

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

APPLICATION No. 94 OF 2023 (SZ)

Satheesh,

S/o. Narayanasamy

15/39, Bathrakali Amman Kovil Street,

Coimbatore District

... Applicant

VERSUS

1. Gudalur Municipality

Rep by its Municipal Commissioner

Gudalur-Coimbatore

Coimbatore District and 2 others.

...Respondents

INDEX TO DOCUMENTS FILED BY THE 6TH RESPONDENT

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It is certified that the abovementioned documents are true copies of its originals.

Dated at Chennai this the 06th day of January, 2024



Counsel for 1st Respondent

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

APPLICATION No. 94 OF 2023 (SZ)

Satheesh,
S/o. Narayanasamy
15/39, Bathrakali Amman Kovil Street,
Coimbatore District

... Applicant

VERSUS

1. Gudalur Municipality
Rep by its Municipal Commissioner
Gudalur-Coimbatore
Coimbatore District.

2. The Forest officer,
Periyayanayakanpalayam Forest circle
Tamilnadu Forest Department
Periyayanayakanpalayam, Coimbatore - 641020

3. The Tamilnadu Pollution Control Board
Rep by its Member Secretary
76, Mount Salai, Guindy, Chennai - 600032

... Respondents

REPLY STATEMENT FILED BY 1ST RESPONDENT

I, C.Manoharan, Son of Chidambaram, aged 57 years, working as Commissioner (i/c), Gudalur Municipality, having office at office of Commissioner, Gudalur, Coimbatore - 641047, do hereby solemnly affirm and sincerely state as follows:

1. I state that I am the Commissioner of Gudalur Municipality/1st Respondent herein and as such I am well acquainted with the facts of the case from the records.

Corrections: Nil
Page No: 1


**COMMISSIONER
GUDALUR MUNICIPALITY
COIMBATORE - 641 047.**

2. I humbly submit that the present application has been filed under Section 18(1) read with Section 14 & 15 of the National Green Tribunal Act, 2020, by the Applicant for the following relief:

- "i) *Direct the 1st respondent to demolish the constructions illegally raised at S.No.865/1 in Gudalur Municipality in violation of Water (Prevaention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981, Solid Waste Management Rules 2016 under the Environmental (Protection) Act 1986, Hill Area Conservation Authority Regulations in a wildlife area and restore the site to its original state.*
- ii) *Direction the respondents to establish the garbage handling facilities/ micro composting yards at an appropriate location without impacting wildlife and wildlife habitats, in strict compliance with the laws."*

3. I humbly submit that nothing contained in this Reply Statement shall be construed as an admission of any statement or averment made in the present Application save and except what has specifically been admitted by the answering Respondent herein.

4. I humbly submit that the answering Respondent denies each and every averment, which is contrary to and/or inconsistent with what is stated in this statement, as if the same were specifically traversed.

5. I humbly submit that the instant Reply Statement is being filed in order to bring out the true and correct factual position and to specifically deal with the averments and allegations made by the Applicant in the instant Application. The answering Respondent reserves liberty to file a

further detailed Statement/Affidavit and additional documents if the situation so necessitates at a later stage. Further this answering respondent already filed a Status Report dated 09.12.2023 before this Hon'ble Tribunal for the interim order dated 09.11.2023 passed by this Hon'ble Tribunal.

6. I state that the reason for proposed Micro Compost Yard is that the Gudalur Selection Grade Town Panchayat had been upgraded as Second Grade Municipality on 07.12.2021. The Total Extent of the Town spreads around 29.98 Square Kilo with 27 Wards. The Population of the Town as per the 2011 Census is 52842. There are around 15,000 Residential Buildings, 495 Commercial Buildings and 205 Industrial Buildings. 15.85 Metric Tonnes of Garbage is generated per day in the Town, of the said waste 8.00 Metric Tonne of Wet Waste and the remaining 7.85 Tonne is Dry waste. The daily waste generated in and around the Town are transported to the Compost Yard situated at Survey No.1051, V.K.V. Nagar in Ward No.3. The total extent of the Compost Yard is 1.5 Acres. The waste so generated is segregated and Vermi Compost manure is generated from bio degradable waste. At present the area of the Compost Yard is not sufficient to segregate all the wastes due to the quantity of the waste is higher due to upgradation as Municipality. Taking in to consideration of the difficulties faced by this Municipality, to segregate the waste, Administrative Sanction has been accorded to this Municipality to Construct 2 Additional Micro Compost Units at an Estimated Cost of Rs.96.00 Lakhs under the Swachh Bharat Mission 2.0 Scheme in S.F.No.865/1 at G.Kavundampalayam - Bharathi nagar Road to the extent of 3.5 acres vide CMA Proceedings Roc.No.20860/2022/SBM, dated 25.07.2022 (**Annexed as A1**). It is expected that after completion of the

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above works, the biodegradable waste will be taken to the micro-processing center and used for composting, also the existing land in Survey No.1051, V.K.V. Nagar in Ward No.3 will be used as a Resource Recovery Center (RRC) to handle non-biodegradable waste.

