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## MAHARASHTRA POLLUTION CONTROL BOARD

☎ : 24010437/4701/24020781  
24037124/5273/24044489  
Fax : 24024068  
Visit us on :  
<http://mpcb.gov.in>

Kalpataru Point, 3<sup>rd</sup> & 4<sup>th</sup> Floor,  
Sion Matunga Scheme Rd.No.8  
Opp. Cine Planet cinema,  
Near Sion Circle, Sion (E),  
Mumbai – 400 022.

By R.P.A.D./Fax/Hand Delivery

No.MPCB/ MS/2010- *B.4503*

Date: *15/7/2010*

To

The Regional Officer,  
Maharashtra Pollution Control Board,  
Mumbai/Thane /Navi Mumbai/Raigad/Kalyan/Pune/Nashik  
Aurangabad/Nagpur/Amravati/Kolhapur

### CIRCULAR

Sub. :- Enforcement of the directions issued by various Regional Officers and the Authorities at the Head Quarter against the defaulting industries u/s 33A of the Water (P & CP) Act, 1974 and u/s 31A of the Air (P & CP) Act, 1981 respectively.

It has been observed that one of the Regional Officer of the Board had issued directions of closure against one of the unit on account of without disclosing hazardous waste details to the Maharashtra Pollution Control Board and generating the hazardous waste and disposing hazardous waste in an unscientific manner.

The representatives of the unit brought to the notice of the Hon'ble Environment Minister, Govt. of Maharashtra, the high handedness done by the officers of the Board in implementation of the directions of closure by taking coercive measures and thereby creating not only pressure but also applying bad tactics by using the unwanted force for the enforcement of the directions. Hon'ble Environment Minister, Govt. of Maharashtra immediately called the concerned Regional Officer and given him strict warning about not to repeat such type of incident in future. Hon'ble Minister, further instructed the I/c Member Secretary to issue appropriate circular to avoid such type of compulsive and coercive methods for the enforcement of directions issued by the Board in future.

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The Board has already issued D.O. Letters to all the Regional Officers communicating a detailed procedure and guidelines for exercising the powers delegated to them in respect of issuance of directions under the provisions of the above Acts. They were instructed not to issue directions to the defaulting industries on adhoc basis without taking it to the logical conclusions. It appears that the said guidelines are not being followed strictly. Therefore, all the Regional Officers are hereby directed to follow scrupulously the procedures and guidelines issued from time to time by the Board. It is further specifically directed that the Regional Officer or their subordinates should not use any unauthorized coercive and compulsive measures for the enforcement of the directions issued by the Board, more particularly, high handedness in implementation of directions should be avoided. In case, any officer of the Board is found to be using such unauthorized compulsive measures, he will be liable for further disciplinary action, which shall be noted.

  
24.6.10 (Radheshyam Mopalwaar)  
Member Secretary

Copy to :- W.P.A.E.(R.O. Co-ordination) / A.P.A.E. (R.O. P&P) / P.S.O. / Chief Accounts Officer / I/c Zonal Officer (PAMS) (R.O. PCI-II)/ R.O. (HQ) / R.O. (PAMS) / Sr. Law Officer Sr. Administrative Officer / Statistical Officer – for information