

JUSTICE A.V. RAMAKRISHNA PILLAI
(Former Judge, High Court Of Kerala)
CHAIRMAN

State Level Monitoring Committee, Kerala

(An authority constituted by the
National Green Tribunal)

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23.01.2022

Madam,

Kindly see the appended report in O.A.No.77/2021(SZ) regarding the fire incident occurred on 18.1.2022 in the Solid Waste (Non-degradable) dumping yard at Kalamassery in Ernakulam District.

The same may kindly be placed before the Hon'ble Tribunal for consideration and orders.

The case stands posted to 24th January, 2022.

Yours Sincerely,

JUSTICE A.V.RAMAKRISHNA PILLAI,
(Chairman, SLMC, KERALA)

To
The Registrar,
National Green Tribunal, Southern Zone Bench,
Kalas Mahal, Kamarajar Salai, PWD Estate,
Chepauk, Triplicane, Chennai, Tamil Nadu-600005.

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

O.A. No.77 OF 2021 (SZ)

REPORT

PRESENTED BY JUSTICE A.V.RAMAKRISHNA PILLAI
(FORMER JUDGE, HIGH COURT OF KERALA)
CHAIRMAN, STATE LEVEL MONITORING COMMITTEE, KERALA
(FOR AND ON BEHALF OF THE AFORESAID COMMITTEE)
REGARDING THE FIRE INCIDENT OCCURED ON 18.01.2022 IN THE
SOLID WASTE (NON-DEGRADABLE) DUMPING YARD AT
KALAMASSERY IN ERNAKULAM DISTRICT

PRESENTED ON : 23.01.2022

DATE OF POSTING: 24.01.2022

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REPORT

During the previous year, I had placed few reports before this Hon'ble Tribunal regarding the failure of Kalamassery Municipality, in enforcing the provisions of Solid Waste Management Rules, 2016 and Plastic Waste Management Rules, 2016. The last report was filed on 22.9.2021, which was adverted to by this Tribunal in the Order dated 2.12.2021.

The present report is necessitated in the light of a major fire incident occurred in the non-degradable solid waste dumping yard at Kalamassery under the management of Kalamassery Municipality.

At about 3 p.m. on 18.1.2022, I received a Whats App message revealing the outbreak of a major fire in the plastic storage in the aforesaid dumping yard. **Annexure-I** is the screen shot from the live video graph so received.

Within few minutes I received the message from the Chief Environmental Engineer, KSPCB, Regional Office, Ernakulam regarding the same incident along with **Annexure-II** series screen shots. It was reported that the survliance team of the Board had rushed to the spot. However, the monitoring was bit difficult due to high flames and smoke around.

Though I intended to visit the spot immediately I had to postpone the visit to the day after next, on the basis of the expert advice that the emission of dioxin and furan which are bound to occur due to the ignition of plastics at limited temperature is not conducive to inhalation as it would cause lung disorders.

On 20.1.2022 at about 10 a.m., I along with Chief Environmental Engineer, KSPCB, Regional Office, Ernakulam, inspected the dumping yard. The Chairman of the Standing Committee (Health) along with the Health Inspectors of the Kalamassery Municipality were present at the time of inspection. It was informed that some portions of the non-biodegradable waste was transported from the yard by certain agencies. According to them, the inflow of the plastics to the dumping yard has increased during the past few months. **Annexure-III** series are the photographs taken at the time of inspection. **Annexure-IV** is the copy of the news reports regarding the visit.



