

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

.....

ORIGINAL APPLICATION NO. 31/2014/EZ

IN THE MATTER OF :

1. Joydeep Mukherjee,
S/o Late Sailendranath Mukherjee,
292, Roybazar,
Post office- Hooghly, Dist- Hooghly
Pin- 712103
2. Nantu Das
S/o Late Rakhil Chandra Das
1 No., Keota Govt. Colony
PO-Sahaganj
Dist-Hooghly
Pin- 712104
3. Prithiraj Dutta,
S/o Gopal Ch. Dutta
Anarbati,
Antpur
Hooghly
Pin- 712 424
4. Raju Chakraborty,
No.1, Keota Govt. Colony
Po- Sahaganj
Dist- Hooghly
Pin- 712104
5. Mr.Shankar Bhadra
No.1, Keota Govt. Colony
PO- Sahaganj
Dist- Hooghly
Pin-712 104

**6. Nemaï Biswas, Netaji Park 2
PO- Bandel
Dist- Hooghly
Pin- 712 123**

**7. Sambhu Nath Nandy,
Keota Kalibari,
PO- Sahaganj
Dist- Hooghly
Pin- 712 104**



..... Applicant

Versus

- 1. Chief Secretary,
Govt. of West Bengal,
Office at "Nabanna"
West Bengal New Secretariat Building
Howrah- 711102**
- 2. The Member Secretary,
Pollution Control Board, West Bengal
Paribesh Bhavan
10A, Block –LA
Sector-III,
Bidhanagar
Kolkata- 700 098**
- 3. The District Magistrate,
Hooghly,
PO- Chinsurah
Dist-Hooghly**
- 4. The Sub-Divisional Officer,
Chinsurah
PO- Chinsurah
Dist- Hooghly**

5. **The I.C Chinsurah**
P.S Post Chinsurah
Dist- Hooghly
6. **Pradhan Bandel Gram Panchayet**
PO- Bandel
Dist- Hooghly
7. **Akash Roy, Manager**
Jupiter Alloy's and Steel (India) Ltd.
G.T.Road
Sahaganj
Dist- Hooghly
8. **Jupiter Alloy's and Steel (India) Limited**
G.T.Road, Sahaganj
Dist- Hooghly
..... Respondents

COUNSEL FOR APPLICANTS :

Mr.S.K.Mukherjee, Advocate
Mr.Subroto Mookherjee, Advocate
Mrs.Leena Mukherjee, Advocate

COUNSEL FOR RESPONDENTS :

Mr. Bikas Kargupta, Advocate, Respondent No.1,3,4
& 5, Ms. Arpita Chowdhury, Advocate, Respondent
No. 2, Mr.Reetobroto Moitra, Advocate, Mr.Sandip
Kr. Dutta, Advocate, Mr.Subhajit Dutta, Advocate
and Mr. Suvradal Chowdhury, Advocate,
Respondents No. 7 & 8, Mr.Surendra Kumar,
Advocate, CPCB

JUDGEMENT

PRESENT :

Hon'ble Mr.Justice S.P.Wangdi, Judicial Member
Hon'ble Prof. (Dr.) P.C.Mishra, Expert Member

Reserved on : 19/04/2016
Pronounced on : 05/05/2016

1. Whether the Judgement is allowed to be published on the net ?

Yes

2. Whether the Judgement is allowed to be published in the NGT Reporter ?

Yes

JUSTICE S.P.WANGDI (JM)

1. This application under Section 14 read with Section 15, 16,17 and 18 of National Green Tribunal (NGT) Act 2010 has been preferred by the Applicant against the Respondents No. 7 and 8, namely, Shri Akash Roy, Manager, Jupiter Alloys and Steel (India) Limited and M/s Jupiter Alloys and Steel (India) Limited respectively, alleging that they are discharging waste water and untreated factory water into a pond lying adjacent to their factory premises thereby polluting it, resulting in the local people being deprived of the use of the pond for their domestic purposes. It is also alleged that smoke emitted from

the factory was polluting the air making it hazardous for the people living in the locality and, that the untreated waste water which is directly discharged onto the soil, is rendering the land uncultivable, depriving the people of their livelihood. These, as per the Applicant, are violative of Section 24(1) of the Water (Prevention and Control of Pollution) Act, 1974, and Section 22 of the AIR (Prevention and Control of Pollution) Act, 1981. It is further alleged that the factory also cause noise pollution affecting health of the local people thereby attracting the Provisions of the Noise Pollution (Regulation and Control) Rules, 2002. It is thus prayed as follows :-

