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To,

10th April 2023

**The Hon'ble National Green Tribunal,
New Delhi
(Email: judicial-ngt@gov.in)**

Subject : Objection against misrepresentation of facts in the report dated 02.03.23 of the Joint Committee to Hon'ble NGT with regard to OA No. 304 of 2019 (M. Haridasan Vs. State of Kerala)

Reference : 1) O.A. No. 304/2019 before the Hon'ble National Green Tribunal, Principal Bench, New Delhi (M. Haridasan Vs State of Kerala & ors.)
2) Constitution of the Seven-member Joint Committee in the above case as per the judgment dated 09-12-2021 of the Hon'ble National Green Tribunal
3) Report of the Joint Committee in the above matter submitted on 02.03.2023 before the Hon'ble National Green Tribunal

Respected Sir,

On perusal of the Report submitted by the Joint Committee on 02.03.2023 before the Hon'ble National Green Tribunal in the above matter, we would like to place a strong protest against misrepresentation of facts that has come to our attention in the said report.

We had earlier written a letter raising our objection to the Nodal Officer in the Seven-member Joint Committee constituted as per the judgment of the Hon'ble National Green Tribunal under references 1 and 2 above.

We received the reply letter (File no.CM-13011/3//2021-LAB-RD-BENGALURU-RD/17 Dated 06-04-2023) from the Nodal officer, Dr. Deepesh V, Scientist C, the Central Pollution Control Board, Regional Directorate , Bengaluru, asking us to lodge our objections against the report before the Hon'ble NGT.

Hence, we are lodging our objections against the Report as detailed below:



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We, M/s Cochin Blue Metal Industries Pvt Ltd, were one of the nine quarries selected for the blast studies in Kerala. The blast study was conducted at our site from 05-01-2023 to 08-01-2023. During the blast study, the officials with the Committee had directed us to increase the number of holes for blasting from our normal practise, citing that the study was conducted at a worst-case scenario blasting. Hence, while our **normal practise is to have maximum 25 number of holes per blast**, during the study, blasting was conducted with a much higher number of holes per blast. We were under the impression that this drastic increase in number of holes per blast was for observational purposes by the Committee and for obtaining readings under worst-case scenario blasting.

However, on page 1069 of the Report submitted by the Joint Committee before the Hon'ble National Green Tribunal pertaining to blast study at our quarry site,

Under Clause 1.1.General information:

The information given in this report is not about our quarry. The information is of M/s Parackal Granites, Kerala. Whereas the heading is of our stone quarry M/s Cochin blue metal industries Pvt Ltd, Hence this is complete misrepresentation of the general information of our quarry unit.

under clause '1.3 Details of quarrying/mining activities', the following is mentioned:

'The rock breaking is done using pneumatic breakers and transported to the crusher site using trucks/ tippers of 15 Tonnes carrying capacity for various products. Every day, blasting is carried out in 2 prefixed timings with maximum 60 no. of holes/blast.'

This is gross misrepresentation of facts, as we had informed the Committee that our everyday and normal blasting practise is only using maximum 25 no. of holes/blast. It was only on the Committee's insistence that blasting was carried out with higher holes/blast.

Such a gross misrepresentation of our blasting practise is unacceptable and should be corrected in the report.

Further, on Page 26 of the Report: Under '6.1: Blast trials and assessment of vibration', it is mentioned that the experiments were designed to study the influence even under the worst-case scenario:

'The number of holes and total explosive charges were increased as a result of human response study where some of the people living in the vicinity of quarries claimed that the normal practice of blasting by the mine management had a bigger size (higher intensity) than that blasting conducted on the experimental day. Therefore, the experiments were designed to study the influence even under the worst scenario.'



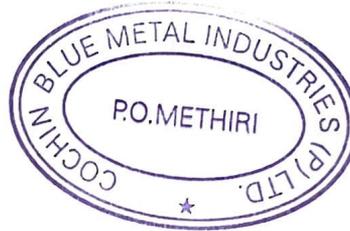
This itself is a pointer that the study results will not be reflective of the normal/standard practise/ scale of blasting adopted by us at our quarry site, but are exaggerated results obtained by conducting blasting at a higher-than-normal intensity as worst scenario case. We disagree to the statement the normal practise of blasting had a bigger size (high intensity) than that blasting conducted on the experimental day, as some people living in the vicinity have many other vested interests against the functioning of the quarry. Hence, study results obtained using our normal blasting practise should have been considered in the compilation of the test results.

Considering the misrepresentation of our blasting practise as stated earlier and the unreliable results obtained by conducting blasting at at a higher-than-normal intensity worst scenario cases, we object to the report submitted by the Joint Committee before the Hon'ble Green National Tribunal.

Yours' sincerely,



Name : Clement K Jose
Designation : Director



Copy to :

1. The Chairman, Central Pollution Control Board, New Delhi (Email: ccb.cpcb@nic.in)
2. Regional Director, Central Pollution Control Board, Reginal Directorate, Bengaluru (Email: jcb.cpcb@nic.in)
3. Dr. Deepesh V, Scientist C, the Central Pollution Control Board, Regional Directorate , Bengaluru (Email: deepesh.cpcb@nic.in)