

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

APPLICATION NO. 312 OF 2024 (SZ)

Suo Motu

.....Petitioner

Vs

The Principal Secretary to Government of Tamil Nadu
Department of Environment, Forests and Climate Change
& Ors

.... Respondents

REPLY AFFIDAVIT FILED BY ADDITIONAL RESPONDENT NO.9

HARI KUMAR G NAIR
Counsel for the 9th Respondent

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INDEX

| Sl No. | Particulars | Pages |
|--------|---|-------|
| 1. | Reply Affidavit filed by the Additional Respondent No.9 | 1-7 |
| 2. | <u>Annexure R9(a)</u> Copy of the Integrated Consent to Operate (Renewal) No.KSPCB/TV/ICO/10029949/2024 dated 23.04.2024 | 8-10 |
| 3. | <u>Annexure R9(b)</u> Copy of work order No. 1119/50258/18 dated 03.02.2024 issued by Thiruvananthapuram Municipal Corporation appointing Sunage Eco Systems (P) Ltd along with its English Translation. | 11-13 |
| 4. | <u>Annexure R9(c)</u> Copy of registration issued by Thiruvananthapuram Municipal Corporation to Sunage Eco Systems (P) Ltd dated 14.07.2022 | 14-15 |
| 5. | <u>Annexure R9(d)</u> Copy of the Contract for Clearance of Dry Garbage dated 20.10.2024 between the 9 th Respondent and Sunage Eco Systems (P) Ltd | 16-18 |
| 6. | <u>Annexure R9(e)</u> Copy of the reply dated 14.01.2025 submitted by the answering Respondent to the Kerala State Pollution Control Board | 19-21 |

Dated this the 17th day of January 2025


Counsel for the 9th Respondent

1

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

APPLICATION NO. 312 OF 2024 (SZ)

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Vs

The Principal Secretary to Government of Tamil Nadu
Department of Environment, Forests and Climate Change
& Ors

.... Respondents

REPLY AFFIDAVIT FILED BY ADDITIONAL RESPONDENT NO.9

I, Jiju V.S, s/o V.R.Sreenivasan, aged 47 years residing at Vazhoor House, Vemballur PO, Kodungallur, Thrissur District- 680671 having come to Ernakulam do hereby solemnly affirm and state as follows:

1. I am the authorized signatory of M/s Kovalam Resort Pvt. Ltd which owns the 9th Respondent. I know the facts and circumstances of the case. I am competent to swear to this affidavit having been authorized to do so.

2. It is imperative to lay the facts of the case as in necessary for a proper adjudication of the *lis*. It is most respectfully submitted that the answering is operated by M/s Kovalam Resort Pvt. Ltd. The 9th Respondent is a renowned 5 Star luxury beach resort hotel located atop a cliff in Kovalam, Thiruvananthapuram, Kerala. Spanning over 50 acres, it is a key contributor to Kerala's tourism and economy, the 9th Respondent has been honoured with several awards and accolades for its eco-friendly operations and commitment to preservation of the environment, including from the United Nations Environment Programme (UNEP) for contribution to the "Plant for the Planet: Billion Tree Campaign" for planting trees and



For KOVALAM RESORT PRIVATE LIMITED

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catalyzing environmental action in the service of the Earth and for the benefit of humankind.

3. Ever since its commencement, the answering 9th Respondent has been operating in due compliance of all laws and after obtaining all permissions and sanctions are mandated in law. Accordingly, the answering 9th Respondent had applied for renewal of Integrated Consent to Operate to the Kerala State Pollution Control Board in respect of the subject hotel and the same was issued by the Board on 23.04.2024 which was valid upto 30.06.2028, but has now been revoked vide order dated 10.01.2025. A true copy of the Integrated Consent to Operate (Renewal) No.KSPCB/TV/ICO/10029949/2024 dated 23.04.2024 is annexed herewith and marked as **Annexure R9(a)**

4. It is submitted that being a 5 star Luxury hotel treating a large number of guests, large quantities of waste both Bio Degradable and non Bio Degradable waste are generated. These include discarded waste like discarded fabrics, plastic wastes, used footwear etc. As a committed corporate entity, the answering 9th Respondent has set up an internal system to take care of the waste disposal requirements, and thus the answering 9th Respondent has setup an efficient solid waste management system. It also operates a Bio-Gas Plant with a capacity of 500 kg for disposal of wet waste.

