

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

**Original Application No.184 of 2024(SZ)**

IN THE MATTER OF:

Tribunal on its own motion SUO MOTU based on the News item Published in 'The Hindu', Kochi Edition dt. 21.05.2024 titled, "Another mass fish kill in Periyar River in Kerala after suspected effluent release"

...  
Applicant(s)

*And*

The Principal Secretary to Govt. of Kerala,  
Environment Department,  
Thiruvananthapuram and Ors.

...  
Respondent(s)

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Signed and verified on this 19<sup>th</sup> day of August, 2024 at Bengaluru



**COUNSEL FOR  
RESPONDENT No. 4**

  
19/8/2024  
**DEPONENT**

J. Chandra Babu  
REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE - BENGALURU  
(MIN.OF ENV,FOREST & CC, GOVT OF INDIA)  
BENGALURU - 560 079. MOB: 9868278903



**BEFORE THE NATIONAL GREEN TRIBUNAL**  
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**IN THE MATTER OF:**

**Tribunal on its own motion SUO MOTU based on the News Item Published in 'The Hindu', Kochi Edition dt. 21.05.2024 titled, "Another mass fish kill in Periyar River in Kerala after suspected effluent release"**

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**Applicant(s)**

**And**

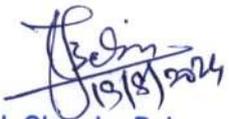
**The Principal Secretary to Govt. of Kerala,  
Environment Department,  
Thiruvananthapuram and Ors.**

...  
**Respondent(s)**

**REPLY ON BEHALF OF THE RESPONDENT NO. 4, THE CENTRAL POLLUTION CONTROL BOARD (CPCB)**

1. That, Hon'ble NGT (SZ) vide order dated 29.05.2024 in the instant case has sought the reply from Answering Respondent No. 4 herein i.e. CPCB over the instant matter. Thereby, the reply is made in succeeding paragraphs.'
2. That, CPCB is a statutory Board constituted under Section 3 of The Water (Prevention and Control of Pollution) Act, 1974. It performs its functions under The Water (Prevention and Control of Pollution) Act, 1974, The Air (Prevention and Control of Pollution) Act, 1981 and The Environment (Protection) Act, 1986.



  
J. Chandra Babu

**REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE - BENGALURU  
(MIN. OF ENV, FOREST & CC, GOVT OF INDIA)  
BENGALURU - 560 079. MOB: 9868278903**

3. That, the Original Application has been taken up suo-moto by Hon'ble National Green Tribunal (NGT), Southern Zone Bench, on the basis of the news item Published in 'The Hindu' Newspaper, Kochi Edition dated 21.05.2024 titled as, "Another mass fish kill in 'Periyar' River in Kerala after suspected effluent release". CPCB was impleaded as Respondent No. 4 by the Hon'ble Tribunal and vide order dated 29.05.2024 the Tribunal had directed this answering Respondent to file the report in the instant matter. Hence, the reply is made in succeeding paragraphs;
4. It is humbly submitted that as per the preliminary report on the "Fish Kill" incident received from Kerala State Pollution Control Board (hereinafter referred to as KSPCB), and the affidavit submitted by KSPCB before the Hon'ble High Court of Kerala, it has been reported that "complaints were received from the Eloor ferry area regarding fish death in the Periyar River on 20.05.2024, at around 9 PM. Subsequently, KSPCB's surveillance team inspected the site and observed fish, including varieties like carp, Pearl spot, Tilapia floating in the river Periyar and struggling to breathe. By dawn, on 21/05/2024, fish were found dead in various locations, including Vettukadav, Eloor Ferry, Cheranalloor, Varapuzha, Kadamakudy, and Kothadu. Samples of water and dead fish were collected from the area where dead fish were found, by the KSPCB. The dissolved oxygen (DO) level of the collected water sample were found to be lower than that required for the survival of the fish." Further, it has also been reported that "Since there is tidal effect up to the Pathalam Bund, fluctuation in the river water quality is common in the parameters like TDS, electrical conductivity, Hardness, Chloride etc. Also, presence of certain metals like Zinc, Manganese, Nickel, Boron, Copper etc. are detected in negligible concentration in the river water.



