

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

Application no.20 of 2016 (SZ)

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

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

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Dated this the 11th day of July, 2023



**M/s.REMA SMRITHI VK
Standing counsel for KSPCB**

Respondent 4

**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 4th RESPONDENT**

1. The Hon'ble NGT vide order dated 20.04.2022 has constituted a four member joint committee to ascertain the compliance status of units in SIDCO Industrial estate of Ollur, Thrissur . It was also directed in the order to assess compensation for such period of past violations and to recover it on polluter pays principle based on estimated cost of remediation and also taking in to account the deterrent factor, referable to the financial capacity of each of the units.
2. The joint committee conducted inspection on 16th and 17th of June 2022 to all the 13 respondent units and a detailed report was filed before the Hon'ble NGT. As it was directed to assess the environmental compensation for past violation also, the committee had assessed and reported the environmental compensation for 12 units as furnished in the table below.

Sl.No	Name of industry	Environmental compensation Amount (Rupees)
1	Bee Pee Gold Imitations	Rs.9,03,500/-
2	Indu Ornaments	Rs.9,03,500/-
3	Aiswarya Gold covering (formerly Mini Job Works)	Rs.9,03,500/-
4	Renu Gold Covering	Rs.9,03,500/-
5	Dot Engineers	Rs.9,03,500/-
6	Rajeshkumar Electroplating	Rs.9,03,500/-
7	Golden View Plating	Rs.9,03,500/-
8	Two Star Designs Gold Covering	Rs.9,03,500/-
9	Pee Gee Gold Covering	Rs.9,03,500/-
10	Honest Electrocolouring	Rs.9,03,500/-
11	Three star Electroplating	Rs.9,03,500/-
12	Bright Precured System II	Rs. 15,37,250/-

3. Based on recommendation of the joint committee, the Chairman of the Board issued notices to all the 12 units on 04.04.2023 directing them to show cause reasons, if any for not remitting the said amount towards environmental compensation. Copies of the notices are attached as **Annexure 1**. The 12 units submitted their reply requesting a time period of 15 days to submit a detailed comprehensive reply as it requires verification of old documents since the compensation was levied for past violations. Detailed replies were submitted by all the 12 units requesting for hearing. Copies of the replies are attached as **Annexure 2**. Meanwhile the Chairman of the Board had been relieved of his duties on completion of his term on 30.06.2023. New Chairman has not been posted yet. Necessary action will be taken once the new Chairman assumes office.
4. It is submitted that inspection was conducted on 19.06.2023 and it was observed that the units are complying with the consent conditions. All the 13 respondent units are having valid Consent of the Board.

5. It is humbly submitted that further actions in this regard will be taken as soon as the new Chairman assumes office.

Dated this the 11th day of July, 2023

FOURTH RESPONDENT



☎: General: 0471- 2312910, 2318153, 2318154, 2318155 Chairman: 2318150 Member Secretary: 2318151
E-mail: ms.kspcb@gov.in FAX: 0471 – 2318134, 2318152 web: www.kspcb.kerala.gov.in

KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

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

PCB/HO/EE1/GEN/EC/2023/(11)

Date:04 /04/2023

SHOW CAUSE NOTICE

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.

WHEREAS M/s.Three star electroplating, 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 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;

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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)

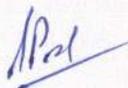
Hence, $EC = 65 * 278 * 100 * 0.5 * 1 = \text{Rs. } 9, 03, 500/-$ (Nine Lakhs Three Thousand and five hundred rupees only)

WHEREAS the Chief Environmental Engineer, Regional Office, Ernakulam vide reference cited 1st, 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 2nd has directed Board to file the action taken report;

NOW THEREFORE in exercise of the powers vested under Section 5 of Environment (Protection) Act, 1986, the unit is hereby directed to show cause, if any, **within 15 days of receipt** of this notice as to why the unit shall not be directed to remit an Environmental Compensation of Rs.9,03,500/- (Rupees Nine Lakhs Three Thousand and Five Hundred rupees only).

**For and on behalf of the
KERALA STATE POLLUTION CONTROL BOARD**



CHAIRMAN

To

M/s.Three star electroplating,
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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Pattom P.O., Thiruvananthapuram – 695 004

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PCB/HO/EE1/GEN/EC/2023/(4)

Date: 04 /04/2023

SHOW CAUSE NOTICE

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.

WHEREAS M/s. Indu Ornaments, 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 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;

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12/04/2023

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)

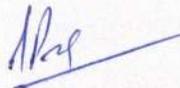
Hence, $EC = 65 * 278 * 100 * 0.5 * 1 = \text{Rs. } 9, 03, 500/-$ (Nine Lakhs Three Thousand and five hundred rupees only)

WHEREAS the Chief Environmental Engineer, Regional Office, Ernakulam vide reference cited 1st, 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 2nd has directed Board to file the action taken report;

NOW THEREFORE in exercise of the powers vested under Section 5 of Environment (Protection) Act, 1986, the unit is hereby directed to show cause, if any, **within 15 days of receipt** of this notice as to why the unit shall not be directed to remit an Environmental Compensation of Rs.9,03,500/- (Rupees Nine Lakhs Three Thousand and Five Hundred rupees only).

**For and on behalf of the
KERALA STATE POLLUTION CONTROL BOARD**


CHAIRMAN

To

M/s. Indu Ornaments,
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



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

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PCB/HO/EE1/GEN/EC/2023/(5)

Date: 04 /04/2023

SHOW CAUSE NOTICE

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.

WHEREAS M/s. Aiswarya Gold Covering (old name Minin Job Works) 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 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;

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12/04/2023.

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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;

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;

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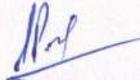
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KERALA STATE POLLUTION CONTROL BOARD**



CHAIRMAN

To

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(old name Minin Job Works)
Major Industrial Estate,
Ollur P.O, Thrissur , PIN - 680306

Copy to:

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PCB/HO/EE1/GEN/EC/2023/(2)

Date: 04 /04/2023

SHOW CAUSE NOTICE

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.

WHEREAS M/s. Dot Engineering, 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;

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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;

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12/4

8365
12/04/2023

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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;

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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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**For and on behalf of the
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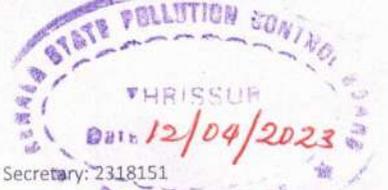
CHAIRMAN

To

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

Copy to:

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KERALA STATE POLLUTION CONTROL BOARD

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PCB/HO/EE1/GEN/EC/2023/(1)

Date: 04 /04/2023

SHOW CAUSE NOTICE

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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;

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12/04/2023

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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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**For and on behalf of the
KERALA STATE POLLUTION CONTROL BOARD**



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



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E-mail: ms.kspcb@gov.in FAX: 0471 – 2318134, 2318152 web: www.kspcb.kerala.gov.in



KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004

പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004

PCB/HO/EE1/GEN/EC/2023/(3)

Date: 04 /04/2023

SHOW CAUSE NOTICE

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.

WHEREAS M/s. Pee Gee Gold Covering, 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 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;

8367
2/04/2023

AG₂

Q
12/4

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)

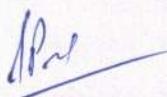
Hence, $EC = 65 * 278 * 100 * 0.5 * 1 = \text{Rs. } 9, 03, 500/-$ (Nine Lakhs Three Thousand and five hundred rupees only)

WHEREAS the Chief Environmental Engineer, Regional Office, Ernakulam vide reference cited 1st, 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 2nd has directed Board to file the action taken report;

NOW THEREFORE in exercise of the powers vested under Section 5 of Environment (Protection) Act, 1986, the unit is hereby directed to show cause, if any, **within 15 days of receipt** of this notice as to why the unit shall not be directed to remit an Environmental Compensation of Rs.9,03,500/- (Rupees Nine Lakhs Three Thousand and Five Hundred rupees only).

**For and on behalf of the
KERALA STATE POLLUTION CONTROL BOARD**


CHAIRMAN

To

M/s. Pee Gee 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



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

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KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004

പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004

PCB/HO/EE1/GEN/EC/2023/(6)

Date:04 /04/2023

SHOW CAUSE NOTICE

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.

WHEREAS M/s.Bee pee Gold Imitations, 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 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;

AE2

12/4

8368
12/04/2023

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 1st, 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 2nd has directed Board to file the action taken report;

NOW THEREFORE in exercise of the powers vested under Section 5 of Environment (Protection) Act, 1986, the unit is hereby directed to show cause, if any, **within 15 days of receipt** of this notice as to why the unit shall not be directed to remit an Environmental Compensation of Rs.9,03,500/- (Rupees Nine Lakhs Three Thousand and Five Hundred rupees only).

**For and on behalf of the
KERALA STATE POLLUTION CONTROL BOARD**


CHAIRMAN

To

M/s.Bee pee Gold Imitations,
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



☎: General: 0471- 2312910, 2318153, 2318154, 2318155 Chairman: 2318150 Member Secretary: 2318151
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KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004

പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004

PCB/HO/EE1/GEN/EC/2023/(7)

Date: 04 /04/2023

SHOW CAUSE NOTICE

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.

WHEREAS M/s.Rajesh kumar electroplating, 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 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;

AE2

12/4

8369
12/04/2023

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 1st, 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 2nd has directed Board to file the action taken report;

NOW THEREFORE in exercise of the powers vested under Section 5 of Environment (Protection) Act, 1986, the unit is hereby directed to show cause, if any, **within 15 days of receipt** of this notice as to why the unit shall not be directed to remit an Environmental Compensation of Rs.9,03,500/- (Rupees Nine Lakhs Three Thousand and Five Hundred rupees only).

**For and on behalf of the
KERALA STATE POLLUTION CONTROL BOARD**


CHAIRMAN

To

M/s.Rajeshkumar electroplating,
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



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

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KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004

പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004

PCB/HO/EE1/GEN/EC/2023/(8)

Date:04 /04/2023

SHOW CAUSE NOTICE

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.

WHEREAS M/s.Golden View plating, 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 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;

8370
12/04/2023

AE2

Q
12/4

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)

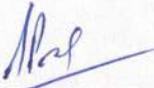
Hence, $EC = 65 * 278 * 100 * 0.5 * 1 = \text{Rs. } 9, 03, 500/-$ (Nine Lakhs Three Thousand and five hundred rupees only)

WHEREAS the Chief Environmental Engineer, Regional Office, Ernakulam vide reference cited 1st, 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 2nd has directed Board to file the action taken report;

NOW THEREFORE in exercise of the powers vested under Section 5 of Environment (Protection) Act, 1986, the unit is hereby directed to show cause, if any, **within 15 days of receipt** of this notice as to why the unit shall not be directed to remit an Environmental Compensation of Rs.9,03,500/- (Rupees Nine Lakhs Three Thousand and Five Hundred rupees only).

