

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
(SOUTHERN ZONE BENCH, CHENNAI)
IN
ORIGINAL APPLICATION NO. 141 OF 2021 (SZ)**

**COUNTER AFFIDAVIT FILED BY THE 8TH RESPONDENT / THE DISTRICT
COLLECTOR, ALAPPUZHA DISTRICT**

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Dated at Chennai on this the 7th day of January 2022.

M/s. E.K.KUMARESAN

Standing Counsel for State Government of Kerala - NGT(SZ) Chennai Bench

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

**OA No. 141/2021
(Suo – Motu Case)**

COUNTER AFFIDAVIT FILED BY THE 8TH RESPONDENT

I, A. Alexander S/o. Antony aged 59 years residing at Collector's Camp Office, Alappuzha Pincode – 688001 do hereby solemnly affirm and State as follows;

- 1) I am the District Collector, Alappuzha who is the 8th respondent in the above OA (Suo – Motu). I have read and understood the contents of the above OA. I am fully authorised and competent to swear this affidavit in my official capacity.

- 2) The Pallickalar river flows mainly through Kollam and Pathanamthitta District and doesnot flowing through Alappuzha. There are two rivulets / drain of the tributery of Pallicakalar River enter into Mavelikkara, Thamarakulam Gramapanchayath from Palamel Gramapanchayath. This revulet starts from Kurunnankulangara to Erapanapara and to the boundry of Alappuzha District named Chooranvayal and enttered to Kollam District.

- 3) Convened a meeting of stake holders of revulets and gave direction to Tahsildar (LR) Mavelikkara for pointing out boundaries of the said rivulet for identify the encroachment



4) ACTION TAKEN

Palamel Grama Panchayath			
Sl. No.	Decisions	Action	Action Taken
1	Identification of illegal drains which flow to the river from commercial institutions, hotels and household and should ensure regulatory action is taken to close these illegal drains.	Secretaries of LSGs	No such illegal drains detected which flows to the Pallikalaar from tributary named Chooral Vayal. Decision taken to issue all the trade licence only after site inspection that no such illegal drains are there.
2	Identification of septic tanks that are outdated /improperly constructed	Secretaries of LSGs	All the septic tanks are seen well constructed and no discharge of black water is found.
3	Identification of area coverage where there is septic tank leachate to the water source.	Secretaries of LSGs	No such places identified during the inspection. All the places are under the surveillance of Ward level sanitation committee.
4	Status assessment of septic tank and prepare action plan for retrofitting of toilets and septic tanks.	Secretaries of LSGs	All the septic tanks constructed on the sides of the Chooral vayal have no drains. Ward level sanitation committee surveillance is strengthened there to prevent any new outlets to be constructed. Awareness campaign are conducted for the residence there to report not to drain there outlets to the waterbody also inform the Panchayath if anybody do so through sanitation samithi.
5	Retrofitting of old septic tanks and toilets. LSGs should ensure that retrofitting is done in phased manner.	Secretaries of LSGs	During the inspection we couldn't find the septic tanks & toilets which needed retrofitting activities.
6	Identification of encroachment in the banks of Pallikalar to be done by the LSGs and reg action to be taken in consultation with the Revenue authorities.	Secretaries of LSGs	As per the Revenue department plan encroachment is shall there.
7	Mapping of all polluting points based on the GPS coordinates and should be	Secretaries of LSGs	Desicision taken for watch all the waterbodies frequently by janakceya samithi, Haritha Kermasena, NREGS

