



West Bengal Pollution Control Board

(Department of Environment, Government of West Bengal)

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Memo No. 1369-1503/WPB(HRO)(Pt-1)-K/2005

Date : 06/08/2010

ORDER

West Bengal Pollution Control Board (hereinafter referred to as the 'State Board') received complaint against **M/s. Electrosteel Castings Limited**, Kashberia, P.O. Shibramnagar, P.S. Bhabanipur (Haldia), Dist. East Medinipore, West Bengal from the local resident alleging that the said industry is causing pollution problem in the surrounding area. It is observed from the records that the industry is operating for a period of six (06) years in that particular area.

The State Board inspected the industry and it was observed that the local people are suffering due to dust pollution, specially during the summer season. Copy of the inspection report was handed over to the representative of the industry during the course of hearing.

2. For giving a fair chance to both the parties to explain the situation, a hearing was arranged involving the local people as well as the industry. During the course of hearing the industry submitted that they were not properly informed regarding the suffering of local people from dust pollution. It was further submitted that now they are informed about the same and accordingly suitable action has already been initiated to combat the pollution problem. During the course of hearing representative from Headquarters of M/s. Electrosteel Castings Limited remained present and he fairly submitted that the industry did not discharge its corporate responsibility towards community development in the said locality to the desired extent and they are now in the process of doing the same at an early date.

In view of the public complaint and subsequent law and order problems, the Additional District Magistrate held a meeting to resolve the issue involving all concerned and some actions have been taken to redress the grievances of the local residents.

3. In view of the aforementioned scenario we direct the industry to start monitoring of the fugitive emission and also ambient air quality monitoring as per technical guidance of the Chief Engineer (O & E) with intimation to the State Board. Considering the seriousness of the situation and also attitude of the industry, we are of the view that appropriate authority of the State Board may constitute an expert committee to oversee the situation and give suitable technical suggestions to the said industry for betterment of environment.

4. In this context we are referring to the 'Sustainable Development' principle pronounced by the Hon'ble Supreme Court of India wherein the Supreme Court mentioned that 'Precautionary Principle' and 'Polluter Pays Principle' should be two basic ingredients of the environment laws of the country. In this instant case we feel that 'Polluter Pays' principle should be followed. Accordingly, we direct the industry to pay Pollution Cost of Rs.15,00,000/- (Rupees Fifteen Lakhs) in the form of Demand Draft payable to 'West Bengal Pollution Control Board' within 15 (fifteen) days from hereof which will be sent to the district administration for the purpose of community development in the concerned area.

5. However, the Regional Office should maintain strict vigil over the industry and report to the Headquarters from time to time.

This order is passed with the approval of the competent authority of the State Board.

Sd/-
(Biswajit Mukherjee)
Chief Law Officer
Department of Environment
Government of West Bengal &
West Bengal Pollution Control Board

Sd/-
(Subrata Ghosh)
Chief Engineer
Operation & Execution Cell
West Bengal Pollution Control Board