

BEFORE THE NATIONAL GREEN TRIBUNAL (SOUTHERN ZONE) CHENNAI

O.A.No. 15 OF 2020

IN THE MATTER OF:

Tribunal on its own motion suo motu based on  
the News item in Malayalam Manorama,  
Malayalam, Newspaper dated:20.01.2020

... APPLICANT

Vs

Government of Kerala and others

... RESPONDENTS

**REPORT ON BEHALF OF JOINT COMMITTEE**

It is humbly submitted that this Hon'ble Tribunal passed an order dated 23.01.2020 appointing a Joint Committee comprising of Principal Chief Conservator of Forest, District Collector, Palakkad and Divisional Forest Officer, Palakkad to look into the matter and submit a factual and action taken report. The Divisional Forest Officer, Palakkad was directed by the Tribunal to act as the Nodal Officer.

2. It is submitted that, in obedience to the above order, the Joint Committee conducted investigation and submitted its report dated 19.10.2020 and the same is annexed herewith.

3. It is therefore prayed that this Hon'ble Tribunal may be pleased to take the facts adduced in this report and to pass suitable orders and thus render justice.

Dated at Chennai on this the 18<sup>th</sup> day of January, 2021.



E.K.Kumaresan

Standing counsel for Kerala(SZ)

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**BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL,  
SOUTHERN ZONE CHENNAI**

**Original application No.15/2020(SZ)**

(In the matter of Tribunal on its own motion *Suo Motu*, based on the news time in Malaya Manorama, Malayalam newspaper dated 20/01/2010 “Burning Banks of Bharathapuzha” - Antisocial elements continue to burn riparian grass lands).

with

Government of Kerala and others – Respondents

**REPORT FILED BY THE JOINT COMMITTEE APPOINTED BY  
THE HONOURABLE TRIBUNAL IN THE ABOVE MATTER**

1. On 23/01/2020 the Honorable Tribunal appointed a Joint Committee comprising of Principal Chief Conservator of Forest, District Collector, Palakkad and Divisional Forest Officer, Palakkad to look into the matter and submit a factual and action taken report. The Divisional Forest Officer, Palakkad was directed by the Tribunal to act as the Nodal Officer.
2. In obedience to the above order the Joint Committee conducted thorough investigation with the help of revenue, police officials and forest authorities and by way of local inspection of the place of incident. The Committee also enquired the matter with the local inhabitants residing nearby. Based on the above enquiry and inspections this report is hereby submitted before the Honourable Tribunal.
3. The place of incident is situated in the Bharathapuzha river in Ottapalam-II village of Ottapalam Taluk, near to the Mayannur bridge which connects Ottapalam to Thrissur district. This place is an inter district border of Palakkad and Thrissur Districts. Shoranur – Palkkad railway line is also passing through the side of this stretch of the river.

4. A thorough inspection was conducted and it is seen that about one Acre of grass land area was burned in the incident. This grass land is formed in the river bed by drying out of water during summer season. The burned area is not on the permanent bank of the river. This is a temporary grass land formed during the summer season and this land submerges under water for about six months in a year during rains. Since this is a temporarily formed grass land, only some grass species and scattered saplings / poles are present in that area. There is no evidence observed in the field about the damage to any birds, nest or eggs, as no remains of any birds or egg was observed on ground during field investigation.
5. Riparian Vegetation is a forest type characterized by a few evergreen and semi ever green species restricted along river margins and banks forming a narrow fringe. None of this riparian vegetation species are found to be burned in that area. The area is full of a grass and consisted of *Saccharum spontaneum* species. This grass area starts to grow in the river bed, from where the water is drained out during the month of December or January. During summer these grass gets dry. On enquiry with neighboring people we could understand that the dried river basin is being used by local people for relaxing and enjoying scenic beauty. It is also understood that this place is used by anti social elements for anti social activities like consumption of alcohol and other such activities. The fire noted by the Honorable Tribunal might have been caused due to above such activities. Since the area is not coming under any protected /reserve /vested forest, no regular patrolling is conducted by the Forest Department in this area.
6. The above incident has not caused any significant adverse effect on the bio diversity or loss to the avian population or vegetation of this area, but there is a chance of affecting the same if the fire spreads to the river banks. So a Master Plan can be prepared for protection of river banks and avoiding of similar incidents as a joint venture by Revenue Department / Police and Local Self Governments.

3

Photographs taken from the area during the inspection is also enclosed herewith for the kind perusal of the Honorable Tribunal.

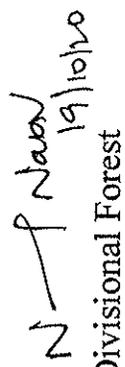
All the facts stated above are true to the best of our knowledge and belief and this report is submitted before this Honorable Tribunal for the kind consideration and further actions.

Dated This the 19<sup>th</sup> Day of October 2020

  
Principal Chief

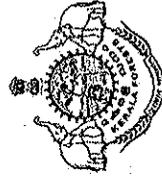
Conservator of Forests  
& Head of Forest  
Force, Kerala

  
District Collector,  
Palakkad

  
Divisional Forest  
Officer, Palakkad

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Narendra Nath Veluri, IFS  
Divisional Forest Officer  
Palakkad



Office of the Divisional Forest Officer  
Palakkad Division  
Kallekulangara PO, Palakkad-678 009  
Phone: 0491-2555156  
E-mail: dfo-plkd.for@kerala.gov.in

G2-755/20

Date : 06/11/2020

To

Sri. E.K. Kumaresan  
Advocate  
E.K.K. Legal, No.6  
Indian Chamber, SICCI Annex Building  
Ground Floor, Esplanade  
Chennai 600108

Sir,

Sub: Cases taken Suo Moto by National Green Tribunal on the basis of news paper report published in Malayala Manorama daily dated 20/01/2020 – reg.

Ref: 1. OA No. 15/2020 (SZ) of National Green Tribunal, Southern Zone, Chennai  
2. Order of National Green Tribunal in the matter of OA 15/2020 dt. 20/07/2020.

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Kind attention is invited to the subject and reference cited. I am submitting herewith the report signed by all Joint Committee Members, for your information.

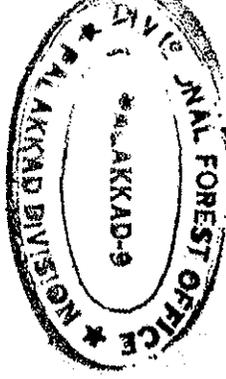
Yours faithfully,

N. Waw

Divisional Forest Officer  
Palakkad

Copy submitted to Advocate General, Kerala, Ernakulam.  
Copy submitted to Head of Forest Force, Kerala, for kind information.  
Copy submitted to Principal Chief Conservator of Forests (FM), Thiruvananthapuram.  
Copy submitted to District Collector, Palakkad, for kind information.  
Copy submitted to Conservator of Forests (SA), Thiruvananthapuram.  
Copy to Assistant Conservator of Forests & Liaison Officer, O/o Advocate General, for information.

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