

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONAL BENCH AT CHENNAI
APPEAL NO. 82 OF 2021**

IN THE MATTER OF:

MAHESH MAMINDLA AND ANOTEHR

.... APPELLANTS

VERSUS

STATE OF TELANGANA AND OTHERS

.... RESPONDENTS

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THROUGH



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Date: 19.04.2023

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONAL BENCH AT CHENNAI
APPEAL NO. 82 OF 2021**

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MAHESH MAMINDLA AND ANOTEHR APPELLANTS

VERSUS

STATE OF TELANGANA AND OTHERS RESPONDENTS

**REJOINDER ON BEHALF OF THE APPELLANTS TO THE REPLY
AFFIDAVITS DATED 25.02.2023 AND 20.03.2023, FILED BY
RESPONDENT NO. 3, PRINCIPAL CHIEF CONSERVATOR OF
FORESTS, FOREST DEPARTMENT, GOVERNMENT OF
TELANGANA.**

MOST RESPECTFULLY SHOWETH:

1. The above-mentioned Appeal was filed by the Appellants under Sections 16(e) read with Section 20 of the National Green Tribunal Act, 2010 challenging the legality and correctness of the Stage-I Forest Clearance *vide* letter No.4-TSC180/2021-HYD/091 dated 13.05.2021, Stage-II Forest Clearance *vide* letter No. 4-TSC180/2021-HYD/155 dated 7.12.2021 which is granted by Ministry of Environment, Forest, and Climate Change Integrated Regional Office, Hyderabad (MoEF&CC) and the Working Permission bearing No. 13470/2019/FC-4 dated 7.08.2021 granted by Principal Chief Conservator of Forests, Government of Telangana. That all the permissions have been granted to Transmission Corporation of Telangana Limited (TRANSCO) for

erection and installation of 400KV Overhead DC transmission lines from Kethireddipally 400 KV SS to 400 KV

Rayadurg GIS along the Outer Ring Road CORR), Shamshabad Division, Telangana, and passing through forest area admeasuring 6.7075 ha. Having length of 1.458 kms and width of 46 metres, situated within Chilkur Reserve forestland proposed to be diverted for the said project.

2. That the instant Rejoinder is being filed in response to the reply affidavits dated 25.02.2023 and 20.03.2023 filed by Respondent No. 3, Forest Department, Government of Telangana. At the outset, the Appellants deny various statements made by Respondent no. 3 in these affidavits and nothing should be assumed to be admitted unless specifically admitted or is part of the record. The Appellants reiterate all the facts and submissions made in the Appeal to be true and correct and the same may be read as part of the instant rejoinder and are not all being repeated for the sake of brevity.

3. **PRELIMINARY SUBMISSIONS:**

- i. The Appellants herein submit that there is a major discrepancy with regard to the boundary of the Mrugavani National Park. That the Gazette Notification measures the Mrugavani National Park as 360 ha whereas the latest Affidavit dated 20.03.2023 received from Principal Chief Conservator of Forest, Telangana, states that the Total area measures as 280.29 ha,

shrinking it even further from 287 ha, as claimed by the Respondent just a month in reply dated 25.02.2023. The Appellants here submit that the discrepancy of over 22% loss of area of the National Park was unacknowledged, undiscovered, unreported till this Appeal has been filed and forest diversion is granted without due diligence even about the area and boundary of the National Park. That such a major concealment persists in all the stages of obtaining Forest Clearance, rendering such clearance *ipso facto* void.

- ii. The Appellants herein submit that at this late stage in the proceedings of the current Appeal, Respondent No. 3, Forest Department, Government of Telangana in its affidavit dated 25.02.2023 submitted that during 2011, DGPS survey was conducted to ascertain the area of the Mrugavani National Park and it is concluded that the national park is actually 287.48 ha. This not just contradicts the Gazette Notification of the National Park in 1998 but also contradicts Draft Eco-Sensitive Zone notification issued *vide* Gazette dated 04.08.2015. The Appellants submit that the Forest department has deliberately misled the MoEFCC while seeking approval for impugned forest diversion, by concealing its knowledge of shortfall of 73 ha of area based on Techdatum Survey Report as produced in the Affidavit

dated 25.02.2023 and yet in complete contradiction claimed through Gazette Notification of 2015 that the National Park was 360 ha.

