 10/02/2010 of Government of Kerala was not obtained for removal any of such trees.




14/09/21
Dr Prasad G

Assistant Conservator of Forests

Copy to the Forest Liaison Officer, Ernakulam, for intimating Advocate General, Kerala

Report of District Collector, Kottayam, Member of the Committee as per the orders of Hon'ble National Green Tribunal Southern Zone, Chennai dated 18.08.2021 in OA No. 184/2021

At the outset, it is humbly submitted that the works objected in the Petition are not undertaken by the District Disaster Management Authority, Kottayam utilizing SDRF funds. Also District Collector Kottayam is not a respondent in OA 184/2021 before the Honourable Tribunal. However, being a member of the Joint Committee the following facts are humbly submitted before the Honourable Tribunal for kind consideration.

Sri.Abraham Mathew applicant in the case has got 16.45 Ares of land in survey no. 59 in block 190 of Veloor village, Kottayam taluk as per thandaper no.1698. He obtained this property as per land assignment patta no.LA 33/81,100/82 dated 16.11.1982 of Taluk Office , Kottayam. Out of this he transferred an extent of 10.12 Ares of land as per gift deed no.1233/08 dated 28.03.2008 of Sub Registrar Office , Kottayam. As per village office records at present he holds 6.33 Ares of land in survey no 59 of block 190 in Veloor village.

Smt.Saramma Mathew mother of applicant has got 10.20 ares of land in resurvey 60 of block 190 of Veloor village in thandaper 1699. She obtained this property as per land assignment patta no. LA 29/81/B7 dated 20.10.1982 of Taluk Office, Kottayam. Out of this land she transferred an extent of 9.60 ares to her son Abraham Mathew who is the applicant in the case as per settlement deed no. 1234/2008 of Sub Registrar Office,Kottayam. As per village office records the applicant Abraham Mathew holds 9.60 Ares of land in resurvey no. 60/2 of block 190 under thandaper no. 6654 in Veloor village.

The river puramboke in resurvey 506 of Thiruvarpur village and resurvey 558 of Chengalam South village was demarcated by the Taluk Surveyor as per resurvey records. On survey and demarcation it is found that the applicant has encroached an extent of 0.0214 hector(5.287 cent) of river purampoke in survey 506 and an extent of 49 m² of river purampoke in survey 558. As whole the applicant has encroached

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0.0263 hector (6.498 cent) of river purampoke. Also an extent of 0.0166 Hector (4 cent) of applicant's land eroded in to the river due to soil erosion in survey no.558.

I would also submit that as per section 71 of the Disaster Management Act of 2005, "No court (except the Supreme Court or a High Court) shall have jurisdiction to entertain any suit or proceedings in respect of anything done, action taken, orders made, direction, instruction or guidelines issued by the Central Government, National Authority, State Government, State Authority or District Authority in pursuance of any power conferred by or in relation to its functions, by this Act (Disaster Management Act 2005)". Also as per Section 14 of the NGT Act of 2010, the Tribunal has jurisdiction over disputes related to violation of the provisions of the enactments mentioned in Schedule 1 of the Act. The Disaster Management Act of 2005 does not find mention in Schedule 1.

Moreover, the Division Bench of Hon'ble High Court Kerala in WA. No. 2745 of 2015 in WP (C) 26377/2015 in its judgement dated 5-4-2016 has upheld the overriding power of Disaster Management Act, 2005 against other legal instruments.

In the context of conduct of studies prior to activities taken under Disaster Management, it is humbly submitted that vide SO 1224 (E) dated 28-3-2020, the Ministry of Environment, Forest and Climate Change issued a notification in which it is clearly stated that *dredging and desilting of dams, reservoirs, weirs, barrages, river and canals for the purpose of their maintenance, upkeep and disaster management do not require any prior environmental clearance*. Moreover, it is stated in the Amicus Curiae report in W.P(C). No. 2651 of 2019 related to Kerala Floods 2018 before Hon'ble High Court of Kerala that sediments in the river systems of Kerala have increased the flood magnitude.

