

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

IN

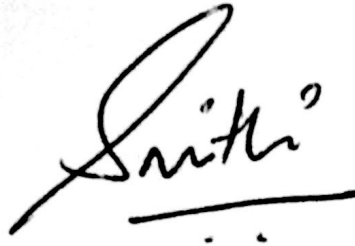
ORIGINAL APPLICATION NO. 153 of 2024 (SZ)

Petitioner: Suo Moto

Versus

Respondent(s): Central Pollution Control Board
and others.

**REPORT FILED BY THE CHIEF ENVIRONMENTAL ENGINEER,
REGIONAL OFFICE, ERNAKULAM FOR AND ON BEHALF OF THE
KERALA STATE POLLUTION CONTROL BOARD**

A handwritten signature in black ink, appearing to read "Smrithi", with a horizontal line underneath it.

Adv. Rema Smrithi.

ADDITIONAL STANDING COUNSEL FOR THE 2ND RESPONDENT

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
IN
ORIGINAL APPLICATION NO. 153 of 2024 (SZ)

Petitioner: Suo Moto.

Versus

Respondent(s): Central Pollution Control Board
and others.

VOLUME 1

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Dated this the 22nd Day of August 2024

Adv. Rema Smrithi.

ADDITIONAL STANDING COUNSEL FOR THE 2ND RESPONDENT

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
IN
ORIGINAL APPLICATION NO. 153 of 2024 (SZ)**

Petitioner: Suo Moto.

Versus

Respondent(s): Central Pollution Control Board
and others.

**REPORT FILED BY THE CHIEF ENVIRONMENTAL ENGINEER,
REGIONAL OFFICE, ERNAKULAM FOR AND ON BEHALF OF THE
KERALA STATE POLLUTION CONTROL BOARD**

I, Baburajan P K, aged 54 years, working as Chief Environmental Engineer, Regional Office, Kerala State Pollution Control Board, Ernakulam, Ernakulam, do hereby solemnly affirm and state as follows:

1. I am the Chief Environmental Engineer, Kerala State Pollution Control Board (hereinafter referred to as Board). I am competent and duly authorized to represent the 2nd Respondent in the above application. I am aware of the facts affirmed by me in this report. I am swearing this report is based on the best of my knowledge, information and belief and the facts revealed from the records.

2. The above Suo Motu Case taken in reference to the news item




BABURAJAN P.K.
Chief Environmental Engineer

published in ‘The New Indian Express’ dated 23.02.2024 titled “Begging for breath: trapped between Industries Kochi Residents gasp for fresh air”, was initially registered by the Principal Bench of the Hon’ble NGT as OA 320 of 2024 (PB), and transferred to the Southern Zone re-numbered as OA No 153 of 2024 (SZ). It is respectfully submitted that this report is filed pursuant to the order dated 22-07-2024 of the Hon’ble Tribunal.

3. It is respectfully submitted that matter of this case is pertaining to the air pollution caused by the three companies such as M/s BPCL Kochi Refinery, M/s Prodair Air products and M/s Hindustan Organic Chemicals Limited, and the hardships faced by the public residing near to these companies. A report was filed on 03.04.2024 before the Principal Bench of the Hon’ble NGT in OA 320/2024 (PB). The true copy of this report is furnished as **Annexure R2-(a)**.

4. A case on the same subject matter was earlier filed before the Hon’ble High Court in WP(C) No. 7268/2013 by Sri Reghu V.K. and others, alleging that the operation of the two industries M/s BPCL Kochi Refinery and M/s Hindustan Organic Chemicals Limited forces the petitioners to live in extremely unsafe environment, resulted from the unscientific manner of acquiring land leaving strips of land which can’t be put into any productive use. Since both these companies had informed that they can’t acquire the land, Government of Kerala was asked vide earlier Order dtd 01.06.2020 to step in to find a solution as the petitioners, most of them coming from lowest sections of society being pushed to great detriment due to no fault of theirs. However, as no breakthrough was obtained as on 08.04.2022, the case was disposed, with full liberty to the Chief Secretary to conduct any further meetings to be held subject to the convenience of the petitioners. A copy of the Judgment in WP (C) 7268 of 2013 is marked and produced herewith as **Annexure R2-(b)**.




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Chief Environmental Engineer

5. Further, a Contempt of Case No 1024 of 2023 of WP(C) No 7268 of 2013 was filed by Sri. Sajeev Kumar & Sri. Vinod Kumar before the Hon'ble High Court of Kerala, in which the Board was directed to conduct monitoring in the alleged (Ayyankuzhi) area vide order dated 13/03/2024 in IA .No. 4/2024. A copy of the Order is marked and produced herewith as **Annexure R2-(c)**. After various failed trials to conduct the ambient air monitoring of the alleged area, due to interruptions in the form of rainfall, opposition by the local residents, difficulty in using power for the monitoring equipment from KSEB's domestic connections etc., eventually ambient air monitoring was carried out on 29/03/2024 and 30/03/2024.

6. As per this report, the ambient air quality was within the limits, whereas the ambient noise levels were found to exceed the ambient noise standards. Further to this, a hearing was conducted on 22.05.2024 at District Office-2, Perumbavoor, Ernakulam with M/s BPCL Kochi Refinery, M/s Prodair Air products and M/s Hindustan Organic Chemicals Limited, to discuss the same. Subsequently, directions dated 09.07.2024 were issued from District Office-2, Perumbavoor to these three companies to take various measures such as conducting a detailed noise survey, providing additional noise monitoring stations and proposal for additional sound reduction measures to be implemented in the companies. True copies of these directions are marked and produced herewith as **Annexure R2-(d)**, **Annexure R2-(e)** and **Annexure R2-(f)** respectively. M/s Prodair Air Products and M/s Hindustan Organic Chemicals Limited have furnished replies to the directions. These replies are marked and produced herewith as **Annexure R2-(g)** and **Annexure R2-(h)** respectively. Necessary follow up actions are being taken by the Board in this regard. Regarding acquisition of land, it is respectfully reported that the decision is to be taken by the Government of Kerala.




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7. It is respectfully submitted that Contempt of Case No 1024 of 2023 of WP(C) No 7268 of 2013 is under the consideration of the Hon'ble High Court of Kerala. The recent Order of the Hon'ble High Court dated 20.06.2024 is marked and produced herewith as **Annexure R2-(i)**.

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

Dated this 22nd Day of August 2024.




BABURAJAN P.K.
Chief Environmental Engineer

CHIEF ENVIRONMENTAL ENGINEER
REGIONAL OFFICE, ERNAKULAM

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
IN
ORIGINAL APPLICATION NO. 153 of 2024 (SZ)

Petitioner: Suo Moto.

Versus

Respondent(s): Central Pollution Control Board
and others.

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Dated this the 22nd Day of August 2024

Adv.Rema Smrithi.

ADDITIONAL STANDING COUNSEL FOR THE 2ND RESPONDENT

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

IN

ORIGINAL APPLICATION NO 320/2024 (PB)

Suo Motu :: **Petitioner**
Vs.
Central Pollution Control Board &Others :: **Respondents**

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Dated this the 03rd day of April 2024

JogyScaria, Advocate

ADDITIONAL STANDING COUNSEL FOR THE RESPONDENT:

4. The two industries are Bharath Petroleum Corporation Limited (BPCL) and Hindustan Organic Chemicals Limited (HOCL). The industries are coming under Large Red category Petro chemical industries, operating with valid Consent to Operate of the Board. There are around 29 families residing in 9.5 acres of land with an average width of 100 metres in between the said industries. The residents have raised various complaints earlier which were investigated and processed positively by the Board. The location map is submitted herewith and marked as **Annexure 1**.
5. The residents had also approached the Hon'ble National Green Tribunal (SZ) vide OA 265/2017 against the pollution problems from the BPCL. Hon'ble NGT, vide order dated 19-4-2022, had directed the industry to provide green belt and sound pollution control measures; to conduct carrying capacity studies for any further expansion of industry; and for remittance of environmental compensation of Rs. 2,00,00,000/- (Rupees two crores only) by the industry. It is respectfully submitted that against the order dated 19.04.2022 of the Hon'ble NGT (SZ) in OA.No.265 of 2017 (SZ), OA.No.17 of 2021 (SZ) and OA No. 01 of 2022 (SZ) which were all regarding Bharat Petroleum Corporation Limited-Kochi Refinery, BPCL submitted Civil Appeal in Hon'ble Supreme Court of India. The Hon'ble Supreme Court stayed the operation of the KSPCB/581/2024-SEE-1 I/7142/2024 impugned order under further orders vide order dated 22-08-2022. As per the order dated 04-12-2023, the said case in Hon'ble Supreme Court is pending. The copies of the orders are submitted herewith and marked as **Annexure 2** and **Annexure 3** respectively.
6. It is respectfully submitted that complaints have been received by the Board regarding the sound pollution during the commissioning activities of Propylene Derivatives Petrochemicals Project (PDPP) project, from last months of 2019 onwards. Based on the complaints a hearing was conducted in the Chamber of Chairman on 09/12/2019. The complainants and BPCL, officials participated in the hearing. Directions were given to BPCL authorities based on the decision taken in the hearing to provide sound control measures at the source. Also the District Office was directed to monitor the sound level during commissioning activities. Continuous noise monitoring was conducted for two weeks in January 2020. On 10/01/2020, the Board Chairman along with Chief Environmental Engineer, Regional Office, Ernakulam, Environmental Engineer, District Office-2, Ernakulam visited the site and verified the commissioning activities and the control measures provided by the project proponent and directions were given to provide additional control measures to mitigate the noise problem. As per the hearing, and




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Chief Environmental Engineer

directions given based on the field visit, acoustic enclosures were provided for water pumps used for pumping raw water. The length of the pipe discharging into the quarry pond was also increased.

7. It is respectfully submitted that Sri. VipinNath and residents located near Adookara area have lodged many complaints against PDPP project from 2021 onwards through various forums. The details of inspection conducted by Board officers based on the complaints and with officials from MoEF and Central Pollution Control Board are given in the table below.

SI. No	Date	Name of officers conducted inspection/monitoring	Purpose
1	05/04/2022	NAMP Operators	Routine sampling and monitoring
2	12/04/2022	Assistant Engineer and NAMP Operator	Compliant against PDPP by Sri. Vipinnath
3	08/06/2022	Chief Environmental Engineer, Environmental Engineer, Assistant Environmental Engineer, Regional Office, Ernakulam	Inspection at out skirts of BPCL project area.
4	06/07/2022	Environmental Engineer, KSPCB and Executive Engineer- Irrigation Department	Inspection at various lands of BPCL
5	14/07/2022	NAMP Operators	Routine sampling
6	02/09/2022	Assistant Engineer, NAMP Operators	Complaint enquiry against Propylene Derivatives Petrochemicals Project (PDPP) from Adookara area
7	07/10/2022	NAMP Operators	Sampling
8	09/11/2022	Chief Environmental Engineer, Environmental Engineer, Assistant Environmental Engineer, Regional Office	Inspection at all the units of M/s. BPCL, Kochi Refinery.




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 Chief Environmental Engineer

8. Based on the inspections necessary directions were given to the project proponent to rectify the problems noticed during the enquiry. The details of the directions given to the company authorities are given below:

SL No	DATE	LETTERS GIVEN TO	SUBJECT MATTER	MARKED AS
1.	17-02-2021	Executive Director	Noise pollution from PDPP	Annexure 4
2.	26-11-2022	Executive Director	Direction to install CANMS at PDPP	Annexure 5

From the above details it is clear that Pollution Control Board addressed the complaints raised by the complainants with due seriousness and necessary actions taken to rectify the pollution problems raised by the complainants.

9. It is respectfully submitted that M/s BPCL- Kochi Refinery, as per environmental clearance conditions and consent to operate conditions, provided Continuous Ambient Air Quality Monitoring Stations (CAAQMS) at five locations including PDPP project area. The CAAQMS are linked to Kerala State Pollution Control Board server and Central Pollution Control Board server for Real Time Monitoring of data. Major stacks in the refinery are provided with Real Time Emission Monitoring System and these are also linked to Kerala State Pollution Control Board and Central Pollution Control Board servers. For plant start up and shut down, flare gas recovery system is used. Venting and flaring are important operational and safety measures used in the refinery particularly during non- routine operational periods. For controlling fugitive emissions occurring from leaking of valves, flanges, pump seals, storage tanks, compress or seals, pressure valves, a Leak Detection Prevention and Repair Programme (LDAR) is practiced in refinery.

