

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

Appeal No. 19 of 2025 (SZ)

ASTER MIMS

Malabar Institute of Medical Sciences Limited : Appellant

-VS-

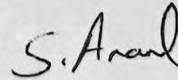
Kerala State Pollution Control Board, Kannur,

Kerala and Anr. : Respondents

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Dated at Chennai on this 11th day of October, 2025



COUNSEL FOR APPELLANT

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Appeal No. 19 of 2025 (SZ)

IN THE MATTER OF:

Malabar Institute of Medical Sciences Limited
(Aster MIMS, Kannur)

... Appellant

-VERSUS-

Kerala State Pollution Control Board & Anr.

... Respondents

REJOINDER ON BEHALF OF THE APPELLANT TO THE REPORT FILED BY
RESPONDENTS NO. 1 AND 2

I, Rajesh A.V., son of T.K. Narayana Pothuval, aged about 49 years, residing at Chembilodu, Edakkad, Kannur, Kerala – 670621, currently at Chennai, do hereby solemnly affirm and sincerely state as follows:

1. I am the authorized representative of the Appellant company. I am fully conversant with the facts of this case based on official records and am competent to affirm this Rejoinder.
2. The averments in the Report dated 04.08.2025 ("the Report") filed by the Respondents are emphatically denied, except for those expressly admitted herein. The Appellant reiterates the contents of its Appeal, which shall be read as an integral part of this Rejoinder.

I. INTRODUCTION: A RESPONSIBLE HEALTHCARE PROVIDER UNFAIRLY TARGETED

3. The Appellant, Aster MIMS Kannur, is a premier super-specialty hospital and a vital component of the region's public health infrastructure. It provides indispensable quaternary and tertiary medical services, significant employment to approximately 1,000 individuals, and serves as a critical healthcare access point for the community. The Appellant is part of a globally recognized healthcare group with a proven track record of proactive environmental stewardship and substantial investment in community welfare.
4. This commitment to compliance is not merely an assertion but is evidenced by the Respondents' own records. Multiple analysis reports from the First Respondent's District Laboratory have consistently confirmed the Appellant's adherence to statutory environmental norms. Furthermore, the Appellant has proactively invested in state-of-the-art environmental infrastructure, including a new **400 KLD Effluent Treatment Plant (ETP)** and an **Online Continuous Effluent Monitoring System (OCEEMS)**, demonstrating a commitment that goes beyond mere compliance.
5. Against this backdrop of consistent compliance and public service, the Impugned Order imposing a punitive Environmental Compensation (EC) of **₹94,50,000/-** is manifestly arbitrary, disproportionate, and legally untenable. The Respondents have constructed a fallacious narrative of "repeated non-compliances" based on a single, isolated, and marginal technical deviation, which too would not be a deviation if the statutory standards are referenced and adhered to, while systematically ignoring their own contrary evidence and violating mandatory statutory procedures. This Rejoinder will



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demonstrate that the Impugned Order is void *ab initio* and represents a punitive misuse of regulatory power.

II. MERITS OF THE CASE: FUNDAMENTAL FLAWS IN THE RESPONDENTS' ACTION

A. The Impugned Order is Void for Gross Violation of Natural Justice

6. The Impugned Order is premised entirely on the Analysis Report from the Central Laboratory dated 19.08.2023. At Para 7 of their Report, the Respondents make a critical admission: a copy of this determinative document was furnished to the Appellant only on **01.07.2025**—nearly two years after its creation and long after the punitive order was passed.
7. This constitutes a fatal and incurable breach of natural justice and mandatory law:
 1. **Section 22(2) of the Water (Prevention and Control of Pollution) Act, 1974**, is not a procedural formality but a mandatory obligation. It requires the Board to provide a copy of the analyst's report to the entity from which the sample was taken, ensuring a fair opportunity to contest the findings.
 2. It is a settled principle of administrative law, affirmed repeatedly by the Hon'ble Supreme Court, that an order passed in reliance on documents not supplied to the affected party is a nullity. The purpose of disclosure is to enable a meaningful defence; mentioning conclusions in a show-cause notice is not a substitute for providing the primary evidence.
 3. Consequently, the Analysis Report dated 19.08.2023 is inadmissible as evidence, and the Impugned Order, which is solely reliant upon it, is rendered **void *ab initio*** and must be quashed on this ground alone.

