

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 149 OF 2023/EZB

IN THE MATTER OF:

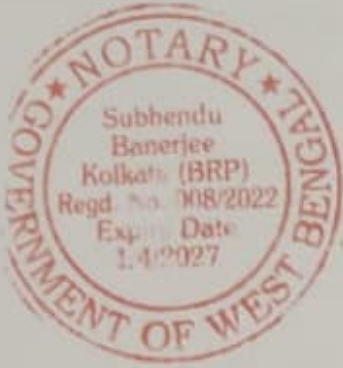
BISWAJIT MUKHERJEE & ANR.

... APPLICANTS

VERSUS

UNION OF INDIA & ORS.

... RESPONDENTS



SUPPLEMENTARY AFFIDAVIT ON BEHALF OF THE APPLICANT NO.

1

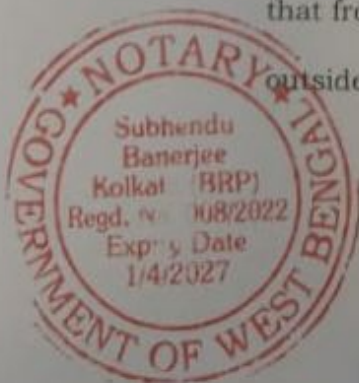
I, Biswajit Mukherjee, son of Late Ajit Kumar Mukherjee, aged about 71 years, by occupation retired employee, by faith Hindu, residing at Burra Bazar, Chandannagore, District Hooghly 712136, do hereby solemnly affirm and state as follows:

1. I being applicant no. 1 herein well conversant with the facts and circumstances of the instant case. I am also duly authorized by the other applicant to file this affidavit and as such I am competent to affirm this affidavit.
2. Under the said affidavit, respondent no. 8 states that it has been engaged in policy formulation for abatement, control and prevention of pollution and prescribing environmental standards to be implemented through the Central Pollution Control Board (CPCB)

25 SEP 2024

and State Pollution Control Board (SPCBs)/Pollution Control Committees (PCCs). In addition to that the SPCBs and PCCs are also empowered to take all such measures as are deemed necessary or expedient for the purpose of protecting and improving the quality of the environment as well as prevention, control and abatement of environmental pollution.

3. Respondent no. 8 also states that in accordance with the order dated 10th January, 2024 of this Hon'ble Tribunal respondent no. 8 in consultation with CSIR-NEERI, PESO and CPCB has systematized information which includes the Emission Test Report for Green and Conventional Crackers giving definition and formulation of Green Crackers and also refers copies of formulation and Emission Test Report received from the CSIR-NEERI.
4. Upon careful reading of the aforesaid affidavit along with its annexures, I say that as per direction although a definition of green crackers has been developed but respondent no. 8 as well as other respondents are silent about the implementation process of the said definition and its present status to that effect.
5. I, further, say that under the said affidavit respondent no. 8 provided a list of 12 units that are engaged in the process of manufacturing green firecrackers in accordance with the formula prescribed. I say that from the list of 12 units, it appears that these units are situated outside the state of West Bengal.



6. I say that after having knowledge of the availability of green firecrackers as per the formula provided by the CSIR-NEERI, I personally visited several stores and found that there are other manufacturers who are manufacturing the green firecrackers and selling the same by endorsing the approved QR Code on the package beyond the aforesaid list of 12 units.
7. It is significant to mention herein that I have tried to scan the QR Codes. I have found that some of them indicate that their license was valid up to December, 2023 and the chemical ingredients column is only indicating "Improved Formulation" and the rest are indicating as "invalid QR". Photographs of the aforesaid are annexed hereto and collectively marked as **Annexure "A-1"**.
8. I, further, say that during research I found that some manufacturers (some are within the list of aforesaid 12 units and some of the others) are manufacturing green firecrackers and selling them in the market but from the packaging it appears that none of the products disclosed any information regarding its approved composition and other details. Photocopies of the aforesaid are annexed hereto and collectively marked as **Annexure "A-2"**.
9. It would be relevant to mention that some of the unauthorized firecrackers still manufacturers and selling are manufacturing high decibel firecrackers. It clearly indicates that the concerned authorities neither have taken any steps against those unauthorized



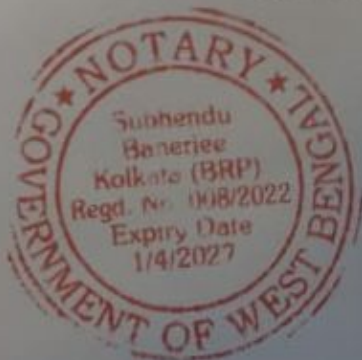
and illegal manufacturers nor taken any steps to restrict them from selling the same in the market. Photocopies of the aforesaid are annexed hereto and collectively marked as **Annexure "A-3"**.

10. In addition to that on 11.06.2024, the applicant no. 1 issued a notice to the concerned authorities regarding failure of the government machineries to stop functioning of the unauthorized and illegal fireworks units. In response by letter dated 10th September, 2024, the respondent no. 4 otherwise admitted their failure to take steps to statutory provisions of Explosives Act, 1884 readwith Explosive Rules 2008. Copies correspondenings are annexed hereto and collectively marked as **Annexure "A-4"**.

11. I submit that concerned respondent authorities are issuing several correspondences and orders to establish a cluster for manufacturing of green firecrackers but apart from discussions, correspondence and issuance of orders no positive steps have been taken till date to that effect.

12. I submit that from the affidavit it appears that the respondent authorities being the statutory authority established to take appropriate steps in order to protect the environment, but they are actually taking steps on paper only.

13. I, further, submit that the respondent statutory authorities have not yet submitted any report towards the identification of illegal



and unlicensed fireworks manufacturers and their sellers nor have they taken any measures to close down the same.

- 14. Under the aforesaid circumstances, I am humbly praying before this Hon'ble National Green Tribunal to pass necessary orders as prayed for in the application being O.A. No. 149/2023/EZ for the protection of our mother nature and environment.
- 15. The statements contained in paragraph nos. 1 to 10 of the forgoing affidavit are true to my knowledge and those contained in paragraph nos. 11 to 14 thereof are my respectful submission before this Hon'ble Court.

Prepared in my Office

B. Keshav Shau
Advocate

Biswajit Mukherjee
Deponent

I identified by me

B. Keshav Shau
Adv

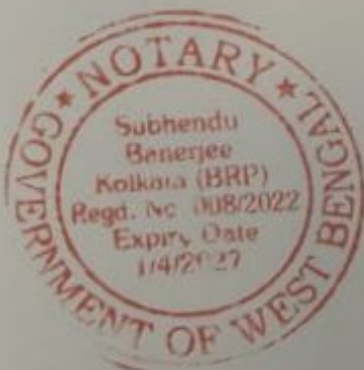
WB/954-A1/2014

Solemnly Affirmed and Declared before me u/s 139 CPC and u/s 333BNS 2023

[Signature]
Notary
Govt. of West Bengal
25.09.2024

SUBHENDU BANERJEE
Notary, Govt. of W.B.
Regd. No.-008/2022
Advocate High Court, Calcutta

25 SEP 2024



AJANTA FIREWORKS
INDUSTRIES, SIVAKASI.

