

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

APPLICATION NO. 236 of 2020

Petitioner : Sri.P. Vasudevan, Kerala

Respondents : Kerala State Pollution Control Board

**REPORT FIELD BY THE ENVIRONMENTAL ENGINEER AS PER
INSTRUCTIONS OF THE HON'BLE NATIONAL GREEN
TRIBUNAL**

STANDING COUNSEL FOR THE 2ND RESPONDENT:

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

APPLICATION NO. 236 of 2020

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Dated this the 18th day of December 2020

STANDING COUNSEL FOR THE 2ND RESPONDENT

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

APPLICATION NO. 236 of 2020

Petitioner : Sri. P. Vasudevan, Kerala

Respondents : Kerala State Pollution Control Board

REPORT FILED BY THE ENVIRONMENTAL ENGINEER AS PER THE
DIRECTION OF THE HON'BLE NATIONAL GREEN TRIBUNAL

The Hon'ble Tribunal had vide order dated 06.11.2020 in original application No. 236/2020 directed the Kerala State Pollution Control Board *"To inspect the cow shed in question and submit a factual as well as action taken report, if there is any violation found. They are also directed to ascertain as to whether the cow shed is being operated by the 3rd respondent Devaswome after obtaining necessary permissions or licenses if any required under any of the local laws or environmental laws whether they confirmed to the standard provided for conducting such (Goshala) as well. If there is any deficiency found then, they are also directed to suggest the remedial measures to rectify the same, so as to avoid possible complaints from the neighbours and enable them to continue with their operation without any complaint in future. They are also directed to conduct water analysis test from the nearby wells so as to ascertain as to whether there was any contamination caused on account of the functioning of the (Goshala) being managed by 3rd respondent Devaswome"*.

It is respectfully submitted that in compliance to the above order of the Hon'ble NGT, the Goshala (cowshed) owned by Chelamattom Devaswome Bharana Samithy, Chelamattom SriKrishna Swamy Temple was inspected, on 19.11.2020. The Goshala is situated in Chelamattom village, Okkal Gramapanchayat in Ernakulam district. A land of 2800m² is available for the Goshala. Cattle shed of 432.31 m² with tile roof and concreted floor is provided including the cow dung collection tank, fodder storage area, office room.etc. 25 cows including calves were seen at the time of inspection. The

Goshala has not so far obtained consent from the Board.

There are residential buildings on the eastern and western sides of the Goshala. The southern side is bounded by rubber plantation and northern side by paddy field. The petitioner's residence is at a distance of 6m from the wall of the cattle shed on the west side. The petitioner's well is also at a distance of 6m from the wall of cattle shed and 4m from the wastewater collection tank (located at western side of cattle shed). The Goshala and premises were found to be clean at the time of inspection.

Collection tank of adequate capacity with roofed shed is seen provided for storing cow dung. At present urine along with floor washings, other washings are directed to collection pit located at the western side of the cattle shed. Overflow from this tank is directed through a series of settling tanks. The water from the final tank is reported used to be used for irrigation.

Samples of well water collected from the following points.

- 1) Well within the premises of Goshala.
- 2) Well located at the residence on the eastern side of Goshala
- 3) Well located at the petitioner's residential area.
- 4) Well located at the residence on the western side of Goshala.

The analysis reports indicate that the well water is slightly contaminated with organic matter. A true copy of the analysis reports dated 01.12.2020 is produced herewith and marked as Exhibit R2(a).

The inspection findings reveal that the present style of functioning of the Goshala may cause nuisance to the Applicant and other adjoining residents. This is mainly due to the close proximity of the Goshala with the residences and wells. Hence in order to combat the nuisances and pollution problems the following are suggested and necessary directions in this regard are being issued to the Devaswom authorities.

1. The Devaswom shall immediately take necessary action to obtain consent from the Board.
2. For considering the application distance norms as per circular No:PCB/T4/115/1997(2) dated 31.08.2016 for cattle farms having cattles between 6-20 Nos minimum distance required from nearest residence is 10 m , so limit the number of cows to a maximum of 20 and maintain a

minimum distance of 10 m from the nearest residence to the rearing area/cow dung collection area/wastewater collection or treatment area. A true copy of the circular No:PCB/T4/115/1997(2) dated 31.08.2016 is produced herewith and marked as Exhibit R2(b).