5. It is a matter of record that the Thiruvananthapuram Municipal Corporation has authorised and approved various agencies including the Sunage Eco Systems (P) Ltd to dispose the waste materials from various entities in a scientific and eco-friendly manner. A true copy of work order No. H19/50258/18 dated 03.02.2024 issued by Thiruvananthapuram



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Municipal Corporation appointing Sunage Eco Systems (P) Ltd along with its English Translation is annexed herewith and marked as **Annexure R9(b)**. Most importantly, Sunage Eco Systems (P) Ltd is also authorised by the Kerala State Pollution Control Board for storage of waste scrap and the said authorisation issued by the Board is valid till 31.05.2037. A true copy of registration issued by Thiruvananthapuram Municipal Corporation to Sunage Eco Systems (P) Ltd dated 14.07.2022 is annexed herewith and marked as **Annexure R9(c)**. Also, certain groups including Haritha Karma Sena working under the local self-government collects non-biodegradable waste from houses and establishments and entrusts the same to Sunage Eco Systems (P) Ltd. However, so far as the answering 9th Respondent is concerned, due to the quantity of waste produced every day, the Haritha Karma Sena is ill-equipped to handle the same and therefore, the 9th Respondent was constrained to hand over the same directly to Sunage Eco Systems (P) Ltd which undisputedly is the approved agency of the Corporation to dispose the waste. Accordingly, the 9th Respondent had been handing over the waste to them for past several years and further renewed the agreement with them on 20.10.2024 entrusting the collection and disposal of waste generated in the Hotel. A true copy of the Contract for Clearance of Dry Garbage dated 20.10.2024 between the 9th Respondent and Sunage Eco Systems (P) Ltd is annexed herewith and marked as **Annexure R9(d)**. As a matter of record, M/s Sunage Ecosystem Private Limited has been levying and collecting charges from us for the past several years at the rate of Rs. 6 per Kilogram, which is higher than the rate fixed by the Corporation.

6. The present proceedings have arisen on the basis of media reports that there was dumping of biomedical, food, plastic and other waste in



For KOVALAM RESORT PRIVATE LIMITED

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Kodanganallur and Palavoor villages of Kanyakumari, Tamilnadu. It was alleged that the waste dumped contained certain discards believed to from Regional Cancer Centre Trivandrum (RCC), Credence Hospital-Multispecialty Family Hospital and IVF Centre (Credence Hospitals) and the hotel of the 9th Respondent. When the case was taken up by this Hon'ble Tribunal on 19.12.2024, it was submitted by the Council for Tamil Nadu Pollution Control Board that a letter has been issued on 18.12.2024 to the Kerala State Pollution Control Board requesting to initiate action against Regional Cancer Centre Trivandrum (RCC), Credence Hospital-Multispecialty Family Hospital and IVF Centre(Credence Hospitals) for illegal transportation and dumping of biomedical waste and also against the 9th Respondent. Consequently, this Hon'ble Tribunal passed an order dated 19.12.2024 directing to implead the answering 9th Respondent as well as RCC and Credence Hospitals as additional respondents and to remove the waste dumped at the site within 3 days and further posted the case to 23.12.2024.

7. It is most respectfully submitted that the answering respondent has no role in the alleged dumping of waste Kodanganallur or Palavoor villages of Kanyakumari, in as much as this Respondent entrusts the waste generated in the Hotel to Sunage Eco Systems (P) Ltd, which is the agency approved by the Thiruvananthapuram Municipal Corporation and the Kerala State Pollution Control Board for disposal of the waste. Once the said waste is collected by this agency from the hotel of the answering 9th Respondent, we retain no control over the agency or its activities or its method of disposal. The absence of any role to this answering Respondent has been established beyond any doubt in the enquiry conducted by the Tamil Nadu Police pursuant to the subject incident. Further, the Kerala State Pollution Control



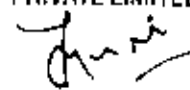
For KOVALAM RESORT PRIVATE LIMITED

[Signature]
AUTHORISED SIGNATORY

Board, being fully satisfied that agency approved by the Thiruvananthapuram Municipal Corporation namely, M/s Sunage Eco Systems (P) Ltd was alone responsible for the alleged dumping of the waste in Kodanganallur and Palavoor villages of Kanyakumari, has adopted punitive action against them including cancellation of contract given by Corporation to Sunage Eco Systems (P) Ltd, vide Order No. AH/19/22306/23 and H19/50258/2018 dated 01.01.2025. Consequently, there can be no doubt that the answering Respondent has involvement in the alleged dumping of waste in Kodanganallur and Palavoor villages of Kanyakumari. However, the Kerala State Pollution Control Board has now revoked the consent to operate issued to the answering Respondent, vide order dated 10.01.2025. The answering Respondent has submitted its response to the said revocation order by detailing the infrastructure presently available in the Hotel for waste disposal and those in the pipeline, with an unconditional commitment to ensure that there is no improper handling of waste in the Hotel and that the additional facilities now being setup will further ensure that the Hotel activities are fully compliant with the Environment (Protection) Act as well as the applicable Waste Management Rules and other allied laws. We have committed to the collection, segregation, storage, handling, and disposal of solid waste in accordance with the Solid Waste Management Rules 2016. At the source, we separate biodegradable waste from non-biodegradable waste. Additionally, the dry waste generated from the hotel is being collected exclusively by Harithakarma Sena. Plastic waste, specifically bottles, is also sent through Harithakarma Sena for authorized treatment. However, as part of the commitment to a Zero Plastic policy, we are in the process of installing an 'In-House Glass Water Bottling Plant' to be installed by "Swajal Water



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Private Limited”.

