

**BEFORE THE NATIONAL GREEN TRIBUNAL SOUTH ZONE AT
CHENNAI MEMORANDUM OF APPLICATION
(Under Sections 14, 15 , 25 and 26 read with 18(1) of the National
Green Tribunal Act, 2010)**

M.A.No: of 2023

in
Application No. 239

Navroz Kersasp Mody & Anr

.. Applicants

Vs

The Auroville Foundation & anr

.. Respondents

Affidavit filed by Sandeep Vinod Sarah

I, Sandeep Vinod Sarah S/o Vinod Gopalan, aged about 28 years, residing at Panayoram, Fertile, Thelem Road Auroville Tamil Nadu 605101, now come down to Chennai, solemnly affirm and sincerely state as follows:

1. I am the second applicant herein. I am aware of the facts and circumstances of the case and competent to affirm this affidavit. I am filing this affidavit on behalf of the other applicant as well.
2. I submit that on 09.03.2023 (Thursday), the respondent's men arrived at Darkali and cut 10 trees before the concerned residents of auroville intervened and requested them not to proceed with the felling. No further work was carried on that day.
3. On 10.03.2023, at around 9 am, once again an attempt was made to cut trees but no work was carried on due to the presence of concerned residents of auroville.
4. On 11.03.2023, at around 7 am , more than 50 people engaged by the respondent foundation arrived at Darkali and proceeded to fell a total of about 197 trees. It is to be noted that
 - a. Given the fact that the joint committees proposed trajectory has not been marked / staked out on the ground it makes it unclear and unfit to have started any tree felling what so ever.
 - b. 16 surveyed trees do not fall within the revised plan for the road with a width of 9.1 metre as per the JC report map. (examples can be seen on pictures 1,2,3,4 + 5 marking numbers 0167, 0210, 0262 – in email dated 13.03.2023)

- c. 30 unsurvey / unmarked trees that were also cut. This adds to the total number of trees that were recommended to be cut. Many of the above 30 trees fall outside the revised plan for the road with a width of 9.1 metre as given by the JC.
 - d. Some number labels on the trees do not correspond with the position on the map. (On such example can be seen on the pictures 6 + 7 below. Tree no 149 and 150 are less than 50cm apart on the ground whereas on the map they are several meters apart) Several numbered trees have not been plotted on the map provided in the JC report.
 - e. All the above point question the number and position of trees to be felled. Therefore this cannot be done in the haphazard manner in which it is being executed presently.
5. On further survey on 12.02.2023, we found that a total of 17 red sanders were cut (The JC report mentioned 14). A report on the felling, clearly recording that an area wider than the 9.1 meters specified in the JC report was cleared were also sent to the foundation – but no action has been taken and it is apprehended that work will continue today.

It is therefore prayed that unless the present miscellaneous application is examined by this Hon'ble Court and the joint committee is directed to comply with the judgment and proper measures are put in place, the felling of trees by the 1st respondent will proceed and frustrate the very purpose of the judgment of this Hon'ble Court.

Solemnly affirmed and signed

BEFORE ME

His name this the 14th day of

March, 2023 at Chennai

ADVOCATE : CHENNAI

Darkali, Auroville 11th March				
No.	Sc.name	girth in cm	GBTDC ref.No	Notes
1	Pterocarpus santalinus	30	450	
2	Pterocarpus santalinus	22	451	
3	Pterocarpus santalinus	29	452	
4	Pterocarpus santalinus	20	453	not cut but smashed by Khaya
5	Pterocarpus santalinus	31	454	
6	Pterocarpus santalinus	49	486	
7	Pterocarpus santalinus	37	493	
8	Pterocarpus santalinus	37		unkown no.
9	Pterocarpus santalinus	53	270	
10	Pterocarpus santalinus	37	261	
11	Pterocarpus santalinus	38		unknown no.
12	Pterocarpus santalinus	46	264	
13	Pterocarpus santalinus	21	583	
14	Borassus flabellifer	139		female
15	Borassus flabellifer	129		male
16	Borassus flabellifer	132		female
17	Bridelia retusa	40	77	
18	Acacia auriculiformis	40	79	
19	Bridelia retusa	30	80	
20	Dalbergia paniculata	50		Outside marked area
21	Bridelia retusa	50	74	
22	Acacia auriculiformis	40	76	
23	Acacia auriculiformis	30		
24	Morinda coreia	52	72	
25	Khaya senegalensis	50	84	
26	Acacia auriculiformis	80		
27	?		1	
28	Bridelia retusa	?	54	Partially cut
29	Acacia auriculiformis	?	55	
30	Bridelia retusa	25	46	
31	Bridelia retusa	50	3	
32	Acacia auriculiformis	30	2	
33	Acacia auriculiformis	40	12	
34	Bridelia retusa	50	13	
35	Albizia lebeck	50	9	
36	Acacia auriculiformis	62	30	
37	Acacia auriculiformis	42	31	
38	Acacia auriculiformis	56	35	
39	Acacia auriculiformis	20	34	
40	Putranjiva roxburghii	34	26	
41	Acacia auriculiformis	20	23	
42	Bridelia retusa	50	29	
43	Bridelia retusa	18	33	
44	Bridelia retusa	55	39	
45	Bridelia retusa	65	91	
46	Acacia auriculiformis	50	107	
47	Acacia auriculiformis	50	106	Dead
48	Acacia auriculiformis	67		
49	Lepisanthes tetraphylla	20	114	
50	Acacia auriculiformis		116	

No.	Sc.name	girth in cm	GBTDC ref.No	Notes
51	Atalantia monophylla	29	120	
52	Unknown straggler		121	Dead
53	Atalantia monophylla		122	
54	Bridelia retusa	35	133	
55	Lepisanthes tetraphylla	20	132	
56	Lepisanthes tetraphylla	30		
57	Acacia auriculiformis	53	119	
58	Unknown	40	131	Dead tree
59	Acacia auriculiformis	35	147	
60	Acacia auriculiformis	35	145	
61	Acacia auriculiformis	35	152	
62	Acacia auriculiformis	15	151	
63	Acacia auriculiformis	40	163	
64	Acacia auriculiformis	40	164	
65	Bridelia retusa	20		
66	Bridelia retusa	20		
67	Terminalia arjuna	44		
68	Acacia auriculiformis	30	178	
69	Acacia auriculiformis	12	176	
70	Acacia auriculiformis	40	180	
71	Acacia auriculiformis	20	179	
72	Acacia auriculiformis	86		
73	Terminalia arjuna	45		
74	Terminalia arjuna	49		Double stemmed
75	Terminalia arjuna	55	167	
76	Terminalia arjuna	60		Triple stemmed
77	Terminalia arjuna	42	168	
78	Terminalia arjuna	35	171	Double stemmed
79	Terminalia arjuna	41	206	Double stemmed
80	Terminalia arjuna	50	210	
81	Acacia auriculiformis	32	208	
82	Acacia auriculiformis	107		
83	Acacia auriculiformis	26		
84	Terminalia arjuna	75	211	Double stemmed
85	Terminalia arjuna	78	214	
86	Senna siamea	88	213	
87	Terminalia arjuna	108	217	
88	Acacia auriculiformis	25	219	
89	Acacia auriculiformis	26	222	
90	Acacia auriculiformis	30	220	Dead
91	Acacia auriculiformis	28	223	
92	Bridelia retusa	80	229	
93	Unknown climber	15	228	too hard to identify with all the faller
94	Khaya senegalensis	100		
95	Acacia auriculiformis	60	230?	
96	Acacia auriculiformis	80	239	
97	Acacia auriculiformis	60	250	
98	Bridelia retusa	20	251	
99	Acacia auriculiformis	30		
100	Khaya senegalensis	100		
101	Bridelia retusa	25	254	
102	Senna siamea	53	262	