7. I submit that the averment made in Para 1 and 2 of application is absolutely false for the reason that this answering respondent have not started the proposed processing center, as per the Tamilnadu Urban Local Bodies Act – 2023 and Hill Station Building Rules 1993, No Objection Certificate (NOC) has to be obtained from the Forest Department for any kind of Construction, within 150 Meters of the Reserved Forest Area. Since the proposed site identified for Construction of Micro Compost Centre is 430 Meters away from the Reserved Forest Area. Application for NOC has been submitted to Forest department, Mines department, Agriculture department, Pollution Control Board (PCB) and District Revenue department, in which NOC received from Mines department, dated 26.10.2023(**Annexed as A2**), District Revenue Department, dated 29.12.2023 (**Annexed as A3**) and Agriculture department, dated 25.10.2023 (**Annexed as A4**). Further the Tamil Nadu Pollution control Board has issued a reply letter dated 02.01.2024 (**Annexed as A5**) stating that the proposed facility falls under the White category as per B.P.No.6 dated 02.08.2016, hence there is no need of prior consent from the TNPCB Board for establishment and operation and informed this answering respondent to operate the same by following their conditions. The District Forest officer, Coimbatore has recommended to Chief Conservation Officer, Chennai (File No.10756 /2023/D1, dt.06.12.2023), in turn he forwarded the proposal by letter dated 21.12.2023 (**Annexed as A6**) for consideration of Hill Area Conservation Authority, further directed this

Corrections: Nil
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answering respondent to comply the conditions imposed by the District Forest officer.

8. I submit that the averments made in Para 3, 4, 5, 6 with regard to animals, agricultural lands, water bodies, due to winds garbage carry to agricultural lands are false and denied for the reason that in the NOC granted by the Assistant Director, Department of Geology and Mining, Coimbatore, Department of Forest, Agricultural Engineering Department and Revenue department it is clearly stated that the proposed area is located 0.43 Km away from nearest Reserved forest namely Thadagam Reserved forest and further the site is 40 km away from Sathyamangalam Tiger forest and proposed land is not falling in any Eco sensitive zone of protected area, Ecologically sensitive areas of western Ghats, officially declared as Elephant corridor, TNPPF Act and TNHP Act areas. Further the area has been inspected as per Geo technical point and found that the area is plain in nature, no sloppy terrain is noticed, further the site is covered by red soil and 1 to 3 meters soil thickness, no high valuable minerals are noticed, hence the proposed area is recommended for construction by the above said authorities. Hence the averments contained in the Para 3 to 6 are baseless, and further the averment in Para 7 with regard to heat, fire during summer season is baseless and without any basic field works and study.

9. I submit that the averments in Para 8 to 12 with regard to human-animal conflict for crop damage, wildlife movement, plantations, newspapers reports, agriculturalists, fire due to waste processing is already

Corrections: Nil
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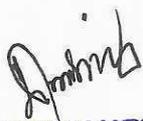

COMMISSIONER
GUDALUR MUNICIPALITY
COIMBATORE - 641 047.

been denied in the above para. The applicant has exaggerated so many things by relying upon news articles in Hill stations.

10. I further submit that the averments in Para 13, 14 with regard to objection letter from Forest officer from Periyanaickenpalayam to this answering respondent is now cannot be relied due to subsequent events that the District Forest officer and Chief conservator of forest who are the higher authorities has given NOC, dated 07.12.2023 and 21.12.2023 after inspecting the site with certain conditions to be followed, and the Chief forest conservator has forwarded the proposal for consideration of Hill Area Authority. Further all relevant authorities, including Tamil Nadu Pollution Control Board, Mines, Forest, and Agricultural Departments, have inspected the proposed area and prepared their respective reports and given their respective NOC. The averments in Para 15, 16, 17, 18 with regard to applicant and civil society member representation objecting the proposed unit and its reply from government portal, and its allegation is answered in the above paragraphs, to substantiate the above discussion of this answering respondent, hereby annexed the reply letters, Noc from the respective departments.

11. I submit that the averments made in Para 19 to 22 with regard to mandatory permission not obtained from Pollution control Board and Hill Area conservation Authority is denied for the reason that the Tamil Nadu Pollution control Board, Coimbatore by its reply dated 02.01.2024 to the online application seeking consent under Water and Air Act stated that the proposed site falls under White category (4028 organic manure (manual mixing), hence no prior consent for establishment and operation is

Corrections: Nil
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required and recommended to operate the same with certain conditions, the said reply is annexed herewith. Further the Chief conservator of Forest by his letter dated 21.12.2023 stated that the proposed land is not falling in any Eco sensitive zone of protected area, ecologically sensitive areas of western Ghats, officially declared as Elephant corridor, TNPPF Act and TNHP Act areas.

12. I submit that in order to construct the proposed Micro Compost Yard, the administrative Sanction has been accorded to this Municipality to Construct 2 Additional Micro Compost Units at an Estimated Cost of Rs.96.00 Lakhs under the Swachh Bharat Mission 2.0 Scheme in S.F.No.865/1 at G.Kavundampalayam - Bharathi nagar Road vide Director of Municipal Administration/Mission Director-SBM U 2.0, proceedings Roc.No.20860/2022/SBM, dated.25.07.2022, the same is issued with the approval of High Powered committee under SBM(U) 2.0 and G.O.Ms.No.7, Municipal Administration and water supply department, dated 11.01.2022. The said mission is to make cities Garbage free by Ministry of Housing and Urban Affairs, which is the sustainable development Goals emphasis on sanitation, cleanliness and hygiene. Further there is no suitable alternate place of Government land other than this present proposed area is found, and in view prevailing revenue for this Municipality it is highly impossible to decentralize to various small centers and it will cause huge expenses.

13. I humbly submit that the above application is not maintainable at all and devoid of merits on both factual and legal aspects. I state that the Applicant has no locus standi to file the above Application and as such the same has been filed with vested interest and is an abuse of process of law

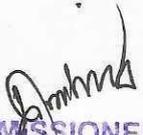
Corrections: Nil
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COIMBATORE - 641 047.**

since he instituted this vexatious application on behalf of the adjacent land owner.

