

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

APPLICATION NO. 251 OF 2014

M/s. U.K. District Consumer & Citizen Welfare Association,
Karwar, Uttara Kannada District and 9 others.

... ... Applicant

Versus

State of Karnataka,
Rep. by its Secretary Chief Secretary,
Department of Ecology and Forests, Bangalore
and 29 others.

... ... Respondents

**MEMO FILED ON BEHALF OF THE 2nd RESPONDENT -
KARNATAKA STATE POLLUTION CONTROL BOARD**

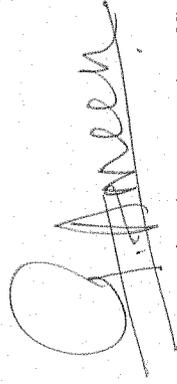
It is most respectfully sheweth;

1. It is submitted that the Hon'ble Tribunal in its order dated 21.12.2021 directed the Karnataka State Pollution Control Board to file the latest status report of the subject site.
2. It is submitted that the inspection report is annexed to this memo as an Annexure.
3. It is respectfully submitted that the following are the observations made during the time of inspection;
 - a) There are 17 heaps in Karwar area (10 heaps at Karwar Port warf area; 5 heaps at Alligadda Area; 2 heaps at Alligadda Area Godown.
 - b) Iron ore heaps stocked at Karwar port were covered with tarpaulin.

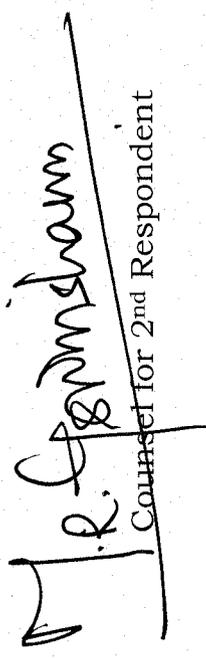
- c) Tarpaulin covers provided at Allgadda area were deteriorated and weeds were grown.
- d) There are 56 heaps at Belekeri Port area were covered with tarpaulin or however, all are deteriorated and grown with weeds.
- e) During inspection photos were taken and the same is enclosed annexure.

It is therefore humbly prayed that this Hon'ble Tribunal may be pleased to record the above mentioned facts and pass such order or orders as this Hon'ble Tribunal may deem fit and proper in the interest of justice.

Dated at Chennai, on this the 28th day of March, 2022



Environmental Officer, KSPCB,
RO, Karwar



M.R. Srinivasam
Counsel for 2nd Respondent

**INSPECTION REPORT OF SMT. GHAZALA AMFEN, ENVIRONMENTAL OFFICER,
KARNATAKA STATE POLLUTION CONTROL BOARD, REGIONAL OFFICE, KARWAR**

Sl No.	Details	Particulars
1	Name of the Unit	1. M/s. Karwar Port, Karwar, Karwar- Taluk, Uttar Kannada-District. 2. M/s. Belekeri Port, Belekeri, Ankola-Taluk, Uttar Kannada-District.
2	Officer Accompanied	Dr. Ganapati Hegde, Deputy Environmental Officer KSPCB, RO, Karwar
3	Date of Inspection	4/03/2022
4	Person Contacted	Sri. Suresh Shetty- Port Conservator Sri. Ganapati Harikanth- Ast Conservator of Port. Sri. Rajesh Naik-Dy RFO, Ankola.

Preamble: Hon'ble National Green Tribunal, Southern Zone, Chennai in the matter of Original application no. 251 of 2014 (SZ) order dated 21/12/2021 directed Karnataka State Pollution Control Board to file a report regarding the action taken by Port authority on the basis of the directions issued by Hon'ble National Green Tribunal. Hence, this office issued a letter to the Director of Port, Directorate of Port and Inland Water Transport, Karwar and Port Officer, Department of Ports and Inland Water Transport, Port Office, Karwar vide letter no. 1087, dated: 03/01/2022 (copy attached as **annexure-1**) to submit compliance/ action taken report on court order with respect to disposal of Iron Ore stocked at Karwar and Belekeri Port areas to prevent Air and Water pollution. Further, port authorities have submitted compliance report dated 10/01/2022 (copy attached as **annexure-2**). In this regard, this office prepared a point wise reply and submitted to Board office to e-file vide letter no. 1116, dated: 17/01/2022 (copy enclosed as **Annexure-3**).

