

**IN THE HONOURABLE NATIONAL GREEN TRIBUNAL,
SOUTH ZONE, AT CHENNAI**

O.A. No. 262 of 2017 (SZ)

K.K.Muhammed Iqbal : Applicant

v.

Kerala State Pollution Control Board and Ors. : Respondents
(4th Respondent Sree Shakthi Paper Mills
Ltd.)

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Dated this the 17th day of February,2022

HARIRAJ M.R.

Counsel for the 4th Respondent.

**IN THE HONOURABLE NATIONAL GREEN TRIBUNAL,
SOUTH ZONE, AT CHENNAI**

O.A. No. 262 of 2017 (SZ)

K.K.Muhammed Iqbal : Applicant

v.

Kerala State Pollution Control Board and Ors. : Respondents
(4th Respondent Sree Shakthi Paper Mills
Ltd.)

**OBJECTIONS AGAINST REPORT DATED 17TH NOVEMBER, 2021,
SUBMITTED BY THE COMMITTEE CONSTITUTED UNDER ORDER
DATED 20.1.2020**

1. The respondent No.1 has submitted a report dated 17/11/2021. All observations therein are unsustainable and are denied, save to the extent specifically admitted herein.
2. In respect of the observations made in para 1 and 2 of the report, it is necessary to point out how the so called "plastic waste" is generated.
3. The 4th respondent company was producing Kraft paper from used waste paper and old used cartons. The raw materials used by the 4th respondent company consisted of waste paper and used cartons. The plastic referred in the report is from stickers of fasteners utilized in the used cartons. This cannot be utilised for making Kraft papers. This is separated in the recycling process. The industry in question was thus in fact a green industry basing on recycling. Unlike other paper mills there is no deforestation, nor wood and bamboo is used (virgin Pulp) in the paper making process.



For CELLA SPACE LIMITED


VINOD KUMAR
General Manager

- 4) The plastic which is separated was being disposed off using an incinerator. Admittedly sanction was granted for operating an incinerator with capacity of 400 Kg/day in the year of 2007. There was absolutely no accumulation of plastic waste. In fact the entire plastic separated would come only below 400Kg/day and the same was fully disposed of on day to day basis. The incinerator ash was removed and handed over KEIL (Kerala Enviro Infrastructure Limited) Ambalamugal, Kochi. Therefore, there was absolutely no room for any complaint.
- 5) In 2016, June, the 1st respondent directed to close down the unit by Closure Notice dated 27/6/2016.
- 6) It is pertinent to point out that the closure was not due any allegation in respect of accumulation of plastic. This closure notice was complied. We requested for release of our Bank Guarantee by letter dated 27/7/2016
- 7) The applicant moved this Honourable Tribunal in application 409/2016, it was alleged the plastic is thrown into the river from the closed unit. This respondent had no notice of the proceeding. It appears that the notice was sent to the closed company. This resulted in there being no representation for us. This Honourable Tribunal directed the applicant to make necessary representation to the 1st respondent herein to take appropriate action against this respondent for removal of the waste and it was further directed to the pollution control board that if there is failure the waste should be removed by them through Municipality/ Panchayath and cost should be realised from the bank guarantee of this respondent. True copy of interim order dated 29/9/2016 in application



For CELLA SPACE LIMITED

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VINOD KUMAR
General Manager

No.409/16, true copy of which is produced herewith and marked as

Annexure R4 (a)

- 8) This order was communicated to us on December, 2016 by letter No. PCB/ESC/CO-99/07 dated 29/11/16 of 1st respondent, true copy of which is produced herewith and marked as **Annexure R4(b)**.
- 9) We approached the KEIL for removal of the plastic. We also moved an interlocutory application to keep the order dated 29/9/2016 of this Honourable Tribunal in abeyance before this Honourable Tribunal. The matter was however not called because there was no sitting.
- 10) While so, on 30/1/2017 the bank guarantee of 24 lakhs was invoked by the Pollution Control Board without giving time to us. This is evident from the Letter No. EKMA/SSPML/2018 dated 14/2/2018 issued by the Federal Bank, true copy of which is produced herewith and marked as **Annexure R4(c)**.
- 11) This gave us the impression that the Pollution Control Board is taking steps to remove the plastic waste as directed by this Honourable Tribunal. This led to a situation where our efforts to remove the waste was stalled.
- 12) However, no action was taken by the Pollution Control Board to remove the plastic with the assistance of the Municipality/Panchayat.
- 13) In this background we intimated the 1st respondent that removal of the plastic waste is their responsibility and we are willing to remove it if the bank guarantee is refunded. True copy of letter dated 15/2/2018 is produced herewith and marked as **Annexure R4(d)**.



