

BEFORE THE HONOURABLE NATIONAL
GREEN TRIBUNAL
SOUTH ZONE, CHENNAI

Original Application No.262 of 2017 (SZ)

Applicant : K.K. Muhammed Iqbal

Vs

Respondents : The Kerala State Pollution Control Board &
Others

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



Standing counsel for the 1st and 2nd respondent

Rema Smrithi. V. K., Advocate
Additional Standing Counsel, National
Green Tribunal, (SZ), CHENNAI

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VOLUME – I

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Dated this the 17th day of December, 2024.

Rema Smrithi. V. K., Advocate

Standing Counsel for the 1st and 2nd Respondent

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Dated this the 17th day of December, 2024.

Rema Smrithi. V. K., Advocate

Standing Counsel for the 1st and 2nd Respondent

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

I, Baburajan P K, aged 53 years, working as Chief Environmental Engineer, Regional Office, Kerala State Pollution Control Board, Ernakulam. I am competent to and duly authorized to represent the 1st Respondent in the above application. I know the facts and circumstances of the case. The factual submissions made here under are true and correct to the best of my knowledge, information and belief. In these circumstances, it is just and necessary that this Hon'ble Tribunal may be pleased to accept the accompanying information on file and it is so humbly prayed in the interests of justice in this case.

1. It is respectfully submitted that the Hon'ble High Court of Kerala in WP(C) No. 5803 of 2018 had issued direction to M/s Sree Sakthi Paper Mill (Now renamed as M/s. Cella Space Limited) to remove the plastic wastes from the river side of its premises to M/s.




BABURAJAN P.K.
Chief Environmental Engineer

KEIL, Ambalamughal (the CTSDF facility) within a specified time frame under the supervision of the Pollution Control Board and also directed the Board to release money as instalment to M/s KEIL from the bank guarantee forfeited (Rs. 24 lakhs) from the Company. The entire waste was shifted under the supervision of the Board and the amount was released in accordance with the directions issued by the Hon'ble High Court. The unit had shifted 6713.250 MT of waste to KEIL. The shifting was completed on March 2020.

2. It is respectfully submitted that during the inspection conducted at the site on 22.09.2022, it was noticed that they had removed the complete plastic waste which had been heaped at the site and had compacted the yard with earth, GSB and P sand on the site and levelled the same. This area was proposed to be used as a parking ground for vehicles.
3. The Environmental Compensation assessed by the Joint Committee constituted as per the direction of the Hon'ble NGT is Rs. 1,42,56,000/- and the environmental damage is assessed as Rs. 72,82,486.96/-. This makes a total of Rs. 2,15,38,486.96/-. The Hon'ble NGT in its order dated 07.07.2022 mentioned that:-

“(c) The right of the 4th respondent to challenge the quantum of compensation imposed, based on the final orders to be passed by the Kerala State Pollution Control Board as directed by this Tribunal before the appropriate forum under Section 5 A of the Environment (Protection) Act, 1986 r/w Section 16 of the National Green Tribunal Act, 2010 is left open. If any amount has been spent by the 6th Respondent for removing the plastic waste dumped in their premises and the amount of Bank Guarantee furnished and forfeited, the State Pollution Control Board is also directed to adjust towards the compensation payable by the 4th Respondent and this will have to be considered by the Board while assessing the environmental compensation payable by the 4th Respondent.”

4. Further the documents submitted by M/s. Cella Space Limited were verified and it was found that the total amount spent by the company towards the removal of plastic waste and levelling the site in connection with the conversion of site is Rs.2,06,28,353. Hence Board instructed M/s. Sree Sakthi Paper Mills to remit the balance amount to Board's Environmental Protection Fund. The unit had remitted the balance amount of Rs. 9,10,134/-only.
5. Subsequently as per the Order dated 29.07.2024 Hon'ble NGT has pointed out that the Board as well as the Project Proponent had misread the order dated 07.07.2022. It is respectfully submitted that, in this context, the Board has instructed the unit to furnish a detailed explanation with regard to the actions taken for the removal of plastic waste and it is also directed to inform whether any steps had been taken to assess the presence of




BABURAJAN P.K.
Chief Environmental Engineer

micro plastics and for remediating the site. Copy of the same is produced herewith and marked as **Annexure 1**. The unit has submitted reply to the said letter.

6. It is humbly submitted that further action in compliance with the order of Hon'ble NGT can be taken only after detailed examination of the reply from the unit and report of the Joint Committee, comprising of members from CPCB, SPCB and NEERI, in light of the order of Hon'ble Tribunal. Hence the Hon'ble Tribunal may be pleased to kindly grant two month time to carry out the same and to file a detailed report on this matter.

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

Dated this the 17th day of December, 2024.




BABURAJAN P.K.
Chief Environmental Engineer

Chief Environmental Engineer

Annexure 1

☎: General: 0471- 2312910, 2318153, 2318154, 2318155 Chairperson: 2318150 Member Secretary: 2318151
e-mail: chn.kspcb@gov.in; ms.kspcb@gov.in FAX: 2318152 web: kspcb.kerala.gov.in



KERALA STATE POLLUTION CONTROL BOARD
കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004
പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004



KSPCB/373/2022-EE-4

Date: 03/09/2024

From

The Chairperson

To

Sri Vinod Kumar
General Manager,
M/s CELLA SPACE LTD
Industrial Development Area,
Mupathadam, Edayar,
Ernakulam- 683110
Mob: 9447796918



Sub: - Details regarding the measures taken for removal of plastic and remediation of site at Sree Sakthi Paper Mill Limited-reg

Ref: - Order dated 29.07.2024 of Original Application No. 262 of 2017 (SZ) of Hon'ble NGT

Sir,

In light of the above order of Hon'ble National Green Tribunal in O.A. 262/2017, you are hereby instructed to furnish a detailed explanation with regard to the actions taken for the removal of plastic waste. You are also directed to inform whether any steps had been taken to assess the presence of micro plastics and for remediating the site.

Yours faithfully,


CHAIRPERSON o/c

Copy to:

1. The Chief Environmental Engineer
Regional Office, Ernakulam
2. The Senior Environmental Engineer
Environmental Surveillance Centre,
Eloor, Ernakulam

3. General Manager(Admin)
Sree Sakthi Paper Mills, Ltd,
Sree Kailas
CC-60/3976-77,
Paliyam Road, Cochin
682016