**For and on behalf of the
KERALA STATE POLLUTION CONTROL BOARD**


CHAIRMAN

To

M/s.Golden View plating,
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



☎: General: 0471- 2312910, 2318153, 2318154, 2318155 Chairman: 2318150 Member Secretary: 2318151
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KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004

പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004

PCB/HO/EE1/GEN/EC/2023/(9)

Date:04 /04/2023

SHOW CAUSE NOTICE

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.

WHEREAS M/s.Two star Design Gold Covering, 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 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;

8371
12/04/2023

AG2

Q
12/4

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)

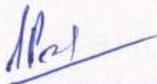
Hence, $EC = 65 * 278 * 100 * 0.5 * 1 = \text{Rs. } 9, 03, 500/-$ (Nine Lakhs Three Thousand and five hundred rupees only)

WHEREAS the Chief Environmental Engineer, Regional Office, Ernakulam vide reference cited 1st, 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 2nd has directed Board to file the action taken report;

NOW THEREFORE in exercise of the powers vested under Section 5 of Environment (Protection) Act, 1986, the unit is hereby directed to show cause, if any, **within 15 days of receipt** of this notice as to why the unit shall not be directed to remit an Environmental Compensation of Rs.9,03,500/- (Rupees Nine Lakhs Three Thousand and Five Hundred rupees only).

**For and on behalf of the
KERALA STATE POLLUTION CONTROL BOARD**


CHAIRMAN

To

M/s. Two star Design 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



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

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Pattom P.O., Thiruvananthapuram – 695 004

പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004

PCB/HO/EE1/GEN/EC/2023/(10)

Date: 04 /04/2023

SHOW CAUSE NOTICE

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.

WHEREAS M/s.Renu Gold Covering, 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 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;

AE₂

12/4

8379
12/04/2023

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 1st, 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 2nd has directed Board to file the action taken report;

NOW THEREFORE in exercise of the powers vested under Section 5 of Environment (Protection) Act, 1986, the unit is hereby directed to show cause, if any, **within 15 days of receipt** of this notice as to why the unit shall not be directed to remit an Environmental Compensation of Rs.9,03,500/- (Rupees Nine Lakhs Three Thousand and Five Hundred rupees only).

**For and on behalf of the
KERALA STATE POLLUTION CONTROL BOARD**


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



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

E-mail: ms.kspcb@gov.in FAX: 0471 – 2318134, 2318152 web: www.kspcb.kerala.gov.in



KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004

പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004

PCB/HO/EE1/GEN/EC/2023/(12)

Date:04 /04/2023

SHOW CAUSE NOTICE

- Ref: 1) Letter no. PCB/RO-EKM/GEN-333/22 dated 23/03/2023.
 2) Consent No. PCB/DO/TSR/R2/ICO/2871/2018 dated
 3) Order of the Hon'ble NGT dated 07/03/2023 in OA No. 20/2016.

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 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 environment 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;

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WHEREAS an 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 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;

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 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 2nd ;

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 present, Environmental Compensation (EC) is also calculated for the past period of violation from 17/06/2022 to 29/12/2022 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 = 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).



DATE : 12.05.2023

To

- 1) The Chairman,
KERALA STATE POLLUTION CONTROL BOARD,
Pattom P.O,
Thiruvananthapuram - 695 004.
- 2) The Chief Environmental Engineer,
KERALA STATE POLLUTION CONTROL BOARD
Regional Office,
Ernakulam.
- 3) The Chief Environmental Engineer,
KERALA STATE POLLUTION CONTROL BOARD
District Office,
Thrissur.

Sir/Madam,

Sub : Reply to show cause notice - Reg.

- Ref : 1) SCN bearing no.
PCB/HO/EE1/GEN/EC/2023/(11) dated
04.04.2023
- 2) Preliminary Reply issued by the unit dated
27.04.2023

We are in receipt of your show cause notice dated 04.04.2023 bearing no. PCB/HO/EE1/GEN/EC/2023/(11) and wish to reply to you as follows :

1. That we have perused the contents of the show cause notice and contentions raised thereunder.
2. That with respect to the violations alleged for the period from 23.07.2012 and 27.07.2013 and environmental compensation assessed for the said violation mentioned in the notice, we had issued a reply dated 27.04.2023 requesting 15 days time to complete

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our process of collecting the necessary documents to show cause as to why action should not be taken against our unit.

3. Pursuant to our earlier reply, we are hereby issuing this present detailed reply to the show cause notice dated 04.04.2023 as follows.
4. At the outset, we hereby deny all the allegations and averments made in the Show cause notice except those that are specifically admitted hereunder. The averments/statements made herein are without prejudice to each other.
5. We wish to state that we are an Electro-Plating unit and a micro scale enterprise covered under the Micro, Small And Medium Enterprises Development Act, 2006 (MSMED, Act 2006) and established in the year 2008. We state that we have obtained all the requisite approvals, licenses and permissions to operate the unit, from the statutory authorities without any default till date.
6. We state that the unit is the sole means of livelihood for our families. We are law abiding citizens with a bonafide intention of running our business in compliance with all applicable legal and regulatory requirements. We are aware of our responsibilities towards maintaining a pollution free environment.
7. We wish to state that pursuant to a complaint dated 16.07.2012, regarding pollution of water in the wells in the Ollur industrial estate, an enquiry was conducted in the units, by the District Collector on 23.07.2012. The District Magistrate constituted a subcommittee on 26.04.2013 consisting of a Councillor, Thrissur Corporation, Environmental Engineer, KSPCB, Technical Assistant, Office of DMO, Junior Health Inspector, Thrissur Corporation, two representatives from Poura Samithi and two representatives of Industrial Association

and the subcommittee found that all the industries had provided a tank for storage of treated water and permanent facility for the reuse of treated effluent and hence recommended to revoke closure order pertaining to the units.

8. That subsequently, the District Magistrate vide orders dated 03.05.2013 and 30.07.2013, permitted the industrial units to operate subject to conditions. That the said orders were challenged before the Hon'ble High Court and the Court inter alia held that the industries shall be allowed to function on a trial basis and that the District Magistrate shall evaluate the situation before final disposal of the matter.
9. That pursuant to which, the District Magistrate, vide orders dated 06.03.2014 and 05.06.2014, allowed the functioning of the industrial units including our unit, on satisfaction that the units were compliant with the pollution control measures. Thus from the above narrated facts it is clear that this unit as well as other units were allowed to function only after a detailed monitoring to ensure that the units have put in place necessary measures to prevent any pollution and that the units are not indulging in any polluting activity.
10. We wish to state that in such backdrop, an Application was filed before the Hon'ble NGT in OA No. 20 of 2016, alleging that toxic effluents are discharged by the unit into the waterbodies. That on 20.02.2022, after several hearings and inconclusive reports with respect to the veracity of the allegation, the Full Bench of the Hon'ble NGT, had passed a final order, inter alia holding as follows :

"7. Accordingly, we constitute a Joint Committee of Senior Officer of CPCB, Member Secretary, State PCB, Director

*Environment, State of Kerala and District Magistrate, Thrissur to ascertain the compliance status in respect of each of the units within three months and take action to close the polluting units, as per law. If the units are found compliance, the Committee may ascertain the period of past violations, **atleast from the date of filing of this application till compliance...**"*

11. That pursuant to which, the Joint Committee constituted for this purpose submitted its report dated 08.02.2023, in which with respect to the allegation of toxic effluents being discharged by the unit, it has observed as follows :

"Though there are possibilities of spillage pilferage in many respondent industries, with this assessment it is not possible to link the presence of heavy metals in well water with the unauthorised discharge from the respondent units. Moreover, metals like iron, manganese and zinc are detected in a few wells which could be from geogenic sources. Ollur is also known for its traditional clay bricks/tile industries due to the abundant clay soil in the low lying fields and the clay soil is rich in manganese ,zinc and Acidic.

...

6.0 Finding and suggestions of the Joint Committee

IV. From the assessment carried out, nickel and copper contamination in two of the open wells cannot be linked to the respondent SSI units as there are many other small units processing metals and alloys. There are several service centers and other commercial units in the vicinity."

12. That in view of the above findings, it is clear that the violations as alleged in the said application regarding the discharge of effluents,

could not be linked to the unit as observed by the Joint Committee Report.

13. However, the Joint Committee, in its report and in the show cause notice under reference, has grossly failed to appreciate the fact that there is cogent evidence to show that the unit has caused harm to the environment. The Joint Committee also should have taken cognizance of the fact that unit is an electroplating unit and as such is not carrying out any inherently dangerous industry which poses a potential threat to environment or people in the surrounding areas. Further, it is arbitrary to impose the cost of restoration/compensation on the unit in the absence of cogent evidence that the unit has caused damage to the environment. Without prejudice to the above, the amount of compensation fixed is in total disregard to the size of operations & turnover of the unit and hence is grossly disproportionate. The Joint Committee also failed to consider the fact that the unit has contributed to providing of water to the surrounding areas as consented before the Hon'ble High Court of Kerala solely as a matter of goodwill. The Joint Committee, in its anxiousness to comply with the directions of the Hon'ble Tribunal has misconstrued the directions of the Hon'ble Tribunal and arbitrarily issued the show cause notice.
14. We wish to state that the present show cause notice issued pursuant to the alleged compensation assessed in the above said report of the Joint Committee, is opposed and denied, since the Joint committee has acted mechanically & arbitrarily beyond the powers vested in it by the Hon'ble tribunal and has acted contrary to the directions issued. The Joint Committee ought to have considered the facts and circumstances of the subject matter while acting in furtherance of the directions of the Hon'ble Tribunal. We wish to state that, even as per the report of the Joint Committee, the allegations of discharge cannot

be linked to the unit and there is no assessment of environment degradation caused by the unit per se and hence, no environmental compensation could be envisaged.