10. It is respectfully submitted that for waste water treatment, ETP of adequate capacity having all the treatment facilities to achieve the standard prescribed in the consent conditions are provided in all the process plants. For the treatment of waste water generated in the company, for high COD waste water, liquid incinerator is provided. The low COD waste water is diverted to the ETP of IREP project (Refinery project of M/s




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BPCL). The main sources of noise in the Petroleum Refinery include large rotating machines such as compressors, turbines, pumps, air coolers, blowers, fans and heaters. Acoustic enclosures and dampening hoods are provided to maintain KSPCB/581/2024-SEE-1 I/7142/2024 noise within the permissible limits.

11. The complaints received at various offices of the Board are inspected with due importance and necessary directions are being given to the company for redressing the problems if found genuine. It is respectfully submitted that as per the various orders of the Hon'ble High Court of Kerala and the National Green Tribunal, and as per the various complaints received, Ambient Air/Noise monitoring and well water monitoring had been conducted by the Board in and around the industry on various dates. Also monthly routine inspections were conducted in BPCL- KR. Details of the same are as follows:

Sl. No.	Date of monitoring	Location	Particulars
1	18/04/2023	BPCL	Treated effluent sample collection
2	10/05/2023	Ettikkara near BPCL	Well water Monitoring
3	11/05/2023	BPCL	Routine Inspection
4	12/05/2023	BPCL	Treated effluent sample collection
5	07/06/2023	BPCL	Treated effluent sample collection
6	07/07/2023	BPCL	Treated effluent sample collection
7	07/07/2023	Adookkara, Ward 16 of Vadavukodu- Puthencruze Grma Panchayat	Well water Monitoring
8	03/08/2023	BPCL	Routine Inspection
9	05/08/2023	BPCL	Treated effluent sample collection
10	12/09/2023	BPCL	Treated effluent sample collection




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11	21/09/2023 — 23/09/2023	Ayyankuzhi Area of Vadavucode- Puthecruze GP	Sound, Air and Well water monitoring & treated effluent sample collected from company
12	17/10/2023	BPCL	Treated effluent sample collection
13	14/11/2023	BPCL	Treated effluent sample collection
14	16/01/2024	BPCL	Routine Inspection

12. A direction was already sent to M/s BPCL- KR on 12.05.2023 for the strict compliance with the consent conditions and the environmental standards. It was also directed to provide an additional continuous sound monitoring station in the compound of the industry to assess the noise level.

13. A case was also filed before the Hon'ble High Court, WP(C) No. 7268/2013 alleging that the operation of the two industries forces the petitioners to live in extremely unsafe environment, resulted from the unscientific manner of acquiring land leaving strips of land which can't be put into any productive use. Since both these companies have informed that they can't acquire the land, Government of Kerala was asked to step in to find a solution as the petitioners, most of them coming from lowest sections of society being pushed to great detriment due to no fault of theirs, vide earlier Order dtd 01.06.2020. However, as no breakthrough has been obtained as on 08.04.2022, direction was issued to the Chief Secretary of the Government of Kerala to hear the petitioners and every other necessary stakeholders on 05.05.2022; thus culminating in an appropriate order with respect to their specific contentions in this Writ Petition, with full liberty to the Chief Secretary to conduct any further meetings to be held subject to the convenience of the petitioners.

14. Later, on 22.08.2022, on request to grant 4 months more time from 05-07-2022 to comply with the directions contained in the judgment dated 08-04-2022 in WP(C) No.7268/2013, extension of time was granted till 05.11.2022. Further on 06.12.2022, the learned Government Pleader, submitted that the authorities are in the process of complying implicitly with the judgment of this court, but they require 3 more months time, as a last chance. Subsequently, extension of time was granted for additional 3 months time from 05.11.2022 making it clear that no further extension will be offered.




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15. As per the Minutes of the meeting conducted on 05/08/2023 by the Principal Secretary, Industries Department, Government of Kerala, it was decided to conduct trial monitoring on 02/09/2023 and 24 hour Water-Air-Sound monitoring on 04/09/2023 at Ayyankuzhi area by the Board along with Environmental Studies, CUSAT. But the representatives of people at that area did not agree to do the monitoring, and the same was intimated to the District Collector on 02/09/2023. Then it was again decided to do the monitoring at another date. 48 hours Air-Sound-Well water monitoring done from 21/09/2023 onwards (but it was on rainy days) and the report was submitted to the District Collector on 03/10/2023.
16. The Hon'ble Court vide Order dated 13/03/2024 in IA .No. 4/2024 in Contempt of Court case No. 1024 of 2023 in WP(C) No. 7268 of 2013 filed by Sri. Sajeev Kumar & Sri. Vinod Kumar, had directed the Kerala State Pollution Control Board to conduct monitoring in the alleged (Ayyankuzhi) area. In compliance with the above, monitoring for a period of 48 hours was scheduled from 20/03/2024 and the same was intimated to the petitioners in the case and all those concerned, from this office on 16/03/2024. The company was also addressed to operate in full-fledged manner vide letter dated 16/03/2024. Copies of the above letters are submitted herewith, marked as **Annexure 6**. A team of officials of Board comprising of Chief Environmental Engineer, Environmental Engineer, Assistant Engineer, Assistant Engineers, NAMP operators visited area on 20/03/2024. All the necessary equipments were carried to the site for conducting monitoring. The concerns and opinion of the local residents including the petitioner, Sri. Sajeev Kumar V.N., Sri. Pankajakhan, Secretary of JanakeeyaSamithi, Ayyankuzhi and other affected persons were heard in detail by the Board officials. Power supply is needed for the working of equipment, but the residents raised their concern in providing the same, as no objection from KSEB is required for usage of electricity for this purpose, since the monitoring activity is not for domestic purpose. Later, as per the discussion carried out with them, three monitoring locations were fixed in the area and to draw electricity for working of equipment, from consumer numbers 26079,11045,7000462 coming under KSEB- Puthencruze subsection. Necessary clearance/permission from KSEB authorities is required for obtaining power supply from the above connections, for the functioning of equipment in order to carry out monitoring, as directed by the Hon'ble High Court. This has already been intimated to the Sub Engineer, Puthencruz Electrical Subdivision, KSEB,




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on 21/03/2024. The matter has been informed to the District Collector also. Copies of letters submitted herewith, marked as **Annexure 7**.

17. As per the instructions by the District Collector, based on the directions of the Hon'ble High Court, it was again decided to conduct 48 hours monitoring on non-rainy days at the alleged area, which was opposed by the people and the same was intimated to the District Collector on 28/12/2023. Then as per the minutes of the meeting conducted on 05/01/2024, it was again directed to do 5 days monitoring at the alleged area. But due to practical difficulties, it was decided to do 48 hours monitoring from 31/01/2024 onwards and the same was opposed by the people at that area and it was intimated to the District Collector on 31/01/2024. The 48hrs. ambient air monitoring of the area was carried out on 29/03/2024 and 30/03/2024 and the results will be submitted to the Hon'ble High Court on receipt of the same from the Board's laboratory. It is humbly submitted that actions is being taken according to the directions of the Hon'ble High Court.

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

Dated this the 03rd day of April 2024




BABURAJAN P.K.
Chief Environmental Engineer

CHIEF ENVIRONMENTAL ENGINEER
REGIONAL OFFICE, ERNAKULAM
For the 2nd respondent

BEFORE THE HONOURABLE NATIONAL GREEN
TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No.320 of 2024 (PB)

Petitioner : Suo Moto

Vs

Respondents : Central Pollution Control Board & Others

VOLUME – II

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Dated this the 03rd day of April, 2024.

Jogy Scaria, Advocate

Additional Standing Counsel for the 2nd Respondent

LOCATION MAP - AYYANKUZHI

ANNEXURE 1

76°21'0"E 76°21'30"E 76°22'0"E 76°22'30"E 76°23'0"E 76°23'30"E

OA- NO- 320/2024

9°59'30"N

9°59'0"N

9°58'30"N

9°58'0"N

9°59'30"N

9°59'0"N

9°58'30"N

9°58'0"N



Legend

- Institution
- Place Name
- Ayyankuzhi

76°21'0"E 76°21'30"E 76°22'0"E 12 76°22'30"E 76°23'0"E 76°23'30"E

ITEM NO.23

COURT NO.5

SECTION XVII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 5128-5130/2022

M/S BHARAT PETROLEUM CORPORATION LIMITED

Appellant(s)

VERSUS

N.G. SOMAN & ORS.

Respondent(s)

(FOR ADMISSION and IA No.109533/2022-STAY APPLICATION
and IA No.109534/2022-PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 22-08-2022 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. ABDUL NAZEER

HON'BLE MR. JUSTICE J.K. MAHESHWARI

For Appellant(s)

Mr. V.Giri, Sr. Adv.

Mr. T. Sundar Ramanathan, AOR

Mr. Vivek Pandey, Adv.

Ms. Sukanya Viswanathan, Adv.

Mr. Shrirang B.V.Arma, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Issue notice.

Operation of the impugned order shall remain stayed
until further orders.

Tag with Civil Appeal No.4576 of 2022.

(ANITA MALHOTRA)
AR-CUM-PS

(KAMLESH RAWAT)
COURT MASTER

Signature Not Verified
Digitally signed by
Anita Malhotra
Date: 2022.08.23
17:35:22 IST
Reason: 

ITEM NO.21

REGISTRAR COURT. 1

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

BEFORE THE REGISTRAR SH. H. SHASHIDHARA SHETTY

Civil Appeal No(s). 4576/2022

VIPINNATH A V & ANR.

Appellant(s)

VERSUS

M/S BHARATH PETROLEUM CORPORATION LIMITED & ORS. Respondent(s)

(CA No. 5128-5130 of 2022 - For service compliance only.)

WITH

C.A. No. 5128-5130/2022 (XVII)

(FOR)

Date : 04-12-2023 This appeal was called on for hearing today.

For Appellant(s)

Mr. T. Sundar Ramanathan, AOR
Petitioner-in-person

For Respondent(s)

Mr. Vivek Pandey, Adv.
Ms. Aastha Sardana, Adv.
Mr. Krishan Singhal, Adv.
Mr. T. Sundar Ramanathan, AOR

Dr. Laxmi Shastri, Adv.
Mr. Gurmeet Singh Makker, AOR

Mr. Avneesh Arputham, AOR
Mr. Ankit Sharma, Adv.

Mr. Sandeep Kumar Mahapatra, Adv.
Ms. Mrinmayee Sahu, AOR
Ms. Kritika Sharma, Adv.

Mr. Jogy Scaria, AOR
Ms. Beena Victor, Adv.
Mr. Vivek Guruprasad Ballekere, Adv.
Mr. Vivekguruprasad Ballekere, Adv.
Mr. R Ramesh, Adv.

contd...

Ms. M Priya, Adv.

Mr. Amrish Kumar, AOR
Mrs. A Deepa, Adv.

Mr. Anil Shrivastav, AOR
Mr. Alok Kumar, Adv.

Mr. Nishe Rajen Shonker, AOR
Mrs. Anu K Joy, Adv.
Mr. Alim Anvar, Adv.

Mr. Kaleeswaram Raj, Adv.
Ms. Thulasi K Raj, Adv.
Ms. Aparna Menon, Adv.
Mr. Mohammed Sadique T.a., AOR

UPON hearing the counsel the Court made the following
O R D E R

C.A. No. 5128-5130/2022

Respondent Nos.3 and 13 have filed counter affidavit.

Respondent Nos.4, 5, 10, 12, 14, 15, 21, 24 and 25 are granted four weeks' time, as last opportunity, for filing counter affidavit.

Ld. Counsel for the appellant is granted two weeks' time to take fresh steps and file fresh particulars in respect of the unserved respondent Nos.23, 26 and 27.

Respondent No.7-in person- has filed counter affidavit but it is defective. Four weeks' time is granted to cure the defects.

