

A-78

OBJECTIONS TO THE REMARKS OF THE JOINT COMMITTEE  
CONSTITUTED BY HON'BLE NATIONAL GREEN TRIBUNAL (NGT) , SZ,  
CHENNI IN OA No 136 OF 2016 FILED BY CAPT B S PRKASH Vs  
UNION OF INDIA & OTHERS

1 . PREAMBLE

VIDE ORDER DT 18-3-2020 , NGT CHENNI DIRECTED CONSTITUTION OF A JOINT COMMITTEE OF SENIOR OFFICERS FROM MOEF & CC RO BANGALORE , KCZMA & KSPCB TO INSPECT THE SITE AND SUBMIT PRESENT STATUS REPORT.

A) IF THERE IS ANY VIOLATION OF THE CONDITIONS IMPOSED INCLUDING COASTAL ZONE VIOLATIONS , ACTION PROPOSED TO BE MENTIONED.

B) IF ANY DAMAGE IS CAUSED DUE TO ANY VIOLATION AS MENTIOND AT B ABOVE, COMPENSATION TO BE IMPOSED AGAINST CHAIRMAN GGL LTD THE SEVENTH RESPONDENT, AS DIRECTED BY THIS TRIBUNAL IN SEVERAL CASES OF THIS NATURE , ACCORDING TO THE GUIDE LINES OF CENTRAL POLLUTION CONTROL BOARD.

c) RO OF MOEF&CC BANGALORE WILL ACT AS NODAL AGENCY FOR CO-ORDINATION AND LOGISTICS.

MY COMMENTS/OBJECTIONS

i) THE E.C. WAS GRANTED BY MOEF&CC , HO NEW DELHI TO BEKAL BEACH RESORT &SPA REPRESENTED BY ITS P.P. SRI E.M. NAJEEB CHAIRMAN GGL FOR 58 ACRES OF BRDC LEASED LAND AT SITE NO-2 IN BEKAL VIDE ITS ORDER DT 2-1-2009. DURING THE PROCEEDINGS HELD IN NGT CHENNI IN MY APPLICATION 136 OF 2016, IT WAS FOUND THAT THE SAID E.C. ORDER WAS PRIMA FACIE ILLEGALLY, UNAUTHORISED AND ISSUED DUE TO THE CRIMINAL ACT OF FORGERY TO CHEAT, CHEATING, MANIPULATION, FRAUD, MIS – REPRESENTATION , BREACH OF TRUST,CONNIVANCE, CONSPIRACY

**& CORRUPT PRACTICES PERPETUATED BY THE MASTER MIND SRI U.V. JOSE V.P, GGL & P.P. SRI E.M. NAJEEB IN CONNIVANCE WITH THE THEN D.D. SRI THIRUNAVUKKARASU THE KING PIN , THEN A.D. DR SENTHIL VEL OF HO MOEF&CC & OTHERS THAT HAVE BEEN BROUGHT TO THE NOTICE OF HON' ABLE NGT AND ADMITTED TO BE FILED AS ADDITIONAL EVIDENCES DURING THE HEARING HELD ON 18-4-2017 WHICH MAY BE PURSUED PLEASE.. SO IT WAS ABSOLUTELY ESSENTIAL TO INCLUDE A SENIOR OFFICER FROM MOEF&CC HO NEW DELHI IN THE JT COMMITTEE .**

**ii) MOREOVER IT WAS ALSO POINTED BY ME OUT THAT THE RO BANGALORE MOEF&CC DID NOT MONITOR THE IMPLEMENTATION OF THE TERMS & CONDITIONS STIPULATED IN THE E.C. ORDER TILL 11 & 12 MARCH 2017, (E.C. GIVEN ON 2-1-2009 ) WHICH PROVES THAT FOR MORE THAN 8 YRS NO MONITORING WAS DONE BY RO MOEF&CC BANGALORE THAT WAS IN GROSS VIOLATION OF PARA-4 OF E.C. ORDER. SO PRIMA FACIE THE VIOLATION HAS BEEN DONE BY RO MOEF&CC BANGALORE AS BROUGHT OUT IN DETAIL AT PAGE-2 TO 4 OF A-52 , MARKED & FILED AS EVIDENCE IN NGT CHENNI. IT IS RECORD THAT THE E.C. ORDER DT 2-1-2009 WAS NOT RECEIVED AT RO BANGALORE NOR AVAILABLE ON MOEF&CC WEB SITE AND IT WAS COLLECTED AND PLACED IN FILE AS PER NOTING OF SRI JOHN THOMAS RESEARCH OFFICER OF RO BANGALORE , ON 21-2-2017 SEEN RECORDED AT PAGE 3 OF NOTING FILE IN FILE NO E.P. /12.7/49/NGT/KER MARKED AS A-56 & ADMITTED AS EVIDENCE IN NGT CHENNI. THE ENTIRE MODUS OPERANDI AND THE CRIMINAL INTENT OF THE STRATEGY OF THE KING PIN SRI THIRUNAVUKKARASU THE THEN D.D. OF CRZ SECTION OF HO MOEF&CC HAS BEEN EXAMINED AND PROVED WITH EVIDENCE IN A-52 (2) ADMITTED AS EVIDENCE IN NGT CHENNI , AT PARA-6 FROM PAGE-6 TO 7. THIS HAS BEEN FURTHER EXAMINED AND HIGHLIGHTED IN A-52 (3) AT PAGE-2, PARA-4 (ii) OF PAGE 3, C. iii) OF PAGE-8 & C. viii) OF PAGE-10.**

**iii) HENCE THE ABOVE EVIDENCES PROVES AND ESTABLISHES THE FACT THAT ALL THE GROSS VIOLATIONS DONE BY THE P.P. COULD**

HAVE BEEN AVOIDED HAD RO MOEF&CC BANGALORE TIMELY MONITORED THE STRICT IMPLEMENTATION OF THE TERMS & CONDITIONS STIPULATED IN THE E.C. ORDER DT 2-1-2009, SINCE ONLY DURING MARCH 2017 IE AFTER 8 YEARS OF GRANT OF E.C ORDER ,DID RO MOEF&CC BANGALORE MONITOR THE IMPLEMENTATION. THEREFORE RO BANGALORE IS SQUARELY & ONLY RESPONSIBLE FOR ALL THE VIOLATIONS PERPETUATED AND ALLOWED TO BE DONE BY SRI U.V. JOSE VP GGL & P.P. DUE TO THE CRIMINAL ACTIVITIES OF FORGERY TO CHEAT, CHEATING , CONSPIRACY, FRAUD, CONNIVANCE, BREACH OF TRUST & MIS-REPRESENTATION PERPETUATED BY THE THEN D.D. SRI THIRUNAVUKKARASU THE KING PIN & OTHER MOEF OFFICERS AT RO BANGALORE.

iv) THEREFORE IT WAS ABSOLUTELY NECESSARY & INEVITABLE TO NOMINATE A SENIOR, NON INVOLVED OFFICER OF MOEF&CC HO NEW DELHI IN THE JOINT COMMITTEE TO ACHIEVE THE VERY PURPOSE OF HON'ABLE NGT CHENNI .

## 2. COMPOSITION OF THE JOINT COMMITTEE

### MY COMMENTS& OBJECTION

I OBJECT TO NOMINATION OF DR S PRABHU SCIENTIST –C , AS MEMBER FROM RO MOEF&CC BANGALORE DUE TO FOLLOWING REASONS :-

A) DR S PRABHU SCIENTIST – C IS NOT A SENIOR OFFICER OF MOEF&CC RO BANGALORE.

B) ON RETIREMENT OF DR SRIDHARAN SCIENTIST – G / NODAL AGENCY RTI/CPIO , DR S PRABHU WAS POSTED AS CPIO. DR SRIDHARAN AS CPIO HAD GONE OUT OF THE WAY AND COMMITTED BREACH OF TRUST BY :-

i) HE CONNIVED & CONSPIRED WITH P.P. OF GGL E.M. NAJEEB BY ABUSE OF HIS AUTHORITY AS CPIO DUE TO HIS PROXIMITY WITH

SRI THIRUNAVUKKARASU SCIENTIST-D OF RO BANGALORE , THE KING PIN IN THE MULTI MEGA SCAM DETECTED & EXPOSED BY ME BASED ON RTI DOCUMENTARY EVIDENCES, AND HELPED HIM OUT BY AVOIDING & MANIPULATING WITH K P SINGH APCCF RO BANGALORE, NOT TO GIVE MATERIAL DOCUMENT EVIDENCE REQUESTED BY ME THROUGH RTI. HE WAS EVEN DEPUTED, BEING A VERY SENIOR OFFICER FOR MONITORING THE SITE , INSPITE OF TWO MONITORING DONE EARLIER BY HIS JUNIOR RESEARCH OFFICER SRI JOHN THOMAS, WHO GAVE SATISFACTORY REPORTS TO BAIL OUT THE P.P. HE ALSO, AGAINST ALL ETHICS SUBMITTED A MONITORING REPORT FAVOURING THE P.P. & RECOMMENDED THE SAME TO MOEF& CC NEW DELHI , WHICH WAS BROUGHT TO THE NOTICE OF SECRETARY MOEF&CC & APCCF RO BANGALORE VIDE MY CONFIDENTIAL REPRESENTATION MARKED AS A-52 (3), BESIDES A-52, A-52(1)& A-52(2), ADMITTED AS EVIDENCE IN NGT, WHICH MAY BE KINDLY PURSUED, AS IT SHALL REVEAL AND OPEN THE PANDORA BOX OF THE EXTENT & QUANTUM OF BREACH OF TRUST , MANUPULATION , FORGERY TO CHEAT, MIS-REPRESENTATION, FRAUD , CONNIVANCE & CONSPIRACY BESIDES CORRUPT PRACTICES PERPETUATED & ADOPTED BY SENIORMOST MOEF & CC OFFICERS AT HO & RO BANGALORE.

ii) THE P.P. HAS VIOLATED NEARLY 70 % OF GENERAL CONDITIONS & 78 % OF SPEFIC CONDITIONS STIPULATED IN E.C. ORDER DT 2-1-2009 MARKED AS A-1 AND ADMITTED AS EVIDENCE IN NGT CHENNI , AS BROUGHT AT A-52 WHICH MAY BE NOTED PLEASE , BESIDES 61 CASES OF FORGERY TO CHEAT AND OTHER OFFENCES COMMITTED BY P.P.IN CONNIVANCE WITH MOEF OFFICERS & OTHERS IN THE ACT OF VIOLATIONS PERPETUATED MAINLY BY V.P. GGL SRI U.V. JOSE IN ASSOCIATION WITH E.M.NAJEEB THE P.P. , AS SEEN HIGHLIGHTED WITH EVIDENCE IN DOC A-50 (1) MARKED AND ADMITTED AS EVIDENCE IN NGT CHENNI.

iii) THE P.P. & HIS V.P. WAS ABLE TO CARRY OUT ALL THE VIOLATIONS ONLY BECAUSE OF BREACH OF TRUST & FORGERY TO

CHEAT PERPETUATED BY SRI THIRUNAVUKKARASU SCIENTIST-D OF RO BANGALORE , AS FOR MORE THAN 8 YRS, RO BANGALORE DID NOT MONITOR EFFECTIVE IMPLEMENTATION OF TERMS & CONDITIONS STIPULATED AT PARA-4 IN E.C. ORDER DT 2-1-2009 , ON WHICH BASIS ONLY THE E.C. WAS GRANTED BY THE EXPERT COMMITTEE OF THE MINISTRY. IN FACT THIS WAS ONE OF THE MOST IMPORTANT CONDITIONS STIPULATED AT PARA-4 OF E.C. ORDER WHICH WAS BLATANTLY VIOLATED BY RO BANGALORE DUE TO CONNIVANCE & CONSPIRACY OF MOEF & CC OFFICERS AND U.V. JOSE V.P. OF P.P. & OTHERS. PROOF AND EVIDENCE MAY BE SEEN IN A-45, A-56 & A-51 WHICH ARE RTI DOCUMENTS MARKED AND ADMITTED AS EVIDENCE IN NGT CHENNI.

iv) FURTHER THE E.C. ORDER WAS NOT DESPACHED TO RO BANGALORE , NOR UPLOADED IN MOEF&CC WEB SITE WHICH WAS THE SPADE WORK AND ULTERIOR MOTIVE OF THE THEN MOEF &CC OFFICERS OF CRZ SECTION OF HO, IE A.D. DR SENTHIL VEL & HIS D.D. THIRUNAVUKKARASU THE KING PIN . THIS HAS BEEN PROVED & ESTABLISHED BY DOC A-56 & A-51 MARKED AND ADMITTED AS EVIDENCE IN NGT CHENNI . THE COCK & BULL STORY OF A WELL LAID OUT CRITERIA FOR SELECTING PROJECTS FOR MONITORING AND THIS PROJECT WAS NOT INCLUDED IN THE LIST OF PROJECTS FOR MONITORING, THAT IS SEEN RECORDED IN A-51 BY DR SRIDHARAN CPIO, IS NOTHING SHORT OF A JOKE TO PROTECT THE RO MOEF&CC FROM BEING EXPOSED IN NOT MONITORING THIS PROJECT. THE THEN CPIO SRI BHARAT SINGH JT DIRECTOR MOEF&CC , NOW HEADING CRZ CELL, OF HO NEW DELHI, FOLLOWED BY HIS SUCCESSOR CPIO , DR P SARAYANA D.D. OF MOEF WHO TOOK OVER AS CPIO FROM HIM, WERE ALSO INVOLVED IN REFUSING TO GIVE DETAILS OF DESPATCH REGISTER ON RTI APPLICATION BY ME , THEREBY SHIELDING THE OFFENDERS OF THE MULTI MEGA SCAM DETECTED BY ME IN MOEF&CC .

v) ALL THESE MATERIAL AND CLINCHING DOCUMENTARY RTI EVIDENCES WERE NOT PRODUCED TO THE JT. COMMITTEE BY DR S.

PRABU THOUGH IT WAS IN HIS KNOWLEDGE, WHEN HE TOOK OVER FROM DR SRIDHARAN AS CPIO BECAUSE OF HIS ULTERIOR MOTIVE SO AS TO SAFEGUARD HIS BROTHER OFFICERS OF MOEF&CC ,THAT MAY BE PLEASE NOTED.

vi) SO THE VERY FIRST VIOLATION OF THE CONDITIONS STIPULATED IN THE E.C. ORDER DT 2-1-2009 WAS DONE BY MOEF&CC OFFICERS AS MENTIONED ABOVE ,WHICH ONLY FACILITATED THE P.P. AND HIS V.P. SRI U.V. JOSE TO CARRY OUT GROSS VIOLATIONS OF ALMOST ALL THE CONDITIONS

vii) IT IS REGRETTEED TO POINT OUT THAT THE DIRECTIONS OF THE HON'BLE NGT THAT QUOTE " WE FEEL IT APPROPRIATE TO APPOINT A JOINT COMMITTEE COMPRISING OF A SENIOR OFFICER FROM RO MOEF&CC BANGALORE, KCZMA & KSPCB TO INSPECT THE PROJECT ", WAS NOT COMPLIED IN LETTER AND SPIRIT IN VIEW OF THE FOLLOWING FACTS

a) DR LAKSHMI OF KCZMA IS A JUNIOR ENVIRONMENTAL SCIENTIST WITH HARDLY 3-4 YRS SERVICE . SO SHE CAN NEVER BE TERMED AS A SENIOR SCIENTIST.

b) DR RICHARD SCARIA MEMBER KCZMA IS A GOVT NOMINEE AND NOT QUALIFIED OR EXPERIENCED IN KCZMA . IN FACT HE IS A POLITICAL NOMINEE. WHAT CAN YOU EXPECT FROM HIM.

c)SRI KALAIARASAN ENVIRONMENTAL ENGINEER OF KCZMA WAS ACTUALLY DEALING ALL CORRESPONDENCES REGARDING THE PROJECT AFTER FILING APPLICATION IN NGT CHENNI AND IS AWARE OF ALL THE DEVELOPMENTS. IN FACT HE HAD CONNIVED AND CONSPIRED WITH THIRUNAVUKKARASAU OF RO BANGALORE, THE KING PIN IN THE THIS MULTI MEGA SCAM AND SUBMITTED FORGED AND IN COMPLETE REPORT WITH THE CANDID SUPPORT OF THE PREVIOUS MEMBER SECRETARY KCZMA TO RO BANGALORE ,SO AS TO BAIL OUT THE P.P.. THIS FORGERY WAS BROUGHT TO THE NOTICE OF THE PRESENT MEMBER SECRETARY WITH DOCUMENTARY EVIDENCES AND PROPOSED ACTION

AGAINST HIM. UN FORTUNATELY HE TOOK THE OPPORTUNITY TO PARTICIPATE IN THE V.C. ON 14-8-2020 AND HERE ALSO HE DID NOT BRING THE DETAILS OF THE GROSS VIOLATIONS DONE BY THE P.P. TO THE NOTICE OF THE JT COMMITTEE ,WITH AN ULTERIOR MOTIVE AND INSTEAD TOOK UP AND DISCUSSED THE APPEAL GIVEN BY THE P.P.. THUS HE DILUTED THE GRAVITY OF THE OFFENCES COMMITTED BY P.P. AND PRESENTED OF CASE TO FAVOUR THE P.P., WHICH IS UNETHICAL AND CRIMINAL BREACH OF TRUST, BESIDES MIS-REPRESENTATION . SUBSEQUENTLY WITH AN ULTERIOR MOTIVE HE DID NOT VISIT THE SITE FOR INSPECTION AND ENTRUSTED THE RESPONSIBILITY ON THE RICHARD SCARIA , WHO WAS NOT ALL COMPETENT TO CONDUCT INSPECTION OF ANY SITE AS HE WAS A POLITICALLY NOMINATED MEMBER OF THE CPM LEAD GOVT.

c) DR S PRABHU IS SCIENTIST-C AT MOEF&CC RO BANGALORE AND NOT A SENIOR OFFICER AT ALL .

d) DR MURALI KRISHNA IS SCIENTIST-D AT MOEF&CC RO BANGALORE AND NOT A SENIOR OFFICER.

e) SMT ANITHYA KOYAN ENVIRONMENTAL ENGINEER WAS NOT ALL IN THE PICTURE AND WAS SENT AS A REPLACEMENT TO SMT SHEEBA CHIEF ENVIRONMENTAL ENGINEER WHO PARTICIPATED IN THE V.C. ON 14-8-2020. IN FACT SHE WAS NOT NOMINATED AS A MEMBER OF THE JT COMMITTEE AND IT WAS SMT SHEEBA MS, CHIEF ENVIRONMENTAL ENGINEER WHO WAS NOMINATED . BUT SHE DID NOT INSPECT THE SITE ON 19-11-2020 & INSTEAD SMT ANITHA KOYAN WAS DEPUTED FOR SITE INSPECTION . UNDER THE CIRCUMSTANCES HOW CAN SHE DO JUSTICE TO HER SITE INSPECTION , WHICH IS CLEARLY REFLECTED IN THE INSPECTION REPORT.

viii) SO IT IS PROVED THAT THE OFFICERS NOMINATED FOR JT INSPECTION WERE NOT SENIOR OFFICERS OF KCZMA, KSPCB & MOEF&CC RO AS DIRECTED BY HON'ABLE NGT. THEY WERE PICKED UP AND NOMINATED FOR THE SAKE OF NOMINATION, EXCEPT IN THE CASE OF KALAIARASAN ENVIRONMENTAL ENGINEER KCZMA

WHO CAPITALISED ON THE OPPORTUNITY TO PARTICIPATE IN THE V.C. TO FAVOUR THE P.P. AND NOT TO PROVIDE PREVIOUS MONITORING REPORTS AND OTHER RELEVANT INFORMATION TO THE JT COMMITTEE, WHICH WAS EXPECTED OF HIM ,THAT MAY BE NOTED. FROM THE LIST OF INFORMATION REQUIRED GIVEN IN ANNEX R-4 , IT IS CLEAR THAT MAX. INFORMATION WAS SOUGHT FROM KCZMA BUT ONLY A FEW OF THEM SUBMITTED BY KALAIARASAN AND MAJOR VIOLATIONS OMITTED INTENTIONALLY , WHICH PROVES HIS MOTIVE AND MENSURIA . THE SAME IS THE CASE WITH MOEF&CC MEMBERS FROM RO BANGALORE.

3. MANDATE OF THE JOINT COMMITTEE

NO COMMENTS

4. BRIEF ABOUT THE PROJECT

MY COMMENTS/OBJECTION

A)M/S GREEN GATEWAY LEISURE LTD (GGL) IS THE SPECIAL PURPOSE VEHICLE FORMED BY (ATE) AIR TRAVEL ENTERPRISES VIDE TRIPARTITE AGREEMENT & SUPPLEMENTARY AGREEMENT DATED 16-1-2010 IE DOC RTI-2 ,P-217, MARKED AND ADMITTED AS EVIDENCE IN NGT CHENNI, WHEREAS ATE WAS ALLOTTED 45.05 ACRES OF LEASED LAND BY BRDC ON GLOBAL TENDER, FOLLOWED BY CRZ CLEARANCE GRANTED BY KCZMA ON 18-11-2006 .THEN HOW CAN E.C. BE GRANTED BY MOEF&CC TO GGL VIDE ORDER DT 2-1-2009? SO IT IS PROVED & ESTABLISHED WITH DOCUMENTARY EVIDENCE THAT E.C. CANNOT BE GRANTED TO GGL AND THAT E.C. CAN BE GRANTED TO ATE ONLY BECAUSE AS ON 2-1-2009 , GGL WAS NOT INCORPORATED AS A SPECIAL PURPOSE VEHICLE BY ATE. MOREOVER IT WAS ONLY ON 16-1-2010 IE VIDE TRIPARTITE & SUPPLEMENTARY AGREEMENT DID THE ALLOTMENT OF LEASED LAND WAS TRANSFERED TO GGL FROM ATE AND THEREFORE TILL

16-1-2010 ,THE LEASED LAND WAS IN POSSESSION OF ATE ONLY AND HENCE E.C. CANNOT BE ALLOTTED TO GGL ON 2-1-2009 BY MOEF&CC. THIS E.C. WAS GOT ISSUED TO GGL DUE TO CONSPIRACY, CONNIVANCE , MIS-REPRESENTATION, FRAUD, CHEATING, MANIPULATION AND FORGERY TO CHEAT PERPETUATED BY THIRUNAVUKKARASU SCIENTIST –D, DR SENTHIL VEL THE A.D. OF MOEF&CC, THE P.P. E.M. NAJEEB, HIS V.P. GGL SRI U.V.JOSE & THEN M.D. BRDC SRI SHAJEE MADHAVAN , AS PROVED AND ESTABLISHED BY DOCUMENTARY EVIDENCE RTI-1 & A- 52(1), ADMITTED AND FILED AS EVIDENCE IN NGT CHENNI.

B) SURVEY NO 134 WAS NOT LEASED TO ATE , NOR CONSIDERED IN LICENSE AGREEMENT DT 14-12-2005, EXECUTED BETWEEN BRDC & ATE, TRIPARTITE AGREEMENT & SUPPLEMENTARY AGREEMENT DT 16-1-2010 ,EXECUTED BETWEEN BRDC,ATE & GGL AND LEASED DEED AGREEMENT DT 18-11-2011 EXECUTED BETWEEN BRDC AND GGL SEEN ENCLOSED IN A-52 (2) MARKED AND ADMITTED AS EVIDENCE IN NGT CHENNI. FURTHER THIS HAS BEEN ALSO BROUGHT OUT IN DOC. A-52 (1), MARKED AND ADMITTED AS EVIDENCE IN NGT CHENNI. THIS HAS ALSO BEEN CONFIRMED BY BRDC VIDE THEIR RTI REPLY DT 22-8-2017 MARKED AS A-28 , ADMITTED AND TAKEN ON RECORD AS EVIDENCE IN NGT CHENNI. THEN HOW CAN MOEF&CC GRANT E.C. FOR DEVELOPMENT OF RESORT IN SURVEY NO 134 ON 2-1-2009 ? SO THIS HAS ALSO BEEN FORGED BY P.P. & HIS V.P. GGL SRI U.V.JOSE TO CHEAT MOEF&CC.

C) BRDC HAS LEASED ONLY 45.04 ACRES TO ATE VIDE LICENSE AGREEMENT DT 14-12-2005 AND 11.76 ACRES LAND WAS SUBSEQUENTLY ACQUIRED & LEASED BY BRDC ON THE REQUEST OF ATE AND TRIPARTITE & SUPPLEMENTARY AGREEMENT DT 16-1-2010 EXECUTED, TRANSFERING 43.67 ACRES & 11.76 ACRES TO GGL. THEREAFTER LEASED DEED AGREEMENT EXECUTED WITH GGL ON 18-11-2011 LEASING 55.33 ACRES IE (44.06 PLUS 11.27 ACRES ) TO GGL .

THEN HOW CAN MOEF&CC GRANT E.C. TO GGL FOR 58 ACRES OF LEASED LAND ON 2-1-2009 ? SO THIS HAS ALSO BEEN FORGED & MANIPULATED BY P.P. & HIS V.P. GGL SRI U.V.JOSE TO CHEAT MOEF&CC.

D) THE TOTAL BUILT UP AREA OF PROJECT WAS ENVISAGED TO BE 19041 SqM AS PER E.C ORDER DT 2-1-2009 AND ALSO AS PER LAY OUT APPROVAL OF CTP TRIVANDRUM VIDE ORDER NP D1/1744/09 DDIS DT 07-5-2009, MARKED AS R-6 FILED BY RESP.-7 AND ADMITTED IN NGT CHENNI . BASED ON THIS CTP LAY OUT APPROVAL , BUILDING PERMIT WAS PREPARED BY SECRETARY PALLIKARAE PANCHAYATH, WHICH WAS IN FACT PREPARED EARLIER BY HIM AS REQUIRED BY V.P. GGL SRI U.V.JOSE IE WITH ENHANCED BUILT UP AREA OF 19902 SqM IN HIS APPLICATION FOR LAY OUT APPROVAL FROM CTP AND HENCE THE ENHANCED BUILT UP AREA OF 19902 SqM WAS CUT AND 19041 SQ M WAS WRITTEN OVER IT AS SEEN CLEARLY & VISIBLE IN THE BUILDING PERMIT MARKED AS R-7 AND ADMITTED AS EVIDENCE IN NGT CHENNI.

