

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE,  
CHENNAI CIRCUIT BENCH  
APPLICATION NO.20 OF 2016(SZ)

Applicant(s) :: Sri. Santo P.L.,  
S/o. P.D Louis  
Pellissery House, Edakunni  
& Others

Respondents :: The State of Kerla represented by  
the Chief Secretary & Others

Volume – 1

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Dated this the 29<sup>th</sup> day of November, 2023.



Ms. Rema Smrithi VK  
Standing Counsel for KSPCB



**FOURTH RESPONDENT**

**SUCiTRA V.**  
Environmental Engineer

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

**Application no. OA 20 of 2016 (SZ)**

Applicant(s) : Mr. Santo P.L. Thrissur & others

Vs.

Respondents : The State of Kerala & Others

**REPORT FILED BY THE ENVIRONMENTAL ENGINEER,  
KERALA STATE POLLUTION CONTROL BOARD,  
DISTRICT OFFICE, THRISSUR, THE 4<sup>th</sup> RESPONDENT**

1. In compliance with the order of the Hon'ble NGT dated 12.10.2023, inspection was conducted to the 13 respondent units at the SIDCO, Industrial Estate, Ollur on 13.11.2023. Of the 13 units, M/s Bright & Company and M/s Bright Precured System 2 have closed down, so only 11 units were operational. All the units are having valid Consent to Operate of the Board.

The effluent treatment plants in these units were functional. Each effluent treatment plant consists of a collection tank, chemical addition cum settling tank, filter feed tank, pressure sand filter, activated carbon filter and treated water tank. Facility for reusing the treated water in the process were provided in all the units. Also facilities for collection and storage of sludge were provided. The sludge is disposed through the common hazardous waste storage and disposal facility at Ernakulam operated by Kerala Enviro Infrastructure Limited. The treated effluent samples were collected from all the units and forwarded to Central Laboratory of the Board at Ernakulam for the analysis of Nickel and Lead.

2. In reply to the notice directing to show cause why the Environmental Compensation shall not be levied, the units requested for a hearing and hence a hearing was conducted on 17.08.2023. As decided in the hearing, the 12 respondent units submitted letter from the Estate Manger SIDCO and bills incurred towards water supply in the locality. As per the letter of Estate Manager SIDCO, the units were directed to close down on 06.02.2013 and they have also confirmed that the units had shut down and were not operational from 06.02.2013 until the restart orders of the District Collector. So the assessment period which was taken from 23.07.2012 – 27.04.2013 (278 days) was changed to 23.07.2012-6.02.2013, ie 198 days.
3. With regard to water supply, an amount of Rs. 12,37,000/- was incurred for the period from 25.02.2017 to 30.10.2017. The water was distributed by two tanker lorry agencies for which FSSAI registration was submitted for only one. Excluding the water supply amount for that vehicle agency, the amount, when equally divided between the 12 units comes to Rs.1,02,083/-. So the revised assessment of environmental compensation, considering the above factors are furnished in the table below.

SL No.	Unit	Revised EC
1	Honest Electro Colouring	Rs.5,41,417/
2	Dot Engineers	Rs.5,41,417/
3	Indu Ornaments	Rs.5,41,417/
4	Renu Gold covering	Rs.5,41,417/
5	Two star design Gold covering	Rs.5,41,417/
6	Pee Gee Gold covering	Rs.5,41,417/
7	Bee Pee Gold covering	Rs.5,41,417/
8	Rajesh kumar Electro plating	Rs.5,41,417/
9	Mini Job Works(Aiswarya Gold Covering)	Rs.5,41,417/

10	Golden view Plating	Rs.5,41,417/
11	Three Star Electro plating	Rs.5,41,417/
12	Bright & Precured systems 2	Rs.11,75,167 /-(541417+633750)

4. It is humbly submitted that the environmental compensation as detailed above have been levied vide letter no KSPCB/977/2023-EE-1 dated 28.11.2023 of the Chairman of the Board. True copy of the letters are marked and produced herewith as Annexure R4 (a).

*Dated this the 29<sup>th</sup> day of November 2023*



**FOURTH RESPONDENT**

**SUCHITRA V.  
Environmental Engineer**

☎ General: 0471- 2312910, 2318153, 2318154, 2318155 Chairman: 2318150 Member Secretary: 2318151  
e-mail: [chn.kspcb@gov.in](mailto:chn.kspcb@gov.in); [ms.kspcb@gov.in](mailto:ms.kspcb@gov.in) FAX: 2318152 web: [kspcb.kerala.gov.in](http://kspcb.kerala.gov.in)



**KERALA STATE POLLUTION CONTROL BOARD**  
കേരളസംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004  
പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004



KSPCB/977/2023-EE-1

Date:28/11/2023

**DIRECTION UNDER ENVIRONMENT (PROTECTION) ACT, 1986**

Sub: Levying of Environmental Compensation in connection with O.A No.  
20/2016- reg.

- Ref: 1) Letter no. PCB/RO-EKM/GEN-333/22/ dated 23/03/2023.  
2) Order of the Hon'ble NGT dated 07/03/2023.  
3) Show Cause Notice PCB/HO/EE1/GEN/EC/2023/(1) dated 04/04/2023.  
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17/08/2023  
6. Letter No. PCB/TSR/GEN/192/2022 dated 09/10/2023.  
7. Email from Chief Environmental Engineer, Regional Office, Ernakulam  
received on 11/10/2023.

WHEREAS M/s. Aiswarya Gold Covering, Major Industrial Estate, Ollur, Thrissur, Kerala comes under the purview of the Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981, and Environment (Protection) Act, 1986 and is bound to comply the conditions thereunder;

WHEREAS by the order of the Hon'ble NGT dated 20/02/2022 in OA. No. 20/2016 (SZ), against the pollution caused by certain electroplating industrial units, a joint committee comprising of Sri. Reji Joseph, Additional District Magistrate, Thrissur, Dr. Deepesh V, Scientist C, Central Pollution Control Board, Regional Directorate, Bangalore, Sri. Baburajan P.K, Chief Environmental

Engineer, Kerala State Pollution Control Board, Regional Office, Ernakulam and Sri. Kalaiarasan P, Environmental Engineer, Directorate of Environment and Climate change (DoECC), Govt. of Kerala, Thiruvananthapuram was constituted to ascertain the compliance status of the above electro plating units operating in Thrissur district;

WHEREAS as per the aforementioned order of Hon'ble NGT the committee was directed to ascertain the period of past violation and to calculate Environmental Compensation for the period;

WHEREAS a common complaint against the electroplating units in SIDCO industrial estate at Ollur, Thrissur was received from the Edakkunni Poura Samithi on 16/07/2012;

WHEREAS enquiry was conducted from District Office, of Board at Thrissur on 23/07/2012 and 27/07/2012;

WHEREAS the unit was found to be operating without obtaining Consent to Operate from the Board;

WHEREAS the unit has not provided adequate pollution control measures;

WHEREAS the District Collector constituted a monitoring committee to look in to the matter.

