



PRESS

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MNRE insisted on fighting the Klong Dan wastewater treatment plant case to protect national interests.

Mr. Athapol Charoenshunsu, Director General of Pollution Control Department (PCD) revealed that the Supreme Administrative Court has dismissed the petition for a new trial in the case of project contract for the combined design and construction of the Klong Dan wastewater treatment plant and to enforce the arbitration award. PCD has to pay damages of 4,983,342,383 baht and 31,035,780 USD, plus 7.5 per year interest, according to the demand of Vichitbhan Construction Co., Ltd., and a group of six. H.E. Varawut Silpa-archa, Minister of Natural Resources and Environment (MNRE) ordered PCD to extremely protect government interests and fight a new round of lawsuits as far as the law allows. Moreover, H.E. General Prayut Chan-o-cha, Prime Minister of the Kingdom of Thailand, has ordered the Advisor to the Prime Minister, Pol General Srivara Rangsiabrahamanukul, to be a consultant in the defense of the case.

Mr. Athapol said PCD has filed a petition for the revocation of the illegal proceedings because the Supreme Administrative Court did not raise the facts of the Supreme Court's judgment No. 8064/2560 (fraud case) that the 2nd – 19th defendants were guilty of joint fraud by defrauding the plaintiff into the project contract. Therefore, it was binding on the petitioner and the objector in the administrative case, which was the end. It also complied with Supreme Court's Judgment No. 3299/2564 in the case of a prosecutor's petition for assets acquired by the NVPSKG joint venture. PCD paid the 1st installment as previously attached by the Anti-Money Laundering Office. Therefore, it is the case that the Supreme Administrative Court has not fully listened to the facts on the important issues in the trial and adjudication process, causing the outcome of the case to be unfair.

PCD submitted a petition to the Committee on the Determination of the Powers and Duties among Courts for a decision on the Supreme Court's Judgment No. 8064/2560, in conjunction with the Supreme Court's Judgment No. 3299/2564 and the Court of Appeal's Judgment, Red Case No. 8567/2564, which contradicted the Supreme Administrative Court's judgment in Black Case No. ๑. 241 – 242/2561 and Red Case No. ๑. 139 – 140/2565. However, Section 14 of Act on the Determination of the Powers and Duties among Courts B.E. 2542 causes PCD to be unable to comply with the summons of the Central Administrative Court. In addition, PCD has filed a petition to suspend the execution pending the result of the Administrative Court's decision on the petition to revocation the illegal proceedings and the decision of the Committee on the Determination of the Powers and Duties among Courts.

Recently, the court has ordered the suspension of the execution until the Committee on the Determination of the Powers and Duties among Courts has an order or opinion. On June 2, 2022, PCD submitted a petition for a new trial to the Administrative Court. PCD, together with the Department of Marine and Coastal Resources, the Treasury Department, and the Royal Forest Department, have filed complaints against the investigating officer of the Natural Resources and Environmental Crime Division with supporting information from the Department of Lands, Department of Special Investigation, and aerial photography experts to prosecute people who have trespassed on state land until the case will be final and claim damages, Mr. Athapol said.