For CELLA SPACE LIMITED


VINOD KUMAR
General Manager

- 14) Meanwhile, the company decided to sell of the machinery. A scrap dealer of the area who is a friend of the applicant, demanded that it be sold to him. When he was told that being a listed company we are bound to take quotations and sell to the highest bidder, he threatened us of dire consequences. Soon he filed a petition to restrain us from removing the plant and machinery, on the ground that the plastic waste is not removed. While the Honourable High Court refused to grant any interim order against removal of the plant, taking note of the circumstance of the encashment of the bank guarantee and non-availability of forum of this Honourable Tribunal, it was directed that removal of the plastic waste by KEIL shall be carried out under close monitoring of the Honourable High Court. Amounts were directed to be paid by 1st respondent from the bank guarantee for this purpose by interim order dated 13/7/2018.
- 15) Based on this the waste was removed fully. The entire waste removed by February, 2020 as is clear from letter No. KEIL/Sreesakthi – cella/2020 dated 19/10/2020 of KEIL, true copy of which is produced herewith and marked as **Annexure R4(e)**.
- 16) It can be seen that a total amount of Rs. ₹ 1, 56,40,050/- was paid to the KEIL by 4th respondent and a total amount of 6713.25 MT of plastic was removed by the KEIL. This in fact contains plastic, damaged imported paper and sand also.
- 17) In the above circumstances it is very clear that the accumulation of the plastic and delay in removing the same is not attributable to the company. The Pollution Control Board, the 1st respondent, itself has a



For CELLA SPACE LIMITED

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VINOD KUMAR
General Manager

substantial role in the causing the delay since they invoked the Bank guarantee without giving sufficient time to us, and then refused to remove the waste as directed.

18) With the above factual circumstances in mind the report dated 17/11/2021 of the committee is not liable to be accepted for the following reasons:-

a) In Annexure R1(d) of the report, the member who is the scientist of an independent body like NEERI specifically point out that ; The report to impose compensation/damages is not sustainable. It is specifically pointed out that the circumstances enabling levying of environmental compensation as per the report of the in-house committee of the CPCB does not exist in the case at hand. It is submitted that none of the violations indicated in the said report it found to exist in the case.

The said member also point out reliance of the studies cited by the committee is not acceptable for the purpose of computing damages/compensation.

It is specifically pointed out that there is absolutely no scientific data showing any air, water, soil or eco system pollution from November, 2016 to March, 2020 beyond the industrial premises. The plastic waste shown was not considered as hazardous and no material shows nature of waste. No independents studies are available.



For CELLA SPACE LIMITED

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VINOD KUMAR
General Manager

Annexure R1(d) specifically points out that scientific methods are available to prevent any possible entry of micro plastics in to the river. If such action is taken the damage should be averted. The 1st respondent does not consider the aspect at all.

b) The NEERI has also pointed out that there is no established national guidelines in existence to assess damages in similar to the current scenario with challenges of data unavailability, with reference to the "REPORT OF THE CPCB IN -HOUSE COMMITTEE ON METHODOLOGY FOR ASSESSING ENVIROMENTAL COMPENSATION published by CPCB during mid 2018, projects the following conditions projects the following cases to be considered for levying Environmental Compensation(EC):

1. Discharges in violation of consent conditions, mainly prescribed standards /consent limits.
2. Not complying with the directions issued, such as direction for closure due to non-installation of OCEMS, non-adherence to the action plans submitted etc.
3. Intentional avoidance of data submission or data manipulation by tampering the Online Continuous Emission/ Effluent Monitoring systems.
4. Accidental discharges lasting for short durations resulting into damage to the environment.
5. Intentional discharges to the environment -- land, water and air resulting into acute injury or damage to the environment.