WHEREAS based on the recommendation of the committee, the District collector directed vide order No.C3-600051/2012 dated 27/04/2013 to close down the operation of the unit;

WHEREAS the period from the date of observing the violation i.e the date of inspection (23/07/2012) until the date of closure by the order of District Collector (27/04/2013) was taken as the period of past violation;

WHEREAS the Joint Committee has assessed the Environmental Compensation as per the CPCB guidelines as mentioned below;

$$EC = PI * N * R * S * LF$$

where PI Pollution index of industrial sector = 65

(being a small scale industry having only water pollution potential)

N=Number of days of violation = 278 days (from 23/07/2012 to 27/04/2013)

R. A factor in Rupees for EC = 100 (as the unit is a small scale red category unit)

S. Factor for scale of operation = 0.5 (being a small scale unit)

LF: Location factor = 1 (for population less than 1 million)

Hence, EC =  $65 * 278 * 100 * 0.5 * 1 =$  Rs. 9, 03, 500/- (Nine Lakhs Three Thousand and five hundred rupees only)

WHEREAS the Chief Environmental Engineer, Regional Office, Ernakulam vide reference cited 1<sup>st</sup>, has forwarded the letter from Environmental Engineer, District Office, Thrissur, reporting the Environmental Compensation assessed by the Joint Committee, with a recommendation to levy the Environmental Compensation;

WHEREAS Hon'ble NGT vide order cited 2<sup>nd</sup> has directed Board to file the action taken report;

WHEREAS vide letter under reference 3 you were directed to show cause as to why the above Environmental Compensation shall not be levied on you;

WHEREAS you had submitted reply to show cause notice vide letter under reference (4) requesting to conduct a hearing;

WHEREAS a hearing was held on 17/08/2023 and it was decided in the hearing to recalculate the Environmental Compensation;

WHEREAS it was informed in the hearing that though stop memo was issued by the District Collector on 27/04/2013, the units had actually stopped operation on 06/02/2013 itself as per the stop memo issued by SIDCO;

WHEREAS the units had submitted the letter from SIDCO at District Office of the Board in proof of the above;

WHEREAS in light of the above, as per minutes cited (5), the period from 06/02/2013 to 27/04/2013 may be exempted while calculating the number of days of violation;

WHEREAS it was also decided in the hearing to waive the amount spent by the units towards water supply in the area through FSSAI registered tanker lorries, from the Environmental Compensation calculated;

WHEREAS the supporting documents in proof of the above were submitted by the units at the District Office of the Board at Thrissur;

WHEREAS Environmental Engineer, District Office, Thrissur has verified the documents, reassessed the Environmental Compensation and reported the same vide letter under reference (6);

WHEREAS Chief Environmental Engineer, Regional Office, Ernakulam has recommended to levy the above Environmental Compensation as calculated below;

$EC = PI * N * R * S * LF$  - cost incurred in water supply

where PI Pollution index of industrial sector = 65

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Hence,  $EC = 65 * 198 * 100 * 0.5 * 1 = 1,02,083$  = Rs. 5,41,417/- (Five Lakhs forty one thousand four hundred and seventeen rupees only)

NOW THEREFORE in exercise of the powers vested under Section 5 of Environment (Protection) Act, 1986, you are hereby directed to remit the amount of Rs. 5,41,417/- (Five Lakhs forty one thousand four hundred and seventeen rupees only) as Environmental Compensation in accordance with the Orders of

Hon'ble National Green Tribunal and "Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund" developed by the CPCB. The amount shall be remitted to Board's Environmental Protection Fund (Account No.67366954329 at SBI, Pattom LIC Junction Branch (IFSC SBIN 0070212)



CHAIRMAN

To

M/s. Aiswarya Gold Covering  
Major Industrial Estate,  
Ollur P.O, Thrissur, PIN- 680306

Copy to:

- 1) The Chief Environmental Engineer,  
Regional Office, Ernakulam
- 2) The Environmental Engineer,  
District Office, Thrissur
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☎: General: 0471- 2312910, 2318153, 2318154, 2318155 Chairman: 2318150 Member Secretary: 2318151

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KSPCB/977/2023-EE-1

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WHEREAS M/s. Two Star Design Gold Covering, Major Industrial Estate, Ollur, Thrissur, Kerala comes under the purview of the Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981, and Environment (Protection) Act, 1986 and is bound to comply the conditions thereunder;

WHEREAS by the order of the Hon'ble NGT dated 20/02/2022 in OA. No. 20/2016 (SZ), against the pollution caused by certain electroplating industrial units, a joint committee comprising of Sri. Reji Joseph, Additional District Magistrate, Thrissur, Dr. Deepesh V, Scientist C, Central Pollution Control Board, Regional Directorate, Bangaluru, Sri. Baburajan P.K, Chief Environmental

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WHEREAS as per the aforementioned order of Hon'ble NGT the committee was directed to ascertain the period of past violation and to calculate Environmental Compensation for the period;

WHEREAS a common complaint against the electroplating units in SIDCO industrial estate at Ollur, Thrissur was received from the Edakkunni Poura Samithi on 16/07/2012;

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WHEREAS the unit was found to be operating without obtaining Consent to Operate from the Board;

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WHEREAS the District Collector constituted a monitoring committee to look in to the matter.

WHEREAS based on the recommendation of the committee, the District collector directed vide order No.C3-600051/2012 dated 27/04/2013 to close down the operation of the unit;

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Hence,  $EC = 65 * 278 * 100 * 0.5 * 1 = \text{Rs. } 9,03,500/-$  (Nine Lakhs Three Thousand and five hundred rupees only)

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**CHAIRMAN**

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CHAIRMAN

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WHEREAS M/s. Renu Gold Covering, Major Industrial Estate, Ollur, Thrissur, Kerala comes under the purview of the Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981, and Environment (Protection) Act, 1986 and is bound to comply the conditions thereunder;

WHEREAS by the order of the Hon'ble NGT dated 20/02/2022 in OA. No. 20/2016 (SZ), against the pollution caused by certain electroplating industrial units, a joint committee comprising of Sri. Reji Joseph, Additional District Magistrate, Thrissur, Dr. Deepesh V, Scientist C, Central Pollution Control Board, Regional Directorate, Bangaluru, Sri. Baburajan P.K, Chief Environmental Engineer, Kerala State Pollution Control Board, Regional Office, Ernakulam and Sri. Kalaiarasan P, Environmental Engineer, Directorate of Environment and

Climate change (DoECC), Govt. of Kerala, Thiruvananthapuram was constituted to ascertain the compliance status of the above electro plating units operating in Thrissur district;

WHEREAS as per the aforementioned order of Hon'ble NGT the committee was directed to ascertain the period of past violation and to calculate Environmental Compensation for the period;

WHEREAS a common complaint against the electroplating units in SIDCO industrial estate at Ollur, Thrissur was received from the Edakkunni Poura Samithi on 16/07/2012;

WHEREAS enquiry was conducted from District Office, of Board at Thrissur on 23/07/2012 and 27/07/2012;

WHEREAS the unit was found to be operating without obtaining Consent to Operate from the Board;

WHEREAS the unit has not provided adequate pollution control measures;

WHEREAS the District Collector constituted a monitoring committee to look in to the matter.