Hon'ble National Green Tribunal, Southern Zone, Chennai in the matter of Original application no. 251 of 2014 (SZ) order dated 21/02/2022 directed Karnataka State Pollution Control Board to file a report regarding the action taken by Port authority on the basis of the directions issued by Hon'ble National Green Tribunal. Hence, this office issued a letter to the Director of Port, Directorate of Port and Inland Water Transport, Karwar and Port Officer, Department of Ports and Inland Water Transport, Port Office, Karwar vide letter no. 1288, dated: 25/02/2022 to submit compliance/ action taken report on court order

With respect to disposal of Iron Ore stocked at Karwar and Belekeri Port areas to prevent Air and Water pollution (letter enclosed as Annexure-4). Further, the Director, Directorate of Ports and Inland Water Transport, Karwar submitted reply on 10/03/2022 (attached as Annexure-5) by stating below issues regarding disposal of iron ore stocked at Karwar and Belekeri Port;

1. It is respectfully submitted to the Hon'ble National Green Tribunal Chennai that the iron ore directed to be removed from the Port area as per the judgment of the Hon'ble Tribunal dated: 05.02.2016, the iron ore is seized by the Forest Department which is the subject matter in the criminal proceedings laying at Karwar Port and Belekeri Port.
2. It is respectfully submitted that, alleged seizure of iron ore is done by Forest Department at Karwar & Belekeri Port and it is confirmed that, the forest department already initiated the actions for disposal of iron ore at Karwar and Belekeri and it is under the perusal of jurisdiction JMFC courts of Karwar and Ankola Taluka Uttar Kannada District.
3. It is submitted to the Hon'ble tribunal that actions are being taken by the Forest Department and Department of Mines & Geology for disposal of iron ore laying at Karwar and Belekeri Port.
4. It is further submitted that, as regards to the disposal of iron ore from Karwar Port the JMFC Court, Karwar order on 09.09.2021 that the seized iron ore shall be disposed of through district task force committee in accordance with terms and conditions of order of the Hon'ble courts order dated 02.05.2021. The Mines and Geology Department signed agreement with MSTDC on 20.12.2021 and action already initiated by MSTDC for e-auction Within 2 months it is expected to complete the disposal of iron ore of Karwar Port.
5. It is respectfully submitted that with regards to disposal of iron ore at Belekeri Port the Hon'ble 2nd Addl. District and Sessions Judge, Uttar Kannada, Karwar dismissed the revision petition filed U/Sec. 397 of Cr.P.C on 20.11.2021. Principal Chief Conservator of Forest, Government of Karnataka has requested the additional Chief Secretary, Forest, Ecology and Environment Department, Government of Karnataka, vide letter dated: 01.12.2021 for permission to file an appeal with the Hon'ble High Court of Karnataka and the approval is awaited.

It is submitted to the Hon'ble Tribunal that, actions are being taken by Forest Department and Department of Mines and Geology with respect to disposal of Iron ore laying at Karwar and Belekeri Port. No action is required by Port Department.

This office inspected the iron ore stocked area in Karwar Port and Belekeri Port on 04/03/2022 and following observations were noticed during inspection.

1. There are 17 heaps in Karwar area (10 heaps at Karwar Port wharf area; 5 heaps at Alligadda area and 2 heaps at Alligadda Area Godown).
2. Iron Ore heaps stocked at Karwar Port were covered with tarpaulin.
3. Tarpaulin covers provided at Alligadda area were deteriorated and weeds are grown.
4. There are 56 heaps at Belekeri Port area were covered with tarpaulin er however, all are deteriorated and grown with weeds.
5. During inspection photos were taken and the same is herewith enclosed as Annexure-6.

C. Jameem

Environmental Officer,
JKSPCB, RO, Karwar



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KARNATAKA STATE POLLUTION CONTROL BOARD

ಪ್ರಾದೇಶಿಕ ಕಛೇರಿ

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ಕಾರ್ವಾರ 581 303, ಫೋನ್: 08382-227058

Regional Office

"Parisara Bhavan", LIG-II, B-217

Near Hari Om Trust, Habbuwada

Karwar - 581 303, Ph:08382-227058

No. KSPCB/EO/RO-KWR/2021-22/ 12888

Date: 25 FEB 2022

To,

1. The Director,
Directorate of Ports and Inland Water Transport,
Karwar
2. Port Officer,
Department of Ports and Inland Water Transport
Port Office,
Karwar.

Sir,

Sub: Submission of compliances to the Hon'ble NGT direction in
OA No251 of 2014(SZ)-reg.

Ref: 1. Hon'ble National Green Tribunal (NGT), Southern Zone, Chennai
order in OA no: 251of 2014, dated 21/02/2022.

2. Court Order received by this office through email on 21/02/2022.

With reference to the above, please find herewith enclosed the Hon'ble National Green Tribunal in the matter of Original application no. 251 of 2014 (SZ) order dated 21/02/2022, in the said order Court has directed Karnataka State Pollution Control Board to file a report regarding the action taken by Port authority on the basis of the directions issued by this Tribunal and also the present status. Hence, you are informed to submit compliance report (Action taken report) to the above order with respect to disposal of heaps of Iron ore stocked at Karwar and Belekere Port areas to prevent Air and Water pollution.

Copy of the Hon'ble NGT order enclosed for kind reference.

This is for your kind information and further need.

Yours faithfully

ENVIRONMENTAL OFFICER
KSPCB, RO, KARWAR

