

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)
'AMPAZHAVELIL'
Rajeev Nagar, Elamakkara
Kochi - 682026
Home Office 0484-2408388
☎ Mob: 9447090130
8139878758
email: avrpillai@gmail.com

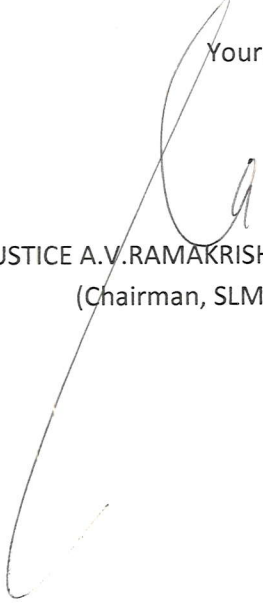
04.04.2025

Madam,

Kindly see the appended Report regarding the unauthorised unsegregated solid waste dumping in a private property within the local limits of Vadavukode – Puthen Cruz Panchayath, in Ernakulam District, Kerala State.

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

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.**

NEW CASE

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 UNAUTHORISED UNSEGRAGATED SOLID WASTE
DUMPING IN A PRIVATE PROPERTY WITHIN THE LOCAL LIMITS OF
VADAVUKODE – PUTHEN CRUZ PANCHAYATH IN ERNAKULAM
DISTRICT, KERALA STATE.

PRESENTED ON : 04.04.2025

I N D E X

Pages

Report	:	01 - 03
<u>Annexures</u>		
A-Series	:	04 - 08
B	:	09 - 10
C	:	11 - 12

===***===

REPORT

On the basis of a report in a leading Malayalam daily that un-segregated solid waste materials including medical waste were unauthorisedly dumped in huge quantity, in a haphazard manner in a private property in Ward No. 6. of Vadavucode - Puthencruz Panchayat, I have inspected the site along with the Chief Environmental Engineer, Regional office, KSPCB, Ernakulam as well as the A. E. of the said office, at about 11A.M. on 07/04/2025.

Annexure - A series are photographs taken at the time of the inspection.

The people of the locality who are aggrieved by the dumping, Mr. Benny Puthen Veedan, Member of Ward. No.5 (he is the leader of oppositions in the said Panchayat), as well as the member of Ward No.6 (the dumping yard is in his ward) were also present at the time of my inspection.

The public expressed their grave concern over the potential danger of the existence of such a dumping yard in such an inhabited area. One of the residents of the locality complained that his well which is his sole source of drinking water was polluted on account of the flow of leachates from the dump site.

The people's representatives informed that though complaints were given to the secretary of the local body, it could not evoke any positive response. Though the leader of opposition tried to procure the attendance of the Secretary of the Panchayath at the time of my inspection, over phone, he has refused to come under the excuse of attending a meeting.

It was learnt that the dumping site is owned by Mr. P. P.Sunny, Palathadathil House, Chemmannad, Vadavucode Village, Vadavucode P.O. He is residing in the adjacent plot which lying contiguous to the dumping yard. At the time of the inspection he was not in the house. However his wife informed that the dumping site is handed over to one Mr. Jiyan under an agreement.

In the dumping yard there is a temporary shed with metal roof, bearing Building No.6/432a. This structure as well as the surroundings are dumped with un-segregated solid waste including plastic, card board, gunny bags, paper, wood pieces, medical



waste like used diaper, used gloves etc. The entire waste materials in the un-segregated from were found in heaps in the shed as well as in a scattered manner in the open yard. The property is bounded on the east by the Periyar valley sub canal, leading to Chemmannad in Thiruvaniyoor Panchayath. It is a fresh water irrigation canal which maintains the water level in the nearby wells and ponds during summer.

The inclination of the terrain towards east and the close proximity of the dumping yard (it is within a distance of 2 to 3 meters from the dump site) will make the position vulnerable during rainy season due to the flow of leachates directly into the said canal.

During summer there are chances of fire outbreaks due to the steady rise in temperature during summer, as occurred in Brahmapuram , yard which is situated in the same Panchayat.


