

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE  
BENCH, CHENNAI**

**ORIGINAL APPLICATION NO. 169 of 2024**

**IN THE MATTER OF: -**

**M/s. Parisara Samrakshana Samiti**

**.... Applicant**

**Versus**

**The State of Karnataka & Ors**

**.... Respondents**

**ADDITIONAL DOCUMENTS FILED ON BEHALF OF  
RESPONDENT NO. 16**



Filed by:

**Adv. G.M. SYED NURULLAH SHERIFF  
Senior Standing Counsel  
Ph No. 9444015330**



**Adv. L. SURYAPRABHU  
Ph No. 9884410559  
Counsels for Respondent No. 16**

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL, SOTHERN  
ZONE, CHENNAI BENCH**

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**ORIGINAL APPLICATION NO. 169 OF 2024**

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**Adv. G.M. SYED NURULLAH SHERIFF  
Senior Standing Counsel**

**Adv. L. SURYAPRABHU  
Counsels for Respondent No. 16**

E-mail:Udupi3crz@gmail.com

Telephone/Fax:0820-2574848

Karnataka Government

Regional Director (Environment) Office, 1<sup>st</sup> Floor, 'C' Block, Rajathadri,  
Manipal, Udupi – 576104.

PRANIPA/VVA/03/2017-18/215

Date- 14-7-2016

Sub: Information sought whether S. No. 187/7 measuring 0.26 acre and 188/1A measuring 0.69 acre situated at udyavara Village of Udupi Taluk come under the Costal Regulation Zone.

Ref: Central Ministry of Environment and Forest Ministry Notification 2011 date: 06-01-2011.

2. Information sought by Tahasildhar, Udupi Taluk, udupi on 28-4-2017.

As per above reference No. (2) Tahasildhar udupi has sought the information whether S. No 187/7 measuring 0.26 acre and 188/1A measuring 0.69 acre situated at Udyavara Village of Udupi Taluk come under the Costal Regulation Zone.

As per the application, spot has been inspected, as per GPS reading N 13°17' 34.3", E 74° 43' 30.6" we are informing you that the said place is outside the purview of the Coastal Regulation zone notification 2011.

Regional Director (Environment)  
Udupi

Copy To:

1. Tahasildhar, Udupi,
2. Sri. Hariyappa Kotitan, udyavara Village, Udupi Taluk.

MURAHARI K., B.A.,LL.B.  
ADVOCATE & NOTARY PUBLIC  
"BAILOR TOWERS" 2nd Floor,  
Poornaprajna College Road,  
UDUPI-576101  
Mob: 9880036482



NO OF CORRECTIONS .....

Translated to English  
by me

*[Signature]*  
JAY K. NILAVAR  
LL.B.

ADVOCATE  
Reg.No. KAR 974/1996  
"DWARAKA" P.O. Box No. 19  
UDUPI - 576 213  
M: 9886830121

SIGNED BEFORE ME

NOTARY  
UDUPI

14/7/2016



155

ಇ-ಮೇಲ್ : [udupi3crz@gmail.com](mailto:udupi3crz@gmail.com)

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

ದೂರವಾಣಿ/ ಫ್ಯಾಕ್ಸ್ : 0820-2574848

ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರ(ಪರಿಸರ) ಕಛೇರಿ,ಮೊದಲನೆ ಮಹಡಿ, 'ಸಿ' ಬ್ಲಾಕ್ "ರಜತಾದ್ರಿ" ಮಣಿಪಾಲ, ಉಡುಪಿ -576104

ಪ್ರಾ.ನಿ.ಪ/ವಿ.ವ/03/2017-18 | 155

ದಿನಾಂಕ:-14/07/2016

- ವಿಷಯ: ಉಡುಪಿ ತಾಲೂಕು ಉದ್ಯಾವರ ಗ್ರಾಮದ ಸ.ನಂ.ಬ್ರ: 187/7 ರಲ್ಲಿನ 0.26 ಎಕ್ರೆ ಮತ್ತು 188/1ಎ ರಲ್ಲಿನ 0.69 ಎಕ್ರೆ ಸ್ಥಳವು ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ವ್ಯಾಪ್ತಿಗೆ ಬರುತ್ತದೆಯೇ ಎಂಬ ಮಾಹಿತಿ ಕೋರಿರುವ ಬಗ್ಗೆ
- ಉಲ್ಲೇಖ: 1. ಕೇಂದ್ರ ಪರಿಸರ & ಅರಣ್ಯ ಮಂತ್ರಾಲಯದ ಅಧಿಸೂಚನೆ 2011 ದಿನಾಂಕ:- 06-01-2011.
2. ತಹಶೀಲ್ದಾರರು, ಉಡುಪಿ ತಾಲೂಕು, ಉಡುಪಿ ಇವರು ಮಾಹಿತಿ ಕೋರಿದ ದಿನಾಂಕ:28/04/2017

\* \* \* \* \*

ಉಡುಪಿ ತಾಲೂಕು ಉದ್ಯಾವರ ಗ್ರಾಮದ ಸ.ನಂ.ಬ್ರ: 187/7 ರಲ್ಲಿನ 0.26 ಎಕ್ರೆ ಮತ್ತು 188/1ಎ ರಲ್ಲಿನ 0.69 ಎಕ್ರೆ ಸ್ಥಳವು ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ವ್ಯಾಪ್ತಿಗೆ ಬರುತ್ತದೆಯೇ ಎಂಬ ಮಾಹಿತಿ ಕೋರಿ ತಹಶೀಲ್ದಾರರು, ಉಡುಪಿ ತಾಲೂಕು, ಉಡುಪಿ ಇವರು ಮೇಲಿನ ಉಲ್ಲೇಖ(2) ರಲ್ಲಿ ಅರ್ಜಿ ಸಲ್ಲಿಸಿರುತ್ತಾರೆ.

ಸದ್ರಿಯವರ ಅರ್ಜಿ ಪ್ರಕಾರ ಸ್ಥಳ ಪರಿಶೀಲನೆ ನಡೆಸಲಾಗಿ, ಸದರಿ ಸ್ಥಳವು ಜಿ. ಪಿ. ಎಸ್. ರೀಡಿಂಗ್ N 13° 17' 34.3", E 74° 43' 30.6" ರಂತೆ ಹಾಗೂ ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ಅಧಿಸೂಚನೆ 2011ರ ಪ್ರಕಾರ ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ವ್ಯಾಪ್ತಿಯ ಹೊರಗಿರುವುದಾಗಿ ಈ ಮೂಲಕ ತಿಳಿಸಿದೆ.

ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರು (ಪರಿಸರ)

ಉಡುಪಿ

ಪ್ರತಿಯನ್ನು:

1. ತಹಶೀಲ್ದಾರರು, ಉಡುಪಿ ತಾಲೂಕು, ಉಡುಪಿ ಇವರಿಗೆ ಮಾಹಿತಿಗಾಗಿ ರವಾನಿಸಿದೆ.
2. ಶ್ರೀ ಹರಿಯಪ್ಪ ಕೋಟ್ಯಾನ್ ಉದ್ಯಾವರ ಗ್ರಾಮ ಉಡುಪಿ ತಾಲೂಕು.

E-mail:Udupi3crz@gmail.com

Telephone/Fax:0820-2574848

Karnataka Government

Regional Director (Environment) Office, 1<sup>st</sup> Floor, 'C' Block, Rajathadri,  
Manipal, udupi – 576104.

PRANIPA/VVA/05/2017-18/216

Date- 14-7-2016

Sub: Information sought whether S. No. 187/1B measuring 0.66 acre situated at udyavara Village of Udupi Taluk come under the Costal Regulation Zone.

Ref: Central Ministry of Environment and Forest Ministry Notification 2011 date: 06-01-2011.

2. Information sought by Tahasildhar, Udupi Taluk, udupi on 28-4-2017.

As per above reference No. (2) Tahasildhar udupi has sought the information whether S. No 187/1B measuring 0.66 acre situated at Udyavara Village of Udupi Taluk come under the Costal Regulation Zone.

As per the application, spot has been inspected, as per GPS reading N 13°17' 34.3", E 74° 43' 30.6" we are informing you that the said place is outside the purview of the Coastal Regulation zone notification 2011.

Regional Director (Environment)  
Udupi

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1. Tahasildhar, Udupi,
2. Smt. Baby S Mendon, udyavara Village, Udupi Taluk.

NO OF CORRECTIONS *mm*

MURAHARI K., B.A., LL.B.  
ADVOCATE & NOTARY PUBLIC  
"BAILOOR TOWERS" 2nd Floor,  
Poornaprajna College Road,  
UDUPI-576101  
Mob: 9880036482



Translated to English  
by me

*Sanjay K. Nilavar*  
SANJAY K. NILAVAR  
LL.B.  
ADVOCATE

Reg. No. KAR 974/1996  
"DWARAKA", P.O. Box No. 19  
BRAHMAVARA - 576 213  
M: 9886830121

SIGNED BEFORE ME

NOTARY  
UDUPI

*telegyan*

ಇ-ಮೇಲ್ : [udupi3crz@gmail.com](mailto:udupi3crz@gmail.com)

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

ದೂರವಾಣಿ/ ಫ್ಯಾಕ್ಸ್ : 0820-2574848

ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರ(ಪರಿಸರ) ಕಛೇರಿ,ಮೊದಲನೆ ಮಹಡಿ, 'ಸಿ' ಬ್ಲಾಕ್ "ರಜತಾದ್ರಿ" ಮಣಿಪಾಲ, ಉಡುಪಿ -576104

ಪ್ರಾಸಿಪ/ವಿವ/05/2017-18 | 2/6

ದಿನಾಂಕ:-14/07/2016

- ವಿಷಯ: ಉಡುಪಿ ತಾಲೂಕು ಉದ್ಯಾವರ ಗ್ರಾಮದ ಸ.ನಂಬು: 187/1ಬಿ ರಲ್ಲಿನ 0.66 ಎಕ್ರೆ ಸ್ಥಳವು ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ವ್ಯಾಪ್ತಿಗೆ ಬರುತ್ತದೆಯೇ ಎಂಬ ಮಾಹಿತಿ ಕೋರಿರುವ ಬಗ್ಗೆ
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2. ತಹಶೀಲ್ದಾರರು, ಉಡುಪಿ ತಾಲೂಕು, ಉಡುಪಿ ಇವರು ಮಾಹಿತಿ ಕೋರಿದ ದಿನಾಂಕ:28/04/2017

\* \* \* \* \*

ಉಡುಪಿ ತಾಲೂಕು ಉದ್ಯಾವರ ಗ್ರಾಮದ ಸ.ನಂಬು: 187/1ಬಿ ರಲ್ಲಿನ 0.66 ಎಕ್ರೆ ಸ್ಥಳವು ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ವ್ಯಾಪ್ತಿಗೆ ಬರುತ್ತದೆಯೇ ಎಂಬ ಮಾಹಿತಿ ಕೋರಿ ತಹಶೀಲ್ದಾರರು, ಉಡುಪಿ ತಾಲೂಕು, ಉಡುಪಿ ಇವರು ಮೇಲಿನ ಉಲ್ಲೇಖ(2) ರಲ್ಲಿ ಅರ್ಜಿ ಸಲ್ಲಿಸಿರುತ್ತಾರೆ.

ಸದ್ರಿಯವರ ಅರ್ಜಿ ಪ್ರಕಾರ ಸ್ಥಳ ಪರಿಶೀಲನೆ ನಡೆಸಲಾಗಿ, ಸದರಿ ಸ್ಥಳವು ಜಿ. ಪಿ. ಎಸ್. ರೀಡಿಂಗ್ N 13<sup>0</sup> 17' 33.0", E 74<sup>0</sup> 43' 30.9" ರಂತೆ ಹಾಗೂ ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ಅಧಿಸೂಚನೆ 2011ರ ಪ್ರಕಾರ ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ವ್ಯಾಪ್ತಿಯ ಹೊರಗಿರುವುದಾಗಿ ಈ ಮೂಲಕ ತಿಳಿಸಿದೆ.

ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರು (ಪರಿಸರ)

ಉಡುಪಿ

ಪ್ರತಿಯನ್ನು,

1. ತಹಶೀಲ್ದಾರರು, ಉಡುಪಿ ತಾಲೂಕು, ಉಡುಪಿ ಇವರಿಗೆ ಮಾಹಿತಿಗಾಗಿ ರವಾನಿಸಿದೆ.
2. ಶ್ರೀಮತಿ ಬೇಬಿ ಎಸ್ ಮೆಂಡನ್, ಉದ್ಯಾವರ ಗ್ರಾಮ, ಉಡುಪಿ ತಾಲೂಕು.

E-mail:Udupi3crz@gmail.com

Telephone/Fax:0820-2574848

Karnataka Government

Regional Director (Environment) Office, 1<sup>st</sup> Floor, 'C' Block, Rajathadri,  
Manipal, udupi - 576104.

PRANIPA/VVA/04/2017-18/217

Date- 14-7-2016

Sub: Information sought whether S. No. 188/4C measuring 0.43 acre situated at Udyavara Village of Udupi Taluk come under the Costal Regulation Zone.

Ref: Central Ministry of Environment and Forest Ministry Notification 2011 date: 06-01-2011.

2. Information sought by Tahasildhar, Udupi Taluk, udupi on 28-4-2017.

As per above reference No. (2) Tahasildhar udupi has sought the information whether S. No. 188/4C measuring 0.43 acre situated at Udyavara Village of Udupi Taluk come under the Costal Regulation Zone.

As per the application, spot has been inspected, as per GPS reading N 13°17' 34.3", E 74° 43' 30.6" we are informing you that the said place is outside the purview of the Coastal Regulation zone notification 2011.

Regional Director (Environment)

Udupi

Copy To:

1. Tahasildhar, Udupi,
2. Smt. Ushalataha H. Kotitan, udyavara Village, Udupi Taluk.

NO OF CORRECTIONS ..... *mn*

**MURAHARI K., B.A.,LL.B**  
ADVOCATE & NOTARY PUBLIC  
"BAILOR TOWERS" 2nd Floor  
Poomaprajna College Road,  
UDUPI-576101  
Mob: 9880036483



SIGNED BEFORE ME

*18/7/2016*  
NOTARY  
UDUPI

Translated to English  
by me

*Sanjay K. Nilavar*  
SANJAY K. NILAVAR  
LL.B  
ADVOCATE  
Reg. No. KAR 974/199  
"DWARAKA", P.O. Box No. 1  
BRAHMAVARA - 576 213  
M: 9886830121



ಇ-ಮೇಲ್ : [udupi3crz@gmail.com](mailto:udupi3crz@gmail.com)

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

ದೂರವಾಣಿ/ ಫ್ಯಾಕ್ಸ್ : 0820-2574848

ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರ(ಪರಿಸರ) ಕಛೇರಿ,ಮೊದಲನೆ ಮಹಡಿ, 'ಸಿ' ಬ್ಲಾಕ್ "ರಜತಾದ್ರಿ" ಮಣಿಪಾಲ, ಉಡುಪಿ -576104

ಪ್ರಾ.ನಿ.ಪ/ವಿ.ವ/04/2017-18

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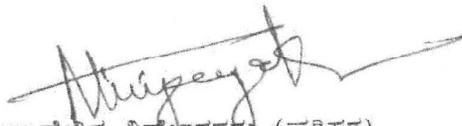
ದಿನಾಂಕ:-14/07/2016

- ವಿಷಯ: ಉಡುಪಿ ತಾಲೂಕು ಉದ್ಯಾವರ ಗ್ರಾಮದ ಸ.ನಂ.ಬ್ರ: 188/4ಸಿ ರಲ್ಲಿನ 0.43 ಎಕ್ರೆ ಸ್ಥಳವು ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ವ್ಯಾಪ್ತಿಗೆ ಬರುತ್ತದೆಯೇ ಎಂಬ ಮಾಹಿತಿ ಕೋರಿರುವ ಬಗ್ಗೆ
- ಉಲ್ಲೇಖ: 1. ಕೇಂದ್ರ ಪರಿಸರ & ಅರಣ್ಯ ಮಂತ್ರಾಲಯದ ಅಧಿಸೂಚನೆ 2011 ದಿನಾಂಕ:- 06-01-2011.  
2. ತಹಶೀಲ್ದಾರರು, ಉಡುಪಿ ತಾಲೂಕು, ಉಡುಪಿ ಇವರು ಮಾಹಿತಿ ಕೋರಿದ ದಿನಾಂಕ:28/04/2017

\* \* \* \* \*

ಉಡುಪಿ ತಾಲೂಕು ಉದ್ಯಾವರ ಗ್ರಾಮದ ಸ.ನಂ.ಬ್ರ: 188/4ಸಿ ರಲ್ಲಿನ 0.43 ಎಕ್ರೆ ಸ್ಥಳವು ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ವ್ಯಾಪ್ತಿಗೆ ಬರುತ್ತದೆಯೇ ಎಂಬ ಮಾಹಿತಿ ಕೋರಿ ತಹಶೀಲ್ದಾರರು, ಉಡುಪಿ ತಾಲೂಕು, ಉಡುಪಿ ಇವರು ಮೇಲಿನ ಉಲ್ಲೇಖ(2) ರಲ್ಲಿ ಅರ್ಜಿ ಸಲ್ಲಿಸಿರುತ್ತಾರೆ.

ಸದ್ರಿಯವರ ಅರ್ಜಿ ಪ್ರಕಾರ ಸ್ಥಳ ಪರಿಶೀಲನೆ ನಡೆಸಲಾಗಿ, ಸದರಿ ಸ್ಥಳವು ಜಿ. ಪಿ. ಎನ್. ರೀಡಿಂಗ್ N 13<sup>0</sup> 17' 32.4", E 74<sup>0</sup> 43' 31.1" ರಂತೆ ಹಾಗೂ ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ಅಧಿಸೂಚನೆ 2011ರ ಪ್ರಕಾರ ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ವ್ಯಾಪ್ತಿಯ ಹೊರಗಿರುವುದಾಗಿ ಈ ಮೂಲಕ ತಿಳಿಸಿದೆ.

