

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.

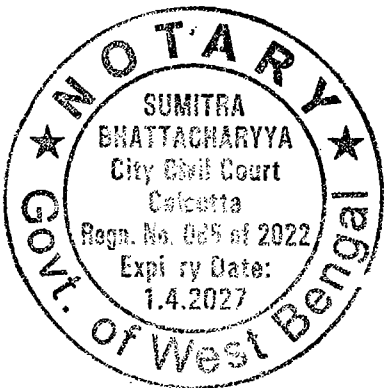
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Filed by

Dipanj Ghosh

DIPANJAN GHOSH
ADVOCATE
HIGH COURT AT CALCUTTA



26 NOV 2024

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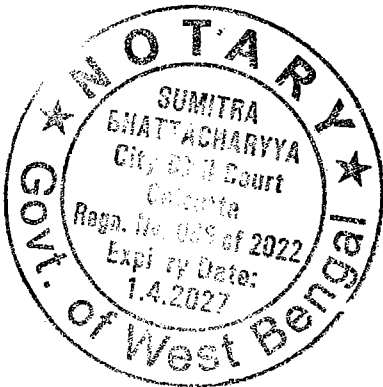
UNION OF INDIA

..... RESPONDENT(S)

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POLLUTION CONTROL BOARD.

Most Respectfully Sheweth

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



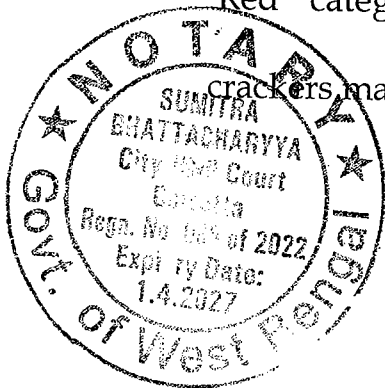
01. That, I am the Officer on Special Duty (OSD), West Bengal Pollution Control Board (hereinafter will be referred to as the 'State Board') and look after this case and as such I am well acquainted with the facts and circumstances of the case. I have been duly authorized by the Respondent No. 1 to affirm 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 26.09.2024.

03. That, in compliance with the aforesaid order dated 26.09.2024, the undersigned hereby submits the following with respect to the Pollution Index Calculation for Green Fire Crackers:

- i. CPCB has developed the scoring methodology to classify the industries based on the Pollution Index (PI) which is a function of water pollution, air pollution and hazardous waste generation.

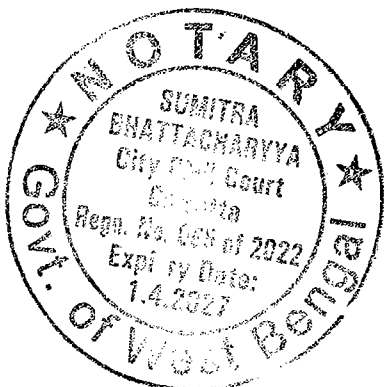
As per the present categorisation of CPCB, Fire crackers manufacturing units and bulk storage facilities are categorised as 'Red' category. There is no separate category for Green Fire crackers manufacturing units.



ii.CPCB has prepared a draft revised categorisation list in July,2023 which is available in the CPCB website. As per the said draft revised categorisation, Fire crackers manufacturing units have been categorized in two different categories : a) Fire crackers units and bulk storage facilities - Red category and b) Green crackers manufacturing units - Green category.

As per the said methodology, the following is the Range of pollution index for different categories :

Pollution Index (PI)	Category of industrial sector
$PI \geq 80$	Red
$55 \leq PI < 80$	Orange
$25 \leq PI < 55$	Green
$PI < 25$	White



The pollution index calculation considered by CPCB is given below :

Sector	W1	W2	W3	W (W1+W2+W3)	A1	A2	A3	A (A1+A2+A3)	H1	H2	H (H1+H2)	Pollution Index (PI)	Category
Fire crackers units and bulk storage facilities	0	0	0	0	0	25	0	25	50	20	70	73.8	Red
Green crackers manufacturing units	0	0	0	0	0	25	0	25	0	0	0	25	Green

W1 : Score based on the oxygen demand of wastewater.