B. Deconstruction of the Alleged Violation: The Myth of "Grave Pollution"

8. The Respondents have built their entire case for a 252-day violation period on a single inspection dated 28.12.2022, which showed a marginal deviation in Biochemical Oxygen Demand (BOD). This is a gross mischaracterization of facts and science.
 1. **Scientific Context:** BOD is a measure of the oxygen required by microorganisms to decompose organic matter. A **marginal, isolated deviation**, which in any event is within statutorily prescribed limits particularly when all other critical parameters like COD, TSS, and pH are well within statutory limits, does not signify a continuous or grave environmental hazard. It is a technical anomaly, not evidence of a malfunctioning ETP or persistent pollution.
 2. **"Polluter Pays" Principle Requires Causation:** The "Polluter Pays" principle, a cornerstone of environmental jurisprudence in India, requires a direct causal link between the alleged act and demonstrable environmental harm. The Respondents have failed to produce any evidence that this single, marginal BOD deviation caused any environmental damage whatsoever. Levying a penalty for 252 days based on such a flimsy pretext is a punitive action, not a corrective one, and is contrary to law.



RAJESH A.V. Rajesh
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C. The Stringent Standards Imposed are Legally Unenforceable

9. The alleged "violation" on 28.12.2022 is only a violation when measured against unilaterally imposed, stringent consent limits (e.g., COD of 50 mg/l) that deviate significantly from the statutory standards prescribed in **Schedule VI of the Environment (Protection) Rules, 1986** (COD of 250 mg/l).
10. **Rule 3-A of the Environment (Protection) Rules, 1986**, explicitly permits the imposition of more stringent standards only *after recording reasons in writing*. The Respondents have failed to produce any such written justification. Therefore, these arbitrarily imposed stringent conditions are legally unenforceable. The Appellant's compliance must be judged against the statutory standards in Schedule VI, under which it was consistently compliant, as evidenced by the Board's own District Lab reports.

D. The Respondents Cannot "Approbate and Reprobate"

11. The Respondents' position is riddled with self-contradiction. They rely on the District Lab report of 28.12.2022 to establish the *start date* of the violation, yet dismiss numerous other compliant reports from the same lab. This is compounded by the Chairman's own statement, recorded in the meeting minutes of 23.11.2023, that *"only the analysis report from Central Lab has legal sanctity."*
12. It is a settled legal principle that a party cannot both **approbate and reprobate**. The Respondents cannot cherry-pick their evidence. If the District Lab reports lack legal sanctity, they cannot be used to determine the violation period. If they are considered valid, then their consistent findings of compliance must be accepted, which demolishes the very premise of a continuous 252-day violation.

E. The EC Calculation is Arbitrary and Punitive

13. The EC calculation is demonstrably flawed and reveals a mechanical non-application of mind:
 1. **Incorrect Violation Period (N):** The period of **252 days** is baseless, founded on a single, marginal deviation that was not continuous, as proven by subsequent compliant reports from the Respondents' own lab.
 2. **Incorrect Location Factor (LF):** The application of an LF of **1.25** is a patent factual error. The Appellant hospital is physically located within the jurisdiction of **Chembilodu Grama Panchayat**, which has a population far below one million. The correct LF under CPCB guidelines is **1.0**. This error alone unlawfully inflated the EC by 25%. Such arbitrary calculations, devoid of scientific basis, have been repeatedly struck down by this Hon'ble Tribunal.

III. PAYMENT UNDER DURESS AND PROTEST

14. The EC amount was remitted by the Appellant not as an admission of liability, but under **economic duress and protest**. At the time, the Appellant was proceeding with a critical 138-bed expansion project to serve the pressing healthcare needs of the community. The Respondents unlawfully withheld the grant of the 'Consent to Establish and Operate'



for this expansion, explicitly linking its issuance to the payment of the arbitrarily imposed EC.

15. This action constituted an abuse of regulatory power, placing the Appellant in an impossible position: either suffer immense financial losses and halt a vital public health project, or pay the unjust penalty. Faced with this coercion, the Appellant was constrained to remit the amount to mitigate further harm to the public interest and its substantial investment. Such a coerced payment cannot be construed as an admission of guilt.