15. We wish to further state that the show cause notice, apart from being arbitrarily issued in complete violation to the directions of the Hon'ble Tribunal, is wholly devoid of any specific allegation or averment, as to what is the exact violation or damage caused by the unit or on what exact basis the environmental compensation has been assessed by the Joint Committee and as such, in the absence of the same, the show cause notice and the Environmental compensation assessed and imposed, lack any merit and is invalid.
16. We wish to state that the show cause notice imposing compensation, has been passed devoid of any powers or sanction accorded to the Board, under any of the Statutes or laws in force and as such, the entirety of the proceedings is ultra vires, arbitrary and illegal and hence the Appellant is aggrieved by the impugned order and challenging the same on the grounds mentioned hereunder. Assessment of compensation in the absence of a finding that the unit has caused environmental degradation is not sustainable.
17. We wish to state that the unit has installed adequate safety measures in the unit and is compliant with all the requisite pollution control measures and has not caused any pollution or environmental damage till date. It is also stated that, in any event, the amount of compensation claimed is arbitrary, disproportional and in negation of various directions issued by the Hon'ble Supreme Court in this regard.

In view of the above, we hereby kindly request you to recall the show cause notice dated 04.04.2023, on considering the above reply and do the needful in this regard. It is further requested to provide us

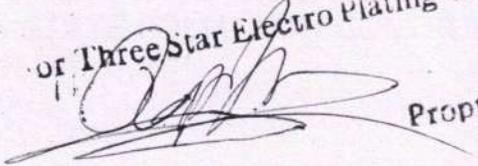
with an opportunity for personal hearing and to produce additional documents, in the event of this reply not found satisfactory.

Thanking you.

Yours sincerely

For M/s Three Star Electro Plating Works

Rafy I.J

of Three Star Electro Plating Works

Proprietor

DATE : 12.05.2023

To

- 1) The Chairman,
KERALA STATE POLLUTION CONTROL BOARD,
Pattom P.O,
Thiruvananthapuram - 695 004.
- 2) The Chief Environmental Engineer,
KERALA STATE POLLUTION CONTROL BOARD
Regional Office,
Ernakulam.
- 3) The Chief Environmental Engineer,
KERALA STATE POLLUTION CONTROL BOARD
District Office,
Thrissur.

Sir/Madam,

Sub : Reply to show cause notice - Reg.

- Ref : 1) SCN bearing no.
PCB/HO/EE1/GEN/EC/2023/(4) dated
04.04.2023
- 2) Preliminary Reply issued by the unit dated
27.04.2023

AE2
We are in receipt of your show cause notice dated 04.04.2023 bearing no.
PCB/HO/EE1/GEN/EC/2023/(4) and wish to reply to you as follows :

1. That we have perused the contents of the show cause notice and contentions raised thereunder.
2. That with respect to the violations alleged for the period from 23.07.2012 and 27.07.2013 and environmental compensation assessed for the said violation mentioned in the notice, we had issued a reply dated 27.04.2023 requesting 15 days time to complete

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our process of collecting the necessary documents to show cause as to why action should not be taken against our unit.

3. Pursuant to our earlier reply, we are hereby issuing this present detailed reply to the show cause notice dated 04.04.2023 as follows.
4. At the outset, we hereby deny all the allegations and averments made in the Show cause notice except those that are specifically admitted hereunder. The averments/statements made herein are without prejudice to each other.
5. We wish to state that we are an Electro-Plating unit and a micro scale enterprise covered under the Micro, Small And Medium Enterprises Development Act, 2006 (MSMED, Act 2006) and established in the year 2012. We state that we have obtained all the requisite approvals, licenses and permissions to operate the unit, from the statutory authorities without any default till date.
6. We state that the unit is the sole means of livelihood for our families. We are law abiding citizens with a bonafide intention of running our business in compliance with all applicable legal and regulatory requirements. We are aware of our responsibilities towards maintaining a pollution free environment.
7. We wish to state that pursuant to a complaint dated 16.07.2012, regarding pollution of water in the wells in the Ollur industrial estate, an enquiry was conducted in the units, by the District Collector on 23.07.2012. The District Magistrate constituted a subcommittee on 26.04.2013 consisting of a Councillor, Thrissur Corporation, Environmental Engineer, KSPCB, Technical Assistant, Office of DMO, Junior Health Inspector, Thrissur Corporation, two representatives from Poura Samithi and two representatives of Industrial Association

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8. That subsequently, the District Magistrate vide orders dated 03.05.2013 and 30.07.2013, permitted the industrial units to operate subject to conditions. That the said orders were challenged before the Hon'ble High Court and the Court inter alia held that the industries shall be allowed to function on a trial basis and that the District Magistrate shall evaluate the situation before final disposal of the matter.
9. That pursuant to which, the District Magistrate, vide orders dated 06.03.2014 and 05.06.2014, allowed the functioning of the industrial units including our unit, on satisfaction that the units were compliant with the pollution control measures. Thus from the above narrated facts it is clear that this unit as well as other units were allowed to function only after a detailed monitoring to ensure that the units have put in place necessary measures to prevent any pollution and that the units are not indulging in any polluting activity.
10. We wish to state that in such backdrop, an Application was filed before the Hon'ble NGT in OA No. 20 of 2016, alleging that toxic effluents are discharged by the unit into the waterbodies. That on 20.02.2022, after several hearings and inconclusive reports with respect to the veracity of the allegation, the Full Bench of the Hon'ble NGT, had passed a final order, inter alia holding as follows :

"7. Accordingly, we constitute a Joint Committee of Senior Officer of CPCB, Member Secretary, State PCB, Director

*Environment, State of Kerala and District Magistrate, Thrissur to ascertain the compliance status in respect of each of the units within three months and take action to close the polluting units, as per law. If the units are found compliance, the Committee may ascertain the period of past violations, **atleast from the date of filing of this application till compliance...**"*

11. That pursuant to which, the Joint Committee constituted for this purpose submitted its report dated 08.02.2023, in which with respect to the allegation of toxic effluents being discharged by the unit, it has observed as follows :

"Though there are possibilities of spillage pilferage in many respondent industries, with this assessment it is not possible to link the presence of heavy metals in well water with the unauthorised discharge from the respondent units. Moreover, metals like iron, manganese and zinc are detected in a few wells which could be from geogenic sources. Ollur is also known for its traditional clay bricks/tile industries due to the abundant clay soil in the low lying fields and the clay soil is rich in manganese ,zinc and Acidic.

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6.0 Finding and suggestions of the Joint Committee

IV. From the assessment carried out, nickel and copper contamination in two of the open wells cannot be linked to the respondent SSI units as there are many other small units processing metals and alloys. There are several service centers and other commercial units in the vicinity."

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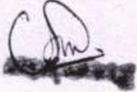
with an opportunity for personal hearing and to produce additional documents, in the event of this reply not found satisfactory.

Thanking you.

Yours sincerely

For M/s Indu Ornaments

Usha Sasi



INDU ORNAMENTS

DATE : 12.05.2023

To

18/5/22

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Pattom P.O,
Thiruvananthapuram - 695 004.
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KERALA STATE POLLUTION CONTROL BOARD
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be linked to the unit and there is no assessment of environment degradation caused by the unit per se and hence, no environmental compensation could be envisaged.

15. We wish to further state that the show cause notice, apart from being arbitrarily issued in complete violation to the directions of the Hon'ble Tribunal, is wholly devoid of any specific allegation or averment, as to what is the exact violation or damage caused by the unit or on what exact basis the environmental compensation has been assessed by the Joint Committee and as such, in the absence of the same, the show cause notice and the Environmental compensation assessed and imposed, lack any merit and is invalid.
16. We wish to state that the show cause notice imposing compensation, has been passed devoid of any powers or sanction accorded to the Board, under any of the Statutes or laws in force and as such, the entirety of the proceedings is ultra vires, arbitrary and illegal and hence the Appellant is aggrieved by the impugned order and challenging the same on the grounds mentioned hereunder. Assessment of compensation in the absence of a finding that the unit has caused environmental degradation is not sustainable.
17. We wish to state that the unit has installed adequate safety measures in the unit and is compliant with all the requisite pollution control measures and has not caused any pollution or environmental damage till date. It is also stated that, in any event, the amount of compensation claimed is arbitrary, disproportional and in negation of various directions issued by the Hon'ble Supreme Court in this regard.

In view of the above, we hereby kindly request you to recall the show cause notice dated 04.04.2023, on considering the above reply and do the needful in this regard. It is further requested to provide us

with an opportunity for personal hearing and to produce additional documents, in the event of this reply not found satisfactory.

Thanking you.

Yours sincerely

For M/s Aiswarya Gold Covering(old name Mini Job Works)

Santhosh A.T



AYSWARYA GOLD COVERING

Major Industrial Estate, Ollur, Thrissur - 680 306

Mob : 9747276733, 8606776733

Email : ayswaryagoldcovering@gmail.com



DATE : 12.05.2023

To

- 1) The Chairman,
KERALA STATE POLLUTION CONTROL BOARD,
Pattom P.O,
Thiruvananthapuram - 695 004.
- 2) The Chief Environmental Engineer,
KERALA STATE POLLUTION CONTROL BOARD
Regional Office,
Ernakulam.
- 3) The Chief Environmental Engineer,
KERALA STATE POLLUTION CONTROL BOARD
District Office,
Thrissur.

Sir/Madam,

Sub : Reply to show cause notice - Reg.

- Ref : 1) SCN bearing no.
PCB/HO/EE1/GEN/EC/2023/(2) dated
04.04.2023
- 2) Preliminary Reply issued by the unit dated
27.04.2023

AEr
We are in receipt of your show cause notice dated 04.04.2023 bearing no. PCB/HO/EE1/GEN/EC/2023/(2) and wish to reply to you as follows :

- Q*
18/5
1. That we have perused the contents of the show cause notice and contentions raised thereunder.
 2. That with respect to the violations alleged for the period from 23.07.2012 and 27.07.2013 and environmental compensation assessed for the said violation mentioned in the notice, we had issued a reply dated 27.04.2023 requesting 15 days time to complete our
- 18/5*
6-5-2023

process of collecting the necessary documents to show cause as to why action should not be taken against our unit.

3. Pursuant to our earlier reply, we are hereby issuing this present detailed reply to the show cause notice dated 04.04.2023 as follows.
4. At the outset, we hereby deny all the allegations and averments made in the Show cause notice except those that are specifically admitted hereunder. The averments/statements made herein are without prejudice to each other.
5. We wish to state that we are an Electro-Plating unit and a micro scale enterprise covered under the Micro, Small And Medium Enterprises Development Act, 2006 (MSMED, Act 2006) and established in the year 2012. We state that we have obtained all the requisite approvals, licenses and permissions to operate the unit, from the statutory authorities without any default till date.
6. We state that the unit is the sole means of livelihood for our families. We are law abiding citizens with a bonafide intention of running our business in compliance with all applicable legal and regulatory requirements. We are aware of our responsibilities towards maintaining a pollution free environment.
7. We wish to state that pursuant to a complaint dated 16.07.2012, regarding pollution of water in the wells in the Ollur industrial estate, an enquiry was conducted in the units, by the District Collector on 23.07.2012. The District Magistrate constituted a subcommittee on 26.04.2013 consisting of a Councillor, Thrissur Corporation, Environmental Engineer, KSPCB, Technical Assistant, Office of DMO, Junior Health Inspector, Thrissur Corporation, two representatives from Poura Samithi and two representatives of Industrial Association

and the subcommittee found that all the industries had provided a tank for storage of treated water and permanent facility for the reuse of treated effluent and hence recommended to revoke closure order pertaining to the units.