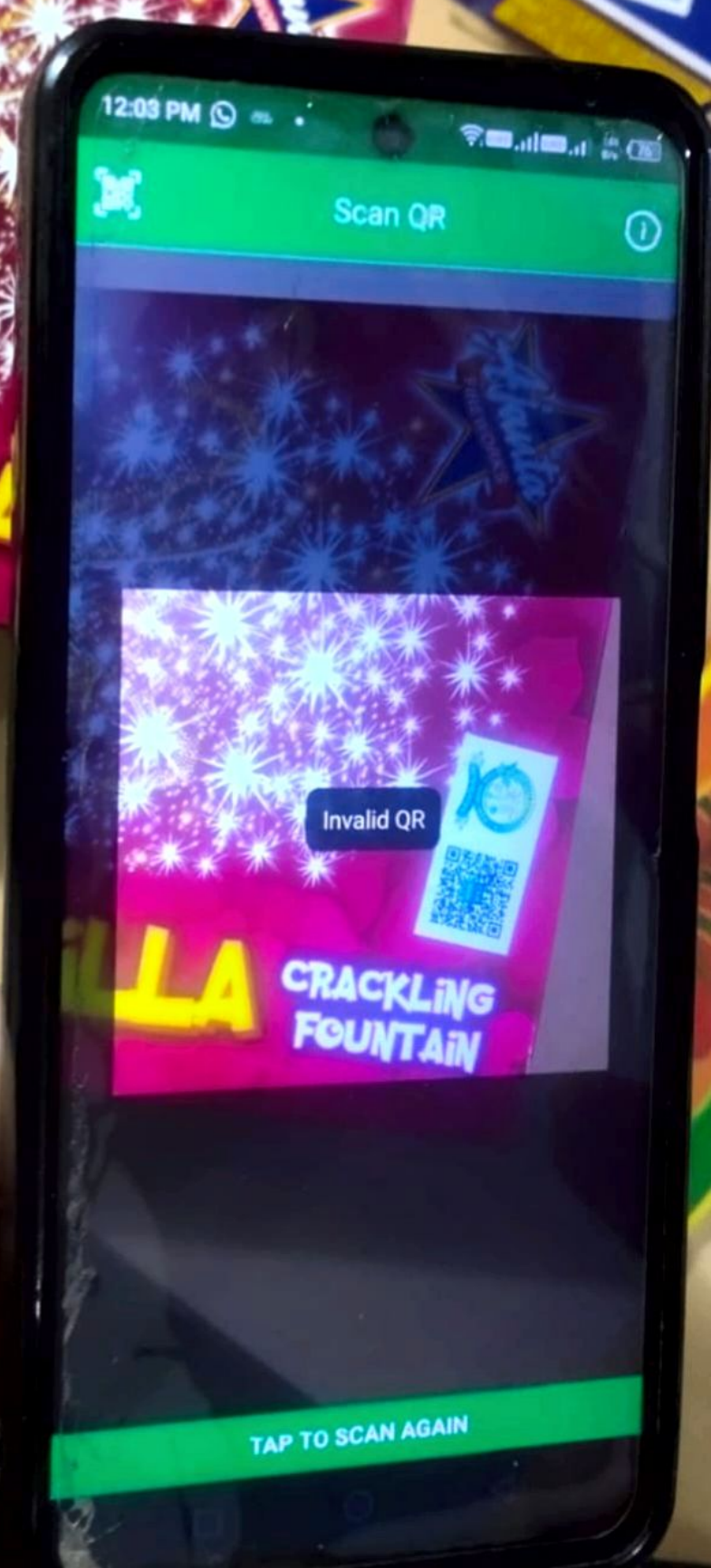
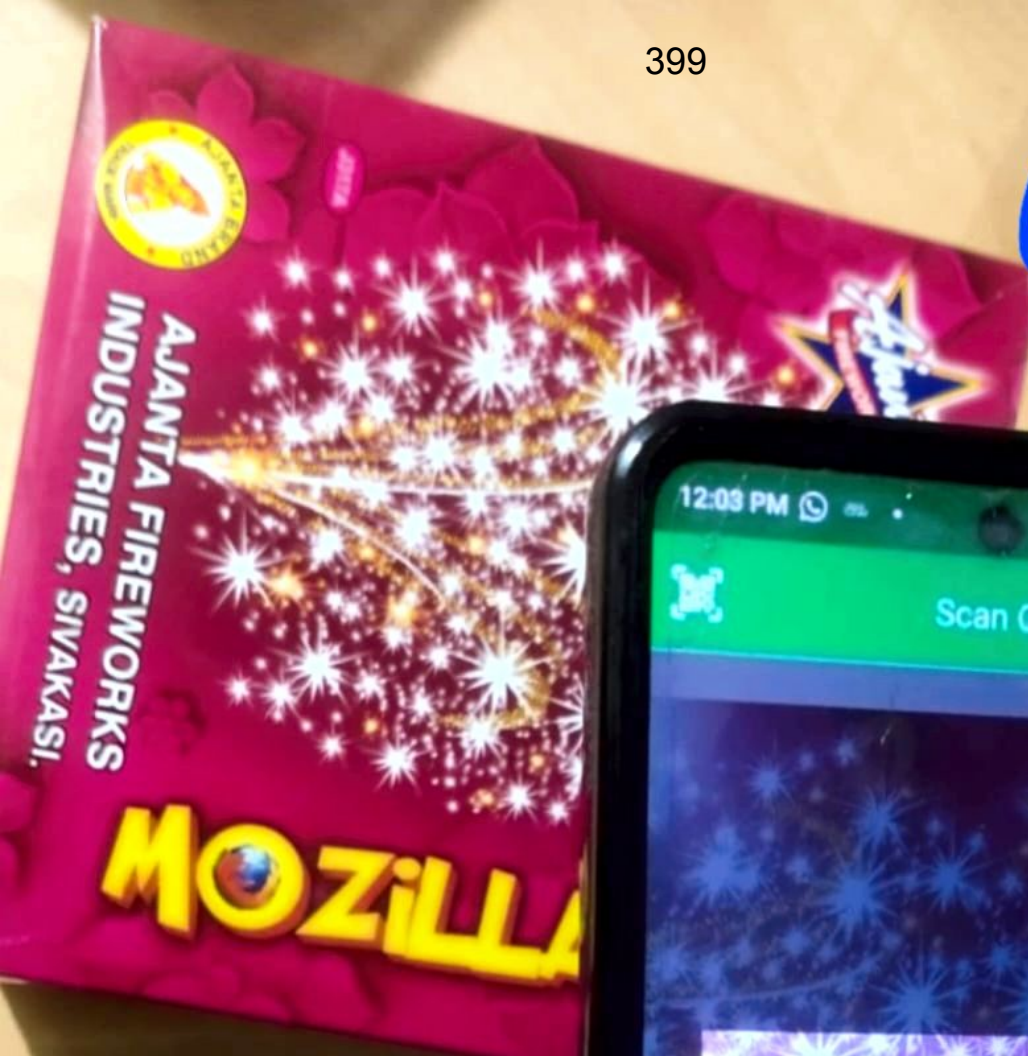
MOZILLA



NOTARY
GOVERNMENT OF WEST BENGAL

Subhash
Bhattacharya (BRP)
Registration No. 0081/2022
Expiry Date
11/4/2027

6A





Certificate



GREEN CRACKERS



LICENSE TYPE: District Magistrate

Company Name Akash Ganga Fire Works	Manufacturing Unit Akash Ganga Fire Works
Product Type Light	Product Name Light Rang Mashai
Explosive sub-division CLASS 7 DIV 2 (1&2)	Product Group PENCIL
Batch No. 1	Mfg. Date 18/10/2022
	Exp. Date 17/10/2024

Emission Reduction: 30%

Category IMPROVED	Noise Level 0dB
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NEERI Certification Details

Certificate No. NE/WB/684-01/2021	Issue Date 10/12/2021	Valid Upto 10/12/2023
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Chemical Ingredients

Improved Formulation

Customer Care Information

Telephone No.: 8240788535(Tol Free) / 8240768535 E-mail: sumankumarghoshou@gmail.com Feedback: NA





Certificate



GREEN CRACKERS



LICENSE TYPE: District Magistrate

Company Name

Akash Ganga Fire Works

Manufacturing Unit

Akash Ganga Fire Works

Product Type

Light

Product Name

Light Rang Mashal

Explosive sub-division

CLASS 7 DIV 2 (1&2)

Product Group

PENCIL

Batch No.