As directed by me, the Chief Environment Engineer , KSPCB, Regional office, Ernakulam had issued notice dated 12/3/2025 to the Secretary of the Panchayat for initiating action to get the waste removed from the site. It is learnt that, pursuant to the same the Secretary of the Panchayat has issued a notice to the land owner on 22/03/2025.

A closure Notice was issued by the Chief Environmental Engineer, KSPCB, Regional Office, Ernakulam 07/03/2025 to Hasheeda Muhammad, Poovathumveettil, Pinarmunda, Peringala P.O., Ernakulam, who evidently has obtained an acknowledgement certificate from the General manager, Department of Industries and commerce, District Industries centre, Ernakulam. A copy of the said closure notice was forwarded to the Secretary of the Panchayat. The copy of the notice is appended as **Annexure-B.**

Annexure C is the copy of the acknowledgement certificate procured by the Chief Environmental Engineer.

The following points may be taken note of.

- a) The certificate is issued in the name of one H and M traders.
 - b) The name of the proprietor is conspicuously absent in Annexure 'C'.
 - c) The building number shown in Annexure-C is 432/-A of Ward No.6 of the same Panchayat.
 - d) The activity to be carried out is noted as 'Manufacturing'.
- However, no manufacturing is done there.

 2

e) In the column relating to the products to be Manufactured/Services to be provided, it is shown as 'Plastic Segregation'.

No segregation activity is being carried out in the site.


It is evident that the so called proprietor of the unit is un-authorisedly dumping un-segregated waste at the yard under the cover of Annexure C which is nothing but an acknowledgement certificate. Presently, there is no evidence regarding permission from any authorities concerned.

It is crucial to note that no notice is seen issued by the Secretary of the Panchayat to the holder of Annexure-C.

The continuation of the dumping yard poses a serious threat to the environmental balance in the locality. Unless directions are issued urgently, there is every likelihood of recurrent mishaps as in Brahmapuram yard.

The kind attention of this Tribunal is invited to the matter for interference and necessary orders.

Dated this the 4th day of April, 2025.


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

ANNEXURE - 'A' Series





-5-

h







KERALA STATE POLLUTION CONTROL BOARD**DISTRICT OFFICE (ERNAKULAM-II), PERUMBAVOOR****PMC. 20/733, Near Kallumkal Auditorium, Perumbavoor – 683 542**

: 0484-2593747 e-mail: pcbdo2ekm@gmail.com web:

www.kspcb.kerala.gov.in

- Ref: 1. Complaint received in this office on 03/03/2025.
2. Inspection conducted by Board officials on 03/03/2025.

CLOSURE INTENTION NOTICE

WHEREAS the Government of Kerala have constituted the Kerala State Pollution Control Board (hereinafter referred as the Board) as per section 4 of the Water (Prevention & Control of Pollution) Act 1974, Air(Prevention& Control of Pollution) Act 1981& Environmental protection Act 1986;

WHEREAS Board is the enforcing authority of Environmental legislations, Water Act, Air Act and Environmental (Protection) Act in the State;

WHEREAS M/s H. M Traders, Ward-6, shed 6/432-A, Vadavucode Puthencruz Gramapanchayat, comes under the purview of Air (Prevention & Control of Pollution) Act 1981, Water (Prevention & Control of Pollution) Act 1974, Environmental (Protection) Act 1986 and is bound to comply with the rules made there under;

WHEREAS vide reference (1), a complaint was received in this office regarding the illegal storage of waste;

WHEREAS inspection was conducted by Board officials vide ref (2) and during the inquiry the following violations were observed;

1. Approximately 4-5 meter of unsegregated waste including plastic, C & D waste, medicine carton boxes, household waste and plywood waste was found filed up within the premises.
2. Waste was found stored in an open manner without essential pollution control measures such as roofed shed and impervious flooring.

3. Foul odour was detected from plastic waste contaminated with decomposing food waste.
4. Storage area is located within 10 meters of PVIP canal, posing a risk of water contamination.
5. Unit has been Operating without the mandatory consent from Pollution Control Board.

