

**BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

Original Application No. 169 of 2023 (SZ)

Suo Moto

Vs.

State of Kerala & Others

:

Respondents

REPORT FILED BY THE FIFTH RESPONDENT IN THE ABOVE CASE



Adv. Rema Smrithi V.K

ADDITIONAL STANDING COUNSEL

Respondent No.5

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Vs.
State of Kerala & Others : Respondents**

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Dated this the 17th day of August 2024.

Rema Smrithi. V.K., Advocate
Additional Standing Counsel



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Dated this the 17th day of August 2024.

Rema Smrithi. V.K., Advocate
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VERIFICATION

I, Dinesh K.S., Environmental Engineer, Kerala State Pollution Control Board, District Office, Kasaragod, do hereby verify on this the 17th Day of August, 2024, that all what is stated above are true and correct to the best of my knowledge and information.



Dinesh K.S.
Environmental Engineer

DINESH. K. S.
Environmental Engineer

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I, Dinesh K.S., aged 54 years, presently working as Environmental Engineer, District office of Kerala State Pollution Control Board, Kasaragod, do hereby solemnly affirm and state as follows:

1. I am the Environmental Engineer, Kerala State Pollution Control Board (hereinafter referred to as Board), and duly authorized to represent the 5th respondent in the above case. I am aware of the facts affirmed by me in this report. I am swearing this report based on the best of my knowledge, information and belief and the facts revealed from the records.
2. It is respectfully submitted that this report is filed pursuant to the order of the Hon'ble Tribunal on 09.07.2024 and in continuation with the report submitted on 05.12.2023.
3. Based on the fire incident in Kubanoor dump sites, a show cause notice was issued from District Office dated 14/02/2024 for their failure to implement the SWM Rules -2016 and comply with the directions given by the Board. In responses to the show cause notice, Secretary, Mangalady Panchayath submitted a reply on 04/03/2024. In the reply they have stated that, they have initiated action to remediate the site.
4. In order to review the waste management in Mangalady Grama Panchayath and progress in action taken by the Panchayath in remediating the site,




DINESH. K. S.
Environmental Engineer

the Chairperson, Kerala State Pollution Control Board convened a hearing with the Secretary, Mangalpady Panchayat on 23.07.2024. Copy of minutes of the hearing is submitted and produced here with as Annexure (1). Following decisions were taken during the hearing.

- a. To review existing waste collection contract.
 - b. To convene a Chief Engineer level meeting with agencies, who collect waste from the Panchayat to discuss the collection, Segregation, treatment and disposal carried out in Mangalpady Panchayath
 - c. To conduct an inspection in all Healthcare facilities in the Panchayath to review the compliance of BMW Rules.
 - d. To submit a time bound action plan by the Panchayath on waste management within the Panchayat and biomining activities at Cubanor Dump site.
 - e. To establish a dedicated strategy by the local body to ensure effective waste management. The Legacy waste in the Cubanor dumpsite should be bio mined and the site should be cleared immediately in a time bound manner .
5. In compliance with the decision of above said hearing, the Chief Environmental Engineer, Regional office, Kozhikode conducted a joint meeting with Environmental engineer, District Office, Secretary, Mangalppady Grama Panchayat and representative from Private waste managing agency on 14.08.2024. The panchayat officials reported that the agency collected and removed 28 tons of plastic during the month July and removed about 13 tons in August. In the hearing it was also decided to convene a meeting presided by Pollution Control Board and officials from the local body with the members of the Local body and the representatives of the residential association of apartment building for giving awareness on waste management.
6. The Mangalppady Grama Panchayat has informed that they have entrusted the bio-mining activities to an agency at an estimated cost of Rs. 2,00,00,000/-. They also informed that bio-mining work will be commenced in August and will be completed by 31.03.2025.
7. It is humbly submitted that matter is being followed up by the Board.




DINESH K. S.
Environmental Engineer

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

Dated this the 17 th day August of 2024.



