



WEST BENGAL POLLUTION CONTROL BOARD

(Department of Environment, Govt. of West Bengal)

Paribesh Bhawan

Bldg. No. 10A, LA Block, Sector-III, Biddhannagar

Kolkata-700 098

Tel: 2335-9088, 2335-7428, 2335-8211, 2335-8073, 2335-6731

2335-0261, 2335-8212, 2335-8213, 2335-8861, 2335-5975

Fax: (0091) (033) 2335-6730 / 2335-2813

MEMO NO.: 256 - NC-15-WPB-BR-902/08

DATE: 30-01-2009

CLOSURE ORDER

WHEREAS, M/S. APEX INDUSTRIES (hereinafter referred as the industry) located at Rajendrapur, Madarpur, Kalyani Expressway, P. O. – Mardarpur, P. S. – Naihati, Dist. – 24 Parganas (North).

WHEREAS, the industry was issued “Consent-to-Establish”(NOC) under “Green Category” by the Regional Office of the Board on 10-06-2008 for manufacturing of fabric cotton holder for battery plates/grids as battery parts.

WHEREAS, the inspection of the unit by the Board Officials on 01-10-2008 revealed the following:

1. The industry has started production of lead plate casting from lead ingot, which is a “Red Category” activity.
2. The unit operates two nos. of lead melting ovens (one LPG fired and one electric). The LPG fired oven is attached with suction hood and stack of 25. ft. from G. L. but the electrical oven is not connected with the same for collection of fumes.
3. The unit is also engaged in spine casting and red lead filling for manufacturing of lead plates for lead acid batteries. In lead filling section, there is no emission control system and the workers are being exposed to the lead oxide dust.

WHEREAS, all the above activities of the industry fall under “Special Red Category” for which the industry has neither obtained “Consent-to-Establish” and “Consent-to-Operate” from the Board, which is a gross violation of environmental statute.

WHEREAS, the above activity also requires “Authorization” under the Hazardous Waste (Management & Handling) Amendment Rules, 2003 and the unit in question is operating without obtaining the “Authorization” under the Rule from the Board.

WHEREAS, the Hon’ble Supreme Court of India through an Order dated 14-10-2003 in connection with W. P. (C) No.657 of 1995 directed the State Pollution Control Board to close down those units immediately who are operating without obtaining “Hazardous Waste Authorization”.

WHEREAS, a technical hearing of the industry was conducted at the Head Office of the Board on 03-11-2008.

WHEREAS, The Manager of the industry appearing in the hearing could not submit any explanation for carrying out “Red Category” activity having serious pollution potential without obtaining statutory permission from the Board.

NOW, THEREFORE, considering the facts and circumstances as stated above, **M/S. APEX INDUSTRIES** is hereby closed by the Board in compliance with the order of the Hon'ble Supreme Court of India.

This order is issued in exercise of the powers conferred Water ((Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981, Hazardous Waste (Management & Handling) Amendment Rules, 2003, specially notified under Environment (Protection) Act, 1986 and Rules made thereunder and after being approved by the Competent Authority.

The closure order will take immediate effect and Officer-In-Charge, Naihati Police Station under West Bengal 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, Naihati Police Station, in conformity with the order of the Hon'ble High Court, Calcutta dated 21-08-1998.

Environmental Engineer, Barrackpore 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.

By Order,

Sd/-

(Dr. D. Chakraborty)

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