REMARKS

- a. The solid waste dumping site is an extent of about five acres of land where only non-biodegradable waste materials, a major portion of which are plastics, are stored. The dumping yard is by the side of National High Way between Ernakulam and Aluva.
- b. The bio-degradable fraction of solid waste collected from the local limits of Kalamassery Municipality is being transmitted to the dumping yard at Brahmapuram as done by four other Municipalities and three Grama Panchayaths.
- c. The dumping yard at Kalamassery was established in 2010 on the basis of a conditional consent to operate given by the Kerala State Pollution Control Board. Most of the conditions remain unfulfilled even after the lapse of so many years in spite of repeated direction from the Board.
- d. It was an absolute folly on the part of the Kerala State Pollution Control Board to grant consent to operate such a unit, whether conditional or absolute, in such a sensitive area.
- e. The fire incident occurred on 18.1.2022 is not a solitary incident. There were fire outbreaks on 24.7.2019 (Kindly see Annexure-V(a) and V(b) screen shots), on 17.2.2020 (Kindly see Annexure-VI screen shot) and on 30.3.2020 (Kindly see Annexure-VII screen shot). However, the present incident was a major one.
- f. On 31.3.2020, the KSPCB had issued notice to the Kalamassery Municipality to show cause why environmental compensation should not be imposed on the Municipality for the fire outbreak on 30.3.2020. Annexure-VIII is the copy of the said notice.
- g. The quantity of plastic dumped at the yard was unimaginably high as could be discerned from the remains seen at the time of inspection.
- h. There was no proper storage of materials received except two small sheds which are extremely insufficient to accommodate the inflow. Therefore more than 80% of the waste materials were exposed to sun and rain.
- i. It is distressing to note that an insinuator was installed at the middle of the yard where such a huge quantity of inflammable materials were stored. The Pollution Control Board says that this was without their consent. Now, all

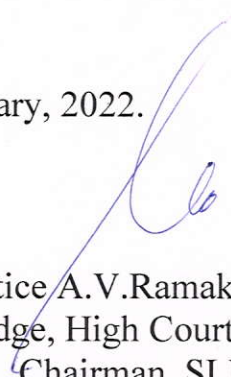
most all portions of insinuator, except the metallic exhaust pipe [*Kindly see Annexure-III(e)*], were destroyed in the recent fire.

- j. The dumping yard is boarded on the east by Thoompungal Canal leading to River Periyar which is the main source of drinking water in the city of Kochi and outskirts. The aforesaid Canal and dumping yard are separated by a feeble retaining wall having a height of about two feet [*Kindly see Annexures-III(c) and III(d)*] which is insufficient to prevent the flow of leach ate from the dumping yard to the Canal. The dumping yard posses a serious threat to the aforesaid river.
- k. According to the Municipality the reason for the recent fire incident is yet to detected. However, from the ecological point of view, the reason for the outbreak is quite immaterial. The ultimate reason for the fire is the unscientific way of storage of inflammable waste materials without confirming to the standards prescribed by law.

Before I could conclude this report, I received another Whats App message from Dr.K.P.Pradeep, Advocate, High Court of Kerala which shows the dumping of waste material on the road near Decathalone at Kalamassery. **Annexure-IX** series are the screen shots so received. This also was verified and found correct.

The materials now placed on the court are sufficient to show, how deplorable is the waste management by Kalamassery Municipality. Unless, stringent actions are taken, this is likely to be repeated in future also thereby leading to undesirable results.

Dated this the 23rd day of January, 2022.


Justice A.V.Ramakrishna Pillai
(Former Judge, High Court of Kerala)
Chairman, SLMC, Kerala.

ANNEXURE I



(Visited on 18/1/2022)

/s/

2

ANNEXURE-II(a)



Accident on 18/1/2022

ANNEXURE - II (16)



(Incident on 18/2/2022)

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ANNEXURE-II (C)



(Incident on 18/2/2022)

[Signature]

ANNEXURE II (d)



(The date is 18/2/2022)

ANNEXURE II(e)



(Incident on 18/2/2022)

ANNEXURE-III (a)



(visited on 28/1/2022)

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ANNEXURE III (6)



(Visit on 27/1/2022)

6



(Visit on 20/1/2022)

[Signature]



(Visit on 20/1/2022)

ANNEXORII - III (2)



(Visit on 20/1/2022)

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Photo 7 – Hon'ble Justice A.V Ramakrishna Pillai(Chairman, SLMC) visiting Kalamassery dumping yard on 20.01.22

SLMC: waste management at Kalamassery unscientific

'Detailed report of fire outbreak to be submitted to NGT'

SPECIAL CORRESPONDENT KOCI

The State Level Monitoring Committee (SLMC) on solid waste management appointed by the National Green Tribunal (NGT) has termed the solid waste management scenario in Kalamassery municipality as "unscientific".

SLMC Chairman A.V. Ramakrishna Pillai, who inspected the dumping yard of the civic body at North Kalamassery on Thursday following the massive fire that erupted along the plastic heaps lying at the site on Tuesday, directed the municipal authorities to step up measures to resolve the widening gap in the solid waste management system without delay.

