

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
(SOUTHERN ZONE BENCH, CHENNAI)
IN
ORIGINAL APPLICATION NO. 24 OF 2021 (SZ)**

**REPORT SUBMITTED BY THE DISTRICT COLLECTOR, PATHANAMTHITTA
/ 5TH RESPONDENT**

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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), CHENNAI**

Original Application No. 24 of 2021 (SZ)

IN THE MATTER OF

O.A. Ninan

... Applicant(s)

Versus

The State of Kerala and Ors.

...Respondents

**REPORT SUBMITTED BY THE DISTRICT COLLECTOR, PATHANAMTHITTA
/ 5TH RESPONDENT**

1. It is submitted that the 5th Respondent herein has filed the report in the above Original Application as per the direction of this Hon'ble National Green Tribunal dated 04.02.2021. The Hon'ble Tribunal directed to appoint a Joint Committee comprising of (1) The District Collector, Pathanamthitta (2) A Senior Officer from Kerala State Pollution Control Board as designated by its Chairman (3) a Senior Scientist from Central Pollution Control Board (4) a Senior Scientist, and Officer or an Engineer of State Public Health Engineering Department (5) a Senior Officer as deputed by the Principal Secretary of Urban Development Department of Govt. of Kerala to inspect the area in question and examine the project on the basis of the allegation made by the applicant in the application and report relied on by the applicant and submit their report regarding the feasibility, regarding the sitting location, any modification if any required for the purpose of dealing with the reject water and disposal of sludge that is likely to be generated and other relevant aspects which they feel necessary to make the project environment friendly. The State Public Health Engineering Department, State of Kerala will be nodal agency for coordination and providing necessary logistics for this purpose.

2. It is submitted that the requisition Authority (Executive Engineer, Project Division, Kerala Water Authority, Adoor) submitted requisition in Form No.2 for the acquisition of the land for the construction of the Water treatment plant for the supply of drinking water to the inhabitant of 7 panchayaths in Pathanamthitta District, namely, Koipuram, Thottapuzhasserry, Eraviperoor, Puramattom, Ezhumattoor, Kalloopara and Kunnamthanam. Sanction is accorded vide refer. G.O.(Rt) 1064/2017/WRD dated 29.12.2017 to acquire 388 cent of the land comprised in Resy number 53/1, 52/12, 52/12-2 (Block-21) and Resy number 455/19 (Block-22) of Koipuram Village, Thiruvalla Taluk,

Pathanamthita District. Under RFCTLARR (Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement) Act, 2013.

3. It is respectfully submitted that in compliance with the direction of this Hon'ble Tribunal, the proposed site was inspected on 14.08.2021.

4. It is humbly submitted that in earlier, the District Collector appointed Social Impact Assessment unit to conduct Social Impact Assessment study in the affected area and prepare Social Impact Management Plan and also appoint an Expert group to evaluate the Social Impact Assessment study report. While conducting the Social Impact Assessment Study, the Requisition Authority (Kerala Water Authority) informed that the waste water will be treated in a well planned waste water recycling system as per CPHEEO Norms. The above land is suitable for the acquisition of the Water Treatment Plant as the above land is situated approximate middle in the region of 7 panchayaths (Koipuram, Thottapuzhasserry, Eraviperoor, Puramattom, Ezhumattoor, Kalloopara and Kunnamthanam Panchayaths). There is no public institutions, small traders, houses, displaced families. Hence, there is no rehabilitation issue in the above proposed site. About 1.64 lakh people will have got the benefits of Water Supply Scheme. The preliminary notification under section 11(1) of RFCTLARR (Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement) Act, 2013 with the content of Social Impact Assessment study report of Social Impact Assessment Unit published by the appropriate Government i.e., the District Collector on 13.11.2020.

5. It is submitted that availability of drinking water is a basic need for life. The project for the acquisition of the above land is for supply of pure drinking water for the inhabitants of 7 panchayaths (Koipuram, Thottapuzhasserry, Eraviperoor, Puramattom, Ezhumattoor, Kalloopara and Kunnamthanam Panchayaths). It is a major solution of scarcity of water in the above region. The project is fully in public interest. The above acquisition process will be done by invoking the provision contained in RFCTLARR (Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement) Act, 2013.

6. It is respectfully submitted that after visiting the proposed land and considering of all environmental and human issues, committee is of the opinion that the original application filed by the applicant is devoid of merit and shall be rejected summarily.

7. It is submitted that all the apprehensions of the applicant are unwanted and the allegations are baseless.

Therefore it is most humbly prayed that this Hon'ble Tribunal may be pleased to record the said Report Submitted by the District Collector, Pathanamthitta / 5th Respondent on Record and thus render justice.

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



(E.K.Kumaresan)

Counsel for R5
Standing Counsel for State
Government of Kerala
NGT(SZ), Chennai Bench

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GREEN TRIBUNAL
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OA No. 24 of 2021**

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THE DISTRICT COLLECTOR,
PATHANAMTHITTA / 5TH
RESPONDENT**

M/s. E.K.KUMARESAN

Standing counsel for Kerala (SZ)
Counsel for R1, R4and R5