

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL CHENNAI

APPLICATION NO. 262 of 2020

Petitioner : President, Onakkoor ParistithiSamarakshana samity

Respondents : Kerala State Pollution Control Board, Rep., by its
Member Secretary, Thiruvananthapuram and others

**REPORT FIELD BY THE ENVIRONMENTAL ENGINEER AS PER
INSTRUCTIONS OF THE HON'BLE NATIONAL GREEN TRIBUNAL**

STANDING COUNSEL FOR THE 2ND RESPONDENT:

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

APPLICATION NO. 262 of 2020

Petitioner : President, Onakkoor Paristithi Samarakshana samity

Respondents : Kerala State Pollution Control Board, Rep., by its
Member Secretary, Thiruvananthapuram and others

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Dated this the 27th day of January 2021

STANDING COUNSEL FOR THE 1ST RESPONDENT

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL CHENNAI**Application No. 262/2020**

President, Onakkoor ParistithiSamarakshanaSamity : Petitioner

VS.

Kerala State Pollution Control Board, Rep., by its

Member Secretary, Thiruvananthapuram and others : Respondents

**REPORT FILED BY THE ENVIRONMENTAL ENGINEER, KERALA
STATE POLLUTION CONTROL BOARD, DISTRICT OFFICE II,
PERUMBAVOOR**

I, Dinesh K.S, aged 50 years, S/o Sri. K.V. Sidharthan, now working as Environmental Engineer in the District Office - II (Ernakulam) of the Kerala State Pollution Control Board, do hereby report as follows:

The Hon'bleTribunal had vide order dated 22.12.2020 in the above original application directed as follows: *“The Kerala State Pollution Control Board (KSPCB) is directed to inspect the unit in question and submit a factual and action taken report, if there is any violation found as alleged in the application and also if the sound control mechanism provided are not sufficient to meet the norms then, give adequate suggestion as to how this can be abated permanently without giving any room for any complaint from the people regarding the sound pollution alleged to be caused by the unit and also to conduct sound level monitoring, while conducting the sound monitoring level test, to do the same during day time and night time at different intervals while the unit is in operation in full optimum level, so as to ascertain the amount of noise that is being*

emanated and the adequacy of the pollution control mechanism provided by them and submit a report along with the monitoring test report to this Tribunal”

The 3rd respondent industry, BRMSCO GARMENTS PVT. LTD. is located at Onakoor in Pampakuda Grama Panchayat in Ernakulam district. It is engaged in the production of 20 MT/day of HDPE/PP Woven Sacks from virgin HDPE/PP granules and comes under large scale Green category industry. Summarized process details is given below

Poly propylene granules (90-95% by weight) and Calcium Carbonate granules (5-10% by weight) are drawn to a dozer and mixed in a conical bowl. Uniformly mixed combination of this raw material is then electrically heated up to 250⁰ C and extruded in sheet form to a water bath.

Cold PP sheets are then split using blades to narrow tapes. Such tapes are passed through the tape plant and stressed to the desired denier and rolled in electrically operated bobbins.

These bobbins are loaded in electrically operated circular weaving machines (called as looms) and PP fabric is produced and rolled on paper core.

Using the fabric following products are made

1. PP woven sacks
2. Laminated woven sacks
3. Flexo graphic printed sacks

Main machineries used in the process are

1. Machine dosing unit
2. Tape planned with extruder and winders
3. Circular looms (97 Nos)
4. Stitching machines
5. Printing machine
6. Screw compressors
7. Chilling plant

Total power load of the industry is 1750.6 HP

Polythene and plastic processed products manufacturing (Virgin Plastic) comes under Green category as per the categorization of the Board based on the pollution potential. Copy of the relevant pages of the circular dated 31.8.2016 of the Board is produced herewith and marked as Exhibit R1 (a). For large scale green category units, the minimum distance required from nearest residence is 10 m. The nearest residence from the unit is situated at a distance of more than 50 m on the northern side. The unit started functioning from 2009 onwards after obtaining consent to establish and consent to operate from the Board. The consent to operate has been renewed upto 30.06.2023.

