

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA,**

**37
ORIGINAL APPLICATION NO. OF 2025/EZ**

(Under Section 18 read with Sections 14, 15 of National Green Tribunal Act 2010)

IN THE MATTER OF:

Subrata Mullick

.....Applicant

AND

Ministry of Environment, Forest & Climate Change & Ors

.....Respondents

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Paushali Banerjee
Advocate
7A, Kiron Shankar Roy Road,
Kolkata-700001

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SYNOPSIS

The applicant is interested in the protection of the environment and in protection of the right to a clean environment guaranteed to them by the Constitution of India under Article 21 and in performance of his duty under Article 51. It is submitted that in the present application the Applicant is seeking appropriate directions to protect the illegal encroachment of forest land

amounting to 6.587 acres at Mouza- Gopinathpur, Khatian No.5676 , J.L. No. 85, Block Additional Faridpur-Durgapur, Dag No.603, District -Paschim Burdawan, in gross violation of the Forest (conservation) Act 1980 and the Environment (Protection) Act 1986. Hence this Application.



Paushali Banerjee

Advocate

7A, Kiron Shankar Roy Road,
Kolkata-700001

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LIST OF DATES

	Environmental Clearence	16/11/21
	Letter of the Forest Ranger	13/04/23
	FIR by the Officer -in -Charge	13/04/23
	Representation of the Applicant	17/11/23

Paushali Banerjee
Advocate
7A, Kiron Shankar Roy Road,
Kolkata-700001

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BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA,

ORIGINAL APPLICATION NO. OF 2025/EZ

(Under Section 18 read with Sections 14, 15 of National Green Tribunal Act
2010)

IN THE MATTER OF:

Subrata Mullick, Son of late Dulal Chandra Mallick, R/III/81, Bidhannagar, housing colony,
Durgapur, Burdwan, PIN-713206

.....Applicant

AND

1. **Ministry of Environment, Forest & Climate Change** through its Secretary, Indira Paryavaran Bhawan, Jor Bagh, Lodi Road, New Delhi- 110003.secy-moef@nic.in
2. Department of Forest, West Bengal, through the Principal Chief Conservator of Forest, Aranya Bhawan, LA-10A Block, Sector-III, Kolkata-700106.pccfhoff.office-wb@gov.in
3. SPS Steels Rollings Mills Ltd through its Managing Director, Grand Trunk Road, Durgapur, West Bengal-713206,elegant@spsgroup.co.in

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4. Officer-in-Charge, New Town Police Station, Asansol Durgapur Commissionerate, MAMC Building, MAMC Road, West Bengal-713210. Newtownships2023@gmail.com
5. Asansol Durgapur Development Authority, through the Chief executive officer, 2nd Floor, First administrative building, City Centre, Durgapur, West Bengal-713216 adda.dgpr@gmail.com
6. The District Magistrate, ADDA Administrative building Kanyapur, Durgapur-713305, dmpaschimbardhaman@gmail.com

.....Respondents

THE HUMBLE APPLICATION OF THE APPLICANT ABOVENAMED

MOST RESPECTFULLY SHOWETH:

1. THAT the address of the Applicants is as given above for the service of notice of this Application.
2. That the addresses of the Respondents are as given above for the service of notice of this Application.
3. That Present Application is being filed Under Section 18(1) read with Sections 14, 15 of National Green Tribunal Act 2010 (hereinafter, the 'NGT Act') by the aggrieved persons, being person interested in the protection of the environment and ecology. That the Present Application is being filed by Your petitioner state that your petitioner is cultivator by occupation and a law abiding citizen of India

permanently residing at the respective address mentioned in the cause title hereinabove. The applicant is interested in the protection of the environment and in protection of the right to a clean environment guaranteed to them by the Constitution of India under Article 21 and in performance of his duty under Article 51A. It is submitted that in the present application the Applicant is seeking appropriate directions to protect the forest land from encroachment, amounting to 6.587 acres at Mouza- Gopinathpur, Khatian No.5676 , J.L. No. 85, Block Additional Faridpur-Durgapur, Dag No.603, District -Paschim Burdawan, by respondent no.3 in gross violation of the Forest (conservation) Act 1980 and the Environment (Protection) Act 1986.

4. BRIEF FACTS:

- (a) That the respondent no.3 is situated at Mouza- Gopinathpur, Khatian No.5676 , J.L. No. 85, Block Additional Faridpur-Durgapur, Dag No.603, District -Paschim Burdawan, and is an proposed integrated steel plant engaged in the production of sponge iron, pig iron & Billets.
- (b) That the respondent no.3 was granted an Environmental Clearance on 1/09/22 for instant expansion of Steel Melting Shop located at the address of the respondent mentioned in the cause list. The Environmental Clearance was granted on the basis of the EIA/EMP report submitted by respondent no.3 before Respondent no.1, which clearly stated that no forest land is involved

at the project site. The EC along with EIA are annexed herewith and marked as annexure A.

(c) That the Applicant states that it is evident from the land record that the Dag no.603 is recorded as forest in the land records consisting of 8.62 Acre of Forest land in the Dag. Copy of the land record is annexed herewith and marked as Annexure B.

(d) That the Applicant states that the respondent no.3 is a gross violator and have obtained Environmental Clearance suppressing the fact the land where the expansion of Steel Melting Shop located is a forest land. It is not a permissible activity to encroach forest land and construct illegally without any forest clearance . The EIA report submitted by the respondent no.3 for obtaining EC is false and the Industry have purposefully kept the authority in dark about the encroachment of Forest Land.

(e) The Applicant states that the respondent no.3 have encroached 6.587 acres of forest land including 2.22 Acres of water body and have dumped earth to fill up the entire area.

(f) That the Applicant states that respondent no.3 have also encroached an area approximately 3 acres in R S Plot No. 3271 and 3272 that is recorded as pond and have constructed Steel Melting Shop by filling up the pond. R.S Plot no.36 (Dag No.603) 3271, 3272 are adjacent to one another are all these plots are

encroached by the respondent no.3. A sketch Plan of R.S Plot no.36 (Dag No.603) 3271, 3272 is annexed herewith to show the encroachment of respondent no.3 and marked as Annexure C.

(g) That the WBPCB on 09/09/24 forwarded a complaint of the Applicant to the BDO, Faridpur Block to look into the complaint and submit an action taken report to WBPCB. Copy of letter dated 09/09/24 is annexed herewith and marked as Annexure-D

(h) That the Applicant through an RTI dated 5/10/24 sought the information from WBPCB and BDO regarding action taken against respondent no.3, but till date no reply have been received by the Applicant from WBPCB. Copy of letter dated 5/10/24 is annexed herewith and marked as Annexure-E.

(i) That the Applicant on 23/10/24 submitted representations before the District Magistrate, Additional District Magistrate, Additional Chief Secretary, CEO- ADDA, BL& LRO-Durgapur, DFO, WBPCB & Officer-in -Charge MAMC Township stating the details of the nature and character of land encroached by the respondent no.3. The Additional District Magistrate on 13/11/24 referred the matter to the DFO, ADDA to look into the matter . Copies of letter dated 23/10/24 and 13/11/24 are annexed herewith and marked as Annexure-F.

(j) That the Applicant have submitted representation dated 26/11/24 stating the gross violation of Respondent no.3 before the West Bengal Pollution Control

Board and also submitted a representation on 28/11/24 before the SD & LRO, Durgapur. Copies of representation dated 26/11/24 and 28/11/24 is annexed herewith and marked as Annexure G.

(k) That the Applicant states that the Office Memorandum of MOEF dated 26.4.2011 is in continuation of an earlier Office Memorandum dated 31.03.2011. This office memorandum dated 31/03/11 clearly delineates the order of priority required to be followed while seeking Environmental Clearance under the Environment Impact Assessment Notification 2006. It provides that in cases where environmental clearance is required for a project on forest land, the forest clearance shall be obtained before the grant of the environment clearance. The respondent no.3 whereas have obtained EC supressing the fact that the land is Forest land and as prior Forest Clearence is required for obtaining EC. The Applicant pleads to seek leave of this Hon'ble Tribunal to produce the notification at the time of hearing.

(l) The Applicant States That one of the conditions of the Environmental Clearence dated 01/09/22 granted to respondent no.3 is that the respondentno.3 shall not conceal any factual data, submission of false/ fabricated data and failure to comply with any of the conditions will result in the withdrawal of the Environmental Clearence . The respondent no.3 failed to comply with the conditions of Environmental Clearence and purposefully

violated EIA notification by suppressing the fact that the respondent no.3 have encroached forest land.

(m) That the Applicant states that the respondent authority must immediately withdraw the Environmental Clearance of respondent no.3 on the ground of concealing the factual data and/or submission of false/fabricated data that no forest land is involved in the expansion of the Steel Melting Shop.

(n) The applicant states that the Applicant have sent a representation dated 26/11/24 & 28/11/24 to the respondent authorities but despite commission of such illegal acts, the respondent authorities have preferred to sit tight over the matter and in effect, have recognised and acknowledged such illegality. It is not only astounding but also beyond comprehension as to how such illegal act of encroachment of forest land has been perpetrated in front the eyes of the respondent authorities.

(o) That the Applicant affirmed the matter on 12/07/24 and filed before this Hon'ble Tribunal, on 7/08/2024 this Hon'ble Tribunal dismissed the matter with liberty to file afresh. The copy of the order dated 7/08/24 is annexed herewith and marked as Annexure H.

Grounds:

- I. FOR THAT the respondent authorities have miserably failed to preserve the natural resources and prevent illegal encroachment of the forest land;

- II. FOR THAT the respondent authorities have failed to appreciate that it was incumbent upon them to protect and maintain the Forest as it is the source of green cover that provided clean air to the residents;

- III. FOR THAT the respondent authorities have failed to appreciate that the illegal act of encroaching the Forest land is in flagrant violation of the Forest (conservation) Act 1980, Environment (Protection) Act, 1986 and the rules framed thereunder;

- IV. FOR THAT the respondent authorities have failed to appreciate that the respondent no.3 is a gross violator and have obtained Environmental Clearance suppressing the fact the land is a forest land. It is not a permissible activity to encroach forest land and construct illegally without any forest clearance;

V. FOR THAT The EIA report submitted by the respondent no.3 for obtaining EC is false and the Industry have purposefully kept the authority in dark about the encroachment of Forest Land.

