WHEREAS, M/s. Hindusthan Engineering & Industries Ltd. (HEI) [hereinafter referred to as the industry] located at P.O.- Jagacha, P.S.- Santragachi, Howrah – 711 111 is a large engineering industry engaged in manufacturing of Railway Freight Wagon and its components. Activity includes cutting of metal sheets, welding, riveting, shot blasting and spray painting etc.

AND WHEREAS, an inspection of the industry was carried out by the officials of the West Bengal Pollution Control Board (hereinafter referred to as the Board) on 27/01/2015 in connection with a complaint lodged against the industry. The industry is situated near Santragachi Jheel comprising of vast land area (approx.40 acres). Manufacturing activity is carried out within covered shed and the remaining part is vacant in the backside. It is revealed from the report that the complainant’s house is situated adjacent to the boundary of the industry. 7-8 residential establishments including the complainant’s house exist at the rear portion of the existing activity area of the industry. The industry has open land also beyond the complainant’s house. The industry has expanded its shed/structure towards complainant’s residence without obtaining Consent to Establish from the Board. Fabrication activity was also noticed in the open area adjacent to the complainant’s residence. Intermittent sound level generated during its manufacturing activity measured at the complainant’s terrace was 82.7 dB(A) whereas ambient noise level was recorded as 59-60 dB(A). The industry has also constructed a new shed near one of the complainant’s house for setting up a new power house.

AND WHEREAS, following the public complaint, both the complainants and the industry were called for a hearing by the Public Grievance Cell of the Board on 12/02/2015 wherein the complainants submitted that they are suffering tremendously from noise pollution, air pollution and other environmental hazards due to fabrication job and painting activities of the industry. The industry was directed on 12/02/2015 through Record of Proceedings not to operate any activity in the expanded area.

AND WHEREAS, the industry was again inspected by Board official on 03/09/2015 and it was observed that installation of paint booth was going on without taking any permission from the Board. Accordingly the industry was directed by the concerned regional office of the Board on 23/09/2015 to stop expansion activity and to apply for Consent to Establish to the Board.

AND WHEREAS, the Consent to Operate for the existing activity is valid upto 31/01/2017.

AND WHEREAS, the industry was called for a hearing at the Head office of the Board on 17/12/2015 for the non-compliance of environmental norms as recorded above.

AND WHEREAS, the representatives of the industry appearing in the hearing submitted that no manufacturing activity will be carried out in the expanded shed, the said shed will be used for storage of materials only. They stated that paint booth is being installed within the existing shed to control air pollution during spray painting. They mentioned that they have submitted online application on 16/12/2015 for Consent to Establish for construction of new shed and installation of paint booth. They also submitted that they would not proceed further for any construction work of expanded shed/structure and paint booth before getting Consent to Establish from the Board. They mentioned that they would cover the sides adjacent to the complainant’s residence with acoustic system within six months.
NOW THEREFORE, considering the submission of the industry, M/s. Hindusthan Engineering & Industries Ltd. (HEI) located at P.O.- Jagacha, P.S.- Santragachi, Howrah – 711 111 is hereby directed as follows:

1. **That**, the industry shall not carry out any additional construction work of shed and paint booth before obtaining Consent to Establish from the Board.

2. **That**, the industry shall not carry out any manufacturing activity in the expanded shed without obtaining Consent to Establish/Consent to Operate from the Board.

3. **That**, the industry shall take necessary preventive measures within 31st March 2016 to reduce the noise generated due to operation of the plant.

4. **That**, the industry shall execute a **Bank Guarantee** (proforma enclosed) of **Rs. 5,00,000/-** (Rupees Five Lakh) only valid for twelve (12) months within fifteen [15] days from the date of issuance of this direction in favour of the **WEST BENGAL POLLUTION CONTROL BOARD** as an assurance to comply with the environmental norms in future.

The Environmental Engineer, Howrah Regional Office of the Board will keep strict vigil on the industry. If the industry is again found to be non-complying, the Board will take strict action against the industry.

This direction is issued in exercise of the powers conferred under the provision of Water (Prevention & Control of Pollution) Act 1974, Air (Prevention & Control of Pollution) Act 1981, the Environment (Protection) Act, 1986 and Rules made thereunder after being approved by the Competent Authority.

By Order,

_Sd/-_

Chief Engineer

Operation & Execution Cell

West Bengal Pollution Control Board