The unit is functioning in an enclosed building. Main sources of noise pollution are the loom section and the compressor area. There is an additional wall enclosing the loom inside the unit building. Complaint had been submitted by Sri. Abraham Paul, the nearest resident, regarding noise pollution against the unit. During consent enquiry on the application for consent to operate renewal on 03.07.2018, noise level monitoring was conducted near the residence of complainant Sri. Abraham Paul. The Leq sound level obtained during the inspection was above 70 dB(A). Hence direction was given to the industry to provide additional control measures so as to reduce the sound level. In compliance with the direction, the unit reported vide letter dated 31.08.2018 that they have provided the following control measures to reduce the sound level :

- 1) All 65 ventilators on north side walls closed permantely.
- 2) 25 Nos. windows of the factory building having hinges on east side were replaced with fixed glazing.
- 3) Erected additional MS frame works to the entire length of the outer shed in northern side of the factory building and fitted with PP sheets.
- 4) Three entrance doors on north side wall of the factory shed were fitted with transparent PVC strip curtains.
- 5) Existing 5 Nos. air compressors (reciprocating type) installed on north side shed

were replaced with four numbers new acoustically protected screw type air compressors.

- 6) Silencer of the DG set replaced with larger one
- 7) Planted 125 saplings of fast growing curtain plant outside building on northern side.

Noise level monitoring was again conducted on 12.09.2018 at 1 m outside the boundary of the unit on the northern side. Ambient base sound level without operating the unit and sound level while operating the unit were measured. The readings are as follows:

Base sound level	-	57.7 dB(A)
Sound level during operations	-	62.7 dB(A)

The copy of the sound level monitoring is attached herewith as Exhibit R1(b).

Since the sound level was considerably reduced due to the additional control measures provided, consent to operate was granted. A true copy of the Consent to operate renewal is produced herewith and marked as Exhibit R1(c).

In compliance with the order dated 22.12.2020 of the Hon'ble National Green Tribunal, Southern Zone, the unit was inspected on 19.01.2021. The control measures provided to abate the sound pollution were verified. In addition to the control measures already mentioned above, curtains of P.P. sheet were seen provided in the northern side of the building. Plants and curtain plants planted in the northern side are properly maintained but not grown to a considerable height. Sound monitoring was conducted on 23.01.2021 to 24.01.2021 near residence of Sri. Abraham Paul, which in the nearest residence on northern boundary. Average sound level obtained during various time intervals are given below:

Date	Time	Average sound level obtained
23.01.2021 – 24.01.2021	9.30 a.m. - 3.40 p.m.	62 dB(A)
	4.30 p.m. - 6.30 p.m.	60.5 dB(A)
	6.30 p.m. - 9.30 p.m.	62.2 dB(A)
	9.30 p.m. - 11.30 p.m.	59.2 dB(A)
	12.00 a.m. - 3.00 a.m.	57.8 dB(A)

	3.00 a.m. - 7.00 a.m.	59 dB(A)
--	-----------------------	----------

Copy of the sound level monitoring report is produced herewith and marked as Exhibit R1(d).

Since the sound level obtained during the day time and night time exceeds the sound level prescribed for residential area, direction was given to the industry to provide sound barrier wall of adequate height between the industrial shed and the boundary and to provide adequate sound absorbing panels in the northern side of the loom area and compressor room. Copy of the letter is produced herewith and marked as Exhibit R1(e).

All the above are true to the best of my knowledge, information and belief.

Dated this the 27th day of January 2021.

DINESH K
S

Digitally signed by
DINESH K S
Date: 2021.01.27
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DEPONENT

VERIFICATION

I, Dinesh K.S, aged 50 years s/o K.V. Sidharthan, now working as Environmental Engineer in the District Office - II (Ernakulam) of the Kerala State Pollution Control Board at Perumbavoor, duly authorized to file this reply on behalf of the Kerala State Pollution Control Board do hereby verify on this, the 27th day of January 2021, that all what is stated above is true and correct to the best of my knowledge, information and belief and is borne out from the records maintained in our office.

DINESH K
S Digitally signed by
DINESH K S
Date: 2021.01.27
20:48:07 +05'30'

Dinesh K.S.

Environmental Engineer, District

Office - II (Ernakulam),

Kerala State Pollution Control Board, Perumbavoor.

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

APPLICATION NO. 262 of 2020

President, Onakkoor ParistithiSamarakshanaSamity : Petitioner

VS.