WHEREAS based on the recommendation of the committee, the District collector directed vide order No.C3-600051/2012 dated 27/04/2013 to close down the operation of the unit;

WHEREAS the period from the date of observing the violation i.e the date of inspection (23/07/2012) until the date of closure by the order of District Collector (27/04/2013) was taken as the period of past violation;

WHEREAS the Joint Committee has assessed the Environmental Compensation as per the CPCB guidelines as mentioned below;

$$EC = PI * N * R * S * LF$$

where PI Pollution index of industrial sector = 65

(being a small scale industry having only water pollution potential)

N=Number of days of violation = 278 days (from 23/07/2012 to 27/04/2013)

R. A factor in Rupees for EC = 100 (as the unit is a small scale red category unit)

S. Factor for scale of operation = 0.5 (being a small scale unit)

LF: Location factor = 1 (for population less than 1 million)

Hence, EC =  $65 \times 278 \times 100 \times 0.5 \times 1 = \text{Rs. } 9,03,500/-$  (Nine Lakhs Three Thousand and five hundred rupees only)

WHEREAS the Chief Environmental Engineer, Regional Office, Ernakulam vide reference cited 1<sup>st</sup>, has forwarded the letter from Environmental Engineer, District Office, Thrissur, reporting the Environmental Compensation assessed by the Joint Committee, with a recommendation to levy the Environmental Compensation;

WHEREAS Hon'ble NGT vide order cited 2<sup>nd</sup> has directed Board to file the action taken report;

WHEREAS vide letter under reference 3 you were directed to show cause as to why the above Environmental Compensation shall not be levied on you;

WHEREAS you had submitted reply to show cause notice vide letter under reference (4) requesting to conduct a hearing;

WHEREAS a hearing was held on 17/08/2023 and it was decided in the hearing to recalculate the Environmental Compensation;

WHEREAS it was informed in the hearing that though stop memo was issued by the District Collector on 27/04/2013, the units had actually stopped operation on 06/02/2013 itself as per the stop memo issued by SIDCO;

WHEREAS the units had submitted the letter from SIDCO at District Office of the Board in proof of the above;

WHEREAS in light of the above, as per minutes cited (5), the period from 06/02/2013 to 27/04/2013 may be exempted while calculating the number of days of violation;

WHEREAS it was also decided in the hearing to waive the amount spent by the units towards water supply in the area through FSSAI registered tanker lorries, from the Environmental Compensation calculated;

WHEREAS the supporting documents in proof of the above were submitted by the units at the District Office of the Board at Thrissur;

WHEREAS Environmental Engineer, District Office, Thrissur has verified the documents, reassessed the Environmental Compensation and reported the same vide letter under reference (6);

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Hence,  $EC = 65 * 198 * 100 * 0.5 * 1 = 1,02,083 = \text{Rs. } 5,41,417/-$  (Five Lakhs forty one thousand four hundred and seventeen rupees only)

NOW THEREFORE in exercise of the powers vested under Section 5 of Environment (Protection) Act, 1986, you are hereby directed to remit the amount of Rs. 5,41,417/- (Five Lakhs forty one thousand four hundred and seventeen rupees only) as Environmental Compensation in accordance with the Orders of

Hon'ble National Green Tribunal and "Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund" developed by the CPCB. The amount shall be remitted to Board's Environmental Protection Fund (Account No.67366954329 at SBI, Pattom LIC Junction Branch (IFSC SBIN 0070212)



CHAIRMAN

To

M/s. Renu Gold Covering  
Major Industrial Estate,  
Ollur P.O, Thrissur, PIN- 680306

Copy to:

- 1) The Chief Environmental Engineer,  
Regional Office, Ernakulam
- 2) The Environmental Engineer,  
District Office, Thrissur
- 3) Senior Environmental Engineer 1, Legal section, Head Office

☎: General: 0471- 2312910, 2318153, 2318154, 2318155 Chairman: 2318150 Member Secretary: 2318151

e-mail: [chn.kspcb@gov.in](mailto:chn.kspcb@gov.in); [ms.kspcb@gov.in](mailto:ms.kspcb@gov.in) FAX: 2318152 web: [kspcb.kerala.gov.in](http://kspcb.kerala.gov.in)



**KERALA STATE POLLUTION CONTROL BOARD**  
കേരളസംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004  
പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004



KSPCB/977/2023-EE-1

Date: 28/11/2023

**DIRECTION UNDER ENVIRONMENT (PROTECTION) ACT, 1986**

Sub: Levying of Environmental Compensation in connection with O.A No.

20/2016- reg.

Ref: 1) Letter no. PCB/RO-EKM/GEN-333/22/ dated 23/03/2023.

2) Order of the Hon'ble NGT dated 07/03/2023.

3) Show Cause Notice PCB/HO/EE1/GEN/EC/2023/(1) dated 04/04/2023.

4) Reply to Show Cause Notice dated 12/05/2023.

5) Minutes of hearing held in connection with O.A No. 20/2016 on  
17/08/2023.

6. Letter No. PCB/TSR/GEN/192/2022 dated 09/10/2023.

7. Email from Chief Environmental Engineer, Regional Office, Ernakulam  
received on 11/10/2023.

WHEREAS M/s. Rajesh Kumar Electro Plating, Major Industrial Estate, Ollur, Thrissur, Kerala comes under the purview of the Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981, and Environment (Protection) Act, 1986 and is bound to comply the conditions thereunder;

WHEREAS by the order of the Hon'ble NGT dated 20/02/2022 in OA. No. 20/2016 (SZ), against the pollution caused by certain electroplating industrial units, a joint committee comprising of Sri. Reji Joseph, Additional District Magistrate, Thrissur, Dr. Deepesh V, Scientist C, Central Pollution Control Board, Regional Directorate, Bangaluru, Sri. Baburajan P.K, Chief Environmental Engineer, Kerala State Pollution Control Board, Regional Office, Ernakulam and Sri. Kalaiarasan P, Environmental Engineer, Directorate of Environment and

Climate change (DoECC), Govt. of Kerala, Thiruvananthapuram was constituted to ascertain the compliance status of the above electro plating units operating in Thrissur district;

WHEREAS as per the aforementioned order of Hon'ble NGT the committee was directed to ascertain the period of past violation and to calculate Environmental Compensation for the period;

WHEREAS a common complaint against the electroplating units in SIDCO industrial estate at Ollur, Thrissur was received from the Edakkunni Poura Samithi on 16/07/2012;

WHEREAS enquiry was conducted from District Office, of Board at Thrissur on 23/07/2012 and 27/07/2012;

WHEREAS the unit was found to be operating without obtaining Consent to Operate from the Board;

WHEREAS the unit has not provided adequate pollution control measures;

WHEREAS the District Collector constituted a monitoring committee to look in to the matter.

