

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

**ORIGINAL APPLICATION NO. 144 of 2023 (SZ)**

K. Ramachandran Pillai and ors. : Applicant

Vs.

The Principal Secretary to Government of Kerala,  
Department of Environment, Thiruvananthapuram  
andOrs : Respondents

**REPORT FILED BY THE ENVIRONMENTAL ENGINEER,  
KERALA STATE POLLUTION CONTROL BOARD, FOR AND ON  
BEHALF OF THE RESPONDENT**



Adv. Rema Smrithi V.K

ADDITIONAL STANDING COUNSEL FOR THE THIRD RESPONDENT

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**VOLUME 1**

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Dated this the 27<sup>th</sup> day of February 2025

Remasmrithi. V.K, Advocate

ADDITIONAL STANDING COUNSEL FOR THE THIRD RESPONDENT:

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
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**VOLUME 2**

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Dated this 27th day of February 2025

Remasmrithi. V.K, Advocate

ADDITIONALSTANDINGCOUNSELFOR THE THIRD RESPONDENT:

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

**ORIGINAL APPLICATION NO. 144 of 2023 (SZ)**

Applicant : K. Ramachandran Pillai and ors.  
Respondents : The Principal Secretary to Government of Kerala, Department of Environment, Thiruvananthapuram and others

**REPORT FILED BY ENVIRONMENTAL ENGINEER, DISTRICT  
OFFICE, KOLLAM FOR AND ON BEHALF OF THE KERALA STATE  
POLLUTION CONTROL BOARD**

1. I, Rachel Thomas, aged 41 years, D/o Sri. A. Thomas, now working as Environmental Engineer, Kerala State Pollution Control Board, District Office, Kollam. I am authorized to represent the Board (3<sup>rd</sup> respondent) in the above O.A. I know the facts and circumstances of the case. The factual submissions are true and correct to the best of my knowledge, information and belief.
2. This Report is filed on behalf of the Kerala State Pollution Control Board, in continuation with the Hon'ble National Green Tribunal (NGT) Southern Zone, Chennai vide Order dated 27.01.2025.
3. It is respectfully submitted that as the compliance to the Board's direction submitted as **Annexure IV** in the previous report dated 08.11.2024, Show Cause Notice dated 19.10.2024 issued to the brick kiln under the name and style of M/s. S.R. Bricks, Meenadu.
4. Since the unit owner had not submitted compliance letter/application for renewal of Consent to Operate within the stipulated time period, Notice of Intention of Closure was issued on 19.11.2024 to the unit. Copy of



**RACHEL  
THOMAS**

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RACHEL THOMAS  
Date: 2025.02.27  
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the Notice of Intention of Closure dated 19.11.2024 is produced herewith and marked as **Annexure I**. Even after elapsing of the time period, the reply to Notice of Intention of Closure was not submitted in this office. The Board conducted a hearing through video conference on 20.02.2025 chaired by the Chairperson of the Board. The daughter of the unit owner, on behalf of the owner had attended the hearing. The hearing concluded with decision to issue Closure Order to the unit and close down the illegal activity of the brick kiln. Copy of the minutes of hearing conducted on 20.02.2025 is produced herewith and marked as **Annexure II**.

5. As per decision of the hearing, Closure Order was issued on 27.02.2025 to the unit. Copy of the Closure Order is produced herewith and marked as **Annexure III**.

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

Dated this the 27<sup>th</sup> day of February 2025.



RACHEL  
THOMAS

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THOMAS  
Date: 2025.02.27 12:48:03  
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**ENVIRONMENTAL ENGINEER**  
**for the 3<sup>rd</sup> Respondent**



# Annexure I

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Help Desk : 0474- 2950617

Help Desk email : [kspcbkollam.hd@gmail.com](mailto:kspcbkollam.hd@gmail.com)



## KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

DISTRICT OFFICE

ജില്ലാ ഓഫീസ്

USHUS BUILDING, BIG BAZAR, KOLLAM - 691 001

ഉഷസ്സ് ബിൽഡിംഗ്, ബിഗ് ബസാർ, കൊല്ലം - 691 001



**Registered**

In reply please refer to: PCB/KO/GEN/01/2013

Ref: - 1. Consent No. PCB/KO/CTO/F/686/08 dated 26/11/2008

2. MoEF & CC Notification dated 22/02/2022

3. This office letter of even no. dated 13/09/2024

4. Show Cause Notice dated 19.10.2024

FAIR COPY  
DESPATCHED  
ON 20/11/2024

### NOTICE OF INTENTION OF CLOSURE

WHEREAS M/s. S. R. Bricks, Meenadu, Nedungolam P.O., Kollam - 691334 in Survey No. 152/17, 18, 16, 31, 21, 27, 32 of Meenadu Village, Kollam Taluk, Kollam District (herein afterwards referred to as industry) comes under the purview of the Water (Prevention & Control of Pollution) Act, 1981 and the Environment (Protection) Act 1986 and is bound to comply with the standards prescribed in the Environment (Protection) Rules laid down there under;