Kerala State Pollution Control Board, Rep., by its

Member Secretary, Thiruvananthapuram and others : Respondent

AFFIDAVIT

I, Dinesh K.S, aged 50 years S/o K.V. Sidharthan, residing at Irinjalakuda do hereby solemnly affirm and state as follows:

I am now working as the Environmental Engineer, District Office – II (Ernakulam) Kerala State Pollution Control Board at Perumbavoor, Ernakulam District. I am competent to and duly authorized to represent the first respondent in the above case. I know the facts and circumstances of the case. The factual submissions made here under in paragraphs 1 to 9 of the reply are true and correct to the best of my knowledge, information and belief. The legal submissions made therein are made on advice received from Counsel. In these circumstances, it is just and necessary that this Hon'ble Tribunal may be pleased to accept the accompanying reply on file and it is so humbly prayed in the interests of justice in this case.

Digitally signed by
DINESH K S
Date: 2021.01.27 20:48:33
+05'30'

DINESH K.S., DEPONENT

Solemnly affirmed and signed before me by the literate deponent personally known to me on this the 27th day of January 2021 at my office in Ernakulam.

STANDING COUNSEL FOR THE 1ST RESPONDENT

☎ General 0471-2312910, 2318153, 2318154, 2318155 Chairman 2318150 Member Secretary 2318144
e-mail: mskspcb@gov.in FAX: 2318152 web: www.keralapcb.nic.in



KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram - 695 004

ഫ്രീഫോൺ നമ്പർ - 095 004

No. PCB/T4/115/97 (3)

Dated: 31/8/2016

CIRCULAR

Sub:- Re categorization of industries under Red, Orange, Green and White categories as per CPCB direction.

- Ref:
1. GO (Rt) No. 2536/2002/H&FWD dated 21.10.2002
 2. Circular No. PCB/GEN/C1/2003 dated 21.07.2003
 3. Circular No. PCB/GEN/C1/2005 dated 30.03.2005
 4. CPCB's Letter No.B-29012/ESS (cpa)/2015-16 dated 07.03.2016
 5. Minutes of the 199th Board Meeting held on 27.07.2016

The Government of Kerala had vide G.O. cited first above amended the Water Rules 1976 notifying the list of Red, Orange and Green Category of Industries for consent management. As per this notification, the Board subsequently added few more industries in the list vide circulars cited second and third above. The same is followed now.

The Central Pollution Control Board (CPCB) vide reference cited 4th above issued directions under section 18(1) (b) of the Water Act 1974 and Section 18 (1) (b) of the Air Act 1981 regarding harmonisation of classification of industrial sectors under red/orange/green/white categories for compliance by all SPCBs and PCCs. The CPCB direction and the final document on criteria of classification of industrial sectors attached with the direction cited 4th above were placed before the Board in its 199th meeting held on 27.07.2016 and it was decided to adopt the categorisation of Central Pollution Control Board.

Now therefore, in compliance with the directions issued by the CPCB vide reference 4 and the decision of the Board Meeting held on 27.07.2016 (ref 5) the following orders are issued.

27.	50	Lubricating oil, greases or petroleum based products (only blending at normal temperature)	--	--	--	10	--	10	--	25	G-G	Minor fumes at the time of transfers from one container to other.
28.	54	Manufacturing of pasted veneers using gas fired boiler or thermic fluid heater and by sun drying	--	--	--	10	--	10	--	25	G-G	1. Minor fumes due to application of gums / adhesives / pastes etc. 2. This score is valid only for gas fired boiler. 3. The units having coal fired boilers shall be categorized as Orange.
29.	59	Oil mill Chani and extraction (no hydrogenation / refining)	10	--	10	--	--	--	--	25	G-G	Small quantities of floor washings & equipments washings are generated.
30.	48	Packing materials manufacturing from non asbestos fibre, vegetable fibre yarn	--	--	--	10	--	10	--	25	O-G	Some fugitive emissions of PM are expected.
31.	65	Phenyl/ toilet cleaner formulation and bottling	--	--	--	10	--	10	--	25	G-G	Minor fumes of VOCs in the work zone
32.	67	Polythene and plastic processed manufacturing (virgin plastic)	10	--	10	10	--	10	--	25	G-G	Cooling water & emissions due to mixing of raw materials.
33.	68	Poultry, Hatchery and Piggery	--	--	--	10	--	10	--	25	G-G	Obnoxious odour containing H ₂ S, CH ₄ , etc. and fugitive PM emissions
34.	69	Power looms (without dye and bleaching)	--	--	--	10	--	10	--	25	G-G	Minor emissions of PM.
35.	71	Puffed rice (muri) (using gas or electrical heating system)	--	--	--	10	--	10	--	25	G-G	Minor emissions of PM.
36.	57	Pulverization of bamboo and scrap wood	--	--	--	10	--	10	--	25	O-G	Some fugitive emissions of PM are expected.
37.	72	Ready mix cement concrete	--	--	--	10	--	10	--	25	G-G	PM emissions.
38.	73	Reprocessing of waste cotton	--	--	--	10	--	10	--	25	G-G	PM emissions.
39.	60	Rice mill (Rice hulls only)	--	--	--	10	--	10	--	25	O-G	PM emissions generated. Mainly air