8. As regards the waste items like used Diapers, Napkins, used medicine, the Hotel has already partnered with 'AAKRI Impact Pvt Ltd. The said entity is now collecting, segregating and disposing of Solid waste and hazardous waste in full compliance of the guidelines issued by Kerala State Pollution Control Board and the applicable rules. In so far as disposal of dry leaves including coconut leaves, we have initiated the process of installing an incinerator equipped with wet scrubber system with a capacity of Rs 150 kg per hour. This technology is most advanced and is certified to be fully compliant with the standards for incineration set out on schedule 11(C) of the Solid Waste Management Rules. As regards disposal of food waste generated in the Hotel, we undertake the activity of segregation of the waste at source. We already operate a biogas plant with a daily capacity of 500 kg to process the food and vegetable waste. Any excess waste is being collected by Pig Farmers Association, an agency associated with SR Green Agency, Mammotti Building, Choondupallaka, Kattakada. The said entity is recognized by the Corporation of Thiruvananthapuram for collection of food waste. in line with the policy to minimize external waste disposal, we have partnered with 'SOI.EARTH', a company installing food waste converts to install a 'Food Waste Converter with a capacity of 1000 per kg per day'. The facility will be capable of converting food waste into granules which can be used as manures, thereupon the Hotel will no longer send waste to any outside agency but the entire food waste will be converted to granules within the premises of the Hotel. A true copy of the reply dated 14.01.2025 submitted by the answering Respondent to the Kerala State Pollution Control Board is annexed herewith and marked as **Annexure R9(e)**.



For KOVALAM RESORT PRIVATE LIMITED

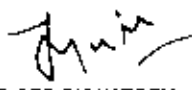
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AUTHORISED SIGNATORY

9. The answering Respondent is a responsible entity and has highest respect for this Hon'ble Tribunal and regard for the orders passed by it. Therefore, the answering Respondent further undertake to exercise full diligence to avoid any such untoward incident in future and shall act with utmost care and circumspection as a responsible entity.
10. For these and other reasons to be submitted at the time of hearing, it is most humbly prayed that this Hon'ble Tribunal may be pleased to accept the present reply and the submissions of the 9th Respondent, in the interest of justice.
11. All the facts stated above are true to the best of my knowledge, information and belief.

Dated this the 17th day of January 2025.



KOVALAM RESORT PRIVATE LIMITED


AUTHORISED SIGNATORY

Deponent

Solemnly affirmed and signed by this Deponent, before me on 17th day of January 2025 in my office at Ernakulam.



Advocate



KERALA STATE POLLUTION CONTROL BOARD

FILE NO. : KSPCB/TV/ICO/10029949/2024

Date of issue : 23-04-2024

INTEGRATED CONSENT TO OPERATE - RENEWAL

Consent No : KSPCB/TV/ICO/10029949/2024

Valid upto : 30/06/2028

Ref.:Consent no.PCB/HO/TVM/ICO-R/17/2018 dated 06/12/2018 valid upto 30/06/2023

The Integrated Consent to Operate issued as per reference above to M/s. Kovalam Resort Pvt.Ltd. , The Leela Kovalam, A Raviz Hotel, Kovalam Beach, Thiruvananthapuram, kerala, India is hereby renewed up to 30/06/2028 and issued to Mr. Asish Sivan , Kovalam Resort Pvt.Ltd., The leela, Kovalam Beach, Kovalam, Thiruvananthapuram.

The consent(s)/ variation order(s) cited under reference are integral part of this renewal order and this order is subject to the conditions stipulated therein and the following modifications/ additions.

1. GENERAL

| Sl. No. | Items | Description |
|---------|--------------------|---|
| 1. | Category | RED |
| 2. | Validity | 30/06/2028 |
| 3. | Activity | Hotel with 188 rooms,19 cottages,restaurant 3 nos.,conference hall etc. |
| 4. | Capital Investment | Rs.12925.6899 lakhs |
| 5. | Annual fee | Rs.318500/- |
| 6. | Fee remitted | Rs.1594375/- |
| 7. | Fee excess | Rs.1875/- |
| 8. | Renewal Date | 30/04/2028 |

