

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Original Application No. 303 of 2024 (SZ)

In the matter of:

K. Balasubramanian,
Namakkal and Anr

.... Applicant(s)

Versus

The Govt. of Tamil Nadu,
Rep by its Secretary,
Chennai and Ors.

.... Respondent(s)

REPORT FILED BY 5TH RESPONDENT- THE DISTRICT COLLECTOR, NAMAKKAL

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Through

Dr. D. Shanmuganathan

Standing Counsel of Tamil Nadu

National Green Tribunal

Southern Zone, Chennai

DATE:27.01.2025

1
Before the National Green Tribunal

Southern Zone Chennai

(Original Application No 303 of 2024 (SZ))

In the matter of

K.Balasubramaniam & another

Namakkal

- Applicant (s)

with

The Govt of TamilNadu represented by its

Secretary and others

- Respondent (s)

Status Report Filed by the 5th Respondent / Collector Namakkal

Dr.S.Uma W/o.Kesavan, aged 55 years officiating in the Post of District Collector, Namakkal do hereby solemnly affirm and sincerely state that I am the 5th respondent herein filing this status report based on the available records in this office.

2. It is submitted that the brief of the application is that the Applicants challenging the orders in G.O.M.S.No.75 Department of Industrial, Investment and Promotion and Commerce (SIPCOT-LA) dated 08.07.2024 in which the Govt have accorded administrative sanction for acquire an extent of 196.27.15 Hectares of Patta lands & to alienate an extent of 131.16.35 Hectares of Poromboke lands tentatively in three Revenue Villages Valayapatti, N.Pudupatti and Arur villages of Mohanur Taluk and also issued orders to create the posts of D.R.O and 18 other subordinate officers for a period of 3 years on temporary basis to attend the work relating to the acquisition of lands without clarity and attempting to get an interim direction from this Hon'ble Tribunal.

3. It is submitted that this Hon'ble tribunal in their orders dated 06.12.2024 in this O.A 303 of 2024 (SZ) has observed that prima facie the prayer asked for to Quash the G.O.M.S.No.75 dated 08.07.2024 is strictly not maintainable with regard to challenging the acquisition proceedings involved in this issue and the Tribunal issued notice to file a response how the Govt to deal with the water bodies and waterways which finally reaches at karaibotan river which is having a large extent of Ayacut.

4. It is submitted that the Govt of TamilNadu in pursuant of announcement in the TamilNadu assembly has taken a policy decision to establish an Industrial Park of SIPCOT in Valayapatti, N.Pudupatti and Arur Villages in Namakkal District and accordingly the M.D, SIPCOT, Chennai in their letter dated 06.03.2022 addressed to the Collector, Namakkal has requested to initiate proceedings to acquire private lands under the relevant Act and transfer the Govt Poromboke Lands within the Contiguous block in the proposed area. The lands involved in the formation of SIPCOT industrial Park are identified by the SIPCOT as detailed below.

S.No	Village Name	Patta Land (in Hec)	Poromboke Land (in Hec)	Total (in Hec)
1	Valayapatti	83.16.15	95.67.35	178.83.5
2	N.Pudupatti	112.11.0	19.09.0	131.20.0
3	Arur	---	16.40.0	16.40.0
	Total	195.27.15	131.16.35	326.43.5

5. It is submitted that on receipt of LPS etc from the SIPCOT this Respondent /Collector, Namakkal has conducted a preliminary enquiry and suitability of the project submitted a detailed proposal to the Govt seeking administrative sanction to acquire the lands applied for in the above

said villages to form a SIPCOT Industrial Park in Namakkal District under the provision of TamilNadu Acquisition of land for Industrial Purpose Act 1997 in so for private Patta lands or through the provision of private negotiations in accordance with law and in respect of Govt Lands under the procedure laid down in R.S.O 24. The Govt in their orders in the impugned orders in G.O.M.S.No.75 dated 08.07.2024 have accorded sanction to acquire the proposed lands under the relevant Act besides created a unit of Special staff to attend the land acquisition work applied for by SIPCOT. The present O.A is against the impugned GO.

