

Pre. on: 13.10.2020

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

ORIGINAL APPLICATION NO:266/2017(SZ)

Applicant(s) : Jose Parayil

Vs.

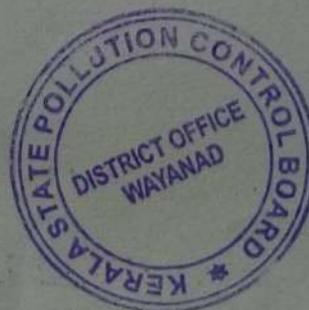
Respondent(s) : The State of Kerala & 6 others

REPORT FILED BY THE ENVIRONMENTAL ENGINEER, KERALA

STATE POLLUTION CONTROL BOARD, DISTRICT OFFICE,

WAYANAD ON BEHALF OF THE

2ND RESPONDENT IN THE ABOVE APPLICATION.



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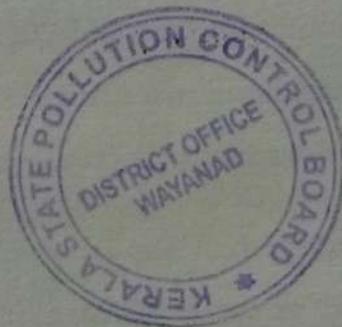
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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

ORIGINAL APPLICATION NO 266/2017 (SZ)

Applicant(s) : Jose Prayil

Versus

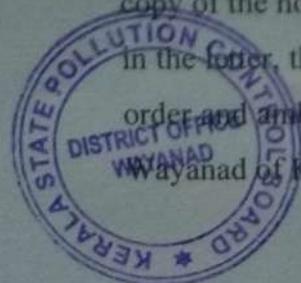
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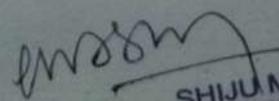
**REPORT FILED BY THE SECOND RESPONDENT (ENVIRONMENTAL ENGINEER,
DISTRICT OFFICE WAYANAD) AS PER THE ORDER DATED 09.01.2020 IN THE
ABOVE APPLICATION**

I, Shiju M.A, 42 years, S/o M.C Ayyankutty, now working as the Environmental Engineer, District Office, Kerala State Pollution Control Board, Wayanad. I know the facts and circumstances of the case. The factual submissions made here under are true and correct to the best of my knowledge, information and belief. In these circumstances, it is just and necessary that this Hon'ble Tribunal may be pleased to accept the accompanying report on file and it is so humbly prayed in the interests of justice in this case.

This report is in continuation to the earlier report filed by Environmental Engineer, 2nd respondent, on 20.02.2020. As per the order of Hon'ble Tribunal dated 02.03.2020 on the above case, a fresh inspection was conducted by the 2nd respondent, on 25.08.2020 for the calculation of Environmental Compensation.

Subsequently the unit owner had submitted a letter stating that the unit has not functioned from 04.02.2015 to till date, as the local body has issued stop memo(True copy of the notice with English translation is enclosed as ANNEXURE R2(a)). As stated in the letter, the unit has conducted trial run on 26.09.2017 as per the Hon'ble High court order and ambient monitoring was carried out by a private agency. Further District office Wayanad of Kerala State Pollution Control Board has conducted a trial run on



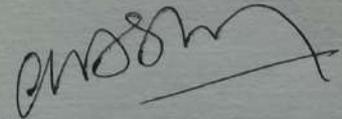

SHIJU M.A
ENVIRONMENTAL ENGINEER

12.04.2016 for monitoring ambient air/sound level. The unit has functioned only in the above two days – on 26.09.2017 as directed by the Hon'ble High Court and on 12.04.2016 as directed by the board - for trial run during this period.

Even though additional machineries were installed illegally, the unit has not operated because of the stop memo issued by the local body. By considering all the above the Board has reached in a conclusion that the unit has not functioned illegally during the period, and thus has not caused any damage to the environment.

All the above are true to best of my knowledge, information and belief.

Dated this the 9th day of October 2020



ENVIRONMENTAL ENGINEER

SHIJU M.A
ENVIRONMENTAL ENGINEER



Translation of the notice.

6

A4/516/2015

Edavaka Grama Panchayath Office

Date: 04.02.2015

From

The secretary,
Edavaka Grama Panchayath,
Ellumannam P.O,

To

P. V Devassikkutty,
Managing Director,
Sila Btricks and Granites,
Nalloornadu P.O

Sub: Illegal Operation of Stone Crusher reg:-

Ref: Complaint of residents of Atherikkunnu dated 02.02.2015

Notice

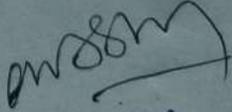
During inspection, it is noticed that you have been operating a crusher unit with machineries of high horse power illegally in a dangerous manner causing high threat to the people in the nearby area.

By considering the above facts, operating the unit without complying the various provisions of Acts and Rules of Kerala Panchayath Raj is a punishable offence. Hence you are hereby directed to stop the operation of the crusher unit immediately and to dismantle the machineries installed illegally. Otherwise, this office will proceed with legal action against the unit and you will be responsible for the damages caused by the illegal operation of the crusher unit.

Secretary

Edavaka Grama Panchath




SHIJU M.A
ENVIRONMENTAL ENGINEER