

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

**Application No. 308 of 2013 (SZ) (THC)
(W.P. No. 27528 of 2012, High Court of Kerala)**

Applicant(s)

Alavikutty , S/o. Yahutty,
Erinjikattu House,
Alinchuvady Street Post,
Thirur, Malappuram District . 676 101

Respondents(s)

- 1) The State Of Kerala rep. by the Secretary to Government, Department of Environment, Secretariat, Thiruvananthapuram 695 001
- 2) The District Collector, Malappuram District . 676 505
- 3) The Secretary, Kerala Pollution Control Board, Thiruvananthapuram 695 001
- 4) The Agricultural Officer, Agricultural Department Malappuram . 676 101
- 5) The Revenue Divisional Officer, Thirur, Malappuram District. 676 101
- 6) The Secretary, Tirur Municipality, Malappuram District. 676 101
- 7) The Secretary, Vettam Grama Panchayath, Malappuram District. 676 102
- 8) The Secretary, Thalakkad Grama Panchayath Malappuram District. 676 103
- 9) The Secretary, Cheriya munda Grama Panchayath Malappuram District. 676 106
- 10) The Secretary, Niramaruthor Gramma Panchayath Malappuram District. 676 109
- 11) The secretary, Mangalam Gramma Panchayath Malappuram District. 676 561.

Legal Practitioners for Applicant(s)

M/s. A.X. Varghese, Jojo A.V.
Shamlath P.I., Vivek C.M.,
Vijay Babu & Niyamavedi.

Legal practitioners for respondent(s)

Smt. Suvitha, A.S for R-1, R-2,
R-4 and R-5
M/s. Rema Smirithi and M. Ajay for R-3
Smt. Vidyalakshmi Vipin for R-6
M/s. C.M. Mohammed Iquabal & Ambili Menon for R-7 to R-11



Note of the Registry	Orders of the Tribunal
Order No.7	<p data-bbox="520 225 869 270">Date: 16th November, 2016</p> <p data-bbox="520 320 1289 1323">The respondent No. 10, Niramathur Grama Panchayath filed a status report to the effect that the Panchayath has already taken steps to stop the pollution from the residents of the Panchayath near Canoli Canal, which passes through the Niramathur Grama Panchayath and reaches Tirur Ponnani River at Kottayi and then in Kottayi Estuary. The respondent has also stated that the Muttancherry Water Channel, a tributary of Canoli Canal which starts from Niramathur Grama Panchayath is flowing through Tirur Municipality and joins Tirur Ponnani River at Tirur. At present the channel is without any water and there will be water in the channel only during rainy season and there are no commercial or industrial institutions near the water channel and the 10th respondent, Panchayat is cleaning this water channel through the project of peoples plan campaign.</p> <p data-bbox="520 1359 1289 1733">The respondent No. 11, Mangalam Grama Panchayath filed a status report to the effect that there is only one coconut husk mill in the Panchayath, which is handling fresh coconut husk and it is not causing any pollution to the river and they had their own waste treatment method and as it is functioning without license, the Panchayath has already</p>

taken steps against the said mill. It is also stated that Tirur Ponnani River is flowing through the Mangalam Grama Panchayath from Thiruthummal to the hanging bridge near Perunthuruthy and it covers 1.5 km on the borders of the Panchayath and in order to stop the activities of polluting the river, the Panchayath has erected notice board on the banks of the river against dumping of garbage waste, threatening punishment. Police was also addressed to prevent the pollution activities. It is also stated that there are 5 tributaries to the Tirur Ponnani River namely Thalukkara- Murivazhikkal Bridge Canal, Vadakkethara . Valiyathodu, Vadakkethara . Edathodu, Valiyathodu and Parambath thodu . Mukhachira Thodu in this Panchayath. The Panchayath has taken so many measures to stop the dumping of garbage and solid waste in the said tributaries. The Panchayath has also taking action to clean the banks of the River and to plant trees on the river side under NREGS. It is also stated that no coconut husk unit is functioning in the Panchayath causing pollution to the Tirur Ponnani River.

It is pointed out by the learned counsel appearing for the 3rd respondent, Kerala Pollution Control Board (Board) that on an earlier inspection, coconut husk used for the purpose of manufacturing coir was found. The learned counsel submitted that the officials could inspect once again and submit the status report.

The respondent No. 9, Cheriyaundam Grama Panchayath filed a status report disclosing that there is one hospital and an auditorium, which are causing pollution and the officials of the Panchayath inspected the same on 07.11.2016 and it is found that the said institutions are not causing any pollution to the river. It is stated that the hospital has its own Sewage Treatment Plan (STP) and it is functioning without any obstruction and the auditorium has also installed a waste management programme and it is maintained well.

The 3rd respondent, Board is directed to inspect both the institutions and submit a report including the parameters of the discharge from the STP of the hospital. The Board shall also report on the Bio Medical Waste Treatment of the hospital, if any and if not, the mode of disposal of Bio Medical Waste of the hospital.

The applicant submitted that there is a motor repairing unit - AM Motors within the Panchayath and there is discharge of oil into the river and it is causing pollution. Respondent No. 9, Cheriyaundam Grama Panchayath and the Board are directed to verify the same and submit the report.

The Respondent No.7, Vettom Grama Panchayath and Respondent No. 8, Thalakkad Grama Panchayath, have also filed status reports as directed.

The applicant is liberty to file response to the reports filed by the respondents.

Learned counsel appearing for the Board (KSPCB) seeks time to file the report as directed in the previous order.

Let the report be filed within a period of 3 weeks.

List the matter on 12.12.2016.

.....J.M.

(Justice M.S. Nambiar)

.....E.M.

(Shri P.S.Rao)