Service is complete on the remaining respondents, but none has entered appearance.

List again on 22.1.2024.

H. SHASHIDHARA SHETTY
Registrar

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

PMC. 20/733, Govt. Hospital -KSRTC Road, Near Kallumkal Auditorium, Perumbavoor - 683 542
 Telephone : 0484-2593747

E-mail : pcbdo2ekm@gmail.com

Website : www.keralapcb.nic.in

File No: PCB/DO2-EKM/BPCL-PDPP/2018

DATE: 17.02.2021

From,
 Environmental Engineer
 District office 2, Ernakulam
 Kerala State Pollution Control Board



To,
 The Executive Director,
 Bharat Petroleum Corporation Limited-Kochi Refinery,
 Post Bag-2, Ambalamughal,

Sir,

Sub : Heavy sound and vibration from PDPP project site-Reg

Ref: - 1) Environment clearance from MOeF, F.NO.J-11011/26/2013-1A II (I)
 dated 12/05/2015

2) Consent No. :PCB/HO/EKM-2/ICO/ 09 /2019 dated 28.08.2019.

Complaints has been received in this office from residents of Adookara area near PDPP plant of BPCL on today that heavy sound and vibration experienced from the flare stack. Also complaint against spreading of smoke in and around the flare stack. During inspection conducted noise was experienced at that area and the sound level monitoring revealed that it exceeds the ambient sound level standards prescribed for residential area as the measured noise level near the residence on the northern side of the flare stack was at a range of 60- 65dB(A) it was experienced that intense vibration at that area which might be due to faulty installation and need to be rectified immediately. It was also reported by the complainants that during morning time the sound and vibration are at its alarming level. You are reminded that exceedence of noise was identified on earlier occasions also and you have committed not to repeat such incidence any more.

In these circumstances, you are hereby directed to stop the flaring and venting activities till adequate control measures are adopted to reduce heavy noise and severe vibrations. It is also noticed that you have not completed installation activities till date. Hence you are directed to depute a team of officials at the complainants areas to ensure that no exceedence of noise or any other type of pollution are occurring which severely affect the daily life of people in that locality. Also relevant conditions of EC shall be strictly followed. Your actions in this regard shall be reported immediately.

Yours faithfully
DINESH K S Digitally signed by DINESH K S
Date: 2021.02.17 22:21:01
+05'30'
Environmental Engineer

Copy to,

1. The Chairman, Kerala state Pollution Control Board.
2. The Member Secretary, Kerala state Pollution Control Board.
3. The Chief Environmental Engineer, Regional office -Ernakulam,
Kerala state Pollution Control Board.

KERALA STATE POLLUTION CONTROL BOARD
REGIONAL OFFICE, COCHIN - 682 011
30/11/22

etc

ANNEXURE 5

C.E.E. 0484 220 7782
Phone: 0484 - 2207783 - 85
Fax: 0484 - 2207782
e-mail: pcbroekm@gmail.com



KERALA STATE POLLUTION CONTROL BOARD
REGIONAL OFFICE, GANDHI NAGAR, ERNAKULAM - 682 020
www.keralapcb.nic.in

PCB/RO-EKM/GEN-71/12

Date: 26.11.2022

From

Chief Environmental Engineer

To

Bharath Petroleum Corporation Ltd
Post Bag No. 2
Ambalamugal - 682302

Sub: - Inspection conducted on 09.11.2022 - reg.

Sir,

Please recall the discussion with the Executive Director on 09.11.2022 during the inspection conducted by the Board. You are hereby requested to install a Continuous Ambient Noise Monitoring Station at the Propylene Derivatives Petrochemical Project (PDPP) unit as discussed.

Yours Faithfully,

Chief Environmental Engineer

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്



DISTRICT OFFICE (ERNAKULAM-II), PERUMBAVOOR

ജില്ലാകാര്യാലയം (എറണാകുളം-2) പെരുമ്പാവൂർ

PMC. 20/733, Near Kallumkal Auditorium, Perumbavoor - 683 542

എം.സി. 20/733, കല്ലുകൽ ഓഡിറ്റോറിയം സമീപം, പെരുമ്പാവൂർ - 683 542

☎: 0484-2593747

e-mail: pcbdo2ekm@gmail.com

web: www.keralapcb.nic.in



Date: 16.03.2024

o/c PCB/EKM/DO-2/GEN-57/18

From The Environmental Engineer

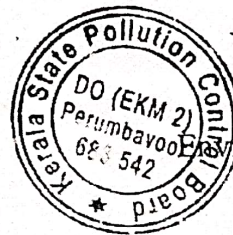
Despatched on 18.03.2024

To M/s BPCL Kochi Refinery Ambalamugal

Sub: IA.No.4/2024 in Contempt of Court case No. 1024 of 2023 in WP(C) No. 7268 of 2013 filed by Sri. Sajeev Kumar & Sri. Vinod Kumar before the Hon'ble High Court of Kerala - reg.
Ref: Interim Order dated 13/03/2024 on IA.No.4/2024 in Contempt Case(C) No. 1024 Of 2023(S) in WP(C) 7268/2013.

Sir,

Your attention is invited to the above subject. As per the reference cited above, the Hon'ble Court have directed the Pollution Control Board to conduct a monitoring at the alleged area when the 'plants' are functioning and within their precincts. In compliance with the above, it is decided to conduct the monitoring starting from 20/03/2024 onwards for 48 hours/2 days at the Ayyankuzhi area in Vadavucode-Puthencruze Grama Panchayath. The industry shall be operated in full-fledged manner with all the plants functional, during the course of monitoring.



Yours faithfully

[Signature]

Environmental Engineer

- Copy to: 1. The District Collector Ernakulam
2. The Chief Environmental Engineer Kerala State Pollution Control Board Regional Office, Ernakulam
3. The Secretary Vadavucode-Puthencruze Grama Panchayath
4. The Ward Member Ward - 16 Vadavucode-Puthencruze Grama Panchayath
5. Sajeev Kumar V.N., S/o Nanu Vaniyamkottu Thadathil Puthen Purayil Ayyankuzhi, Ambalamughal P.O., Ernakulam - 682 302
6. Vinod. V.A., S/o Appu Vettikkattukarottu Ayyankuzhi, Ambalamughal P.O., Ernakulam - 682 302.
7. Sri. M. K. Pankajakshan Secretary, Janakeeya Samithi Ayyankuzhi Ambalamugal - 682 302

KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്



DISTRICT OFFICE (ERNAKULAM-II), PERUMBAVOOR

ജില്ലാകരകര്യം (എറണാകുളം-2) പെരുമ്പാവൂർ

PMC. 20/733, Near Kallumkal Auditorium, Perumbavoor - 683 542

എം.സി. 20/733, കല്ലൂരൽ അഡിറ്റോറിയം സമീപം, പെരുമ്പാവൂർ - 683 542

☎: 0484-2593747

e-mail: pebdo2ekm@gmail.com

web: www.keralapcb.nic.in



PCB/EKM/DO-2/GEN-57/18

Date: 21.03.2024

From
The Environmental Engineer

Despatched
on 22/03/2024...

To
The Sub Engineer
KSEB
Puthencruze

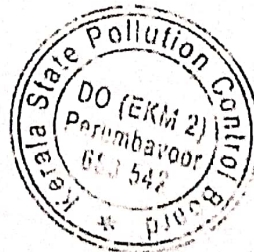
Sub: IA.No.4/2024 in Contempt of Court case No. 1024 of 2023 in WP(C) No. 7268 of 2013 filed by Sri. Sajeev Kumar & Sri. Vinod Kumar before the Hon'ble High Court of Kerala - reg.

Ref: Interim Order dated 13/03/2024 in IA.No.4/2024 in Contempt Case(C) No. 1024 Of 2023(S) in WP(C) 7268/2013.

Sir,

Attention is invited to the reference cited above.

The Hon'ble Court had directed the Kerala State Pollution Control Board to conduct ambient air/sound monitoring in Ayyankuzhi area under Vadavucode-Puthencruze Panchayath. Power supply is required for the working of the monitoring equipments. Board officials had visited the said area and fixed three locations for conducting monitoring and to draw electricity from the consumer numbers 26079, 11045, 7000462 of the local residents. Necessary clearance/sanction may be granted to obtain power supply from the above connections for conducting monitoring in compliance with the Hon'ble High Court's direction. The matter may be taken on priority and sanction may be provided urgently.



Yours faithfully

Environmental Engineer

Copy to:

1. The District Collector
Ernakulam
2. The Chief Environmental Engineer
Kerala State Pollution Control Board
Regional Office
Gandhinagar, Ernakulam

KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്



DISTRICT OFFICE (ERNAKULAM-II), PERUMBAVOOR

ജില്ലാകാര്യാലയം (എറണാകുളം-2) പെരുമ്പാവൂർ

PMC. 20/733, Near Kallumkal Auditorium, Perumbavoor - 683 542

എം.സി. 20/733, കല്ലൂരകൽ ഓഡിറ്റോറിയം സമീപം, പെരുമ്പാവൂർ - 683 542

☎: 0484-2593747

e-mail: pcbdo2ekm@gmail.com

web: www.keralapcb.nic.in



LIFE
Lifestyle for Environment

Date: 21.03.2024

O/C

PCB/EKM/DO-2/GEN-57/18

From

The Environmental Engineer

Despatched
on 22/03/2024

To

The District Collector
Ernakulam

Sub: IA.No.4/2024 in Contempt of Court case No. 1024 of 2023 in WP(C) No. 7268 of 2013 filed by Sri. Sajeev Kumar & Sri. Vinod Kumar before the Hon'ble High Court of Kerala - reg.

- Ref:
1. Interim Order dated 13/03/2024 in IA.No.4/2024 in Contempt Case(C) No. 1024 Of 2023(S) in WP(C) 7268/2013.
 2. This office letter of even no. dated 16/03/2024.
 3. That office letter no. C4-10357/13 dated 16/03/2024.

Sir,

Kind attention is invited to the subject and references cited.

The Hon'ble Court vide reference (1) had directed the Kerala State Pollution Control Board to conduct monitoring in the alleged area. In compliance with the above, monitoring for a period of 48 hours was scheduled from 20/03/2024 and the same was intimated to all those concerned vide reference (2).

A team of officials of Board comprising of Chief Environmental Engineer, Environmental Engineer, Assistant Environmental Engineer, Assistant Engineers, NAMP Operators visited the area on 20/03/2024. All the necessary equipments were carried to the site for conducting monitoring. The concerns and opinion of the local residents including the petitioner, Sri. Sajeev Kumar V.N.; Sri. Pankajakshan, Secretary of Janakeeya Samithi Ayyankuzhi and other affected persons were heard in detail by the Board officials.

It may kindly be noted that power supply is needed for the working of equipments, but the residents raised their concern in providing the same, as no objection from KSEB is required for usage of electricity for this purpose, because this is other than domestic purpose. Later, as per the discussion carried out with them, three monitoring locations were fixed in the area and to draw electricity for working of equipments, from consumer numbers 26079, 11045, 7000462 coming under KSEB-Puthencruze subsection.



Necessary clearance/permission from KSEB authorities is required for obtaining power supply from the above connections, for the functioning of equipments in order to carry out monitoring, as directed by the Hon'ble High Court. This has already intimated the Sub Engineer, Puthencruz Electrical Subdivision, KSEB, vide letter dated 21/03/2024.

The above details are furnished for your kind intervention and further instructions on the matter.