E) AS PER AUDIT REPORT OF PALLIKAREE GRAMA PANCHAYATH MARKED AS A-44 AND ADMITTED AS EVIDENCE IN NGT CHENNI, IT IS PROVED AND ESTABLISHED THAT THE P.P. COMPLETED CONSTRUCTION OF RESORT WITH A BUILT UP AREA OF 19756.86 Sq M INSTEAD OF THE ENTITLED BUILT UP AREA OF 19041 SqM ALLOWED BY MOEF&CC IE A-1 , VIDE THEIR LETTER NO 460/BEKAL-98/GEEL/2016 DT 1-9-2015 TO THE PALLIKAREE GRAMA PANCHAYATH. THIS IS GROSS VIOLATION OF E.C. ORDER DT 2-1-2009 . MY PETITION DT 24-11-2017 TO NGT CHENNI & DOC A-27 REFERS , WHEREIN DETAILED EXAMINATION OF THE FORGERY TO CHEAT HAS BEEN HIGHLIGHTED & EXPOSED, THAT MAY BE KINDLY PURSUED.

5. ENVIRONMENT CLEARANCE AND KERALA COASTAL ZONE MANAGEMENT AUTHORITY CLEARANCE.

## MY COMMENTS/OBJECTIONS

A)THE E.C WAS OBTAINED UNDER CRZ NOTIFICATION 1991 FROM MOEF&CC VIDE THEIR ORDER DT 2-1-2009 IE A-1 , PURSUANT TO THE RECOMMENDATION OF KCZMA VIDE THEIR LETTER DT 18-11-2006. THIS CLEARLY PROVES AND ESTABLISHES THE FACT THAT THE E.C. IS GIVEN ONLY ON THE RECOMMENDATIONS OF KCZMA.

B) THE RECOMMENDATIONS OF KCZMA IS AS FOLLOWS :-

1)THE RECOMMENDATION IS FOR THE PROPOSED CONSTRUCTION OF RESORT AT BEKAL BY M/S AIR TRAVEL ENTERPRISES INDIA LTD (ATE ).

2) THE RECOMMENDATION IS FOR 45.04 ACRES OF LAND ALLOTTED IN CHITTARI AND KEEKAN VILLAGE OF KASARGOD DISTRICT TO M/S AIR TRAVELS ENTERPRISES INDIA LTD (ATE)BY BRDC . (BEKAL RESORT DEVELOPMENT CORPORATION ).

3) THE CRZ CLEARANCE WAS GIVEN TO ATE ON 18-11-2006 BASED ON THE APPLICATION / LETTER NO ATE/CORP/028/ 2006-2007 DATED 19 APRIL 2006 FROM THE GENERAL MANAGER –PROJECTS, M/S AIR TRAVEL ENTERPRISES.

4) THERE ARE 3 CONDITIONS UNDER GENERAL CATEGORY AND 14 CONDITIONS UNDER SPECIFIC TO CRZ TO BE COMPLIED WITH IN THE SAID CRZ CLEARANCE GIVEN BY KCZMA .

5) THE CRZ STATUS REPORT OF CESS WITH NECESSARY DOCUMENTS WERE ALSO FORWARDED ALONG WITH THE LETTER OF RECOMMENDATION DT 18-11-2006 TO MOEF&CC BY KCZMA.

6) COPY OF THE CRZ CLEARANCE RECOMMENDED TO MOEF &CC WAS MARKED TO THE GENERAL MANAGER , AIR TRAVEL ENTERPRISES INDIA LTD , NEW CORPORATION BUILDING PALAYAM,

TRIVANDRUM-33. THIS IS SEEN PRODUCED BY RESP. -7 AS DOC R-4 AT PAGE 71 TO 73 OF THE DOCUMENTS RELIED BY 7 RESPONDENT, DULY MARKED AND ADMITTED IN NGT CHENNI. BUT IN THE DOC RTI-1, WHICH IS THE CRZ PROCESSING FILE OF GGL LTD MAINTAINED AT MOEF& CC , COPY OF WHICH WAS FORWARDED AS A CD CONTAINING PDF FILE NO 16-4/2008. IA.111 OF 260 PAGES, IN REPLY TO MY RTI APPLICATION BY DR SUDHEER CHITALAPATI, SCIENTIST-D OF MOEF&CC NEW DELHI , VIDE HIS LETTER F.N.19-13/2017-IA.111 DT 28 FEB 2017 , AT PAGE 142 TO 144 & 49 TO 51 OF THIS PROCESSING FILE , THE KCZMA CRZ CLEARANCE LETTER DT 18-11-2006 TO ATE IS SEEN , WHEREIN THE COPY TO THE GENERAL MANAGER , AIR TRAVEL ENTERPRISES INDIA LTD , PALAYAM, THIRUVANTHAPURAM-33 IS SEEN MISSING. THIS EVIDENCE WHEN READ WITH MY FINDINGS SEEN RECORDED AT A-55 IN CONFIDENTIAL REPRESENTATION A-52 (1) MARKED AND ADMITTED AS EVIDENCE IN NGT CHENNI , WILL EXPOSE THE THE FIRST MODUS OPERANDI OF FORGERY TO CHEAT ADOPTED BY SRI U.V. JOSE V.P. GGL . IN THIS REGARD THE CHEMISTRY OF FORGERY TO CHEAT, MANIPULATION, CONNIVANCE , CONSPIRACY, CRIMINAL BREACH OF TRUST, MIS- REPRESENTATION AND CORRUPT PRACTICES IS SEEN RECORDED IN No – 2 (d) & No -2 (a) of A -55 WITH DOCUMENTARY EVIDENCES.

7) THE ENTIRE MODUS OPERANDI OF FORGERY TO CHEAT, MANIPULATION, MIS-REPRESENTATION, FRAUD, CONNIVANCE ,CONSPIRACY, CRIMINAL BREACH OF TRUST, ABUSE OF AUTHORITY & CORRUPT PRACTICES HAVE BEEN EXPLAINED THREAD BARE WITH RTI DOCUMENTARY EVIDENCES IN A-55 , A-52 (1) , A-52, A-52 (2) ,A-52 (3) & A-50(1) RE- FORMATED. THE SAME MODUS OPERANDI HAVE BEEN REPEATED AT VARIOUS STAGES TO ACHIEVE THE CRIMINAL OBJECTIVE OF OBTAINING ILLEGAL & UN-AUTHORISED E.C. FOR GGL AND FOLLOWED UP WITH VIOLATIONS OF MORE THAN 75 % OF THE TERMS AND CONDITIONS STIPULATED IN THE E.C. ORDER , ON WHICH E.C. WAS GRANTED BY MOEF&CC AND THEREBY PLUNDERED THE NATURAL RESOURCES BY CAUSING

ENVIRONMENTAL DE GRADATION AND CATASTROPHY, BESIDES DIVERETED FUNDS TAKEN FROM VARIOUS BANKS ,STAKE HOLDERS AND INVESTORS BY MORTGAGEING THE LAND LEASED BY BRDC FOR THE PROJECT ETC , TO OTHER SISTER CONCERNS OF ATE GROUP , WHICH RESULTED IN ABANDING THE PROJECT SINCE FEB 2017.

8) IT IS DOUBTFUL WHETHER COPY OF THE E.C. ORDER DT 2-1-2009 TO CHAIRMAN KSCZMA GOVT OF KERALA HAS BEEN ACTUALLY DESPATCHED OR NOT IN THE LIGHT OF THE MODUS OPERANDI PERPETUATED BY V..P. GGL.

9) THE COPY OF E.C. ORDER DT 2-1-2009 ATTACHED WITH THE INSPECTION REPORT OF JT COMMITTEE AS ANNEXURE R-1 IS PRIMA FACIE FAKE AND NOT THE COPY OF ORIGINAL E.C. ORDER DT 2-1-2009 ISSUED BY MOEF&CC IN VIEW OF THE FOLLOWING EVIDENCES :-

i)R-1 HAS NOT BEEN SIGNED BY DR A SENTHIL VEL ADDITIONAL DIRECTOR MOEF&CC , WHO HAD SIGNED IT AS SEEN IN THE E.C. ORDER FOUND AT PAGE 100 TO 104 OF THE GGL PROCESSING FILE MARKED AND ADMITTED AS RTI-1 IN NGT CHENNI.

ii) R-1 DOES NOT HAVE GENERAL CONDITIONS WHICH ARE 21 IN NO's , TO BE COMPLIED BY THE PROJECT PROPONENT . THIS IS PART AND PARCEL OF E.C. ORDER DT 2-1-2009. IT IS SURPRISING TO NOTE THAT THE MOEF&CC MEMBERS IN THE JT COMMITTEE DR MURALI KRISHNA SCIENTIST - D & DR S PRABHU SCIENTIST-C HAVE NOT CARE TO CHECK WHETHER THE E.C ORDER R-1 ATTACHED IS GENUINE AND COMPLETE , IN SPITE OFF THEY BEING SENIOR OFFICERS OF MOEF & CC , WHICH IS REGRETTEED AND PROVES THE AUTHENSITY , INTENTION & ULTERIOR MOTIVE OF THE MOEF& CC OFFICERS , WHO ARE SUPPOSED TO ENSURE ENVIRONMENTAL SAFEGUARD & PROTECTION.

iii) THERE IS ANOTHER COPY OF E.C. ORDER WHEREIN THERE IS CLEAR EVIDENCE TO SHOW THAT THE E.C. ORDER DT 2-1-2009 WAS FAXED FROM KERALA TOURISM DELHI WITH THEIR PHONE NO TO - ATTN SRI U.V. JOSE V.P. GGL ON 02 JAN AT 5-27 PM. COPY ENCLOSED . THIS PIECE OF EVIDENCE WAS PROVIDED BY SECRETARY JAYAN-P, OF PALLIKARA GRAMA PANCHAYATH BEKAL WHILE REPLYING TO MY RTI QUERY. THIS PROVES THE GRAVITY & INTENSITY OF CONNIVANCE AND UN – HOLY NEXUS , SRI U.V. JOSE V.P. GGL HAD WITH MOEF&CC AUTHORITIES IN GETTING FORGED E.C. ISSUED TO GGL.

10) THOUGH THE VALIDITY PERIOD OF E.C. EXPIRED ON 1-1-2014 , THIS INFORMATION WAS NOT PROVIDED INTENTIONALLY BY THE THEN CPIO/ NODAL OFFICER RTI , DR SRIDHARAN RETD OF RO BANGALORE & LATER BY DR S PRABHU WHO TOOK OVER AS CPIO FROM HIM ON MY RTI ENQUIRY. FURTHER DR PRABHU THE MEMBER WAS AWARE OF THE FACT THAT C.F.O. GGL SRI SADEESH KUMAR HAD INTIMATED IN HIS LETTER DT 2-2-2018 MARKED AS A-68 , ADMITTED AND TAKEN AS EVIDENCE IN NGT CHENNI , GIVEN TO JOHN MATHEW THE MONITORING OFFICER RO BANGALORE , THAT THE CONSTRUCTION WORK AT THE SITE WAS KEPT IN ABEYANCE WEF JAN 2017 DUE TO SOME UNFORSEEN MATTERS. THIS LETTER MARKED AS A-68 , ADMITTED AS EVIDENCE IN NGT CHENNI WAS NOT REVEALED TO THE JT COMMITTEE WHICH IS REGRETTEED AND CAN BE ATTRIBUTED TO HIS INTEREST IN PROTECTING THE P.P. AS DONE BY HIS SENIORS IN RO MOEF&CC BANGALORE. HENCE THE REPORT IS SAID TO BE BIASED AS ALL REQUIRED INPUTS THAT WERE PERTINENT AND REQUIRED BY THE JT COMMITTEE WERE NOT PROVIDED BY THE COMMITTEE MEMBERS FROM MOEF&CC RO BANGALORE WHICH MAY BE NOTED.

11) IT IS REPORTED BY JT COMMITTEE THAT QUOTE “ NO CONSTRUCTION ACTIVITIES NOTED AND THE ENTIRE PROJECT SITE WAS FILLED WITH DENSE GRASS AND BUSHES OF ABOUT 5-6 FT EXCEPT SOME WALK WAYS”. THE FACT BEING SO HOW CAN THE

COMMITTEE SEARCH FOR QUOTE “ EXISTENCE OF BORE WELLS IN THE PROJECT SITE BUT COULD NOT LOCATE ANY? SO IT IS PROVED THAT THE COMMITTEE CANNOT SEARCH FOR EXISTENCE OF BORE WELLS UNDER THE PREVAILING CONDITIONS AT THE TIME OF THEIR VISIT TO THE PROJECT SITE. SO THEIR REPORT REGARDING NON LOCATION OF BORE WELLS IN THE PROJECT SITE CANNOT BE ACCEPTED UNDER ANY CIRCUMSTANCES . THEY SHOULD HAVE GOT THE SITE CLEARED OF BUSHES AND MADE IT WORTHY FOR INSPECTION SINCE DR S PRABHU WAS AWARE OF THE FACT THAT THE CONSTRUCTION WORK AT THE SITE WAS KEPT IN ABEYANCE SINCE JAN 2017 AND THAT THE SITE WAS COVERED WITH DENSE BUSHES AS REVELAED IN THE MONITORING REPORT OF DR SRIDHARAN AND OTHERS. BUT WITH AN ULTERIOR MOTIVE HE KEPT QUITE SO THAT THE INSPECTION OF THE SITE COULD NOT TAKE PLACE , THEREBY HELPING INDIRECTLY AND FAVOURING THE P.P.

12) IT IS IRONY OF FACT THAT THOUGH THE JOINT COMMITTEE COMPRISED OF SENIOR OFFICERS FROM MOEF&CC , KCZMA & KSPCB , NONE OF THEM HAD THE BASIC KNOWLEDGE AND ACUMEN TO POINT OUT THE GLARING MATERIAL AND CLINCHING VIOALTIONS BASED ON DOCUMENTARY EVIDENCE SINCE THEY WERE SUPPOSED TO GATHER REQUISITE INFORMATIONS RELATED TO THE PROJECT BASED ON AVAILABLE RECORDS IE , PREVIOUS MONITORING REPORTS IE A-7, A-52,A-52(1),A-52(2), A-52 (3) ,ALL OF WHICH ADMITTED AS EVIDENCES IN NGT CHENNI APART FROM USE OF DIGITAL TECHNOLOGIES IE (GOOGLE MAPS)

13) THERE IS GLARING AND NOTEABLE DIFFERENCE BETWEEN CRZ CLEARANCE GIVEN BY KCZMA & RECOMMENDED TO MOEF&CC FOR E.C. ON 18-11-2006 TO BEKAL BEACH RESORT AND SPA, AND E.C GIVEN BY MOEF&CC TO THE SAME RESORT ON 2-1-2009 PURSUANT TO THE RECOMMENDATION OF KCZMA. IE

a)CRZ CLEARANCE IS GIVEN TO ATE FOR 45.04 ACRES BY KCZMA

WHEREAS E.C. IS GIVEN TO GGL FOR 58 ACRES.

b) R-2 IE COPY OF CRZ CLEARANCE DT 18-11-2006 ATTACHED WITH THE REPORT IS MARKED TO THE GENERAL MANAGER , ATE INDIA LTD, NEW CORPORATION BUILDING .PALAYAM, THIRUVANTHAPURAM-33. BUT WHEN THIS CRZ CLEARANCE WAS CALLED FOR BY D.D.MOEF&CC SRI THIRUNAVUKKARASU VIDE HIS LETTER F No 16-4/2008-1A-111 DT 16-8-2008 TO SRI U.V.JOSE V.P. GGL, WITH COPY TO THE CHAIRMAN KERALA COASTAL ZONE MANAGEMENT AUTHORITY THIRUVANTHAPURAM FOR INFO, COPY TO THE GENERAL MANAGER ATE IS NOT FOUND / ERASED OFF , FROM THE CRZ CLEARANCE LETTER DT 18-11-2006 OF KCZMA , WITH AN ULTERIOR MOTIVE BY SRI U.V. JOSE V.P. GGL AND SENT TO THE ADDITIONAL DIRECTOR MOEF&CC VIDE HIS LETTER No GGL/GG1/BEKAL-1V/2008-09/4 DT 25 SEPT 2008, WITH A COPY TO DD MOEF&CC SRI THIRUNAVUKKARASU D.D. (COPY ENCLOSED - X-1) WHICH MAY BE NOTED. THIS FORGED CRZ COPY OF KCZMA MAY BE SEEN AT PAGE 49 &142 OF RTI-1, MARKED AND ADMITTED AS EVIDENCE IN NGT CHENNI IE CRZ PROCESSING FILE 16-4/2008-1A, 111 ,THAT WAS SENT TO ME IN A CD AS PDF FILE ON MY RTI REQUEST, BY MOEF&CC NEW DELHI. IN FACT HE HAS NOT MARKED COPY OF HIS LETTER TO CHAIRMAN KCZMA, WHICH IS VERY PERTINENT THOUGH IN THE LETTER OF D.D. TO U.V.JOSE V.P. GGL, COPY WAS MARKED TO CHAIRMAN KCZMA. THESE ARE ALL MATERIAL DOCUMENTARY EVIDENCES TO PROVE & ESTABLISH THE CRIMINAL ACT OF FORGERY TO CHEAT INITIATED BY U.V.JOSE V.P. GGL .HENCE R-2 IS NOT THE CRZ CLEARANCE LETTER PROCESSED BY CRZ SECTION OF MOEF&CC FOR GRANTING E.C. TO THE PROJECT.

c) R-2 IS THE CRZ CLEARANCE LETTER OF KCZMA WHICH WAS THE COPY TO THE GENERAL MANAGER ATE INDIA LTD THIRUVANTHAPURAM AND NOT THE CRZ CLEARANC ADDRESSED TO THE SECRETARY MOEF&CC NEW DELHI , IN WHICH THE FORGERY TO CHEAT HAS BEEN COMMITTED BY U.V.JOSE V.P. GGL.

d) THE MOOT QUESTION IS HOW CAN R-2 BE SUBMITTED TO PROVE GRANT OF CRZ CLEARANCE TO THE RESORT BY KCZMA , WHEN IT IS ACTUALLY COPY TO THE GENERAL MANAGER ATE AND NOT THE RECOMMENDATION OF CRZ CLEARANCE OF ATE TO SECRETARY MOEF&CC NEW DELHI BY KCZMA, THAT HAS BEEN FORGED BY U.V. JOSE, AND AVAILABLE IN THE PROCESSING FILE RTI-1, WHICH SHOULD ACTUALLY , HAVE BEEN PRODUCED AS R-2 . THIS IS THE GAME PLAN OF EITHER MOEF &CC/KCZMA MEMBERS OF THE JT COMMITTEE, WHICH HAS BEEN EXPOSED BY ME AS PER ABOVE EVIDENCE. THIS PROOF & EVIDENCE IS SUFFICIENT TO READ THE MIND SET OF THE MOEF& CC OFFICERS IN THE JT COMMITTEE .

e) SO R-2 IS NOT THE VALID CRZ CLEARANCE LETTER RECOMMENDED BY KCZMA TO MOEF&CC , BUT IS ONLY THE COPY TO THE GENERAL MANAGER ATE INDIA LTD. THIRUVANTHAPURAM -33.

14) IT IS VERY PERTINANT TO POINT OUT A MATERIAL EVIDENCE OF BREACH OF TRUST PERPETUATED BY NOMINEES FROM KCZMA / KSPCB WITH AN ULTERIOR MOTIVE TO BAIL OUT THE P.P. AS THEY ARE ALSO A PARTY, BEING CONSPIRATORS TO THE GROSS VIOLATIONS & FORGERY TO CHEAT DETECTED BY ME IN GIVING E.C TO THIS PROJECT IE :-

i) IN THE JT COMMITTEE CONSTITUTED BY NGT, THERE WERE 2 OFFICERS FROM KCZMA IE DR RICHARD SCARIA MEMBER KCZMA AND DR LAKSHMI ENVIRONMENT SCIENTIST OF DEPARTMENT. OF ENVIRONMENT &CC. BOTH HAVE NOT DEALT WITH THE VARIOUS VIOLATIONS & DEVELOPMENTS REGARDING THIS PROJECT AND HAVE NO IDEA WHATS SO EVER.

ii) THOUGH SITE VISIT PLANNED ON 24-6-2020 , COULD NOT BE HELD DUE TO COVID PANDEMIC CONDITIONS AND SO IT WAS DECIDED TO CONVENE A PRELIMINARY MEETING THROUGH VIDEO –CONFERENCING ON 14-8-2020 AND THE COPY OF MINUTES

SEEN IN R-4 ,ENCLOSED. AS PER MINUTES, IT IS NOTICED THAT INSTEAD OF DR P.M. LAKSHMI OF KCZMA A ENVIRONMENTAL SCIENTIST, E.R. KALAIARASAN ENVIRONMENTAL ENGINEER ATTENDED THE V.C. AND HAS RAISED ISSUES REGARDING APPEAL BY THE P.P. , NOT BROUGHT OUT BY ME IN THE OA No. 136 of 2016 . IN FACT IT WAS ESTABLISHED AND PROVED THAT SRI KALAIARASAN WAS FOUND CONSPIRING WITH HIS COUNTER- PART SRI THIRUNAVUKKARASU D.D., OF RO MOEF&CC BANGALORE , THE KING PIN IN THE MULTI MEGA SCAM AND BRAIN BEHIND THE CONSPIRACY & CONNIVANCE IN COMMITTING GROSS VIOLATIONS BY THE P.P. IN FACT HE HAD TAKEN HIS PREVIOUS MEMBER SECRETARY MEENA MADHAVAN INTO CONFIDENCE AND FORWARDED A FORGED AND INCOMPLETE REPORT TO HIS COUNTERPART AT RO THIRUNAVUKKARASU, SO AS TO BAIL OUT THE P.P. AND EVEN DID NOT PUT UP THE FILE FOR TAKING ACTION ON MY VARIOUS REPORTS OF VIOLATION/ FORGERY BY P.P., FORWARDED BY SRI BHARAT SCIENTIST G HO MOEF TO MEMBER SECRETARY KCZMA.

iii) HIS SOLE INTENTION TO PARTICIPATE IN THE V.C. WAS TO HELP OUT THE P.P. IN ANY WAY POSSIBLE AND HENCE INITIATED DISCUSSION ON THE APPEAL WHICH WAS NOT IN THE AGENDA OF JT INSPECTION BY NGT AND THEREFORE DID NOT ALL FACTS ON RECORD TO THE NOTICE OF JT COMMITTEE, AND DID NOT VISIT THE SITE ALONG WITH OTHER COMMITTEE MEMBERS AS HE HAS NOT SIGNED THE JT INSPECTION REPORT.

iv) THE VERY FACT MENTIONED AT PARA-7- OF R-4, CLEARLY INDICATES THE MOTIVE OF KALAIARASAN IE QUOTE " SUGGESTED SEEKING THE FOLLOWING INFORMATION FROM ALL THE CONCERNED DEPARTMENTS PRIOR TO A SITE VISIT FOR ASCERTAINING THE FACTUAL INFORMATION RELATED TO THE APPEAL." IN FACT VARIOUS VIOLATIONS HAVE BEEN IDENTIFIED AND PROVED WITH RTI DOCUMENTARY EVIDENCES BY ME IN A-52,A-52 (1) , A-52(2) & AND A-52(3) THAT WAS PROCESSED AND

SEEN BY KALIARASAN IN HIS OFFICE AT KCZMA AND INSTEAD OF PROVIDING THESE EVIDENCES TO THE COMMITTEE , HE TRIED TO MISLEAD THE COMMITTEE MEMBERS BY VERIFYING AND ASCERTAINING THE FACTUAL INFORMATION RELATED TO THE APPEAL . THE SHREWD DECEPTIVE STRATEGY AND ATTITUDE IN APPROACH OF KALAIARASAN IS SEEN IN THIS MOVE OF HIS, WHICH THE HON' NGT MAY PLEASE NOTE.

v) FURTHER VERY TACTFULLY HE AVOIDED TO COME FOR SITE VISIT ON 19-11-2020 SINCE HE DID NOT WANT TO COMMIT HIMSELF ON RECORD AFTER HAVING BRIEFED THE JI COMMITTEE WITH AN ULTERIOR MOTIVE ON V.C. HELD ON 18-8-2020 ,WHICH MAY PLEASE BE NOTED.

vi) IT IS SURPRISING AND STRANGE TO NOTE THAT THE CHANGE OF NOMINEE IN THE COMMITTEE CONSTITUTED BY NGT WITH REGARD TO KCZMA IE FROM DR S LAKSHMI ENVIRONMENTAL SCIENTIST TO KALAIARASAN ENVIRONMENTAL ENGINEER HAS NOT BEEN MENTIONED IN THE JI INSPECTION REPORT BUT THAT OF KSPCB HAS BEEN MENTIONED.

ANOTHER MAJOR MATERIAL AND CLINCHING EVIDENCE

6. CONSENT FOR ESTABLISHMENT FROM KERALA STATE POLLUTION CONTROL BOARD.

MY COMMENTS/OBJECTIONS

A . BASED ON VERIFICATION OF RECORDS PROVIDED BY KSPCB THE JT COMMITTEE NOTED THAT VALIDITY OF THE CONSENT EXPIRED ON 30-6-2018 & P.P. DID NOT HAVE VALID CONSENT TO UNDERTAKE FURTHER OPERATIONS IN THE PROJECT SITE . BUT THIS VERY IMPORTANT FACT WAS NOT BROUGHT OUT EVEN BY DR SRIDHARAN SCIENTIST –G , A VERY SENIOR OFFICER OF RO , NOW RTD , DEPUTED BY APCCF RO MOEF& CC BANGALORE SRI K P SINGH

IFS TO MONITOR THE SITE , SINCE SRI JOHN THOMAS OF RO WHO MONITORED THE SITE WAS TOO JUNIOR A OFFICER AS POINTED OUT AND OBJECTED BY ME. HIS INSPECTION WAS ON 9-8-2018 WHICH WAS AFTER EXPIRY OF CONSENT . THE REPORT SUBMITTED BY HIM WAS MANIPULATED , BIASED , UNETHICAL, MIS-USE OF AUTHORITY TO FAVOUR THE P.P., BY BREACH OF TRUST AND CORRUPT PRACTICES, THAT HAS BEEN POINTED OUT IN DETAIL WITH DOCUMENTARY EVIDENCES IN MY CONFIDENTIAL REPRESENTATION TO SECRETARY & OTHERS INCLUDING APCCF VIDE A-52(3) WHICH MAY BE REFERRED TO.

