

**SUPPLEMENTARY REPORT REGARDING OBJECTION SUBMITTED BY
SHRI MOHAMMED JISHAR & ORS IN CONNECTION WITH THE
ORIGINAL APPLICATION NO. 241 OF 2020 (SZ) FILED BEFORE THE
HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE, CHENNAI**

1. Background:

Original Application No. 241 of 2020 (SZ) was filed by M/s. Shri Mohammd Jishar & Ors before the Hon'ble NGT (SZ) on 22nd October, 2020 alleging the implementation of the project of construction/development/widening of the National Highway-66 from Ramanattukara to Edappally by Respondents No 2 to 5 without obtaining prior Environmental Clearance from the 1st Respondent (Ministry of Environment, Forest and Climate Change).

The Hon'ble National Green Tribunal (NGT) in its order dated 11th November, 2020 directed constitution of a committee comprising of representatives of Regional Office, Ministry of Environment, Forest and Climate Change (MoEF&CC), Bangalore and National Highway Authority of India, Regional Office, Thiruvananthapuram, Kerala with orders to inspect the area in question and examine the project and a factual as well as action report, if there is any violation found. Further, the committee is directed to ascertain as to whether prior environmental clearance is required for the purpose of carrying out the project in question and whether if such projects are allowed to continue in piecemeal with ultimate aim of completing the entire stretch without conducting any prior environmental impact assessment and obtaining prior Environment Clearance, will it have any impact on environment. Even if the project has to continue what are all the precautions to be taken by them to avoid the possible environmental impact of such project. If there is any violation found, the committee is also directed to assess the environment damage caused on account of such violation and assess the environmental compensation to be recovered from the National Highway Authority of India.

As per the directions of Hon'ble NGT, a Joint Committee was constituted which examined records/documents available with various agencies and visited the entire stretch from Edappally, Ernakulam District to Ramanattukara, Kozhikode District on 28th - 29th December, 2020. The Joint Committee has submitted report to Hon'ble

NGT on 1st February, 2021. Further, the committee had concluded the following in its report submitted to the Hon'ble NGT.

- i. The proposed project does not require Environmental Clearance (EC) even though all the stretches of highway are considered as one project.
- ii. There is no violation of environmental laws, as on date as the project work has not started yet.

The Hon'ble NGT in its order dated 17th March, 2021 directed the applicant to serve copy of the objection to the Members of the Committee within a week and directed the Joint Committee to submit the comments on the objection filed by the applicant. Till now the committee members have not received any objections from the applicant. Therefore, the committee find out objections from website of Hon'ble NGT.

The committee observed that the major objection is about land acquisition. Therefore, the committee sought para-wise report from Regional Officer, National Highway Authority of India, Regional Office, Thiruvananthapuram, Kerala vide letter no EP/12.7/66/NGT/KER- 230 dated 12th July, 2021. The report received from Manager (T) For Project Director, NHAI, Ernakulam, Kerala on 27th July, 2021 is annexed as **Annexure- I.**

2. Following are the objections of the applicant and the comments of the Committee based on the information provided by the NHAI:

Sl. No.	Objections made by the applicant	Response / comments
1	Para 1	No Comments.
2	Para 2. It is respectfully submitted that the submission of the respondents in the joint committee report that all the acquisition of the land are within inside 7 to 45 meters and the proposed RoW for 6 lane configurations is 45 meters with	As per the information from NHAI, it is reiterated that the acquisition of land for expansion varying from 0 m to 38 m. Further, in realignment and Bypasses section, 45 m land has been acquired to accommodate the six-lane configuration from Ramanattukara to Edappally Section of NH-66.