IV. PARA-WISE REPLY TO THE REPORT

1. **Re: Paragraphs 1 to 5:** These are introductory averments and matters of record which do not necessitate a specific response from the Appellant.
2. **Re: Paragraph 6 (Table of Alleged Non-Compliances):** The narrative of "repeated non-compliances" presented in the table is a deliberate mischaracterization of facts, contradicted by the Respondents' own documents. The allegations are refuted as under:
 - a. **Re: Sl. No. 2 (Inspection of 28.12.2022):** The allegation of a violation is denied. The analysis report for this date confirmed that key parameters like pH, COD, TSS, and Oil & Grease were **within the applicable Schedule VI limits** under the Environment (Protection) Rules, 1986. The marginal deviation in BOD, far from being a "violation," was a minor and non-continuous anomaly, insufficient to justify the grave allegations of non-compliance, let alone trigger a 252-day penalty period. The Respondents attempt to establish a violation by referencing unilaterally imposed stringent standards in a later consent, which is impermissible under **Rule 3-A of the Environment (Protection) Rules, 1986**, as no written reasons were ever recorded or provided for such a deviation from statutory norms.
 - b. **Re: Sl. No. 3 (Inspection of 21.01.2023):** The claim of well contamination is scientifically untenable and baseless. The Board's own analysis report (KNR-1338) for samples collected on that day found fecal coliforms to be **below the detection level**. It is preposterous to blame the Appellant hospital, located at a lower elevation, for contamination in wells on higher ground, particularly when the Board's own test negates the presence of the very bacteria alleged.
 - c. **Re: Sl. No. 4 (Inspection of 10.05.2023):** This is a clear instance of a **manufactured violation**. The Show Cause Notice relied on reports KNR-1337 and KNR-1358, which themselves confirm all key parameters were within the tolerance limits of Schedule VI. The reliance on "high residual chlorine" is a red herring, as no statutory limit for this parameter has been prescribed or violated, and no environmental harm was demonstrated. This also exposes the Respondents' self-contradictory stance of approving and reprobating their own reports.
 - d. **Re: Sl. No. 5 (Inspection of 13.07.2023):** This inspection and the resulting Analysis Report (KNR-1383) again confirmed **full compliance** by the Appellant. The Respondents deliberately ignore and downplay this crucial fact as it directly contradicts their fabricated narrative of continuous pollution.



- e. **Re: Sl. Nos. 6 & 7 (Inspections of July-August 2023):** These relate to the inadmissible Central Lab report dated 19.08.2023. Further, the Respondents' own admission in the Report of "confusion regarding the labelling of the samples" collected on 13.07.2023 casts severe doubt on the procedural integrity and chain of custody for all samples from that period. The "marshy land" claim is factually rebutted by the expert **Report on Soil Characteristics from Government College of Engineering, Kannur (Annexure-1)**, which confirms fair drainage. The Appellant's consistent compliance is further corroborated by the independent **Test Report from NIT Calicut** dated 07.12.2023 (Annexure-2).
3. **Re: Paragraph 7:** The assertion that mentioning the analysis report dated 19.08.2023 in a show-cause notice suffices is legally untenable. This does not absolve the Respondents of their mandatory statutory duty under **Section 22(2) of the Water Act** to provide a copy of the report, which is essential for the Appellant to mount a fair defence.
4. **Re: Paragraph 8:** The allegation that the Appellant failed to operate its ETP "up to the mark" is vehemently denied. The Appellant has repeatedly apprised the Respondents of the rectification of all minor issues and is in full compliance. The "Polluter Pays" principle requires proof of actual pollution and a nexus to environmental damage. Barring a single, inadmissible report, the Respondents' own evidence demonstrates consistent compliance, making the levy of EC a punitive action devoid of legal or factual basis.
5. **Re: Paragraph 9:** The allegation that the Appellant polluted the environment by discharging untreated effluent is denied. The EC calculation for 252 days is entirely arbitrary and unjust, as the premise of "repeated non-compliances" is directly contradicted by the Respondents' own analysis reports, which show consistent adherence to prescribed standards.
6. **Re: Paragraph 10:** The application of the Location Factor (LF) of 1.25 is a patent error of fact and law. The Appellant hospital is physically located within the jurisdiction of **Chembilodu Grama Panchayat**, where the population is approximately 34,000. Citing the "Kannur Urban Agglomeration" is irrelevant and a misapplication of CPCB methodology. The correct LF is 1.0, and this error alone unlawfully inflated the EC by 25%.
7. **Re: Paragraphs 11 & 12:** The remittance of the EC amount was made under economic duress and protest, as the Respondents were unlawfully withholding the 'Consent to Establish and Operate' for the hospital's critical expansion. This payment, made to prevent further harm to a major public interest project, cannot be construed as an admission of liability. The Appellant has since completed the expansion and installed advanced environmental systems, underscoring its commitment to compliance.
8. **Re: Paragraphs 13 & 14:** The Appellant vehemently denies the unsubstantiated allegations. The EC was levied without adherence to Environmental Rules or CPCB guidelines and was based on prejudice. The Appellant has rectified all minor infractions and now operates a state-of-the-art ETP. The Respondents' action was punitive, not corrective, as there was no offense or demonstrable damage to the environment. The Appellant has demonstrated good faith and diligence by proactively implementing all directives, including improving filtration, constructing new soak pits, expanding the ETP to 400 KLD, and installing an Online Continuous Emission/Effluent Monitoring System (OCEEMS).



