

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA
ORIGINAL APPLICATION NO. 96/2024/EZ

In the mater of :

Srikant Singh

..... Applicant

Versus

West Bengal Pollution Control Board & Ors.

..... Respondents

SL. NO. ~~K/202/95~~ / Feb/202/95

Before the Notary Public
Howrah

**AFFIDAVIT-IN-REJOINDER ON BEHALF OF THE APPLICANT TO
THE AFFIDAVIT FILED ON BEHALF OF THE RESPONDENT NO. 1.**

SL.	PARTICULARS	ANNEXURE	PAGE
1.	Rejoinder		1-5
2.	Photocopies of the Consent to Establish and Consent to Operate of the unit in question.	'A-1'	6-14
3.	A screenshot/print out copy of the GSTIN details of Respondent no. 2.	'A-2'	15-18



Filed through

Ankur Sharma

Ankur Sharma

Advocate

Mob: 9433883322

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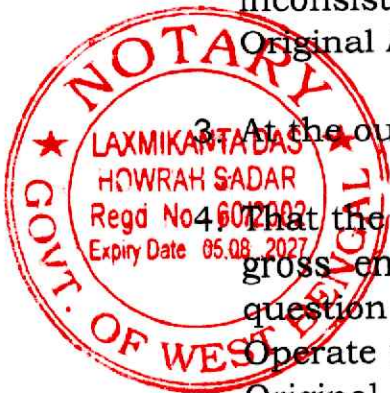
**AFFIDAVIT-IN-REJOINDER ON BEHALF OF THE APPLICANT TO
THE AFFIDAVIT FILED ON BEHALF OF THE RESPONDENT NO. 1**

I, Srikant Singh, the Applicant aged about 34 years by occupation service residing at 46/5, Netaji Subhash Road, Bally, P.S. – Liluah, District – Howrah, West Bengal, PIN - 711101 do hereby solemnly affirm and state as under :

1. I am the Applicant in the abovementioned Original Application. I have received a copy of the Affidavit filed on behalf of the Respondent no. 1 affirmed on 12.11.2024. I have gone through the contents and purports of the Affidavit (hereinafter for the sake of brevity referred to as the 'said Affidavit'), and I am making the present Affidavit in Rejoinder thereto.
2. I deny the contents and averments made in the Affidavit on behalf of the Respondent No. 1 those are contrary to and/or inconsistent with anything stated in the abovementioned Original Application and the present Affidavit in Rejoinder.

3. At the outset, I say the following :

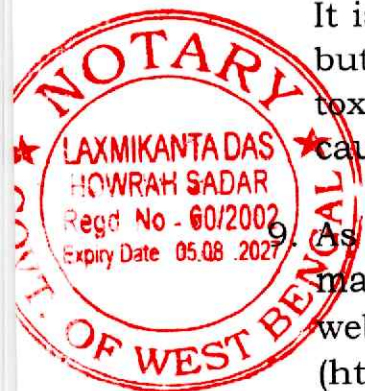
That the West Bengal Pollution Control Board in spite of finding gross environmental violations by the 'Red' category unit in question resorted to issue Consent to Establish and Consent to Operate under 'Orange' category during pendency of the instant Original Application without physically inspecting the unit to



ascertain whether the Respondent no. 2 has resized/trimmed its unit from a 'Red' category to a 'Orange' category and has dismantled coal fired oven and acid pickling tank/bath, and complied with various other conditions such as installation of noise barriers, land conversion, adequate tree cover etc.

Photocopies of the Consent to Establish and Consent to Operate of the unit in question both dated 18.11.2024 are annexed herewith and marked by the letter and figure 'A-1'.