For CELLA SPACE LIMITED

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VINOD KUMAR
General Manager

6. Injection of treated/partially treated/ untreated effluents to ground water.

The report says that in the above instances as mentioned above in (1), (2) and (3), Pollution Index (PI) may be used as a basis to levy Environmental compensation with a formula of multiplying Pollution Index (PI) to the Number of days of violation took place (N), Factor in rupees for EC (R), Factor for Scale of Operation (S) and Location Factor (LF). However, this would not be applicable in this situation facts do not disclose any violation as stated in (1), (2) and or (3) of the report.

The report also says in other instances i.e., (4), (5) and (6), the environmental compensation may contain two parts – one requires providing immediate relief and other long-term measures such as remediation. In these cases, detailed investigations are required from expert institutions/organizations based on which environmental compensation will be decided. Facts also do not disclose any violation falling in (4), (5) and (6) against this respondent.

Without any allegation or proof regarding specific violation coming under the mentioned categories, there is no justification to recommend any damages against this respondent.

- c) The CPCB committee that prepared the EC report had also made recommendations that under clause 1.5.1 that the Environmental Compensation may be levied by CPCB only when CPCB has issued



For CELLA SPACE LIMITED

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VINOD KUMAR
General Manager

the directions under the Environmental (Protection) Act, 1986. Further, it is also necessary to mention that referring publication journals also may not be attainable scientific solution in calculating damage cost as it varies on numerous factors and conditions. It also needs to be highlighted that no environmental damage in terms of pollution to air, water, soil or ecosystem beyond the industrial premises between November 2016 to March 2020 could be quantified based on the available data. This is because, plastic waste stored in the industrial premises was never categorized as hazardous by the Kerala Pollution control board.

- d) The KSPCB has a Environmental Surveillance Centre established near the site. It is equipped with 24 hour camera monitoring (including night camera) for monitoring the state of the river. They would have detected floating plastic in the river that was discharged from the dumpsite, if any. However, there are no such reports. Furthermore, the river is under constant vigilant public scrutiny from various NGO organizations, intent on catching pollution. Again, there are no reports of plastic disposal. These are sufficient to establish that no plastic has been disposed into the river and no plastic has been lost into the sea. Hence, the question of environmental damage by marine microplastics generated from this site does not arise.
- e) Environmental Compensation is levied if there is a failure to comply with directions of the statutory Board. The period of non-



For CELLA SPACE LIMITED

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VINOD KUMAR
General Manager

compliance is from the due date for compliance. The said direction of the Board does not set a due date. We have complied with the direction in letter and spirit. Hence the question of EC on the basis of non-compliance does not arise.

- f) The plastic in question was actually not produced, stored, used or converted in to waste by the 4th respondent. The responsibility of pollution generated from the plastic in question cannot therefore be exclusively imposed on the 4th respondent. It is to be noted that what was collected by the 4th respondent was waste papers and waste cartons. If such collections was not carried out the plastic in question (the estimated 47.318 Tons and also the 6713 MT of plastic which was removed) would have been left in the nature. Merely because the respondent No. 4 collected the said waste plastic, it does not fasten a liability on them. This is especially so because the purpose of collection was recycling.

It is therefore necessary that the damages if any would have to be appropriately apportioned among producers and users also.

- g) The cost of removal of plastic is estimated to the \$125.6. This estimation is based on certain studies relied on by committee. The actual cost of removal based on consumer price index in India is computed as \$ 74.99 per Ton. The committee conveniently ignores the fact that the actual cost of removal is available. Even in the case at hand a total of 6713 MT of plastic was actually removed for a cost of 1.56 Crors. The actual cost would come to above ₹ 2200/-



For CELLA SPACE LIMITED

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VINOD KUMAR
General Manager

per Ton. It is very evident that the committee has proceeded to compute the cost in such a way that the amounts would be disproportionately hiked. The fact that soon after the filing of the report before this Honourable Tribunal, even before notice to the 4th respondent regarding the same, it was published in the media, indicates lack of bonafides.