For the reasons stated above, it is therefore humbly prayed that this Hon'ble Tribunal may be pleased to dismiss the above application with heavy cost and pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case and thus render justice.

Dated at Chennai on this the 06th day of January, 2024


 COMMISSIONER
 GUDALUR MUNICIPALITY
 COIMBATORE - 641 047.

1ST RESPONDENT

VERIFICATION

I, C.Manoharan, Son of Chitambaram, aged 57 years, working as Commissioner (i/c), Gudalur Municipality, having office at office of Commissioner, Gudalur, Coimbatore - 641047, do hereby verify that the contents of Paragraph Nos. 1 to 13 are true to the best of my knowledge and Paragraph Nos. 1 to 13 are believed to be true on legal advice and that I have not suppressed any material fact.

Verified at Chennai on this the 06th day of January, 2024

COUNSEL FOR 1ST RESPONDENT

1ST RESPONDENT


 Corrections: Nil
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 COMMISSIONER
 GUDALUR MUNICIPALITY
 COIMBATORE - 641 047.

From
Thiru. P. Ponnaiah, I.A.S,
 Director of Municipal Administration/
 Mission Director-SBM U 2.0,
 No.75, Urban Administrative Building,
 MRC Nagar, Chennai-28Chennai-28.

To
 The Commissioners as per list

Roc. No. 20860 /2022/SBM

Dated. 25.07.2022

Madam/Sir,

Sub: Swachh Bharat Mission (Urban)2.0 –Minutes of 3rd SHPC meeting held on 27.06.2022 - Solid Waste Management – Construction of Micro Composting Centres – Sanction of Proposals – Regarding

Ref: 1. G.O.(Ms).No.07, Municipal Administration and Water Supply Department, dated. 11.01.2022.
 2. 3rd SHPC minutes of meeting under SBM (U)2.0 on 27.06.2022

In the reference 2nd cited, the 3rd State High Powered Committee under SBM(U) 2.0 has sanctioned the proposals for establishment of 36 nos of MCCs in 27 ULBs at a total cost of Rs.14.14 cr. for the year 2022-23 under Solid Waste Management as detailed below:

Rs. in lakh

S.No	Name of the ULB	Population as per 2011 census	Funding Pattern GoI : GoTN	No of MCC	Capacity (MT)	Project Cost (Rs.11.50 Lakh/Tonne)	Central Share	State share	ULB share
1	Tambaram	723021	33%:22%	2	10	115	37.95	25.3	51.75
2	Namakkal	120657	33%:22%	2	10	115	37.95	25.3	51.75
3	Ambur	114608	33%:22%	2	6	69	22.77	15.18	31.05
4	Komarapalayam	71565	50%:33%	1	3	34.5	17.25	11.39	5.87
5	Kollancode	63042	50%:33%	2	7	80.5	40.25	26.57	13.69
6	Chengalpattu	62579	50%:33%	1	2	23	11.50	7.59	3.91

7	Udumalpet	61133	50%:33%	1	4	46	23.00	15.18	7.82
8	Gobichettipala yam	59523	50%:33%	1	2	23	11.50	7.59	3.91
9	Nandivaram - Guduvancheri	44098	50%:33%	1	5	57.5	28.75	18.98	9.78
10	Chinnamanur	42305	50%:33%	1	4	46	23.00	15.18	7.82
11	Pallipalayam	40140	50%:33%	1	3	34.5	17.25	11.39	5.87
12	Vadalur	39514	50%:33%	1	5	57.5	28.75	18.98	9.78
13	Gudalur (CSE)	38859	50%:33%	2	8	92	46.00	30.36	15.64
14	Keelakarai	38355	50%:33%	1	5	57.5	28.75	18.98	9.78
15	Thirunindravu r	37095	50%:33%	1	5	57.5	28.75	18.98	9.78
16	Surandai	35272	50%:33%	1	2	23	11.50	7.59	3.91
17	Karamadai	35166	50%:33%	1	4	46	23.00	15.18	7.82
18	Edaganasalai	33245	50%:33%	1	2	23	11.50	7.59	3.91
19	Tiruchendur	32171	50%:33%	2	5	57.5	28.75	18.98	9.78
20	Kangeyam	32147	50%:33%	1	3	34.5	17.25	11.39	5.87
21	Ponneri	31025	50%:33%	1	3	34.5	17.25	11.39	5.87
22	Kalakad	30921	50%:33%	2	5	57.5	28.75	18.98	9.78
23	Pallipatti	30624	50%:33%	1	5	57.5	28.75	18.98	9.78
24	Tharamangala m	30222	50%:33%	2	6	69	34.50	22.77	11.73
25	Pugalur	28964	50%:33%	1	3	34.5	17.25	11.39	5.87
26	Koothanallur	25423	50%:33%	1	2	23	11.50	7.59	3.91
27	Tittakudi	22894	50%:33%	1	4	46	23.00	15.18	7.82
Total				36	123	1414.5	656.42	433.895	324.185

The Commissioners have to ensure that the land identified for establishment of MCC is without any objection.

The Commissioners of Tharamangalam, Gudalur, Kollancode, Ambur, Namakkal and Tambaram Corporation who have been sanctioned MCC above 5MT are requested to send the **Detailed Project report** with the following documents enclosed to this office on or before **31.07.2022** for Administrative Sanction from this Office.

