

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

Original Application No. 237 of 2017 (SZ)

IN THE MATTER OF:

Manakunnam Village, Padashekara Samrakshana Samithy

...Applicant(s)

Versus

Thripunithura Municipality, Kerala and Ors.

...Respondent(s)

Index

S.No	Particulars	Page No.
1	Copy of the Report of Pollution Control Board	4-11

Dated at Chennai on this the 12th day of October 2021.

M/s. E.K.KUMARESAN

Standing Counsel for State Government of Kerala

NGT(SZ) Chennai Bench

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

Original Application No. 237 of 2017 (SZ)

IN THE MATTER OF:

Manakunnam Village, Padashekara Samrakshana Samithy ...Applicant(s)

Versus

Thripunithura Municipality, Kerala and Ors. ...Respondent(s)

**ACTION TAKEN REPORT SUBMITTED BY THE ADDITIONAL CHIEF
SECRETARY ENVIRONMENT (A) DEPARTMENT**

It is submitted that this Hon'ble Tribunal vide its order in O.A.No.237 of 2017 dated 16.08.2021 had directed to file independent reports regarding the progress that has been undertaken on the basis of the action plan prepared by the Joint Committee to resolve the issue permanently in this case. In abeyance of the said order, the Additional Chief Secretary, Environment (A) Department submits the action taken by the Government regarding rejuvenation of Konnothupuzha River as follows:

1. It is submitted that as per the order of this Hon'ble Tribunal, an action plan for rejuvenation of Konnothupuzha has been formulated. A detailed Project Report for the entire stretch of the river with an estimate of Rs.20.80 crores has also been submitted to the Government by the Irrigation Department. In compliance to the order of National Green Tribunal, the Joint Committee convened by the District Collector conducted a review meeting on 13.08.2021 and it was decided to implement the river rejuvenation project in 2 phases. The survey and demarcation, eviction of encroachments, and river water quality assurance are part of the first phase envisaged. The second phase involved long term projects for the protection of the river with the coordination of various departments.

2. It is submitted that based on the decision of the meeting, the survey of the river was completed and the survey officials and the concerned Local Self Government Officials conducted a joint inspection in the banks to identify the encroachments. On identification of encroachments, the concerned Local Self Government Institution Secretaries have taken action under the Kerala Land Conservancy Act to evict all encroachers from the banks of the river. Notices have been issued to twenty one encroachers in Thripunithura Municipality, one in Amballoor, and one in Chottanikkara Grama Panchayaths. It was also decided in the meeting to identify the industries which discharge waste into the

water body and issue statutory notices and subsequently to cancel the building permits of those who do not follow the instruction, so as to ensure the quality of water in the river. Accordingly, notices were issued by the Pollution Control Board to the identified institutions. A copy of the report of Pollution Control Board is attached as **Annexure**.

3. It is humbly submitted that Irrigation Department have been entrusted to take immediate steps to conduct dredging in the river, so as to clear the mud accumulated during the rainy season. This will improve the water flow within Trippunithura Municipality and Amballoor Grama Panchayath. The Amballoor Grama Panchayat has constituted a surveillance squad with Grama Panchayat Secretary. AE, I.SGD, Village Extension Officer. Health and Welfare Standing Committee Chairman and concerned ward member as the members. The surveillance squad performs periodic inspections to find out the illegal disposal of Sewage/Septage in the river side and premises. Also a team of Haritha Karma Sena has been formed for each ward to collect plastic wastes from houses. The Grama Panchayath has initiated 1 MCF and 5 Mini MCFs for plastic collection and segregation. Two major Biogas plants are installed in two markets in Amballoor for processing Bio Degradable Wastes. A Bio gas plant for 70% of households is granted and more under the process. Panchayat has constituted an agreement with Clean Kerala Company to hand over the reusable plastic wastes. Certain Grama Panchayaths are exploring the possibility of planting mangroves.

Therefore it is most humbly prayed that this Hon'ble Tribunal may be pleased to record the said action taken report filed by Additional Chief Secretary, Environment (A) Department and thus render justice.

Dated at Chennai on this the 12th day of October, 2021.



(E.K.Kumaresan)

Counsel for R7, R9, R10, R12 TO R16

Standing Counsel for

State Government of Kerala

NGT(SZ) Chennai Bench

Phone: 494-220783 84, 85, 86
 Email: ppcb@kerala.gov.in
 Website: www.keralapccb.nic.in

KERALA STATE POLLUTION CONTROL BOARD

DISTRICT OFFICE - I, ERNAKULAM
 GANDHINAGAR, KOCHI - 682 020

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

ജില്ലാ ഓഫീസ് - 1, എറണാകുളം
 ഗാന്ധിനഗർ, കൊച്ചി - 682 020

PCB/EKM/DO-1/GEN-08/2020

Date : 08.09.2021

From

The Environmental Engineer

To

District Collector
 Collectorate
 Kakkanad, Ernakulam - 682 001

Sub:- OA-237/2017 - Action taken report - reg.