- “ 1) Direct the respondent authorities to restrain respondent no.7 from committing further pollution immediately ;
- 2) Direct the respondent authority to enquire into the matter immediately with regard to the pollution of local area due to the Jupiter Alloys and Steel (India) Limited, Hooghly ;
- 3) Direct the respondent authority to produce the records of this case before this Hon’ble Tribunal ;
- 4) Direct the respondent authority to stop the management of the factory from committing further similar kinds of activities till the disposal of the application ;
- 5) An interim relief, for prohibiting Jupiter Alloyee’s and Steel (India) Limited, Hooghly from committing further pollution, may be granted until the further order.
- 6) Pass such other or further order(s) and /or direction(s) as to this Hon’ble Tribunal may deem fit and proper for the ends of justice; ”

2. In their affidavit in reply, the Respondents No. 7 and 8 have denied all material allegations and stated that the factory has been operating by observing all statutory Rules and Regulations. That M/s Jupiter Alloy & Steel (India) Ltd. has valid factory license to operate and holds ISO : 9000:2008 certificate implying thereby that it follows the standard norms prevalent throughout India. That they have also installed air , smoke and dust control systems approved by the Pollution Control Board and possesses license issued by the Bandel Gram Panchayat to operate the factory.

It is thus denied that the Respondents have violated Provisions of Water (Prevention and Control) Act, 1974, AIR (Prevention and Control) Act, 1981 and the Noise Pollution (Regulation and Control) Rules 2002. It is specifically averred that wastage from the factory is discharged into a high drain built by the factory and not into the pond as alleged by the Applicant.

3. On 13th November, 2014 , when the matter came up for consideration by this Tribunal, direction was issued upon the West Bengal Pollution Control Board , Respondent No.2, to submit a Status Report *inter alia* on the allegation made in the application, particularly on the issue of pollution of the pond and

disposal of untreated waste water by the Respondents No. 7 and 8.

4. In compliance of the said direction, an affidavit was filed by the West Bengal Pollution Control Board, annexing with it an inspection report carried out by its Environmental Engineer at the end of which it contained the following remarks :-

“ Remarks :-

- I) No process or domestic effluent of the industry is discharged into the said pond.
- II) The industry complied with the prescribed standard of the Board in respect of stack emission and effluent discharge.
- III) The unit is having valid ‘consent to operate’ upto 31/7/2016.”

5. As the above report of the West Bengal Pollution Control Board was seriously objected to by the applicant, this Tribunal by its order dated 11/08/2015 issued following directions :-

“Considering the submission of the respective parties and to adjudicate the environmental dispute the CPCB, Regional Office at Kolkata is directed to appoint a Committee of two scientists for an on the spot inspection of the area in question, who will collect the air and water samples for analysis and submit their report along with their observation in the form of affidavit within four weeks with the following terms of reference :

- (1) Quality of stack emission of three samples collected at 4 hours intervals;
- (2) Ambient Air Quality within 2 Km radius of the

project unit. Four samples at 500 m interval in each direction (total 16 samples) ;

- (3) Nature and characteristics of waste water generated from the industry and industrial premises and their disposal practice ;
- (4) Whether the domestic or industrial waste water generated in the premises of the unit is discharged / drained into a pond located outside the premises by any means, open or hidden ;”

6. In compliance of the aforesaid directions, the Central Pollution Control Board filed its report supported by an affidavit duly affirmed on 1st October, 2015. Inspection as per the report was carried out by (1) Shri A.K.Sen, Scientist C, CPCB, Kolkata, (2) Shri Sandeep Roy, Scientist C, CPCB, Kolkata and (3) Shri K.N Nandi, Scientist B, CPCB, Kolkata.

For, the sake of convenience, we may reproduce below the relevant portions of the report :-

“ Overall Observation :

1. As informed by Industry personnel, operation of the Electrical Arc Furnace (EAF) is dependent as per demand from Indian Railways. However, on average basis only one no. of EAF is operated and other is kept as Stand-by.
2. The EAF is operated during Night time (lean demand of electricity). As informed, as per the policy/rules of State Electricity Supply agency, the electrical power tariff is very low (approx 50% less than day time) during said hrs. The specific power consumption is approximately 700 Kwh for per MT of Molten Metal production.