1. Location identified for construction of M.C.C.

2. An undertaking that the ULB is the absolute owner of the locations identified and it is free from encumbrances.
3. Clear Copy of FMB sketch.
4. "A" register extract confirming ownership.
5. Town Survey Land register extract
6. Map.

Other ULBS are instructed to proceed immediately for AS & TS from competent authority for construction of MCC before **05.08.2022**.

W
25/7/22
Director of Municipal Administration

Copy to :

Concerned RDMA's.

W
25/07/22

From

To

Thiru.V.Sasikumar, M.Sc.,
Assistant Director,
Dept. of Geology and Mining,
Collectorate,
Coimbatore -18.

The Commissioner,
Gudalur Municipality,
Coimbatore

K.Dis.No.967/ Mines /2023 Dated: 26.10.2023

Sir,

- Sub : Geo Technical Report – Proposed for the construction of Micro compost centre (Total Builtup area - 864.0 Sq.meter) by the Commissioner, Gudalur Municipality - over an extent of 3.50 acres - in S.F.No.865/1 of Gudalur Village and Municipality, Coimbatore North Taluk, Coimbatore District – issued – reg.
- Ref : 1. Your letter No.590/2022/E1 dated 04.09.2023.
2. Inspection report of the Assistant Geologist, Geology and Mining.

Kind attention is invited on the reference cited above.

In the above reference 1st cited, the Commissioner, Gudalur Municipality, Coimbatore has requested to issue Geo technical report from the Department of Geology and Mining for the Proposed construction of Micro compost centre over an extent of 3.50 acres in S.F.No. 865/1 of Gudalur Village and Municipality, Coimbatore North Taluk, Coimbatore District. Therefore, the area applied has been inspected as per Geo technical point of view in detail and the report as follows.

LOCATION

The proposed area is located on the western side of United college.

SLOPE & SOIL COVER

The area proposed for the construction of Micro compost centre is plain in nature. No sloppy terrain is noticed in the applied premises. The site is covered by red soil and 1 to 3 meters soil thickness is noticed. No high valuable minerals are noticed in the proposed area. No odai / stream course is passing on the proposed area.

LAND USE PATTERN

At the time of inspection, construction of Micro compost centre was under process.

RECOMMENDATION

The area proposed for the construction of Micro compost centre over an extent of 3.50 acres in S.F.No. 865/1 of Gudalur Village and Municipality, Coimbatore North Taluk, Coimbatore District was studied in detail and found that, there is no slope in the proposed area. In total, the area applied for the construction of Micro compost centre is stable on Geo technical point of view. Hence, the area applied by the Commissioner, Gudalur Municipality over an extent of 3.50 acres in S.F.No. 865/1 of Gudalur Village and Municipality, Coimbatore North Taluk, Coimbatore District is recommended for the proposed construction of Micro compost centre (Total Builtup area - 864.0 Sq. meter).

W. S. K. K. K.
Assistant Director,
Dept. of Geology and Mining,
Coimbatore.

26/10/23

Annexure - 3

அனுப்புநர்

திரு.பி.கே.கோவிந்தன் எம்.எஸ்.சி,
வருவாய் கோட்டாட்சியர்,
கோயம்புத்தூர் வடக்கு,

பெறுநர்

இணை இயக்குநர்,
நகர் ஊரமைப்புத்துறை,
கோயம்புத்தூர்.

ந.க.எண்.6894 /2023/அ1

நாள். 29.12.2023

அய்யா,

பொருள்: தடையின்மை சான்று- கோயம்புத்தூர் மாவட்டம், கோயம்புத்தூர் வடக்கு வட்டம், நெ.2 கூடலூர் வடக்கு கிராமம், க.ச.எண்.865/1 நெ.காலையில் 3.50 ஏக்கர் பரப்பளவில் தூய்மை இந்தியா திட்டத்தின் கீழ் தரைத்தளம் இரண்டு நுண்ணுயிர் செயலாக்க மையம் கட்ட நகர ஊரமைப்புத்துறை மூலம் அனுமதி பெற தடையின்மைச் சான்று கோரியது- அறிக்கை அனுப்புதல் - தொடர்பாக.

- பார்வை:
1. கோயம்புத்தூர் கூடலூர் நகராட்சி ஆணையாளரின் (கூ.பொ) கடிதம் எண்.ந.க.590/2022/இ.1 நாள்:04.09.2023.
 2. கோயம்புத்தூர் வருவாய் கோட்டாட்சியர் கோயம்புத்தூர் வடக்கு அவர்களின் கடிதம் ந.க.எண். 5624/2023/அ1 , நாள்.27.10.2023.
 3. பெரியநாயக்கன்பாளையம் உள்வட்ட வருவாய் ஆய்வாளர் அறிக்கை.
 4. கூடலூர் வடக்கு கிராம நிர்வாக அலுவலரின் அறிக்கை.

(((()))

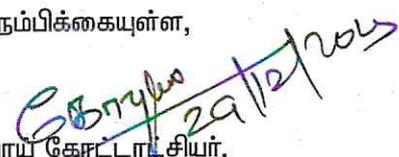
கோயம்புத்தூர் மாவட்டம், கோயம்புத்தூர் வடக்கு வட்டம், நெ-2 கூடலூர் வடக்கு கிராமம், க.ச.எண்.865/1 நெ.காலையில் 3.50 ஏக்கர் பரப்பளவில் தூய்மை இந்தியர் திட்டத்தின் கீழ் தரைத்தளம் 864.00 ச.மீ (2x432=864) அளவில் தகரக் கூரையிலான இரண்டு நுண்ணுயிர் செயலாக்க மையம் (Micro composed centre) கட்ட நகர ஊரமைப்புத் துறை மூலம் அனுமதி பெறவேண்டி மலையிட பாதுகாப்பு குழுமத்தில் (HACA) மனைப்பிரிவு அனுமதி பெற தடையின்மைச் சான்று கோரியதன் பேரில் எனது அறிக்கையினை பின்வருமாறு சமர்ப்பிக்கிறேன்.

