

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI**

**IN**

**ORIGINAL APPLICATION NO 395/2013 (SZ)**

**Applicant(s)** : **“Suo Mottu” Proceedings initiated based on the representation received from Hon’ble Justice, R. Bhaskaran, (Former Judge).**

**Versus**

**Respondent(s)** : **The State of Kerala & others**

**VOLUME 1**

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Dated this the 16<sup>th</sup> August 2021

**Rema Smrithi**, Advocate

ADDITIONAL STANDING COUNSEL FOR THE RESPONDENT

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**UPDATED STATUS REPORT FILED BY THE ENVIRONMENTAL ENGINEER FOR  
AND ONBEHALF OF THE BOARD AS PER THE ORDER DATED 10.06.2021 IN  
THE ABOVE APPLICATION**

Adv. Rema Smrithi.

ADDITIONAL STANDING COUNSEL FOR THE RESPONDENT:

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**UPDATED STATUS REPORT FILED BY THE ENVIRONMENTAL ENGINEER  
FOR AND ONBEHALF OF THE BOARD AS PER THE ORDER DATED  
10.06.2021 IN THE ABOVE APPLICATION**

1. I, Mini Mary Sam, 54 Years, Environmental Engineer of Legal Cell of Kerala State Pollution Control Board am authorized to submit individual status report for and on behalf of the Board. I know the facts and circumstances of the case. The factual submissions made hereunder are true and correct to the best of my knowledge, information and belief. In these circumstances, it is just and necessary that this Hon'ble Tribunal may be pleased to accept the accompanying updated status report on file and it is so humbly prayed in the interests of justice in this case.
2. The Hon'bel NGT vide order dated 10.06.2021 directed as follows;

*"The Joint Committee, Kerala State Pollution Control Board and the State Government, District Collector are directed to file their respective reports to this Tribunal on or before 17.08.2021 by e-filing in the form Searchable PDF/OCR Supportable PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per Rules"*



  
**Mini Mary Sam**  
Environmental Engineer(HG)

3. It is humbly submitted that during inspection of the combined committee, the water in several drains were found to be highly contaminated with deteriorated water quality. The combined committee has suggested one more monitoring along the entire stretch to confirm the primary findings. During which the drains will also be monitored. The Board is completing investigations on industries/establishments which are functioning without obtaining Integrated Consent to Establish or Integrated consent to Operate and necessary followup actions will be taken in the matter through the District Offices of the Board. Progress report on the identification of issues and issuance of notice to defaulters are underway.
4. It is respectfully submitted that the Committee constituted by the Government also met on a weekly basis and discussed the issue with respect to the submission of interim action plan before the Government and to Hon'ble NGT. Interim action pan prepared is attached herewith as **Annexure A**. It may also important to note that the final action plan is being prepared updating the results of monitoring and newly identified industries/establishments which will be completed once the second phase monitoring and result compilation are over.
5. It is respectfully submitted that the final action plan is inclusive of several previous studies where specific findings are there with respect to water quality deterioration of river Periyar. It is respectfully submitted that all results except a few are showing that the worsening of water quality is due to sewage intrusion particularly city/town discharges. It is identified that certain drains carry waste water is severely polluted due to identified discharges from town areas and unidentified sources of Industrial development areas, especially Eloor – Edayar stretch. All the industrial units along the banks, having ETP were monitored and found complying with standard stipulated by the Board. But there are every chances of unauthorized discharges from small/medium industries located along these areas which are not having ETP. This matter has already been placed before the Government and a study is underway to install a CETP at Edayar IDA for which the Kerala Water Authority (KWA) is entrusted. Copy of order is attached as **Annexure B**.
6. It is humbly submitted that certain actions are initiated by the Board through its regional offices after identifying violations committed by respective



  
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Environmental Engineer(MG)

industries/establishments. Specific actions are being initiated after receiving replies from respective units to prevent pollution from them.

7. With respect to levying of Environmental Compensation from local bodies in Idukki District for violation of SWM Rules, It is respectfully submitted that almost all Local Bodies had submitted replies to show cause notices issued explaining reasons for not assessing Environmental Compensation. Hence these local bodies were inspected once again by the District Officer, Idukki and assessed percentage achievement on the effective management of solid waste. Copy of the updated status is produced herewith and marked as **Annexure C**. Based on this, EC to be imposed will be reassessed and necessary action will be initiated immediately. In this context it is humbly submitted that suggestions are yet to be received from CPCB regarding SPCB's suggestions on revising EC assessment formula.
8. I may humbly submit that the investigations primarily done by the combined committee reveals that certain drains which contribute to river flow is severely polluted. It may also be noted that the coliform count monitored were no where near the standard concentration of 500 was due to sewage intrusion from city/town discharges which should be addressed by the LSGDs . Eventhough The pollution potential at source level is high,it is important to note that the water quality through out the the main stream of river is showing limiting trend for bathing quality ie, BOD is less than 3 mg/lit and coliform 500 cfu/100 ml in almost all time of the year.
9. In the circumstances, the interim action plan prepared to make river Periyar maximum pollution free may be recorded and some more time may be allowed to prepare the final action plan , as some of the committee members rae of middle level officers without the power to give FS/AS/TS for the projects. They are facing difficulties in obtaining required informations, project proposals and commitment to declare timeline for completing the proposed works from other offices especially from LSGI Secretaries. Intervention fro CS and the respective ACS is essential for vetting the proposed action plan ensuring the funding and fixing the time limits to complete the works.

Dated this the 16<sup>th</sup> day of August 2021.



*[Handwritten Signature]*  
Deponent

**Mini Mary Sam**  
Environmental Engineer(MG)