

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL (SZ) CHENNAI

MEMORANDUM OF ORIGINAL APPLICATION

(Under Section 18(1) read with Sections 14, 15 of National Green Tribunal Act 2010)

ORIGINAL APPLICATION No. 122 of 2022

IN THE MATTER BETWEEN

Ajitha, aged 47 years, W/o Manilal, residing at Chettuparambil,
Thrichattukulam P.O, Cherthala, Alappuzha district -

Ph: 8089272298

Email: taaurs@gmail.com

..... APPLICANT

AND

1. Union of India represented by the Secretary, Ministry of Environment,
Forest and Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, New
Delhi – 110 003

Ph: 011 – 24695265

Email: secy-moef@nic.in & Others

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S.No.	Date	Description	Pg.No.
1.	27.01.2023	Show Cause Notice given to 8 th Respondent by 7 th Respondent	1

COUNSEL FOR APPLICANT



ജില്ലാ ഓഫീസ്, ആലപ്പുഴ

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ് KERALA STATE POLLUTION CONTROL BOARD DISTRICT OFFICE, ALAPPUZHA

എസ്.എൻ.വി.സദനം, ന്യൂ ചാത്തനാട്, ഹെഡ് പോസ്റ്റ് ഓഫീസ്, ആലപ്പുഴ - 688001

SNV Sadhanam, New Chathanad, Head Post Office, Alappuzha - 688001

E-mail: alpy.pcb@gmail.com Telephone : 0477 - 2235384 web: www.keralapcb.nic.in

ഓൺലൈനിൽ അപേക്ഷകൾ സമർപ്പിക്കുന്നതിന് www.krocmms.nic.in എന്ന വെബ്സൈറ്റ് ഉപയോഗിക്കുക.

In reply please refer to:- PCB/ALP/UCE-199/09

27.01.2023

REGISTERED WITH A/D

- Ref:-
- 1) This office letter of even number dated on 10.01.2023
 - 2) Inspection conducted on 18.01.2023
 - 3) Inspection conducted on 24.01.2023
 - 4) Analysis Report dated 27.01.2023

SHOW CAUSE NOTICE

WHEREAS M/s.Kappico Kerala Resorts Pvt.Ltd, Panavally Gramapanchayath, Cherthala, Alappuzha, (herein after referred to as the industry), comes under the purview of the Water (Prevention & Control of Pollution) Act 1974, the Air (Prevention & Control of Pollution) Act 1981 and the Environment Protection Act 1986;

WHEREAS section 24 of the Water (Prevention & Control Of Pollution) Act, no person shall knowingly cause or permit to enter any poisonous, noxious or polluting matter determined in accordance with such standard as may be laid down by the Board to enter into any stream or sewer or well or on land;

WHEREAS during the inspection by the Board officials on 18.01.2023, it is observed that the unit had not complied with the direction for providing Green net through out the boundry of the demolition area till the removal of debris into the Perumbalam gramapanchayat and arrangements for removing the C&D waste from the premises was not done as per vide reference (1) above. The following clarifications were not submitted.

1. Details regarding the agreement with PR Holiday Houses Pvt.Ltd. for reuse of demolished C&D waste and disposal of debris.
2. Sanction letter from the Perumbalam Gramapanchayath for disposing the C&D waste.



3. Sanction letter from the Revenue Department whether the proposed site is suitable for the disposal of C&D waste.
4. Details regarding the demolition, segregation, transportation, processing if any and disposal shall be submitted as per the agreement with Floatels India Pvt.Ltd.
5. Prior consent from the board shall be obtained for processing of C&D waste if any carried out by the unit for the processing facility.

Whereas the permissible limit of particulate matter (PM10) concentration in the ambient air is $100 \mu\text{g}/\text{m}^3$ and particulate matter (PM2.5) concentration in the ambient air is $60 \mu\text{g}/\text{m}^3$. During the inspection conducted by the Board officials on 18.01.2023, particulate matter (PM2.5) concentration in the ambient air is $64.54 \mu\text{g}/\text{m}^3$ which is exceeding the National Ambient Air Quality Standards. During the inspection conducted by the Board officials on 24.01.2023, the value of PM10 and PM2.5 obtained were $186 \mu\text{g}/\text{m}^3$ and $90.6 \mu\text{g}/\text{m}^3$ respectively. The result obtained is greater than the permissible limit. The following control measures shall be provided in the unit at the earliest.

1. Continuous usage of water sprinklers shall be provided to contain the dust emission while demolition of the building.
2. Water contaminated with cement dust and other particles shall not reach the water bodies under any eventuality.
3. The leachate arising on account of water sprinkling over the debris shall not reach the water bodies under any eventuality.
4. Covering a height of 15feet using green net shall be provided around all demolition sites of villas till the debris are removed completely from the premises of Kappico resort.

WHEREAS present operation of the unit is illegal and punishable as per the provision of the above Acts;

NOW THEREFORE you are hereby directed to show cause, within 15 days of receipt of this notice, as to why action shall not be initiated against you under section 33 A of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981.

Dated this the 27th day of January, 2023



Ullashe

ENVIRONMENTAL ENGINEER

Environmental Engineer
Kerala State Pollution Control Board
District Office, Alappuzha-1

To,

M/s.Kappico Kerala Resorts Pvt.Ltd,
Building No.62/376,
Kozhipparambathu House,
1st Floor, Church landing Road,
Ernakulam-682016

Copy to: The Secretary,
Panavally Gramapanchayath
(For further necessary action & followup in this regard)