

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

APPEAL No. 59/2024

Ignatious K.J.....Appellant

Versus

K.J.Joseph and another.....Respondents

**OBJECTION TO THE REPORT OF THE KERALA STATE
POLLUTION CONTROL BOARD, DATED 25TH JANUARY, 2025.**

Counsel for the Appellant

**P.B.SAHASRANAMAN
S.SAI SATHYA JITH
ADVOCATES**

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Dated this the 19th day of February, 2025.

Counsel for the Appellant

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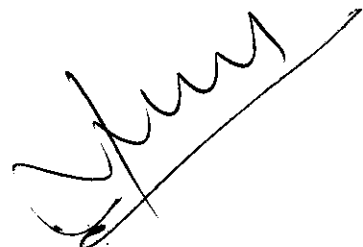
Vs

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**OBJECTION TO THE REPORT OF THE KERALA STATE
POLLUTION CONTROL BOARD, DATED 25TH JANUARY, 2025.**

1. It is respectfully submitted that this appellant accepts the Report of the Kerala State Pollution Control Board except to the extent referred to below.

2. The statement that smell/odour doesn't have standards laid down is incorrect. Baking typically produces pleasant aromas from aramelization, Maillard reactions, and yeast fermentation. During the baking process, the smell is generated as a result of several chemical reactions and physical changes that occur when ingredients are heated. The chemical reaction between amino acids (from proteins) and reducing sugars that occurs when food is heated. It is responsible for the browning of baked goods and the development of complex flavors and aromas. The Maillard reaction produces a wide range of aromatic compounds that contribute to the characteristic smell of baked goods. Many ingredients used in baking, such as vanilla, spices, and citrus zest, contain volatile organic compounds (VOCs) that are released into the air when heated. These compounds are responsible for the distinct smells associated with



different baked goods. As the moisture in the dough or batter evaporates during baking, it carries with it some of the aromatic compounds, which then become more noticeable in the air. If the baking process involves yeast or other leavening agents, the fermentation process produces gases (like carbon dioxide) and other by products that contribute to the overall aroma. In summary, the smell generated during baking is a result of complex chemical reactions, the release of volatile compounds, and the physical changes that occur as ingredients are heated. This smell is often one of the most delightful aspects of baking, signalling that the process is underway. Overbaking or burning ingredients (like sugar and flour) can create acrid or unpleasant odours. Some Volatile Organic Compounds like acrolein, formaldehyde) may be released in small amounts when fats or oils are overheated. High-temperature baking can release fine particles, particulate matter, that may cause respiratory irritation in the neighbouring areas.

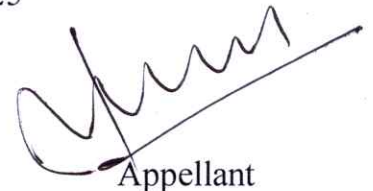
3. Likewise, in case of making of cakes the process of caramelization produces smell. It is a chemical process that occurs when sugars are heated, leading to the breakdown of sugar molecules and the formation of new compounds that contribute to both the color and the aroma of baked goods. The fact that so many complaints are received by the Board itself is indicative of the fact that the baking operations adversely affect the people.
4. The Board has forgotten the fact that baking operations with oven and furnace is an industrial activity and it comes in ORANGE category. Thus, a distance of fifteen meters is to be maintained from the nearby residences. In this case the building (22/214-A (old No 17/1781-A) where, activities are carried out is on the adjacent land wherein not even

A handwritten signature in black ink, consisting of a stylized, cursive name followed by a horizontal line underneath.

two-meter distance is maintained. Several residential buildings are located within a distance of fifteen meters. Even the building (22/214-A (old No 17/1781-A) where the present activities are carried out is a residential building for which Property Tax is paid to the Kochi Corporation as residential building and no industrial license or trade license was issued. The 1st respondent is carrying out industrial operations even without any license or consent.

5. It is respectfully submitted that the entire people of the area are affected by the foul smell generated by the baking operations carried out. There are several senior citizens in the nearby residential buildings who are adversely affected by the smoke generated by the baking operations. Their fundamental right to life guaranteed under Art. 21 of the Constitution has been infringed.
6. Therefore, it is prayed that the appeal be allowed and the impugned order passed by the Air Appellate Authority be allowed with compensatory costs to this appellant.

Dated this the 19th day of February, 2025



Appellant

VERIFICATION

I, Ignatious K.J., aged 58 years, Son of K.J. John, Kollamparambil, Mundamveli P.O., Kochi-682507, do hereby solemnly affirmed and state that the contents of paragraphs 1 to 6 are believed to be true on legal advice and that I have not suppressed any material fact.



Counsel for the Appellant



Appellant

Copy of Objection to KPCB Report Appeal No.59 of 2024 - NGT-SZ

1 message

P B Sahasranaman <sahasram@gmail.com>

Sat, Feb 22, 2025 at 11:35 AM

To: "Adv. Sajen Thampan" <sajen.thampan@gmail.com>, Rema Smrithi V K KSPCB <remasmrithivk@gmail.com>

Sir/Madame

Ref: Appeal No. 59 of 2024 - Filed by Ignatious -NGT-SZ

I am sending herewith a copy the objections filed against the report of the Kerala State Pollution Control Board.

regards

P. B. Sahasranaman
Advocate, Kerala High Court

Address: "Narayaneeyam", Chittoor Road, Kochi - 682011. Kerala. India.**Phone:** +91 484 3148809 | **Mobile:** +91 94465 44339**Follow on Twitter:** [@pbsahasranaman](https://twitter.com/pbsahasranaman) | **Connect at LinkedIn:** linkedin.com/in/sahasram/

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