- h) It can be seen that the GHG emission estimated is relied on for assessing social cost. The plastic that was accumulated was in fact removed through the KEIL. They are using the plastic for land fill. Even if the entire plastic was removed the GHG emission in the form of CO₂ during the period when the plastic undergoes degradation would remain the same. Such a consideration therefore is irrelevant for the purpose of computing damages.
- i) Ecological cost is computed on the presumption that the plastic would eventually seep into the river affecting marine bio-systems. At the same time, concededly, the 4th respondent is converting the area in to a parking facility and is willing to construct barriers which would prevent such seepage. In fact many other measures are being taken for preventing soil erosion, ensuring a green canopy etc. None of these find consideration by the committee.
- j) The ecological cost is computed based on the cost applicable per ton of marine plastic, and it ought to have been applied to the actual marine plastic involved in the case. The committee has wrongly applied the unit cost to the total estimated the weight of



For CELLA SPACE LIMITED

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VINOD KUMAR
General Manager

the plastic buried at the site. This is totally wrong the committee should have estimated the quantity of marine plastic generated from the site.

k) The assessment of environmental compensation is reckoned computing the number of days of violation as 1180, which is the dates between the notice of the 1st respondent and clearing of the plastic by KEIL. This is erroneous for two reasons

i. This Honourable Tribunal had already directed that the plastic should be removed by the 1st respondent with the help local self-government institutions. Though notice was issued to 4th respondent, within 2 months the bank guarantee was encashed indicating that the 1st respondent took up the responsibility of removing the plastic waste. There after 1st respondent did not remove the plastic despite demand. Damages cannot be imposed on this 4th respondent after the date of encashment on the bank guarantee. Even after commencement of the removal of the plastic through the KEIL. It was not removed with full efficiency. In some months huge quantity of plastic was removed (February, 2020 2391.22 MT). However, in certain months very little plastic was removed. In certain months the removal was as low as 113.8 Tons. On an average



For CELLA SPACE LIMITED

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VINOD KUMAR
General Manager

only less than 450 Tons was removed. The delay cannot in any manner be attributed to the 4th respondent. It is submitted that computing the damages based on number of days of violation taken as 1188 is therefore is totally wrong.

- ii. The computation is made taking PI (Pollution Index) as 80. It appears that such perception is based on treating the company as a Paper Mill of a normal nature. 4th respondent is not using virgin pulp. It is a plant for recycling waste paper. It is not using wood or bamboo as pulp.
- l) In the notice issued to the 4th respondent no time frame is stipulated for the removal of the plastic. As such reckoning the date of notice has date of commencement of the violation is incorrect and illegal. Environmental Compensation is levied if there is a failure to comply with directions of the statutory Board. The period of non-compliance is from the due date for compliance. The said direction of the Board does not set a due date. We have complied with the direction in letter and spirit. Hence the question of EC on the basis of non-compliance does not arise.
- m) The total weight of plastic is computed based on average of computed of the samples. This pre supposes somewhat equal distribution of the plastic in the entire area. This would not be correct that even the photograph would show that there was the



For CELLA SPACE LIMITED

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VINOD KUMAR
General Manager

coverage of vegetation at the site, preventing spreading of plastic by wind or water.

- n) Admittedly, the waste plastic from recycling of waste paper is non-toxic and non-volatile it cannot be equated with other kind of plastic as it does not cause the same amount of dealt and environmental hazard as other kind of plastic. That such non-plastic plastic and non-toxic plastic was segregated and collected was not considered by the committee.
- o) Considering the damages based on notional calculations, that would applicable in United States of America, is improper and illegal. The studies and reports relied are those by commercial agencies intending to cater to those who employed them on contract basis to demand and obtain proactive policies. It is not authorised or approved by the Government of India. The paper cited BeumentN jetal marine pollution bulletin is authored by academics affiliate to Universities.
- p) The report is made without actually accessing the possibility of the spillage and means of preventing this spillage etc.
- q) When the company was running plastic waste segregated from the paper waste was managed as directed by the PCB. The cost of removing the plastic was also taken up by the company. The delay was not due to any negligence of the company.
- r) The calculation of the damages on the alleged number of days of violation is totally illegal. It is to be noted that during the course of



For CELLA SPACE LIMITED


VINOD KUMAR
General Manager

these alleged days of violation the waste was being removed by the KEIL. The KEIL is using managing the waste by the land fill. The fee for carbon emission of the removed plastic is in fact paid by the KEIL to the 1st respondent. That amount has already been realised from the 4th respondent by the KEIL. Now again demanding money from the 4th respondent by way of damages/compensation is penalising the 4th respondent twice.

s) Annexure R1 (d) specifically points out that scientific methods are available to prevent any possible entry of micro plastics in to the river. If such action is taken the damage should be averted. The 1st respondent does not consider the aspect at all.