<p>additional land acquisition varying from zero to 38 meters and that in bypasses realignment maximum width of land acquisition is 45 meters from Ramanattukara to Edapally is not true. The applicants herein submit that in various areas, the respondents are making land acquisitions in excess of what is submitted in the joint committee report. Some of such acquisitions are as follows:</p> <ul style="list-style-type: none"> • In Manathala Village in Thrissur district, in design chainage from 349+730 to 349+ 800, in the existing alignment, the acquisition done is more than 40 meters in width. • In Orumanayoor Village in Thrissur district, in the design chainage from 353+980 to 354+ 150, in the existing alignment, the width of additional right of way is more than 40 meters in width. • In Orumanayoor Village in Thrissur district, in the design chainage from 353+980 to 354+150, in the existing alignment, the width of additional right of 	<ul style="list-style-type: none"> • <i>In Manathala Village in Thrissur District in the design ch from 349.740 to 349.800</i> - The location falls under the starting point of the Chavakkad Bypass wherein 45 m land has been acquired. The Land Acquisition Plan (LAP) has been attached as <u>Annexure - II.</u> • <i>In Orumanyoor Village in Thrissur District in the design Ch from 352.350 to 352.420</i> - The said location falls under the realignment portion to straighten the curve which exists at Ch Km 352.380 wherein 45 m land has been acquired. The Land Acquisition Plan (LAP) has been attached as <u>Annexure - III.</u> • <i>In Orumanyoor Village in Thrissur District in the design Ch from 353.980 to 354.150</i> - The said location falls under the realignment portion to straighten the curve which exists at Ch Km 354.000 wherein 45 m land
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<p>way is more than 40 meters in width.</p> <ul style="list-style-type: none"> • In Valappadu Village in Thrissur district, in the design chainage from 374+780 to 374+910, the acquisition for additional right of way is more than 40 meters in width. • In Ala Village in Thrissur district, the design chainage from 392+340 to 392+720, acquisition is done more than 40 meters for the additional right of way in existing alignment. <p>This is in Edapally-Ramanattukara stretch. This area is not involved in the realignment or by-pass area as stated by the sub-committee, but comes within the existing alignment. These are only some of the acquisitions done by the respondents in this manner. The applicants have been able to find out the exact details the above mentioned chainage for these area only due to the time constraint granted by this Hon'ble Tribunal.</p>	<p>has been acquired. The Land Acquisition Plan (LAP) has been attached as <u>Annexure - IV.</u></p> <ul style="list-style-type: none"> • <i>In Valappad Village in Thrissur District in the design Ch from 374.780 to 374.910</i> - The said location falls under the realignment portion to straighten the curve which exists at Ch Km 374.850 wherein 45 m land has been acquired. The Land Acquisition Plan (LAP) has been attached as <u>Annexure - V.</u> • <i>In Ala Village in Thrissur District in the design Ch from 392.340 to 392.720</i> - The said location falls under the realignment portion to straighten the sharp curve which exists between Ch Km 392.300 to Ch Km 392.700 wherein 45 m land has been acquired. The Land Acquisition Plan (LAP) has been attached as <u>Annexure - VI.</u>
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<p>3</p>	<p>Para 3.</p> <p><i>It is Submitted that in the project at the Cheranelloor Junction in Ernakulam district, the approved alignment for the proposed acquisition contains a butterfly flyover having more than 100 meters width in both sides in the year 2019. The said flyover is still part of the project and as per the information received from Special Deputy Collector (LA), it is seen that as per the notification dated 29.11.2018, it was proposed to acquire 14.6768 hectares of land for the construction of the above-mentioned flyover. However, in the notification dated 12.02.2020, only 5.0928 hectares of land is proposed for the said flyover construction. Now, the applicant submit that in order to circumvent the issue of obtaining prior environmental clearance, the respondents have reduced the acquisition of this area. The modus operandi of the respondents is to complete this land acquisition process and then issue fresh notifications under Section. This is nothing but apprehension which was raised by the EAC in annexure A9. On the earlier occasion, the piece</i></p>	<p>The submission of the applicant that at Cheranelloor Junction the acquisition of land is for a width of 100 m is not based on the facts and figures. Further at Cheranelloor Junction the acquisition of additional land below 38 m including both the sides. The land acquisition plan is attached as <u>Annexure - VII.</u></p>
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	by the EAC in annexure A9. On the earlier occasion, the piece meal approach was taken up length wise now it is being done for the width of the project in various stages. A true photocopy of the information dated 11.08.2020 obtained through RTI from the office of the Special Deputy collector, (LA) along with its English Translation is produced herewith and marked as Annexure A10.	
4	Para 4	No Comments.

3. RECOMMENDATIONS OF THE COMMITTEE:

The above reveals that there are no merits in the application/objections made by the Applicant and it is liable to be dismissed.

(Sh. J. Balachandar)
31/7/21

General Manager (T) & Project Director
National Highway Authority of India
Regional Office, Project Implementing Unit,
Cochin, Kerala.

PROJECT DIRECTOR
परियोजना निदेशक
NHAI-PIU- COCHIN
भाराराप्रा-कोचीन-पकाइ



(Dr. S. Prabhu)

Dr. S. Prabhu

Scientist – C
Ministry of Environment, Forest and Climate
Change (MoEF&CC)
Integrated Regional Office (IRO)
Bangalore, Karnataka.



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण
(सड़क परिवहन और राजमार्ग मंत्रालय)
National Highways Authority of India
(Ministry of Road Transport & Highways)

टेलिफोन / फेक्स : 0484 - 4864616
Telephone / Fax: 0484 - 2989417
ई - मेल : cochin@nhai.org
E-mail : cochinnhai@gmail.com



BHARATMALA
ROAD TO PROSPERITY

परियोजना कार्यान्वयन इकाई - कोचीन
Project Implementation Unit Cochin
VII/511- बी, नेयतेली - मावेलीपुरम सड़क,
VII/511-B, Neytheli- Mavelipuram Road
मावेलीपुरम, काक्कनाड - 682030, एरणाकुलम जिल्ला (केरल)
Mavelipuram, Kakkanad - 682030, Ernakulam District (Kerala)
11013/14&15/NHAI/PIU-COCHIN/CRZ/NGT/ 2021 /690

27th July 2021

To

Dr.S.Prabhu,
Scientist 'C'/Dy.Director,
Ministry of Environment, Forest & Climate Change.
Integrated Regional Office, Bangalore - 560034.

Sub: Joint Committee constituted by Hon'ble National Green Tribunal (NGT), Southern Zone, Chennai in OA No.241/2020 filed by Mr.Mohammed Jishar & others Vs. Union of India & others - Reply - Reg.

Ref: 1. Letter No. EP/12.7/66/KER/230 dt. 12.07.2020 of Dr.S.Prabhu, Scientist'C'/
Dy. Director (S), NGT, Bangalore.