VI. FOR THAT the respondent authorities office memorandum dated 31/03/11 clearly delineates the order of priority required to be followed while seeking Environmental Clearance under the Environment Impact Assessment Notification 2006. It provides that in cases where environmental clearance is required for a project on forest land, the forest clearance shall be obtained before the grant of the environment clearance. The respondent no.3 whereas have obtained EC suppressing the fact that the land is Forest land and as prior Forest Clearance is required for obtaining EC

VII. FOR THAT by remaining inactive and maintaining stoic silence with regard to the illegal encroachment of the illegal encroachment of forest land the respondent authorities have, in effect, abated such illegality and have made themselves liable to be proceeded against for such blatant defiance of the relevant provisions contemplated in the Environment (Protection) Act,1986 , Forest (Conservation) Act 1980 and the rules framed thereunder;

LIMITATION:

The applicant declares that the cause of action in the instant case, accrues and continues from day-to-day. Such cause of action is renewing on a day-to-day basis and as such the question of applicability of the limitation prescribed in Section 14 (3) of the National Green Tribunal Act, 2010 does not arise.

7. Interim prayer:

Pending final disposal of the application the applicant seeks issuance of the following interim orders:

- a) An interim order of injunction directing the respondents and/or their servants and/or their employees and/or their agents to take adequate measures for protecting the Forest Land at Mouza- Gopinathpur, Khatian No.5676 , J.L. No. 85, Block Additional Faridpur-Durgapur, Dag No.603, District -Paschim Burdawan , West Bengal from further encroachment, till the disposal of the instant application;
- b) Ad-interim order in terms of prayers (a) as above.

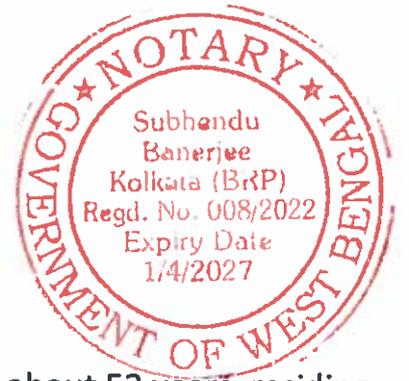
8. Prayer:

In view of the facts mentioned in paragraphs 4 & 5 above the applicant prays for the following reliefs :

- a) Mandatory order do issue commanding the respondents each one of them and their men, agents, assigns and subordinates to certify and transmit to this Hon'ble Tribunal all records forming the basis of their inaction regarding to take adequate measures for protecting and preserving the forest land at Mouza- Gopinathpur, Khatian No.5676 , J.L. No. 85, Block Additional Faridpur-Durgapur, Dag No.603, District -Paschim Burdawan, so that conscionable justice may be rendered ;

- b) Direct the respondents each one of them and their men, agents, assigns and subordinates to take adequate measures to stop encroaching of the Forest Land at Mouza- Gopinathpur, Khatian No.5676 , J.L. No. 85, Block Additional Faridpur-Durgapur, Dag No.603, District -Paschim Burdawan by respondent no.3 ;

- c) Mandatory order do issue commanding the respondents each one of them and their men, agents, assigns and subordinates to clear the encroachment of forest land by respondent no.3, Mouza- Gopinathpur, Khatian No.5676 , J.L. No. 85, Block Additional Faridpur-Durgapur, Dag No.603, District -Paschim Burdawan , West Bengal ;
- d) Mandatory order do issue commanding the respondents each one of them and their men, agents, assigns and subordinates to take calculate the environmental compensation for destroying and encroaching forest land at Mouza- Gopinathpur, Khatian No.5676 , J.L. No. 85, Block Additional Faridpur-Durgapur, Dag No.603, District -Paschim Burdawan ,West Bengal ;
- e) Any other appropriate direction/directions and/or order/orders as this Hon'ble Tribunal may deem fit and proper;
- f) Cost of and/or incidental to the instant application;



VERIFICATION

I, Subrata Mallick, Son of late Dulal Chandra Mallick, aged about 52 years residing at QTR No. RIII/81, Bhidhannagar Housing Colony, Police Station-New Township, District-Paschim Bardhaman, by occupation social service, do hereby verify that the contents of the paragraphs 1,2,3,4 are true to my personal knowledge and belief and/ or based on information and/or derived from sources which I verily believe to be true and the paragraph 5,6,7 are my humble submissions before this Hon'ble Bench based upon legal advice and I have not suppressed any material facts and circumstances.

Subrata Mallick

Signature of the applicant

Ranabhi Banerjee
Advocate

Offered by me:

Solemnly Affirmed and
Declared before me u/s
189 CPC and u/s 333BNSS 2023

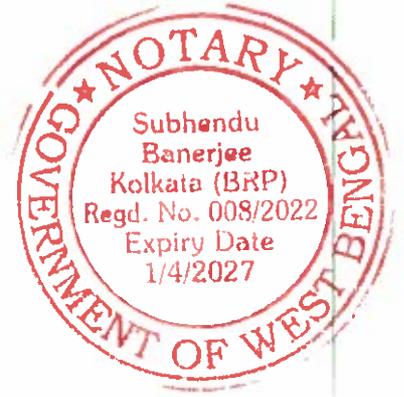
Subhendu Banerjee
Notary 24.12.2024
Govt. of West Bengal

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

24 DEC 2024

SL. No 25/24

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AFFIDAVIT

I, Subrata Mallick, Son of late Dulal Chandra Mallick, aged about 52 years residing at QTR No. RIII/81, Bhidhannagar Housing Colony, Police Station-New Township, District-Paschim Bardhaman, by occupation social service, I solemnly affirm the Application and say as follows;

1. That I am the Applicant in this instant matter, I am affirming this Application.

2. That the contents of paras...1, 2, 3, 4, 5, 6, 7 of the Application are based on information and/or derived from sources I verily believe to be true. I have not suppressed any material facts; the rest of the paragraphs are my humble submissions

Verified at Kolkata on this 24th day of December, 2024

Pausheli Banerjee
Scholar

- Subrata Mallick

Identified by me

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

Subhendu Banerjee
Notary
Govt. of West Bengal

24 DEC 2024

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

ENVIRONMENTAL
CLEARANCE

PARIVESH

(Pro-Active and Responsive Facilitation by Interactive,
and Virtuous Environment Single-Window Hub)



Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

To,

The Director
SPS STEELS ROLLING MILLS LIMITED
Diamond Prestige, 41A, A.J.C. Bose Road, 7th Floor, 701,
Kolkata,,Kolkata,West Bengal-700017

Subject: Grant of Environmental Clearance (EC) to the proposed Project Activity under the provision of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC) in respect of project submitted to the Ministry vide proposal number IA/WB/IND/254615/2003 dated 06 Jul 2022. The particulars of the environmental clearance granted to the project are as below

- | | |
|--|--|
| 1. EC Identification No. | EC 22A008WB110390 |
| 2. File No. | J-11011/156/2020-IA.II (I) |
| 3. Project Type | Expansion |
| 4. Category | A |
| 5. Project/Activity including Schedule No. | (1e) Metallurgical industries (ferrous & non ferrous) |
| 6. Name of Project | Expansion of Steel Melting Shop (1,08,000 to 3,50,000 TPA) along with installation of Captive Power Plant of 10 MW (5 MW WHRB & 5 MW AFBC) within existing Steel Plant (66,000 TPA Sponge Iron Plant & 4 |
| 7. Name of Company/Organization | SPS STEELS ROLLING MILLS LIMITED |
| 8. Location of Project | West Bengal |
| 9. TOR Date | 24 Aug 2020 |



The project details along with terms and conditions are appended herewith from page no 2 onwards.

Date: 01/09/2022

(e-signed)
Dr. R. B. Lal
Scientist E
IA - (Industrial Projects - 1 sector)

Note: A valid environmental clearance shall be one that has EC identification number & E-Sign generated from PARIVESH. Please quote identification number in all future correspondence.

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F. No. IA - J-11011/156/2020-IA.II(I)
Government of India
Ministry of Environment, Forest and Climate Change
(I.A. Division – Industry I sector)

Indira Paryavaran Bhawan
Vayu Wing, 3rd Floor,
Jor Bagh Road, Aliganj,
New Delhi – 110003

Dated: 1st September, 2022

To,

M/s SPS Steels Rolling Mills Limited
Diamond Prestige, 41A, A.J.C. Bose Road, 7th Floor, 701,
Kolkata, Mambalam Guindy, Kolkata, West Bengal-700017
Email: spsmoef@shakambhargroup.in

Project: Expansion of Steel Melting Shop (1,08,000 to 3,50,000 TPA) along with installation of Captive Power Plant of 10 MW (5 MW WHRB & 5 MW AFBC) within existing Steel Plant (66,000 TPA Sponge Iron Plant & 4,56,000 TPA Rolling Mill), located at Dr. Zakir Hussain Avenue, G.T. Road (Indo American More), Durgapur, Tehsil Faridpur Durgapur, District Paschim Bardhaman, West Bengal – Grant of Environmental Clearance.

Sir,

This refers to your proposal no. IA/WB/IND/254615/2003 dated 6th July, 2022 received through PARIVESH Portal for grant of Environmental Clearance (EC) for the project mentioned above.

2. As per the provisions of the Environment Impact Assessment (EIA) Notification, 2006, the above-mentioned project/activity is listed at schedule no. 3(a) Metallurgical Industries (ferrous & non-ferrous), and 1(d) Thermal Power Plants under Category "A" of the schedule of the EIA Notification, 2006 and appraised at Central Level.

3. The above-mentioned proposal has been considered in 10th meeting of Expert Appraisal Committee (Industry-1 Sector) held on 1-3 August, 2022. The minutes of the meeting and all the project documents are available on PARIVESH portal which can be accessed at <https://parivesh.nic.in>.

4. The details of the proposal are as per the EIA/EMR report submitted by the proponent. The salient features of the proposal as presented during the above-mentioned meetings of EAC (Industry 1 Sector) are as under: -

S. No.	Particulars	Details
a.	Terms of Reference for undertaking EIA study	24.08.2020
b.	Period of baseline data collection	01.10.2020-31.12.2020
c.	Date of Public Consultation	05.10.2021
d.	Action plan to address the PH issues	An amount of Rs. 1.50 Crores has been earmarked for implementation of the commitments made during Public Hearing. Detail of activities proposed attached as Annexure 1.