"I will be submitting a detailed report on the fire incident and the lapses in the management of solid waste

at the site. The SLMC chief pointed out shortcomings in the segregation of waste brought to the site and recommended steps as per the provisions of the Solid Waste Management Rules, 2016. The municipal authorities

claimed that non-biodegradable waste was washed and cleaned before it was brought to the site. They said an agreement was signed between the civic body and the government's Clean Kerala Company for the safe disposal of non-biodegradable waste.

The SLMC has asked the authorities to ensure that the waste taken out of the site was disposed of as per norms. It should not be dumped in other States or places in violation of rules. Those responsible for such acts would face action, it said.

The board informed the SLMC that the municipality was yet to take its approval for the management of waste at the dumping site. It had also not complied with the earlier directives to plug loopholes in the waste management process.

A.V. Ramakrishna Pillai, Chairman of the State Level Monitoring Committee on Solid Waste Management, inspecting the dumping yard of the Kalamassery Municipality at North Kalamassery on Thursday. *THULASU KAKKAT

ദേശീയ ഹരിത ട്രൈബ്യൂണൽ സ്പെഷ്യൽ മോണിറ്ററിങ് കമ്മിറ്റി ചെയർമാൻ ജസ്റ്റിസ് എ.വി. രാമകൃഷ്ണപിള്ളയുടെ നേതൃത്വത്തിൽ കളമശ്ശേരി മാലിന്യസംഭരണ കേന്ദ്രത്തിൽ പരിശോധന നടത്തുന്നു.

കളമശ്ശേരി മാലിന്യസംഭരണ കേന്ദ്രം പ്രവർത്തനം അശാസ്ത്രീയമെന്ന് ജസ്റ്റിസ് എ.വി. രാമകൃഷ്ണപിള്ള

കളമശ്ശേരി നഗരസഭ മാലിന്യസംഭരണ കേന്ദ്രത്തിലെ തീവീതി അന്വേഷിക്കണമെന്നാവശ്യപ്പെട്ട കളമശ്ശേരി നഗരസഭ പൊലീസിൽ പരാതി നൽകി. നഗരസഭ സംഭരണകേന്ദ്രത്തിൽ റബ്ബർ റിവസം മുന്യമായ തീവീതിയിൽ വ്യാപക നാശനഷ്ടമാണ് ഉണ്ടായത്. ഉച്ചക്ക് രണ്ടരയോടെ തുടങ്ങിയ തീവീതിയിൽ 11 മണിക്ക് പണിപൂർണ്ണമായി അഗ്നികൊള്ളാ വിഭാഗം അണച്ചത്. സംഭവത്തിൽ സമഗ്ര അന്വേഷണം നടത്തണമെന്ന് ആവശ്യപ്പെട്ടാണ് നഗരസഭ സെക്രട്ടറി കളമശ്ശേരി പൊലീസിൽ പരാതി നൽകിയത്. ഇടക്കിടെ ഉണ്ടാകുന്ന തീവീതിയിൽനിന്നും വ്യാപക ആക്ഷേപം ഉയർന്നിരുന്നു.

പിള്ള പറഞ്ഞു: ബോർഡ് ഉദ്യോഗസ്ഥർക്കൊപ്പം പൂമണ് പൊതുമാർ സന്ദർശിച്ചു.

Newspaper reports on the visit of Chairman, SLMC – The Hindu & Madhyamam (21.01.22)

(Visit on 20/1/2022)

ANNEXURE V (a)



Incident on 24/7/2019)

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ANNEXURK. V (6)



(Gneidut am 24/7/2019¹⁴)

