

**BEFORE THE NATIONAL GREEN TRIBUNAL (SOUTHERN ZONE)
CHENNAI**

O.A.No. 151 OF 2020

Akhila Kerala Dheevera Sabha

.....Applicant

Vs

State of Kerala,
Rep by Chief Secretary,
Thiruvananthapuram and 15 Others

.....Respondents

**REPORT FILED BY THE INSPECTOR OF POLICE,
AMBALAPUZHA, ON BEHALF OF THE 7TH RESPONDENT**

1. It is submitted that the Inspector of Police, Ambalapuzha, submits that Thottapally Spillway is Kuttanad's drain way out to the Arabian Sea. The Thottapally Spillway splits the Thottapally take with the fresh water part to the east and saline Thetappally spillway is constructed to spill excess water coming over the Upper Kuttinad and Lower Kuttinad regions through Manimala River, Achancovil River and Pamba River. It is designed such that it could spill off 19,500 cubic meters of water per second. It has a major role in controlling the flood and salinity of Kuttanad. But now the Thottapally spillway in Alappuzha District is became the barrier to the free flow of water due to the accumulation of sand in its mouth of spillway that resulted over flooding at Kuttanad during the monsoon seasons. Accordingly to the recommendation from the reputed institute, water resource department of Kerala. It has decided to clear the sand bar from the mouth of Spillway and depending and widening of leading channel, which is the channel created manually for bringing the excess water to the spillway. It is de-risking the flood problems in Kuttanad.

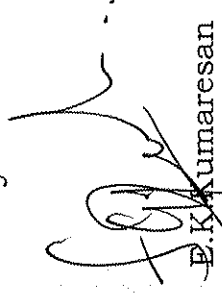
..2..

2. In this aspect, the various project in connection with transportation of mineral sand from Thottapally spillway and Harbour are being carried out with proper government order. At the beginning of this project, the local people from that area and some political parties are being illegally entered as barrier to carry out the work. The detailed report is annexed herewith.

3. It is therefore prayed that this Hon'ble Court may be pleased to consider the Reply Statement filed on behalf of the 7th Respondent and pass suitable order and thus render justice.

4. To that effect memo is and the same may be recorded.

Dated at Chennai on this the 14th day of June 2021



P. K. Kumaresan
Standing counsel for Kerala (SZ)
Counsel for Respondents 1 to 4

**BEFORE THE HONOURABLE HIGH COURT OF KERALA,
ERNAKULAM**

No.OA 151/2020

Akhila Kerala Dheevara Sabha	:	Petitioner
State of Kerala, represented by Inspector of Police , Ambalappuzha	:	Respondents

**REPORT SUBMITTED BY THE INSPECTOR OF POLICE,
AMBALAPPUZHA AS DIRECTED BY THIS HONOURABLE COURT**

The above OA was filed by Akhila Kerala Dheevara Sabha before the National Green Tribunal against mining and dredging of beach sand in the coast line of Thottappally and its near area by the IREFL

Thottappally Spillway is Kuttanad's drain-way out to the Arabian Sea. The Thottappally Spillway splits the Thottappally lake with the fresh water part to the east and saline Thottappally river mouth to the west merging with the Arabian Sea. Thottappally spillway is constructed to spill excess water coming over the Upper Kuttanad and Lower Kuttanad regions through Manimala River, Achancovil River and Pamba River. It is designed such that it could spill off 19,500 cubic meters of water per second. It has a major role in controlling the flood and salinity of Kuttanad. But now the Thottappally Spillway in Alappuzha District is became the barrier to the free flow of water due to the accumulation of sand in its mouth of spillway that resulted over flooding at Kuttanad during the monsoon seasons. According to the recommendations from the reputed institute, Water Resource Department of Kerala, it has decided to clear the sand bar from the mouth of Spillway and deepening and widening of leading channel , which is the channel created manually for bringing the excess water to the spillway, it is de-risking the flood problems in Kuttanad. The Govent of Kerala, had endorsed KMML and

IREL to carry out the above work as per proper Government Order on 06.07.2019. Subsequently The Laxyo Energy limited, Indore had taken over to execute the listed work -ie- work of supply, installation, erection and commissioning of Spiral Plant, desilting, processing of desilted sand in the spiral plant and Maintaining the spiral plant and transportation of upgraded mineral sand from Thottappally Spillway to IREL (India) Ltd and KMML Chavara after came in to proper agreement with IREL and KMML on 28.09.2019. As per the Work Order, de-silting operations should have commenced with effect from 31.10.2019. The work could not be commenced.

The company commenced desilting operation from 31.05.2020 and continued up to 27.07.2020.

The petitioner had conducted many protest against the operations of dredging and de silting of beach sand done by the IREL and KMML at Thottappally Harbour and its near by area. They were raised various issues during the time of protest and tried to take over the law and order situation. Most of the time Police forced to deploy more Police persons to keep the law and order situation in the normal way.

During the operation time of dredging and its other processes, various political parties and petitioners were engaged in the protest and 47 cases were registered against their unlawful movements as part of their protest.

On 17.09.2020, the said company lodged a petition to this station stating the above incident and requested for the police aid to continue their work. They were also mentioned that, some local people with the support of local political party may be engaged in the protest either in the way to the transportation or in the place of processing unit. They were also raised another issue for giving the protection to their staffs are being engaged in various work at Thottappally.

In this aspect, I came to the conclusion that, the various project in connection with transportation of mineral sand from Thottappally spillway and Harbour are being carried out with proper government order. At the beginning of this project, the local people from that area and some political parties are being illegally entered as barrier to carry out the work. Whenever any work was done only with the presence of sufficient Police party. The Police had taken the strict legal action according to the situation demanded. In this point of view, the police

force are bound to do the strict enforcement of any direction as ordered by the Honorable Appellate Court of the State

It is respectfully submitting that your good office may apprise of the fact and may take appropriate decision to oppose the procedure of set aside the Hon'ble Court.

Dated 21th March 2021



Inspector SHO
Ambalappuzha

**BEFORE THE NATIONAL
GREEN TRIBUNAL**

(SOUTHERN ZONE) CHENNAI

O.A.No. 151 OF 2020

Akhila Kerala Dheevara Sabha
.....Applicant
Vs

State of Kerala,
Rep by Chief Secretary,
Thiruvananthapuram and
15 Others ...Respondents

REPORT FILED BY THE
INSPECTOR OF POLICE,
AMBALAPUZHA, ON
BEHALF OF THE 7TH
RESPONDENT

M/s. E.K.Kumaresan
Standing counsel for Kerala (SZ)
Counsel for Respondents 1 to 4,