

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

OA No. 159 of 2021 (SZ)

BETWEEN

Kankana Das

...Petitioner

AND

The Secretary,
MoEF&CC and Ors.

...Respondents

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//Certified to be true copy of the originals//
Dated at Chennai on 2nd day of August, 2025



REMA SMRITHI VK
Standing Counsel for KSPCB
Respondent 11

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI IN

Original Application No. 159 of 2021 (SZ)

ADDITIONAL REPORT FILED BY KRISHNAN M. N., CHIEF ENVIRONMENTAL ENGINEER, KERALA STATE POLLUTION CONTROL BOARD ON BEHALF OF RESPONDENT 11 IN THE MATTER OF O.A NO.159/2021 IN RESPECTFUL COMPLIANCE OF THE ORDER DATED 11.06.2025 OF THE HON'BLE NGT

I, Krishnan M. N., aged 47 years, am the Chief Environmental Engineer of Kerala State Pollution Control Board and I am duly authorised to file this report.

The Hon'ble NGT in its Order dated 15.03.2023 in OA No. 159/2021, had directed the State of Kerala to prepare State Action Plan (SAP) on air pollution as per the template prepared by the Central Pollution Control Board (CPCB) and to furnish a copy of the SAP to CPCB. Accordingly, the SAP was submitted to CPCB vide letter no. A3/27/2023 ENVT dated 13.04.2023. The State Action Plan of Kerala revised as per the common guidelines of CPCB was submitted to CPCB as per letter dated 19.09.2024.

As per the common guideline of CPCB, the Air Quality Monitoring Committee under the chair of the Secretary, Environment Department and Steering Committee under the chair of the Chief Secretary were constituted as per Government Order no. G. O. (Rt) No. 84/2024/ENVT dated 26.10.2024. The State Action Plan prepared by the Air Quality Monitoring Committee and approved by the Steering Committee was submitted to CPCB as per the letter KSPCB/135/2023-CEE dated 23.01.2025. As per CPCB letter dated 25.02.2025, SPCBs were requested to start the implementation of the SAP by the AQMC, along with the further strengthening of SAP by incorporating the suggestions provided by CPCB.



Accordingly, Air Quality Monitoring Committee meetings were conducted on 23.05.2025 and 10.07.2025 to monitor and review the progress of implementation of the State Action Plan. Copy of the minutes of the meetings are produced herewith and marked as **Annexure R11 (A)** and **Annexure R11 (B)**.

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

Dated this the day 31st of July 2025.



Krishnan M. N.
Chief Environmental Engineer
On behalf of Respondent No. 11 in OA no. 159/2021

KRISHNAN M.N
Chief Environmental Engineer

MINUTES

Agenda :

Hon'ble NGT (SZ) OA 159/2021 regarding the failure of CPCB to formulate State Action Plan for Air Pollution as envisaged by the National Clean Air Program - The 3rd meeting of the Air Quality Monitoring Committee.

Chair : Sri.Sreeram Samba Siva Rao, Special Secretary

Time / Date : 11.00 AM / 23.05.2025

List of participants:-

Sri. Suneel Pamidi IFS, Director, Environment & Climate Change

Smt. Sreekala. S, Chairperson, Kerala State Pollution Control Board.

Sri. Santhosh Kumar.L.T, Additional Secretary, Environment

Sri. Muhammed Huwaiz.M, Joint Director, Local Self Government

Sri. Deepu.D, AS, State Transport Authority, Thiruvananthapuram.

Sri. Sreekumar.S, Motor Vehicle Inspector, Control Room.

Sri. Tinku Casper D'silva, Junior Scientist, NATPAC.

Smt.Simi.P, Environmental Engineer, Kerala State PCB

Smt. Rema Devi.s, Environmental Engineer, KSPCB (EMC)

Smt. Simi. C.S, Joint Director, Directorate of Industries.

Smt. Bindu.C.S, Joint Director of Agriculture.

Smt. Smitha. S, Deputy Director of Agriculture.

Sri. Yethy S Kumar, Law Officer, Smart City.

Smt. Krishna Sreekumar, JE (ESS), Smart City, Thiruvananthapuram.

Sri. P.M, Dhilshad, Mechanical Engineer, KSRTC.

Sri. A. David, Executive Director (Technical), KSRTC.