8. That subsequently, the District Magistrate vide orders dated 03.05.2013 and 30.07.2013, permitted the industrial units to operate subject to conditions. That the said orders were challenged before the Hon'ble High Court and the Court inter alia held that the industries shall be allowed to function on a trial basis and that the District Magistrate shall evaluate the situation before final disposal of the matter.
9. That pursuant to which, the District Magistrate, vide orders dated 06.03.2014 and 05.06.2014, allowed the functioning of the industrial units including our unit, on satisfaction that the units were compliant with the pollution control measures. Thus from the above narrated facts it is clear that this unit as well as other units were allowed to function only after a detailed monitoring to ensure that the units have put in place necessary measures to prevent any pollution and that the units are not indulging in any polluting activity.
10. We wish to state that in such backdrop, an Application was filed before the Hon'ble NGT in OA No. 20 of 2016, alleging that toxic effluents are discharged by the unit into the waterbodies. That on 20.02.2022, after several hearings and inconclusive reports with respect to the veracity of the allegation, the Full Bench of the Hon'ble NGT, had passed a final order, inter alia holding as follows :

"7. Accordingly, we constitute a Joint Committee of Senior Officer of CPCB, Member Secretary, State PCB, Director

*Environment, State of Kerala and District Magistrate, Thrissur to ascertain the compliance status in respect of each of the units within three months and take action to close the polluting units, as per law. If the units are found compliance, the Committee may ascertain the period of past violations, **atleast from the date of filing of this application till compliance...**"*

11. That pursuant to which, the Joint Committee constituted for this purpose submitted its report dated 08.02.2023, in which with respect to the allegation of toxic effluents being discharged by the unit, it has observed as follows :

"Though there are possibilities of spillage pilferage in many respondent industries, with this assessment it is not possible to link the presence of heavy metals in well water with the unauthorised discharge from the respondent units. Moreover, metals like iron, manganese and zinc are detected in a few wells which could be from geogenic sources. Ollur is also known for its traditional clay bricks/tile industries due to the abundant clay soil in the low lying fields and the clay soil is rich in manganese ,zinc and Acidic.

...

6.0 Finding and suggestions of the Joint Committee

IV. From the assessment carried out, nickel and copper contamination in two of the open wells cannot be linked to the respondent SSI units as there are many other small units processing metals and alloys. There are several service centers and other commercial units in the vicinity."

12. That in view of the above findings, it is clear that the violations as alleged in the said application regarding the discharge of effluents,

could not be linked to the unit as observed by the Joint Committee Report.

13. However, the Joint Committee, in its report and in the show cause notice under reference, has grossly failed to appreciate the fact that there is cogent evidence to show that the unit has caused harm to the environment. The Joint Committee also should have taken cognizance of the fact that unit is an electroplating unit and as such is not carrying out any inherently dangerous industry which poses a potential threat to environment or people in the surrounding areas. Further, it is arbitrary to impose the cost of restoration/compensation on the unit in the absence of cogent evidence that the unit has caused damage to the environment. Without prejudice to the above, the amount of compensation fixed is in total disregard to the size of operations & turnover of the unit and hence is grossly disproportionate. The Joint Committee also failed to consider the fact that the unit has contributed to providing of water to the surrounding areas as consented before the Hon'ble High Court of Kerala solely as a matter of goodwill. The Joint Committee, in its anxiousness to comply with the directions of the Hon'ble Tribunal has misconstrued the directions of the Hon'ble Tribunal and arbitrarily issued the show cause notice.
14. We wish to state that the present show cause notice issued pursuant to the alleged compensation assessed in the above said report of the Joint Committee, is opposed and denied, since the Joint committee has acted mechanically & arbitrarily beyond the powers vested in it by the Hon'ble tribunal and has acted contrary to the directions issued. The Joint Committee ought to have considered the facts and circumstances of the subject matter while acting in furtherance of the directions of the Hon'ble Tribunal. We wish to state that, even as per the report of the Joint Committee, the allegations of discharge cannot

be linked to the unit and there is no assessment of environment degradation caused by the unit per se and hence, no environmental compensation could be envisaged.

15. We wish to further state that the show cause notice, apart from being arbitrarily issued in complete violation to the directions of the Hon'ble Tribunal, is wholly devoid of any specific allegation or averment, as to what is the exact violation or damage caused by the unit or on what exact basis the environmental compensation has been assessed by the Joint Committee and as such, in the absence of the same, the show cause notice and the Environmental compensation assessed and imposed, lack any merit and is invalid.
16. We wish to state that the show cause notice imposing compensation, has been passed devoid of any powers or sanction accorded to the Board, under any of the Statutes or laws in force and as such, the entirety of the proceedings is ultra vires, arbitrary and illegal and hence the Appellant is aggrieved by the impugned order and challenging the same on the grounds mentioned hereunder. Assessment of compensation in the absence of a finding that the unit has caused environmental degradation is not sustainable.
17. We wish to state that the unit has installed adequate safety measures in the unit and is compliant with all the requisite pollution control measures and has not caused any pollution or environmental damage till date. It is also stated that, in any event, the amount of compensation claimed is arbitrary, disproportional and in negation of various directions issued by the Hon'ble Supreme Court in this regard.

In view of the above, we hereby kindly request you to recall the show cause notice dated 04.04.2023, on considering the above reply and do the needful in this regard. It is further requested to provide us

with an opportunity for personal hearing and to produce additional documents, in the event of this reply not found satisfactory.

Thanking you.

Yours sincerely

For M/s Dot Engineers

For DOT Engineers


M.J.MELVIN

Mevin M.J



DATE : 12.05.2023

To

- 1) The Chairman,
KERALA STATE POLLUTION CONTROL BOARD,
Pattom P.O,
Thiruvananthapuram - 695 004.
- 2) The Chief Environmental Engineer,
KERALA STATE POLLUTION CONTROL BOARD
Regional Office,
Ernakulam.
- 3) The Chief Environmental Engineer,
KERALA STATE POLLUTION CONTROL BOARD
District Office,
Thrissur.

Sir/Madam,

Sub : Reply to show cause notice - Reg.

- Ref : 1) SCN bearing no.
PCB/HO/EE1/GEN/EC/2023/(1) dated
04.04.2023
- 2) Preliminary Reply issued by the unit dated
27.04.2023

AE₂ We are in receipt of your show cause notice dated 04.04.2023 bearing no.
PCB/HO/EE1/GEN/EC/2023/(1) and wish to reply to you as follows :

1. That we have perused the contents of the show cause notice and contentions raised thereunder.
2. That with respect to the violations alleged for the period from 23.07.2012 and 27.07.2013 and environmental compensation assessed for the said violation mentioned in the notice, we had issued a reply dated 27.04.2023 requesting 15 days time to

18/5/2023
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complete our process of collecting the necessary documents to show cause as to why action should not be taken against our unit.

3. Pursuant to our earlier reply, we are hereby issuing this present detailed reply to the show cause notice dated 04.04.2023 as follows.
4. At the outset, we hereby deny all the allegations and averments made in the Show cause notice except those that are specifically admitted hereunder. The averments/statements made herein are without prejudice to each other.
5. We wish to state that we are an Electro-Plating unit and a micro scale enterprise covered under the Micro, Small And Medium Enterprises Development Act, 2006 (MSMED, Act 2006) and established in the year 2008. We state that we have obtained all the requisite approvals, licenses and permissions to operate the unit, from the statutory authorities without any default till date.
6. We state that the unit is the sole means of livelihood for our families. We are law abiding citizens with a bonafide intention of running our business in compliance with all applicable legal and regulatory requirements. We are aware of our responsibilities towards maintaining a pollution free environment.
7. We wish to state that pursuant to a complaint dated 16.07.2012, regarding pollution of water in the wells in the Ollur industrial estate, an enquiry was conducted in the units, by the District Collector on 23.07.2012. The District Magistrate constituted a subcommittee on 26.04.2013 consisting of a Councillor, Thrissur Corporation, Environmental Engineer, KSPCB, Technical Assistant, Office of DMO, Junior Health Inspector, Thrissur Corporation, two

representatives from Poura Samithi and two representatives of Industrial Association and the subcommittee found that all the industries had provided a tank for storage of treated water and permanent facility for the reuse of treated effluent and hence recommended to revoke closure order pertaining to the units.

8. That subsequently, the District Magistrate vide orders dated 03.05.2013 and 30.07.2013, permitted the industrial units to operate subject to conditions. That the said orders were challenged before the Hon'ble High Court and the Court inter alia held that the industries shall be allowed to function on a trial basis and that the District Magistrate shall evaluate the situation before final disposal of the matter.
9. That pursuant to which, the District Magistrate, vide orders dated 06.03.2014 and 05.06.2014, allowed the functioning of the industrial units including our unit, on satisfaction that the units were compliant with the pollution control measures. Thus from the above narrated facts it is clear that this unit as well as other units were allowed to function only after a detailed monitoring to ensure that the units have put in place necessary measures to prevent any pollution and that the units are not indulging in any polluting activity.
10. We wish to state that in such backdrop, an Application was filed before the Hon'ble NGT in OA No. 20 of 2016, alleging that toxic effluents are discharged by the unit into the waterbodies. That on 20.02.2022, after several hearings and inconclusive reports with respect to the veracity of the allegation, the Full Bench of the Hon'ble NGT, had passed a final order, inter alia holding as follows :

"7. Accordingly, we constitute a Joint Committee of Senior Officer of CPCB, Member Secretary, State PCB, Director Environment, State of Kerala and District Magistrate, Thrissur to ascertain the compliance status in respect of each of the units within three months and take action to close the polluting units, as per law. If the units are found compliance, the Committee may ascertain the period of past violations, **atleast from the date of filing of this application till compliance...**"

11. That pursuant to which, the Joint Committee constituted for this purpose submitted its report dated 08.02.2023, in which with respect to the allegation of toxic effluents being discharged by the unit, it has observed as follows :

"Though there are possibilities of spillage pilferage in many respondent industries, with this assessment it is not possible to link the presence of heavy metals in well water with the unauthorised discharge from the respondent units. Moreover, metals like iron, manganese and zinc are detected in a few wells which could be from geogenic sources. Ollur is also known for its traditional clay bricks/tile industries due to the abundant clay soil in the low lying fields and the clay soil is rich in manganese ,zinc and Acidic.