  
ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರು (ಪರಿಸರ)

ಉಡುಪಿ

ಪ್ರತಿಯನ್ನು:

1. ತಹಶೀಲ್ದಾರರು, ಉಡುಪಿ ತಾಲೂಕು, ಉಡುಪಿ ಇವರಿಗೆ ಮಾಹಿತಿಗಾಗಿ ರವಾನಿಸಿದೆ.
2. ಶ್ರೀಮತಿ ಉಪಾಲತ ಎಚ್ ಕೋಟ್ಯಾನ್, ಉದ್ಯಾವರ ಗ್ರಾಮ ಉಡುಪಿ ತಾಲೂಕು.



M/s Karthik Marine Industries, a partnership firm, represented by Sri Hariappa Kotian (Managing Partner), is establishing a Surimi Processing unit at Pithrody, Udyavara, India, Hereinafter called as the First Party /Supplier. (which expression shall unless repugnant to the context or meaning thereof mean and include his heirs, legal representatives, receivers, executors, administrators, successors and assigns) of the ONE PART.

AND

Sri M.K. BALRAJ, Proprietor: Ms Hindustan Marine Industries, 12-42A, fishing industrial area pithrody, udayvara, udipi - 574 118, Hereinafter called as the Second Party /Purchaser. (which expression shall unless it be repugnant to the context or meaning thereof mean and include its successors, nominees, agents and/or and assigns) of the SECOND PART.

WHEREAS the First Party is starting a Surmi plant/ production factory and was looking out for a buyer for the waste produced in their factory like fish head surmi waste. The Second Party was looking out for these wastes which are used as raw material for his fish meal powder manufacturing unit hence offered to buy the same.

AND WHEREAS the various other terms of purchase having been mutually discussed and agreed to by the Parties.

**NOW THIS AGREEMENT DEED WITNESSETH AND IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES HERETO AS UNDER:**

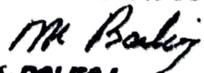
1. First Party will supply its rejects fish from its surmi factory to the Second Party starting from 01.10.2022 To 30.09.2032.
2. 100% Rejected fish and surmi rejected fish generated in the udyavar surmi factory belonging to the First Party during the period from 01.10.2022 to 30.09.2032 will have to be supplied to the Second party. (without any Diversion)
3. Purchase rate for the Rejected surmi fish will be fixed by the mutual consent of the First Party and the Second Party in the beginning of the fish season i.e on the 1st of August every year as per the selling rate adopted by the near by Surmi units (Goan Fresh surmi unit Brahmavara,) for the rejected fish sold.
4. Second party shall be responsible for the purchase of rejected fish generated in the surmi plant of First party, in any event second party shall not refuse the rejected fish generated in the surmi plant of First party. Rate in sl.no.3 of this agreement shall be discharged by the Second Party per this agreement.
5. Payment payable for the purchases made by the Second Party to the First party will have to be settled on monthly basis. Second Party shall settle the payments of the month by 15th of the next month.

First Party  
For Karthik Marine Industries

  
Managing Partner/Partner

Second Party

For HINDUSTAN MARINE INDUSTRIES

  
M. K. DALTAJ  
Proprietor

6. In the event of Second party fails to settle the payments as per sl.no.5 of this agreement, First party shall be at the option of selling the Rejected surmi fish to any other party till the due amount is settled.
7. In the event of any diversion of the above agreed material First Party shall pay demurrage cost to the Second Party at a rate of Rs.2.00/- per kg of rejected fish produced in the surmi plant of First Party.
8. For every next year, M/s Hindustan Marine industries will pay advance as decided mutually before beginning of the season. Advance amount shall be adjusted towards last month of the season.

IN WITNESS WHEREOF the parties have executed this Deed on this day of 18<sup>th</sup> day of March 2022 at Udyavar.

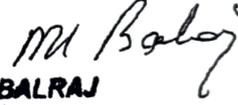
(First Party)

For Karthik Marine Industries

  
Managing Partner/Partner

(Second Party)

For HINDUSTAN MARINE INDUSTRIES

  
M. K. BALRAJ  
Proprietor

Witnesses:

1.



( Deepak Choudary/ Hassan)

2.

Mallika  
D/o shankar  
Accounts Department  
Hindustan Marine Industries  
Post P. Horody, Udyavara  
udupi - 574118.

Mallika

Zonal Office:

**Karnataka State Pollution Control Board**

Parisara Bhavana, Block No. 23 & 24, 1st Floor,

4th Cross, Near ESI Hospital, Industrial Area,

Baikampady, Mangaluru - 575 011

Tel.: 0824-2408420

e-mail: seomangala@kspcb.gov.in

ವಿಭಾಗೀಯ ಕಛೇರಿ

“ಪರಿಸರ ಭವನ”, ಬ್ಲಾಕ್ ನಂ. 23&24,

1ನೇ ಮಹಡಿ, 4ನೇ ಅಡ್ಡ ರಸ್ತೆ,

ಇ.ಎಸ್.ಐ. ಆಸ್ಪತ್ರೆ ಹತ್ತಿರ

ಕೈಗಾರಿಕಾ ಪ್ರದೇಶ, ಬೈಕಂಪಾಡಿ,

ಮಂಗಳೂರು - 575 011

ಕರ್ನಾಟಕ ರಾಜ್ಯ  
ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ



towards a cleaner Karnataka

No: PCB/SEO(MNG)/LO/Addendum/2025-26/ 52

DATE: 29/05/2025

**ADDENDUM**

**Sub:** Addendum to the Consent for Operation issued to M/s Karthik Marine Industries located at Sy No: 187/7, 188/1A, 1B, 4C, 8A, 8B, 111/9, 189/1,2,7, 263/1A, 214/6, Industrial Zone, Industrial Area, Pithrody Post, Udyavara, Udipi District-574118-reg.

**Ref:** 1. Consent for Operation order No. AW-340383 dated: 04.11.2023.  
2. Letter from the industry authority dated: 28.04.2025.  
3. Letter from Regional Office, Udipi vide No: 102 dated: 06.05.2025.

\*\*\*\*\*

With reference to the above it is to be informed that, this office has issued the Consent for Operation (CFO) to M/s Karthik Marine Industries located at Sy No: 187/7, 188/1A, 1B, 4C, 8A, 8B, 111/9, 189/1,2,7, 263/1A, 214/6, Industrial Zone, Industrial Area, Pithrody Post, Udyavara, Udipi District-574118 for the Fish Freezing activity (surimi) of capacity 900 Metric Tonnes/month vide ref (1), which is valid up to 30.09.2033.