B . THE FINDINGS OF THE COMMITTEE WITH REF TO CONSENT IS PRIMA FACIE AGAINST FACTS IN VIEW OF THE FOLLOWING REASONS :-

i)IT WAS NOT INTEGRATED CONSENT TO ESTABLISH OBTAINED BY P.P. , BUT CONSENT TO ESTABLISH DT 14-8-2008 , FOLLOWED BY CONSENT TO ESTABLISH RENEWAL DT 9-11-2012 , WITH COPY TO SENIOR ENVIRONMENTAL ENGINEER KOZHIKODE ,ASST ENVIRONMENTAL ENGINEER DO , KASARGOD, SECRETARY PALLIKARA GRAMA PANCHAYATH & STOCK FILE WITH A TOTAL BUILT AREA OF 204973 Sq FT AND SITE AREA WAS 45.04 ACRES .

ii) BUT INSTEAD OF FURTHER RENEWAL OF CONSENT , U.V.JOSE V.P. GGL CONNIVED AND CONSPIRED WITH KSPCB OFFICIALS OF KASARGOD TO OBTAIN INTEGRATED CONSENT OF ESTABLISH WHICH WAS CHANGED TO INTEGRATED CONSENT OF ESTABLISH-RENEWAL DT 19-1-2016 , THAT WAS OBJECTED ON FILE BY STAFF OF KSPCB DO KASARGOD , FOR A ENHANCED BUILT UP AREA OF 207550 Sq FT AND ENHANCED SITE AREA OF 58 ACRES. THIS WAS BROUGHT OUT BY ME IN DOC A-27 & RTI-3 - PARA 14 OF KSPCB HO FILE No KSGD/ICE/8738/06/08 DT 23-1-2016 , MARKED AND FILED AS EVIDENCE IN NGT CHENNI, WHILE FILING PETITION ON 14-8-2017 IN NGT CHENNI.

iii) IT IS FOUND THAT THE INTEGRATED CONSENT TO ESTABLISH-RENEWAL WAS MARKED ONLY TO THE ENVIRONMENT ENGINEER KASARGOD AND STOCK FILE & NOT TO OTHERS AS IN THE PREVIOUS CASES OF CONSENT TO ESTABLISH & CONSENT TO ESTABLISH (RENEWAL) WHICH MAY BE NOTED .

iv) THE CONSENT TO ESTABLISH WAS GIVEN ON 14-8-2008 WHICH WAS IN VIOLATION OF RULES, IN THAT IT SHOULD BE GRANTED AFTER OBTAINING E.C., WHICH WAS OBTAINED BY P.P. ON 2-1-2009 ONLY , WHICH IS ALSO RECORDED IN FILE OF KSPCB KASARGOD IE A-22.

v) IN THE CONSENT TO ESTABLISH, THE COMMUNICATION SHOULD BE GIVEN TO U.V. JOSE IN HIS MAIL ID IE [uvjose.gg@ategroup.org](mailto:uvjose.gg@ategroup.org) AT SERIAL No3 OF APPLICATION IN R-3 OF THE JT COMMITTEE REPORT. IT IS ON RECORD THAT AT THAT POINT OF TIME , U.V. JOSE WAS A TOWN PLANNER AT CTP TRIVANDRUM IE A GOVT EMPLOYEE. DURING THE PERIOD OF WAITING FOR POSTING AT CTP TRIVANDRUM U.V. JOSE JOINED GGL AS V.P. WEF JAN 2008 , WITHOUT PERMISSION OR INTIMATION TO GOVT , DUE TO CONNIVANCE & CONSPIRACY OF P.P. SRI E.M. NAJEEB , WITHOUT SANCTION OF LWA (LEAVE WITHOUT ALLOWANCE ) . IT WAS DURING THIS PERIOD U.V. JOSE V.P. COMMITTED CRIMINAL OFFENCES OF FORGERY TO CHEAT, MANIPULATION, FRAUD, MISREPRESENTATION, BREACH OF TRUST ETC TO OBTAIN ILLEGAL & UN AUTHORISED E.C. TO GGL , BESIDES FAVOURING THE P.P. IN ALL HIS GROSS VIOLATIONS OF E.C. CONDITIONS . SUBSEQUENTLY U.V. JOSE MANAGED TO GET CONFERRED AS IAS, ONLY DUE TO THE INFLUENCE & POLITICAL CLOUT OF SRI E.M.NAJEEB.

vi) KSPCB HAS NOT PRODUCED NOR CONSIDERED A VALID DOCUMENT OF KSPCB IE STATUS REPORT A-22 MARKED AND ADMITTED AS EVIDENCE IN NGT CHENNI WHICH PROVED PRESENCE OF BOREWELLS AND THIS WAS DIS CONTINUED WHEN PUBLIC WATER SUPPLY WAS CONNECTED.

VII) ANOTHER VALID EVIDENCE WAS NOT CONSIDERED NOR PRODUCED BY THE JT COMMITTEE IS THE REPORT OF MEMBER SECRETARY I/C KSPCB DT 14-12-2018 TO THIRUNAVUKKARASU SCIENTIST –D OF RO BANGALORE, COPY ENCLOSED AS X-2, WHEREIN THE AREA OF SITE IS GIVEN AS 45 ACRES & BUILT UP AREA SHOWN AS 204973 SqFT AND THE SITE WAS MONITORED TWICE , BESIDES STATING THAT THE UNIT AUTHORITY INFORMED THAT NO BORE WELL WAS CONSTRUCTED DURING THE PERIOD OF ESTABLISHMENT. PLEASE NOTE THAT IN THE STATUS REPORT A- 22, THERE IS MENTION OF BOREWELLS AND THAT KSPCB IS NOT CONCERNED WITH DIGGING OF BORE WELLS. FURTHER IT IS ALSO STATED THAT THE SOURCE OF WATER FOR THE PROJECT SITE WAS WATER SUPPLY FROM BRDC & KERALA WATER AUTHORITY AND THAT WORK HAS STOPPED FOR LAST 2 YEARS DUE TO FINANCIAL PROBLEM , WHEREAS THE REASON GIVEN BY THE P.P. WAS DUE TO SOME UNFORESEEN MATTERS . THE FINANCIAL REASON WAS ATTRIBUTED BY DR SRIDHARAN IN HIS MONITORING REPORT EXAMINED CRITICALLY IN A-52 (3), WHICH HAS BEEN STATED BY KSPCB ALSO WHICH MAY BE NOTED.

7.

#### STATUS OF THE PROJECT

#### MY COMMENTS/OBJECTIONS

A) THE JI COMMITTEE ON SITE INSPECTION NOTICED THAT PROJECT WAS SEEN TO BE ABANDONED WITH ONLY 40—50 % OF CONSTRUCTION COMPLETED AND WITH DENSE GROWTH OF GRASS AND BUSHES ALL OVER THE PROJECT SITE. SO IT IS NOT POSSIBLE TO INSPECT THE SITE FOR IDENTIFYING THE GROSS VIOLATIONS PERPETUATED BY THE P.P. IN THE TERMS & CONDITIONS STIPULATED IN THE E.C. ORDER DT-2-1-2009. SO THE CONTENTION OF JT COMMITTEE THAT THEY HAVE SEARCHED THE SITE AREA FOR EXISTENCE OF BORE WELLS IS FALSE AND AGAINST FACTS. SO IT HAS TO BE SET ASIDE.

B) SO THE COMMITTEE EXAMINED THE PREVIOUS REPORTS AND RECORDS AND FOUND THAT PROJECT WAS NOT IN OPERATION AND ABANDONED SINCE LAST FEW YEARS. FURTHER THE COMMITTEE ALSO NOTED THAT THIS PROJECT WAS MONITORED BY KCZMA, KSPCB & MOEF&CC MANY TIMES IE ON 28-10-2016 BY KCZMA , 11-3-2017 & 9-8-2018 BY MOEF&CC OFFICERS IE JOHN THOMAS AND DR SRIDHARAN AND FINALLY ON 9-6-2020 , THE AGENCY IS NOT KNOWN. THIS FINDING OF THE COMMITTEE IS NOT FULLY CORRECT SINCE KSPCB WAS THE FIRST AGENCY WHICH WAS CALLED IN BY THE P.P.TO INSPECT THE PROJECT SITE ON 28-7-2016 ,WHICH WAS WITH A MOTIVE IE TO PROVE THAT THERE WAS NO EXISTENCE OF BOREWELLS IN THE SITE, AFTER HAVING REMOVED THEM ON MY FILING APPLICATION AGAINST THE P.P. ON 17-6-2016 IN NGT CHENNI , AS SEEN IN THE STATUS REPORT OF KSPCB IE A-23 WHICH WAS FILED IN NGT , MARKED AND ADMITTED AS MY EVIDENCE IN NGT CHENNI. THE COMMITTEE WAS NOT ABLE TO BRING THIS FACT IN THEIR REPORT BECAUSE THE KSPCB NOMINEES HAVE NOT BRIEFED THEM PROPERLY , NOR PURSUED PAST RECORDS .

C) HENCE IT IS PROVED AND ESTABLISHED WITH EVIDENCE THAT SINCE PHYSICAL INSPECTION OF SITE WAS NOT POSSIBLE AS EXPLAINED ABOVE, THE JT COMMITTEE WAS COMPELLED TO DEPEND ONLY ON RELAVENT FILES , PAST REPORTS AND RECORDS CONNECTED WITH THE PROJECT, WHICH WERE SUPPOSED TO BE PROVIDED BY THE RESPECTIVE 3 AGENCIES IE MOEF&CC, KCSMA & KSPCB. BUT UNFORTUNETLY THESE WERE NOT PROVIDED DUE TO VESTED INTEREST ESPECIALLY OF KALAIARASAN ENVIRONMENT ENGINEER KCZMA, DR S PRABHU SCIENTIST- C OF MOEF&CC AND ALSO DUE TO VARIOUS FACTORS EXPLAINED AT PARA 2 ABOVE.

8. APPROACH ADOPTED BY THE JOINT COMMITTEE

MY COMMENTS/OBJECTIONS

A) DUE TO THE APPROACH ADOPTED BY THE JT COMMITTEE, VESTED INTEREST IN THE KCZMA TOOK ADVANTAGE OF THE SITUATION AND OPPORTUNITY TO DILUTE THE GROSS VIOLATIONS PERPETUATED BY P.P. AND PRESENT THE CASE OF APPEAL BY THE P.P. , BY DISCUSSING THE SAME AND QUOTE “ ASCERTAINING THE FACTUAL INFORMATION RELATED TO THE APPEAL .” SEEN RECORDED AT PARA-7 IN ANNEX R-4 OF THE REPORT . THIS ISSUE WAS RAISED BY KCZMA OFFICIAL SRI KALAIARASAN , WHO WAS NOT A MEMBER OF THE COMMITTEE NOMINATED BY HON’ ABLE NGT CHENNI IN THE VIDEO CONFERENCING HELD ON 14-8-2020. IT HAS BEEN ESTABLISHED WITH EVIDENCE ON RECORD THAT KALAIARASAN WAS A CONSPIRATOR WHO CONNIVED WITH THIRUNAVUKKARASU , THE KING PIN IN THE FORGERY TO CHEAT MULTI MEGA SCAM DETECTED BY ME AGAINST THE P.P.. MANY REPRESENTATIONS AGAINST HIS CRIMINAL ACT OF BREACH OF TRUST, MANIPULATION & MISREPRESENTATION HAS BEEN REPORTED TO PREVIOUS MEMBER SECRETARY DR VEENA MADHAVAN IAS WHO WAS A PUPPET AND SIGNED WHATEVER PUT UP TO HER BY HIM . BUT THE PRESENT MEMBER SECRETARY , WAS APPRAISED OF THE UN-HOLY AND DECEPTIVE ACTIVITIES OF KALAIARASAN ON RECORD AND HENCE HAS TAKE A DIFFERENT ATTITUDE AGAINST HIM AND SO HE IS NOT ABLE TO MIS- GUIDE HIM. DISCUSSION OF APPEAL WAS NOT CALLED FOR BY NGT CHENNI NOR SUBJECT MATTER OF THE JT INSPECTION , BUT IT WAS RECORDED IN THE REPORT DUE TO HIS GAME PLAN OF KALAIARASAN , WHICH MAY BE NOTED PLEASE. FURTHER IT WAS A WELL PLANNED STRATEGY BY MOEF&CC THE NODAL AGENCY TO INCLUDE KALAIARASAN IN THE JT COMMITTEE FOR VIDEO CONFERENCE WHICH MAY BE ALSO NOTED PLEASE.

B) HENCE THE APPROACH ADOPTED BY THE JOINT COMMITTEE WAS NOT JUST AND FAIR , THOUGH THE INTENTION OF HON’ ABLE NGT WAS NOT SO, WHICH IS REFLECTED IN THE FINDINGS OF THE JT COMMITTEE THAT IS BELOW PAR AND FAR FROM THE GROUND REALITIES AND FACTUAL POSITION ON RECORD DUELY SUPPORTED

BY DOCUMENTARY RTI EVIDENCES BY ME , NOT EXPECTED FROM SO CALLED SENIOR OFFICERS OF MOEF &CC ,KSPCB & KCZMA WHO CONSTITUTED THE COMMITTEE.

9 KEY ISSUES RAISED IN THE COMPLAINT AND REMARKS OF THE JOINT COMMITTEE

MY COMMENTS/ OBJECTIONS

A) 1) THE JOINT COMMITTEE REPORT SHOULD REFLECT THE FINDINGS OF THE COMMITTEE CONSTITUTED BY THE HON'ABLE NGT CHENNI AND NOT THE REMARKS OF THE JT COMMITTEE AS POTRAYED ABOVE .THERE IS VAST DIFFERENCE BETWEEN FINDINGS OF THE REPORT AND REMARKS OF A COMMITTEE REPORT, AS REMARKS ARE NOT FACTUAL AND BINDING, BUT FINDINGS IN THIS CASE SHOULD BE THE OUTCOME OF THE INSPECTION DONE AT THE SITE BY THE COMMITTEE AND ALSO THE OUTCOME ON PERUSAL OF RELAVENT DOCUMENTS PERTAINING TO THE PROJECT ACTIVITIES. IT HAS BEEN ADMITTED BY THE COMMITTEE IN THEIR REMARKS THAT ON SITE INSPECTION QUOTE "THAT THE CONSTRUCTION OF THE PROJECT WAS ABANDONED HALFWAY AND THE PROJECT WAS NOT IN OPERATION SINCE PAST 2-3 YEARS AND HEAVY BUSHES AND GRASS OF MORE THAN 5-6- FEET HAS GROWN ALL OVER THE PROJECT SITE EXCEPT SOME NATURAL WALKWAY . THE COMMITTEE HAS SEARCHED FOR THE EXISTENCE OF BORE WELLS IN THE PROJECT SITE BUT COULD NOT LOCATE ANY. " THIS REMARK HAS BEEN EXAMINED AT PARA 7 A. , UNDER STATUS OF THE PROJECT AND FOUND TO BE FALSE AND AGAINST FACTS. SO AS PER ACTUAL EVIDENCE CITED AND RECORED BY THE JT COMMITTEE IN THEIR REPORT ON SITE INSPECTION , IT IS NOT POSSIBLE TO SEARCH THE SITE FOR PRESENCE OF BORE WELLS . IN THAT CASE HOW IS IT POSSIBLE FOR THE COMMITTEE TO RECORD QUOTE " THE COMMITTEE HAS SEARCHED FOR THE EXISTENCE OF BOREWELLS IN THE PROJECT SITE BUT COULD NOT LOCATE ANY. " SO IT IS PROVED ON THE BASIS OF THE JT COMMITTEE REMARKS

ITSELF THAT IT IS NOT POSSIBLE TO SEARCH FOR EXISTENCE OF BORE WELLS . HENCE THE FINDINGS THAT THE COMMITTEE HAS SEARCHED FOR EXISTENCE OF BORE WELLS IN THE PROJECT SITE, BUT COULD NOT LOCATE ANY IS PRIMA FACIE FALSE AND AGAINST FACTS AND NOT EXPECTED FROM A JT COMMITTEE OF THE SO CALLED SENIOR OFFICERS FROM CONCERNED DEPARTMENTS, NOMINATED BY HON' ABLE NGT , WHICH CLEARLY INDICATES THE ACTUAL MIND SET OF THE JT COMMITTEE ,WHICH IS BUT UNFORUNATE THAT MAY BE NOTED PLEASE.

2) IT IS POINTED OUT WITH CONCERN THAT NOMINEES OF KSPCB DID NOT PROVIDE ALL THE REQUIRED AND RELEVANT INFORMATION/DOCUMENTS PERTAINING TO THIS VIOLATION WHICH IS ONE OF THE MOST CRITICAL AND GRAVE VIOLATION PERPETUATED BY THE P.P. MOREOVER IT IS THE FIRST AND MOST IMPORTANT PRE- CONDITIONS STIPULATED IN THE E.C. ORDER DT 2-1-2009 FOR GRANTING E.C. , WHICH IS TO BE COMPLIED BY THE P.P. QUOTE " 3. (1) THERE SHALL BE NO GROUNDWATER DRAWAL ". IN THIS REGARD THE FOLLOWING FACTS ON RECORD OBTAINED AS EVIDENCE BY RTI DOCUMENTS ARE VERY PERTINENT , RELEVANT , CLINCHING & MATERIAL TO THE ISSUES DETECTED AND PROVED BY ME :-

i) I HAD FILED APPLICATION 136/2016 IN NGT CHENNI ON 17-5-2016. BUT RO BANGALORE DID NOT TAKE ANY ACTION TILL 11 &12 MARCH 2017 , WHEN THE SITE WAS MONITORED FOR THE FIRST TIME BY SRI JOHN THOMAS RESEARCH OFFFICER RO MOEF &CC ,WHO IN FACT WAS A JUNIOR OFFICER NOT COMPETENT TO MONITOR THE SITE AS POINTED OUT BY ME AND EVEN AGREED BY THEN APCCF RO BANGALORE . THEREUPON DR SRIDHARAN SCIENTIST –G ,NOW RETD ,OF RO MOEF WAS DIRECTED TO MONITOR THE SITE. IN FACT MY APPLICATION 136/2016 WAS RECEIVED AT RO MOEF ON 13-7-2016 AND SEEN BY D.D. ON 19-1-2017 THOUGH ACTION INITIATED VIDE A-56 AT PAGE 22 OF A-52(2) . IT IS SEEN ON RECORD THAT THE E.C. ORDER DT 2-1-2009 WAS

NOT RECEIVED IN RO MOEF NOR AVAILABLE IN MOEF WEB SITE AND ONLY ON MY FILING APPLICATION IN NGT CHENNI, RO MOEF CAME TO KNOW ABOUT THE ISSUE OF E.C. TO THE SAID RESORT AS PER NOTING DT 21-2-2017 OF JOHN THOMAS/ THIRUNAVUKKARASU D.D. VIDE A-56 , PAGE-23 OF A-52(2). SUBSEQUENTLY THE E.C. ISSUED WAS COLLECTED AND PLACED IN FILE BY JOHN THOMAS THE DEALING ASSISTANT AND MARKED TO THIRUNAVUKKARASU D.D.. SO ONLY AFTER 8 MONTHS OF RECEIPT OF APPLICATION AT RO MOEF, DID D.D. COME TO KNOW THAT THE E.C. WAS NOT AVAILABLE IN THE OFFICE WHICH IS VERY STRANGE AND CLEAR EVIDENCE TO ESTABLISH THE CRIMINAL NATURE OF THE MODUS OPERANDI OF SRI THIRUNAVUKKARASU WHICH MAY BE NOTED PLEASE.

ii) THE SITE WAS FIRST MONITORED BY KSPCB ON 28-7-2016 IMMEDIATELY ON THE VERY DAY OF RECEIVING MY APPLICATION 136/2016 FROM NGT ON 28-7-2016 AS PER PARA 27 OF A-22, MARKED & ADMITTED AS EVIDENCE IN NGT CHENNI. IN FACT I HAD FILED THE ABOVE APPLICATION ON 17-5-2016 , WHICH MEANS AFTER 2 MONTHS KSPCB DID THE MONITORING THAT WAS PLANNED & EXECUTED IN CONNIVANCE WITH THE P.P., AFTER ALL THE 38 BOREWELLS WERE REMOVED FROM THE SITE, SO THAT A FAVOURABLE REPORT COULD BE GIVEN BY KSPCB, WHICH THEY DID VIDE A-23 IE STATUS REPORT WHICH IN FACT PROVED EXISTENCE OF BORE WELLS , BUT DISCONTINUED AFTER GETTING WATER CONNECTION ON 27-9-2014 AND TILL JULY 2016 IE 21 MONTHS ONLY 312 UNITS CONSUMED VIDE (RTI-4 ) , BUT AFTER AUGUST 2016 TO AUG 2017 (12 MONTHS ) THE UNIT OF WATER CONSUMPTION WAS 7387 UNITS WHICH IN TERMS OF PAYMENT OF WATER CHARGES WAS VERY APPARENT AND GLARING IE FROM Rs 650 DURING 30-7-2016 TO Rs 41984 DURING 15-11-2016 AS SEEN IN DOC-37, READ WITH RTI-4 ADMITTED AS EVIDENCE IN NGT AND DOC-A-52 - ESPECIALLY PARA-2 C, PARA-5,6,7,8,9, PARA-14 UNDER 2. PART-11 SPECIFIC CONDITIONS, ANNEXURE-E 1&2 AND PARA-11 WILL PROVE AND ESTABLISH THAT FOR MORE THAN

9 YEARS IE FROM DECEMBER 2005 TO SEPT 2014 , THE P.P. USED BORE WELL GROUND WATER FOR ENTIRE CONSTUCTION & DEVELOPMENT OF THE RESORT CAUSING HUGE ENVIRONMENTAL DEGRADATION, DISASTER AND LOSS OF PRECIOUS WATER AND OTHER MINERALS, BESIDES CAUSING SILTING / SALTING OF WATER FROM SEA TO PENETRATE INTO THE WATER BED OF THE PROJECT SITE, THEREBY TO ADJUSTANT HUMAN DWELLING , EFFECTING THE ENTIRE SOIL OF THE LOCALITY, MAKING IT NON WORTHY FOR CULTIVATION.

IT IS VERY PERTINENT AND RELAVENT TO KNOW AT THIS JUNCTURE THAT THIRUNAVUKKARASU THE THEN D.D. OF CRZ SECTION OF HO ,MOEF&CC NEW DELHI JOINED RO BANGALORE ON 19-8-2016 AS PER RTI INFORMATION WHICH WAS ONLY 3 MONTHS AFTER MY FILING APPLICTION IN NGT CHENNI. FROM THEN ONWARDS HE WAS THE KING PIN IN GUIDING AND CONNIVING WITH P.P. TO SAFEGUARD AND PROTECT THE E.C. FROM BEING REVOKED. HE CONSPIRED WITH :-

a) HIS COUNTERPART & COMMUNITY FRIEND SRI KALAIARASAN ENVIRONMENTAL ENGINEER OF KCZMA WHO WAS DEALING WITH THE GGL PROJECT.

b) Dr P. SARANYA WHO WAS THEN CPIO & DD CRZ HO MOEF&CC AND LATER BECAME JT DIRECTOR CRZ UNDER SRI W BHARAT SINGH DIRECTOR CRZ , WHO WAS EARLIER CPIO & JT DIRECTOR CRZ.

c) THE NEXUS BETWEEN KALAIARASAN, DR SARANAYA, BHARAT SINGH AND THIRUNAVUKKARASU BECAME A VERY STRONG LOBBY TO PROTECT THE P.P. AS THEY ARE ALL PARTY TO THE CRIMINAL ACT OF FORGERY TO CHEAT, MIS-REPRESENTATION,CONNIVANCE , CONSPIRACY & MOST IMPORTANT OF ALL BREACH OF TRUST , ENTRUSTED BY MOEF&CC ON THEM BEING SENIOR OFFICERS. I HAVE ALL THE NECESSARY DOCUMENTARY EVIDENCES OBTAINED BY RTI TO PROVE THIS.