...

6.0 Finding and suggestions of the Joint Committee

IV. From the assessment carried out, nickel and copper contamination in two of the open wells cannot be linked to the respondent SSI units as there are many other small units processing metals and alloys. There are several service centers and other commercial units in the vicinity."

12. That in view of the above findings, it is clear that the violations as alleged in the said application regarding the discharge of effluents, could not be linked to the unit as observed by the Joint Committee Report.

13. However, the Joint Committee, in its report and in the show cause notice under reference, has grossly failed to appreciate the fact that there is cogent evidence to show that the unit has caused harm to the environment. The Joint Committee also should have taken cognizance of the fact that unit is an electroplating unit and as such is not carrying out any inherently dangerous industry which poses a potential threat to environment or people in the surrounding areas. Further, it is arbitrary to impose the cost of restoration/compensation on the unit in the absence of cogent evidence that the unit has caused damage to the environment. Without prejudice to the above, the amount of compensation fixed is in total disregard to the size of operations & turnover of the unit and hence is grossly disproportionate. The Joint Committee also failed to consider the fact that the unit has contributed to providing of water to the surrounding areas as consented before the Hon'ble High Court of Kerala solely s a matter of goodwill. The Joint Committee , in its anxiousness to comply with the directions of the Hon'ble Tribunal has misconstrued the directions of the Hon'ble Tribunal and arbitrarily issued the show cause notice.

14. We wish to state that the present show cause notice issued pursuant to the alleged compensation assessed in the above said report of the Joint Committee, is opposed and denied, since the Joint committee has acted mechanically & arbitrarily beyond the powers vested in it by the Hon'ble tribunal and has acted contrary to the directions issued. The Joint Committee ought to have considered the facts and circumstances of the subject matter while

acting in furtherance of the directions of the Hon'ble Tribunal. We wish to state that, even as per the report of the Joint Committee, the allegations of discharge cannot be linked to the unit and there is no assessment of environment degradation caused by the unit per se and hence, no environmental compensation could be envisaged.

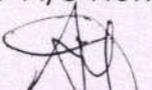
15. We wish to further state that the show cause notice, apart from being arbitrarily issued in complete violation to the directions of the Hon'ble Tribunal, is wholly devoid of any specific allegation or averment, as to what is the exact violation or damage caused by the unit or on what exact basis the environmental compensation has been assessed by the Joint Committee and as such, in the absence of the same, the show cause notice and the Environmental compensation assessed and imposed, lack any merit and is invalid.
16. We wish to state that the show cause notice imposing compensation, has been passed devoid of any powers or sanction accorded to the Board, under any of the Statutes or laws in force and as such, the entirety of the proceedings is ultra vires, arbitrary and illegal and hence the Appellant is aggrieved by the impugned order and challenging the same on the grounds mentioned hereunder. Assessment of compensation in the absence of a finding that the unit has caused environmental degradation is not sustainable.
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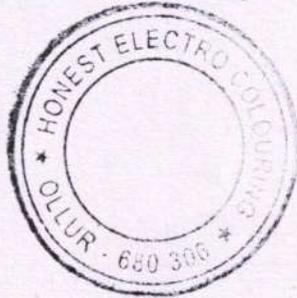
In view of the above, we hereby kindly request you to recall the show cause notice dated 04.04.2023, on considering the above reply and do the needful in this regard. It is further requested to provide us with an opportunity for personal hearing and to produce additional documents, in the event of this reply not found satisfactory.

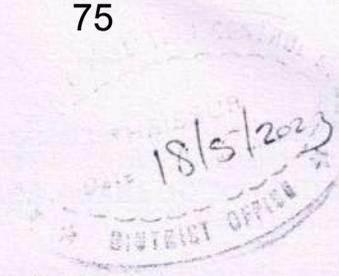
Thanking you.

Yours sincerely

For M/s Honest Electro Colouring


Anto Rappai





DATE : 12.05.2023

To

- 1) The Chairman,
KERALA STATE POLLUTION CONTROL BOARD,
Pattom P.O,
Thiruvananthapuram - 695 004.
- 2) The Chief Environmental Engineer,
KERALA STATE POLLUTION CONTROL BOARD
Regional Office,
Ernakulam.
- 3) The Chief Environmental Engineer,
KERALA STATE POLLUTION CONTROL BOARD
District Office,
Thrissur.

Sir/Madam,

Sub : Reply to show cause notice - Reg.

- Ref : 1) SCN bearing no.
PCB/HO/EE1/GEN/EC/2023/(3) dated
04.04.2023
- 2) Preliminary Reply issued by the unit dated
27.04.2023

We are in receipt of your show cause notice dated 04.04.2023 bearing no.
PCB/HO/EE1/GEN/EC/2023/(3) and wish to reply to you as follows :

1. That we have perused the contents of the show cause notice and contentions raised thereunder.

That with respect to the violations alleged for the period from 23.07.2012 and 27.07.2013 and environmental compensation assessed for the said violation mentioned in the notice, we had issued a reply dated 27.04.2023 requesting 15 days time to complete

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our process of collecting the necessary documents to show cause as to why action should not be taken against our unit.

3. Pursuant to our earlier reply, we are hereby issuing this present detailed reply to the show cause notice dated 04.04.2023 as follows.
4. At the outset, we hereby deny all the allegations and averments made in the Show cause notice except those that are specifically admitted hereunder. The averments/statements made herein are without prejudice to each other.
5. We wish to state that we are an Electro-Plating unit and a micro scale enterprise covered under the Micro, Small And Medium Enterprises Development Act, 2006 (MSMED, Act 2006) and established in the year 2013. We state that we have obtained all the requisite approvals, licenses and permissions to operate the unit, from the statutory authorities without any default till date.
6. We state that the unit is the sole means of livelihood for our families. We are law abiding citizens with a bonafide intention of running our business in compliance with all applicable legal and regulatory requirements. We are aware of our responsibilities towards maintaining a pollution free environment.
7. We wish to state that pursuant to a complaint dated 16.07.2012, regarding pollution of water in the wells in the Ollur industrial estate, an enquiry was conducted in the units, by the District Collector on 23.07.2012. The District Magistrate constituted a subcommittee on 26.04.2013 consisting of a Councillor, Thrissur Corporation, Environmental Engineer, KSPCB, Technical Assistant, Office of DMO, Junior Health Inspector, Thrissur Corporation, two representatives from Poura Samithi and two representatives of Industrial Association

and the subcommittee found that all the industries had provided a tank for storage of treated water and permanent facility for the reuse of treated effluent and hence recommended to revoke closure order pertaining to the units.

8. That subsequently, the District Magistrate vide orders dated 03.05.2013 and 30.07.2013, permitted the industrial units to operate subject to conditions. That the said orders were challenged before the Hon'ble High Court and the Court inter alia held that the industries shall be allowed to function on a trial basis and that the District Magistrate shall evaluate the situation before final disposal of the matter.
9. That pursuant to which, the District Magistrate, vide orders dated 06.03.2014 and 05.06.2014, allowed the functioning of the industrial units including our unit, on satisfaction that the units were compliant with the pollution control measures. Thus from the above narrated facts it is clear that this unit as well as other units were allowed to function only after a detailed monitoring to ensure that the units have put in place necessary measures to prevent any pollution and that the units are not indulging in any polluting activity.
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"7. Accordingly, we constitute a Joint Committee of Senior Officer of CPCB, Member Secretary, State PCB, Director

*Environment, State of Kerala and District Magistrate, Thrissur to ascertain the compliance status in respect of each of the units within three months and take action to close the polluting units, as per law. If the units are found compliance, the Committee may ascertain the period of past violations, **atleast from the date of filing of this application till compliance...**"*

11. That pursuant to which, the Joint Committee constituted for this purpose submitted its report dated 08.02.2023, in which with respect to the allegation of toxic effluents being discharged by the unit, it has observed as follows :

"Though there are possibilities of spillage pilferage in many respondent industries, with this assessment it is not possible to link the presence of heavy metals in well water with the unauthorised discharge from the respondent units. Moreover, metals like iron, manganese and zinc are detected in a few wells which could be from geogenic sources. Ollur is also known for its traditional clay bricks/tile industries due to the abundant clay soil in the low lying fields and the clay soil is rich in manganese ,zinc and Acidic.

...

6.0 Finding and suggestions of the Joint Committee

IV. From the assessment carried out, nickel and copper contamination in two of the open wells cannot be linked to the respondent SSI units as there are many other small units processing metals and alloys. There are several service centers and other commercial units in the vicinity."

12. That in view of the above findings, it is clear that the violations as alleged in the said application regarding the discharge of effluents,

could not be linked to the unit as observed by the Joint Committee Report.

13. However, the Joint Committee, in its report and in the show cause notice under reference, has grossly failed to appreciate the fact that there is cogent evidence to show that the unit has caused harm to the environment. The Joint Committee also should have taken cognizance of the fact that unit is an electroplating unit and as such is not carrying out any inherently dangerous industry which poses a potential threat to environment or people in the surrounding areas. Further, it is arbitrary to impose the cost of restoration/compensation on the unit in the absence of cogent evidence that the unit has caused damage to the environment. Without prejudice to the above, the amount of compensation fixed is in total disregard to the size of operations & turnover of the unit and hence is grossly disproportionate. The Joint Committee also failed to consider the fact that the unit has contributed to providing of water to the surrounding areas as consented before the Hon'ble High Court of Kerala solely as a matter of goodwill. The Joint Committee, in its anxiousness to comply with the directions of the Hon'ble Tribunal has misconstrued the directions of the Hon'ble Tribunal and arbitrarily issued the show cause notice.
14. We wish to state that the present show cause notice issued pursuant to the alleged compensation assessed in the above said report of the Joint Committee, is opposed and denied, since the Joint committee has acted mechanically & arbitrarily beyond the powers vested in it by the Hon'ble tribunal and has acted contrary to the directions issued. The Joint Committee ought to have considered the facts and circumstances of the subject matter while acting in furtherance of the directions of the Hon'ble Tribunal. We wish to state that, even as per the report of the Joint Committee, the allegations of discharge cannot

be linked to the unit and there is no assessment of environment degradation caused by the unit per se and hence, no environmental compensation could be envisaged.

