

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

APPEAL No.30 of 2020

IN THE MATTER OF

O. Muhammed,
Malappuram

...Appellant

Versus

State Environmental Impact
Assessment Authority, Kerala,
Rep by its Administrator,
Thiruvananthapuram and Others

...Respondents

THE WRITTEN STATEMENT FILED BY THE 4TH RESPONDENT, PRINCIPAL
CHIEF CONSERVATOR OF FOREST IN APPEAL No.30 of 2020 BEFORE
THE HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE,
CHENNAI



(E. K. KUMARESAN)
Counsel for Respondent 4 & 5
Standing Counsel for
State Government of Kerala
NGT (SZ) Chennai Bench.

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CHENNAI

The 4th respondent herein respectfully submits as follows :-

The 4th respondent herein is the Principal Chief Conservator of
Forest and Chief Wild Life Warden.

The address for services, notices and process is that of his
Counsel M/s.E.K.Kumaresan, No.6, Indian Chambers, SICCI ANNEX
Buildings, Ground Floor, Esplanade, Chennai – 600 104.

1. The 4th respondent submits that at the outset, all the
allegations and averments made in the appeal filed on behalf of the
appellant herein is challenging but not limited to the documents filed by
the appellant herein or denied except those that are specifically
admitted herein.
2. The 4th respondent submit that the answering respondent the
following objection for the present appeal without prejudice to its Reply
on the merit of the case.

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3. The 4th respondent submits that the land in question is not coming under the control of Forest Department. It does not fall under an Eco Sensitive Area. It is about 18 kms. in aerial distance away from the nearest Protected Area of Kadaiundi Vallikkunnu Community Reserve and about 25 kms in aerial distance away from the nearest Wildlife sanctuary namely Karimapuzha Wildlife Sanctuary. As such, the land in question does not fall under the Eco Sensitive Zone of any Protected Area including the default Eco Sensitive Zone of 10 kms distance from the Protected Area.

4. The 4th respondent submits that it does not fall under an Eco Sensitive Area. It is about 18 kms in aerial Community Reserve and about 25 kms in area distance away from the nearest Wildlife Sanctuary namely Karimpuzha Wildlife Sanctuary. As such, the land in question does not fall under the Eco Sensitive Zone of any Protected Area including the default Eco Sensitive Zone of 10 kms distance from the Protected Area.

5. The 4th respondent submits that it does not fall under an Eco Sensitive Area. It is about 18 kms in aerial distance away from the nearest Protected Area of Kadalundi Vallikkunnu Community Reserve and about 25 kms in aerial distance away from the nearest Wildlife Sanctuary namely Karimpuzha Wildlife Sanctuary. As such, the land in question does not fall under Eco Sensitive Zone of 10 kms distance from the Protected Area.

6. The 4th respondent submits that it does not fall under an Eco Sensitive Area. It is about 18 kms in aerial distance away from the nearest Protected Area of Kadalundi Vallikkunnu Community Reserve and

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about 25 kms in aerial distance away from the nearest Wildlife Sanctuary Reserve and about 25 kms in aerial distance away from the nearest Wildlife Sanctuary namely Karimpuzha Wildlife Sanctuary. As such, the land in question does not fall under the Eco Sensitive Zone of any protected area including the default Eco sensitive zone of 10 kms distance from the protected area.

7. The Contention of the Appellant that the 4th Respondent is actively promoting tourism in the area and is developing the Arimbra Hills as Mini Ooty is untrue, against facts and hence denied. As a matter of fact, Forest Department is not implementing any tourism in Arimbra Hills.

Dated at Chennai on this the 27th day of July 2021



(E. K. KUMARESAN)
Counsel for Respondent 4 & 5
Standing Counsel for
State Government of Kerala
NGT (SZ) Chennai Bench.

Written Statement by 4th Respondent, Principal Chief Conservator of Forests in Appeal No. 30 of 2020 before the Hon'ble National Green Tribunal, Southern Zone, Chennai.