கோயம்புத்தூர் மாவட்டம், கோயம்புத்தூர் வடக்கு வட்டம், நெ-2 கூடலூர் வடக்கு கிராமம், க.ச.எண்.865/1 நெ.காலை விஸ்தீரணம் 1.21.0 ஹெக் பரப்பு கொண்ட தீர்வை ஏற்பட்ட தரிசு என்னும் வகைப்பாட்டில் கிராம ஆவணங்களில் தாக்கலாகியுள்ளது.

1. மேற்படி பிரஸ்தாப புலத்தில் தூய்மை இந்தியா திட்டத்தின் கீழ் தரைத்தளம் 12"மீx24"மீ அளவில் தகரக் கூரையிலான செட் அமைக்கப்பட்டுள்ளது.
- 2.ஆழ்துளை குழாய் (போர்வெல்) அமைக்கப்பட்டுள்ளது.
- 3.மண் அரிமானம் மற்றும் நிலச்சரிவு ஏற்படும் வாய்ப்புகள் குறைவு
- 4.நில எடுப்பு தொடர்பாக நிலத்திட்ட அட்டவணை ஏதும் அலுவலகத்தில் பெறப்பட்டு நிலுவையில் இல்லை.
5. நகர்ப்புற நில உச்சவரம்புச் சட்டம்-1978-ன் கீழ் கவரப்படுவதில்லை.
- 6.மேற்படி காலையில் மயானமோ, புரதானச் சின்னங்கள் ஏதும் காணப்படுவதில்லை.
7. மேற்படி காலையில் உயர்மின்னழுத்தக் கம்பிகள் ஏதும் மேற்கண்ட பூமியின் மேற்பகுதியில் செல்வதில்லை.
8. நிலச்சீர்திருத்தச் சட்டம், 1961-ன் கீழ் நிலம் கவரப்படுவதில்லை.
- 9.வெள்ளப்பெருக்கு பாதிப்பு ஏற்படுத்தும் வாய்ப்புகள் இல்லை

எனவே, கோயம்புத்தூர் வடக்கு வட்டம், நெ-2 கூடலூர் வடக்கு கிராமம் புல எண். 865/1 காலையில் தடையின்மை சான்று வழங்கலாம் என்பதை பணிவுடன் தெரிவித்துக்கொள்கிறேன்.

தங்கள் நம்பிக்கையுள்ள,


வருவாய் கோட்டாட்சியர்,
கோயம்புத்தூர் வடக்கு


29/12/23

வேளாண்மை பொறியியல் துறை

அனுப்புநர்

திரு. கு. ஞானமுருகன், பி.இ.,(விவ)
செயற் பொறியாளர் (வே பொ)
கோயம்புத்தூர் -13.
Mail -aedeecbe@ tn.nic.in
Phone No:0422 2434838

பெறுநர்

✓ இணை இயக்குநர்,
மாவட்ட நகர் ஊரமைப்பு
அலுவலகம்,
50, FCI சாலை, காந்திமாநகர்,
கணபதி,
கோயம்புத்தூர்-641 004.

கடித எண். இ/3907/2023 நாள்: 25.10.2023

அய்யா,

பொருள்: வேளாண்மை பொறியியல் துறை - HACA - கோயம்புத்தூர் மாவட்டம் - கோயம்புத்தூர் வடக்கு வட்டம் - கூடலூர் கிராமம், க.ச.எண். 865/1-ல் 3.00 ஏக்கர் நிலப்பரப்பில் 864 சதுர மீட்டர் பரப்பளவில் நுண்ணுயிர் செயலாக்க மையம் கட்டிடங்கள் கட்டுவதற்கு மலையிடப்பாதுகாப்பு குழு அனுமதி வழங்கும் பொருட்டு வேளாண்மை பொறியியல் துறையின் குறிப்புரை வழங்குதல் - தொடர்பாக.

பார்வை: மனுதாரர் ஆணையாளர், கூடலூர் நகராட்சி, கோயம்புத்தூர் அவர்களின் கடித எண். ந.க.எண்.590/2022/இ1, நாள்:04.09.2023.

பார்வையில் காணும் கடிதத்தின்படி கோயம்புத்தூர் மாவட்டம், கோயம்புத்தூர் வடக்கு வட்டம், கூடலூர் கிராமம், க.ச.எண்.865/1-ல் 3.00 ஏக்கர் நிலப்பரப்பில் 864 சதுர மீட்டர் பரப்பளவில் தூய்மை இந்தியா 2.0 கீழ் நுண்ணுயிர் செயலாக்க மையம் கட்டிடங்கள் கட்டுவதற்கு வேளாண்மை பொறியியல் துறையின் தடையின்மை சான்று கோரப்பட்டுள்ளது. அதனடிப்படையில் 20.10.2023 அன்று தள ஆய்வு மேற்கொள்ளப்பட்டது. தள ஆய்வினை தொடர்ந்து கட்டிடம் கட்டுவதற்கு மலையிடப்பாதுகாப்பு குழுவின் ஒப்புதல் பெறும் பொருட்டு வேளாண்மை பொறியியல் துறையின் மண்வளப் பாதுகாப்பு அடிப்படையிலான குறிப்புரை கீழ்க்கண்டவாறு வழங்கப்படுகிறது.