5. That the Affidavit of the Respondent no. 1 discloses that the unit is a 'Red' category unit and running its operations since past several years without obtaining valid consent from the WBPCB. The Affidavit discloses that the unit does not have any Air Pollution Control Device to contain pollution generated by its coal fired oven. The Affidavit also discloses that the unit is engaged in acid pickling activities but does not have any Effluent Treatment Plant.
6. Now I shall deal with the Affidavit in seriatim :
7. As regard paragraph nos. 1 to 3 of the said Affidavit I say that the same do not require any specific reply.
8. As regards paragraph nos. 4 (a) to 4(h) I say that the statements made therein are true. It is true that the unit is engaged in manufacturing of copper pipes, gun metal pipes and brass pipes. It is also true that the unit has acid pickling (surface cleaning) tank, rinsing bath and coal fired oven. It is also true that the said pickling tank and oven are not provided with any Air Pollution Control System and that the unit does not have any Effluent Treatment Plant for treatment of pickling effluent. It is true that the activities are carried out inside a closed shed but the said shed has various openings/gaps through which toxic smoke escapes and pollutes the vicinity of the unit, and causes health hazard to your Applicant and other residents.
9. As regard paragraph no. 4 (i) to 4(j) I say that the statements made are not true as revealed from the details available on website of the Good & Service Tax, Govt. of India (<https://www.gst.gov.in>) wherein it is recorded that the unit carries on business of copper waste and scrap.



A screenshot/print out copy of the GSTIN details of Respondent no. 2 is annexed herewith and marked by the letter and figure 'A-2'.

10. As regard paragraph no. 4 (k) to 4 (m) admittedly is carrying out surface cleaning treatment and the statement of the Deponent that "the unit is carrying out surface treatment activity which falls under 'Red' category since 1995 but has presently obtained acknowledgement as "White" category" shows that the unit is carrying its operations without obtaining valid consent to establish and consent to operate from the WBPCB and in violation of the siting criteria.
11. As regard paragraph no. 5 the WBPCB while making further remarks remained tight lipped as to why they refrained themselves from suggesting hefty environmental compensation for running a 'Red' category unit for long thirty years without obtaining appropriate Consent to Establish and Consent to Operate for the unit.
12. As regard paragraph no. 6 while issuing a direction on 06.09.2024 long one and half month after conducting the hearing on 23.07.2024 lambently suggesting the unit to obtain the Consent to Operate from the State Board under Orange category without explaining why it did not direct the unit to obtain Consent to Operate under 'Red' category though it found that the unit is carrying out surface treatment activity which falls under 'Red' category. A physical inspection by the WBPCB is required to be conducted to ascertain compliance of the directions issued by the WBPCB.
13. It is humbly prayed that unit be inspected afresh by the WBPCB and pass such order/orders as it deem fit and proper in the interest of justice.



Saikat Singh
DEPONENT

VERIFICATION

I, Srikant Singh son of Late Ashok Singh, aged about 34 years, residing at 46/5, Netaji Subhash Road, Bally, P.S. – Liluah, District – Howrah, West Bengal, PIN – 711204 states that I am the Applicant of this Application. I do hereby verify the contents of paragraphs no. 1 to 8, and the rest are true to the best of my knowledge, and are my humble prayers before your Lordship and I have not suppressed any material facts herein.

Srikant Singh
Deponent

Prepared by me
in my chamber

Anu Sharma

Advocate

Verified by me

Date : 27/02/2025

Place : Howrah

Anu Sharma
F/497/370/2021
Advocate



SOLEMNNY AFFIRMED AND DECLARED
BEFORE ME BY THE DEPONENT ON
IDENTIFICATION OF ADVOCATE

Place Judge's Chamber
Howrah 711201
W.B. India

LAXMIKANTA DAS
NOTARY HOWRAH
Govt. of West Bengal

27 FEB 2025



Government of West Bengal

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Gibansa Mukherjee

Authorised Signatory
(E-signed)
Department of IT&E



WEST BENGAL POLLUTION CONTROL BOARD
Paribesh Bhawan, 10A, Block LA, Sector III
Salt Lake City, Bidhan Nagar, Kolkata – 700 106, INDIA
 Website : www.wbpcb.gov.in, e-mail : wbpcbnet@wbpcb.gov.in

Validity Period :18/11/2024 To 18/11/2024

Category: ORANGE

Application Type: CTE

CTE No.: WBPCB/5559339/2024

Date: 18/11/2024

Sub : Consent to Establish (CTE) under 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.