19) For the above reasons report of the committee may be rejected and the Original Application closed noting that the 4th respondent has effectively and efficiently removed in the plastic segregated by them. It may be held that no damages/compensation is due from the 4th respondents.

IN VERIFICATION

I, V. Vinod Kumar, S/o V Raman Nair, aged 59 years, General Manager, Cella Space Ltd. (Formerly Sree Sakthi Paper Mills Ltd.), Sree Kailas, Paliam Road, Kochi 682016, residing at Kripa, Mary Matha Road, Vazhakkala, Kochi - 682021, representing the 4th respondent Company in the above Original Application, do hereby affirm that all what is stated above are true to the best of my knowledge information and belief and I have not suppressed any material facts.

Dated this the 17th day of February, 2022



V. Vinod Kumar
For Cella Space Limited
(Formerly Sree Sakthi Paper Mills Ltd.)
General Manager

HARIRAJ M.R
COUNSEL FOR 4th RESPONDENTS

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Circuit Bench at Kochi

Application No.409 of 2016 (SZ)

In the matter of :-

Mr.K.K.Muhammed Iqbal
Vs.

1. Kerala State Pollution Control Board
2. The Environment Engineer, Kerala State Pollution Control Board,
Ernakulam
3. Central Pollution Control Board
4. M/s. Sree Sakthi Paper Mills Ltd

CORAM : HON'BLE MR.JUSTICE Dr.P.JYOTHIMANI, JUDICIAL MEMBER

HON'BLE MR.RANJAN CHATTERJEE, EXPERT MEMBER

Present: Applicant : Mr.K.K.Ashkar
Respondent No.1 & 2 : Mr. Ajay
Respondent No.3 : M/s.N.N.Sugunapalan & S.Sujin

Date and Remarks	Orders of the Tribunal
<p>Item No. 10</p> <p>Dated September 29, 2016</p>	<p>We have heard the learned counsel appearing for the applicant. However, there is no representation on behalf of the 4th respondent.</p> <p>The issue involved in this case is about the plastics which were thrown into the river Periyar as well as the plastics which has been dumped in the premises of the 4th respondent. The 4th respondent Unit has been admittedly closed.</p> <p>Therefore the only issue that is to be decided as far as the facts of the present case is as to how the waste plastic which are kept in the premises of the 4th respondent and also on the banks of the river Periyar is to be disposed of.</p> <p>In these circumstances, we direct the learned counsel appearing for the applicant to make necessary representation to the Kerala State Pollution</p>

Control Board viz. 2nd respondent to take appropriate action against the 4th respondent for the removal of the same, failing which remove the same through the concerned Municipality/ Panchayat and realise the amount from the Bank Guarantees furnished by the 4th respondent, lying with the Board.

In our order dated 5th August, 2016, we have directed the Senior Officer of the Central Pollution Control Board and State Pollution Control Board to inspect all the industries situated on the banks of the river Periyar, the quantum of sewage and the effluents generated as well as the efficacy of the Effluent Treatment Plant and also whether the effluents being discharged into the river are within the prescribed parameter and to submit the report on or before 29.09.2016.

The learned counsel appearing for the Central Pollution Control Board would submit that as per the direction of this Tribunal, the inspection is being carried on and since a large number of industries are to be inspected, he seeks some more time. We make it clear that State Pollution Control Board shall assist Central Pollution Control Board effectively for the purpose of not only inspection of various units but also for the purpose of deciding about Effluent Treatment Plant as per the direction of this Tribunal, stated supra.