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iii) THE BORE WELL ISSUE HAS BEEN DISCUSSED IN DETAIL NOT ONLY IN DOC A-52 , BUT ALSO IN DOC-A-52 (3) WHICH IS A THREAD BARE ANALYSIS OF THE MONITORING REPORT OF A SO CALLED VERY SENIOR OFFICER DR SRIDHARAN ,SCIENTIST-G, NODAL OFFICER RTI AND A CONSPIRATOR IN THE ENTIRE VIOLATION OF THE TERMS & CONDITIONS STIPULATED IN THE E.C. ORDER DT 2-1-2009 BY THE P.P.. THIS DOCUMENT WILL EXPOSE THE BOREWELL ISSUE IN GREAT DETAIL AT PARA –ix) PAGE -11 . THIS ISSUE HAS BEEN AGAIN EXAMINED THREAD BARE UNDER ANNEXURE -Z .

iv) THE SITE WAS MONITORED BY MOEF&CC OFFICERS OF RO BANGALORE , 3 TIMES IE TWICE BY SRI JOHN THOMAS RESEARCH

OFFICER ON 11-3-2017 & 30-1-2018 AND ONCE BY DR SRIDHARAN SCIENTIST –G , A SENIOR OFFICER NOMINATED FOR MONITORING, SINCE MY STAND THAT SRI JOHN THOMAS RESEARCH OFFICER WAS TOO JUNIOR AN OFFICER ENTRUSTED FOR MONITORING WAS ACCEPTED BY THE COMPETENT AUTHORITY , BASED ON MY CONFIDENTIAL REPRESENTATION ON MONITORING BY JOHN THOMAS MARKED AND ADMITTED AS EVIDENCE A-52 IN NGT CHENNI. THIS IS A VERY CRUCIAL AND MATERIAL , BESIDES CLINCHING DOCUMENTARY EVIDENCE TO PROVE AND ESTABLISH THE ENTIRE RANGE AND NUMBER OF GROSS VIOLATIONS PERPETUATED BY THE P.P. IN CONTRAVENTION TO THE TERMS & CONDITIONS STIPULATED IN THE E.C. ORDER GRANTED TO THE RESORT IN QUESTION. IN FACT THIS REPORT ALONG WITH MY OTHER 3 CONFIDENTIAL REPRESENTATIONS/REPORTS REGARDING OTHER MONITORING REPORTS SUBMITTED BY RO MOEF&CC IE A-52(1), A-52(2) & A-52(3) , ALL OF WHICH HAS BEEN MARKED AND ADMITTED AS EVIDENCE IN NGT CHENNI AND ALSO RECEIVED BY RO MOEF&CC BANGALORE, KCZMA & HO OF MOEF&CC NEW DELHI , SHOULD HAVE BEEN GIVEN BY NOMINEE OF RO MOEF&CC / KCZMA TO THE JT COMMITTEE AS PER THE APPROACH ADOPTED BY THE COMMITTEE VIDE PARA-8 OF ITS REPORT . BUT WITH AN ULTERIOR MOTIVE THIS WAS NOT DONE BY THEM SO AS TO HELP THE P.P. . IN FACT ALL THE ABOVE 4 DOCUMENTS WILL GIVE A CLEAR & DETAIL PICTURE OF ALL THE VIOLATIONS AND THE ASSOCIATED CRIMINAL ACT OF FORGERY TO CHEAT AND OTHER OFFENCES DONE BY OFFICERS OF MOEF&CC ,KCZMA & KSPCB WITH RTI DOCUMENTARY EVIDENCES. HENCE TACTFULLY AND WITH AN ULTERIOR MOTIVE, THE VESTED OFFICERS OF THE COMMITTEE IE DR S PRABHU OF RO MOEF&CC & ENVIRONMENTAL ENGINEER SRI KALAIARASAN OF KCZMA AVOIDED TO GIVE THE ABOVE MATERIAL DOCUMENTS AND OTHER ASSOCIATED DOCUMENTS TO THE JT COMMITTEE. THEREFORE THE JT REPORT OF THE COMMITTEE IS ONLY PARTIAL AND INCOMPLETE AS THEY COULD GATHER

NOTHING FROM THE SITE VISIT AND THEY HAD NO OTHER OPTION BUT TO DEPEND ONLY ON THE RELAVENT, ASSOCIATED & AVAILABLE DOCUMENTS, MONITORING REPORTS, ETC. WHICH WAS NOT AT ALL PROPERLY MADE USE OFF ( IE BY PICK & CHOOSE CONCEPT BY VESTED INTEREST ) AS DECIDED IN THE REPORT AT PARA-8 IE UNDER APPROACH ADOPTED BY THE JT COMMITTEE.

v) ANOTHER EVIDENCE MAY BE SEEN IN DOC A-52 (1) AT PAGE-14, PARA-19,&20, PAGE-8 PARA-17 & PAGE-7 PARA12 WHEREIN THE BOREWELL ISSUE HAS BEEN EXAMINED ALONG WITH THE CRIMINAL ACT OF FORGER TO CHEAT , CONNIVANCE, CONSPIRACY , MIS REPRESENTATION, BREACH OF TRUST AND CORRUPT PRACTICES .

vi) ALL THE DOCUMENTARY EVIDENCES OBTAINED BY RTI, TO ESTABLISH THAT GROUND WATER FROM BOREWELLS WERE USED FOR THE ENTIRE CONSTRUCTION & DEVELOPMENT OF THE PROJECT AS PER AUDIT REPORT MARKED AND ADMITTED AS EVIDENCE IE A-44 IN NGT CHENNI, WHEREIN IT IS BROUGHT OUT THAT GGL HAS CONSTRUCTED A RESORT WITH BUILT UP AREA OF 19756 SqM ON LAND OWNED AND LEASED BY BRDC , AS PER COMPLETION PLAN DT 19-2015 AND INFORMED THE SAME ( VIDE LETTER No 460 /BEKAL-98/GLL/2016 DT 1-9-2015 ) TO THE PANCHAYATH. IN FACT EVEN THE BUILDING NO's WERE ALLOTTED TO 48 NO OF BUILDINGS SAID TO HAVE BEEN COMPLETED AND PROPERTY TAX COLLECTED BY PALLIKAREE PANCHAYATH , THOUGH AS PER PARA-2 OF E.C ORDER DT 2-1-2009 OF MOEF&CC , AND BUILDING PERMIT FOR THE RESORT WAS RESTRICTED TO 19041 SqM AND BASED ON THIS LAY OUT APPROVAL WAS GIVEN BY CTP TRIVANDRUM VIDE ITS ORDER No D1/1744/ 09 DDIS DT 07-05-2009 ( IE ANNEXURE -6 SUBMITTED BY RESP-7 TO NGT) , IN WHICH PARA-8 ,WHEREIN IT IS MENTIONED QUOTE "THE AREA OF THE PROPOSED CONSTRUCTION SHALL BE

LIMITED TO 19041 Sq M AS PER THE NOC FROM MINISTRY OF ENVIRONMENT AND FOREST. " . EVEN BUILDING PERMIT DT 3-6-2009 PREPARED ILLEGALLY FOR A HIGHER BUILT UP AREA BY PALLIKKAREE GRAM PANCHAYATH , DUE TO CONVINANCE OF U V JOSE V.P. GGL., WAS OVERWRITTEN AND MADE AS 19041 SqM , AS SEEN IN ANNEXURE-7 SUBMITTED BY RESP -7 TO NGT.

vii) THE FACTUAL POSITION ON EVIDENCE BEING SO, ONE CAN IMAGINE THE HUGE QUANTITY OF GROUND WATER FROM BOREWELL USED BY THE P.P. FOR CONSTRUCTION, DEVELOPMENT & MAINTENANCE OF LABOUR AT THE SITE FOR A BUILT AREA OF 19756 SqM INSTEAD OF THE PERMITTED 19041 SqM , FROM DEC 2005 ( WHEN BRDC LEASE DEED WAS ALLOTTED TO ATE FOR RESORT CONSTRUCTION) TO OCT 2014 IE MORE THAN 8 YRS . DURING THESE 8 YRS THERE IS NO EVIDENCE ON RECORD TO PROVE THE WATER WAS SOURCED FROM OUTSIDE AGENCIES , THOUGH JOHN THOMAS & DR SRIDHARAN OF RO BANGALORE TRIED TO ADDUCE ORAL EVIDENCE IN THEIR MONITORING REPORT THAT THEY WERE SHOWN LORRY RECEIPTS OF WATER TANKER , BUT NOT PRODUCED AS EVIDENCE BY THEM AS IT WAS FABRICATED VERSION. THIS HAS BEEN EXPLAINED AND EXPOSED THREAD BARE IN MY REPORT AT A-52 (3) SUBMITTED TO ALL AUTHORITIES CONCERNED .

viii) I HAVE CONSOLIDATED ALL THE DOCUMENTARY EVIDENCES OBTAINED BY RTI TO PROVE AND ESTABLISH THAT GROUND WATER FROM BOREWELLS DUG WITHIN 500 METERS OF HTL OF THE SITE , WAS ONLY USED FOR THE ENTIRE CONSTRUCTION & DEVELOPMENT OF THE RESORT , LANDSCAPING, WATERING OF MORE THAN 500 COCONUT TREES, BESIDES CATERING FOR HUGE LABOUR CAMPS IN THE SITE , WHICH ARE BROUGHT OUT SERIALLY PAGE WISE , AS PER DOCUMENTARY EVIDENCES AT A-XXX , GIVEN BELOW :-

A-XXX

1. LETTER DT 7-1-2008 FROM M.D. BRDC TO ATE ie DOC RTI -1 PAGE 183/245 , IS THE 1st EVIDENCE , WHEREIN AT SL No 6, IT IS MENTIONED THAT 7.00 MLD WATER SUPPLY SCHEME HAS BEEN IMPLEMENTED BY BRDC FOR SUPPLYING DRINKING WATER TO THE RESORT. PLEASE NOTE IT IS DRINKING WATER AND WATER CAN BE DRAWN FROM THE PIPE LINED LAID , ONCE THE RESORT BECOMES OPERATIONAL THE FACT IS THAT THE RESORT HAS NOT BECOME OPERATIONAL EVEN NOW. BUT THE P.P. IN HIS COUNTER STATEMENT DURING AUGUST 2016 , HAS TAKEN A STAND AT PARA 16 (b) , 17, 26 & 27 THAT QUOTE " IT IS SUBMITTED THAT RESPONDENT IS MAINLY DEPENDING ON THE WATER SUPPLY FROM THE KERALA WATER AUTHORITY AS PER ARRANGEMENTS MADE BY BRDC " AND THAT THEY HAVE NEVER USED GROUND WATER FOR THEIR CONSTRUCTION. THEY HAVE BASED THEIR EVIDENCE ON ANNEXURE -19 ATTACHED WITH THEIR COUNTER-STATEMENT WHICH IS ANOTHER LETTER DT 29 JULY 2016 , AT PAGE 17 OF A-XXX, GOT ISSUED THROUGH MANGER (P&A) OF BRDC TO ENVIORNMENTAL ENGINEER KSPCB , WHICH IS OF THE SAME CONTENT AS THAT ISSUED ON 7-1-2008 BY MD OF BRDC AS ABOVE. IN THIS LETTER THERE IS NO MENTION OF WATER BEING DRINKING WATER AND THIS WATER WAS DRAWN ONLY WEF FROM SEPT 2014 IE WATER AGREEMENT IE ANNEXURE -19(a) PRODUCED BY RESP-7 IN NGT , AS PER EVIDENCE ON RECORD. SO THESE TWO LETTERS PROVE AND ESTABLISH THAT THE P.P. WAS NOT DEPENDENT ON THIS BRDC WATER SCHEME AT ALL FOR CONSTRUCTION TILL 27 SEPT 2014 , WHEN WATER AGREEMENT WAS EXECUTED WITH KWA , AT PAGE -14 OF A-XX , AND PRIOR TO THAT, GROUND WATER FROM BOREWELLS WERE USED PROFUSELY FOR ALL CONSTRUCTION AND ALLIED ACTIVITIES IE FOR 9 YEARS BY THE P.P., WHICH IS ALARMING & RAMPANT GROSS VIOLATION OF E.C. ORDER 2-1-2009 OF MOEF&CC .

2. DOC A-6 IS THE 2 EVIDENCE WHICH IS A COPY OF E-MAIL MARKED AND ADMITTED AS EVIDENCE IN NGT CHENNI. IT IS MY MAIL TO SRI SADEESH CFO GGL ON 24-1-2013 WHEN I WAS WORKING AS GM (GEN ADM & SECURITY ) IN GGL ,WHEREIN I HAD REQUESTED HIM TO RELEASE FUND FOR PURCHASE OF WATER PUMPS FOR BORE WELLS AS IT WAS ALREADY APPROVED BY HIM. THIS PROVES THE PRESENCE OF BOREWELLS.
3. A-9 IS 3<sup>rd</sup> EVIDENCE WHICH IS COPY OF MINUTES OF MEETING OF PROJECT PROGRESS COMMITTEE HELD ON 17 &18 DEC 2012 , MARKED AND ADMITTED AS EVIDENCE IN NGT CHENNI ,WHEREIN AT SL No 12 UNDER QUANTITY OF WATER , REQUIREMENT IS CALLED FOR IRRIGATING LANDSCAPE AND THIS WATER IS ONLY BORE WELL WATER AND DURING MY TENURE , THE WATER PUMPS WERE HANDED OVER TO THE CONTRACTOR FOR AMAINTENANCE OF THE WATER PUMPS USED IN BORE WELLS.
4. A-5 IS THE 4<sup>th</sup> EVIDENCE WHICH IS A COPY OF CONSTUCTION EXPENSES INCURRED BY M/S GENERAL MANAGEMENT KASARGOD ,THE PMC OF THE PROJECT DURING 17 DEC 2012 TO 22 DEC 2012 WHEREIN AT VOUCHER No 5560 DT 22 DEC 2012 , UNDER PARTICULAR , BOREWELL EXPENSE IS SHOWN AS Rs 17500. SINCE THERE WERE BOREWELLS IN THE SITE , THE EXPENDITURE IS INCURRED FOR THEIR MAINTENANCE . THE EXPENDITURE STATEMENT IS WEEK WISE AND BASED ON THESE VOUCHERS PAYMENT ARE RELEASE TO THE PMC .
5. A-2 IS THE 5 th EVIDENCE ANOTHER VERY IMPORTANT CLINCHING AND MATERIAL EVIDENCE MARKED & ADMITTED IN NGT WHICH IS VALUATION REPORT OF SRI K KRISHNAN REPUTED CHARTERED ENGINEER & ENGINEERING VALUATOR OF INCOME TAX GOVT OF INDIA , PERTAINING TO GGL AS ON 25-3-2013 . THIS

IS AN AUTHENTIC DOCUMENT WHICH SHOWS THE EXPENDITURE INCURRED FOR THE RESORT UNDER DIFFERENT HEADS OF EXPENDITURE AS ON 25-3-2013. THEREFORE EVIDENCES IN THIS DOCUMENT ONLY PROVES THE ACTIVITIES THAT HAS TAKEN PLACE AND EXPENDITURE INCURRED FOR THESE ACTIVITIES IN THIS PROJECT SITE. ONE OF THE ACTIVITY IS SEEN AT SL No 12 AT PAGE - 6 OF THIS DOCUMENT WHICH IS DIGGING BY BOREWELLS FOR EXTRACTING GROUND WATER AND COST OF BOREWELL 26 Nos @Rs 5000 EACH AMOUNTING TO Rs 130000.00 HAS BEEN RECORDED. IN THIS REGARD THE MAINTENANCE EXPENDITURE OF Rs 17500 DURING 17 DEC TO 22 DEC 2012 RECORDED VIDE VOUCHER No 5560 IN DOC A-5 ,WHEN READ WITH PURCHASE OF 26 No OF BOREWELLS @ Rs 5000 EACH CONFIRMS AND SUBSTANTIATES IN CLEAR TERMS WITHOUT AN IOTA OF DOUBT , MY STAND , THAT 26 BOREWELLS WERE USED IN THE SITE FOR EXTRACTING GROUND WATER FOR CONSTRUCTION & ALLIED WORKS. ON FILING A-2 IN NGT CHENNI, DURING JUNE 2016 ,THE P.P. HAD NO OTHER OPTION BUT TO CREATE AN IMAGINERY & FICTIOUS EVIDENCE TO COUNTER MY EVIDENCE WHICH HAS BEEN EXPOSED THREAD BARE IN ANNEXURE-Z IN A-52(3) AND A-52 .

6. A-16 IS THE 6 th EVIDENCE .WHICH IS THE FICTIOUS STORY OF P.P. THAT HAS BEEN EXPOSED VIDE. A-16, MARKED AND ADMITTED AS EVIDENCE IN NGT, VIDE MY PETITION DT 2-8-2017 TO NGT PAGE 590 , WHICH IS A COLOUR TABULAR REPRESENTATION OF THE STATEMENT OF VALUATION REPORT A-2 , FROM SL No 8 TO 16 UNDER 3 HEADS IE ITEMS, SL No & VALUE WHICH ARE MATCHING WITH EACH OTHER AND THEREFORE ITEM BOREWELL 26 Nos @ Rs 50000/EACH AT SL No 12 MATCHES WITH ITEMS AGAINST SL No 11,10,9&8 ABOVE AND ITEMS AGAINST SLNo 13,14,15, &16 BELOW. WHEREAS THE FICTIOUS INTERPRETATION GIVEN BY P.P. THAT BOREWELL EXPENDITURE AT SL No 12 IS WITH RESPECT OF PROPERTY PURCHASED BY SISTER CONCERN GIE DURING SEPT 2012

IN PANAYAL VILLAGE VIDE ANNEXURE R-20 OF THE DEFENCE DOC. WHICH WAS ALLEGED TO BE ADJACENT TO THE RESORT SITE RS-2 OF THE RESORT FOR TESTING WATER SOURCE THROUGH THE 26 BORE WELLS , BUT ABANDONED SINCE NO WATER COULD BE EXTRACTED . THIS EVIDENCE IE R-20 WAS ACTUALLY ROCKY LAND PURCHASED FOR EXTRACTING GRAVEL, RUBBLES , LATERITE BOULDERS/STONES & MASONARY FOR RESORT CONSTRUCTION, THAT DID NOT MATERIALISE THE PURPOSE AND HENCE PROVED TO BE FAKE AND FABRICATED REASON, BESIDES OTHER FACTORS IE :-

7. DOC- A-8 IS THE 7th EVIDENCE FILED , MARKED AND ADMITTED IN NGT, DOC R-20 FILED IN NGT BY THE P.P. AS DEFENCE DOC IS THE 8 th EVIDENCE & DOC No A-25 FILED BY ME WAS MARKED & ADMITTED IN NGT WHICH IS THE 9 th EVIDENCE .DOC R-20 IS A ROCKY LAND AT PANAYAL VILLAGE WHICH WAS NOT ADJACENT TO THE SITE AS ALLEGED BY THE P.P. IN HIS COUNTER STATEMENT , BUT IS 7.6 KM FROM THE RESORT SITE AS PER A-8 WHICH IS THE CERTIFICATE OF SECRETARY PALLIKAREE GRAM PANCHAYATH & ALSO PROVED BY A-25 WHICH IS GOOGLE DISTANCE MAP. THE FOLLOWING FACTS JUSTIFIES MY STAND IE

i)THERE WAS NO NEED TO TEST 28 BOREWELLS IN PANAYAL TO FIND OUT AVAILIBILITY OF WATER AND SINCE IT FAILED IT WAS ABANDONED. NO BODY WILL BELIEVE THAT Rs 130,000 HAD TO BE SPENT ONLY FOR THIS TRIAL AND HENCE IT IS ONLY FICTIOUS AND MADE UP STORY. IN FACT FOR TESTING THERE IS REQUIREMENT OF 1 OR 2 BOREWELLS & NOT 26 BOREWELLS WHICH INDICATES THE COOKED UP STORY OF P.P.

ii) THE REASON CITED AT PARA-27 (a) UNDER STP/BOREWELL ISSUE OF COUNTERSTATEMENT FILED BY THE P.P. IE QUOTE " THE APPLICANT OVERLOOKED THE FACT THAT THE COST OF THE SPLIT A/C AND OTHER EQUIPMENTS LIKE COMPUTERS WHICH WERE IN USE OF THE COMPANY AT THEIR HEAD QUARTERS AT

THIRUVANTHAPURAM WAS ALSO FACTORED IN BY CHARTERED ENGINEER AND HE ALSO SHOWN THE COST OF THE BOREWELLS ATTEMPTED IN THE ADJACENT SITE WITH A VIEW TO SUPPORT THE PROJECT FOR ITS WATER NEEDS ." CANNOT BE BELIEVED NOR ACCEPTED UNDER ANY CIRCUMSTANCES SINCE THE VALUATION REPORT IS PREPARED FOR GGL AS ON 25-3-2013 AND NOT FOR GIE, WHICH MAY BE NOTED. GIE IE GREAT INDIA ESTATES IS ANOTHER Co OF ATE GROUP FOR FLAT CONSTRUCTIONS WITH HQ AT ALTHARA JN IN TRIVANDRUM AND ITS EXPENDITURE COMES UNDER GIE HEAD AND NOT UNDER GGL HEAD, WHICH MAY BE NOTED PLEASE , WHEREAS GGL WAS INCORPORATED AS A SPV TO IMPLEMENT THE PROJECT VIDE TRIPARTITE AGREEMENT DT 16-1-2010 THAT MAY BE SEEN IN DOC RTI-2 , PAGE -361, FILED BY ME ON BEING MARKED AND ADMITTED AS EVIDENCE IN NGT CHENNI. GGL WAS LOCATED INITIALLY AT BATON HILL, LAW COLLEGE JN. TRIVANDRUM, LATER SHIFTED TO PALAYAM CORPORATION BUILDING WHERE THEIR CORPORATE/ REGISTERED OFFICE IS LOCATED. BUT GIE IS LOCATED AT ALTHARA JN IN TRIVANDRUM.

8. DOC A-14 IS THE 10 th EVIDENCE FILED AND ADMITTED AS EVIDENCE IN NGT CHENNI. THESE ARE ENTERIES OF GATE REGISTER MAINTAINED AT THE GATE BY THE SECURITY STAFF OF THE SITE FOR 23-7 -2013. IN THIS REGARD IT IS SUBMITTED THAT AS ON 23-7-2013, I WAS NOT WORKING WITH GGL AND FROM THIS EVIDENCE IT IS PROVED THAT 13 WATER PUMP METER USED FOR PUMPING WATER THROUGH BOREWELLS WERE FOUND REMOVED FROM THEIR LOCATION AND NO PROPER RECORDS HAVE BEEN MAINTAINED. THIS ALSO PROVES THE PRESENCE & EXISTENCE OF BOREWELLS IN THE SITE PREMISES.

9. DOC ANNEXURE R-19 (a) IS THE 11 th EVIDENCE THAT HAS BEEN FILED BY P.P. AS DEFENCE DOCUMENT WHICH IS AGREEMENT EXECUTED ON 27- SEPT 2014 BY GGL WITH KERALA WATER

AUTHORITY FOR SUPPLY OF WATER . THE BRDC WATER SUPPLY SCHEME WAS COMMISSIONED IN 24-3- 2009 AS PER RTI REPLY DT 22-12-2016 GIVEN BY BRDC WHICH MAY BE SEEN AT PAGE- 404 OF RTI-2 FILED AND ADMITTED BY ME IN NGT AND THE KWA SCHEME WAS INAUGURATED ON 17-4-2010 AS SEEN RECORDED BY ASST EXECUTIVE ENGINEER KWA AT PAGE 503 OF DOC RTI-4 , ADMITTED AS EVIDENCE IN NGT , WHEREAS THE P.P. APPLIED FOR WATER CONNECTION 27 SEP 2014 ONLY , WHICH MEANS THAT INSPITE OF AVAILABILITY OF WATER FOR CONSTRUCTION GGL DID NOT APPLY FOR THE SAME AND INSTEAD USED BOREWELL GROUND WATER FOR ALL ACTIVITIES OF THE RESORT FROM DEC 2005 WHEN LEASED BRDC LAND WAS ALLOTTED TO ATE & NOT GGL VIDE LICENCE AGREEMENT DT 14 DEC 2005 WHICH MAY BE SEEN IN PAGE-29 OF DOC. A-52 (2) ADMITTED IN NGT .

10. DOC. A13 IS THE 12 th EVIDENCE ADMITTED IN NGT , WHICH IS ANOTHER PLOY OF P.P. THROUGH CONNIVANCE OF KSPCB , TO PRODUCE FABRICATED AND FORGED EVIDENCE BY REQUESTING BRDC TO PRODUCE SOURCE OF WATER IE CERTIFICATE THAT GGL WILL GET 500000 LITRE WATER DAILY AS INFORMED TO THEM. IN REPLY BRDC SUBMITTED THEIR LETTER DT 29-7-2016 AS DESIRED BY GGL. BUT IT IS FOUND THAT EARLIER VIDE DOC RTI -1 PAGE 183/ 245 , IE 1st EVIDENCE MENTIONED ABOVE THAT MD ,BRDC HAS INTIMATED ATE ON 7-1-2008 , THAT FOR SUPPLYING DRINKING WATER BRDC HAS IMPLEMENTED A 7.00 MLD WATER SUPPLY SCHEME AND THAT WATER CAN BE DRAWN ONCE THE RESORT BECOMES OPERATIONAL ,PL NOTE. BUT P.P. DID NOT TAKE ADVANTAGE OF THIS SCHEME AND USED GROUND WATER FROM BORE WELL AND ONLY AFTER MY FILING APPLICATION 136/2016 IN NGT ON JUNE 2016 , THE P.P. REMOVED ALL THE 26 BOREWELLS DURING JULY AUGUST 2016 AND CONNIVED WITH KSPCB BY INVITING THEM TO VISIT THEIR SITE ON 28-7-2016 , THE DAY WHEN MY NGT APPLICATION WAS RECEIVED BY KSPCB KASARGOD VIDE

THEIR NOTING PARA -27 SEEN IN DOC A-22 AT PAGE-658 FILED AND ADMITTED AS EVIDENCE BASED ON MY PETITION DT 14-8-2017 , SO AS TO RECORD THAT NO BOREWELLS WERE USED NOR SEEN BY THEM AND ACCORDINGLY STATUS REPORT A-23 WAS FILED IN NGT . THIS IS THE 13 th EVIDENCE AND DOC A- 22 IE NOTING SHEET OF KSPCB KASARGOD AS 14 th EVIDENCE .