No.	Sc.name	girth in cm	GBTDC ref.No	Notes
103	Morinda coreia	30	265	
104	Azadirachta indica		271	
105	Albizia lebbbeck	30	275	
106	Bridelia retusa	67	285	
107	Azadirachta indica	41	291	
108	Bridelia retusa	23	292	
109	Leucaena leucocephala	26	298	
110	Senna siamea	60	317	
111	Senna siamea	32	297	
112	Senna siamea	50	322	
113	Peltophorum pterocarpun	23	307	
114	Khaya senegalensis	160	299	
115	Khaya senegalensis	120	303	Five stemmed
116	Bridelia retusa	30	319	
117	Azadirachta indica	38	332	
118	Azadirachta indica	43	351	
119	Bridelia retusa	29	349	
120	Azadirachta indica	35	354	
121	Khaya senegalensis	140	364	
122	Azadirachta indica	55	385	
123	Morinda coreia	45	382	
124	Azadirachta indica	37	383	Double stemmed
125	Victory (mother's name)	24	374	
126	Khaya senegalensis	50	379	Double stemmed
127	Bridelia retusa	42	386	
128	Bridelia retusa	45	378	
129	Bridelia retusa	52	391	
130	Victory (mother's name)	21	395	
131	Bridelia retusa	43	409	
132	Bridelia retusa	60	408	
133	Bridelia retusa	61	415	
134	Lannea coromandelica	77	421	
135	Manilkara zapota	25	426	Double stemmed
136	Khaya senegalensis	21	427	
137	Bridelia retusa	48	430	Double stemmed
138	Khaya senegalensis	20	429	
139	Khaya senegalensis	15		
140	Bridelia retusa	22	440	
141	Khaya senegalensis	42		no. inaccessible
142	Victory (mother's name)	18		multi stemmed
143	Bridelia retusa	27	500	
144	Khaya senegalensis	24	514	
145	Bridelia retusa	30	515	
146	Peltophorum pterocarpun	30	517	
147	Unkown species	30	568	
148	Canthium coromandelicu	25	569	
149	Azadirachta indica	55	575	
150	Azadirachta indica	35	576	
151	Bridelia retusa	30	323	
152	Bridelia retusa	35	335	
153	Azadirachta indica	45	334	
154	Bridelia retusa	25	339	

No.	Sc.name	girth in cm	GBTDC ref.No	Notes
155	Bridelia retusa	40	333	
156	Khaya senegalensis	23	324	
157	Azadirachta indica	40	couldn't see	
158	Walsura trifoliata	20	328	
159	Walsura trifoliata	20	330	
160	Walsura trifoliata	25	329	
161	Khaya senegalensis	120	353	
162	Albizia lebbeck	20	365	
163	Bridelia retusa	36	363	
164	Bridelia retusa	35	368	
165	Khaya senegalensis	50	369	
166	Bridelia retusa	35	370	
167	Albizia lebbeck	26	392	multi stemmed
168	Bridelia retusa	32	393	
169	Ficus benghalensis	310	394	
170	Bridelia retusa	31	410	
171	Morinda coreia	29	413	
172	Bridelia retusa	17	414	
173	Bridelia retusa	22	418	
174	Bridelia retusa	31	419	
175	Bridelia retusa	19	417	
176	Bridelia retusa	57	420	
177	Pterocarpus marsupium	48	436	
178	Pterocarpus marsupium	26	449	
179	Khaya senegalensis	297	460	multi stemmed
180	Khaya senegalensis	34	460	
181	Khaya senegalensis	69	457	
182	Khaya senegalensis	197	469	
183	Khaya senegalensis	277	470	multi stemmed
184	Khaya senegalensis	244	483	multi stemmed
185	Khaya senegalensis	20	482	
186	Peltophorum pterocarpun	25		
187	Bridelia retusa	76	502	
188	Azadirachta indica	37		
189	Azadirachta indica	46		
190	Peltophorum pterocarpun	38	505	
191	Pongamia pinnata	32		multi stemmed
192	Acacia auriculiformis	54	535	
193	Bridelia retusa	38	534	
194	Bridelia retusa	59	546	
195	Acacia auriculiformis	48	547	
196	Acacia auriculiformis	32	572	
197	Lannea coromandelica	50		
1			71	December 2021 cutting
2			69	December 2021 cutting
3			70	December 2021 cutting
4			83	December 2021 cutting
5			85	December 2021 cutting
	trees felled as per JC list to be cut			
	trees felled NOT on JC list to be cut			16no's



Preliminary Report
Width between Cleared Trees
11 03 2023 Darkali

Point 1 - Measurement of cleared width between felled trees on east and west side of proposed trajectory



East side – level of felled tree



West side – total width between felled trees measured perpendicular to trajectory = 17.4 metres

Point 2 – Measurement of cleared width between felled trees on east and west side of proposed trajectory



East side – felled tree

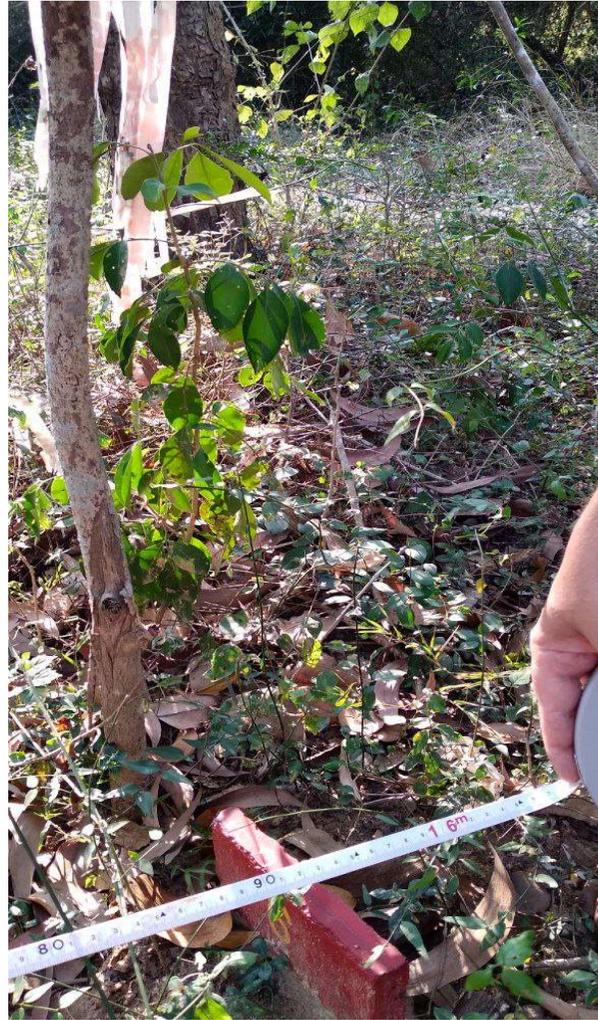


West side – width = 8.5m between felled trees

Point 3 - Measurement of cleared width between felled trees on east and west side of proposed trajectory



East side – felled tree



West side – width = 15.9metre between felled tree and marker

Point 4 - Measurement of cleared width between felled trees on east and west side of proposed trajectory



East side – level of felled tree



West side – width = 13 + metre
between felled trees



report 'Tree Cutting at Darkali for the Auroville Crown Road'

TDC Town Development Council <tdc@auroville.services>

13 March 2023 at 10:12

To: Secretary AV Foundation <secretaryavf@auroville.org.in>, avfoundation@auroville.org.in, jayanti.ravi@gmail.com
Cc: collrvpm@nic.in, cfchen@tn.nic.in, "cc: Working Committee" <workingcom@auroville.services>, cf.vpm@tn.gov.in, "Tmt Supriya Sahu, I.A.S.," <forsec@tn.gov.in>, cfvillupuram@gmail.com, minister_eccywsd@tn.gov.in, cpwd_dgw@nic.in
Bcc: l.avenir.d.auroville.ra@gmail.com

To the Secretary of the Auroville Foundation Office,

To the Joint Committee,

Further to our email and reports sent yesterday, please review the attached evaluation report 'Tree Cutting at Darkali for the Auroville Crown Road' which is complementary to the various studies, alternative proposals and agreements that have been submitted as to the appropriate implementation of the Crown through Darkali.

We again ask that you respect the verdict of the National Green Tribunal judgment, ensure the proper evaluation of alternative trajectories and put in place the due processes, notices and works management to ensure compliance.

in Service,

L'avenir d'Auroville - TDC Town Development Council

Allan Bennett, Anan Skoles, Divya Lieser, Dorle Heller, Island Lescure, Lata Iyer, Meera Natarajan, Natasha Storey, Tom Gablier

CC:

members of the Joint committee,

Supriya Sahu I.A.S.

