

**BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL  
SOUTH ZONE BENCH, CHENNAI**

**Original Application No.143 of 2020 (SZ)**

**Applicant : K.K. Muhammed Iqbal**

**Vs**

**Respondents : The Kerala State Pollution Control Board  
& others**

**UPDATED STATUS FILED BY THE CHIEF ENVIRONMENTAL  
ENGINEER FOR AND ON BEHALF OF THE KERALA STATE  
POLLUTION CONTROL BOARD, THE 1<sup>st</sup> RESPONDENT**

Dated this the 10<sup>th</sup> day of April 2022

**Adv. Rema Smrithi,**  
ADDITIONAL STANDING COUNSEL FOR THE 1<sup>st</sup> RESPONDENT

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**VOLUME 1**

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I, Baiju M.A, aged 55 years, working as Chief Environmental Engineer, Regional Office, Kerala State Pollution Control Board, Ernakulam do hereby solemnly affirm that this report is in continuation to the last affidavit filed in the mentioned case. The facts and circumstances of the case are known to me. The factual submissions made hereunder are true and correct to the best of my knowledge, information and belief. In the circumstances, it is just and necessary that this Hon'ble Tribunal may be pleased to accept the accompanying report on file and it is so humbly prayed in the interests of justice in this case.

1. It is respectfully submitted that by order dated 13.04.2021 the Hon'ble NGT Constituted the following committee.

- A) Sri. Baiju M.A, Chief Environmental Engineer, KSPCB, Regional Office, Ernakulam
- B) Sri. Vivek K, SEE/Scientist D, CPCB, RD-Bengaluru



  
**M. A. BAIJU**  
Chief Environmental Engineer

c) Dr. A.K. Sreelatha, Assistant Professor & Head, Rice Research Station, Vyttila

d) Dr. Garggi G, Soil Survey Officer, Office of the Assistant Director, Ernakulam

2. It is respectfully submitted that physical meeting and inspection could not be done due to the spread of Covid ever since the committee had been constituted. Hence a virtual meeting of the committee was convened on 22.11.2021. It is respectfully submitted that the following decisions were taken in the meeting.

a) Conduct a physical meeting (second meeting of the committee) and joint inspection in the company premises and alleged areas by the first or second week of December, 2021.

b) KSPCB shall present the details with respect to the points 2, 3 & 4 directions of the Hon'ble NGT order dated 13.04.2021

c) CPCB shall coordinate with M/s. ERM (India) Private Limited to make arrangements for the presentation of DPR and the study details.

3. Though certain decisions were taken during the virtual meeting, inspection is yet to be conducted as the committee members need to analyse the DPR already prepared. Moreover, as the studies were completed in 2018 for the preparation of DPR and as severe floods occurred during 2018 and 2019, this could have caused considerable reduction in the concentration of crucial parameters. Here, it is important to note that the review sampling conducted along Eloor - Kuzhikandomthodu, another remediation area showed substantial drop in the concentration of several parameters. It is also submitted that the main channel which carry water stored at Edayattuchal, one of the areas that identified to be remediated, water from which was directly flowing to river Periyar is now permanently closed by the Irrigation Department.

4. It is respectfully submitted that necessary actions are initiated to include Board's demands also towards the pending amount of Rs 47.88 Crores as per the assessment made by the CPCB for remediation. This is done since the industry in question is already closed and they have sold



  
**M. A. BAIJU**  
 Chief Environmental Engineer

their machinery to some outside agencies for which they had obtained an order dated 01.10.2020 in WP(C) no.19291/2020, a portion of which are already removed from the site. It is respectfully submitted that the industrial authorities or Punjab National Bank, to whom they have been attached with had not replied anything about the pending amount towards the remediation though several letters were sent to them. Details of these communications were already presented before the Hon'ble Tribunal.

5. It may be noted that there is a delay in including Board's name in the revenue recovery web site and it is expected that this will be completed soon as the Government has also actively intervened in this. However, the physical meeting, presentation of M/s. ERM Consultants and field inspections and monitoring already proposed will be conducted very soon and those details and further action plans will be submitted before the Hon'ble Tribunal at the earliest.

6. In these circumstances, it is humbly requested that the Hon'ble Tribunal may kindly grant some more time to explain the actions taken in this regard.

All that is stated above are true to the best of my knowledge information and belief.

Dated this the 10<sup>th</sup> of April 2022

**For and on behalf of the First Respondent**



**CHIEF ENVIRONMENTAL ENGINEER**  
**M. A. BAIJU**  
**Chief Environmental Engineer**