WHEREAS based on the recommendation of the committee, the District collector directed vide order No.C3-600051/2012 dated 27/04/2013 to close down the operation of the unit;

WHEREAS the period from the date of observing the violation i.e the date of inspection (23/07/2012) until the date of closure by the order of District Collector (27/04/2013) was taken as the period of past violation;

WHEREAS the Joint Committee has assessed the Environmental Compensation as per the CPCB guidelines as mentioned below;

$$EC = PI * N * R * S * LF$$

where PI Pollution index of industrial sector = 65

(being a small scale industry having only water pollution potential)

N=Number of days of violation = 278 days (from 23/07/2012 to 27/04/2013)

R. A factor in Rupees for EC = 100 (as the unit is a small scale red category unit)

S. Factor for scale of operation = 0.5 (being a small scale unit)

LF: Location factor = 1 (for population less than 1 million)

Hence, EC =  $65 \times 278 \times 100 \times 0.5 \times 1$  = Rs. 9, 03, 500/- (Nine Lakhs Three Thousand and five hundred rupees only)

WHEREAS the Chief Environmental Engineer, Regional Office, Ernakulam vide reference cited 1<sup>st</sup>, has forwarded the letter from Environmental Engineer, District Office, Thrissur, reporting the Environmental Compensation assessed by the Joint Committee, with a recommendation to levy the Environmental Compensation;

WHEREAS Hon'ble NGT vide order cited 2<sup>nd</sup> has directed Board to file the action taken report;

WHEREAS vide letter under reference 3 you were directed to show cause as to why the above Environmental Compensation shall not be levied on you;

WHEREAS you had submitted reply to show cause notice vide letter under reference (4) requesting to conduct a hearing;

WHEREAS a hearing was held on 17/08/2023 and it was decided in the hearing to recalculate the Environmental Compensation;

WHEREAS it was informed in the hearing that though stop memo was issued by the District Collector on 27/04/2013, the units had actually stopped operation on 06/02/2013 itself as per the stop memo issued by SIDCO;

WHEREAS the units had submitted the letter from SIDCO at District Office of the Board in proof of the above;

WHEREAS in light of the above, as per minutes cited (5), the period from 06/02/2013 to 27/04/2013 may be exempted while calculating the number of days of violation;

WHEREAS it was also decided in the hearing to waive the amount spent by the units towards water supply in the area through FSSAI registered tanker lorries, from the Environmental Compensation calculated;

WHEREAS the supporting documents in proof of the above were submitted by the units at the District Office of the Board at Thrissur;

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Environmental Compensation and Action Plan to Utilize the Fund” developed by the CPCB. The amount shall be remitted to Board’s Environmental Protection Fund (Account No.67366954329 at SBI, Pattom LIC Junction Branch (IFSC SBIN 0070212)



**CHAIRMAN**

To

M/s. Rajesh Kumar Electro Plating  
Major Industrial Estate,  
Ollur P.O, Thrissur, PIN- 680306

Copy to:

- 1) The Chief Environmental Engineer,  
Regional Office, Ernakulam
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☎: General: 0471- 2312910, 2318153, 2318154, 2318155 Chairman: 2318150 Member Secretary: 2318151  
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കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

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KSPCB/977/2023-EE-1

Date: 28/11/2023

**DIRECTION UNDER ENVIRONMENT (PROTECTION) ACT, 1986**

Sub: Levying of Environmental Compensation in connection with O.A No.  
20/2016- reg.

- Ref: 1) Letter no. PCB/RO-EKM/GEN-333/22/ dated 23/03/2023.  
2) Order of the Hon'ble NGT dated 07/03/2023.  
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6. Letter No. PCB/TSR/GEN/192/2022 dated 09/10/2023.  
7. Email from Chief Environmental Engineer, Regional Office, Ernakulam  
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WHEREAS M/s. Pee Gee Gold Covering, Major Industrial Estate, Ollur, Thrissur, Kerala comes under the purview of the Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981, and Environment (Protection) Act, 1986 and is bound to comply the conditions thereunder;

WHEREAS by the order of the Hon'ble NGT dated 20/02/2022 in OA. No. 20/2016 (SZ), against the pollution caused by certain electroplating industrial units, a joint committee comprising of Sri. Reji Joseph, Additional District Magistrate, Thrissur, Dr. Deepesh V, Scientist C, Central Pollution Control Board, Regional Directorate, Bangaluru, Sri. Baburajan P.K, Chief Environmental Engineer, Kerala State Pollution Control Board, Regional Office, Ernakulam and Sri. Kalaiarasan P, Environmental Engineer, Directorate of Environment and Climate change (DoECC), Govt. of Kerala, Thiruvananthapuram was constituted

to ascertain the compliance status of the above electro plating units operating in Thrissur district;

WHEREAS as per the aforementioned order of Hon'ble NGT the committee was directed to ascertain the period of past violation and to calculate Environmental Compensation for the period;

WHEREAS a common complaint against the electroplating units in SIDCO industrial estate at Ollur, Thrissur was received from the Edakkunni Poura Samithi on 16/07/2012;

WHEREAS enquiry was conducted from District Office, of Board at Thrissur on 23/07/2012 and 27/07/2012;

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WHEREAS based on the recommendation of the committee, the District collector directed vide order No.C3-600051/2012 dated 27/04/2013 to close down the operation of the unit;

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Hence, EC =  $65 \times 278 \times 100 \times 0.5 \times 1$  = Rs. 9, 03, 500/- (Nine Lakhs Three Thousand and five hundred rupees only)

WHEREAS the Chief Environmental Engineer, Regional Office, Ernakulam vide reference cited 1<sup>st</sup>, has forwarded the letter from Environmental Engineer, District Office, Thrissur, reporting the Environmental Compensation assessed by the Joint Committee, with a recommendation to levy the Environmental Compensation;

WHEREAS Hon'ble NGT vide order cited 2<sup>nd</sup> has directed Board to file the action taken report;

WHEREAS vide letter under reference 3 you were directed to show cause as to why the above Environmental Compensation shall not be levied on you;

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CHAIRMAN

To

M/s. Pee Gee Gold Covering  
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Copy to:

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കേരളസംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004  
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KSPCB/977/2023-EE-1

Date: 28/11/2023

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Sub: Levying of Environmental Compensation in connection with O.A No.  
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e-mail: [chn.kspcb@gov.in](mailto:chn.kspcb@gov.in); [ms.kspcb@gov.in](mailto:ms.kspcb@gov.in) FAX: 2318152 web: [kspcb.kerala.gov.in](http://kspcb.kerala.gov.in)



**KERALA STATE POLLUTION CONTROL BOARD**  
കേരളസംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004  
പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004



KSPCB/977/2023-EE-1

Date: 28/11/2023

**DIRECTION UNDER ENVIRONMENT (PROTECTION) ACT, 1986**

Sub: Levying of Environmental Compensation in connection with O.A No.  
20/2016- reg.

