

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, (SZ)  
AT CHENNAI**

O.A. No. 396/2013

And

O.A. No. 242/2016

And

O.A.262/2017

Shibu Manuel, Secretary, Green Action Force  
K. Muhammad Iqbal

Applicant(s)

Versus

The Govt. of India &Ors.  
And Kerala State Pollution Control Board

Respondent(s)

**REPORT FILED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT**

**M/s. E. K. KUMARESAN**  
STANDING COUNSEL, NATIONAL  
GREEN TRIBUNAL (SZ),  
GOVERNMENT OF KERALA

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It is most humbly submitted that as per the Order dated 19.01.2021 with O.A.No.242/2016 with O.A. No.262/2017 the committee and respective authorities were directed to submit their respective reports to the Tribunal on or before 26.02.2021. It is submitted that in the matter of Original Application No.396 of 2013 the Hon'ble NGT passed order dated 23.09.2020.

It is submitted that as per the obedience of the above order the first meeting of the above committee held on 29.01.2021 copy of the minutes of the meeting is produced as Annexure I. It is submitted that the committee has taken steps for monitoring the entire stretches of river Periyar and completed the Phase I filed monitoring a schedule for Phase II monitoring. As per the committee, reasonable action time is required to complete the analysis of sample.

It is submitted that though the report of the committee constituted by the Tribunal is to be given due weightage in preparing holistic action plan, the members of the committee constituted vide G.O. dated 05.01.2021 are also required to take parallel actions to come up with proposals/plans pertaining to their department.

It is submitted that the joint committee prayed that the Hon'ble NGT may pleased to grant time upto 31.04.2021 to State Government for submission of holistic action plan of river Periyar.

It is most humbly prayed to record the Memo and thus render justice.

Dated at Chennai on this the 26<sup>th</sup> day of February 2021



**M/s. E. K. KUMARESAN**  
STANDING COUNSEL, NATIONAL  
GREEN TRIBUNAL (SZ),  
GOVERNMENT OF KERALA



GOVERNMENT OF KERALA  
Environment (A) Department

No.A3/108/2020/Envt

Thiruvananthapuram  
Dated:24.02.2021

From

Additional Chief Secretary to Government.

To

The Registrar,  
National Green Tribunal, South Zone,  
Chennai.

Sir,

Sub : Environment Department - Complaint against Scum formation  
and pollution in Periyar River - Report furnishing -Reg.  
Ref : Order dated 19.01.2021 in OA No.396/2013,OA No.242/2016  
and OA No.262/2017.

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As per the Order dated 19-01-2021 in OA No.396/2013 (SZ) with OA No.242/2016 (SZ), with OA No.262/2017 (SZ) the committee and respective authorities were directed to submit their respective reports to the Tribunal on or before 26-02-2021. It is submitted that in the matter of Original Application No.396 of 2013(SZ) earlier OA No.560 of 2018 (PB), Shibu Manuel Vs Government of India & Other with OA No.242/2016 (SZ) and with OA No.262/2017 (SZ) the Hon'ble National Green Tribunal (NGT) South Zone, Chennai has passed an order dated September 23, 2020 that;

" the committee that has been constituted by this Tribunal in O.A.No.396 of 2013 is directed to supervise the entire stretch of river Periyar, then a Comprehensive and consolidated report can be filed by them regarding the remediation in respect of the entire stretches of Periyar River.

Even in the Committee constituted by this Tribunal in O.A.No.262 of 2017 most of the members are common in both the committees. So there will not be any difficulty for this Tribunal to direct the committee that has been constituted by this Tribunal in O.A.No. 396 of 2013 to look into the entire

issue and submit a comprehensive report regarding implementation of the remedial measures suggested by the committee".

The committee had been directed to submit the progress report for implementation of the remedial measures and its progress as directed by the Tribunal on or before 21-12-2020 by e-filing along with necessary hard copies to be produced as per rules.

The Hon'ble Tribunal as per the order dated 5<sup>th</sup> November 2020 in OA No.395/2013 (SZ) was pleased to order that:-

" Considering the circumstance that the State Government is now taking some steps to Coordinate with all the departments and they want some time for submitting the report, we feel some more time can be granted to them to come up with a proper action plan to prevent pollution being caused to Periyar River and restore the same to its original position as to make it a pollution free".

Vide Order dated 19-01-2021 in OA No.396/2013 (SZ) with OA No.242/2016 (SZ), with OA No.262/2017 (SZ) the committee and respective authorities were directed to submit their respective reports to the Tribunal on or before 26-02-2021. It is submitted that Government of Kerala, in compliance of the order of the Hon'ble National Green Tribunal dated 05/11/2020 in OA No. 395/13(SZ), issued Government Order G.O(Rt)No. 2/2021/Envt dated 05-01-2021, constituting a committee with following members to prepare the action plan to solve the pollution of river Periyar.

1. Superintending Engineer - Irrigation Department
2. The Superintending Engineer - Local Self Government Department
3. The General Manager - District Industrial Centre, Ernakulam
4. The Chief Environmental Engineer- Kerala State Pollution Control Board, Regional Office, Ernakulam
5. The Environmental Engineer - Kerala State Pollution Control Board (Hazardous Waste Section).

The first meeting of the above committee was held on 29-01-2021.

Copy of the minutes of the meeting is produced as Annexure I. It is respectfully submitted that the committee has taken steps for monitoring the

entire stretches of river Periyar and completed the Phase -I field monitoring and scheduled for Phase II monitoring. As per the Committee, reasonable action time is required to complete the analysis of sample. The Committee has prayed for a further period of three months, till 31<sup>st</sup> March 2021 to submit the comprehensive and consolidated report on pollution caused to the river Periyar. It is also respectfully submitted that Government is endeavoring to take all steps to comply with the direction of the Hon'ble NGT. Taking in to the consideration the earnest efforts taken by the Government, Hon'ble NGT may be pleased to grant time up to 30/04/2021 to this respondent to submit a comprehensive and consolidated report on pollution caused to Periyar River.

Though the report of the committee constituted by the Tribunal is to be given due weightage in preparing holistic action plan, the members of the committee constituted vide the Government Order dated 05-01-2021 are also required to take parallel actions to come up with proposals/ plans pertaining to their departments. It is learned that the committee constituted by the NGT for monitoring the entire stretch of river Periyar spread across the three districts of Idukki, Ernakulam and Thrissur has requested time till 31-03-2021 to submit a comprehensive and consolidated report on pollution of river Periyar. As the comprehensive action plan to be prepared by the State Government for Periyar is envisaged to consider the final consolidated report of the multi disciplinary expert team committee constituted by the tribunal as well, in addition to the recommendations of the committee constituted by the State Government vide Government Order dated 05-01-2021, it is prayed that the Hon'ble Tribunal may be pleased to grant time upto 31-04-2021 to the State Government for submission of holistic action plan of river Periyar.

Yours faithfully,



DR.VENU.V IAS  
ADDITIONAL CHIEF SECRETARY