Sir,

In reference to your letter cited under reference (1) the parawise comments is as follows:

Comments to Para -1 & 2

1. No comments.
2. It is once again to reiterate that the acquisition of land in expansion existing highway is verifying from 0 m to 38 m. Further in realignment and Bypasses section 45 m land has been acquired to accommodate the six lane configuration from Ramanattukara to Edappally Section of NH-66.
 - In Manathala Village in Thrissur District in the design ch from 349.740 to 349.800 - The location falls under the starting point of the Chavakkad Bypass wherein 45 m land has been acquired. The Land Acquisition Plan (LAP) has been attached as Annexure-1.
 - In Orumanyoor Village in Thrissur District in the design Ch from 352.350 to 352.420 - The said location falls under the realignment portion to straighten the curve which exists at Ch Km 352.380 wherein 45 m land has been acquired. The Land Acquisition Plan (LAP) has been attached as Annexure-2.
 - In Orumanyoor Village in Thrissur District in the design Ch from 353.980 to 354.150 - The said location falls under the realignment portion to straighten the curve which exists at Ch Km 354.000 wherein 45 m land has been acquired. The Land Acquisition Plan (LAP) has been attached as Annexure-3.
 - In Valappad Village in Thrissur District in the design Ch from 374.780 to 374.910 - The said location falls under the realignment portion to straighten the curve which exists at Ch Km 374.850 wherein 45 m land has been acquired. The Land Acquisition Plan (LAP) has been attached as Annexure-4.

(Signature)

- *In Ala Village in Thrissur District in the design Ch from 392.340 to 392.720* - The said location falls under the realignment portion to straighten the sharp curve which exists between Ch Km 392.300 to Ch Km 392.700 wherein 45 m land has been acquired. The Land Acquisition Plan (LAP) has been attached as Annexure-5.

The realignment length which is of technically higher length has been submitted by committee, however it is to mention that there are small realignment portions to straighten the existing curve to achieve the desired speed and safety criteria for highway commuters.

Comments to Para -3

The submission of the applicant that at Cheranellore Junction the acquisition of land is for a width of 100 m is not based on the facts and figures. Further at Cheranellore Junction the acquisition of additional land is in the existing alignment and is below 38 m including both the sides. The land acquisition plan is attached as Annexure 6.

Comments to Para - 4 -

No comments

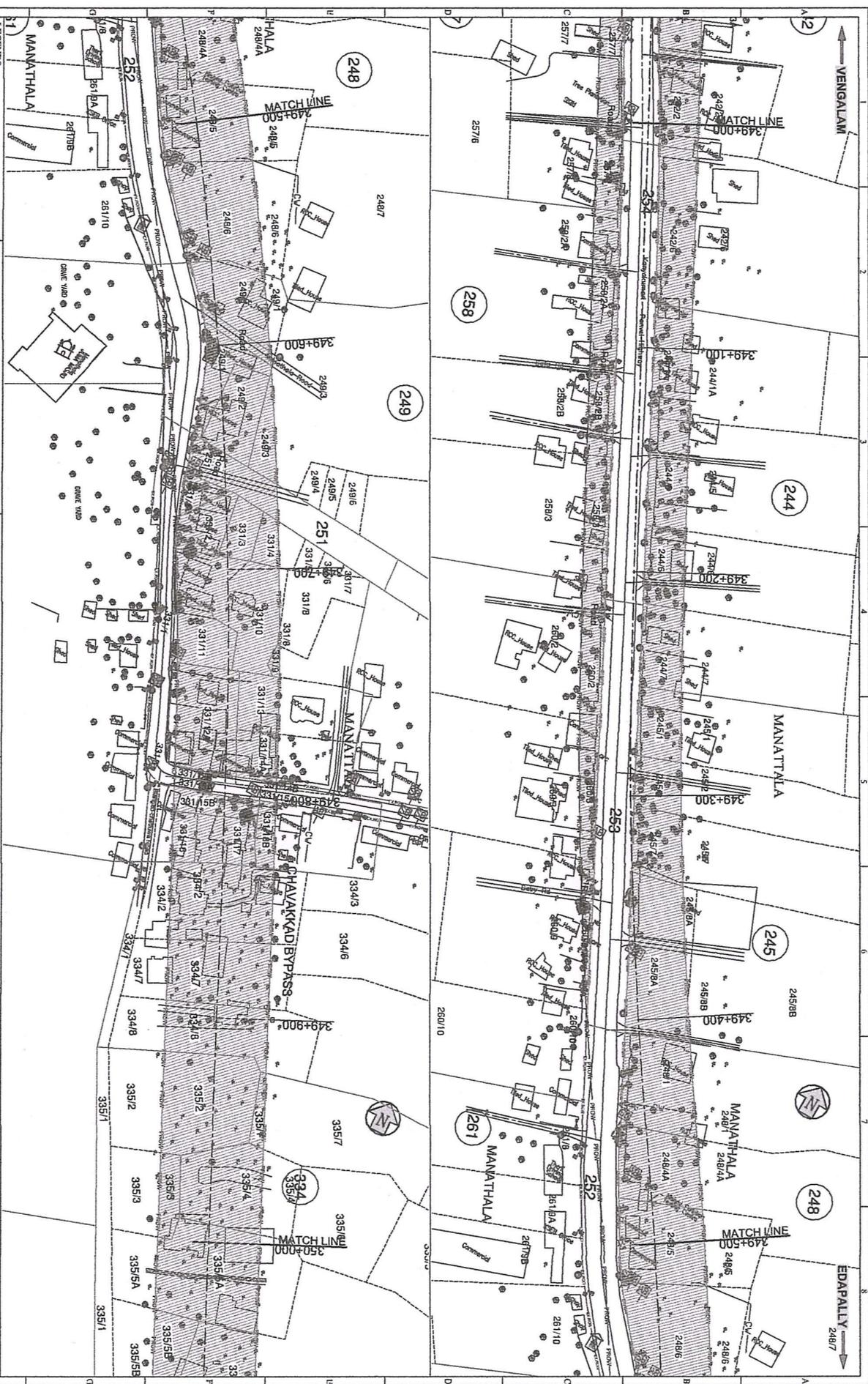
This is for your kind information, please.

