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## KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

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

PCB/HO/KSGD/HW/15942/08/2011 (Vol. II)

Date: 22/03/2023

### SHOW CAUSE NOTICE

- Ref: 1) Authorization No. PCB/HO/EKM/HWM/AUT/02/2017 dated 21/04/2017 and Authorisation Renewal no. PCB/HO/HWM/AUTH/01/2022 dated 02/06/2022 valid upto 31/03/2023.
- 2) E-mail dated 06/10/2022 from DO - 1, Ernakulam enclosing letter no. PCB/EKM/DO-1/GEN-21/2020 dated 03/10/2022.
- 3) Letter no. PCB/RO-EKM/GEN-04/06 dated 12/12/2022.
- 4) Letter no. PCB/EKM/DO-1/GEN-21/2020 dated 07/12/2022.
- 5) Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016

WHEREAS M/s. Avatar Petrochemicals Pvt. Ltd., S. F. No. 2321/3, Thimmarasanaickanur - Bit - I Village, Aundipatti Taluk, Theni District, Tamil Nadu, which is a Hazardous Waste recycling unit, comes under the purview of the Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981 and Environmental Protection Act, 1986; and the rules thereunder including Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and is bound to comply with the conditions of the authorization cited (1) above;

WHEREAS authorization was issued to you, vide order dated 21/04/2017 for collection and transportation of 2200 MTPA of category 4.1 Hazardous Waste to the authorized recycling facility in Tamil Nadu;

WHEREAS as per the annual report submitted it is noted 2309 MT of 4.1 category Hazardous Waste was collected from Cochin Port during the above period thereby violating the conditions of authorization issued;

WHEREAS the Central Pollution Control Board in compliance with orders dated 12/04/2019 of the Hon'ble National Green Tribunal, Principal Bench, New Delhi, in the matter of Original Application No. 804/2017 has published Enforcement Framework for Effective Implementation of Hazardous & Other Wastes (Management and Transboundary Movement) Rules, 2016 for calculation of Environmental Compensation;

WHEREAS procedural violations in nature have been observed;

WHEREAS such violations come under category (A) as per the guidelines published by Central Pollution Control Board for determination of Environmental Compensation to be recovered for violation of Hazardous & Other Wastes (Management and Transboundary Movement) Rules, 2016;

WHEREAS financial penalty is to be imposed and collected from the violators for violation of each provision as per the methodology for assessing financial penalty;

WHEREAS based on the methodology developed by Central Pollution Control Board the financial penalty is calculated as Rs. 4 Lakhs for violation of General condition no. (5) & condition no. (1) of the authorization issued vide reference (1) on 21/04/2017 and Rules 6 (1) and (8) of Hazardous & Other Wastes (Management and Transboundary Movement) Rules, 2016;

NOW THEREFORE in exercise of the powers vested under section 5 of Environment (Protection) Act, 1986, the unit is hereby directed to show cause within

15 days of receipt of this notice as to why the unit shall not be directed to deposit an Environmental Compensation of Rs. 4, 00,000/- (Rupees Four Lakhs only).

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

  
CHAIRMAN

o/c

To

M/s. Avatar Petrochemicals Pvt. Ltd.,  
S. F. No. 2321/3, Thimmarasanaickanur Bit-1 Village,  
Aundipatti Taluk, Theni District.

Copy to:

- 1) The Chief Environmental Engineer,  
Regional Office, Ernakulam/ Kozhikode
- 2) The Environmental Engineer,  
Disatrick Office - 1, Ernakulam/ Kasargod
- 3) Environmental Engineer - 5,  
Head Office