- Ref: 1) Letter no. PCB/RO-EKM/GEN-333/22/ dated 23/03/2023.  
2) Order of the Hon'ble NGT dated 07/03/2023.  
3) Show Cause Notice PCB/HO/EE1/GEN/EC/2023/(1) dated 04/04/2023.  
4) Reply to Show Cause Notice dated 12/05/2023.  
5) Minutes of hearing held in connection with O.A No. 20/2016 on  
17/08/2023  
6. Letter No. PCB/TSR/GEN/192/2022 dated 09/10/2023.  
7. Email from Chief Environmental Engineer, Regional Office, Ernakulam  
received on 11/10/2023.

WHEREAS M/s. Honest electrocolouring, Major Industrial Estate, Ollur, Thrissur, Kerala comes under the purview of the Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981, and Environment (Protection) Act, 1986 and is bound to comply the conditions thereunder;

WHEREAS by the order of the Hon'ble NGT dated 20/02/2022 in OA. No. 20/2016 (SZ), against the pollution caused by certain electroplating industrial units, a joint committee comprising of Sri. Reji Joseph, Additional District Magistrate, Thrissur, Dr. Deepesh V, Scientist C, Central Pollution Control Board, Regional Directorate, Bangaluru, Sri. Baburajan P.K, Chief Environmental Engineer, Kerala State Pollution Control Board, Regional Office, Ernakulam and

Sri. Kalaiarasan P, Environmental Engineer, Directorate of Environment and Climate change (DoECC), Govt. of Kerala, Thiruvananthapuram was constituted to ascertain the compliance status of the above electro plating units operating in Thrissur district;

WHEREAS as per the aforementioned order of Hon'ble NGT the committee was directed to ascertain the period of past violation and to calculate Environmental Compensation for the period;

WHEREAS a common complaint against the electroplating units in SIDCO industrial estate at Ollur, Thrissur was received from the Edakkunni Poura Samithi on 16/07/2012;

WHEREAS enquiry was conducted from District Office, of Board at Thrissur on 23/07/2012 and 27/07/2012;

WHEREAS the unit was found to be operating without obtaining Consent to Operate from the Board;

WHEREAS the unit has not provided adequate pollution control measures;

WHEREAS the District Collector constituted a monitoring committee to look in to the matter.

WHEREAS based on the recommendation of the committee, the District collector directed vide order No.C3-600051/2012 dated 27/04/2013 to close down the operation of the unit;

WHEREAS the period from the date of observing the violation i.e the date of inspection (23/07/2012) until the date of closure by the order of District Collector (27/04/2013) was taken as the period of past violation;

WHEREAS the Joint Committee has assessed the Environmental Compensation as per the CPCB guidelines as mentioned below;

$$EC = PI * N * R * S * LF$$

where PI Pollution index of industrial sector = 65

(being a small scale industry having only water pollution potential)

N=Number of days of violation = 278 days (from 23/07/2012 to 27/04/2013)

R. A factor in Rupees for EC = 100 (as the unit is a small scale red category unit)

S. Factor for scale of operation = 0.5 (being a small scale unit)

LF: Location factor = 1 (for population less than 1 million)

Hence, EC =  $65 \times 278 \times 100 \times 0.5 \times 1 = \text{Rs. } 9, 03, 500/-$  (Nine Lakhs Three Thousand and five hundred rupees only)

WHEREAS the Chief Environmental Engineer, Regional Office, Ernakulam vide reference cited 1<sup>st</sup>, has forwarded the letter from Environmental Engineer, District Office, Thrissur, reporting the Environmental Compensation assessed by the Joint Committee, with a recommendation to levy the Environmental Compensation;

WHEREAS Hon'ble NGT vide order cited 2<sup>nd</sup> has directed Board to file the action taken report;

WHEREAS vide letter under reference 3 you were directed to show cause as to why the above Environmental Compensation shall not be levied on you;

WHEREAS you had submitted reply to show cause notice vide letter under reference (4) requesting to conduct a hearing;

WHEREAS a hearing was held on 17/08/2023 and it was decided in the hearing to recalculate the Environmental Compensation;

WHEREAS it was informed in the hearing that though stop memo was issued by the District Collector on 27/04/2013, the units had actually stopped operation on 06/02/2013 itself as per the stop memo issued by SIDCO;

WHEREAS the units had submitted the letter from SIDCO at District Office of the Board in proof of the above;

WHEREAS in light of the above, as per minutes cited (5), the period from 06/02/2013 to 27/04/2013 may be exempted while calculating the number of days of violation;

WHEREAS it was also decided in the hearing to waive the amount spent by the units towards water supply in the area through FSSAI registered tanker lorries, from the Environmental Compensation calculated;

WHEREAS the supporting documents in proof of the above were submitted by the units at the District Office of the Board at Thrissur;

WHEREAS Environmental Engineer, District Office, Thrissur has verified the documents, reassessed the Environmental Compensation and reported the same vide letter under reference (6);

WHEREAS Chief Environmental Engineer, Regional Office, Ernakulam has recommended to levy the above Environmental Compensation as calculated below;

$EC = PI * N * R * S * LF$  - cost incurred in water supply

where PI Pollution index of industrial sector = 65

(being a small scale industry having only water pollution potential)

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Hence,  $EC = 65 * 198 * 100 * 0.5 * 1 = 1,02,083 = \text{Rs. } 5,41,417/-$  (Five Lakhs forty one thousand four hundred and seventeen rupees only)

NOW THEREFORE in exercise of the powers vested under Section 5 of Environment (Protection) Act, 1986, you are hereby directed to remit the amount of Rs. 5,41,417/- (Five Lakhs forty one thousand four hundred and seventeen rupees only) as Environmental Compensation in accordance with the Orders of Hon'ble National Green Tribunal and "Methodology for Assessing Environmental

Compensation and Action Plan to Utilize the Fund” developed by the CPCB. The amount shall be remitted to Board’s Environmental Protection Fund (Account No.67366954329 at SBI, Pattom LIC Junction Branch (IFSC SBIN 0070212)

  
CHAIRMAN

To

M/s. Honest electrocolouring  
Major Industrial Estate,  
Ollur P.O, Thrissur, PIN- 680306

Copy to:

- 1) The Chief Environmental Engineer,  
Regional Office, Ernakulam
- 2) The Environmental Engineer,  
District Office, Thrissur
- 3) Senior Environmental Engineer 1, Legal section, Head Office

☎: General: 0471- 2312910, 2318153, 2318154, 2318155 Chairman: 2318150 Member Secretary: 2318151  
e-mail: [chn.kspcb@gov.in](mailto:chn.kspcb@gov.in); [ms.kspcb@gov.in](mailto:ms.kspcb@gov.in) FAX: 2318152 web: [kspcb.kerala.gov.in](http://kspcb.kerala.gov.in)



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KSPCB/977/2023-EE-1

Date:28/11/2023

**DIRECTION UNDER ENVIRONMENT (PROTECTION) ACT, 1986**

Sub: Levying of Environmental Compensation in connection with O.A No.

20/2016- reg.

Ref: 1) Letter no. PCB/RO-EKM/GEN-333/22/ dated 23/03/2023.

2) Order of the Hon'ble NGT dated 07/03/2023.

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4) Reply to Show Cause Notice dated 12/05/2023.

