

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH**

Application No.184/2022

Petitioner : M.N. Jayachandran

Respondents : State of Kerala

**Report on OA 184/2022 filed by the Environmental Engineer,
KSPCB,Idukki on the behalf of the Kerala State Pollution Control
Board before the Hon'ble National Green Tribunal as per the order
dated 05/09/2022**

Adv. Jojy Scaria
Standing Counsel
NGT Principal Bench



B ID

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Dated this the 16th day of November, 2022.

Adv. Jojoy Scaria
Standing Counsel
NGT Principal Bench



A handwritten signature in blue ink, appearing to be "Jojoy Scaria".

**BEFORE THE HONORABLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH**

Original Application No. 184/2022

M.N. Jayachandran : **Applicant**

Vs

State of Kerala : **Respondent**

**Report on OA 184/2022 filed by the Environmental Engineer, KSPCB, Idukki
on the behalf of the Kerala State Pollution Control Board before the Hon'ble
National Green Tribunal as per the order dated 05/09/2022**

I, Eby Varghese, aged 51 years, S/o. T.V. Varghese, working as Environmental Engineer, Kerala State Pollution Control Board, District Office, Idukki do solemnly affirm and state as follows:

The O.A had been filed by Sri. M.N Jayachandran seeking the intervention of the Hon'ble National Green Tribunal in the matter of encroachment made by Mr. Biji P Mathew in Periyar Wildlife Sanctuary and regarding various tourism activities including elephant ride, Musical water fountain using 10,000 Watts speaker system, Martial arts Centre, Kathakali Centre, a magic academy and 6D cinema theatre run by him thereby causing air, noise and water pollution. Based on the grievances made by Mr. M.N Jayachandran, the Hon'ble National Green Tribunal (NGT) Principal Bench had registered O.A No. 184/2022 and constituted the following five members Joint Committee to furnish a factual and action taken report after undertaking site visit.

1. District Magistrate, Idukki
2. Deputy Director, Periyar Wildlife Sanctuary
3. Representatives of State Wetland Authority
4. Principal Chief Conservator of Forests, GoK
5. Representatives of Kerala State Pollution Control Board



B ID

As per the order of Hon'ble National Green Tribunal (NGT) dated 19/04/2022 in O.A 184/2022, inspection was conducted by the Joint Committee on 18.06.2022 and Joint Committee report was submitted on 06/08/2022. Findings of the Kerala State Pollution Control Board during the Joint Committee inspection are as follows;

- a. A cattle farm having 8 numbers of cattle functioning without the consent of the Board and discharge of wash water from the shed was noticed.
- b. Solid waste left out after feeding elephant is disposed through a conventional incinerator having no air pollution control measures and without the permission of the Board.

In order to rectify the defects noticed during the inspection, direction had been issued on 30/06/2022 for stopping the incinerator. Show cause notice dated 30/06/2022 had been issued for functioning the cattle shed without the consent of the Board and discharging waste water noticed during inspection.

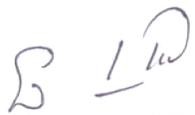
Based on the order of the Hon'ble National Green Tribunal (NGT) dated 05/09/2022, another inspection was conducted by the Board officials on 21/10/2022 to verify the compliance of the directions issued by the Board. During the inspection, it was found that the conventional incinerator was dismantled. Discharge to the stream near by the cattle farm has been stopped. The biogas plant was also functioning at the time of inspection. No discharge of the waste water was found during inspection.

It was reported vide the letter dated 15/07/2022 from the owner that the number of cattle was reduced to 5. As per the circular no. PCB/T4/115/1997(2) dated 31.08.2016 of the Board, only units have 6 or more animals come under the consent purview. This was also verified during the inspection on 21/10/2022. Hence the direction of the Board is found to be complied. It is most respectfully submitted that the elephant riding activity is not coming under the purview of the Board.

All that stated above are true to the best of my knowledge, Information and belief.

Dated this the 16th day of November 2022.




The Environmental Engineer,
Kerala State Pollution Control Board.
District Office, Idukki.



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