Now, the industry authority has submitted a letter to Regional Office, Udipi vide ref (2) requesting for the change of product name of the industry activity from Fish Freezing activity (surimi) to Fish Processing, Freezing, Packing and storage (surimi). Further, the request letter submitted by the industry authority with supporting documents are verified by Regional Officer, Udipi and recommended to this office to issue addendum to the above industry for the change of product name of the industry activity from Fish Freezing activity (surimi) to Fish Processing, Freezing, Packing and storage (surimi) vide ref (3)

Hence, the industry authority's request is considered and the following order: -

**ORDER**

In the Consent for Operation issued to the industry vide ref (1) above, the product name of the industry activity shall be read as **“Fish Processing, Freezing, Packing and storage (surimi)”** instead of **“Fish Freezing activity (surimi)”** with following additional conditions:

- The industry authority shall not discharge trade/treated trade effluent to any water body.
- There shall not be any smell nuisance from the industry activity.
- The transportation of fish shall be in closed system/container to avoid any smell issue while transporting
- There shall not be any spillages from the fish transport vehicle during transportation.
- The transportation of fish waste such as cut/chopped fish head, tail, intestine, bones and skin parts should be transported through closed container and handover to the fish processing unit.
- The industry authority shall maintain the log book with respect to utilization of treated trade effluent to different purposes.

All other terms and conditions as stipulated vide reference (1) remains unaltered.



**SENIOR ENVIRONMENTAL OFFICER (A/C)**  
**KSPCB, MANGALURU**

**To:**

The Occupier  
M/s Karthik Marine Industries  
Sy No: 187/7, 188/1A, 1B, 4C, 8A, 8B, 111/9, 189/1,2,7, 263/1A, 214/6,  
Industrial Zone, Industrial Area, Pithrody Post,  
Udyavara, Udupi District-574118

**Item No.04:-****BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI*****Thursday, the 03<sup>rd</sup> day of April, 2025.***

[Through Physical Hearing (Hybrid Option)]

**Original Application No.136 of 2023(SZ) &  
I.A. Nos.149 & 150 of 2024(SZ)****IN THE MATTER OF:****M. Venkata Reddy**S/o M. Thirupathi Reddy,  
R/o Eppillapally Village, Veenavaka Mandal  
Karimnagar District,  
Telangana – 505129.

...Applicant(s)

***Versus*****1) State of Telangana**Represented by its Chief Secretary  
General Administration Secretariat,  
Hyderabad,  
Telangana-500022.**2) Union of India**Represented by its Secretary  
Union Ministry of Environment, Forest & CC  
Paryavaran Bhavan  
New Delhi-110003.**3) Telangana State Pollution Control Board**Represented by its Member Secretary  
A-3, Paryavaran Bhavan,  
Sanath Nagar Industrial Estate  
Hyderabad-500018.**4) Telangana State Tourism Development Corporation Limited,**Represented by its Executive Director  
Tourism House, Himayathnagar,  
Hyderabad-500027.**5) District Collector**Karimnagar District  
Telangana-505001.**6) Telangana Irrigation Department,**Represented by its Engineer-in-Chief,  
H.No.5-6-51/2, Krishna Nagar,  
Ramagundam, Peddapally District,  
Telangana – 505172.*(R6 was Suo Motu impleaded as per order dt.18.09.2024)*

...Respondent(s)

For Applicant(s): Mr. Shivang Singh a/w.  
Mrs. Mamatha Ralla.

For Respondent(s): Ms. E. Niveditha represented  
Mrs. H. Yasmeen Ali for R1, R4 to R6.  
Mr. G.M. Syed Nurullah Sheriff for R2.  
Ms. G. Lavanya represented  
Mr. T. Sai Krishnan for R3.  
Mr. K.S. Viswanathan, Senior Advocate a/w.  
Mrs. T. Hemalatha/Counsel for I.A.

**CORAM:****HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER****HON'BLE Dr. VIJAY KULKARNI, EXPERT MEMBER****JUDGEMENT**

**1.** The present Original Application is filed by the applicant, a resident of Karimnagar, raising concerns regarding irregularities in the development and construction of the '*Manair Riverfront Project*' at Karimnagar, Telangana, without conducting an Environmental Impact Assessment (**EIA**) Study and not obtaining Environmental Clearance (**EC**) from the appropriate authorities.

**2.** The project was initiated by Respondent No.4 - Telangana State Tourism Development Corporation Limited and Respondent No.6 - Irrigation Department, on the Manair River, adjacent to the Lower Manair Dam (**LMD**).

**3.** It is alleged by the applicant that authorities are engaging in large-scale activities, including blasting within the river, without proper environmental safeguards, thereby causing potential damage to the river ecosystem. Blasting near an irrigation dam poses a severe risk due to high vibrations that may lead to structural damage, cracks, or even a dam failure, resulting in disastrous consequences. The blasting activities are contributing to air and noise pollution, adversely affecting the residents of Karimnagar. The ecosystem of the Manair River is being negatively impacted by these activities, which are occurring alarmingly close to the Lower Manair Dam.

4. It is further alleged that the riverfront project includes the construction of a check dam, flood banks, recreational spaces, open-air theatres, tourist attractions, and a boating area. Large-scale construction activities are being carried out using heavy equipment and vehicles, exacerbating environmental degradation. The Manair Riverfront Project falls under the category of 'Area Development Projects' as per the EIA Notification, 2006 (Category B) and requires prior Environmental Clearance.

5. Hence, the applicant filed this Original Application seeking the following reliefs:-

"a. Direct the project proponent to execute the Maneru River Front Project only after conducting Environment Impact Assessment (EIA) studies and after obtaining appropriate Environment and other clearances from TSEIAA/ Union Ministry of Environment, Forest and Climate Change and Telangana State Pollution Control Board.

b. Direct the Project Proponent and Respondents of Telangana not to construct permanent structures on floodplains, within river contrary to the guidelines of MoEF and Union Ministry of Housing and Urban Development.

c. Direct the regulatory agencies to assess the damage caused to the Maneru river and its surroundings by the project proponent.

d. Direct the Official Respondents to restore the damaged area."