1

Mfg. Date

18/10/2022

Exp. Date

17/10/2024

Emission Reduction: 30%

Category

IMPROVED

Noise Level

0dB

NEERI Certification Details

Certificate No.

NE/WB/684-01/2021

Issue Date

10/12/2021

Valid Upto

10/12/2023

Chemical Ingredients

Improved Formulation

Customer Care Information

Telephone No.: 8240788535(Tol Free) / 8240788535

Email: sumankumarghoshcu@gmail.com

Feedback: NA



Certificate



GREEN CRACKERS



LICENSE TYPE: District Magistrate

Company Name	Manufacturing Unit	
Sukla Fireworks	Sukla Fireworks	
Product Type	Product Name	
Light	Flower Pot Deluxe	
Explosive sub-division	Product Group	
CLASS 7 DIV 2 (1&2)	FLOWER POT	
Batch No.	Mfg. Date	Exp. Date
1	20/08/2022	20/08/2024

Emission Reduction: 30%

Category	Noise Level
IMPROVED	6dB

NEERI Certification Details

Certificate No.	Issue Date	Valid Upto
NE/WB/688-01/2021	16/12/2021	16/12/2023

Chemical Ingredients

Improved Formulation

Customer Care Information

Telephone No.: 9903619762(Tol Free) / 9903619762
 Email: suklaykr@gmail.com
 Feedback: NA





Certificate



GREEN CRACKERS



LICENSE TYPE: District Magistrate

Company Name

Sukla Fireworks

Manufacturing Unit

Sukla Fireworks

Product Type

Light

Product Name

Flower Pot Deluxe

Explosive sub-division

CLASS 7 DIV 2 (1&2)

Product Group

FLOWER POT

Batch No.

1

Mfg. Date

20/08/2022

Exp. Date

20/08/2024

Emission Reduction: 30%

Category

IMPROVED

Noise Level

0dB

NEERI Certification Details

Certificate No.

NE/WB/688-01/2021

Issue Date

16/12/2021

Valid Upto

16/12/2023

Chemical Ingredients

Improved Formulation

Customer Care Information

Telephone No.: 9903619762(Tol Free) / 9903619762

Email: suklavikram@gmail.com

Feedback: NA



Certificate



GREEN CRACKERS



LICENSE TYPE: District Magistrate

Company Name Sukla Fireworks	Manufacturing Unit Sukla Fireworks
Product Type Light	Product Name Flower Pot Deluxe
Explosive sub-division CLASS 7 DIV 2 (1&2)	Product Group FLOWER POT
Batch No 1	Mfg. Date 20/08/2022
	Exp. Date 20/08/2024

Emission Reduction: 30%

Category IMPROVED	Noise Level 0dB
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NEERI Certification Details

Certificate No. NE/WB/888-01/2021	Issue Date 16/12/2021	Valid Upto 16/12/2023
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Chemical Ingredients

Improved Formulation

Customer Care information

Telephone No.: 9903619762(Tol Free) / 9903619762
Email: suklav@krami@gmail.com
Feedback: NA





Certificate



GREEN CRACKERS



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LICENSE TYPE: District Magistrate

Company Name	Sukla Fireworks	Manufacturing Unit	Sukla Fireworks
Product Type	Light	Product Name	Flower Pot Deluxe
Explosive sub-division	CLASS 7 DIV 2 (1&2)	Product Group	FLOWER POT
Batch No.	1	Mfg. Date	20/08/2022
		Exp. Date	20/08/2024

Emission Reduction: 30%

Category	IMPROVED	Noise Level	0dB
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NEERI Certification Details

Certificate No.	NE/WB/688-01/2021	Issue Date	16/12/2021	Valid Upto	16/12/2023
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Chemical Ingredients

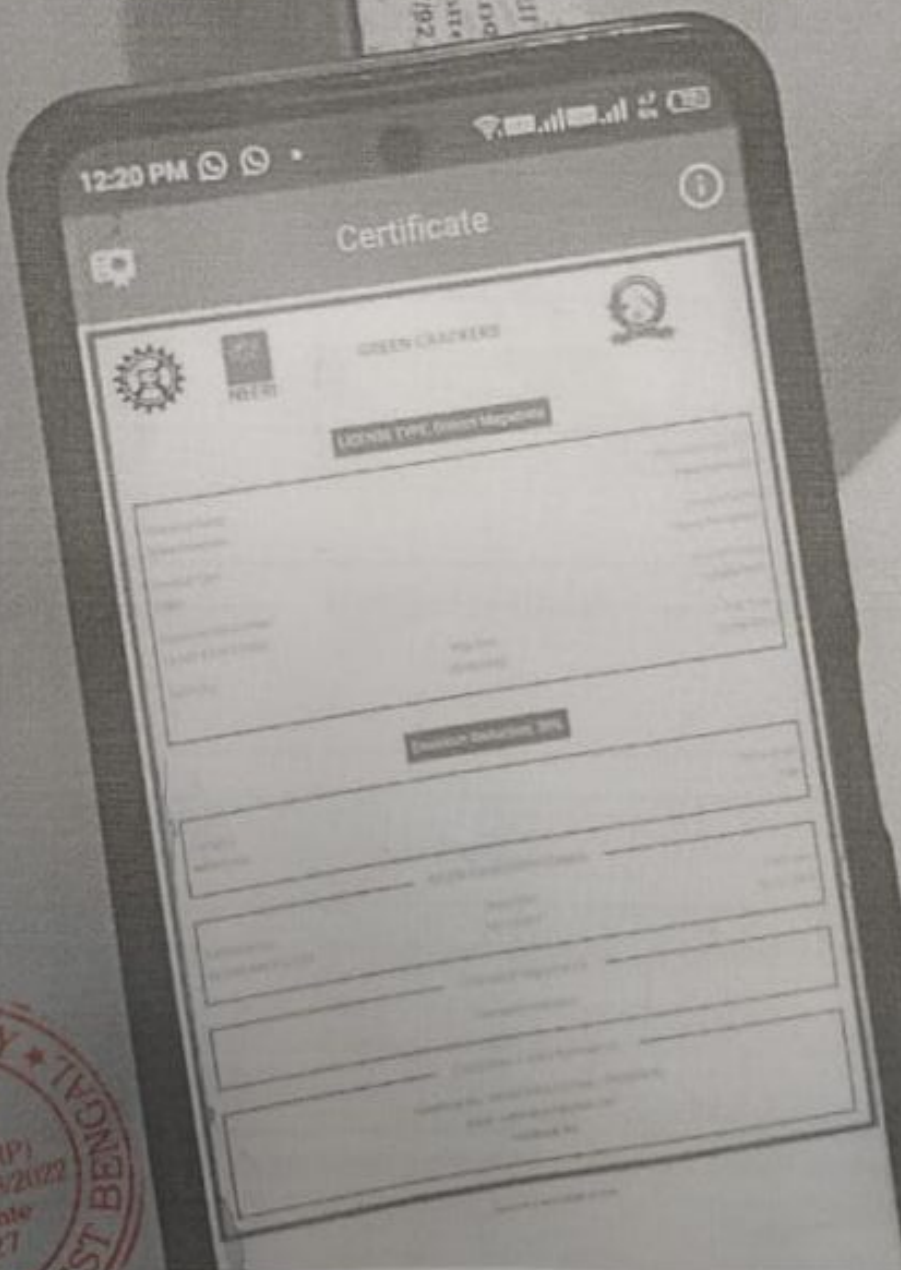
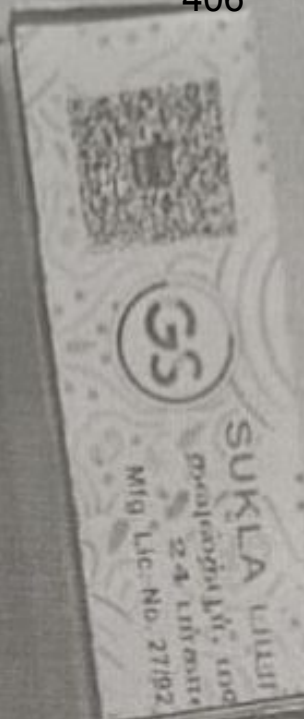
Improved Formulation

