

BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL

BENCH, NEW DELHI

M.A.NO. 58 OF 2024

IN

ORIGINAL APPLICATION NO.147 OF 2022

IN THE MATTER OF:

Krishna Das K V ... PETITIONER

VERSUS

STATE OF KERALA ... RESPONDENT

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DATE: 22/01/2025

MR. NISHE RAJEN SHONKER

Advocate for the Respondent

STATE OF KERALA

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BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

M.A No. 58/2024

In

Original Application No. 147/2022

Between:

Krishna Das K V

... Applicant

Vs

State of Kerala

....Respondents

Reply Affidavit

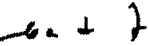
I, Seeram Sambasiva Rao IAS, Principal Director, Local Self Government Department, Government of Kerala do hereby solemnly affirm and state:

1. That I am in the above-mentioned application and as such am conversant with the facts and circumstances of the case and am competent to swear to this affidavit.
2. It is humbly submitted that the main grievance in the original Application (OA No. 147 of 2022) is regarding the failure on the part of the 1st Respondent to take remedial action for protecting Ashtamudi Wetland, a Ramsar site in the District of Kollam in Kerala. The main concerns raised are as to how the Wetland has over the years become heavily polluted due to the dumping of pharmaceutical waste, plastic waste, domestic waste, slaughter-house waste and other types of waste. Mention had also been made of the polluted state of the Kollam canal, a feeder canal of the National Water Highway which flows into the Ashtamudi wetland.
3. It is humbly submitted that the matter which was heard in detail by this

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Hon'ble Tribunal over the course of four hearings was disposed off on 22.03.2023 with instructions regarding further steps to be taken. The main steps prescribed by this Hon'ble Tribunal was to the State to pay compensation of Rs. 10 Crores on Polluter Pays principle to be deposited in a ring-fenced account to be operated under the Authority of the Chief Secretary, Kerala. It was mandated that the amount of Rs. 10 Crores should be utilized for conservation/ restoration measures by preparing an action plan to be executed preferably within six months.

- 4 It is humbly submitted that over the course of the hearing of OA 147/2022, multiple reports had been filed by the various Authorities and agencies, all of which have been taken on record by this Hon'ble Tribunal. The latest in said reports has been one filed by the Secretary, Environment dated 29.01.2024 following which the Hon'ble Tribunal was inclined to register a Miscellaneous Application No. 58/2024 which is currently before this Hon'ble Tribunal.
- 5 It is humbly submitted that in the course of hearing the Miscellaneous Application, this Hon'ble Tribunal had opined that steps that have been taken by the State are inadequate for the purpose of ensuring better results in Ashtamudi wetland. Another report filed by the CPCB in the subsequent hearing has also been quoted by this Hon'ble Tribunal to point out that the water quality found at four locations in Ashtamudi Lake in 2023 was not complying with primary water quality criteria for bathing notified under the Environment (Protection) Act, 1986. The following affidavit is being tendered with **comprehensive details on projects and actions which are being undertaken on a priority basis** to exhibit before this Hon'ble Tribunal how earnest efforts have been taken over the 2023-24 time period to plan activities which will lead to a substantial improvement in the situation of the Ashtamudi Wetland over the course of the next two to three years.
- 6 It is humbly submitted before this Hon'ble Tribunal against this context, that since March 2023, the Local Self-Governments in Kerala under the close monitoring by the Local Self-Government Department of Kerala has been taking up various activities in connection with the "Malinya Muktham Nava Keralam" campaign to make the State Waste Free. A wholistic approach has been adopted in this Campaign to ensure maximum impact. A three-pronged approach has been adopted for this:


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the main focus areas being the cleaning up of existing waste followed by the setting up of necessary infrastructure after conducting gap assessments, intense IEC activities among the general public to generate awareness and enforcement actions to deter violators of waste management laws. Besides these efforts at the state level, a People-led Campaign called "Jeevanaanu Ashtamudi, Jeevikkanam Ashtamudi" has been taken up in the Local Self-Governments lying in the catchment area of the Ashtamudi Wetland to protect the Wetland.