Yours faithfully

Environmental Engineer

Copy to:

The Chief Environmental Engineer
Kerala State Pollution Control Board
Regional Office
Gandhinagar, Ernakulam

**IN THE HIGH COURT OF KERALA AT ERNAKULAM****PRESENT****THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN****FRIDAY, THE 8TH DAY OF APRIL 2022 / 18TH CHAITHRA, 1944****WP(C) NO. 7268 OF 2013****PETITIONERS:**

- 1 REGHU V.K.
S/O.KUTTAPPAN, VETTIKATTUPARAMBIL, AYYANKUZHI,
PUTHENKURISHU VILLAGE, AMBALAMUGHAL P.O., ERNAKULAM
DISTRICT.
- 2 BHASKARAN.P.V.
S/O.PAPPU, VANIYAMKOTTU THADATTIL PUTHENPURA,
AYYANKUZHI, PUTHENKURISHU VILLAGE, AMBALAMUGHAL P.O.,
ERNAKULAM DISTRICT.
- 3 V.N.MOHANAN
S/O.NARAYANAN, VETTIKATTU, AYYANKUZHI, PUTHENKURISHU
VILLAGE, AMBALAMUGHAL P.O., ERNAKULAM DISTRICT.
- 4 V.S.RAJAPPAN
S/O.SANKU, VETTIKATTU KAROTTU, AYYANKUZHI,
PUTHENKURISHU VILLAGE, AMBALAMUGHAL P.O., ERNAKULAM
DISTRICT.
- 5 V.K.SURENDRAN
S/O.KUNJAN, EDATHATTU, AYYANKUSHI, PUTHENKURISHU
VILLAGE, AMBALAMUGHAL P.O., ERNAKULAM DISTRICT.
- 6 V.N.SASI
S/O.NARAYANAN, VETTIKATTU, AYYANKUZHI, PUTHENKURISHU
VILLAGE, AMBALAMUGHAL P.O., ERNAKULAM DISTRICT.
- 7 K.A.SANTHOSH
S/O.AYYAPPAN, KIZHAKKEPUTHEN PURAYIL, AYYANKUZHI,
PUTHENKURISHU VILLAGE, AMBALAMUGHAL P.O., ERNAKULAM
DISTRICT.
- 8 CHANDRAMMA.K.P.
D/O.AYYAPPAN, KIZHAKKEPUTHEN PURAYIL, AYYANKUZHI,
PUTHENKURISHU VILLAGE, AMBALAMUGHAL P.O., ERNAKULAM
DISTRICT.
- 9 VIJAYAMMA PRAKASAN
D/O.AYYAPPAN, KIZHAKKEPUTHEN PURAYIL, AYYANKUZHI,
PUTHENKURISHU VILLAGE, AMBALAMUGHAL P.O., ERNAKULAM
DISTRICT.
- 10 V.N.MOHANAN
S/O.NANU, VANIYAMKOTTU THADATTIL PUTHEN PURAYIL,
AYYANKUZHI, PUTHENKURISHU VILLAGE, AMBALAMUGHAL P.O.,
ERNAKULAM DISTRICT.
- 11 LEKSHMANAN.K.N.
S/O.NARAYANAN, PUTHEN PURAYIL, AYYANKUZHI, PUTHENKURISHU
VILLAGE, AMBALAMUGHAL P.O., ERNAKULAM DISTRICT.



- 12 NANU AYYAPPAN
S/O.NANU, KIZHAKKE PUTHENPURAYIL,
AYYANKUZHI, PUTHENKURISHU VILLAGE, AMBALAMUGHAL P
O, ERNAKULAM DIST
- 13 SAJEEVKUMAR V N
S/O.NANU VANIYAMKOTTU THADATHIL PUTHEN PURAYIL,
AYYANKUZHI, PUTHENKURISHU VILLAGE, AMBALAMUGHAL P
O, ERNAKULAM DIST
- 14 VALSALA RAMAKRISHNAN
D/O.KUNJAN, VETTIKATTUKAROTTU, AYYANKUZHI,
PUTHENKURISHU VILLAGE, AMABALAMUGHAL P O,
ERNAKULAM DIST
- 15 BIJU V K
S/O.KUNJAN, VETTIKATTU, AYYANKUZHI,
PUTHENKURISHU VILLAGE, AMBALAMUGHAL P.O.,
ERNAKULAM DISTRICT.
- 16 AMMINI RAMAN
D/O.KUNJAN, VETTIKATU KAROTTU,
AYYANKUZHI, PUTHENKURISHU VILLAGE, AMBALAMUGHAL
P.O., ERNAKULAM DISTRICT.
- 17 SALAJAKUMARI PRASAD
D/O.AYYAPPAN, KIZHAKKE PUTHEN PURA,
AYYANKUZHI, PUTHENKURISHU VILLAGE, AMBALAMUGHAL
P.O., ERNAKULAM DISTRICT.
- 18 KUNJAN
S/O.KOCHUKUTTY, VETTIKATTU,
AYYANKUZHI, PUTHENKURISHU VILLAGE, AMBALAMUGHAL
P.O., ERNAKULAM DISTRICT.
- 19 THANKAMMAVAVU
OLIPURATHU, AYYANKUZHI, PUTHENKURISHU VILLAGE,
AMBALAMUGHAL P.O., ERNAKULAM DISTRICT.
- 20 KUTTAN RAJAN
PATHANATTU , AYYANKUZHI, PUTHENKURISHU VILLAGE,
AMBALAMUGHAL P.O., ERNAKULAM DISTRICT.
- 21 PAPPUNANU
VANIYAMKOTY
THADATHILPUTHENPURA, AYYANKUZHI, PUTHENKURISHU
VILLAGE, AMBALAMUGHAL P.O., ERNAKULAM DISTRICT.
- 22 GEETHASOMAN
D/O.NANU, PALATHADATHIL, AYYANKUZHI,
PUTHENKURISHU VILLAGE, AMBALAMUGHAL P.O.,
ERNAKULAM DISTRICT.
- 23 RAJAN K A
S/O.AYYAPPANKUTTY, PANDUKUZHI,
AYYANKUZHI, PUTHENKURISHU VILLAGE, AMBALAMUGHAL
P.O., ERNAKULAM DISTRICT.



- 24 BINDU MON P K
S/O.KRISHNANKUTTY, VETTIKATTUKAROTTU,
AYYANKUZHI, PUTHENKURISHU VILLAGE, AMBALAMUGHAL
P.O., ERNAKULAM DISTRICT.
- 25 JISHNU SASI
EDATHATTU, AYYANKUZHI, PUTHENKURISHU VILLAGE,
AMBALAMUGHAL P.O., ERNAKULAM DISTRICT.
- 26 PRASANNA MOHANAN
D/O PARAYILO, AYYANKUZHI, PUTHENKURISHU VILLAGE,
AMBALAMUGHAL, P.O, ERNAKULAM DISTRICT
- 27 (CHELLAMMA BHASKARAN) *
VANIYAMKOTTU THADATTIL PUTHEN PURA, AYYANKUZHI,
PUTHENKURISHU VILLAGE, AMBALAMUGHAL P.O,
ERNAKULAM
* PETITIONER 27 IS SUBSTITUED AS
"BABU, AGED 53 YEARS, S/O NARAYANAN,
PUTHENPURAYAIL,
VANIYAMKOTTU THADATHIL, KUZHIKKADUKARAI,
PUTHENKURISHU VILLAGE, AMBALAMUGAL P.O, ERNAKULAM
DIST.
(AS PER ORDER DATED 03-11-2021 IN I.A 2/21)
- 28 BIJU MON. P.K
VETTIKATTUKAROTHU, AYYANKUZHI, PUEHTNKURISHU
VILLAGE, MABALAMUGHAL, P.O, ERNAKULAM DISTRICT
- 29 REJI V.R.
S/O RAJAPPAN, VETTIKAROTTU, AYYANKUZHI,
PUTHENKURISHU VILLAGE, AMBALAMUGHAL P.O.,
ERNAKULAM DISTRICT
- 30 ISSAC.K. O
S/O OUSEPH, KUTTEDATHU, AYYANKUZHI, PUTHENKURISHU
VILLAGE, AMBALAMUGHAL P.O., ERNAKULAM DISTRICT
- 31 SHAJI V.K
S/O KUNJAN,VETTIKATTU, AYYANKUZHI, PUTHENKURISHU
VILLAGE, AMBALAMUGHAL P.O., ERNAKULAM DISTRICT.
- 32 SHIJO.
S/O VARGHESE, KOCHU KAREEKKATTIL, AYYANKUZHI,
PUTHENKURISHU VILLAGE, AMBALAMUGHAL P.O.,
ERNAKULAM DISTRICT
- 33 APPU V.K
S/O KUNJAN VETTIKATTU, AYYANKUZHI, PUTHENKURISHU
VILLAGE, AMBALAMUGHAL P.O., ERNAKULAM DISTRICT.
- 34 BITTY KUMARI
SYAM NIVAS, AYYANKUZHI, PUTHENKURISHU VILLAGE,
AMBALAMUGHAL P.O., ERNAKULAM DISTRICT.
- 35 PRABHAKARAN
S/O KUNJAN, VETTIKATTU, AYYANKUZHI, PUTHENKURISHU
VILLAGE, AMBALAMIGHAL P.O., ERNAKULAM DISTRICT



- 36 LATHAKRISHNANKUTTY
VETTIKATTU, AYYANKUZHI, PUTHENKURISHU VILLAGE,
AMBALAMIGHAL P.O., ERNAKULAM DISTRICT
- 37 ANIL RAJ
S/O KUTTAPPAN, CHELAKUZHI, AYYANKUZHI,
PUTHENKURISHU VILLAGE, AMBALAMIGHAL P.O.,
ERNAKULAM DISTRICT
- 38 LISSY ALIAS
KAREEKATTIL, AYYANKUZHI, PUTHENKURISHU VILLAGE,
AMBALAMIGHAL P.O., ERNAKULAM DISTRICT
- 39 VALSALA THANKAPPAN
MAZHUVANNIPRAMBIL, AYYANKUZHI, PUTHENKURISHU
VILLAGE, AMBALAMIGHAL P.O., ERNAKULAM DISTRICT
- 40 PRASANNA.M.B
KOTTOORANB VEETIL, AYYANKUZHI, PUTHENKURISHU
VILLAGE, AMBALAMIGHAL P.O., ERNAKULAM DISTRICT
- 41 GOPI V.P.
S/O PAPPU, VETTIKATTUKAROTTU, AYYANKUZHI,
PUTHENKURISHU VILLAGE, AMBALAMIGHAL P.O.,
ERNAKULAM DISTRICT
- 42 GRIJASASI
VETTIKATTU, AYYANKUZHI, PUTHENKURISHU VILLAGE,
AMBALAMIGHAL P.O., ERNAKULAM DISTRICT.
- 43 ACHUTHANKUNHIKRISHNAN (DECEASED)
S/O. KUNHIKRISHNAN, MAZHUVANNIPARAMBIL,
AYYANKUZHI, PUTHENKURISHU VILLAGE, AMBALAMUGAL
P.O., ERNAKULAM DISTRICT.
- 44 OMANAKUTTAN
SYAM NIVAS, AYYANKUZHI, PUTHENKURISHU VILLAGE,
AMBALAMUGAL P.O., ERNAKULAM DISTRICT.
- 45 VINDO V.A
S/O. APPU, VETTIKATTUKAROTTU, AYYANKUZHI,
PUTHENKURISHU VILLAGE, AMBALAMUGHAL P.O.,
ERNAKULAM DISTRICT.
- *46 ADDL.P46: THANKAMMA, AGED 75 YEARS, W/O ACHUTHAN
MAZHUVANNIPARAMBIL, KUZHIKKADUKARA,
PUTHENKURISHU VILLAGE, AMBALAMUGAL P.O.,
ERNAKULAM DIST
- *47 ADDL. P47:PANKAJAKSHAN, AGED 52 YEARS, S/O
ACHUTHAN
MAZHUVANNIPARAMBIL, KUZHIKKADUKARA,
PUTHENKURISHU VILLAGE, AMBALAMUGAL P.O.,
ERNAKULAM DIST
- *48 ADDL. P48 : CHANDRAN, AGED 20 YEARS, S/O ACHUTHAN
AGED 20 YEARS, MAZHUVANNIPARAMBIL,



KUZHICKADUKARA,
PUTHENKURISHU VILLAGE, AMBALAMUGAL P.O,
ERNAKULAM DIST

- *49 ADDL.P49: SULOCHANAN, AGED 42 YEARS, S/O ACHUTHAN
AGED 42 YEARS, MAZHUVANNIPARAMBIL,
KUZHICKADUKARA,
PUTHENKURISHU VILLAGE, AMBALAMUGAL P.O,
ERNAKULAM DIST
(ADDL PETITIONERS 46 TO 49 ARE IMPLEADED AS PER
ORDER DATED 03-11-2021 IN I.A 1/21)