Customer Care Information

Telephone No.: 9903619762(Tol Free) / 9903619762

Email: suklavikram@gmail.com

Feedback: NA



10A



12:20 PM

Certificate

GREEN CRACKERS

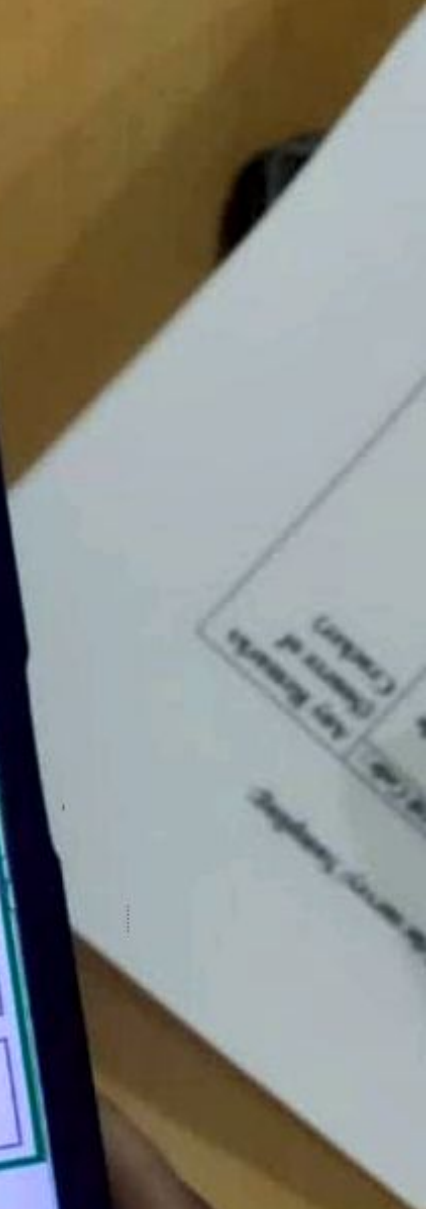
LICENSE TYPE: District Magistrate

Emission Reduction: 30%

NEERI Certification Details

Customer Care Information

Telephone No. 1800 414374 (Toll Free) / 020 26123102
Email: sukla@wiproghs.com
Hyderabad, India





Certificate



GREEN CRACKERS



LICENSE TYPE: District Magistrate

Company Name

Akash Ganga Fire Works

Manufacturing Unit

Akash Ganga Fire Works

Product Type

Light

Product Name

Light Rang Mashtal

Explosive sub-division

CLASS 7 DIV 2 (1&2)

Product Group

PENCIL

Batch No.

1

Mfg. Date

18/10/2022

Exp. Date

17/10/2024

Emission Reduction: 30%

Category

IMPROVED

Noise Level

6dB

NEERI Certification Details

Certificate No.

NE/WB/684-01/2021

Issue Date

10/12/2021

Valid Upto

10/12/2023

Chemical Ingredients

Improved Formulation

Customer Care Information

Telephone No. : 8240788535(Tol Free) / 8240768535

Email: samankumarghoshcu@gmail.com

Feedback: NA





3:12 PM



409



5G+



80



Certificate



GREEN CRACKERS



LICENSE TYPE: District Magistrate

~~IIA~~

Company Name

Akash Ganga Fire Works

Manufacturing Unit

Akash Ganga Fire Works

Product Type

Light

Product Name

Light Rang Mashal

Explosive sub-division

CLASS 7 DIV 2 (1&2)

Product Group

PENCIL

Batch No.

1

Mfg. Date

18/10/2022

Exp. Date

17/10/2024

Emission Reduction: 30%

Category

IMPROVED

Noise Level

0dB

NEERI Certification Details

Certificate No.

NE/WB/684-01/2021

Issue Date

10/12/2021

Valid Upto

10/12/2023

Chemical Ingredients

Improved Formulation

Customer Care Information

Telephone No.: 8240788535(Tol Free) / 8240788535

Email: sumankumarghoshcu@gmail.com

Feedback: NA

12 X

MINGGA

15 cm

15 cm

15 cm



Palash

Sparklers Industries.

Palash



12A

ANGGA

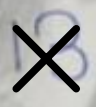


Sparklers Industries,
Maheshstala (W.B.)

Palash

Sparklers Industries,
Maheshstala (W.B.)

Palash



STANDARDTM FIREWORKS SHOOTING STAR



66 STANDARD[®] FIREWORKS



13A

"STANDARD"[®] FIREWORKS SHOOTING STAR



THIS LABEL'S
DESIGN & COLOUR SCHEME
IS ALWAYS IMITATED
BUT NEVER EQUALLED.



"STANDARD"[®] FIREWORKS



NE/TN/01/10/2019

STANDARD FIREWORKS (P) LTD





Asok
चीटि बाण

STANDARD

GREEN
FIREWORKS

CHEMICAL INGREDIENTS : (M, B, I, N, O), DEXTRIN

STANDARD
FIREWORKS

GREEN
FIREWORKS

NOTARY
GOVT
TENDRA
BENGA
1979
2022



MANUFACTURED IN INDIA
DEPT. OF HOME AFFAIRS

14A

Asok
ਬੀਬੀ



MARKETED BY
STANDARD
FIREWORKS

CHEMICAL INGREDIENTS : Al, Ba(NO₃)₂, Dextrin



STANDARD
FIREWORKS

**GREEN
GRASS**

**GREEN
GRASS**

MAXIMUM RETAIL PRICE ₹ 1100/-
MANUFACTURED IN - 2022
BEST BEFORE - 5 YEARS





नीरी
NEERI

GREEN CRACKERS



15

LICENSE TYPE : HEADQUARTER

Company Name ANIL FIREWORKS, SIVAKASI.		Manufacturing Unit ANIL FIREWORKS FACTORY, UNIT -VI, SOORARPATTL
Product Type FOUNTAIN	Product Name MEGA KOTI	
Explosive Sub Division CLASS : VII DIVISION : 2 SUB.DIVISION : 1 & 2		Product Group FOUNTAIN
Batch No 646 (UNIT -VI)	Mfg.Date FEBRUARY, 2023	Exp.Date 31 DECEMBER, 2028