6. It is submitted that the Applicants while challenging the transfer of Govt lands more particularly water bodies within the contiguous block of proposed lands applied for alienation. Conveniently knowing this Tribunal is a not a forum to challenge the acquisition of private lands, also prayed for to Quash the G.O in which the administrative sanction accorded to proceed with the implement the project. It is submitted that the applicants avers various data's with regard to the transfer of Govt lands under this project in para 6 and more specifically with regard to water body and Grazing ground in the paragraphs 12 and 11 without mentioning where it is located and the water bodies have adverse impact due to the formation of SIPCOT Industrial Park. The Survey Number, Extent details furnished in the application do not corelate to the revenue records. This Respondent submit the details of lands which are registered as Govt Poromboke to be alienated to the SIPCOT under the regulations of R.S.O 24 as detailed below.

Annexure A	Assessed waste dry lands in all the 3 villages	26.59.00 Hec
Annexure B	Un Assessed waste dry lands in all the 3 villages	70.68.24 Hec
Annexure C	Cart Track lands in all the 3 villages	4.44.00 Hec
Annexure D	Grazing grounds in all the 3 villages	27.93.50 Hec
Annexure E	Water bodies ponds, canals, river etc in all the 3 villages	Nil
	Total	129.64.74 Hec

7. The split-up details are furnished in the Annexure A to E. It is submitted that out of A to E, the lands listed in Annexure A – B are unobjectionable lands, with regard to the lands listed in Annexure C, the applying body while applying for approval of Layout before the concerned Local bodies and Director of Town & Country planning necessary provisions will be made in the layout to form roads for public thorough fare as per TamilNadu Town and Country planning Act 1971 and as for the Grazing ground lands Annexure D, necessary alternative Govt lands if available in the nearby vicinity will be reclassified as grazing lands. Otherwise, the subject transfer of Grazing ground lands will be placed before Empowering Committee Constituted by the Govt to resort the issues to exempt the provision of providing alternative land. Annexure E, there is no Water bodies, Ponds, Canals, river, etc., lands to be alienated to SIPCOT Industrial Park.

8. It is submitted that the lands required for formation of SIPCOT Industrial Park in Mohanur Taluk as per the impugned G.O, all the lands stands classified as Ryotwari dry lands alone and no wet land classification lands included in the proposed acquisition and transfer.

Therefore, there is no Question of disturbing the water sources including the Karaibotan river and its passages and the water storage points and small Checkdams in the river originating in KolliHills.

9. In fact, the main stream of Karaibotan river passes through the village of Valayapatti alone on the eastern side 2 Km away from acquisition lands and the wet lands registered under the river source having an total extent of Ayacut is 70.89.5 Hec in Valayapatti Village is also 500 – 700 metres away from the proposed acquisition lands. Neither, the river or its sluices passess in the remaining two N.Pudupatti and Arur villages. Therefore, none of the ayacut lands registered under this waterbody do not suffer any privilages due to the acquisition of lands for SIPCOT Industrial Park. The apprehension of the Applicants that the waterbodies are disturbed by this acquisition is baseless and these Applicants are attempting to thwart the land acquisition proceedings raising the waterbodies issues only to substantiate their prayer.

10. It is submitted that with regard to acquisition of private lands, necessary notifications u/s 3(2) of the Tamil Nadu Acquisition of land for Industrial Purposes Act, 1997 are being issued and paper publication and service of notice to the registered land owners to file their objections to the proposed acquisition and the objections filed by the Public and landowners will be decided by the competent authority as per law. If any aggrievance by the landowners, they can resort their grievances before the appropriate judicial forum as per law.

11. To conclude this respondent humbly submit that the water resources including the Karaibotan river and its passages will not be altered

or and the lands which are its Ayacut area also will not be disturbed due to the acquisition of lands. The flow of water in the river and the Ayacut lands do not suffer due to this acquisition and the agriculturist activities and the environment and ecology conditions will be maintained intact. The Govt will insist the SIPCOT authorities to get prior approval of environment and a consent under the water prevention and control of Pollution Act 1974. AIR Act 1981.

