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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. 149/2023/EZ

In The Matter of:
Sri Biswajit Mukherjee &Ors.

... Applicants



Versus

Union of India & Ors.

... Respondents

AFFIDAVIT ON BEHALF OF THE RESPONDENT NUMBER 09, PRINCIPAL SECRETARY, DEPARTMENT OF MICRO, SMALL MEDIUM ENTERPRISE AND TEXTILE, GOVERNMENT OF WEST BENGAL.

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Filed by
Sibojyoti Chakrabarti
SIBOJYOTI CHAKRABARTI
Advocate

For The State of West Bengal
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(M): 9007035534

Sc no 53



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I, Smt. Munmun Ghosh, W/o Amit Kumar De, aged about 47 years, by occupation- service and presently posted as Senior Deputy Secretary, Micro, Small, Medium Enterprises and Textiles department, Government of West Bengal, having office address at having office at Shilpa Sadan, 4, Camac Street, P.S- Park Street, Kolkata: 700016 and residing at 9A, Panchanantala New Road, P.S- Belghoria, Kolkata: 700056, District: North (24) Parganas, do hereby solemnly affirm and submit as follows:-

1. That I am the Senior Deputy Secretary, Micro, Small, Medium Enterprises and Textiles department, (MSME&T) Government of West Bengal, having office address at having office at Shilpa Sadan, 4, Camac Street, P.S- Park Street, Kolkata: 700016, the department

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MSME & T through its Principal Secretary being impleaded as respondent number 09 above-named. I, on behalf of the respondent number 09, am competent to swear and affirm this affidavit for and on behalf of myself and the Department.

2. That the (MSME&T) department has been impleaded as a respondent being respondent number 09, vide Solemn Order dated 13.02.2024,, passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata.
3. That this affidavit/Counter Affidavit is being filed in compliance and obedience to the Solemn Order dated 13.02.2024, passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata.
4. That save and except those which are matters of record and which are specifically admitted by me herein below, each and every allegation, and/or contention, and/or submission, contained in the said Original Application, is denied and disputed as if the same is set out in seriatim herein and specifically traversed.
5. That an affidavit has been filed by the Additional Secretary, Department of Environment, Government of West Bengal dated 05.02.2024, wherein it has been interalia prayed before the Hon'ble Tribunal, that the Department of Micro, Small & Medium Enterprise and Textile (MSMET), Govt. of West Bengal, which has issued notification dated 18.11.2023 known as the West Bengal Green Firecracker Manufacturing, Storage and Selling Scheme (hereinafter referred to as 'WBGFMSS), is a necessary party to the present proceedings as they are also preparing a Detailed Project Report (DPR) for setting up of Green Firecracker Units.
6. That subsequent to that the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata vide its Order dated 13.02.2024 has directed



that the Department of Micro, Small & Medium Enterprise and Textile (MSMET), Government of West Bengal, through its Principal Secretary be impleaded in the array of respondents as Respondent No.9.

7. That in the said Solemn Order the Learned Advocate for the State respondents, Government of West Bengal had prayed for time and accordingly the Hon'ble Tribunal had granted four weeks time for filing counter-affidavit on behalf of newly added Respondent No.9.
8. It is stated and submitted that the main challenge of the firecracker manufacturing sector is that most of the activities are unorganized and household based with lurking danger of accident at any moment. On the other hand, if safety norms under the PESO guidelines are to be followed, huge chunk of lands are required which is hardly possible for the poor artisans to afford.
9. That it is also stated that hence the MSME & T Department Government of West Bengal has introduced a Scheme entitled as "West Bengal Green Firecracker Manufacturing, Storage and Selling Scheme" in November 2023 by which the State Government will provide infrastructural and logistic support on available Government lands to the intending manufacturers and sellers of Green Firecracker. All District Magistrates (DMs) were requested to identify vacant Government lands for setting up of Firecracker manufacturing/selling/storage clusters. DMs have identified some lands but most of them were found unsuitable due to location and lowness. Finally, the vested land parcels which have been found more or less workable for setting up of manufacturing and selling GFC units have been selected for implementation of the intending facilities as furnished below:

Sl No	District	Location	Amount of Land	Purpose
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			(in Acre)	
1.	Darjeeling	Leisipakuri	5.00	Setting up of manufacturing and selling units
2.	North Parganas 24	Hanria Mouza in Habra I Dev. Block	5.07	Setting up of manufacturing units
3.	Paschim Medidinpur	Panchkhuri	6.52	Setting up of manufacturing units
4.	Purba Medinipur	Ratulia, Panskura	6.00	Setting up of manufacturing and selling units
5.	Howrah	Kumirmora, Udaynarayanpur	0.20	Setting up of selling units
6.	Murshidabad	Choto Satui, Berhampore	0.99	Setting up of selling units
7.	South Parganas 24	Begumpur, Baruipur	16.00	Setting up of selling units

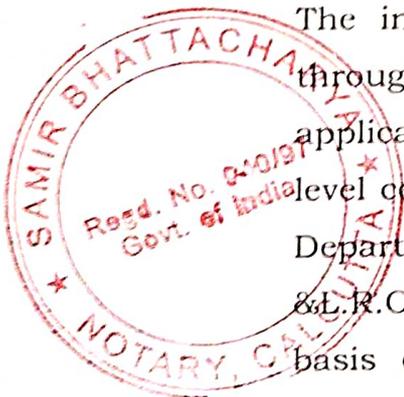
That the following Action has been taken by the MSME & T department, Government of West Bengal

(i) The Process of Inter-Departmental Transfer of the selected Land in favour of the Department;

(ii) Infrastructure for the above-mentioned units will be set up in compliance with the rules and regulations of Explosive Rule 2008 etc.

(iii) The MSME & T, Department has already sanctioned funds in few cases against the said identified projects. In other cases, the preparation of project estimate is under progress.

- (iv) CSIR-NEERI has been approached for imparting training to the intended manufacturers of **GFC (Green Firecracker)** by following the instructions of the Hon'ble National Green Tribunal. Consequently **NEERI (National Environmental Engineering Research Institute)** has imparted training to 252 interested manufacturers of different districts of West Bengal, so that they can manufacture GFC as per the formula devised by NEERI. Every possible guidance for manufacturing of GFC are being provided by NEERI.
- (v) The State Government has declared West Bengal Green Firecracker Manufacturing, Storage & Selling Scheme on 18.11.2023 as stated above.
- (vi) For application and issue of licenses for manufacturing and selling (including renewal) of GFC (**Green Firecracker**) in favour of intended candidates, a composite portal has been developed. The intending manufacturers and sellers can apply directly through the said portal for obtaining licenses. After receiving applications, a joint inspection is being conducted by a district level committee comprising officials of Fire Department, Labour Department, S.D.P.O (Sub Divisional Police Officer) & S.D.L. & L.R.O, (Sub Divisional Land & Land Reforms Officer) On the basis of inspection reports of the Committee, DM (District Magistrate) is to issue the concerned licenses.
- (vii) To conclude with, the Department of MSME&T, is functioning as facilitator towards providing financial assistance for setting up clusters /Hubs for safe and green firecracker



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manufacturing/selling wherever suitable land is available with DM/stakeholders

11. That it is most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to pass necessary Order/Orders as is deemed fit for the ends of justice.

Identified by me

Sibojyoti Chakrabarti
Advocate 24.05.2024
State of West Bengal

Munmun Ghosh
Deponent

MUNMUN GHOSH
WBCS (Exe)
Senior Deputy Secretary
MSME&T Department
Govt. of West Bengal



Samir Bhattacharya
Notary Govt. of India
Regd. No. - 940 / 97
CITY CIVIL COURT, CALCUTTA

Solemnly Affirmed and
Declared before me U/S 139
CPC, U/S 297 (C) CRPC

[Signature]
Notary

24.5.24

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VERIFICATION:

I, the deponent above-named, do hereby verify and declare that the statements made in the aforesaid 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 the ^{24th} Day of May, 2024.

Identified by me

Sibajyoti Chakrabarti
Advocate 24.05.2024
State of West Bengal

Munmun Ghosh.
Deponent

MUNMUN GHOSH.
WBCS (Exe)
Senior Deputy Secretary
MSME&T Department
Govt. of West Bengal



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SIBOJYOTI CHAKRABARTI

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