S. No.	Particulars	Details																							
e.	Location of the project	Dr. Zakir Hussain Avenue, G.T. Road (Indo American More), Durgapur, Tehsil Faridpur Durgapur, District Paschim Bardhaman, West Bengal																							
f.	Latitude and Longitude of the project site	Point	Latitude	Longitude																					
		A.	23° 30'55.03"N	87° 19'54.98"E																					
		B.	23° 30'51.16"N	87° 19'57.96"E																					
		C.	23° 30'45.50"N	87° 19'54.08"E																					
		D.	23° 30'45.00"N	87° 19'51.20"E																					
		E.	23° 30'47.44"N	87° 19'44.38"E																					
		F.	23° 30'56.08"N	87° 19'42.29"E																					
		G.	23° 31'0.91"N	87° 19'44.14"E																					
g.	Total land	9.38 hectares, Plant in industrial area.																							
h.	Land acquisition details as per MoEF&CC O.M. dated 7/10/2014.	Total land is under the possession of the company. Expansion will be done within existing plant premises.																							
i.	Existence of habitation & involvement of R&R, if any	<p>Plant Site: No habitation exists within the plant site and R&R is not applicable.</p> <p>Study Area: Project located in industrial area of Durgapur city. There are approx. 100 wards & villages in 10 km radius study area.</p>																							
j.	Elevation of the project site	86 m to 91 m above mean sea level.																							
k.	Involvement of Forest land if any.	No Forest Land is involved in the plant site.																							
l.	Water body exists within the project site as well as study area	<p>Project Site: No water body exists within the project site.</p> <p>Study area: Following water bodies falls within 10 km radius:</p> <table border="1"> <thead> <tr> <th>Water body</th> <th>Distance (km)</th> <th>Direction</th> </tr> </thead> <tbody> <tr> <td>Left Bank Main Canal</td> <td>2.5 km</td> <td>SSW</td> </tr> <tr> <td>Damodar River</td> <td>4.0 km</td> <td>SSW</td> </tr> <tr> <td>Barjora Nadi</td> <td>6.5 km</td> <td>SW</td> </tr> <tr> <td>Kunur Nadi</td> <td>7.0 km</td> <td>NE</td> </tr> <tr> <td>Panagarh Branch Canal</td> <td>8.0 km</td> <td>ESE</td> </tr> <tr> <td>Damodan Branch Canal</td> <td>8.0 km</td> <td>ESE</td> </tr> </tbody> </table>			Water body	Distance (km)	Direction	Left Bank Main Canal	2.5 km	SSW	Damodar River	4.0 km	SSW	Barjora Nadi	6.5 km	SW	Kunur Nadi	7.0 km	NE	Panagarh Branch Canal	8.0 km	ESE	Damodan Branch Canal	8.0 km	ESE
Water body	Distance (km)	Direction																							
Left Bank Main Canal	2.5 km	SSW																							
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Kunur Nadi	7.0 km	NE																							
Panagarh Branch Canal	8.0 km	ESE																							
Damodan Branch Canal	8.0 km	ESE																							
m.	Existence of ESZ / ESA / national park / wildlife Sanctuary / biosphere Reserve / tiger reserve / elephant reserve etc. if any within the study area	<p>Nil.</p> <p>No Reserve Forest exists within 10 km radius of the plant site. Durgapur Protected Forest is at 5.5 km in East Direction from plant site.</p>																							
n.	Project cost	Proposed – INR Rs 150 Crores																							
o.	EMP cost	Type	Capital (Rs. in Crores)	Recurring (Rs. in Crores)																					
		Proposed	22	1.5																					
p.	Employment opportunity	500 persons																							

S. No.	Particulars	Details
q.	Water and Power requirement	(proposed) Water - 1385 KLD, Power - 17.5 MW

Unit configuration and capacity:

Name of the Units with Products	Existing Production Capacity as per CTO			Proposed Additional Production		Total (Existing + Proposed) Production	Remarks
	Installed Capacity	Production (in ton)		Capacity	Production (TPA)		
		Annually	Monthly				
Sponge Iron Plant (DRI)	2x40 TPD + 1x100 TPD	66,000 TPA	5500	2x100 TPD*	0	66,000 TPA	No change in production capacity.
	* As per the recommendation of EAC the company will phase out existing 2x40 TPD DRI kilns and will install 1x100 TPD DRI kiln. The total capacity of Sponge Iron Plant will remain unchanged.						
SMS (M.S. Billets)	2x15 Ton IF with caster*	1,08,000	9000	5x20 Ton with 2 casters and one LRF	2,42,000 TPA	3,50,000 TPA	Expansion to meet Rolling mill requirement through hot charging bypassing existing reheating furnace
	* Existing 2x15 Ton IF with Caster will be dismantled after proposed expansion						
Rolling Mill (Long Products)	I 300 TPD	4,56,000	38000	No change		4,56,000 TPA	No change
	II 1000 TPD						
Reheating Furnace#	I 18 TPH	-	-	To be dismantled after expansion		-	To be dismantled
	II 18 TPH	-	-	To be dismantled after expansion		-	To be dismantled
	III 18 TPH	-	-	No Change		1 x 18 TPH	No change
Note: #Both Rolling Mills will be hot charged after expansion. Two reheating shall be dismantled after expansion and only one Reheating will be kept as back up to feed Cold billets.							
Captive Power Plant (Power)	NIL			10 MW (5 MW WHRB + 5 MW AFBC)		10 MW (5 MW WHRB + 5 MW AFBC)	New Installation for backward integration

5. The EAC, in its meeting held during 1- 3 August, 2022, inter-alia, deliberated the following:

- i. The instant proposal is for expansion of Steel Melting Shop (1,08,000 to 3,50,000 TPA) along with installation of Captive Power Plant of 10 MW (5 MW WHRB & 5 MW AFBC) within existing Steel Plant (66,000 TPA Sponge Iron Plant & 4,56,000 TPA Rolling Mill).
- ii. The existing units are operating on the basis of Consent to Operate obtained from West Bengal Pollution Control Board as detailed in para 10.4.6 above. The EAC deliberated the compliance report of CTO received from the SPCB and found in order.
- iii. The plant is in Industrial area, Durgapur. As per Hon'ble NGT order on polluted areas the plant has Comprehensive Environmental Pollution Index (CEPI) score of 65.56 and hence comes under Severely Polluted Area. The EAC deliberated the action plan on mitigation measures on CEPI and found in order.
- iv. The EAC, constituted under the provision of the EIA Notification, 2006 comprising Expert Members/domain experts in various fields, examined the proposal submitted by the Project Proponent in desired format along with EIA/EMP reports prepared and submitted by the Consultant accredited by the QCI/NABET on behalf of the Project Proponent.
- v. The EAC noted that the Project Proponent has given an undertaking that the data and information given in the application and enclosures are true to the best of his knowledge and belief and no information has been suppressed in the EIA/EMP reports. If any part of data/information submitted is found to be false/misleading at any stage, the project will be rejected and Environmental Clearance given, if any, will be revoked at the risk and cost of the project proponent.
- vi. The Committee noted that the EIA reports are in compliance of the ToR issued for the project, reflecting the present environmental status and the projected scenario for all the environmental components. The Committee deliberated on the proposed mitigation measure towards Air, Water, Noise and Soil pollutions. The Committee suggested that the storage of toxic/explosive raw materials/products shall be undertaken with utmost precautions and following the safety norms and best practices.
- vii. The total project area is 9.38 ha which is under the possession of the company. Expansion will be done within existing plant premises.
- viii. Existing greenbelt is being developed in 33% area i.e. 3.09 ha. Presently, 4700 trees i.e. ~1521 trees/ha have been planted so far. After expansion approx. 40% i.e., 3.75 ha of the total plant area will be developed under greenbelt & plantation @2500 plants/ha.
- ix. After expansion, total water requirement will be 1385 KLPD. The company has applied to Durgapur Projects Ltd. (DPL) for water enhancement from existing to 1700 KL per day vide letter dated 30/07/2020.
- x. Durgapur Protected Forest is at 5.5 km in East Direction from plant site.
- xi. Left Bank Main Canal, Damodar River, Barjora Nadi, Kunur Nadi, Panagarh Branch Canal, Damodar Branch Canal exists within the study area of 10 km from the project site. The water bodies shall not be disturbed. Mitigation measures w.r.t. safeguarding the water bodies shall be implemented.

- xii. The Committee has also found that the baseline data and incremental GLC due to the proposed project within NAAQ standards.
- xiii. The Committee deliberated on the action plan and budget allocation for green belt development and noted that as committed by the PP that the green belt development shall be completed within a year.
- xiv. The committee deliberated details of carbon foot prints and carbon sequestration study w.r.t. proposed project and found them to be satisfactory.
- xv. The Committee also deliberated on the public hearing issues along with action plan submitted by the proponent to address the issues raised during the public hearing and found it satisfactory.
- xvi. The Committee deliberated upon the certified compliance report of RO, WBPCB and found it satisfactory.
- xvii. The EAC also deliberated on the written submissions submitted by the proponent and found it satisfactory.
- xviii. The EAC deliberated on the proposal with due diligence in the process as notified under the provisions of the EIA Notification, 2006, as amended from time to time and accordingly made the recommendations to the proposal. The Experts Members of the EAC found the proposal in order and recommended for grant of environmental clearance.
- xix. The environmental clearance recommended to the project/activity is strictly under the provisions of the EIA Notification 2006 and its subsequent amendments. It does not tantamount/construe to approvals/consent/permissions etc. required to be obtained or standards/conditions to be followed under an other Acts/ Rules/ Subordinate legislations, etc., as may be applicable to the project. The project proponent shall obtain necessary permission as mandated under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981, as applicable from time to time, from the State Pollution Control Board, prior to construction & operation of the project.

6. The EAC, in its 10th meeting of Expert Appraisal Committee (Industry-1 Sector) held on 1-3 August, 2022, based on information & clarifications provided by the project proponent and after detailed deliberations recommended the proposal for grant of Environment Clearance subject to stipulation of specific and general conditions as detailed in the points below.