In addition, it is submitted that Government, vide GO(Ms) No. 316/16/RD dated: 24.05.2016, had directed District Collector, Kottayam not to accord sanction for sand mining in Meenachil river for the coming three years from the effect of the date of the Order. These Government instructions are being followed in this District and no river sand mining is allowed.

Also, in GO(Rt) No.3880/2019/RD dated 24/12/2019 Government have accorded sanction to all District Collectors to remove silt and debris in flood-affected rivers as an immediate measure to accommodate flood waters and to increase the holding capacity of river channels.

Vide the above illustrated sections of the Disaster Management Act, 2005 and other facts mentioned above, the following are evident:

- It is not a statutory requirement for Disaster Management Authorities to conduct studies for removal of debris.
- Amicus Curiae report furnished in the High Court of Kerala in W.P(C) No. 2651 of 2019 related to floods has also highlighted the need for desilting of flood prone river.
- There is no violation in removing debris from rivers to avoid flooding and consequent disaster.

It is humbly submitted that the above points may kindly be considered by the Hon'ble Tribunal before taking decision on the OA.



District Collector

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Field visit report on NGT - OA 184 of 2021

Along with the District Collector, Kottayam & Executive Engineer, Irrigation Department, Kottayam, I, Dr. Pradeep C G, Senior Research Officer, Kerala State Biodiversity Board have conducted a site visit at Velloor Village, Kottayam on 9th September 2021, regarding the complaint filed by Shri. Abraham Mathew, Kottayam before Hon'ble NGT- OA 184 of 2021.

The following are the observations made by me.

1. As per the petitioner, part of his tax payable land eroded due to dredging activities taken by Irrigation department. The river Meenachil is flowing through on either side of his land property (west and north side). The alleged land is located on the left bank of Meenachil river. According to the survey/revenue departments, the alleged land was actually 'river puramboke' and it is the flood plain of the river. This was verified true on the site visit.
2. No loss in property was noticed in this area as alleged by the petitioner but an encroachment (approximately 6 cents) was observed. The petitioner stated that this land was passed down and used for generations. He put forward the allegation based on the assumption that it was his land. This was wrong according to the survey and revenue department and found to be the actual river land itself.
3. On western side of the alleged property, in the bank of the river, the petitioner made boundary walls with rocks (in the encroached land), which caused the loss of the natural flood plain of the river and its riparian vegetation and river ecosystem.
4. No such desilting or construction works were undertaken by Irrigation department in and around the Meenachil River adjacent to the alleged property till date as claimed by the petitioner.
5. No recent dislocations or damage in the river bank of northern side was noticed.
6. On the northern side of the petitioners' property, in the silt deposited area, large number of Bamboo were grown in clusters. He also claims that this area also belongs to him and he pays the tax.
7. Here in this area, observed some clumps of bamboo were cut down by irrigation department during their first phase of their work but now stopped as per the directions from NGT.
8. Irrigation department claims that, only the leaned and fallen branches of bamboo and other trees which obstruct the free flow of water were cut down. Otherwise it will

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cause more damages to the river banks and will worsen the situation during flooding. All these plants were not uprooted but cut down the branches using machineries. At present it was seen that new shoots of bamboos are sprouting from the base. On spot verification, this was found true. Due to the obstruction in the natural flow of river; the course of the river changed, diverted towards right bank, and here the river bank, nearby buildings, public roads were collapsed and damaged causing serious threats to the environment and property.