BY ADV SMT.M.HEMALATHA

RESPONDENT/S:

- 1 THE DISTRICT COLLECTOR, COLLECTORATE, KAKKANAD,
ERNAKULAM DISTRICT - 682 030.
- 2 THE GENERAL MANAGER
HINDUSTAN ORGANIC CHEMICALS LIMITED,
AMBALAMUGHAL, ERNAKULAM - 682 302.
- 3 KOCHY REFINERIES LTD. REPRESENTED
BY ITS CHAIRMAN AND MANAGING DIRECTOR - KRL,
AMBALAMUGHAL, ERNAKULAM - 682 302.
- 4 THE UNION OF INDIA, REPRESENTED BY SECRETARY,
PETROLEUM AND NATURAL GASES, NEW DELHI - 110
001.
- 5 VADAVUKODED PUTHENCROUZ PANCHAYATH
REP. BY THE SECRETARY, PUTHENCROUZ - 682 308.
- 6 KERALA STATE POLLUTION CONTROL BOARD
REP. BY SENIOR ENVIRONMENTAL ENGINEERT,
GANDHI NAGAR, KADAVANTHRA, COCHIN - 682 020.
- *7 SIVAN
AGED 63, S/O.PARUKUTTY, VANIYANCHIRA KARAVATTEE
HOUSE, ASAMANNOOR KARA, ASSAMANNOOR VILLAGE,
KUNNATHUNADU TALUK, PERUMBAVOOR, ERNAKULAM.
- *8 PARUKUTTY
AGED 61, W/O.KUTTAN, PEECHAMBILLY VEEDU,
KARIYAD, AKAPPARAMBU, NEDUMBASERRY VILLAGE,
ERNAKULAM.
- *9 REJI
AGED 39, S/O.KUTTAN, PEECHAMBILLY VEEDU,
KARIYAD, AKAPPARAMBU, NEDUMBASERRY VILLAGE,
ERNAKULAM.



- *10 USHA
AGED 35, D/O.KUTTAN, PEECHAMBILLY VEEDU,
KARIYAD, AKAPPARAMBU, NEDUMBASERRY VILLAGE,
ERNAKULAM.
- *11 AMMUKUTTY
W/O.DHAMODHARAN, PEECHAMBILLY VEEDU,
ELAKAMBAKAPILLY, KOOVAPPADY, PERUMBAVOOR.
- *12 THANKAMNI
D/O.DHAMODHARAN, PEECHAMBILLY VEEDU,
ELAKAMBAKAPILLY, KOOVAPPADY, PERUMBAVOOR.
- *13 GIRIJA
D/O.DHAMODHARAN, PEECHAMBILLY VEEDU,
ELAKAMBAKAPILLY, KOOVAPPADY, PERUMBAVOOR.
- *14 GEETHA
D/O.DHAMODHARAN, PEECHAMBILLY VEEDU,
ELAKAMBAKAPILLY, KOOVAPPADY, PERUMBAVOOR.
- *15 SUNI
D/O.DHAMODHARAN, PEECHAMBILLY VEEDU,
ELAKAMBAKAPILLY, KOOVAPPADY, PERUMBAVOOR.
GOPALAN
- *16 S/O.KUNJU, KARAVATTE VATTIKKATTU HOUSE,
ASAMANNOOR KARA, ASAMANNOOR VILLAGE,
PERUMBAVOOR.
- *17 MANI
S/O.KUNJU, KARAVATTE VATTIKKATTU HOUSE,
KUZHIKATTU KARA, PUTHENCRUZ VILLAGE,
PERUMBAVOOR.
(ADDL R7 TO R17 ARE IMPEADED AS PER ORDER DATED
31.07.2013 IN IA NO.9363/13)
- *18 GOVERNMENT OF KERALA, REPRESENTED BY CHIEF
SECRETARY, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- *19 BHARAT PETROLEUM CORPORATION LIMITED
INDUSTRIAL & COMMERCIAL KOCHI TERRITORY OFFICE,
KOCHI REFINERY MARKETING OFFICE, AMBALAMUGHAL,
KOCHI - 682 302, REPRESENTED BY ITS CHAIRMAN.
(ADDL R18 AND R19 ARE IMPEADED AS PER ORDER
DATED 08.06.15 IN IA 1060/15)

BY ADVS.
SRI. T.NAVEEN SC, KERALA STATE POLLUTION CONTROL
BOARD,
SRI.M.GOPIKRISHNAN NAMBIAR
M.HEMALATHA
SHRI.P.VIJAYAKUMAR, ASG OF INDIA
SRI.K.JOHN MATHAI
SRI.JOSON MANAVALAN
SRI.KURYAN THOMAS



SRI.PAULOSE C. ABRAHAM
SRI.RAJA KANNAN
MANU S., ASG OF INDIA
P.BENNY THOMAS
P.GOPINATH (SR.)
V.KRISHNA MENON
E.K.MADHAVAN
S.RENJITH
SHRI.P.PARAMESWARAN NAIR, SC, NAVODHAYA
VIDHYALAYA SAMITI
P.VIJAYAMMA
K.S.ARUN KUMAR

SRI.S.HANIL KUMAR SPL.G.P.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 08.04.2022, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:



JUDGMENT

The petitioners say that they are now caught between two large Industrial Units on either side of their properties and that they are now virtually sandwiched between them, thus rendering their lives difficult, dangerous and almost impossible.

2. Smt.M.Hemalatha – learned counsel for the petitioners, explained her clients’ case in the shortest possible manner saying that their properties are between those belonging to the BPCL-KRL and Hindustan Organic Chemicals Ltd and that both of them do not want to acquire it, thus forcing the petitioners to live an extremely unsafe environment. She, therefore, prays that Government of Kerala be directed to take essential steps to either acquire the lands in question and rehabilitate her clients, or to grant them some benefits, so that they can re-locate themselves to another apposite location.

3. Noticing the plight of the petitioners and their misery as projected in this Writ Petition, I had passed the following order on 15.09.2021.



Read Order dated 01.06.2020.

2. The Bharat Petroleum Corporation Limited (BPCL) now says that they cannot acquire the land in question.
3. The resultant consequence is that the land now in possession of the petitioners have virtually turned into a “ghost one” incapable of being put to any productive use. Since the properties are sandwiched between those belonging to the BPCL and Hindustan Organic Chemicals Limited and since both these Companies say that they don't want to acquire it, I am certain that the Government of Kerala will have to now step in and find a solution, particularly when the petitioners are those belonging to the lowest sections of the society and have been now pushed to great detriment for no fault of theirs.
4. *Prima facie*, the predicament faced by the petitioners is on account of the fact that acquisitions are being done in an unscientific manner, leaving strips of land which cannot be used.
5. I, therefore, direct the 18th respondent - Government of Kerala and the 1st respondent – District Collector to inform this Court how the continued prejudice to the petitioners can be allayed and how they can be rehabilitated in terms of law.
6. I also leave them liberty to consider whether this property can be acquired and put to use for any cause under their command for this purpose.

List this case for further consideration on 01.10.2021.

4. Subsequently, when every time this case was called - and it was listed at least 6 or 7 times - the learned Senior Government Pleader went on assuring this Court that meetings were being called by the competent Authorities with various entities seeking as to whether the afore request of the petitioners can be acceded to.



5. However, even today, Sri.Hanil Kumar – learned Senior Government Pleader, submitted that no break-through has been obtained, but fairly offered that if the petitioners are willing to appear before the Chief Secretary of the Government on a date and time to be fixed by this Court, said Authority will hear them, as also various other stakeholders and take an apposite decision, as is practically possible.

6. I must say that the afore affirmation given by the learned Senior Government Pleader is certainly comforting because the petitioners now have a glimmer of hope, in the Chief Secretary having now offered to take a final decision in their matter, after hearing all sides.

7. I, therefore, asked the learned counsel for the petitioners whether her clients will be in a position to appear before the Chief Secretary and she submitted that they will do so at 11 a.m on 05.05.2022. The learned Senior Government Pleader also acceded to this.

Resultantly, I order this Writ Petition, with a direction to the Chief Secretary of the Government of Kerala to hear the



petitioners and every other necessary stakeholders, at 11 a.m. on 05.05.2022; thus culminating in an appropriate order with respect to their specific contentions in this Writ Petition, affording them all empathy required to a citizen of this nation, as expeditiously as is possible but not later than two months thereafter.

Needless to say, if the Chief Secretary requires any further meetings to be held, he will be at full liberty to requisition the same, subject to the convenience of the petitioners; and this Court stops this judgment with the hortative hope that productive and affirmative decisions will be taken, so as to allay the misery and angst of the petitioners, which have been impelled in this Writ Petition.

RR

Sd/-
DEVAN RAMACHANDRAN
JUDGE

**APPENDIX OF WP(C) 7268/2013**

PETITIONER EXHIBITS

- EXHIBIT-P1: TRUE COPY OF THE SITE PLAN I.
- EXHIBIT-P2: TRUE COPY OF THE PHOTOGRAPHS.
- EXHIBIT-P3: TRUE COPY OF THE COMMISSION REPORT IN O.P.NO.32328/01 BEFORE THIS HONOURABLE COURT.
- EXHIBIT-P4: TRUE COPY OF THE NOTIFICATION NO.19514/J2/2000/ID DATED 26.7.2000.
- EXHIBIT-P5: TRUE COPY OF THE NOTIFICATION G.O.(RT) NO.2932/2012/RD DATED 23.5.2012.
- EXHIBIT-P6: TRUE COPY OF RESOLUTION DATED 25.1.2013.
- EXHIBIT-P7: TRUE COPY OF THE REPRESENTATION SUBMITTED BEFORE THE 1ST RESPONDENT.
- EXHIBIT-P8: TRUE COPY OF THE POSTAL RECEIPTS AND ACKNOWLEDGEMENT CARDS.
- EXHIBIT-P9: TRUE COPY OF THE NEWS PAPER REPORT IN MALAYALA MANORAMA DAILY.
- EXHIBIT P10 TRUE COPY OF THE D.O.LETTER No.07/PRL.SECY/CM/2014 DATED 10-02-2014
- EXHIBIT P11 TRUE COPY OF THE REPRESENTATION DATED 27-07-2020
- EXHIBIT P12 TRUE COPY OF THE AWARD UNDER SECTION 12(2) of the land acquisition act received by one of the claimants dated 31-12-2013 in lac 192/13
- EXHIBIT P13 TRUE COPY OF THE LETTER ISSUED BYTHE SPECIAL TAHISILADAR (LA) OFFICE OF THE KOCHI REFINERIES, TRIPUNITHURA DATED 24-07-2017
- EXHIBIT P14 TRUE COPY OF MINUTES NO.3765/06 DATED 17-01-2007
- EXHIBIT P15 TRUE COPY OF THE SETTLEMENT DEED NO.3238/1/19 DATED 27.06.2019

RESPONDENT EXHIBITS

- EXHIBIT R3 (a) TRUE COPY OF ROUGH SKETCH SHOWING THE LAND HELD BY THE 3RD RESPONDENT, 2ND RESPONDENT AND THE PROPERTY OF THE PETITIONERS.



- EXHIBIT R3 (b) TRUE COPY OF OBJECTION TO THE COMMISSION REPORT IN WP(C) No.32328 OF 2001 FILED BY THE 3RD RESPONDENT.
- EXHIBIT R7(a) COPY OF THE JUDGEMENT DATED 12-02-2001 IN O.S.No.244 OF 1995 OF THE HON'BLE SUB COURT PARAVUR.
- EXHIBIT R7(b) COPY OF THE PRELIMINARY DECREE DATED 12-02-2001 IN O.S.No.244 OF 1995 OF THE HON'BLE SUB COURT PARAVUR.

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

Wednesday, the 13th day of March 2024 / 23rd Phalgun, 1945
IA.NO.4/2024 IN CONTEMPT CASE(C) NO. 1024 OF 2023(S) IN WP(C) 7268/2013

APPLICANT/2ND ADDITIONAL RESPONDENT/1ST RESPONDENT IN WP(C):

THE DISTRICT COLLECTOR, COLLECTORATE, ERNAKULAM.