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ANARUR - VI

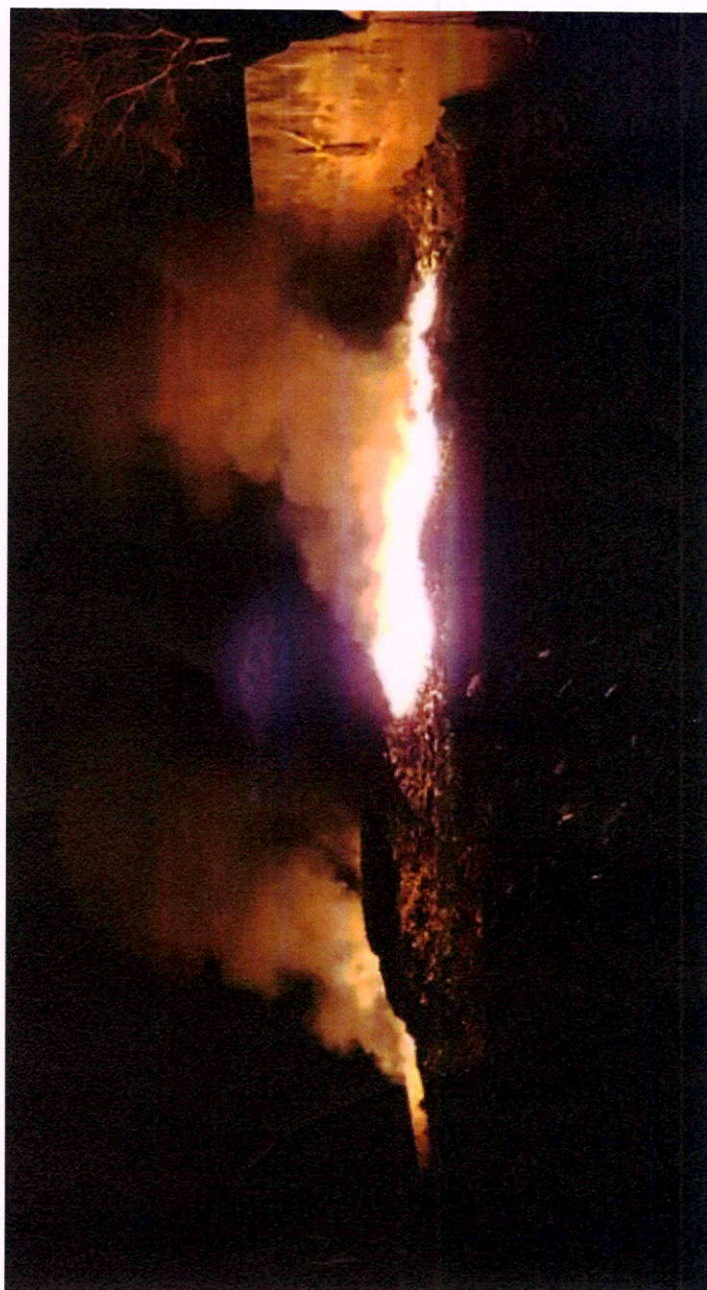


(Incident on 17/2/2020)

/a

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ANNEXURE - VII



(Incident on 20/3/2020)

/

Annexure 1

Phone : 0484 - 2207783 - 86
Fax : 0484 - 2207782
e-mail: ecee@keralapcb.org



KERALA STATE POLLUTION CONTROL BOARD
DISTRICT OFFICE 1, GANDHI NAGAR, ERNAKULAM – 682 020

www.keralapcb.org

PCB/EKM/DO-1/GEN-05/16

Date: 31.03.2020

NOTICE

Sub:- Air (Prevention & Control of Pollution) Act-1981 / Solid Waste Management Rules-2016/ Plastic Waste Management Rules-2016 – reg.

Ref:- Complaint received on 30.03.2020 over telephone regarding fire outbreak at Kalamassery-Dumping Yard

WHEREAS M/s Dumping Yard at Kalamassery Municipality, Ernakulam District comes under the purview of Air (Prevention & Control of Pollution) Act-1981 / Solid Waste Management Rules-2016/ Plastic Waste Management Rules-2016 and is bound to comply with the rules made thereunder;

WHEREAS a complaint has been received on 30.03.2020 over telephone regarding fire outbreak at Kalamassery-Dumping Yard with videos;

WHEREAS Board has found that the dumping of waste is being done at the yard in an unauthorized and unscientific manner and not provided any primary control measures for preventing fire.

WHEREAS this fire outbreak has caused serious air pollution due to the hazardous smoke emanating from plastic and other waste heaped at the yard.

WHEREAS repeated instructions were given to you regarding proper storage and disposal of plastic waste in the yard, but had disregarded the directions of the Board and continued the dumping of waste violating the Solid Waste Management Rules-2016 thus causing repeated fire incidents and air pollution.