1. தள ஆய்வு செய்யப்பட்ட நிலமானது கோயம்புத்தூர் மாவட்டம், கோயம்புத்தூர் வடக்கு வட்டம், கூடலூர் கிராமம், க.ச.எண்.865/1-ல் 3.00 ஏக்கர் பரப்பு கொண்டுள்ளது.
2. தள ஆய்வு மேற்கொள்ளப்பட்ட நிலத்தின் அமைவிடம்
Latitude : 11.170523° N
Longitude : 76.913834° E
3. மண்ணின் தன்மை Red Soil வகையினைச் சார்ந்தது ஆகும். பூமியின் வாட்டம் தெற்கிலிருந்து வடக்காக 1: 150 என்ற விகிதத்திலும் மேற்கிலிருந்து கிழக்காக 1: 250 என்ற விகிதத்திலும் உள்ளது.
4. ஒப்புதல் அளிக்கப்பட்ட கோயம்புத்தூர் முழுமை திட்டத்தில் க.ச.எண். 865, விவசாய உபயோக பகுதியாக உள்ளது.
5. கட்டிடங்கள் அமையவுள்ள நிலத்தில் மண் அரிமானம் மற்றும் நிலச்சரிவிற்கான வாய்ப்புகள் மிகவும் குறைவாக உள்ளது.

நிபந்தனைகள்

1. கட்டிடங்கள் அமையவுள்ள நிலத்தில் வடிகால் வசதிகள் திறம்பட செயல்படும் விதத்தில் தக்க வாட்டத்தில் அருகில் உள்ள நீர்வழிப்பகுதியை சென்றடையும் வகையில் வடிகால்கள் அமைத்திட வேண்டும்.
2. கட்டப்படவுள்ள கட்டிடங்களில் மழைநீர் சேகரிப்பு அமைப்புகள் அமைத்து நிலத்தடி நீர்மட்டம் பாதுகாத்திட வேண்டும்.
3. கட்டப்படவுள்ள கட்டிடங்களில் உருவாகும் மொத்த கழிவு நீர் வெளியேறு முன் சுத்திகரிக்கப்பட்டு மீண்டும் பிற உபயோகங்களுக்கும், மரம், செடிகளுக்கு உயிர் நீராகவும் பயன்படுத்திட உரிய கட்டமைப்புகள் ஏற்படுத்த வேண்டும்.
4. சாலை ஓரங்களில் அதிகளவில் மரக்கன்றுகள் நட வேண்டும்.
5. கட்டிடங்கள், சாலைகள் தவிர்த்து பிற இடங்களில் புல்வெளி அமைத்து பராமரித்திட வேண்டும்.
6. கட்டிடங்கள் கட்டப்படும் போது ஏற்படும் தேவையற்ற மண் மற்றும் கட்டிடக் கழிவுகள் அருகில் உள்ள நீர்நிலைகள் மற்றும் நீர்வழிப்பாதைகளில் கொட்டக்கூடாது.
7. மண்வளப்பாதுகாப்பு கருதி எதிர்காலத்தில் துறையின் தொழில்நுட்ப அலுவலர்களால் வழங்கப்படும் அறிவுரை மற்றும் முடிவுகளுக்கு மனுதாரர் கட்டுப்படவேண்டும்.
8. கட்டிடங்கள் அமையவுள்ள நிலத்தின் புல எண் மற்றும் உட்பிரிவு, பரப்பளவு போன்ற விபரங்கள் சமர்ப்பிக்கப்பட்டுள்ள ஆவணங்களின் அடிப்படையிலேயே குறிப்பிடப்படுகிறது. மேலும் கட்டிடத்தின் அமைவிடம், பரப்பளவு, வேறுபட்டாலோ அல்லது நிலம் சம்மந்தமான சட்டப்பூர்வமான பிரச்சினைகள் ஏற்பட்டாலோ மனுதாரரே முழு பொறுப்பேற்க வேண்டும்.

எனவே, வேளாண்மைப் பொறியியல் துறையின் மேற்கண்ட நிபந்தனைகள் உட்பட்டு கோயம்புத்தூர் மாவட்டம், கோயம்புத்தூர் வடக்கு வட்டம், கூடலூர் கிராமம், க.ச.எண்.865/1-ல் 3.00 ஏக்கர் பரப்பளவில் நுண்ணுயிர் செயலாக்க மையம் கட்டிடங்கள் கட்டுவதற்கு வேளாண்மை பொறியியல் துறையின் மண்வளப்பாதுகாப்பு அடிப்படையிலான பரிந்துரை தெரிவித்துக்கொள்ளப்படுகிறது.

செய்து பொறியாளர் (வே பொ)

கோயம்புத்தூர் -13.

25/10/23

நகல்:

ஆணையாளர் (கூ.பொ),
கூடலூர் நகராட்சி,
கோயம்புத்தூர்-47.



TAMILNADU POLLUTION CONTROL BOARD

From
Dr.K. Ravichandran, M.Tech., Ph.D.,
District Environmental Engineer,
Tamilnadu Pollution Control Board,
Coimbatore North Office,
No.5, Ramasamy Nagar,
Kavundampalayam,
Coimbatore – 641 030.