	captured digitally by all LSGs HODs the review and ensure		workers, Kudumbasree and residence there. Sanitation Samithi are directed to submit the report once in every month to the Panchayat Committee. Now no points of dumping are found.
8	All Houses, apartments, hospitals, commercial institutions, educational institution where there is any discharge of grey and black water to water bodies should be identified and strict action taken if violation is found	Secretaries of LSGs	No apartments, hospitals, commercial institutions, educational institutions are located beside the above said place. But find a grey water discharge from one household and ordered to remove it within one week.
9	All LSG's to identify the scope of Bio STP and instructed that Bio STP should be installed wherever feasible. All should ensure that all Storm water drains that are fed to the river are cleaned / cleared, without blockages. This should find mention in the Action Plans.	Secretaries of LSGs	Haritha karma sena is active in this Panchayath there are collecting non bio waste and its handed over to clean kerala company regularly. The Chooralvayal thodu is taken as a part MNREGS Project for deepening and cleaning the vegetation for smooth running to clear water.
10	Review to be done on above actions at the State level by the Suchitwa Mission jointly with the DUA and DP and report be submitted to LSGD on bi monthly basis	Secretaries of LSGs	Details of places where boards are to be placed is sent to District Suchitwa mission Office.
11	A campaign with School children / volunteers / Suchitwa Warriors for community awareness intervention. IEC based intervention is also required and that should be mentioned in the Action Plan	Secretaries of LSGs	Letters are sent to HM of the schools in our jurisdiction to conduct community awareness through school children about non polluting waterbodies by almeans.
Mavelikkara Thamarakkulam Grama Panchayath			
Sl. No.	Decisions	Action	Action Taken
1	Identification of illegal drains which flow to the reiver from commercial institutions, hotels and household and should ensure regulatory action is taken to close these illegal drains.	Secretaries of LSGs	No illegal drains detected which flows to the Pallikalaar trade licence issued only after site inspection from panchayath officials.

2	Identification of septic tanks that are outdated / improperly constructed	Secretaries of LSGs	Septic tanks are constructed well. Discharge of black water to the rivulet is not found during the inspection.
3	Identification of area coverage where there is septic tank leachate to the water source	Secretaries of LSGs	No such places identified. Ward level sanitation committee inspecting the coverage area and monitoring regularly.
4	Status assessment of septic tank and prepare action plan for retrofitting of toilets and septic tanks	Secretaries of LSGs	Ward level sanitation committee surveillance is strengthened. Ward level Awareness campaign are conducted for the residents. HKS also inspecting the tributary places.
5	Retrofitting of old septic tanks & toilets LSGs should ensure that retrofitting is done in phased manner		The septic tanks & toilets are now working properly. No need of retrofitting activities in this area.
6	Identification of encroachment in the banks of Pallicakalar to be done by the LSGs and reg action to be taken in consultation with the Revenue authorities	Secretaries of LSGs	As per the consultation with Revenue department, Survey has to be done for identify the encroachment.
7	Mapping of all polluting points based on the GPS coordinates and should be captured digitally by the LSGs. HODs to review and ensure	Secretaries of LSGs	Sanitation samithi are directed to submit the report once in every month to the Panchayath Committee. Decision taken for watch all the area of pallickalaar rivulet frequently by janakeeya samithi. Haritha Karmasena. MGNREGS workers. Kudumbasree and residence there.
8	All Houses, apartments, hospitals, commercial institutions, educational institution where there is any discharge of grey and black water to water bodies should be identified and strict action taken if violation is found	Secretaries of LSGs	An Auditorium is located beside the above said place. But we cannot find grey water discharge / black water discharge to waterbodies from there
9	All LSG's to identify the scope of Bio STP and instructed that Bio STP should be installed wherever feasible. All should ensure that all Storm water drains that are fed to the river are cleaned / cleared without blockages. This should find	Secretaries of LSGs	In Thamarakulam Grama Panchayath Haritha Karma sena is very active and they are collecting non bio waste and it is handed over to Clean Kerala Company regularly. MGNREGS workers are also included in the clearing of water bodies.

	mention in the Action Plans.		
10	Review to be done on above actions at the State level by the Suchitwa Mission jointly with the DUA and DP and report be submitted to LSGD on bi monthly basis	Secretaries of LSGs	Deatils of places where boards are to be placed is sent to District Suchitwa mission Office.
11	A campaign with School children / Volunteers / Suchitwa Warriors for community awareness intervention. IEC based intervention is also required and that should be mentioned in the Action Plan.	Secretaries of LSGs	Directly informed to HM of the schools in our jurisdiction to conduct community awarence through school children about non poluting waterbodies by all means.

