

06/2024
Serial No.....
as per Register of Notary

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA, WEST BENGAL
ORIGINAL APPLICATION No. 120 of 2023

In the matter of :
Kartik Majumdar

....Applicant

Versus
State of West Bengal & Ors. ..Respondents.

AFFIDAVIT-IN-OPPOSITION ON BEHALF OF THE RESPONDENT
NO. 5 Santosh Srivastav, Proprietor of Riddhi Siddhi Construction
Materials.

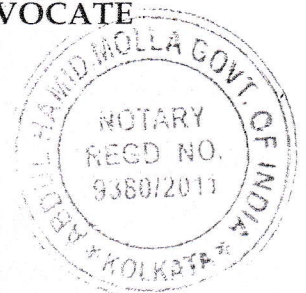
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FILED BY

Krishmendu Bera

ADVOCATE



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA, WEST BENGAL
ORIGINAL APPLICATION No. 120/ 2023/EZ**

In the matter of :

Kartik Majumdar Applicant

Versus

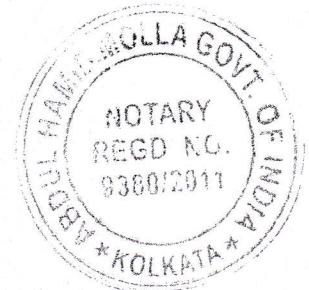
State of West Bengal & Ors.

.....Respondents.

**AFFIDAVIT ON BEHALF OF THE RESPONDENT NO. 5, Santosh
Srivastav, Proprietor of Riddhi Siddhi Construction Materials.**

I, Sri Santosh Srivastav, son of Kameshwar Srivastav, aged about 44 years, by faith- Hindu, by Occupation- Proprietor of Riddhi Siddhi Construction Materials, of 6th Mile, P.O- Nema, Matigara, Darjeeling, Pin- 734010, do hereby solemnly declare and say as follows:

1. That I am the Proprietor of Director of Riddhi Siddhi Construction Materials and as such I am well acquainted with the facts and circumstances of the case.
2. That I have been advised to deal with those contention and/or averments made in the said Original application which appear to be material and relevant for adjudication of the said application and I further say that the averments and / or contentions which are not expressly admitted, deemed to have been denied by me..



3. Before dealing with averments and/or allegations made in various paragraphs of the Original application, I crave leave to place following facts for proper appreciation and / or adjudication of the case :

(a) That after being purchased of land situated at Mouza- Nimai, J.L no. 57 measuring 57 Decimals within Gram Panchayet, P.S- Matigara, Pargana- Patharghata, Sub-Division- Siliguri, within District- Darjeeling, the answering respondent converted the land from Classification Rupni & Danga to Karkhana and obtained Conversion Certificate from the Sub-Divisional Land & Land Reforms Officer, Siliguri vide Memo no. 1349/SDL&LRO-Slg/14 dated 07.08.2014.

Copy of the said Conversion Certificate is annexed herewith and marked with the letter 'A-1' to this affidavit.

(b) That after making conversion of classification of land to 'Karkhana' the respondent no. 5 obtained 'No Objection Certificate' from the Office of Patharghata Gram Panchayat in the name of 'Ridhi Sidhi Construction Materials' for the functioning of stone chips crusher unit.

Copy of the said No Objection Certificate is annexed herewith and marked with the letter 'A-2' to this affidavit.

(c) That vide Memo dated 29.08.2018, the West Bengal Pollution Control Board issued Consent to Operate in favour of Respondent no. 5, M/s Ridhi Sidhi Construction Materials for production of Stone Chips under



Orange Category Unit located at Nemai jote, P.O- Nemai, P.S- Matigara, District- Darjeeling, Pin- 734010.

Copy of the said Consent to Operate is annexed herewith and marked with the letter 'A-3' to this affidavit.

4. With regard to the statements made in paragraph 1 of the said application, I deny and dispute each and every allegations which are contrary to the records and I say that applicant made incorrect statement that the respondent no. 5 is operating stone crushing unit in Panchkelguri village in the District- Jalpaiguri. It is matter of record that the Unit of the respondent no. 5 is situate at Nemai jote, P.O- Nemai, P.S- Matigara, District- Darjeeling, Pin- 734010. It is submitted that inspite of having full knowledge of the same the applicant with an intention to harras the answering respondent instituted instant original application against the respondent no. 5.

5. With regard to the statements made in paragraph 2, 3, 4, 5 of the said application, I deny and dispute each and every allegations which are contrary to the records and I say that the stone crushing Unit of respondent no. 5 falls outside the eco-sensitive zone of Mahananda Wild Life Sanctuary. That the Notification dated 22.09.2020 of Ministry of Environment, Forest and Climate Change contains the list of villages which comes under Eco-Sensitive Zone wherein it is matter of record that the Mouza- Nemai falls outside the said eco-sensitive zone.

Copy of the entire Notification dated 22.09.2020 with list of villages is annexed herewith and marked with the letter 'A-4' to this affidavit.



6. With regard to the statements made in paragraph 6 of the said application, I deny and dispute each and every allegations which are contrary to the records. It is denied that unit of respondent no. 5 using machined like Roller Crusher, Cone Crusher, Impactor, Rotopactor. and I say that crushing unit of answering respondent is not involved in drilling, hauling and therefore using of aforesaid machines like Roller Crusher, Cone Crusher, Impactor, Rotopactor not required. Only Jaw crusher used as the said machines are safe from the other machines for protection of environment.

Copy of photographs are annexed hereto and marked with the letter 'A-5' to this affidavit.

7. With regard to the statements made in paragraph 7 of the said application, I deny and dispute each and every allegations which are contrary to the records. It is further denied that crushing activities involved transportation of stone chips result in movement of heavy vehicles transport and creates fugitive dust emission. It is stated that respondent unit takes all safety majors for transportation and dust emission like, i) Wetting of roads till the highway and ii) under load vehicles are used for transportation.

Copy of photographs are annexed hereto and marked with the letter 'A-6' to this affidavit.

8. With regard to the statements made in paragraph 8 of the said application, I deny and dispute each and every allegations which are contrary to the records and I say that in OA 304/2019, CPCB have submitted a report



before the Hon'ble National Green Tribunal regarding distance criteria maintained by the stone quarries which provides that minimum distance of 200 meters from inhabited sites is to be maintained when blasting is involved. It is stated that respondent Unit has no blasting of stone process for raw materials and all raw materials are riverbed materials.

Copy of photographs are annexed hereto and marked with the letter 'A-7' to this affidavit.

9. With regard to the statements made in paragraph 9 of the said application, I deny and dispute each and every allegations which are contrary to the records and I say that the respondent unit taken all measures like a) Dust containment cum suppression system for the equipment, b) construction of wind breaking walls on one side and other side is under construction, , c) regular cleaning and wetting of the ground within the premises, d) Growing of green belt

Copy of photographs are annexed hereto and marked with the letter 'A-8' to this affidavit.

10. With regard to the statements made in paragraph 10, 11 of the said application, I deny and dispute each and every allegations which are contrary to the records and I say that as it is stated earlier that when the respondent unit is falling outside the jurisdiction of ec sensitive zone around sanctuaries, thereby allegations alleged against the respondent no. 5 regarding violation of sitting criteria and/or operation of illegal stone crushing unit has no legs to



stand upon. On the contrary the respondent unit being law abiding unit is operating after obtaining Consent to operate as well as taking all measures for protection of environment. Moreover it is specifically denied that the unit falls under Red category as it is matter of record that the respondent no. 5 unit is under Orange category as per consent to operate granted by the West Bengal Pollution Control Board. It is further evident from the Notification Table G-3 : Final list of Orange category of Industrial Sectors wherein Stone crusher Industry is mentioned in Orange category.

Copy of Final list of Orange category are annexed hereto and marked with the letter 'A-9' to this affidavit.

11. That the respondent unit has been complying with the conditions as issued by the State Board following the laws of the land and maintaining all criterions after obtaining the statutory clearances.

12. That the respondent unit humbly submits that the unit has high regard to the Solemn Orders as passed by this Hon'ble Tribunal and be discharged from the instant proceeding and further submits that the respondent Unit will comply with any Order as may be passed by this Hon'ble Tribunal.

IDENTIFY THE PERSONS WHO SIGN IN MY PRESENCE

Krishnendu Bera

ADVOCATE
Enroll No
MI NO-

DEPONENT

Ridhi Sidhi Construction Materials

Santosh, Srikanta

Partner

ABUUL HAMID MOLLA
Advocate, High Court, Calcutta
Regd. No. 9380/2011
Government of India
High Court Calcutta
Gate No 'E'
M:- 9831104098
13 MAR. 2024



VERIFICATION

I, the Deponent above-named, do hereby verify and declare that the statements made in paragraphs are true and correct to the best of my knowledge and information and I believe that nothing material has been concealed there from.

Verified at Kolkata on 13^m day of March, 2024.

Prepared by me

Rajeshwari Bera

Advocate

DEPONENT

Ridhi Sidhi Construction Materials

Santosh, Sawastari

Partner

ABUUL HANIF MOLLA
 Advocate, Calcutta
 Regd. No. 9350/2011
 Government of India
 High Court Calcutta
 Gate No 'E'
 M:- 9831104098

13 MAR 2024



Annexure-A₁

8



GOVERNMENT OF WEST BENGAL
OFFICE OF THE SUB-DIVISIONAL LAND & LAND REFORMS OFFICER
SILIGURI

Memo No. 1349 / SDL&LRO-Slg/14

Date: 07/08/2014

CONVERSION CERTIFICATE

To,
Sri Kameshwar Prasad Srivastava
S/O Late Sukhdeo Prasad Srivastava
Vill. Guria Jote, P.O. Nimai,
P.S. Matigara
Dist. Darjeeling

Conversion Case No. 915/XIII/BLLRO-MTG/2014-15

In terms of rule 164 of WBL&LR manual 1991 an enquiry has been made under the rule 5A of WBL&LR rules 1965. In accordance with the enquiry and report, conversion under section 4C of WBL&LR Act, 1955 is granted in respect of schedule of land mention below from **Rupni & Danga to Karkhana**

SCHEDULE OF LAND

NAME OF MOUZA	Nimai
J.L. NO.	57
KHATIAN NO.	866
Plot No.	373, 394, 395, 396
CLASSIFICATION	Karkhana
AREA	0.52
P.S.	Matigara
DISTRICT	Darjeeling

Sub-Divisional Land and Land Reforms Officer

Sub-Divisional Land & Land
Reforms Officer, Siliguri

Date: 07/08/2014

Memo No. 1349 /1(4) / SDL&LRO-Slg/14

Copy forwarded for information to:

1. The Block Land & Land Reforms Officer, Matigara
2. R.I. Office, Matigara
3. Bhumi Sahayak, Matigara
4. Office Copy

Sub-Divisional Land and Land Reforms Officer
Siliguri

Annexure-A₂
9

OFFICE OF THE
PATHARGHATA GRAM PANCHAYAT
Venchijote, P.O.-New Chamta, Dist-Darjeeling, W.B.

Memo No:-77/PG/04/16



Date:- 22/04/16

NO OBJECTION CERTIFICATE

This is to certify that the undersigned has **"NO OBJECTION"** for the functioning of stone chips crusher unit in the name of **"RIDHI SIDHI CONSTRUCTION MATERIALS"** by the owners:- 1) Kameshwar Pd Srivastava, 2) Sparsh Sitani & 3) Aditya Sitani at 6th mile, Nimai Jote, P.O- Nimai , P.S.- Matigara, Dist- Darjeeling, W.B. within the jurisdiction of Patharghata Gram Panchayat provided all the rules are followed as laid down by the concerned departments of Govt. Of West Bengal.

The Land details are as follows:-

Mouza – Nimai

JL NO-57

Kh. No-462(LR), 305(RS) (NEW- 866)

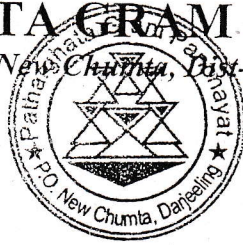
Plot no-373,394,395,396 (Area-57 Decimal)

22/4/16
Pradhan
Patharghata Gram Panchayat
Venachijote, New Chamta, Darjeeling
Patharghata Gram Panchayat

OFFICE OF THE
PATHARGHATA GRAM PANCHAYAT
Venchijote, P.O- New Chumta, Dist-Darjeeling, W.B.

10

Memo No:-249/PG/04/17.



Date:- 17/04/17

NO OBJECTION CERTIFICATE

This is to certify that the undersigned has "**NO OBJECTION**" for the functioning of stone chips crusher unit in the name of "**RIDHI SIDHI CONSTRUCTION MATERIALS**" by the owners:-1) KAMESHWAR PD. SRIVASTAVA, 2) SPARSH SITANI & 3) ADITYA SITANI at 6th mile, Nimaijote, Nimai sansad, P.O- Nimai, P.S- Matigara, Dist- Darjeeling, W.B. within the jurisdiction of Patharghata Gram provided all the rules are followed as laid down by the concerned departments and other relevant departments of Govt. of West Bengal for functioning of this unit and violating the laws & rules set by the concerned Department of Govt. of West Bengal makes this NOC non-acknowledgeable and invalid with immediate effect so onward.

This NOC has been issued in reference to earlier NOC issued through our office vide Memo No:-77/PG/04/16, Date:- 22/04/16.

The land details are as follows:-

Mouza- Nimai

JL NO-57

Kh. No-462(LR), 305(RS)(NEW-866)

Plot no-373,394,395,396 (Area-57 Decimal)

125/4/17
Pradhan
Patharghata Gram Panchayat
Venachijote, New Chumta, Darjeeling

WEST BENGAL POLLUTION CONTROL BOARD

'Paribesh Bhawan' Bldg. No. 10A, Block-LA, Sector-III, Salt Lake City, Kolkata - 700 098
(Orange/Green Category Unit)



Annexure
A3
11

Memo Number: 03/CO/Gen Renewed on 31/01/2028 Date 29/08/2018

Consent to Operate under Section 25 & 26 of the Water (Prevention and Control of Pollution) Act, 1974, and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981.

The West Bengal Pollution Control Board (hereinafter referred to as State Board) under the provisions of Section 25 & 26 of the Water (Prevention and Control of Pollution) Act, 1974 as amended and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 as amended, and Rules and Orders made thereunder hereby grants its Consent to:

M/s. RIDHI SIDHI CONSTRUCTION MATERIALS
(hereinafter referred to as Applicant) for its unit located at NEMAJOLE P.O. - NEMAI P.S. - Matigara, Dist. - Paschim Medinipur, PIN - 734010

for a period from upto 31/03/2023 to operate the industrial unit and to discharge liquid effluent and to emit gaseous effluent from the premises and of the industrial unit in accordance with the conditions as mentioned below provided on any day at any instance the quantity and quality of liquid discharge and gaseous emission shall not exceed the permissible limit as specified in this consent letter and as specified in the Environmental (Protection) Act, 1986.

Breach of the conditions and/or failure to comply with the directions as mentioned below shall render the applicant liable for prosecution under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

The State Board reserve the right to revoke, withdraw or make any reasonable variation/change/alter the conditions of this consent letter giving one month's notice to the applicant.