Ref.: Application No. 5559339

To,

M/s PADMAVATI METAL INDUSTRIES
46/1,46/7 & 46/8, NETAJI SUBASH ROAD, LILUAH HOWRAH

The West Bengal Pollution Control Board (hereinafter referred to as the State Board) hereby grants Consent to Establish (CTE) from environmental point under 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 for proposed new unit of **PADMAVATI METAL INDUSTRIES** at **46/7, 46/8 & 46/1 NETAJI SUBASH ROAD, LILUAH, HOWRAH, WEST BENGAL 711204** for the following activities :

Sl.No.	Name of Activity,Product and/or By-Product	Production Capacity
1	COPPER PIPE	2300 Kilogram/Month
2	BRASS PIPE	200 Kilogram/Month

Total cost of the Project (in Lakhs)	15.18
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(A) General Conditions :

- (1) The quality of sewage and industrial effluent to be discharged from the factory shall satisfy the permissible limits as per norms and Environment (Protection) Rules 1986.
- (2) The unit shall apply to the State Board for Consent to operate according to the provisions of the Water (Prevention & Control of Pollution) Act, 1974 as amended and the Air (Prevention & Control Pollution) Act, 1981 as amended prior to commencement of activities of the unit.
- (3) The unit shall comply with the following Environmental Acts and Rules and its amendment as applicable
 - (i) The Water (Prevention and Control of Pollution) Act, 1974 .
 - (ii) The Air (Prevention and Control of Pollution) Act, 1981
 - (iii) The Environment (Protection) Act, 1986
 - (iv) The Public Liability Insurance Act, 1991
 - (v) The Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989
 - (vi) The Ozone Depleting Substances (Regulation and Control) Rules, 2000
 - (vii) The Batteries (Management and Handling) Rules, 2022
 - (viii) The Noise Pollution (Regulation and Control) Rules, 2000
 - (ix) The Bio-medical Wastes Management Rules, 2016
 - (x) The Hazardous Wastes (Management and Transboundary Movement) Rules, 2016
 - (xi) The Plastic Waste Management Rules, 2016

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WBPCB/5559339/2024

Page 1



(xii) The Solid Waste Management Rules, 2016

(xiii) The E-Waste (Management Rules), 2022

(xiv) The Construction and Demolition Waste Management Rules, 2016

(4) The State Board reserves the right to review, amend, suspend, revoke etc. this consent for establishment and the same shall be binding on the unit.

(5) The unit shall obtain permission/clearance from the other competent authorities, as applicable and such permissions may be required at the time of submitting application for Consent to operate.

(6) The unit shall abide by the stipulations as may be prescribed by any authority / local body / government departments etc.

(7) Suitable measures to treat the effluent and emission shall be adopted in order to reduce the pollution load so that the quality of the effluent and emission from the unit always conforms to the relevant permissible standards.

(8) No equipment/machinery, emission and effluent generation/discharge source etc. shall be installed/modified without prior approval of the State Board.

(B) Special Conditions:

A. Emission:

(i) Nil

B. Effluent:

(i) Industrial- Nil

(ii) Domestic- to be discharged to Panchayat drain after adequate treatment maintaining environmental norms.

C. Solid waste:

(i) Hazardous wastes - to be disposed/ reused as per the provisions of Hazardous & Other Wastes (Management & Trans-Boundary Movement) Rules, 2016 as amended.

(ii) Other (non-hazardous) wastes: - to be sold out.

D. General:

i. This expansion NOC is valid only subject to obtaining all relevant permission/clearances from the other Competent Authorities, as applicable like Land Department, Fire Department, SWID etc.

ii. Noise control- noise level not to exceed the permissible limit.

iii. Necessary permission to be obtained from concerned authority for abstraction of ground water, if any.