7. The MoEF&CC has examined the proposal in accordance with the Environment Impact Assessment (EIA) Notification, 2006 & further amendments thereto and after accepting the recommendations of the Expert Appraisal Committee (Industry-1 Sector) hereby decided to grant **Environment Clearance for instant proposal of M/s SPS Steels Rolling Mills Limited** under the provisions of EIA Notification, 2006 subject to the following specific conditions and general conditions:

A. Specific Conditions

- i. The project proponent shall comply with all the environmental protection measures and safeguards proposed in the documents submitted to the Ministry. All the recommendations

- made in the EIA/EMP in respect of environmental management, and risk mitigation measures relating to the project shall be implemented.
- ii. The project proponent shall utilize modern technologies for capturing of carbon emitted and shall also develop carbon sink/carbon sequestration resources capable of capturing more than emitted. The implementation report shall be submitted to the IRO, MoEF&CC in this regard.
 - iii. Performance test shall be conducted on all pollution control systems every year and report shall be submitted to Regional Office of the MoEF&CC.
 - iv. Following additional arrangements to control fugitive dust shall be provided:
 - a. Fog / Mist Sprinklers at all conveyors point and on bulk raw material storage area (at the transfer points) like Iron Ore, Coal and for Fly Ash and similar solid waste storage areas.
 - b. Proper covered vehicle shall be used while transport of materials.
 - c. Wheel Washing mechanism shall be provided in entry and exit gates.
 - v. Project proponent shall ensure to close 2 RH furnaces and go for 100 % hot charging. For emergency one RH would be retained to run on LDO or CBM as available in Durgapur. Coal shall not be used as fuel in the reheating furnace.
 - vi. As committed, all conditions of CEPI including 40% green belt development and 1.5 times CER shall be complied with as per the mitigation measures submitted.
 - vii. Particulate matter emission from stacks shall be less than 30 mg/Nm³.
 - viii. The total water requirement of 1385 KLD shall be met from Durgapur Projects Ltd. (DPL). No ground water abstraction is permitted.
 - ix. The company shall also undertake rain water harvesting measures as per the plan submitted and reduce water dependence from the outside source.
 - x. Left Bank Main Canal, Damodar River, Barjora Nadi, Kurur Nadi, Panagarh Branch Canal, Damodar Branch Canal exists within the study area of 10 km from the project site. The water bodies shall not be disturbed. A robust and full proof Drainage Conservation scheme to protect the natural drainage and its flow parameters; along with Soil conservation scheme and multiple Erosion control measures shall be implemented.
 - xi. Air cooled condensers shall be used in the Power plant.
 - xii. A proper action plan must be implemented to dispose of the electronic waste generated in the industry.
 - xiii. Three tier Green Belt shall be developed in a time frame of one year with native species all along the periphery of the project site of adequate width and tree density shall not be less than 2500 per ha. Survival rate of green belt developed shall be monitored on periodic basis to ensure that damaged plants are replaced with new plants in the subsequent years. Plantation in gaps in the green belt shall be done by the PP during the present monsoon period and maintenance of @2500 plants/ha shall be done in the following years. Additional plantation shall be made in the East Direction from plant site to minimise the effect on Durgapur Protected Forest. Greenbelt/Plantation outside the project premises such as avenue plantation in vacant areas and social forestry shall also be done through socio economic developmental activities. Compliance status in this regard, shall be submitted to concerned Regional Office of the MoEF&CC.
 - xiv. Greening and Paving shall be implemented in the plant area to arrest soil erosion and dust pollution from exposed soil surface.

- xv. The project proponent shall monitor the coal dust exposure concentrations at coal handling areas, ball mills, furnace charging areas through personal/area monitoring; and to be compared and it should be within 2 mg/m^3 , respirable dust fraction containing less than 5% quartz as per Indian Factories Act, 1948.
- xvi. The proposed project shall be designed as "Zero Liquid Discharge" Plant. There shall be no discharge of effluent from the plant. Domestic waste water will be treated in STP and treated water shall be re-used for greenbelt development and plantation and dust suppression.
- xvii. CEMS shall be provided on all process stacks and the signal shall be received in plant control room for central control of APCDs installed in the plant.
- xviii. All internal road and connecting road from project site to main highway shall be developed and maintained with suitable Million Axle Standard (MSA) as per the traffic load due to existing and proposed project.
- xix. Internal roads of plant premises shall be concreted and maintained in good condition. Industrial vacuum cleaners shall be used regularly to clean roads to reduce fugitive emissions.
- xx. All stockyards shall be having impervious flooring and shall be equipped with water spray system for dust suppression. Stock yards shall also have garland drains to trap the run off material.
- xxi. All the commitments made to the public during the Public Hearing/Public Consultation shall be satisfactorily implemented. The action plan based on the social impact assessment study of the project as per the EMP in accordance to the Ministry's OM dated 30.09.2020 shall be strictly implemented and progress shall be submitted to the Regional Office of MoEF&CC.
- xxii. The Plastic Waste Management Rules 2016, inter-alia, mandated banning of identified Single Use Plastic (SUP) items with effect from 01/07/2022. In this regard, CPCB has issued a direction to all the State Pollution Control Boards (SPCBs)/Pollution Control Committees (PCCs) on 30/06/2022 to ensure the compliance of Notification published by Ministry on 12/08/2021. The technical guidelines issued by the CPCB in this regard is available at <https://cpcb.nic.in/technical-guidelines-3/>. All the project proponents are hereby requested to sensitize and create awareness among people working within the Project area as well as its surrounding area on the ban of SUP in order to ensure the compliance of Notification published by this Ministry on 12/08/2021. A report, along with photographs, on the measures taken shall also be included in the six monthly compliance report being submitted by the project proponents.
- xxiii. The project proponent shall adopt the Clean Air practices like mechanical collectors, wet scrubbers, fabric filters (bag houses), electrostatic precipitators, combustion systems (thermal oxidizers), condensers, absorbers, adsorbers, and biological degradation. Controlling emissions related to transportation shall include emission controls on vehicles as well as use of cleaner fuels. Sufficient numbers of additional truck mounted Fog/Mist water cannons shall be procured and operated regularly inside the project premises and also in the surrounding villages to arrest suspended dust in the atmosphere.

B. General conditions:

I. Statutory compliance:

- i. The Environment Clearance (EC) granted to the project/ activity is strictly under the provisions of the EIA Notification, 2006 and its amendments issued from time to time. It does not

tantamount/ construe to approvals/ consent/ permissions etc., required to be obtained or standards/conditions to be followed under any other Acts/Rules/Subordinate legislations, etc., as may be applicable to the project.

II. Air quality monitoring and preservation

- i. The project proponent shall install 24x7 continuous emission monitoring system with respect to standards prescribed in Environment (Protection) Rules 1986 vide G.S.R 277 (E) dated 31st March 2012 (Integrated iron & Steel); G.S.R 414 (E) dated 30th May 2008 (Sponge Iron) as amended from time to time; S.O. 3305 (E) dated 7th December 2015 (Thermal Power Plants) as amended from time to time and connected to SPCB and CPCB online servers and calibrate these system from time to time according to equipment supplier specification through labs recognized under Environment (Protection) Act, 1986 or NABL accredited laboratories.
- ii. The project proponent shall monitor fugitive emissions in the plant premises at least once in every quarter through laboratories recognized under Environment (Protection) Act, 1986 or NABL accredited laboratories.
- iii. Appropriate Air Pollution Control (APC) system shall be provided for all the dust generating points including fugitive dust from all vulnerable sources, so as to comply prescribed stack emission and fugitive emission standards.
- iv. The project proponent shall provide leakage detection and mechanized bag cleaning facilities for better maintenance of bags.
- v. Recycle and reuse iron ore fines, coal and coke fines, lime fines and such other fines collected in the pollution control devices and vacuum cleaning devices in the process after briquetting/agglomeration.
- vi. The project proponent shall ensure covered transportation and conveying of ore, coal and other raw material to prevent spillage and dust generation.
- vii. The project proponent shall provide primary and secondary fume extraction system at all melting furnaces.
- viii. Design the ventilation system for adequate air changes as per prevailing norms for all tunnels, motor houses, Oil Cellars.

III. Water quality monitoring and preservation

- i. The project proponent shall install 24x7 continuous effluent monitoring system with respect to standards prescribed in Environment (Protection) Rules 1986 vide G.S.R 277 (E) dated 31st March 2012 (Integrated iron & Steel); G.S.R 414 (E) dated 30th May 2008 (Sponge Iron) as amended from time to time; S.O. 3305 (E) dated 7th December 2015 (Thermal Power Plants) as amended from time to time and connected to SPCB and CPCB online servers and calibrate these system from time to time according to equipment supplier specification through labs recognized under Environment (Protection) Act, 1986 or NABL accredited laboratories..
- ii. The project proponent shall monitor regularly ground water quality at least twice a year (pre- and post-monsoon) at sufficient numbers of piezometers/sampling wells in the plant and adjacent areas through labs recognised under Environment (Protection) Act, 1986 and NABL accredited laboratories.
- iii. Sewage Treatment Plant shall be provided for treatment of domestic wastewater to meet the prescribed standards.

- iv. The project proponent shall provide the ETP for effluents of rolling mills to meet the standards prescribed in G.S.R 277 (E) 31st March 2012 (applicable to IF/EAF) as amended from time to time.
- v. Garland drains and collection pits shall be provided for each stock pile to arrest the run-off in the event of heavy rains and to check the water pollution due to surface run off.
- vi. Tyre washing facilities shall be provided at the entrance/exit of the plant gates.

IV. Noise monitoring and prevention

- i. Noise quality shall be monitored as per the prescribed Noise Pollution (Regulation and Control) Rules, 2000 and report in this regard shall be submitted to Regional Officer of the Ministry as a part of six-monthly compliance report.

V. Energy Conservation measures

- i. Energy conservation measures may be adopted such as adoption of solar energy and provision of LED lights etc., to minimize the energy consumption.

VI. Waste management

- i. Used refractories shall be recycled.
- ii. Kitchen waste shall be composted or converted to biogas for further use.

VII. Green Belt

- i. The project proponent shall prepare GHG emissions inventory for the plant and shall submit the programme for reduction of the same including carbon sequestration including plantation.
- ii. Project proponent shall submit a study report on Decarbonisation program, which would essentially consist of company's carbon emissions, carbon budgeting/ balancing, carbon sequestration activities and carbon capture, use and storage and offsetting strategies. Further, the report shall also contain time bound action plan to reduce its carbon intensity of its operations and supply chains, energy transition pathway from fossil fuels to Renewable energy etc. All these activities/ assessments should be measurable and monitor able with defined time frames.

VIII. Public hearing and Human health issues

- i. Emergency preparedness plan based on the Hazard identification and Risk Assessment (HIRA) and Disaster Management Plan shall be implemented.
- ii. The project proponent shall carry out heat stress analysis for the workmen who work in high temperature work zone and provide Personal Protection Equipment (PPE) as per the norms of Factory Act.
- iii. Occupational health surveillance of the workers shall be done on a regular basis and records maintained.

IX. Environment Management

- i. The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 30/09/2020. As part of Corporate Environment Responsibility (CER) activity, company shall adopt nearby villages based on the socio-economic survey and undertake community developmental activities in consultation with the village Panchayat and the District Administration as committed.