PRAYER

WHEREFORE, in light of the facts, legal submissions, and circumstances stated above, it is most humbly prayed that this Hon'ble Tribunal may be pleased to:

- a) Allow the Appeal and set aside the Impugned Order KSPCB/961/2023-EE-I dated 08.12.2023 as being illegal, arbitrary, and void *ab initio*;
- b) Direct the Respondents to refund the amount of **₹94,50,000/- (Rupees Ninety-Four Lakhs Fifty Thousand Only)**, paid by the Appellant under protest and duress, along with interest at a commercial rate from the date of payment until the date of realization; and
- c) Pass such other and further orders as this Hon'ble Tribunal may deem fit and proper in the interest of justice.

And for this act of kindness, the Appellant as in duty bound shall ever pray.

VERIFICATION

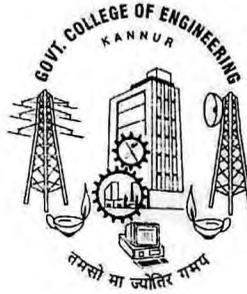
I, Rajesh A.V., the deponent above, do hereby verify that the contents of paragraphs 1 to 15 and the submissions herein are true to my knowledge based on the records of the Appellant, and the legal submissions are based on advice received, which I believe to be true. No part of it is false, and nothing material has been concealed therefrom.

Verified at Chennai on this 11th day of October 2025.



Rajesh A.V.
DEPONENT
Legal Officer- Legal, Licence, Compliance
MIMS Cluster

GOVT. COLLEGE OF ENGINEERING, KANNUR
Centre for Continuing Education



Report

on

Soil characteristics at the proposed effluent disposal site

at

Aster MIMS Hospital, Kannur

Client

Head-Public & Govt. Relations,
Aster MIMS Kannur

July 2024

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1. INTRODUCTION

The Head, Public & Govt. Relations, Aster MIMS Hospital, Kannur requested the Principal, Government College of Engineering Kannur to conduct investigation to find out the soil properties and the chances of future clogging in connection with the effluent disposal facility operational at the hospital premises. Accordingly, a detailed study was carried out at the site under the guidance of Dr. Vandana Sreedharan, Associate Professor and Mr. Shreesh Ajaykumar, Assistant Professor, Department of Civil Engineering, Government College of Engineering Kannur.

The details of soil investigation and the recommendations are presented in this report. The aim of investigations is to determine the soil properties, depth of water table and the chances of future clogging due to disposal of treated effluent based on the effluent characteristics and treatment process.

2. FIELD INVESTIGATIONS

OBJECTIVE:

The investigation was carried out to determine the soil properties, depth of water table and to study the stratification and depth of strata. The test results on effluent samples (submitted by the client) have been referred to assess the possibilities of future clogging due to effluent disposal after treatment or for use of treated effluent for irrigation.

A detailed reconnaissance survey was carried out in the presence of the site officials. Three locations were identified for investigation and samples were collected from these locations marked as bore holes BH1, BH2 and BH3 as per the existing site conditions and are shown in the Fig. 1. Standard penetration tests were also carried out on these selected locations so as to assess the nature of the soil strata below the existing ground level.