7. It is humbly submitted that there are various steps that have been taken as part of this Campaign to resolve the waste management issue in the local self-governments especially in the main urban area of the Kollam Corporation situated in the catchment of the Wetland. It is submitted that the primary source of pollution into the Lake has been coming from the Kollam Corporation where steps are now being undertaken for preventing pollution from entering the Wetland directly as well as through feeder canals of the Wetland including the Kollam Thodu and the Manichi Thodu.

OVERVIEW OF ACTIONS TAKEN

8. It is submitted that an **overview of the type of activities** that have been given have been explained here followed by elaborate details including funding details of the projects that have been undertaken to implement these activities. The various activities that have been undertaken by the Kollam Corporation over the course of the 2023-24 period are:
- Engaging of 316 Haritha Karma Sena workers for the door to door collection and segregation of non-biodegradable waste.
 - Removal of waste from areas from Kollam Link Road to Thoppil Kadavu, Thevally, Kureepuzha, Kavanad and Sakthikulangara.
 - Draining of silt and other debris and removal of garbage from the lake.
 - Chain link fencing, safety boards and other necessary works at the required places so as to prevent miscreants from dumping waste.
 - Floating gardens, musical fountains and other beauty activities have been set up around the lake.

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- i. Enforcement actions for deterring miscreants from dumping waste in the Ashtamudi Lake.
- g. Ensuring the biodiversity of the lake by planting different types of mangroves in different parts of the lake.
- h. Installation of cast-iron benches for seating
- i. Installation of solar lights and CCTV cameras
- j. Installation of waste bins to prevent dumping of garbage into the backwaters and other aesthetic works.
- k. Deputation of employees under the Health Department of Kollam Municipal Corporation for the proper operation and maintenance of the renovated ghats.
- l. Deputation of employees on the Thoppilkadav for cleaning purpose as it is a contributor of Ashtamudi Lake pollution.

PROJECT-WISE DETAILS

- g. It is submitted that the following are the project-wise details of the actions that have been enumerated above:

Project No	Project Name	Total Cost	Current Status
938/25	Kollam Corporation - Urban Agglomeration- Water conservation - Jeevananu Ashtamudi Jeevikanam Ashtamudi - Cleaning of Ashtamudi Lake	20,000,000	The project is nearing completion.
981/25	Kollam Corporation - Urban Agglomeration- Cleaning of Ashtamudi Lake included in Ramzar site - Biodiversity Conservation -	22,500,000	The project is nearing completion.

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Dredging			
662/24	Kollam Corporation - Urban Agglomeration - Manichithode Renovation	10,000,000	Project Implementation Ongoing
	Ashtamudi Lake Conservation - Kollam Thod Renovation	750,000	Project Implementation Ongoing

10. It is submitted that an analysis was done vide GIS survey to identify houses letting untreated sewage/septage into the lake, in order to take strict action against them. Here, 230 houses and 40 institutions were identified as letting untreated sewage into the Ashtamudi lake. Notices were served upon them and steps taken to make them compliant.
11. In order to deal with the issue of untreated sewage being let out by these houses, projects have also been taken up to set up bio-digester projects:

Project No	Project Name	Total Cost	Current Status
823/23	Replacement of leach pit of individual toilets and installation of septic tank biodigester	50,00,000	At present, the pipes of 100 houses where a toilet outlet was installed directly into the backwaters on the Ashtamudi coast have been cut and a biodigester has been installed in its place.
481/25	Biodigester toilets to be provided to BPL households near Ashtamudi Lake	85,00,000	Beneficiary List is under Preparation Since the Pulikkada slum on the banks of

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788/25 Construction of
Community toilet in 10,00,000
Pullikada Colony

Manichithodu is railway poramboke land, the situation is not conducive to provide community toilets and septic tanks. The Corporation is taking up the construction of a community toilet at Pallikkada slum in connection with the Railway authorities.

STP - FSTP (Co Treatment) along with a standalone FSTP project aimed for the comprehensive Liquid Waste treatment in Kollam Corporation is under construction in Kureepuzha near Ashtamudi Lake.

As regards the STP, Project is near 92. Crore completion. As regards the FSTP, it has been tendered

(Plant Capacity : STP of 12 MLD and FSTP of 50 KLD for Co -treatment; Stand Alone FSTP Capacity : 50 KLD)

2MLD STP
Construction

1493/25 Kollam Corporation -
Waste Management - 4,00,00,000

(Design, Construction and Maintenance)

Saravathi

SEERAM S
Principal Engineer
Kollam Self Government Department
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STP Construction

STP near Link Road
Asramam project
launched in phase.

