

Item No.03 & 04(i) & (ii):-

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

(Through Video Conference)

**Execution Application No.07 of 2023(SZ) in
Original Application No.290 of 2013(SZ) &
I.A. No.119 of 2023(SZ)**

And

Original Application No. 74 of 2023 (SZ)
[Earlier O.A. No.502 of 2022 (PB)]

With

Original Application No. 94 of 2024(SZ)

IN THE MATTER OF:

D. Suresh Kumar,
Kollam.

...Applicant(s)

The Kerala Minerals and Metals Ltd.,
Rep. by its Managing Director and Ors.

...Respondent(s)

And

Padma Kumar,
Kerala.

...Applicant(s)

Versus

The State of Kerala,
Through its Chief Secretary,
Thiruvananthapuram and Ors.

...Respondent(s)

With

Shafeek. S.

...Applicant(s)

Versus

The Chief Secretary,
Govt. of Kerala and Ors.

...Respondent(s)

Date of hearing: 16.08.2024.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

E.A. No.07/2023(SZ):

For Applicant(s):

Mr. G. Stanley Hebzon Singh.

For Respondent(s):

M/s. B.S. Krishnan Associates for R1.
Mrs. Nivedita S Menon represented
Mrs. Rema Smirithi for R2.
Mr. G. Vignesh represented
Mr. E.K. Kumaresan for R3 & R4.

(i) O.A. No.74 of 2023(SZ):

For Applicant(s):

Mr. G. Stanley Hebzon Singh.

For Respondent(s):

Mr. G. Vignesh represented
Mr. E.K. Kumaresan for R1, R2 & R5.
Mrs. Nivedita S Menon represented
Mrs. V.K. Rema Smrithi for R3.
M/s. B.S. Krishnan Associates for R6.

(ii) O.A. No.94 of 2024(SZ):

For Applicant(s): None.

For Respondent(s): Mr. G. Vignesh represented
Mr. E.K. Kumaresan for R1 & R3.
Mrs. Nivedita S Menon represented
Mrs. V.K. Rema Smrithi for R2.

ORDER

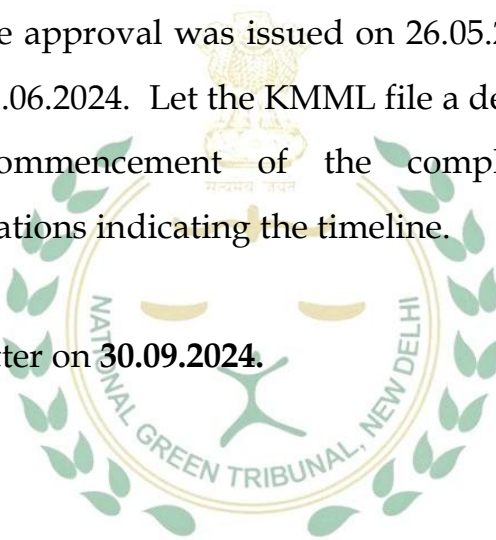
1. The report of the 6th Respondent in O.A. No.74 of 2023(SZ) is filed. However, the report was not complete in the sense the short-term measures given also are not completed till today.
2. For the disposal of the Iron Oxide/ETP sludge, it is mentioned that they are awaiting authorization from the CPCB, New Delhi. If that is so, it will again increase the quantity of sludge which would make it a vicious circle to complete. The other works viz., the value addition of by-products etc., are also pending approval from the Government.
3. So far as the iron oxide brick making plant is concerned, it is stated that they have started the trial operation of the plant. Though action has been initiated to undertake the long-term and short-term measures, the precise timeline by which time, they will be completed is not specified in the report. The report also further furnishes the implementation of the recommendations made by the Joint Committee.

4. Let a detailed report be filed regarding the action taken by them so far pursuant to the recommendations of the Joint Committee, the approvals sought for from various authorities, the date and the time taken so far, the approvals which have already been issued and the time required for completion of the recommendations.
5. The report of the Joint Committee was also filed in O.A. No.94 of 2024(SZ), which is a letter petition taken cognizance by the Principal Bench and transferred here.
6. The Joint Committee has dealt with the water supply scheme reported by the Kerala Minerals and Metals Limited (KMML) under three heads viz., Bore well, Jalanidhi Project and Drinking water supply grievance redressal cell. Prima facie it appears that the nearby villages are being provided water by the KMML. In the short-term measures mentioned there, the requirement was for completion of the garland drain around the IOP/ETP ponds. The KMML has stated that it is completed, whereas the applicant says it was not completed.
7. Let the applicant also specify the area and the extent in which the garland drain is not yet complete.
8. Though it is stated by the KMML that approval is awaited from the Central Pollution Control Board (CPCB), they have not mentioned about the date of the application, the status as on date, etc. If the CPCB is seized of the application, we hereby direct the CPCB also to expedite the process and pass appropriate orders.

9. As a long-term measure, it appears that there was a proposal for Acid Regeneration Plant Technology Modification and a tender was called for in the year 2019. A tender was closed in December 2019 after evaluating of the proposal. Now, it is stated that in a global retender, the offers submitted by M/s. INDROX Global Private Limited was evaluated and approved by the company on 15.01.2022 and that is also pending approval from the State Government.

10. However, the learned counsel appearing for the KMML would state that the approval was issued on 26.05.2024 and the LOI was issued on 04.06.2024. Let the KMML file a detailed report as to the date of commencement of the completion of all these recommendations indicating the timeline.

11. Post the matter on 30.09.2024.



Sd/-
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-
Dr. Satyagopal Korlapati, EM

E.A. No.07/2023(SZ) in
O.A. No.290/2013(SZ) &
I.A.No.119/2023(SZ),
O. A. No.74/2023(SZ) &
O.A. No.94/2024(SZ)
16th August, 2024. AD.