KERALA STATE POLLUTION CONTROL BOARD
DISTRICT OFFICE (ERNAKULAM -II), PERUMBAVOOR

1ST Floor, Manna Residency, M.C Road, Perumbavoor

Telephone & Fax: 0484-2593747

E-mail: pcbdo2ekm@gmail.com

PCB/EKM/IAO-185/09

Date: 13/09/2018

AMBIENT SOUND LEVEL ANALYSIS REPORT

Source : Brmsco Garments Pvt Ltd, Pampakuda

Date : 12.09.2018

SOUND LEVEL (WHEN UNIT IS NOT WORKING)		
Sl.No		Reading in dB(A)
1	Leq	57.7 (10 minutes equivalent)
SOUND LEVEL (WHEN UNIT IS WORKING)		
Sl.No		Reading in dB(A)
1	Leq	62.7 (2 hours equivalent)

Dinesh K S
 Environmental Engineer



KERALA STATE POLLUTION CONTROL BOARD

FILE NO. :7625925

Date of issue :21/09/2018

INTEGRATED CONSENT TO OPERATE - RENEWAL

Consent No : G15ERNA-CTO-R-702547

Ref : 1. CONSENT NO. PCB/EKM/DO2/IC-R1/504/2015 dated 14.09.2015 with validity upto 30.06.2018.

2. CONSENT NO:PCB/EKM/DO2/ICO/661/2016 DATED 21.10.2016 VALID UP TO 30.06.2019

The 'Integrated Consent to Operate' issued as per reference above to M/s BRMSCO GARMENTS PVT LTD,ANCHELPETTY P.O ONAKKUR, PAMPAKUDA is hereby renewed up to 30/06/2023 and issued to M/s BRMSCO GARMENTS PVT LTD,ANCHELPETTY P.O ONAKKUR, PAMPAKUDA The consent(s)/ variation order(s) cited under reference are integral part of this renewal order and this order is subject to the conditions stipulated therein and the following modifications/ additions.

I. GENERAL

S.No.	Items	Description
1	Validity	30.06.2023
2	Fee remitted	Rs.2,90,668/-
3	Capital investment	Rs.1124.90 lakhs
4	Annual fee	Rs.54000/-
5	Total power required	1750.6 HP

II. Stack Details

Stack No.	Source of Emission	Emission Rate(Nm ³ /Hr)	Stack Height above		Control Equipment
			Ground Level(In Meters)	Roof Level(In Meters)	

III. CONDITIONS

3.1 For renewal of the consent in case of continuance of discharge/operation of the industry, application in the prescribed form shall be submitted through the web portal of the Board for Online Consent Management & Monitoring System 2 months prior to the date of expiry. Late application will be accepted only with fine.

3.2 This consent is granted subject to the power of the Board to review and make variation in or revoke any of the conditions as the Board deems fit as per the relevant Acts/Rules.

3.3 The applicant shall comply with the instructions that the Board may issue from time to time regarding prevention and control of air, water, land and sound pollution

3.4 No change or alteration of the unit/establishment is to be made without the prior written permission of the Board. Any change in the particulars furnished and/or in the identity of the occupier/authorized agent is to be intimated to the Board forthwith.

3.5 Arrangements for collection, segregation, storage, handling and disposal of solid Waste including garbage shall be provided and maintained properly.

All other conditions of the Integrated Consent to Operate issued as per reference above remain unchanged.