Conditions:

01. This Consent is valid for the manufacture of

Sl. No.	Name of major products and by-products	Quantity produced per month	Sl. No.	Name of major products and by-products	Quantity produced per month
01.	Stone Chips	9000 MT	03		
02.			04		

02. The Applicant shall observe the following fuel consumption pattern:

Sl. No.	Type of fuel	Quantity per day	Sl. No.	Type of fuel	Quantity per day	Sl. No.	Type of fuel	Quantity per day
01	HSD	10 Lit/h	02			03		

03. The Applicant falls in the _____ category of the Water (Prevention and Control of Pollution) Cess Act, 1977 and Rules made thereunder and shall comply with the provisions of said Act, and Rules and regularly submit to the Board the Returns of Water consumption in the prescribed form and pay the Cess as specified under Section 3 of the said Act.

04. Daily water consumption for the following purposes should not exceed.

Industrial cooling, spraying in mine pits and boiler feed water (water used for gardening should be included in this category of use)	Domestic purpose	Processing whereby water gets polluted and the pollutants are easily biodegradable	Processing whereby water gets polluted and the pollutants are not easily biodegradable
2 KL	0.5 KL		

05. Daily discharge of effluent shall not exceed

	Industrial liquid effluent	Domestic liquid effluent	Mixed (Industrial & domestic) liquid effluent
No. of outfalls		1	
Quantity	/ KL	0.40 KL	/ KL
Place of discharge		Septic Tank & Sockpit	

06. The Applicant shall provide drainage system for conveying industrial & domestic liquid waste & separate drainage system for storm-water and shall provide comprehensive treatment facility for industrial and domestic liquid waste (sewage, sullage & liquid effluent generated from canteen) and operate and maintain the same to conform to the Standard for final effluent as given below.

Outlet No.	Nature of effluent	Parameters and standard (in mg/l. max)						Frequency of effluent sampling
		pH	BOD	COD	TSS	O & G		
1.	Domestic	5-9	30	250	100	10	Yearly	

07. The Applicant shall provide comprehensive pollution control equipment and operate and maintain the same continuously to conform the quality of the final gaseous emission to the Standard as given below:

Stack No.	Stack height from G.L. (in mts.)	Stack attached to (sources and control system, if any)	Volume Nm ³ /hr	Velocity of gaseous emission (mg/sec)	Concentrations of parameters not to exceed			Frequency of sampling
					SPM (mg./Nm ³)	CO (% v/v)		
S-1	6 m	DBI 80 KVA			150	1		Yearly
S-2								
S-3								
S-4								

08. The Applicant shall maintain the generation and treatment/disposal of non-hazardous solid waste as specified below.

Type of waste	Quantity	Treatment	Disposal

09. The Applicant shall take adequate measures for control of noise levels from its own sources within its premises to conform to

Time	Limit in dB (A) L _{eq}	Time	Limit in dB (A) L _{eq}
Day time (06 a.m. to 09 p.m.)	65	Night Time (09 p.m. to 06 a.m.)	55

10. The Applicant shall remain responsible for quantity and quality of liquid effluent and air emissions and shall furnish to the State Board all information in respect of quality, quantity, rate of discharge, place of discharge of liquid effluent and air emissions.

11. The Applicant shall at all times maintain good house-keeping, proper working order, control pollution (including fugitive emissions) from all sources to maintain clean environment in & around factory premises and to surrounding areas/inhabitants.

12. The Applicant shall bring about at least 33% of the available open land under the green coverage/ plantation.

13. The Applicant shall provide for sufficient alternate electric power source to operate all pollution control facilities. In absence of such alternate power source, the production should be stopped/reduced/controlled to conform the conditions of the Consent.

14. All the stacks connected to various sources of emissions must be painted/displayed to designate by numbers such as S-1, S-2 etc. and shall have ports, ladder, platform etc. for monitoring/sampling the air emissions and the same shall be made available for inspection and use by the State Board's staff as well as State Board's authorised agencies.

15. The Applicant shall install a separate energy meter showing the consumption of energy for operation of pollution control devices and shall install suitable device for measuring the volume of water consumed for different purposes as mentioned above giving correct result to the satisfaction of the State Board.

16. The Applicant shall allow the Officers of the State Board to enter into the premises of the unit at any reasonable time to inspect the pollution control systems and shall provide adequate and safe facility for collection of air, wastewater and solid waste samples for monitoring and measuring by the State Board's staff as well as State Board's authorised agencies.

17. The Applicant shall maintain an Inspection Book in the factory premises which shall be made available to inspecting officers of the State Board for inspection, review and to write down any direction or observation as is deemed necessary during the inspection.

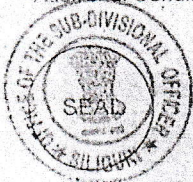
18. The Applicant shall intimate to the State Board immediately of any occurrence or apprehension of occurrence of discharge of any pollutants in excess of quality and quantity as mentioned above to any receiving water body/system or to atmosphere owing to accident or other unforeseen incident/event including natural disaster and the Applicant shall take adequate steps to prevent such accidental event.

19. The Applicant shall apply for renewal of consent to State Board in prescribed form 60 (sixty) days before expiry of this Consent.

20. The Applicant shall not make any alteration/modification/expansion in the existing manufacturing process and equipment, pollution control system and shall not bring into any altered or new outlet/outfall or stack or change the place of discharge, without prior approval of the Board.

21. The Applicant shall comply with the conditions as laid down in the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989, Hazardous Wastes (Management & Handling) Rules, 1989 and Public Liability Insurance Act, 1991.

Additional Conditions :



[Signature]
For and on behalf of the Board
Sub-Divisional Officer
Siliguri

(Member Secretary/Chief Engr./Sr. Env. Engr./Env. Engr./Asst. Eng. Engr./Jr. Scientist)

13



Annexure to CFO Sl. No. CO

Special Conditions issued to M/s. Ridhi Sidhi Construction Materials

A Emission :-

- 1 Fugitive emission should be controlled through dust suppression system and sprinkling. The dust concentration should be $600 \mu\text{g}/\text{m}^3$ within 3-10 m of crusher.
- 2 DG set 125 KVA, 1 no. 3.5 m stack above DG room.
- 3 Stacks should have sampling arrangement with port, platform and ladder as per the emission regulation part -III of CPCB.

B Effluent :-

- 1 Process -. Nil
- 2 Domestic - to be discharged through septic tank to panchayet. drain.

C Solid Waste : - Dust to have water sprinklers for wetting and should be covered while transport.

D) General :-

- 1 Noise Control - Ambient noise level not to exceed the permissible limit. All care should be taken for abatement of noise. No activity should be done in the open space.
- 2 No additional machineries / equipment can be installed without prior permission from this Board. No change in raw materials, products and production capacity should be made without prior permission from this Board.
- 3 Noise generated from the DG set(s) to be controlled by providing an acoustic enclosure or by treating the room of the DG set acoustically such that the design of the acoustic enclosure or the treated room for achieving the minimum 25 dB (A) insertion loss or more for meeting the ambient noise standard (night time). The insertion loss measured at different points at 0.5 m from the acoustic enclosure/room and then averaged.
- 4 Ground water should not be abstracted without prior permission of the Competent Authority as per the West Bengal Ground Water Resources (Management, Control and Regulation) Act, 2005.
- 5 a) Each stone crusher Unit shall install adequate pollution control measures including erection of G.I Sheet cover and the sprinklers before commencement of operation.
b) Dust dome shall be provided in the Unit.
c) Crusher shall be covered and water sprinkling system shall be provided on crusher to suppress dust during handling/loading/unloading facility.
d) Screen classifier should be adequately covered by G.I sheet.
e) All conveyors should be covered by G.I sheet.
f) Regular wetting of the roads should be done.
g) All approach road and ramps should be metalled.
h) Wind Breaking wall or curtain should be installed.
i) Any fine dust grading should be disposed off in abandoned mine.
- 6 Proper lighting and proper pathway inside the factory premises should be constructed.
- 7 Adequate measures should be adopted as per norms for ensuring safety against fire hazards.
- 8 Good house-keeping to be maintained.
- 9 The industry should plant thick plantation of spreading crown trees all along the boundary wall of the plant. For large Units above 100 TPD, a Green belt of 3 m width shall be developed. For other Units, at least 2 rows of trees shall be developed along the boundary wall of plants.
- 10 Land conversion certificate to be obtained from the appropriate authority, if applicable.

For and on behalf of the Board
Sub-Divisional Officer
Siliguri

(Member Secretary/Chief Engr./Sr. Env. Engr./Asst. Eng. Engr./Jr. Scientist)

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
NOTIFICATION

14

New Delhi, the 22nd September, 2020

S.O. 3237(E).—WHEREAS, a draft notification was published in the Gazette of India, Extraordinary, *vide* notification of the Government of India in the Ministry of Environment, Forest and Climate Change number S.O. 4442(E), dated the 10th December, 2019, inviting objections and suggestions from all persons likely to be affected thereby within the period of sixty days from the date on which copies of the Gazette containing the said notification were made available to the public;

AND WHEREAS, copies of the Gazette containing the said draft notification were made available to the public on the 11th December, 2019;

AND WHEREAS, no objections and suggestions were received from persons and stakeholders in response to the draft notification;

AND WHEREAS, Mahananda Wildlife Sanctuary is situated in Darjeeling and Jalpaiguri districts of West Bengal which are characterised by forest and riverine ecosystem adjoin with tea gardens and villages with diverse ethnicities. The Sanctuary has an area of 161.17 square kilometres harbouring species of gaurs (*Bos gaurus*) and also acting as a corridor for sustaining population of wild elephants in North Bengal in between Teesta and Mechi River;

AND WHEREAS, Mahananda Wildlife Sanctuary is characterised by elephant migration route and variety of migratory elephant takes shelters and royal Bengal tiger was also reported from the Sanctuary during monsoons and winter seasons. The area is also famous for gaur, chital (spotted deer), barking deer, boar, pangolin, sambar, Rhesus monkey, Himalayan black bear, many species of lesser cat like fishing cat and jungle cat, Himalayan black bear, leopard including clouded leopard, and many other smaller animals like rare mountain goat (Serow), etc.;

AND WHEREAS, the important flora of the Mahananda Wildlife Sanctuary are *Acacia auriculiformis* (akashmoni), *Albizia falcataria* (sirish), *Acrocarpus fraxinifolius* (mandane), *Adina cordifolia* (haldu), *Alianthus exelsa* (mahaneem), *Azadiracta indica* (neem), *Anthocephalus cadamba*

(kadam), *Artocarpus chaplasha* (chaplasi/Ban kathal), *Amoora rehituka* (lahasune), *Bischofia javanica* (kainjal/urium), *Bombax ceiba* (simul), *Betula cylindrostachya* (birch/aule saur), *Careya arborea* (kumbhi), *Delbergia latifolia* (setisal / satsayer), *Erythrina arborescens* (phaledo), *Elaeocarpus sphaericus* (rudrakha), *Sesbania grandiflora* (bak phul), *Shorea robusta* (sal, sakhua), *Swietenia febrifuga* (cloroti), *Tetradium fraxinifolium* (khanakpa), *Toona ciliata* (tuni/tun), *Talaume hodgsomi* (bhalu kath), *Ulmus lancifolia* (pipli - aule), *Vabernun erubescens* (asharay), *Walsura tabulata* (falamay), *Xylia dolabriformis* (lohakat), *Zizyphus mauritiana* (kul), etc.;

AND WHEREAS, the major fauna of the Mahananda Wildlife Sanctuary includes mammals such as Sikkim large-clawed shrew (*Soriculus nigrescens* Gray), Hodgson's brown-toothed shrew (*Episoriculus caudatus* Horsfield), Indian long-tailed shrew (*Soriculus leucops* Horsfield), Himalayan water shrew (*Chimmarogale platycephala himalayica* Grey), fulvour fruit bat (*Rousettus leschenaultii*), demares flying fox (*Pteropus giganteus*), Dobson's tube nosed bat (*Murina cyclotis*, Dobson), Himalayan hairy-winged bat (*Harioocephalus harpia lasyuras*, Hodgson), Assamese macaque (*Macaca assamensis pelops*, Hodgson), Rhesus monkey (*Macaca mulata*), small Indian civet (*Viverricula indica*), toddy cat (*Paradosurus hermaphrodites*), barking deer (*Muntiacus muntjak*, Boddaert), tiger (*Panthera tigris*), leopard (*Panthera pardus*), gaur (*Ribos frontatis gaurus*), Himalayan black bear (*Selenarctos thibetanus*), common otter (*Lutra lutra*), Elephant (*Elephas indicus*), spotted deer (*Axis axis*, Erleben), sambar (*Rusa unicorn*), serow (*Copricornis sumatraensis* Hodgson), pig (*Sus scrofa*, Linnaeus), pangolin (*Manis pentadactyla*, Linnaeus), Indian or black naped hare (*Lepus nigricollis ruficaudatus*, Geoffroy), lesser giant flying squirrel (*Petaurista elegans*, Gray), etc.;

AND WHEREAS, the bird species recorded from the Sanctuary are black-arrested baza (*Avideda leuphotes syama*), western coashawk (*Accipiter badius scheidowli*), besta sparrow hawk (*Accipiter virgatus affinis*), Himalayan hawk-eagle (*Spisetus nipalensis nipalensis*), block or king vulture (*Torgos calvus*), Himalayan falconet (*Microhierax caerulescens*), Himalayan kestrel (*Falco tinnunculus interstinctus*), blossom-headed parakeet (*Psittacula cyanocephala bengalensis*), Hodgson's hawk-cuckoo (*Cuculus fagax nasicolor*), Himalayan cuckoo (*Cuculus saturatus saturates*), tawny fish owl (*Bubo flavipe*), collard pigmy owl (*Glaucidium brodiei brodiei*), Himalayan brrred owl (*Glaucidium cuculoides*), Himalayan brown wood owl (*Strix newarensis*), Himalayan jungle nightjar (*Caprimulgus indicus*), broad-villed roller (*Ebrustomus orientalis cyanicollis*), white-breasted kingfisher (*Halcyon smyrnensis*), blue naped pitta (*Pitta nipalensis*), green breasted pitta (*Pitta sordica cuculata*), rufous short-toed (*Calandrella cinerea dukhunesis*), Sikkim long-tailed minivet (*Pericrocotus etholoous latetus*), scarlet minivet (*Pericrocuttus flammeus*), brown backed pied flycatcher shrike (*Hemipus picatus capitalis*), black crested yellow bulbul (*Pycnotus melancicterus flaviventris*), brown dipper (*Cinclus pallasii tenuirostris*), rusty bellied shortwing (*Branchuetyerz hyperythrea*), Nepal shortwing (*Brechupteryx leucophrys nipalensis*), purple thrush (*Cochoa purpurea*), green thrush (*Cochoa viridis*), Assam red-fronted babbler (*Stachyridopsis rufifrons ambigua*), red-headed babbler (*Stachyris ruficeps*), rufous bellied nillava (*Niltava sundara*), pale blue flycatcher (*Niltava unicolor*), blue throated flycatcher (*Niltava rubeculoides*), etc.;

AND WHEREAS, the Mahananda Wildlife Sanctuary is also a home for a large number of colourful feathered species including endangered species like fairy-bluebird and Himalayan pied hornbill. For effective conservation and protection of the floral and faunal biodiversity of Mahananda Wildlife Sanctuary, the extent of different anthropogenic pressures has to be regulated as the immediate area adjoining this fragile ecosystem is much ecologically sensitive having great impact on this protected area;

