

Minutes of the meeting convened by Chief Secretary on 04.11.2022 to discuss the suggestion put forward by the District Collector of taking over the Ayyankuzhy land of 9.57 acres for e-waste recycling plant in compliance of the judgment dated 08.04.2022 of the Hon'ble High Court in WP(c) 7268/2013 filed by Shri Reghu V K & Others

The meeting commenced at 12.40 PM with Chief Secretary in the chair.

The Chief Secretary welcomed the participants. The Additional Secretary (Revenue) informed that this meeting is conducted based on the Hearing convened on 05.05.2022 in compliance of the judgment dated 08.04.2022 in WP(c) 7268/2013 filed by Shri Reghu V K & Others.

He informed that WP(c) 7268/2013 has been filed by Shri Reghu V K & Others to acquire their land in Puthencurez & Thiruvaniyoor Village of Kunnathunadu Taluk sandwiched between those belonging to the BPCL and Hindustan Organic Chemicals Ltd. The Hon'ble High Court in the judgment dated 15.09.2021 in WP(c) 7268/2013 filed by Shri Reghu V K & Others has held that the Govt. will have to now step in and find a solution. The Hon'ble Court ordered that the 18th Respondent Viz. GOK and the 1st respondent Viz. DC, Ekm to inform how the continued prejudice to the petitioners can be allayed and how they can be rehabilitated. The Hon'ble Court left the liberty to consider whether the property can be acquired and put to use for any cause.

The District Collector, Ernakulam in the letter dated 15.11.2021 informed that a meeting has been conducted inviting BPCL and Hindustan Organic Chemicals Ltd and the following rehabilitation measures were suggested.

1. The area can be acquired for dedicated parking area for BPCL cylinder supply trucks which are now mainly parked at roadside and create traffic issues and the amount can be paid to the owners as per negotiated purchase mechanism.
2. The area can be acquired by BPCL/KINFRA/Other agencies including private agencies for waste management project/similar nature project and amount can be paid to the owners as per negotiated purchase mechanism.
3. BPCL can earmark similar extent of land for rehabilitation of families within the available land of BPCL. In such case, cost of house construction shall be borne by BPCL.
4. Both the companies can take over the said land jointly and in turn construct houses for the families in LIFE Mission model through CSR fund. Small parcel of land required for flat housing can be purchased jointly. A project in this regard can be prepared by District Administration and Funded by both HOC and BPCL.
5. Government/Suchitwa Mission/Local Body can take over the sad land for establishing the Waste management plant and pay the reasonable amount of land to owners.

The Hon'ble High Court in the judgment dated 08.04.2022 in WP(c) 7268/2013 filed by Shri Reghu V K & Others has ordered with a direction to the Chief Secretary to hear the petitioners and every other necessary stakeholders, at 11 AM on 05.05.2022, thus culminating in an appropriate order with respect to their specific contentions in this writ petition, affording them all empathy required to a citizen of this nation, as expeditiously as

is possible but not later than two months thereafter.

The Hearing was conducted by the Chief Secretary on 05.05.2022 in compliance of the judgment dated 08.04.2022 in WP(c) 7268/2013 filed by Shri Reghu V K & Others. Based on the hearing the DC was directed to submit a report to Govt. whether any of the recommendations of the meeting taken by him on 15.11.2021 are practically implementable, after inspecting the concerned areas and taking meetings with the different stakeholders.

The District Collector has forwarded the report wherein it has been informed that a meeting has been convened on 23.06.2022 and site visit conducted on 24.06.2022. The following are the main points of discussion.

1. The matter of assigning of puramboke land to BPCL was discussed and whether the Ayyankuzhy land can be given in place of puramboke land was examined. Since both are situated at a distance of approximately 5 KM and BPCL is taking the land to ensure the continuity of the area, it is found that the option of replacing puramboke with Ayyankuzhy land is not suitable.
2. The matter of acquiring the land by BPCL and utilizing it as parking space for tanker lorries was examined and it is found not feasible since BPCL is not willing to acquire more land.
3. Direct acquisition of land by both the companies and in lieu they will construct an apartment model houses for 43 families in Ayyankuzhy was also examined. Since both the companies are not willing to acquire more land the option is also found not suitable.
4. The matter was discussed with KINFRA for acquiring the land but the minimum area required for KINFRA is 40 acres and the ayyankuzhy is 9.57 acres, the option is found not suitable.

The suggestion put forward by DC was the option of taking over the Ayyankuzhy land of 9.57 acres for e-waste recycling plant.

Smt M Hemalatha, Counsel for the petitioners, Smt Adeela Abdulla, Project Director, KSWMP, Executive Director, Suchitwa Mission, District Collector, Ernakulam and Smt Sarada Muraleedharan, ACS, LSGD attended the meeting through Video Conference.

The District Collector, Ernakulam informed that the proposal was submitted for taking over the Ayyankuzhy land of 9.57 acres for e-waste recycling plant. The Chief Secretary enquired who will bear the expenses for the land acquisition.

The Project Director, KSWMP informed that e-waste management is not included in the world bank project. For including the same, approval from the world bank is required. She further added that commitment in this regard may be conveyed only after the project approval is received which requires nearly 1 1/2 years.

The ACS, LSGD informed that detailed project report will be prepared in this regard at the earliest.

The Chief Secretary directed the Project Director, KSWMP to examine the case in detail and prepare a detailed project report. Then necessary environmental clearance needs to be obtained. Once necessary approval is received from the world bank the option of taking over the Ayyankuzhy land of 9.57 acres for e-waste recycling plant may be considered.

The meeting ended at 1 PM.