CPWD

Minister of Environment and climate change, Tamil Nadu

DFO Suresh Soman, Forest dept. Villupuram

in Service,

L'avenir d'Auroville - TDC Town Development Council

Allan B, Anan, Divya L, Dorle, Island, Meera N, Natasha S, Tom G



2023 03 12 Darkali tree cutting NGT report.pdf
4559K



report 'Tree Cutting at Darkali for the Auroville Crown Road'

TDC Town Development Council <tdc@auroville.services>

13 March 2023 at 10:12

To: Secretary AV Foundation <secretaryavf@auroville.org.in>, avfoundation@auroville.org.in, jayanti.ravi@gmail.com
Cc: collrvpm@nic.in, cfchen@tn.nic.in, "cc: Working Committee" <workingcom@auroville.services>, cf.vpm@tn.gov.in, "Tmt Supriya Sahu, I.A.S.," <forsec@tn.gov.in>, cfvillupuram@gmail.com, minister_eccywsd@tn.gov.in, cpwd_dgw@nic.in
Bcc: l.avenir.d.auroville.ra@gmail.com, TDC Town Development Council <tdc@auroville.services>

To the Secretary of the Auroville Foundation Office,

To the Joint Committee,

Further to our email and reports sent yesterday, please review the attached evaluation report 'Tree Cutting at Darkali for the Auroville Crown Road' which is complementary to the various studies, alternative proposals and agreements that have been submitted as to the appropriate implementation of the Crown through Darkali.

We again ask that you respect the verdict of the National Green Tribunal judgment, ensure the proper evaluation of alternative trajectories and put in place the due processes, notices and works management to ensure compliance.

in Service,

L'avenir d'Auroville - TDC Town Development Council

Allan Bennett, Anan Skoles, Divya Lieser, Dorle Heller, Island Lescure, Lata Iyer, Meera Natarajan, Natasha Storey, Tom Gablier

CC:

members of the Joint committee,

Supriya Sahu I.A.S.

CPWD

Minister of Environment and climate change, Tamil Nadu

DFO Suresh Soman, Forest dept. Villupuram

in Service,

L'avenir d'Auroville - TDC Town Development Council

Allan B, Anan, Divya L, Dorle, Island, Meera N, Natasha S, Tom G



2023 03 12 Darkali tree cutting NGT report.pdf
4559K

TREE CUTTING AT DARKALI FOR THE AUROVILLE CROWN ROAD

EVALUATION REPORT

13th March 2023

**Satprem Maini
Director Auroville Earth Institute**

TABLE OF CONTENTS

1. SCOPE OF WORK	3
1.1 Disclaimer	3
1.2 Scope of the report	3
1.3 Background	3
1.4 NGT verdict	3
1.5 Joint Committee recommendations	4
2. EXECUTIVE SUMMARY	5
2.1 Contextual facts	5
2.2 Recommendations	5
3. WIDTH OF THE CLEARING NOT RESPECTED	6
3.1 Initial marking on site	6
3.2 Width of the clearing	6
4. CROWN ROAD AT DARKALI	8
4.1 Change of location of the crown road over the years.	8
4.2 Development of Darkali in coordination with town planning offices	8
4.3 Crown road located on a very sensitive ecosystem	9
4.4 Alternative proposal from Darkali	10
ANNEX 1 – LETTER FROM L’AVENIR FOR THE EXTENSION OF DARKALI	11
ANNEX 2 – RECOMMENDATIONS FROM THE JOINT COMMITTEE	13

1. SCOPE OF WORK

1.1 DISCLAIMER

This report has been made in good faith for the purpose of informing the residents of Auroville and the general public for the sole purpose of allowing them to make an informed decision on cutting trees for the Crown Road Project passing through Darkali. While the report raises many questions as to the veracity, integrity and the procedure followed by the Auroville Foundation Office (AVFO) and the Auroville Town Development Council (JR's ATDC) appointed by the secretary of the AVFO, it has not been written with the objective of discrediting any individual person, institution, or company.

1.2 SCOPE OF THE REPORT

The Working Committee and the Town Development Council selected by the Residents' Assembly asked the author to evaluate in this report if the cutting of the trees in Darkali, which were started recently by the AVFO and the JR's ATDC, followed the recommendations given by the Joint committee appointed by the National Green Tribunal (see section on next page, *1.5 Joint Committee recommendations*).

1.3 BACKGROUND

The Crown Road (CR) is part of the Master Plan of Auroville, the International city under construction in South India. The first draft of the Master Plan was prepared in 1999. However, the second version of the Master Plan which was approved by the Ministry of Human Resource Development (MHRD), Government of India on 12th April 2001 was based on the document "*Auroville Universal Township Master Plan (Perspective 2025)*". Much later, the Secretary of the Auroville Foundation published the Master Plan on 16th August 2010 on the Gazette of the Govt of India. Therefore, this Master Plan has not been properly gazetted as it did not follow the usual protocol. It is important to note that this Master Plan is also not recognised by the Tamil Nadu Administration.

1.4 NGT VERDICT

Following the destruction of Bliss Forest in December by the AVFO and the JR's ATDC, residents of Auroville filed a writ petition to the National Green Tribunal (NGT) at the beginning of 2022. The NGT gave its verdict on 28th April 2022. The main points relevant to mention in this report of the 78-page NGT verdict are the following:

Points 6 and 7, on page 8

6. *It was alleged that 1st respondent (AVFO) is now focusing on the manifestation of the roads mentioned in the Master Plan, e.g. the Crown road, a road encircling the centre of the township, and an Outer Ring Road. These roads have only been indicated by a sketch in the Master Plan on its page 59. They have failed to see that the Master Plan is only a Perspective Plan and is not a project report.*
7. *For implementation of specific activities mentioned in the master plan, each component has to be studied, assessed for its impact, the least deleterious alternative chosen for the implementation of the project in light of existing ground realities. According to the applicant, the master plan does not propose that forests with endangered flora and serving as habitat of several species of fauna be destroyed for the construction of a road envisaged in the Master plan.*

They (1st respondent, AVFO) have also failed to appreciate this fact and have blindly decided to implement the components mentioned in the master plan without any examination as to its siting and sustainability. The Master plan cannot be taken as a design document and the proposed road cannot be built in the exact shape specified therein. The diagrams in the master plan are indicative – they are not project designs.

Point 9 "Main prayer", on page 9

- A. *Direct the 1st respondent (AVFO) to prepare a Detailed Development Plan (DDP) including a mobility plan which is based on and respects the present-day ground realities, to be approved as mandated in the Master Plan and implement projects based on such plan after necessary impact assessments and feasibility studies in an environmentally sustainable manner.*

Point 122, on page 71

122. So under such circumstances, we feel it is necessary to appoint a Joint Committee (JC) comprising of (i) the District Collector (...) along with (ii) the Forest Officer (...), as deputed by the Principal Chief Conservator of Forests (Head of Forests Force), State of Tamil Nadu to inspect the area in question and ascertain whether any modification can be made in the width of the road or by slight realignment (if any) required, so that the number of trees to be cut can be minimized, find out whether there is any water body existing within that area and if that be the case, how the road will have to be constructed without obstructing the water flow by providing elevated bridge or other methodology without affecting the water flow inside the project area and give their recommendations to the 1st Respondent (AVFO) (...).

Point 125, pages 75 to 77

- (i) The 1st Respondent (AVFO) is directed to prepare a proper township plan either in respect of 778 Ha which is in their possession now or in respect of 1963 Ha which was visualized by the MOTHER (...) and then apply for Environmental Clearance (EC) as it will fall under Item 8 (b) of the EIA Notification, 2006. Till then they are directed not to proceed with further construction in the project area.
- (ii) Considering it as an exceptional circumstance, even before obtaining Environmental Clearance (EC) for further activity, we are permitting the 1st Respondent to complete the crown road on the following conditions: -
- The JC appointed by this Tribunal viz., (...) to inspect the area in question and ascertain whether by reducing the width of the road at suitable places or by slight realignment (if any) required, so that the number of trees to be cut can be minimized so that the vision of the Mother of creating a green cover in that area can be protected.
 - The JC is also directed to ascertain as to whether there are any water bodies/streams exists in that area and if the road passes through the water body, then what is the manner in which the road will have to be constructed by elevation without affecting the water body/water flow or a bed level causeway with box type of vents will suffice. If such a recommendation is made, that also will have to be implemented, and the 1st Respondent is to undertake the construction as suggested by the committee.
 - The JC is directed to complete the process and submit the report to the 1st Respondent within a period of two months and on receipt of the same, the 1st Respondent is directed to carry out the crown road work, in the impugned area with tree cover, strictly in accordance with the recommendations made by the JC.
 - Till that exercise is completed, the 1st Respondent is directed not to cut any further trees from the property. The 1st Respondent is at liberty to undertake the crown road work in the remaining stretches where there are no trees.
- (iii) The 1st Respondent is also directed to plant trees in the ratio of 1: 10 for the number of trees to be cut, and the species to be recommended by the JC may be considered for planting either on the side of the road or other area identified by the JC, in order to protect environment and also to maintain the green cover in that area."