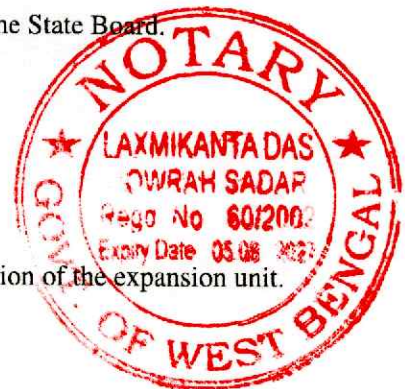
iv. Land conversion certificate to be obtained from appropriate authority, if applicable.

v. No addition/alteration/modification can be done without prior permission of the State Board.

vi. Good house-keeping of the unit to be maintained.

vii. Adequate greenery to be developed.

viii. The unit shall obtain Consent to Operate from the State Board before operation of the expansion unit.



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WBPCB/5559339/2024

Page2



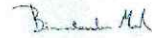
ix. This CTE is valid for only redrawing of pipes.

x. Surface cleaning with acid is not permitted.

xi. Heating of material using solid or liquid fuel fired oven/ furnace is not permitted.

Any Violation of the aforesaid Conditions shall entail cancellation of this Consent to Establish

For and on behalf of West Bengal Pollution Control Board



18/11/2024

**Environmental Engineer
Howrah Regional Office**



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WBPCB/5559339/2024

Page 3





Government of West Bengal

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Gibansu Mukherjee

Authorised Signatory
(E-signed)
Department of IT&E



WEST BENGAL POLLUTION CONTROL BOARD
Paribesh Bhawan, 10A, Block LA, Sector III
Salt Lake City, Bidhan Nagar, Kolkata – 700 106, INDIA
 Website : www.wbpcb.gov.in, e-mail : wbpcbnet@wbpcb.gov.in

Category of the Industry : ORANGE

Application Type: CTO

CTO No.: WBPCB/5579109/2024

Date : 18/11/2024

Consent to Operate (CTO) under 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.

Reference: Application No.: 5579109

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 Consent to **PADMAVATI METAL INDUSTRIES** (hereinafter referred to as Applicant) for its unit located at **46/1,46/7 & 46/8, NETAJI SUBASH ROAD, LILUAH, HOWRAH, WEST BENGAL 711204** for the period from **18/11/2024 to 31/08/2029** to operate the industrial unit/project and to discharge liquid effluent and gaseous emission from the premises / land of the industrial unit/project, in accordance with the conditions as mentioned below, provided that 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 in the Environment (Protection) Act, 1986 and Rules thereunder, as amended.

Breach of the conditions and / or failure to comply with the directions as mentioned below shall render the industry/project liable for prosecution under the provisions 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.

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 industry.

Conditions :

1 This Consent is valid for the following activities :

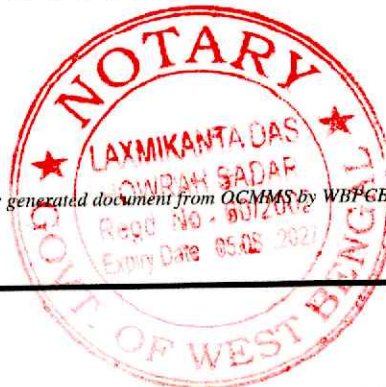
Sl.No	Name of Activity/Products/By-products	Production Capacity (Per Month)
1	G M PIPE	500 Kilogram/Month
2	COPPER PIPE	3000 Kilogram/Month
3	BRASS PIPE	500 Kilogram/Month

2 The industry shall remain responsible for quantity and quality of liquid effluent and air emission.

3 Daily waste water generation and discharge shall not exceed :

No. of outlets	Source of Waste Water	Quantity in Kilo Liters/day	Place of discharge
1	DOMESTIC	.1	MUNICIPAL DRAIN

4 To bring into any altered or new outlet / outfall or to change the place of discharge, the industry shall have to inform the Board and obtain prior permission of the Board in this effect.