[Handwritten signature]
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1303

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3. INVESTIGATION DETAILS

Rotary drilling machine was mobilized at the site on 02/11/2023 and the work was completed on 03/11/2023. Bentonite slurry was occasionally used to stabilize the boreholes. Standard Penetration Test (SPT) was conducted at regular intervals or wherever a change in soil strata was observed. The first bore hole (BH1) was extended up to 5.0 m and the second and third bore holes (BH2 & BH3) were extended up to 7.0 m and 5.0 m below the existing ground levels. The soil profile for the bore holes (BH1, BH2 and BH3) are as shown in bore log chart. (Fig. 2, 3 and 4)

3.1 DRILLING:

Rotary Drilling was performed as per IS: 1892. The size of the casing used was 125 to 75 mm yielding samples of NX size.

The following information was collected during the drilling operations:

- Depth-wise soil profile
- Depth and results of SPT
- Details of soil samples collected
- Color of return water

3.2 STANDARD PENETRATION TEST (SPT):

Standard Penetration Tests were conducted at frequent intervals in the bore holes. These tests were performed as specified in IS: 2131-1981. In this test, a standard weight is dropped through 75 cm height to drive the split-spoon sampler, and the number of blows required to effect three consecutive 15 cm penetrations is recorded.

The first 15 cm penetration is considered as seating drive and neglected. Thereafter,

the split-spoon sampler is further driven for 30 cm penetration or 100 blows, whichever is reached earlier. The total number of blows for the second and third 15 cm penetrations is designated as penetration resistance N . If less than 30 cm is penetrated, the number of blows and the depth penetrated are recorded, and N value is recorded as $N < 100$. If the number of blows exceeds 100, Refusal is said to have been reached and further testing is discontinued.

3.3 FIELD BORE LOGS:

In the first bore hole BH1, typical lateritic soil was observed from the ground level up to 5.0 m, where the bore hole was terminated. Ground water table was not encountered up to this depth.

In the second bore hole BH2, lateritic soil was found up to a depth of 6.0 m. This was followed by weathered rock and the bore hole was terminated at 7.0 m. The water table was encountered at a depth of 1.5 m below ground level.

In BH3, lateritic soil was seen up to a depth of 1.0 m below ground level. This was followed by lateritic clay with sand up to 5.0 m, where the bore hole was terminated. The water table was at a depth of 1.5 m below ground level. Seasonal and annual fluctuations in ground water levels can be expected.

4. LABORATORY TESTING

The samples obtained from the field were transported to the lab. The samples were tested for the relevant properties at the Geotechnical Laboratory of GCE Kannur. The laboratory test results on the samples collected are given in Table 1. All the tests were conducted in accordance with IS: 2720 (Methods of Tests for Soils).

The following tests as per relevant BIS were conducted to arrive at the soil properties. The properties of soil are tabulated in Table 1.

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ENGG.

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1. Sieve Analysis [IS: 2720 (Part 4) – 1985 Grain Size Analysis]

The particle size distribution of the soil samples was found by sieve analysis and the gradation/particle size of the soil give an indication on the permeability of the soil. The soil sample has 85.9 % of sand particles.

2. Permeability test [IS:2720(Part 17) – 1986 Laboratory determination of permeability]

The coefficient of permeability is a measure of the ease with which water can flow through the soil. The soil samples collected has shown a coefficient of permeability of the order of 10^{-8} m/s at the corresponding field density. This value of coefficient of permeability corresponds to that of dense silt/clayey silt with fair drainage quality.

5. INFERENCE

The laboratory tests and the investigations carried out at the site suggests the presence of good (dense) quality lateritic soil with fair drainage characteristics at the locations studied.

This implies the limited percolation characteristics. The test results of the treated effluent (as supplied by the client) show the TDS values well within the limits. Hence the chances of immediate clogging are limited.

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SUMMARY

The Head, Public & Govt. Relations, Aster MIMS Hospital, Kannur requested the Principal, Government College of Engineering Kannur to conduct investigation to find out the soil properties and the chances of future clogging in connection with the effluent disposal facility operational at the hospital premises. Accordingly, a detailed subsoil investigation was carried out at the site under the guidance of Dr. Vandana Sreedharan, Associate Professor and Mr. Shreesh Ajaykumar, Assistant Professor, Department of Civil Engineering, Government College of Engineering Kannur. Based on the investigation, the above recommendations were made.

