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KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

REGIONAL OFFICE, GANDHI NAGAR, ERINAKULAM-682020

ജില്ലാ കാര്യാലയം 1, ഗാന്ധിനഗർ, എറണാകുളം-682011

www.keralapcb.org

DESPATCHED ON 19/02/18

By Registered Post

PCB/EKM/DO-1/OA-395/14

Date: 19.02.2018

SHOW CAUSE NOTICE

WHEREAS M/s GALAXY GREEN, KAKKANAD in the survey no.553/3,4 Kakkanad Village, Kanayannur Taluk comes under the purview of the Water (Prevention & Control of Pollution) Act, 1974 and the rules made there under.

WHEREAS Consent to Operate granted as per Consent No: PCB/RO-EKM/ICO-3/12 dated 31.07.2015 was expired on 31.12.2017.

WHEREAS a Consent Variation Order no: ERRRCVO531532 dated: 08.09.2016 was issued from this office revising the treated effluent standards specified in the consent to operate issued earlier. As per the condition no.3 of Consent Variation Order, final discharge from the Sewage Treatment plant shall be through the soak pit only after meeting the revised standards. Overflow from soak pit (Outlet) shall be connected to public drain leading to canal/river/surface water. The occupier shall ascertain that the public drain has no block up to the water body.

WHEREAS, a WP(C) No: 24529/2015 was filed by Sri.Raj Nayar against the seepage from the soak pit of the Sewage Treatment Plant of the flat complex into his property. Directions were given by the Board as per letter No. PCB/EKM/DO-1/OA-395/14 dated 21.02.2017 and 02.06.2017 to stop the discharge through weeping holes into the

petitioner's property, and to operate STP properly and to connect the overflow from the soakpit to the public drain.

WHEREAS, as per Judgement dated.06.06.2017 in WP(C) no.24529/2015, directions were given to you vide letter No PCB/EKM/DO-1/OA-395/14 dated 07.07.2017 to rectify the defects of the STP and provide additional facilities to achieve the revised standards mentioned in the Consent Variation Order within 1 month to connect the overflow from the soak pit to the public drain. Also shift the position of the soak pits from the present position to the front position of the flats. The Honourable High Court has directed the Board to ensure strict compliance of the directions of the Board by the occupier of the flat and that in the event of any such failure on your part to do so, to initiate action as is warranted, including prosecution against the Managing Director of the firm, M/s Galaxy Green, Kakkanad, Ernakulam.

WHEREAS, even after the stipulated time granted you is elapsed, you have not provided adequate STP and not connected the final discharge to the public drain. Since the discharge of sewage to petitioner's property is still being continued through weep holes, the petitioner filed a Contempt of Case before Honourable High Court of Kerala.

WHEREAS, in compliance to the direction of the Honourable Court in the contempt case No: 2252/2017 dated: 24.01.2018, multiple inspections have been conducted by the Board on 25.01.2018, 27.01.2018 and 31.01.2018, to your unit and it has been noticed that sewage is still being discharged through the weep holes to the petitioner's property.

WHEREAS you are operating a Sewage Treatment Plant without a valid consent to operate from the Pollution Control Board, which is a violation of section 25 of the Water (Prevention & Control of Pollution) Act 1974 and is an offence punishable under section 44 of the Water (Prevention & Control of Pollution) Act, 1974.

WHEREAS you have not complied with the direction given by the Board to discharge the treated sewage as per condition stipulated in the consent issued to you and you are continuing the discharge of sewage from your Sewage Treatment Plant which is a

punishable offence under section 45A of the Water (Prevention & Control of Pollution) Act, 1974.

NOW THEREFORE, the BOARD proposes to initiate legal action against you for your failure to comply with the directions given by the Board and for operating the Sewage Treatment Plant without a valid Consent to Operate from the Board. You are hereby directed to show cause if any within 7 days of receipt of this notice as to why prosecution as contemplated under section 43, 44& 45A of the Water (Prevention & Control of Pollution) Act, 1974 shall not be initiated against you

Dated this 19th day of February 2018.

For and on behalf of the
KERALA STATE POLLUTION CONTROL BOARD


ENVIRONMENTAL ENGINEER

TO,

Shri. P.A Jinas
Managing Director
Galaxy Homes (P) Ltd
Galaxy Square
Rajaji Road Junction
M.G Road, Ernakulam-682 035

Copy to:-

1. The Chairman
Head Office
Kerala State Pollution Control Board
Thiruvananthapuram.
2. The Member Secretary
Head Office
Kerala State Pollution Control Board
Thiruvananthapuram.