

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

APPEAL NO. 88 of 2017 (SZ)

Petitioner : George Issac

5th Respondent : Kerala State Pollution Control
Board

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

A handwritten signature in black ink, appearing to read "Srikanth", is written over a light yellow rectangular background. The signature is cursive and includes a horizontal line underneath the name.

STANDING COUNSEL FOR THE 5TH RESPONDENT No.5

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

APPEAL NO. 88 of 2017 (SZ)

Petitioner : George Issac

**5th Respondent : Kerala State Pollution Control
Board**

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Dated this the 02nd day of November 2024

STANDING COUNSEL FOR THE 5th RESPONDENT

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

Appeal No. 88 of 2017 (SZ)

George Issac : Appellant

Versus

Ministry of Environment, Forests &
Climate Change & Others : Respondents

**REPORT FILED BY THE ENVIRONMENTAL
ENGINEER, KERALA STATE POLLUTION CONTROL
BOARD, DISTRICT OFFICE II, PERUMBAVOOR,
ERNAKULAM
(5th RESPONDENT)**

I, Sajeesh Joy, Aged 48 years, S/o V. A. Joy, now working as Environmental Engineer, Kerala State Pollution Control Board, District Office-II, Perumbavoor, Ernakulam, do hereby submit the report in Appeal No. 88 of 2017.

Hon'ble NGT vide order dated 05/09/2024 in Appeal 88 of 2017 directed as follows "1. It is stated by the learned counsel appearing for the Kerala State Pollution Control Board (KSPCB) that the committee has yet not been constituted as directed in our last order, which has to assess the remediation cost for restoring the project site. Hence, we direct the Kerala SPCB to expedite the same. 2. An objection has been filed against the report of the Kerala SPCB. Let the committee consider the said objections while assessing the remediation cost for restoring the project site."

In compliance with the above, Kerala State Pollution Control Board (KSPCB) vide proceedings no: KSPCB/739/2023 – SEE-1 dated 21/10/2024 formed a committee to assess the remediation cost for restoring the project site with the following members.

- i. Environmental Engineer, Kerala State Pollution Control Board, Ernakulam District Office-2 (Coordinator).




Environmental Engineer

- ii. Smt. Shajimol P.K., Geologist, Ernakulam District Office (Member).
- iii. Environmental Officer, State Environmental Impact Assessment Authority (Member).

Copy of the proceedings is produced herewith and marked as **Exhibit R5(a)**.

The Committee members, Sri. Sajeesh Joy, Environmental Engineer, Kerala State Pollution Control Board, District Office-2, Ernakulam; Smt. Shajimol P.K., Geologist, Ernakulam District Office and Dr. Junaid Hassan S, Environmental Officer, State Environmental Impact Assessment Authority met on 28/10/2024. The matter was examined in detail by the committee. The records related to concerned departments such as Environmental Clearance, Consent to Operate, Quarrying lease, Mine Closure Plan etc. obtained by the project proponent were verified by the committee. The Environmental Compensation imposed by Kerala State Pollution Control Board and the penalty imposed by Department of Mining & Geology for conducting illegal quarry operations were also examined by the committee.

Joint inspection was conducted at the project site by the committee on 28/10/2024, the same day, after the meeting.

A preliminary investigation on the site conditions related to overburden dumping, area already mined, compliance with conditions as per Environmental Clearance and Consent to Operate, vegetation, etc. was done by the committee. The methodology to arrive at in determining the cost of remediation was discussed in detail.

A notice was issued by KSPCB to the appellant vide letter dated 30/10/2024 regarding the constitution of Committee, in which, the appellanthas been informed that the committee will hear the appellant and consider his objections while assessing the remediation cost. Copy of the letter is produced herewith and marked as **Exhibit R5(b)** .

It is respectfully submitted that the committee will consider the objections when evaluating the remediation costs required for restoring the project site. Additionally, it is humbly requested that a time period of 3



SA
Environmental Engineer

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

APPEAL NO. 88 of 2017

GEORGE ISSAC : Appellant

VS.

Ministry of Environment, Forests &
Climate Change & Others : Respondents

AFFIDAVIT

I, Sajeesh Joy, Aged 48 years, S/o V. A. Joy, residing at Kakkanadu, 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 5th respondent in the above case. I know the facts and circumstances of the case. The factual submissions made here under 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.




Environmental Engineer
SAJEESH JOY,

DEPONENT

Solemnly affirmed and signed before me by the literate deponent personally known to me on this the 02nd day of November, 2024 at my office in Ernakulam.

STANDING COUNSEL FOR THE 5TH RESPONDENT

months may be allowed for the detailed investigation on the matter to carry out the assessments of remediation costs by the committee.

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

Dated this the 02nd day of November, 2024.

DEPONENT

Environmental Engineer

VERIFICATION

I, Sajeesh Joy, Aged 48 years, S/o V. A. Joy, now working as Environmental Engineer, Kerala State Pollution Control Board (hereinafter referred to as **Board**), District Office-II, Perumbavoor, Ernakulam, duly authorized to file this reply on behalf of the Kerala State Pollution Control Board do hereby verify on this, the 02nd day of November, 2024, 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.

Environmental Engineer

Sajeesh Joy

Environmental Engineer,

District Office - II

(Ernakulam),

Kerala State Pollution Control Board, Perumbavoor.



PROCEEDINGS OF THE CHAIRPERSON
KERALA STATE POLLUTION CONTROL BOARD
(Present:Er. Sreekala S.)

Sub:- Order dated 29.07.2024 in Appeal 88 of 2017 (SZ) of Hon'ble National Green Tribunal, Southern Zone - Constitution of Committee - Officers nominated - Orders issued.