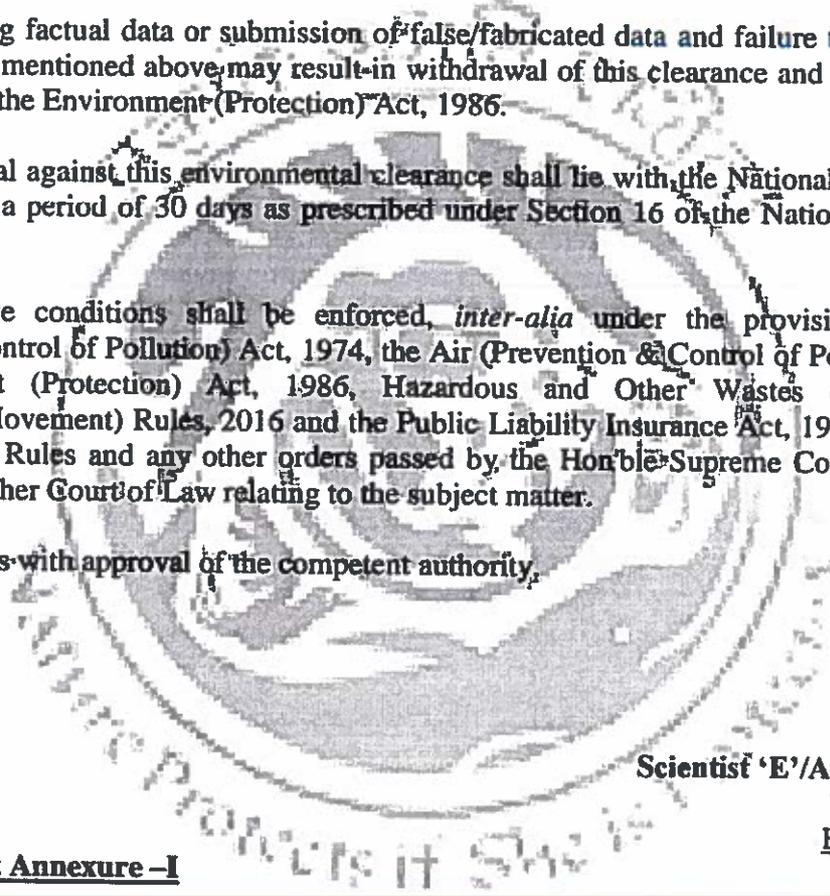
- ii. The company shall have a well laid down environmental policy duly approved by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental / forest / wildlife norms / conditions. The company shall have defined system of reporting infringements / deviation / violation of the environmental / forest / wildlife norms / conditions and / or shareholders / stake holders. The copy of the board resolution in this regard shall be submitted to the MoEF&CC as a part of six-monthly report.
- iii. A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly report to the head of the organization.

X. Miscellaneous

- i. The project proponent shall make public the environmental clearance granted for their project along with the environmental conditions and safeguards at their cost by prominently advertising it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days and in addition this shall also be displayed in the project proponent's website permanently.
- ii. The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
- iii. The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.
- iv. The project proponent shall monitor the criteria pollutants level namely; PM10, SO2, NOx (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the projects and display the same at a convenient location for disclosure to the public and put on the website of the company.
- v. The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the ministry of Environment, Forest and Climate Change at environment clearance portal.
- vi. The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.
- vii. The project proponent shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities, commencing the land development work and start of production operation by the project.
- viii. The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee.
- ix. The PP shall put all the environment related expenditure, expenditure related to Action Plan on the PH issues, and other commitments made in the EIA/EMP Report etc. in the company web site for the information to public/public domain. The PP shall also put the information on the left over funds allocated to EMP and PH as committed in the earlier ECs and shall be carried

out and spent in next three years, in the company web site for the information to public/public domain.

- x. No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC).
 - xi. The Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.
8. The Ministry reserves the right to stipulate additional conditions, if found necessary at subsequent stages and the project proponent shall implement all the said conditions in a time bound manner. The Ministry may revoke or suspend the environmental clearance, if implementation of any of the above conditions is not found satisfactory.
9. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above, may result in withdrawal of this clearance and attract action under the provisions of the Environment (Protection) Act, 1986.
10. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.
11. The above conditions shall be enforced, *inter-alia* under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other orders passed by the Hon'ble Supreme Court of India / High Courts and any other Court of Law relating to the subject matter.
12. This issues with approval of the competent authority.



(Dr. R. B. Lal)
Scientist 'E'/Additional Director
Tel: 011-20819346
Email-rb.lal@nic.in

Encl. as above at Annexure -I

Copy to: -

1. Secretary, Department of Environment, Government of West Bengal, Secretariat Kolkata.
2. Secretary, Department of Forests, Government of West Bengal, Kolkata.
3. The Director General of Forest, Ministry of Environment, Forest and Climate Change, New Delhi
4. Regional Officer, Ministry of Environment, Forest and Climate Change, Integrated Regional Office, IB - 198, Sector-III, Salt Lake City, Kolkata - 700106.
5. Chairman, Central Pollution Control Board, CBD-Cum-Office Complex, East Arjun Nagar, New Delhi-110 032.

6. Chairman, West Bengal State Pollution Control Board, Paribesh Bhawan, 10A- Block LA, Sector -III, Salt Lake City, Kolkata - 700 098.
7. The Member Secretary, Central Ground Water Authority, Jamnagar House, 18/11, Man Singh Road Area, New Delhi, Delhi 110001
8. District Collector, Paschim Bardhaman, District, West Bengal.
9. Guard File/Monitoring File/Website/Record File/Parivesh Portal.



(Dr. R. B. Lal)
Scientist 'E'/Additional Director
Tel: 011-20819346
[Email-rb.lal@nic.in](mailto:rb.lal@nic.in)



Action plan as per MoEF&CC O.M. dated 30/09/2020

Annexure – 1

S. No.	Concerns raised during the Public Hearing	Physical activity to be done	Unit of Measurement			Cost (in Lakh)
			01 st Year	02 nd Year	03 rd Year	
1.	Education	Provide Interactive smart class equipment /gadgets like laptops, projectors, Interactive White Boards and study materials etc. to students	01 (Village Bidhannagar)	01 (Village Kalipur)	01 (Village Kadamtala)	23
2.	Health	Distribution of wheelchairs to Divyangs, oxygen cylinders & provide medical equipment in hospitals and health centre	01 Nos. each (Village Bidhannagar)	01 Nos. each (Village Kadamtala)	01 Nos. each (Village Faridpur)	25
3.	Skill Development	Establishment of Skill Development centre for Youth	1 No. (Village Bidhannagar or nearby other suitable place)			15
4.	Road development and its maintenance	Development/maintenance of pucca roads	1 No. (Village Sagarbhanga)	1 No. (Village Pabali)	1 No. (Village Piari More)	30
5.	Infrastructure Development	Development of Community Hall	1 No. (Village Sagarbhanga)	-	-	07
		Construction of Rain Water Harvesting system & Pond for natural recharge	1 No. (Village Pabali)	1 No. (Village Kadamtala)	1 No. (Village Karangapara)	15
		Installation of Solar Lights along roads	20 (Village Piari More)	20 (Village Khayrasol) 20 (Village Sagarbhanga)	20 (Village Pabali) 20 (Village Faridpur)	25
6.	Plantation	Distribution/Plantation of saplings in the village Govt. offices and schools	1000 (Village Bidhannagar)	500 Nos. (Village Piari More) 500 (Village Faridpur)	500 Nos. (Village Kadamtala) 500 Nos. (Village Sagarbhanga)	10
Total						150 lakhs

গণচিমবজ সরকার
সমষ্টি ভূমি ও ভূমি সংস্কার আধিকারিকের কার্য
-দায়ের তথ্য-



জেলা- পশ্চিম বর্ধমান
মৌজা- গোপীনাথপুর
দাস নং- ৬০৩
সাবেক দাস নং- ৩৬,৮০,১৪৩,১৯৩,১৯৮,১৯৯,২০০,২০১,২০২,২০৩,২০৪,২১০

ব্লক- অভিসিক ফরিদপুর-দুর্গাপুর
জে.এল.নং- ৮৫
শ্রেণী- জঙ্গল
থানা- কোকওভেন
জমির পরিমাণ(এ)- ১৪.৯১০০

[২০১১০৮৫]

খতিয়ান নং	শ্রেণী	অংশ	অংশ পরিমাণ(এ)	নামভেদ/লেসীর বিবরণ	মতব্য
৫৬৭৬	জঙ্গল	০.৫৭৮১	৮.৬২০০	এ.ডি.ডি.এ . পিতা- মাং-নিজ	

০.৫৭৮১ ৮.৬২

- 34 A -

Annexure - 'B'

Translated Copy

GOVERNMENT OF WEST BENGAL

Land & Land Reforms Office

Details of Dag

District- Paschim Burdwan

Block—Additional Faridpur Durgapur

Mouza- Gopinathpur

J.L.No.85

Police Station- Cokeoven

Dag No. 603

Nature of Land- Jungle Area of Land(A) -14.9100

Sabek Dag No. 36, 83, 143, 198,199,200,201,202,203,204,210

Khatian No.	Nature of land	Amount of land of Rayait	Amount of land Total
5676	Jungle	0.5781	8.6200

0.5781

8.62

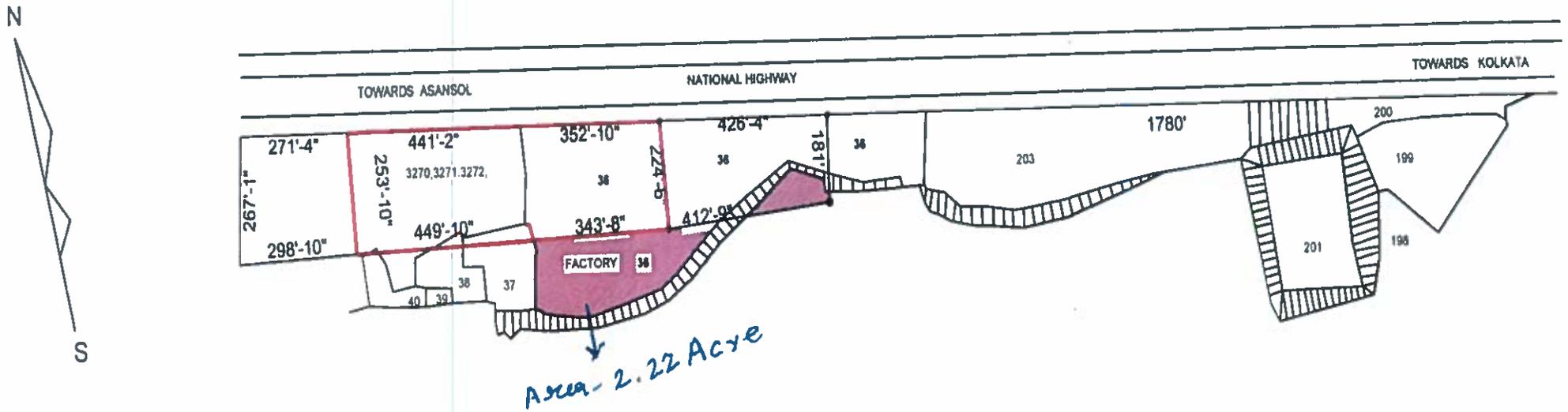
Rayait

A D D A

Father-

Own

- Sketch Plan Showing Red Bounded in R.S Plot No. 36, 3270, 3271, 3272 of Mouza. Gopinathpur, J.L No. 85, L.R Plot. No. 603 (36 R.S.), P.S. N.T.S, District. Paschim Bardhaman.
- Red Bounded area which is Earth Dumping Area SQM. 4.367 Acre.
- Pink Colour covered area encroached inside of the Factory area measuring about SQM. 2.22 Acre.