NOW THEREFORE, the Board intends to close down the unit due to the unauthorized functioning. Objections, if any, shall be filed before the undersigned within 15 days of receipt of this Notice, failing which necessary legal action will be initiated against you and the unit as per section 33 A of the Water (Prevention & Control of Pollution) Act 1974, 31 A of the Air (Prevention & Control of Pollution) Act 1981 and relevant sections of the Environment Protection Act 1986.

Dated this 07th day of March 2025

For and on behalf of the
KERALA STATE POLLUTION CONTROL BOARD

Signed by

Sajeesh Joy

Date: 07-03-2025 16:17:41

ENVIRONMENTAL ENGINEER

To

Sri. Hasheeda Muhammed
Poovathum veetil
Pinarmunda P. O – 683 565
Ph: 8129370918
Email: hasheedamuhammed@gmail.com

Copy to:

Secretary
Vadavucode GramaPanchayat





Government Of Kerala
Department of Industries & Commerce

(issued under sub-section (3) of section 5 of the Kerala Micro Small Medium Enterprises Facilitation Act, 2019)

Acknowledgement Certificate

M/S **H and M Traders** has filed a Self Certification under the Kerala Micro Small Medium Enterprises Facilitation Rules, 2020 to set up a **Manufacturing** enterprise. The receipt of the Self Certification for the enterprise is hereby acknowledged with following details as contained in the self certification :

Acknowledgement Details	
Acknowledgment Number	KLMSME-13123/2023
Date of Acknowledgment	28-10-2023
Validity of Acknowledgment	27-10-2026
Name of the Enterprise	H and M Traders
Type of Organization	Proprietorship
Address for Communication	Poovathumveetil House, PINARMUNDA, Peringala P O, Ernakulam, Ernakulam, Kerala-683565
Major Activity of Enterprise	Manufacturing
Product(s) to be Manufactured/Service(s) to be provided	Plastic Segregation
Location of Manufacturing/Service Activity of Enterprise	432/a, Palathadathil Building, VADAVUCODE P O, PUTHENCROUZ KOLLAPADY ROAD, Vadavucode S.O, Ernakulam -682310
Survey Number	398/3
Estimated Project Cost	10 Lakhs

1. Subject to provisions of the Act and these Rules, this Acknowledgement Certificate shall entitle the enterprise:


- a. Exemption from approval under the various enactments mentioned in the Act.
- b. Exemption from inspection for the purpose of, or in connection with, any approval under various enactments mentioned in the Act.
- c. It can be presented to any Competent Authority or Bank or Financial Institution as and when required who shall treat it as valid approval as defined in sub-section (c) of section 2 of the Act for all the purposes.

- n -

2. This Acknowledgement Certificate is issued, subject to following conditions:

- a. The provisions of the Kerala Micro Small Medium Enterprises Facilitation Act, 2019 and its applicability shall be limited to Acts mentioned in the Act and the activities mentioned in the Acknowledgement Certificate
- b. The Acknowledgement Certificate is valid for a period of three years from the date of issue.
- c. After the expiry of Acknowledgement Certificate, the enterprise shall have to obtain required approvals, for which no further intimation shall be provided.
- d. In case of willful submission of false information in Self Certification or suppression of material fact, or breach or contravention of any of the provisions in the Act & the rules, the Nodal Agency can revoke/cancel the Acknowledgement Certificate as per provisions of the Act and Rules.
- e. The Acknowledgement Certificate will become void, if the enterprise ceases to exist due to merger or division of enterprise or acquisition or amalgamation of the enterprises or if it ceases to be a Micro, Small or Medium enterprise as defined under the Act.

This certificate is valid for a period of three years from the date of issue. Dated on this the **28th** day of **October , 2023**

	KLMSME-13123/2023	Issued By, General Manager, DIC, District Industries Center, Ernakulam, Kerala.
---	--------------------------	--

This is a system generated Certificate which requires no signature.

[Handwritten mark]