AND WHEREAS, it is necessary to conserve and protect the area, the extent and boundaries of Mahananda Wildlife Sanctuary which are specified in paragraph 1 as Eco-sensitive Zone from ecological, environmental and biodiversity point of view and to prohibit industries or class of industries and their operations and processes in the said Eco-sensitive Zone;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) and clauses (v) and (xiv) of sub-section (2) and sub-section (3) of section 3 of the Environment (Protection) Act 1986 (29 of 1986) (hereafter in this notification referred to as the Environment Act), read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby notifies an area to an extent of 5 kilometres uniform around the boundary of Mahananda Wildlife Sanctuary, in Darjeeling and Jalpaiguri districts in the State of West Bengal as the Mahananda Wildlife Sanctuary Eco-sensitive Zone (hereafter in this notification referred to as the Eco-sensitive Zone) details of which are as under, namely: -

1. **Extent and boundaries of Eco-sensitive Zone.** – (1) The Eco-sensitive Zone shall be to an extent of 5 kilometres uniform around the boundary of Mahananda Wildlife Sanctuary and the area of the Eco-sensitive Zone is 405.28 square kilometres.
 - (2) The boundary description of Mahananda Wildlife Sanctuary and its Eco-sensitive Zone is appended in **Annexure-I**.
 - (3) The maps of the Mahananda Wildlife Sanctuary demarcating Eco-sensitive Zone along with boundary details and latitudes and longitudes are appended as **Annexure-IIA, Annexure-IIB, Annexure-IIC** and **Annexure-IID**.
 - (4) List of geo-coordinates of the boundary of Mahananda Wildlife Sanctuary and Eco-sensitive Zone are given in Table A and Table B of **Annexure III**.
 - (5) The list of villages falling in the proposed Eco-sensitive Zone along with their geo co-ordinates at prominent points is appended as **Annexure-IV**.
2. **Zonal Master Plan for Eco-sensitive Zone.**– (1) The State Government shall, for the purposes of the Eco-sensitive Zone prepare a Zonal Master Plan within a period of two years from the date of publication of this notification in the Official Gazette, in consultation with local people and adhering to the stipulations given in this notification for approval of the competent authority in the State.
 - (2) The Zonal Master Plan for the Eco-sensitive Zone shall be prepared by the State Government in such manner as is specified in this notification and also in consonance with the relevant Central and State laws and the guidelines issued by the Central Government, if any.
 - (3) The Zonal Master Plan shall be prepared in consultation with the following Departments of the State Government, for integrating the ecological and environmental considerations into the said plan:-
 - (i) Environment and Wildlife Management;
 - (ii) Agriculture;
 - (iii) Revenue;
 - (iv) Urban Housing Development;
 - (v) Tourism;
 - (vi) Rural Development;
 - (vii) Irrigation and Flood Control;
 - (viii) Municipal;
 - (ix) Panchayati Raj;
 - (x) Public Works Department;
 - (xi) West Bengal Police;
 - (xii) Rural Management and Development; and
 - (xiii) Disaster Management.
 - (4) The Zonal Master Plan shall not impose any restriction on the approved existing land use, infrastructure and activities, unless so specified in this notification and the Zonal Master Plan shall factor in improvement of all infrastructure and activities to be more efficient and eco-friendly.
 - (5) The Zonal Master Plan shall provide for restoration of denuded areas, conservation of existing water bodies, management of catchment areas, watershed management, groundwater management, soil and moisture conservation, needs of local community and such other aspects of the ecology and environment that need attention.
 - (6) The Zonal Master Plan shall demarcate all the existing worshipping places, villages and urban settlements, types and kinds of forests, agricultural areas, fertile lands, green area, such as, parks

and like places, horticultural areas, orchards, lakes and other water bodies with supporting maps giving details of existing and proposed land use features.

- (7) The Zonal Master Plan shall regulate development in Eco-sensitive Zone and adhere to prohibited and regulated activities listed in the Table in paragraph 4 and also ensure and promote eco-friendly development for security of local communities' livelihood.
- (8) The Zonal Master Plan shall be co-terminus with the Regional Development Plan.
- (9) The Zonal Master Plan so approved shall be the reference document for the Monitoring Committee for carrying out its functions of monitoring in accordance with the provisions of this notification.

3. Measures to be taken by the State Government.- The State Government shall take the following measures for giving effect to the provisions of this notification, namely:-

- (1) **Land use.-** (a) Forests, horticulture areas, agricultural areas, parks and open spaces earmarked for recreational purposes in the Eco-sensitive Zone shall not be used or converted into areas for commercial or residential or industrial activities:

Provided that the conversion of agricultural and other lands, for the purposes other than that specified at part (a) above, within the Eco-sensitive Zone may be permitted on the recommendation of the Monitoring Committee, and with the prior approval of the competent authority under Regional Town Planning Act and other rules and regulations of Central Government or State Government as applicable and *vide* provisions of this notification, to meet the residential needs of the local residents and for activities such as:-

- (i) widening and strengthening of existing roads and construction of new roads;
- (ii) construction and renovation of infrastructure and civic amenities;
- (iii) small scale industries not causing pollution;
- (iv) cottage industries including village industries; convenience stores and local amenities supporting eco-tourism including home stay; and
- (v) promoted activities given in paragraph 4:

Provided further that no use of tribal land shall be permitted for commercial and industrial development activities without the prior approval of the competent authority under Regional Town Planning Act and other rules and regulations of the State Government and without compliance of the provisions of article 244 of the Constitution or the law for the time being in force, including the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007):

Provided also that any error appearing in the land records within the Eco-sensitive Zone shall be corrected by the State Government, after obtaining the views of Monitoring Committee, once in each case and the correction of said error shall be intimated to the Central Government in the Ministry of Environment, Forest and Climate Change:

Provided also that the correction of error shall not include change of land use in any case except as provided under this sub-paragraph.

- (b) Efforts shall be made to reforest the unused or unproductive agricultural areas with afforestation and habitat restoration activities.
- (2) **Natural water bodies.-**The catchment areas of all natural springs shall be identified and plans for their conservation and rejuvenation shall be incorporated in the Zonal Master Plan and the guidelines shall be drawn up by the State Government in such a manner as to prohibit development activities at or near these areas which are detrimental to such areas.
- (3) **Tourism or eco-tourism.-** (a) All new eco-tourism activities or expansion of existing tourism activities within the Eco-sensitive Zone shall be as per the Tourism Master Plan for the Eco-sensitive Zone.
- (b) The Tourism Master Plan shall be prepared by the State Department of Tourism in consultation with the State Departments of Environment and Forests.

- (c) The Tourism Master Plan shall form a component of the Zonal Master Plan.
- (d) The Tourism Master Plan shall be drawn based on the study of carrying capacity of the Eco-sensitive Zone.
- (e) The activities of eco-tourism shall be regulated as under, namely:-
- (i) new construction of hotels and resorts shall not be allowed within one kilometre from the boundary of the protected area or upto the extent of the Eco-sensitive Zone, whichever is nearer:

Provided that beyond the distance of one kilometre from the boundary of the protected area till the extent of the Eco-sensitive Zone, the establishment of new hotels and resorts shall be allowed only in pre-defined and designated areas for eco-tourism facilities as per Tourism Master Plan;
 - (ii) all new tourism activities or expansion of existing tourism activities within the Eco-sensitive Zone shall be in accordance with the guidelines issued by the Central Government in the Ministry of Environment, Forest and Climate Change and the eco-tourism guidelines issued by the National Tiger Conservation Authority (as amended from time to time) with emphasis on eco-tourism, eco-education and eco-development;
 - (iii) until the Zonal Master Plan is approved, development for tourism and expansion of existing tourism activities shall be permitted by the concerned regulatory authorities based on the actual site specific scrutiny and recommendation of the Monitoring Committee and no new hotel, resort or commercial establishment construction shall be permitted within Eco-sensitive Zone area.
- (4) **Natural heritage.**- All sites of valuable natural heritage in the Eco-sensitive Zone, such as the gene pool reserve areas, rock formations, waterfalls, springs, gorges, groves, caves, points, walks, rides, cliffs, etc. shall be identified and a heritage conservation plan shall be drawn up for their preservation and conservation as a part of the Zonal Master Plan.
- (5) **Man-made heritage sites.**- Buildings, structures, artefacts, areas and precincts of historical, architectural, aesthetic, and cultural significance shall be identified in the Eco-sensitive Zone and heritage conservation plan for their conservation shall be prepared as part of the Zonal Master Plan.
- (6) **Noise pollution.** - Prevention and control of noise pollution in the Eco-sensitive Zone shall be carried out in accordance with the provisions of the Noise Pollution (Regulation and Control) Rules, 2000 under the Environment Act.
- (7) **Air pollution.**- Prevention and control of air pollution in the Eco-sensitive Zone shall be carried out in accordance with the provisions of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) and the rules made thereunder.
- (8) **Discharge of effluents.**- Discharge of treated effluent in Eco-sensitive Zone shall be in accordance with the provisions of the General Standards for Discharge of Environmental Pollutants covered under the Environment Act and the rules made thereunder or standards stipulated by the State Government, whichever is more stringent.
- (9) **Solid wastes.**- Disposal and Management of solid wastes shall be as under:-
- (a) the solid waste disposal and management in the Eco-sensitive Zone shall be carried out in accordance with the Solid Waste Management Rules, 2016, published by the Government of India in the Ministry of Environment, Forest and Climate Change *vide* notification number S.O. 1357 (E), dated the 8th April, 2016; the inorganic material may be disposed in an environmental acceptable manner at site identified outside the Eco-sensitive Zone;
 - (b) safe and Environmentally Sound Management of Solid wastes in conformity with the existing rules and regulations using identified technologies may be allowed within Eco-sensitive Zone.
- (10) **Bio-Medical Waste.**- Bio-Medical Waste Management shall be as under:-
- (a) the Bio-Medical Waste disposal in the Eco-sensitive Zone shall be carried out in accordance with the Bio-Medical Waste Management Rules, 2016 published by the Government of India

in the Ministry of Environment, Forest and Climate Change *vide* notification number G.S.R. 343 (E), dated the 28th March, 2016.

(b) safe and Environmentally Sound Management of Bio-Medical Wastes in conformity with the existing rules and regulations using identified technologies may be allowed within the Eco-sensitive Zone.

(11) **Plastic waste management.**- The plastic waste management in the Eco-sensitive Zone shall be carried out as per the provisions of the Plastic Waste Management Rules, 2016, published by the Government of India in the Ministry of Environment, Forest and Climate Change *vide* notification number G.S.R. 340(E), dated the 18th March, 2016, as amended from time to time.

(12) **Construction and demolition waste management.**- The construction and demolition waste management in the Eco-sensitive Zone shall be carried out as per the provisions of the Construction and Demolition Waste Management Rules, 2016 published by the Government of India in the Ministry of Environment, Forest and Climate Change *vide* notification number G.S.R. 317(E), dated the 29th March, 2016, as amended from time to time.

(13) **E-waste.**- The e - waste management in the Eco-sensitive Zone shall be carried out as per the provisions of the E-Waste Management Rules, 2016, published by the Government of India in the Ministry of Environment, Forest and Climate Change, as amended from time to time.

(14) **Vehicular traffic.**- The vehicular movement of traffic shall be regulated in a habitat friendly manner and specific provisions in this regard shall be incorporated in the Zonal Master Plan and till such time as the Zonal Master plan is prepared and approved by the competent authority in the State Government, the Monitoring Committee shall monitor compliance of vehicular movement under the relevant Acts and the rules and regulations made thereunder.

(15) **Vehicular pollution.**- Prevention and control of vehicular pollution shall be in compliance with applicable laws and efforts shall be made for use of cleaner fuels.

(16) **Industrial units.**- (a) On or after the publication of this notification in the Official Gazette, no new polluting industries shall be permitted to be set up within the Eco-sensitive Zone.

(ii) Only non-polluting industries shall be allowed within Eco-sensitive Zone as per the classification of Industries in the guidelines issued by the Central Pollution Control Board in February, 2016, unless so specified in this notification, and in addition, the non-polluting cottage industries shall be promoted.

(17) **Protection of hill slopes.**- The protection of hill slopes shall be as under:-

(a) the Zonal Master Plan shall indicate areas on hill slopes where no construction shall be permitted;

(b) construction on existing steep hill slopes or slopes with a high degree of erosion shall not be permitted.

4. **List of activities prohibited or to be regulated within Eco-sensitive Zone.**- All activities in the Eco-sensitive Zone shall be governed by the provisions of the Environment Act and the rules made there under including the Coastal Regulation Zone, 2011 and the Environmental Impact Assessment Notification, 2006 and other applicable laws including the Forest (Conservation) Act, 1980 (69 of 1980), the Indian Forest Act, 1927 (16 of 1927), the Wildlife (Protection) Act 1972 (53 of 1972), and amendments made thereto and be regulated in the manner specified in the Table below, namely:-

TABLE

S. No. (1)	Activity (2)	Description (3)
1.	Commercial mining, stone quarrying and crushing units.	(a) All new and existing mining (minor and major minerals), stone quarrying and crushing units shall be prohibited with immediate effect except for meeting the domestic needs of bona fide local residents including digging of earth for construction

		<p>or repair of houses within Eco Sensitive Zone;</p> <p>(b) The mining operations shall be carried out in accordance with the order of the Hon'ble Supreme Court dated the 4th August, 2006 in the matter of T.N. Godavarman Thirumulpad Vs. UOI in W.P.(C) No.202 of 1995 and dated the 21st April, 2014 in the matter of Goa Foundation Vs. UOI in W.P.(C) No.435 of 2012.</p>
2.	Setting of industries causing pollution (Water, Air, Soil, Noise, etc.).	<p>New industries and expansion of existing polluting industries in the Eco-sensitive Zone shall not be permitted:</p> <p>Provided that non-polluting industries shall be allowed within Eco-sensitive Zone as per classification of Industries in the guidelines issued by the Central Pollution Control Board in February, 2016, so otherwise specified in this notification and in addition the non-polluting cottage industries shall be promoted.</p>
3.	Establishment of major hydro-electric project.	Prohibited.
4.	Use or production or processing of any hazardous substances.	Prohibited.
5.	Discharge of untreated effluents in natural water bodies or land area.	Prohibited.
6.	Setting up of new saw mills.	New or expansion of existing saw mills shall not be permitted within the Eco-sensitive Zone.
7.	Setting up of brick kilns.	Prohibited.
8.	Use of polythene bags.	Prohibited.
9.	Undertaking activities related to tourism like over-flying the sanctuary area by hot-air balloons, etc.	Prohibited.
10.	Introduction of exotic species.	Prohibited.
11.	Commercial use of firewood.	Prohibited.
B. Regulated Activities		
12.	Commercial establishment of hotels and resorts.	<p>No new commercial hotels and resorts shall be permitted within one kilometer of the boundary of the protected area or upto the extent of Eco-sensitive Zone, whichever is nearer, except for small temporary structures for eco-tourism activities:</p> <p>Provided that, beyond one kilometer from the boundary of the protected area or upto the extent of Eco-sensitive Zone, whichever is nearer, all new tourist activities or expansion of existing activities shall be in conformity with the Tourism Master Plan and guidelines as applicable.</p>
13.	Construction activities.	(a) New commercial construction of any kind shall not be permitted within one kilometer from the boundary of the protected area or upto extent of the