*J. Chandra Babu*  
19/5/2024

**J. Chandra Babu**  
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5. It is also submitted that, as per the report of KSPCB, it was observed that "on 20/05/2024, at 3 PM, three shutters at the Pathalam regulator-cum-bridge were opened by the Irrigation Department. It was observed that the water with high organic load and very low Dissolved Oxygen (DO) levels, along with the settled sludge, with biological waste settled at the bottom of the bund causing anaerobic condition upstream of bund, gushed out through the three shutters and mixed up with the saline water at the downstream side of the Pathalam regulator-cum-bridge. The situation had become vulnerable because of high-tide condition in the downstream side within hours since the shutters has opened." The report/affidavit of KSPCB has also inferred that "the opening of the Pathalam bridge/bund's shutter with discharge of high organic load seems to have led to a decline in dissolved oxygen (D.O.) levels in the downstream areas. On 20.05.2024, at Vettukadav, the D.O. concentration dropped from 6.8 mg/L in the morning to 3.2 mg/L at night, within hours since the shutters got opened. It is presumed that this change in DO level is the result of the shutter opening". The report/ affidavit has also referred to some of reports of such previous incidences and has also relied upon the water quality monitoring of River Periyar, carried out previously by various Committees.
6. Further, it is humbly submitted that the preliminary report on the fish kill incident from the Department of Aquatic Environment Management, Kerala University of Fisheries and Ocean Studies (referred to as KUFOS, hereafter), infers that the fish kill should have occurred either due to a sudden decrease in the dissolved oxygen (DO) level, or increase in ammonia levels especially in the benthic strata.
7. It is humbly submitted that the Hon'ble High Court of Kerala, vide Writ Petition (Civil) No. 9534 of 2020 along with WPC No. 996 of 2012 and WPC No. 31236 of 2023 which are related to pollution in River 'Periyar', is also considering the matter of pollution and the recent incident of fish kill in River Periyar.



*J. Chandra Babu*  
13/8/2024  
J. Chandra Babu  
REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE - BENGALURU  
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The Hon'ble High Court of Kerala while considering the above mentioned Writ Petition (Civil) Nos. which are related to pollution of river Periyar had passed orders on 10.06.2024 directing the following:

- i. *Let a Committee consisting of the Secretary, Directorate of Environment and Climate Change, Government of Kerala, the Regional Director, Central Pollution Control Board, Regional Directorate, Bangalore and the Chairman, Kerala State Pollution Control Board, be formed.*
- ii. *The Committee shall visit all the places already visited by Mr. Ananthakrishnan A. Kartha, learned Amicus Curiae.*
- iii. *The Committee shall ensure that the representatives of the petitioners as well as the learned Amicus Curiae accompany them during such visits.*
- iv. *The Committee shall file their report containing the suggestions and action to be taken to curb the pollution in the Periyar river.*

A Copy of the order dated 10.06.2024 passed by the Hon'ble High Court of Kerala in the above mentioned Writ Petition (Civil) Nos is attached as **Annexure-1**.

8. It is humbly submitted that in compliance to the directions of Hon'ble High Court of Kerala, the Committee comprising of 1. Secretary to Government, Environment Department, Government of Kerala; 2. Regional Director, Central Pollution Control Board, Regional Directorate, Bangalore; 3. Director, Environment & Climate Change, Government of Kerala and, 4. Chairperson, Kerala State Pollution Control Board has performed the under mentioned actions for ensuring compliance to the directions of Hon'ble High Court of Kerala:



*J. Chandra Babu*  
13/8/2024

J. Chandra Babu  
REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE - BENGALURU  
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- a) A meeting had been held with the Petitioners on 24.06.2024 wherein petitioners were heard with regard to their objections, concerns and the suggestions for control of pollution in river Periyar in the presence of Sh. Ananthkrishnan A. Kartha, learned Amicus Curiae appointed by Hon'ble High Court of Kerala.
- b) After hearing the petitioners, on 24.06.2024 (afternoon), the Committee visited places as pointed out by petitioners including the locations which were visited by Amicus Curiae in Eloor Edayar industrial area, which includes 1. Kuzhikandam Creek at the boundary of HIL (India) Ltd; 2. Panachithodu Creek; 3. Pallippuram Chal Creek; 4. Unthithodu Confluence point at River Periyar; 5. Pathalam Regulator cum bridge at Periyar River; 6. Container Terminal Road near Anavathil junction – Gypsum deposit of FACT; 7. Manjummal Regulator cum bridge at Periyar River; 8. Premises of M/s. HIL (India) Ltd, Eloor; 9. Premises of M/s. Merchem Ltd, Eloor; 10. ETP and effluent discharge outlet of M/s. Fertilizers and Chemicals Travancore Ltd., Udyogamandal Division; 11. Land of M/s Cella Space close to the boundary of M/s Cochin Minerals and Rutile Ltd, Edayar. Also, as per the request of the petitioners, water samples and sediment samples were also collected by the officials of KSPCB, for further analysis for relevant parameters (as per Consent) from the locations pointed out by the petitioners.
- c) A meeting was held on 25.06.2024 in the Chamber of District Collector, Ernakulam with the Stakeholders Departments such as local bodies, District Industries Centre, Irrigation Department, Agriculture Department and Kerala Water Authority to assess the status of implementation of approved action plans for rejuvenation of Periyar River in compliance to the directions of Hon'ble NGT (PB), New Delhi orders in OA No. 673/2018 and OA No. 395/2013.