1.5 JOINT COMMITTEE RECOMMENDATIONS

The Joint Committee prepared a 54-page report on their evaluation. However, this report failed to mention the importance of the water harvesting system which was developed by the stewards of Darkali and the particular eco system which developed because of the topography of the site and the tropical monsoon climate of Auroville. The JC report only mentions the following about the above: "A natural stream and two manmade water harvesting structures were present at the site."

The main recommendation can be seen on page 19 of the JC report:

- "Based on field inspections by the Joint Committee, the inventory and girth class of trees in the area prepared, discussions with CPWD team on the design aspects of Crown Road and suggestions of the Joint Committee, **the CPWD has restricted the width of the road from 16.70 m proposed earlier to 11.0 m and arrived at a revised plan for the Crown Road (Annexure-III) in the area in question.**

This 11.0 m width is inclusive of a cycle track with a width of 1.90 m that has been incorporated with the objective of encouraging sustainable and eco-friendly transport inside Auroville. But, clearing trees to provide way for eco-friendly cycle track may not be logical and considering the light traffic movement in Auroville, **the width of 1.90 m cycle track can be excluded from the design and the design of crown road can be restricted to 9.10 m. By doing so, the trees that will be affected by the road in the area in question will be reduced from the earlier 575 numbers to 321 numbers.**

2. EXECUTIVE SUMMARY

2.1 CONTEXTUAL FACTS

Firstly, the Joint Committee failed to evaluate the local site condition regarding rainwater flow and rainwater harvesting/ management in this very sensitive eco system. This is a serious flaw in their report. Furthermore, they have agreed to cut Red Sanders (*Pterocarpus sandalinus*) which is a threatened species according to the IUCN Red list of threatened species and also Palmyra (*Borassus flabellifer*), which is forbidden to cut in Tamil Nadu, unless the collector gives permission for it. What were the reasons behind these decisions?

Secondly, the Auroville Foundation Office and the ATDC appointed by the secretary have failed to see that the Master Plan is only a Perspective Plan and is not a project report, as rightly mentioned in the NGT verdict. Therefore, they base all their narratives that they want to build “the Mother’s City” according to the Master plan. Until today, to our knowledge, no Detailed Development Plans have been finalised and accepted by the Tamil Nadu Authorities.

Thirdly, the AVFO and the JR’s ATDC have also have also failed to study and assess the impact of their proposal in light of existing ground realities, as mentioned by the NGT Verdict: *“They have also failed to appreciate this fact and has blindly decided to implement the components mentioned in the master plan without any examination as to its siting and sustainability”*.

Finally, the AVFO and the JR’s ATDC denied the recommendations given by the Joint Committee and did not implement any of their recommendations.

2.2 RECOMMENDATIONS

It is indispensable to pause this work immediately until first the location of the road is re-examined in the light of the proposal given by the stewards of Darkali in December 2021 and second that the Joint Committee recommendations are followed.

3. WIDTH OF THE CLEARING NOT RESPECTED

3.1 INITIAL MARKING ON SITE

In 2022, the JR's ATDC put some markers on the site of Darkali. These markers located the width of the road, which was 6.7 m at that time and the width of right of way (RoW), which is 16.7 m. However, they also marked the width of the initial RoW of 30 m, which was mentioned in the Master Plan. It is important to note that this width was not relevant anymore for years, but nevertheless, they marked it. Maybe to confuse people or themselves?



Fig. 1: Markers by JR's ATDC in the canyon of Darkali



Fig. 2: Marker by JR's ATDC in the canyon of Darkali

However, it is important to note that they did not locate the width of 9.1 m, which was prescribed by the Joint Committee, and which should have delimited the width and area of trees to be cut.

3.2 WIDTH OF THE CLEARING

Besides the fact that they marked the total width of the right of way of 16.7 m, which was too large for the area to clear, the workers hired by the AVFO and the JR's ATDC cut trees randomly which were sometimes very far out of the limit of 16.7 m, which was already too wide. The measurements which are indicated below were taken perpendicularly from outside to outside of the trees, or from a marker to the outside of a cut tree (Figures 5 and 6).

On 11th March, workers hired by the AVFO and JR's ATDC, guided by henchmen of JR's ATDC cut 205 trees, including 13 Red sanders and 3 Palmyra in the Park of Darkali. Figures 3 and 4 show a width of 8.5 m, which is within the limit given by the Joint Committee. However, Figures 5 and 6 show that the trees have been cut much beyond the limit of 9.1 m allowed by the JC report.



Fig. 3: Width of clearing – Point 1a from cut tree



Fig. 4: Width of clearing – Point 1b to cut tree = 8.5 m



Fig. 5: Width of clearing – Point 3a from cut tree



Fig. 6: Width of clearing – Point 3b to marker = 15.9 m

Figure 7 to 10 show that the trees have been cut much beyond the limit of the right of way, with 17.4 and 18.7 m, which is 2 m wider that the right of way.



Fig. 7: Width of clearing – Point 2a from cut tree



Fig. 8: Width of clearing – Point 2b to cut tree = 17.4 m



Fig. 9: Width of clearing – Point 3a from cut tree



Fig. 10: Width of clearing – Point 3b to marker = 18.7 m

Figure 11 shows a tree to be cut which was marked by A. S., a henchman working for the Auroville Foundation Office.

This tree is at 19.7 m from a tree which was cut on the other side of the canyon.

This show how careless and how much disregard the AVFO and the JR's ATDC have vis a vis the recommendations given by the Joint Committee.



Fig. 11: Tree to be cut, mark by a A. S. at 19.7 m

The following section gives some valuable information regarding the situation of the Crown Road in the park of Darkali, for which the AVFO systematically gives false narrative, among them that the stewards have planted trees on the road to block it on purpose and that this park is not in the Master Plan of the Galaxy.

4. CROWN ROAD AT DARKALI

The crown road is passing through Darkali park, which has been developed by the stewards for more than 35 years. It is very important to mention that this park is part of the Master Plan and the Galaxy concept of Roger Anger, as it is officially called the “Mahasaraswati Park”.

Though a line of force is planned in this area, they have developed this park in agreement with Roger Anger and asked for guidance from the various town planning groups. See Annex 1 on pages 11 and 12. However, the narrative given by the Auroville foundation, which is that “*They have planted willingly trees on the crown to block it and that they refuse to let the crown road pass through Darkali*” is totally false, as proven by the following sections.

4.1 CHANGE OF LOCATION OF THE CROWN ROAD OVER THE YEARS.

Around 1995, the town planning office located the crown road about 40 m out of the present location: see Figure 12 for the plan of ~1995 below, compared to the plan of 2023 of Figure 13. The bathroom of Darkali, is either inside or outside of the road on these plans. Obviously, the bathroom did not move, but the location of the road changed.

The present JR’s ATDC and the AVFO do not want to acknowledge this and therefore their false narratives.



Fig. 12: Plan from the town planning office of ~1995



Fig. 13: Location of the crown road in 2023

4.2 DEVELOPMENT OF DARKALI IN COORDINATION WITH TOWN PLANNING OFFICES

The stewards of Darkali first started integrating the crown road through Darkali over 25 years ago when the then Auroville Development group showed where the alignment was projected. At that time, the stewards planted trees outside of the proposed crown road and they did not further develop the area of the road. Therefore, no trees were subsequently planted but the area was protected. Nevertheless, regeneration happened and trees grew by themselves in that area.

In the recent years, the alignment of the road changed, and the crown road moved into an area that had been actively managed not only with tree planting but also extensive soil and water conservation. This land development happened along a natural canyon, channelling a lot of water from the Matrimandir watershed. This area is directly adjacent to the old alignment given around 1995.