		<p>Eco-sensitive Zone, whichever is nearer:</p> <p>Provided that, local people shall be permitted to undertake construction in their land for their use including the activities mentioned in sub-paragraph (1) of paragraph 3 as per building bye-laws to meet the residential needs of the local residents:</p> <p>Provided further that the construction activity related to small scale industries not causing pollution shall be regulated and kept at the minimum, with the prior permission from the competent authority as per applicable rules and regulations, if any.</p> <p>(b) Beyond one kilometer it shall be regulated as per the Zonal Master Plan.</p>
14.	Small scale non polluting industries.	Non polluting industries as per classification of industries issued by the Central Pollution Control Board in February, 2016 and non-hazardous, small-scale and service industry, agriculture, floriculture, horticulture or agro-based industry producing products from indigenous materials from the Eco-sensitive Zone shall be permitted by the competent authority.
15.	Felling of trees.	<p>(a) There shall be no felling of trees in the forest or Government or revenue or private lands without prior permission of the competent authority in the State Government.</p> <p>(b) The felling of trees shall be regulated in accordance with the provisions of the concerned Central or State Act and the rules made thereunder.</p>
16.	Collection of Forest produce or Non-Timber Forest produce.	Regulated as per the applicable laws.
17.	Erection of electrical and communication towers and laying of cables and other infrastructures.	Regulated under applicable laws (underground cabling may be promoted).
18.	Infrastructure including civic amenities.	Taking measures of mitigation as per the applicable laws, rules and regulations available guidelines.
19.	Widening and strengthening of existing roads and construction of new roads.	Taking measures of mitigation as per the applicable laws, rules, regulations, and available guidelines.
20.	Protection of hill slopes and river banks.	Regulated as per the applicable laws.
21.	Movement of vehicular traffic at night.	Regulated for commercial purpose under applicable laws.
22.	Ongoing agriculture and horticulture practices by local communities along with dairies, dairy farming, aquaculture and fisheries.	Permitted as per the applicable laws for use of locals.
23.	Establishment of large-scale commercial livestock and poultry farms by firms, corporate and	Regulated (except otherwise provided) as per the applicable laws except for meeting local needs.

	companies.	
24.	Discharge of treated waste water or effluents in natural water bodies or land area.	The discharge of treated waste water or effluents shall be avoided to enter into the water bodies and efforts shall be made for recycle and reuse of treated waste water. Otherwise the discharge of treated waste water or effluent shall be regulated as per the applicable laws.
25.	Commercial extraction of surface and ground water.	Regulated as per the applicable laws.
26.	Solid Waste Management.	Regulated as per the applicable laws.
27.	Eco-tourism.	Regulated as per the applicable laws.
28.	Commercial sign boards and hoardings.	Regulated as per the applicable laws.
29.	Eco tourism facilities like home stays, ropeways, kiosks, funiculars, etc.	Regulated as per the applicable laws.
C. Promoted Activities		
30.	Rain water harvesting.	Shall be actively promoted.
31.	Organic farming.	Shall be actively promoted.
32.	Adoption of green technology for all activities.	Shall be actively promoted.
33.	Cottage industries including village artisans, etc.	Shall be actively promoted.
34.	Use of renewable energy and fuels.	Bio-gas, solar light etc. shall be actively promoted.
35.	Agro-Forestry.	Shall be actively promoted.
36.	Plantation of Horticulture and Herbals.	Shall be actively promoted.
37.	Use of eco-friendly transport.	Shall be actively promoted.
38.	Skill Development.	Shall be actively promoted.
39.	Restoration of degraded land or forests or habitat.	Shall be actively promoted.
40.	Environmental awareness.	Shall be actively promoted.
41.	Vegetative fencing.	Shall be actively promoted.

5. Monitoring Committee for Monitoring the Eco-sensitive Zone Notification.- For effective monitoring of the provisions of this notification under sub-section (3) of section 3 of the Environment (Protection) Act, 1986, the Central Government hereby constitutes a Monitoring Committee, comprising of the following, namely:-

S. No.	Constituent of the Monitoring Committee	Designation
(i)	Chief Secretary, Government of West Bengal	Chairman, ex officio;
(ii)	Chief Wildlife Warden, Government of West Bengal	Member;
(iii)	Principal Chief Conservator of Forests (Head of Forest Force),	Member;

	Government of West Bengal	
(iv)	Representative of State Pollution Control Board	Member;
(v)	A representative of Non-governmental Organisation working in the field of wildlife conservation to be nominated by the State Government	Member;
(vi)	An expert in Biodiversity nominated by the State Government	Member;
(vii)	One expert in Ecology from reputed institution or university of the State	Member;
(viii)	Representative of Rural Management Department, Government of West Bengal	Member;
(ix)	Representative of Agriculture Department, Government of West Bengal	Member;
(x)	Representative of Urban Development and Housing Department, government of West Bengal	Member;
(xi)	Concerned District Collector	Member;
(xii)	Divisional Forest Officer (In-charge of protected area)	Member;
(xiii)	Additional Chief Conservator of Forest, Wildlife	Member-Secretary.

6. Terms of reference. – (1) The Monitoring Committee shall monitor the compliance of the provisions of this notification.

- (2) The tenure of the Monitoring Committee shall be for three years or till the re-constitution of the new Monitoring Committee by the State Government and subsequently the Monitoring Committee shall be constituted by the State Government.
- (3) The activities that are covered in the Schedule to the notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O. 1533 (E), dated the 14th September, 2006, and are falling in the Eco-sensitive Zone, except for the prohibited activities as specified in the Table under paragraph 4 thereof, shall be scrutinised by the Monitoring Committee based on the actual site-specific conditions and referred to the Central Government in the Ministry of Environment, Forest and Climate Change for prior environmental clearances under the provisions of the said notification.
- (4) The activities that are not covered in the Schedule to the notification of the Government of India in the erstwhile Ministry of Environment and Forest number S.O. 1533 (E), dated the 14th September, 2006 and are falling in the Eco-sensitive Zone, except for the prohibited activities as specified in the Table under paragraph 4 thereof, shall be scrutinised by the Monitoring Committee based on the actual site-specific conditions and referred to the concerned regulatory authorities.

- (5) The Member-Secretary of the Monitoring Committee or the concerned Deputy Commissioner(s) shall be competent to file complaints under section 19 of the Environment Act, against any person who contravenes the provisions of this notification.
- (6) The Monitoring Committee may invite representatives or experts from concerned Departments, representatives from industry associations or concerned stakeholders to assist in its deliberations depending on the requirements on issue to issue basis.
- (7) The Monitoring Committee shall submit the annual action taken report of its activities as on the 31st March of every year by the 30th June of that year to the Chief Wildlife Warden in the State as per proforma appended at Annexure V.
- (8) The Central Government in the Ministry of Environment, Forest and Climate Change may give such directions, as it deems fit, to the Monitoring Committee for effective discharge of its functions.

7. Additional Measures.- The Central Government and State Government may specify additional measures, if any, for giving effect to provisions of this notification.

8. Supreme Court, etc. orders.- The provisions of this notification shall be subject to the orders, if any passed or to be passed by the Hon'ble Supreme Court of India or High Court or the National Green Tribunal.

[F. No. 25/36/16-ESZ-RE]

DR SATISH C. GARKOTI, Scientist 'G'

ANNEXURE- I

BOUNDARY DESCRIPTION OF ECO-SENSITIVE ZONE AROUND MAHANANDA WILDLIFE SANCTUARY WEST BENGAL

In the northern side, there is common boundary between Ruyem and Setikhola, Ruyem and Sittong, Upper Ghoramara and Sittong, Latpancher and Mana forest blocks.

The eastern boundary of Sevoke Range of Kurseong division, along the Tista River from the junction of Kalijhora and Tista, southwards extending upto the southern corner of Laltong block.

The demarcated southern boundary of Sukna and Funding blocks up to its junction with Mahanadi block, then following the western & southern boundaries of Mahanadi block; then along the western and southern boundary of Laltong Block along 7th Mile Fire line / Road.

The western boundary of Latpancher and Bandarjhora forest block along the Mana jhora upto its junction with the Mahanadi river, then along the Mahanadi river in a south easterly direction upto its junction with the northern boundary of Punding forest block and then along the demarcated northern boundary of Sukna forest block upto its junction with Hill Cart Road and then along the Hill Cart Road upto its junction with southern boundary of Sukna block.

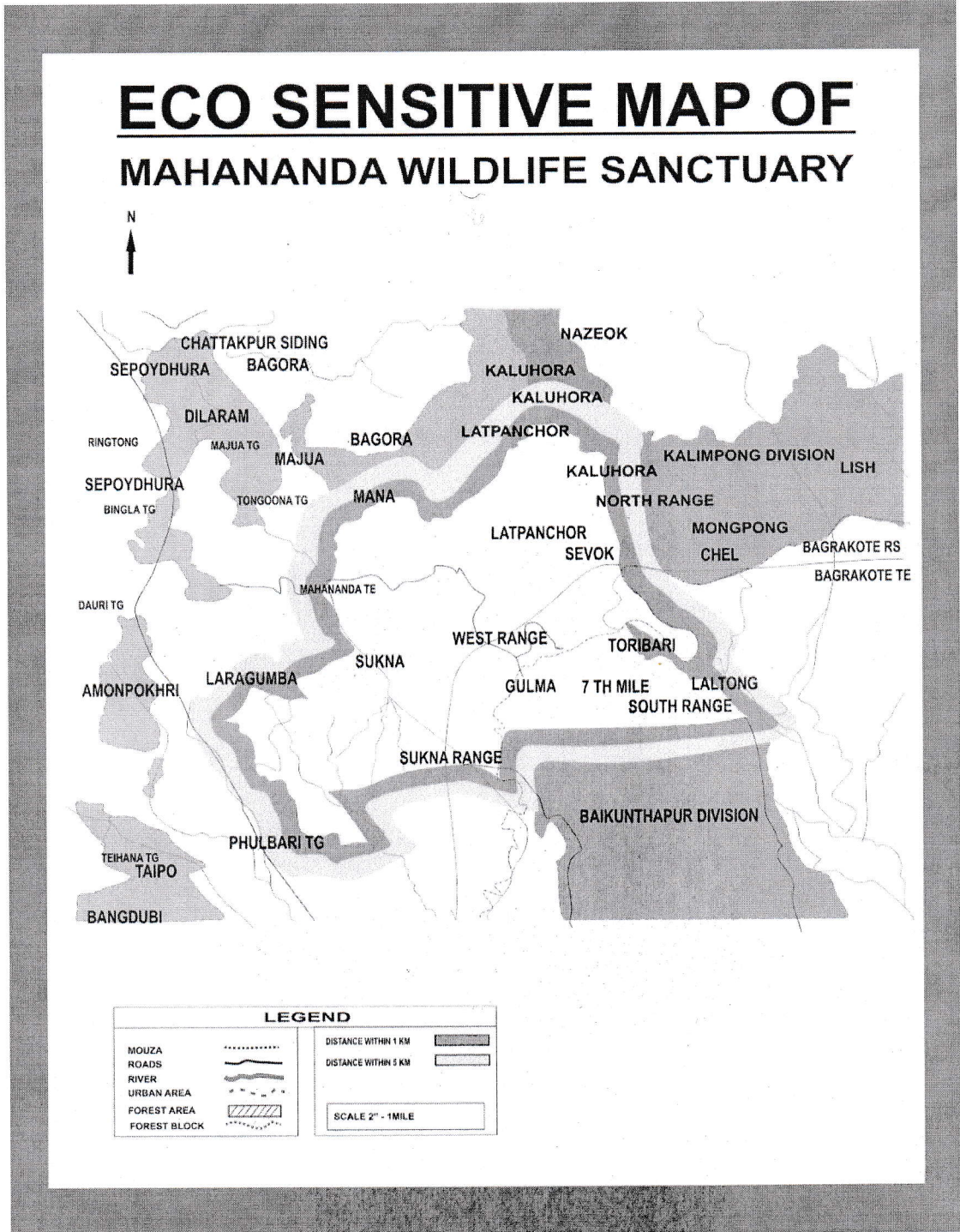
ANNEXURE- IIA

GOOGLE MAP OF ECO-SENSITIVE ZONE OF MAHANANDA WILDLIFE SANCTUARY
ALONG WITH LATITUDE AND LONGITUDE OF PROMINENT LOCATIONS