*J. Chandra Babu*  
 J. Chandra Babu

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 CENTRAL POLLUTION CONTROL BOARD  
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After reviewing the status of implementation of the action plans, the Committee was of the view that the implementation of the approved action plans was not up to the expectations. The Fisheries Department and KUFOS also attended the afore-said meeting as per request of the Committee.

- d) After the meeting on 25.06.2024 (in the afternoon), the Committee conducted a boat survey in the river Periyar along with the petitioners/representatives of the petitioners in the Eloor Branch and Edamula branch of the river and observed various authorized outlet effluent points of the industries and storm water drains joining the river Periyar as well as locations of monthly river water sampling carried out by the KSPCB. The Committee also directed the KSPCB to conduct a separate sampling for collection of industrial effluent discharges into river Periyar and river water samples in Eloor- Edayar stretches in the presence of representatives of petitioners and for further analysis of the collected samples for parameters as per KSPCB Consent granted to the respective industry.
9. Actions initiated by the Committee in pursuance to the Hon'ble High Court of Kerala order dated 10.06.2024 were reported in the Interim Report submitted before the Hon'ble Court of Kerala prior to the hearing on 3-7-2024 and the Committee sought time of 2 months for submission of detailed assessment report before Hon'ble High Court of Kerala. The Hon'ble High Court of Kerala considered the interim status report of the Committee and passed Order dated 03.07.2024 directing the following:
- i. *The inspection being conducted by the Committee constituted as per the order dated 10.06.2024 should continue. The industries on the upstream portion of "Periyar" River should also be inspected.*



*J. Chandra Babu*  
19/8/2024

**J. Chandra Babu**  
REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE - BENGALURU  
(MIN. OF ENV, FOREST & CC, GOVT OF INDIA)  
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- ii. *In the meanwhile, the State Government should state as to whether a health survey of the residents in the affected area, as was done in the year 2008 can be conducted and an insurance scheme, as was done earlier, formulated and if not, why?*
- iii. *The Kerala State Pollution Control Board shall make available a list of industries in the area functioning on the strength of the NOC issued by the Board.*

10. In compliance with the Hon'ble High Court of Kerala order dated 03.07.2024, the constituted Committee inspected six major water polluting industries as identified by KSPCB in the Industrial Development Area of Edayar located in the upstream of the Pathalam regulator cum bridge in Periyar river. The following industries, ETPs (operated by the respective industries) and the treated wastewater outlet discharge points were inspected on 10.07.2024 by the Committee in association with the officials of KSPCB and in presence of the representatives of the petitioners:

- i. M/s. Cochin Minerals and Rutile Ltd., Industrial Development Area, Edayar.
- ii. M/s. TMS Leathers, Industrial Development Area, Edayar.
- iii. M/s. Malaya Rub Tech, Industries Industrial Development Area Edayar
- iv. M/s. Sunrise TSR Factory, Industrial Development Area, Edayar.
- v. M/s. Alpharub crumb Rubber P Ltd, Industrial Development Area, Edayar.
- vi. M/s. Organo Fertilizers (India) Pvt. Ltd., Industrial Development Area, Edayar.

11. Based on the observations made by the Committee during the visit on 10.07.2024, KSPCB has issued directions/ notices to the above six industries and also Directions were also given to the Irrigation Department as well as the Industries Department.