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WBPCB/5579109/2024

Page1



5 The industry shall provide comprehensive facility for treatment of industrial liquid waste and domestic liquid waste (sewage, sullage and liquid effluent generated from canteen), and operate and maintain the same continuously so that the quality of final effluent conforms to the Standard as given below:

Outlet No.	Nature of effluent	Parameters and standard			Frequency of sampling
		Parameters	Standards	Unit	
1	Domestic	pH	5.5-9		Yearly
1	Domestic	Total suspended Solid (TSS)	100	mg/L	Yearly
1	Domestic	Chemical Oxygen Demand (COD)	250	mg/L	Yearly
1	Domestic	Biological Oxygen Demand (BOD)	30	mg/L	Yearly
1	Domestic	Oil & Grease	10	mg/L	Yearly

Provisions shall be made to install sensor-based Water Quality monitoring system and flow meter to share the information with the state board on a Real Time basis.

6 Daily water consumption for the following purposes shall not exceed

SL NO.	Purpose of Water Use	Quantity (KL/Day)
1.	Domestic	1.0

7 The Industry shall install suitable digital device for measuring the volume of water consumed for different purposes as mentioned above giving correct result to the satisfaction of the State Board. The device shall be able to provide information to disseminate the quantity on a real time basis.

8 All the stacks connected to various sources of emissions must be designated by numbers.

9 The industry shall install comprehensive pollution control equipment and operate and maintain the same to conform to the standard as given below:

10 The industry shall provide ports in the stack(s) and other necessary permanent facilities such as 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 authorized agencies.

11 Waste generation, treatment and disposal shall be as specified below :

S.No	Description of Waste	Quantity	Treatment and Disposal
1	Scrap	200 Kilogram/Month	Sold

The Industry shall obtain Authorisation for waste and also register for EPR wherever applicable.

12 The industry shall take adequate measures for control of noise level from its own sources within the premises within the limit given below :

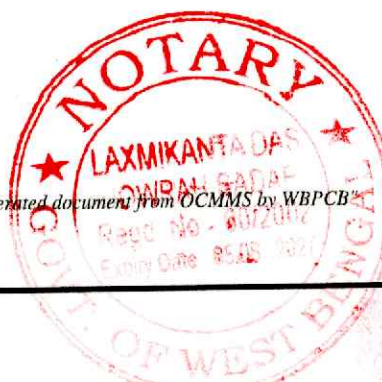
Time	Limit in dB (A) Leq
Day time (06 a.m. to 10 p.m.)	65
Night time (10 p.m. to 06 a.m.)	55

Noise barriers should be installed if the Noise Level is found to be exceeding the desired levels.

13 The industry shall at all times maintain good house-keeping and control pollution (including fugitive emissions) from all sources to maintain clean environment in & around factory premises and in surrounding areas.