WHEREAS 'Integrated Consent to Operate' (herein afterwards referred to as ICO) was granted to the industry vide reference cited (1) subjected to certain conditions;

WHEREAS the validity of the granted ICO of the industry vide reference cited (1) has expired on 30.06.2009 and not renewed till the date;

WHEREAS inspection was conducted on 12.09.2024 and direction was issued to the industry vide ref. (3) to provide pollution control measures as per the notification of MoEF & CC vide ref. (2) above;

WHEREAS compliance letter had not submitted even after elapsing the time period permitted;

WHEREAS 'Show Cause Notice' was issued to the industry vide ref. (4);

WHEREAS neither compliance letter nor application for the renewal of 'Consent to Operate' has not been submitted yet;

WHEREAS the operation of the industry is continuing without valid consent and adequate pollution control measures;

AND WHEREAS such operation of the unit is a culpable offense as per various sections of the said Acts & Rules;

NOW THEREFORE the Board hereby intends to close down the industry as per the provisions of Section 31A of the Air (Prevention & Control of pollution) Act 1981 and 33A of the Water (Prevention & Control of pollution) Act 1974 ;

However, you may file before the undersigned objections, if any, within 15 days of receipt of this notice failing which further action will be initiated against the industry as per the said Acts & Rules.

Dated this the 19<sup>th</sup> day of November, 2024.

For and on behalf of the  
KERALA STATE POLLUTION CONTROL BOARD

  
ENVIRONMENTAL ENGINEER

To

Smt. Vimala Ramanujan  
S.R. Bricks,  
Meenadu,  
Nedungolam P.O.,  
Kollam - 691334

## Annexure II

### MINUTES OF THE HEARING CONDUCTED IN CONNECTION WITH THE REQUEST FOR CONCURRENCE ON ISSUING CLOSURE ORDER TO M/s. S.R BRICKS, KOLLAM

The hearing commenced at 12.15 pm on 20-02-2025 in the chamber of Chairperson.

The following attended the hearing:-

1. Smt. Chothy : Representative of M/s. S.R. Bricks  
Meenad, Nedungolam P.O.  
Kollam- 691334
2. Er. Bindhu Radhakrishnan : Chief Environmental Engineer  
Head Office, Thiruvananthapuram
3. Er. Vinaya K.S : Chief Environmental Engineer  
Regional Office, Thiruvananthapuram
4. Er. Ramya.G : Environmental Engineer -1  
Head Office, Thiruvananthapuram
5. Er. Rachel Thomas : Environmental Engineer  
District Office, Thiruvananthapuram
6. Er. Saiju J.S : Assistant Environmental Engineer  
District Office, Kollam
7. Er. Sharanya Mohan : Assistant Engineer  
District Office, Kollam
8. Er. Reshma K.S : Assistant Engineer-3  
Head Office, Thiruvananthapuram

At the outset the Chairperson welcomed the participants and requested the Chief Environmental Engineer, Regional Office, Thiruvananthapuram to give a brief description of the matter. The Chief Environmental Engineer, Regional Office, Thiruvananthapuram reported as follows. In connection with OA 730/2022 (OA 144/2023) (SZ) inspection was conducted from District Office, Kollam to M/s. S.R. Bricks. When it was noted that the unit is functioning without obtaining Board's consent and no adequate pollution control measures are provided, Direction and Showcause notice were issued. Since the unit owner didn't furnish any reply to the notices, Closure Intention Notice was issued. She further added that in the previous order in OA 144/2023(SZ) Hon'ble NGT has pointed out that no action is taken by Board against the unit other than issuing Showcause Notice.

The Chairperson then requested Environmental Engineer, District Office, Kollam to furnish additional details, if any, on the matter.

The Environmental Engineer, District Office, Kollam explained that OA 730/2022 is related to the pollution of Ithikara river. In continuation with the order passed by NGT in the said case, inspection was conducted in the unit on 12-09-2024. She informed that the unit had not renewed the consent of Board after 2009 and is now working without consent. Since the unit was functioning without providing proper pollution control facilities and is violating the notification of MoEF&CC, direction was issued on 13-09-2024. Further Show cause Notice was issued on 16-10-2024 and Closure Intention Notice was issued on 19-11-2024. She further emphasized that as per the notification of MoEFF & CC since the unit is a wire cut brick kiln, the consent can only be renewed upto 22-02-2025 even if the unit applies for Consent Renewal. She also emphasized that NGT has criticised the inaction of Board against the unit after the issuance of Showcause Notice. She further informed that when the unit representative approached the District Office, oral instruction was given to submit a written reply to the Notices issued from Board, but the unit didn't submit any reply so far.

