

BEFORE THE HONOURABLE NATIONAL
GREEN TRIBUNAL
SOUTH ZONE, CHENNAI

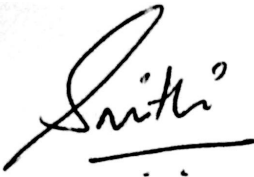
Original Application No.262 of 2017 (SZ)

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

INDEX

Sl. No.	Description	Page
1.	Report filed by the Chief Environmental Engineer for and on behalf of the Kerala State Pollution Control Board	1 - 2

Dated this the 14th day of March, 2025.

Rema Smrithi. V. K., Advocate

Standing Counsel for the 1st and 2nd Respondent

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VOLUME – II

INDEX

Sl. No.	Description	Page
1	Annexure 1 - Order dated 28.01.2025	1-3
2	Annexure 2 - CPCB letter dated 08.03.2025	4

Dated this the 14th day of March, 2025.

Rema Smrithi. V. K., Advocate

Standing Counsel for the 1st and 2nd Respondent

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& Others

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, am 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 as per the order dated 29.07.2024, the Hon'ble Tribunal has pointed out that the Board as well as the Project Proponent had misread the order dated 07.07.2022 mentioning that "When the order specifically stated only the removal of the




BABURAJAN P.K.
Chief Environmental Engineer

plastic waste dumped, the act of the Project Proponent seems to be only covering up the same and allowing it to remain in the landfill and levelling the site by converting it into a car park'.

2. In compliance with the above order, in order to review the status of remediation, a Joint Committee was constituted vide order dated 28.01.2025 with the Chief Environmental Engineer, Regional Office, Ernakulam as the Nodal Officer & representative from the Central Pollution Control Board as a member and the Senior Environmental Engineer, Environmental Surveillance Center, Eloor as member convenor to conduct a study regarding the present status of the site and the process of remediation, required if any, to make the site contamination free. Copy of the order dated 28.01.2025 is attached as **Annexure 1**. Subsequently, vide letter no. CM 13013/6/2025-LAB-RD-BENGALURU-RD/702 dated 08.03.2025, Sri Vivek K., Sc.E was nominated as the CPCB representative in the aforementioned Committee. Copy of the letter dated 08.03.2025 is attached as **Annexure 2**.
3. As part of the study, the Joint Committee conducted an inspection at the site on 12.03.2025. The Hon'ble Tribunal may kindly be pleased to grant two months time to take further action based on the findings of inspection and recommendations of the expert committee 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 14th day of March, 2025.




BABURAJAN P.K.
Chief Environmental Engineer

Chief Environmental Engineer



PROCEEDINGS

(Present: Er.Sreekala .S., Chairperson)

Sub: OA no. 262 of 2017 (SZ) - M/s Sreesakthi Paper Mills, Edayar, Ernakulam -
Study regarding the process of remediation - Constitution of Joint
Committee – reg.

KERALA STATE POLLUTION CONTROL BOARD

KSPCB/93/2025-EE-1

Thiruvananthapuram, 28-01-2025

- Ref:- (1) Order of Hon'ble High Court of Kerala dated 13/07/2018 in
WP(C) No.5803/2018
(2) Order dated 20/01/2020 by the Hon'ble NGT in OA No.262 of 2017
(SZ)
(3) Judgement dated 07/07/2022 by the Hon'ble NGT in OA No.262 of
2017(SZ)
(4) Order dated 29/07/2024 by the Hon'ble NGT in OA No.262 of 2017
(SZ)

ORDER

M/s Sree Sakthi Paper Mills Ltd, Edayar, Ernakulam (now renamed as M/s Cella Space Limited), a craft paper manufacturing unit, which comes under the purview of the Board has been under closure since 2016. Plastic waste generated in the unit was dumped within in the premises of the unit and as per the order of the Hon'ble High Court of Kerala, cited 1st, the unit had removed the waste from the premises and shifted the same to M/s KEIL. The Hon'ble NGT vide order dated 20.01.2020 in OA 262/2017, cited (2), has directed to constitute a committee consisting of members from NEERI, CPCB and Board to report the Environmental damage caused by M/s. Sree Sakthi Paper Mills for non disposal of plastic waste and keeping it in the premises for a long period. The Joint Committee had assessed the Environmental Compensation and the environmental damage and the same was reported to the Hon'ble NGT.