*J. Chandra Babu*  
19/07/2024

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CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE - BENGALURU  
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The Committee also directed the KSPCB to inspect any other water polluting industries located on the bank of river Periyar and also directed to collect samples of authorized industrial effluent outlet discharges and for verification of compliance to the conditions of authorisation and consents granted to the industries and for submission of the detailed assessment reports in light of the format circulated by the Committee. Actions are being taken by the Committee in compliance to the Hon'ble High Court of Kerala in the matter.

12. It is also to be submitted that the Hon'ble NGT had passed final judgement in the related matters, in OA No. 395 & 396 of 2013, dated 27.05.2022, which covered the overall pollution issues related to River Periyar, previous incidents of fish kill and discolouration and execution of remediation projects, wherein no specific directions were given to this answering Respondent. As per the above stated final judgement, the Chief Secretary, had to constitute a Monitoring Committee comprising of four Additional Chief Secretaries of concerned Departments i.e Environment, Local Self-government, Irrigation/Water Resource and Finance to take stock of the situation of execution of action plan with time-bound targets. The Committee was directed to consider core steps required to restore the water quality of the river so as to protect the environment and public health. It was also directed that the Committee may also ensure that all concerned industries in the catchment area of the 'Periyar' River in the stretch in question adopt Zero Liquid Discharge (ZLD) and are compliant with the norms.

13. That, this answering Respondent further craves leave of this Hon'ble Tribunal to file further reply, if required, in future



*J. Chandra Babu*  
19/08/2024

**J. Chandra Babu**  
REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE - BENGALURU  
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BENGALURU - 560 079. MOB: 9868278903

**BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN BENCH CHENNAI  
ORIGINAL APPLICATION NO. 184 OF 2024 (SZ)**

**IN THE MATTER OF:**

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Applicant(s)

**And**

The Principal Secretary to Govt. of Kerala,  
Environment Department,  
Thiruvananthapuram and Ors.

...  
Respondent(s)

**AFFIDAVIT**

I, J Chandra Babu, son of late Shri. J Balaramaiah, aged 56 years, having office at the Regional Directorate (Bengaluru), Central Pollution Control Board (CPCB), 1st & 2nd Floors, Nisarga Bhavan A- Block, Thimmaiah Main Road, 7<sup>th</sup> D Cross, Shivanagar, Bengaluru – 560 079, Karnataka, do hereby solemnly affirm, declare on oath and state as under: -

1. That I, the deponent herein is authorized representative to represent the Respondent CPCB in the present case, and as such, I am well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent to verify, sign and swear this affidavit on behalf of the Respondent CPCB.



*J. Chandra Babu*  
19/5/2024

**J. Chandra Babu  
REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE - BENGALURU  
(MIN. OF ENV, FOREST & CC, GOVT OF INDIA)  
BENGALURU - 560 079. MOB: 9868278903**

14. That, in view of the submissions made in the preceding paragraphs, and considering that the Hon'ble High Court is also hearing the related matter and has passed some directions and actions including the site visits and preliminary monitoring has already been completed, this Hon'ble Tribunal may direct appropriately on the further actions to be taken in the matter and to dispose the same.
15. That in the light of the above submissions, it is respectfully prayed that this Answering Respondent No.4 i.e., CPCB shall abide by any orders or directions passed by the Hon'ble Tribunal.

*J. Chandra Babu*  
13/8/2024  
**DEPONENT**

**COUNSEL FOR  
RESPONDENT No. 4**

**J. Chandra Babu**  
REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE - BENGALURU  
(MIN.OF ENV,FOREST & CC, GOVT OF INDIA)  
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REGIONAL DIRECTORATE BENGALURU CENTRAL POLLUTION CONTROL BOARD  
ENVIRONMENT, FORESTS & CLIMATE CHANGE  
GOVT OF INDIA  
MINISTRY OF CLEAN ENVIRONMENT  
BENGALURU-79  
560079

IN THE HIGH COURT OF KERALA AT ERNAKULAM  
PRESENT  
THE HONOURABLE THE CHIEF JUSTICE MR. A.J.DESAI  
&  
THE HONOURABLE MR.JUSTICE V.G.ARUN

Annexure -1

Monday, the 10<sup>th</sup> day of June 2024 / 20th Jyaishta, 1946  
WP(C) NO. 9534 OF 2020(S)

**PETITIONER:**

K.S.R.MENON, AGED 66 YEARS, S/O.LATE G.K.NAIR,  
RESIDING AT: A1 A7, PERIYAR HERMITAGE, COMPANIPADI,  
ALUVA, ERNAKULAM, PIN - 683 106, KERALA.