The Chairperson then asked the unit representatives to raise their contentions.

Smt. Choathy, who attended the meeting for the unit owner, informed that it was her father who took care of the company till

2008. She added that when her father became sick she took the helm of affairs related to the unit. She further pointed out that she was unaware of the requirement for renewal of various licenses to be obtained for the operation of the unit and hence she requested to condone the lapse on her part, which was not deliberate. She further pleaded to permit one week time to convert the kiln to zig zag mode in compliance with the notification of MoEF&CC and to comply with the Board's directions.

The Chairperson pointed out that the unit had already been given enough time to comply with Board's directions and to obtain Board's consent. She emphasized that the unit shall also be converted to a zig zag one in compliance with the notification of MoEFF & CC and thereafter Consent to Operate Renewal shall be applied for.

After a detailed discussion it was decided to concur to the request from EE,DO Kollam for issuing closure order to the unit

The hearing came to an end at 12.40 pm.

Signed by  
**CHAIRPERSON**  
Sreekala S

Date: 26-02-2025 15:31:59

# Annexure III

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## KERALA STATE POLLUTION CONTROL BOARD

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**Registered**

In reply please refer to: PCB/KO/GEN/01/2023

Ref: - 1. Consent No. PCB/KO/CTO/F/686/08 dated 26/11/2008

2. MoEF & CC Notification dated 22/02/2022

3. This office letter of even no. dated 13/09/2024

4. Show Cause Notice dated 16.10.2024

5. Notice of Intention of Closure dated 19.11.2024

6. Minutes of the hearing conducted on 20.02.2025

### CLOSURE ORDER

WHEREAS M/s. S. R. Bricks, Meenadu, Nedungolam P.O., Kollam - 691334 in Survey No. 152/17, 18, 16, 31, 21, 27, 32 of Meenadu Village, Kollam Taluk, Kollam District (herein afterwards referred to as industry) comes under the purview of the Water (Prevention & Control of Pollution) Act 1974, the Air (Prevention & Control of Pollution) Act 1981 and the Environment (Protection) Act 1986 and the industry is bound to comply with the Rules laid down there under;

WHEREAS 'Integrated Consent to Operate' (herein afterwards referred to as ICO) was granted to the industry vide reference cited (1) subjected to certain conditions;

WHEREAS the validity of the granted ICO of the industry vide reference cited (1) has expired on 30.06.2009 and not renewed till the date;

WHEREAS inspection was conducted on 12.09.2024 and direction was issued to the industry vide ref. (3) to provide pollution control measures as per the notification of MoEF & CC vide ref. (2) above;

WHEREAS compliance letter had not submitted even after elapsing the time period permitted;

WHEREAS 'Show Cause Notice' was issued to the industry vide ref. (4);

WHEREAS neither compliance letter nor application for the renewal of 'Consent to Operate' has been submitted yet;

WHEREAS 'Notice of Intention of Closure' was issued vide ref. (5) to the industry for non-compliance of the direction and working without the consent of the Board;

WHEREAS the industry has neither submitted a reply letter, nor applied for 'Consent to Operate - Renewal' till date;

WHEREAS a hearing was conducted on 20.02.2025 chaired by the Chairperson of the Board and was decided to issue 'Closure Order' to the industry vide ref. cited (6);

AND WHEREAS the operation of the industry is continuing without valid consent and adequate pollution control measures is a culpable offense punishable as per various sections of the said Acts & Rules;

NOW THEREFORE in exercise of the powers under Section 33A of the Water (Prevention & Control of pollution) Act 1974 and Section 31A of the Air (Prevention & Control of pollution) Act 1981, it is hereby directed to close down the industry and all operations and processes in the industry having water/air/noise pollution potential with immediate effect.

Dated this the 27<sup>th</sup> day of February, 2025.

For and on behalf of the  
KERALA STATE POLLUTION CONTROL BOARD



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THOMAS

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ENVIRONMENTAL ENGINEER

To

Smt. Vimala Ramanujan  
S.R. Bricks,  
Meenadu,  
Nedungolam P.O.,  
Kollam - 691334

Copy to:

The Secretary  
Chathannoor Grama Panchayat