Ref:- Minutes

Sir,

The action taken by KSPCB in connection with rejuvenation of Konothupuzha is given below:

Sl no.	Name of the Establishment	Action taken on 25.06.2021	Action taken on 08.09.2021
1	Choice paradise apartments, Thripunithura	Time allotted for revamping of existing of STP. Time completed on 31.07.2021.	Inspection conducted 06.09.2021 STP revamping almost completed. Installation of filtration system pending. Reported to be completed within one week.
2	Star Homes annex Apartment ,Thripunithura	Direction issued and also Letter issued to Thripunithura Municipality to furnish details of occupier for taking legal action against the builder.	Show cause notice issued
3	Valy heights Apartment, Thripunithura	Notice issued due to the improper working of STP and operating without valid consent to operate	Show cause notice issued
4	Service station at Thripunithura, Owend by karthikeyan M N	Closure Intention Notice issued due to the unauthorized functioning of the unit	Closure Direction issued
5	CAR WASH, 12/76-E Refinery Road, Nadama, Thripunithura-682 309	Letter issued due to the unauthorized functioning of the unit	Closure Intention Notice issued
6	Asset City Bay Owner's Association Hill Palace Road Chathari, Thripunithura. P.O Ernakulam -682 301	Letter issued due to the unauthorized functioning of the unit	Show cause notice issued

Kindly note that the Board had conducted river monitoring and based on the results of monitoring, the polluted stretches are identified. Direction is also issued to the Secretary, Thripunithura Municipality for taking urgent steps to identify the polluting sources and necessary action to stop all the discharge.

This is for your kind information

Yours faithfully,

ENVIRONMENTAL ENGINEER

Copy to :-

Chief Environmental Engineer
Regional Office
Emakulam.

Phone : 0484 - 2207783,84,85,86
E-mail: pcbdol@gmail.com
website-www.keralapcb.nic.in



KERALA STATE POLLUTION CONTROL BOARD

DISTRICT OFFICE -1, ERNAKULAM
GANDHINAGAR, KOCHI - 682 020

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

ജില്ലാ ഓഫീസ്-1, എറണാകുളം
ഗാന്ധിനഗർ, കൊച്ചി - 682 020

DEPARTCHED ON 7/9/21

Registered
Dated: 07.09.2021

PCB/EKM/DO-1/GEN-08/20

CLOSURE INTENTION NOTICE

Sub:- Consent under Air (Prevention & Control of Pollution) Act 1981 /Water (Prevention & Control of Pollution) Act 1974 & Environmental (Protection) Act 1986 - reg.

Ref.: (1). Inspection conducted by Board on 24.06.2021

(2). This office letter no: PCB/EKM/DO-1/GEN-08/20 dated on 25.06.2021

WHEREAS CAR WASH, 12/76-E, Refinery Road, Nadama, Thripunithura-682 309 Ernakulam. District comes under the purview of Air (Prevention & Control of Pollution) Act 1981. Water (Prevention & Control of Pollution) Act 1974, Environmental (Protection) Act 1986 and is bound to comply with the rules made there under;

WHEREAS Board had conducted enquiry in your service station on 24.06.2021 and noted that you are operating an industrial unit without Board's Consent to Operate;

WHEREAS as per the letter 2nd above Board had directed you to submit application for Consent to Operate;

WHEREAS as you have not submitted application for the consent and not replied to the letter till date;

WHEREAS the operation of the unit without adequate effluent treatment facility and without Board's Consent is a violation of section 24, 25 of the water (Prevention and control of pollution) Act 1974;

NOW THEREFORE, in exercise of the powers conferred on the undersigned under Section 33A of the Water (Prevention & Control of Pollution) Act, you are hereby called upon to show cause, if any within 15 days of the receipt of this notice, why the Board shall not issue the direction for closed down the unit.

Dated this 7th day of September 2021

For and on behalf of the
KERALA STATE POLLUTION CONTROL BOARD

ENVIRONMENTAL ENGINEER

To
CAR WASH, 12/76-E , Refinery Road, Nadama, Thripunithura-682 309
Copy to: -
The Chief Environmental Engineer, Regional Office, Ernakulam

Phone : 0484 - 2207783,84,85,86
E-mail: pcbdo1@gmail.com
website-www.keralapcb.nic.in



KERALA STATE POLLUTION CONTROL BOARD

DISTRICT OFFICE -I, ERNAKULAM
GANDHINAGAR, KOCHI - 682 020

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

ജില്ലാ ഓഫീസ്-1, എറണാകുളം

ഗാന്ധിനഗർ, കൊച്ചി - 682 020

KERALA STATE POLLUTION CONTROL BOARD
DISTRICT OFFICE-1, COCHIN-682 020

DESPATCHED ON 7/9/2021

Registered with A/D

Date: 07.09.2021

PCB/EKM/DO-1/GEN-08/20

SHOW CAUSE NOTICE

Sub:- Operation of Residential Building without Board's Consent- reg.