3. Relocate the wastewater collection tank near the petitioner's house.
4. Keep the Goshala and premises clean and tidy.
5. Provide adequate wastewater treatment facilities so as the effluent generated shall be treated and disposed properly so that no pollution of nearby wells takes place.

Application for consent to operate of the Goshala was received through online consent management system along with necessary documents. The same is under processing.

By providing adequate wastewater treatment facilities as directed by the Board and complying with other directions, Goshala can be operated without any nuisance to neighbors or possible well water contamination to nearby wells.

Dated this the 18th day of December 2020.

DINESH K S Digitally signed by DINESH K S
Date: 2020.12.18 09:42:22 +05'30'
DEPONENT

VERIFICATION

I, Dinesh K.S, aged 50 years s/o K.V. Sidharthan, now working as Environmental Engineer in the District Office - II (Ernakulam) of the Kerala State Pollution Control Board at Perumbavoor, duly authorized to file this reply on behalf of the Kerala State Pollution Control Board do hereby verify on this, the 18th day of December 2020, 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 Digitally signed by DINESH K
S
Date: 2020.12.18 09:42:42
+05'30'

Dinesh K.S.

Environmental Engineer,

District Office - II (Ernakulam),

Kerala State Pollution Control Board, Perumbavoor.

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

APPLICATION NO. 236 of 2020

Petitioner : Sri.P. Vasudevan, Kerala

Respondents : Kerala State Pollution Control
Board

AFFIDAVIT

I, Dinesh K.S, aged 50 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 – II (Ernakulam) Kerala State Pollution Control Board at Perumbavoor, Ernakulam District. I am competent to and duly authorized to represent the fifth respondent in the above case. I know the facts and circumstances of the case. The factual submissions made here under in paragraphs 1 to 6 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

Digitally signed by
DINESH K S
Date: 2020.12.18
09:43:05 +05'30'

DINESH K.S., DEPONENT

Solemnly affirmed and signed before me by the literate deponent personally known to me on this the 18th day of December 2020 at my office in Ernakulam.

STANDING COUNSEL FOR THE 2ND RESPONDENT



KERALA STATE POLLUTION CONTROL BOARD
DISTRICT OFFICE (ERNAKULAM -II), PERUMBAVOOR

PMC 20/733, Govt. Hospital- KSRTC Road, Near Kallunkal Auditorium, Perumbavoor-683 542

Telephone : 0484-2593747

E-mail: pcbdo2ekm@gmail.com

Website: www.keralapcb.nic.in

PCB/PBR/LAB/1/2013

Date: 01.12.2020

ANALYSIS REPORT

Source : Complaint against Goshala, Chelamattom.

Sample Point : Well water in the Residence of Sri. Manoj

Ref :

D.O.S : 19.11.2020

D.O. Rd : 20.11.2020

Collected by : AE1

Sample ID : PCB- 102

Sl. No	Parameters	Unit	Value	Test Method
1	pH		7.11	APHA, 4500 H ⁺ B 22 nd Edition 2012.
2	BOD	mg/l	9.0	APHA, 5210 B 22 nd Edition 2012.
3	Sulphate	mg/l	4.11	APHA, 4500 -SO ₄ .E 22 nd Edition 2012
4	Ammoniacal Nitrogen	mg/l	BDL	APHA, 4500- NH ₃ F 22 nd Edition 2012
5	Nitrate	mg/l	0.76	APHA 4500-NO ₃ . E 22 nd Edition 2012
6	TC	Cfu/100ml	32	APHA, 9222 B 22 nd Edition 2012
7	FC	Cfu/100ml	NIL	APHA, 9222 D 22 nd Edition 2012.

3102
24/2/20
AE1/As
[Signature]
01/12/20

SAJI K N
ASSISTANT SCIENTIST

SAJI. K.N.