In view of the above submission, this Respondent prays that the Hon'ble Tribunal may be pleased to accept the status report and pass orders at demerits and thus render justice.

13/1/25
District Collector,
Namakkal

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13.1.25

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Verification

I, Dr.S.Uma W/o.Kesavan, aged 55 years presently discharging my duties as The District Collector, Namakkal, solemnly affirm that the contents of this report are true to the best of my knowledge based on the records and I have not suppressed any facts.

Date : 13.01.2025.

80/20
District Collector,
Namakkal

13-1-25

ANNEXURE - A
SIPCOT, NAMAKKAL GOVT LAND DETAILS
NATIONAL GREEN TRIBUNAL OA No. 303/2024
ASSESSED WASTE DRY LANDS

S.No	Block No	Survey No	Area in Hec
N.Pudupatti			
1	2	854/1B	0.31.00
2	8	311/B2A	0.03.00
3	8	311/B2B	0.08.00
4	8	311/B2G	0.09.50
5	8	311/B2H	0.52.50
		Total	1.04.00
Valayapatti			
1	1	682/1	0.11.50
2	3	756/2B	0.38.50
3	3	756/3A	0.06.50
4	3	757/4A	0.01.50
5	3	697/2	1.49.00
6	3	698/2	1.83.50
7	3	704/1	0.34.00
8	5	763/2	0.15.00
9	5	763/3	0.24.50
10	5	767/1	0.89.00
11	5	768/1	1.27.00
12	6	711/1	0.40.50
13	6	712/2	0.07.50
14	6	713/2	0.09.50
15	7	120/2	0.33.50
16	7	120/5	0.09.50
17	7	121/1	0.36.50
18	7	121/8	0.07.00
19	7	122/4	0.91.00
		Total	9.15.00
Arur			
1	1	667/1	16.40.00
ABSTRACT			
1	N.Pudupatti		1.04.00
2	Valayapatti		9.15.00
3	Arur		16.40.00
	Grand Total		26.59.00

District Collector
Namakkal

13.1.25

ANNEXURE - B

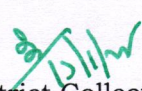
SIPCOT, NAMAKKAL GOVT LAND DETAILS


NATIONAL GREEN TRIBUNAL OA No. 303/2024

UNASSESSED WASTE DRY LANDS

S.No	Block No	Survey No	Area in Hec
N.Pudupatti			
1	1	61/1	2.80.50
2	4	883/1	1.73.50
3	5	889/2	0.73.00
4	5	889/4	1.88.00
5	5	894/1	0.43.00
6	6	881/1	0.15.50
7	8	311/B2K	0.18.00
		Total	7.91.50
Valayapatti			
1	1	678	1.45.50
2	1	679	2.73.00
3	2	687/1	0.16.00
4	3	697/1	0.80.00
5	3	757/3	0.10.00
6	4	162/1	0.23.00
7	4	162/5	0.28.00
8	4	703	5.03.00
9	4	758/1	0.33.00
10	5	750	2.23.00
11	5	751	2.13.00
12	5	752/2	2.52.00
13	5	753/3	2.09.00
14	5	754/3	2.23.00
15	5	755/3	2.34.00
16	5	762/3	0.37.00
17	5	765	2.03.00
18	5	764	4.14.00
19	5	766/3	1.38.00
20	5	767/2	1.31.00
21	6	710	1.61.00
22	6	714	2.49.50
23	6	759/1	3.02.00
24	6	760	2.66.00
25	6	761	4.47.00
26	6	769	4.88.00
27	7	83/1	1.85.21

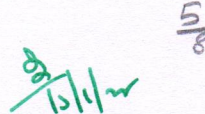
28	7	84/1	0.12.53
29	7	120/1	3.94.00
30	7	121/2	0.20.50
31	7	121/4	2.00.50
32	7	122/1	1.62.00
		Total	62.76.74
Arur			
Nil			
ABSTRACT			
1	N.Pudupatti		7.91.50
2	Valayapatti		62.76.74
3	Arur		Nil
	Grand Total		70.68.24