To
The Commissioner,
M/s. Gudalur Municipality – Micro
Compost Centre,
Nehru Nagar,
Samichettipalayam,
Coimbatore - 641047

Letter No.F.NA/GMMCC/DEE/TNPCB/CBN/2023, Dated: 02.01.2024

Sir,

Sub : TNPC Board – O/o. DEE, TNPCB, CBN – Consent application filed under the Water and Air Act, 1981 for the proposed Micro Compost Centre at S.F.No.865/1, Gudalur North and South Village, Coimbatore North Taluk, Coimbatore District – Categorized under White as per the B.P. No.6 dated 02.08.2016 - Reg.

Ref : Your online application through OCMMS vide Application No.56032702, dated:16.11.2023

With reference to the above, I am to inform that the Gudalur Municipality has submitted online application for seeking consent of the Board under the Water (P & CP) Act, 1974 and Air (P & CP) Act, 1981 for the proposed **M/s. Gudalur Municipality – Micro Compost Centre** at S.F.No.865/1, Gudalur North and South Village, Coimbatore North Taluk, Coimbatore District.

On verifying the manufacturing process described in the application, the proposed facility falls under the **White category (4028 Organic manure (manual mixing))** as per the B.P. No.6 dated 02.08.2016. There is no need of prior consent from the TNPCB Board for establishment and operation for the projects comes under the White Category.

Hence, the Municipality shall establish the **Micro Compost Centre** at S.F.No.865/1, Gudalur North and South Village, Coimbatore North Taluk, Coimbatore District and shall operate the same subject to the following conditions,

1. The unit shall provide compound wall around the premises.
2. The unit shall comply with the Solid waste Management Rules, 2016.

3. The unit shall submit annual report in Form IV on or before the 30th April of the succeeding year as per the Solid Waste Management Rules, 2016
4. The unit's activity shall not attract any public complaint.
5. The unit shall take proper odour control measures so as to avoid public complaints.
6. The unit shall develop green belt inside the premises wherever possible.

The receipt of this letter may kindly be acknowledged

S. S. S.
21/01/24
District Environmental Engineer
TNPC Board, Coimbatore North.
S. S. S.
02/01/24

TAMILNADU FOREST DEPARTMENT

<p>From Subrat Mohapatra I.F.S., Principal Chief Conservator of Forests (Head of Forest Force) Forest Head Quarters Building, Guindy - Velachery Main Road, Near Kannigapuram Check Post, Guindy, Chennai - 32.</p>	<p>To The Commissioner, Directorate of Town and Country Planning, CMDA office complex, (2,3,4th floor), E&C Market Road, Koyambedu, Chennai 600 107.</p>
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Ref. K.Dis.No.TS2/36470/2023, Dated:21.12.2023

Sir,

- Sub: Hill Area Conservation Authority clearance – Coimbatore Division - Periyanaickenpalayam range - Coimbatore North Taluk – Gudalur Village – Survey Field No.865/1 – approval for Construction of Micro Compost Centre with plinth area of 864.00 Sq.m-Forest No Objection Certificate – Regarding.
- Ref: 1. District Forest Officer, Ref.No.10756/2023/D1, dt.07.12.2023.
2. The Commissioner, Gudalur Ref. No.590/2022/1, Dt:04.09.2023.

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The District Forest Officer, Coimbatore division has sent a proposal for Hill Area Conservation Authority clearance for Construction of Micro Compost Centre with plinth area for an area of 864.00 Sq.m in SF. No.865/1 of Gudalur Village in Coimbatore North Taluk of Coimbatore District.

The District Forest Officer, Coimbatore has reported that, the proposed site is located **0.43 km** (Aerial Distance) away from nearest Reserved Forest namely Thadagam Reserved Forest and this Reserved Forest is known for wildlife diversity. Elephants and other wild animals are frequently used to stray/spill out from this Reserved Forest to neighboring patta lands. The site is located **40 Km** away from Sathyamangalam Tiger Reserve and the proposed land is not falling in any Eco Sensitive zone of protected area, Ecologically Sensitive areas of Western Ghats, officially declared Elephant Corridor, TNPPF Act and TNHP Act areas. Hence, the proposal for Construction of Micro Compost Centre with plinth area of 864.00 Sq.m may be forwarded to Hill Area Conservation Authority subject to the following conditions.

- a) No trees that attracts the elephants and other wildlife especially jack fruit, Bamboo, Tamarind, Coconut, Banana and other Agricultural products etc., shall be raised within the premises.
- b) The Forest Department is not responsible for any damage to the life and properties due to wildlife damage in future if any and no compensation will be paid by the department.
- c) The applicant shall comply any direction given by the District Forest Officer Coimbatore Division, in the general interest of Forest and wildlife.
- d) Precautionary instruments (CCTV's) should be installed to know the movement of wildlife if any nearby the patta land share to department whenever asked for.
- e) The movement of elephant if any noticed, it should be reported to the nearby Forest office and they should not be driven away by the individuals.
- f) Random Rubble Mansonry wall (RR wall) with a height of 8 feet should be constructed around the proposed area with additionally fence over the 8 ft. to completely stop any animal or birds entering the area.
- g) Two layered gate which ensures no movement of stray / feral animals, that may iniste wildlife with proper security arrangement should be in place.
- h) The applicant should not dump any garbage in the direction of Reserve Forests within their land to prevent attention of wild animals.
- i) Sometimes the wild animals come out from the forest area and passes around the applicant land for food and water. At the time there should not be any disturbance to wild animals. If violate action will be taken under wildlife (protection) Act, 1972.
- j) Bright light and high decibel amplifier or any structures affecting wildlife should not be used in the proposed area.
- k) No kindling of fire or burning of Chemicals or any substances that may leak or escape into adjacent Reserve forests.

