

BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE CHENNAI

Original Application No.70 of 2024 (SZ)
[Earlier OA No. 760 of 2023 (PB) LP]

Applicant :Rahul V S and Others

Versus

Respondent :The Kerala State Pollution Control Board
&
Others

FINAL REPORT OF THE JOINT COMMITTEE IN THE MATTER OF ORIGINAL
APPLICATION NO.70 of 2024 & EARLIER OA NO. 760 OF 2023 (PB) LP



Standing counsel for the 1st respondent

Rema Smrithi.V.K.,Advocate
Additional Standing Counsel,
National Green Tribunal,(SZ),CHENNAI ..

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Dated this the 24th day of July 2024

**Rema Smrithi. V. K.,
Advocate Standing Counsel for the
1st Respondent**

**FINAL REPORT OF THE JOINT COMMITTEE IN ORIGINAL
APPLICATION No.70 OF 2024, SUBMITTED BEFORE THE HON'BLE
NATIONAL GREEN TRIBUNAL SOUTH ZONE BENCH, AS PER THE
ORDER DATED 22.01.2024**

In the original application No. 70 of 2024 Rahul V S Vs Kerala State pollution Control Board and Others, the National Green Tribunal (SZ) constituted a joint committee vide order dated 22.01.2024 comprising of Representative of the District Collector Ernakulam, Representative of Kerala State Pollution Control Board, Representative of Divisional Forrest Officer Ernakulam to undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and take appropriate remedial action.

Pursuant to the order, a Joint Committee was formed with the following officials from the respective departments as members of the committee.

1. Sri Biju S, Tahsildar, N. Paravur, Ernakulam
2. Sajeesh Joy, Environmental Engineer, Environmental Surveillance Center, Kerala State Pollution Control Board, Eloor, Ernakulam.
3. Shahnas K F, Range Forest Officer, Social Forestry Range, Ernakulam

It is respectfully submitted that the inspection was conducted by Joint Committee on 09.05.2024 at the alleged site to verify the factual position. The applicant Sri. Rahul V S was not present at the time of inspection of the joint committee. Sri. Suresh (other complainant) and representative of Shivagiri Mutt branch were present during the inspection.

The representative of Shivagiri Mutt informed that the eight trees located in the PWD road side close to the compound wall of Kalikulangara Temple, a property of Shivagiri Mutt causing damage to the compound wall and hence complaint was submitted to PWD in the said matter. The applicant raised their objection on cutting of trees as they were planted by villagers several years ago and these trees provide shade and beauty to that location. Joint Committee decided to conduct a hearing on 21.05.2024 by giving prior notice to applicants, representatives of Shivagiri Mutt, PWD and KSEB to discuss the various

concerns to be considered for suggesting appropriate remedial action. Intimation letter regarding hearing was issued to the concerned parties on 20.05.2024.

It is respectfully submitted that the hearing was conducted by Joint Committee at the chamber of the Tahsildar , N paravur taluk on 21.05.2024 on 11 AM with Environmental Engineer KSPCB presiding. Representative of KSPCB, Representative of Divisional Forrest Officer Ernakulam, Representative of the District Collector Ernakulam and representative of the concerned project proponent were present in the meeting. Attendance sheet is enclosed herewith and marked as **Annexure 1**.

Swami Annapekshananda stated that the trees mentioned in the Original application do not yield any edible fruits and possess a significantly lower oxygen generation capacity compared to other trees. These trees have already caused damage to the compound wall of a temple which he represents. The act of felling of branches these trees poses a risk to pedestrians along the road. Additionally, the third respondent in the NGT case, named Suresh, who owns a nearby shop, has been observed dumping waste on the sides of these trees. Trees may pose a threat to the electrical lines in the future. As a proposed resolution to this issue, the temple representatives are willing to undertake the planting of an equivalent number of trees in the event that the trees mentioned in the Original application are permitted to be cut down. He also mentioned that the first respondent, who filed the case, is not present and shows no interest in pursuing the matter, suggesting a lack of involvement in the case. T.K. Udayabhanu, who is representing the temple, shares the same view on this matter as Swami Annapekshananda.