6. Considering the gravity of the issue raised, this Tribunal admitted the matter and issued notice to respondents through the Tribunal as well as privately. Upon notice, the respondents entered appearance through their counsel and filed their respective pleadings.

7. The **Ministry of Environment, Forests and Climate Change (MoEF&CC) / Respondent No.2** has filed a counter affidavit dated 16.10.2024, stating that the Environmental Impact Assessment (**EIA**) Notification issued by the MoEF&CC regulates the construction of new projects or expansion/modernization of existing ones, requiring prior Environmental Clearance (EC) under sub-section (3) of Section 3 of the said Act.

**8.** The counter affidavit states that with reference to the applicant's allegations, the MoEF&CC conducted a site inspection through its Hyderabad Regional Office on 17.05.2024, with officials from the Telangana Irrigation and Tourism Departments in attendance. They made detailed observations and conclusions from the inspection. The further contention of the MoEF&CC is that projects exceeding 50 Hectares fall under Category B of Item 8(b) and require SEAC appraisal and SEIAA approval. The remaining issues raised in the application do not pertain to this respondent.

**9.** The **Telangana State Pollution Control Board (TGPCB)/ Respondent No.3** filed a report dated 18.12.2023, stating that the Pollution Control Board officials along with the Irrigation Department, LMD Colony, Karimnagar made an inspection of the Manair Riverfront project site on 06.10.2023 and they observed that the construction of protection walls along both flanks of the Manair River, as well as removal of obstructions in the riverbed near the Cable Suspension Bridge, is in progress. A check dam is under construction at the Cable Suspension Bridge as part of the Riverfront project. Earth filling with casing soils is being carried out along the rear riverbanks to form a guide bund adjacent to the protection wall.

**10.** It is further stated in the report that the issue was reviewed in the Board's Task Force Committee meeting held on 07.10.2023, and the Superintending Engineer, I.C.2, LMD Colony, Karimnagar, who attended virtually, informed the Committee that the ongoing Manair Riverfront Project is being implemented by the Irrigation Department, with a built-up area of 1,35,200 Sq. Meters and does not require prior Environmental Clearance (EC), as the total area and built-up area fall below the threshold limits of 50 hectares / 1,50,000 Sq. Meters prescribed under Item 8 (b) (Townships and Area Development Projects) of the EIA Notification, 2006. Additionally, the Executive Engineer, I.C.2, LMD Colony, Karimnagar, through a letter dated 09.10.2023, submitted a formal declaration to the Pollution Control Board stating that the built-up area of the Manair Riverfront Project is 1,35,200 Sq. Meters and the total project area is 12.80 hectares,

which are within the threshold limits and hence do not attract the requirement for prior Environmental Clearance.

**11.** The Telangana SPCB has finally concluded in its report that Item 8 (b) of the Schedule to the EIA Notification, 2006, stipulates that Township and Area Development projects with an area  $\geq 50$  ha and/or built-up area  $\geq 1,50,000$  Sq. Meters, which require prior Environmental Clearance. Since the present project falls below these limits, prior Environmental Clearance is not applicable.

**12.** The **Telangana State Tourism Development Corporation (TSTDC)/ Respondent No.4** also filed a report dated 16.09.2024, stating that the Manair Riverfront Master Plan comprises four designated zones. The TSTDC has been allocated a budget of Rs.100 Crores for the development of the Entrance Plaza and a Musical Fountain with a Viewing Gallery. The Entrance Plaza is proposed in Zone 3, at a chainage of 2.15 km from the Manair Dam, with a budget of Rs.40 Crores over an area of 4 Acres. The proposed components include (i) Construction of a road from Ramagundam-Hyderabad Bypass Road to the Bund, (ii) Landscaping, (iii) Illumination and (iv) Pathways.

**13.** It is further stated in the report that as of now, only earth filling for road formation has been completed over 2.59 Acres at a cost of Rs.4 Crores. No further work has progressed since June 2023. The Viewing Gallery for the Musical Fountain, with a seating capacity of 800 persons, is also proposed in Zone 3, at a chainage of 3.15 km from the Lower Manair Dam, covering 1.15 Acres. However, construction has not yet commenced due to pending permission from the Irrigation Department. The Musical Fountain itself is proposed in the river at the same chainage (3.15 km), with a basement area of 0.07 acres and an estimated budget of Rs.60 Crores. Only foundation footing work has been initiated. The work has been halted since June 2023, pending finalization and proof-checking of the designs and drawings by government institutions. It is further claimed that the TSTDC did not violate any ecological or environmental laws. The TSTDC's role in the overall project is limited and does not involve any activity that breaches the applicable environmental regulations. Moreover, all

project activities under this respondent have been on hold since June 2023.

**14.** During the pendency of the matter, this Tribunal has considered the reply affidavit submitted by the MoEF&CC, particularly the concluding section, and has noted that the MoEF&CC cannot determine the exact area or built-up area of the entire Manair Riverfront Project without the Final Keyhole Markup Language (KML) File and the construction Master Plan from the Project Proponents viz., Respondent No. 4 - Telangana State Tourism Development Corporation Limited, and Respondent No. 6 - Irrigation Department. Consequently, the Tribunal has directed Respondents No.4 and 6 to provide these documents to the MoEF&CC, after which the MoEF&CC shall submit an additional reply affidavit.

**15.** In compliance with the aforementioned direction, the **Irrigation Department**, which was suo motu impleaded as additional Respondent No.6, has submitted a report dated 02.04.2025. The report indicates that the State Government has commenced flood mitigation works along the Manair River, with the following scope:

- Construction of protection walls from Km 1.100 to 3.700 on both flanks downstream of the Lower Manair Dam (LMD).
- Improvements to the existing Check Dam-II and construction of a 210-meter half barrage.
- Excavation of a feeder canal from DBM-1 to supply fresh water to the Check Dam.
- No land acquisition, irrigation facilities, culturable command area, or new water storage is involved.
- Consequently, no Environmental Clearance (EC) is required for these irrigation works.