KERALA STATE POLLUTION CONTROL BOARD
KSPCB/739/2023-SEE-1 Thiruvananthapuram Date:21-10-2024

Read: 1.Order dated 29.07.2024 in Appeal 88 of 2017 (SZ) of the Hon'ble National Green Tribunal, Southern Zone (copy enclosed).
2. Letter no. KSPCB/739/2023-SEE-1 dated 31.08.2024 of KSPCB to SEIAA and Department of Mining & Geology (DMG) (copy enclosed).
3.Letter no. DMG/3300/2022-M3 dated 23.09.2024 of DMG to KSPCB (copy enclosed).
4.Letter no. 519/SEIAA/EC3/3823/14 dated 30.09.2024 of SEIAA to KSPCB (copy enclosed).
5.Order dated 05.09.2024 in Appeal 88 of 2017 (SZ) of the Hon'ble National Green Tribunal, Southern Zone (copy enclosed).

ORDER

The Hon'ble National Green Tribunal (NGT) Southern Zone in Appeal 88 of 2017, filed by Sri. George Issac against the grant of Environmental Clearance (EC) to M/s Slab & Aggregates by State Environment Impact Assessment Authority (SEIAA), Kerala for conducting building stone quarrying in Sy.No.320/3 (P) and 320/2 (P) in Aikaranadu North Village in Kunnathunadu Taluk, Ernakulam District over an area of 8.6630 hectares , had directed vide Order dated 29.07.2024 that "Kerala State Pollution Control Board to constitute a Committee to assess the remediation cost for restoring the project site". The Hon'ble Tribunal also directed in the Order that once the Committee is constituted, the Board should issue notice to the appellant Sri.George Isaac and examine the issue raised by him that the assessment of excess mining done is not correct.

Board, vide letter read (2), requested to SEIAA and Department of Mining & Geology (DMG) to nominate a representative each to the Committee for assessing



(Handwritten signature)

Environmental Engineer

Remediation Cost. DMG and SEIAA, vide letters read (3) and (4), nominated Smt. Shajimol P.K, Geologist, Ernakulam District Office, DMG and Environmental Officer, SEIAA as representatives respectively.

The matter was considered. Committee consisting of the following members is constituted.

- (i) Environmental Engineer, Kerala State Pollution Control Board,
District Office -2 , Ernakulam (Co-ordinator).
- (ii) Smt. Shajimol P.K, Geologist,
Ernakulam District Office (Member).
- (iii) Environmental Officer , State Environment Impact Assessment
Authority (SEIAA) (Member).

The Committee shall assess the remediation cost for restoring the project site. The Committee shall examine the issue raised by the appellant regarding the assessment of excess mining as well as the objection filed against the report of KSPCB as ordered by the Tribunal vide Order read (5). The Committee shall submit its report to the Chairperson of the Board on or before 30th of October 2024 as the case is posted before the Tribunal on 04.11.2024.

The expenditure in this regard shall be met from the 'Non-Plan Research & Development' from current year's budget.

Sd/-
CHAIRPERSON

To
Environmental Engineer,
Kerala State Pollution Control Board,
District Office-2,
Ernakulam.

Copy to :

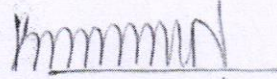
1. The Administrator,
State Environmental Impact Assessment Authority (SEIAA),
Thiruvananthapuram.
2. The Director,
Department of Mining and Geology (DMG),
Thiruvananthapuram.




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Environmental Engineer

3. Shajimol P.K ,
Geologist, Ernakulam District Office.
Department of Mining & Geology,
Civil Station , Kakkanadu PO, Kochi.
4. Environmental Officer,
State Environmental Impact Assessment Authority (SEIAA),
Thiruvananthapuram.
5. Environmental Engineer- 1, Head Office (for further follow up)
6. Stock File.

FORWARDED BY ORDER,



SENIOR ENVIRONMENTAL ENGINEER-1


Environmental Engineer

☎: General: 0471- 2312910, 2318153, 2318154, 2318155 Chairman: 2318150 Member Secretary: 2318151
 e-mail: chn.kspcb@gov.in; ms.kspcb@gov.in FAX: 2318152 web: www.kspcb.kerala.gov.in



KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004

പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004



KSPCB/739/2023 -SEE -1

Date : 30-10-2024

From

The Chairperson

To

George Isaac,
 Chennakkattu Kalangamara,
 Kolanchery, Ernakulam,
 Kadayiruppu P.O.,
 Kerala – 682311.

Sub :- Appeal 88 of 2017 before the Hon'ble NGT South Zone (SZ) Intimation of the constitution of Committee for the assessment of remediation cost- Reg. Ref:- 1. Order dated 29.07.2024 of the Hon'ble NGT SZ in Appeal 88 of 2017.
 2. Proceedings of the Chairperson dated 21.10.2024.

Sir,

Kind attention is invited to the above subject matter. The Hon'ble Tribunal ordered on 29.07.2024 that "we direct the Kerala State Pollution Control Board to constitute a Committee to assess the remediation cost for restoring the project site. When the Committee is constituted, let the Board also consider issuing a notice to the appellant and examine the issue stated supra" (copy of the Order is attached). Consequently, the Board has constituted a Committee as per Proceedings referred (2). It is informed that the Committee will issue notice and hear you as directed by the Hon'ble NGT.

Yours faithfully,

CHAIRPERSON

for

Encl : as above

Copy to:

The Environmental Engineer,
 District Office - 2 ,Ernakulam



Environmental Engineer