5) Minutes of hearing held in connection with O.A No. 20/2016 on  
17/08/2023

6. Letter No. PCB/TSR/GEN/192/2022 dated 09/10/2023.

7. Email from Chief Environmental Engineer, Regional Office, Ernakulam  
received on 11/10/2023.

WHEREAS M/s. Golden View Plating, Major Industrial Estate, Ollur, Thrissur, Kerala comes under the purview of the Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981, and Environment (Protection) Act, 1986 and is bound to comply the conditions thereunder;

WHEREAS by the order of the Hon'ble NGT dated 20/02/2022 in OA. No. 20/2016 (SZ), against the pollution caused by certain electroplating industrial units, a joint committee comprising of Sri. Reji Joseph, Additional District Magistrate, Thrissur, Dr. Deepesh V, Scientist C, Central Pollution Control Board, Regional Directorate, Bangaluru, Sri. Baburajan P.K, Chief Environmental Engineer, Kerala State Pollution Control Board, Regional Office, Ernakulam and Sri. Kalaiarasan P, Environmental Engineer, Directorate of Environment and Climate change (DoECC), Govt. of Kerala, Thiruvananthapuram was constituted

to ascertain the compliance status of the above electro plating units operating in Thrissur district;

WHEREAS as per the aforementioned order of Hon'ble NGT the committee was directed to ascertain the period of past violation and to calculate Environmental Compensation for the period;

WHEREAS a common complaint against the electroplating units in SIDCO industrial estate at Ollur, Thrissur was received from the Edakkunni Poura Samithi on 16/07/2012;

WHEREAS enquiry was conducted from District Office, of Board at Thrissur on 23/07/2012 and 27/07/2012;

WHEREAS the unit was found to be operating without obtaining Consent to Operate from the Board;

WHEREAS the unit has not provided adequate pollution control measures;

WHEREAS the District Collector constituted a monitoring committee to look in to the matter.

WHEREAS based on the recommendation of the committee, the District collector directed vide order No.C3-600051/2012 dated 27/04/2013 to close down the operation of the unit;

WHEREAS the period from the date of observing the violation i.e the date of inspection (23/07/2012) until the date of closure by the order of District Collector (27/04/2013) was taken as the period of past violation;

WHEREAS the Joint Committee has assessed the Environmental Compensation as per the CPCB guidelines as mentioned below;

$$EC = PI * N * R * S * LF$$

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(being a small scale industry having only water pollution potential)

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Hence, EC =  $65 \times 278 \times 100 \times 0.5 \times 1 = \text{Rs. } 9,03,500/-$  (Nine Lakhs Three Thousand and five hundred rupees only)

WHEREAS the Chief Environmental Engineer, Regional Office, Ernakulam vide reference cited 1<sup>st</sup>, has forwarded the letter from Environmental Engineer, District Office, Thrissur, reporting the Environmental Compensation assessed by the Joint Committee, with a recommendation to levy the Environmental Compensation;

WHEREAS Hon'ble NGT vide order cited 2<sup>nd</sup> has directed Board to file the action taken report;

WHEREAS vide letter under reference 3 you were directed to show cause as to why the above Environmental Compensation shall not be levied on you;

WHEREAS you had submitted reply to show cause notice vide letter under reference (4) requesting to conduct a hearing;

WHEREAS a hearing was held on 17/08/2023 and it was decided in the hearing to recalculate the Environmental Compensation;

WHEREAS it was informed in the hearing that though stop memo was issued by the District Collector on 27/04/2013, the units had actually stopped operation on 06/02/2013 itself as per the stop memo issued by SIDCO;

WHEREAS the units had submitted the letter from SIDCO at District Office of the Board in proof of the above;

WHEREAS in light of the above, as per minutes cited (5), the period from 06/02/2013 to 27/04/2013 may be exempted while calculating the number of days of violation;

WHEREAS it was also decided in the hearing to waive the amount spent by the units towards water supply in the area through FSSAI registered tanker lorries, from the Environmental Compensation calculated;

WHEREAS the supporting documents in proof of the above were submitted by the units at the District Office of the Board at Thrissur;

WHEREAS Environmental Engineer, District Office, Thrissur has verified the documents, reassessed the Environmental Compensation and reported the same vide letter under reference (6);

WHEREAS Chief Environmental Engineer, Regional Office, Ernakulam has recommended to levy the above Environmental Compensation as calculated below;

$EC = PI * N * R * S * LF$  - cost incurred in water supply

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NOW THEREFORE in exercise of the powers vested under Section 5 of Environment (Protection) Act, 1986, you are hereby directed to remit the amount of Rs. 5,41,417/- (Five Lakhs forty one thousand four hundred and seventeen rupees only) as Environmental Compensation in accordance with the Orders of Hon'ble National Green Tribunal and "Methodology for Assessing

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CHAIRMAN

To

M/s. Golden View Plating  
Major Industrial Estate,  
Ollur P.O, Thrissur, PIN- 680306

Copy to:

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Regional Office, Ernakulam
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KSPCB/977/2023-EE-1

Date:28/11/2023

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WHEREAS M/s. Dot Engineering, Major Industrial Estate, Ollur, Thrissur, Kerala comes under the purview of the Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981, and Environment (Protection) Act, 1986 and is bound to comply the conditions thereunder;

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Sri. Kalaiarasan P, Environmental Engineer, Directorate of Environment and Climate change (DoECC), Govt. of Kerala, Thiruvananthapuram was constituted to ascertain the compliance status of the above electro plating units operating in Thrissur district;

WHEREAS as per the aforementioned order of Hon'ble NGT the committee was directed to ascertain the period of past violation and to calculate Environmental Compensation for the period;

WHEREAS a common complaint against the electroplating units in SIDCO industrial estate at Ollur, Thrissur was received from the Edakkunni Poura Samithi on 16/07/2012;

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Hence,  $EC = 65 * 278 * 100 * 0.5 * 1 = \text{Rs. } 9, 03, 500/-$  (Nine Lakhs Three Thousand and five hundred rupees only)

WHEREAS the Chief Environmental Engineer, Regional Office, Ernakulam vide reference cited 1<sup>st</sup>, has forwarded the letter from Environmental Engineer, District Office, Thrissur, reporting the Environmental Compensation assessed by the Joint Committee, with a recommendation to levy the Environmental Compensation;

WHEREAS Hon'ble NGT vide order cited 2<sup>nd</sup> has directed Board to file the action taken report;

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CHAIRMAN

To

M/s. Dot Engineering,  
Major Industrial Estate,  
Ollur P.O, Thrissur, PIN- 680306

Copy to:

- 1) The Chief Environmental Engineer,  
Regional Office, Ernakulam
- 2) The Environmental Engineer,  
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☎: General: 0471- 2312910, 2318153, 2318154, 2318155 Chairman: 2318150 Member Secretary: 2318151  
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KSPCB/977/2023-EE-1

Date: 28/11/2023

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7) Letter No. PCB/TSR/GEN/192/2022 dated 09/10/2023.  
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WHEREAS M/s. Bright Procured System 2, Major Industrial Estate, Ollur.P.O, Thrissur, Kerala comes under the purview of the Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981, and Environment (Protection) Act, 1986 and is bound to comply the conditions thereunder;

WHEREAS by the order of the Hon'ble NGT dated 20/02/2022 in OA. No. 20/2016 (SZ), against the pollution caused by certain electro plating industrial units, a joint committee, of Senior officer of CPCB, Member Secretary Kerala State Pollution Control Board and District Magistrate, Thrissur, was constituted to ascertain the compliance status of the above electro plating units operating in Thrissur district;

WHEREAS as per the order of Hon'ble NGT, the committee was directed to ascertain the period of past violation and to calculate Environmental Compensation for the period;

WHEREAS a common complaint against the electroplating units in SIDCO industrial estate at Ollur was received from the Edakkunni Poura Samithi on 16/07/2012;

WHEREAS enquiry was conducted from District Office, of Board at Thrissur on 23/07/2012 and 27/07/2012;

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WHEREAS based on the District Collector constituted a monitoring committee to look in to the matter.