2. SPECIFIC CONDITIONS

- 2.1 Any change in the unit and machineries/particulars furnished in the application/attachments or in the identity of the occupier/authorized agent shall be intimated to the Board within a week and consent variation shall be obtained.
- 2.2 The occupier shall comply with the instructions Board may issue from time to time for the prevention and control of pollution and protection of environment.
- 2.3 For renewal of the consent in case of continuance of operation of the industry, application in the prescribed format shall be submitted through the web portal of the Board on or before 30.04.2028. Late application will be accepted only with 10%(for application before expiry date) & 50% (for application after expiry date) of yearly fee as late fee .
- 2.4 This Consent is granted on the basis of the affidavit,consent enquiry and other documents furnished by the applicant. If any information furnished is found false, the consent issued will be cancelled/ revoked.
- 2.5 The treated effluent shall be disposed through soak pit.Treated effluent only after achieving prescribed standards shall be reused.
- 2.6 Lease agreement /consent of land owner shall be renewed periodically, failing which the consent will become invalid automatically.
- 2.7 Proper Solid waste management system shall be provided in the unit, arrangements for collection, segregation, storage, handling and disposal of solid Waste including garbage shall be provided as per SWM Rules 2016 and the facility shall be maintained properly. Biodegradable waste shall be segregated from non biodegradable waste at source.Biodegradable shall be treated in biobins/aerobins/biogas plants. Non biodegradable wastes shall be disposed to authorised collectors namely Haritha Karma Sena for the disposal of wastes for authorised treatment.
- 2.8 Plastic Waste Management Rules, 2016 and amendments shall be followed for the management of plastic waste. Single use plastic ban as per notifications and Orders for Kerala shall be strictly followed.
- 2.9 Pollution control measures provided in the unit to control air pollution, noise pollution and water pollution shall be maintained properly and made functional while the unit is in operation.
- 2.10 Hygienic condition and good housekeeping practices shall be maintained in and around the unit.
- 2.11 Hazardous waste generated if any, shall be disposed of in compliance with the provisions of the Hazardous and other Wastes (Management and Trans boundary Movement) Rules, 2016.
- 2.12 Waste batteries shall be disposed of as per the Battery Waste Management Rules, 2022.
- 2.13 E-wastes shall be disposed of as per the provisions of E-waste management Rules, 2016 and amendments.
- 2.14 Environmental statement shall be submitted in Form V for each financial year ending on March 31st.
- 2.15 All operational DG sets of capacity 125 KVA and above shall be retrofitted with an Emission Control Device / Equipment having a minimum specified Particulate Matter capturing efficiency of at least 70% in 5 mode D2 cycle for equivalent KVA rating.
- 2.16 Sewage Treatment Plant (STP) consisting of units having adequate capacity shall be made functional, as per the proposal submitted along with the application, within 3 months so as to meet the effluents standards as per the consent. Additional facilities required, if any, to achieve the standards laid down by the Board u/s 17(1)(g) of the Water Act shall also be made along with.
- 2.17 Sewage treatment plant (STP) shall be constructed above ground level/cellar room and having adequate space for inspection and maintaining a minimum distance of 10 logQ (where Q is the discharge of waste water in m³ /day) from the nearest residence/education institution/public

office/hospital/place of worship/ similar establishments. There shall be easy access to each and every treatment unit for inspection. Sufficient sampling points shall be provided to facilitate collection of samples. Lighting arrangements shall be provided in the sewage treatment plant area. Each and every sewage treatment unit shall be labeled.

2.18 All previous consents with all consent conditions shall be attached to online within a month.

All other conditions of the Integrated Consent to Operate issued as per reference above remain unchanged.

Signature valid

Digitally signed by SREEKALA S
Date: 2024.04.28 17:01:06 IST

SIGNATURE OF ISSUING AUTHORITY

CHAIRMAN

To

M/s Kovalam Resort Pvt.Ltd.

The Leela Kovalam, A Raviz Hotel, Kovalam Beach, Thiruvananthapuram, kerala, India

E-Mail : enggsecy.tlkov@theleela.com

Contact Number :939438099, 939438099

1.This digitally signed document is legally valid as per the Information Technology Act 2000

2. For verifying this document please go to www.keralapcbonline.com and search using Certificate Number/Name of the unit/Application Number in "Certificate Verification" link in the home page of the Board's Phoenix website.


True copy



തിരുവനന്തപുരം മുനിസിപ്പൽ കോർപ്പറേഷൻ

H19/50258/18

03/02/2024

വർക്ക് ഓർഡർ

വിഷയം: തിരുവനന്തപുരം നഗരസഭ - ആരോഗ്യ വിഭാഗം - നഗരസഭ പരിധിയിൽ ഉൾപ്പെട്ട വരുന്ന വാർഡുകളിലെ അജൈവമാലിന്യം ശേഖരിക്കുന്നത്-വർക്ക് ഓർഡർ നൽകുന്നത് സംബന്ധിച്ച്.