LIFE
Lifestyle For
Environment

36 - Annexure - D
WEST BENGAL POLLUTION CONTROL BOARD

(Department of Environment, Government of West Bengal)
PG Cell and ANA&T Cell, Mani Square, 8th floor
Block / Space-8IT on Western Side,
164/1, Maniktala Main Road, Kolkata-700054
Ph.: 033-2202 3130 Website: www.wbpcb.gov.in

Complain Docket No. PCB9561

Memo No. : -PG/LD/03/2024

Dated: 09-09-2024

To
The Block Development Officer
Durgapur Faridpur Block,
Vill.+ PO: Loudaha,
Dist : Paschim Burdwan,
Pin : 713 385.

Sub: Complaint regarding filling of a pond for construction works located at Plot No. 603, Khatian No. 5676, Mouza- Gopinathpur, Block/Municipality/ward -Faridpur- Durgapur Block, PS -New Township, Dist- Paschim (West) Burdwan (Bardhaman).

Sir/Madam,

Enclosed please find herewith a complaint received by the State Board from Mr. Subrata Mallick through letter by post against the respondent Mr. Deepak Kumar Agarwal, Managing Director, M/s. Shakambari Group Elegant Steel Shakambari Group of Industries located at Plot No. 603, Khatian No. 5676, Mouza- Gopinathpur. Block/Municipality/ward -Faridpur- Durgapur Block, PS-New Township, Dist:Paschim (West) Burdwar (Bardhaman).

You are hereby requested to direct your good office to examine the complaint that needs to be duly addressed from your end as per the relevant Act & Rules (The West Bengal Town and Country (Planning and Development) Act 1979, West Bengal Inland Fisheries Act, 1984, The West Bengal Land Reforms Act, 1955 etc.)

Accordingly, please send the **Action Taken Report (ATR)** to the undersigned at an early date if the complaint is found to be true and correct.

Yours faithfully,

Encl: As Stated

Sd/-
Senior Scientist and In-Charge
Public Grievance Cell

Dated:09-09-2024

Memo No. 1815 -PG/LD/03/2024

Copy forwarded for information to: -
(1)

1. Mr. Subrata Mallick, R/III/81, Bidhan Nagar Housing Colony, Durgapur, Block/ward - Faridpur- Durgapur Block, Dist: Paschim (West) Burdwan (Bardhaman), Pin: 713206.
2. The Environmental Engineer & In- Charge, Durgapur Regional Office, Sahid Khudiram Sarani, City Centre, Durgapur, Paschim Bardhaman - 713216.

Senior Scientist and In-charge
Public Grievance Cell

Ref. No. Sm/RTI/135/24

Date 5-10-24

To
The State Public Information Officer
Durgapur subdivisional magistrate,
Khudiram Murmu Sarani,
City centre, Durgapur
District- Paschim Bardhaman
Pin code 713216



RE: Request for Information under Section 6 (1) of the RTI Act, 2005

Sir/Madam,

I am a law abiding citizen of India and I humbly wish to seek the following Information in larger public interests:

1. Reference: Directive of Senior Scientist and In-Charge, Public Grievance Cell, West Bengal Pollution Control Board, bearing Memo No.1215-PG/LD/03/2024 addressed to the Block Development Officer, Durgapur Faridpur Block.
2. What action has been taken by the BDO, Durgapur Faridpur Block on my complaint against M/s. SPS Steel Rolling Mills Limited? Kindly provide me a Certified Copy of the Action Taken Report.
3. My RTI application do not violate Section 8 of the RTI Act, 2005. I have paid the requisite RTI fee of Rs.10 Court fee stamp. I shall be indebted to you if you kindly provide me the requisite Information.

Thanking you
Yours sincerely

Subrata Mallick

Subrata Mallik

5/10/24

PHENIX 357907 IN IVR: 8287509357907

AL BURGAPUR ABL TOWNSHIP SO

PHENIX 357907 IN IVR: 8287509357907

AL BURGAPUR ABL TOWNSHIP SO

PHENIX 357907 IN IVR: 8287509357907

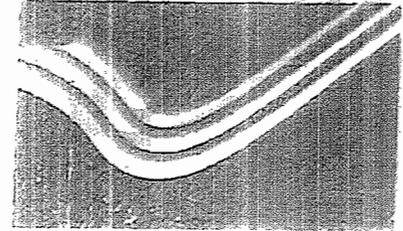
AL BURGAPUR ABL TOWNSHIP SO

PHENIX 357907 IN IVR: 8287509357907

AL BURGAPUR ABL TOWNSHIP SO

PHENIX 357907 IN IVR: 8287509357907

AL BURGAPUR ABL TOWNSHIP SO



India Post

Ref. No. S.M/141/24

Date 23-10-24

To

1. The District Magistrate & District Collector
Office of the District Magistrate
ADDA Administrative Building, Kanyapur
P.O.: Ramkrishna Mission
Opposite DAV Public School, Pincode:713305

2. The Additional District Magistrate (L &LR)
Office of the District Magistrate
ADDA Administrative Building, Kanyapur
P.O.: Ramkrishna Mission
Opposite DAV Public School, Pincode:713305

3. The Additional Chief Secretary (Additional Charge)
Department of Fisheries
Government of West Bengal
Benfish Tower, 31 GN Block
8th Floor, IT Building
Salt Lake, Sector V
Kolkata-700091

4. The CEO, ADDA
2nd Floor, Administrative Building
1st Street, City Centre, Durgapur
West Bengal-713216

5. The BL & LRO, Faridpur-Durgapur
3rd Administrative Building
City Centre, Durgapur-713216

Ref. No. Ssm/141/24

Date 23-10-24

6. The Divisional Forest Officer
Directorate of Forests
Office of the Divisional Forest Officer, Durgapur Division
Aranyapalli, Shastri Avenue, Durgapur -713212

7. The Chairman
West Bengal Pollution Control Board
Paribesh Bhawan
10A, Block-LA, Sector-III
Bidhannagar, Kolkata-700106

8. The Officer In Charge
NTPS Rd, MAMC Township, Durgapur, West Bengal 713210

RE: Most urgent application under Section 52B of the West Bengal Land Reforms Act, 1955

Honourable Sir,

I am a law-abiding citizen of India and I humbly wish to bring to your kind notice the following in public interest the following with the hope that it will meet kind consideration at your end:

1. Details of the industry-
M/s. S.P.S. Steels Rollings Mills Ltd.
Dr. Zakir Hussain Avenue
Grand Trunk Road, Durgapur
West Bengal-713206

Ref. No. Son/141/24

Date 23-10-24

2. Details of the land: RS/LR Plot Numbers-36/603, 203/518, 203/603, 203/624/627, 203/624/628, 203/624/629, 204/624/630
- B. Police Station-NTPS Police Station
- C. Khaitan Number-5676
- D. Total Area-0.16 acres
- E. Raiyat-ADDA
- F. Plot Number-603
- G. Classification-Forest
- H. Khatian Number-5676
- I. Total Area-14.91 Acres
- J. Raiyat-ADDA
- K. Block-Additional Faridpur-Durgapur
- L. Mouza-Gopinathpur
- M. District-Paschim Bardhaman

3. That the afore mentioned Company claim in their Official Website that they are one of the leading manufacturers of a full range of iron and steel products in India and with their resilience and resolve through the last decade they have entrenched themselves as strong and reliable players in the Indian iron and steel market.

4. That the afore mentioned Company is continuously running industrial operations on the afore said encroached forest lands and is causing environmental pollution and destroying forests. Moreover, they have illegally filled shallow ponds, ponds and dumped heaps of clay and have constructed illegal parking place.

5. That the afore mentioned Company is publicly falsely claiming that they have got land to construct their industry and its premises from ADDA. ADDA have no land there. Even if it is to believe that ADDA have given them land then that is only for construction of industrial premises. But it is as clear as daylight that their

Ref. No. Som/141/24

Date 23-10-24

factory stands on encroached forest lands. This is not all. The 14-acre land which they claim to have got from ADDA for construction of industry the plot number 603 is not present because that plot of land is a forest land and consists of ponds and shallow ponds. The said plot has been encroached and illegally acquired by them.

6. That the afore mentioned Company is continuously running industrial operations on the afore said encroached forest lands and thereby illegally filling up multiple ponds and shallow ponds and that too without the permission Fisheries Department. As a result, birds which used to dwell in forests used to drink water from the illegally filled up ponds and used to quench their thirsts. As a result of the encroachment of the forest lands and illegally filling up of the ponds they have been rendered homeless and are finding difficulty in drinking water. It is a matter of great regret that forest department haven't taken any action against the aforementioned Company till date despite being fully aware that they are destroying forests. Moreover BDO, Faridpur Durgapur and Environmental Engineer and In-Charge of Durgapur Regional Office of WBPCB have miserably failed to take action against the aforementioned Company and thereby have violated the direction given to them by Senior Scientist and In-Charge of Public Grievance Cell, WBPCB while taking cognizance of my complaint against the aforementioned Company.

7. That by doing so they have violated Section 4D of the West Bengal Land Reforms Act, 1955, Sections 17A and 20 of the West Bengal Inland Fisheries Act, 1984 and Section 3A of the Forest Conservation Act, 1980 and Section 51 of the Wildlife Protection Act, 1972.

8. That under these draconian circumstances I fervently appeal to you to kindly evict them, bring them to justice, demolish their industry and its premises illegally

Subrata Mallick
Social Activist

- 42 - - 46 - - 45 -

Mob no : 7797545054
Email: msubrata939@gmail.com
Home address : R/ III/ 81, Bidhan Naga
housing colony, Durgapur . Dist : Paschim
Bardhaman Pin : 713206

Ref. No. Som/141/24

Date 23-10-24

built on encroached public land and take possession of the land and make them restore the ponds and recover compensation from them. I shall be indebted to you if you kindly consider my appeal at the earliest.

