



WEST BENGAL POLLUTION CONTROL BOARD

(Department of Environment, Govt. of West Bengal)

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MEMO NO.: 1868 -2S(HW)2365/2008

DATE: 23-09-2008

CLOSURE ORDER WITH DISCONNECTION OF ELECTRICITY

WHEREAS, **M/S. ASIAN METAL INDUSTRIES** (hereinafter referred as the industry) operates its secondary lead smelting unit at Jalan Industrial Park, Mouza – Dhulagori, P. S. – Sankrail, Dist. – Howrah.

WHEREAS, the industry was inspected on 10-06-2008 and the following observations were made.:

1. The industry operates a secondary lead smelting unit for manufacturing of lead ingot using lead scrap as raw material.
2. The unit is operating without obtaining “Authorization” under the Hazardous Waste (Management & Handling) Amendment Rules, 2003
3. The unit has already started operation without obtaining Registration from the Central Pollution Control Board, violating the provision of Hazardous Waste (Management & Handling) Amendment Rules, 2003

WHEREAS, Rule 19 under the provision of the Hazardous Waste (Management & Handling) Rules, 2003 and its subsequent amendments clearly stipulates that unit can neither procure non-ferrous hazardous waste or reprocess it without obtaining “Registration” from the Central Pollution Control Board.

WHEREAS, the industry reprocesses lead bearing hazardous waste which falls under non-ferrous hazardous waste, thus attracting the Rule 19 under the Hazardous Waste (Management & Handling) Amendment Rules, 2003.

WHEREAS, Hon’ble Supreme Court of India directed the State Pollution Control Boards to close down those industries who are operating violating the provision of the Hazardous Waste (Management & Handling) Amendment Rules, 2003 through an order passed in connection with W. P. (C) No.657 of 1995.

WHEREAS, a technical hearing of the unit was conducted at the Head Office of the Board on 01-08-2008. No body on behalf of the industry appeared in the hearing.

NOW, THEREFORE, considering the nature of violation as referred above, **M/S. ASIAN METAL INDUSTRIES** is hereby closed by the Board in compliance with the order of the Hon’ble Supreme Court of India as referred above. The electricity connection of the industry is also ordered to be disconnected immediately.

Suspension of closure will be considered only after compliance of the following conditions by the industry:

1. Obtains “Authorization” under the Hazardous Waste (Management & Handling) Amendment Rules, 2003
2. The unit obtains “Registration” from the Central Pollution Control Board, New Delhi for reprocessing of lead bearing hazardous waste

The Secretary, WBSEB is requested to take action to disconnect the electricity connection of the industry immediately.

This order is issued in exercise of the powers conferred under Air (Prevention & Control of Pollution) Act, 1981, Hazardous Waste (Management & Handling) Amendment Rules, 2003, especially notified under Environment (Protection) Act, 1986 and Rules made thereunder after being approved by the Competent Authority.

The closure order will take immediate effect and Officer-In-Charge, Sankrail 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, Sankrail Police Station and Secretary, WBSEB 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 unit involving the local police station and Nodal Police Officer of the concerned district to oversee the proper execution of the closure order and disconnection of electricity.

Order

Sd/-

(Dr. D. Chakraborty)

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