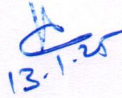

 District Collector
 Namakkal


 13-1-25

ANNEXURE - C
SIPCOT, NAMAKKAL GOVT LAND DETAILS
NATIONAL GREEN TRIBUNAL OA No. 303/2024
CART TRACK WASTE DRY LANDS

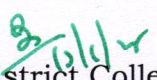
S.No	Block No	Survey No	Area in Hec
N.Pudupatti			
1	5	885/1	0.22.50
2	5	888/2	0.05.00
3	5	894/2	0.40.00
4	6	864	0.50.00
5	6	892/3	0.11.00
6	6	892/4	0.12.50
7	6	892/5	0.07.50
8	7	895/2	0.10.00
9	7	897/1	0.48.50
10	7	899/1	0.25.00
11	7	900/1	0.07.00
12	7	900/3	0.15.00
13	8	311/B2N	0.60.50
14	8	311/B2O	0.29.00
		Total	3.43.50
Valayapatti			
1	3	698/1	0.35.00
2	5	753/1	0.06.00
3	5	763/1	0.10.00
4	7	118/6	0.49.50
		Total	1.00.50
Arur			
Nil			
ABSTRACT			
1	N.Pudupatti		3.43.50
2	Valayapatti		1.00.50
3	Arur		Nil
	Grand Total		4.44.00



 District Collector
 Namakkal


 13.1.25

ANNEXURE - D
SIPCOT, NAMAKKAL GOVT LAND DETAILS
NATIONAL GREEN TRIBUNAL OA No. 303/2024
GRAZING GROUNDS DRY LANDS


S.No	Block No	Survey No	Area in Hec
N.Pudupatti			
1	5	894/3	0.20.00
2	6	891	1.66.50
3	7	899/5	2.25.50
4	6	890/3	1.07.50
		Total	5.19.50
Valayapatti			
1	5	762/1	1.51.00
2	2	691	5.49.00
3	6	649/1	15.74.00
		Total	22.74.00
Arur			
Nil			
ABSTRACT			
1	N.Pudupatti		5.19.50
2	Valayapatti		22.74.00
3	Arur		Nil
	Grand Total		27.93.50