4. The finished production (HS & LCCF Bogies High Tensile Centre Buffer Couplers) is sold/supplied to its sister concern M/s Jupiter Wagon Ltd., Shahgunj for Railway Wagon manufacturing.
5. During scrap charging of EAF, fugitive emissions were observed. For easy movement of Scrap bucket, the top suction hood was removed from Furnace and placed over the furnace after charging . During this time interval, emission level was high, as it could not be arrested in Top suction hood. This may cause for increasing level of fugitive emission in the vicinity.
5. As per the consent condition, industry had to install separate energy meter for APCD to ensure the proper operation. However, during visit it was not found.
6. The slag generated from the furnace is used for low lying area filling inside the plant premises. However any type of log book is not maintained for slag generation and disposal.
7. As informed by Industry personnel, the Machine Repairing and maintenance work is carried out by Third Party basis. The hazardous wastes generated during maintenance work such as used oil, lubricants etc is lifted by third party. The batteries are purchased under Buy Back Scheme.
8. Ambient air quality monitoring work was carried out at 11 Nos. Of location. At 5 locations monitoring work could not be carried, as the adequate electrical power connection was not available.
9. Stack monitoring platform of Arc Furnace was not adequate to perform the monitoring work. The space available at platform was not sufficient to cater the Monitoring equipment.
10. Daily water consumption is 101.15 KL. Water is used for domestic purpose only. In industrial process, water is not required.
11. At final outlet any type of water discharge measuring device is not installed. Logbook is not maintained for water utilisation.
12. Housekeeping of the plant was satisfactory. Scrap material was found stored in scattered manner. Fugitive emission was also observed during plying of vehicles/cranes/hydra. Water is sprayed manually on the roads.

Monitoring work carried out with the following terms of reference (As per direction of Hon'ble National Green Tribunal, Kolkata)

Point 1

Quality of Stack Emission from three samples collected at 4 hrs interval

➤ **Stack of Electrical Arc Furnace**

Sl. No.	Date & Time of monitoring	Analyzed value of PM (mg/Nm ³)	Standard**
1	8 th Sep 2015 10.00 AM	< 10	150mg/N m ³
2	8 th Sep 2015 2.00 PM	< 10	
3	8 th Sep 2015 6.00 PM	< 10	
	Avg. Value	< 10	

➤ **Stack of Heat Treatment Furnace**

Sl. No.	Date & Time of monitoring	Analyzed value of PM (mg/Nm ³)	Standard**
1	9 th Sep 2015 10.00 AM	123	150mg/N m ³
2	9 th Sep 2015 2.00 PM	104	
3	9 th Sep 2015 6.00 PM	169	
	Avg. Value	132	

**** Standard as prescribed by WBPCB**

Point 2

Ambient Air quality with 2 Km radius of the project unit. Four samples at 500 m interval in each direction.

(1)	500 meter at East direction (E1)	At the roof of the house of Mr.Anup Saha, Jhap Pukur main road, Sahagunj, Hooghly, 712104
(2)	1000 meter at East direction (E2)	Mr. Ekanta Sardar, Bhatri Sangha Math, Sahagunj, Hooghly, 712104
(3)	1500 meter at East direction (E3)	Mr.Mithun Dutta, Kalitala, Sahagunj, Hooghly, 712104

	2000 meter at East direction (E4)	Suitable location with power connection not found.
(5)	500 meter at South direction (51)	At the roof of the house of Mr.Sankar Das, Keota 1 no. Govt. Colony, Sahagunj, Hooghly, 712104
(6)	1000 meter at South direction (52)	M.Das super market, 3 no. military Coloney,Sahagunj, Hooghly, 712104
(7)	1500 meter at South direction (53)	JUPITER Guest House, Bandel New Park, Bandel, Hooghly, 712123
(8)	2000 meter at South direction (54)	Mr.Nirmal Das, Bandel Green Park, Bandel, Hooghly, 712123

Monitoring result

Sl.No.	Location	Parameter($\mu\text{g}/\text{m}^3$)			Remarks
		RSPM	SO ₂	NO ₂	
1.	E1	83	2	17	National Ambient Air Quality Standard **
2	W1	71	3	19	
3	N1	190	5	44	
4	S1	633	3	16	• PM-100 $\mu\text{g}/\text{m}^3$
5	E2	47	3	2	• SO- 80 $\mu\text{g}/\text{m}^3$
6	S2	236	5	6	• NO- 80 $\mu\text{g}/\text{m}^3$
7	E3	48	1	10	** For industrial ,
8	W3	231	3	8	Residential and Rural Area.
9	N3	132	4	20	Ambient air quality stations Photograph
10	S3	22	1	5	(randomly selection)
11	S4	175	1	6	enclosed as Encl-1)