Sureshkumar C.G stated that these trees were planted by the local people around 7 years ago, apart from the big tree, and they provide moral support against cutting them down. He urges protecting these trees by establishing platform around the foot of the trees and making it beneficial for the environment. The representative from the PWD was absent. The Assistant Engineer from KSEB informed that they would provide a report after inspecting the site. The committee members decided that the final decision on this matter would be made after receiving the report from KSEB. The report submitted by KSEB enclosed herewith and marked as **Annexure 2**.

To make final decision on this matter Joint Committee conducted a video conference on 19.07.2024.at 11.30 AM with Senior Environmental Engineer KSPCB presiding. Sri Shiju M.A Senior Environmental Engineer, Representative of the KSPCB, Sri. Geo Basil Paul Range Forest Officer,

representative of the Divisional Forest Officer Ernakulam, and Sri. Tomy Sebastian K Tahsildar N. Paravur, representative of the District Collector Ernakulam, were present at the meeting.

The committee discussed the hearing notes of the concerned proponent during the meeting. There were 8 trees located on the PWD roadside close to the compound wall of Kalikulangara Temple. The committee noted that among these trees, only one tree is large and causing damage to the compound wall, but all other trees are small and do not pose any other danger. The large banyan tree may be protected by constructing a platform around the foot of the banyan tree. According to the KSEB report, all of these trees are located at a safe distance from the electric lines, and KSEB frequently prunes branches of trees that pose a threat to the electric lines. Since there are no issues with these trees, the joint committee unanimously decided that the trees should not be cut. Copy of minutes of the Joint committee meeting is enclosed herewith and marked as **Annexure-3**

Dated this the 24th day of July 2024

For and on behalf of the Joint committee



A handwritten signature in green ink, appearing to read "envoem".

Senior Environmental Engineer

Kerala State Pollution Control Board

SENIOR ENVIRONMENTAL ENGINEER
KERALA STATE POLLUTION CONTROL BOARD
ENVIRONMENTAL SURVEILLANCE CENTRE
ELOOR, UDYOGAMANDAL - 683 501

ATTENDANCE

Sub:- Hearing conducted by Joint Committee in the matter of O.A.No.70/2024(SZ) filed by Sri Rahul V.S., before Hon'ble NGT- reg.

Date of Hearing : 21.05.2024.

Time : 11a.m.

Sl.No	Name	Designation	Phone Number	Sign
1.	sabu. A C.	AE/KSEB Ezhickara	944702 1428	
2.	Suresh. cu. 	chirakkal	9847929796	
3.	3. ഐ. ഉദയൻ	ഉദ്യോഗസ്ഥൻ സംസ്ഥാനം നിയമനം മിഷൻ ഉദ്യോഗസ്ഥൻ	9495603040	
4.	എസ്. അനന്തൻ കുമാർ	അസിസ്റ്റന്റ് മെമ്പർ അംഗങ്ങൾ	9446705915	
5.	അനന്തൻ കുമാർ. പി.എസ്	വിഭാഗം അംഗങ്ങൾ ചന്ദ്രൻ	8547614102	
6.	ബി. ജി. ഷാമി	അസിസ്റ്റന്റ് ചന്ദ്രൻ	9447069371	
7.	എസ്. അനന്തൻ കുമാർ	RFO Social Forestry Eunakulam.	8547603736	
8.	Sajeesh Jay	ER KSPCB Erc, Eloor	94479 75700	
9.	Arjun Chandran K	AE KSPCB ESC, Eloor	9072921392	



കേരളത്തിന്റെ ഉത്തരവ്



"ഭരണ ഭാഷ - മാതൃഭാഷ"

കേരള സ്റ്റേറ്റ് ഇലക്ട്രിസിറ്റി ബോർഡ് ലിമിറ്റഡ്

(1956 ലെ ഇന്ത്യൻ കമ്പനിസ് ആക്റ്റ് പ്രകാരം രൂപീകൃതം)