**16.** The report further states that the primary purpose of these works is to prevent urban flooding by constructing a network of protection walls, embankments, and sluice gates to manage discharge levels of 0.80, 2.80, 3.50, and 5.00 lakh cusecs. Additionally, the project aims to improve water quality, restore river ecology, and enhance aquatic biodiversity. A gated barrage with 14 vents, positioned 0.70 meters below the riverbed, has

been proposed. Model studies were conducted at TSERL, and arrangements have been made to feed fresh water from DBM-1 of the Kakatiya Main Canal to improve water quality, desilt the riverbed, and control algae growth.

**17.** It is further stated in the report that the ongoing construction of protection walls up to Check Dam-II, sanctioned under G.O. Rt. No. 215, I&CAD (MI) Department dated 09.06.2021 for Rs.310.464 crores, is solely an irrigation work, which is confirmed by the MoEF&CC through its report. There is no mention of a Manair Riverfront project in the sanctioned scope. As per the EIA Notification, the project does not fall under either Category A (irrigation projects with >10,000 ha of culturable command area), or Category B (<10,000 ha), and hence, does not require prior EC. Tenders for irrigation and tourism-related components were issued independently under separate administrative approvals. The Irrigation Department is executing only flood protection works, while the Telangana Tourism Development Corporation is implementing Manair Riverfront development works.

**18.** Pursuant to the order dated 17.02.2025, the required KML file was submitted to MoEF&CC vide Letter dated 24.02.2025. Further, the contractor (SLR-HES JV), executing the irrigation works, submitted letters dated 03.03.2025, citing financial losses due to idle manpower and machinery following a work stoppage. The agency also disclaimed liability for any structural damage during this critical period. This is a peak working season, with only three months remaining to complete critical components. In light of the fact that prior Environmental Clearance is not required, it is prayed by the Irrigation Department that the stay on Respondent No.6 be vacated and the application dismissed to allow the resumption of flood protection works. Moreover, the allegations in the Original Application are misconceived and without merit.

**19.** In accordance with the Tribunal's direction dated 17.02.2025, the **MoEF&CC/Respondent No.2** submitted an **additional affidavit dated 01.04.2025**. The affidavit states that the Irrigation & CAD Department, Government of Telangana, had submitted letters dated 24.02.2025 and 06.03.2025, along with

the project's KML file, to the Regional Office of MoEF&CC, Hyderabad. Based on these submissions, an additional report dated 26.03.2025 was prepared, and the conclusions from the report are reproduced below:

"i. In the letter of Irrigation and Department and KML files shared with MoEFCC, the scope of the construction on the Manair River includes the construction of protection walls and check dams and the excavation of feeder canals related to flood control and were not associated with the Manair River Front or irrigation purpose. Such activities are exempt from requiring an Environmental Impact Assessment (EIA) or Environmental Clearance (EC) as per S.O. 3977 (E), dated August 14, 2018, Ministry of Environment, Forest, and Climate Change, Notification, New Delhi.

ii. In view of the above, as per the site inspection conducted on 17th May 2024 and as per the latest KML file provided by the project proponent, the works undertaken by the irrigation department on Manair River are exempted from EIA Notification 2006, amended from time to time.

iii. Further, the letter from the Irrigation Department states that the Tourism Department has yet to take NOC for the said project from the Irrigation Department, and it will be considered on merits.

iv. In the Tourism Department's letter and the KML file shared, it is observed that the construction work comprises an Entrance Plaza (4.0 acres), a View Gallery (1.15 acres), and a Musical Fountain in the riverbed with a base of 0.074 acres. Further, the Tourism Department is finalizing the "Construction Master Plan" and has not indicated the built-up area in sq. meters."

**20.** Considered the pleadings, reports filed by the authorities and also the submissions made by the learned counsel for the applicant as well as the respondents.

**21.** The case of the applicant is that the '*Manair River Front Project*' in Karimnagar, Telangana, has been undertaken without conducting an EIA Study or obtaining prior Environmental Clearance, as mandated under the EIA Notification, 2006. The project, initiated by the TSTDC (Respondent No.4) and the Irrigation Department (Respondent No.6), allegedly involves activities such as blasting and construction near the Lower Manair Dam, causing environmental degradation and posing risks to the dam's structural integrity.

**22.** In this regard, the stand taken by the MoEF&CC that as per the EIA Notification, 2006, Township and Area Development Projects falling under Item 8(b) require Environmental Clearance, if the area exceeds 50 hectares or the built-up area exceeds

1,50,000 Sq. Meters. Based on a site inspection and review of documents, including a KML file and construction details, the Ministry concluded that the irrigation-related works fall outside the purview of the EIA Notification due to their flood control nature, as exempted under S.O. 3977(E) dated 14.08.2018.

**23.** Further, the Telangana SPCB confirmed that the built-up area of the riverfront project is 1,35,200 Sq. Meters and the total project area is 12.80 hectares—both below the threshold under 8(b). Hence, no prior Environmental Clearance is required.

**24.** The TSTDC stated that it is implementing limited components of the project (Entrance Plaza, Musical Fountain, Viewing Gallery) over a minor area, and no significant construction has occurred since June 2023 pending permissions and final designs. They claim compliance with all environmental regulations. Additionally, the Irrigation Department asserted that its works are flood mitigation measures—construction of protection walls, check dams, and feeder canals—with no land acquisition, irrigation expansion, or new water storage. These are classified as non-irrigation projects exempted from Environmental Clearance, and the MoEF&CC has acknowledged the same.

**25.** In view of the above analysis, the Tribunal finds that the works being executed are primarily flood control measures and are exempted from EIA under S.O. 3977(E) of 2018. The total area and built-up area of the tourism components do not cross the thresholds prescribed in Item 8(b) of the EIA Notification, 2006. Hence, no Environmental Clearance is required at this stage. It is, however, imperative that any further expansion, especially by the Tourism Department, shall undergo strict environmental scrutiny if thresholds under the EIA Notification are met.

**26.** While the Applicant raised concerns of blasting near the dam, no substantial evidence or report supports ongoing or harmful blasting activity. The MoEF&CC and Telangana SPCB inspections have not noted unauthorized environmental damage directly attributable to the current project scope. However, construction near ecologically sensitive zone warrants precaution.

**27.** Before reaching a conclusion, it is noted that the applicant, in addition to sending an email dated 03.03.2025, also sent a letter dated 28.02.2025 directly to the Registrar of this Tribunal, which was received on 05.03.2025, requesting to withdraw the Original Application filed by him. The contents of the letter are as follows:

"I have filed above case on illegalities committed by the previous government in Telangana.