Post this application on 25.11.2016

JIA

(Dr.P.Jyothimani)

E:1

(Mr.Ranjan Chatterjee)



(3)

KERALA STATE POLLUTION CONTROL BOARD

ENVIRONMENTAL SURVEILLANCE CENTRE

FACT-Qr.No. S-5, UDYOGAMANDAL P.O., ERNAKULAM – 683 501. E-mail : ee.esc.kspcb@gov.in

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

എൻവയൺമെന്റൽ സർവൈലൻസ് സെന്റർ

ഫാക്ട് ക്വാർട്ടേഴ്സ് നമ്പർ S-5, ഉദ്യോഗമണ്ഡൽ പി.ഒ., എറണാകുളം – 683 501

PCB/ESC/CO-99/07

Date: 29.11.2016

From

The Environmental Engineer

To

M/s. Sree Sakthi Paper Mills Ltd.,
Industrial Development Area,
Edayar, Muppathadom P.O.,
Ernakulam – 683 110.

Sub:- Removal of heaped plastic garbage dumped in the premises of M/s. Sree Sakthi Paper Mills Ltd. by the side of Periyar river

Ref:- 1. Order dated 29.09.2016 of NGT, Kochi in Appl. No. 409/2016

2. Letter from Shri. K. K. Muhammed Iqbal dated 21.11.2016

Sir.

The Hon'ble National Green Tribunal Circuit Bench at Kochi directed the Board to take appropriate action for the removal of plastic wastes dumped in the premises of M/s. Sree Sakthi Paper Mills Ltd. Since the huge deposit on the banks of Periyar river without any embankment or enclosure may cause littering into the river Periyar. You are hereby directed to take urgent steps for the disposal of the same as detailed below;

- 1) Transfer to the cement plants like ACC for co-processing as mentioned in the condition of the consent.
- 2) Transfer to CTSDf, Ambalamugal.
- 3) Incinerate as per CPCB guidelines, after obtaining consent of the Board.

The disposal shall be done in a time bound manner and report to the Board.

Yours faithfully,

Thudip
Environmental Engineer

Recd
[Signature]
3/12/16.

This Annexure R4(B) is the True copy of the Original Document referred in the Statement.

HARIRAJ M.R. Advocate



Branch:Ernakulam/North

EKMA/SSPML/2018

Date:14.02.2018

Place:Ernakulam

To

Sree Sakthi Paper Mills Ltd ,

Sree Kailas , CC-60/3976-77,

Paliam Road , Ernakulam – 682016.

Dear Sir/Madam,

We hereby confirm that , we had invoked following IBG's issued by us on behalf of M/s Sree Sakthi Paper Mills Ltd in favour of Kerala State Pollution Control Board on 30.01.2017 .

1. IBG55924 – Dated 29.10.2014 for Rs. 1200000/-
2. IBG40630 -Dated 23.03.2013 for Rs.1200000/-

This letter is issued at the request of the borrower for producing in Kerala High Court .

Regards,

For THE FEDERAL BANK LTD.


Manju. S. (3434)
Asst. Vice President
Br. Ernakulam-North

This Annexure R4(C) is the True copy of the Original Document referred in the Statement.

HARIRAJ M.R. Advocate

The Federal Bank Ltd. Registered Office : Federal Towers, P O Box No.103, Aluva, Kerala, India 683 101

Branch: Ernakulam North, PNVM Arcade, Banerji Road, Ernakulam North, Pin : 682018

E-mail: ekma@federalbank.co.in Phone : 0484 – 2394594/2392877



SREE SAKTHI PAPER MILLS LIMITED

REGD. OFFICE : "SREE KAILAS" CC-60/3976-77, PALIAM ROAD, ERNAKULAM, COCHIN - 682 016
 Phone : (0484) 2380497, 2373230, 2382182, 2371085, 3002000, FAX : 91-484-2370395 E-mail : sreesakthi@sreekailas.com



To

15/02/2018

The Environmental Engineer
 Kerala State Pollution Control Board
 Floor, Ernakulam.

Sir

Sub: - Removal of Plastic Waste from our Factory Premises

Ref: - Interim Order of Green Tribunal 409/2016

Letter from our bankers about invoking the IBG.