WHEREAS based on the recommendation of the committee, the District collector directed vide order No.C3-600051/2012 dated 27/04/2013 to close down the operation of the unit;

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Hence, EC =  $65 \times 278 \times 100 \times 0.5 \times 1$  = Rs. 9, 03, 500/- (Nine Lakhs Three Thousand and five hundred rupees only)

WHEREAS during the visit of the committee on 17/06/2022 in your unit the waste water was found to be discharged outside without any treatment;

WHEREAS Effluent Treatment Plant was not in operation;

WHEREAS the unit is liable to pay compensation for violating the conditions of the Consent issued to you vide ref cited 2<sup>nd</sup> ;

WHEREAS the results of open well water sample from the unit shows pH of 4.3;

WHEREAS there are exceedances with respect to Copper, Manganese and Nickel above the limits prescribed in the drinking water standards IS 10500:2012;

WHEREAS during the inspection from Board's District Office at Thrissur on 29/12/2022, the Effluent Treatment Plant was found to be operational;

WHEREAS no discharge from the unit to the premises or outside was observed;

WHEREAS in addition to the Environmental Compensation (EC) amount calculated as above for the past, Environmental Compensation (EC) is also calculated for the period of violation from 17/06/2022 to 29/12/2022 as mentioned below;

$$EC = PI \times N \times R \times S \times LF,$$

where PI. Pollution index of industrial sector = 65

(being a small scale industry having only water pollution potential)

N=Number of days of violation = 195 days (from 17/06/2022 to 29/12/2022)

R. A factor in Rupees for EC = 100 (as the unit is a small scale red category unit)

S. Factor for scale of operation = 0.5 (being a small scale unit)

LF: Location factor = 1 (for population less than 1 million)

Hence, EC =  $65 * 195 * 100 * 0.5 * 1 = \text{Rs.} 6,33,750/-$  (Six Lakhs Thrity Three Thousand Seven Hundred and fifty rupees only)

Total amount of EC to be levied on M/s. Bright Procured System 2 is the sum of 9, 03, 500/- and 6,33,750/- which is Rs. 15, 37, 250/- (Fifteen Lakhs Thirty Seven Thousand Two hundred and fifty rupees only).

WHEREAS Chief Environmental Engineer, Regional Office, Ernakulam vide reference cited 1<sup>st</sup>, has forwarded the letter from Environmental Engineer, District Office, Thrissur, reporting the Environmental Compensation assessed by the Joint Committee, with a recommendation to levy the Environmental Compensation;

WHEREAS Hon'ble NGT vide order cited 3<sup>rd</sup> has directed Board to file the action taken report;

WHEREAS vide letter under reference 4 you were directed to show cause as to why the above Environmental Compensation shall not be levied on you;

WHEREAS you had submitted reply to show cause notice vide letter under reference (5) requesting to conduct a hearing;

WHEREAS a hearing was held on 17/08/2023 and it was decided in the hearing to recalculate the Environmental Compensation;

WHEREAS it was informed in the hearing that though stop memo was issued by the District Collector on 27/04/2013, the units had actually stopped operation on 06/02/2013 itself as per the stop memo issued by SIDCO;

WHEREAS the units had submitted the letter from SIDCO at District Office of the Board in proof of the above;

WHEREAS in light of the above, as per minutes cited (6), the period from 06/02/2013 to 27/04/2013 may be exempted while calculating the number of days of violation;

WHEREAS it was also decided in the hearing to waive the amount spent by the units towards water supply in the area through FSSAI registered tanker lorries, from the Environmental Compensation calculated;

WHEREAS the supporting documents in proof of the above were submitted by the units at the District Office of the Board at Thrissur;

WHEREAS Environmental Engineer, District Office, Thrissur has verified the documents, reassessed the Environmental Compensation for the past violation and reported the total Environmental Compensation, vide letter under reference (7);

WHEREAS Chief Environmental Engineer, Regional Office, Ernakulam has recommended to levy the above Environmental Compensation as calculated below;

$EC = PI * N * R * S * LF$  - cost incurred in water supply

where PI Pollution index of industrial sector = 65

(being a small scale industry having only water pollution potential)

N=Number of days of violation = 198 days (from 23/07/2012 to 06/02/2013)

R. A factor in Rupees for EC = 100 (as the unit is a small scale red category unit)

S. Factor for scale of operation = 0.5 (being a small scale unit)

LF: Location factor = 1 (for population less than 1 million)

Hence,  $EC = 65 * 198 * 100 * 0.5 * 1 - 1,02,083 = \text{Rs. } 5,41,417/-$  (Five Lakhs forty one thousand four hundred and seventeen rupees only)

Total amount of EC to be levied on M/s. Bright Procured System 2 is the sum of 5,41,417/- and 6,33,750/- which is Rs. 11, 75, 167/- (Eleven Lakhs Seventy Five Thousand One Hundred and Sixty Seven rupees only).

NOW THEREFORE in exercise of the powers vested under Section 5 of

Environment (Protection) Act, 1986, you are hereby directed to remit the amount of Rs. 11, 75, 167/- (Eleven Lakhs Seventy Five Thousand One Hundred and Sixty Seven rupees only) as Environmental Compensation in accordance with the Orders of Hon'ble National Green Tribunal and "Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund" developed by the CPCB, subject to final clarifications from CPCB. The amount shall be remitted to Board's Environmental Protection Fund (Account No. 67366954329 at SBI, Pattom LIC Junction Branch (IFSC SBIN 0070212))



**CHAIRMAN**

To

M/s. Bright procured System 2  
Major Industrial Estate,  
Ollur .P.O., Thrissur, PIN - 680306

Copy to:

- 1) The Chief Environmental Engineer,  
Regional Office, Ernakulam
- 2) The Environmental Engineer,  
District Office, Thrissur
3. Senior Environmental Engineer-1  
Legal Section, Head Office.