Ref:- 1. Inspection Conducted on 24.06.2021
2. This Office letter even no. PCB/EKM/DO-1/GEN-08/20 dated: 25.06.2021.

WHEREAS M/s Asset City Bay Owner's Association, Ernakulam District comes under the purview of Water (Prevention & Control of Pollution) Act 1974, Air (Prevention & Control of Pollution) Act 1981, Environmental (Protection) Act 1986 and is bound to comply with the rules made there under;

WHEREAS as per the letter referred (2) above, Board had already directed you to obtain Board's Consent to Operate;

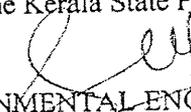
WHEREAS You have not submitted the application or submitted any reply to the directions issued by the Board;

WHEREAS the operation of the residential building without Board's Consent to Operate is violation of section 25 of Water (Prevention & Control of Pollution) Act 1974;

NOW THEREFORE, you are hereby directed to show cause, if any within 15 days of the receipt of this office as to why further legal proceedings under the provisions of the relevant acts shall not be initiated against you.

Dated this 7th day of September 2021

for and on behalf of the Kerala State Pollution Control Board


ENVIRONMENTAL ENGINEER

To:-
Asset City Bay Owner's Association
Hill Palace Road Chathari, Tripunithura. P.O Ernakulam-682 301

Copy to: -
The Chief Environmental Engineer, Regional Office, Ernakulam



KERALA STATE POLLUTION CONTROL BOARD

DISTRICT OFFICE -I, ERNAKULAM

GANDHINAGAR, KOCHI - 682 020

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

BOARD
020 ജില്ലാ ഓഫീസ്-1, എറണാകുളം

ഗാന്ധിനഗർ, കൊച്ചി - 682 020

8/9/2021

BEAR ATTACHED ON.....

PCB/ EKM/DO-1/GEN-08/2020

Registered Post
Date :08.09.2021

SHOW CAUSE NOTICE

Sub:- Closure direction under Air (Prevention and Control of Pollution) Act 1981/Water (Prevention and Control of Pollution) Act 1974 & Environment (Protection) Act, 1986- reg.

- Ref:- 1. Consent Refusal Intention Notice No. PCB/EKM/DO-1/OA-1379/15ate:24.12.2019
2. Inspection conducted by Board on 24.06.2021.
3. This Office letter even no. PCB/EKM/DO-1/GEN-08/20 dated 25.06.2021.

WHEREAS Valy Heights Apartment Owner's Association Ernakulam District comes under the purview of Water (Prevention & Control of Pollution) Act 1974, Air (Prevention & Control of Pollution) Act 1981, Environmental (Protection) Act 1986 and is bound to comply with the rules made there under;

WHEREAS Board had conducted enquiry in your unit and as per the letter referred (3) above, Board had directed you to submit the application for renewal of Consent ;

WHEREAS you have not submitted the reply to the Board's letter till date;

WHEREAS as per the reference (1) above Consent Refusal Intention Notice was issued to you for the non-operation of STP;

WHEREAS the operation of the residential building without Board's valid consent to operate is violation of section 25 of Water (Prevention & Control of Pollution) Act 1974;

NOW THEREFORE, you are hereby directed to show cause if any within 15 days why the legal action including levy of Environmental compensation shall not initiated against you.

Dated this 8th day of September 2021

For and on Behalf of the
KERALA STATE POLLUTION CONTROL BOARD

Environmental Engineer

To :-

Valy Heights Apartment Owner's Association,
X/441 D, Valy Heights, KRL Road, Irumpanam P.O, Cochin - 682309

Copy to :-

The Chief Environmental Engineer, Regional Office, Ernakulam

E-mail: pcbdo1@gmail.com
website-www.keralapcb.nic.in



KERALA STATE POLLUTION CONTROL BOARD

DISTRICT OFFICE - I, ERNAKULAM
GANDHINAGAR, KOCHI - 682 020

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

ജില്ലാ ഓഫീസ്-1, എറണാകുളം

ഗാന്ധിനഗർ, കൊച്ചി - 682 020

DISPATCHED ON 8/9/21

PCB/ EKM/DO-1/GEN-08/2020

Registered Post
Date :08.09.2021

CLOSURE DIRECTION

Sub:- Closure direction under Air (Prevention and Control of Pollution) Act1931/Water
(Prevention and Control of Pollution) Act 1974 & Environment (Protection) Act,1986- reg.