- At some locations (W2, N2, E4, W4, N4) ambient air quality work could not be carried out as the suitable electrical power connection was not found .
- M/s Jupiter Alloys is surrounded by Residential and Industrial set up. There are various sources of Air Pollution in the vicinity, which may cause for Ambient air Quality degradation. As observe during visit, Brick kiln/fields, Highway construction mixing plant, High way construction activities (Four lane of Old Delhi Road) are available in the 4 m (radius) vicinity. The major industries are M/s Bandel Thermal Power Plant of WBPDC, M/s ITC Ltd, M/s Kesoram Rayon, M/s Dunlop etc have their set up within 9 km radius (Crow fly distance) (Google Earth Pictorial view enclosed as Encl-2)

- **Point 3**

Nature and Characteristic of waste water generated from the industry and industrial premises and their disposal practice.

- Water is used for domestic purpose only, Daily water consumption is 1.5 Kl which used by factory employee for toilet, hand wash etc. The toilet waste water is discharged through septic tank. This wastewater is discharged into local drain which finally meets to River Ganga.
- During visit water samples were collected from final outlet of the industry. The analysis result is following :

Location of Sampling	Parameter				
	pH	BOD	COD	TSS	O & G
Final outlet	7.56	2 mg/l	13 mg/l	20 mg/l	< 5 mg/l
Standard **	6.5 – 8.5	30mg/l	250mg/l	100 mg/l	10 mg/l

**** Standard as prescribed by WBPCB**

Point 4

Whether the domestic or industrial waste water generated in the premises of the unit is discharged/drained into a pond located outside the premises by any means, open or hidden.

Water is used for domestic purpose only. Waste water generated from the premises is discharged into local drain by open rectangular channel. During visit, no discharge was found into pond.

Recommendation :

1. Industry may be asked to install more suction points/hoods at EAF to minimize the fugitive emission during scrap charging. Curtain walls may be placed at EAF section to lower the wind effect and to minimize the fugitive emission.
 2. Industry may be asked to install the separate energy meter for APCD and a logbook should be maintained for APCD operation.
 3. The stack monitoring platform of EAF Bag filter should be made as per Emission Regulation.
 4. At final outlet, water discharge measuring device should be installed. A log should be maintained for daily water consumption and water discharge.
 5. Industry may be asked to improve the housekeeping. The scrap material should be stored in designated place. Unit may be asked to install water sprinklers on Road sides to minimize fugitive emission during plying of vehicles.”
7. Even the aforesaid report has been assailed by the Applicant on certain grounds by filing M.A No. 02 of 2016 with which we shall deal later.
8. During the course of arguments, on 19/04/2016, Mr. Surojit Kiran Bhattacharya, Ld. Counsel appearing on behalf of the applicant Mr. Joydeep Mukherjee, Advocate , primarily stressed on the above report of Central Pollution Control Board (CPCB) filed with their affidavit dated 1st October, 2015, particularly with reference to Point No. 3 in the terms of

reference, i.e, "Nature and Characteristic of waste water generated from the industry and industrial premises and their disposal practice". He strongly argued that the affidavit filed on behalf of the CPCB could not be accepted in as much as it has been stated that the water was being used only for domestic purpose i.e, for toilet, washing, etc. , for the daily water consumption was 1-1.5 KL. approximately. Mr. Bhattacharya would submit that when the industry was engaged in manufacturing steel goods, it would defeat common sense to accept that no water is used by the factory, particularly, when the documents filed in M.A No. 2 of 2016 , the industry contained the following :

- " i) Two nos. Rolling Mill
- ii) 2nos.Electric Arc furnace(each of 10 MT/ batch capacity) and
- iii) 1 no. Induction furnace (6 MT/batch) &
- iv) 1 no. Tempering furnace (electrical) of capacity 100 MT/month
- v) The 2 MT/hr. F.O fired reheating furnace for 11" Rolling mill and 3 MT/hr. F.O fired reheating furnace for 16" Rolling mill are connected to separate stacks of height 30 m from G.L."