11. DOC A-37 IS THE 15 th EVIDENCE WHICH CONTAINS ALL THE RELEVANT DATA FROM ASST EXECUTIVE ENGINEER KANHANGAD REGARDING ACTUAL WATER CONSUMPTION OF GGL PROJECT, WHICH WAS OBTAINED BY RTI AND FILE & MARKED AS EVIDENCE IN NGT. FROM THIS IT IS CLEAR THAT DATE OF INAUGURATION OS THE SCHEME WAS 17-4-2010 AND DATE OF CONNECTION BY GGL WAS 27-9-2014. WHAT DOES THIS INDICATE ? THE P.P. PREFERRED TO DRAW GROUND WATER FROM 26 BOREWELL DUG BY HIM IN THE SITE WHICH WAS PRACTICALLY FREE OF COST, RATHER THAN PAY HUGE WATER CHARGES ON COMMERCIAL RATE TO KWA , AT THE COST OF ENVIRONMENTAL DEGRADATION AND CATASTROPHY FOR WHICH ONLY THE STRICT IMPLEMENTATION OF THE TERMS & CONDITIONS WERE IMPOSED BY MOEF&CC IN ITS E.C. ORDER DT 2-1-2009, THAT WAS TO BE MONITORED AND IMPLEMENTED BY RO MOEF &CC BANAGALORE , WHICH THEY DID NOT DO FOR MORE THAN 9 YEARS, DUE TO THE CRIMINAL ACT OF FORGERY TO CHEAT, FRAUD , CONNIVANCE, CONSPIRACY, MANIPULATION, MIS- REPRESENTATION & BREACH OF TRUST PERPETUATED BY THEN D.D. SRI THIRUNAVUKKARASU & OTHERS FROM MOEF&CC WHO CONSPIRED WITH HIM, SRI U.V. JOSE V.P. GGL AND HIS P.P. SRI E,M, NAJEEB , THEN M.D. BRDC & OTHERS. FURTHER BY A-37 , THE EXECUTIVE ENGINEER IN HIS MAIL DT 24 OCT 2017 IE A-37, REGARDING WATER CONSUMPTION OF GGL FROM NOV 2016 TO FEB 2017 , IT IS SEEN THAT THERE WAS STEEP INCREASE FROM 998.5 UNITS TO 1155.5 UNITS AND MONTHLY CHARGES FROM Rs 39090 TO Rs 45370 WHICH PROVES AND

ESTABLISHES THAT AFTER REMOVAL OF BOREWELLS FROM THE SITE WEF AUG 2016, THE WATER CONSUMPTION FROM KWA SHOWED A STEEP RISE, WHEREAS EVEN AFTER OBTAINING WATER CONNECTION FROM KWA WEF SEPT 2014, THE AVERAGE WATER CONSUMPTION WAS VERY POOR IE FROM 4 UNITS TO 9 UNITS FROM OCT 2014 TO JAN 2016 & THEN FROM 40 UNITS IN MAY 2016 TO 513 UNITS IN OCT 2016. THESE CONSUMPTION PATTERNS ARE ANOTHER EVIDENCE TO PROVE THAT GGL HARDLY USED KWA WATER FOR CONSTRUCTION ACTIVITIES OF RESORT FROM OCT 2014 TO OCT 2016 IE 2 YEARS AND ONLY AFTER MY FILING APPLICATION IN NGT CHENNI IN JUNE 2016, THE BOREWELLS REMOVED AND RISE IN KWA WATER CONSUMPTION WAS NOTICED. SO FROM DEC 2005 TILL OCT 2016 IE FOR 11 YEARS ONLY GROUND WATER FROM BOREWELLS WERE USED FOR ALL THE CONSTRUCTION ACTIVITIES WHICH ONLY PROVES THE HUGE QUANTUM OF GROUND WATER DRAWN THROUGH BOREWELLS AND THE INTENSITY AND GRAVITY OF THE GROSS E.C. VIOLATIONS PERPETUATED BY THE P.P. THROUGH U.V. JOSE V.P. GGL. PRIMARILY A GOVT EMPLOYEE .

12. ANOTHER EVIDENCE FROM KWA MAY BE SEEN IN DOC.RTI- 4, PAGE -498 TO 508, WHICH IS THE 16 th EVIDENCE AND CONTAINS ALL RTI REPLY BY ASST EXECUTIVE ENGINEER KANHANGAD TO MY RTI QUERY REGARDING WATER CONSUMPTION BY GGL. IN HIS LETTER DT 7-12-2016, THE ASST EXECUTIVE ENGINEER INTIMATES THAT VIDE MOU DATED 18-3-2010 BETWEEN BRDC AND M.D. OF KERALA WATER AUTHORITY, THE WATER SUPPLY SCHEME COMPLETED BY BRDC WAS HANDED OVER TO KWA FOR FURTHER DEVELOPMENT, OPERATION AND MAINTENANCE OF THE SCHEME. HE HAS RECORDED THE MOST VITAL AND CLINCHING EVIDENCE THAT QUOTE " THE BI- MONTHLY CONSUMPTION OF M/S GREEN GATEWAY LTD IS 513 KL ONLY AND KWA IS READY TO SUPPLY ENOUGH WATER TO THE RESORTS AS PER THE MOU." WHAT ELSE PROOF IS REQUIRED TO PROVE THE RAMPANT AND GROSS

VIOLATION OF THE VERY FIRST E.C. CONDITION IE QUOTE " THERE SHALL BE NO GROUND WATER DRAWAL " BY THE P.P., WHICH WAS FACILITATED BY THE THEN MOEF &CC OFFICERS DUE TO THEIR CORRUPT PRACTICES, CONSPIRACY & BREACH OF TRUST DONE BY THEM ,WHICH WAS POINTED OUT MANY TIMES BY ME TO ALL AUTHORITIES CONCERNED. EVEN THE VIGILANCE BRANCH OF MOEF&CC HAS FAILED TO TAKE CONCRETE ACTION INSPITE OF NUMEROUS CONFIDENTIAL REPRESENTATIONS BY ME. THOUGH THEY HAVE INITIATED SOME ACTION RECENTLY DUE TO MY PRESSURE , NOTHING CONCRETE HAS HAPPENED FOR THE LAST 4 YEARS WHICH REFLECTS THEIR MIND SET AND THE STRENGTH OF THE LOBBY WORKING IN MOEF &CC FOR YEARS. QUOTE " WHY THE P.P. APPLIED FOR WATER CONNECTION DURING SEPT 2014 , WHEN KERAL WATER AUTHORITY SCHEME WAS INAUGURATED IN 17-4-2010 ? THE ANSWER IS QUITE OBVIOUS IE THEY KNEW THAT RO MOEF&CC WILL NOT COME FOR MONITORING THE SITE AS STIPULATED IN THE E.C. ORDER 2-1-2009. EVEN WHEN THEY GOT KWA CONNECTION ON 27 -9- 2014 , THE AVERAGE MONTHLY CONSUMPTION WAS LESS THAN 40 UNITS ONLY TILL AUGUST 2016 AND FROM SEPT 2016 IT STARTED RISING TO 513 UNITS IE AFTER MY FILING APPLICATION , THE AVERAGE MONTHLY CONSUMPTION SHOT UP AS ALL BOREWELLS WERE REMOVED BY P.P. DUE TO THE VISIT OF KSPCB . IT WENT UPTO 1115 UNITS IN FEBUARY 2017 AND THEN WENT DOWN TO 702 UNITS IN APRIL 2017 AND THEN WENT DOWN TO 280 UNITS IN JUNE 2017 AND FINALLY TO 46 UNITS IN AUGUST 2017, WHEN ALL CONSTRUCTION WORKS STOPPED.HENCE THE FOLLOWING MOOT QUESTIONS NEED TO BE EXAMINED IE :-

i)SO THE MOOT QUESTION IS WHY THERE WAS HIGH TREND OF RISING WATER CONSUMPTION FROM AUG 2016 TO FEB 2017 ? THIS TREND OF WATER CONSUMPTION EXPOSES THE FACT THAT SINCE ALL BOREWELLS WERE REMOVED SINCE AUG 2016 , THE WATER CONSUMPTION FROM KWA INCREASED AND NO WATER WAS PROCURED FROM PRIVATE AGENCIES .

ii) ANOTHER MOOT QUESTION THAT IS VERY RELEVANT IS THAT FROM 14-12-2005 (DATE OF ALLOTMENT OF BRDC LAND ) TO 26-9-2012 ( DATE WHEN PROERTY ALLEGED TO BE ADJACENT TO THE RESORT SITE IE AT PANAYAL WAS PURCHASED BY MD OF GIE ) , WHICH MEANS 7 YEARS , HOW DID P.P. SOURCE WATER FOR RESORT CONSTRUCTION ACTIVITIES ? THE ONLY ANSWER IS THROUGH GROUND WATER FROM BOREWELLS AS THERE IS NO EVIDENCE TO SHOW THAT WATER WAS SOURCED FROM PRIVATE AGENCIES , THOUGH MONITORING OFFICERS OF MOEF RO BANGALORE TRIED TO SUPPORT THEM ,BUT WITHOUT EVIDENCE AS MENTIONED EARLIER.

iii) ANOTHER MOOT QUESTION IS THAT HOW DID P.P. SOURCE WATER FOR RESORT CONSTRUCTION ACTIVITIES FROM 14-12-2005 TO 27-9-2014 ( THE DATE WHEN WATER AGREEMENT SIGNED WITH KWA )ie FOR 9 YEARS ? THE ONLY ANSWER IS THROUGH GROUND WATER FROM BOREWELLS AS THERE IS NO EVIDENCE TO SHOW THAT WATER WAS SOURCED FROM PRIVATE AGENCIES ,THOUGH MONITORING OFFICERS OF MOEF RO BANGALORE TRIED TO SUPPORT THEM ,BUT WITHOUT EVIDENCE. THIS HAS BEEN EXPLAINED IN DETAIL AT A-52 , A-52 (1), A-52(2),A-52(3),A-46,A-42

13. A-32 IS THE 17 th DOCUMENTARY EVIDENCE WHICH IS COPY OF A LETTER DT 10-3-2015 TO THE P.P. REGARDING THE PAYMENT DUES NOT PAID BY GGL AFTER MY ABRUPT & ILLEGAL TERMINATION . THIS LETTER CLEARLY PROVES THAT BESIDES THE EVIDENCE OF BOREWELL USEAGE AT THE SITE , I HAD TAKEN THE BOREWELLS INTO STOCK REGISTER WHILE CONDUCTING 31 MARCH 2013 P.V. , FOR THE FIRST TIME IN THE SITE , WHICH WAS BECAUSE OF MY INITIATIVE AS G.M. GEN. ADM. & SECURITY. IT IS ALSO BROUGHT OUT IN THE SAID LETTER THAT SOME OF THE BOREWELLS HAVE BEEN HANDED OVER TO THE LANDSCAPE CONTRACTOR DURING MY PERIOD FOR WATERING OF PLANTS,

COCONUTS,LAWNS ETC AND EVEN TO LABOURS FOR WASHING PURPOSE BESIDES FOR CONSTRUCTION PURPOSES .

14. A-29 IS THE 18 TH DOCUMENTARY EVIDENCE WHICH IS A LETTER WRITTEN BY ME TO THE P.P. & SENT BY REGD. POST, REGARDING THE PROOF OF MY OUTSTANDING PERFORMANCE DURING MY PERIOD AS G.M, , WHEREIN AT PARA-8 ,I HAVE POINTED THAT P.V. OF STOCKES WAS DONE ONLY BECAUSE OF MY INITIATIVE INSPITE OF RESISTANCE FROM THE G.M.S . THE PROJECT IMPLEMENTING TEAM AT THE SITE . IT WAS DURING THIS 31 MARCH ,2013 P.P. THAT I HAD TAKEN THE BOREWELLS INTO STOCK REGISTER , AS MENTIONED ABOVE.

15. A-42 IS THE 19 TH DOCUMENTARY EVIDENCE WHICH IS COPY OF THE MONITORING REPORT OF SRI JOHN THOMAS RESEARCH OFFICER RO BANGALORE , WHO WAS NOT COMPETENT TO MONITOR THE SITE AS POINTED OUT BY ME AND AGREED BY THEN APCCF RO MOEF&CC. IN HIS REPORT UNDER PART-11 SPECIFIC CONDITIONS, THAT THERE SHALL BE NO GROUND WATER WITHDRAWAL, IT IS BROUGHT OUT QUOTE " THE PROJECT AUTHORITIES EXPRESSED THEIR INTENTION CATEGORICALLY NOT TO DRAW WATER FROM THE GROUND WATER SOURCE BY ANY MEANS . THE WATER FOR CONSTRUCTION WAS SOURCED FROM EXTERNAL AGENCIES. " FROM THIS IT IS CLEAR THAT THE PROJECT AUTHORITIES HAS EXPRESSED THEIR INTENTION ONLY AND NOT THE FINDING OF THE MONITORING OFFICER. ITS A VAGUE STATEMENT AND NOT A FINDING. HE ALSO STATES THAT VERIFICATIONS WAS DONE WITH GROUND WATER AUTHORITY FOR ANY APPLICATION OF NOC FROM THE P.P. SO IT IS FURTHER PROVED BY DOC A-30 & A-30(a) ADMITTED AS EVIDENCE IN NGT CHENNI BY ME . HE HAS ALSO MADE A PASSING REMARK THAT WATER FOR CONSTRUCTION WAS SOURCED FROM PRIVATE AGENCIES. IN THIS REGARD HE WAS ASKED BY ME TO PRODUCE

EVIDENCE FOR HIS PASSING REMARK , WHICH HE FAILED TO PRODUCE , BUT TRIED TO ESCAPE BY STATING THAT HE WAS SHOWN WATER TANKER RECEIPTS. HE WAS FURTHER ASKED BY ME ,WHY HE DID NOT PRODUCE THEM AS EVIDENCE ,FOR WHICH HE HAD NO REPLY AND HIS SENIOR DR SREEDHARAN ,ANOTHER CONSPIRATOR SUPPORTED HIM ACCORDINGLY. EVIDENCE OF ALL MY QUERIES WITH JOHN THOMAS MAY BE SEEN AT A-46 WHICH IS THE 20 th EVIDENCE PRODUCED BY ME. THIS EVIDENCE WILL EXPOSE THAT HIS REMARKS ABOUT PRIVATE AGENCIES IS FALSE AND MADE ONLY TO HELP THE P.P.. IN THIS REGARD THE MONITORING REPORT OF DR SRIDHARAN , SENIOR OFFICER OF RO MOEF &CC, WHO WAS DEPUTED TO MONITOR THE SITE BY APCCF MAY BE SEEN AT DOC A- 52 (3) ,WHICH IS A THREAD BARE EXAMINATION OF HIS FABRICATED AND BIASED MONITORING REPORT PREPARED TO BAIL OUT THE P.P. FROM HIS E.C. BEING REVOKED.THIS EVIDENCE IE A-52 (3) IS THE 21 st EVIDENCE PRODUCED BY ME . IN THIS REPORT ALSO DR SRIDHARAN ADDUCED AN EVIDENCE FOR THE P.P., AS DONE BY JOHN THOMAS, BY STATING THAT WATER FOR CONSTRUCTION WAS SOURCED FROM PRIVATE AGENCIES BUT NO EVIDENCE PRODUCED, INSTEAD SAID THAT HE WAS SHOWN LORRY TANKER RECEIPT. THIS ITSELF PROVES THAT NO WATER WAS SOURCED FROM PRIVATE AGENCIES AND ONLY BOREWELL WATER WAS USED FOR CONSTRUCTION. IT IS SURPRISING THAT DR SRIDHARAN SCIENTIST-G , THE SO CALLED SENIOR MOST OFFICER OF RO MOEF &CC HAS DEALT THIS VIOLATION VERY LIGHTLY IN HIS MONITORING OF THE SITE ON 9-8-2018 AS SEEN REFLECTED IN HIS REPORT (DATE LESS ) AT PAGE -5 THAT MAY BEEN SEEN IN A-52 (3) . HE HAS INTERPRETED THE VIOLATION POINTED OUT BY ME WITHIN AN ULTERIOR MOTIVE TO HELP THE P.P. BY SAYING QUOTE “ NOW THAT THE PROJECT IS STALLED AND NO ACTIVITY OF ANY KIND IS OPERATIONAL THERE , THE ALLEGATION OF EXCESS DRAWAL OF WATER DOES NOT ARISE.” THIS IS A TYPICAL CASE TO PROVE THE CRIMINAL ACT OF BREACH

OF TRUST ENACTED BY DR SRIDHARAN TO SAFEGUARD & PROTECT THE P.P. BY INTERPRETING MY FINDING IN HIS FAVOUR. THIS DOC. WAS NOT PROVIDED TO THE JT COMMITTEE FOR CONSIDERATION WHICH REFLECTS THE MIND SET & MENSURIA OF THE MOEF&CC REPRESENTATIVE WHICH IS REGRETTED.

16. DOC A-30 IS THE 22<sup>nd</sup> EVIDENCE WHICH IS NON OBTAINING OF NOC FROM GROUND WATER DEPARTMENT KASARGOD , MARKED AND ADMITTED AS EVIDENCIN NGT CHENNI. THIS EVIDENCE STATES THAT NOC HAS NOT BEEN ISSUED TO GGL FOR DIGGING BOREWELLS BY THAT OFFICE SO FAR. DOC A-30 (a) IS ANOTHER EVIDENCE FROM GROUND WATER DEPARTMENT KASARGOD THAT GGL HAS NOT APPLIED FOR NOC TO DIG BOREWELLS SO FAR.

17. DOC. A-36 IS THE 23<sup>rd</sup> EVIDENCE UNDER DOC A-38 , WHICH IS FILED VIDE MY PETITION DT 1-11-20 IN NGT , THAT IS COPY OF NOTING SHEET OF DO KASARGOD AT PAGE- 788 FROM PARA30 ONWARDS AND NOTING PARA 1-29 AT A-22 , EXPLAINED IN DETAIL AT PAGE-793 & 794 , PROVING PRESENCE OF BOREWELLS IN THE SITE AND HOW KSPCB OFFICIALS CONNIVED WITH THE P.P. TO PROTECT THEM AND EVEN FILED STATUS REPORT IN NGT STATING THAT KSPCB IS NOT CONCERNED WITH DIGGING OF WELLS AND TRYING TO AVOID TAKING RESPONSIBILITY FOR RECORDING STATEMENT IN THE STAUUS REPORT THAT BORE WELLS WERE SEEN IN THE SITE BUT NOT USED ONCE WATER CONNECTION OBTAINED FROM KWA.

SO IN VIEW OF THE 23 DOCUMENTARY EVIDENCES OBTAINED BY RTI, AND PRODUCED ABOVE TO PROVE AND ESTABLISH THAT THE P.P. HAD USED BOREWELLS FROM 24 -12-2005 WHEN ATE WAS ALLOTTED 45.04 ACRES OF BRDC LAND ON SUCCEFULL BIDDING IN THE GLOBAL TENDER FLOATED BY BRDC , TILL 25-10-2014 WHEN P.P. STARTED USING WATER FROM KWA SPARINGLY , ON

EXECUTING WATER AGREEMENT WITH KWA ON 27-9-2014, IN ADDITION TO USING BOREWELL WATER , AND FINALLY AFTER REMOVING PARTIALLY THE 23 BOREWELLS DURING JULY 2016 PRIOR TO KSPCB SITE VISIT (PLANNED BY P.P.) TILL OCT 2016 , WHEN THE P.P. STARTED USING ONLY WATER FROM KWA.

18. FINDINGS BASED ON DOCUMENTARY AND CIRCUMSTANTIAL EVIDENCES :-

i) FROM DEC 2005 TILL OCT 2016 IE ABOUT 10 YEARS , GROUND WATER FROM BOREWELL WAS USED PROFUSELY BY THE P.P. FOR ALL CONSTRUCTIONS , DEVELOPMENT & ALLIED ACTIVITIES WHICH WAS IN GROSS VIOLATION OF THE FIRST CONDITION STIPULATED BY MOEF&& VIDE ITS E.C. ORDER DT 2-1-2009 , AS GROUND WATER FROM BORE WELL WAS FREE OF COST EXCEPT FOR THE COST OF BOREWELLS @ OF Rs 5000 SEEN RECORDED IN THE VALUATION REPORT A-2 . WATER FROM WATER AUTHORITY IS AT COMMERCIAL RATES WHICH ARE LESS THAN THAT FROM PRIVATE AGENCIES. NO WATER DRAWN FROM PRIVATE AGENCIES BY P.P. FOR THE RESORT CONSTRUCTION & ALLIED PURPOSES BUT MOEFCC MONITORING OFFICERS ADDUCED FAKE ORAL EVIDENCES FOR & ON BEHALF OF THE P.P. WHICH WAS EXPOSED BY ME WITH EVIDENCES IN DOC. A-52, A-52 (1), A-52(2),A-52(3) & A-46. THE DECEPTIVE,MANIPULATE & UN ETHICAL ACTS OF DR SRIDHARAN & JOHN THOMAS OF RO MOEF&CC HAVE BEEN CONSOLIDATED AND EXPOSED IN DOC. A-62 , MARKED & ADMITTED AS EVIDENCE IN NGT CHENNI WHICH MAY BE PURSUED PLEASE. ANOTHER MATERIAL & CLINCHING EVIDENCE IS A-45 & A-51 MARKED & ADMITTED AS EVIDENCE IN NGT , OBTAINED BY RTI, WHICH PROVES & CLEARLY ESTABLISHES THAT RO MOEF&CC DID NOT MONITOR THE SITE FOR IMPLEMENTATION OF THE TERMS & CONDITIONS AS STIPULATED AT PARA 4 OF THE E.C. ORDER OF MOEF&CC DELHI & ONLY ON FILING APPLICATION BY ME, DID THEY RESORT TO MONITORING IN

MARCH 2017. IT WAS A WELL PLANNED CONSPIRACY, CONNIVANCE, ABUSE OF AUTHORITY & BREACH BY TRUST ON THE PART OF THE KING PIN SRI THIRUNAVUKKARASU, THE THEN D.D OF H.Q. MOEF & CC DELHI & OTHERS WITH THE P.P. VIDE EVIDENCE A-56 & A-58 MARKED & ADMITTED IN NGT CHENNI. SO THE FACT REMAINS THAT THE P.P. WAS ABLE TO PERPETUATE THIS GROSS VIOLATION OF GROUND WATER DRAWAL, ONLY BECAUSE NO MONITORING OF THE SITE WAS DONE FOR MORE THAN 8 YEARS IE FROM 2010 DUE TO THE CRIMINAL STRATEGY OF FORGERY TO CHEAT, MIS-REPRESENTATION, MANIPULATION & BREACH OF TRUST ADOPTED BY MOEF&CC OFFICERS, AS PROVED ABOVE WITH CLINCHING AND CONVINCING RTI DOCUMENTARY EVIDENCES.

ii) HENCE THE CONCLUSION OF THE JT COMMITTEE THAT THERE IS NO SUBSTANTIAL EVIDENCE TO PROVE THAT THERE EXIST BOREWELLS IN THE PROJECT SITE FOR DRAWAL OF GROUND WATER IS PRIMA FACIE FALSE AND AGAINST FACTS, THAT HAS BEEN PROVED AND ESTABLISHED WITHOUT AN IOATA OF DOUBT, BY CLEAR AND CLINCHING 22 RTI DOCUMENTARY EVIDENCES PRODUCED AND EXPLAINED AS ABOVE FROM PARA-9, PAGE ONWARDS. HENCE THE CONSEQUENCE OF THIS VIOLATION IS BEYOND IMAGINATION FROM THE ENVIRONMENT POINT OF VIEW AND THAT TOO PERPETUATED BY THOSE WHO ARE MADE RESPONSIBLE TO SAFE GUARD AND PROTECT THE ENVIRONMENT BY THE GOVT, WHICH IS NOT PARDONABLE UNDER ANY PROVISIONS OF THE LAW OF CRIMINAL JUSTICE.

9. B. SEWAGE TREATMENT PLANT (STP) NOT INSTALLED.

### MY COMMENTS AND OBJECTIONS

1. THE REMARKS OF THE JT COMMITTEE ARE THREE IN NUMBER OUT OF WHICH THE SECOND REMARK STATES THAT CONSENT FOR

ESTABLISHMENT (CFE) GRANTED BY KSPCB HAS EXPIRED ON 30-6-2018. BUT AS PER ANNEXURE R3 ATTACHED IN JT COMMITTEE REPORT IT IS NOT CONSENT FOR ESTABLISHMENT THAT HAS EXPIRED ON 30-6-2018, BUT INTEGRATED CONSENT TO ESTABLISH-RENEWAL WHICH ARE DIFFERENT IE

i) AS SEEN IN THE FIRST CONSENT DT 14-8-2008 WHICH IS CONSENT TO ESTABLISH IN WHICH THE BUILT UP AREA IS 204973 SQ FT AND UNDER THE HEAD GENERAL, SL No 3, COMMUNICATION IT IS SHOWN AS uvjose.gg@ategroup.org ie E-MAIL AND SIGNED BY CHAIR PERSON WITH COPY TO AS GIVEN IN THE SECOND CONSENT. THE VALIDITY IS UPTO 13-8-2011.

ii) IN THE SECOND CONSENT DT 9-11-2012 WHICH IS CONSENT TO ESTABLISH –RENEWAL, IN WHICH NO BUILT UP AREA IS SHOWN AND VALIDITY IS UPTO 30-6-2015 AND SIGNED BY CHAIRMAN WITH COPY MARKED TO SENIOR ENVIRONMENT ENGINEER REGIONAL OFFICE KOZHIKODE, ENVIRONMENTAL ENGINEER DO KASGARGOD , THE SECRETARY PALLIKAERA GRAMA PANCHAYATH KASERGOD & STOCK FILE.

iii) IN THE THIRD CONSENT DT 19-1-2016 WHICH IS INTEGRATED CONSENT TO ESTABLISH- RENEWAL , IN WHICH THE BUILT AREA HAS BEEN CHANGED FROM 204973 SQ FT TO 20 7550 SQ FT WHICH MAY BE NOTED PLEASE AND VALIDITY UP TO 30-6-2018 AND SIGNED BY CHAIRMAN WITH COPY MARKED ONLY TO ENVIRONMENT ENGINEER DO KASARGOD & STOCK FILE WHICH MAY ALSO BE NOTED.

2. THE ABOVE ANAMOLIES AND VIOLATIONS IN THE CONSENT TO ESTABLISH HAS NOT BEEN EXAMINED BY THE JT COMMITTEE AS IT WAS NOT POINTED OUT BY KSPCB NOMINEES. THESE HAVE BEEN EXPLAINED IN DETAIL IN DOC A-22 & IN MY PETITION FILED IN NGT

ON 14-8-2017 . THESE PROVE AND ESTABLISH THE CONNIVANCE AND CONSPIRACY OF KSPCB OFFICIALS WITH THE P.P. IN FACT THEY HAVE GRANTED THE FIRST CONSENT AGAINST THEIR OWN INSTRUCTION THAT WITHOUT E.C. FROM MOEF&CC , THEY ARE NOT AUTHORISED TO ISSUE CONSENT TO ESTABLISH , WHICH WAS EVEN POINTED OUT IN THE NOTING SHEET OF HO OF KSPCB TRIVANDRUM AT PAGE- 448 ,PARA-11 IN DOC.RTI-3 MARKED AND FILED AS EVIDENCE IN NGT . SINCE INTEGRATED CONSENT TO ESTABLISH HAS NOT BEEN ISSUED AFTER THE EXPIRY OF THE THIRD CONSENT ON 30-6-2018 BY KSPCB, THERE IS NO VALID CONSENT FOR THE PROJECT FROM KSPCB, WHICH HAS NOT BEEN HIGHLIGHTED IN THE JT COMMITTEE REPORT AT 9 B, THOUGH IT SAYS IT HAS EXPIRED WHICH REFLECTS THE ATTITUDE OF KSPCB NOMINEE .