- l) In case of fencing around the land, it should be erected as per the Tamil Nadu Power Fences (Registration and Regulation) Rules, 2023.

As recommended by the District Forest Officer, Coimbatore the above proposal is forwarded for consideration of Hill Area Conservation Authority. The conditions imposed by the District Forest Officer should be complied with.

Yours faithfully,
Sd/- P. Kumaresan,
for Principal Chief Conservator of Forests
(Head of Forest Force)

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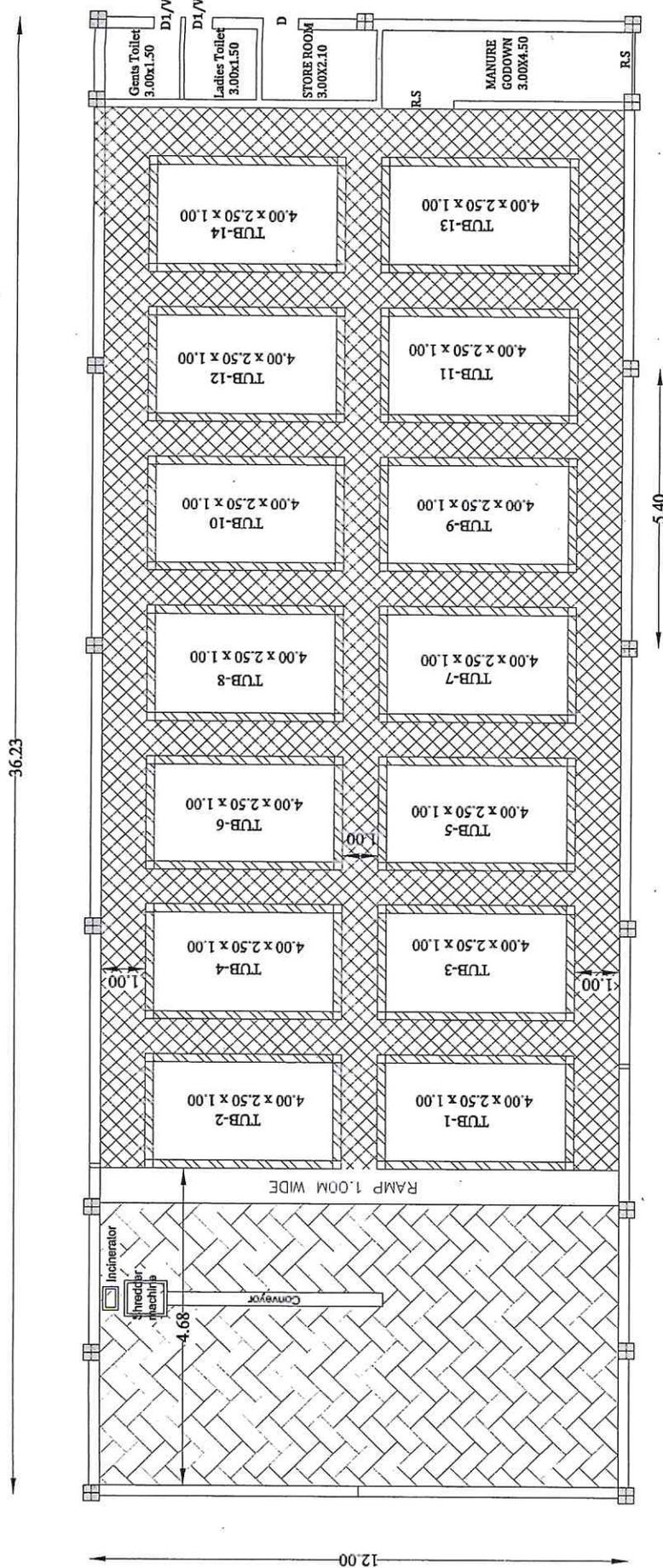
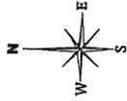
1. The District Forest Officer, Coimbatore division, Coimbatore.
2. The Joint Director, District Town Planning Office, Dr. Nanjappa road, Coimbatore -18.
3. The Commissioner, Gudalur Municipality, Coimbatore.
4. Hill Area Conservation Authority proceedings stock file.
5. Spare 1.

/True copy/By Order/


Senior Draughting Officer
21/6/23

GUDALUR MUNICIPALITY

PLAN SHOWING THE PROPOSED MICRO COMPOST CENTRE IN GUDALUR MUNICIPALITY



JOINERIES:

ROLLING SHUTTER	RS	3.00 x 2.40
DOOR	D	1.20 x 2.10
DOOR	D1	0.90 x 2.10
VENTILATOR	V	0.60 x 0.45
RCC COLUMN -1	(0.45 x 0.45M)	

[Signature]
 Public Works Overseer
 Gudalur Municipality
 Coimbatore District.

[Signature]
 Municipal Engineer
 Gudalur Municipality
 Coimbatore District.

COMMISSIONER
 Gudalur Municipality (CB)

**BEFORE THE HON'BLE
NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE AT CHENNAI
O.A. NO. 94 OF 2023(SZ)**

**REPLY STATEMENT ALONG WITH
ANNEXURES FILED BY 1ST
RESPONDENT**

**M/s. V.Anandhamurthy
S.Kousik, 2474/2018
S.Kuberan
Counsel for the 1st Respondent
7540099555**