**RESPONDENTS:**

1. STATE OF KERALA, REPRESENTED BY CHIEF SECRETARY, THIRUVANANTHAPURAM, PIN - 695 001.
2. THE DISTRICT COLLECTOR, ERNAKULAM, HAVING OFFICE AT DISTRICT COLLECTORATE, FIRST FLOOR-CIVIL STATION, KAKKANAD, ERNAKULAM, PIN - 682 030.
3. KERALA STATE POLLUTION CONTROL BOARD, REP. BY IT'S CHAIRMAN, HEAD OFFICE, PATTOM P.O., THIRUVANANTHAPURAM, PIN - 695 004.
4. CHIEF ENVIRONMENTAL ENGINEER, KERALA STATE POLLUTION CONTROL BOARD, ERNAKULAM, HAVING OFFICE AT MIG AND HIG COLONY, GANDHI NAGAR, ELAMKULAM, ERNAKULAM, PIN - 682 020.
5. ALUVA MUNICIPALITY, REP. BY ITS SECRETARY, OFFICE AT PWD QUARTERS, PERIYAR NAGAR, ALUVA, ERNAKULAM, PIN - 683 101.  
**ADDITIONAL R6 IMPLEADED**
6. THE EXECUTIVE ENGINEER, IRRIGATION DIVISION, KAKKANAD P.O., ERNAKULAM, PIN - 682 030.  
ADDL.R6 IS SUO MOTU IMPLEADED AS PER ORDER DATED 10/06/2024 IN WP(C) 9534/2020.

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to direct the respondents 1 to 5 to submit a report before this honourable court as to the discharge of toxic effluents by the nearby industries of Periyar river and from Aluva Market after conducting an inspection and also explaining the measures taken by them to curb the pollution of Periyar river pending consideration of the above writ petition in the interests of justice.

This petition again coming on for orders upon perusing the petition and the affidavit filed in support of WP(C), this Court's order dated 24/05/2024 and upon hearing the arguments of M/S. MATHEW A KUZHALANADAN, KURIAKOSE VARGHESE, K.R.ARUN KRISHNAN, SUDEEP ARAVIND PANICKER & V.SHYAMOHAN, Advocates for the petitioner, GOVERNMENT PLEADER for R1 & R2 & R6, SRI.NAVEEN T, STANDING COUNSEL for R3 & R4 and of SRI.K.T.THOMAS, STANDING COUNSEL for R5, the court passed the following:

**A. J. DESAI, C. J. & V. G. ARUN, J.**

=====

**W. P. (C) Nos. 9534 of 2020, 996 of 2012 & 31236 of 2023**

=====

Dated this the 10<sup>th</sup> day of June, 2024

**ORDER**

A. J. Desai, C. J.

We have heard the learned counsel appearing for the respective parties. We have also gone through the report submitted by the learned Amicus Curiae and the counter affidavits filed by the parties to the proceedings.

2. Prima facie, we are of the opinion that the Committee constituted pursuant to the order passed by the National Green Tribunal way back in the year 2020 or the Central Pollution Control Board or the Kerala State Pollution Control Board have not taken appropriate steps to curb the pollution in and around Periyar river. The photographs produced by the learned Amicus Curiae along with the report speaks itself as to the extent to which the river is polluted by industrial effluents, which are hazardous to human beings as well the flora and fauna. Therefore, at this stage,

we pass the following order:-

(i) Let a Committee consisting of the Secretary, Directorate of Environment and Climate Change, Government of Kerala, the Regional Director, Central Pollution Control Board, Regional Directorate, Bangalore and the Chairman, Kerala State Pollution Control Board, be formed.

(ii) The Committee shall visit all the places already visited by Mr. Ananthakrishnan A. Kartha, learned Amicus Curiae.

(iii) The Committee shall ensure that the representatives of the petitioners as well as the learned Amicus Curiae accompany them during such visits.

(iv) The Committee shall file their report containing the suggestions and action to be taken to curb the pollution in the Periyar river.

The Executive Engineer, Irrigation Division, Kakkanad P.O., Ernakulam, is suo motu impleaded as additional 6<sup>th</sup> respondent in W. P. (C) No. 9534 of 2020.

