

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 149/2023/EZ

SRI BISWAJIT MUKHERJEE & ANR.

.....APPLICANT(S)

VERSUS

UNION OF INDIA

..... RESPONDENT(S)

AFFIDAVIT FILED BY THE WEST BENGAL
POLLUTION CONTROL BOARD.

INDEX

SL No	PARTICULARS	ANNEXURE	PAGE
1.	Affidavit		1-6

Filed by



DIPANJAN GHOSH
ADVOCATE
HIGH COURT AT CALCUTTA

SL. NO. 37 Dt.-24 APR 2024

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Most Respectfully Sheweth

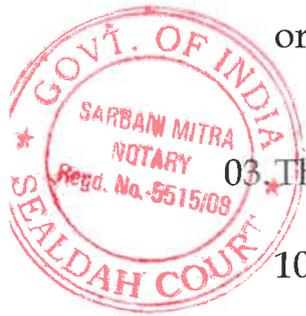
I, Sri Subrata Ghosh, son of Sri Biswanath Ghosh, aged about 60 years, by faith - Hindu, by Occupation- Service, residing at Narkelbagan, Gorosthan, Chinsurah, District- Hooghly do hereby solemnly declare and say as follows:-

01. That, I am the Officer on Special Duty, West Bengal Pollution Control Board (hereinafter will be referred to as the `State

24 APR 2024

Board') and look after this case and as such I am well acquainted with the facts and circumstances of the case. I have been duly authorized by the State Board to affirm this Affidavit on its behalf and as such, I am competent to do so.

02. That, this affidavit is being affirmed in pursuant to the solemn order passed by this Hon'ble Tribunal dated 10.01.2024.



03. That, the Hon'ble National Green Tribunal vide order dated 10.01.2024, directed the State Board to provide an explanation as to why the green fire cracker has been placed under the "white" category and how this cracker is different from common fire cracker used in the market which is stated to be prohibitive and non-environment friendly. The State Board was also asked to provide an explanation as to how the green fire cracker under "white" category is different from "red" category fire cracker.

04. That, in compliance with the order of the Hon'ble National Green Tribunal, the State Board reiterates that in terms of judgement dated 23/10/2018 passed by Hon'ble Supreme Court of India in connection with the writ petition (civil) No. 728 of 2015, Arjun

24 APR 2024

Gopal and Ors. Vs. Union of India and Ors. vide order dated 23.10.2018 which states that crackers with reduced emission (improved crackers) and green crackers only would be permitted to be manufactured and sold.

Improved crackers: - Reduced Emission firecrackers in which avoidance of use of ash as desiccant or filter materials in crackers for reduction in particulate matter by 15-20%.

Green Crackers: - Low emission sound and light emitting functional crackers with PM reduction by 30-35% and significant reduction in NO_x and SO₂ due to in-situ water generation as dust suppressant and low cost due to usage of low-cost oxidants.

Hon'ble Supreme Court also banned Barium Salts in the fireworks.

05. That, in order to ensure ease of doing business and the procedure followed in other major firecrackers manufacturing States, it has been decided that henceforth for establishing and operating of manufacturing units of green firecrackers 'Consent to Establish' and 'Consent to Operate' respectively from the WBPCB are not required since manufacturing process of green firecrackers has no significant potential for air pollution as well

24 APR 2024

as water pollution. Accordingly, it has been further decided that manufacturing units of green firecrackers and bulk storage of green firecrackers facilities will come under White Category as per industrial siting / locational policy in West Bengal.

06. That, the State Board has categorized the Green Firecrackers manufacturing units under White Category as manufacturing process of such units has no significant potential for air and water pollution. The manufacturing activity of Green Firecrackers possesses potential of fire and explosive hazard and hence, Fire License and Explosive License from concerned authorities are required to be obtained for Green Firecrackers manufacturing units. The Green crackers manufacturing units under White category shall submit an intimation to the State Board and the State Board shall keep a record of such units.

07. It is therefore respectfully prayed that Hon'ble Tribunal may pass such order/orders as it deems fit and proper in the interest of justice.



DEPONENT

24 APR 2024

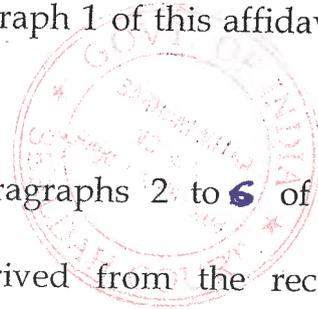
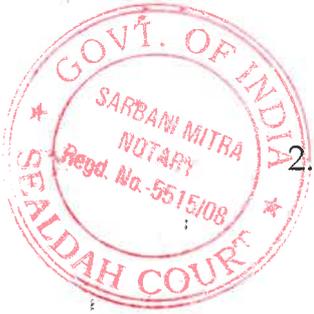




VERIFICATION

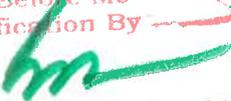
I, Sri Subrata Ghosh, son of Shri Biswanath Ghosh, aged about 60 years, by Religion - Hindu, by Occupation- Service, residing at Narkelbagan, Gorosthan, Chinsurah, District-Hooghly, do hereby solemnly declare and say as follows:-

1. That, I am the Officer on Special Duty (OSD), West Bengal Pollution Control Board and I am well acquainted with the facts and circumstances of the instant Original Application.
2. That, the statements made in paragraph 1 of this affidavit is true to my knowledge and belief.
3. That, the statements made in paragraphs 2 to 6 of this affidavit are my information derived from the records available in the office of the State Board which I verily believe to be true and the rest are my respectful submission before this Hon'ble Tribunal.




Identified and corrected by me
Advocate
WBPCB


DEPONENT

Solemnly Affirmed &
Declared Before Me
On Identification By

SARBANI MITRA
NOTARY
Regd No -5515/08

24 APR 2024

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