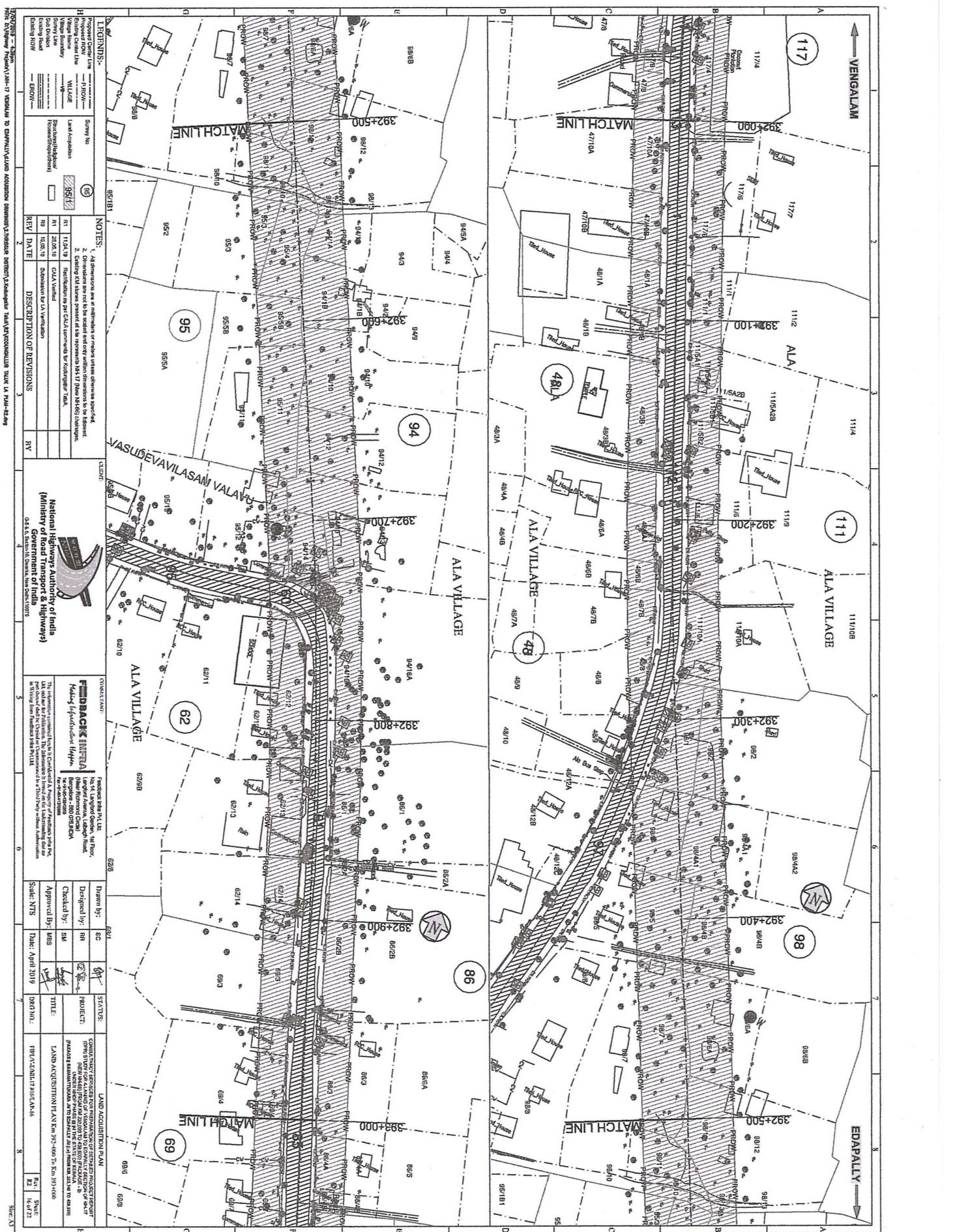
Yours sincerely


(Debaprasad Sahoo)
Manager (T)
For Project Director

Copy to: RO Kerala - for kind information please.