3. THE FIRST REMARK IN THE JT REPORT STATES THAT SINCE THE PROJECT HAS NOT BEEN COMPLETED & NOT IN OPERATION THERE IS NO SEWAGE GENERATION AND THEREFORE THE P.P. HAS NOT INSTALLED STP IN THE SITE TILL NOW. IT IS RATHER A SUPPORTING STATEMENT OF KSPCB , RATHER THAN EXAMINING THE PREVIOUS REPORTS AS TO WHAT WAS THE POSITION. AS PER RECORD FILED IN NGT , 5 INSPECTIONS OF THE SITE HAVE BEEN CARRIED OUT AND IN EACH INSPECTION THE P.P. WAS ADVISED TO INSTALL THE STP AND TILL NOW IT HAS NOT BEEN DONE, THOUGH THE PROJECT IS NOT OPERATIONAL BUT MAJOR WORKS COMPLETED AS PER AUDIT REPORT A-44 MARKED & ADMITTED AS EVIDENCE IN NGT AND NOT 40 TO 50 % AS POINTED OUT IN THE REPORT . HENCE THIS IS NOT A FACTUAL REPORT BY THE JT COMMITTEE BUT PUT FORTH & RECOMMENDED BESIDES ADDUCED BY KSPCB TO PROTECT THE P.P. AND THEIR INTEREST. THE REMARKS OF THE JT COMMITTEE THAT WITHOUT ESTABLISHING STP , THE CONSENT TO OPERATE WILL NOT BE ISSUED BY KSPCB IS A SORT OF MORAL SUPPORT TO THE P.P. AND NOT A FINDING OF THE COMMITTEE WHICH MAY BE

NOTED PLEASE. IN FACT THERE HAS BEEN NO PURPOSEFUL CONTRIBUTION BY KSPCB NOMINEE IN THE JT REPORT WHICH IS REGRETTED.

9. C HALF YEARLY COMPLIANCE REPORTS NOT SUBMITTED TO REGIONAL OFFICE OF MOEF&CC

MY COMMENTS AND OBJECTIONS

1. THE REMARK OF THE JT COMMITTEE THAT THE PROJECT AUTHORITIES HAVE NOT SUBMITTED THE HALF YEARLY COMPLIANCE REPORT TO RO MOEF&CC ON A REGULAR BASIS DURING THE VALIDITY PERIOD IE UPTO 1-1-2014 IS PRIMA FACIE FALSE AND AGAINST FACTS ON RECORD. IT IS SEEN IN THE FIRST MONITORING OF THE SITE ON 11 & 12 MARCH 2017 BY JOHN THOMAS OF RO MOEF&CC, MENTION HAS BEEN MADE THAT IT HAS NOT BEEN SUBMITTED BY THE P.P. WHICH PROVES AND ESTABLISHES THE FACT THAT FOR 9 YEARS, THIS WAS NOT DONE AND NOT DURING THE 5 YEARS OF VALIDITY PERIOD. EVEN DURING IN THE 3<sup>rd</sup> MONITORING BY DR SRIDHARAN OF RO MOEF & CC , NOTHING HAS BEEN MENTIONED ABOUT THIS IN HIS REPORT DT 9-8-2018, WHICH REVEALS THAT THIS REPORT WAS BASICALLY TO COUNTER MY FINDINGS AND USE FALSE INFORMATION AGAINST ME SO AS TO COVER UP ALL THE GROSS VIOLATIONS PERPETUATED BY THE P.P. AND SOMEHOW SAFEGUARD HIS INTEREST EVEN AT THE COST OF THE DEPARTMENT HE WAS WORKING . THESE ASPECTS HAD TO BE VERIFIED BY THE JT COMMITTEE IN MY REPORT A- 52 (3) , EXPLAINED THREAD BARE . BUT UNFORTUNATELY THE MOEF&CC NOMINEES CHOSE TO GIVE PARTIAL INFORMATION AS REVEALED ABOVE , EVEN WITHOUT MENTIONING THE FACT THAT BY THIS ACT PARA 4 OF E.C. ORDER DT 2-1-2009 BEEN VIOLATED BY P.P. THIS HAS HAPPENED ONLY DUE TO CONNIVANCE OF THE KING PIN AND THE P.P. WHO HAS

BEEN MANIPULATING ALL THESE DECEPTIVE MOVES TO FAVOUR AND PROTECT THE P.P., BECAUSE UNDER NO CIRCUMSTANCES THE P.P. WILL BE ABLE TO MANIPULATE ALL THESE ACTIVITIES ON HIS OWN . MOREOVER IT WAS THE RESPONSIBILITY OF RO MOEF&CC TO CALL FOR THIS REPORT WHICH IS ALWAYS A PART OF THE E.C. ORDERS. THEY KEPT QUIET TILL I FILED AN APPLICATION ON JUNE 2016 IN NGT. PLEASE VISUALISE THE SCENARIO , THAT, HAD I NOT FILED MY APPLICATION FOR ALL THESE VIOLATIONS , WHAT WOULD HAVE BEEN THE STATE OF THIS PROJECT BY NOW AND THE EXTENT OF ENVIRONMENTAL DEGRADATION IT WOULD HAVE CAUSED TO FLORA & FAUNA OF THE SITE AND ITS LOCAL NEIGHBOUR HOOD & POPULATION.

2. FURTHER VIDE DOC A-45 WHICH IS AN RTI REPLY BY E-MAIL DT 23-11-2017 TO ME, GIVEN BY DR SRIDHARAN CPIO RO MOEF , MARKED AND ADMITTED AS EVIDENCE IN NGT, IT IS ESTABLISHED AT PARA-2 THAT PROJECT AUTHORITIES HAVE NOT PROVIDED ANY SIX MONTHLY PROGRESS REPORT TO MOEF&CC WHICH AMOUNTS TO GROSS VIOLATION OF PARA-4 OF E.C. ORDERS DT 2-1-2009 .

9. D VALIDITY OF ENVIRONMENTAL ENCLEARANCE EXPIRED

MY COMMENTS AND OBJECTIONS.

1. THE REMARKS OF THE JT COMMITTEE THAT SINCE THE VALIDITY PERIOD OF THE E.C. GRANTED BY MOEF&CC HO, VIDE ITS ORDER DT 2-1-2009 HAD LAPSED ON 1-1-2014 , THE P.P. HAS THE OPTION TO UNDERTAKE CONSTRUCTION AGAIN IN THE PROJECT SITE PROVIDED HE OBTAINS FRESH E.C. FROM THE MINISTRY ONCE AGAIN , HAS TO BE TAKEN WITH A PINCH OF SALT . FIRST OF ALL I OBJECT TO THE ABOVE REMARKS OF THE JT COMMITTEE AS IT WAS NOT THE JOB ENTRUSTED TO THEM BY NGT. SECONDLY THE JT COMMITTEE HAS FAILED MISERABLY TO BRING OUT MOST OF THE

OTHER VIOLATIONS WHICH WOULD HAVE BEEN EVIDENT AND INCORPORATED IN THE JT REPORT , HAD THEY OBTAINED ALL DOCUMENTS REGARDING THE VIOLATIONS SUBMITTED BY ME TO RO & HO OF MOEF&CC, KSZMA & KSPCB. BUT THIS WAS TACTFULLY AVOIDED BY THE VESTED INTEREST WORKING IN ABOVE AGENCIES MAINLY THE KING PIN THIRUNAVUKKARASU & MURALI KRISHNA OF RO MOEF&CC , SRI SRI KALAIARASAN OF KSZMA & SOME OFFICERS OF KSPCB WHO HAD NOT GIVEN RELEVANT INFORMATION/DOCUMENTS TO THE JT COMMITTEE THAT WAS INTENTIONAL AND WITH A MOTIVE. THEY HAVE FAILED TO UNDERSTAND THE BASIC FACT THAT WHEN THE PROJECT OPERATIONS WERE KEPT IN ABEYANCE SINCE JAN 2017 AS INFORMED BY THE P.P. IN WRITING VIDE DOC A- 68 MARKED AND ADMITTED AS EVIDENCE IN NGT , HOW CAN ONE (IE JOHN THOMAS OF RO MOEF&CC ) DO MONITORING OF THE SITE AND GIVE A SATISFACTORY REPORT AS THOUGH THE OPERATIONS WERE ON IN FULL SWING , THAT WAS FORWARDED TO HO OF MOEF&CC AND SO CALLED GIST OF THE REPORT SUBMITTED TO NGT, WHICH WAS OBJECTED TO BY ME VIDE DOC A-52, A-52(1) ,A-52 (2) & A-52 (3) . ALL THESE ACTIONS WERE THE BRAIN WORK OF THE KING PIN AT RO MOEF&CC SO AS TO PROTECT & SAFE GUARD THE P.P. FROM HIS E.C. BEING REVOKED . THE HON' NGT IS KINDLY REQUESTED TO GO THROUGH THE ABOVE DOCUMENTS TO GET A FIRST HAND PICTURE OF THE BIASED AND UNETHICAL ACTIVITIES OF THE MONITORING OFFICERS OF MOEF&C AND THEN COMPARE IT WITH THE MONITORING REPORT OF KCZMA IE A-7 WHICH WAS DONE AS EARLIER AS SEPT 2016 .

2. FROM THE FIRST REMARKS OF THE JT COMMITTEE THE IMPRESSION ONE GETS IS THAT THE P.P. HAS NOT DONE ANY MAJOR VIOLATION IN THE CONSTRUCTION AND DEVELOPMENT OF THE PROJECT IE QUOTE " IF PROJECT AUTHORITIES WISHES TO UNDERTAKE ANY CONSTRUCTION ACTIVITY IN THE PROJECT SITE

HAS TO INVARIABLY OBTAIN FRESH CLEARANCE AGAIN FROM THE MINISTRY .” THIS IN FACT IS A CLEAR INDICATION OF THE MIND SET OF THE JT COMMITTEE AND THE REPORT SUBMITTED BY IT ONLY SUSBSTANTIATES MY APPREHENSION/ STAND THAT THE NOMINEES OF THE AGENCIES ARE VERY WELL CONNECTED TO THE P.P. IN SOME WAY OR OTHER AND HENCE THE COMPOSITION OF THE NOMINEES OF THE JT COMMITTEE WILL NOT BE FAIR AND SO THEIR FINDINGS WOULD ONLY BE PARTIAL WITHOUT BRINGING OUT THE ALL THE VIOLATIONS THAT HAS BEEN BROUGHT OUT THREAD BARE IN MY EVIDENCE A- 52 , A-52 (1), A-52 (2) & A-52 (3) WHICH MAY BE EXAMINED PLEASE. THESE EVIDENCES HAVE NOT BE PROVIDED TO THE JT COMMITTEE BY THE NOMINEE OF RO MOEF &CC.

3. THE RO & HO OF MOEF&CC DID NOT GIVE THE DETAILS OF THE VALIDITY PERIOD OF THE PROJECT INSPITE OF SEVERAL RTI QUERIES BY ME. VERY SURPRISINGLY NONE OF THE MONITORING OFFICERS OF KCZMA, KSPCB NOR RO MOEF&CC WHO INSPECTED AND MONITORED THE SITE 3 TIMES , ON FILING APPLICATION BY ME IN NGT DURING JUNE 2016 , DID NOT BRINGING OUT THIS VERY POINT THAT THE VALIDITY OF E.C. GRANTED BY MOEF&CC EXPIRED ON 1-1-2014 . THE MOOT QUESTION IS WHY ? NOW THE CAT IS OUT OF THE BAG. HAD THEY BROUGHT OUT THIS POINT , DURING FIRST SITE INSPECTION THE CONSTRUCTION COULD HAVE BEEN STOPPED IMMEDIATELY PROBABLY DURING 2016 ITSELF IF NOT EARLY. THIS ONLY PROVES THE CONNIVANCE ANGLE OF ALL THE AGENCIES CONCERNED. THE FACT OF THE MATTER IS THAT THE GRANTING AUTHORITY IE MOEF&CC AT HO SHOULD HAVE TAKEN UP THIS MATTER DURING JAN 2014 ITSELF WITH THE RO MOEF&CC , THEREBY THE CONSTRUCTION COULD HAVE BEEN STOPPED AND EVEN MONITORING OF THE SITE COULD HAVE BEEN INITIATED. SO I WOULD SAY THAT HO OF MOEF &CC IS EQUALLY RESPONSIBLE FOR THIS GROSS VIOLATION.

9. E DIGGING EXCAVATION OF EARTH TO CREATE NEW WATER CANAL WITH WIDTH OF 10 M AND ABOVE WITHIN 500M FROM HIGH TIDE LINE (HTL)

MY COMMENTS /OBJECTIONS

1. THE FIRST REMARK OF THE JT COMMITTEE UNDER THIS VIOLATION IS ACCEPTED AS IT IS AS PER GROUND SITUATION ON THE DATE OF THEIR VISIT. THE GOOGLE IMAGES ENCLOSED AS R-6 , SUBSTANTIATES THE FINDINGS. ACTUALLY THIS VIOLATION WAS FIRST BROUGHT OUT BY KSCSTE AS ENCLOSED IN THE REPORT IE R-7. THE FINDINGS OF DR HARINARAYAN SENIOR SCIENTIST OF KSCSTE HAS BEEN MENTIONED AS SECOND REMARK WHICH CLEARLY PROVES THE GROSS VIOLATIONS. IN FACT IT IS PROVED WITH DOCUMENTAR EVIDENCE THAT THE CONSPIRATOR OF THE MULTI MEGA SCAM SRI KALIARASAN ENVIRONMENTAL ENGINEER OF KSZMA HAS EVEN FORGED THE REPORT ON THE VIOLATIONS BY P.P. , CALLED FOR BY RO MOEF BANGALORE, BY NOT POINTING OUT ALL THE VIOLATIONS BROUGHT OUT IN R-7 AND DILUTING THE VIOLATIONS SO AS TO SAFEGUARD THE P.P. THIS MAY BE SEEN IN MY CONFIDENTIAL REPORT DT 17-6-2019 & 11-2-2020 TO MEMBER SECRETARY KSZMA REGARDING SUCH CRIMINAL ACTIVITIES OF KALAIARASAN EVN. ENGINEER A CLOSE ASSOCIATE OF THE KING PIN THIRUNAVUKKARASU OF RO MOEF, WITH A COPY TO APCCF RO MOEF&CC , SECRETARY MOEF&CC BESIDES OTHERS. THESE WERE NOT KEPT IN MIND AS IT WAS NOT KNOWN TO THE JT COMMITTEE , WHILE NOMINATING NOMINEES TO THE JT COMMITTEE . HENCE THE RESULT EXPECTED FROM THE COMMITTEE CANNOT BE ACHIEVED IN FULL , THAT IS SEEN IN THIS JT COMMITTEE REPORT, AS ALL THE VIOLATIONS IN R-7 HAS NOT BEEN HEIGHLIGHTED IN THE JT REPORT IE :-

a) ON THE DATE OF VISIT IE 28-10-2016 THE INSPECTION OFFICER NOTED THAT THE BUILDINGS HAVE BEEN REULARISED EVEN BEFORE COMPLETION. IN THIS REGARD DOC A-44 IE AUDIT REPORT OF PALLIKAREE GRAMA PANCHAYATH & A-45 WILL PROVE AND ESTABLISH THAT 48 BUILDINGS WERE COMPLETED ON 1-9-2015 AND BUILDING NO 's ALLOTED AND TAX LEVIED . THIS HAS BEEN EXPLAINED IN DETAIL IN MY PETITION DT 24-11-2017 SUBMITTED TO NGT. FURTHER UNDER THE RECOMMENDATIONS AND SUMMARY OF THE REPORT R-6 , FOUR IMPORTANT FACTORS HAVING RELEVANCE TO THE SITE INSPECTION HAS BEEN HIGHLIGHTED . BUT UN-FORTUNATELY NON OF THESE HAVE BEEN COMPLIED WITH DUE TO THE FACT THAT THE SAID REPORT WAS NOT PROCESSED AT HO OF MOEF&CC NOR AT RO MOEF&CC , DUE TO THE ULTERIOR MOTIVE AND DECEPTIVE ACTION OF KING PIN SRI THIRUNAVUKKARASU. IT IS ONLY BECAUSE OF ME THAT THIS REPORT CAME TO LIME LIGHT AS I FORWARDED COPY OF THE SAME TO HO & RO OF MOEF &CC , BESIDES MARKING AND ADMITTING IT AS EVIDENCE A-7 IN NGT CHENNI , WHICH MAY PLEASE BE NOTED. ONE OF THE MAJOR RECOMMENDATION WAS THAT QUOTE " KCZMA TO DIRECT THE P.P.TO SUBMIT A REPORT ON THE COMPLIANCE OF THE CONDITIONS IN THE ENVIRONMENTAL CLEARANCE ISSUED BY THE MOEF &CC. BUT NO REPORT WAS SENT BY THE P.P. TILL NOW. MOREOVER THE NOMINEE OF KCZMA IN THE JT COMMITTEE HAS NOT POINTED OUT THIS FACTOR AND OTHER THREE IMPORTANT FACTORS RECORDED IN REPORT A-7 AND RECOMMENDED FOR ACTION.

b) THE MAIN VIOLATIONS NOTICED DURING KSCSTE INSPECTION IE R-7 ENCLOSED IN THE JT REPORT HAS BEEN CONFIRMED BY THE JT COMMITTEE THOUGH NOT IN FULL WHICH WAS INTENTIONAL. THIS REPORT WAS NOT INCLUDED BY RO MOEF WHILE SUBMITTING REPLY AFFIDAVIT FILED BY THE KING PIN THIRUNAVUKKARASU IN NGT . THIS HAS BEEN ELABORATED IN DETAIL AT A-38, PAGE 794

UNDER SL No 4 IE ( REPLY AFFIDAVIT FILED ON BEHALF OF RESP No-1 BY E THIRUNAVUKKARASU ) VIDE MY PETITION DT 1-11-2017 IN NGT.

2. ANOTHER REMARK MADE BY THE COMMITTEE BASED ON RECORD VERIFICATION IS THAT THE MINISTRY SOUGHT CLARIFICATIONS FROM PROJECT AUTHORITIES REGARDING THE DETAILS OF WATER BODY DEVELOPMENTS AND POTENTIAL IMPACT ON ENVIRONMENT PRIOR TO ISSUE OF E.C., FOR WHICH THE P.A. VIDE THEIR LETTER DT 8-9-2008 INFORMED - WHAT HAS BEEN RECORDED IN THE JT REPORT UNDER 2 PARAS. IN THIS REGARD IT IS POINTED OUT THAT INCOMPLETE INFORMATION WAS GIVEN TO THE COMMITTEE BY MOEF&CC & KCZMA AGENCIES AND THEREFORE NATURALLY THE FINDINGS /REMARKS HAVE BEEN DILUTED TO A GREAT EXTENT WHEREBY THE INTENSITY & GEAVITY OF THE GROSS VIOLATION HAS BEEN MASKED . IN FACT THIS VIOLATION HAS CAUSED MAXIMUM AND EXTENSIVE DAMAGE TO THE TOPOGRAPHY AND ENVIRONMENT THEREBY ALTERING THE TERRAIN OF THE LAND. THAT IS THE PRECISE REASON WHY THE COMPLETE PICTURE OF THE SEQUENCE OF VIOLATION HAS NOT BEEN REVEALED IN THE JT REPORT , THAT HAS BEEN FACILITATED BY THE VESTED NOMINEES . THE DOCUMENTARY EVIDENCES TO PROVE AND ESTABLISH MY STAND ARE :-

i)THE VERIFICATION OF RECORDS BY COMMITTEE ARE NOT IN ORDER BECAUSE THE REMARK THAT THE ANNEXURE R-8 IS THE REPLY DT 8-9-2008 OF U V JOSE V.P. GGL ( WHICH IS NOT BUT LETTER DT 2-9-2008 OF MOEF&CC ) TO THE CLARIFICATION SOUGHT BY THE MINISTRY, PRIOR TO ISSUE OF E.C. IS FALSE AND NOT FACTUAL BECAUSE IT IS SEEN ON RECORD THE P.P. APPLIED FOR E.C. TO MOEF&CC VIDE LETTER DT 8-7-2008 ENCLOSING QUESTIONNAIRE FOR ENVIRONMENTAL APPRAISAL ( FOR HOTELS/BEACH RESORTS AND OTHER PROJECTS LOCATED IN CRZ

EXCEPT PORTS & HARBOUR.) WHICH IS OF 28 PAGES WITH VII ANNEXURES, WHICH MAY BE SEEN IN RTI -1 , ( IE THE ENTIRE PROCESSING FILE OF GGL OBTAINED BY RTI ,MAINTAINED AT HO OF MOEF&CC) PAGE- 57/119 , MARKED AS A- 41 & ADMITTED AS EVIDENCE IN NGT . THIS LETTER HAS BEEN REFERRED BY MOEF&CC IN THEIR LETTER DT 2-9-2008 WHICH IS MARKED AS ANNEXURE R-8 IN THE REPORT. SO THE FACT IS THAT THE P.P. APPLIED FOR EC TO MOEF&CC ON 8-7-2008 ALONG WITH THE PROPOSAL IE FILLED UP QUESTIONARIE AND BASED ON IT , MOEF&CC SOUGHT CLARIFICATIONS VIDE THEIR LETTER DT 2-9-2008 AND GGL GAVE CLARIFICATION TO IT VIDE THEIR LETTER DT 8-9-2008. THE VERY IMPORTANT POINT IS THAT THE JT COMMITTEE FAILED TO EXAMINE, MENTION AND BRING OUT THE DETAIL PROPOSAL OF GGL GIVEN IN FILLED UP QUESTIONARIE ALONG WITH ITS APPLICATION DT 8-7-2008.

ii) DOC A-41 MENTIONED ABOVE IS THE 1<sup>st</sup> EVIDENCE MARKED AND ADMITTED BY ME WHICH IS A DETAILED PROPOSAL FOR GETTING E.C. AND IS A VERY CRUCIAL DOCUMENT TO PROVE THE EXTENT AND GRAVITY OF VIOLATION EMBARKED UPON BY THE P.P. WHICH IS IN VIOLATION OF THE TERMS & CONDITIONS STIPULATED BY MOEF&CC IN E.C. ORDER DT 2-1-2009. THIS HAS BEEN FILED VIDE PETITION DT 11-11-2017 IN NGT.

iii) DOC A-35 IS THE 2<sup>nd</sup> EVIDENCE MARKED AND ADMITTED AS EVIDENCE IN NGT VIDE MY PETITION DT 7-11-2017 FILED IN NGT. THIS DOCUMENT PROVES THAT THE P.P. DID NOT COMPLY WITH WHAT HAS BEEN COMMITTED IN RECORD BUT RESORTED TO GROSS VIOLATION AS BROUGHT OUT BY THEN IN THEIR COUNTER STATEMENT FILED IN NGT ON 16 AUGUST 2016.

iii) DOC A-38 IS THE 3<sup>rd</sup> EVIDENCE MARKED & ADMITTED BY ME VIDE PETITION DT 1-11-2017 IN NGT . IN THIS DOC. A-35 HAS

ELIBORATED ONCE MORE TO PROVE THAT THE P.P. WHILE EXECUTING THE PROJECT CHANGED THE DRAINAGE PATTERN TO SUIT HIS CONVENIENCE FOR COMMERCIAL GAIN AND TO EXPLOIT THE COMMERCIAL GAINS.

iii) COUNTER STATEMENT FILED BY P.P. IN NGT ON 22-8-2016 IS THE 4<sup>th</sup> EVIDENCE WHICH MAY WAS SEEN AT PAGE-792 UNDER A-38. IT IS POINTED OUT THAT AT PAGE -8 PARA 16 (a) OF COUNTERSTATEMENT, IT HAS BEEN CLEARLY MENTIONED THAT QUOTE "RESPONDENT HAS CONSTRUCTED 3.5 KM STRETCH OF CANAL WITH DEPTH OF 2.7 M, HAVING 9 M WIDTH AT TOP AND 6 M AT BASE WHICH PRESERVES RAIN WATER AT SITE THROUGHOUT THE YEAR". AGAIN AT PARA-23 REFERENCE HAS MADE TO 3.5 KM STRETCH OF UNLINED EARTHEN CANAL STATING THAT IT WAS DUG TO PROTECT NATURAL RESOURCES. AGAIN REFERENCE IS MADE AT PARA-27(b) ABOUT 3.5 KM CANAL. SO THE P.P. HAS ADMITTED THAT HE HAS DUG 3-5 STRETCH OF WATER CANAL FOR THE PURPOSE AS ALLEGED BY HIM.

iv) DOC A-2 IS 5<sup>th</sup> EVIDENCE WHICH IS VALUATION REPORT OF GGL BY CHARTERED ENGINEER AS ON 25-3-2013 ADMITTED AND TAKEN AS EVIDENCE IN NGT WHEREIN AT SL No 4b UNDER CANAL SIDE WALL FORMATION IT IS MENTIONED QUOTE "FORMATION OF CANAL SIDE PITCHING WITH LATERITE BOULDERS TO A LENGHT OF 3500 m @ 3750/ m<sup>3</sup>". THIS PROVES THAT LENGTH OF CANAL IS 3500 M IE 3,5 KM AND EXPENDITUR INCURRED IS Rs 4,02,75,000. FURTHER AT SI No 4a, UNDER CANAL FORMATION THE EXPENDITURE INCURRED FOR DIGGING, EXCAVATION, INCLUDING DREDGING COMES TO Rs 4,25,00,000. ALL THIS PROVES THE QUANTUM OF EARTH WORK DONE WHEREBY THE TOPOGRAPHY OF LAND HAS BEEN DISTURBED TO CAUSE ENVIRONMENT CATASTROPHY.

v) UNDER DOC A-38 , AGAIN AT PAGE 792 , DETAILED EXAMINATION OF THE VIOLATION HAS BEEN BROUGHT OUT UNDER a),b),c),d) & e) WHICH IS 6<sup>th</sup> EVIDENCE , WHEREIN IT IS PROVED THAT 25,16,057 Cu FT OF EARTH WAS DREDGED FOR BUILDING THE WATER CANAL FOR BOATING PURPOSE AT AN EXPENDITURE OF RS 29,23,95,000 AS SEEN IN A-2.

vi) DOC A24 (b) IS THE 7<sup>th</sup> EVIDENCE (COPY ENCLOSED ) WHICH IS INVESTOR'S BROCHURE WHEREIN UNDER COMPREHENSIVE FACILITIES --- UNDER ONE ROOF IT IS MENTIONED AS QUOTE " A 3.5 KM CANAL FOR BOATING CONNECTED TO THE BACKWATER AND SEA".

vii) ADDITIONAL COUNTER FILED BY P.P.IE RESP-7 ON 4 OCT 2017, IS THE 8<sup>th</sup> EVIDENCE WHICH MAY BE SEEN IS AT PAGE-795 UNDER DOC A-38. ONE OF THE MAIN CONTENTION IN HIS ADDITIONAL COUNTER IS THAT QUOTE " THE LAND WHERE THE CANALS ARE DEVELOPED WAS ORIGINALLY LOW LEVEL AND MARSHY AREA AND NOT A SANDY ZONE. " BUT THE FACT ON RECORD IS NOT SO IN VIEW OF THE DOCUMENTARY REASONS AND EVIDENCES EXPLAINED IN DETAIL FROM a) to f)-1),2)&3) WHEREIN IT IS PROVED THAT GROSS VIOLATIONS HAS BEEN DONE BY P.P., THOUGH HE HAD COMMITTED ON RECORD TO MOEF&CC AT THE TIME OF APPLYING FOR E.C. NOT TO DO SO. IN FACT THIS WAS A PLANNED STRATEGY OF SHRI THIRUNAVUKKARASU , THE KING PIN WHO WAS DEALING WITH E.C. TO P.A.'s , WHEREIN HE CONNIVED AND CONSPIRED WITH THE V.P.OF GGL SRI U.V.JOSE TO FACILITATE ALL THE VIOLATIONS IN THE TERMS & CONDITIONS OF THE E.C. GRANTED TO THEM SO AS TO ALTER THE EXISTING MAJOR FEATURES IN THE SITE AREA. THE TOTAL DEVELOPMENT COST FOR THE PROJECT AS PER AUTHENTIC RECORD IE A-2 IS RS 29,22,96,500 WHICH CLEARLY REFLECTS THE QUANTUM AND EXTENT OF DAMAGE CAUSED TO THE CRZ ZONE OF THE RESORT SITE THAT IS

AGAINST THE ENVIRONMENTAL SAFEGUARD AND PROTECTION ENTRUSTED WITH MOEF&CC .