Copy of the order shall be supplied to all concerned.

Post on 03.07.2024.

**Sd/-  
A. J. DESAI  
CHIEF JUSTICE**

**Sd/-  
V. G. ARUN  
JUDGE**

Eb



IN THE HIGH COURT OF KERALA AT ERNAKULAM  
PRESENT  
THE HONOURABLE THE CHIEF JUSTICE MR. A.J.DESAI  
&  
THE HONOURABLE MR.JUSTICE V.G.ARUN

Wednesday, the 3<sup>rd</sup> day of July 2024 / 12th Ashadha, 1946  
WP(C) NO. 9534 OF 2020(S)

**PETITIONER:**

K.S.R.MENON, AGED 66 YEARS, S/O.LATE G.K.NAIR,  
RESIDING AT: A1 A7, PERIYAR HERMITAGE, COMPANIPADI,  
ALUVA, ERNAKULAM, PIN - 683 106, KERALA.

**RESPONDENTS:**

1. STATE OF KERALA, REPRESENTED BY CHIEF SECRETARY, THIRUVANANTHAPURAM, PIN - 695 001.
2. THE DISTRICT COLLECTOR, ERNAKULAM, HAVING OFFICE AT DISTRICT COLLECTORATE, FIRST FLOOR-CIVIL STATION, KAKKANAD, ERNAKULAM, PIN - 682 030.
3. KERALA STATE POLLUTION CONTROL BOARD, REP. BY IT'S CHAIRMAN, HEAD OFFICE, PATTOM P.O., THIRUVANANTHAPURAM, PIN - 695 004.
4. CHIEF ENVIRONMENTAL ENGINEER, KERALA STATE POLLUTION CONTROL BOARD, ERNAKULAM, HAVING OFFICE AT MIG AND HIG COLONY, GANDHI NAGAR, ELAMKULAM, ERNAKULAM, PIN - 682 020.
5. ALUVA MUNICIPALITY, REP. BY ITS SECRETARY, OFFICE AT PWD QUARTERS, PERIYAR NAGAR, ALUVA, ERNAKULAM, PIN - 683 101.  
ADDITIONAL R6 IMPLEADED
6. THE EXECUTIVE ENGINEER, IRRIGATION DIVISION, KAKKANAD P.O., ERNAKULAM, PIN - 682 030.  
ADDL.R6 IS SUO MOTU IMPLEADED AS PER ORDER DATED 10/06/2024 IN WP(C) 9534/2020.

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to direct the respondents 1 to 5 to submit a report before this honourable court as to the discharge of toxic effluents by the nearby industries of Periyar river and from Aluva Market after conducting an inspection and also explaining the measures taken by them to curb the pollution of Periyar river pending consideration of the above writ petition in the interests of justice.

P.T.0

This petition again coming on for orders upon perusing the petition and the affidavit filed in support of WP(C), this Court's order dated 10/06/2024 and upon hearing the arguments of M/S. MATHEW A KUZHALANADAN, KURIAKOSE VARGHESE, K.R.ARUN KRISHNAN, SUDEEP ARAVIND PANICKER & V.SHYAMOHAN, Advocates for the petitioner, GOVERNMENT PLEADER for R1 & R2 & R6, SRI.NAVEEN T, STANDING COUNSEL for R3 & R4 and of SRI.K.T.THOMAS, STANDING COUNSEL for R5, the court passed the following:

P.T.0



**A. J. DESAI, C. J. & V. G. ARUN, J.**

=====

**W. P. (C) Nos. 9534 of 2020, 996 of 2012 & 31236 of 2023**

=====

Dated this the 3<sup>rd</sup> day of July, 2024

**ORDER**

V. G. Arun, J.

Having heard the learned counsel, we are of the opinion that the inspection being conducted by the Committee constituted as per the order dated 10.06.2024 should continue. The industries on the upstream portion of Periyar river should also be inspected.

2. In the meanwhile, the State Government should state as to whether a health survey of the residents in the affected area, as was done in the year 2008 can be conducted and an insurance scheme, as was done earlier, formulated and if not, why?

The Kerala State Pollution Control Board shall make available a list of industries in the area functioning on the strength of the NOC issued by the Board.

Post on 07.08.2024

**Sd/-**  
**A. J. DESAI**  
**CHIEF JUSTICE**

**Sd/-**  
**V. G. ARUN**  
**JUDGE**

Eb