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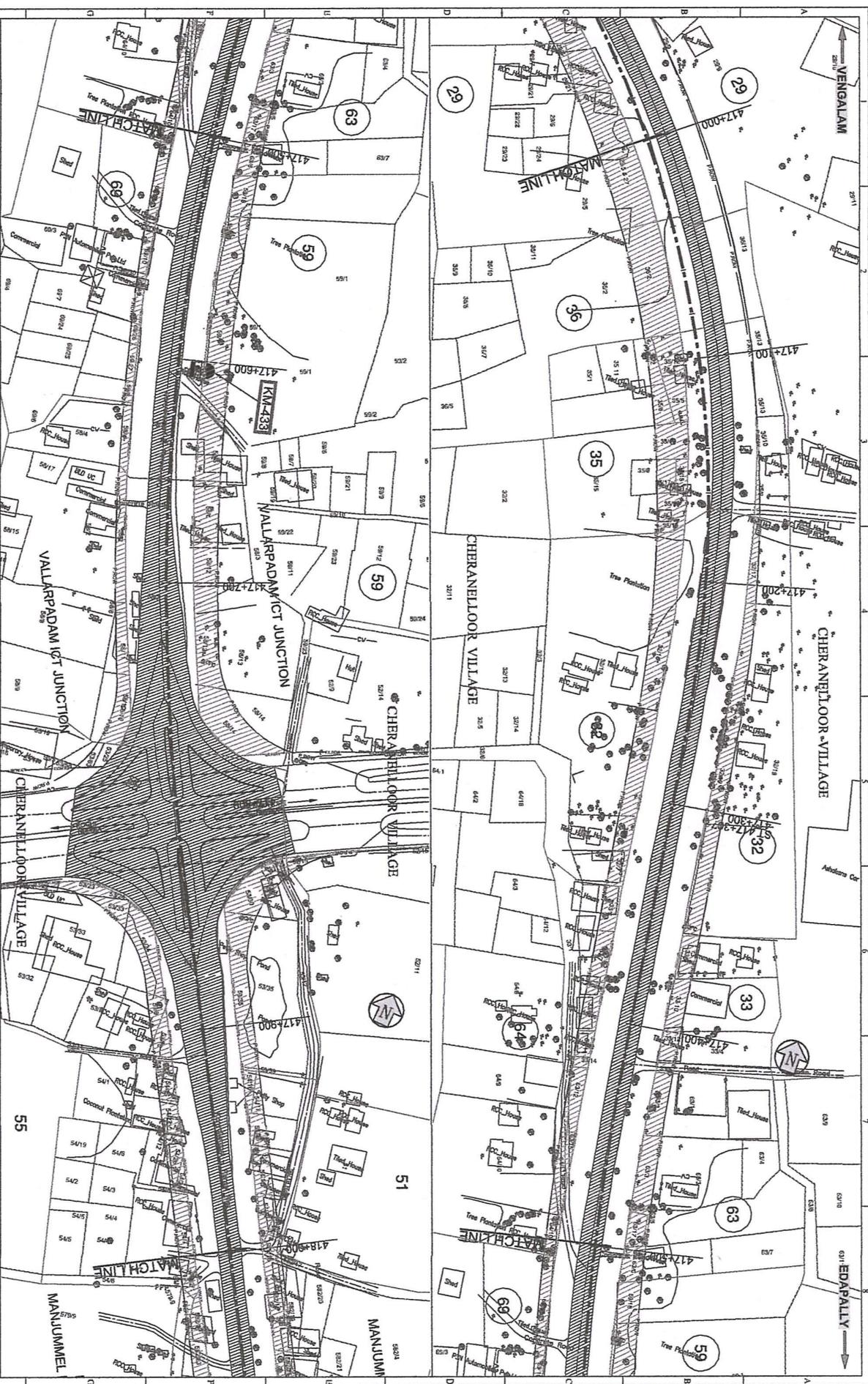
REV	DATE	DESCRIPTION OF REVISIONS	BY
1	11/03/19	Reduction in per CHD covered for adjacent track.	
2	20/06/19	COLA Number	
3	16/06/19	Schedule for LA Variation	

<p>LEGENDS:-</p> <p>Proposed Road Line: 1-ROAD</p> <p>Wildage: WILDLIFE</p> <p>Proposed Boundary: BOUNDARY</p> <p>Proposed Road: ROAD</p> <p>Existing Road: ROAD</p> <p>Existing ROW: ROW</p>	<p>NOTES:-</p> <p>1. All dimensions are as indicated or unless otherwise specified.</p> <p>2. Dimensions are to be as indicated and copy within dimensions to be shown.</p> <p>3. Drawing shall remain correct as shown to the extent of the above.</p>
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<p>PROJECT INFORMATION</p> <p>Project Name: NATIONAL HIGHWAY AUTHORITY OF INDIA (Ministry of Road Transport & Highways)</p> <p>Project No: LA/2019/001</p> <p>Project Location: ALA VILLAGE</p>	<p>DESIGNED BY: RR</p> <p>CHECKED BY: SM</p> <p>APPROVED BY: MS</p> <p>DATE: April 2019</p>
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<p>CONTRACTOR</p> <p>FEDBACK INFRA Hoddy / Hyderabad / Hyderabad</p> <p>Project Name: ALA VILLAGE</p> <p>Project No: LA/2019/001</p> <p>Project Location: ALA VILLAGE</p>	<p>STATUS</p> <p>PROJECT: ROAD</p> <p>TITLE: LAND ACQUISITION PLAN</p> <p>DATE: 16/07/22</p>
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6



LEGENDS:-

Proposed Road Line	Survey No.
Proposed Road Line	Land Acquisition
Village Boundary	Household/Plot
Water Boundary	Household/Plot
Proposed Road	Proposed Road
Existing Road	Proposed Road
ENCLOSURE	

NOTES:

- All measurements are by sight/survey or from aerial photographs from 1964.
- Existing old boundaries are shown as dashed lines.
- Existing old boundaries are shown as dashed lines.
- Existing old boundaries are shown as dashed lines.

REVISIONS:

REV	DATE	DESCRIPTION OF REVISIONS
1		
2		
3		

CONSULTANTS:

FIMBACK INFRA
 Haldy (P) Private Limited
 No. 14, Lagoon Garden, 1st Floor,
 Langford Avenue, Langford Road,
 Bangalore - 560 075 INDIA
 Tel: +91 80 2610 1111
 Fax: +91 80 2610 1112
 Email: info@fimbac.infra.com

APPROVED BY: [Signature]

DATE: Jan. 2018

SCALE: NTS

STATES: [Initials]