- iii. The Appellants herein further submit that Respondent no. 3, conducted a fresh survey on 17.03.2023, since this Hon'ble Tribunal had directed Respondent no. 3 *vide* order dated 27.02.2023 to file a sketch or map showing the entire stretch of the forest area which is declared as national park. It is obvious that Respondent no. 3 has failed to produce any such map or sketch that shows the gazette-notified area and boundary authentically. Having thus failed, R3 has done a fresh survey now, and claimed that to be the boundary, and admitting loss of 79.71 Ha of National Park. Since this map has no official sanctity and has to be scrutinized for claims by R3, by all State and Central agencies and including National Wildlife Board, to then decide the boundary and area of the park, any claims on the boundary, made by the R3 while diverting land from National Park, claiming it to be from ESZ, are untenable and meant only to evade regulations governing National Park.
- iv. The Appellants here also submit that over the entire process of obtaining forest clearance and in its several submissions during the hearing of this case, the Forest Department has submitted multiple contradictory maps

and sketches to mislead this Hon'ble Tribunal and the credibility of any claims on boundary and area of Park, and reasons for shortfall, are outright rejected. That till date the Forest Department has not provided the verified, correct and official map.

A chronological listing of key submissions of the Appellants highlighting multiple contradictions with regard to the area and boundary of Mrugavani National Park is hereby annexed as

Annexure A/1.

- v. The Appellants further submit that in Form A Part I for Forest Clearance, which is filled by Respondent No. 2 i.e., TRANSCO as well as the Forest Department- both respondents have deliberately concealed the entire details of the cadastral map along with measurements of the Mrugavani National Park, Chilkur Reserve Forest and the eco-sensitive zone and no boundary verification survey has been done or produced. That R3, Forest Department now states that during 2011, DGPS survey was conducted to ascertain the area of the Mrugavani National Park and it is concluded that the national park is actually 287.48 ha. Within a month though, R3 vide Affidavit dated 20.03.2023 in Para No. 3 has admitted that even that area and survey is invalid and claimed that fresh survey establishes area to be 280.29, with a different boundary. Thus, R3 has purposely misled by

concealing its knowledge of shortfall of 79.71 ha of area and only admitting it successively since this Appeal has been filed. Hence the forest diversion is granted without due diligence despite such major concealment that persists in all the stages of Forest Clearance. This survey is contradicted by Forest department publishing draft ESZ notification *vide* S.O. 2117 (E) dt 04.08.2015 with full 360 Ha area claimed.

- vi. The Appellants herein submit that despite being aware of such discrepancy with regard to the boundary verification of the Mrugavani National Park, that till date, the Forest department has not taken any initiative to conduct a boundary verification survey or to regularize the shortfall in the area. That only after filing of the present Appeal, which brought out the serious anomalies with regard to the boundary of the Mrugavani National Park. That the Forest Department is now making an attempt after a decade to issue an 'erratum' to the notification of the National Park regarding the correction of the area. That an alarming 79.71 ha shortfall has been left unactioned and treated casually as meriting a mere 'erratum'.
- vii. The Appellants herein also submit that when a RTI was filed before the Forest Department *vide* File No. 103/120/2016/SB1 dated 29/12/2021, with regard to –

(i) Latitude and Longitude of all the boundary points of the Mrugavani National Park and (ii) Date of surveys done from 1998 till date to verify boundary points of the Mrugavani National Park. That to which the Forest Department responded that at the time of notification in 1998, GPS survey was not available and hence only compass survey was done and that there are no records available with regard to boundary verification (**Annexure A/2**). It is thus pertinent to note that RTI response clearly shows, Forest Divisional Office did not make any effort to conduct any boundary verification survey from 1998 to till date. But contrary to this, the Forest department in its Affidavit dated 25.02.2023 submits that in 2011, a DGPS survey was conducted to ascertain the area of the Mrugavani National Park. Thus, the Forest Department has deliberately concealed this information from the public at large and has only produced it before this Hon'ble Tribunal after filing of the present Appeal. Furthermore, Respondent no. 3 has gone on to then disown this claimed survey too by conducting a fresh survey on 17 Mar 2023, only after explicit Hon'ble Tribunal's directions and then coming up with a completely new boundary and new area.

viii. In this regard, the Appellants submit that since substantive rights of general public over area protected

by Gazette and serious environmental harm are involved, a mere self-serving erratum cannot substitute for due process and approval required from Standing Committee of National Board for Wildlife Protection. The Hon'ble Supreme Court in **Hindustan Oil Mills Ltd. And Anr. Vs. Special Deputy Collector (Land) 1990 (1) SCC 59** on tenability of errata has held:

"9. whether it is really one rectifying certain errors in the earlier one or whether its nature is such as to totally change the entire complexion of the matter would have to be considered on the terms of the relevant notifications."