15. We wish to further state that the show cause notice, apart from being arbitrarily issued in complete violation to the directions of the Hon'ble Tribunal, is wholly devoid of any specific allegation or averment, as to what is the exact violation or damage caused by the unit or on what exact basis the environmental compensation has been assessed by the Joint Committee and as such, in the absence of the same, the show cause notice and the Environmental compensation assessed and imposed, lack any merit and is invalid.
16. We wish to state that the show cause notice imposing compensation, has been passed devoid of any powers or sanction accorded to the Board, under any of the Statutes or laws in force and as such, the entirety of the proceedings is ultra vires, arbitrary and illegal and hence the Appellant is aggrieved by the impugned order and challenging the same on the grounds mentioned hereunder. Assessment of compensation in the absence of a finding that the unit has caused environmental degradation is not sustainable.
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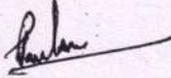
In view of the above, we hereby kindly request you to recall the show cause notice dated 04.04.2023, on considering the above reply and do the needful in this regard. It is further requested to provide us

with an opportunity for personal hearing and to produce additional documents, in the event of this reply not found satisfactory.

Thanking you.

Yours sincerely

For M/s Pee Gee Gold Covering



Paulson P.G

PEEGEE GOLD COVERING

TMC-29/2275, No: 242

MAJOR INDUSTRIAL ESTATE

OLLUR. Ph: 0487 2355527,

18/5/2023

DATE : 12.05.2023

To

- 1) The Chairman,
KERALA STATE POLLUTION CONTROL BOARD,
Pattom P.O,
Thiruvananthapuram - 695 004.
- 2) The Chief Environmental Engineer,
KERALA STATE POLLUTION CONTROL BOARD
Regional Office,
Ernakulam.
- 3) The Chief Environmental Engineer,
KERALA STATE POLLUTION CONTROL BOARD
District Office,
Thrissur.

Sir/Madam,

Sub : Reply to show cause notice - Reg.

- Ref : 1) SCN bearing no.
PCB/HO/EE1/GEN/EC/2023/(6) dated
04.04.2023
- 2) Preliminary Reply issued by the unit dated
27.04.2023

We are in receipt of your show cause notice dated 04.04.2023 bearing no. PCB/HO/EE1/GEN/EC/2023/(6) and wish to reply to you as follows :

1. That we have perused the contents of the show cause notice and contentions raised thereunder.
2. That with respect to the violations alleged for the period from 23.07.2012 and 27.07.2013 and environmental compensation assessed for the said violation mentioned in the notice, we had issued a reply dated 27.04.2023 requesting 15 days time to complete

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18.5.2023

our process of collecting the necessary documents to show cause as to why action should not be taken against our unit.

3. Pursuant to our earlier reply, we are hereby issuing this present detailed reply to the show cause notice dated 04.04.2023 as follows.
4. At the outset, we hereby deny all the allegations and averments made in the Show cause notice except those that are specifically admitted hereunder. The averments/statements made herein are without prejudice to each other.
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7. We wish to state that pursuant to a complaint dated 16.07.2012, regarding pollution of water in the wells in the Ollur industrial estate, an enquiry was conducted in the units, by the District Collector on 23.07.2012. The District Magistrate constituted a subcommittee on 26.04.2013 consisting of a Councillor, Thrissur Corporation, Environmental Engineer, KSPCB, Technical Assistant, Office of DMO, Junior Health Inspector, Thrissur Corporation, two representatives from Poura Samithi and two representatives of Industrial Association

and the subcommittee found that all the industries had provided a tank for storage of treated water and permanent facility for the reuse of treated effluent and hence recommended to revoke closure order pertaining to the units.

8. That subsequently, the District Magistrate vide orders dated 03.05.2013 and 30.07.2013, permitted the industrial units to operate subject to conditions. That the said orders were challenged before the Hon'ble High Court and the Court inter alia held that the industries shall be allowed to function on a trial basis and that the District Magistrate shall evaluate the situation before final disposal of the matter.
9. That pursuant to which, the District Magistrate, vide orders dated 06.03.2014 and 05.06.2014, allowed the functioning of the industrial units including our unit, on satisfaction that the units were compliant with the pollution control measures. Thus from the above narrated facts it is clear that this unit as well as other units were allowed to function only after a detailed monitoring to ensure that the units have put in place necessary measures to prevent any pollution and that the units are not indulging in any polluting activity.
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"7. Accordingly, we constitute a Joint Committee of Senior Officer of CPCB, Member Secretary, State PCB, Director

*Environment, State of Kerala and District Magistrate, Thrissur to ascertain the compliance status in respect of each of the units within three months and take action to close the polluting units, as per law. If the units are found compliance, the Committee may ascertain the period of past violations, **atleast from the date of filing of this application till compliance...**"*

11. That pursuant to which, the Joint Committee constituted for this purpose submitted its report dated 08.02.2023, in which with respect to the allegation of toxic effluents being discharged by the unit, it has observed as follows :

"Though there are possibilities of spillage pilferage in many respondent industries, with this assessment it is not possible to link the presence of heavy metals in well water with the unauthorised discharge from the respondent units. Moreover, metals like iron, manganese and zinc are detected in a few wells which could be from geogenic sources. Ollur is also known for its traditional clay bricks/tile industries due to the abundant clay soil in the low lying fields and the clay soil is rich in manganese ,zinc and Acidic.

...

6.0 Finding and suggestions of the Joint Committee

IV. From the assessment carried out, nickel and copper contamination in two of the open wells cannot be linked to the respondent SSI units as there are many other small units processing metals and alloys. There are several service centers and other commercial units in the vicinity."

12. That in view of the above findings, it is clear that the violations as alleged in the said application regarding the discharge of effluents,

could not be linked to the unit as observed by the Joint Committee Report.

13. However, the Joint Committee, in its report and in the show cause notice under reference, has grossly failed to appreciate the fact that there is cogent evidence to show that the unit has caused harm to the environment. The Joint Committee also should have taken cognizance of the fact that unit is an electroplating unit and as such is not carrying out any inherently dangerous industry which poses a potential threat to environment or people in the surrounding areas. Further, it is arbitrary to impose the cost of restoration/compensation on the unit in the absence of cogent evidence that the unit has caused damage to the environment. Without prejudice to the above, the amount of compensation fixed is in total disregard to the size of operations & turnover of the unit and hence is grossly disproportionate. The Joint Committee also failed to consider the fact that the unit has contributed to providing of water to the surrounding areas as consented before the Hon'ble High Court of Kerala solely as a matter of goodwill. The Joint Committee, in its anxiousness to comply with the directions of the Hon'ble Tribunal has misconstrued the directions of the Hon'ble Tribunal and arbitrarily issued the show cause notice.
14. We wish to state that the present show cause notice issued pursuant to the alleged compensation assessed in the above said report of the Joint Committee, is opposed and denied, since the Joint committee has acted mechanically & arbitrarily beyond the powers vested in it by the Hon'ble tribunal and has acted contrary to the directions issued. The Joint Committee ought to have considered the facts and circumstances of the subject matter while acting in furtherance of the directions of the Hon'ble Tribunal. We wish to state that, even as per the report of the Joint Committee, the allegations of discharge cannot

be linked to the unit and there is no assessment of environment degradation caused by the unit per se and hence, no environmental compensation could be envisaged.

15. We wish to further state that the show cause notice, apart from being arbitrarily issued in complete violation to the directions of the Hon'ble Tribunal, is wholly devoid of any specific allegation or averment, as to what is the exact violation or damage caused by the unit or on what exact basis the environmental compensation has been assessed by the Joint Committee and as such, in the absence of the same, the show cause notice and the Environmental compensation assessed and imposed, lack any merit and is invalid.
16. We wish to state that the show cause notice imposing compensation, has been passed devoid of any powers or sanction accorded to the Board, under any of the Statutes or laws in force and as such, the entirety of the proceedings is ultra vires, arbitrary and illegal and hence the Appellant is aggrieved by the impugned order and challenging the same on the grounds mentioned hereunder. Assessment of compensation in the absence of a finding that the unit has caused environmental degradation is not sustainable.
17. We wish to state that the unit has installed adequate safety measures in the unit and is compliant with all the requisite pollution control measures and has not caused any pollution or environmental damage till date. It is also stated that, in any event, the amount of compensation claimed is arbitrary, disproportional and in negation of various directions issued by the Hon'ble Supreme Court in this regard.

In view of the above, we hereby kindly request you to recall the show cause notice dated 04.04.2023, on considering the above reply and do the needful in this regard. It is further requested to provide us

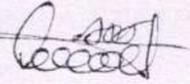
with an opportunity for personal hearing and to produce additional documents, in the event of this reply not found satisfactory.

Thanking you.

Yours sincerely

For M/s Bee Pee Gold Imitations

Joby A .P



JOBY A.P.
BEEPEE GOLD IMITATIONS
MAJOR INDUSTRIAL ESTATE (SIDCO)
OLLUR, THRISSUR-680 306

DATE : 12.05.2023

To

- 1) The Chairman,
KERALA STATE POLLUTION CONTROL BOARD,
Pattom P.O,
Thiruvananthapuram - 695 004.
- 2) The Chief Environmental Engineer,
KERALA STATE POLLUTION CONTROL BOARD
Regional Office,
Ernakulam.
- 3) The Chief Environmental Engineer,
KERALA STATE POLLUTION CONTROL BOARD
District Office,
Thrissur.

Sir/Madam,

Sub : Reply to show cause notice - Reg.

- Ref : 1) SCN bearing no.
PCB/HO/EE1/GEN/EC/2023/(7) dated
04.04.2023
- 2) Preliminary Reply issued by the unit dated
27.04.2023

We are in receipt of your show cause notice dated 04.04.2023 bearing no.
PCB/HO/EE1/GEN/EC/2023/(7) and wish to reply to you as follows :

1. That we have perused the contents of the show cause notice and contentions raised thereunder.
2. That with respect to the violations alleged for the period from 23.07.2012 and 27.07.2013 and environmental compensation assessed for the said violation mentioned in the notice, we had issued a reply dated 27.04.2023 requesting 15 days time to complete

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8-5-23

our process of collecting the necessary documents to show cause as to why action should not be taken against our unit.