- സൂചന 1: തിരുവനന്തപുരം നഗരസഭ 21/09/2023 തീയതിയിൽ ക്ഷണിച്ചു ടെണ്ടർ
- 2 ബഹു. തിരുവനന്തപുരം നഗരസഭ മേയറുടെ 08/12/2023 തീയതിയിലെ മുൻകൂർ അനുമതി

തിരുവനന്തപുരം നഗരസഭയുടെ പരിധിയിൽ ഉൾപ്പെട്ട വരുന്ന വാർഡുകളിൽ ഹരിതകർമ്മ സേനാംഗങ്ങൾ ശേഖരിക്കുന്ന അജൈവമാലിന്യങ്ങളായ unused waste plastic, used clothes, chappals, ബാഗുകൾ, ചില്ലി മാലിന്യങ്ങൾ, തെർമോക്കോൾ, കട്ടിംഗ് ക്ലോത്ത്, ഫോംസ്, റെക്ലൈൻ എന്നിവ ശേഖരിച്ച് ശാസ്ത്രീയമായി സംസ്കരിക്കുന്നതിന് സൂചന 1 പ്രകാരം ക്ഷണിച്ചിരുന്ന ടെണ്ടറിന്റെ അടിസ്ഥാനത്തിൽ താങ്കൾ സമർപ്പിച്ചിരുന്ന ടെണ്ടറിൽ രേഖപ്പെടുത്തിയിരുന്ന Used waste plastic, Used clothes, Cutting clothes, Used chapels, Bags എന്നീ ഇനങ്ങളുടെ നിരക്ക് അംഗീകരിച്ച് കൊണ്ട് സൂചന 2 പ്രകാരം ബഹു.കൊൺസിൽ തീരുമാനം കൈക്കൊണ്ടിരുന്നു. മേൽ സാഹചര്യത്തിൽ ഈ അറിയിപ്പ് ലഭിച്ച് 3 ദിവസത്തിനുള്ളിൽ നിയമാനുസൃത കരാറിലേർപ്പെട്ട് നഗരസഭ അംഗീകരിച്ച നിരക്കിൽ പ്രസ്തുത ഇനങ്ങൾ ശേഖരിച്ച് സംസ്കരിക്കുന്നതിനുള്ള നടപടി സ്വീകരിക്കുന്നതിന് താൽപര്യപ്പെടുന്നു.

(മാലിന്യം ശേഖരിച്ച് തരംതിരിക്കുന്ന സ്ഥലത്തിന്റെ സർവ്വേനമ്പർ, പ്ലാന്റിന്റെ പിസിബി നിരാക്ഷേപത്രത്തിന്റെ കാലവധി, കൺസെന്റ് നമ്പർ എന്നിവ കരറിൽ നിർബന്ധമായും രേഖപ്പെടുത്തേണ്ടതാണ്)

TO,
 SUNAGE ECOSYSTEM(P)LTD
 VANMILAKAM,PUNCHAKIRI-KARUMOM(PO)
 THIRUVANANTHAPURAM-2

ഹെൽത്ത് ഓഫീസർ
 Dr.GOPAKUMAR.R.S
 MBBS, DPH,FCIMC- 45777
 Public Health Officer
 Municipal Corporation
 Thiruvananthapuram

Thiruvananthapuram Municipal Corporation

H19/50258/18

03/02/2024

Work order

Subject: Thiruvananthapuram Municipality Health Department - Collection of inorganic waste in the wards under the Municipal Corporation - regarding issue of work order.

Reference

1. Tender invited by Thiruvananthapuram Municipal Corporation on 21/09/2023
2. Hon. Prior approval dated 08/12/2023 of the Mayor of Thiruvananthapuram Municipal Corporation


The rates quoted by you for disposal of non-biodegradable waste items such as unused waste plastic, used clothes, used chappals, bags, glass waste, thermocol, cutting cloth, foam, rexine, etc., which are collected by members of the Haritha Karma Sena within the jurisdiction of the Thiruvananthapuram Municipal Corporation, based on the tender invited under Reference 1 tender, of the items Used Waste Plastic, Used Clothes, Cutting Clothes, Used Chappals, and Bags are approved as Reference 2 decision of the Honorable Council.

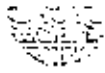
In light of the above, you are requested to enter into a legal agreement within 3 days of receiving this notice and take necessary steps to collect and process the aforementioned items at the approved rates of the municipality.

(Note: The survey number of the waste collection and sorting site, the validity of the PCB approval for the plant, and the consent number must be mandatorily recorded in the agreement.)

Health Officer
Dr.GOPAKUMAR.R.S
MBBS, DPH-TCMC-45777
Public Health Officer
Municipal Corporation
Thiruvananthapuram

TO,
SUNAGE ECOSYSTEM(P) LTD
VANIVILAKAM.DAY-KARUMOM(PO)
THIRUVANANTHAPURAM-2


True Copy



KERALA STATE POLLUTION CONTROL BOARD
AUTHORISATION



FILE NO. : KSPCB/FV/White Category/10006036/2022

Date of issue : 14-07-2022

Validity : 31-05-2037

REGISTRATION

Ref: 1. Your application dated 28-06-2022 for registration.