Furthermore, the High Court of Andhra Pradesh in **Baddela Suresh vs. State of Andhra Pradesh, 2020 SCC OnLine AP 136** has held:

*"60. **Issue of notification by errata is not for the purpose of extension of time, it is only for limited purpose of rectifying mistakes occurred in the original notification.** In fact, it is not the case of the respondents that there are any mistakes either typographical or arithmetical in the original notification; and as the date and time for registration of applications are specifically mentioned as 03.00 p.m. on 06.12.2019, **question of issuing errata to the original notification for extension of time is a serious illegality since the same drastically affects the chances of allotment of bars to enrolled applicants for allotment of bar.** Further, on account of errata, the whole complexion particularly with regard to the time and date of enrolment of applications through online is changed and on account of such extension by issuing erratum, competition for*

*allotment of Bars is increased, which totally reduced the chances of allotment of Bars to the persons, who enrolled within the original time specified. Though, the errata does not change the contents of notification, it increased competition among the applicants, thereby chances of original applicants to get allotment of Bars become bleak. **In those circumstances, issuance of notification by way of errata is a clear error committed by the respondents** (and the learned Advocate General also fairly accepted that it is an error committed by the concerned executive authority). The point is answered in favour of the petitioners and against the respondents."*

Thus, the National Park, notified *vide* Gazette in 1998, cannot be merely corrected in 2023, as "errata" without a full inquiry and proper boundary verification. That the delay before and after detecting this shortfall in area of the National Park is nothing but a casual and lackadaisical approach by the Forest Department on a serious violation.

4. **PARA-WISE REPLY TO AFFIDAVIT BY R3 DATED 25.02.2023:**

- i. The contents of Para No. 1 and 2 requires no response as they are matter of records.
- ii. The contents of Para No. 3 are denied where the Forest Department stated that the Transmission Line lies outside the National Park completely. They further stated that:

"the eastern boundary of the National Park runs From point 'B' the line runs on Southern direction along the

Zilla Parishad Road connecting Hyderabad—Vikarabad highway and Mancherevula, Narsingi villages and reaches point 'C'. The area is fenced with chain link".

The Appellants herein submit that survey done by Tecdatum submitted by R3 has not surveyed any points on Eastern Boundary **(Annexure A/3)**. Further, the map which the Forest Department has referred, vide DFO Rangareddy Lr dt RC. No. 2109/2023/S6, Dt. 23.02.2023 of R3 Reply dated 25.02.2023, is a mere self-serving sketch of the boundaries. R3 has mischievously juxtaposed the boundary as stated in Gazette onto a mere sketch of a map that is not the actual Gazette map. That despite specific direction by this Hon'ble Tribunal, the Forest department has miserably failed to produce the map stated to be held in office of PCCF (R3) as per the Gazette notification. Thus, without disclosing such Gazette map specifically establishing the boundary of the Mrugavani National Park, it cannot be logically concluded that the transmission line lies outside the Mrugavani National Park. The Appellants submit that through its subsequent affidavit dated 20.03.23 the only map that the Respondent no. 3 could produce is from a belated survey dated 17.03.2023, which cannot justify approvals given in 2021 and clearly shows that no survey was conducted or available establishing the boundaries and area while granting the Approvals, and such Approvals are erroneously granted without any boundary verification of the Mrugavani National Park. In other words, R3 has *inter alia* admitted that no such map existed at the time of diversion

of forest land, that could establish boundary of Mrugavani National Park.