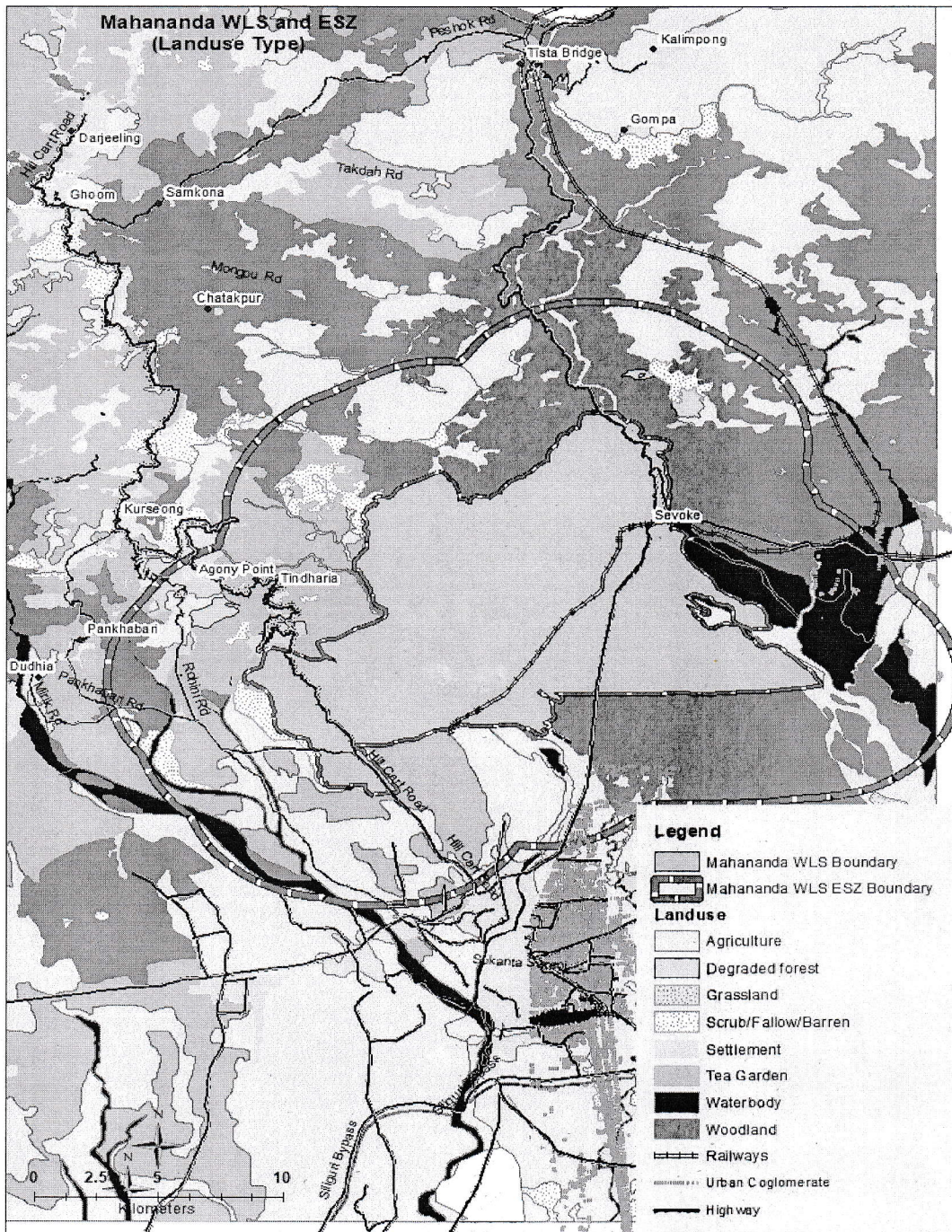
ANNEXURE- IIB

MAP SHOWING ECO-SENSITIVE ZONE OF MAHANANDA WILDLIFE SANCTUARY IN WEST BENGAL



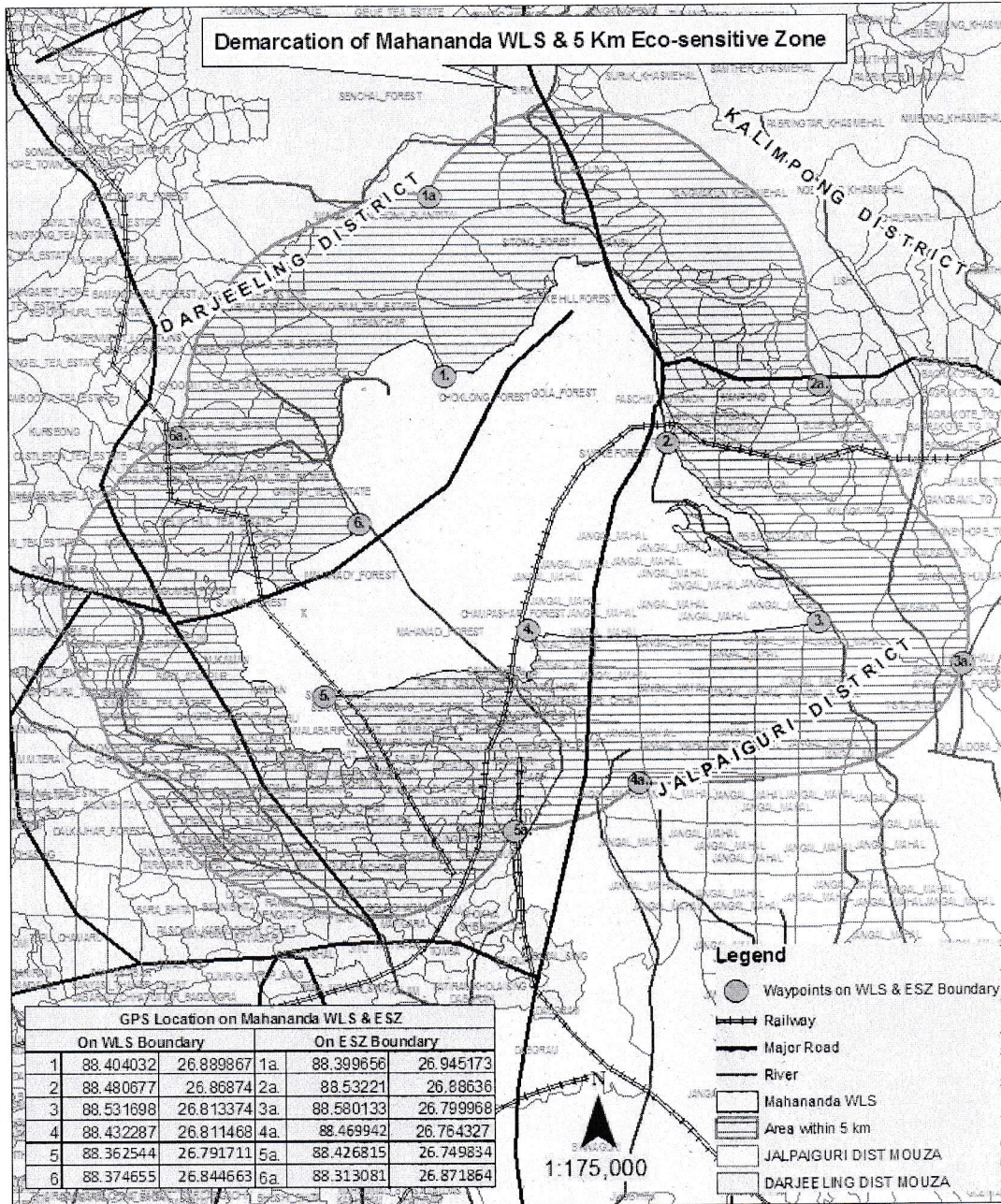
ANNEXURE- IIC

MAP SHOWING LANDUSE PATTERN OF ECO-SENSITIVE ZONE OF MAHANANDA WILDLIFE SANCTUARY



ANNEXURE- IID

MAP OF ECO-SENSITIVE ZONE OF MAHANANDA WILDLIFE SANCTUARY ALONG WITH LATITUDE AND LONGITUDE OF PROMINENT LOCATIONS ON SURVEY OF INDIA (SOI) TOPOSHEET



ANNEXURE-III

TABLE A: GEO- COORDINATES OF PROMINENT LOCATIONS OF MAHANANDA WILDLIFE SANCTUARY

Sl. No.	Longitude (E)	Latitude (N)
1	88°40403	26°88987
2	88°48068	26°86874
3	88°5317	26°81337
4	88°43229	26°81147
5	88°36254	26°79171
6	88°37466	26°84466

TABLE B: GEO-COORDINATES OF PROMINENT LOCATIONS OF ECO-SENSITIVE ZONE

Sl. No.	Longitude (E)	Latitude (N)
1a.	88°39966	26°945173
2a.	88°53221	26°88636
3a.	88°58013	26°799968
4a.	88°46994	26°764327
5a.	88°42682	26°749834
6a.	88°31308	26°871864

ANNEXURE-IV

LIST OF VILLAGES COMING UNDER ECO-SENSITIVE ZONE OF MAHANANDA WILDLIFE SANCTUARY ALONG WITH GEO-COORDINATES

Sl. No.	Name of the Village	Land classification	Latitude	Longitude
1	Chakur	Revenue Village	N 26°46'26.42"	E88°28'19.06"
2	Prakash Nagar	Revenue Village	N26°46'6.52"	E88°26'52.48"
3	Sarugara	Revenue Village	N26°45'58.92"	E88°26'47.56"
4	Kalabari	Revenue Village	N26°46'24.0"	E88°25'19.0"
5	Mahismari	Revenue Village	N26°45'28.6"	E88°25'04.5"
6	Malahar	Revenue Village	N 26°44'26.8"	E88°24'57.3"
7	Champasari Chhat	Revenue Village	N26°44'26.8"	E88°24'57.3"
8	Nunu Bairagi	Revenue Village	N26°45'02.22"	E88°23'00.4"
9	Nunu Bairagir Chhat	Revenue Village	N26°45'27.99"	E88°23'48.98"
10	Uttar Palash	Revenue Village	N26°46'32.0"	E88°25'49.9"
11	Damra Gayer Chhat	Revenue Village	N26°45'44.29"	E88°23'33.54"
12	Jadubhitar Chhat	Revenue Village	N26°47'09.3"	E88°24'36.0"

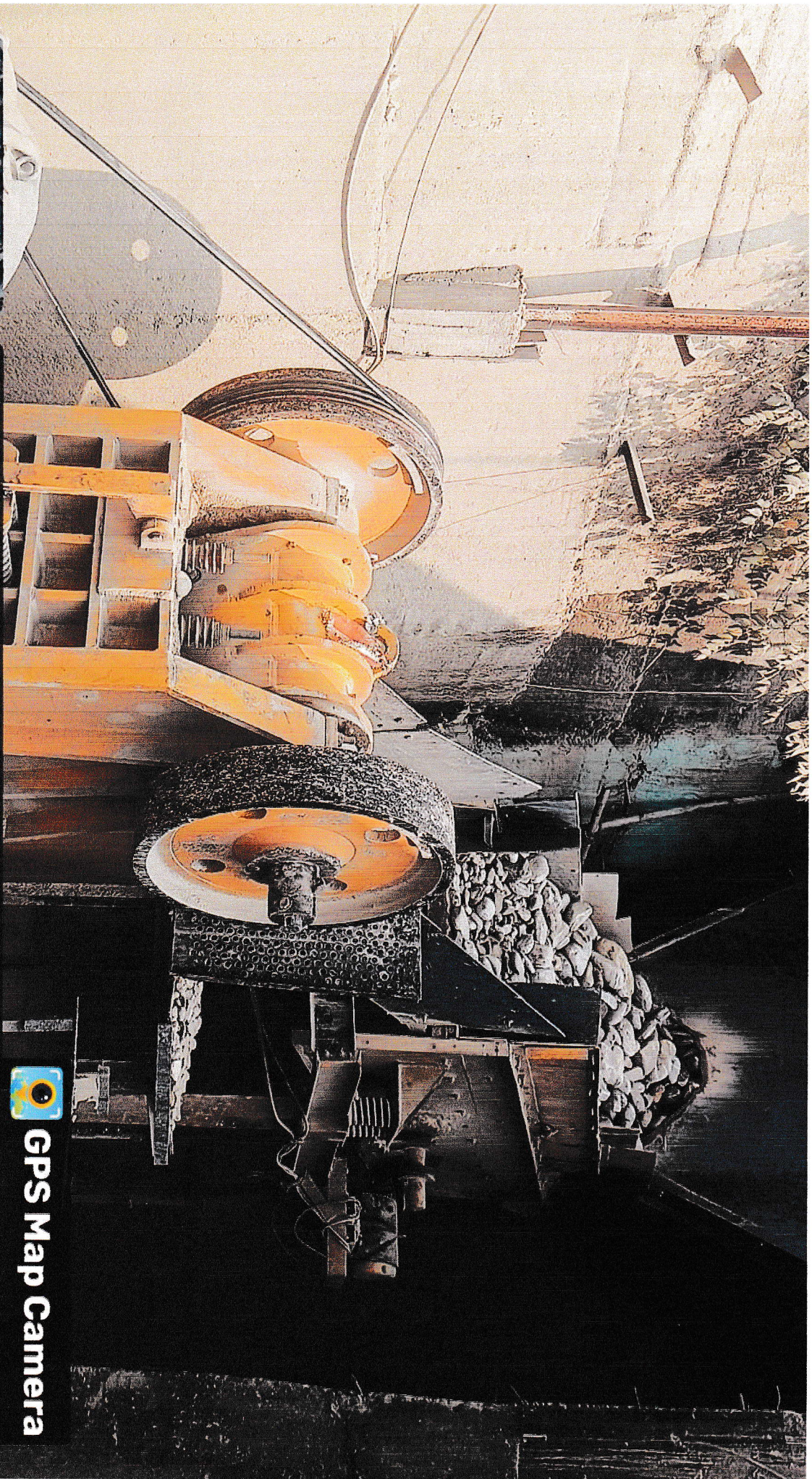
13	Purba Karaibari Chhat	Revenue Village	N26°47'01.7"	E88°25'02.5"
14	Gulmakhari	Revenue Village	N26°48'04.4"	E88°24'11.2"
15	Karaibari	Revenue Village	N26°47'13.3"	E88°25'03.1"
16	Dariagram Chhat	Revenue Village	N26°47'7.64"	E88°25'16.69"
17	Sissabari	Revenue Village	N26°47'08.2"	E88°25'39.6"
18	Palash	Revenue Village	N26°46'32.0"	E88°25'49.9"
19	Boro Adalpur	Revenue Village	N26°46'37.19"	E88°20'43.53"
20	Khoklong	Revenue Village	N26°46'42.91"	E88°21'11.17"
21	Chhoto Adalpur	Revenue Village	N26°47'11.36"	E88°19'15.26"
22	Paharu	Revenue Village	N26°46'53.67"	E88°20'54.73"
23	Khoklong Chhat	Revenue Village	N26°46'32.22"	E88°21'13.07"
24	Kamala Barir Chhat	Revenue Village	N26°46'28.37"	E88°20'40.44"
25	Word 42	Revenue Village	N26°45'31.83"	E88°26'42.84"
26	Nimbu Basti	Revenue Village	N26°45'15.59"	E88°26'12.31"
27	Devidanga	Revenue Village	N26°45'57.5"	E88°25'07.2"
28	Daknikata P	Revenue Village	N26°45'10.2"	E88°25'01.9"
29	Kalkut P	Revenue Village	N 26°45'41.38"	E088°25'6.88"
30	Champasari	Revenue Village	N26°44'26.8"	E88°24'57.3"
31	Ward 46	Revenue Village	N26°44'34.76"	E88°24'47.65"
32	Satyajit Colony	Revenue Village	N 26°44'23.14"	E88°24'34.96"
33	Foutsingher Chhat	Revenue Village	N26°44'57.11"	E88°24'19.96"
34	Ujanu P	Revenue Village	N26°43'53.6"	E88°24'17.2"
35	Kabi Adam Singh Nagar	Revenue Village	N26°44'39.48"	E88°23'47.94"
36	Uttarayan TWP	Revenue Village	N26°43'21.61"	E88°23'37.80"
37	Dagapur	Revenue Village	N26°45'00.47"	E88°23'35.48"
38	Bara Gharia	Revenue Village	N26°44'50.3"	E88°23'29.0"
39	Gaur Charan	Revenue Village	N26°43'57.3"	E88°22'58.0"
40	Ghokla Jote	Revenue Village	N26°44'22.0"	E88°22'49.6"
41	Patharghata	Revenue Village	N26°45'38.38"	E88°22'20.21"
42	Dhakuria	Revenue Village	N26°45'20.4"	E88°22'31.8"
43	Gatigara	Revenue Village	N26°43'23.65"	E88°23'04.92"
44	Bania Khari	Revenue Village	N26°43'39.1"	E88°22'56.1"
45	Panchakulguri	Revenue Village	N26°45'14.4"	E88°20'42.7"
46	Jugibhita	Revenue Village	N26°44'56.79"	E88°21'54.76"
47	Guria	Revenue Village	N26°44'07.9"	E88°23'08.5"
48	Bataliguri	Revenue Village	N26°44'18.55"	E88°20'5.90"
49	Pataner Chhat	Revenue Village	N26°45'43.76"	E88°19'30.23"