2. Circular No. PCB/T-115/97(3) dated 31.08.2016

The registration is issued to SUNAGE ECOSYSTEMS PVT. LTD for their unit with survey No. 287/11, Village - Nemam, Panchayath/Municipality/Corporation - THIRUVANANTHIAPURAM CORPORATION for Storing of waste scrap (metal, plastic etc.) - 4,53592 Metric Tonnes/ day for a period of 15 years, without shifting the location, as it comes under WHITE of the schedule in the circular under reference 2. The changes, if any, shall be reported to the Board.

Date : 14-07-2022

To : SUNAGE ECOSYSTEMS PVT. LTD
TC/56/2013(1), AVITTAM VANIVILAKAM, KAROMAM P.O, TRIVANDRUM

Copy to : GEORGE JOSEPH
P.N.R.A - 70, PREM NAGAR, KARAMANA P.O, TRIVANDRUM, KERALA- 695002

GENERAL CONDITIONS

1. The entire scrap collected and sorted shall be stored in roofed area.
2. There shall not be any operation of dust or noise generating machinery.
3. Used Battery or e-waste shall not be collected and stored.
4. Sorted scrap and rejects (scrap which cannot be recycled) shall be handed over to authorised agencies only.
5. Necessary arrangement for fire-fighting shall desirably be provided, as per guidelines of Department of Fire and Safety.
6. Scrap shall not be stored up to roof level in the shed.
7. No biodegradable waste shall be collected and stored in the unit.

Signature valid

Digitally signed by Binay K

Date: 2022.07.14 11:03:11

SIGNATURE OF ISSUING AUTHORITY

ENVIRONMENTAL ENGINEER



True Copy

20-10-2024

Mr. George Joseph, (Matha Farms)
Sunage Eco Systems (P) Ltd.
TC - 56/2013(1) Avittam
Vanivilakam, Punchakiri, Karumom P.O
Trivandrum

Sub: Contract for Clearance of Dry Garbage

Dear Sir,

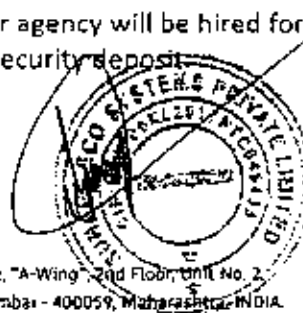
Reference to your quotation and further discussion we have had with you, we are pleased to award you the above contract of clearing dry garbage from our hotel premises in a daily manner as per terms and conditions given below. (For the period from 20th October 2024 to 31st March 2025)

TERMS AND CONDITIONS:

| Sr. No | Items | Rate in Rs. /Kg |
|--------|-----------------------------------|-----------------|
| 1 | Tender coconut shell | 5/Kg |
| 2 | Plastic and other dry waste items | 6/kg |

1. Payment will be paid monthly by the Hotel for lifting of dry garbage from the garbage room and other outlets. This will also include all expenses incurred by you towards loading, transports, unloading etc.
2. Dry garbage will be picked up and cleared daily by 10 a.m.
3. You will have the garbage checked and cleared through the Hotel Security before loading.
4. You will have to deposit a refundable security deposit of Rs. 10,000/-
5. At the end of the contract the security amount will be refunded against the original receipt given by the hotel. No photocopy will be entertained.
6. In case the Garbage is not cleared by 10 am, another agency will be hired for clearance and cost if any incurred, will be debited against your security deposit.





7. You will be solely responsible for the loading and transportation of the Garbage items from the Hotel premises hassle free.

08. If the company finds that this contract is subcontracted to any other party, or misuse, appropriate action will be taken against you as per company's policies.

09. Company will not be responsible once the items leave Hotel premises. You will ensure safe & ecofriendly transfer of the materials. The Vehicle needs to be covered properly. Any complaints from outside agencies will be resolved by you and the hotel will not be responsible for any breaches occurred at your end.

10. Strictly make sure that no spillage occurs while transporting the garbage from our premises to its destination.

11. The contract is valid from 20th October 2024 to 31st March 2025.

12. This contract can be terminated by either side giving 90 days notice.

13. You will be remitting the Invoice to our Accounts Department by next month for the work done in the previous month.

14. All statutory deductions will be applicable as per law.

Kindly acknowledge and return the duplicate copy of this agreement as a token of your acceptance.

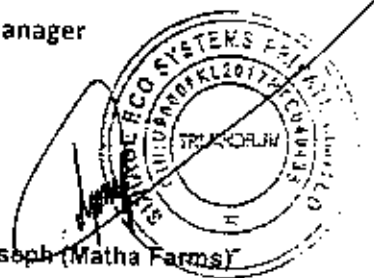
Yours faithfully,

For Kovalam Resort Pvt Ltd,
The Leela Kovalam, A Raviz Hotel


Accounts Manager



Purchase Manager

ACCEPTED
Mr. George Joseph (Matha Farms)
Sunage Eco Systems (P) Ltd.