- iii. The contents of Para No. 4 are denied where the R3, Forest department has stated that no prior wildlife clearance is required from the Standing Committee of National Board for Wildlife as the project is outside the National Park. The Appellants herein submit that R3, has categorically admitted in its affidavit dated 25.02.2023, the 73-ha shortfall in the Mrugavani National Park and after a fresh survey further revised downwards the area of National Park to mere 280.29 Ha. Thus, it is pertinent to note that, without even conducting a proper survey, and without any basis, through a mere unauthenticated sketch and satellite image the Forest Department fixed Eastern boundary as Point No. 'B' and 'C' as final. That there are major discrepancies based on the 1998 Notification; and the Survey conducted in 2011; is established by R3 itself finally in survey on 17.03.2023. All these multiple contradictions and flip-flops are captured in **Annexure A/1**. Thus, unless the shortfall or the discrepancy with regard to the boundary is addressed by competent authority, claim on Eastern side is untenable and self-serving. Furthermore, from R3's own submission that re-survey is still under process, it clearly shows that not just at the time of approving forest

diversion, but even now, R3 has not established the boundary of the National Park and did not have any basis to claim diverted forest land as being outside National Park.

- iv. The appellants submit at the outset, that ESZ notification for Mrugavani National Park is already long overdue since order of the Hon'ble Supreme Court order dated 4th December 2006 in **Writ Petition (Civil) No. 460/2004 GOA FOUNDATION V/S UNION OF INDIA:**

*"The Ministry is directed to give a final opportunity to all States/Union Territories to respond to its letter dated 27th May, 2005. The State of Goa also is permitted to give appropriate proposal in addition to what is said to have already been sent to the Central Government. **The communication sent to the States/Union Territories shall make it clear that if the proposals are not sent even now within a period of four weeks of receipt of the communication from the Ministry, this Court may have to consider passing orders for implementation of the decision that was taken on 21st January, 2002, namely, notification of the areas within 10 km. of the boundaries of the sanctuaries and national parks as ecosensitive areas with a view to conserve the forest, wildlife and environment, and having regard to the precautionary principles.**"*

The Appellants submit that the delay cannot be perversely exploited by diverting land from ESZ, during the delay period. Further, the contents of Para No. 5 are denied which state that no prior wildlife clearance is required from the Standing Committee of National

Board for Wildlife as the consent of the Eco-sensitive zone Committee is taken. In this regard, the Appellants herein submit that, since R3 has failed to establish the exact area and boundary of the Mrugavani National Park and since till date no appropriate boundary verification has been conducted, thus, the correctness of the approvals taken from the ESZ committee are questionable. Hence, wildlife clearance under Wildlife (Protection) Act, 1972 from Standing Committee of National Board for Wildlife is required as R3 has miserably failed to produce the map and has failed to establish that the forest land diverted is not within national park.

- v. The contents of Para No. 6 are denied. The Appellants herein submit that there is a major discrepancy with regard to the boundary of the Mrugavani National Park. That the Gazette Notification measures the Mrugavani National Park as 360 ha whereas the response received from Principal Chief Conservator of Forest, Telangana, states that the Total area measures as 287.48 ha (later revised further downwards to be only 280.29 Ha by affidavit dated 20.03.2023). The Appellants herein submit that the discrepancy with regard to the 22% loss of area of the National Park was unacknowledged, undiscovered, unreported till this Appeal has been filed and forest diversion is granted without due diligence despite such major lapses and the concealment persists in all the stages of Forest Clearance. Further, instead of

using the technology to enforce Gazette and identify discrepancies, R-3 has conveniently shifted the blame upon technology as a reason to justify the discrepancy. That at the very final stage, R3, Forest Department, Government of Telangana in its affidavit dated 25.02.2023 submitted that during 2011, DGPS survey was conducted to ascertain the area of the Mrugavani National Park and it is concluded that the national park is actually 287.48 ha (later revised further downwards to be only 280.29 Ha). This not just contradicts the Gazette Notification of the National Park in 1998 but also contradicts Draft Eco-Sensitive Zone notification issued *vide* Gazette dated 04.08.2015. The Appellants submit that the Forest department has deliberately misled by concealing its knowledge of shortfall of 73 ha (now, 79.71 Ha) of area based on Techdatum Survey Report as produced and yet in complete contradiction claimed through publicly published Draft Gazette Notification of 2015 that the area of National Park was 360 ha.