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2018.09.22 09:25:17
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DATE :21/09/2018

SIGNATURE & SEAL OF ISSUING AUTHORITY
ENVIRONMENTAL ENGINEER- DO II- EKM



To
SRI. T K VIJAYAN (MANAGING DIRECTOR)
THRIKKEPPURATH HOUSE
AMBALLOOR
ERNAKULAM DIST

1. This digitally signed document is legally valid as per the Information Technology Act 2000
2. For verifying this document please go to krocmms.nic.in and search using date of issue/name of the unit/Application Number in "Consent Granted Applications" link in the home page of the Board's Online Consent Management and Monitoring System.



KERALA STATE POLLUTION CONTROL BOARD
DISTRICT OFFICE (ERNAKULAM -II), PERUMBAVOOR

PMC 20/733, Govt. Hospital- KSRTC Road, Near Kallunkal Auditorium, Perumbavoor-683 542

Telephone : 0484-2593747

E-mail: pcbdo2ekm@gmail.com

Website: www.keralapcb.nic.in

PCB/EKM/DO-2/AM-79/2019

Date: 25.01.2021

AMBIENT NOISE LEVEL MONITORING REPORT

Source : Ambient Noise Level Monitoring at BRMSCO GARMENTS PVT. LTD,
 ANCHELPETTY as per the order dated 22/12/2020 on

OA 262/2020 by National Green Tribunal Southern Zone Chennai.

Date of Monitoring : 23.01.2021 – 24.01.2021

Sl. No	Parameter	Unit	Observation Area	Time & Duration of monitoring	Value in dB (A)	Noise Standards in dB(A) at residential Area
1	Sound(LAeq)	dB(A)	Complainant's Residence - North West direction of the unit.	9.30AM- 3.40 PM & 6 Hr 10 min	62	55
2	Sound(LAeq)	dB(A)	" "	4.30 PM -6.30 PM & 2Hr	60.5	55
3	Sound(LAeq)	dB(A)	" "	6.30 PM – 9.30 PM & 3 Hr	62.2	55

3844
 25/01/2021
 As

 25/01/21

4	Sound(LAcq)	dB(A)	” ”	9.30 PM - 11.30 PM & 2 Hr	59.2	45
5	Sound(LAeq)	dB(A)	” ”	12.00 AM – 3.00 AM & 3 Hr	57.8	45
6	Sound(LAeq)	dB(A)	” ”	3.00 AM – 7.00 AM & 4 Hr	59.0	45

Remarks

Morning

- * 90 looms out of 97 looms were functioning at the time of monitoring .
- * The looms were working at 30 rpm
- * D G set was not functioning at the time of monitoring .
- * Around 1.30 pm Ashok layland torres tipper passed along the road in between the unit and complainant's residence with heavy sound .

Evening and Midnight

- * Evening 8 P M The lamination machine & printing was shutdown.
- * All looms were working .
- * Sound level meter placed at location 36 meter away from the boundary wall of the unit.

SAJI K N

ASSISTANT SCIENTIST

SAJI. K. N.
Assistant Scientist





KERALA STATE POLLUTION CONTROL BOARD
DISTRICT OFFICE (ERNAKULAM -II), PERUMBAVOOR

PMC. 20/733, Govt. Hospital-KSRTC Road, Near Kallunkal Auditorium, Perumbavoor-683 542

Telephone & Fax: 0484-2593747

E-mail: pcbdo2ekm@gmail.com

olc

PCB/EKM/IAO-185/07

Date: 25.01.2021

From

Despatched
on 25-1-2021

The Environmental Engineer

To

The Managing Director
BRMSCO Garments Private Limited
Anchalpetty. P.O
Onakkoor
Pambakuda - 686 667

Sub: - Sound Monitoring conducted on 23-01-2021 to 24-01-2021 - Reg:

Ref: - NGT Order dated on 22-12-2020 in QA 262/2020

Sir,

On compliance with the NGT order referred above 24 hr sound monitoring conducted to assess the average sound level produced due to the functioning of your unit. As per the sound monitoring report the ambient sound level at the nearest residence is exceeding during day time and night time. So you are hereby directed to provide following control measures in consultation with experts in acoustic control measures.

1. Build a barrier wall of adequate height between the factory building and boundary wall to reduce the sound pressure level.
2. Provide acoustic panels of adequate sound absorbing materials in loom and compressor area.
3. Or any suitable measures in order to reduce the sound level

Please comply the above directions immediately and report the action taken on the above matter to this office.



Yours faithfully

ENVIRONMENTAL ENGINEER