9. In the allegation, petitioner claims many plantations crops such as coconut and areca nut plants were cut down and damaged. However, no remnants of such trees were seen around there except bamboo clumps. Irrigation department claims they have not undertaken any kind of desilting or removal of soil from the river or banks in this area. So, it is suspected that the plants found in the 'puzha puramboke' were fell down into the river and damaged during last flood.
10. It is recommended to cut down (not uprooting) the leaned and fallen branched of trees an bamboo clumps to facilitate easy draining of flood water so as to mitigate the ill effect of flood.
11. Irrigation department stated that no dredging or desilting activates was proposed in this area. So there is no claim for damage of river bed, riparian vegetation and no harm to biodiversity as well. Irrigation undertaken this work with the aim only to clear the obstruction along the waterway and enhance discharge capacity of the river.
12. No claim for damage to the property as stated by the petitioner, that damage was not due to the work undertaken by Irrigation department. The eroded portions are actually projected land/flood plain formed due the deposition of silt for many years and stay as a natural barrier and protect the river bank from erosion as well private properties.
13. Due to the narrowness of the river in this area, the area is more prone to flood damage during monsoon seasons. Therefore the ongoing work carried out by Irrigation department is justifiable in view of the above situation but these activities should be done in a manner that does not harm the unique habitat and biodiversity of the river.



Dr. Pradeep C G
Senior Research officer
Kerala State Biodiversity Board



भारत सरकार / GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय / MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
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F. No. EP/12.7/73/NGT/KER/ 605

13.09.2021

To,

The District Collector,
Kottayam, Kottayam District,
Kerala-686 001

Sub: Inputs of MoEF&CC Integrated Regional Office (Bangalore) in OA No. 184 of 2021 filed by Abraham Mathew Vs State of Kerala & Ors.

Ref: 1. Your letter No. DM1-3878/2021/DC KTM dated 08.09.2021

Madam,

Hon'ble NGT (SZ) vide its Order dated 18.08.2021 in OA No. 184 of 2021 directed the same Joint Committee constituted in OA No. 117 of 2021 to examine the issues raised in this instant petition and to submit an independent as well as a Joint Report of the Committee. Accordingly, the Joint Committee inspected the project site on 09.09.2021 to ascertain the factual position. However, the undersigned could not join the Joint Committee inspection due to receipt of inspection notice on a very short notice (i.e., on 08.09.2021 evening) and the undersigned already had a scheduled another Joint Committee Inspection at Palakkad, Kerala in another matter OA No. 124 of 2021 pertaining to NGT (SZ) on 09.09.2021. However, the undersigned was available on video call and participated in inspection through a virtual mode and the other Members also shared the relevant photographs and videos of the site.

2. Subsequently, the Joint Committee convened a video conference on 13.09.2021 and discussed in detail about the allegations raised in the petition and the actual ground reality based on the survey conducted by the Survey Department of Kerala. Based on the key inputs received from other Members of the Joint Committee, it was noted that because of desilting works undertaken by the Irrigation Department, no major damage has been caused to the environment as out of proposed 3 works only 1 work has been initiated. It may also be noted that as per Gazette Notification SO 1224 (E) dated 28.03.2020 issued by the Ministry of Environment, Forest and Climate Change, "dredging and desilting of dams reservoirs, weirs, barrages, rivers and canals for the purpose of their maintenance, upkeep and disaster management does not need any prior Environmental Clearance".

3. Considering the fact that floods have caused a damage along the banks of the Meenachil River during the floods of 2018 and 2019, it is important that desilting and cutting/ pruning of branches falling on the river or causing obstruction to the flow of water has to be initiated as per the Mandate of the Irrigation Department and Revenue Department but at the same time endangered plant species have also to be protected and no trees to be cut without seeking requisite permission from Social Forest Department. And in case of any unavoidable situation if any tree has to be uprooted or cut, appropriate number of relevant plant species which can act as natural barriers have to be planted by the Contracting Agency as compensatory plantation.

Submitted please.

Yours faithfully,

Ch. Murali Krishna

Dr. Murali Krishna
Joint Director (S)

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

OA No. 184 of 2021 (SZ)

IN THE MATTER OF

Abraham Mathew,
S/o.P.V.Mathew,
Veloor. P.O., Kottayam 686 003
... Applicant(s)

Versus

State of Kerala and Ors.

...Respondents

**THE JOINT COMMITTEE REPORT
AND INDIVIDUAL REPORTS OF
COMMITTEE MEMBERS**

M/s. E.K.KUMARESAN
Standing counsel for Kerala (SZ)
Counsel for R1 to R3