- vi. Furthermore, the Appellants submit that the claim made by Respondent no. 3 that "till today the boundary of the national park has not been changed" is wholly contradicted by its own multiple maps as also on ground by satellite images. It is also incorrect to state that entire area which was fenced at the time of publication of gazette in 1998,

was declared as national park. A chain-link fencing is not a permanent structure and satellite images show it has moved over time. Also, chain-link is only on three sides and the fourth side had no chain-link and shows change in boundary over time since publication of Gazette. The survey needs to be done by an independent agency under the direction of this Tribunal and in any case, negligence of department in guarding the boundary of National Park and criminal loss of nearly 80 Ha (22% of forest land) is obvious. **Annexure A/3** shows survey points from survey report of 2011 survey done by Techdatum as submitted by R3 in its reply dated 25.02.2023. The plot clearly shows that eastern boundary of the National Park is not surveyed. **Annexure A/4** shows three different boundaries claimed by Respondent no. 3 in various court submissions and RTI reply, but none of these matches the original boundary and area of Mrugavani National Park.

- vii. The contents of Para No. 7 require no response.
- viii. That the Appellants submit that R3 has itself overruled its own submitted claims of boundary of National Park *vide* its affidavit dated 25.02.2023 by its new survey dated 17.03.2023 submitted *vide* affidavit dated 20.03.2023. R3 has not been able to produce through either affidavits the map this Hon'ble Tribunal directed which establishes boundary of National Park as it existed

at time of forest clearance, or at any point of time from submission of request till approval, diversion and felling of trees.

5. **PARA-WISE REPLY TO AFFIDAVIT BY R3 DATED 20.03.2023:**

- i. The contents of Para No. 1 and 2 requires no response as they are matter of records.
- ii. The contents of Para No. 3 grossly contradict all prior submissions with regard to map, area and boundary made before this Hon'ble Tribunal or while obtaining Forest clearance and the details of contradictions are annexed in **Annexure A/1**. The approval granted *vide* impugned forest clearance was without establishing the boundary and area of the National Park. That with a massive shortfall of 80 Ha area of National Park to be recouped, and eastern boundary where the impugned project is located at mere 55m, not surveyed and wrongly claimed by TS TRANSCO as surveyed in its affidavit dated 25.02.2023, it is obvious that full 360 Ha area of the National Park includes diverted forest land. In complete dereliction of its fiduciary responsibility as guardian of public land and in violation of its primary mandate of forest and environmental preservation, Forest Department has shown undue and sacrilegious eagerness to divert forest land, without even first

securing the land, area and boundary of the Mrugavani National Park. The Forest Department has wrongly assumed that the area is fully fenced from all sides is the National Park. The survey was wrongly limited to the fenced area as it existed on 17.03.2023 and the survey did not seek to establish boundary as stated in Gazette dated 21.07.1998. This survey is not independently verified, contradicts previous claims by themselves and its own surveys as also maps in Gazette notifications of both Chilkur Reserved Forests and Mrugavani National Park.

- iii. The Appellants herein submit that R3 has attempted to project the claimed current boundary as it exists on 17.03.2023 as boundary of National Park at the time of publication of Gazette, and at the time of forest diversion, which is untenable claim, as instead of guarding National Park since 1998, attempts have been made to regularize all encroachments. That the Appellant's re-assert that the forest clearance was granted without the area and boundary of National Park established. The Appellants have done an exercise superimposing maps from Gazette notifications in 1965 (for Chilkur Reserved Forest) and 1998 (for Mrugavani National Park), map as per survey done in 2011, and map as per survey done on 17.03.23, to show that boundary

now shown in survey has no bearing to past claims of boundary by the Respondent no. 3. **(Annexure A/3 and A/4)**

6. It is further submitted by Appellants that none of the claimed surveys have resemblance to the shape of Forest land as per official maps notified in Gazette GO Ms 1732 Food and Agriculture (Forest III) dt 25.06.1965 for Chilkur RF, of which Mrugavani National Park is a part. Similarly, the shape of National Park claimed by respondent no. 3 is unrelated to shape of National Park as per Gazette GO Ms No. 80 dt 27.06.1998. A side-by-side comparison shows National Park land is not correct in all claimed maps by R3. Most importantly, the Forest department has no surveys since 1965. The negligence of the department is perversely being used to legitimize an inauthentic, distorted and environmentally hazardous map, as also to regularize the violation of National Park integrity by impugned project. The techdatum survey of 2011 used both gazette notifications to measure area, found inconsistencies but department never pursued the matter to establish the boundary, leading to even more losses.
7. Thus, in the light of the above facts, circumstances and submissions, this Hon'ble Tribunal shall be pleased enough to allow the prayers of the Appeal.