AND WHEREAS it is a serious lapse from the part of you in complying with the provisions of Solid Waste Management Rules-2016

NOW THEREFORE you are hereby directed to show cause if any with in 15 days as to why Environmental Compensation shall not be imposed and not proceed with legal

[Signature]

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action against you for your continuous violation of Solid Waste Management Rules-2016.

Dated this 31st day of March 2020

For and on behalf of the
KERALA STATE POLLUTION CONTROL BOARD

Sd/-

ENVIRONMENTAL ENGINEER

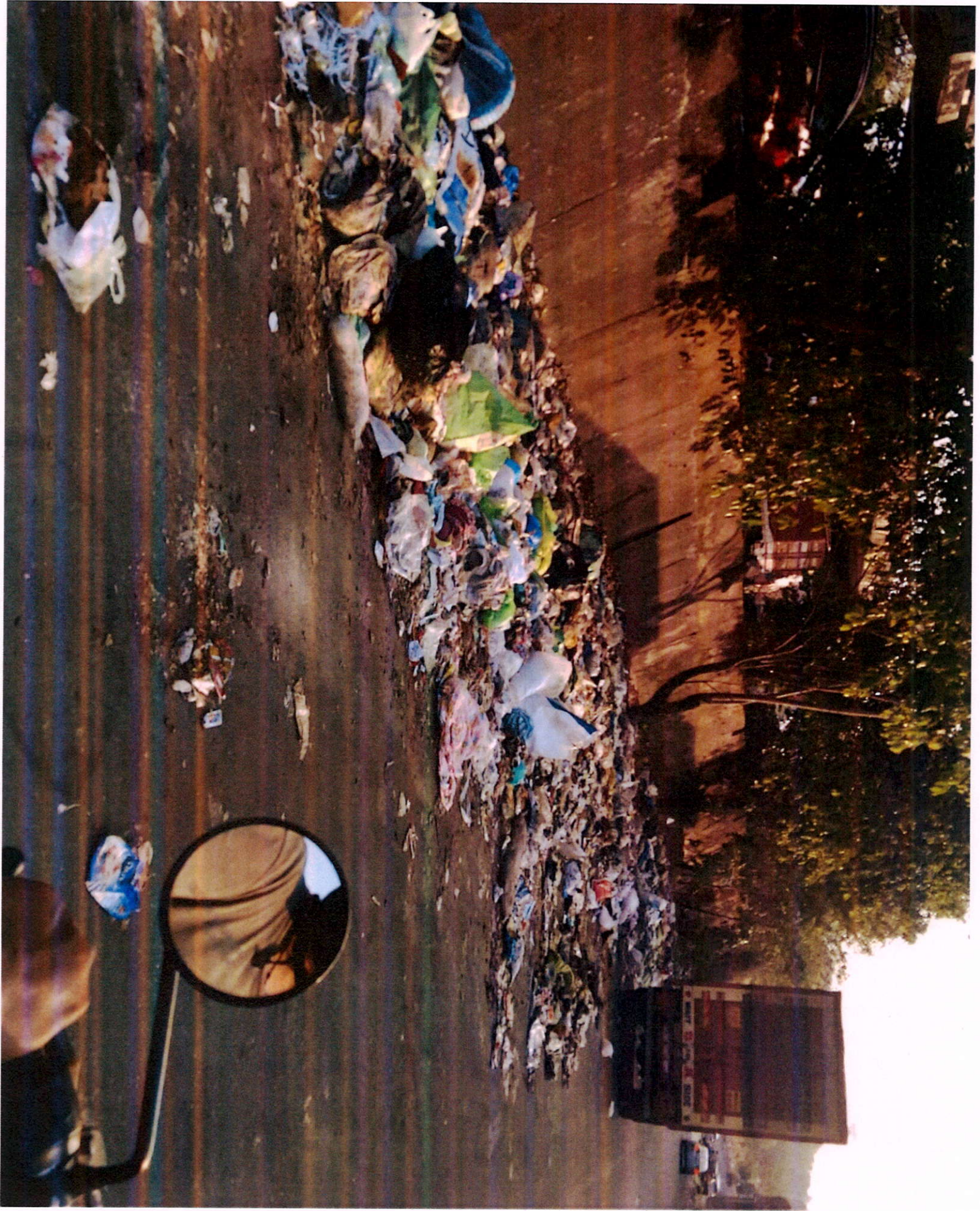
To

Secretary
Kalamassery Municipality

Copy to

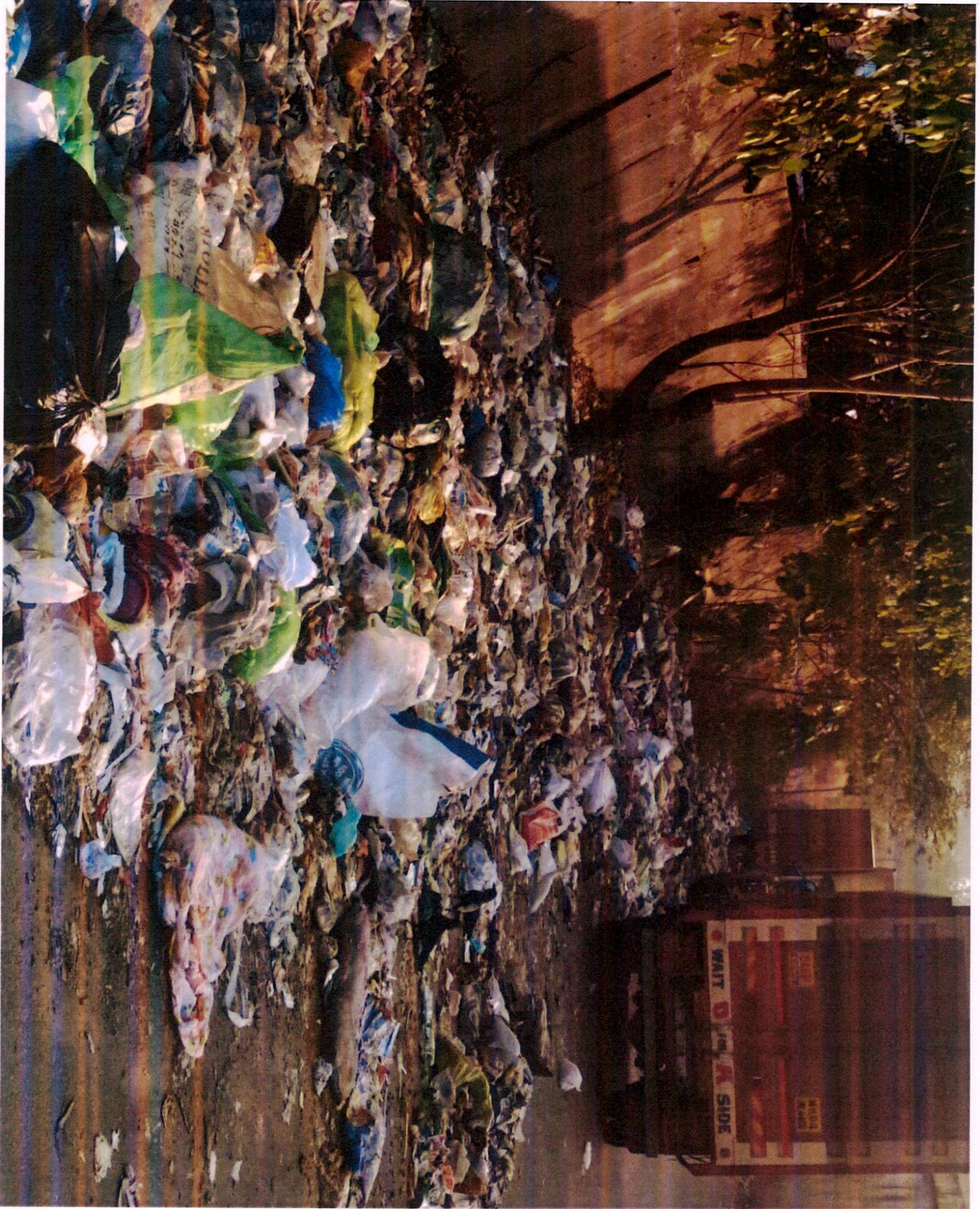
Chief Environmental Engineer
Kerala State Pollution Control Board
Regional Office, Ernakulam

ANNEXURE IX (a)



(Rev'd on 28/1/2022)

ANNEXURE IX (b)



(Received on 28/1/2022)

ANNEXURE IX (C)



(Review on 23/1/2022)

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