WHEREAS, M/s. Bengal Nestor’s Industries Ltd. (hereinafter referred to as the industry) located at Somaipur Colony, Ausgram Road, P.O. & P.S.- Ausgram, Dist.- Purba Bardhaman, Pin – 713 156 is engaged in production of dairy products.

AND WHEREAS, the industry was inspected by the official of the West Bengal Pollution Control Board (hereinafter referred to as the Board) on 25/08/2017. During inspection the effluent treatment plant (ETP) was found in defunct condition and the trade effluent was being discharged directly to the outside drain without any treatment. Effluent sampling was carried out and the analysis report shows non-compliance as shown below:

<table>
<thead>
<tr>
<th>Date of sampling</th>
<th>Sampling point</th>
<th>Parameter</th>
<th>Results obtained (mg/l)</th>
<th>Permissible limit (mg/l)</th>
</tr>
</thead>
<tbody>
<tr>
<td>25/08/2017</td>
<td>Outlet of the industry</td>
<td>BOD</td>
<td>58.75</td>
<td>30</td>
</tr>
<tr>
<td></td>
<td></td>
<td>O &amp; G</td>
<td>12.23</td>
<td>10</td>
</tr>
</tbody>
</table>

AND WHEREAS, the industry has an oil-fired boiler (less than 2 tph capacity) which is connected to a stack of height 9m from G.L. Upper part of the stack of the boiler was found in broken state and no permanent ladder and platform is provided with the stack. So stack sampling could not be conducted during inspection. Almost similar type of observation was made during inspections on 30/12/2015 and 08/01/2016. The industry was earlier directed by the Board on 29/02/2016 to install permanent platform, ladder etc. and raise the stack height upto at least 20m from G.L.

AND WHEREAS, last Consent to Operate of the industry expired on 31/07/2016. The industry had applied for renewal of Consent to Operate on 02/08/2016 (with fees valid upto 31/07/2021) which was not granted due to non-compliance of Board’s direction. Moreover the industry had mentioned some additional products in the Consent application form and production capacity of some items had been increased. The industry was directed on 05/09/2016 to submit clarification or apply for NOC. But they did not respond.

AND WHEREAS, the industry was called for a technical hearing on 07/11/2017 at the Head Office of the Board for violation of environmental norms as recorded above.

AND WHEREAS, the Managing Director of the industry appeared in the hearing and submitted that they have not introduced any new product and enhanced production capacity. He also submitted that the ETP was not functioning on the day of inspection due to burning of motor, after rectifying the same, the ETP is now functioning properly. He stated that they have raised the stack height, installed permanent platform, ladder etc. and conducted stack emission and effluent monitoring by recognized laboratory of the Board and all parameters were found within the prescribed standard.
NOW THEREFORE, considering the submission of the industry, M/s. Bengal Nestor’s Industries Ltd. located at Somaipur Colony, Ausgram Road, P.O. & P.S.- Ausgram, Dist.- Purba Bardhaman, Pin – 713 156 is hereby directed as follows:

i. **That**, the industry shall always operate the effluent treatment plant efficiently and maintain effluent discharge standards.

ii. **That**, the industry shall not enhance production capacity without prior Consent to Establish of the Board.

iii. **That**, the industry shall submit a **Bank Guarantee** (proforma enclosed) of **Rs.2,00,000/-** (Rupees two lakh) only, valid for twelve [12] months within fifteen [15] days from the date of issuance of this order in favour of the **WEST BENGAL POLLUTION CONTROL BOARD (Corporation Bank IFSC Code CORP 0000663)** as an assurance to comply with the above directions.

The Environmental Engineer, Durgapur Regional Office is requested to conduct a fresh inspection of the industry along with stack sampling as well as effluent sampling. In case of any further non-compliance, Board will initiate strict regulatory action like closure with disconnection of electricity of the industry. The Environmental Engineer, Durgapur R.O. shall process the Consent to Operate application and dispose it on merit.

This direction is issued in exercise of the powers conferred under the provision of Section 33A of Water (Prevention & Control of Pollution) Act, 1974, Section 31A of Air (Prevention & Control of Pollution) Act 1981 and the Environment (Protection) Act, 1986.

This order has the approval of the Competent Authority.

By Order,

**Sd/-**

Sr. Environmental Engineer & In-Charge
Operation & Execution Cell
West Bengal Pollution Control Board