BEFORE THE NATIONAL GREEN TRIBUNAL**SOUTHERN ZONE BENCH AT CHENNAI****APPEAL NO. 82 OF 2021****IN THE MATTER OF:**

MAHESH MAMINDLA

...APPELLANT

VERSUS

STATE OF TELANGANA & ORS.

...RESPONDENTS

AFFIDAVIT

I, Mahesh Mamindla, S/o. Yadagiri Mamindla, aged 34 years, R/o. H.No: 5-14, Mittapally, Village Siddipet Mandal, Telangana - 502375, do hereby solemnly affirm and state as under: -

1. That I am Appellant No. 1 in the aforementioned Appeal, and I am well conversant with the facts of the case. I am competent to swear this Affidavit.
2. That the contents of the accompanying Rejoinder are true and correct and nothing material has been concealed therefrom.

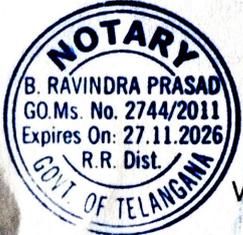



DEPONENT

VERIFICATION

Verified that the contents of this affidavit mentioned in para ___ to ___ are true to the best of my knowledge and belief and nothing has been concealed there from.

Verified on this 8th day of May 2023.




ATTESTED
B. RAVINDRA PRASAD
 ADVOCATE & NOTARY
 H.No. 11-9-265/11/F-3, SUNSHINE ESTATES,
 VIJAYAPURI COLONY, KOTHAPET, HYD, TS-500102
 CELL: 7036 892 567, 7075 143 007.



DEPONENT



Annex-1: Contradictions in Submissions to Tribunal related to Area and Boundary of Mrugavani National Park

| Srl | Date | Document | Claim | Status |
|------------|-------------|--|--|---|
| 1 | 27.06.1998 | Gazette notification GO Ms. No. 80 declaring Mrugavani as National Park | Area of National Park notified as 360 Ha Boundary as per map kept in office of PCCF (Then Andhra Pradesh | <ul style="list-style-type: none"> • Area notified as 360 Ha. • Boundary as per map, but map not produced in court |
| 2 | 21.11.2011 | DGPS Techdatum survey | Survey in accordance with Official Gazette notifications of Mrugavani National Park and Chilkur RF | <ul style="list-style-type: none"> • Area admitted to be 287.48 Ha. • No action initiated despite area shortfall detected in 2011 |
| 3 | 04.08.2015 | Draft Notification No. 1136 of ESZ of Mrugavani National Park published by MOEFCC | Area of National Park is 900 acres (=360 Ha) | <ul style="list-style-type: none"> • Area of National Park is 900 acres (=360 Ha) |
| 4 | 09.09.2019 | User agency letter for survey | DGPS survey of forest land to be diverted, submitted by UA(R2) to PCCF, TS (R3) for verification and authentication | <ul style="list-style-type: none"> • R3 does not survey boundary of National Park and does not include map of National Park while approving forest land diversion • Boundary and area of National Park not established before diversion |
| 5 | 13.05.2021 | MOEFCC IRO Stage-1 Forest clearance | In response to query by IRO, Hyderabad, FDO, Shamshabad confirms 360.00 Ha declared as Mrugavani National Park | <ul style="list-style-type: none"> • IRO approval obtained by claiming 360 Ha, and without establishing boundary of National Park • Unsubstantiated claim with no backing survey or map of National Park to claim location of diverted forest land, as not in National Park |
| 6 | 07.12.2021 | Minutes of the Meeting of the 47th Regional Empowered Committee (REC), MOEF&CC Integrated Regional | FDO, Shamshabad reported that the Compt No. 220 diverted area is falling in Chilkur block of Chilkur range. The total block area is 490.09 Ha out of which 360.00 Ha | <ul style="list-style-type: none"> • Stage II Forest clearance based on claim on area and boundary, both being unverified and later found false as now admitted by R3 that National Park area is only 280.29 Ha and not 360 Ha |

Annex-1: Contradictions in Submissions to Tribunal related to Area and Boundary of Mrugavani National Park

