



## WEST BENGAL POLLUTION CONTROL BOARD

(Department of Environment, Govt. of West Bengal)

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MEMO NO.: 2679 -PCB-HOW-217/2007

DATE: 28-12-2007

### **CLOSURE ORDER WITH DISCONNECTION OF ELECTRICITY**

WHEREAS, **M/S. JOY ELECTROPLATING** (hereinafter referred as the industry ) operates its electroplating unit at North Shanpur, Dasnagar, P. S. – Jagacha, Dist. – Howrah, PIN – 711 105

WHEREAS, a public complaint was lodged before the WEST BENGAL POLLUTION CONTROL BOARD (hereinafter referred as the Board) alleging creation of air pollution and spreading obnoxious pungent smell resulting in health hazard to the local people and also damage of property.

WHEREAS, an inspection of the industry on 12-10-2007 revealed that the unit is engaged in electroplating operations violating the siting restrictions of the Board. During inspection the following observations were also made:

- ◆ The unit do not possess “Consent-to-Operate” from the Board
- ◆ The unit has not even applied for authorization under the Hazardous Waste (Management & Handling) Rules, 1989 and its subsequent amendments.
- ◆ Pickling operating is carried using hydrochloric acid without any emission control system resulting in emission of acid fumes during the operation of degreasing unit
- ◆ There is no arrangement of liquid waste containing toxic metals
- ◆ The hazardous sludge was found dumped in a bucket
- ◆ No display board for displaying environmental information was observed

WHEREAS, it may be mentioned here that the electroplating unit falls under “Red Category” of activities and setting up of such industry within the municipal boundary of KMA is not permitted (from December, 1997) as per the current siting policy of the Board.

WHEREAS, it is pertinent to mention here that operating of a hazardous waste generating unit without obtaining Authorization under the Hazardous Waste (Management & Handling) Rules, 1989 and its subsequent amendments is the gross violation of the Rule and attracts immediate closure of the unit as per the Order of the Hon’ble Supreme Court Order passed in W. P. (C) No.657 of 1995.

WHEREAS, a public hearing was conducted on 16-11-2007 in the Head Office of the Board involving the industry and the complainants. However, the complainants did not turn up in the hearing.

WHEREAS, Shri Prabir Paul, Proprietor of the industry appearing in the hearing submitted that they do not possess any statutory permission from the Board and they have established their unit after 2001 i.e. well after the introduction of the siting policy of the Board in December, 1997.

NOW THEREOFE, considering the facts and circumstances as stated above and the directive of the Hon’ble Supreme Court of India **M/S. JOY ELECTROPLATING** is hereby permanently closed by the Board. The electricity connection of **M/S. JOY ELECTROPLATING** is also to be disconnected forthwith.

Suspension of closure can not be considered for this unit because the unit in question started operation illegally after the introduction of siting restrictions for such red category of activities. So the Board is legally in no position to issue "Consent-to-Operate" for such unit even if it complies with other environmental norms.

This direction is issued in exercise of the powers conferred under Hazardous Waste (Management & Handling) Rules, 1989 and its subsequent amendments, Water (Prevention & Control of Pollution), Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and Environment (Protection) Act, 1986 and Rules made thereunder.

The Secretary, WBSEB is requested to take action to disconnect the electricity line of the industry forthwith.

The Officer-In-Charge, Jagacha Police Station under W. B. Police is directed to execute the Closure Order against the aforementioned unit and submit the compliance report to the State Board within seven days from the date of receipt of this Memo.

This direction has been issued to the Officer-In-Charge, Jagacha Police and the General Manager-Operations (C&M), CESC Ltd., in conformity with the order of the Hon'ble High Court, Calcutta dated 21-08-1998 and 28-04-1999 respectively.

The Environmental Engineer, Howrah Regional Office of the State Board is requested to take necessary steps for proper execution of the closure order and also visit the units involving the local police station and Nodal Police Officer of the concerned district to oversee the proper execution of the closure order and also ensure the disconnection of electricity of the unit.

This order has the approval of the Competent Authority.

Order

**Sd/-**

(Dr. D. Chakraborty)

**Chief Scientist & Head-Technical Cell  
West Bengal Pollution Control Board**