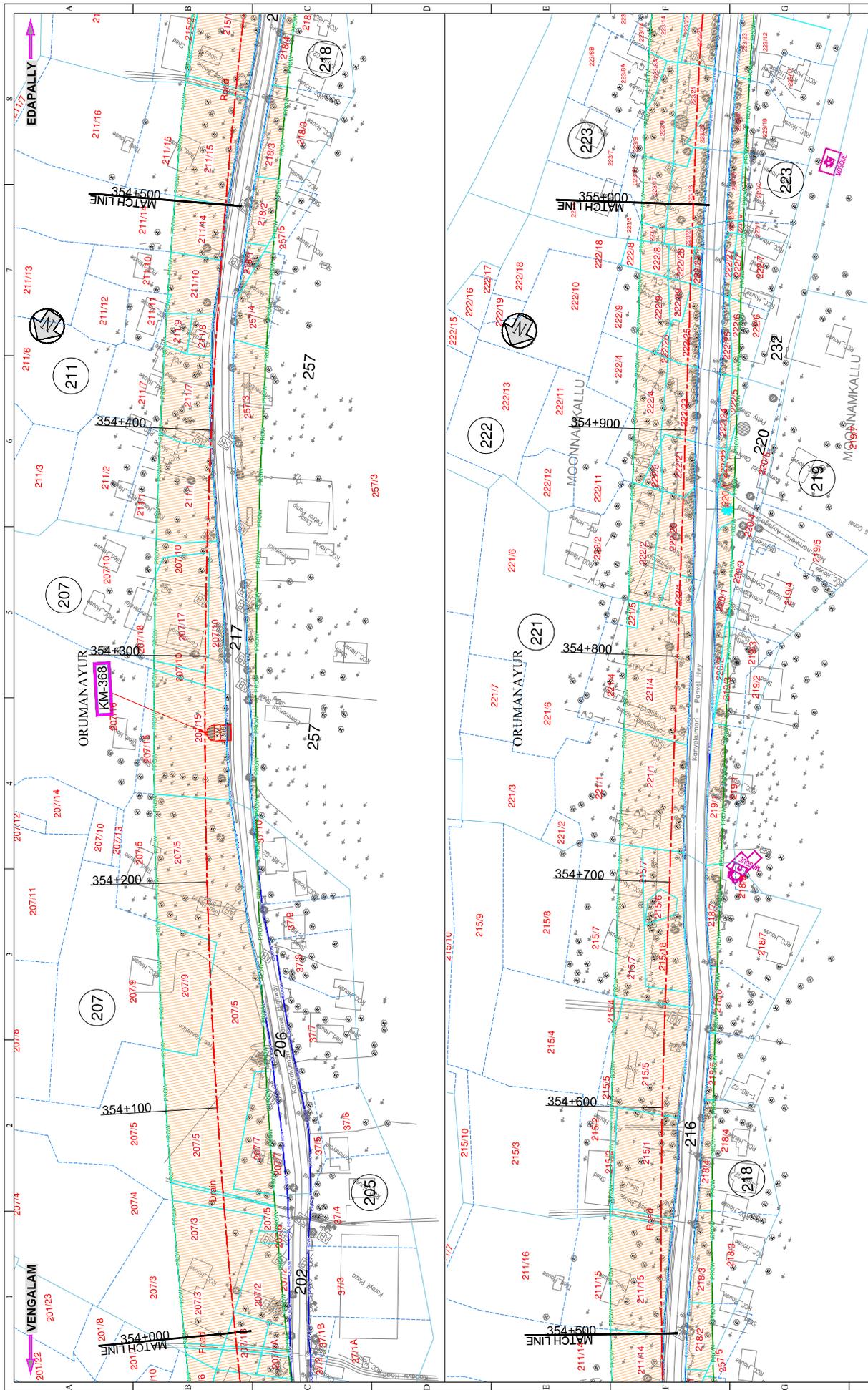
PROJECT: [Initials]

TITLE: LAND ACQUISITION PLAN Km 47+000 To Km 49+000

DATE: 19/07/24

REV: [Initials]





LEGENDS:-

- Proposed Center Line
- Existing Center Line
- Village Name
- Survey Boundary
- Sub Division
- Existing Road
- Existing RCW
- Survey No. 85
- Land Acquisition
- Shrubs/Jal/Jal
- Houses/Shops/Other

NOTES:-

- All dimensions are in millimeters or meters unless otherwise specified.
- Dimensions are not to be scaled and only written dimensions to be followed.
- Existing KM across present at site represents NH-17 (New NH-60) changes.

REV	DATE	DESCRIPTION OF REVISIONS	BY
R1	11.03.18	Rectification as per CDA comments on Checksheet Table.	
R2	16.03.18	CDA Comments on Submission for LA Verification.	
R3	16.03.18	Submission for LA Verification.	

CLIENT:

National Highways Authority of India
(Ministry of Road Transport & Highways)
G-8 & 8-A, Sector-10, Dwarka, New Delhi-110075

CONSULTANT:

FEEDBACK INFRA
Feeding Infrastructure Highway
Feedback Infra Pvt. Ltd.
Plot No. 14, Phase 1, Sector 10, Dwarka, New Delhi-110075
(Near Richmond Circle)
Tel: 011-26100500
Fax: 011-26100506

STATUS:

Drawn by: SC
Designed by: RR
Checked by: SM
Approved by: MBS
Scale: NTS
Date: April, 2019

PROJECT:

PHASE I: LAND ACQUISITION PLAN FOR NH-17 (NEW NH-60) CHANGES IN SECTION OF ROAD 27 (REVISED) FROM KARAIKAL TO EDAPALLY (PACKAGE - II)
PHASE II: ROAD CONSTRUCTION FROM KARAIKAL TO EDAPALLY (REVISED) FROM NH-235 TO NH-60

TITLE:

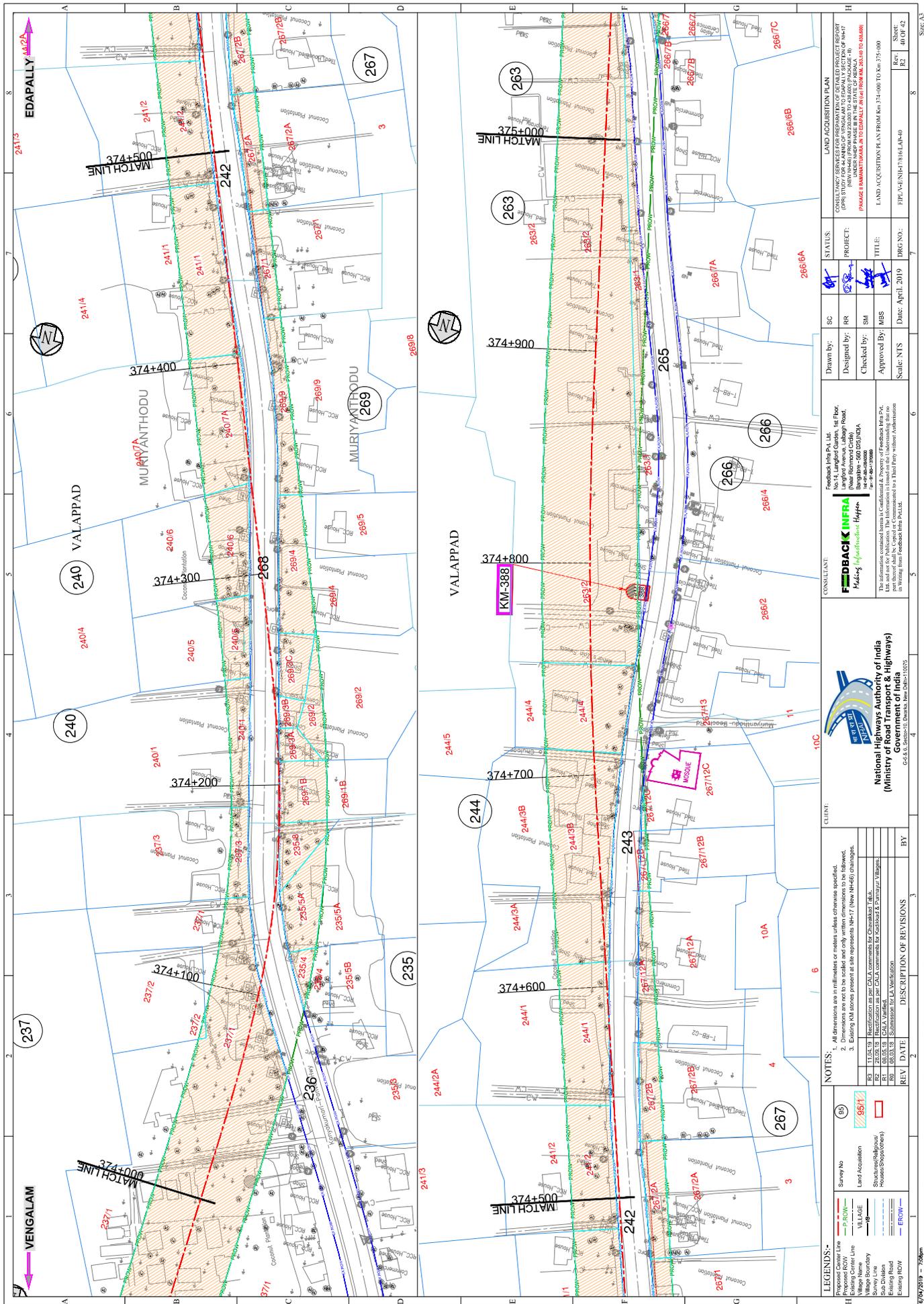
LAND ACQUISITION PLAN FROM Km. 354+000 TO Km. 355+000

BRG NO.:

PIP/VASNH/19/18/29

Sheet:

R2, 20 OF 42



LEGENDS:-

- Proposed Center Line
- Existing Center Line
- Village Name
- Survey Line
- Sub Division
- Existing Road
- Existing RCW
- Survey No
- Land Acquisition
- Shrubs/Rubber/
- Houses/Shops/Other

NOTES:-

- All dimensions are in millimeters or meters unless otherwise specified.
- Dimensions are not to be scaled and only written dimensions to be followed.
- Existing KM across present at site represents NH-17 (New NH-66) changes.

REV	DATE	DISCUSSION OF REVISIONS	BY
R3	11.03.18	Rectification as per GDA comments or Checkmate Table.	
R1	05.03.18	ECDA Verified.	
R2	05.03.18	Submission for LA Verification.	

CLIENT:

National Highways Authority of India
(Ministry of Road Transport & Highways)
Government of India

G-2 & 3, Sector-12, Okhla, New Delhi-110075

CONSULTANT:

FEEDBACK INFRA
Feeding Infrastructure Highway

Feedback Infra Pvt. Ltd.
Plot No. 14, Phase 1, Sector 10,
Langford Avenue, Langford Road,
(Near Richmond Circle)
Chennai - 600 025, INDIA
Tel: +91-44-2666-5500
Fax: +91-44-2666-5500

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STATUS:

Drawn by: SC
Designed by: RR
Checked by: SM
Approved by: MBS
Scale: NTS

PROJECT:

PHASE I RAMMATHIKALAI TO EDAPALLY (NH-17) FROM KM. 283.40 TO 348.00

TITLE:

LAND ACQUISITION PLAN FROM KM. 374+000 TO KM. 375+000

BRG NO.:

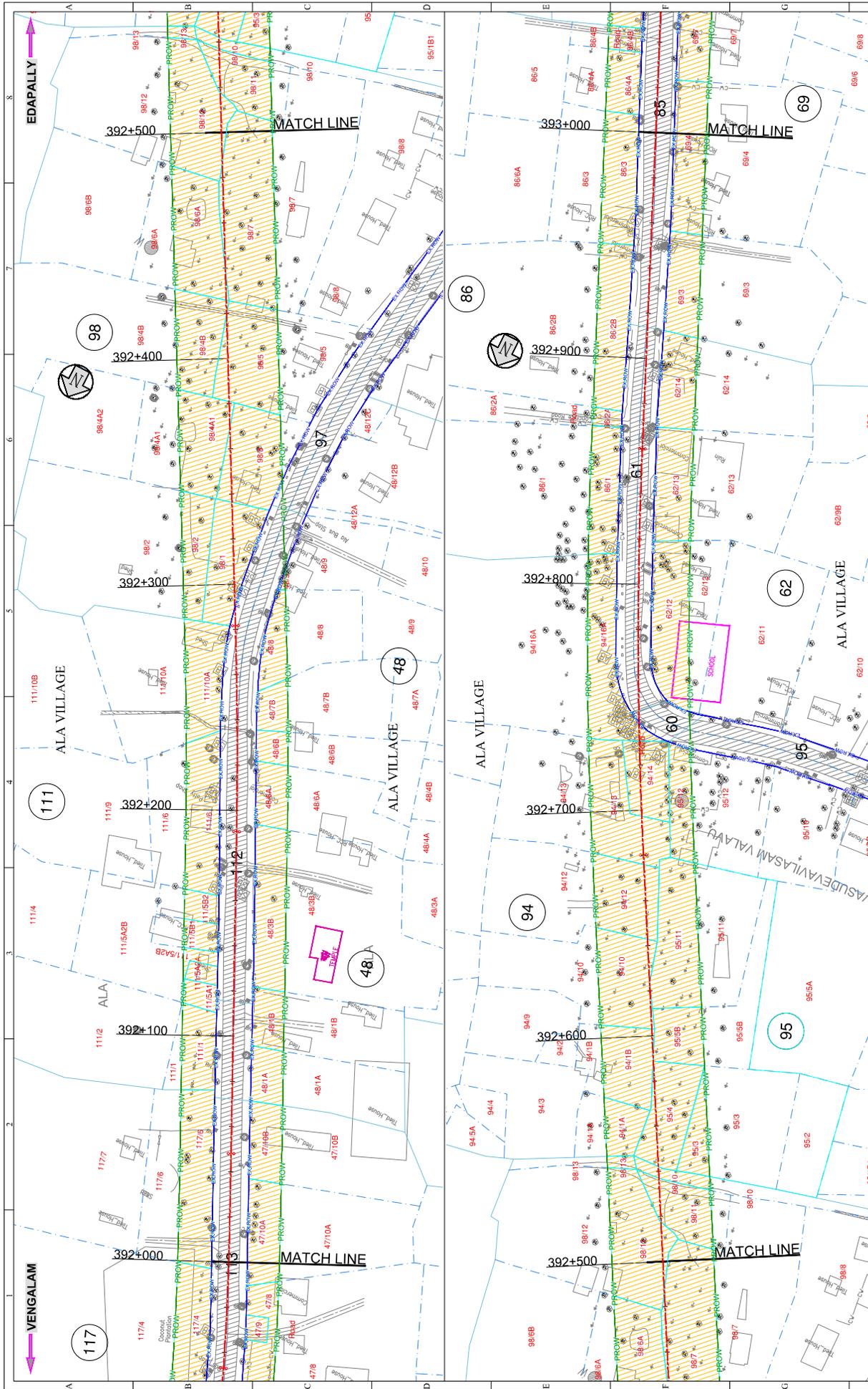
PIP/VAS/NH/17/SLA/4-9

Date:

April, 2019

Rev.:

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LEGENDS:-

- Proposed Center Line
- Existing Center Line
- Proposed Right-of-Way (PROW)
- Existing Right-of-Way (PROW)
- Village Name
- Survey Line
- Sub Division
- Existing Road
- Existing ROW

NOTES:-

- All dimensions are in millimeters or meters unless otherwise specified.
- Dimensions are not to be scaled and only written dimensions to be followed.
- Existing KM across present at site represents NH-17 (New NH-69) changes.

REVISIONS

REV	DATE	DESCRIPTION OF REVISIONS	BY
R1	11.04.19	Rectification as per CALLA comments for Koonargal Taluk.	
R2	25.05.18	CALLA Verified	
R3	15.05.18	Submission for L.A. Verification	

CLIENT: National Highways Authority of India (Ministry of Road Transport & Highways) Government of India

CONSULTANT: Feedback Infra Pvt. Ltd. (Feedback Infra Pvt. Ltd., Landmark: 1st Floor, Langford Avenue, Lullabai Road, (Near Regd. Metro Circle) Bangalore - 560 025/INDIA. Tel: +91-88-66-99888. Fax: +91-88-66-99888)

STATUS: SC: [checked] RR: [checked] SM: [checked] MBS: [checked]

Drawn by: SC 691
Designed by: RR
Checked by: SM
Approved by: MBS

Date: April 2019
Scale: NTS
Proj. No.: PH/VA/ENH/19/ML/6-6
Rev. No.: R2
Sheet: 16 of 22

PROJECT: PHASE II (MAMMATHIKKAL AT EDAPALLY) IN NH-17 (NEW NH-69)
TITLE: LAND ACQUISITION PLAN Km 392+000 To Km 392+900

