



WEST BENGAL POLLUTION CONTROL BOARD

(Department of Environment, Govt. of West Bengal)

Paribesh Bhawan

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MEMO NO.: 3138 - 2S(HW)22472007

DATE: 19-02-2008

CLOSURE ORDER WITH DISCONNECTION OF ELECTRICITY

WHEREAS, **M/S. ADHUNIK BATTERY** (hereinafter referred as the industry) operates its lead casting unit at Baikuntha Pally Eastern By-Pass, Near Forest Range Office, P. O. – Salugara, P. S. – Bhaktinagar, Dist. – Darjeeling. The unit is also engaged in collection and selling of old batteries.

WHEREAS, the inspection of the unit on 17-05-2007 by the Officials of the WEST BENGAL POLLUTION CONTROL BOARD (hereinafter referred as the Board) revealed that the unit operates an oven without any air pollution control device. Huge quantity of old batteries and dismantled parts of the same were observed dumped indiscriminately. The unit is operating without obtaining “Consent-to-Establish”, “Consent-to-Operate” and “Hazardous Waste Authorization”.

WHEREAS, as per the provision of the Hazardous Waste (Management & Handling) Rules, the recycling of non-ferrous metal containing hazardous waste including lead waste require authorization from the Board under the Rules as also registration from the Central Pollution Control Board. Without obtaining such registration no recyclers can either procure lead-bearing waste or reprocess the same. The violation as referred above is attracting the order of the Hon’ble Supreme Court of India passed in W. P. (C) No.657 of 1995. The unit in question has no regulatory permission as stated above. The unit can not obviously procure waste batteries from any source for backward reprocessing.

WHEREAS, a technical hearing of the industry was conducted at the Head Office of the Board on 15-01-2008.

NOW THEREFORE, considering the facts and circumstances as stated above and considering the order of the Hon’ble Supreme Court of India passed in W.P. (C) No.657 of 1995 related to the violation of provision of Hazardous Waste (Management & Handling) Rules, 1989 and its subsequent amendments, **M/S. ADHUNIK BATTERY (PROP.: B. D. SHARMA)** is hereby closed by the Board. The electricity connection of **M/S. ADHUNIK BATTERY** will also be disconnected forthwith.

This direction is issued in exercise of the powers conferred under Environment (Protection) Act, 1986 and Rules made thereunder and especially the Hazardous Waste (Management & Handling) Rules, 1989 and its subsequent amendments notified under Environment (Protection) Act.

The Secretary, WBSEB is requested to take action for disconnection of the electricity of the said unit immediately.

The closure order will take immediate effect and Officer-In-Charge, Bhaktinagar 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 receipt of this Memo.

This direction has been issued to the Officer-In-Charge, Bhaktinagar Police Station and the Secretary, WBSEB, in conformity with the order of the Hon'ble High Court, Calcutta dated 21-08-1998 and 28-04-1999 respectively.

Assistant Environmental Engineer & In-Charge, Siliguri Regional Office of the State Board is requested to take necessary steps for proper execution of the closure order and also visit the unit 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**