

BEFORE THE NATIONAL GREEN TRIBUNAL, ZONAL BENCH AT CHENNAI

ORIGINAL APPLICATION (O.A) No.102 OF 2020

Nishanth Gopal

...Applicant

Versus

Union of India & others

...Respondents

INDEX TO THE TYPEDSET FILED ON BEHALF OF THE 11<sup>TH</sup> RESPONDENT

S.No.	Date	Description of Documents	Pg. No
1.	13.07.2020	Report submitted by the 9 <sup>th</sup> Respondent in WP( c) No. 11060/2020 before the Kerala High court	1

Certified that the above documents are true copies of the originals

Dated at Chennai on this the 29<sup>th</sup> day of January 2021

SRANASUBBRAMANIAM & ASSOCIATES

PARTNER

COUNSEL FOR THE 11<sup>TH</sup> RESPONDENT

**REPORT SUBMITTED BY THE DISTRICT COLLECTOR,**  
**ALAPPUZHA**

1. This Hon'ble Court as per the interim order dated 19.06.2020 directed this respondent to conduct a site inspection with prior notice to the petitioner, respondent No.2 KMML and respondent No.4, Secretary of Grama Panchayat.

2. The inspection was conducted on 01.07.2020 with due notice to the respective parties in their presence. The sand bar formation which is being removed is in between the sea and Thottapilly Spillway. The sand bar formation is a natural phenomenon due to the prevention of flow of river water into the sea on construction of the barrage. The removal of the sand bar is absolutely necessary to avoid flood situation which may occur during monsoon in Kuttanad Taluk. The flood water can be drained only on opening of the spillway. Unless, the sand bar formation is removed, well in advance of the monsoon season, the result will be flooding of the entire Kuttanad area which will cause heavy destruction of agriculture, life and property and will affect the environment. The removal of the sand bar will not cause any environmental degradation in the area. On the other hand, it will enhance the environmental nature of the locality which will avoid flood and loss of large area of land. The lying of sand will prevent free flow of flood water which will aggravate the flood situation and will be a reason for environmental degradation. On the other hand, the sand is removed in a controlled manner as assessed by the Government through Irrigation Department experts and engineers, it will only enhance the environment of the locality.

3. It is noted that the sand which is formed in the area is an atomic mineral and is a national wealth. This sand can be processed only by two Public Sector Companies who are engaged by the Government as per the Government Orders. As already stated, the large accumulation of sand will affect the draining of water and will lead to degradation of the environment of the locality and various environmental issues will crop up. The removal in fact is conducive for the enhancement and preservation of the environment and nature of the locality. No other environmental issue is noticed due to the removal of sand bars. The sand bars will be formed in future also due to tidal effect.

Dated this the 13<sup>th</sup> day of July, 2020.



A.ALEXANDER IAS  
DISTRICT COLLECTOR  
ALAPPUZHA

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