

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

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

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Dated at Chennai on this the 11th day of September 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

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

1. It is submitted that this Hon'ble Tribunal vide its order dated 03.08.2021 in OA No.24/2021 has directed the official respondents to submit the report in the above application.

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 namely Koipuram, Thottapuzhasserry, Eraviperoor, Puramattom, Ezhumattoor, Kalloopara and kunnamthanam Sanction is accorded vide ref. 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, Pathanamthitta District. Under LARR ACT 2013.

3. It is submitted that the District Collector / 5th respondent appointed Social Impact Assessment unit to conduct Social Impact Assessment study in the affected area as per proceeding number C2-141757/17 dated 10/07/2018. The district Collector / 5th respondent approved 4(1) notification on 28/07/2018 to appoint Social impact Assessment unit to conduct Social impact Assessment study and prepare Social Impact Management Plan and the process should be completed within a period of forty days, not exceeding six months and published in the gazette on 31/07/2018. The above notification also published on the notice board of the concerned office. The Social Impact Assessment unit submitted the Social Impact Assessment study report on November 2018. The Land owners of the above land filed various cases vide Wp(c) 5149/18, Wp(c) 9526/19 . As per the interim order in Wp(c) 9526/19 and legal opinion obtained from the Advocate General, all the aquisition process stopped. As per the Judgment of the Hon'ble High court in

Wp(c) 9526/19 dated 27/11/2019, the requisition authority submitted a letter vide ref no- PDA/AB4-126/2019 dated 20.12.2019 to resume the land acquisition process, Hence the process continued and publish the above Social Impact Assessment study report on the notice board of concerned office and appointed the Expert group on 23.01.2020 and the appraisal report of Social Impact Assessment study submitted by the expert group on 03/03/2020. The preliminary notification under section 11(1) was first approved by Land Acquisition Officer (Special Tahsildar, LA General Pathanamthitta) on 04/06/2020 and later appropriate Government District Collector approved 11(1) notification with the coment of Social Impact Assessment study report of Social Impact Assessment unit on 13/11/2020.

4. It is submitted that the Hon'ble National Green Tribunal, Chennai vide order number O.A.24/2021 directed respondents to appoint a joint committee to inspect the area in, the proposed land and examine Water Treatment Plant project. This office vide ref. C2-141757/17 dated 11/07/2021 appointed the Kerala Water Authority to take further steps to collect joint committee report. More over Environment (A) Department vide ref. number 47/2021/ENVT dated 20/07/2021, the Government are pleased to constitute a committee with members, as the State Public Health Engineering Department (Kerala water authority) shall be nodal Agency and senior scientist /an officer/Engineer of State Public Health Engineering Department shall be the convenor, The joint committee inspected the site. After site visit and detailed considerations of all environmental and human issues, committee is of the opinion that the above Application filed by Sri O A Ninan / Applicant is devoid of merit and shall be rejected summarily

Therefore it is most humbly prayed that this Hon'ble Tribunal may be pleased to take the said detailed Report filed by the District Collector, Pathanamthitta on Record and thus render justice.

Dated at Chennai on this the 11th day of September, 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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...Applicant(s)

AND

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

M/s. E.K.KUMARESAN

Standing counsel for Kerala (SZ)
Counsel for R1, R4 and R5