Emission Reduction : 30%

Category FOUNTAIN	Noise Level WITHIN STATUTORY LIMIT. AT THE TIME OF PACKING.
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NEERI Certification Details

Certificate No E/HQ/TN/20/955(E32311)	Issue Date 01.02.2023	Valid Upto 01.02.2023
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Chemical Ingredients

Sodium Nitrate - 50%, PVC Powder - 8%, Sulphur - 2%, Aluminium Powder - 12%
Aluminium Chips - 20%, Additive ZP - 8%

Customer Care Information

Telephone No : **1800 11 5777**
E-mail : **info@anilgroup.co.in**
Feedback : **NA**





GREEN CRACKERS



15A

LICENSE TYPE : HEADQUARTERS

Company Name ANIL FIREWORKS, SIVAKASI.		Manufacturing Unit ANIL FIREWORKS FACTORY, UNIT -VI, SOORARPATTI.
Product Type FOUNTAIN	Product Name MEGA KOTI	
Explosive Sub Division CLASS : VII DIVISION : 2 SUB.DIVISION : 1 & 2		Product Group FOUNTAIN
Batch No 646 (UNIT-VI)	Mfg.Date FEBRUARY, 2023	Exp.Date 31 DECEMBER, 2028

Emission Reduction :30%

Category FOUNTAIN	Noise Level WITHIN STATUTORY LIMIT. AT THE TIME OF PACKING.
-----------------------------	---

NEERI Certification Details

Certificate No E/HQ/TN/20/955(E32311)	Issue Date 01.02.2023	Valid Upto 01.02.2023
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Chemical Ingredients

Sodium Nitrate - 50%, PVC Powder - 8%, Sulphur - 2%, Aluminium Powder - 12%	
Aluminium Chips - 20%, Additive ZP - 8%	

Customer Care Information

Telephone No :	1800 11 5777
E-mail :	info@anilgroup.co.in
Feedback :	NA

16A

VANITHA
AN ISO 9001:2015 & ISO 14001:2015 CERTIFIED COMPANY
No. 1 in Quality

SPINNER
ASHOKA

VANITHA FIREWORKS INDUSTRIES BIVAKASI.

Under Copy Right Protection

CODE No. 383

Vanitha Logo: A blue 'V' inside a square.

QR Code and CERTIFIED logos at the top left.

ISO 9001:2015 and ISO 14001:2015 logos at the top right.

Other firework boxes visible on the left, including one with the name **SRI RAMESH** and another with **No. 15**.

Other firework boxes visible on the right, including **KAR Special**, **Silver Light Deluxe 10 Pieces**, **Electric**, and **Ayran**.



NOTARY
 Subhendu
 Banerjee
 Kolkata (BRP)
 Regd. No. WBR/2022
 Expiry Date
 11/9/2027
 GOVERNMENT OF WEST BENGAL

17A



6
 CHAIKHOON
 TAPAKHOON
 SOUP
 5
 CHAIKHOON
 TAPAKHOON
 SOUP
 4
 CHAIKHOON
 TAPAKHOON
 SOUP
 3
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 2
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 SOUP
 1
 CHAIKHOON
 TAPAKHOON
 SOUP



NOTARY
Subhendu
Banerjee
Vol. 10 (BRP)
Regd. No. 908/2022
Expiry Date
11/4/2027
GOVERNMENT OF WEST BENGAL

423

18A



SKY FLASH



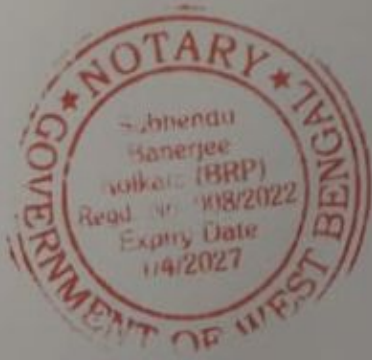
ANISH FIRE WORKS, SIVAKASI



SKY-FLASH

NOCE
NO CHILD LABOUR EMPLOYED
IN THE MFR. OF THIS PRODUCT

Max. Retail Price
(including all taxes)
Use best before 5 years
from the date



425

~~MAA~~

SKY FLASH

NOCLF

NO CHILD LABOUR EMPLOYED
IN THE MFR. OF THIS PRODUCT

Max. Retail Price
(inclusive all taxes)

Use best before 5 years
from the date :

427

20A

शक्ति



Place on level surface. Light the fuse. Do not touch the fuse when lighting.



- For out door use only.
- Do not hold in hand.
- Place upright on level open ground.
- Light fuse & get away.
- Use only under Adult-supervision.
- For best result use during Night Time.
- Keep 50 mtrs. away from spectators.

WARNING :

Authorised Name : Shell

CLASS 7
DIVISION 2
SUB DIV 1.5.2

UN 0336
1.4D
CONSUMER
FIREWORKS

21 X

SpiceJet

J027



AJANTA FIREWORKS INDUSTRIES, SIVAKASI..