KERALA STATE POLLUTION CONTROL BOARD
DISTRICT OFFICE (ERNAKULAM -II), PERUMBAYOOR

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Telephone : 0484-2593747

E-mail: pcbdo2ekm@gmail.com

Website: www.keralapcb.nic.in

PCB/PBR/LAB/1/2013

Date: 01.12.2020

ANALYSIS REPORT

Source : Complaint against Goshala, Chelamattom.

Sample Point : Well water of Goshala

Ref :

D.O.S : 19.11.2020

D.O. Rd : 20.11.2020

Collected by : AE1

copy

Sample ID : PCB- 258

Sl. No	Parameters	Unit	Value	Test Method
1	pH		6.82	APHA, 4500 H ⁺ B 22 nd Edition 2012.
2	BOD	mg/l	7.0	APHA, 5210 B 22 nd Edition 2012.
3	Sulphate	mg/l	8.31	APHA, 4500 -SO ₄ ,E 22 nd Edition 2012
4	Ammoniacal Nitrogen	mg/l	0.22	APHA, 4500- NH ₃ F 22 nd Edition 2012
5	Nitrate	mg/l	0.85	APHA 4500-NO ₃ . E 22 nd Edition 2012
6	TC	Cfu/100ml	46	APHA, 9222 B 22 nd Edition 2012
7	FC	Cfu/100ml	1	APHA, 9222 D 22 nd Edition 2012.

3103
21/12/20
AE1/AS
21/12/20

SAJI K N
ASSISTANT SCIENTIST

SAJI. K.N.
Assistant Scientist

Saji



9

KERALA STATE POLLUTION CONTROL BOARD
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Telephone : 0484-2593747

E-mail: pcbdo2ekm@gmail.com

Website: www.keralapcb.nic.in

PCB/PBR/LAB/1/2013

Date: 01.12.2020

ANALYSIS REPORT

Source : Complaint against Goshala, Chelamattom.

Sample Point : Well water in the Residence of Sri. Anil Elayath (East side of Goshala)

Ref :

D.O.S : 19.11.2020

D.O. Rd : 20.11.2020

Collected by : AE1

Sample ID : PCB- 702

Sl. No	Parameters	Unit	Value	Test Method
1	pH		7.57	APHA, 4500 H ⁺ B 22 nd Edition 2012.
2	BOD	mg/l	16.0	APHA, 5210 B 22 nd Edition 2012.
3	Sulphate	mg/l	3.05	APHA, 4500 -SO ₄ , E 22 nd Edition 2012
4	Ammoniacal Nitrogen	mg/l	0.17	APHA, 4500- NH ₃ F 22 nd Edition 2012
5	Nitrate	mg/l	0.03	APHA 4500-NO ₃ . E 22 nd Edition 2012
6	TC	Cfu/100ml	2	APHA, 9222 B 22 nd Edition 2012
7	FC	Cfu/100ml	2	APHA, 9222 D 22 nd Edition 2012.

3104
21/12/20
AE/AS
21/12/20

SAJI K N
ASSISTANT SCIENTIST

SAJI. K. N.
Assistant Scientist



KERALA STATE POLLUTION CONTROL BOARD
DISTRICT OFFICE (ERNAKULAM -II), PERUMBAVOOR

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E-mail: pcbdo2ekm@gmail.com

Website: www.keralapcb.nic.in

PCB/PBR/LAB/1/2013

Date: 01.12.2020

ANALYSIS REPORT

Source : Complaint against Goshala, Chelamattom.

Sample Point : Well water in the Residence of Sri. P. Vasudevan (West side of Goshala)

Ref :

D.O.S : 19.11.2020

D.O. Rd : 20.11.2020

Collected by : AEI

Sample ID : PCB- 912

Sl. No	Parameters	Unit	Value	Test Method
1	pH		7.34	APHA, 4500 H ⁺ B 22 nd Edition 2012.
2	BOD	mg/l	7.0	APHA, 5210 B 22 nd Edition 2012.
3	Sulphate	mg/l	3.38	APHA, 4500 -SO ₄ , E 22 nd Edition 2012
4	Ammoniacal Nitrogen	mg/l	0.24	APHA, 4500- NH ₃ F 22 nd Edition 2012
5	Nitrate	mg/l	0.57	APHA 4500-NO ₃ , E 22 nd Edition 2012
6	TC	Cfu/100ml	4	APHA, 9222 B 22 nd Edition 2012
7	FC	Cfu/100ml	2	APHA, 9222 D 22 nd Edition 2012.