A handwritten signature in blue ink, appearing to read "Dinesh K. S.", written over a horizontal line.

DINESH. K. S.
Environmental Engineer

ENVIRONMENTAL ENGINEER
DISTRICT OFFICE, KASARAGOD

Minutes of the meeting held on 23.07.2024 in connection with waste management in Mangalpady Grama Panchayath, Kasaragod

The hearing through video conference held at 11:15 am on 23.07.2024 under the chairmanship of Smt. Sreekala S., Chairperson. Following participants joined the VC.

The list of participants:

1. Dr. Sheela A.M., Member Secretary, KSPCB
2. Er. Sindhu Radhakrishnan, Chief Enviromental Engineer, Regional Office, Kozhikode.
3. Er.Aurther Xavier, Enviromental Engineer, District Office, Palakkad (former EE, DO, KSGD)
4. Er. Shabna Kushe Shekhar, Enviromental Engineer, KSPCB, KKD
5. Er. Bincy.B. S., Enviromental Engineer-3, Head Office
6. Sri. Narayana Naik, Secretary, Mangalppady Grama Panchayath
7. Er.Vishnu. U. R., Assistant Engineer-17, Head Office
8. Er. Vismaya A., Assistant Engineer, District Office, KSGD

The Chairperson welcomed the participants. With the concurrence of Chairperson, Smt. Bincy. B.S. presented the background of calling for hearing.

Er. Auther Xavier explained waste management at Mangalppady Grama Panchayath and the action taken by the Board till date. He informed that actions taken by the Panchayath to prevent the accumulation of waste at Cubanoor is not adequate.

Er. Sindhu Radhakrishnan, CEE, RO informed that inspection conducted at Regional Office level. Showcause Notice has already issued to the Panchayath for not initiating biomining activities.

Smt. Shabna Kushe Shekhar pointed out that, segregation of waste was not practiced in Cubanoor, all kinds of waste were dumped into the dumpsite unscientifically. Domestic sanitary wastes such as diapers, sanitary pads collected by road sweepings were also dumped in a mixed manner.

The Secretary of Mangalpady Grama Panchayth informed that the Panchayth consists of 23 wards and having a population of around 1 lakh. Mini Material Collection Facility is provided at each ward and there is also 1 MCF. 34 Haritha Karma Sena are engaged for door to door collection of non-bio waste. No facilities have been provided by

the Panchayath for the disposal of market waste and daily generated bio degradable waste. M/s Green worms pvt. Ltd is entrusted with the collection, transportation and disposal of the waste from the Panchayth. Biomining activities is entrusted to M/s Kutty Engineering Company on 10/07/2024. Biomining works will be completed within six month.

As the next report has to be submitted to the Hon'ble NGT in OA 169/2021 in the month of August, the Member Secretary directed the Panchayath to complete the biomining works immediately and to submit a time bound action plan on waste management as well as biomining at dumpsite.

The following decisions to enable full compliance with the SWM Rules 2016 were made in the hearing:

1. The existing waste collection contracts should be reviewed. A higher level meeting should be convened with M/s Green worms to discuss the collection, Segregation, treatment and disposal carried out in Magalpady Panchayath. **(Action: CEE, RO, KKD)**
2. An inspection should be conducted in all Healthcare facilities in the Panchayath to review the compliance of BMW Rules. **(Action: EE, DO, KSGD)**
3. A time bound action plan shall be submitted by the Panchayath on waste management within the Panchayath and biomining activities at Cubanor Dump site. **(Action: The Secretary, Managalpady Panchayath)**
4. The Panchayath should establish a dedicated strategy to ensure effective waste management. The Legacy waste in the Cubanor dumpsite should be biominced and the site should be cleared immediately in a time bound mannar. **(Action: The Secretary, Mangalpady Panchayath)**
5. The compliance report should be made available to obtain exemption from the Environmental Compensation. **(Action: The Secretary, Mangalpady Panchayath)**

Hearing ended at 11.45AM


CHAIRPERSON