The stewards had an agreement with Roger Anger for officially enlarging the boundaries of the park. This was done through emails with Jacques Train, and it was formalised by a letter signed by Toby, Lalit and Ponnusamy on 9th April 1999, showing the revised plan. See Annex 1, on page 11 and 12.

It is important to mention that the stewards of Darkali had the support of the then l’Avenir, as their members wrote: “*(...) At that time we will consult and involve you and/or the stewards of Darkali in the design process to ensure that the integrity of the forest is maintained. On behalf of l’Avenir d’Auroville, we would also like to take this opportunity to thank you for creating and maintaining such a valuable asset in the city that the future generations will surely enjoy and value.*”

Therefore, the false narrative of the JR’s ATDC and the AVFO is hypocritical.

4.3 CROWN ROAD LOCATED ON A VERY SENSITIVE ECOSYSTEM

The JR's ATDC marked the crown road in Darkali and it appears that the road is now going into the canyon which channels a lot of water from the watershed above to Irumbai. Figures 14 and 15 show the same water body, in the dry season and during the monsoon. They probably plan to fill it, instead of making a bridge of ~30 m. Figure 15 shows the marking by the JR's ATDC with a right of way of 30 m, which has no justification, other than to create more confusion.

Figures 16 to 21 show that the road will travel slightly diagonally through the canyon, thus disturbing or blocking the water flow. Where will all the rainfall that this canyon is harvesting go?



Fig. 14: Crown road marked by JR's ATDC in a water body



Fig. 15: Same water body in the monsoon time



Fig. 16: Road marked by JR's ATDC near the dam of the canyon



Fig. 17: Same water body with the dam in the monsoon time



Fig. 18: Road marked by JR's ATDC at the edge of the dam



Fig. 19: Road marked by JR's ATDC in the centre of the canyon



Fig. 20: Road marked by JR's ATDC on the side of the canyon



Fig. 21: Road marked by JR's ATDC near the dam of the canyon

Note that the lines showing the road are indicative because the road will be at a different level. As the road will be higher than the actual level of the canyon, the canyon will probably be filled with slope at 45°, as it is usually done, thus blocking a great part of the canyon and disrupting the water flow.

Therefore, this road must not be located as planned, but rather following the proposal on next page.

4.4 ALTERNATIVE PROPOSAL FROM DARKALI

Due to the negative environmental impact of the location of the road in the canyon, the stewards of Darkali did an alternative proposal in December 2021. They proposed to shift the road at the edge of the canyon, thus preserving it, as showed in Figure 22 below.

Note that they mentioned that the road was still in the 30 m wide right of way, as l'Avenir marked both the width of the final right of way (RoW) of 16.7 m which had been decided, and the proposed width of the RoW of 30 m from the first draft of the Master Plan of 1999. What is this 30 m wide right of way?

This proposal shows three things:

1. That between 1995 and 2023, the location of the crown road moved inward by around 40 m.
2. The JR's ATDC either did not know what they did or love to add confusion, or both things.
3. The stewards showed their willingness to accommodate the road at an environmentally sound location.

Nevertheless, l'Avenir and the AVFO rejected this proposal and enforced the road to be in the canyon.

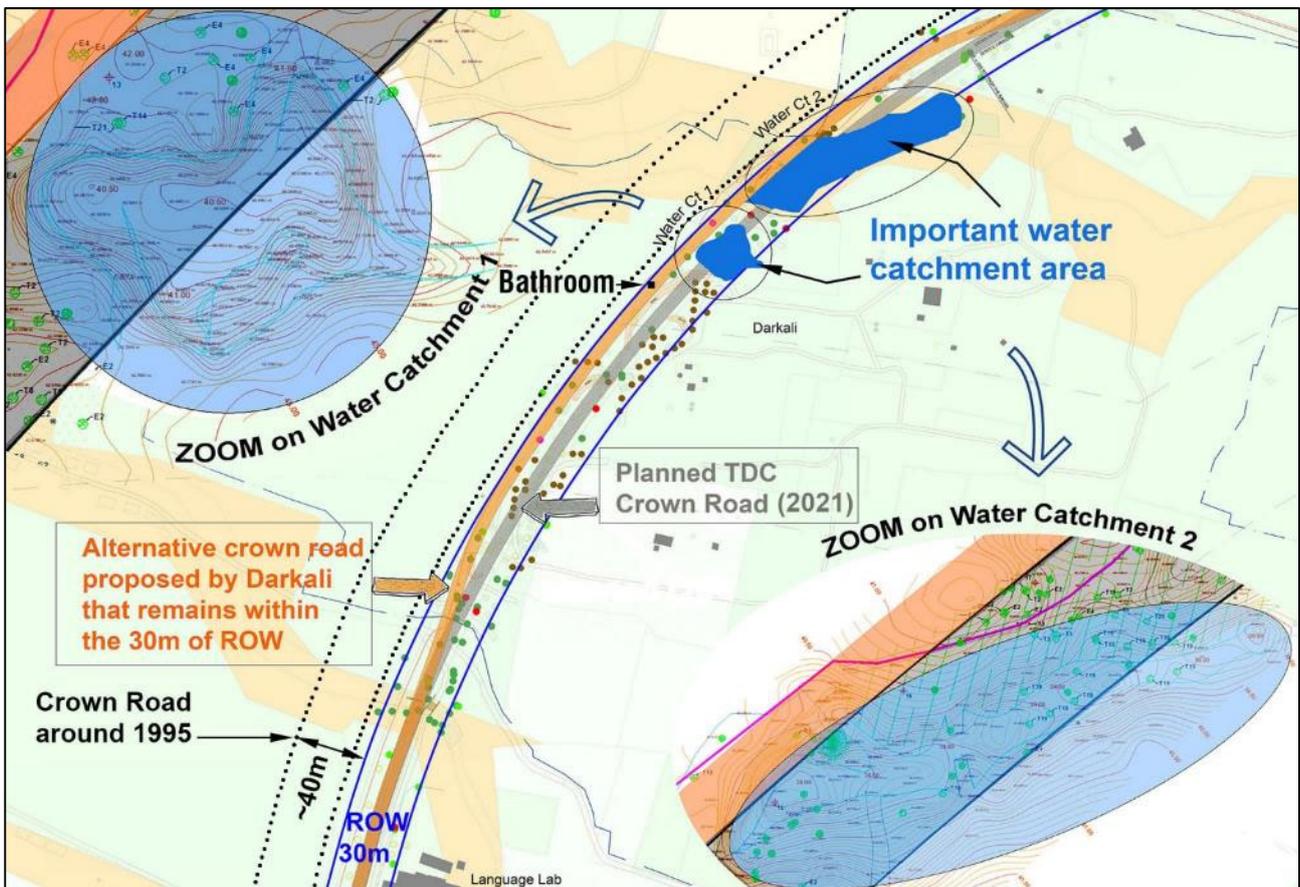


Fig. 22: Plan of the alternative proposal made the stewards of Darkali in December 2021

Another component of the false narrative given by the AVFO is that the stewards of Darkali refused the passing of this road through Darkali. This is again wrong as the stewards cleared the bushes and trees which grew along the road to visualise where the road could be, as shown in Figures 23 and 24.



Fig. 23: Clearance of trees on the alternative road proposal



Fig. 24: Alternative road proposal cleared of trees

ANNEX 1 – LETTER FROM L'AVENIR FOR THE EXTENSION OF DARKALI

Noting the acknowledgment of the work done by the stewards: “On behalf of l’Avenir d’Auroville, we would also like to take this opportunity to thank you for creating and maintaining such a valuable asset in the city that the future generations will surely enjoy and value”.



AUROVILLE
UNIVERSAL
TOWNSHIP

L'avenir d'Auroville

Auroville Township Planning and Development Research Organization

Auroville, April 9, 2009

To: **Gopal / Agnes**
Darkali, Auroville

Re: Proposed and agreed future extent of Darkali extent

Dear Gopal,
Dear Agnes,

Please see the attached the map showing the proposed Darkali forest extent (in Orange) as agreed upon by you and Roger Anger. The current extent is indicated in green and the green dotted line shows the boundary that is subject to change as per the design as and when this area is detailed out. At that time we will consult and involve you and/or the stewards of Darkali in the design process to ensure that the integrity of the forest is maintained.