Sri. Brijlal.B, ACPS I, KSRTC.

Sri. Rajesh. R, Additional CTM, ANERT.

Sri. Dinesh Kumar. A.N, Joint Director, Energy Management Centre.

Sri. Tomson Sebastian, ETB, Energy Management Centre.

The Special Secretary, Environment Department chaired the meeting. The Special Secretary welcomed the AQMC members and other officers to the meeting. The Chairperson, KSPCB briefly explained the history of the case as follows:

O.A. 159 of 2021 was filed by Sri. Kankana Das, Kolkata before the Hon'ble NGT regarding the implementation of National Clean Air Programme (NCAP) which was launched by MoEF&CC in 2019, in the States of Telangana, Tamilnadu & Karnataka. State of Kerala was initially not a respondent in the case as the air quality of the State varied from Good to Satisfactory and there were no non attainment cities in Kerala. The Hon'ble NGT had Suo Moto impleaded the State of Kerala as respondent as per the Order dated 20.01.2023, considering air pollution as a trans-boundary phenomena. As per the Order dated 15.03.2023, the Hon'ble NGT directed the States to prepare a State Action Plan (SAP) on Air Quality. The State Action Plan (SAP) prepared by the State was submitted to CPCB on 13.04.2023. As per the NGT Order dated 09.05.2024, CPCB had issued common guidelines for preparation of the SAP. As per the guidelines, an Air Quality Monitoring Committee (AQMC) under the Chair of the Secretary, Environment Department was required to be

constituted for the preparation of the SAP and the SAP had to approved by a Steering Committee under the Chair of the Chief Secretary. Accordingly, the AQMC and Steering Committee were constituted vide G.O. (Rt) No. 84/2024/ENVT dated 26.10.2024. The SAP was finalized by the Air Quality Monitoring Committee in the meeting held on 07.01.2025 and recommended to be placed before the Steering Committee. The SAP was placed in the Steering Committee and the same was approved by the Steering Committee in the meeting held on 18.01.2025. The approved State Action Plan of Kerala on Air Quality was submitted to CPCB on 23.01.2025. CPCB had directed vide letter dated 25.02.2025 to start the implementation of the SAP by State level AQMC with immediate effect, along with further strengthening of SAP by incorporating changes as per the gaps/suggestions informed by CPCB.

Thereafter, various action points pertaining to the sectors, Industrial Emission & Vehicular Emission were discussed and the decisions are as follows:

Action Point	Decision	Implementing Agency
<i>Under Industrial Emission:</i>		
2. Guidelines for laying city gas distribution network	DoECC Director shall conduct meeting with the departments/agencies regarding concerned widening of the city gas distribution network and present the findings in the next	DoECC

	meeting.	
3. Policy for replacement of heavy oil (eg., furnace oil, diesel etc.) based industries to alternate energy sources (CNG/ PNG/ Electricity)	Industries department shall look into the matter and inform details in the next meeting.	Industries Dept.
4. Policy for restriction on usage of Pet coke for industrial use	The use of petcock is completely banned as a fuel in Kerala. Petcock is only used as a catalyst by some industries.	KSPCB, Industries Dept.
5. Rules and Regulations on uninterrupted power supply in State/ UT	Representative of KSEB had not attended the meeting. Action plan and timeline for establishing uninterrupted power supply shall be furnished by KSEB.	KSEB
6. Policy for use of DG sets	Policy was already developed and included in the consent condition. Implementation shall be ensured through periodic monitoring.	KSPCB
7. Policy regarding installation of CAAQMS based on the emission potential or capacity of air	Committee observed that establishment of CAAQMS can cost up to 1.5 crores. It was recommended that for public information, air quality	KSPCB, LSGD, LSGIs

polluting industries.	monitoring network can be expanded to local self government institution level by addition of low cost monitoring mechanisms.	
8. Mechanism to be devised for expansion of OCEMS to air polluting industries are not covered currently (such as emission from utility stacks in 17 categories, etc.)	Committee observed that OCEMS is currently installed in 49 industries. Environment secretary directed that the Industries department shall prepare a database of 17 category and grossly polluting industries and those industries shall be directed to install OCEMS.	Industries Dept., KSPCB
9. Mechanisms to control fugitive emissions sources.	SPCB shall discuss with the LSGD to device a monitoring mechanism.	KSPCB, LSGD
11. Regulations for Emission Trading Scheme (ETS)	DoECC and EMC shall conduct awareness for stakeholders regarding emission trading system and carbon credit and submit a proposal for implementing carbon neutral Kerala program which is a governance program driven at local self government level and coordinated at state level.	DoECC, EMC

