

**BEFORE THE HON'BLE NATIONAL GREENTRIBUNAL
SOUTHERN ZONE, CHENNAI**

APPLICATION NO. 149 of 2022

Mr. Sankaran, Athannikkal House : Applicant

Versus

Secretary, Kerala State Pollution Control Board,
Thiruvananthapuram and others : Respondent(s)

**REPORT FIELD BY THE ENVIRONMENTAL ENGINEER ASPER ORDER OF THE HON'BLE
NATIONAL GREEN TRIBUNAL**

Rema Smrithi VK

STANDING COUNSEL FOR THE 7th RESPONDENT:

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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Dated this the 20th day of November 2023

STANDING COUNSEL FOR THE 7th RESPONDENT

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL CHENNAI

Application No. 149/2022

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VS.

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**REPORT FILED BY THE ENVIRONMENTAL ENGINEER, KERALA
STATE POLLUTION CONTROL BOARD, DISTRICT OFFICE,
PALAKKAD.**

I, Sri. Dinesh.K.S., aged 53 years, S/o K.V.Sidharthan, Now working as Environmental Engineer, Kerala State Pollution Control Board, District Office, Palakkad, I am duly authorised to file report on behalf of the 7th respondent, Member Secretary, Kerala State Pollution Control Board.

- 1) The Hon'ble tribunal had vide order dated 20.10.2023 in original application no. 149/2022 stated as follows.
 - i) *The report of the Department of Mines and Geology was prepared in February 2023 and filed in May 2023. Similarly, the report of the Kerala State Pollution Control Board is also filed.*
 - ii) *Prima facie, in both reports, there are certain violations noted regarding the illegal operation by the project proponent and they are also said to be operating the quarry even after the lease had expired.*
 - iii) *However, the report is silent about the extent of damage, compensation levied on the project proponent, mitigation measures, etc.*
 - iv) *In the report of the Kerala SPCB, it is stated that till such time the*



DINESH K.S.
Environmental Engineer
Kerala State Pollution Control Board
District Office, Palakkad



monsoon is withdrawn, the further report cannot be furnished. Now that the monsoon is withdrawn, let both departments do the inspection to find out whether the directions given by them were carried out in its letter and spirit and if not, what are all the violations committed by the project proponent may be stated along with the levy of compensation.

- 2) In compliance with the order of the Hon'ble NGT inspection was conducted in the premises of respondents 8 and 9 on 14.11.23 to verify the works done by them as per the directions given by the Board. Vide order dated 26.06.2023 direction was given to the 9th respondent to remove the top soil and overburden deposited near the crusher and use it for the remediation of the quarry pit. The top soil and over burden stacked near the premises of 9th respondent now removed and used for restoration of the closed quarry and the area was levelled. The photographs are produced herewith and marked as **Annexure R7 (a)**. The construction of embankment wall having a height of 1.0 m and a width of 0.30 m along the boundary at a length of 70 m completed to prevent the runoff and soil erosion from the slope. Photographs are produced herewith and marked as **Annexure R7 (b)**. The quarry is stopped functioning from November 2022 and the validity of EC expired on 05.03.2023.
- 3) In the quarry premises of Respondent 8th no mining activities going on as the validity of the Mining lease expired on 25.08.2023. In compliance with directions issued regarding the hearing of drainage and managing slurry the control measures like geo textiles provided in the slopes, delay ponds and settling tanks provided in the boundary area to prevent debris and slurry going out with the storm water are maintained properly.
- 4) All the above are true to the best of my knowledge, information and belief.

Dated this the 20th day of November 2023.



DINESH. K. S.
Environmental Engineer
Kerala State Pollution Control Board
District Office, Palakkad

DEPONENT

VERIFICATION

I, Dinesh K.S, aged 53 years S/o K.V. Sidharthan, now working as Environmental Engineer in the District Office - Palakkad of the Kerala State Pollution Control Board at Palakkad, duly authorized to file this reply on behalf of the Kerala State Pollution Control Board do hereby verify on this, the 20th day of November 2023, that all what is stated above is true and correct to the best of my knowledge, information and belief and is borne out from the records maintained in our office.



Dinesh K.S. Environmental Engineer,

District Office - Palakkad

Kerala State Pollution Control Board, Palakkad.



DINESH. K. S.
Environmental Engineer
Kerala State Pollution Control Board
District Office, Palakkad

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AFFIDAVIT

I, Dinesh K.S, aged 53 years S/o K.V. Sidharthan, residing at Irinjalakuda do hereby solemnly affirm and state as follows:

I am now working as the Environmental Engineer, District Office – Palakkad Kerala State Pollution Control Board at Palakkad. I am competent to and duly authorized to represent the 7th respondent in the above case. I know the facts and circumstances of the case. The factual submissions made here under in paragraphs 1 to 5 of the reply are true and correct to the best of my knowledge, information and belief. The legal submissions made therein are made on advice received from Counsel. In these circumstances, it is just and necessary that this Hon'ble Tribunal may be pleased to accept the accompanying reply on file and it is so humbly prayed in the interests of justice in this case.