On behalf of L’avenir d’Auroville we would also like to take this opportunity to thank you for creating and maintaining such a valuable asset in the city that the future generations will surely enjoy and value.

Let us know if you have any questions/concerns.

Regards,
Coordinators

Toby

Lalit

Ponnusamy

Annexe: Map of Darkali Area

L'AVENIR D'AUROVILLE - Auroville Township Planning and Development Research Organization
Administrative Area (Town Hall) - Auroville 605101 - Tamil Nadu - INDIA
Tel + 91 (0)413 2622170 2622250 2623647 Fax: +91 (0)413 2622055
Email avenir@auroville.org.in Web www.auroville.info/avenir

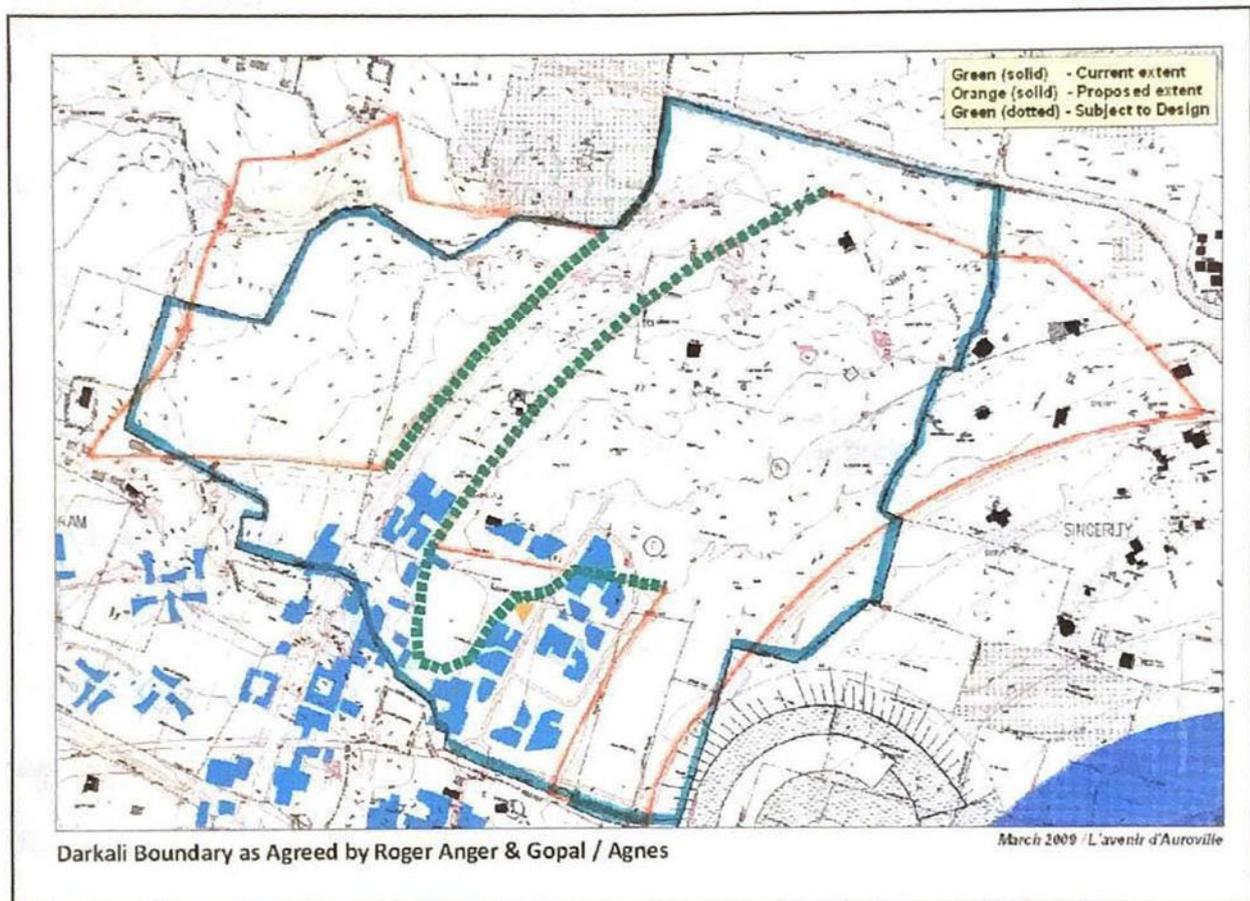


AUROVILLE
UNIVERSAL
TOWNSHIP

L'avenir d'Auroville

Auroville Township Planning and Development Research Organization

Map of Darkali Area



L'AVENIR D'AUROVILLE - Auroville Township Planning and Development Research Organization
Administrative Area (Town Hall) - Auroville 605101 - Tamil Nadu - INDIA
Tel + 91 (0)413 2622170 2622250 2623647 Fax: +91 (0)413 2622055
Email avenir@auroville.org.in Web: www.auroville.info/avenir

ANNEX 2 – RECOMMENDATIONS FROM THE JOINT COMMITTEE

Hereafter in an extract of the Joint Committee report from pages 19 to 22

RECOMMENDATIONS OF THE JOINT COMMITTEE:

To minimise felling of trees:

Considering the necessity to protect the green cover and to minimise clearing of trees that are found in the site in question and taking into account the necessity of the road or right of way and its significance to Auroville, the following recommendations are made:

- Based on field inspections by the Joint Committee, the inventory and girth class of trees in the area prepared, discussions with CPWD team on the design aspects of Crown Road and suggestions of the Joint Committee, the CPWD has restricted the width of the road from 16.70 m proposed earlier to 11.0 m and arrived at a revised plan for the Crown Road (**Annexure-III**) in the area in question. This 11.0 m width is inclusive of a cycle track for a width of 1.90 m that has been incorporated with the objective of encouraging sustainable and eco-friendly transport inside Auroville. But, clearing trees to provide way for eco -friendly cycle track may not be logical and considering the light traffic movement in Auroville, the width of 1.90 m cycle track can be excluded from the design and the design of crown road can be restricted to **9.10 m**. By doing so, the trees that will be affected by the road in the area in question will be reduced from the earlier 575 numbers to 321 numbers.
- The revised plan for the road with a width of 9.10 m is enclosed in the **Annexure - I**.

Table 3: Inventory of trees falling in the stretch extending over a length of 434 m and reduced width of 9.10 m in the proposed Crown road area in Darkali:

<u>Name of the Species</u>	<u>Local Name</u>	<u>No of trees</u>
<i>Acacia arguliformis</i>	கத்தி சவுக்கு	71
<i>Adenantha pavonina</i>	ஆணைகுண்டுமணி	1
<i>Albizia lebbek</i>	காட்டு வாகை	1
<i>Atalantia monophylla</i>	காட்டு எலுமிச்சை	11
<i>Azadirachta indica</i>	வேம்பு	28
<i>Benkara malabarica</i>	சிறுகாரை	7
<i>Borassus flabellifer</i>	பனை	4
<i>Bridelia arguliformis</i>	கள் வேங்கை	1
<i>Bridelia retusa</i>	முள் வேங்கை	71
<i>Cascabela thevetia</i>	அரளி	3
<i>Cassia fistula</i>	மஞ்சள் கொன்றை	18
<i>Cassine glaca</i>	கண்ணீரா	1
<i>Eucalyptus globulus</i>	தைலமரம்	2
<i>Ficus bengalensis</i>	ஆலமரம்	1
<i>Ficus religiosa</i>	அரசு	1
<i>Gliricidia Sepium</i>	விவசாய தகரை	5
<i>Khaya senegalensis</i>	கயா	15
<i>Lannea coromandelica</i>	ஒதியன்	5
<i>Lepisanthes tetraphylla</i>	குகமதி	1
<i>Leucaena leucocephala</i>	சவுண்டல்	8

<u>Name of the Species</u>	<u>Local Name</u>	<u>No of trees</u>
<i>Madhuca longifolia</i>	இலுப்பை	1
<i>Manikara hexandra</i>	கணுப்பலா	2
<i>Manilkara Zapoto</i>	சப்போட்டா	1
<i>Morinda tinctoria</i>	நுனா	5
<i>Peltophorum pterocarpum</i>	இயல்வாகை	11
<i>Pongamia pinnata</i>	புங்கன்	2
<i>Pterocarpus marsupium</i>	வேங்கை	3
<i>Pterocarpus santalinus</i>	செம்மரம்	14
<i>Putranjiva roxburgha</i>	புத்திரஜீவா	1
<i>Strychnos nux - vomica</i>	எட்டி	1
<i>Terminalia Arjuna</i>	நீர்மருது	10
<i>Terminalia paniculata</i>	பனி வாகை	7
<i>Walsura trifoliata</i>	வால்சுறா	2
<i>Ziziphus oenoplia</i>	சூரமுள்	6
Total		321