	Central dashboard shall also be developed. Training can be given for one resource person in every local self government institution.	
12. Policy to set up e-waste recycling unit in industrial areas in compliance with e-waste management rules	SPCB and LSGD shall prepare concept note regarding EPR of e-waste management & plastic waste management systems of Kerala.	LSGD, KSPCB, industries Department
16. Shifting of industries/ commercial units to gaseous fuels (CNG/PNG/CBG)	Promoting the industries to switch to cleaner fuels like CNG, PNG. Industries may be encouraged to adopt cleaner fuels. Level of help to be extended in this regard may be explored by Industries Department	KSPCB, Industries dept
<i>Under Vehicular Emission:</i>		
5. Policy for augment e-vehicles	For promoting EVs, the network of charging stations need to be strengthened. The possibility of extending subsidy to charging stations using renewable energy like solar energy may be explored. Promoting charging stations in	ANERT, KSEB

	<p>restaurants, malls, PSU etc. may be looked into.</p> <p>Efforts shall be taken to ensure that all the charging stations are available on Google map for use of general public. Service app in this regard shall be developed by ANERT integrating all the details and locations of the available charging stations in the State.</p>	
6. Notification and enforcement of PUC norms	<p>The details of registered vehicles and the details of vehicles with PUC are already available with MVD. The difference gives the details of registered vehicles without PUC. A system with State Dashboard may be developed to monitor and track the defaulters and to levy time.</p>	Motor Vehicles Department
	<p>The Special Secretary, Envt. observed that representatives of some of the implementing agencies were absent in the meeting and directed to address the respective heads of department regarding the same.</p>	Environment Department

The other action points will be taken up for discussion on a future date. The meeting concluded by 01:15 pm.

SEERAM SAMBASIVA RAO I A S

SPECIAL SECRETARY

Minutes

Agenda : Hon'ble NGT (SZ)OA No.159/2021 regarding the failure of CPCB to formulate State Action Plan for Air Pollution as envisaged by the National Clean Air Program - The 4th meeting of the Air Quality Monitoring Committee.

Chair : Sri.Seeram Sambasiva Rao, Special Secretary, Environment

Time / Date : 10.30 AM / 10.07.2025.

List of participants:-

Sri.Suneel Pamidi IFS, Director, Environment & Climate Change
Smt.Sreekala. S, Chairperson, Kerala State Pollution Control Board.
Sri.Santhosh Kumar.L.T, Additional Secretary, Environment
Sri. Muhammed Huwaiz.M, Joint Director, Local Self Government
Sri. Deepu.D, AS, State Transport Authority, Thiruvananthapuram.
Sri. Sreekumar.S, Motor Vehicle Inspector, Control Room.
Sri.Tinku Casper D'silva, Junior Scientist, NATPAC.
Smt.Simi.P, Environmental Engineer, KSPCB
Smt. Rema Devi.s, Environmental Engineer, KSPCB (EMC)
Smt. Simi. C.S, Joint Director, Directorate of Industries.
Smt. Bindu.C.S, Joint Director of Agriculture.
Smt. Smitha. S, Deputy Director of Agriculture.
Sri. Yethy S Kumar, Law Officer, Smart City.
Smt. Krishna Sreekumar, JE (ESS), Smart City, Thiruvananthapuram.
Sri. P.M, Dhilshad, Mechanical Engineer, KSRTC.
Sri. A. David, Executive Director (Technical), KSRTC.
Sri. Brijlal.B, ACPS I, KSRTC.
Sri. Rajesh. R, Additional CTM, ANERT.
Sri. Dinesh Kumar. A.N, Joint Director, Energy Management Centre.
Sri. Tomson Sebastian, ETB, Energy Management Centre.

The meeting was chaired by the Special Secretary, Environment Department. The Special Secretary welcomed the AQMC members and other officials to the session. Subsequently, various action points related to sectors such as emissions from waste burning, municipal solid waste management, construction and demolition waste management, household emissions, and the burning of agricultural residues were discussed.