DINESH K.S., DEPONENT

DINESH. K. S.
Environmental Engineer
Kerala State Pollution Control Board
District Office, Palakkad



Solemnly affirmed and signed before me by the literate deponent personally known to me on this the 20th day of November 2023 at my office in Palakkad

STANDING COUNSEL FOR THE 7th RESPONDENT

Photographs showing overburden and top soil removed from crusher area of 9th Respondent



ANNEXURE R7(a)




DINESH. K. S.
Environmental Engineer
Kerala State Pollution Control Board
District Office, Palakkad

Photograph showing completed reclamation work in the quarry area with overburden and top soil of the 9th Respondent

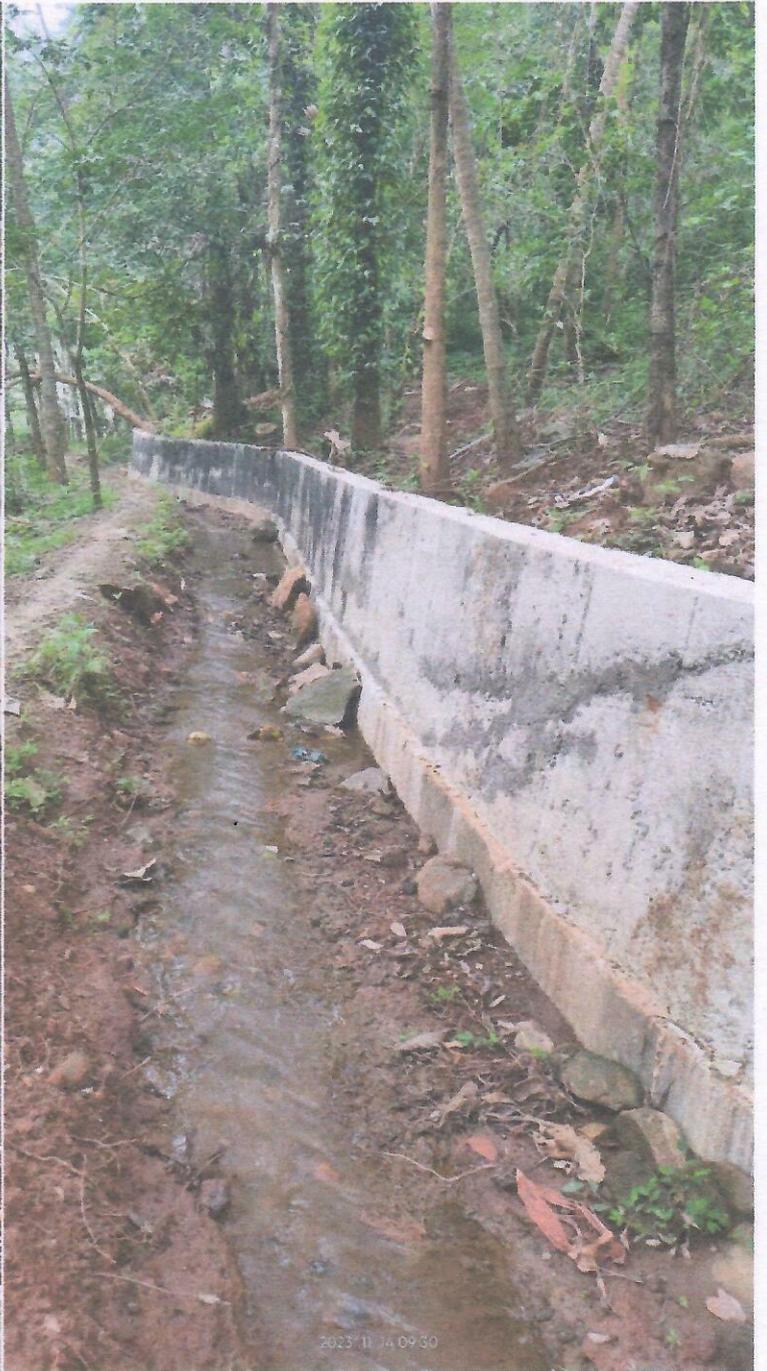


ANNEXURE R-7(9)


DINESH. K. S.
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Photograph showing completed embankment wall in the crusher area compound of 9th Respondent



ANNEXURE RT(B)

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