Table 4: Girth Class of trees falling in the stretch extending over a length of 434 m and reduced width of 9.10 m width in the proposed Crown road area in Darkali:

Girth Class		No. of Trees
From	To	
11	15	11
16	20	66
21	25	52
26	30	36
31	35	33
36	40	29
41	45	17
46	50	17
51	55	13
56	60	12
61	65	8
66	70	7
71	75	3
76	80	2
81	85	1
86	90	4
91	95	1
96	100	3
106	110	1
111	115	1
126	130	2
246	250	1

Girth Class		No. of Trees
From	To	
311	315	1
Total		321

Table 5: Comparative table showing width of the Crown road and the corresponding number of trees as per the previous 16.70 m road plan versus the reduced 9.10 m road plan.

From Centre	Sideway	Tree corridor	Water drain	Utility	L Carriage Way	R Carriage Way	Utility	Cycle track	Tree corridor	Sideway
		A	B	C	D	E	F	G	H	
674.30	9.00	2.40	1.20	0.60	3.35	3.35	0.60	1.90	3.30	4.30
	9.00	2.40	1.80		6.70		2.50		3.30	4.30
	9.00	2.40	9.10					5.20		4.30
	9.00	16.70								4.30
	30.00									
674.30	683.30	685.70	686.90	687.50	690.85	694.20	694.80	696.70	700.00	704.30
No of Trees		30	321					70	127	27
Total No. of trees	575									

Table 6: Abstract showing the number and percentage of trees to be preserved and removed in the Crown road segment

Details of trees	No. of trees	Percentage of trees
Total No of trees in the 16.70 m width RoW	575	100.00
Total No of trees in the revised 9.10 m width RoW	321	55.83
Total No of trees to be transplanted	36	6.26
Total No of trees to be removed	285	49.57
Total No of trees that will be retained on the site	254	44.17
Total No of trees to be preserved including the trees to be transplanted	290	50.43

- Out of 321 number of trees that will be impacted, 36 numbers of trees that have higher probability can be transplanted to suitable locations as close to the site as possible for ensuring better survival
- Table 5:- List of trees of various species that can be transplanted to alternate locations.

<u>Name of the Species</u>	<u>Local Name</u>	<u>No of trees</u>
<i>Albizia lebbbeck</i>	காட்டு வாகை	1
<i>Cassia fistula</i>	மஞ்சள் கொன்றை	18
<i>Eucalyptus globulus</i>	தைலமரம்	2
<i>Ficus bengalensis</i>	ஆலமரம்	1
<i>Ficus religiosa</i>	அரசு	1
<i>Manikara hexandra</i>	கணுப்பலா	2
<i>Peltophorum pterocarpum</i>	இயல்வாகை	11
Total		36

- The remaining 288 (321-33 = 288) number of trees also include several exotic species like *Acacia auriculiformis* (Earleaf Acaia/ Kathi savukku), *Eucalyptus*, *Leucaena leucocephala* (subabul), *Khaya senegalensis* (khaya) , *Gliricidia sepium* (Vivasaya thagarai).
- The Tropical Dry Evergreen Forest (TDEF) type is the native vegetation of the Coramandel Coast of India and restricted to a narrow strip along the coasts of Tamil Nadu and Andhra Pradesh and the TDEF species are adapted to withstand cyclonic winds.
 - TDEF species can be chosen for the compensatory planting of 2850 number of trees in the ratio of 1:10 for the trees to be cut
 - Compensatory planting of saplings can be done with an espacement of 15 ft x 15 ft in Aranya and Hermitage areas in Auroville.
 - Auroville has the expertise to raise TDEF Species and the nursery in the Botanical gardens in Auroville is a good source for saplings of TDEF species.
 - A management plan for a period of ten years for the plantation to be raised is to be prepared by Auroville foundation in consultation with the Forest Department. The plan shall incorporate details including site condition, choice of species, planting operations, measures to be taken for periodical watering, maintenance, fire protection, tree guards / fencing, etc to ensure successful survival
- The fact that a road of width 9.10 m passing through a considerably dense wooded area requires facilitating connections between habitats and animal populations like amphibians, reptiles and smaller mammals inhabiting the area. This will also help in reducing road kills due to the movement of vehicles. The following measures can be put in place to protect amphibians, reptiles, small mammals, etc and facilitating their movement for meeting biological requirements such as finding food, cover and mates.
 - **Amphibian and reptile crossing tunnels:**
 - They help for passage by amphibians and reptiles, although other small- and medium-sized vertebrates may use as well.
 - Tunnels can be provided across the road at points of frequent amphibian, reptile movement with dimensions ranging from 1–3 ft (0.35–1 m) in diameter



Fwd: Discrepancies in JC report - ground realities

1 message

TDC Town Development Council

Mon, 13 Mar, 2023 at 1:36

<tdc@auroville.services>

pm

To: கிருஷ்ணா தேவானந்தன் <krishnadevanandan@gmail.com>

FYI

in Service,

L'avenir d'Auroville - TDC Town Development Council

Allan B, Anan, Divya L, Dorle, Island, Meera N, Natasha S,
Tom G

----- Forwarded message -----

From: **TDC Town Development Council** <tdc@auroville.services>

Date: Mon, 13 Mar 2023 at 13:09

Subject: Discrepancies in JC report - ground realities

To: Working Committee <workingcom@auroville.services>

To The Working Committee of the Auroville Foundation
selected by the Resident's Assembly,

We would like to bring to your notice that there are several
significant errors in the implementation on the ground of
the recommendations given in the JC report for Darkali.

There is an urgent need to stop and assess the ground realities as they do not match the recommendations provided by the JC report.

On closer inspection on the 13th March 2023, after the felling of 197 trees in Darkali, Auroville, we have noted the following:

- Given the fact that the joint committees proposed trajectory has not been marked / staked out on the ground it makes it unclear and unfit to have started any tree felling what so ever.
- 16 surveyed trees do not fall within the revised plan for the road with a width of 9.1 metre as per the JC report map. (examples can be seen on pictures 1,2,3,4 + 5 marking numbers 0167, 0210, 0262)
- 30 unsurvey / unmarked trees that were also cut. This adds to the total number of trees that were recommended to be cut.
- Many of the above 30 trees fall outside the revised plan for the road with a width of 9.1 metre as given by the JC.
- Some number labels on the trees do not correspond with the position on the map. (On such example can be seen on the pictures 6 + 7 below. Tree no 149 and 150 are less than 50cm apart on the ground whereas on the map they are several meters apart)
- Several numbered trees have not been plotted on the map provided in the JC report.

All the above point question the number and position of trees to be felled. Therefore this cannot be done in the

haphazard manner in which it is being executed presently.