9. Referring to the above, it was emphasised by Mr. Bhattacharjee that undeniably , Electric Arc Furnace, Induction Furnace, Tempering Furnace and Reheating Furnace would undoubtedly result in the Steel Rolling Mills being heated up requiring it to be cooled down with water. These features which

had been noted even in the inspection report dated 18/12/2014 and the one filed with an affidavit and affirmed on 01.10.2015 by the scientist of West Bengal Pollution Control Board (WBPCB) and the Central Pollution Control Board(CPCB) respectively would, as per the Ld. Counsel, establish the falsity of the reports that no cooling water is utilised in the industrial/ process. It was contended by Mr. Bhattacharya that as the report of the CPCB could not be accepted, a fresh report was necessary to be called for by appointing some other independent agency. It is submitted that the reports filed by the WBPCB and CPCB were inadequate as it also has not been mentioned as to whether the industry has (i) Consent to operate under Water and AIR Act and (ii) Authorisation under Waste Management (Handling and Trans- boundary Movement) Rules, 2008.

10. The Ld. Counsel further went on to submit that Environmental Impact Assessment (EIA) has not been carried out in respect of the industry which is mandatory as it belongs to Special Red Category . Referring to the 'consent to operate' certificate filed with their reply by the Respondents Nos. 7 & 8 , it was submitted that even that had obviously expired on 31/07/2015, and, therefore, even on this score the operation of the industry on and from 1st August, 2015 was illegal and unauthorised.

11. Mr. Bhattacharya re-emphasised that untreated waste water was being discharged directly into the pond lying adjacent to the industry premises rendering the water in the pond unfit for use by human .

12. Mr. Reetobroto Moitra, Ld. Advocate, appearing on behalf of Respondents No. 7 and 8, i.e, the Manager and the industrial unit respectively, on the other hand, would submit that the applicant has no *locus standi* to file this application as he is not a person from the village where the pond is being allegedly polluted.

13. It is submitted that the facts agitated in the oral arguments of the Ld. Counsel for the applicant were beyond the scope of the pleadings. That there was no emission of hazardous waste by the industrial unit and that the industrial unit was running legitimately with all necessary permissions required under the land including licence issued by the Bandel Gram Panchayat . It was submitted that besides the industrial unit apart from being a holder of ISO:9000:2008 , has also installed air , smoke and dust pollution control system approved by the West Bengal Pollution Control Board.

14. Rebutting the contentions, raised on behalf of the applicant, it was submitted by Mr. Moitra that the report of the

CPCB has to be considered in the context of the terms of reference referred to it by this Tribunal in its order dated 11/08/2015. It is submitted that from reports of CPCB, it is eminently clear that there was no discharge of waste water from the industry premises into the pond. As far as the expiry of 'consent to operate' is concerned, Mr. Moitra sought for leave to place before us a document issued by the WBPCB dated 10/08/2015 by which 'consent to operate' had been granted to the Respondents no. 7 and 8 from 01/08/2015 to 31/03/2018, thereby belying the contentions to the contrary on this aspect. It was contended that from the reports of both WBPCB and CPCB, it would be evident that the industrial unit did not suffer from any of the inadequacies pointed out by the applicant and accordingly prayed that the application be dismissed.

15. We have heard the Ld. Counsel for the parties, perused the pleadings, affidavits filed by the parties and the documents on record.

16. As already noted earlier, the foundation of the Applicant's case is that the Respondents No. 7 and 8 while running the industrial unit, is discharging untreated water into a pond situated in the adjacent village and disposing off factory

waste and polluting matters on to the fertile land thereby rendering the pond and the land unfit for use by the villagers. It is also alleged that the ambient air quality of the area has been degraded due to emission of particulate materials in the air in excess of the of the permissible standards and, further that the noise resulting from running of the industrial unit is also in excess of the permissible limits measured in terms of decibels.

17. The prayer sought for by the Applicant in the application as can be culled out therefrom are substantially two-fold, i.e, firstly, the respondents no. 7 and 8 be restrained from committing further pollution of the area and secondly, to direct the authorities to immediately enquire into the matter.

18. Without going into the details of the allegations contained in the application having already dealt with those earlier, it would be relevant to note, that on 13/11/2014 which was the very first date when the application was taken up for hearing, this tribunal *inter alia* passed the following order:-

“ Having regard to such submissions we direct the Member Secretary, West Bengal Pollution Control Board to submit a Status Report in respect of the allegation made in the application particularly on the issue of nearby pond and disposal of wastes without making any treatment by the respondent unit.....”

19. In response to the above direction, the Respondent No.2, the West Bengal Pollution Control Board, filed an affidavit by which it was stated that an inspection of the Respondent No. 7, M/S Jupiter Alloys & Steel carried out by Shri S. Bhattacharya and Shri S.Chakrabarty, their Environment Engineer and Junior Scientist, Hooghly Regional Laboratory, respectively, revealed that (i) there was no process or domestic effluent discharged into the pond by the industry (ii) there was compliance of the standard prescribed for emission of stack and effluent discharge and (iii)that the unit was possessed of valid 'consent to operate'.