RESPONDENTS/PETITIONERS & RESPONDENTS 1,3,4 & 5/PETITIONERS & 18TH
RESPONDENT IN WP(C):

1. SAJEEV KUMAR V.N., S/O NANU, VANIAMKOTTU THADATHIL PUTHEN PURAYIL, AYYANKUZHI, PUTHENKURISU VILLAGE, AMBALAMUGHAL P.O., ERNAKULAM DISTRICT- 682 302.
2. VINOD. V.A., S/O APPU, VETTIKATTUKAROTTU AYYANKUZHI, PUTHENKURISU VILLAGE, AMBALAMUGHAL P.O., ERNAKULAM DISTRICT- 682 302.
3. SRI. V.P. JOY, CHIEF SECRETARY, GOVERNMENT OF KERALA, SECRETARIAT, STATUE, THIRUVANANTHAPURAM - 695 001.
4. THE PRINCIPAL SECRETARY TO GOVERNMENT, REVENUE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.
5. SRI.V. VENU, CHIEF SECRETARY, GOVERNMENT OF KERALA, SECRETARIAT, STATUE, THIRUVANANTHAPURAM - 695 001.
6. THE CENTRAL POLLUTION CONTROL BOARD, NEW DELHI.

Application praying that in the circumstances stated in the affidavit filed therewith the High Court be pleased to direct the petitioners in the above Contempt Petition to cooperate with the tests proposed to be conducted by the State Pollution Control Board, at the subject area, in the interest of justice.

This Application coming on for orders upon perusing the application and the affidavit filed in support thereof, and upon hearing the arguments of GOVERNMENT PLEADER for the applicant in IA/R2 in COC, SMT. M. HEMALATHA, Advocate for R1 & R2 in IA/petitioners in COC, GOVERNMENT PLEADER for R3 TO R5 in IA/R1,R3,R4 in COC, SRI.M.AJAY Advocate for R6 in IA/R5 in COC, SRI. T. NAVEEN, STANDING COUNSEL for the State Pollution Control Board, ADDL.R6 in COC and of SRI. S. MANU, DEPUTY SOLICITOR GENERAL OF INDIA, the court passed the following:

P.T.O.

DEVAN RAMACHANDRAN, J.

I.A.No.4 of 2024
in
Con.Case (C)No.1024 of 2023

Dated this the 13th day of March, 2024

ORDER

The District Collector says that, unless tests are completed, a final decision in favour of the petitioners cannot be taken.

2. I find some force in the afore submissions and am certainly of the view that necessary and adequate tests will have to be done.

3. I, therefore, direct the Environmental Engineer of the State Pollution Control Board ('Board', for short) to immediately conduct the tests as required in this I.A.; however, involving the petitioners, though making it clear that they cannot intervene. The petitioners will be at liberty to inform the Engineer/Engineers of their legitimate concerns,

which will also be taken into account and their opinion reflected in the resultant report.

4. I direct the Environmental Engineer to complete the afore exercise at the earliest, since the petitioners cannot be allowed to continue to suffer, as they now assert; and hence expect the report to be filed by the next posting date.

5. At this time, Smt.M.Hemalatha - learned counsel for the petitioners, pointed out that the tests will have to be conducted when the 'Plants' are functioning and even within their precincts. This will be kept in mind by the Engineer/s of the 'Board'; and I record that this has been affirmed by Sri.T.Naveen - learned Standing Counsel for the 'Board'.

List, therefore, on 02.04.2024.

Sd/-

DEVAN RAMACHANDRAN

JUDGE

H/o
akv

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്



DISTRICT OFFICE (ERNAKULAM-II), PERUMBAVOOR
ജില്ലാകാര്യാലയം (എറണാകുളം-2) പെരുമ്പാവൂർ



PMC. 20/733, Near Kallumkal Auditorium, Perumbavoor – 683 542
എം.സി. 20/733, കല്ലുകൽ ഓഡിറ്റോറിയം സമീപം, പെരുമ്പാവൂർ – 683 542
☎: 0484-2593747 e-mail: pcbdo2ekm@gmail.com web: www.keralapcb.nic.in

PCB/EKM/DO-2/GEN-57/18

Date: 09.07.2024

From
The Environmental Engineer

To
M/s. BPCL Kochi Refinery,
Ambalamugal

Sub: In connection with COC No. 1024 of 2023 in WP(C) No. 7268 of 2013 filed by Sri. Sajeev Kumar & Sri. Vinod Kumar before the Hon'ble High Court of Kerala - reg.

- Ref: 1. Minutes of the hearing conducted on 22-05-2024 in connection with COC No. 1024 of 2023 in WP(C) No. 7268 filed by Sri. Sajeev Kumar & Sri. Vinod Kumar before the Hon'ble High Court of Kerala.
2. Reply letter furnished in this office on 05-06-2024.
 3. Discussion held with the Chief Environmental Engineer, Regional office, Ernakulam, Kerala State Pollution Control Board.

Sir,

Your attention is invited to the above subject and references cited above. In connection with the exceedance of noise level as per sound level monitoring conducted at Ayyankuzhi area, a hearing was conducted in this office on 22-05-2024 vide reference (1). Based on the reply letter submitted by you vide reference (2) and further discussion vide reference (3), you are requested to comply with the following conditions and report to this office immediately.

1. Conduct a detailed noise survey in and around the company premises for 15 continuous days and furnish report along with the data and control measures provided in the company.
2. Provide additional online sound monitoring station near the company boundary pertaining to Ayyankuzhi residential area.

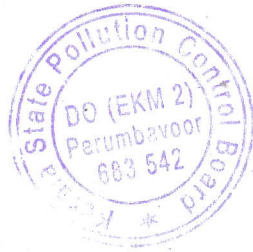
3. Submit proposal for additional sound reduction measures to be implemented in company

You are hereby directed as per section 31A of Air (Prevention & Control of Pollution) Act 1981 to comply with the above directions and report to this office.

Yours faithfully



Environmental Engineer



Copy to

Chief Environmental Engineer
Regional Office
Ernakulam

KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

**DISTRICT OFFICE (ERNAKULAM-II), PERUMBAVOOR**

ജില്ലാകാര്യാലയം (എറണാകുളം-2) പെരുമ്പാവൂർ

PMC. 20/733, Near Kallumkal Auditorium, Perumbavoor – 683 542

എംസി. 20/733, കല്ലുകൽ ഓഡിറ്റോറിയം സമീപം, പെരുമ്പാവൂർ – 683 542

☎: 0484-2593747

e-mail: pcbdo2ekm@gmail.comweb: www.keralapcb.nic.in

PCB/EKM/DO-2/GEN-57/18

Date: 09.07.2024

From

The Environmental Engineer

To

The Factory Manager,
M/S Prodair Air Products,
BPCL – Kochi Refinery.

Sub: In connection with COC No. 1024 of 2023 in WP(C) No. 7268 of 2013 filed by Sri. Sajeev Kumar & Sri. Vinod Kumar before the Hon'ble High Court of Kerala - reg.

Ref: 1. Minutes of the hearing conducted on 22-05-2024 in connection with COC No. 1024 of 2023 in WP(C) No. 7268 filed by Sri. Sajeev Kumar & Sri. Vinod Kumar before the Hon'ble High Court of Kerala.

2. Reply letter furnished in this office on 27-05-2024.

3. Discussion held with the Chief Environmental Engineer, Regional office, Ernakulam, Kerala State Pollution Control Board.

Sir,

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3. Submit proposal for additional sound reduction measures to be implemented in company

You are hereby directed as per section 31A of Air (Prevention & Control of Pollution) Act 1981 to comply with the above directions and report to this office.

Yours faithfully



Environmental Engineer



Copy to

Chief Environmental Engineer
Regional Office
Ernakulam

KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

**DISTRICT OFFICE (ERNAKULAM-II), PERUMBAVOOR**

ജില്ലാകാര്യാലയം (എറണാകുളം-2) പെരുമ്പാവൂർ

PMC. 20/733, Near Kallumkal Auditorium, Perumbavoor – 683 542

എം.സി. 20/733, കല്ലുകൽ ഓഡിറ്റോറിയം സമീപം, പെരുമ്പാവൂർ – 683 542

☎: 0484-2593747

e-mail: pcbdo2ekm@gmail.comweb: www.keralapcb.nic.in

Lifestyle for Environment

PCB/EKM/DO-2/GEN-57/18

Date: 09.07.2024

From

The Environmental Engineer

To

M/s Hindustan Organic Chemicals Limited

Ambalamugal

Kochi – 682 302

Sub: In connection with COC No.1024 of 2023 in WP(C) No. 7268 of 2013 filed by Sri. Sajeev Kumar & Sri. Vinod Kumar before the Hon'ble High Court of Kerala - reg.

Ref: 1. Minutes of the hearing conducted on 22-05-2024 in connection with COC No. 1024 of 2023 in WP(C) No. 7268 filed by Sri. Sajeev Kumar & Sri. Vinod Kumar before the Hon'ble High Court of Kerala.

2. Reply letter furnished in this office on 23-05-2024.

3. Discussion held with the Chief Environmental Engineer, Regional office, Ernakulam, Kerala State Pollution Control Board.

Sir,

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1. Conduct a detailed noise survey in and around the company premises for 15 continuous days and furnish report along with the data and control measures provided in the company.

2. Provide additional online sound monitoring station near the company boundary pertaining to Ayyankuzhi residential area.
3. Submit proposal for additional sound reduction measures to be implemented in company

You are hereby directed as per section 31A of Air (Prevention & Control of Pollution) Act 1981 to comply with the above directions and report to this office.



Yours faithfully

A handwritten signature in green ink, appearing to be "S/A".

Environmental Engineer

Copy to

Chief Environmental Engineer

Regional Office

Ernakulam

Prodair Air Products India Pvt. Ltd.

Ambalamedu PO
Ernakulam Dist
Kerala - 682303
INDIA
T +91-484-2727900
Email apimail@airproducts.com
Website: www.airproducts.in



Letter No.: APK/KSPCB/EE/2024/06

Date: 23 July 2024

To,
The Senior Environment Engineer
Kerala State Pollution Control Board, District Office (Ernakulam-II),
Perumbavoor- 683542

Sub: Response to the Letter Regarding Noise Level Exceedance in the Ayyankuzhi Area

Ref:

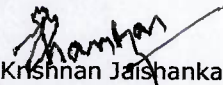
1. Letter- PCB/EKM/DO-2/GEN-57/18 dated 22.05.2024
2. Letter- APK/KSPCB/EE/2024/04 dated 27 May 2024
3. Letter- PCB/EKM/DO-2/GEN-57/18 dated 09.07.2024

Sir,

In response to the letter from the Kerala State Pollution Control Board regarding the matter cited above, we respectfully submit the following:

Directions	Our Response
Conduct a detailed noise survey in and around the company premises for 15 continuous days and furnish report along with the data and control measures provided in the company.	As directed by the board, we will undertake a 15-day detailed noise survey and provide the report within three weeks.
Provide additional online sound monitoring station near the company boundary pertaining to Ayyankuzhi residential area.	Air Products does not share a boundary wall with the Ayyankuzhi residential area. An online monitoring station placed 1 meter from the Air Products boundary wall in the Ayyankuzhi direction will be located on BPCL premises.
Submit proposal for additional sound reduction measures to be implemented in company	As part of our efforts to reduce noise from our routine plant operations, we have installed acoustic enclosures or silencers wherever necessary. However, we remain committed to discussing this matter further with our chief engineer's office to understand the technical feasibility of any additional sound control measures.

