

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 13th day of June, 2025.

Rema Smrithi. V. K., Advocate

Standing Counsel for the 1st and 2nd Respondent

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VOLUME – II

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Dated this the 13th day of June, 2025.

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REPORT FILED BY THE CHIEF ENVIRONMENTAL ENGINEER
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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 of the Hon'ble National Green Tribunal in the order dated 07.07.2022, the Central Pollution Control Board and the State Pollution




BABURAJAN P.K.
Chief Environmental Engineer

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 remediation process has to be carried out by the 4th respondent under the supervision of the Kerala State Pollution Control Board and the Central Pollution Control Board by using the amount of compensation recovered from the 4th respondent.

2. It is respectfully submitted that the joint committee constituted by this Tribunal comprising the CPCB, KSPCB and NEERI had submitted a report before the Hon'ble tribunal based on the inspection conducted on 19.02. 2021. In that study, the presence of plastic contamination in the soil was measured, environmental compensation and environmental damage was assessed. The proponent was in the process of converting the site as a parking lot with impervious concrete/ bitumen surface with compound wall during the inspection of that committee. After that, the land was fully converted as parking space. This was already reported by this respondent to the Hon'ble tribunal.
3. It is respectfully that as per the order dated 29.07.2024, the Hon'ble Tribunal has pointed out the Board as well as the Project Proponent has 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".
4. In compliance with the above order of the Hon'ble Tribunal, 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 Centre, Eloor as member convenor to conduct a study regarding the present status of the site and to determine the method of remediation, required if any, to make the site contamination free. Copy of the order dated 28.01.2025 is attached as **Annexure 1**.
5. As part of the study, the Joint Committee conducted a preliminary inspection at the site on 12.03.2025. Later on 16.05.2025, the Committee discussed in detail about the overall scenario of the matter and reviewed the order of Hon'ble NGT. Based on the discussions, it was decided by the Committee to conduct a site inspection and to assess the present day conditions of the site and carry out sampling and analysis of soil samples and river water samples for analysing the presence of micro plastics. It was decided that further decision can be taken on whether remediation is required or not and nature of remediation process




BABURAJAN P.K.
Chief Environmental Engineer

to be carried out if required, after assessing the site conditions and reviewing the analysis results. Site inspection was conducted on 16.05.2025 & 26.05.2025. Samples from the river and soil from the unit premises were collected in order to assess the micro plastic contamination.

6. It is also submitted that samples taken on 26.05.2025 were sent to School of Environmental Sciences, Mahatma Gandhi University, Kottayam for analysis of micro plastics. The analysis report of the water sample is attached as **Annexure 2**. As per the analysis report of the water samples, presence of micro plastics were found which were characterized by shapes including fiber, fragment, film, and foam, with sizes ranging from 72 to 5032.738 µm, and colours such as blue, yellow, white, and transparent. The analysis report of the soil sample is not yet received. The Hon'ble Tribunal may kindly be pleased to grant one month's 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.

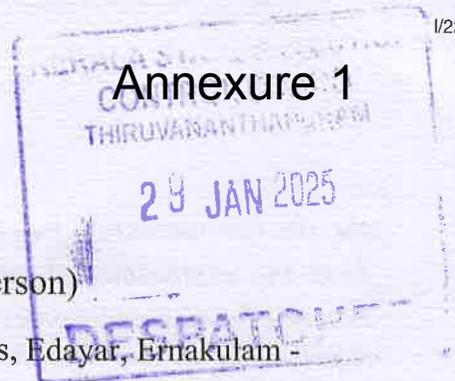
All that is stated above are true to the best of my knowledge information and belief.

Dated this the 13th day of June, 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



Mahatma Gandhi University

SCHOOL OF ENVIRONMENTAL SCIENCES

Priyadarsini Hills P.O., Kottayam-686560, Kerala, India

12.06.2025

Microplastic Analysis Report

Client : Kerala State Pollution Control Board

No. of samples received: 1

Water sample received from Kerala State Pollution Control Board and the Microplastic analysis was carried out for the following parameters: Abundance, Shape, Size and Colour, as per the request of the client. Extraction of microplastics was carried out in the laboratory following the NOAA (National Oceanic and Atmospheric Administration) protocol of the Marine Debris Program, USA*. For visual interpretation of the microplastic particles, a stereomicroscope (Carl - Zeiss Stemi 508, Germany) fitted with a digital camera was used. The results are provided below.

Water sample

SL. No.	Sample ID	Abundance (No. of microplastics)	Shape of microplastics	Size of microplastics (Size Range in μm)	Colour of microplastics
1	C1 - Water	27/ Litre	Fiber, Fragment, Film & Foam	72 - 5032.738 μm	Blue, Yellow, White & Transparent

* Masura, J., Baker, J., Foster, G., Arthur, C., 2015. Laboratory Methods for the Analysis of Microplastics in the Marine Environment: Recommendations for Quantifying Synthetic Particles in Waters and Sediments.

**The polymer analysis of microplastic cannot be done due to technical issues.

Sangeetha Sivan

Sangeetha Sivan
Name & Signature of analyst

Mahesh Mohan

Dr. Mahesh Mohan
Director

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Associate Professor & Director
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