2x1A

SpiceJet

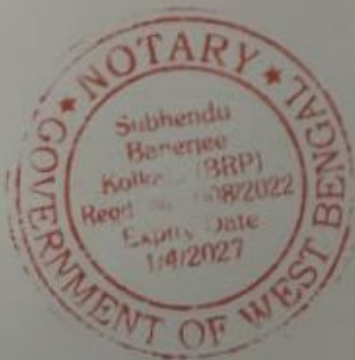
Crackling Rocket

J027



**AJANTA FIREWORKS
INDUSTRIES, SIVAKASI.**

~~22~~



431

~~22A~~

INDIRA'S

GUAVA

15 CM

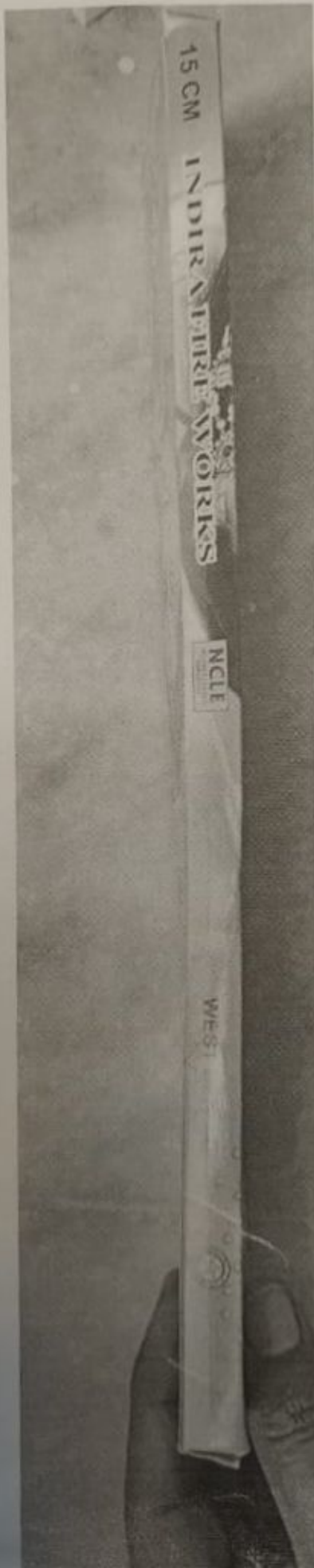
Green

SPARKLERS



**INDIRA
FIRE WORKS**

28 X



~~23A~~

433

15 CM

INDIRA PURI WORKS

NCLE
NATIONAL CEMENT LIMITED

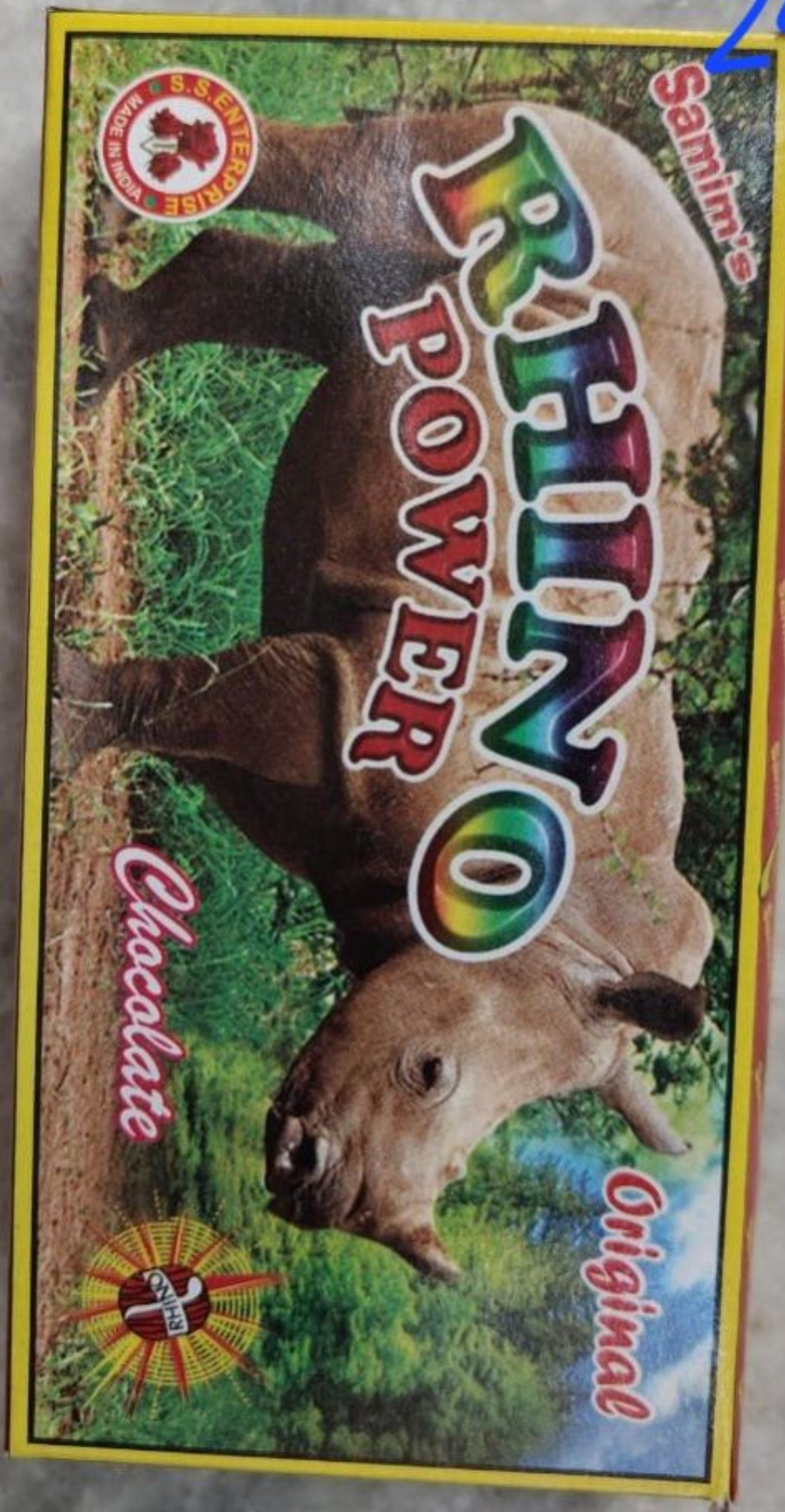
WEST 1





NOTARY
Subhendu
Banerjee
Kolkata (BRP)
Regd. No. 018/2022
Expiry Date
1/4/2027
GOVERNMENT OF WEST BENGAL

24A



S.S. ENTERPRISE
MADE IN INDIA

Sammin's

RHINO
POWER

Original

Chocolate



25 X

শাসন পালক সচিব



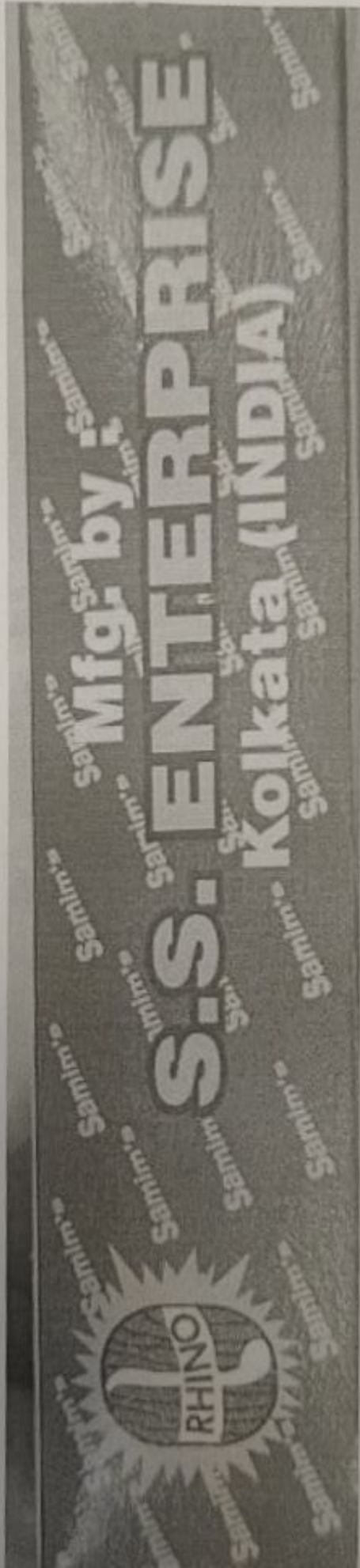
वसुधैव कुटुम्बकम्



26A



27 X





J317A



AJANTA FIREWORKS
INDUSTRIES, SIVAKASI.

MOZILLA

CRACKLING
FOUNTAIN



28A



J317A



AJANTA FIREWORKS
INDUSTRIES, SIVAKASI.

MOZILLA

CRACKERS
FOUNTAIN



29

Customer
 Website
 email
 ADDRESS
 CONTACT
 NAME
 PHONE

Chemical Composition

SILVER
 BaNo3 : 59%
 Al.Pow : 18%
 S : 4%
 (C₆H₁₀O₆)_n : 4%
 KNO₃ : 15%

NCLE
 NO CHILD LABOUR
 EMPLOYED

LIGHT
 EMITTING ITEM

GOVERNMENT OF WEST BENGAL
 NOTARY
 Submunda
 Haldia
 Regd. No. 18/2027
 Expiry Date
 1/4/2027

MAKERS OF
 LACE
 AND GET
 UNDER

29A

Chemical Composition :

SILVER

BaNo3	: 59%
Al.Pow	: 18%
S	: 4%
(C ₆ H ₁₀ O ₅) _n	: 4%
Kno ₃	: 15%

NCLE

NO CHILD LABOUR
EMPLOYED

LIGHT
EMITTING ITEM

Custom

Website

email : en

ALL OUR PRODU

Author

UNDER E

CLASS-7

M.R.P

MANUFACT

BEST BEFO

OF SPARKS

VERS OF
LACE
ND GET
NDER



CSIR-National Environmental Engineering
Research Institute, Nagpur - 440020



REGISTRATION CERTIFICATE



This is to certify that:

**M/s Ajanta Fireworks Industries, Sivakasi,
Tamilnadu**

has registered with CSIR-NEERI for utilizing the CSIR-NEERI's GREEN FIREWORKS/FIRECRACKERS formulations having registration number as mentioned herewith

NE/TN/162-01/2019

Formulation Category & Code

Products of light category & Flowerpot - Z

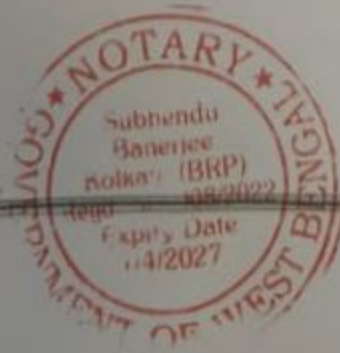
Issue Date: 26.08.2021

Valid up to: 25.08.2023

(Green fireworks/firecrackers are reduced emission fireworks/firecrackers developed by CSIR-NEERI as per Honorable Supreme Court Order. Manufacturers may proceed to obtain PESO approval by following the prevailing regulations/orders of Government of India for manufacture of the Green Fireworks).

(Sadhana Rayalu)
Sci. & Head, EMD

(Avneesh Anshul)
Sci. & Head, PMPD





CSIR-National Environmental Engineering
Research Institute, Nagpur - 440020



REGISTRATION CERTIFICATE

30A



This is to certify that:

**M/s Ajanta Fireworks Industries, Sivakasi,
Tamilnadu**

has registered with CSIR-NEERI for utilizing the CSIR-NEERI's GREEN FIREWORKS/FIRECRACKERS formulations having registration number as mentioned herewith

NE/TN/162-01/2019

Formulation Category & Code

Products of light category & Flowerpot - Z

Issue Date: 26.08.2021

Valid up to: 25.08.2023

(Green fireworks/firecrackers are reduced emission fireworks/firecrackers developed by CSIR-NEERI as per Honorable Supreme Court Order. Manufacturers may proceed to obtain PESO approval by following the prevailing regulations/orders of Government of India for manufacture of the Green Fireworks).

(Sadhana Rayalu)
Sci. & Head, EMD

(Avneesh Anshul)
Sci. & Head, PMPD



LiFE
Lifestyle for
Environment

WEST BENGAL POLLUTION CONTROL BOARD

(Department of Environment, Government of West Bengal)
Paribesh Bhawan, 10A, Block - LA, Sector III, Bidhannagar
Kolkata - 700 106, Ph.: 2335-9088/8861/7428, Fax : 2335-2813
Website: www.wbpcb.gov.in, Email: net.wbpcb-wb@bangla.gov.in

Memo No. :

- 2L/WPB-N(VI)2023

Date: /09/2024

To:

1. The All Commissioners of Police, West Bengal
2. The All District Magistrates, West Bengal
3. The All Superintendents of Police, West Bengal

Ref: Memo No: Accident/Misc./ACC/EC/23/01 : PESO/EC/KOL/Misc/Comp dated 26/07/2024 issued by Jt. Chief Controller of Explosives, East Circle, Kolkata enclosing letter of Paribesh Academy dated 11/06/2024.

Please find enclosed herewith the aforementioned letter of Jt. Chief Controller of Explosives, East Circle, Kolkata alongwith a letter of Paribesh Academy dated 11/06/2024, regarding failure of Govt. Machinery to stop the functioning of the unlicensed fireworks manufacturing units in the State of West Bengal.

In view of above, you are requested to take immediate steps to augment vigil and stop the functioning of the unlicensed fireworks manufacturing units in your respective jurisdiction. Further you should ensure that only Green-fireworks manufacturing units may operate with valid licence in the State of West Bengal.

The matter may be accorded PRIORITY.

Sd/-

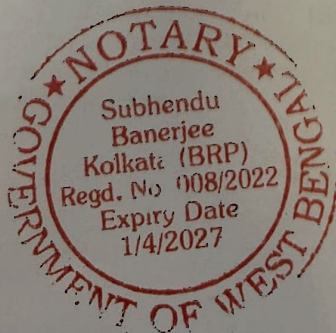
(Member Secretary)
West Bengal Pollution Control Board.

Encl : As stated above

Memo No. : 333/3/1 - 2L/WPB-N(VI)2023

Date: 10/09/2024

✓ Copy forwarded to : The President, Paribesh Academy, Barabazar, Chandannagar, Hooghly.



Ag

(Sr. Law Officer)
West Bengal Pollution Control Board.

5014670/ms
14/08/24

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Clear No. 6150x
Date 14/8/24
Remarks O.S.D. (Jt. Secy)



भारत सरकार
GOVERNMENT OF INDIA

पेट्रोलियम तथा विस्फोटक सुरक्षा संगठन
PETROLEUM AND EXPLOSIVES SAFETY ORGANISATION (PESO)
कार्यालय संयुक्त मुख्य विस्फोटक नियंत्रक, पूर्वी अंचल
O/o Jt. Chief Controller of Explosives, East Circle
6, एस्प्लानेड ईस्ट कोलकाता-700069
8, Esplanade East, Kolkata- 700069
Email JDjtceekolkata@explosives.gov.in, website- www.peso.gov.in

Member Secy

033-22486600 EPBX
033-22489824
033- 033- 22439322
सर्वोच्च न्यायालय के समी पदाधार "संयुक्त मुख्य विस्फोटक नियंत्रक" के पदनाम से भेजे गए, अधिकारी के व्यक्तिगत नाम से नहीं।
All communications intended for this office should be addressed to the "Jt. Chief Controller of Explosives" NOT to officer's name.

सं. /No. Accident/Misc/ACC/EC/23/01
PESO/EC/KOL/Misc/Comp

दिनांक/ Date : 26/07/2024
[- 8 AUG 2024

To

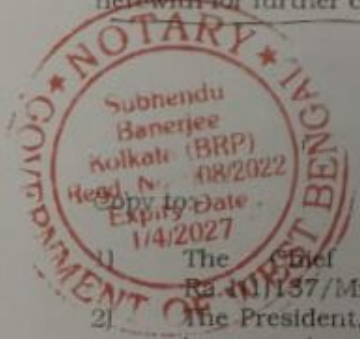
- 1. Dr. Rajesh Kumar, IPS, Member Secretary, West Bengal Pollution Control Board.
- 2. Shri Bharat K. Sharma, Member Secretary, Central Pollution Control Board
- 3. Shri Sharad Kumar Dwivedi, IPS, District Magistrate, North 24 Parganas.
- 4. Shri Mrinal Kanti Biswas, Regional Director, Central Pollution Control Board, Kolkata.
- 5. Shri Saroj Bag, Divisional Fire Officer, North 24 Parganas W.B. Fire & Emergency Department, North 24 Parganas.

SLO
Prashant Sharma
Babu
14/8/24



SUB : Unauthorized fireworks manufacturing units in the State of West Bengal - reg
Sir(s),

Copy of letter dated 11.06.2024 along with its enclosures received from Paribesh Academy, Barabazar Chandannagar, Hooghly, West Bengal regarding failure of the Govt. Machinery to stop the functioning of the unlicensed fireworks manufacturing units in the State of West Bengal is forwarded herewith for further course of action in the matter.



Your's faithfully,

AMM
Jt. Chief Controller of Explosives, East Circle, Kolkata

- 1) The Chief Controller of Explosives, Nagpur with reference to letter No. RA.11/137/Misc/Pet/2022/Parat, dated 12.07.2024 for information.
- 2) The President, Paribesh Academy, Barabazar Chandannagar, Hooghly with reference to their letter under reference.