Sincerely,
For Prodair Air Products India Private Limited


(Krishnan Jaishankar)
Factory Manager



Corporate Office: 602, Pentagon-5, Magarpatta City, Hadapsar,
Pune, Maharashtra - 411013, India
Corporate Identity No. U24200PN2009PTC133706

ULR No.: TC1293924000015389F		
LRI No.: SEAAL24071124A	Date: 20-07-2024	Page 1 of 1

CUSTOMER DETAILS	
Customer Name & Address	M/s Prodair Air Products India (P) Ltd Ambalamugal, Ernakulam District
Customer Reference	Test Request date: 18-07-2024

DETAILS OF MONITORING			
Product Category	Atmospheric Pollution	Sample Code	EN24070531
Sample Name	Indoor Noise Level	Monitoring Started on	18-07-2024
Monitoring Location	Near Fire Line Tie in Point -II	Monitoring Completed on	19-07-2024
Test Method	IS 9989:1981	Monitored by	Lab Authorized Sampler

TEST RESULTS -CHEMICAL DISCIPLINE					
SL NO	SOURCE	UNIT	RESULT		
			Maximum	Minimum	Leq
1	Ambient Sound Level (Day Time 6.00 Hrs to 22.00Hrs)	dB(A)	81.1	70.6	73.5
2	Ambient Sound Level (Night Time 22.00 Hrs to 6.00 Hrs)	dB(A)	72.7	70.5	71.5

Remarks:

End of Report

Shency Joy
TM-Chemical
Checked by:



Laiju P N
Laboratory Head
Authorized Signatory



HINDUSTAN ORGANIC CHEMICALS
AMBALAMUGAL
INTERNAL USE

Through; CGM (ENGG/HR) & FM

From; MECHANICAL INSPECTION	To; Annexure R2-(a) TSS
---	--------------------------------------

Handwritten: CM(FHS/TSS) 31/7/24

Ref. No. Mech/Insp/36/2024

July 29, 2024

Sub: SOUND LEVEL READINGS

Please find herewith enclosed sound level readings from 11-July 2024 to 27-July 2024

1. Sound level readings at 1 meter away from the factory boundary wall in the Day time at 4 locations.
2. Sound level readings at 28 locations, 53 points inside the factory premises in the Day time.
3. Sound level readings at 1 meter away from the factory boundary wall in the Day time at 4 locations during shutdown.

Handwritten Signature:
RAKESH C R
 AM (MECHANICAL)

Handwritten Signature:
AJIT M DIVAKARAN
 CE (MECHANICAL/UTILITIES/CIVIL)

Handwritten Signature:
MANGESH V SHAHASANE
 GM (MECHANICAL/UTILITIES) – HOD

Handwritten Signature:
BENO P KURIANS
 TECHNICAL ADVISOR

SOUND LEVEL READINGS - DAY TIME - 15 DAYS REPORT JULY 2024

Sound Level Readings at four locations at 1 meter away from the factory boundary wall in Day Time.

		SOUND LEVEL (dBA)														
		11/07/2024	12/07/2024	13/07/2024	15/07/2024	16/07/2024	17/07/2024	18/07/2024	19/07/2024	20/07/2024	22/07/2024	23/07/2024	24/07/2024	25/07/2024	26/07/2024	27/07/2024
SL No	LOCATION															
1	South side (pond area)	54.50	49.70	50.10	50.80	52.80	55.80	57.20	50.50	52.80	48.60	51.50	50.80	51.20	50.20	51.10
2	East side (Opposite CPP)	50.70	48.30	48.90	57.10	48.90	49.70	51.40	54.80	50.60	49.80	50.10	49.60	51.60	52.10	51.70
3	North side (Near hostel gate)	54.10	53.60	57.60	53.70	53.00	56.50	58.50	55.90	56.50	55.20	56.40	57.10	58.50	53.60	54.00
4	West side (Opposite phenol filling)	57.00	57.70	63.90	58.50	59.80	60.10	59.00	64.90	61.50	60.50	61.40	63.50	64.80	60.70	61.20

SL. no	LOCATIONS	POINTS	SOUND (dBA)													
			11/07/2024	12/7/2024	13/07/2024	15/07/2024	16/07/2024	17/07/2024	18/07/2024	19/07/2024	20/07/2024	22/07/2024				
1	Security Gate	1 Near Security Gate	65.80	56.70	55.80	53.20	58.30	56.30	58.30	58.30	58.30	60.50	60.50	60.50	60.50	56.20
		2 Inside Punching Room	53.20	46.40	46.90	44.80	48.50	49.60	48.50	48.50	48.50	45.50	45.50	45.50	45.50	48.50
		3 Inside Security Office	62.30	58.50	56.70	53.80	52.00	53.20	52.00	52.00	52.00	56.60	56.60	56.60	56.60	58.60
2	P.T.P	4 In front of Operators Cabin	67.60	68.10	69.10	68.00	66.30	64.60	66.30	66.30	66.30	82.10	82.10	82.10	82.10	68.10
3	F.W.P.H	5 Near Lime Solution Tank	67.20	64.60	62.50	65.00	68.10	66.50	68.10	68.10	68.10	75.80	75.80	75.80	75.80	64.30
		6 Near F.W Engine Pump-2	71.50	73.10	72.00	60.00	70.10	66.90	70.10	70.10	70.10	77.60	77.60	77.60	77.60	71.30
4	Admin. Bldng.	7 Inside Finance Building	61.30	57.40	48.50	57.40	57.00	58.40	57.00	57.00	57.00	53.40	53.40	53.40	53.40	51.30
		8 In Front of Engg. Office	48.00	49.10	49.10	47.40	50.50	49.50	50.50	50.50	50.50	48.80	48.80	48.80	48.80	49.4
5	Q.C	9 Near the Managers Room	57.20	53.40	50.80	56.80	53.10	56.10	53.10	53.10	53.10	56.10	56.10	56.10	56.10	52.30
		10 Near the Work Table	72.00	63.30	61.40	58.10	58.10	59.60	58.10	58.10	58.10	63.10	63.10	63.10	63.10	53.30
6	Health Center	11 In Medicine Room	53.20	59.10	58.30	52.10	55.00	48.70	55.00	55.00	55.00	58.40	58.40	58.40	58.40	52.10
		12 Inside the Instrument Room	48.10	53.60	49.60	49.40	55.90	44.30	55.90	55.90	55.90	54.60	54.60	54.60	54.60	52.60
7	Central Work	13 Inside Officers Cabin	70.20	59.90	59.00	59.20	61.30	61.30	61.30	61.30	61.30	74.50	74.50	74.50	74.50	70.20
		14 Inside the Workshop	69.80	64.70	65.10	63.40	66.80	80.00	66.80	66.80	66.80	66.10	66.10	66.10	66.10	81.00
8	Cooling Tower	15 Top of CT Fan-1	92.10	91.90	91.50	91.50	90.50	89.50	90.50	90.50	90.50	88.90	88.90	88.90	88.90	92.10
		16 Top of CT Fan-3	90.40	90.10	90.90	90.30	90.10	91.20	90.10	90.10	90.10	90.30	90.30	90.30	90.30	90.10
9	CT Pump House	17 Near Diesel Engine	89.30	90.60	85.80	90.50	84.80	85.10	84.80	84.80	84.80	85.00	85.00	85.00	85.00	89.60
10	P.R.U	18 Near C3C4 Splitter	73.80	69.50	70.10	70.50	68.30	68.20	68.30	68.30	68.30	69.20	69.20	69.20	69.20	69.50
		19 Near C3C3 Splitter	68.60	66.90	64.80	71.40	66.50	66.20	66.50	66.50	66.50	66.40	66.40	66.40	66.40	66.80
11	C.P.P	20 Entrance of CPP	52.00	47.90	46.90	54.30	50.00	48.90	50.00	50.00	50.00	54.80	54.80	54.80	54.80	56.30
		21 Between Engine No. 1&2	43.10	41.20	42.80	53.80	45.00	46.70	45.00	45.00	45.00	50.10	50.10	50.10	50.10	41.10
12	Control Room	22 Inside of control room	53.00	51.40	55.40	57.20	55.00	49.00	55.00	55.00	55.00	53.00	53.00	53.00	53.00	55.00
		23 Near Duty Officers Table	54.50	54.10	52.10	54.30	54.20	54.80	54.20	54.20	54.20	53.20	53.20	53.20	53.20	54.10
13	Hot Oil Area	24 Near Hot Oil FD Fan	78.60	78.20	76.50	77.60	77.20	76.80	77.20	77.20	77.20	77.60	77.60	77.60	77.60	77.30
		25 Near West side of V-6001	68.70	68.00	66.20	67.90	69.10	69.20	69.10	69.20	69.10	70.20	70.20	70.20	70.20	68.10
14	Fractionation	26 Near AMS Column	78.40	80.30	80.50	79.70	80.50	70.50	80.50	80.50	80.50	81.20	81.20	81.20	81.20	80.40
		27 Near P-4512	84.50	82.20	81.90	80.10	81.30	79.60	81.30	81.30	81.30	80.50	80.50	80.50	80.50	82.20

SL. no	LOCATIONS	POINTS	SOUND (dBA)													
			11/07/2024	12/7/2024	13/07/2024	15/07/2024	16/07/2024	17/07/2024	18/07/2024	19/07/2024	20/07/2024	22/07/2024				
15	Cleavage	28 Near P-3502	81.80	84.60	84.30	82.40	83.20	80.00	80.00	84.10	84.10	80.00	84.10	84.10	84.10	82.40
16	DNET Section	29 Near TK-3501 A&B	78.90	79.10	78.60	79.30	80.10	79.20	79.20	79.80	79.80	79.20	79.80	79.80	79.80	78.40
30		30 Near V-4005	79.10	82.30	80.50	81.70	81.70	81.20	81.20	81.20	80.60	80.60	81.20	80.60	80.60	81.30
17	Cumene Plant	31 Near P-4002 A&B	84.20	80.50	81.20	82.60	80.60	83.20	83.20	81.70	81.70	83.20	81.70	81.70	81.70	84.30
18	Near K 2501 B	32 Near Cumene Reactor	70.10	68.70	67.20	69.30	67.90	72.20	72.20	68.00	68.00	72.20	68.00	68.00	68.00	72.30
19	Oxidizer	33 Near Elliot Compressor	90.50	95.10	94.80	94.90	94.30	81.10	81.10	95.30	95.30	81.10	95.30	95.30	95.90	
20	Maint. Workshop	34 Near Oxidizer No.1	77.10	78.30	77.00	79.30	79.50	79.00	79.00	79.80	79.80	79.00	79.80	79.80	79.60	
21		Evaporator Area	35 Near Oxidizer No.2	82.50	80.10	78.30	80.70	80.80	81.00	81.00	80.70	80.70	81.00	80.70	80.70	80.10
22	Boiler Plant	36 Inside Officers Cabin	67.00	69.50	67.90	70.40	68.90	66.00	66.00	67.80	67.80	66.00	67.80	67.80	65.80	
23		DM plant	37 Near Work Bench	70.00	74.80	75.10	74.20	75.30	72.10	72.10	76.30	76.30	72.10	76.30	76.30	75.10
24	Compressor	38 Near P-3006 B	101.50	101.60	101.50	101.90	101.50	101.20	101.20	101.80	101.80	101.20	101.80	101.80	101.70	
25		H ₂ O ₂ Plant	39 Near TK-3001	79.20	78.70	78.90	79.30	76.30	75.80	75.80	77.2	77.2	75.80	77.2	77.1	78.30
26	H ₂ O ₂ Control Room	40 Near FD Fan	76.90	78.40	76.30	76.80	77.30	78.00	78.00	77.50	77.50	78.00	77.50	77.50	78.10	
27		Drum Filling Area	41 Between K-479&K-480	72.10	67.50	66.90	69.20	68.50	69.80	69.80	67.90	67.90	69.80	67.90	67.90	66.60
28	E.T.P	42 Near entrance	72.00	64.10	62.70	67.20	67.40	66.20	66.20	66.80	66.80	66.20	66.80	66.80	67.40	
29		Operators Cabin	43 Near Strong Base Anion	74.70	70.90	69.60	73.80	71.00	72.00	72.00	70.90	70.90	72.00	70.90	70.90	70.10
30	Compressor	44 Near IAC-1&2	86.80	52.20	53.10	89.50	87.60	84.00	84.00	88.20	88.20	84.00	88.20	88.20	89.50	
31		H ₂ O ₂ Plant	45 Near IAC-3	90.10	90.70	89.50	90.30	90.00	88.00	88.00	91.10	91.10	88.00	91.10	91.10	88.90
32	H ₂ O ₂ Control Room	46 Near 07-c-001 Column	81.10	83.00	83.40	81.20	82.30	82.10	82.10	77.10	77.10	82.10	77.10	77.10	83.40	
33		H ₂ O ₂ Control Room	47 Near Tankage Area	65.60	65.90	62.30	64.30	66.10	66.60	66.60	66.50	66.50	66.60	66.50	66.50	66.50
34	Drum Filling Area	48 Inside Control Room	58.60	57.10	56.20	57.60	56.30	57.90	57.90	58.00	58.00	57.90	58.00	58.00	57.10	
35		Drum Filling Area	49 Entrance of Control Room	64.10	74.80	73.10	63.20	66.30	60.30	60.30	60.10	60.10	60.30	60.10	60.10	66.50
36	E.T.P	50 Main Entrance	57.60	60.20	58.90	58.30	59.80	59.80	59.80	66.20	66.20	59.80	66.20	66.20	59.00	
37		Drum Filling Area	51 Near Filling Machine	59.80	59.70	60.10	60.50	59.30	60.30	64.00	64.00	60.30	64.00	64.00	59.60	
38	E.T.P	52 Near Clarifloculator	60.10	62.30	61.80	61.00	61.70	61.20	61.20	62.30	62.30	61.20	62.30	62.30	61.70	
39		E.T.P	53 Operators Cabin	58.80	53.70	51.60	59.20	57.20	57.90	57.10	57.10	57.90	57.10	57.10	58.80	

