

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

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

Dated this the 23rd July, 2010.

H.R.M.P.No. 1748 of 2010

Petitioner : Mrs. Achamma Mammen,
K.P.111/157, Nalanchira North
Thiruvananthapuram.

Respondent :

ORDER

The complaint of the petitioner is that a retail out let of the Bharath Petroleum Corporation is put up near the house of the petitioner and the toilet constructed in the parking area of the retail out let which was not covered preventing her sight on it. In spite of her complaint to the Secretary, Kudappanakunnu Grama Panchayat no action has taken.

A report was called for from the Secretary, Kudappanakunnu Grama Panchayat. In the report the Secretary of the Panchayat has stated that one Reetha Wilson put up a retail out let of the Bharath Petroleum Corporation after obtaining consent from the Panchayat in No.419/07-08 dated 29.2.08. The consent was issued to the said out let after obtaining No Objection Certificate from the Pollution Control Board, Fire Force Department, Additional District Magistrate and the Chief Town Planner, Thiruvananthapuram. It is also stated in the report that the petitioner filed a complaint before the Panchayat on 26.4.2010 regarding the parking area of the retail out let is constructed close to her house and the

Panchayat heard the parties on 4.5.2010. In the hearing the petitioner complained about the toilet constructed in the parking area should be covered preventing the sight from her house and the parking area should not be used for other purposes. The Manager represented the retail outlet agreed the suggestion of the petitioner.

In view of the above report of the Secretary of the Panchayat no orders are required from this Commission except to say that the Grama Panchayat will take appropriate steps to see that the petitioner is not to put up any difficulty on account of any pollution from any source. The Environmental Engineer, Pollution Control Board, will also inspect the spot in question and take appropriate steps to solve the problem, if any, of the petitioner after hearing all the parties concerned.

The petition is closed with the above direction.

Justice N.Dhinakar,
Chairperson