

BIHAR HUMAN RIGHTS COMMISSION

9, Bailey Road, Patna

Case No. BHRC/Comp.313/14

Case of Sh. Gopal Krishna (Toxics Watch Alliance): - Regarding operation of Asbestos based factory in Bhojpur

Sh. Gopal Krishna, Toxics Watch Alliance (TWA), (09818089660) had emailed to the Commission (in Feb, 2014) about operations of **Asbestos based factory Ramco industries in Bihiya, Bhojpur**, wherein a worker Sh. Virendra Kumar Singh @ Sh. Barak Yadav died a painful death (Nov, 2013) due to lung related disease and consequent contracted exposure from asbestos fibers and that each worker in the factory faces similar fate.

2. According to the petitioner, as per Hon'ble Supreme Court's judgment of January 27, 1995 in Writ Petition (Civil) No.206 of 1986 which was reiterated on January 21, 2011, the State govt & Govt. of India have to comply with fresh ILO, resolution of June, 2006 on ASBESTOS and the health records of workers have to be maintained for 40 years and for 15 years after the retirement. The Judgment also stipulates compensation for such workers who suffer from asbestos related diseases. Petitioner further submitted that in contempt of Hon'ble Supreme Court's orders, the Ramco industries is not maintaining the health record of every worker, not conducting Membrane Filter test to detect asbestos fibre, not insuring health coverage to every worker and that the company does not have qualified occupational health doctors to undertake these tasks.

3. Commission asked for responses from (1) Principal Secretary, **Industries Deptt.**, Govt. of Bihar (2) Secretary, **Pollution Control Board**, Bihar (3) **District Magistrate**, Bhojpur and (4) **CMO-cum-Civil Surgeon**, Bhojpur. While preliminary responses have been received from the Industries Deptt., and Pollution Control Board, **the District Magistrate, Bhojpur and the CMO-cum-Civil Surgeon, Bhojpur have not sent any response so far despite Commission's letter nos. 2020 dt. 25.02.2014, 4593 dt. 16.04.2014 and 5743 dt. 21.05.2014.**

4. Commission, therefore, directs the District Magistrate, Bhojpur and CMO-cum-Civil Surgeon, Bhojpur to appear before the Commission on **09th July, 2014 (Wednesday) at 12:00 hrs along with action taken report in the matter.**

It is, however, clarified that if reports are received by 07th July, 2014, their personal appearance, will remain dispensed with.

6. Copy of the order be **sent** to the (1) **District Magistrate, Bhojpur** (2) **CMO-cum-Civil Surgeon, Bhojpur** for **necessary action** and to the (3) **Principal Secretary, Industries Deptt., Bihar** & (4) **Secretary, Pollution Control Board, Bihar, Patna** for information.

Date: 28.05.2014

Sd/...
(Neelmani)
Member

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