4281 14/8/24

Jt. Chief Controller of Explosives, East Circle, Kolkata

38



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 PARIBESH ACADEMY • BARABAZAR, CHANDANNAGAR - 710001

- 1) The Principal Secretary, Department of Environment,
Govt. of West Bengal, Pranisampad Bhawan, Block-LB,
Sector-III, 5th Floor, Bidhannagar, Kolkata-700106
- 2) The Director General & Inspector General of Police,
West Bengal Police, "Nabanna, 11th Floor, 325,
Sarat Chatterjee Road, P.O. Shibpur, Howrah -711102
- 3) The Member Secretary,
West Bengal Pollution Control Board,
Paribesh Dhaban, 10 LA Block, Sector-III,
Bidhan Nagar, Kolkata -700106.
- 1) Chief Controller of Explosives,
Department of Explosives,
Block-A, CGO Complex, Seminary Hills,
Nagpur-440 006

Dated: 11/06/2024

8185

27/6/2024

Sub: Absolute failure of the Government Machinery to stop the functioning of the unlicensed fireworks manufacturing units in the State of West Bengal. In conformity of the Hon'ble Judicial Mandate.

Ref: Our letter dated 05/09/2016, 04/03/2019, 18/10/2019, 05/01/2020, 07/02/2022, 12/10/2022, 28/11/2022, 16/05/2023, 07/05/2024 and letter of Department of Environment dated 14/03/2022

Ref: W.P. No. 34080(W) of 2013 (Biswajit Mukherjee Vs State of West Bengal & Others) Before Hon'ble High Court at Calcutta & Original Application No. 101/2015/EZ Before the National Green Tribunal, Eastern Zone Bench, Kolkata and Original Application no. 149 of 2023 (Biswajit Mukherjee & Ors vs Others) Before the National Green Tribunal, Eastern Zone Bench, Kolkata.

Re: Order of the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata dated 16/10/2015.

Sir(s),

With reference to the above, I am inviting your attention that since 2015 and onwards, our organization time and again approached before your good office to stop the functioning of the unlicensed fireworks manufacturing units in conformity of the order of the Hon'ble National Green Tribunal, Eastern Zone Bench dated 16/10/2015 but it is observed from the records that number of explosion incidents were occurred from the unlicensed fireworks manufacturing units. Copy of our letter dated 16/05/2023 is enclosed here with for your ready reference and marked as Annexure-A.

Last few years, it is observed that numbers of children are victim of explosion of the crude bombs and unlicensed fireworks manufacturing units are the perennial source





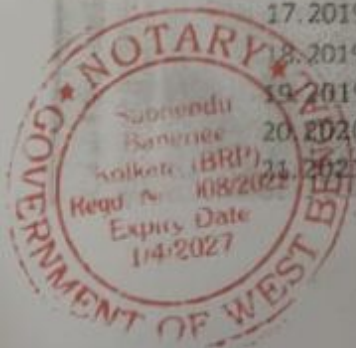
পরিবেশ আকাদেমী • বড়বাজার, চন্দননগর - ৭১২১৩৩
 PARIBESH ACADEMY • BARABAZAR CHANDANNAGAR - 712133

(2)

That, our organization had submitted a detailed representation before the Hon'ble Chief Minister on 27/03/2023 and also to the Hon'ble Minister in Charge, Department of Environment on 03/12/2021 enclosing the aforementioned letter mentioning there to that responsible Government Machineries for controlling unlicensed fireworks manufacturing units are totally reluctant to implement the law of the land and also the judicial mandates in this matter.

Recent incident in East Midnapur at Kolaghat sharply indicates that the Government Machineries have absolutely failed to stop functioning to stop the unlicensed fireworks manufacturing units though since 2015, our organization time and again have approached before the Competent Authorities but the situation remained unchanged and non-action of the Government Machineries have paved the way of ~~Serious~~ Deadly Environmental Crimes. List of the incidents of explosion of the unlicensed fireworks manufacturing units in the State of West Bengal, given below:

1. June, 2009 in Kalna, District - Burdwan - casualties - 8;
2. September, 2010 in Dhanekhali, District - Hooghly - casualties - 6;
3. October, 2011 in Kolaghat, Midnapore West, casualties - 3;
4. September, 2013 in Kalna, District - Burdwan, casualties - 2;
5. September, 2013 in Paskura, District - Midnapore West, -casualties - 3;
6. October, 2013 in Begampur, District Hooghly, casualties - 4;
7. September, 2014 in Moyna, District - Burdwan, casualties - 3;
8. May, 2015 in Pingla, District - Midnapore West, casualties - 12;
9. 2016 in Topsia, Kolkata - Injured - 6;
10. 2016 in Budge Budge - Casualties - 2;
11. 2016 in Nilgunge - Casualty - 1;
12. 2017 in Tellnpara - Injured - 2;
13. 2017, Champahati - Casualty-1, Injured - 3;
14. 2017 in Amdanga, North 24-Parganas - Casualty-5, Injured - 15;
15. 2018 in Hallsahar, North 24-Parganas - Casualty-3, injured - 3;
16. 2018- in Mograhat, Hooghly - Casualty-3, injured - 3;
17. 2019 - in Contai, Midnapore East - Casualty-2, injured-4;
18. 2019 - in Maheshtala, South 24-Parganas - Casualty-2;
19. 2019 - in Keshpur, Paschim Midnapur, Casualties- 1;
20. 2020- Naihati, North 24 Parganas, Casualties- 5;
21. 2021- Nodakhali, South 24 Parganas, Casualties- 3;



35



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(3)

- ✓ 24. 2023- Budge Budge, North 24 Parganas, Casualties- 3;
- ✓ 25. 2023- Dubrajpur, Birbhum, Casualties- Not published;
- 26. 2023- Duttapukur, Barasat, Casualties- Not published;
- 27. 2024- Proyag Gram, Kolaghat, Purba Midnapur, Casualties- Not published;

Further it can be mentioned that during last Parliament Election 2024, one children was died and number of children were injured due to bomb blast in panduah, District-Hooghly on 06/05/2024. Our organization also made a detailed representation in this matter to the Competent Authorities. Copy of the letter dated 07/05/2024 is enclosed here with and marked as Annexure-B.

In view of such and in consideration of the judicial Pronouncement our specific submissions are as follows:

- a) All illegal fireworks manufacturing units need to be closed urgently.
- b) Compensation needs to be given to the children who are victim of the explosion of the crude bombs and State Government should take all responsibility for the treatment.
- c) Compensation needs to be given to the workers who are victim of death or injury due to the explosion of fireworks manufacturing units.
- d) Responsibility should fix up upon the Government Officials for the failure to stop the illegal fireworks manufacturing units;
- e) Immediately all Commissionerates and District Police Authorities should be directed to identify unlicensed fireworks manufacturing units and sealed the unlicensed fireworks manufacturing units forthwith;
- f) A monitoring team may be formed under all Commissionerates and District Police Authorities involving the officers of West Bengal Pollution Control Board and representative of the District Magistrate of all concerned districts.

In view of the above, you are requested to consider our proposal within 15 days from the issuance of this letter under intimation to our organization, failing which our organization will mentioned before the Hon'ble National Green Tribunal, Eastern Zone Bench and also before Hon'ble High Court at Calcutta without any further reference.

Encl: as stated

Yours faithfully,

Biswajit Mukherjee
 President

Email: biswajit.envlaw@gmail.com