3. Pursuant to our earlier reply, we are hereby issuing this present detailed reply to the show cause notice dated 04.04.2023 as follows.
4. At the outset, we hereby deny all the allegations and averments made in the Show cause notice except those that are specifically admitted hereunder. The averments/statements made herein are without prejudice to each other.
5. We wish to state that we are an Electro-Plating unit and a micro scale enterprise covered under the Micro, Small And Medium Enterprises Development Act, 2006 (MSMED, Act 2006) and established in the year 2012. We state that we have obtained all the requisite approvals, licenses and permissions to operate the unit, from the statutory authorities without any default till date.
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8. That subsequently, the District Magistrate vide orders dated 03.05.2013 and 30.07.2013, permitted the industrial units to operate subject to conditions. That the said orders were challenged before the Hon'ble High Court and the Court inter alia held that the industries shall be allowed to function on a trial basis and that the District Magistrate shall evaluate the situation before final disposal of the matter.
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"7. Accordingly, we constitute a Joint Committee of Senior Officer of CPCB, Member Secretary, State PCB, Director

*Environment, State of Kerala and District Magistrate, Thrissur to ascertain the compliance status in respect of each of the units within three months and take action to close the polluting units, as per law. If the units are found compliance, the Committee may ascertain the period of past violations, **atleast from the date of filing of this application till compliance...**"*

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"Though there are possibilities of spillage pilferage in many respondent industries, with this assessment it is not possible to link the presence of heavy metals in well water with the unauthorised discharge from the respondent units. Moreover, metals like iron, manganese and zinc are detected in a few wells which could be from geogenic sources. Ollur is also known for its traditional clay bricks/tile industries due to the abundant clay soil in the low lying fields and the clay soil is rich in manganese ,zinc and Acidic.

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be linked to the unit and there is no assessment of environment degradation caused by the unit per se and hence, no environmental compensation could be envisaged.

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16. We wish to state that the show cause notice imposing compensation, has been passed devoid of any powers or sanction accorded to the Board, under any of the Statutes or laws in force and as such, the entirety of the proceedings is ultra vires, arbitrary and illegal and hence the Appellant is aggrieved by the impugned order and challenging the same on the grounds mentioned hereunder. Assessment of compensation in the absence of a finding that the unit has caused environmental degradation is not sustainable.
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In view of the above, we hereby kindly request you to recall the show cause notice dated 04.04.2023, on considering the above reply and do the needful in this regard. It is further requested to provide us

with an opportunity for personal hearing and to produce additional documents, in the event of this reply not found satisfactory.

Thanking you.

Yours sincerely

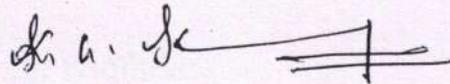
For M/s Rajesh Kumar Electro Plating

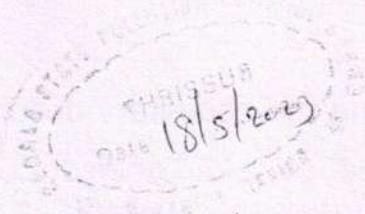
Karuppuswamy

RAJESHKUMAR ELECTROPLATING

XI/785/A, Major Industrial Estate (SIUCO)

Ollur, Thrissur - 680 306





DATE : 12.05.2023

To

- 1) The Chairman,
KERALA STATE POLLUTION CONTROL BOARD,
Pattom P.O,
Thiruvananthapuram - 695 004.
- 2) The Chief Environmental Engineer,
KERALA STATE POLLUTION CONTROL BOARD
Regional Office,
Ernakulam.
- 3) The Chief Environmental Engineer,
KERALA STATE POLLUTION CONTROL BOARD
District Office,
Thrissur.

Sir/Madam,

Sub : Reply to show cause notice - Reg.

- Ref : 1) SCN bearing no.
PCB/HO/EE1/GEN/EC/2023/(8) dated
04.04.2023
- 2) Preliminary Reply issued by the unit dated
27.04.2023

AE₂

We are in receipt of your show cause notice dated 04.04.2023 bearing no. PCB/HO/EE1/GEN/EC/2023/(8) and wish to reply to you as follows :

1. That we have perused the contents of the show cause notice and contentions raised thereunder.
2. That with respect to the violations alleged for the period from 23.07.2012 and 27.07.2013 and environmental compensation assessed for the said violation mentioned in the notice, we had issued a reply dated 27.04.2023 requesting 15 days time to complete

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18.5.2023

our process of collecting the necessary documents to show cause as to why action should not be taken against our unit.

3. Pursuant to our earlier reply, we are hereby issuing this present detailed reply to the show cause notice dated 04.04.2023 as follows.
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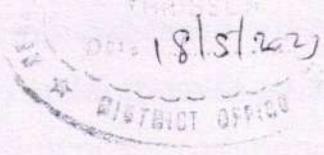
Yours sincerely

For M/s Golden View Plating



Shiji Geevar

GOLDEN VIEW PLATING
Industrial Estate
Near Association Building
Ollur, Thrissur - 680 306



DATE : 12.05.2023

To

- 1) The Chairman,
KERALA STATE POLLUTION CONTROL BOARD,
Pattom P.O,
Thiruvananthapuram - 695 004.
- 2) The Chief Environmental Engineer,
KERALA STATE POLLUTION CONTROL BOARD
Regional Office,
Ernakulam.
- 3) The Chief Environmental Engineer,
KERALA STATE POLLUTION CONTROL BOARD
District Office,
Thrissur.

Sir/Madam,

Sub : Reply to show cause notice - Reg.

- Ref : 1) SCN bearing no.
PCB/HO/EE1/GEN/EC/2023/(9) dated
04.04.2023
- 2) Preliminary Reply issued by the unit dated
27.04.2023

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PCB/HO/EE1/GEN/EC/2023/(9) and wish to reply to you as follows :

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12. That in view of the above findings, it is clear that the violations as alleged in the said application regarding the discharge of effluents,

could not be linked to the unit as observed by the Joint Committee Report.

13. However, the Joint Committee, in its report and in the show cause notice under reference, has grossly failed to appreciate the fact that there is cogent evidence to show that the unit has caused harm to the environment. The Joint Committee also should have taken cognizance of the fact that unit is an electroplating unit and as such is not carrying out any inherently dangerous industry which poses a potential threat to environment or people in the surrounding areas. Further, it is arbitrary to impose the cost of restoration/compensation on the unit in the absence of cogent evidence that the unit has caused damage to the environment. Without prejudice to the above, the amount of compensation fixed is in total disregard to the size of operations & turnover of the unit and hence is grossly disproportionate. The Joint Committee also failed to consider the fact that the unit has contributed to providing of water to the surrounding areas as consented before the Hon'ble High Court of Kerala solely as a matter of goodwill. The Joint Committee, in its anxiousness to comply with the directions of the Hon'ble Tribunal has misconstrued the directions of the Hon'ble Tribunal and arbitrarily issued the show cause notice.
14. We wish to state that the present show cause notice issued pursuant to the alleged compensation assessed in the above said report of the Joint Committee, is opposed and denied, since the Joint committee has acted mechanically & arbitrarily beyond the powers vested in it by the Hon'ble tribunal and has acted contrary to the directions issued. The Joint Committee ought to have considered the facts and circumstances of the subject matter while acting in furtherance of the directions of the Hon'ble Tribunal. We wish to state that, even as per the report of the Joint Committee, the allegations of discharge cannot

be linked to the unit and there is no assessment of environment degradation caused by the unit per se and hence, no environmental compensation could be envisaged.

15. We wish to further state that the show cause notice, apart from being arbitrarily issued in complete violation to the directions of the Hon'ble Tribunal, is wholly devoid of any specific allegation or averment, as to what is the exact violation or damage caused by the unit or on what exact basis the environmental compensation has been assessed by the Joint Committee and as such, in the absence of the same, the show cause notice and the Environmental compensation assessed and imposed, lack any merit and is invalid.
16. We wish to state that the show cause notice imposing compensation, has been passed devoid of any powers or sanction accorded to the Board, under any of the Statutes or laws in force and as such, the entirety of the proceedings is ultra vires, arbitrary and illegal and hence the Appellant is aggrieved by the impugned order and challenging the same on the grounds mentioned hereunder. Assessment of compensation in the absence of a finding that the unit has caused environmental degradation is not sustainable.
17. We wish to state that the unit has installed adequate safety measures in the unit and is compliant with all the requisite pollution control measures and has not caused any pollution or environmental damage till date. It is also stated that, in any event, the amount of compensation claimed is arbitrary, disproportional and in negation of various directions issued by the Hon'ble Supreme Court in this regard.

In view of the above, we hereby kindly request you to recall the show cause notice dated 04.04.2023, on considering the above reply and do the needful in this regard. It is further requested to provide us

with an opportunity for personal hearing and to produce additional documents, in the event of this reply not found satisfactory.

Thanking you.

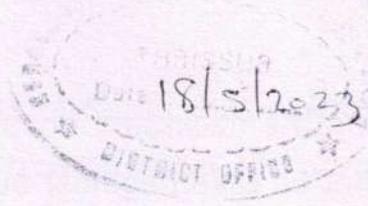
Yours sincerely

For M/s Two Star Designs Gold Covering

Sunil P.V



TWO STARS DESIGNS
GOLD COVERING
Major Industrial Estate
Ollur, Thrissur - 680 306



DATE : 12.05.2023

To

- 1) The Chairman,
KERALA STATE POLLUTION CONTROL BOARD,
Pattom P.O,
Thiruvananthapuram - 695 004.
- 2) The Chief Environmental Engineer,
KERALA STATE POLLUTION CONTROL BOARD
Regional Office,
Ernakulam.
- 3) The Chief Environmental Engineer,
KERALA STATE POLLUTION CONTROL BOARD
District Office,
Thrissur.

Sir/Madam,

Sub : Reply to show cause notice - Reg.

- Ref : 1) SCN bearing no.
PCB/HO/EE1/GEN/EC/2023/(10) dated
04.04.2023
- 2) Preliminary Reply issued by the unit dated
27.04.2023

We are in receipt of your show cause notice dated 04.04.2023 bearing no.
PCB/HO/EE1/GEN/EC/2023/(10) and wish to reply to you as follows :

1. That we have perused the contents of the show cause notice and contentions raised thereunder.

That with respect to the violations alleged for the period from 23.07.2012 and 27.07.2013 and environmental compensation assessed for the said violation mentioned in the notice, we had issued a reply dated 27.04.2023 requesting 15 days time to complete

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our process of collecting the necessary documents to show cause as to why action should not be taken against our unit.