- 5) The revulet flowing through by Mavelikara Thamarakkulam Gramapanchayath protected with coir geotag in 2019-2020 by MGNREGS project.
- 6) This rivulet also protected by the Haritha Kerala Mission project named 'Ini Njan Ozhukatte'- a project for the rejuvenation of rivers in Alappuzha disrict.
- 7) CCTV Camera already installed at Erapanapara culvert of Mavelikkara Thamarakkulam Gramapanchayath where the waste may throw into the drain.
- 8) The rivulet and its near by area are frequently surviellanced by the Panchayat Janakeeya Samithi, Haritha Karma Sena, Kudumbasree - ADS members and Sanitation Samithy.
- 9) The Gramapanchayath Committe monitor such activities regularly.
- 10) In all the wards of these two GPs, notices were issued informing waste management programmes and punishments may given to illegal waste management processes.
- 11) The Gramapanchayath decided to construct fence in public trespassing

area of the rivulet.

- 12) No illegal drains detected which flows to the Pallikalaar.
- 13) Trade licence issued to shops, establishments and companies, only after site inspection from panchayath officials and assuring legal waste disposal measures by such firms.
- 14) Septic tanks are constructed well and the septic tanks & toilets are now working properly. No need of retrofitting activities in this area. Discharge of black water or grey water to the rivulet were not found during the inspection.
- 15) Ward level Awareness campaign are conducted for the residents. Haritha Kerala Sena also inspecting the tributary places.
- 16) Sanitation samithi are directed to submit the report once in every month to the Panchayt committee.
- 17) An Auditorium is located the above said place. But cannot find grey water discharge/ black water discharge to waterbodies from there. Proper waste management system working there.
- 18) In Mavelikkara Thamarakulam Grama Panchayath and Palamel Gramapanchayat, the Haritha karma sena are very active and they are collecting non bio waste, segregating and deposit in MCFs. From this the segregated waste handed over to Clean Kerala company regularly.
- 19) Details of places where boards are to be placed is sent to District Suchitwa mission Office for further action.
- 20) Headmasters of the schools in the Gramapanchayats jurisdiction to conduct community awareness to school students about non polluting waterbodies and conservation of waterbodies by all means.



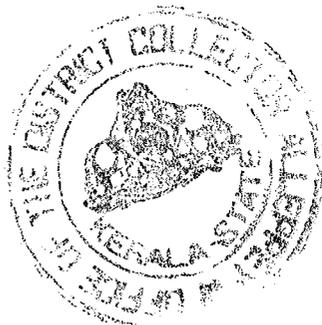
- 21) The Rivulet /drain of Pallikkal River flowing through 10,13 wards of Palamel Grama Panchayath. The drain named chooral vayal. The length of the drain in this Grama Panchayath in approximately 2.5km length and a width of only 5 to 7 mtrs. In this Grama Panchayath, MGNREGS projects formulated for the deeping and protection of this drains, of an outlay of 14 lakh. This plans already got Technical sanction and will start on December 2021.
- 22) No such illegal drains detected which flows to the Pallikalaar from tributary named Chooral vayal

All the facts stated above are true to the best of my knowledge, information and belief.

Dated this the 28th day of December 2021


(A.Alexander)
DEPONENT

Solemnly affirmed and signed before me by the literate deponent, who have read and understood the contents of the above affidavit, whom I know, on this the 28th day of December 2021 at the office of the District Collector, Alappuzha.




ASHA. C. ABRAHAM
DEPUTY COLLECTOR (DM)
COLLECTORATE, ALAPPUZHA