NB: If its observed, during the construction of the foundation that any variation in soil profile or properties of soil exist, from that mentioned in the report, the consultant should be informed and suggestions from Department of Civil Engineering, Government College of Engineering Kannur are to be obtained.



Shreesh Ajaykumar
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PEN-869588

Signature
CONSULTANTS



Countersigned
HOD
Department of Civil Engineering
Government College of Engineering Kannur



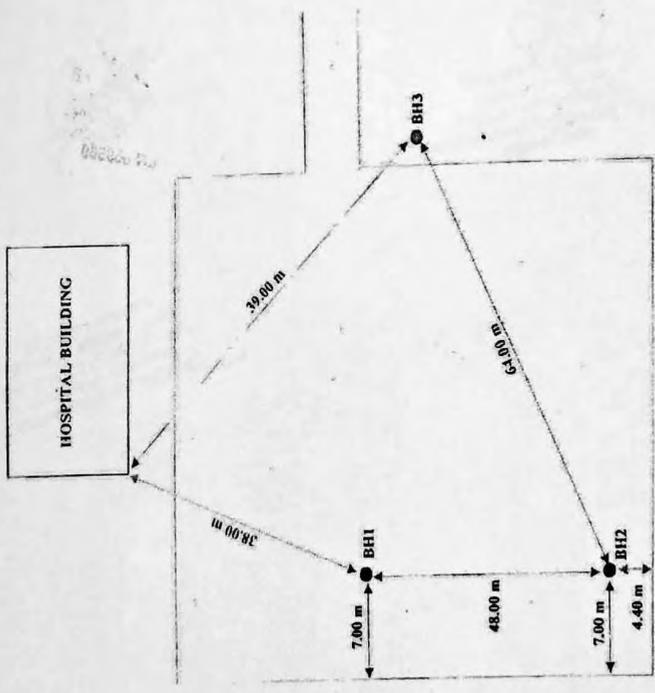
Countersigned
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KANNUR - 870 664

REFERENCES

1. IS:2131-1981 "Method for Standard Penetration Test for Soil", Bureau of Indian Standards, New Delhi.
2. IS: 2720 (Part 4) - 1985 "Grain Size Analysis", Bureau of Indian Standards, New Delhi.
3. IS:2720(Part 17) - 1986 "Laboratory determination of permeability", Bureau of Indian Standards, New Delhi.



BOREHOLE LOCATION



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All dimensions are not to scale

Project : Water table, soil properties and other studies at MIMS Kannur			Bore hole chart & Datasheet No. 1						
Site : MIMS Kannur			Date of Commencement :02/11/2023						
Bore hole No. 1			Date of Completion :02/11/2023						
DESCRIPTION OF SOIL	DEPTH IN (M)	BORE HOLE PROFILE	Thickness of layer (m)	SPT				Remarks	
				DEPTH (M)	N VALUE				
					15	30	45		N
Lateritic soil	5.00		5.00	1.50	34	50	-	>50	
				3.00	15	50	-	>50	
				5.00	21	24	26	50	

Bore Hole terminated at 5.0m depth

Signature
19/11/23

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Dr. Vinodina Sreedharan
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Project : Water table, soil properties and other studies at MIMS Kannur				Bore hole chart & Datasheet No. 2					
Site : MIMS Kannur				Date of Commencement :03/11/2023					
Bore hole No. 2				Date of Completion :03/11/2023					
GWL : 1.5 m below GL									
DESCRIPTION OF SOIL	DEPTH IN (M)	BORE HOLE PROFILE	Thickness of layer (m)	SPT				Remarks	
				DEPTH (M)	N VALUE				
					15	30	45		N
Lateritic soil	6.00		6.00	1.50	5	16	31	44	
				3.00	11	17	18	35	
				5.00	8	6	10	16	
Weathered rock	7.00		1.00	7.00	20	50	-	>50	
Bore Hole terminated at 7.0m depth									

[Signature]
19/11/24

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Dr. Vandana Sreechandan
Associate Professor
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Kannur - 670503