രജിസ്ട്രേഷൻ നമ്പർ: വൈദ്യുതി ഭവനം പട്ടം, തിരുവനന്തപുരം - 695001

വെബ്സൈറ്റ് : www.kseb.in CIN: U40100KL2011 SGCO27424

അസിസ്റ്റന്റ് എഞ്ചിനീയറുടെ കാര്യാലയം
ഇലക്ട്രിക്കൽ സെക്ഷൻ ഏഴിക്കര - 683513

Phone 04842449422, mobile 9496009015 Email: aeezhikkara@kseb.in

No.DB/2/Gen / 2024-25/ 21/

തീയതി 21-02-2024

സൂചകത്താൻ,

എൻറിയോൺമെന്റ് എൻജിനീയർ

എൻറിയോൺമെന്റ് സർവൈലൻസ് സെൻറർ ഏലൂർ

വിഷയം :- ശ്രീ രാഹുൽ വിഎസ് ബഹുമാനപ്പെട്ട NGT മൂന്നാകെ ഫയൽ ചെയ്യുന്നതിന്
70/2024 (SZ) - ജോയിന്റ് കമ്മിറ്റി റിപ്പോർട്ട് സംബന്ധിച്ച്

സൂചന :- ബഹുമാനപ്പെട്ട ദേശീയ ഹരിത ട്രൈബ്യൂണൽ NGT Principal Bench
മൂന്നാകെ ശ്രീരാഹുൽ വി എസ് ഫയൽ ചെയ്യുന്നതിന് 760/2023
അപേക്ഷയിന്മേൽ 21-01-2024 തീയതിയിലെ ദേശീയ ഹരിത
ട്രൈബ്യൂണലിന്റെ ഉത്തരവ്

അമ്മേപറമ്പ് ക്ഷേമോദയം റോഡിലൂടെ പോകുന്നതും കെഎസ്ഇബി മന്നം സബ്സ്റ്റേഷനിൽ നിന്ന് വരുന്നതും കെ.എസ്. ഇ ബി ഏഴിക്കര സെക്ഷൻ പരിധിയിൽ ഉള്ളതുമായ 11 കെ വി മൂന്നാം ഫീഡർ HT ലെൻ കടന്നു പോകുന്നത് സൂചനയിൽ പ്രതിപാതിക്കുന്ന പ്രദേശത്തു കൂടിയാണ്. കൂടാതെ മേൽ പ്രദേശത്തെ വൈദ്യുതി വിതരണം നടത്തുന്ന കാളികളങ്ങര ഡിസ്ട്രിബ്യൂഷൻ ട്രാൻസ്ഫോമറിൽ നിന്നുള്ള LT ശ്രീ ഫേസ് 415 റോഡ് ലെൻ കടന്നുപോകുന്നത് ഈ വഴിയിലൂടെ തന്നെയാണ്. ഈ HT ലെൻ LT ലെനുകളും ഒരേ പോസ്റ്റിലൂടെ കടന്നുപോകുന്നു. റോഡിന് സമീപം നിൽക്കുന്ന സൂചനയിൽ പരാമർശിക്കുന്ന മരങ്ങൾ HT/ LT വൈദ്യുതി ലെനുകളിൽ നിന്നും പാലിക്കേണ്ട നിയമാനുസൃത സമാന്തര അകലം Central Electricity Authority(Measures relating to Safety and Electric Supply) Regulations, 2023, Reg. 62, 63, 66 എന്നിവ പ്രകാരം 1.2 മീറ്റർ ആണ്. നിലവിൽ ഈ അകലം പാലിക്കുന്നുണ്ട്. വൈദ്യുതി ലെനിന് അടുത്തേയ്ക്ക് വളർന്നു വരുന്ന വൃക്ഷ ശാഖകൾ മാത്രം കൃത്യമായ ഇടവേളകളിൽ ആവശ്യമായ നിയമാനുസൃത അകലത്തിൽ വച്ച് വെട്ടി ഒതുക്കാറുണ്ട്.

സൂചനയിൽ പറയുന്ന മരങ്ങൾ HT/LT ലെനുകളുമായി നിലവിൽ സുരക്ഷിത അകലത്തിലാണ് എന്ന് അറിയിക്കുന്നു.