In reference to the above we wish to bring to your notice the

Following facts for your immediate disposal;

- **We had closed the operation of the Paper Mill since June 2016 based on the Closure Notice issued by the Kerala State Pollution Control Board.**
- **We had filed an Appeal Before the National Green Tribunal against the closure Notice issued by the KSPCB, unfortunately there was no sitting of the Kerala Bench of the National Green Tribunal in Cochin as a result the case is still pending**
- **In between the National green Tribunal had instructed the PCB to remove the plastic waste through the concerned Municipality/ Panchayat and realize the amount so incurred from the Bank Guarantee furnished by Sree Sakthi paper Mills Ltd to the Pollution Control Board.**



SREE SAKTHI PAPER MILLS LTD.

Continuation Sheet

- **You had invoked the Bank Guarantee of Rs 24 Lakhs on 30/01/2017 from our Bankers M/S Federal Bank Ltd .**
- **You may kindly note that we had a detailed discussion with Kerala Enviro Infrastructure Ltd, Ambalamedu, Cochin for removal of the plastic waste and they had informed us that they will remove the same at the earliest but unfortunately in between you had invoked our Bank Guarantee.**
- **As a result we were under the impression that you will remove the Plastic waste through the concerned panchayat.**
- **We had come to know from some reliable source and also from the Local Malayalam news papers that some persons are raking up this issue once again to merely trouble us.**
- **In this aspect we wish to once more emphasize that we are not responsible for the waste accumulated in our premises since you have invoked our bank Guarantee on January 2017 on the condition that you will clear the plastic and now more than 13 months has passed and till date nothing has been done on this issue.**
- **In view of what is stated above we request you to please refund the amount of Rs 24 Lakhs so that we can initiate the process of removing the plastic waste from our premises immediately.**

Thanking You

Yours Faith fully


Vinod (Dy General Manger)

This Annexure R4(D) is the True copy of the original document referred to in the statement.

HARIRAJ M.R. ADVOCATE



KERALA ENVIRO INFRASTRUCTURE LTD.

Common TSDF Project. Inside FACT CD Campus, Ambalamedu, Kochi - 682 303
 Phone: 0484-2722141, 241, 341, E-mail: drnkpillai@gmail.com
 GSTIN: 32AACCK6979P1ZS CIN: U24129KL2005PLC017973

KEIL/Sreesakthi- cella/2020

Date - 19/10/2020

The Managing Director
 Cella Space Limited
 Formerly Known as SreeSakthi Paper Mills Ltd
 Paliam Road
 Ernakulum

Dear Sir,

Sub: - Disposal of contaminated mixed plastic, paper and other miscellaneous imported paper waste from M/s Cella Space limited formerly known as Sree Sakthi Paper mills Ltd.

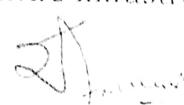
KEIL has lifted 6713.250 MT of contaminated mixed plastic, paper and other miscellaneous imported paper waste from Cella Space Limited (formerly Known as Sree Sakthi Paper Mills Ltd). The entire quantity was lifted between the period from Sep 2018 to Feb 2020. The total invoice for disposal and transportation of 6713.250 MT was Rs 1,53,07,052/-. Also, an amount of Rs Rs 3,32,998/- was pending to be paid by Cella Space Ltd to KEIL as on 1/4/2018. M/s Cella Space Ltd and KSPCB has together paid an amount of Rs 1,22,71,290 to KEIL till date, out of this amount M/s KSPCB has paid an amount of Rs 13,00,000/- as they encashed the Bank Guarantee of Cella Space Ltd. The balance amount of Rs 1,09,71,290/- was paid by Cella Space Ltd.

The balance outstanding amount payable to KEIL as on date is Rs 33,68,760/-. Out of this balance the amount receivable from KSPCB is Rs 11,00,000/- and from Cella Space Ltd is Rs 22,68,760/-.

We would therefore request you to kindly arrange to pay the entire amount without any further delay.

Thanking you,

Yours faithfully,
 For Kerala Enviro Infrastructure Ltd


 Dr N K Pillai
 Chief Executive officer

This Annexure R4(E) is the True copy of the Original Document referred to in the Statement.

HARIRAJ M.R. ADVOCATE