

**BEFORE THE KERALA STATE HUMAN RIGHTS COMMISSION,
THIRUVANANTHAPURAM**

**Present: Mr.Justice N.Dhinakar,
Hon'ble Chairperson**

Dated this the 17th May, 2010.

H.R.M.P.No 752 of 2010

Petitioner : M.P.Narayanan Nair,
Ponnampilly house,
Valayanchirangara. P.O,
Perumbavoor.

Respondent :

ORDER

The complaint of the petitioner is that he and others filed petitions before several authorities including Rayamangalam Grama Panchayat about the pollution and other nuisance likely to arise from the proposed wood industries unit to be commenced by R. Narayana Swamy under the name and style of 'Sri Sankiri Timbers' in the area where the petitioner and others are residing. According to him, a wood industry unit using 26.5 H.P motor is already functioning there. He also came to know through the Right to Information Act that an application was filed before the Panchayat by the said Narayan Swamy for the commencement of a packing case core veneer unit by using 66.5 H.P. motor.

Reports were called for from the Secretary, Rayamangalam Grama Panchayat and the Environmental Engineer, Kerala State Pollution Control Board, Ernakulam.

In the report submitted by the Secretary, Rayamangalam Grama Panchayat it is stated that R.Narayana Swamy filed an application before the Panchayat on 2-4-2008 seeking permission for constructing a lorry shed and the Panchayat granted consent for the same on 14-5-2008. According to the report, thereafter the applicant filed an

application on 19-11-2008 for commencing a packing case and core veneer unit using 66 H.P. motor and the Panchayat also received an objection filed by the petitioner in this HRMP and 44 others and the same was placed at the meeting of the Panchayat Committee.

In the report it is further stated that as per the decision of the Panchayat Committee held on 8-1-2010 the above complaint and the building plan were forwarded to the offices of the District Medical Officer, Ernakulam, Kerala State Pollution Control Board, Ernakulam and such other offices for their reports and the reports from the above offices are not yet received and hence the consent to the unit is not granted. In the report it is also stated that the place in question was visited and no machinery was seen erected there during the visit.

In view of the above report of the Panchayat there is no need to wait for the report from the Environmental Engineer, Kerala State Pollution Control Board, Ernakulam.

The report of the Panchayat, therefore, shows that consent as on date is not given and reports from other authorities are not received by the Panchayat. In the above circumstances, if the reports are received from the other authorities the Panchayat will decide the matter according to law

+ after hearing the aggrieved parties including the petitioner and others who have raised objections for the commencement of the unit.

The petition is closed with the above direction. Send a copy of this order each to the petitioner and the Secretary, Rayamangalam Grama Panchayat.

Justice N. Dhinakar,
Chairperson.

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