വിശ്വസ്തയോടെ

അസിസ്റ്റന്റ് എഞ്ചിനീയർ
ഇലക്ട്രിക്കൽ സെക്ഷൻ ഏഴിക്കര

പകർപ്പ് സമർപ്പിക്കുന്നത് :- അസിസ്റ്റന്റ് എക്സിക്യൂട്ടീവ് എഞ്ചിനീയർ ഇലക്ട്രിക്കൽ സബ് ഡിവിഷൻ വരാപ്പുഴ

ENGLISH TRANSLATION OF ANNEXURE (2) –LETTER FROM KSEB

No.DB/2/Gen/2024-25/21/

Dated 21-02-2024

To

Environmental Engineer,
Surveillance Centre Eloor

Sub :- OA No. 70/2024 (SZ) filed by Sri. Rahul V S in connection with Joint Committee Hearing before the Hon'ble NGT-reg.

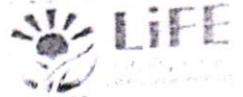
Ref :- Order of National Green Tribunal dated 21-01-2024 on Petition No. 760/2023 filed by Shri Rahul VS before the Hon'ble National Green Tribunal NGT Principal Bench

The 11 KV Munambam feeder HT line, originating from KSEB Mannam Substation and managed by KSEB Ezhikkara section, traverses Ammeparamb Kshemodayam Road, passing through area specified in the reference. Additionally, the LT three-phase, 415 volt line from the Kalikulangara distribution transformer, supplying electricity to the same area, follows this route. Both the HT and LT lines share the same post. According to Regulations 62, 63, and 66 of The Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations 2023, trees alongside the indicated road must maintain a clearance of 1.2 meters from the HT/LT lines. This clearance requirement is currently upheld, and tree branches near the power lines are regularly pruned to comply with legal standards.

Note that the indicated trees are currently at a safe distance from the HT/LT lines.

Yours sincerely

Assistant Engineer
Electrical Section Ezhikkara.....



കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

എൻവയൺമെന്റൽ സർവൈലൻസ് സെന്റർ

ഫാക്ക് ഓഫീസ് നമ്പർ 5 5, പുഴയ്ക്കരമ്പാടം റി. ഓ. എറണാകുളം ടൗൺ

Minutes of the Online meeting conducted by joint committee in the matter of O.A.No.70/2024(SZ) filed by Sri Rahul V.S before Hon'ble NGT on 19/07/2024

Meeting commenced at 11.30 AM with Senior Environmental Engineer, KSPCB presiding. The members of the Joint Committee, constituted as per the order dated 22.01.2024 of O.A. No 70/2024 (SZ), consisting of a representative of the Kerala State Pollution Control Board, a representative of the Divisional Forest Officer Ernakulam, and a representative of the District Collector Ernakulam, were present at the meeting. The details of the members present at the meeting are as follows.

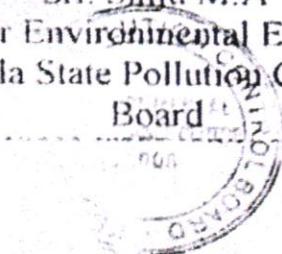
1. Sri. Shiju M.A
Senior Environmental Engineer
Kerala State Pollution Control Board
2. Sri. Geo Basil Paul
Range Forest Officer
Social forestry Ernakulam
3. Sri. Tomy Sebastian K
Tahsildar N.Paravur (In charge)

The meeting was conducted to make a final decision on this matter. The committee discussed the hearing notes of the concerned proponent during the meeting. There were eight trees located on the PWD roadside close to the compound wall of the Shivagiri Mutt property (Kalikulangara Temple). The committee noted that among these trees, only one tree was large and causing damage to the compound wall, but all other trees are small and do not pose any other danger. According to the KSEB report, all of these trees are located at a safe distance from the electric lines, and KSEB prunes branches of trees that pose a threat to the electric lines if necessary. Since there are no issues with these trees, the joint committee unanimously decided that the trees should not be cut.

The meeting ended at 12.00 noon.

Sri. Shiju M.A
Senior Environmental Engineer
Kerala State Pollution Control Board

Board



Sri. Geo Basil Paul
Range Forest Officer
Social forestry
Ernakulam

Sri. Tomy Sebastian K
Tahsildar N.Paravur
(In charge)