50	Lalsara Chhat	Revenue Village	N26°46'44.8"	E88°20'16.2"
51	Dhemal	Revenue Village	N26°44'57.73"	E88°19'32.31"
52	Patan	Revenue Village	N26°45'57.63"	E88°19'19.59"
53	Ruhinir Chhat	Revenue Village	N26°47'22.83"	E88°19'00.21"
54	Khopalasi	Revenue Village	N26°45'34.7"	E88°20'24.1"
55	Jhouguri	Revenue Village	N26°45'58.65"	E88°21'28.84"
56	Jhauguri Chhat	Revenue Village	N26°46'10.2"	E88°21'02.3"
57	Rajpiari	Revenue Village	N26°45'40.9"	E88°21'13.7"
58	Chamtaguri Chhat	Revenue Village	N26°45'58.2"	E88°22'15.8"
59	Chamta	Revenue Village	N26°46'13.89"	E88°21'27.59"
60	Panchanai	Revenue Village	N26°44'43.87"	E88°3'54.84"
61	Mohurgong TG	Tea Garden	N26°46'47.8"	E88°22'19.1"
62	Salbari Chhat(2nd)	Revenue Village	N26°45'57.3"	E88°23'00.4"
63	Fulbari Pataner Chhat	Revenue Village	N26°46'08.78"	E88°19'20.45"
64	Sitong Forest	Forest	N26°54'55.7"	E88°24'33.9"
65	Sivoke Forest	Forest	N26°52'42.6"	E88°28'14.4"
66	Latpanchar	Forest	N26°54'41.2"	E88°24'19.7"
67	Sepoydhura	Tea Garden	N26°50'27.0"	E88°20'64.0"
68	Norbong	Tea Garden	N26°51'15.45"	E88°32'32.18"
69	Simring TG	Tea Garden	N26°53'25.45"	E88°21'37.29"
70	Tindharia T.G	Tea Garden	N26°51'17.66"	E88°20'44.85"
71	Rhontong	Revenue Village	N26°50'10.51"	E88°20'33.15"
72	Bauni Bhitari Chhat	Revenue Village	N26°45'44.94"	E88°18'44.60"
73	Fulbari Chhat	Revenue Village	N26°45'21.06"	E88°19'02.45"
74	Khaprail	Revenue Village	N26°45'36.18"	E88°20'14.51"
75	Patan Jhaner Chhat	Revenue Village	N26°45'05.24"	E88°19'03.20"
76	Pairkumari	Tea garden	N26°46'31.30"	E88°20'09.02"
77	Saptagiri Khelaghar T.G	Tea garden	N26°44'14.10"	E88°25'47.17"
78	Simulbari T.G	Tea garden	N26°47'33.49"	E88°18'33.67"
79	Raki Forest	Forest	N26°47'48.61"	E88°17'28.03"
80	Bamonpokhri Forest	Forest	N 26°48'56.87"	E88°16'48.75"
81	Lama Gumba Forest	Forest	N26°49'8.98"	E88°18'42.11"
82	Rohini T.G	Tea Garden	N26°50'22.23"	E88°17'23.70"
83	Selim hill T.G	Tea Garden	N26°50'23.53"	E88°19'8.66"
84	Lizziepur T.G	Tea Garden	N26°52'20.47"	E88°19'52.37"
85	Gayabari T.G	Tea Garden	N26°51'38.04"	E88°19'34.90"
86	Mahal Diram T.G	Tea Garden	N26°54'49.82"	E88°21'2.33"

87	Toryak Khasmahal	Revenue Village	N26°56'04.1"	E88°20'53.8"
88	Selpu Khasmahal	Revenue Village	N26°56'09.0"	E88°23'55.3"
89	Barasit Tong Khasmahal	Revenue Village	N26°56'10.8"	E88°22'59.5"
90	Rolak Khasmahal	Revenue Village	N26°56'59.0"	E88°24'14.5"
91	Rongchong Khasmahal	Revenue Village	N26°58'2.24"	E88°25'4.18"
92	Kandung Forest Basti	Revenue Village	N26°56'31.12"	E88°25'52.0"
93	Gulling Forest	Revenue Village	N26°57'22.1"	E88°27'01.6"
94	Yang Mukum Khasmahal	Revenue Village	N26°56'08.4"	E88°29'14.5"
95	Paschim Totgaon	Revenue Village	N26°50'26.4"	E88°31'28.4"
96	Purba Totgaon	Revenue Village	N26°50'30.9"	E88°31'31.7"
97	Ellenburry T.G	Tea garden	N26°51'33.2"	E88°32'08.5"
98	Sunderi Basti	Revenue Village	N26°51'17.9"	E88°31'34.6"
99	Kalagaity T.G.	Tea Garden	N26°51'14.5"	E88°32'45.4"
100	Saogaon T.G	Tea Garden	N26°51'05.0"	E88°35'13.9"
101	Saogaon	Revenue Village	N26°49'42.9"	E88°33'52.8"

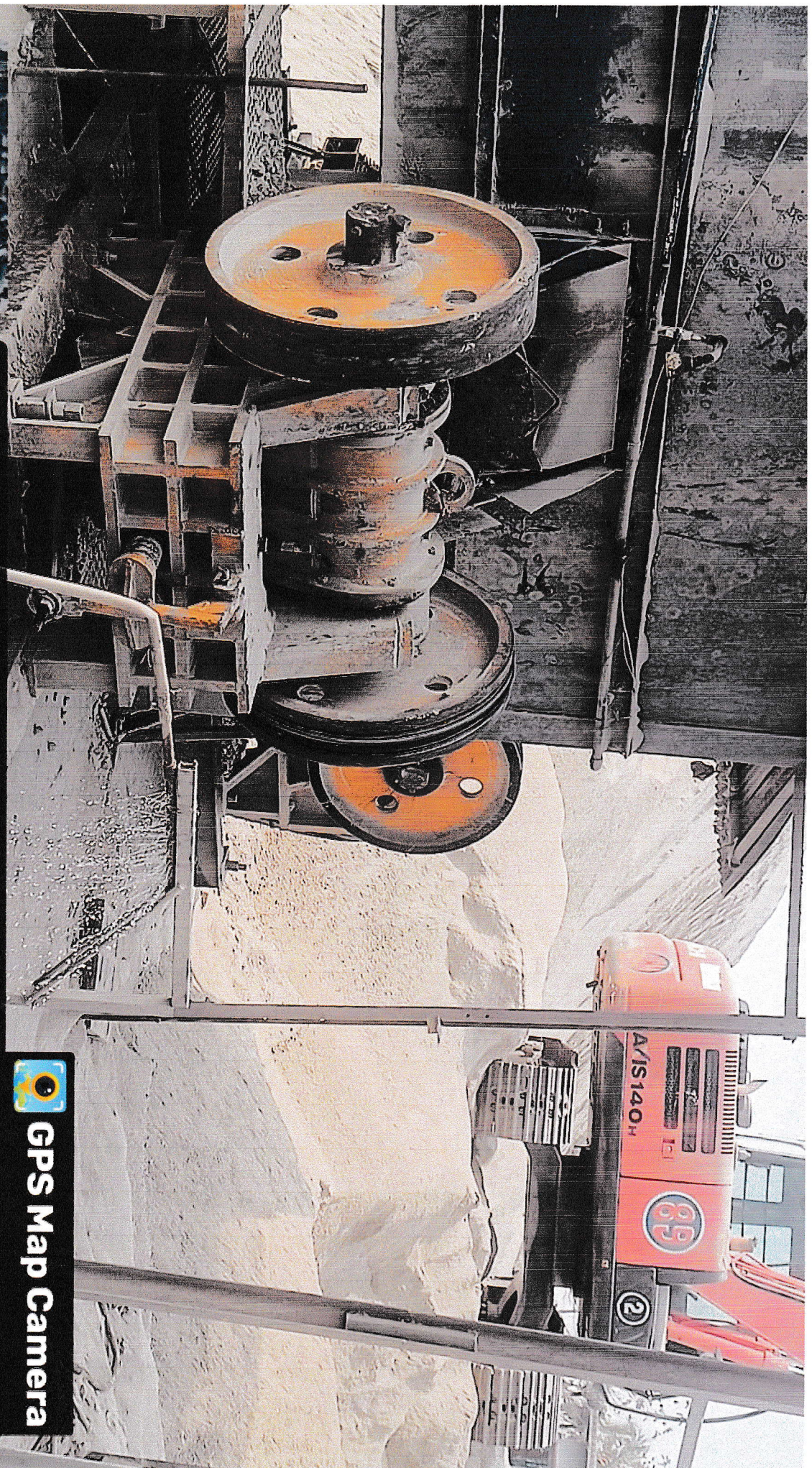
ANNEXURE –V**Performa of Action Taken Report:- Eco-sensitive Zone Monitoring Committee.**

1. Number and date of meetings.
2. Minutes of the meetings: (mention noteworthy points. Attach minutes of the meeting as separate Annexure).
3. Status of preparation of Zonal Master Plan including Tourism Master Plan.
4. Summary of cases dealt with rectification of error apparent on face of land record (Eco-sensitive Zone wise). Details may be attached as Annexure.
5. Summary of cases scrutinised for activities covered under the Environment Impact Assessment Notification, 2006 (Details may be attached as separate Annexure).
6. Summary of cases scrutinised for activities not covered under the Environment Impact Assessment Notification, 2006 (Details may be attached as separate Annexure).
7. Summary of complaints lodged under section 19 of the Environment (Protection) Act, 1986.
8. Any other matter of importance.



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 **GPS Map Camera**

Annexure - A6

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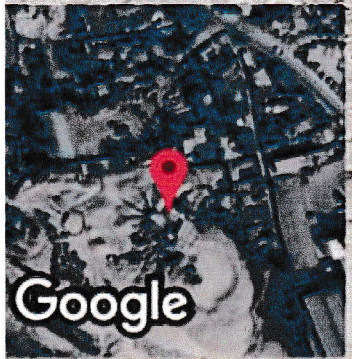
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 **GPS Map Camera**