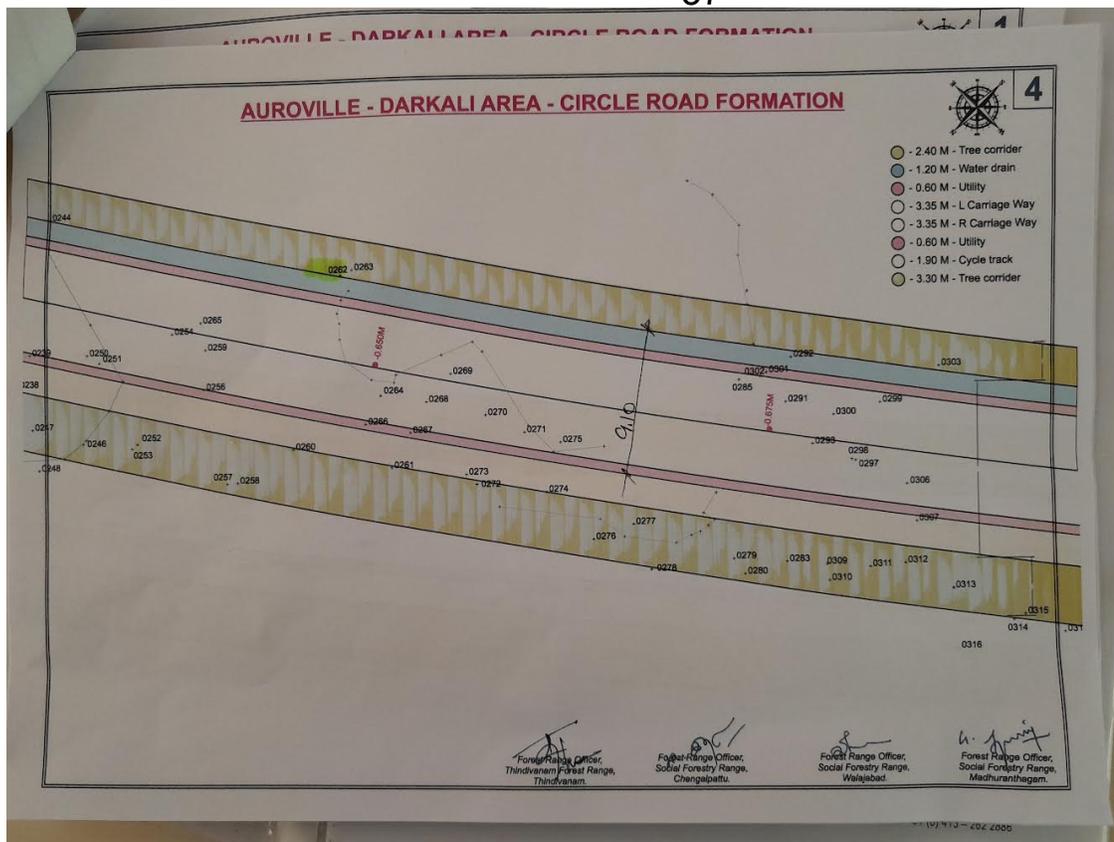
Picture no. 1



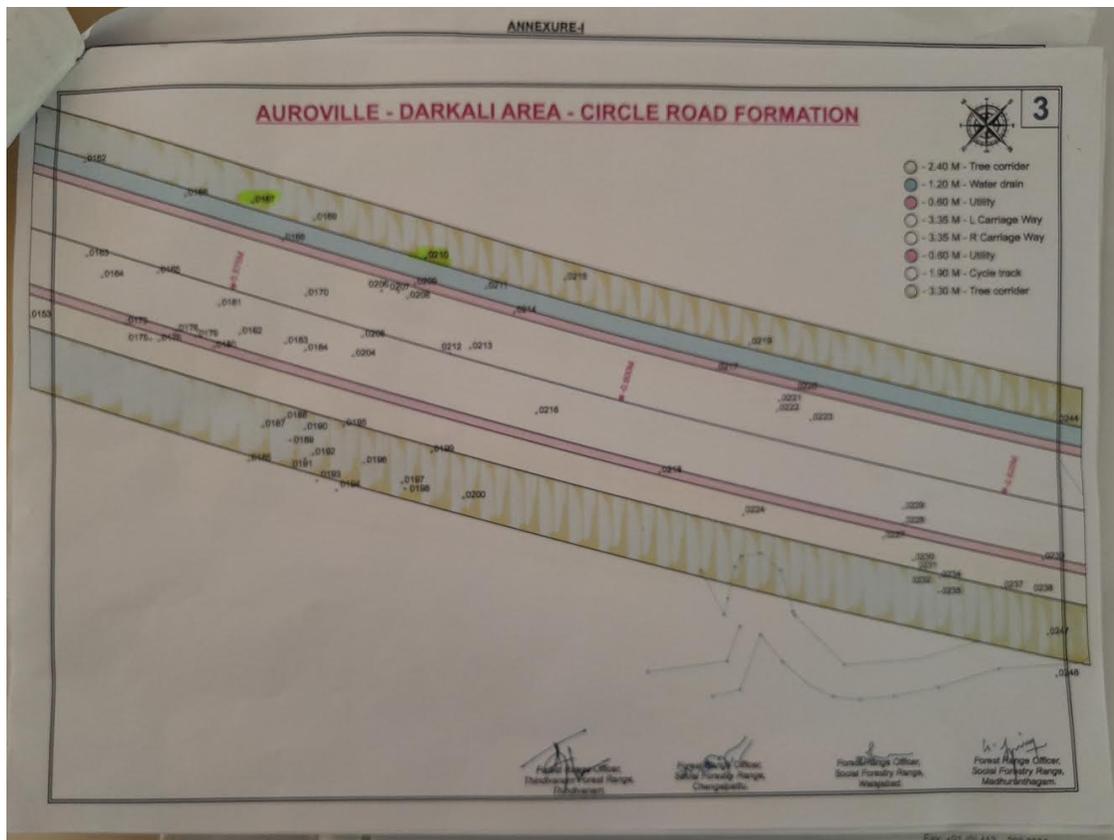
Picture no. 2



Picture no. 3



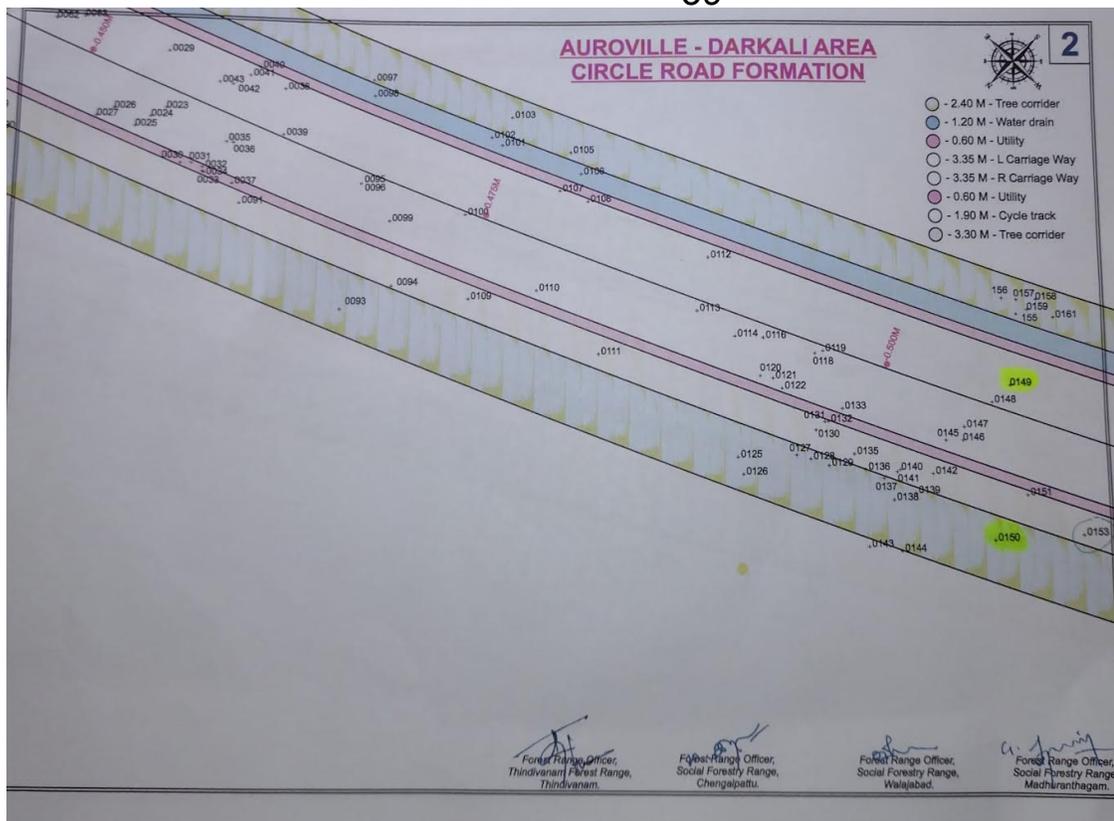
Picture no. 4



Picture no. 5



Picture no. 6



Picture no. 7

in Service,

L'avenir d'Auroville - TDC Town Development Council

Allan Bennett, Anan Skoles, Divya Lieser, Dorle Heller,
Island Lescure, Lata Iyer, Meera Natarajan, Natasha Storey,
Tom Gablier