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21/12/20

AEI/AS
Dul
21/12/20

SAJI K N
ASSISTANT SCIENTIST

SAJI. K.N.
Assistant Scientist



KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004
 പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004

പിസിബി/റ്റി4/115/1997(2)

തീയതി: 31/08/2016

സർക്കുലർ

EXHIBIT R2(b)

- വിഷയം : 1. പന്നി ഫാമുകൾ ഒഴികെയുള്ള ലൈവ് സ്റ്റോക്ക് ഫാമുകൾ സ്ഥാപിക്കുന്നതു സംബന്ധിച്ച ദുരപരിധി
 2. മാർക്കറ്റിൽ സ്ഥാപിക്കാനുദ്ദേശിക്കുന്ന പൊടിമില്ലുകളെ (Flour Mill) സംബന്ധിച്ച ദുരപരിധി

സൂചന : 28.07.2015 - ലെ 195-ാം ബോർഡ് മീറ്റിംഗ് മിനിട്ട്സ്

195-ാമത് ബോർഡ് മീറ്റിംഗിൽ പന്നി ഫാമുകൾ ഒഴികെയുള്ള ലൈവ് സ്റ്റോക്ക് ഫാമുകൾ സ്ഥാപിക്കുന്നതു സംബന്ധിച്ച ദുരപരിധിയും, മാർക്കറ്റുകളിൽ പൊടിമില്ലുകൾ സ്ഥാപിക്കുമ്പോൾ പാലിക്കേണ്ട ദുരപരിധിയും വിശദമായ ചർച്ചയ്ക്കു ശേഷം താഴെ പറയുന്ന പ്രകാരം ബോർഡ് അംഗീകരിച്ചു.

1. പന്നിഫാമുകൾ ഒഴികെയുള്ള ലൈവ്സ്റ്റോക്ക് ഫാമുകൾ സ്ഥാപിക്കുന്നതു സംബന്ധിച്ച തരം തിരിവ്

2012 - ലെ കേരള പഞ്ചായത്ത് രാജ് ചട്ടങ്ങൾ പ്രകാരം ഫാമിൽ വളർത്തപ്പെടുന്ന മൃഗങ്ങളുടെ/പക്ഷികളുടെ എണ്ണത്തിനനുസരിച്ച് ഫാമുകളെ വിവിധ ക്ലാസുകളായി തരംതിരിച്ചിരിക്കുന്നു. ടി ചട്ടപ്രകാരമുള്ള തരം തിരിക്കൽ ചുവടെ ചേർക്കുന്നു.

ഫാമിൽ വളർത്തപ്പെടുന്ന മൃഗങ്ങളുടെ/പക്ഷികളുടെ എണ്ണം

ക്രമ നമ്പർ	ഫാമിന്റെ തരം (ക്ലാസ്)	കന്നുകാലികൾ (എണ്ണം)	ആടുകൾ (എണ്ണം)	മുയലുകൾ (എണ്ണം)	പൗൾട്രി (എണ്ണം)
1	I	6 - 20	21 - 50	26 - 50	101 - 250
2	II	21 - 50	51 - 100	51 - 100	251 - 500
3	III	51 - 100	101 - 200	101 - 200	501 - 1000
4	IV	101 - 200	201 - 500	201 - 400	1001 - 5000
5	V	201 - 400	501 - 750	401 - 500	5001 - 10000
6	VI	400 - ൽ കൂടുതൽ	750 - ൽ കൂടുതൽ	500 - ൽ കൂടുതൽ	10000 - ൽ കൂടുതൽ

അംഗീകരിച്ച ദുരപരിധി

കുറഞ്ഞ സെറ്റ് ബാക്ക്	കെട്ടിട നിർമ്മാണ ചട്ടങ്ങൾ പ്രകാരം
വീടുകളിലേയ്ക്കും സ്ഥാപനങ്ങളിലേയ്ക്കുമുള്ള കുറഞ്ഞ ദുരപരിധി	ക്ലാസ് I - 10 മീറ്റർ ക്ലാസ് II - IV - 25 മീറ്റർ ക്ലാസ് V - VI - 50 മീറ്റർ