Project : Water table, soil properties and other studies at MIMS Kannur				Bore hole chart & Datasheet No. 3					
Site : MIMS Kannur				Date of Commencement : 03/11/2023					
Bore hole No. 3				Date of Completion : 03/11/2023					
				GWL : 1.5 m below GL					
DESCRIPTION OF SOIL	DEPTH IN (M)	BORE HOLE PROFILE	Thickness of layer (m)	DEPTH (M)	SPT N VALUE				Remarks
					N VALUE				
					15	30	45	N	
Lateritic soil	1.00		1.00	1.00					
Lateritic clay with sand	5.00		4.00	1.50	2	4	6	10	
				3.00	2	3	4	7	
				5.00	3	5	9	14	

Bore Hole terminated at 5.0m depth

Signature
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TABLE 1 SUMMARY OF LABORATORY TEST RESULTS

Sl. No	Bore Hole	Properties
1	BH1	Gravel fraction - 13.80% Sand fraction - 85.90% Silt and clay fraction - 0.3% Field density at 0.5 m - 1.31 g/cc Field density at 1.5 m - 2.08 g/cc
2	BH2	
3		Coefficient of permeability - 3.07×10^{-8} m/s

LABORATORY ANALYSIS OF TREATED EFFLUENT (AS SUPPLIED BY THE CLIENT)

Sl No	Parameters	Test Method	Unit	Test Result	Limit Of Quantification (LOQ)	KSPCB Specification For Treated Effluent
1	pH	APHA 23 rd Edition 4500 H+ B.2017		7.50	1.00	5.30 - 9.00
2	Total suspended solids	APHA 23 rd Edition 2540 B.2017	mg/L	<LOQ	10.0	100 Max
3	Biochemical Oxygen Demand (BOD)	IS 3025 (Part 44) 1993	mg/L	5.30	2.00	30.0 Max
4	Chemical Oxygen Demand (COD)	IS 3025 (Part 58) 2006	mg/L	19.4	4.00	250 Max
5	Oil & Grease	APHA 23 rd Edition 5520 B.2017	mg/L	1.10	1.00	10.0 Max
6	Total Dissolved Solids	APHA 23 rd Edition 2540 C.2017	mg/L	442	10.0	
7	Conductivity @ 25 °C	APHA 23 rd Edition 2510 B.2017	$\mu S/cm$	860	10.0	

Yandana Sreedharan
Associate Professor
Department of Civil Engg.
Govt College of Engg.
Kannur - 670563

Shreesh/Ajaykumar
Assistant Professor
Dept of Civil Engineering
Govt College of Engineering Kannur
PEN-969559

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Annexure 2



Department of Civil Engineering
राष्ट्रीय प्रौद्योगिकी संस्थान कलिकट
National Institute of Technology Calicut

एन.आई.टी. कैलिकट (पे.ओ.ई.), कलिकट, केरल-673 601, भारत • NIT Campus (P.O.), Calicut, Kerala-673 601, India

Exb - P20.

Phone:
Office 0495 2288261;
Head 0495 2288200
e-mail: NCD
civil@nitc.ac.in
website: www.nitc.ac.in

CED/TEST/EEL/GKV/BS/2023240

07.12.2023

Professor & Head,
Dept. of Civil Engg.

To
Aster MIMS Hospital
Malabar Institute of Medical Sciences Ltd
Chala East, Chala P.O.
Kannur- 670621

Sir,

Ref : Your Letter No: Nil dated Nil

With reference to your request cited above, tests have been conducted on the water sample supplied to us and the results obtained are as follows.

TEST REPORT

1. pH Value	: 6.98 at 26.8° C
2. COD	: 160 mg/l
3. BOD	: Not observed
4. Total Organic Carbon (TOC)	: 61.15 mg/l
5. Total Solids	: 1105 mg/l
6. Total Volatile Solids	: 200 mg/l
7. Total Suspended solids	: 40 mg/l
8. Total Dissolved Solids	: 1065 mg/l

The Test Charges vide our receipt no, R-C2/23/NO23/6098 dtd.07.12.2023 has already been paid. Please find the Bill of Charges enclosed herewith.

Kindly acknowledge receipt of this.

Thanking you
Yours truly,

T. D. Mathan

Professor and Head,
Dept. of Civil Engg.

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

Appeal No. 19 of 2025 (SZ)

**ASTER MIMS
Malabar Institute of Medical Sciences
Limited**

...Appellant

-VS-

**Kerala State Pollution Control Board,
Kannur, Kerala and Anr.**

...Respondents

REJOINDER FILED BY THE APPELLANT

S. Anand

COUNSEL FOR THE APPELLANT