Dry Garbage items

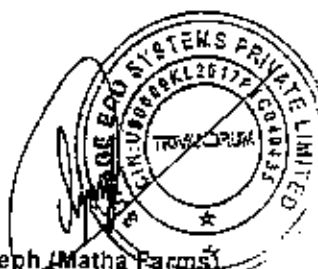
- 1 Empty Beer bottle
- 2 Scrap/assorted bottles
- 3 Empty Plastic bottles
- 4 Cardboard
- 5 Packing wood
- 6 Empty Plastic Can
- 7 Scrap Tin small
- 8 Oil tin 16 kg
- 9 Old News Paper
- 10 Old Magazine
- 11 Used Soap
- 12 Used Candle
- 13 Tin 16 kg damaged
- 14 Empty Mineral water bottle
- 15 Assorted waste: used flower, slippers, stationery items etc.



Accounts Manager



Purchase Manager



ACCEPTED
Mr. George Joseph (Matha Farms)
Sunage Eco Systems (P) Ltd.

Handwritten signature
True copy



THE LEELA
KOVALAM
A RAVIZ HOTEL

14th January 2025

To,

The Chairperson
Kerala State Pollution Control Board
Thiruvananthapuram

Madam

Sub: Letter No. KSPCB/ 2089/2024-EE-1 dated 10.01.2025 issued by KSPCB- Reply

1. Kovalam Resort Pvt Ltd, operates the prestigious Leela Kovalam – A Raviz Hotel is a renowned 5 Star luxury beach resort hotel located in Kovalam, Thiruvananthapuram. Operational for the last more than 50 years and spanning across 50 acres, it is celebrated for its breath taking views of the Arabian Sea, architectural brilliance, and exceptional hospitality. As a key contributor to Kerala's tourism and economy, the Hotel has been honoured with several awards and accolades for its eco-friendly operations and commitment to preservation of the environment.
2. Ever since its commencement, the Hotel has been operating in due compliance of all laws and after obtaining all permissions and sanctions are mandated in law. For the present year also, the Hotel had applied for renewal of Integrated Consent to Operate to the Kerala State Pollution Control Board (hereinafter referred to as KSPCB) and the same was issued by on 23.04.2024 which is valid upto 30.06.2028.
3. Being a 5 star Luxury hotel accommodating a large number of guests every year, several kilograms of waste both Bio Degradable and non Bio Degradable waste are produced. These include discarded waste like discarded fabrics, plastic wastes, used footwear etc. As a committed

- corporate entity, the Hotel has set up an internal system to take care of the waste disposal requirements and an efficient solid waste management system.
4. It was learnt from media reports that there was dumping of biomedical, food, plastic and other waste in Kodanganallur and Palavoor villages of Kanyakumari, Tamilnadu. The National Green Tribunal, Southern Zone took suo motu cognizance of the issue and directed impleading of our Hotel as well as RCC and Credence Hospitals as additional respondents and to remove the waste dumped at the site within 3 days and further posted the case to 23.12.2024. The case now stands posted to 20.01.2025 before the Hon'ble NGT, Chennai.
 5. We have now been issued an order of revocation of consent to operate dated 10.01.2025 which was received by us vide email on 13.01.2025. It is noticed that the said revocation is consequent to certain observations made by the Hon'ble NGT vide its order dated 02.01.2025. While an inspection was undertaken by the KSPCB of our hotel on 18.12.2024, a consent revoke intention notice dated 19.12.2024 was issued to us alleging dumping of hotel waste, empty tins, used chappels and waste paper in Thirunelveli district of Tamil Nadu and the said action is in violation of various rules under the Environment (Protection) Act. To this, we submitted a reply clarifying that we have absolutely no role in the alleged disposal/ dumping of waste in Tamil Nadu.
 6. It is a matter of record that the Thiruvananthapuram Municipal Corporation has authorised and approved various agencies including the M/s Sunage Ecosystem Private Limited to dispose the waste materials in a scientific and eco-friendly manner. Most importantly, M/s Sunage Ecosystem Private Limited is also authorised by the KSPCB for storage of waste scrap and the said authorisation issued by KSPCB is valid till 31.05.2037. Also, certain groups including Haritha Karma Sena working under the local self-government collects non-biodegradable waste from houses and establishments and entrusts the same to M/s Sunage Ecosystem Private Limited. However, so far as our hotel is concerned, due to the quantity of waste generated every day, the Haritha Karma Sena is ill-equipped to handle the same and therefore, we were constrained to hand over the same directly to M/s Sunage Ecosystem Private Limited

which undisputedly is the approved agency of the Corporation and KSPCB to dispose the waste. This arrangement has been in existence for almost 10 years and is within the knowledge of the Thiruvananthapuram Municipal Corporation and KSPCB. As a matter of record, M/s Sunage Ecosystem Private Limited has been levying and collecting charges from us for the past several years at the rate of Rs. 6 per Kilogram, which is higher than the rate fixed by the Corporation. At this point of time, it has come out in the enquiry conducted by KSPCB as well as Tamil Nadu Police that the waste from our Hotel alleged to have been dumped in Tamil Nadu was in fact by M/s Sunage Ecosystem Private Limited and not by us. Therefore, the basis for issuance of the consent revoke intention notice does not survive as on date in view of the culpability of M/s Sunage Ecosystem Private Limited having been established beyond all doubts.