FACTS IN BRIEF

1. No remarks are offered since the contention does not pertain to Forest Department.
2. No remarks are offered since the contention does not pertain to Forest Department.
3. The land in question is not coming under the control of Forest Department. It does not fall under an Eco Sensitive Area. It is about 18 kms in aerial distance away from the nearest Protected Area of Kadalundi-Vallikkunnu Community Reserve, and about 25 kms in aerial distance away from the nearest Wildlife Sanctuary namely Karimpuzha Wildlife Sanctuary. As such, the land in question does not fall under the Eco Sensitive Zone of any Protected Area including the default Eco Sensitive Zone of 10 kms distance from the Protected Area.
4. No remarks are offered since the contention does not pertain to Forest Department.

GROUND

- A. No remarks are offered since the contention does not pertain to Forest Department.
- B. No remarks are offered since the contention does not pertain to Forest Department.
- C. No remarks are offered since the contention does not pertain to Forest Department.
- D. No remarks are offered since the contention does not pertain to Forest Department.
- E. No remarks are offered since the contention does not pertain to Forest Department.
- F. No remarks are offered since the contention does not pertain to Forest Department.

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G. No remarks are offered since the contention does not pertain to Forest Department.

H. No remarks are offered since the contention does not pertain to Forest Department.

I. No remarks are offered since the contention does not pertain to Forest Department.

J. No remarks are offered since the contention does not pertain to Forest Department.

K. It does not fall under an Eco Sensitive Area. It is about 18 kms in aerial distance away from the nearest Protected Area of Kadalundi-Vallikkunnu Community Reserve, and about 25 kms in aerial distance away from the nearest Wildlife Sanctuary namely Karimpuzha Wildlife Sanctuary. As such, the land in question does not fall under the Eco Sensitive Zone of any Protected Area including the default Eco Sensitive Zone of 10 kms distance from the Protected Area.

L. No remarks are offered since the contention does not pertain to Forest Department.

M. The nearest Reserve Forest is a Vested Forest at Kottamala, which is about 3 kms in aerial distance away from the site in question. The site is not falling in an Eco Sensitive Area.

N. The site is not falling in an Eco Sensitive Area.

O. It does not fall under an Eco Sensitive Area. It is about 18 kms in aerial distance away from the nearest Protected Area of Kadalundi-Vallikkunnu Community Reserve, and about 25 kms in aerial distance away from the nearest Wildlife Sanctuary namely Karimpuzha Wildlife Sanctuary. As such, the land in question does not fall under the Eco Sensitive Zone of any Protected Area including the default Eco Sensitive Zone of 10 kms distance from the Protected Area.

P. It does not fall under an Eco Sensitive Area. It is about 18 kms in aerial distance away from the nearest Protected Area of Kadalundi-Vallikkunnu Community Reserve, and about 25 kms in aerial distance away from the nearest Wildlife Sanctuary namely Karimpuzha Wildlife Sanctuary. As such, the land in question does not fall under the Eco Sensitive Zone of any

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Protected Area including the default Eco Sensitive Zone of 10 kms distance from the Protected Area.

Q. It does not fall under an Eco Sensitive Area. It is about 18 kms in aerial distance away from the nearest Protected Area of Kadalundi-Vaikkunnu Community Reserve, and about 25 kms in aerial distance away from the nearest Wildlife Sanctuary namely Karimpuzha Wildlife Sanctuary. As such, the land in question does not fall under the Eco Sensitive Zone of any Protected Area including the default Eco Sensitive Zone of 10 kms distance from the Protected Area.

R. No remarks are offered.

S. No remarks are offered since the contention does not pertain to Forest Department.

T. No remarks are offered.

U. No remarks are offered since the contention does not pertain to Forest Department.

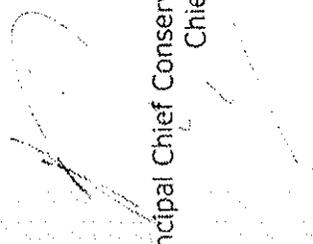
V. No remarks are offered since the contention does not pertain to Forest Department.

W. No remarks are offered since the contention does not pertain to Forest Department.

X. No remarks are offered since the contention does not pertain to Forest Department.

Y. No remarks are offered since the contention does not pertain to Forest Department.

Z. The contention of the Appellant that the 4th Respondent is actively promoting tourism in the area and is developing the Arimbra Hills as Mini Ooty is untrue, against facts and hence denied. As a matter of fact, Forest Department is not implementing any tourism in Arimbra Hills.


Principal Chief Conservator of Forests &
Chief Wildlife Warden
(4th Respondent)