☎: General: 0471- 2312910, 2318153, 2318154, 2318155 Chairman: 2318150 Member Secretary: 2318151  
e-mail: [chn.kspcb@gov.in](mailto:chn.kspcb@gov.in); [ms.kspcb@gov.in](mailto:ms.kspcb@gov.in) FAX: 2318152 web: [kspcb.kerala.gov.in](http://kspcb.kerala.gov.in)



**KERALA STATE POLLUTION CONTROL BOARD**  
കേരളസംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004

പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004



KSPCB/977/2023-EE-1

Date:28/11/2023

**DIRECTION UNDER ENVIRONMENT (PROTECTION) ACT, 1986**

Sub: Levying of Environmental Compensation in connection with O.A No.  
20/2016- reg.

Ref: 1) Letter no. PCB/RO-EKM/GEN-333/22/ dated 23/03/2023.

2) Order of the Hon'ble NGT dated 07/03/2023.

3) Show Cause Notice PCB/HO/EE1/GEN/EC/2023/(1) dated 04/04/2023.

4) Reply to Show Cause Notice dated 12/05/2023.

5) Minutes of hearing held in connection with O.A No. 20/2016 on  
17/08/2023

6. Letter No. PCB/TSR/GEN/192/2022 dated 09/10/2023.

7. Email from Chief Environmental Engineer, Regional Office, Ernakulam  
received on 11/10/2023.

WHEREAS M/s. Bee Pee Gold Covering, Major Industrial Estate, Ollur, Thrissur, Kerala comes under the purview of the Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981, and Environment (Protection) Act, 1986 and is bound to comply the conditions thereunder;

WHEREAS by the order of the Hon'ble NGT dated 20/02/2022 in OA. No. 20/2016 (SZ), against the pollution caused by certain electroplating industrial units, a joint committee comprising of Sri. Reji Joseph, Additional District Magistrate, Thrissur, Dr. Deepesh V, Scientist C, Central Pollution Control Board,

Regional Directorate, Bangaluru, Sri. Baburajan P.K, Chief Environmental Engineer, Kerala State Pollution Control Board, Regional Office, Ernakulam and Sri. Kalaiarasan P, Environmental Engineer, Directorate of Environment and Climate change (DoECC), Govt. of Kerala, Thiruvananthapuram was constituted to ascertain the compliance status of the above electro plating units operating in Thrissur district;

WHEREAS as per the aforementioned order of Hon'ble NGT the committee was directed to ascertain the period of past violation and to calculate Environmental Compensation for the period;

WHEREAS a common complaint against the electroplating units in SIDCO industrial estate at Ollur, Thrissur was received from the Edakkunni Poura Samithi on 16/07/2012;

WHEREAS enquiry was conducted from District Office, of Board at Thrissur on 23/07/2012 and 27/07/2012;

WHEREAS the unit was found to be operating without obtaining Consent to Operate from the Board;

WHEREAS the unit has not provided adequate pollution control measures;

WHEREAS the District Collector constituted a monitoring committee to look in to the matter.

WHEREAS based on the recommendation of the committee, the District collector directed vide order No.C3-600051/2012 dated 27/04/2013 to close down the operation of the unit;

WHEREAS the period from the date of observing the violation i.e the date of inspection (23/07/2012) until the date of closure by the order of District Collector (27/04/2013) was taken as the period of past violation;

WHEREAS the Joint Committee has assessed the Environmental Compensation as per the CPCB guidelines as mentioned below;

$$EC = PI * N * R * S * LF$$

where PI Pollution index of industrial sector = 65

(being a small scale industry having only water pollution potential)

N=Number of days of violation = 278 days (from 23/07/2012 to 27/04/2013)

R. A factor in Rupees for EC = 100 (as the unit is a small scale red category unit)

S. Factor for scale of operation = 0.5 (being a small scale unit)

LF: Location factor = 1 (for population less than 1 million)

Hence, EC =  $65 * 278 * 100 * 0.5 * 1 = \text{Rs. } 9, 03, 500/-$  (Nine Lakhs Three Thousand and five hundred rupees only)

WHEREAS the Chief Environmental Engineer, Regional Office, Ernakulam vide reference cited 1<sup>st</sup>, has forwarded the letter from Environmental Engineer, District Office, Thrissur, reporting the Environmental Compensation assessed by the Joint Committee, with a recommendation to levy the Environmental Compensation;

WHEREAS Hon'ble NGT vide order cited 2<sup>nd</sup> has directed Board to file the action taken report;

WHEREAS vide letter under reference 3 you were directed to show cause as to why the above Environmental Compensation shall not be levied on you;

WHEREAS you had submitted reply to show cause notice vide letter under reference (4) requesting to conduct a hearing;

WHEREAS a hearing was held on 17/08/2023 and it was decided in the hearing to recalculate the Environmental Compensation;

WHEREAS it was informed in the hearing that though stop memo was issued by the District Collector on 27/04/2013, the units had actually stopped operation on 06/02/2013 itself as per the stop memo issued by SIDCO;

WHEREAS the units had submitted the letter from SIDCO at District Office of the Board in proof of the above;

WHEREAS in light of the above, as per minutes cited (5), the period from 06/02/2013 to 27/04/2013 may be exempted while calculating the number of days of violation;

WHEREAS it was also decided in the hearing to waive the amount spent by the units towards water supply in the area through FSSAI registered tanker lorries, from the Environmental Compensation calculated;

WHEREAS the supporting documents in proof of the above were submitted by the units at the District Office of the Board at Thrissur;

WHEREAS Environmental Engineer, District Office, Thrissur has verified the documents, reassessed the Environmental Compensation and reported the same vide letter under reference (6);

WHEREAS Chief Environmental Engineer, Regional Office, Ernakulam has recommended to levy the above Environmental Compensation as calculated below;

$EC = PI * N * R * S * LF$  - cost incurred in water supply

where PI Pollution index of industrial sector = 65

(being a small scale industry having only water pollution potential)

N=Number of days of violation = 198 days (from 23/07/2012 to 06/02/2013)

R. A factor in Rupees for EC = 100 (as the unit is a small scale red category unit)

S. Factor for scale of operation = 0.5 (being a small scale unit)

LF: Location factor = 1 (for population less than 1 million)

Hence,  $EC = 65 * 198 * 100 * 0.5 * 1 = 1,02,083$  = Rs. 5,41,417/- (Five Lakhs forty one thousand four hundred and seventeen rupees only)

NOW THEREFORE in exercise of the powers vested under Section 5 of Environment (Protection) Act, 1986, you are hereby directed to remit the amount

of Rs. 5,41,417/- (Five Lakhs forty one thousand four hundred and seventeen rupees only) as Environmental Compensation in accordance with the Orders of Hon'ble National Green Tribunal and "Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund" developed by the CPCB. The amount shall be remitted to Board's Environmental Protection Fund (Account No.67366954329 at SBI, Pattom LIC Junction Branch (IFSC SBIN 0070212)



**CHAIRMAN**

To

M/s. Bee Pee Gold Covering  
Major Industrial Estate,  
Ollur P.O, Thrissur, PIN- 680306

Copy to:

- 1) The Chief Environmental Engineer,  
Regional Office, Ernakulam
- 2) The Environmental Engineer,  
District Office, Thrissur
- 3) Senior Environmental Engineer 1, Legal section, Head Office