14 The Industry shall bring about at least 33% of the total land area under the tree cover.

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- 15 The Industry shall provide sufficient alternate electric power source like Green DG or Storage Battery System etc. to operate all pollution control facilities. In absence of such alternate power source, the production shall be stopped/controlled to conform to the conditions of the Consent.
- 16 The industry 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 in Sl.No. 3.
- 17 The Industry shall provide drainage system for discharge of industrial and domestic effluent and a separate drainage system for storm-water.
- 18 The industry shall maintain a separate register showing consumption of chemicals used in pollution control systems.
- 19 The Industry shall get the samples of hazardous wastes / leachates analysed at least once in a year from a laboratory recognised by the West Bengal Pollution Control Board and ensure that they conform to the limits stipulated. Test reports shall be sent to the Board.
- 20 The Industry shall submit the Environmental Statement Report for the financial year ending 31st March of the current year in the prescribed form (Form V) as required under the provisions of Rule 14 of the Environment (Protection) [Second Amendment] Rules 1992 by 30th September of every year, to the WBPCB.
- 21 The Industry 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 by the State Board as well as by authorized agencies of the State Board, as and when required by them.
- 22 The industry 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.
- 23 The Industry shall furnish to the State Board all information in respect of quality, quantity, rate of discharge, place of discharge of liquid effluent and air emission.
- 24 The Industry shall maintain adequate number of qualified and trained personnel among its staff for proper maintenance and operation of the effluent treatment and/or emission control devices and for overall environment management of the industry.
- 25 The Industry shall have to make registration for the use of groundwater if any, with State Water Investigation Directorate (SWID).
- 26 The Industry shall intimate to the State Board immediately of any occurrence or apprehension of occurrence of discharge of any poisonous, noxious or pollutants in excess of quality as well as quantity as mentioned earlier to any receiving water body/receiving system or to atmosphere owing to accident or other unforeseen incident/event including natural disaster. The Applicant shall (i) take all steps adequate to prevent such accident discharge / release of poisonous, noxious or pollutants and to limit their consequences to persons and the environment, (ii) provide to the persons working on the site with the information, training and equipment including antidotes necessary to ensure their safety and mitigate the accidental release of poisonous noxious or pollutants to the environment.
- 27 If the Industry is using Diesel Generator set or generating any other hazardous waste, it should install a Digital Display Board to discriminate all information as stipulated in this regard.
- 28 The industry shall make an application to the State Board in the prescribed form for renewal of the consent at least 120 (one hundred & twenty) days before the date of expiry of this Consent.
- 29 The industry shall not make any alteration / expansion / modification in the existing manufacturing process and equipment, pollution control system and shall not alter or bring in any new outlet/outfall or stack or change the place of discharge, without prior approval of the Board.
- 30 The industry shall comply with all applicable Environmental Acts and Rules.

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WBPCB/5579109/2024
Page 3



- 31 The Industry shall comply with the provisions of relevant Waste Management Rules and also submit Annual Returns / Manifests on regular basis.
- 32 Concealing factual data or submission of false or fabricated data/information may result in revocation of Consent to Operate and attract action under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981.

Special Conditions:

1. This CTO is valid for redrawing of pipes only.
2. Surface cleaning with acid is not permitted.
3. Heating of material using solid or liquid fuel fired oven/ furnace is not permitted.
4. Existing coal fired oven is to be dismantled.

Any violation of the aforesaid conditions shall entail cancellation of this Consent for Operate.

For and on behalf of West Bengal Pollution Control Board



18/11/2024

**Environmental Engineer
Howrah Regional Office**



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WBPCB/5579109/2024

Page 4



Goods and Services Tax

Government of India, States and Union Territories

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Home > Search Taxpayer > Search by GSTIN/UIN

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● indicates mandatory fields

GSTIN/UIN of the Taxpayer●

SEARCH

Search Result based on GSTIN/UIN : 19AESPV7545M1Z8

Legal Name of Business

ARUNA VYAS

Trade Name

PADMAVATI METAL INDUSTRIES

Effective Date of registration

26/11/2017

Constitution of Business

Proprietorship

GSTIN / UIN Status

Active



Taxpayer Type ⓘ

Regular

Administrative Office

(JURISDICTION - STATE)
Commissionerate - West Bengal
Circle - BALLY
Charge - BALLY

Other Office

(JURISDICTION - CENTER)
State - CBIC
Zone - KOLKATA
Commissionerate - HOWRAH
Division - BALLY I DIVISION
Range - RANGE-I

Principal Place of Business

NA, 46/1 N S ROAD, LILUAH, Howrah, West Bengal, 711204

Whether Aadhaar Authenticated?

No

Whether e-KYC Verified?

No

Additional Trade Name

View



Nature Of Core Business Activity	^
Service Provider and Others	

Nature of Business Activities	^
1. Works Contract	

Dealing In Goods and Services

Goods		Services	
HSN	Description	HSN	Description
7404	COPPER WASTE AND SCRAP		

HSN: Harmonized System of Nomenclature of Goods and Services

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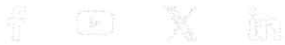
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Help Desk Number:

1800-103-4786

Log/Track Your Issue:

[Grievance Redressal Portal for GST](#)



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Site Last Updated on 31-01-2025

Designed & Developed by GSTN

Site best viewed at 1024 x 768 resolution in Microsoft Edge, Google Chrome 49+, Firefox 45+ and Safari 6+