20. When this report was objected to by the applicant, the Tribunal by order dated 11th August, 2015, on the prayers of the applicant and the Senior Counsel representing the newly added applicants, directed the Regional Office, Central Pollution Control Board, Kolkata, to carry out the task on certain terms of reference made to it. The report, as discussed earlier, revealed that the Respondent No. 7 substantially satisfied the parameters on all aspects and the terms of reference, apart from pointing out certain negligible inadequacies, were answered in the affirmative in their favour. The relevant portion of the report reproduced earlier would also reveal that even the two aspects which were assailed on behalf of the applicant i.e., (a) Point 3 –

Nature and Characteristic of waste water generated from the industry and industrial premises and its disposal practice and, (b) Point 4 – whether the domestic or industrial waste generated in the premises of the unit is discharged/drained into a pond located outside the premises by any means, open or hidden, also appear to be unfounded.

Of course, Mr Surojit Kiran Bhattacharya, Learned Counsel for the applicant would vehemently castigate the finding on Point 3 that just 1.5 KL of water was used in the factory and that too only for domestic purpose. However, in our considered opinion, the Learned Counsel while making the submission, has overlooked the fact that the finding was rendered on the Terms of Reference made to the CPCB. Point No. 3 of the Terms of Reference quite obviously was confined to waste water discharged by the industry and not on the quantum of water used in the unit. Even the allegation that untreated water was being discharged into the pond and onto the soil have been found to be incorrect, in view of the categorical finding of the CPCB that waste water generated from the unit was discharged through Septic Tank into a local drain that leads to the River Ganga and, that there was no discharge into the pond.

21. Thus, we find that the report of the CPCB reaffirms the report of the WBPCB in full measure. It may be emphasised that as would be revealed by order dated 11/07/2015, that it was the applicant who had prayed for inspection by CPCB, and, therefore, it baffles us to find him filing M.A No. 2 of 2016, i.e. , objection to their report. In any case, we do not find anything of substance in the written objection that persuades us to interfere with the report. We find the report of the CPCB which admittedly has been prepared by experts, to be unimpeachable.

22. From the facts and circumstances stated above, we find that the two principal prayers made in the application, i.e. , (I) to direct respondent authorities to restrain Respondent No.7 from committing further pollution and, (II) to direct respondent authorities to enquire into the matter relating to pollution of the local area caused by Respondent No.7, appear to have been fully satisfied. As noted already, this Tribunal had directed two enquiries to be made i.e. , firstly, by the West Bengal Pollution Control Board and secondly, by the Central Pollution Control Board and as per their reports, the allegations of air and noise pollution, and, discharge of waste water and pollutants into the pond by the Respondent No.7 have been found to be incorrect. In view of this, nothing further survives for our determination.

23. However, before parting, we deem it essential to observe that the CPCB in its report have made certain recommendations based on their observation which we have reproduced earlier. In our view, it would be in the interest of the environment and its protection that the Respondent No.7 should act in terms of those recommendations which read as follows:-

“ Recommendation :

1. Industry may be asked to install more suction points hoods at EAF to minimize the fugitive emission during scrap charging. Curtain walls may be placed at EAF section to lower the wind effect and to minimize the fugitive emission.
2. Industry may be asked to install the separate energy meter for APCD and a logbook should be maintained for APCD operation.
3. The stack monitoring platform of EAF Bag Filter should be made as per Emission Regulation.
4. At final outlet, water discharge measuring device should be installed. A log should be maintained for daily water consumption and water discharge.
5. Industry may be asked to improve the housekeeping . the scrap material should be stored in designated place. Unit may be asked to install Water sprinklers on Road sides to minimize fugitive emission during plying of vehicles.”

24. We, thus, direct Respondent No.7 to ensure that all the above recommendations are complied with within a period three months and not later than that.

The West Bengal Pollution Control Board and Regional Office of Central Pollution Control Board, Kolkata, shall monitor the compliance.

Respondent No.7, West Bengal Pollution Control Board and Central Pollution Control Board shall file reports of compliance on 7th August, 2016.

With the above direction, this Original Application along with M.A No. 02/2016/EZ stand disposed of.

No order is passed as to cost.

Justice S.P.Wangdi, JM

Prof.(Dr.) P.C.Mishra, EM

Kolkata

Date: 05/05/2016

NGT