W2 : Score based on presence of pollutants in the wastewater

W3 : Score based on quantity of raw wastewater generation

A1 : Score based on presence of pollutants in the emissions.

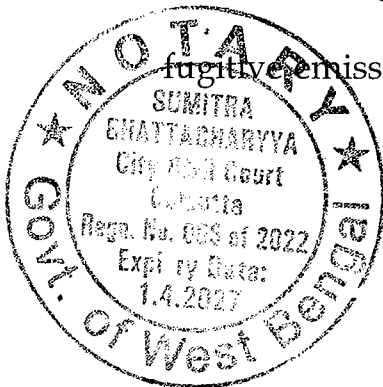
A2 : Score based on fugitive emissions and odour nuisance.

A3 : Score based on the fuel quantity.

H1 : Score based on the hazardous waste management/disposal method.

H2 : Score based on quantity of hazardous waste generation

iii. It is apparent that while preparing the draft revised categorization list, CPCB has considered only fugitive emissions and odour nuisance for categorisation of Green firecracker manufacturing units under Green category. But no standard for fugitive emission from fire crackers manufacturing units has been

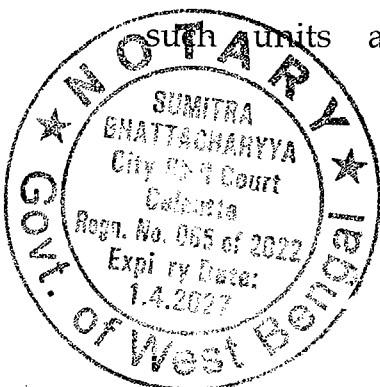


prescribed so far by the CPCB. It is evident that most of the accidents in fire crackers manufacturing units have occurred due to fire and explosion.

iv. In view of the above, the State Board has not considered the fugitive emission for Green fire cracker manufacturing activity. As a result, the calculated value of Pollution Index for Green fire crackers manufacturing units has become below 25, which comes under White category. The parameter 'Noise' has not been considered during evaluation of Pollution Index for Green firecracker manufacturing units as noise is mostly occurred during bursting of firecrackers, not during manufacturing of the firecrackers.

v. It is to be mentioned that no report of occupational health hazard in such type of units due to fugitive emission is available with the State Board. However, it is recommended that either the Directorate of Factories under the Labour Department, Govt. of West Bengal or the National Institute for Occupational Safety and Health may carry out occupational health hazard survey of

such units and accordingly, re-categorization of Green



firecracker manufacturing units may be done on the basis of such reports.

05. 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.

Subscribed by me
Dipankar Bose
Advocate
W B PCB

Subscribed by
DEPONENT

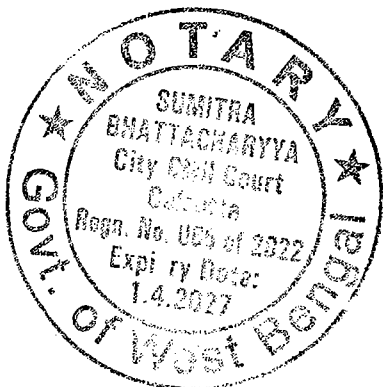
Solemnly Affirmed and
Declared before me U/S 139
CPC, (C)

Sumitra Bhattacharyya
Notary

Sumitra Bhattacharyya
Notary, Govt. of W.B.
Regd. No. 065 of 2022
City Civil Court, Calcutta



26 NOV 2024



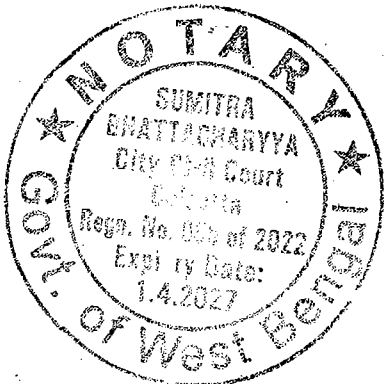
VERIFICATION

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 4 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.

Dipankar Ghosh
 Identified and corrected by me
 Advocate
 WBPCB

Subrata Ghosh
 DEPONENT



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