7. However, the present consent revocation order is premised on certain observations made during the inspection conducted in our Hotel. At the outset, we may most respectfully state that none of these observations were referred to in your consent revoke intention notice dated 19.12.2024. Had we been given an opportunity to respond to the same, we would have been able to provide utmost satisfactory explanation which would show that there is no violation of the applicable rules. However, we reiterate with utmost humility that any minor deviations if existing, shall be rectified immediately to the utmost satisfaction of the authorities. We take this opportunity to offer sufficient clarifications to the observations made in your consent revocation order, which may be considered *in extenso* to permit us to operate the Hotel.
8. As per the consent to operate issued to us, we have committed to the collection, segregation, storage, handling, and disposal of solid waste in accordance with the Solid Waste Management Rules 2016. At the source, we separate biodegradable waste from non-biodegradable waste. Additionally, the dry waste generated from our hotel is being collected exclusively by Harithakarma Sena. Plastic waste, specifically bottles, is also sent through Harithakarma Sena for authorized treatment. However, as part of our commitment to a Zero Plastic policy, we are in the process of installing an 'In-House Glass Water Bottling Plant' to be installed by

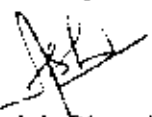
- “Swajal Water Private Limited”. The Plant will be operational at the earliest but not later than end of February 2025 thereby completely eliminating the use of plastic water bottles.
9. Further, as regards the waste items like used Diapers, Napkins, used medicine, our Hotel has already partnered with ‘AAKRI Impact Pvt Ltd. The said entity is now collecting, segregating and disposing of Solid waste and hazardous waste in full compliance of the guidelines issued by Kerala State Pollution Control Board and the applicable rules.
 10. In so far as disposal of dry leaves including coconut leaves, we have initiated the process of installing an incinerator equipped with wet scrubber system with a capacity of Rs 150 kg per hour and same is expected to be fully operational by 10th February 2025. This technology is most advanced and is certified to be fully compliant with the standards for incineration set out on schedule 11(C) of the Solid Waste Management Rules.
 11. We may respectfully point out that there is no violation of Rule 4(a) of the Solid Waste Management Rules, and the waste is now being collected through Haritha karna Sena, the agency authorised by the Corporation of Thiruvananthapuram. Further, there is no violation of Rule 4(2) of the Solid Waste Management Rules for the reasons that we have not thrown, burn or buried the solid waste outside the premises as by now, it has been categorically proved beyond all doubt that the waste was dumped by ‘Sunage Ecosystems Pvt Ltd’ and not by us. In any case, we fully undertake to exercise full diligence to avoid any such untoward incident in future and shall act with utmost care and circumspection as a responsible entity.
 12. As regards disposal of food waste generated in our Hotel, we undertake the activity of segregation of the waste at source. We already operate a biogas plant with a daily capacity of 500 kg to process the food and vegetable waste. Any excess waste is being collected by Pig Farmers Association, an agency associated with SR Green Agency, Mammotti

Building, Choondupallaka, Kattakada. The said entity is recognized by the Corporation of Thiruvananthapuram for collection of food waste.

13. However, in line with our policy to minimize external waste disposal, we have partnered with 'SOLEARTH', a company installing food waste converts to install a 'Food Waste Converter with a capacity of 1000 per kg per day'. The facility will be capable of converting food waste into granules which can be used as manures. This facility is expected to be operational by 15th February 2025 and thereupon our Hotel will no longer send waste to any outside agency but the entire food waste will be converted to granules within the premises of our Hotel.
14. As regards the observations of made in the consent revocation order of bags indiscriminately scattered at various places having mixed types of waste, it is most respectfully submitted that the inspection team was apprised of the fact that our property which is spread across in 50 acres of land is not fully enclosed by walls on all sides and therefore the waste seen discarded may not be actually generated in our Hotel. But, as a matter of fact, so far as the waste generated in our Hotel is concerned, the waste is segregated in accordance with the prescribed regulations before handing over to approved collection agencies or otherwise utilizing in our Biogas plant. Additionally, all wastewater is treated in our Sewage Treatment Plant (STP), and the treated water is safely discharged into the soak pit installed within our premises. However, we once again submit that all efforts will be taken to fully ensure that there is no improper handling of waste in our Hotel and that the additional facilities now being setup will further ensure that our Hotel activities are fully compliant with the Environment (Protection) Act as well as the applicable Waste Management Rules and other allied laws.

Thank You

Sincerely


(Asish Sivan)