2. മാർക്കറ്റിൽ സ്ഥാപിക്കാനുദ്ദേശിക്കുന്ന പൊടിമില്ലുകളുടെ ദൂരപരിധി

മാർക്കറ്റിൽ സ്ഥാപിക്കാനുദ്ദേശിക്കുന്ന പൊടിമില്ലുകൾക്ക് (Flour Mill) മലിനീകരണ നിയന്ത്രണ സംവിധാനങ്ങൾ കർശനമാക്കിക്കൊണ്ട് ദൂരപരിധി ഒഴിവാക്കാവുന്നതാണ്.

സർക്കുലർ തീയതി മുതൽ ബോർഡിൽ ലഭിക്കുന്ന അപേക്ഷകളിന്മേൽ മേൽ ദൂരപരിധി പ്രകാരം നടപടി കൈക്കൊള്ളാവുന്നതാണ്.

ഒപ്പ്/-

ചെയർമാൻ

സ്വീകർത്താവ്

1. ചീഫ് എൻവയൺമെന്റൽ എഞ്ചിനീയർ, മേഖല ഓഫീസ്, എറണാകുളം
2. സീനിയർ എൻവയൺമെന്റൽ എഞ്ചിനീയർ, മേഖല ഓഫീസ്/ജില്ലാ ഓഫീസ്, തിരുവനന്തപുരം/കോഴിക്കോട്/എറണാകുളം/പാലക്കാട്.
3. എൻവയൺമെന്റൽ എഞ്ചിനീയർ, ജില്ലാ ഓഫീസ്, തിരുവനന്തപുരം/കൊല്ലം/പത്തനംതിട്ട/ആലപ്പുഴ/കോട്ടയം/ഇടുക്കി/എറണാകുളം- ജില്ലാ ഓഫീസ്(1)/എറണാകുളം- ജില്ലാ ഓഫീസ്(2)/ഇ.എസ്.സി. - ഏലൂർ/തൃശ്ശൂർ/മലപ്പുറം/കോഴിക്കോട്/വയനാട്/കണ്ണൂർ/കാസർഗോഡ്
4. ഹെഡ് ഓഫീസിലെ എല്ലാ ടെക്കിനിക്കൽ ഓഫീസർമാർ

ഉത്തരവിൻ പ്രകാരം



അസിസ്റ്റന്റ് എൻവയൺമെന്റൽ എഞ്ചിനീയർ



KERALA STATE POLLUTION CONTROL BOARD
Pattom.P.O., Thiruvananthapuram-695004

PCB/T4/115/1997(2)

DATE-31/08/2016

Sub: 1.Distance criteria for establishing livestock farms excluding pig farms-reg
2. Distance criteria for establishing flour mills in market area-reg

Ref: Minutes of 195th Board meeting held on 28.07.2015.

After detailed discussion in 195th Board meeting regarding distance criteria for establishing livestock farms excluding pig farms and for establishing flour mills in market area following distance norms are approved by Board.

1. Classification of livestock farm excluding pig farms

As per the Kerala Panchayat Raj Rules -2012 livestock farms are classified according to the number of animals/poultry reared in the farm. The classification according to above Rule given below

Number of animals/poultry reared in the farm

Sl No:	Class of Farm	Cattle farm (Nos)	Goats(Nos)	Rabbits(Nos)	Poultry (Nos)
1	I	6-20	21-50	26-50	101-250
2	II	21-50	51-100	51-100	251-500
3	III	51-100	101-200	101-200	501-1000
4	IV	101-200	201-500	201-400	1001-5000
5	V	201-400	501-750	401-500	5001-10000
6	VI	>401	>750	>500	>10000

Approved distance criteria

Minimum set back	As per Building Rules
Minimum distance required from residences/establishments	Class I-10 m Class II-IV-25 m Class V-VI-50 m

Distance criteria for flour mills establishing in market area

Distance norms for those flour mills proposed to establish in market area shall be exempted after strict control measures

Applications received after the circular date shall be considered with above mentioned distance criteria

S/D

Chairman