- 12 It is submitted that there are some other projects in different stages of implementation such as:
- a. Bio CNG Plant in association with BPCL on 7-acre land reclaimed in Kureepuzha through biomining.
 - b. A DBOT Model Semi-Automatic Resource Recovery Facility in Kureepuzha.
 - c. Sanitary Incinerator Plant of 1 TPD Capacity to be set up by Floret Technologies.
 - d. A Windrow compost project in Thangassery.
 - e. Handing over of Operations and Maintenance of existing Bio Waste Management Facilities to Private Agencies for efficient management.
 - f. Purchase of CREDAI model Bio Compost Bins – 15 Units (30 Bins) for bio waste management at the community level.
 - g. Dry leaf collection Bin- 15 units
 - h. Container MCF – 10 Units
 - i. Bottle Booths- 15 Units.

COMPLETED PROJECTS

- 13 The following activities and projects have already been completed due to which there has been a substantial improvement in the water quality of the Lake:
- a. 48 ghats in the Ashtamudi backwaters have been cleaned and 32 ghats have been renovated. These 32 have also had cameras installed on them.

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- b 500 tonnes of garbage and 60 loads of plastic have been removed.
- c The following projects have also been completed:

Project No	Project Name	Total cost	Current Status
140/2023-24	Bio Compost Bin for Bio waste management in households near Ashtamudi Lake	6136000	23600 Biocompost bins were distributed
147/2023-24	Biogas for Bio waste management in households near Ashtamudi Lake	14700000	1400 biogas plants were distributed
592/2023-24	Removal of Legacy waste from areas near Ashtamudi Lake	5000000	2244 Tons of Legacy waste was handedover to Clean Kerala Company
820/2023-24	Ring Compost for biowaste management in households near Ashtamudi Lake	6684590	3200 Ring Composts were distributed.
821, 827, 1835	Individual Household Latrine (IHHL) Construction		Financial assistance was given for the construction of IHHL for 500 households
676	Installation of Napkin Destroyer in Public Places and Schools	5000000	Project Completed
1148	Installation of Sanitary	9586000	Project implementation was


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	waste Incinerator		assigned to accredited agency
1243	Purchase of Mini Excavator for the removal of silt and waste from Ashtamudi Lake and surroundings	2400000	Project Completed

ENFORCEMENT ACTIONS

14. It is humbly submitted that enforcement actions have also been undertaken to punish offenders dumping both solid and liquid waste. Fine upto a total of Rs. 4 Lakhs have already been imposed and collected from offenders. 9 automobiles which have been regularly dumping septage waste into the Lake have also been identified and penalized.
15. It is submitted that the following Surveillance Camera Projects have also been set up to step-up enforcement action:

Project No	Project Name	Total Cost	Current Status
518/25	Installation of camera and green fencing in various water bodies, Thevally, Kaluppalam, Thadi Palam, Pallithottam, Kochupilammoodu Bridge and Iron Bridge	3,000,000	Tendered
677/25	Installation of CCTVs to prevent dumping of garbage in public places.	2,500,000	Tendered

16. It is submitted that the people of Kollam Corporation and the authorities are very committed to the cause of protecting the Ashtamudi lake at all costs and it is testimony to this that so many projects have

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been taken up over the course of the last year to protect the lake. It is beyond doubt that once these projects are fully implemented, the status of the lake will substantially increase, which will bring the lake back to its former glory and its esteemed position as a very important Ramsar site in the world.

17. It is submitted that meanwhile the Local Self-Government Department is also closely monitoring the actions that are being undertaken by the Kollam Corporation on the ground through weekly online review meetings and physical verifications by senior officers from the Department as well.

What is stated above is true to the best of my knowledge, information, and belief.

Dated this the 26th day of December 2024



Sambasiva Rao

DEPONENT

SEERAM SAMBASIVA RAO IAS

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Solemnly affirmed and signed by the deponent whom I know personally, on this the 26th day of December 2024.

Principal Secretary,
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After cleaning:



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ANNEXURE

Before cleaning



Cleaning activities being undertaken:



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