

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

O.A. No. 262/OF 2017

K.K Muhammed
Iqbal

Applicant

v

Kerala State
Pollution Control
Board & Ors

Respondents

**REPLY FILED BY 4TH RESPONDENT TO THE DIRECTION BY
THIS HONOURABLE TRIBUNAL ON 18.09.2025**

Karthika Ganesh
COUNSEL FOR THE 4th RESPONDENT

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

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Control Board & Ors

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I N D E X

<u>Sl.No</u>	<u>Particulars</u>	<u>Page Nos.</u>
1	Reply filed by 4 th respondent to the direction by this Honourable Tribunal on 18.09.2025.	3-7

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REPLY FILED BY 4TH RESPONDENT TO THE DIRECTION

BY THIS HONOURABLE TRIBUNAL ON 18.09.2025

1. The 4th Respondent respectfully submits that: -

i. **The date on which the lease of the 4th respondent expired**

The 4th respondent submits that out of approximately 2 acres of land near the Periyar river bank, the 4th respondent is holding only 81 cents of land with valid patta issued by industries department. The remaining land was always government land measuring more than 1 Acre and the said land is having 79.5 meter of Periyar river front.

Thus land possessed by the 4th respondent is not on the river bank. Between the 81 cents held under patta and river there is about 1 Acre of Government land. The government land thus

For CELLA SPACE LIMITED



VINOD KUMAR
General Manager

remaining was handed over by the District Collector to the Kandangaloor Panchayat Vide Order No. DCEKM/11219/2024, L7 dated 26/11/2024 for use as waste segregation yard. Even before this, the land was used for dumping waste.

Thus there is no case of lease of this respondent expiring, but it is the case of land lying with the Government handed over to Panchayat.

ii. **The date on which the land were handed over to the Government and thereafter to the local Panchayat**

The land of nearly 1 Acre on the side of the river was in the possession of the Government at all times was by Order No. DCEKM/11219/2024, L7 dated 26/11/2024 handed over to the Panchayat for waste segregation centre..

iii. **Whether the remediation as directed in the Tribunals earlier order, has duly complied with**

All remediation measures as instructed by the experts deployed by the Pollution Control Board had been already carried out. We have

FOR CELLA SPACE LIMITED

General Manager



FOR CELLA SPACE LIMITED


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compacted the land, and levelled the area and it was specifically instructed by the Board that the area shall not be used for any kind of construction. As such, the area now in possession of this respondent (81 cents) is only used as parking space. The 4th Respondent submits that the financial liability assessed by the Chairman, PCB, upon directions of this Honourable Tribunal, including Environmental Compensation (EC) and Environmental Damage costs, has been already paid. Total amount computed was 2 crores 15 lakhs and after adjusting amount spend on remediation by this respondent, the balance amount was fully paid to the PCB. Admittedly, the entire remediation work including, the removal of waste, compacting the site with earth GSB and D Sand has been carried out under the strict supervision of the PCB and this is confirmed by the committee. There is about 1 acre of land between the land in 4th respondent possession and the river. This was always Government land. Now the Pollution Control Board has put forth a proposal by a Letter No. PCB/RO-EKM/GEN-142/16 dated 25.09.2025, to adopt



For CELLA SPACE LIMITED


VINOD KUMAR
General Manager

preventive measures such as constructing "sheet piles" in the river bank in order to prevent chances of micro plastic run off reaching the river from site. Installing sheet piles, at the river bank is not a work 4th respondent can undertake, as land is not even in our possession. We cannot undertake a work in the property of then government which is given in possession of the Panchayat. Since about one acre of land was used by many others as dumping yard and now as a place to stock and sort plastic waste by Panchayat, the responsibility of sealing off the river bank cannot be imposed on us. There is about 79.5m of river frontage for one Acre of government land. The 81 cents assigned to us share only a border of 2.5meters with the said government land. There is no difference in presence of micro plastics upstream and downstream which is noticed in any of the reports. In the absence of such a finding micro plastic contamination cannot be attributed to us alone.

- iv.** The Honourable tribunal has directed to fix the environmental compensation and adjust the



For CELLA SPACE LIMITED

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amount already paid by us for removal of plastic. The only permission granted in the order is for the company to contest the quantum of compensation. Now the pollution control board cannot revise its order retroactively to add additional conditions, once the compensation order was accepted and the balance compensation was paid. In the above circumstances no additional work can be imposed on us in this regard.

2. It is respectfully prayed that the Honourable Tribunal may be pleased to consider the above submissions in the interest of justice and close the Original Application.

IN VERIFICATION

I, M/s Cella Space Ltd. (formerly Sree Shakti Paper Mills Ltd.), Company having Registered Office at, Sree Kailas, Paliyam Road, Kochi 682016, Ernakulam, Kerala, represented by its General Manager (Legal and Administration), V. Vinod Kumar, aged 61 years, Sho Late Sri. V. Raman Nair, residing at Kripa, Thuruthiparambu Road, Vazhakkala, Ernakulam 682021, Kerala, do hereby verify that the contents are true to the best of our personal knowledge and belief and that I have not suppressed any material facts.

Place: Ernakulam

Date: 06.11.2025

KARTHIKA GANESH
ADVOCATE
Roll No. K1003486/2023
Mob. 98677 56716

Karthika Ganesh
COUNSEL FOR THE 4th RESPONDENT

V. Vinod Kumar

For CELLA SPACE LIMITED



VINOD KUMAR
General Manager