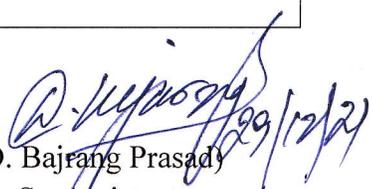
| | | | | |
|-----------|------------|---|---|--|
| | | Office, dated 10.05.2021 (filed as annexure 8 in original Appeal) | was declared as Mrugavani National Park. "ESZ of Chilkur Mrugavani National Park is not notified, hence 10 km from the periphery of the National Park is taken into consideration,....." | <ul style="list-style-type: none"> •Periphery was not established before taking 10 km from periphery of National Park as ESZ. Periphery only established for first time in fresh survey of 17.03.2023 |
| 7 | 29.12.2021 | RTI Reply by PIO, DFO, Shamshabad | No survey done since 1998 No latitude and longitude of boundary points available | <ul style="list-style-type: none"> •Contradicts DGPS Techdatum survey done in 2011 •Area claimed as 287 Ha •Authenticity of map unknown and unrelated to any recorded ground survey of boundary points, or to Gazette |
| 8 | 26.02.2022 | Reply Affidavit by PCCF, TS | Boundary is well demarcated There is no change in the boundaries as described in the notification | <ul style="list-style-type: none"> •Area estimated as 287 Ha |
| 9 | 25.02.2023 | Additional Reply Affidavit by PCCF, TS | Area 287.48 Ha as per 2011 DGPS survey | <ul style="list-style-type: none"> •Map of DGPS survey not produced. Only survey points shown. •Map produced surveyed no point on Eastern boundary. •False claim that diverted forest land outside Eastern boundary without establishing or surveying eastern boundary •Map from Gazette not produced, only handmade recent sketches with no authenticity. Court directs to produce map. |
| 10 | 20.03.2023 | Additional Reply Affidavit by PCCF, TS | Area claimed to be 280.29 Ha | <ul style="list-style-type: none"> •Area 280.29 Ha much lesser than all previous area claimed •The only survey of National Park with complete boundary points marked, but unauthenticated by competent authority (Standing Committee of NWLB) |

1. Name of the Applicant Sri Sandeep Khurana,
R/o V-803,
Adarsh Palm Retreat,
Deverabeesanahalli,
Belladur,
Bengalore-560103.
2. Date of receipt of application 02.11.2021.
3. U.O.Note & P.I.O. A.P.I.O through which application is received. DFO, Rangareddy, Rc.No.2544/2021/S4,
Dt.28.10.2021
4. Cost of information supplied.
(if more than Rs.50/-) —
5. Information received from the concerned 24/12/2021
6. File No. for supplying the information furnished. 103/120/2016/SB1, Dt.29/12/2021

INFORMATION FURNISHED

Sir,

| Sl.No | Information sought by applicant | Possible replies |
|-------|--|--|
| 1 | List of Latitude and Longitude of all boundary points of the Park, corresponding to notified boundaries stated in Gazette 341 dt. 28 th July 1998 | At the time of notification GPS survey is not available only compass survey was done and the same was enclosed |
| 2 | Date and file reference of surveys done between 1998 till date, to verify boundary points of the park. | There is no records available in this office. |


(D. Bajrang Prasad)
Sr. Assistant
and

Public Information Officer,
O/o Forest Divisional Officer,
Shamshabad.

To
Sri Sandeep Khurana,
R/o V-803,
Adarsh Palm Retreat,
Deverabeesanahalli,
Belladur,
Bengalore-560103.