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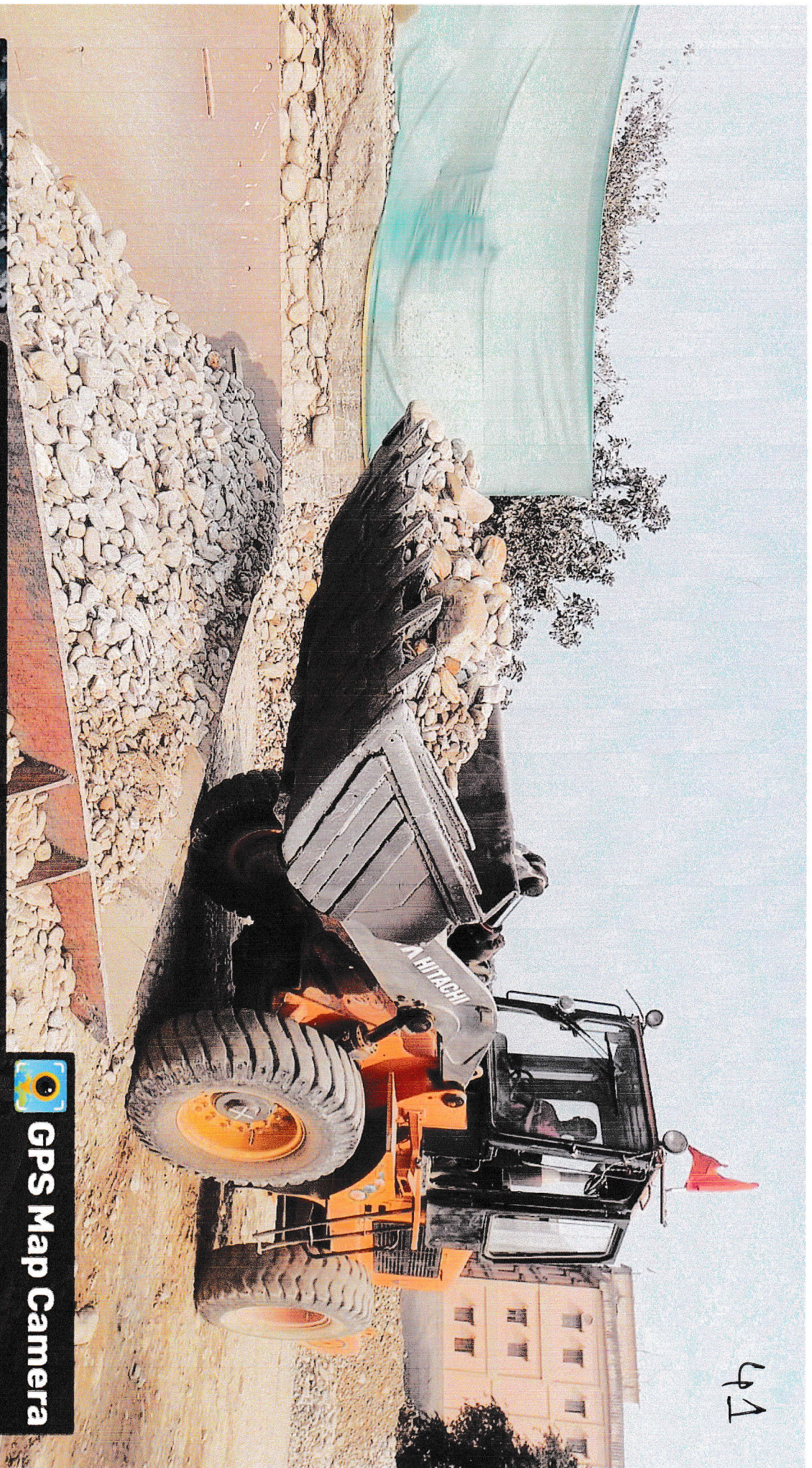
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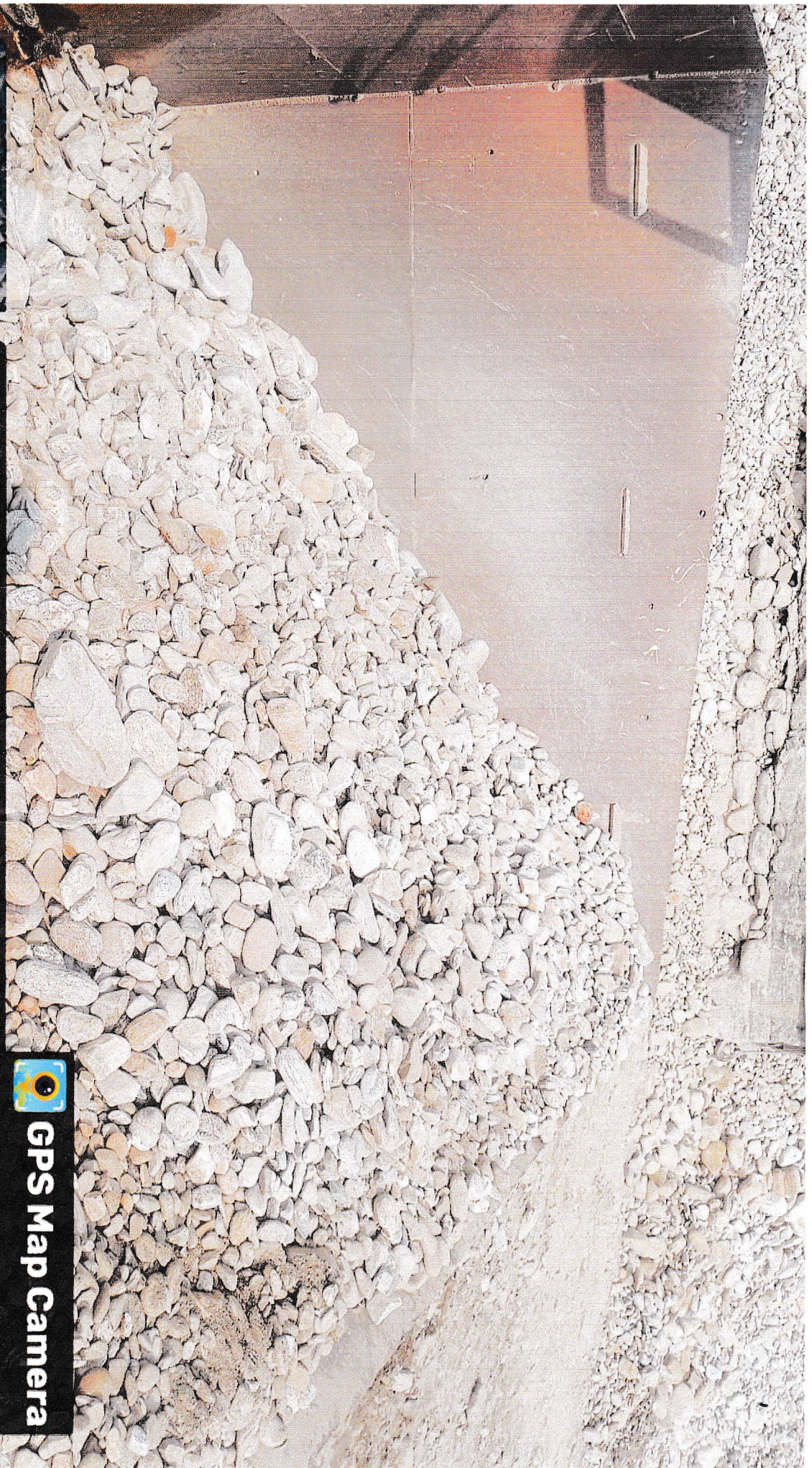
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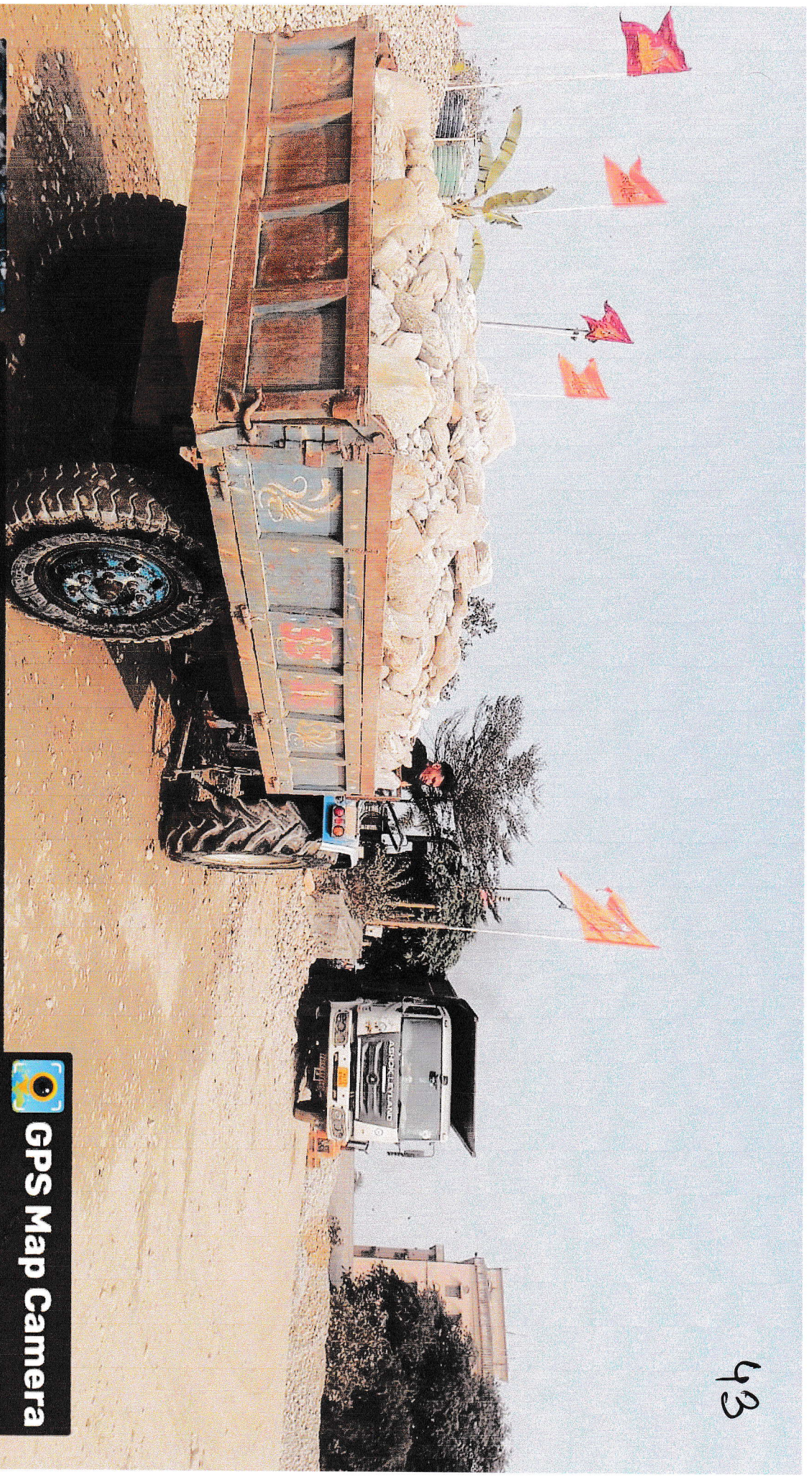
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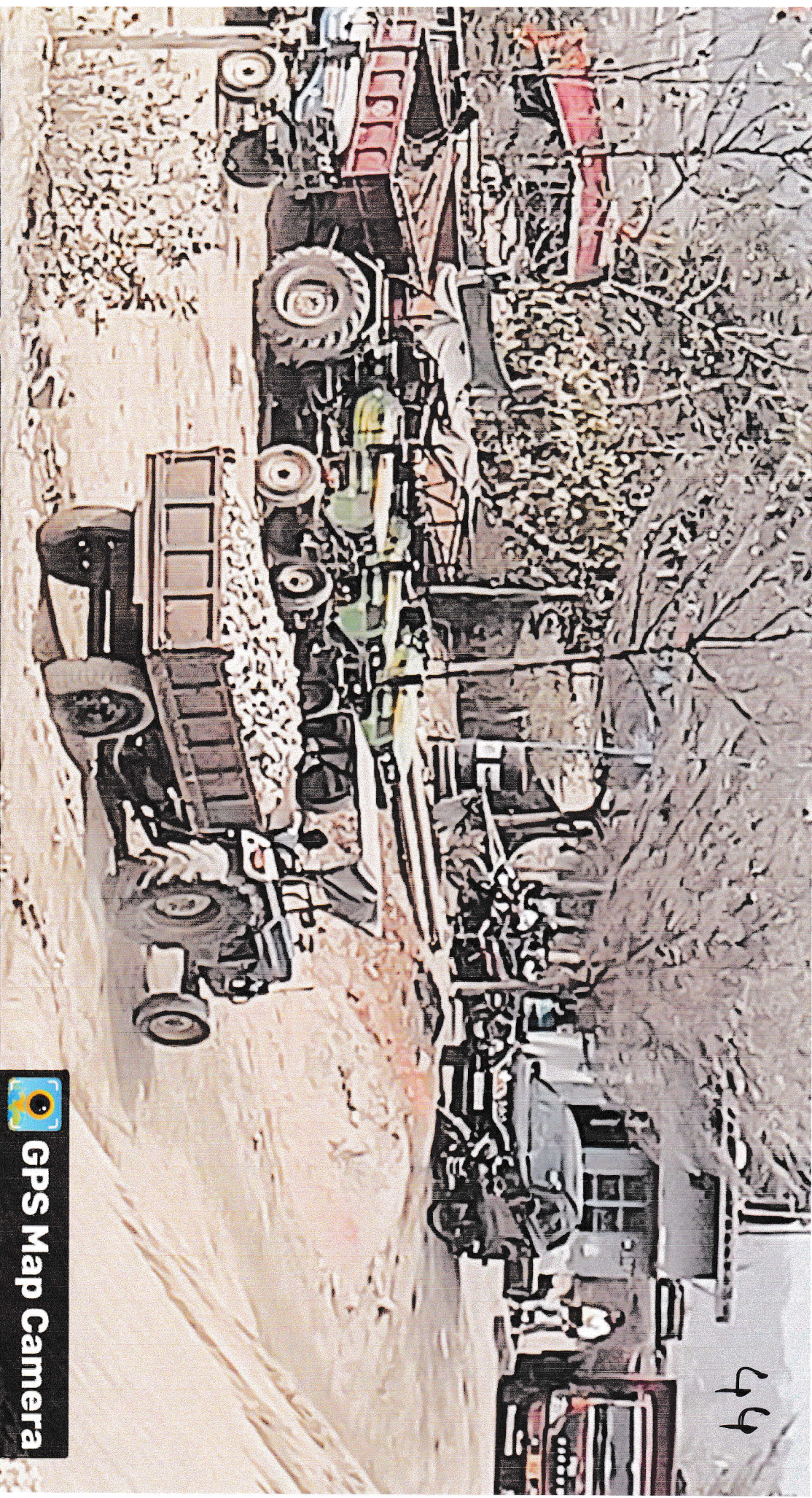
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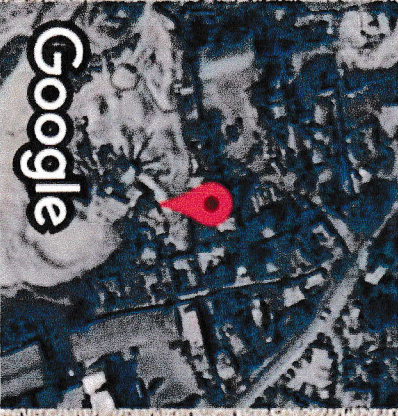
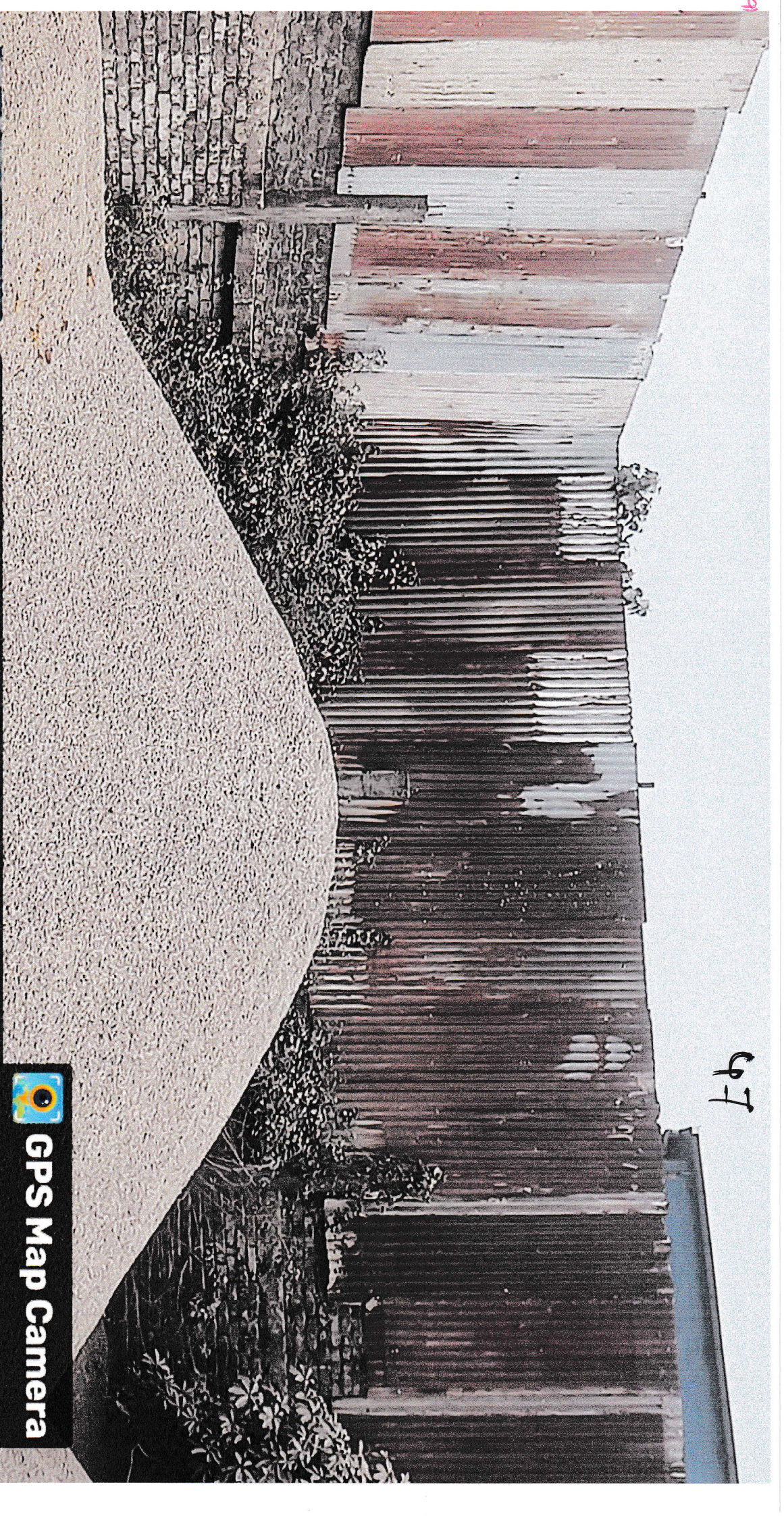
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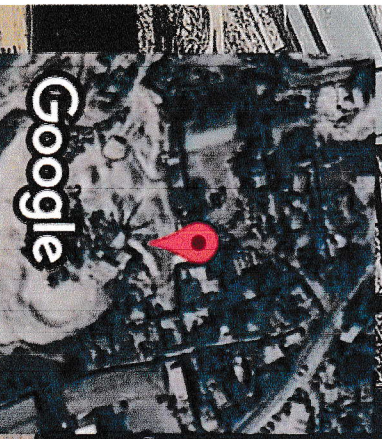
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Table G-3: Final List of Orange Category of Industrial Sectors

Final Sl. No.	Orgnl S.No	Industry Sector	W1	W2	W	A1	A2	A	H	W+A+H	Revised category	Remarks
1.	20	Dismantling of rolling stocks (wagons/ coaches)	--	--	--	15	--	15	10	41.67	O-O	Emissions of dust and generation of waste oils take place during dismantling. Air pollution & HW generation scores (15+10=25) are normalized to 100.
2.	5	Bakery and confectionery units with production capacity > 1 TPD. (With ovens / furnaces)	20	--	20	15	--	15	--	43.75	O-O	
3.	10	Chanachur and laddoo from puffed and beaten rice(muri and shira) using husk fired oven	20	--	20	15	--	15	--	43.75	O-O	Normal water and air polluting.
4.	23	Coated electrode manufacturing	15	0	15	20	0	20	0	43.75	G-O	Preparation of core wire / rod, preparation of dry mix, preparation of wet mix, application of coating by extrusion, baking of coated electrodes
5.	24	Compact disc computer floppy and cassette manufacturing / Reel manufacturing	15	0	15	20	0	20	0	43.75	G-O	Generates waste-water and process emissions.
6.	24	Flakes from rejected PET bottle	20	-	20	15	-	15	-	43.75	R-O	Normal water & air pollutions are generated.
7.	30	Food and food processing including fruits and vegetable processing	20	--	20	15	--	15	--	43.75	O-O	Normal water and air polluting.
8.	40	Jute processing without dyeing	20	--	20	15	--	15	--	43.75	O-O	CPCB has notified standards for this category. Both air and water pollutions are generated.
9.	56	Manufacturing of silica gel	15	0	15	20	0	20	0	43.75	G-O	Waste-waters containing TDS and emissions of H ₂ SO ₄ are generated.

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Answer-A 3

10.	45	Manufacturing of tooth powder, toothpaste, talcum powder and other cosmetic items	20	--	20	15	--	15	--	43.75	O-O	Both air and water pollution are generated.
11.	55	Printing or etching of glass sheet using hydrofluoric acid	15	--	15	20	--	20	--	43.75	O-O	Both air and water pollution are generated.
12.	65	Silk screen printing, sari printing by wooden blocks	20	--	20	15	--	15	--	43.75	O-O	Wash-water and PM emissions from boilers .
13.	76	Synthetic detergents and soaps(excluding formulation)	20	-	20	15	-	15	-	43.75	R-O	i. This is the score for units having generation of waste-waters less than 100 KLD. ii. The units having waste-water generation more than 100 KLD will become mainly water polluting and accordingly normalized water pollution score will be 75 and be categorized as Red.
14.	71	Thermometer manufacturing	15	--	15	20	--	20	--	43.75	O-O	Process - making glass bulb, forming reservoir in the glass tube for fluid, inserting fluid, scale marking. Use of fuel to heat the glass tubes and hydrofluoric acid to seal the scaling. Small quantities of spent acids are generated.
15.	14	Cotton spinning and weaving (medium and large scale)	--	--	--	15	--	37.5	10	47.5	O-O	Mainly air polluting industry. Sources of air pollution (PM) are the fine particles of cotton from spinning process. Air pollution score is normalized to 100.
16.	1	Almirah, Grill Manufacturing (Dry Mechanical Process)	--	--	--	20	--	20	--	50	O-O	Air pollution due to spray painting (emissions of VOCs). Units without painting operations shall be categorized as White.