Ref:- 1. Inspection conducted by Board on 24.06.2021.
2. This Office letter even no. PCB/EKM/DO-1/GEN-08/20 dated 25.06.2021.
3. Your reply letter dated. 16.07.2021.

WHEREAS Car washing unit of Mr.Karthikeyan M. N, Mandhiyil House, Udayamperoor, Puthiyakavu, Thripunithura- 682 307 Ernakulam District comes under the purview of Water (Prevention & Control of Pollution) Act 1974, Air (Prevention & Control of Pollution) Act 1981, Environmental (Protection) Act 1986 and is bound to comply with the rules made there under;

WHEREAS Board had inspected the unit and noted that your industry is operating without adequate treatment facility and without Board's Consent to Operate;

WHEREAS as per the letter cited 2nd above, notice is issued to you intimating Board's intention to close down the unit;

WHEREAS as per the 3rd above you have submitted reply to the notice requesting to allow time for submitting application for Consent to Operate;

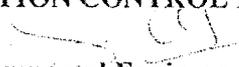
WHEREAS you have not submitted application even after two months;

WHEREAS the operation of the industry without adequate effluent treatment facility and without Board's Consent is violation of section 24, 25 of the water (Prevention and Control of Pollution) act 1974;

NOW THEREFORE as per section 33A of Water (prevention and control of pollution) Act 1974, you are hereby directed to close down the unit forthwith. The report on the action taken shall be informed the undersigned within 3 days on receipt of this order.

Dated this 8th day of September 2021

For and on Behalf of the
KERALA STATE POLLUTION CONTROL BOARD


Environmental Engineer

To :-

Karthikeyan M N
Mandhiyil House, Udayamperoor , Puthiyakavu, Thripunithura-682307

✓ Copy to: -

The Chief Environmental Engineer, Regional Office, Ernakulam

Phone : 0434 - 2207783,84,85,86

E-mail: pcbdo1@gmail.com

website-www.keralapcb.nic.in



KERALA STATE POLLUTION CONTROL BOARD

DISTRICT OFFICE -1, ERNAKULAM

GANDHINAGAR, KOCHI - 682 020

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

ജില്ലാ ഓഫീസ്-1, എറണാകുളം

ഗാന്ധിനഗർ, കൊച്ചി - 682 020

KERALA STATE POLLUTION CONTROL BOARD
DISTRICT OFFICE-1, COCHIN 682 020

DESPATCHED ON 08/9/2021

PCB/EKM/DO-1/GEN-08/20

Registered with A/D

Date: 08.09.2021

SHOW CAUSE NOTICE

Sub:- Operation of Residential Building without Board's Consent-- reg.

Ref:- 1. Inspection Conducted on 24.06.2021.

2. This Office letter even no. PCB/EKM/DO-1/GEN-08/20 dated: 25.06.2021.

WHEREAS M/s Star Homes and Annex Apartment, Ernakulam District comes under the purview of Water (Prevention & Control of Pollution) Act 1974, Air (Prevention & Control of Pollution) Act 1981, Environmental (Protection) Act 1986 and is bound to comply with the rules made there under;

WHEREAS as per the letter referred (2) above, Board had already directed you to obtain Board's Consent to Operate;

WHEREAS you have not submitted the application or submitted any reply to the directions issued by the Board;

WHEREAS only septic tank soak pit facility is provided in the building which is seen overflowing during the inspection;

WHEREAS the operation of the residential building without Board's Consent to Operate is violation of section 25 of Water (Prevention & Control of Pollution) Act 1974;

NOW THEREFORE, you are hereby directed to show cause, if any within 15 days of the receipt of this office as to why further legal proceedings under the provisions of the relevant acts shall not be initiated against you.

Dated this 8th day of September 2021

for and on behalf of the Kerala State Pollution Control Board

ENVIRONMENTAL ENGINEER

To:-

Secretary

Star Homes and Annex Apartment, Vymeethi Road, Karingachira, Thripunithura-682 301

Copy to: -

The Chief Environmental Engineer, Regional Office, Ernakulam

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

OA No. 237 of 2017 (SZ)

IN THE MATTER OF:

Manakunnam Village, Padashekara
Samrakshana Samithy

...Applicant(s)

Versus

Thripunithura Municipality, Kerala
and Ors.

...Respondent(s)

ACTION TAKEN REPORT
SUBMITTED BY THE ADDITIONAL
CHIEF SECRETARY
ENVIRONMENT (A) DEPARTMENT

M/s. E.K.KUMARESAN

Standing counsel for Kerala (SZ)
Counsel for R7, R9, R10, R12 TO R16