Thanking you
Yours sincerely

Subrata Mallick

Subrata Mallik

23/10/24

(Dial 18002666868) (Wear Masks, Stay Safe)



RW509357986IN IVR:828750935798
RL DURGAPUR ABL TOWNSHIP SO <713206>
Counter No:1,23/10/2024,12:50
To:THE ADDITIONAL, KANYAPUR
PIN:713305, Ramkrishna Mission SO
From:SUBRATA MAL, BIDHANNAGARHOUSI
Wt:40gms, REG=17.0

Amt:31.86, Tax:4.86, Amt.Paid:32.00(Cash)
<Track on www.indiapost.gov.in>

(Dial 18002666868) (Wear Masks, Stay Safe)



RW509358211IN IVR:828750935821
RL DURGAPUR ABL TOWNSHIP SO <713206>
Counter No:1,23/10/2024,12:50
To:THE ADDITIONAL, KANYAPUR
PIN:713305, Ramkrishna Mission SO
From:SUBRATA MAL, BIDHANNAGARHOUSI
Wt:45gms, REG=17.0

Amt:37.76, Tax:5.76, Amt.Paid:38.00(Cash)
<Track on www.indiapost.gov.in>

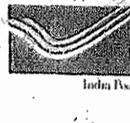
(Dial 18002666868) (Wear Masks, Stay Safe)



RW509357986IN IVR:828750935798
RL DURGAPUR ABL TOWNSHIP SO <713206>
Counter No:1,23/10/2024,12:50
To:THE DIST MAGI, KANYAPUR
PIN:713305, Ramkrishna Mission SO
From:SUBRATA MAL, BIDHANNAGARHOUSI
Wt:40gms, REG=17.0

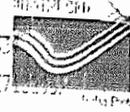
Amt:31.86, Tax:4.86, Amt.Paid:32.00(Cash)
<Track on www.indiapost.gov.in>

(Dial 18002666868) (Wear Masks, Stay Safe)



99

RW509357986IN IVR:828750935798
RL DURGAPUR ABL TOWNSHIP SO <713206>



Counter No:1,23/10/2024,12:50
To:THE CEO ADIA, CITY CENTRE
PIN:713216, City Centre SO
From:SUBRATA MAL, BIDHANNAGARHOUSI
Wt:40gms, REG=17.0

Amt:31.86, Tax:4.86, Amt.Paid:32.00(Cash)

<Track on www.indiapost.gov.in>

(Dial 18002666868) (Wear Masks, Stay Safe)



RW509357922IN IVR:828750935792
RL DURGAPUR ABL TOWNSHIP SO <713206>

Counter No:1,23/10/2024,12:50
To:THE OFFICER I, NTPS ROAD MANG T
PIN:713216, Durgapur Heavy Engg Plant SO
From:SUBRATA MAL, BIDHANNAGARHOUSI
Wt:40gms, REG=17.0

Amt:31.86, Tax:4.86, Amt.Paid:32.00(Cash)

<Track on www.indiapost.gov.in>

(Dial 18002666868) (Wear Masks, Stay Safe)



RW509357634IN IVR:828750935763
RL DURGAPUR ABL TOWNSHIP SO <713206>

Counter No:1,23/10/2024,12:50
To:THE CHAIRMAN, PARIBESH BHAWAN
PIN:700106, Bidhan Nagar IB Market SO
From:SUBRATA MAL, BIDHANNAGARHOUSI
Wt:40gms, REG=17.0

Amt:31.86, Tax:4.86, Amt.Paid:32.00(Cash)

<Track on www.indiapost.gov.in>

(Dial 18002666868) (Wear Masks, Stay Safe)



RW509357351IN IVR:828750935735
RL DURGAPUR ABL TOWNSHIP SO <713206>

Counter No:1,23/10/2024,12:50
To:THE DIVISIONAL, ARANYAPALLI SHAS
PIN:713212, Bidhannagar SO
From:SUBRATA MAL, BIDHANNAGARHOUSI
Wt:40gms, REG=17.0

Amt:31.86, Tax:4.86, Amt.Paid:32.00(Cash)

<Track on www.indiapost.gov.in>

(Dial 18002666868) (Wear Masks, Stay Safe)



RW509357820IN IVR:828750935782
RL DURGAPUR ABL TOWNSHIP SO <713206>

Counter No:1,23/10/2024,12:50
To:THE ADDITIONAL, SALT LAKE
PIN:700091, Sech Bhawan SO
From:SUBRATA MAL, BIDHANNAGARHOUSI
Wt:40gms, REG=17.0

Amt:31.86, Tax:4.86, Amt.Paid:32.00(Cash)

<Track on www.indiapost.gov.in>

- 47 - #6 - 43 -

অতিরিক্ত জেলা শাসক এবং জেলা ভূমি
ও
ভূমি সংস্কার আধিকারকের কার্য
পশ্চিম বর্ধমান
বিবেকানন্দ সরণি, রামকৃষ্ণ মিশন, কন্যাপুর
আসানোল, পিন - ৭১৩৩০৫
ইমেল - dlropaschimbardhaman@gmail.com



Office of the Additional District Magistrate
And
District Land & Land Reforms Officer
Paschim Bardhaman
Vivekananda Sarani, Ramkrishna Mission, Kanyapur
Asansol, PIN - 713305
Email - dlropaschimbardhaman@gmail.com

Memo. LM - /6058 /ADM&DL&LRO/ PAB/2024

Dated - 13 /11/2024

To

- 1) The Chief Executive Officer, ADDA
- 2) The Divisional Forest Officer, Paschim Bardhaman
- 3) The ADF, Paschim Bardhaman

Sub: - Application of Subrata Mallick regarding.
(SPS Steels Rollings & Forest Land Issues)

Ref: - No. SM/141/24, dtd. 23.10.2024 of Subrata Mallick.

Sir,

In pursuance of the subject & reference captioned above, please find a letter of Sri Subrata Mallick, which will speak for itself.

This is for favour of your kind information and necessary action.

Enclosure: As stated above.

Yours faithfully,


 Additional District Magistrate
 ADDITIONAL DISTRICT MAGISTRATE
 District Land & Land Reforms Officer
 DISTRICT LAND & LAND REFORMS OFFICER
 Paschim Bardhaman
 PASCHIM BARDHAMAN

Memo. LM - /6058 /ADM&DL&LRO/ PAB/2024

Dated - 13 /11/2024

Copy forwarded to :-

- 1. Sri Subrata Mallick, for information.


 Additional District Magistrate
 ADDITIONAL DISTRICT MAGISTRATE
 District Land & Land Reforms Officer,
 DISTRICT LAND & LAND REFORMS OFFICER
 PASCHIM BARDHAMAN

Ref. No. Sm/168/24

Date 26-11-24

To
The Senior Scientist and In-Charge
Public Grievance Cell
West Bengal Pollution Control Board
Paribesh Bhawan
10A, Block-LA, Sector-III
Bidhannagar, Kolkata-700106

RE: Your Letter bearing Memo Number 1815(1)-PG/LD/03/2024

Honourable Sir,

I am a law abiding citizen of India and I humbly wish to bring to your kind notice the following with the hope that it will meet kind consideration at your end:

1. You may kindly recall that you have kindly considered my complaint against Deepak Kumar Agarwal, Managing Director, M/s Shakambari Group Elegant Steel Shakambari Group of Industries for encroaching public land and raising unauthorised constructions. The land details given by me in the complaint has been acknowledged by you. The land falls under the kind jurisdiction of Durgapur Municipal Corporation and not under any Block Development Officer. So BDO, Faridpur Durgapur is not the competent authority to take cognisance of my complaint, as forwarded by you, with a direction to take appropriate action, under the West Bengal Town and Country (Planning and Development) Act, 1979, West Bengal Inland Fisheries Act, 1984, West Bengal Land Reforms Act, 1955, against the Respondent and provide an Action Taken Report to me. The District Magistrate of Paschim Bardhaman is the Competent Authority as per the aforementioned statutes to take needful action and carry out your kind order. Therefore sending a letter to BDO, Faridpur Durgapur with regard to this matter is proving futile and procrastination of necessary action.

Subrata Mallick
Social Activist

-45-

Mob no : 7797545055
Email: msubrata939@gmail.com
Home address : R/ III/ 81, Bidhan Nagar
housing colony, Durgapur . Dist : Paschim
Bardhaman Pin : 713206

Ref. No. Sm/168/24

Date 26-11-24

2. So under these draconian conditions i appeal to you to kindly withdraw this letter, under the Bengal General Clauses Act, 1899 and kindly issue the same letter give the same direction to the District Magistrate of Paschim Bardhaman afresh anew at the earliest for which I shall be indebted to you.

Thanking you

Yours sincerely

Subrata Mallick
26/11/24

Subrata Mallik

Subrata Mallick
Social Activist

46

Mob no : 7797545055
Email: msubrata939@gmail.com
Home address : R/ III/ 81, Bidhan Nagar
housing colony, Durgapur, Dist : Paschim
Bardhaman Pin : 713206

Ref. No. Ssm/171/24

Date 28-11-24

To
The SD & LRO, Durgapur
3 number administrative building,
Durgapur, City centre
District Paschim Bardhaman
Pin code -713216



RE: Encroachment of forest lands and illegal filling up of ponds by SPS Steels Rollings Mills Limited in Durgapur

Honourable Sir,

I am a law abiding citizen of India and I humbly wish to bring to your kind notice the following with the hope that it will meet kind consideration at your end:

1. Names of the Perpetrator: SPS Steels Rollings Mills Limited
Dr Zakir Hussain Avenue, Grand Trunk Rd, Durgapur, West Bengal 713206
2. Details of land encroached:
 - A. LR Plot Number 603
RS Plot Number- 36
Total area -14.91 acres
Remaining area of Land recorded as ponds and forests.
Area of land owned by ADDA-8.61 acres
Remaining area of land-6.31 acres recorded as Govt.vested land, ponds and forests
 - B. RS Plot Numbers-3271, 3272
Land recorded as forests and ponds.

Received
But
Contents are not verified
Received Clerk
Banjan
28/11/24
S.D.L. & L.R.O. DURGAPUR

Page 1 of 3

Ref. No. Sm/17/24

Date 28-11-24

3. Facts- The aforementioned Perpetrator has been allotted land by ADDA in Durgapur to construct factory and carry out industrial operation with ease. But despite that they have encroached the aforementioned forest lands and has illegally filled up ponds. They have illegally felled forest trees and have included in their boundary aforementioned forest lands. They have raised unauthorised constructions on the forest lands. They have destroyed the environment, flora and fauna and have created pollution by running industrial operation on the aforementioned encroached forest lands. They have killed the fish and other aquatic animals by illegally filling up the ponds. The water of the ponds were lifelines for birds and other forest animals. This is just the tip of an iceberg. On the aforementioned encroached lands they have made illegal parking zone by dumping industrial Ash and clay. By doing so they have spread pollution and have damaged the land.

