

Sl. No. 6 Dt.

Original Application No.178/2024/EZ

Dr. Papita Ghosh & Ors.

... Applicants

-Versus-

West Bengal Pollution Control Board & Ors.

... Respondents



EXCEPTION BY THE RESPONDENT M/S ANNAPURNA AGRO LIMITED TO THE REPORT FILED BY THE JOINT COMMITTEE, CONSTITUTED BY THE WEST BENGAL POLLUTION CONTROL BOARD

1. That in connection with the above referred matter the Hon'ble National Green Tribunal directed to conduct a spot enquiry. Pursuant to the said direction, the Joint Committee had conducted a site visit on 23.10.2024 and filed a Report to the West Bengal Pollution Control Board, WBPCB.
2. That in connection with the said matter a hearing was conducted by the WBPCB on March 11, 2025 and in course of hearing the Report was handed over to the proprietor, M/s. Annapurna Agro Limited.
3. That I am the proprietor to said M/s. Annapurna Agro Limited and as such well acquainted with the facts and circumstances of the case and am competent to take exception to the said report on behalf of the unit.

21 MAR 2025

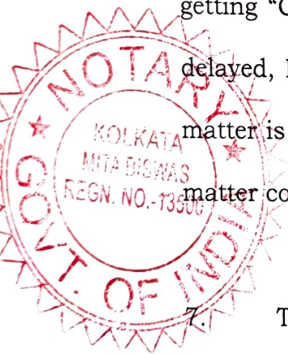
4. That save and except what are matters on record, and what has specifically been admitted herein all are deemed to have been denied by me.

5. That the property was purchased from the lawful raiyat though registered instrument, Mutation was done and construction has been made with the prior permission from the competent authority. Thereafter Trade License was obtained for carrying out business and the unit was set up by complying all formalities.

6. That afterwards an application was taken out on June 04, 2024 for getting "Consent to Operate" to the WBPCB. As the matter was getting delayed, I enquired into the matter and it was intimated that since the matter is subjudice before the Hon'ble National Green Tribunal, NGT the matter could not be proceed with.

7. That I received a communication dated January 08, 2025, sent by the Learned Advocate for the applicant intimating that the matter would be taken up by the Hon'ble Tribunal on January 15, 2025. On that day the Hon'ble Tribunal did not seat and date deferred on 11.02.2025.

8. That on 11.02.2025 I entered appearance through my Learned Advocate and next date has been fixed on 24.03.2025.



9. That the observation as it reflects from the said Report most of those are technical issues which are beyond the scope of my understanding and I refrain from making any comments on those points.

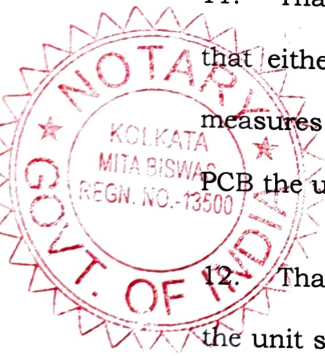
10. That so far other part is concerned, I submit the unit was awaiting the "Consent to Operate". However, what reflect from the Report that the unit was operating is not correct, the only thig was done it was tested before it put on operation that might have reflected in the Report that the unit was in operation. As I came to know from the Regional Office that the matter is subjudice before the Hon'ble NGT, I stopped its operation and was awaiting for the consent from the WBPCB.

11. That on the date of hearing before the WBPCB, it was intimated that either the unit has to shift to elsewhere or adequate preventive measures to be taken and after obtaining consent to operate from the PCB the unit would start.

12. That keeping regards to the said oral direction, I undertake that the unit should not be put on to run without the consent of the WBPCB in the premises it is now standing, and I take all possible measure to present the notice and list as allowed.

13. This Hon'ble Tribunal would graciously be pleased to consider this and dispose of the instant proceeding on the basis of undertaking given hereinabove.

14. That statements made hereinbefore are true to the best of my knowledge and I have not suppressed any material facts.



VERIFICATION

I, Arghya Mukhopadhyay, Proprietor of M/s. Annapurna Agro Industries, the Respondent No. 4 abovenamed, do hereby state and declare that the statements contained in paragraph Nos. of the foregoing Exception are true to my knowledge and the statements made in paragraph Nos. and rest thereof are my respectful submissions before this Ld. Court.

I sign this verification on this the 24th day of March, 2025 at my Advocate's Chamber.

Identified by me

Vandana Ray
Advocate
F/2995/2195/2021

Deponent

Arghya Mukhopadhyay

Solemnly Affirmed & Declared Before
me on Identification of Ld. Advocate

Mita Biswas

MITA BISWAS NOTARY
Govt. of India, Regd. No 13500



21 MAR 2025