3. Pursuant to our earlier reply, we are hereby issuing this present detailed reply to the show cause notice dated 04.04.2023 as follows.
4. At the outset, we hereby deny all the allegations and averments made in the Show cause notice except those that are specifically admitted hereunder. The averments/statements made herein are without prejudice to each other.
5. We wish to state that we are an Electro-Plating unit and a micro scale enterprise covered under the Micro, Small And Medium Enterprises Development Act, 2006 (MSMED, Act 2006) and established in the year 2012. We state that we have obtained all the requisite approvals, licenses and permissions to operate the unit, from the statutory authorities without any default till date.
6. We state that the unit is the sole means of livelihood for our families. We are law abiding citizens with a bonafide intention of running our business in compliance with all applicable legal and regulatory requirements. We are aware of our responsibilities towards maintaining a pollution free environment.
7. We wish to state that pursuant to a complaint dated 16.07.2012, regarding pollution of water in the wells in the Ollur industrial estate, an enquiry was conducted in the units, by the District Collector on 23.07.2012. The District Magistrate constituted a subcommittee on 26.04.2013 consisting of a Councillor, Thrissur Corporation, Environmental Engineer, KSPCB, Technical Assistant, Office of DMO, Junior Health Inspector, Thrissur Corporation, two representatives from Poura Samithi and two representatives of Industrial Association

and the subcommittee found that all the industries had provided a tank for storage of treated water and permanent facility for the reuse of treated effluent and hence recommended to revoke closure order pertaining to the units.

8. That subsequently, the District Magistrate vide orders dated 03.05.2013 and 30.07.2013, permitted the industrial units to operate subject to conditions. That the said orders were challenged before the Hon'ble High Court and the Court inter alia held that the industries shall be allowed to function on a trial basis and that the District Magistrate shall evaluate the situation before final disposal of the matter.
9. That pursuant to which, the District Magistrate, vide orders dated 06.03.2014 and 05.06.2014, allowed the functioning of the industrial units including our unit, on satisfaction that the units were compliant with the pollution control measures. Thus from the above narrated facts it is clear that this unit as well as other units were allowed to function only after a detailed monitoring to ensure that the units have put in place necessary measures to prevent any pollution and that the units are not indulging in any polluting activity.
10. We wish to state that in such backdrop, an Application was filed before the Hon'ble NGT in OA No. 20 of 2016, alleging that toxic effluents are discharged by the unit into the waterbodies. That on 20.02.2022, after several hearings and inconclusive reports with respect to the veracity of the allegation, the Full Bench of the Hon'ble NGT, had passed a final order, inter alia holding as follows :

"7. Accordingly, we constitute a Joint Committee of Senior Officer of CPCB, Member Secretary, State PCB, Director

*Environment, State of Kerala and District Magistrate, Thrissur to ascertain the compliance status in respect of each of the units within three months and take action to close the polluting units, as per law. If the units are found compliance, the Committee may ascertain the period of past violations, **atleast from the date of filing of this application till compliance...**"*

11. That pursuant to which, the Joint Committee constituted for this purpose submitted its report dated 08.02.2023, in which with respect to the allegation of toxic effluents being discharged by the unit, it has observed as follows :

"Though there are possibilities of spillage pilferage in many respondent industries, with this assessment it is not possible to link the presence of heavy metals in well water with the unauthorised discharge from the respondent units. Moreover, metals like iron, manganese and zinc are detected in a few wells which could be from geogenic sources. Ollur is also known for its traditional clay bricks/tile industries due to the abundant clay soil in the low lying fields and the clay soil is rich in manganese ,zinc and Acidic.

...

6.0 Finding and suggestions of the Joint Committee

IV. From the assessment carried out, nickel and copper contamination in two of the open wells cannot be linked to the respondent SSI units as there are many other small units processing metals and alloys. There are several service centers and other commercial units in the vicinity."

12. That in view of the above findings, it is clear that the violations as alleged in the said application regarding the discharge of effluents,

could not be linked to the unit as observed by the Joint Committee Report.

13. However, the Joint Committee, in its report and in the show cause notice under reference, has grossly failed to appreciate the fact that there is cogent evidence to show that the unit has caused harm to the environment. The Joint Committee also should have taken cognizance of the fact that unit is an electroplating unit and as such is not carrying out any inherently dangerous industry which poses a potential threat to environment or people in the surrounding areas. Further, it is arbitrary to impose the cost of restoration/compensation on the unit in the absence of cogent evidence that the unit has caused damage to the environment. Without prejudice to the above, the amount of compensation fixed is in total disregard to the size of operations & turnover of the unit and hence is grossly disproportionate. The Joint Committee also failed to consider the fact that the unit has contributed to providing of water to the surrounding areas as consented before the Hon'ble High Court of Kerala solely as a matter of goodwill. The Joint Committee, in its anxiousness to comply with the directions of the Hon'ble Tribunal has misconstrued the directions of the Hon'ble Tribunal and arbitrarily issued the show cause notice.
14. We wish to state that the present show cause notice issued pursuant to the alleged compensation assessed in the above said report of the Joint Committee, is opposed and denied, since the Joint committee has acted mechanically & arbitrarily beyond the powers vested in it by the Hon'ble tribunal and has acted contrary to the directions issued. The Joint Committee ought to have considered the facts and circumstances of the subject matter while acting in furtherance of the directions of the Hon'ble Tribunal. We wish to state that, even as per the report of the Joint Committee, the allegations of discharge cannot

be linked to the unit and there is no assessment of environment degradation caused by the unit per se and hence, no environmental compensation could be envisaged.

15. We wish to further state that the show cause notice, apart from being arbitrarily issued in complete violation to the directions of the Hon'ble Tribunal, is wholly devoid of any specific allegation or averment, as to what is the exact violation or damage caused by the unit or on what exact basis the environmental compensation has been assessed by the Joint Committee and as such, in the absence of the same, the show cause notice and the Environmental compensation assessed and imposed, lack any merit and is invalid.
16. We wish to state that the show cause notice imposing compensation, has been passed devoid of any powers or sanction accorded to the Board, under any of the Statutes or laws in force and as such, the entirety of the proceedings is ultra vires, arbitrary and illegal and hence the Appellant is aggrieved by the impugned order and challenging the same on the grounds mentioned hereunder. Assessment of compensation in the absence of a finding that the unit has caused environmental degradation is not sustainable.
17. We wish to state that the unit has installed adequate safety measures in the unit and is compliant with all the requisite pollution control measures and has not caused any pollution or environmental damage till date. It is also stated that, in any event, the amount of compensation claimed is arbitrary, disproportional and in negation of various directions issued by the Hon'ble Supreme Court in this regard.

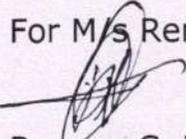
In view of the above, we hereby kindly request you to recall the show cause notice dated 04.04.2023, on considering the above reply and do the needful in this regard. It is further requested to provide us

with an opportunity for personal hearing and to produce additional documents, in the event of this reply not found satisfactory.

Thanking you.

Yours sincerely

For M/s Renu Gold Covering



Renson C .R

RENU GOLD COVERING
MAJOR INDUSTRIAL ESTATE
OLLUR

DATE : 12.05.2023

To

- 1) The Chairman,
KERALA STATE POLLUTION CONTROL BOARD,
Pattom P.O,
Thiruvananthapuram - 695 004.
- 2) The Chief Environmental Engineer,
KERALA STATE POLLUTION CONTROL BOARD
Regional Office,
Ernakulam.
- 3) The Chief Environmental Engineer,
KERALA STATE POLLUTION CONTROL BOARD
District Office,
Thrissur.

Sir/Madam,

Sub : Reply to show cause notice - Reg.

Ref : 1) SCN bearing no.
PCB/HO/EE1/GEN/EC/2023/(12) dated
04.04.2023

2) Preliminary Reply issued by the unit dated
27.04.2023

We are in receipt of your show cause notice dated 04.04.2023 bearing no.
PCB/HO/EE1/GEN/EC/2023/(12) and wish to reply to you as follows :

1. That we have perused the contents of the show cause notice and contentions raised thereunder.
2. That with respect to the violations alleged for the period from 23.07.2012 and 27.07.2013 and environmental compensation assessed for the said violation mentioned in the notice, we had issued a reply dated 27.04.2023 requesting 15 days time to complete

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our process of collecting the necessary documents to show cause as to why action should not be taken against our unit.

3. Pursuant to our earlier reply, we are hereby issuing this present detailed reply to the show cause notice dated 04.04.2023 as follows.
4. At the outset, we hereby deny all the allegations and averments made in the Show cause notice except those that are specifically admitted hereunder. The averments/statements made herein are without prejudice to each other.
5. We wish to state that we are an Electro-Plating unit and a micro scale enterprise covered under the Micro, Small And Medium Enterprises Development Act, 2006 (MSMED, Act 2006) and established in the year 2012. We state that we have obtained all the requisite approvals, licenses and permissions to operate the unit, from the statutory authorities without any default till date.
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7. We wish to state that pursuant to a complaint dated 16.07.2012, regarding pollution of water in the wells in the Ollur industrial estate, an enquiry was conducted in the units, by the District Collector on 23.07.2012. The District Magistrate constituted a subcommittee on 26.04.2013 consisting of a Councillor, Thrissur Corporation, Environmental Engineer, KSPCB, Technical Assistant, Office of DMO, Junior Health Inspector, Thrissur Corporation, two representatives from Poura Samithi and two representatives of Industrial Association

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9. That pursuant to which, the District Magistrate, vide orders dated 06.03.2014 and 05.06.2014, allowed the functioning of the industrial units including our unit, on satisfaction that the units were compliant with the pollution control measures. Thus from the above narrated facts it is clear that this unit as well as other units were allowed to function only after a detailed monitoring to ensure that the units have put in place necessary measures to prevent any pollution and that the units are not indulging in any polluting activity.
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*Environment, State of Kerala and District Magistrate, Thrissur to ascertain the compliance status in respect of each of the units within three months and take action to close the polluting units, as per law. If the units are found compliance, the Committee may ascertain the period of past violations, **atleast from the date of filing of this application till compliance...**"*

11. That pursuant to which, the Joint Committee constituted for this purpose submitted its report dated 08.02.2023, in which with respect to the allegation of toxic effluents being discharged by the unit, it has observed as follows :

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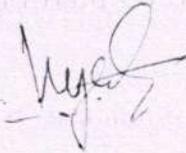
with an opportunity for personal hearing and to produce additional documents, in the event of this reply not found satisfactory.

Thanking you.

Yours sincerely

For M/s Bright Precured System

Vijay Geroge

A handwritten signature in black ink, appearing to read 'Vijay Geroge', is written over the typed name. The signature is stylized and cursive.