3. IN THE LAST REMARK UNDER KEY ISSUES RAISED IN THE COMPLAINT IE AT SL NO- 9 OF THE COMMITTEE REPORT ,IT IS REPORTED THAT THE JT COMMITTEE COULD NOT ASCERTAIN THE EXACT LENGTH OF THE WATER CANAL CREATED BY THE P.P., BESIDES CRZ DETAILS ETC AND OPINED THAT AUTHORISED AGENCIES FOR HTL DEMARCATION AND CRZ MAPPING LIKE NCESS, NCSCM & IRS FOR WORKING OUT ENVIRONMENTAL COMPENSATION BE ENGAGED . THEY ALSO SUGGESTED THAT ENFORCEMENT ACTION BE INITIATED BY KCZMA IN CONSULTATION WITH MOEF&CC , DEPARTMENT OF MINING & GEOLOGY , DEPARTMENT OF IRRIGATION, DEPARTMENT OF REVENUE, AND OTHER CONCERNED DEPARTMENTS UNDER THE POWERS VESTED WITH ENVIRONMENT (PROTECTION) ACT 1986.

4. IN THIS REGARD IT IS SUBMITTED THAT THE JT COMMITTEE FAILED MISERABLY IN FINDING OUT THE LENGTH OF CANAL , BECAUSE NON OF THE AGENCIES WHO WERE IN POSITION TO GET THE ABOVE INFORMATION THROUGH THEIR STANDING COUNSELS ATLEAST , INSPITE OF HAVING AMPLE TIME AT THEIR DISPOSAL, ESPECIALL RO MOEF&CC & KCZMA, DID NOT DO SO NOR EXPLORED THE POSSIBILITIES TO GET IT FROM THE AVAILABLE RECORDS, AS THE COPIES WERE MARKED TO ALL OF THEM , EXCEPT KSPCB . THE PLEA THAT THE ABOVE INFORMATION WAS NOT AVAILABLE FROM THE AVAILABLE RECORD CANNOT BE ACCEPTED UNDER ANY CIRCUMSTANCES ESPECIALLY WHEN THE KING PIN WHO IS WELL AWARE OF ALL THE DEVELOPMENTS IS STILL PRESENT AT RO MOEF WHERE THE 2 NOMINEES OF THE JT COMMITTEE FROM RO MOEF IE DR S PRABHU AND DR MURALI KRISHNA ARE WORKING. SO IT AMOUNTS TO CONNIVANCE BY BOTH OF THEM UNDER THE CIRCUMSTANCES . THE SAME IS THE CASE WITH SRI KALAIARASAN ENVIRONMENTAL ENGINEER OF KCZMA WHO WAS DEALING WITH

THIS CASE FROM THE BEGINNING AND IS WELL AWARE OF ALL THE DEVELOPMENTS , ALL THE MORE AS HE IS CLOSELY CONNECTED AND CONSPIRED WITH THE KING PIN TO SAFEGUARD THE P.P., AS SEEN PROVED AND ESTABLISHED ON RECORD.

5. THE NOMINEE OF KCZMA SRI KALAIARASAN WITH AN ULTERIOR MOTIVE AND CRIMINAL INTENT , INTENTIONALLY , DID NOT PROVIDE THE MOST IMPORTANT DOCUMENTARY EVIDENCE THAT T M/S GREEN GATEWAY LEISURE LTD (GGL ) RESORT BEKAL BEACH RESORT & SPA IN KASARGOD DISTRICT IS ONE OF THE RESORTS IN THE LIST OF PVT COMPANIES /OWNERS , THAT HAS BEEN FOUND INVOLVED IN MAJOR CRZ NOTIFICATIONS AND ENVIRONMENTAL VIOLATIONS BY KCZMA AND THIS LIST WAS FORWARDED TO SRI BHARAT SINGH DIRECTOR (CRZ) MOEF&CC HO NEW DELHI BY NONE OTHER THAN MEMBER SECRETARY KCZMA DR VEEN MADHAVAN IAS VIDE HER LETTER No 665/A2/2019/KCZMA DT 12-7-2019. (COPY ENCLOSED) MARKED AND ADMITTED AS DOC A-63 IN NGT. THIS RTI EVIDENCE FURTHER REVEALS THE DECEPTIVE ACT AND UN-HOLY NEXUS OF THE KCZMA MEMBER SRI KALAIARASAN WITH THE P.P. IN THE JT COMMITTEE WHICH MAY BE PLEASE TAKEN NOTE OFF.

10. CONCLUSION AND FINAL REMARKS

MY COMMENTS/OBJECTIONS

1. ACTUALLY THIS IS SERIAL NO 10 AND NOT SL No 9 AS MARKED IN THE REPORT BY THE JT COMMITTEE WHICH MAY BE NOTED PLEASE. THE CONCLUSION & FINAL REMARKS ARRIVED AT BY THE JT COMMITTEE IS ON THE BASIS OF VERIFICATION OF AVAILABLE RECORDS AND ON THE ASSESSMENT UNDERTAKEN DURING PHYSICAL INSPECTION. IN THIS REGARD I PARTIALLY AGREE WITH THE CONCLUSION ARRIVED BASED ON PHYSICAL INSPECTION AND THE REASONS HAVE BEEN EXPLAINED INDETAIL BY ME AS ABOVE.

REGARDING THE CONCLUSION BASED ON AVAILABLE RECORDS I FULLY DISAGREE AND RAISE THE FOLLOWING OBJECTIONS IE :-

- i) THE CONSTITUTION OF THE COMMITTEE BY HON' ABLE NGT IS JUST AND FINE BUT UNFORTUNATELY IN THE COMPOSITION THE SENIOR OFFICERS OF THE THREE DEPARTMENTS IE MOEF&CC RO BANGALORE, KCZMA & KSPCB WERE NOT NOMINATED TO THE JT COMMITTEE WHICH HAS ALSO BEEN EXPLAINED IN DETAIL AS ABOVE. SO THE VERY PURPOSE AND INTENTION OF HON'ABLE NGT IS DEFEATED.
- ii) THE NOMINEES SELECTED TO THE JT COMMITTEE WERE CONNECTED TO THE CASE IN ONE WAY OR OTHER AND ALSO WERE CONSPIRATORS AND A PARTY TO THE CASE AND HENCE HAVE BEEN FOUND SAFEGUARDING & SHIELDING THE P.P. UNDER THE GUIDANCE , MANIPULATION & INSTIGATION OF THE KING PIN SRI THIRUNAVUKKARASU THE THEN D.D. OF MOEF&CC WHO GOT ISSUED THE ILLEGAL AND UN-AUTHORISED E.C. TO THE P.P. IN CONNIVANCE WITH THE THEN A,D, MOEF & CC DR SENTHIL VEL,SRI U.V.JOSE V.P.GGL & OTHERS BY CRIMINAL ACT OF FORGERY TO CHEAT, CHEATING, MIS-REPRESENTATION, MANIPULATION, CONNIVANCE, CONSPIRACY, COLLUSION, FRAUD & BREACH OF TRUST, PUNISHABLE UNDER SECTION 468,465,406,471& 35 OF IPC. THESE OFFENCES WERE COMMITTED AND HAVE BEEN EXAMINED THREAD BARE AND PROVED THROUGH FOLLOWING RTI EVIDENCES MARKED AND ADMITTED IN NGT IE
- a) RTI-1 ,RTI-2 &RTI-9
  - b) A-1,A-4,A-12,A-17,A-18,A-19,A-21,A-24(b),A-30(a),A-35
  - c) A-38,A-39,A-40,A-41,A-42,A-43,A-45,A-46,A-49,A-51,A-52
  - d) A-50, A-50(1) A-50 & ANNEXURE-X BEING FILED IN NGT
  - e) RTI-3,RTI-9,RTI-7'

- f) A-22,A-12,R-4,R-3,R-2,R-6,A-28,A-27,R-7,A-19,A-31, A-42.
- g) A-44,A-45,A-46,A-47,A-8
- h) DOC-A-52 WILL ESTABLISH AND EXPOSE THE MANIPULATED AND FALSE MONITORING REPORT OF JOHN THOMAS WHEREIN ALL THE VIOLATIONS PERPETUATED BY THE P.P. HAVE BEEN EXAMINED THREAD BARE, INCLUDING THE AUDIT REPORT OF PALLIKAREE GRAM PANCHAYATH A-44 THAT EXPOSES THE MANIPULATIVE AND ILLEGAL ACTIVITIES OF P.P., A-53 WHICH EXPOSES NON OBTAINING NOC FROM RAILWAYS FOR CONSTRUCTION WITHIN 30 M OF RAILWAY BOUNDARY & A-41
- i) DOC. A--52 (1) EXAMINES THREAD BARE THE CRIMINAL ACT OF FORGERY TO CHEAT IN OBTAINING THE ILLEGAL & UN-AUTHORISED E.C., GOT ISSUED BY THE KING PIN IN CONNIVANCE WITH U V JOSE V.P. GGL & OTHERS FROM MOEF&CC. IT ALSO LIST THE NO OF FORGERY TO CHEAT CASES IN A-50.
- j) DOC-A-52 (2) DEALS IN DETAIL WITH ALL THE VIOLATIONS, IN ALL THE AGREEMENTS EXECUTED BY BRDC WITH THE P.P. SO AS TO OBTAIN ADDITIONAL LAND , WHICH WAS PLANNED & ARTICULATED BY U.V. JOSE IN CONNIVANCE WITH MD BRDC.FOR THE P.P..
- k) DOC.A-52 (3) DEALS WITH DETAIL EXAMINATION OF THE FALSE AND MANIPULATED MONITORING REPORT OF DR SRIDHARAN OF RO MOEF&CC.

ALL THESE DOCUMENTS ARE AVAILABLE WITH THE AGENCIES AND ALSO WITH THEIR PANEL ADVOCATES IN NGT ,DEALING WITH MY APPLICATION 136/2016 (SZ) IN NGT CHENNI. THESE WERE THE AVAILABLE RECORDS THAT SHOULD HAVE BEEN GIVEN TO JT COMMITTEE FOR VERIFICATION

iii) REGARDING KCZMA, SRI KALAIARASAN PARTICIPATED IN THE V.C. AND ADDUCED EVIDENCE IN FAVOUR OF THE P.P. AND MADE AVAILABLE PARTIAL RECORDS/INFORMATIONS AS HE WAS A CONSPIRATOR TO THE KING PIN THIRUNAVUKKARASU OF RO MOEF , WHO WAS WORKING BEHIND THE SCREEN FOR THE P.P..AND THE NOMINEES OF RO MOEF &CC WERE ALL WORKING UNDER HIM AT RO MOEF&CC. THIS IS THE REAL GROUND SCENARIO WHICH MAY BE APPRECIATED BY THE HON' NGT PLEASE.

iv) REGARDING A., OF THE CONCLUSION & FINAL REMARKS OF JT COMMITTEE , THE FACTUAL POSITION ON INSPECTION HAS BEEN REPORTED.

v) REGARDING B.,THE REPORT SUBMITTED IS FACTUAL BASED ON VERIFICATION OF RECORDS. SO FOR ANY CONSTRUCTION TO TAKE PLACE FURTHER , FRESH E.C. IS REQUIRED FROM MOEF&CC & CONSENT TO ESTABLISH FROM KSPCB, AS E.C. VALIDITY HAS EXPIRED ON 2014 & CONSENT TO ESTABLISH IN 2018. IN THAT CASE NONE OF THE OFFICERS FROM RO MOEF&CC & KSPCB HAVE BROUGHT OUT THESE TWO MAJOR FINDINGS DURING THEIR MONITORING OF THE SITE, WHICH REFLECTS AND PROVES THEIR NEXUS ,CONNIVANCE & CONSPIRACY WITH THE P.P.. SO THE MOOT QUESTION IS UNDER SUCH CIRCUMSTANCES, HOW CAN ONE FULLY BELIEVE AND AGREE TO THE FINAL CONCLUSIONS/FINDINGS OF THE JT COMMITTEE ? HENCE IT CAN BE SAID TO BE ONLY PARTIAL AND NOT A COMPREHENSIVE REPORT WHICH WAS NOT AS DESIRED BY THE HON' NGT.

vi) REGARDING C., THE REPORT SUBMITTED IS NOT BASED ON FACTS AND PROPER EVIDENCES ON RECORD. THERE EXISTS SUBSTANTIAL , CONVINCING & MATERIAL EVIDENCES TO PROVE EXISTENCE OF 26 & MORE BOREWELLS IN THE SITE AND TOWARDS THIS I HAVE PRODUCED 23 RTI DOCUMENTARY EVIDENCES FROM SL No 9.A AT PAGE TO PAGE . THESE ARE ALL BASED ON AVAILABLE RTI RECORDS. IT HAS ALSO BEEN EXPLAINED IN DETAIL

IN THE CONCERNED PARAS ABOVE , THAT THE P.P. IN CONNIVANCE WITH KSPCB AUTHORITIES GOT INSPECTED THE SITE IMMEDIATELY AFTER REMOVING ALL THE BORE WELLS IN THE SITE AND CREATED EVIDENCE THAT THERE WERE NO PRESENCE OF BOREWELLS AS SEEN REFLECTED IN THE STATUS REPORT IE A-23. THE P.P. TRIED DESPERATELY TO CREATE EVIDENCE SO AS TO JUSTIFY THE ABSENCE OF BOREWELLS BUT FAILED MISERABLY SINCE THEY HAVE BEEN EXPOSED AND PROVED TO BE FALSE AND FABRICATED. EVEN THE SENIOR MOEF&CC MONITORING OFFICERS OF RO TRIED TO ADDUCE EVIDENCE FOR AND ON BEHALF OF THE P.P. IN THEIR REPORT , WHICH WAS ALSO EXPOSED BY ME AND PROVED IT TO BE FALSE & FABRICATED. THE SIMPLE FACT OF THE MATTER IS WILL ANY ONE NOT REMOVE THE BOREWELLS WHICH THEY ARE NOT SUPPOSED TO BE USED FOR DRAWAL OF GROUND WATER FOR RESORT CONSTRUCTION AS PER E.C. ORDER DT 2-1-2009 ,AFTER HAVING FILED APPLICATION IN NGT DURING JUNE 2016 ? THE ANSWER IS "YES" WHICH MAY BE KINDLY APPRECIATED BY HON' NGT. SO YOU CANNOT EXPECT TO SEE THE PRESENCE OF SUCH BOREWELLS UNDER ANY CIRCUMSTANCES DURING THE SITE INSPECTION, AFTER MY FILING APPLICATION IN NGT.

viii) THE CONTENTION & FINDING OF THE JT COMMITTEE , BASED ON VERIFICATION OF RECORDS THAT QUOTE " THE PROJECT AUTHORITIES HAVE ENTERED INTO AN AGREEMENT WITH KERALA WATER AUTHORITY FOR SUPPLY OF WATER FOR NON DOMESTIC PURPOSES." BUT WHEN THIS AGREEMENT EXECUTED ? IE 27 SEPT 2014. WHAT BEFORE THAT ? ONLY BOREWELL WATER USED . SO THIS CONCLUSION OF THE JT COMMITTEE IS NOT BASED ON EXAMINATION OF RELEVANT RECORDS, THOUGH ON FACE OF IT , MAY APPEAR TO BE REASONABLE. BUT THIS IS NOT EXPECTED FROM A COMMITTEE OF SENIOR OFFICERS BECAUSE THE NOMINEES HAD ACCESS TO THE RELEVANT DOCUMENTS AS

EXPLAINED BY ME IN THE ABOVE PARAS. THIS IS PRECISELY WHAT I HAVE PROVED WITH 23 RTI DOCUMENTARY EVIDENCES TO ESTABLISH MY STAND.

SO THE FINDINGS OF JT COMMITTEE IS PRIMA FACIE AGAINST FACTS AND HENCE NULL AND VOID.

ix) REGARDING D. A READING OF THE FINDINGS GIVES AN IMPRESSION THAT SINCE THE PROJECT HAS NOT BEEN COMPLETED AND NOT IN OPERATION , THERE IS NO GENERATION OF SEWAGE AND SO THE P.A. HAVE NOT INSTALLED A SEWAGE TREATMENT PLANT TILL DATE. THIS ARGUMENT OF P.A. CANNOT BE ACCEPTED IN VIEW OF THE FOLLOWING REASONS IE

- a) DURING SITE INSPECTION OF JOHN THOMAS OF RO MOEF&CC ON 11 &12 MARCH 2017 IE A-42 SEEN AT PAGE 235 OF A-52 , ADMITTED AS EVIDENCE IN NGT , IT HAS BEEN RECORDED BY THE MONITORING OFFICER THAT QUOTE " THE PROJECT AUTHORITIES (PA) HAVE AGREED TO COMPLY WITH THE CONDITIONS AT THE STAGE OF OPERATION OF THE FACILITIES. PA HAS PRODUCED DOCUMENTARY EVIDENCE IN THE FORM OF A QUOTATION NOTICE RECEIVED FROM AN AGENCY FOR SUPPLY OF THE SAID SYSTEM AND IS TAKEN IN FILE ." NOW DURING THE SECOND VISIT ON 3-1-2018 BY JOHN THOMAS , THIS WAS NOT CHECKED UP BUT STATED THAT SINCE CONSTRUCTION WORK WAS KEPT IN ABEYANCE SINCE JAN 2017 AS PER DOC-68, ADMITTED AND MARKED AS EVIDENCE IN NGT , MONITORING COULD NOT BE CARRIED OUT, WHICH MAY BE NOTED. EVEN THIS ITEM WAS NOT CHECKED UP BY DR SRIDHARAN SENIOR OFFICER OF RO MOEF&CC DURING HIS MONITORING ON 9-8-2018 AND EVEN HAS RECORDED IN HIS REPORT THAT THE LENGTH OF CANAL IS 3.5 KM . THIS DOCUMENT IS EASILY ACCESSIBLE IN RO MOEF&CC , BUT NOT PRODUCED TO THE COMMITTEE WHICH

MAY BE NOTED. MOREOVER AS PER A-44 IE AUDIT REPORT IT IS ESTABLISHED THAT CONSTRUCTION COMPLETED IN SEPT 2015 ITSELF AND IN THAT CASE WHAT MADE P. A. NOT TO INSTALL THE SEWAGE PLANT . SO IT IS PROVED THAT THE P.A. HAD NO INTENTION OF INSTALLING SEWAGE PLANT EVEN AFTER COMPLETION OF CONSTRUCTION . SO THE READING OF THE JT COMMITTEE IS NOT CORRECT AND P.A. HAD THE INTENTION OF VIOLATING THE CONDITION AND WAS PROLONGING THE MATTER WITH AN ULTERIOR MOTIVE.

x) REGARDING E. THIS HAS BEEN EXAMINED IN GREAT LENGTH AND PROVED THAT THERE WAS GROSS VIOLATION OF CRZ NOTIFICATION 1991 AS PER R-7 OF THE REPORT THAT IS SPECIFIED AT ITEM (XIII) OF CRZ CLEARANCE GIVEN TO ATE BY KCZMA VIDE ITS LETTER DT 18-11-2006 IE PRODUCED AS R-2 BY RESP-7 IN NGT. THIS HAS BEEN EXPLAINED AT LENGTH IN A-52 AND ALSO UNDER 9. E BY ME AS ABOVE. UNFORTUNATELY THE JT COMMITTEE HAS NOT APPLIED IT MIND TO THIS GROSS VIOLATION AND PASSED ON THE RESPONSIBILITY TO VARIOUS AGENCIES FOR TAKING ENFORCEMENT ACTION AGAINST THE P.P. UNDER ENVIRONMENT PROTECTION ACT 1986. NO EFFORT HAS BEEN MADE BY THE COMMITTEE TO TAKE OUT EVIDENCES AS DONE BY ME TO FIND OUT THE LENGTH OF THE CANAL , WHICH HAS BEEN REFLECTED IN MONITORING REPORT OF DR SRIDHARAN OF RO MOEF&CC AT A- 52 (3) . IT WAS AN UN-PROFESSIONAL APPROACH BY THE COMMITTEE AND SHOWS LACK OF INTEREST IN FINDING OUT EVIDENCES FROM THE RECORDS AS AVAILABLE WITH THE 3 AGENCIES. IT HAS ALSO RECOMMENDED TO WORK OUT THE ENVIRONMENTAL COMPENSATION THAT THE P.A. ARE LIABLE TO PAY , THROUGH AUTHORISED AGENCIES IN CONSULTATION WITH MOEF&CC AND KCZMA . I FULLY AGREE WITH THEIR RECOMMENDATIONS BUT IT SEEMS THAT THEY HAVE NOT GONE INTO THE DEPTH OF THE VIOLATIONS CARRIED OUT .

xi) IT IS ON RECORD THAT THE P.P. HAS TAKEN HUGE BANK LOAN FROM SBI, SBT&UBI @ 20 CRORES EACH PLEDGING THE LEASED LAND OF BRDC WHICH WAS LEASED TO ATE, THEN TO GGL ON MORTGAGING THE LEASED LAND WHICH WAS ILLEGAL AND UN AUTHORISED AS PER LEASE DEED AGREEMENT BETWEEN BRDC & ATE &GGL. THEY HAVE ALSO ACQUIRED LAND IN SURVEY NO 134 ON THEIR OWN FROM A PRIVATE PARTY AND INCLUDED THEM IN THE LEASED LAND OF 58 ACRES & GOT ISSUED E.C. FOR THIS LAND IN SURVEY NO 134. THEY HAVE NOT OBTAINED CRZ CLEARANCE FROM KCZMA FOR 13 ACRES OF ADDITIONAL LAND , WHICH THE THE P.P. ACQUIRED AFTER OBTAINING E.C. FROM MOEF &CC ON 2-1-2009. ONLY FOR 45.04 ACRES HE HAS OBTAINED CRZ CLEARANCE FROM KCZMA AND THAT TOO FOR ATE AND NOT GGL. ALL THESE ARE GROSS VIOLATION, FORGERY TO CHEAT, MANIPULATION , CONNIVANCE & CONSPIRACY PERPETUATED BY THE P.P. THROUGH HIS V.P. SRI U.V. JOSE, WHO HE EMPLOYED AS V.P.GGL , DURING HIS L.W.A PERIOD AND ALSO FOR 6 MONTHS UN OFFICIALLY WHEN HE WAS STILL WORKING AS TOWN PLANNER IE GOVT EMPLOYEE , IN THE ROLE OF KERALA GOVT.

11. THEREFORE AS PER THE FINDINGS OF THE JT COMMITTEE NOTHING CONCRETE COULD EMERGE ON THEIR PHYSICAL INSPECTION, EXCEPT THE FACT, THAT HAS ALREADY BEEN BROUGHT OUT BY THE MONITORING OFFICERS OF RO &CC. IN THEIR REPORT, THAT CONSTRUCTION WAS KEPT IN ABEYANCE SINCE JAN 2017 AS PER DOC A-68, AND DUE TO THE DENSE GRASS OF 6 FT HEIGHT ALL OVER THE SITE, EXCEPT SOME NATURAL WALK WAYS. SO NO GROUND SEARCH IS POSSIBLE AT ALL AND EVEN THEN IT SEEMED THEY SEARCHED BUT COULD NOT LOCATE PRESENCE OF BOREWELLS ,WHICH WAS A FRAUDULENT AND MISCHIEVOUS FINDING /STATEMENT TO HELP THE P.P., THAT WAS UNFORTUNATE & NOT EXPECTED FROM THE JT COMMITTEE OF SENIOR OFFICERS CONSTITUTED BY NGT. THIS INCIDENT PROVES

THE MIND SET OF THE MEMEBERS THAT IS CLEARLY REFLECTED IN THEIR FINAL REMARKS/FINDINGS.