Chief Environmental Engineer (HO), KSPCB presented the SAP. The CEE, HO reported that the SAP had already been prepared as per the indicative template provided by CPCB, verified by AQMC, approved by the Steering Committee, and had been submitted to CPCB. As per CPCB's directions, AQMC shall review the progress of implementation of the action points outlined in the SAP every month. The Special Secretary observed that the line Departments are responsible for implementing their respective activities. The status of implementation should be reported by the concerned Departments, and they are expected to present the progress made since the previous meeting. The Special Secretary further emphasized that the attendance of the responsible officers of the implementing agencies in the AQMC meetings is mandatory. The Special Secretary directed to inform the Agencies concerned regarding the absence of their representatives in the AQMC meetings.

The action plan were discussed as follows:

Emission from burning of waste :

1. Policy for Legacy Waste Management at Dump sites:

The representative from Suchitwa Mission (SM) informed that dump sites have been included under the SDF projects. Out of these, 11 sites are being managed by the Kerala Solid Waste Management Board (KSWMB), while the remaining sites are handled by Suchitwa Mission. The activities are being funded through various sources, including KSWMP funds, SBM funds, and contributions from local bodies. The Chief Environmental Engineer (CEE) noted that significant progress has been made in the bioremediation of these dumpsites.

2. Policy for Implementation of Ban on Single-Use Plastics (SUP):

The representatives from Suchitwa Mission explained that the enforcement of the ban on single-use plastics has been intensified, especially in hilly regions. Preventive measures such as establishing check posts, conducting routine inspections, and implementing multiple awareness and enforcement activities are being carried out to curb the use and distribution of SUP.

In addition, an enforcement team has been constituted to monitor and control open dumping, open burning, and open littering of waste.

3. Policy for Development and Construction of Waste-to-Energy Plants:

SM presented the current status of waste-to-energy plants as outlined in the action plan. The progress of these projects and the steps being taken towards their development and implementation were explained during the meeting.

4. Municipal solid waste management:

Each point in the action plan under Municipal Solid Waste (MSW) management was reviewed in detail, including the status of activities and the corresponding timelines for implementation.

5. Construction and demolition waste management:

Each point in the action plan related to Municipal Solid Waste (MSW) management, including the status of activities and timelines, was thoroughly reviewed.

The Special Secretary (SS) sought clarification on whether guidelines for the use of Construction and Demolition (C&D) waste have been developed. In response, the Director, Department of Environment and Climate Change (DoECC), replied that the Public Works Department (PWD) plays a key role in utilizing C&D waste for road construction, and therefore, PWD may take the lead in issuing the necessary guidelines. It was also mentioned that the Local Self Government Department (LSGD) is responsible for setting up C&D waste processing plants, and the relevant details can be updated accordingly.

The CEE, KSPCB added that until now, the 2016 C&D Waste Management Rules were being followed, but the amended rules have been noticed which will come into effect from 1st April 2026.

6. Household Emissions:

The CEE, KSPCB explained that data is being collected from the implementing agencies, which include public sector undertakings and entities operating under public-private partnership models. The Kerala State Industrial Development Corporation (KSIDC) and the Industries Department have a coordinating role in this process.

The Director of the Industries Department stated that they will monitor the progress and provide updates, noting that the responsibility is specifically handled by KSIDC, from whom the data can be obtained.

The Director, Department of Environment and Climate Change (DoECC), suggested that KSIDC should be invited to participate in the next meeting.

7. Burning of agro residues:

The action plan section related to crop residue burning was filled in by the Agriculture Department. It was clarified that crop burning is not a common practice in Kerala. However, the format provided by CPCB was adopted for the State Action Plan (SAP), which is why the section was included. As such, this issue is not a significant concern with respect to air pollution in the state.

The Director, Department of Environment and Climate Change (DoECC), emphasized that the responsibility for implementation lies with the respective departments. Hence, the action plan should be shared with them to ensure timely execution. The Director also suggested that the progress of activities may be presented using charts or graphs for better clarity and visual representation. Additionally, the Director proposed the development of an online portal for tracking the implementation of action plans or projects. Through this portal, Departments can log in and regularly update the status of their actions, making the review process more efficient and streamlined.

The meeting concluded by 11:30 am.

SEERAM SAMBASIVA RAO I A S

SPECIAL SECRETARY