Now the present government is willing to take all safeguards and protection measures to save environment. I am informed that Environmental Clearance is not required for the Flood Protection works being taken up the Irrigation Department.

Hence I wish to withdraw above Original Application filed by me considering the safeguards initiated by the present Government of Telangana with a liberty to raise my grievances if violations continued/if environment protection measures are not implemented by the Authorities.

I have instructed my Advocate to withdraw the case.

Therefore, I request your good self to kindly permit and close the case."

**28.** Additionally, Ms. Mamatha Ralla, the learned counsel for the applicant, apart from sending an email dated 11.03.2025, also sent a letter to the Registrar of this Tribunal, which was received on 24.03.2025, requesting the withdrawal of the present Original Application. The letter contains the following details:

"My client has filed above case on illegalities committed by the previous govt in Telangana. Now the present govt is willing to take all safeguards and protection measures to save environment. Hence, my client wish to withdraw above Original Application filed by him and as per my client instructions I am requesting you to kindly consider the withdrawal of the Original Application (136 of 2023) and close the case."

**29.** It is surprising to note that the letter requesting permission to withdraw the Original Application has been sent by the applicant, who initially asserted that the project could only proceed after a thorough Environmental Impact Assessment and obtaining of all necessary clearances, particularly the Environmental Clearance, along with restrictions on constructing permanent structures in sensitive areas. Suddenly, the applicant has changed his stance. In his letter, the applicant claims that the previous government in Telangana committed illegalities and that

the present government is now willing to implement all necessary safeguards. Consequently, he wishes to withdraw the matter. This raises questions about the applicant's bona fides.

**30.** It is not out of place to mention that the Tribunal had previously considered the allegations made by the applicant and the gravity of the issue. As a result, by its Order dated 18.09.2024, the Tribunal recorded that the TSTDC had stated no work had been carried out since June 2023, and emphasized that no further work should proceed without explicit orders from the Tribunal.

**31.** This Tribunal notes with concern the filing of the present application which, upon examination, appears to be devoid of merit and is prima facie frivolous in nature. Such applications not only burden the judicial system but also obstruct the path of genuine litigants seeking timely redressal. The Hon'ble Supreme Court of India has consistently held that frivolous and vexatious litigations constitute a serious abuse of the judicial process and should be dealt with firmly.

**32.** In ***Subrata Roy Sahara v. Union of India, (2014) 8 SCC 470***, the Hon'ble Supreme Court of India observed that the filing of frivolous petitions hampers the course of justice and should be discouraged through imposition of exemplary costs. Similarly, in ***Indian Council for Enviro-Legal Action v. Union of India, (2011) 8 SCC 161***, it was reiterated that such petitions clog the system and deny genuine claimants access to justice. In ***Chandra Shashi v. Anil Kumar Verma, (1995) 1 SCC 421***, the Hon'ble Supreme Court emphasized that abuse of the Court process must be met with strict consequences, including exemplary costs.

**33.** This principle has been reinforced in more recent rulings. In ***Ashok Pandey v. Union of India [W.P. (Civil) No.966 of 2023 dated 13.10.2023]***, the Hon'ble Supreme Court dismissed a frivolous Public Interest Litigation (PIL) and imposed a cost of Rs.5,00,000/- on the petitioner, holding that such petitions waste valuable judicial time and resources. In ***The State of Jharkhand v. Shiv Shankar Sharma (2022) 19 SCC 626***, the Hon'ble Supreme Court underscored the pressing need

to curb frivolous PILs, highlighting that they divert attention from more serious matters and consume disproportionate judicial bandwidth. Likewise, in ***M/s. Icomm Tele Ltd. v. Punjab State Water Supply and Sewerage Board (2019) 4 SCC 401***, the Hon'ble Supreme Court reiterated that frivolous claims should be dismissed with exemplary costs to prevent the misuse of the judicial process.

**34.** In light of these well-established principles and precedents, and given that the present application fails to make out any substantial case and appears to have been filed without bona fide intent or due diligence and is politically motivated, this Tribunal is of the considered view that it warrants the imposition of exemplary costs. Such action is necessary not only to discourage this kind of abuse of the judicial forum but also to preserve the integrity and efficiency of environmental adjudication processes.

**35. In the result,**

- I.** The Original Application [O.A. No.136 of 2023 (SZ)] is dismissed with costs of **Rs.1,00,000/- (Rupees One Lakh only)** payable by the applicant to the National Green Tribunal (Southern Zone) Regular Practitioner's Association within a period of **04 (Four) weeks**, for filing a frivolous application and wasting the valuable judicial time.
- II.** Out of the aforementioned amount, a sum of Rs.50,000/- shall be utilized for tree plantation; Rs.25,000/- shall be utilized for the purchase of relevant books on environmental laws and other necessary amenities for the Bar; and the remaining Rs.25,000/- shall be used to provide facilities for litigants visiting the National Green Tribunal, Southern Zone Bench, Chennai.

**III.** In the event of default in payment by the applicant, the District Collector - Karimnagar (Respondent No.5), is directed to recover the said amount from the applicant under the provisions of the Revenue Recovery Act and thereafter deposit the same with the National Green Tribunal (Southern Zone) Regular Practitioners' Association.

**IV.** Liberty is granted to the Project Proponent to proceed with the project in accordance with law. However, the authorities concerned are directed to remain vigilant in the future, as a precautionary measure.

**V.** The Secretary of the Association shall submit a compliance report before the Registrar of this Bench after a period of three months, detailing the utilization of the amount as referred to above.

**36.** In view of the above, the interlocutory applications [I.A. Nos.149 & 150 of 2024 (SZ)] are closed.

**NGT**

**Sd/-  
Smt. Justice Pushpa Sathyanarayana, JM**

**Sd/-  
Dr. Vijay Kulkarni, EM**

**O.A. No.136/2023(SZ) &  
I.A. Nos.149 & 150/2024(SZ)  
03<sup>rd</sup> April, 2025. Mn.**

**Note:**

Let the Registry communicate this order to the Secretary - National Green Tribunal (Southern Zone) Regular Practitioners' Association for compliance.