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17.	2	Aluminium & copper extraction from scrap using oil fired furnace (dry process only)	--	--	--	20	--	20	10	50	O-O	i. Normalized Air pollution score. ii. Significant air pollution due to melting (emissions of SO ₂ , PM ₁₀).
18.	3	Automobile servicing, repairing and painting (excluding only fuel dispensing)	20	--	20	20	--	20	10	50	O-O	Normal water & air polluting and recyclable waste oil generating. If the waste water generation is more than 100 KLD, it will become mainly water polluting and Red category unit.
19.	4	Ayurvedic and homeopathic medicine	20	--	20	15	--	15	15	50	O-O	
20.	7	Brickfields (excluding fly ash brick manufacturing using lime process)	--	--	--	20	--	20	--	50	O-O	Significantly air polluting.
21.	8	Building and construction project more than 20,000 sq. m built up area	20	--	20	20	--	20	--	50	O-O	1. In the pre-construction stage, it is mainly air polluting due to generation of dust (PM ₁₀) emissions. 2. After construction, it is mainly water polluting. If the discharge is more than 100 KLD, it will be having the normalized score of 75 and be categorized as Red.
22.	6	Ceramics and Refractories	-	-	-	20	-	20	-	50	R-O	i. Mainly air polluting industry. ii. This score is for the units having coal consumption < than 12 MT/day. iii. For the units having coal consumption > 12 MT /day, the normalized air pollution score will be 62.5 and shall be categorized as Red.

23.	11	Coal washeries	15	10	25	15	-	15	-	50	R-O	i. Wet washeries are mainly water polluting industry generating effluents which are having inorganic SS & TDS. Additionally, air pollution due to PM emissions is also generated. ii. Water & air pollution scores are jointly normalized to 100.
24.	16	Dairy and dairy products (small scale)	20	--	20	20	--	20	--	50	O-O	Water and air polluting both.
25.	18	DG set of capacity >1MWVA but < 5MWVA	--	--	--	20	--	20	--	50	O-O	Mainly air polluting air pollution score is normalized to 100.
26.	17	Dry coal processing, mineral processing, industries involving ore sintering, pelletsating, grinding & pulverization	-	-	-	20	-	20	-	50	R-O	Mainly air polluting industry. Final score is the normalized air pollution score.
27.	19	Fermentation industry including manufacture of yeast, beer, distillation of alcohol (Extra Neutral Alcohol)	20	-	20	-	-	-	-	50	R-O	i. Mainly water polluting industry. This is the normalized water pollution score for units having discharge < 100 KLD. ii. For the units having discharge > 100 KLD, the normalized water pollution score will be 75 and shall be accordingly categorized as Red.
28.	21	Ferrous and Non-ferrous metal extraction involving different furnaces through melting, refining, re-processing, casting and alloy-making	-	-	-	15	5	20	10	50	R-O	i. Mainly air polluting. ii. This score is applicable to secondary production of ferrous & non-ferrous metals (excluding lead) up-to 1 MT/hour production.

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32.	31	Forging of ferrous and non-ferrous metals (using oil and gas fired furnaces)	--	--	--	20	--	20	--	50	O-O	Heating furnace. Mainly air polluting.
33.	32	Formulation/pelletization of camphor tablets, naphthalene balls from camphor/ naphthalene powders.	--	--	--	20	--	20	--	50	O-O	Mainly air polluting. Emissions of Benzene, Hc are expected.
34.	33	Glass ceramics, earthen potteries and tile manufacturing using oil and gas fired kilns, coating on glasses using cerium fluorides and magnesium fluoride etc.	--	--	--	20	--	20	--	50	O-O	Mainly air polluting. Emissions of SO2 are expected.
35.	35	Gravure printing, digital printing on flex, vinyl	20	--	20	20	--	20	10	50	O-O	Waste waters , emissions of VOCs
36.	36	Heat treatment using oil fired furnace (without cyaniding)	--	--	--	20	--	20	--	50	O-O	Mainly air polluting and noise generating. AP Score is normalized to 100.
37.	28	Hot mix plants	-	-	-	20	-	20	-	50	R-O	Mainly air polluting. Air pollution scores are normalized to 100.
38.	37	Hotels (< 3 star) or hotels having > 20 rooms and less than 100 rooms.	20	--	20	20	--	20	--	50	O-O	Mainly water polluting. WP score is normalized to 100.
39.	38	Ice cream	20	--	20	20	--	20	--	50	O-O	Wash-water and boilers / oven for pasteurization.
40.	34	Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW(M, H& TBM) rules, 2008 - Items namely	-	-	-	20	0	20	0	50	R-O	Mainly air polluting. Air pollution score is normalized to 100
41.	34	Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW(M, H& TBM) rules, 2008 - Items namely - Brass Dross " Copper " Copper Oxide Mill Scale,, Copper Reverts, Cake & Residues,, Waste Copper and copper alloys in Paint and Ink Sludge/residues	10	-	10	20	-	20	10	50	R-O	Mainly air polluting.

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45.	42	Manufacturing of glass	10	-	-	20	-	20	-	50	R-O	i. Mainly air polluting (melting at 1500°C and refining. ii. In case of lead glass, the score of A1 will be 25 and accordingly the normalized scores will be 62.5 i.e. Red
46.	43	Manufacturing of iodized salt from crude/raw salt	12	--	12	20	--	20	--	50	O-O	Boiling in Evaporators (multiple effect evaporators), centrifuging, iodization with KIO3 mixing. Mainly air polluting. Air pollution score is normalized to 100.
47.	42	Manufacturing of mirror from sheet glass	--	--	--	20	--	20	--	50	O-O	Evaporator & furnace for heating the metal to be applied as reflector on mirror. Mainly air polluting.
48.	44	Manufacturing of mosquito repellent coil	--	--	--	20	--	20	--	50	O-O	Mainly air polluting. Toxic fumes are expected.
49.	46	Manufacturing of Starch/Sago	25	-	25	15	-	15	-	50	R-O	i. Water and air polluting industry. Boiler is used for steam generation. ii. Water & air pollution scores are normalized to 100
50.	46	Mechanized laundry using oil fired boiler	20	--	20	20	--	20	--	50	O-O	Both air and water pollution are generated.
51.	47	Modular wooden furniture from particle board, MDF < swan timber etc, Ceiling tiles/ partition board from saw dust, wood chips etc., and other agricultural waste using synthetic adhesive resin, wooden box making (With boiler)	--	--	--	20	--	20	--	50	O-O	1. Mainly air polluting. Boiler as well as VOCs from use of adhesives. 2. Without boiler, it will be a Green category industry.
52.	50	New highway construction project	-	-	-	20	-	20	-	50	R-O	Mainly air polluting project.

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53.	51	Non-alcoholic beverages/soft drink) & bottling of alcoholic products	20	-	20	15	5	20	-	50	R-O	i. Both air and water polluting. Score is normalized with air & water pollution. This score is valid for industries having waste-water generation < 100 KLD. ii. For the units having waste-water generation > 100 KLD the , normalized score would be 62.5 and categorized as Red.
54.	49	Paint blending and mixing (Ball mill)	20	--	20	20	--	20	10	50	O-O	Both air and water pollution are generated.
55.	62	Paints and varnishes (mixing and blending)	20	0	0	20	0	20	0	50	G-O	Waste-waters as well as fumes of VOCs due to solvents, pigments, varnishes.
56.	51	Ply-board manufacturing(including Veneer and laminate) with oil fired boiler/ thermic fluid heater(without resin plant)	0	--	0	20	--	20	--	50	O-O	Mainly air polluting because of use of boiler. AP score is normalized to 100
57.	52	Potable alcohol (IMFL) by blending, bottling of alcohol products	20	--	20	--	--	--	--	50	O-O	Mainly water polluting. WP score is normalized to 100.
58.	54	Printing ink manufacturing	20	--	20	20	--	20	--	50	O-O	1. Pigments, binders and solvents are used. 2. Boiler is also used. 3. Emissions of VOCs take place.
59.	70	Printing press	20	0	20	20	0	20	0	50	G-O	Colored waste-waters containing dyes and VOC emissions are generated.
60.	59	Reprocessing of waste plastic including PVC	20	--	20	20	--	20	--	50	O-O	Large quantities of wash-water and fugitive emissions are generated.
61.	61	Rolling mill (oil or coal fired) and cold rolling mill	10	--	10	20	--	20	--	50	O-O	Mainly air polluting. Air pollution score is normalized to 100. Others - cooling water and recyclable waste oils etc. are generated.
62.	67	Spray painting, paint baking, paint shipping	--	--	--	20	--	20	10	50	O-O	Mainly air polluting. Emissions of VOCs and HC are generated.

63.	72	Steel and steel products using various furnaces like blast furnace /open hearth furnace/induction furnace/arc furnace/submerged arc furnace /basic oxygen furnace /hot rolling reheated furnace	10	-	10	20	-	20	10	50	R-O	i. Mainly air polluting. In the emissions, oxides of manganese, nickel etc. are also present. ii. Air pollution score is normalized to 100.
64.	73	Stone crushers	-	-	20	20	-	20	-	50	R-O	Mainly air polluting. Air pollution score is normalized to 100.
65.	75	Surgical and medical products including prophylactics and latex	20	-	20	20	-	20	-	50	R-O	Both air as well as water polluting. Air and water pollution scores are normalized to 100.
66.	85	Tephlon based products	0	0	0	20	0	20	0	50	G-O	Due to spraying applications, emissions (HC) are generated
67.	70	Thermocol manufacturing (with boiler)	--	--	--	20	--	20	--	50	O-O	Polystyrene is heated. Mainly air polluting with boiler.
68.	82	Tobacco products including cigarettes and tobacco/opium processes	20	-	20	20	-	20	-	50	R-O	Such industries generate both air as well as water pollution. These scores are normalized to 100.
69.	72	Transformer repairing/ manufacturing (dry process only)	--	--	--	20	--	20	10	50	O-O	Mainly air polluting because of ovens, shot-blasting etc.
70.	73	Tyres and tubes vulcanization/ hot retreating	10	--	10	20	--	20	--	50	O-O	Mainly air polluting. Emissions of PM, VOCs and obnoxious odour are generated.
71.	83	Vegetable oil manufacturing including solvent extraction and refinery/hydrogenated oils	20	-	20	15	5	20	10	50	R-O	i. All sorts of pollution are generated. ii. This score is valid for plants having waste-water generation < 100 KLD. iii. If the waste-water generation is more than 100 KLD, the unit shall be classified as Red.
72.	74	Wire drawing and wire netting	20	--	20	--	--	--	--	50	O-O	Mainly water polluting. WP score is normalized to 100.

73.	21	Dry cell battery (excluding manufacturing of electrodes) and assembling & charging of acid lead battery on micro scale	30	--	30	15	--	15	10	55	O-O	Water and air polluting both.
74.	50	Pharmaceutical formulation and for R & D purpose (For sustained release/ extended release of drugs only and not for commercial purpose)	20	--	20	20	--	20	15	55	O-O	i. All sorts of pollution are generated. ii. R&D activities are to be shifted to Red category.
75.	78	Synthetic resins	20	-	20	20	-	20	15	55	R-O	All sorts of pollution are generated.
76.	79	Synthetic rubber excluding molding	20	-	20	20	-	20	15	55	R-O	i. Most synthetic rubber is created from two materials, styrene and butadiene. Both are currently obtained from petroleum. ii. Process is similar to a part of Petrochemical plants.
77.	9	Cashew nut processing	25	--	25	20	--	20	--	56	O-O	Normal water and air polluting.
78.	12	Coffee seed processing	25	--	25	20	--	20	--	56	O-O	Normal water & air polluting industry.
79.	57	Parboiled Rice Mills	25	-	25	20	-	20	-	56	R-O	i. Rice Mills are generating both air and water pollution. Wastewaters are having high strength in respect of BOD. ii. This is the normalized air & water pollution score for units having waste-water generation < 100 KLD and fuel consumption less than 12 MTD. iii. For units having waste-water generation > 100 KLD or fuel consumption > 12 MTD or both, the unit shall be classified as Red.

80.	29	Foam manufacturing	--	--	--	20	--	20	15	58	O-O	i. Raw material is polyurethane, latex etc. ii. Emissions of VOCs and HAPs. CH3Cl2 and similar compounds as blowing agents. iii. Outdated raw materials and spoiled slots are discarded as HW.
81.	34	Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW(M, H& TBM) rules, 2008 - Items namely Used Oil - As per specifications prescribed from time to time.	10	0	10	20	0	20	15	58.33	R-O	Mainly air polluting and hazardous waste generating industry. Air pollution & HW scores are normalized to 100
82.	34	Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW(M, H& TBM) rules, 2008 - Items namely Waste Oil ---As per specifications prescribed from time to time.	-	-	-	20	0	20	15	58.33	R-O	Mainly air polluting and hazardous waste generating industry. Air pollution & HW scores are normalized to 100.
83.	56	Producer gas plant using conventional up drift coal gasification (linked to rolling mills glass and ceramic industry refractories for dedicated fuel supply)	--	--	--	20	--	20	15	58.33	O-O	Mainly air polluting & tar (HW) generating. SO2, CO, NOx are generated. Tar is the by-product and utilized by other industries in co-processing.

Note :

i. Under the column Revised Category, the full forms of the abbreviations are as follows :

- a. R-R means original category was Red and revised category is also Red
- b. R-O means original category was Red and revised category is Orange
- c. O-O means original category was Orange and revised category is also Orange
- d. O-G means original category was Orange and revised category is Green
- e. O-W means original category was Orange and revised category is White
- f. G-O means original category was Green and revised category is Orange
- g. G-G means original category was Green and revised category is also Green
- h. G-W means original category was Green and revised category is White

ii. There are specific remarks in respect of some of the industrial sectors. These sectors are either merged with other relevant sectors or deleted due to duplication / vague category. The overall details are as follows:

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Sl No	Original Sl No.	Industry Sector	Original Category	Remarks
1	24	Excavation of sand from the river bed (excluding manual excavation)	0	Since such types of activities cause ecological disturbances, the instructions issued by the government from time to time be followed. To be categorized by MOEF&CC.
2	39	Infrastructure Development Project	0	Vast variety of such projects come under such category. This is to be decided by the concerned SPCB in line of EIA Notification, 2006.
3	53	Power press	0	Very vague term hence deleted. Such types of general engineering units have already been covered.

BEFORE THE NATIONAL GREEN
TRIBUNAL
EASTERN ZONAL BENCH, KOLKATA,
WEST BENGAL

O.A. No. 120/2023/EZ

In the matter of :

Kartik Majumdar

.....Applicant

-Versus-

The State of West Bengal & Ors.

....Respondents.

AFFIDAVIT-IN-OPPOSITION

BY RESPONDENT NO. 5

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