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District Collector
Namakkal


13.1.25

ANNEXURE - E
SIPCOT, NAMAKKAL GOVT LAND DETAILS
NATIONAL GREEN TRIBUNAL OA No. 303/2024
WATER COURSE DRY LANDS

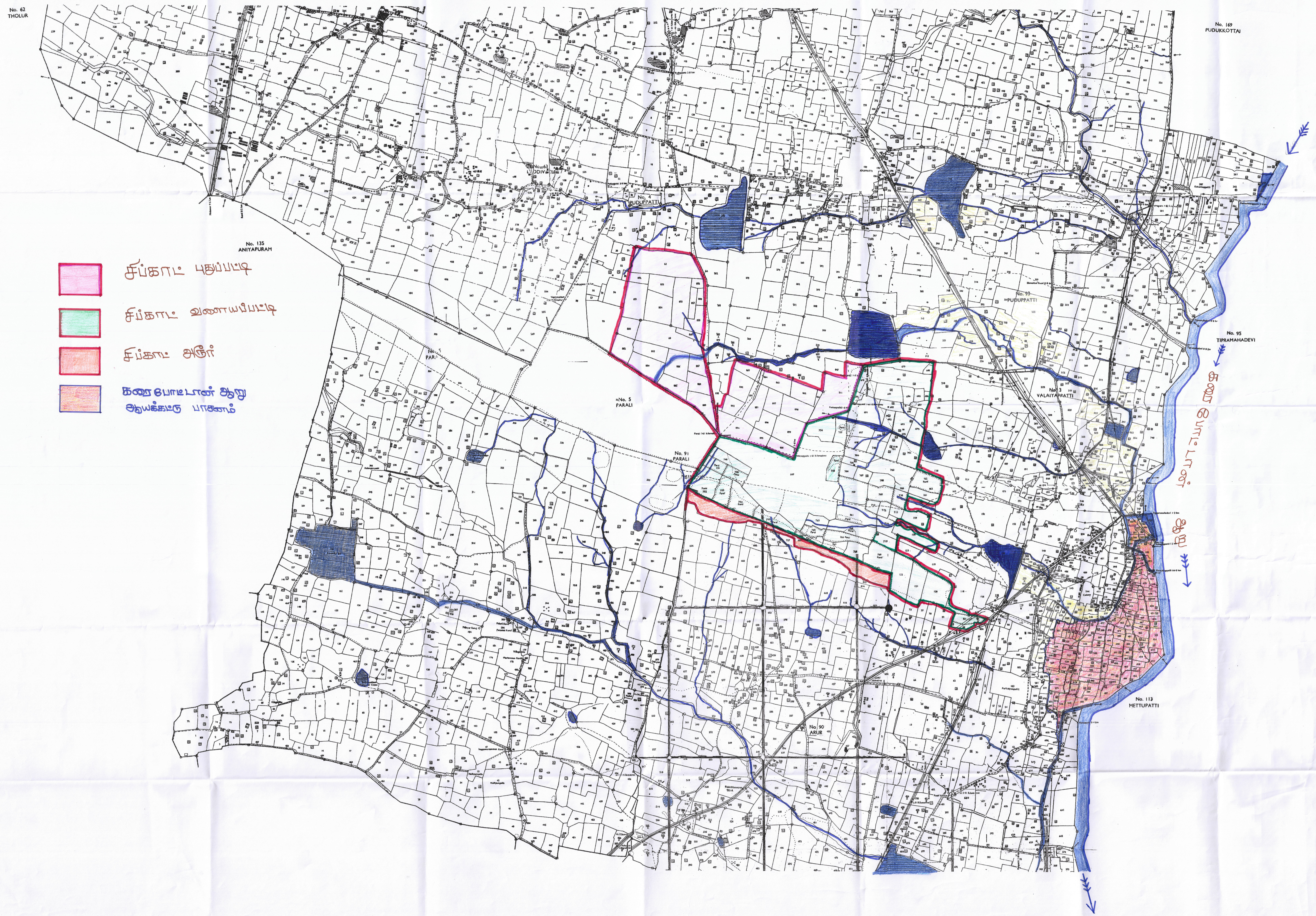
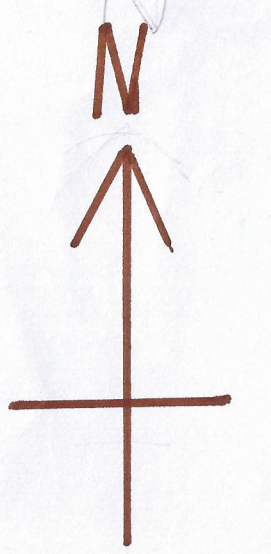
S.No	Block No	Survey No	Area in Hec
N.Pudupatti			
Nil			
Valayapatti			
Nil			
Arur			
Nil			
ABSTRACT			
1	N.Pudupatti		Nil
2	Valayapatti		Nil
3	Arur		Nil
	Grand Total		Nil


 District Collector
 Namakkal


 13.1.25

7/8

SIPCOT NAMAKKAL NATIONAL GREEN TRIBUNAL OA NO 303/2024



- சீர்காட்புழை
- சீர்காட்புழை
- சீர்காட்புழை
- கரை பொட்டான் ஆறு
ஆறு கரை பாக்கம்

கரை பொட்டான் ஆறு

No. 113
METTUPATTI

No. 95
TIPRAHADEVI

No. 5
PARALI

No. 91
PARALI

No. 90
ARUR

No. 135
ANIYAPURAM

No. 62
THOLUR

No. 169
PUDUKKOTTAI