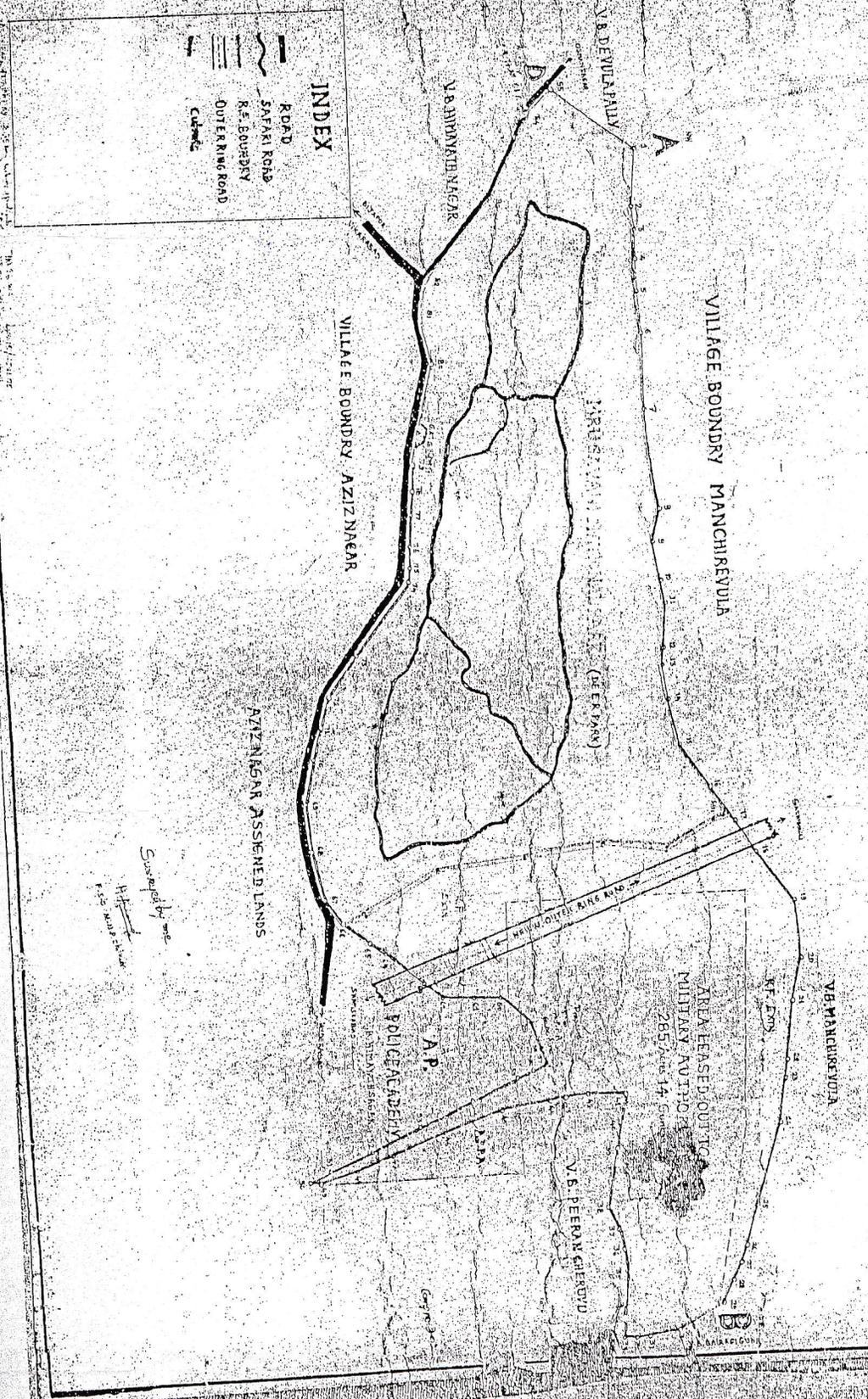
Copy submitted to the District Forest Officer, Rangareddy for favour of kind information.

Surveyed Sketch of M.N.P. CHILKUR

Sy.No:1, MDI:MOINABAD, RANGAREDDY DISTRICT. Area: 1211 Acres

G.O.No. 1732 Food & Agriculture (Forest-III) 25th June 1965.

N
SCALE: 6"=1" Mile



Plot of Geographical Coordinates as surveyed in TechDatum Survey report submitted by PCCF, Telangana (R3) in NGT Appeal 82/2021 vide Addl Reply Affidavit dt 25.02.2023 (Page 14)



NO SURVEY POINTS ON EASTERN BOUNDARY



DGPS SURVEY (2011) ———
 RTI REPLY (2011) SURVEY (2023) ———
 SURVEY (2023) ———

Surveyed Sketch of M.N.P. CHILKUR

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INDEX
 ROAD
 SAFARI ROAD
 R.F. BOUNDRY
 OUTER RING ROAD
 Culverts

TOP- BOUNDARIES AS PER CLAIMED SURVEYS TO ESTABLISH GAZETTE NOTIFIED MAP
BOTTOM – ORIGINAL GAZETTE NOTIFIED MAP OF CHILKUR RF
OBSERVATION- SHAPES OF MAPS ARE AT VARIANCE