4. Laws violated by the Perpetrator-Section 16 of the Environment Protection Act, 1986, Section 40 of the Air (Prevention and Control of Pollution) Act, 1981, Section 3A of the Forest (Conservation) Act, 1980, Section 58 of the Wildlife (Protection) Act, 1972, Section 47 of The Water (Prevention And Control Of Pollution) Act, 1974, Section 17A (11) of the West Bengal Inland Fisheries Act, 1984 and Section 52 of the West Bengal Town and Country (Planning and Development) Act, 1979.

5. Reliefs sought- Under these circumstances i appeal to you to kindly intervene and kindly evict the aforementioned perpetrator from the aforementioned encroached land, demolish their unauthorised constructions, prohibit their industrial operations on encroached land, demolish their illegal parking zones, bring them to justice and make them restore the ponds under Section 17(10) (b) of the West Bengal Inland Fisheries Act, 1984 and recover the cost for such

Subrata Mallick
Social Activist

~~52~~
-48-

Mob no : 7797545055
Email: msubrata939@gmail.com
Home address : R/ III/ 81, Bidhan Nagar
housing colony, Durgapur, Dist : Paschim
Bardhaman Pin : 713206

Son/171/24

Date 28-11-24

restoration under Bengal Demands Public Recovery Act, 1913. I shall be indebted to you if you kindly consider my appeal at the earliest.

Thanking you
Yours sincerely

Subrata Mallick
28/11/24

Subrata Mallick

-49- ~~53~~ Ammesure 'H' -54-

Item No.02

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.159/2024/EZ

IN THE MATTER OF:

Mr. Subrata Mallick
S/o Late Dulal Chandra Mallick,
Religion – Hindu,
Quarter No. RIII/81, Bidhannagar Housing Colony Durgapur,
PS – New Township
P.O. – ABL Township, Dist. – Paschim Bardhaman
Pin – 713206,

.... Applicant(s)

Versus

- 1. The State of West Bengal**
Service through the Chief Secretary, Govt. of West Bengal
Nabanna, 13th Floor, 325, Sarat Chatterjee Road,
Mandirtala, Shibpur,
Howrah – 711102
- 2. The Additional Chief Secretary**
Department of Forests, Govt. of West Bengal,
Aranya Bhawan,
Block LA-10A,
Sector – III, Salt Lake,
Kolkata – 700106
- 3. The Additional Chief Secretary,**
Department of Environment, Govt. of West Bengal
Prani Sampad Bhavan,
5th Floor, LB-2, Sector-III, Salt Lake,
Kolkata – 700098
- 4. The Principal Secretary,**
Department of Industry, Commerce and Enterprises,
Shilpa Sadan,
6th Floor, 4, Abanindranath Tagore Sarani (Camac Street),
Kolkata – 700016
- 5. The Additional Chief Secretary (Additional Charge),**
Department of Land and Land Reforms & Refugee Relief and
Rehabilitation,
6th Floor, 325, Sarat Chatterjee Road, Mandirtala Shibpur,
Howrah – 711102
- 6. The Principal Chief Conservator of Forests & HoFF, W.B.,**
Aranya Bhawan,

LA - 10A Block, Sector-III, Salt lake,
Kolkata - 700106

- 7. The Chief Conservator of Forests, Central Circle,**
Webel IT Park, Durgapur,
Pin - 713208
- 8. The Divisional Forest Officer, Durgapur**
Shastri Avenue,
Aranya Pally Durgapur,
Bamunara - 713212
- 9. The District Magistrate & District Collector**
Office of the District Magistrate ADDA,
Administrative Building, Kanyapur,
P.O. : Ramkrishna Mission Opposite DAV Public School,
Pin Code - 713305
- 10. The Additional District Magistrate (L&LR),**
Office of the District Magistrate ADDA,
Administrative Building, Kanyapur,
P.O.: Ramkrishna Mission Opposite DAV Public School,
Pin Code - 713305
- 11. The Commissioner of Police**
Asansol Durgapur Police Commissionerate,
Evelyn Lodge, GT Road Kumarpur,
Asansol - 713304
- 12. The Officer-in-Charge, New Town Ship Police Station,**
Asansol Durgapur Police Commissionerate On MAMC Road
At MAMC Building,
West Bengal - 713210
- 13. The Member Secretary,**
West Bengal Pollution Control Board,
10, Block-LA, Sector-III, Bidhannagar,
Kolkata - 700106
- 14. State Environment Impact Assessment Authority (SEIAA),**
Service through the Principal Secretary,
Prani Sampad Bhavan,
5th Floor, LB Block, Sector III, Salt Lake,
Kolkata - 700106
- 15. The BL&LRO,**
Additional Faridpur Durgapur,
Having office at City Centre, Durgapur,
District - Paschim bardhaman,
Durgapur - 713216
- 16. The Additional Chief Secretary (Additional Charge),**
Department of Fisheries, Government of West Bengal,
Benfish Tower, 31 GN Block, 8th Floor,
IT Building, Salt Lake, Sector V,
Kolkata - 700091

-51- ~~55~~

17. **The Chief Executive Officer,**
Asansol Durgapur Development Authority,
ADDA 2nd Floor, Administrative Building 1st Street,
City Centre, Durgapur,
West Bengal - 713216

18. **S.P.S. Steels Rollings Mills Ltd.,**
Dr. Zakir Hussain Avenue Grand Trunk Road,
Durgapur,
West Bengal - 713206

19. **The Chairman,**
West Bengal Pollution Control Board,
Paribesh Bhawan,
10A, Block - LA, Sector - III, Bidhannagar,
Kolkata - 700106,

.... Respondent(s)

Date of hearing: 07.08.2024

CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER

For Applicant(s) : Mr. Saheb Banerjee, Advocate

ORDER

1. Heard Mr. Saheb Banerjee, learned Counsel for the Applicant.
2. This Original Application has been filed by the Applicant alleging that the Respondents have encroached the forest land located beside National Highway in Dr. Zakir Hussain Avenue, Durgapur and in Muchipara, Durgapur.
3. It is stated that the Respondent No.18, S.P.S. Steels Rollings Mills Ltd., is carrying on industrial operation over encroached forest lands causing environmental pollution and destroying the forest, filling up shallow ponds and dumping heaps of clay. It is also stated that the said Respondent has constructed illegal parking area. The forest land encroached by the Respondent No.18 are being RS/LR Plot Nos.36/603, 203/518, 203/603, 203/624/627, 203/624/628, 203/624/629, 204/624/630. It is also stated that the classification of Plot No.603 is 'Forest' and the Plot No.36 is

stated to be pond situated in Mouza-Gopinathpur, District-Paschim Bardhaman.

4. In para 5.4 of the Application it is stated that the Respondent No.18 is continuously running industrial operations on the encroached forest lands and is causing environmental pollution destroying forests and illegally filled shallow ponds, ponds and dumped heaps of clay and have constructed illegal parking place. Details of some forest lands encroached by Respondent No.18 is as follows:-

- A. RS/LR plot Numbers-36/603, 203/518, 203/603, 203/624/627, 203/624/628, 203/624/629, 204/624/630
- B. Police Station – NTPS Police Station
- C. Residential Plot Number-518
- D. Khatian Number -5676
- E. Total Area – 0.16 acres
- F. Raiyat – ADDA
- G. Plot Number – 603
- H. Classification – Forest
- I. Khatian Number – 5676
- J. Total Area – 14.91 Acres
- K. Raiyat – ADDA
- L. Block – Additional Faridpur – Durgapur
- M. Mouza – Gopinathpur
- N. District – Paschim bardhaman

5. In para 5.6 of the Application it is stated that the Respondent No.18 has taken 14 acres of land from the Respondent No.17 of plot No.603 which is forest land and consists of ponds and shallow ponds.

6. From the status of the land mentioned in para 5.4 of the Original Application, Plot No.518 is shown to be residential plot, some other plot numbers not given, Police Station-NTPS Police Station, Khatian No.5676, area 0.16 acres is shown to be Raiyat-ADDA, and Khatian No.5676 area 14.91 acres is mentioned as Raiyat-ADDA.

53- 57- 58-

7. This Tribunal is a court of limited jurisdiction having jurisdiction only to decide environmental issues and its jurisdiction does not extend to residential plots or Raiyat land which is not shown to be forest land or pond or other water body.
8. Not a single document has been filed in support of the claim by way of Record of Right (RoR) or any of the plots mentioned in the Original Application are either forest land or waterbody or pond or shallow pond.
9. Learned Counsel states that he has filed RTI Application on 04.06.2024 under the RTI Act 2005 (page 62 to 75 of the paper book) and submits that he has not received any reply till date.
10. If the Applicant has not received any reply to his RTI queries, his remedy lies under the RTI Act with respect to which this Tribunal has no jurisdiction.
11. Mr. Saheb Banerjee, learned Counsel requests that he may be permitted to withdraw the present Original Application with liberty to file better Original Application with proper pleadings with supporting documents.
12. The Original Application No.159/2024/EZ is dismissed with the aforesaid liberty.
13. There shall be no order as to costs.

.....
B. Amit Sthalekar, JM

.....
Dr. Arun Kumar Verma, EM

August 07, 2024,
Original Application No.159/2024/EZ
AK

Subrata Mullick

VAKALATNAMA

IN THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

District: Paschim Burdwan

OA/ MA / RA / Contempt No.

of 20 25

Subrata Mullick

{Appellant
{Petitioners

- Versus -

MOEF & ors.

{Respondent
{Opposite Party

Vakalatnama on behalf of Applicant
Know all men by these presents that by Vakalatnama, I/We appoint the Advocates noted below or any one of them my/our lawful Advocate or Advocates for filing the memorandum or appeal or petition of entering appearance

in the above matter for appearing conducting and arguing the same for depositing or withdrawing any money in connection therewith for moving the Court in any matter connected therewith, for preparing the paper book in the case and for putting in papers, petitions etc. On my/ our behalf for filing, taking back any documents for withdrawing suits or appeals or petitions with permission to institute fresh suit etc. For signing and filing petitions of compromise in connections with the said matter and for taking copies of paper from the Record and I / We further say that any act. Done by my / our said Advocate or Advocates or by any one of them after accepting this Vakalatnama, shall be considered as my/our own true and lawful act.

And I/We further hereby agree and undertake to pay the said Advocates his or their fees as settled and all others sums that may be necessary to carry out the requisition of the Court and otherwise to enable the said Advocates to conduct the case properly. Failing which the said Advocates after notice to me/us will be at liberty to withdraw from further conducting the case.

IN WITNESS WHERE OF I/WE sign and execute this Vakalatnama on this
the 24th day of Dec 2024

Paushali Banerjee
Name of Advocates

Ms. Paushali Banerjee,
High Court, Calcutta,
NPS Business Centre,
Ground Floor, Kolkata - 700001
M- 9433253274

Paushali Banerjee
Advocate