SL. no	LOCATIONS	POINTS	SOUND (dBA)						
			23/07/2024	24/07/2024	25/07/2024	26/07/2024	27/07/2024		
1	Security Gate	1 Near Security Gate	55.10	56.40	56.10	55.90	53.40		
2		2 Inside Punching Room	47.10	46.40	44.70	48.40	47.20		
3		3 Inside Security Office	54.90	57.30	53.90	53.40	55.90		
2	P.T.P	4 In front of Operators Cabin	64.80	66.40	68.00	69.20	68.30		
5		5 Near Lime Solution Tank	68.30	67.20	66.40	63.90	69.50		
3	F.W.P.H	6 Near F.W Engine Pump-2	73.00	72.10	69.80	70.30	69.90		
7		7 Inside Finance Building	57.20	56.30	57.30	56.80	49.30		
4	Admin. Bldg.	8 In Front of Engg. Office	46.30	45.90	47.40	49.50	47.60		
9		9 Near the Managers Room	53.80	56.10	52.10	56.30	50.80		
5	Q.C	10 Near the Work Table	58.50	59.20	59.60	61.30	62.30		
11		11 In Medicine Room	54.00	54.80	58.30	52.30	59.10		
6	Health Center	12 Inside the Instrument Room	49.60	49.30	51.20	51.10	50.00		
13		13 Inside Officers Cabin	61.60	59.00	66.00	57.20	62.20		
7	Central Work	14 Inside the Workshop	82.10	69.70	73.20	74.50	75.60		
15		15 Top of CT Fan-1	91.40	91.80	92.80	90.40	89.50		
8	Cooling Tower	16 Top of CT Fan-3	90.90	90.40	89.10	91.30	92.00		
9		17 Near Diesel Engine	85.90	84.90	90.40	89.50	90.50		
10	CT Pump House	18 Near C3C4 Splitter	68.00	70.40	68.20	69.50	71.50		
19		19 Near C3C3 Splitter	64.50	71.30	66.70	68.90	71.30		
11	C.P.P	20 Entrance of CPP	50.20	50.80	48.30	47.10	47.30		
21		21 Between Engine No. 1&2	41.50	41.20	40.80	41.40	41.80		
12	Control Room	22 Inside of control room	57.10	52.50	54.30	55.10	51.20		
23		23 Near Duty Officers Table	52.00	54.30	53.50	54.50	55.10		
13	Hot Oil Area	24 Near Hot Oil FD Fan	79.10	78.50	77.50	78.00	76.50		
25		25 Near West side of V-6001	68.60	66.30	67.40	69.10	69.30		
14	Fractionation	26 Near AMS Column	79.60	79.70	80.40	80.30	78.40		
27		27 Near P-4512	84.50	81.90	82.10	81.60	79.90		

SL. no	LOCATIONS	POINTS	SOUND (dBA)						
			23/07/2024	24/07/2024	25/07/2024	26/07/2024	27/07/2024		
15	Cleavage	28 Near P-3502	84.70	83.90	82.40	84.20	82.90		
		29 Near TK-3501 A&B	79.10	80.40	79.60	81.00	81.20		
16	DNET Section	30 Near V-4005	81.00	80.80	81.90	81.60	83.10		
		31 Near P-4002 A&B	81.90	81.30	82.50	83.50	80.90		
17	Cumene Plant	32 Near Cumene Reactor	67.60	69.80	67.90	68.70	70.20		
18	Near K 2501 B	33 Near Elliot Compressor	94.80	94.60	94.30	89.30	95.40		
19	Oxidizer	34 Near Oxidizer No.1	78.50	79.80	79.30	77.90	78.30		
		35 Near Oxidizer No.2	78.20	79.30	80.00	80.80	81.10		
20	Maint. Workshop	36 Inside Officers Cabin	66.00	65.90	70.40	67.90	67.30		
		37 Near Work Bench	74.00	75.20	72.30	71.90	75.30		
21	Evaporator Area	38 Near P-3006 B	102.20	101.60	102.10	102.00	101.80		
		39 Near TK-3001	79.10	77.50	78.80	78.50	77.80		
22	Boiler Plant	40 Near FD Fan	77.30	76.90	77.60	78.90	79.00		
		41 Between K-479&K-480	69.10	68.40	69.10	68.40	69.20		
23	DM plant	42 Near entrance	66.60	66.50	67.30	67.10	62.40		
		43 Near Strong Base Anion	69.90	72.70	71.30	72.10	73.20		
24	Compressor	44 Near IAC-1&2	87.30	84.10	89.40	81.90	84.70		
		45 Near IAC-3	90.50	90.30	89.40	89.60	90.10		
25	H ₂ O ₂ Plant	46 Near 07-c-001 Column	81.60	82.70	82.50	83.30	81.90		
		47 Near Tankage Area	66.20	63.50	62.40	65.90	65.70		
26	H ₂ O ₂ Control Room	48 Inside Control Room	57.20	57.60	56.20	57.80	56.70		
		49 Entrance of Control Room	68.40	65.30	66.30	73.30	73.10		
27	Drum Filling Area	50 Main Entrance	59.20	59.70	50.10	59.80	57.50		
		51 Near Filling Machine	59.80	60.10	61.50	59.80	60.20		
28	E.T.P	52 Near Clarifloculator	60.80	61.50	62.80	63.10	62.50		
		53 Operators Cabin	53.80	51.80	55.60	52.80	57.10		

SOUND LEVEL READINGS - SHUTDOWN 2024

Sound Level Readings at four locations at 1 meter away from the factory boundary wall in Day Time.

SL No	LOCATION	SOUND LEVEL (dBA)		
		18/05/2024	21/05/2024	24/05/2024
1	South side (pond area)	54.30	53.80	54.40
2	East side (Opposite CPP)	51.70	54.60	52.40
3	North side (Near hostel gate)	58.30	54.20	53.80
4	West side (Opposite phenol filling)	60.50	61.25	61.32

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

Thursday, the 20th day of June 2024 / 30th Jyaishta, 1946
CONTEMPT CASE(C) NO. 1024 OF 2023(S) IN WP(C) 7268/2013

PETITIONERS/PETITIONERS NO.13 & 45:

1. SAJEEV KUMAR V.N., S/O NANU, VANIYAMKOTTU THADATHIL PUTHEN PURAYIL, AYYANKUZHI, PUTHENKURISU VILLAGE, AMBALAMUGHAL-P.O., ERNAKULAM DISTRICT- 682 302
2. VINOD. V.A., S/O APPU, VETTIKATTUKAROTTU AYYANKUZHI, PUTHENKURISU VILLAGE, AMBALAMUGHAL-P.O., ERNAKULAM DISTRICT. 682 302

BY ADVOCATE SMT. M. HEMALATHA

RESPONDENT/18TH RESPONDENT:

1. SRI. V.P. JOY, CHIEF SECRETARY, GOVERNMENT OF KERALA, SECRETARIAT, STATUE, THIRUVANANTHAPURAM. 695 001.
ADDITIONAL R2 & R3 IMPEADED
2. THE DISTRICT COLLECTOR, COLLECTORATE, ERNAKULAM.
3. THE PRINCIPAL SECRETARY TO GOVERNMENT, REVENUE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.
ADDL. R2 & R3 SUO MOTU IMPEADED AS PER ORDER DATED 11/07/2023 IN COC.1024/2023.
ADDITIONAL R4 IMPEADED
4. SRI.V. VENU, CHIEF SECRETARY, GOVERNMENT OF KERALA, SECRETARIAT, STATUE, THIRUVANANTHAPURAM 695 001.
ADDL.R4 IS IMPEADED AS PER ORDER DATED 31/10/2023 IN IA 1/2023 IN COC 1024/2023.
ADDITIONAL R5 IMPEADED
5. THE CENTRAL POLLUTION CONTROL BOARD, REPRESENTED BY MEMBER SECRETARY, OFFICE OF THE CENTRAL POLLUTION CONTROL BOARD, PARIVESH BHAWAN, EAST ARJUN NAGAR, NEW DELHI – 110 032.
ADDL.R5 IS SUO MOTU IMPEADED AS PER ORDER DATED 06/11/2023 IN COC 1024/2023.

ADDITIONAL R6 IMPEADED

6. THE STATE POLLUTION CONTROL BOARD, PLAMOOD,
PATTOM P.O., THIRUVANANTHAPURAM - 695 004.
ADDL.R6 IS SUO MOTU IMPEADED AS PER ORDER
DATED 12.03.2024 IN COC 1024/23

ADDITIONAL R7 & R8 IMPEADED

7. THE CHAIRMAN, BPCL, INDUSTRIAL &
COMMERCIAL KOCHI TERRITORY OFFICE,
KOCHI REFINERY MARKETING OFFICE, AMBALAMUKAL,
KOCHI - 682 302.
8. THE GENERAL MANAGER, HINDUSTAN ORGANIC CHEMICALS LTD.,
AMBALAMUKAL, ERNAKULAM – 682 302.
ADDL.R7 & R8 ARE SUO MOTU IMPEADED AS PER ORDER
DATED 03/06/2024 IN COC 1024/2023.

SRI.ASHWIN SETHUMADHAVAN, SENIOR GOVERNMENT PLEADER FOR R1 TO R4

SRI. M. AJAY, STANDING COUNSEL FOR R5

SRI. T. NAVEEN, STANDING COUNSEL FOR R6

DEPUTY SOLICITOR GENERAL OF INDIA

SRI. M. GOPIKRISHNAN NAMBAIR, STANDING COUNSEL &

ADVOCATE SMT.POOJA MENON FOR ADDL.R7

SRI. V. KRISHNA MENON, STANDING COUNSEL &

ADVOCATE SMT. J. SURYA FOR ADDL.R8

This Contempt of court case (civil) having come up for orders on
20.06.2024, the court on the same day passed the following:

P.T.O.

DEVAN RAMACHANDRAN, J.

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Con.Case.(C) No.1024 of 2023
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Dated this the 20th day of June, 2024

ORDER

Sri.V.Krishna Menon, representing the eighth respondent; and Smt.Pooja Menon, representing the seventh respondent, sought some more time to confer with their clients.

However, Sri.V.Krishna Menon submitted that the chances of his client being able to acquire any land appear to be less, since they are not in a position to do so.

As I have been emphasizing in the earlier orders of this case, it is for the State primarily to ensure that the lives and safety of citizens are protected. It is solely because they say that they cannot cause acquisition, that I am compelled to ask the companies to intervene to the extent possible. I am certain that their social responsibility, which is enshrined not merely in fiscal statutes, but also ethically, would now have to be thought of by them, while responding to this Court.

I, therefore, adjourn this matter at the request of the respondents, to 11.07.2024.

In the meanwhile, I further direct the District Collector to open a line of communication between the two companies and

then take an apposite decision to the extent practically possible and inform this Court.

H/o.

Sd/- DEVAN RAMACHANDRAN,
JUDGE

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