As per the judgement of Hon'ble NGT, cited 3rd;

(iii) *“If any amount has been spent by the 4th 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.”*

(iv) *“ the Central Pollution Control Board and the State Pollution Control Board are directed to conduct a study regarding the process of remediation to be done to make*

the site contamination free and the expenses for conducting such study has to be met from the environmental compensation recovered from the 4th respondent and the nature of remediation process has to be carried out by the 4th respondent under the supervision of the Kerala State Pollution Control Board and Central Pollution Control Board by using the amount of compensation recovered from the 4th respondent as directed above. If that amount is not sufficient, then excess amount has to be recovered from the 4th respondent by the Kerala State Pollution Control Board in accordance with law”.

Further, as per the inspection conducted by Board Officials at the site on 22.09.2022, it was noticed that the site was compacted & levelled and the area was proposed to be used as a parking ground for vehicles. Later, the documents submitted by M/s. Cella Space Limited were verified and the total amount spent by the company towards the removal of plastic waste and levelling the site in connection with the conversion of site was adjusted and the company was instructed to remit the balance amount to Board's Environmental Protection Fund. The unit had remitted the balance amount.

Later, as per the Order dated 29.07.2024, cited 4th, the Hon'ble Tribunal has pointed out that the Board as well as the Project Proponent had misread the order dated 07.07.2022 mentioning that *“When the order specifically stated only the removal of the plastic waste dumped, the act of the Project Proponent seems to be only covering up the same and allowing it to remain in the landfill and levelling the site by converting it into a car park”.*

In order to review the status of remediation, a Joint Committee is hereby constituted with the Chief Environmental Engineer, Regional Office, Ernakulam as the Nodal Officer & representative from the Central Pollution Control Board as a member and the Senior Environmental Engineer, Environmental Surveillance Center, Eloor as member convenor., to conduct a study regarding the present status of the site and the process of remediation, required if any, to make the site contamination free and the cost associated with such remediation

The committee shall submit a detailed report in this regard to the undersigned within a period of two months.

The expenditure in this regard shall be met from the Environmental Compensation recovered from M/s Sreesakthi Paper Mills in the Environment Protection Fund of the Board.

Sd/-
CHAIRPERSON

To,

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

FORWARDED/BY ORDER



ENVIRONMENTAL ENGINEER-1

o/c



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

By e-mail

No. CM-13013/6/2025-LAB-RD-BENGALURU-RD / 702

Dt: 08-03-2025

To,

The Chairperson
Kerala State Pollution Control Board
Plamoodu Jn., Pattom Palace P.O.
Thiruvananthapuram-695 004

Sub: Nomination sought from CPCB to the Joint Committee constituted by KSPCB regarding the directions given by Hon'ble NGT SZ Bench while disposing the matter, OA No. 262/2017 NGT SZ.

Ref: Letter No. KSPCB/93-2025/EE-1 dated 28.01.2025 addressed to MS, CPCB seeking the nomination of Committee Member in OA 262/2017 NGT SZ

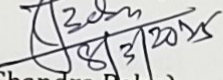
Madam

In response to the letter referred above, wherein it was requested to nominate a member from CPCB to the Committee constituted by KSPCB regarding the directions given by Hon'ble NGT SZ Bench while disposing the matter, OA No. 262/2017 NGT SZ, it is to be informed that as per the approval from competent authority, CPCB, Sh. Vivek. K, Sc E is nominated as the CPCB representative in the aforementioned Committee. His contact details are given below.

Name & designation: Vivek. K, Sc. E
Off: 08023233739 – 204 (Ext.), Mob: 9990300758
Email – vivek.cpcb@gov.in

It is requested to take further necessary actions for compliance of the Hon'ble NGT directions in a timely manner. Future communications in this regard could be made directly to Sh. Vivek. K, with a copy to this office.

Yours faithfully,


(J Chandra Babu)
Regional Director

क्षेत्रीय निदेशालय (बेंगलूरु) : निसर्ग भवन, ए-ब्लॉक, प्रथम एवं द्वितीय तल, तिम्मय्या रोड, 7-डी मैन, शिवनगर, बेंगलूरु - ५६० ०७९.

Regional Directorate (Bengaluru) : " Nisarga Bhawan ", A-Block, 1st & 2nd Floors, Thimmaiah Road, 7th D - Main, Shivanagar, Bengaluru - 560 079.

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ई-मेल / E-mail : zobangalore.cpcb@nic.in

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Head Office : Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.

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