12. i) ULTIMATELY ALL SAID AND DONE THE JI COMMITTEE COULD INDENTIFY ONLY TWO VIOLATIONS IE C & E UNDER CONCLUSION AND FINAL REMARKS , BASED ON VERIFICATION OF AVAILABLE RECORDS GIVEN TO THEM BY ALL THE 3 AGENCIES IE MOEF&CC, KCZMA & KSPCB AND IT IS PROVED WITH 23 RTI EVIDENCES THAT BOREWELL GROUND WATER HAS BEEN USED FOR CONSTRUCTION RELATED ACTIVITIES OF THE PROJECT FOR MORE THAN 8 YEARS FROM DATE OF E.C. AND MORE THAN 11YEARS SINCE ALLOTMENT OF LEASED LAND BY BRDC TO ATE FOR RESORT CONSTRUCTION..

ii) REGARDING B, IT WAS FOUND THAT THE VALIDITY PERIOD WAS NOT EXTENDED BY THE P.P. AS IT EXPIRED ON 2014 AND THE INTEGRATED CONSENT TO ESTABLISH (RENEWAL) HAS NOT BEEN RENEWED AFTER 2018 AS PER RECORDS MADE AVAILABLE TO THEM. THIS IN FACT CANNOT BE TERMED AS FINDINGS AS THE P.P. DID NOT SUBMIT 6 MONTHLY REPORT TO RO MOEF &CC NOR THEY HAVE BEEN CALLED FOR , BY THEM.

13. BUT AS PER AVAILABLE RECORDS MOSTLY RTI DOCUMENTS, MARKED AND ADMITTED AS EVIDENCE IN NGT CHENNI ESPECIALLY A-52, A-52(1),A-52(2) & A-52 (3) , THAT ARE THE DETAILED EXAMINATION OF THE MONITORING REPORTS OF JOHN THOMAS IE A-42 & DR SRIDHARAN , IT IS FOUND ON EVIDENCE THAT THE P.P. HAS VIOLATED AND NOT COMPLIED WITH MORE THAN 78 % OF THE SPECIFIC TERMS AND CONDITIONS STIPULATED IN E.C. ORDER DT 2-1-2009 . THIS HAS BEEN EXPLAINED IN DETAIL VIDE DOC A-52, PART-11 SPECIFIC CONDITIONS FROM PAGE-13 TO PAGE 18 ,WHEREIN 24 SPECIFIC TERMS AND CONDITIONS MENTIONED,,OUT OF WHICH 10 TERMS AND CONDITIONS ARE NOT APPLICABLE TO BE IMPLEMENTED AT THE DEVELOPMENT &

CONSTRUCTION STAGE . HENCE ONLY 14 TERMS & CONDITIONS CAN BE IMPLEMENTABLE NOW, OUT OF WHICH 11 SPECIFIC TERMS & CONDITIONS HAVE BEEN VIOLATED/NOT IMPLEMENTED AND COMPLIED WITH BY P.P. AS EXPLAINED FROM PAGE 13 TO PAGE 18 OF DOC A-52.

14. AGAIN IN DOC. A-52 ,UNDER PART 111- GENERAL CONDITIONS OF THE E.C. ORDER DT 2-1-2009, FROM PAGE -18 TO 22 , OUT OF 21 GENERAL CONDITIONS , 8 CONDITIONS ARE NOT IMPLEMENTABLE, AS IT IS APPLICABLE ONLY WHEN THE RESORT STARTS OPERATING. THEREFORE ONLY 13 CONDITIONS ARE SEEN APPLICABLE DURING CONSTRUCTION & DEVELOPMENT STAGES. OUT OF 13 CONDITIONS ONLY 3 CONDITIONS HAVE BEEN COMPLIED WITH AND THE REMAINING 10 TERMS AND CONDITIONS ARE SEEN NON IMPLEMENTED /VIOLATED , THAT AMOUNTS TO 70 % VIOLATION. THESE HAVE BEEN EXPLAINED IN DETAIL FROM PAGES 18 TO 22.

15. THE MONITORING OFFICER SRI JOHN THOMAS OF RO MOEF& CC WAS DIRECTED TO SUBMIT FACTS IN RESPONSE TO THE POINTS RAISED BY ME AS PETITIONER IN APPLICATION NO136/2016 AND FILE NO EP/12.27/49/NGT/KER. HON' NGT CHENNI. THIS HAS BEEN EXAMINED THREAD BARE BY ME FROM PAGE 22 TO PAGE-29 COUNTERING HIS FACTUAL REPORT BASED ON DOCUMENTARY RTI EVIDENCES UNDER HEADING GROUND'S , PARA-1 TO PARA-12 , WHICH IS A DETAILED ANALYTICAL EXAMINATION OF MANDATORY REQUIREMENTS WHILE EXECUTING THE PROJECT. ALL THE VIOLATIONS HAVE BEEN EXAMINED UNDER THESE PARA'S WITH RTI DOCUMENTARY EVIDENCES WHICH HAVE BEEN LISTED AND ENCLOSED FOR THE INFORMATION OF THE HON'ABLE NGT, THAT MAY BE KINDLY EXAMINED. DOC A-50 WHICH IS SUMMARY OF MORE THAN 50 DOCUMENTARY EVIDENCES TO ESTABLISH ALL THE VIOLATIONS OF THE TERMS & CONDITIONS SPECIFIED IN THE E.C. ORDER DT 2-1-2009, THAT WAS PERPETUATED BY THE CRIMINAL

ACT OF FORGERY TO CHEAT, FRAUD, CONSPIRACY, CONNIVANCE, CORRUPT PRACTICES, MIS-REPRESENTATION AND BREACH OF TRUST BY SRI U.V. JOSE V.P. GGL, P.P.- SRI E.M. NAJEEB, HIS SON E.N. ZAHEER WITH THE OFFICERS OF MOEF&CC IE THE KING PIN SRI THIRUNAVUKKARASU THE THEN D.D., DR SENTHIL VEL THE THEN A.D, M.D. OF BRDC SRI SHAJI MADHAVAN, AND OTHERS MAY BE SEEN ENCLOSED IN DOC. A-52. THIS VITAL AND CLINCHING DOCUMENT EVIDENCE HAS BEEN SENT TO ALL THE AGENCIES CONCERNED THROUGH THEIR STANDING COUNSELS IN NGT AND RECEIVED BY THEM.

16. LASTLY IT IS HUMBLY REQUESTED THAT THE HON' NGT MAY TAKE INTO CONSIDERATION ALL MY OBJECTIONS AND FINDINGS, AGAINST THE JT COMMITTEE REPORT, WHICH HAS BEEN BROUGHT OUT CLEARLY IN DETAIL WITHOUT AN IOATA OF DOUBT, AS ABOVE, FROM DOCUMENTS AND RECORDS THAT ARE BASED ON RTI DOCUMENTARY EVIDENCES, WHICH HAVE BEEN MARKED & ADMITTED IN NGT CHENNI IN MY APPLICATION 136/2016. THE FINDINGS/ CONCLUSIONS AND FINAL REMARKS OF THE JT COMMITTEE ARE VERY MUCH WANTING IN NATURE AND HAS BEEN PREPARED WITHOUT EXAMINING ALL THE RELEVANT DOCUMENTS THAT WERE AVAILABLE WITH THE AGENCIES OF KCZMA, KSPCB AND SPECIALLY MOEF&CC RO & HO. THERE ARE SOLID PROOF TO ESTABLISH THAT VESTED INTEREST AND CONSPIRATORS OF THE KING PIN, ESPECIALLY SRI KALAIARASAN ENVIRONMENTAL ENGINEER KCZMA WHO CAME IN AS NOMINEE AND DR S PRABU OF RO MOEF&CC DURING V.C. HELD ON 14-8-2020, HAD INFLUENCED THE JT COMMITTEE TO TAKE A FAVOURABLE STAND TOWARDS THE P.P. WHICH IS QUIET EVIDENT IN THE MINUTES IE R-4 PARA-7, ENCLOSED WITH THE REPORT. THIS HAS BEEN EXPLAINED BY ME IN DETAIL IN MY OBJECTION REPORT AS ABOVE.

17. THIS IS ONE OF THE RAREST OF RAREST CASES WHERE THE GOVT AUTHORITIES ESPECIALLY SENIOR OFFICERS RESPONSIBLE FOR SAFE GUARDING THE ENVIRONMENT IE MOEF&CC , BY BREACH OF TRUST, CONNIVANCE, CONSPIRACY , FORGERY TO CHEAT, MIS-REPRESENTATION & CORRUPT PRACTICE COLLIDE WITH THE P.A. TO GET ISSUED ILLEGAL & UN- AUTHORISED E.C. ,THROUGH THEM, FROM THEIR OWN DEPARTMENT EVEN THOUGH BEING RESPONSIBLE TO ISSUE ONLY GENUINE AND ELIGIBLE E.C. TO PRIVATE AGENCIES LIKE ATE/GGL AS IN THIS CASE. THE HON' ABLE NGT IS HUMBLLY REQUESTED TO EXERCISE ITS POWERS VESTED IN THE PREAMBLE OF NGT ACT 2010 IE QUOTE " AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NATIONAL GREEN TRIBUNAL FOR THE EFFECTIVE AND EXPEDITIOUS DISPOSAL OF CASES RELATING TO ENVIRONMENTAL PROTECTION AND CONSERVATION OF FORESTS AND OTHER NATURAL RESOURCES INCLUDING ENFORCEMENT OF ANY LEGAL RIGHT RELATING TO ENVIRONMENT AND GIVING RELIEF AND COMPENSATION FOR DAMAGES TO PERSONS AND PROPERTY AND " FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO ." IN THIS REGARD I MAY SUBMIT THAT THE CRIMINAL ACT OF FORGERY TO CHEAT AND OTHER CRIMINAL OFFENCES COMMITTED BY MOEF&CC OFFICERS & OTHERS MENTIONED ABOVE HAVE TO BE DEALT UNDER THE PROVISION OF THE INCIDENTAL POWERS VESTED WITH NGT IE " FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO ." SO THE HON' NGT IS REQUESTED TO RECOMMEND THIS CRIMINAL CASE TO THE APPROPRIATE FORUM/COURT OR TO C.B.I. AS IN THIS CASE AND CASES LIKE THIS, THAT ARE YET TO BE IDENTIFIED IN MOEF&CC , WHICH ARE ISSUED BY MOEF&CC AND THAT IS WHY I STILL MAINTAIN THAT, THIS IS A MULTI MEGA SCAM IN MOEF&CC INVOLVING EXCHANGE OF CRORES OF RUPEES AS BRIBE EVERY YEAR , SINCE VAST NATURAL RESOURCES ARE PLUNDERED UNDER THE BANNER OF E.C. CLEARANCE AS SEEN IN THIS CASES AND PROBABLE IN MANY SUCH CASES , WHICH ARE YET TO BE

IDENTIFIED AND DETECTED. IN FACT THIS ADDITIONAL POWER IS GIVEN TO NGT TO CURB SUCH CRIMINAL TENDENCIES WHICH ARE ON THE RISE IN GOVT DEPARTMENTS , WHERE THE OFFICERS ARE RAMPANTLY INVOLVING THEMSELVES IN BREACH OF TRUST TO EARN CRORES OF QUICK MONEY BY ALLOWING SUCH P.A. TO PLUNDER THE VAST NATURAL RESOURCES LIKE SAND, MINERAL ETC.. INCIDENTLY THE ABOVE POINT HAS BEEN RAISED & EMPHASISED BY ME IN MY PETITION DT 16-9-2017 FILED ALONG WITH THE ACCOMPANYING AFFADIVIT ON 18-9- 2017 IN NGT WHICH MAY KINDLY PURSUED BY THE HON' JUDGE.

18. LASTLY I AM LISTING THE VIOLATIONS OF THE TERMS & CONDITIONS STIPULATED IN THE E.C.ORDER DT 2-1-2009, BY THE P.P. THROUGH HIS V.P. SRI U.V. JOSE, WHICH HAVE NOT BEEN EXAMINED NOR BROUGHT OUT IN THIS JT COMMITTEE REPORT OR ELSE I WILL NOT BE DOING JUSTICE TO MYSELF AND MY COUNTRY , BEING AN EX-SERVICE OFFICER , BESIDES A PUBLIC SERVANT HAVING PUT 26 YEARS OF PAN INDIA SERVICE IN F C I , HEADING THE STATE OF KERALA, GUJRAT & NORTH EAST AS REGIONAL MANAGER FC I. ALL THE VIOLATIONS HAVE BEEN EXAMINED THREAD BARE WITH RTI DOCUMENTARY EVIDENCES IN DOC. A-52,A-52 (1),A-52 (2) & A-52 (3) THAT HAVE BEEN MARKED AND ADMITTED IN NGT CHENNI AND PROVED . THE LIST OF VIOLATIONS ARE AS FOLLOWS :-

i)THE RESORT CONSTRUCTION WAS NOT CARRIED OUT IN ACCORDANCE WITH THE COASTAL REGULATION ZONE NOTIFICATION 1991.

ii) THE ONUS OF RESPONSIBILITY FOR MONITORING THE EFFECTIVE IMPLEMENTATION WILL REST ENTIRELY ON RO MOEF&CC AS PER PARA -4 OF E.C. ORDER 2-1-2009.BUT TILL MARCH 2017,THIS WAS NOT DONE DUE TO THE CRIMINAL ACT OF FORGERY TO CHEAT &

OTHER OFFENCES PERPETUATED BY THE KING PIN THE THEN D.D. SRI THIRUNAVUKKARASU & AD SRI SENTHIL VEL OF MOEF&CC HO , IN CONNIVANCE & CONSPIRACY WITH SRI U.V. JOSE V.P. GGL & P.P. SRI E.M. NAJEEB.

iii) VIDE PARA3(XXI) THE MINISTRY RESERVES THE RIGHT TO REVOKE THE CLEARANCE IF IMPLEMENTATION OF THE TERMS & CONDITIONS IS NOT SATISFACTORY. THIS BEING A VERY CRUCIAL & IMPORTANT CONDITION , THE RESEARCH OFFICER OF RO MOEF&CC SRI JOHN THOMAS , WAS ASKED TO MONITOR THE SITE BY THE KING PIN UNDER WHOM HE WAS WORKING WHICH WAS A WELL PLANNED & CALCULATED CRIMINAL STRATEGY . ACCORDINGLY MONITORING WAS DONE ON 11 & 12 MARCH 2017 AND SATISFACTORY REPORT DT 14-3-2017 SUBMITTED TO HO OF MOEF&CC DULY APPROVED BY THE KING PIN AND OTHERS OF RO. FURTHER THE GIST OF THIS REPORT WAS ALLEGED TO HAVE BE INCLUDED IN THE REPLY AFFIDAVIT FILED BY KING PIN IN NGT . AS PER MY DOC. A-52 , ADMITTED AS EVIDENCE IN NGT , IT IS PROVED WITH RTI EVIDENCES FROM PAGE 1 TO 29 WITH SUPPORTING ENCLOSURES , THAT THE REPORT WAS FALSE, FABRICATED, MANIPULATED, FORGED TO CHEAT MOEF&CC AND PREPARED DUE TO CORRUPT PRACTICES OF RESP 7. DUE TO THE COMPLAINT RAISED BY ME , DR SRIDHARAN SCIENTIST-G , A SENIOR OFFICER WAS DEPUTED FOR MONITORING THE SITE ONCE AGAIN AND HE ALSO SUBMITTED A SATISFACTORY REPORT WITHOUT EXAMINING THE VIOLATIONS BUT ADDUCING EVIDENCES FOR AND ON BEHALF OF P.P., AFTER BRUSHING ASIDE MY FINDINGS THAT PROVED THE REPORT TO BE FABRICATED , FALSE , AND AGAINST FACTS AS BROUGHT OUT IN DETAIL VIDE MY REPORT DOC A-52 (3), WHICH MAY BE EXAMINED PLEASE.

iv) THE CONSENT TO ESTABLISH ISSUED ON 14-8-2008 TO GGL BY KSPCB WAS AGAINST THE INSTRUCTIONS THAT ONLY ON GETTING

E.C. , THE APPLICATION FOR CONSENT TO ESTABLISH CAN BE CONSIDERED AND ISSUED,. WHEREAS THE APPLICATION WAS SUBMITTED ON 04-4-2008 TO KSPCB AND CONSENT TO ESTABLISH ISSUED ON 14-8-2008 , WHICH WAS PRIOR TO ISSUE OF E.C. BY MOEF&CC. SO IT IS NOT VALID. THE INTEGRATED CONSENT TO ESTABLISH – RENEWAL ISSUED BY KSPCB ON 19-1-2016 WAS FOR 207550 SQ FT WHICH WAS THE ENHANCED BUILT AREA OF THE RESORT , THOUGH LAY OUT PROPOSAL WAS GIVEN ONLY FOR 204973 SQ FT BY CTP ,SINCE E.C. WAS ISSUED BY MOEF&CC FOR ONLY 204973 SQ FT. THIS WAS A VIOLATION AND HENCE THE CONSENT IS INVALID.

iv) AS PER A-7 IE KCZMA INSPECTION REPORT ,IE R-7 ATTACHED WITH THE JT REPORT, CONSTRUCTIONS ARE PARTLY IN THE N.D.Z. WHICH IS RECORDED AT ii OF THE VIOLATIONS. THIS IS AGAINST PARA -3 (vi) OF THE SPECIFIC TERMS &CONDITIONS IN E.C.ORDER 2-1-2009.

v) PUCC COMPOUND WALL WAS CONSTRUCTED AS A BOUNDARY WHICH IS ONLY 50 M FROM HTL ON THE AREA CLOSE TO THE SEA SHORE , PART OF WHICH WAS STOPPED BY THE PUBLIC. PICTURE OF COMPOUND WALL MAY BE SEEN IN DOC A-26 (a) MARKED & ADMITTED AS EVIDENCE IN NGT. THIS IS AGAINST PARA-3 (vii) OF THE SPECIFIC TERMS & CONDITIONS IN E.C.ORDER 2-1-2009. BESIDES THIS CONCRETE LATERITE BOLDER WALLS ON CEMENTED ROCK FOUNDATION HAS BEEN CONSTRUCTED WITHIN 100 METERS OF HTL AND ON ALL THREES SIDES OF THE PROJECT AS SEEN IN THE PICTURE OF DOC A- 24 MARKED AND ADMITTED IN NGT CHENNI.

vi) PUBLIC ACCESS TO THE BEACH IS GIVEN ONLY ON ONE SIDE OF THE HOTEL PROJECT WHEREAS IT HAS TO BE ON BOTH SIDE OF THE HOTEL PROJECT AS PER PARA-3(xx) OF THE SPECIFIC CONDITIONS IN E.C. ORDER 2-1-2009.

vii) RO BANGALORE HAS NOT MONITORED THE EFFECTIVE IMPLEMENTATION OF THE TERMS AND CONDITIONS AS PER PARA-4 OF THE E.C. ORDER 2-1-2009.

viii) AS PER (xi) OF THE GENERAL CONDITIONS OF E.C. ORDER DT 2-1-2009 ,A SMALL ENVIRONMENTAL LABORATORY SHOULD BE PROVIDED FOR ENVIRONMENTAL MONITORING DURING THE OPERATIONAL PHASE OF THE PROJECT. BUT THIS WAS NOT PROVIDED TILL NOW.

ix) SAND DUNES WILL NOT BE DISTURBED IN ANY WAY AS PER (xvi) OF THE GENERAL CONDITIONS OF E.C. DT 2-1-2009. BUT IT FOUND THAT OUT OF 3 SAND DUNES IN THE SITE ONLY ONE IS PRESENT WHICH AMOUNTS TO VIOLATION.

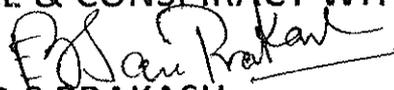
x) THE PROJECT AUTHORITIES HAVE NOT COMPLIED WITH (xxi) OF THE GENERAL CONDITIONS AS POINTED BY JOHN THOMAS OF RO IN HIS MONITORING ON 11&12 MARCH 2017 SEEN AT PAGE 840 OF A-52.

xi) THE APPROVAL GIVEN BY MINISTRY OF TOURISM GOVT OF INDIA UNDER 5-STAR CATEGORY FOR BEKAL RESORT AND SPA ON 5-1-2011 HAS BEEN WITHDRAWN SINCE THE HOTEL SHOULD HAVE BEEN COMPLETED WITHIN 5 YEARS IE BY 4-1-2016. THIS HAS BEEN CONFIRMED BY THE MINISTRY BY THEIR LETTER DT 16-2-2017 THAT IS SEEN IN DOC RTI-5 MARKED AND ADMITTED AS EVIDENCE IN NGT CHENNI .

xii) AS BROUGHT OUT IN DETAIL UNDER DOC A-47 & A-53 MARKED AND ADMITTED AS EVIDENCE IN NGT , THE P.A. HAS NOT OBTAINED N.O.C. FROM RAILWAYS , AS THEY HAVE CONSTRUCTED SERVICE BLOCK OF THE RESORT WITHIN 30 M FROM RAILWAY

BOUNDARY. THEY HAVE EVEN TRIED TO CHEAT THE RAILWAYS SAYING THAT THE CONSTRUCTION IS FOR THE RESIDENTIAL BUILDING OF THEIR E.D. MR E.N. ZAHEER ,BROTHER OF THE P.P., WHICH WAS DETECTED BY ME AND BROUGHT TO THE NOTICE OF RAILWAYS . THE ISSUE IS STILL PENDING WITH THE RAILWAYS WHO HAVE ISSUED NOTICE TO PALLIKAREE PANCHAYATH TO TAKE ACTION AGAINST THE P.A. THE ENTIRE CASE DETAILS HAVE BEEN EXAMINED AT LENGTH IN A-53 SEEN IN DOC A-52

IN SHORT THE ENTIRE DETAILS OF ALL THE VIOLATIONS OF TERMS AND CONDITIONS STIPULATED IN THE E.C. ORDER DT 2-1-2009, AS MENTIONED ABOVE HAS BEEN EXAMINED IN LENGTH WITH RTI DOCUMENTARY EVIDENCES. IN DOC, A-52,A-52(1),A-52 (2) & A-52 (3) AND OTHERS BROUGHT OUT AS ABOVE. THE CONCLUSION AND FINAL REMARKS GIVEN BY THE JOINT COMMITTEE IS BELOW PAR AND DEFEATS THE VERY PURPOSE FOR WHICH THIS COMMITTEE OF SENIOR OFFICERS FROM MOEF&CC, KSPCB& KCZMA WAS CONSTITUTED BY THE HON'ABLE NGT CHENNI. I HAVE CRITICALLY EXAMINED THIS REPORT BASED ON RTI DOCUMENTARY EVIDENCES WHICH WERE MARKED AND ADMITTED IN NGT, ON MY PENDING APPLICATION 136/2016, FILED IN NGT CHENNI ON 17-5-2016 . HOWEVER IN THE INTEREST OF JUSTICE AND TO SAFE GUARD THE ENVIRONMENT AND NATURAL RESOURCES IN CRZ ZONES , I HAVE ADDUCED SUFFICIENT EVIDENCES TO ESTABLISH THE GROSS VIOLATIONS OF THE TERMS AND CONDITIONS STIPULATED IN THE E.C. GRANTED TO THE RESORT VIDE MOEF&CC ORDER DT 2-1-2009 FOR CONSTRUCTING THE FIVE STAR RESORT AT BEKAL IN KASARGOD, THAT WAS PERPETUATED BY THE P.P. THROUGH HIS V.P. SRI U.JOSE AND OTHERS IN CONNIVANCE & CONSPIRACY WITH MOEF&CC OFFICERS & OTHERS.

  
CAPT B S PRAKASH

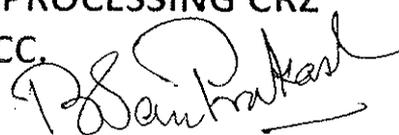
BSc,LLB,MBA,MIMA

DATE: 3-2-2021

APPLICANT  
IN OA No 136/2016

ENCLOSURES :-

- i. DOC-A-63 REGARDING CRZ VIOLATION BY GGL FORWARDED BY KCZMA TO HO MOEF&CC
- ii. COPY OF E.C. ORDER DT 2-1-2009 OF MOEF&CC SENT BY TOURISM DEPARTMENT KERALA TO U.V.JOSE ON 2-1-2009 EVENING ITSELF.
- iii. COPY OF CONSENT TO ESTABLISH ISSUED BY KSPCB DT 14-8-2008 TO GGL SHOWING MAIL ID OF U.V.JOSE AS uvjose.gg@ategroup.org IN COMMUNICATION COLOMN AT GENERAL OF PAGE-2 & COPY OF INTEGRATED CONSENT TO ESTABLISH –RENEWAL DT 19-1-2016 SHOWING BUILT UP AREA AS 207550 SQ FT .
- iv. COPY OF CRZ CLEARANCE ISSUED BY CHAIRMAN KCZMA DT 18-11-2006 TO SECRETARY MOEF&CC NEW DELHI WITH COPY TO G M , AIR TRAVELS ENTERPRISES INDIA LTD ,NEW CORPORATION BUILDING PALAYAM THIRUVANTHAPURAM AND COPY OF CRZ CLEARANCE ISSUED BY CHAIRMAN KCZMA DT 18-11-2006 TO SECRETARY MOEF&CC NEW DELHI WITHOUT COPY TO GM ,AIR TRAVEL ENTERPRISES INDIA LTD , NEW CORPORATION BUILDING ,PALAYAM, THIRUVANTHAPURAM THAT WAS FORWARDED BY SRI U.V. JOSE V.P. GGL AS REQUESTED , TO THE THEN ADDITIONAL DIRECTOR CRZ DR SENTHIL VEL OF MOEF&CC WITH A COPY TO SRI THIRUNAVUKKARASU THE THEN D.D. CRZ OF MOEF&CC ,WHO WERE IN CHARGE OF PROCESSING CRZ CLEARANCES CASES AT HO OF MOEF&CC.

  
CAPT B S PRAKASH

BSc, LLB, MBA, MIMA  
APPLICANT IN O A 136/2016

