

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. 149 OF 2023/EZB**

IN THE MATTER OF:

BISWAJIT MUKHERJEE & ANR.

... APPLICANTS

VERSUS

UNION OF INDIA & ORS.

... RESPONDENTS

I N D E X

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S.L. No. 09
Date 8/4/2025

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EASTERN ZONE BENCH, KOLKATA
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IN THE MATTER OF:

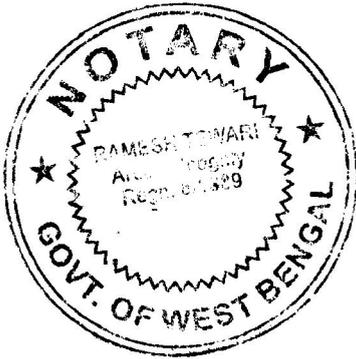
BISWAJIT MUKHERJEE & ANR.

... APPLICANTS

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... RESPONDENTS



Notary Public of Hooghly

SUPPLEMENTARY AFFIDAVIT ON BEHALF OF THE

APPLICANT NO. 1

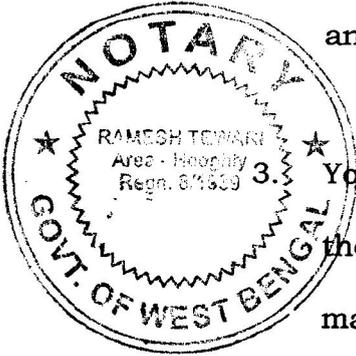
I, Biswajit Mukherjee, son of Late Ajit Kumar Mukherjee, aged about 73 years, by occupation retired employee, by faith Hindu, residing at Burra Bazar, Chandannagore, District Hooghly 712136, do hereby solemnly affirm and state as follows:

1. I am the applicant no. 1 herein and I am well conversant with the facts and circumstances of the instant case and as such I am competent to affirm this affidavit.
2. Recently, at least eight people, including four children, died in an explosion on 31st March 2025, at a house in Patharpratima Block

RAMESH TEWARI
NOTARY
Regn. No. 8 of 1989
CHANDERNAGORE
HOOGHLY-712136

08 APR 2025

of District South 24 Parganas, where fireworks were being manufactured and stored illegally. The aforesaid incident hve been widely publisized in all the leading electronic and print media of our State. A copy of the aforesaid news report published in English newspaper namely "Down to Earth" published on 3rd April, 2025 is annexed hereto and marked as Annexure "A".



Your applicant no. 1 states that there is a complete nexus between the Government of West Bengal and illegal firecracker manufacturers/sellers, facilitating the operation of the said illegal firecracker manufacturing and selling unit in the State of West Bengal.

4. Your applicant no. 1 states that the acts and conduct of the state respondents, which support the aforementioned conclusion, are as follows:

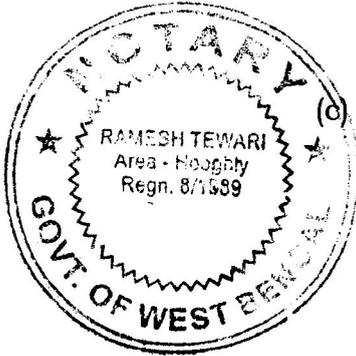
- (a) That the West Bengal Pollution Control Board, without conducting a proper and comprehensive scientific study on the pollution index of the Green Firecracker Manufacturing and Selling Unit, arbitrarily re-categorized the Green Firecracker Manufacturing and Selling Industry from a Red Category Unit to a White Category Unit.

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 RAMESH TEWARI
 NOTARY
 Regn. No. 8 of 1989
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- (b) The Respondent No. 7, i.e., The Director General and Inspector General of Police, West Bengal, has not represented either by an advocate or himself before this Learned Tribunal and/or filed any affidavit before this Learned Tribunal, thereby disclosing what steps they are taking to control the illegal firecracker manufacturing and selling units.



(c) The Respondent No. 6, in reply to the application being I.A. No. 96/2024/EZ, stated on affidavit that most of the addresses of illegal firecracker manufacturing and selling units disclosed in the said application are beyond their jurisdiction; therefore, they cannot take any action in respect thereof.

- (d) The Respondent No. 7 has jurisdiction to control the law and order situation of the entire state of West Bengal, except for the Kolkata Police Jurisdictional area.
- (e) Your applicant no. 1 states that the recent explosion that took place at a house in Patharpratima, District: South 24 Parganas, West Bengal, falls within the jurisdiction of Respondent No. 7.

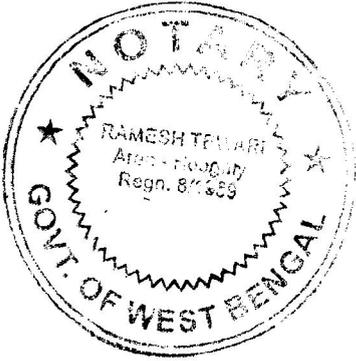
RAMESH TEWARI
NOTARY
Regn. No. 8 of 1989
CHANDANAGAR
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- (f) Your applicant no. 1 states that despite repeated directions from this Learned Tribunal, the respondent no. 10, i.e., West Bengal Industrial Development Corporation, has failed and/or neglected to file their affidavit, thereby disclosing the name,

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address, and license number of the firecracker manufacturing and selling units operating in the State of West Bengal.

- (g) Your applicant no. 1 states that the appropriate authority, i.e., the Joint Chief Controller of Explosives, Petroleum and Explosive Safety Organization, through their affidavit dated 17.05.2024 in O.A. No. 149 of 2023, has stated that currently, in the State of West Bengal, there is only one fireworks manufacturing unit, namely M/s Champion Fireworks Industries, which holds a valid PESO License, i.e., Form LE-1.



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

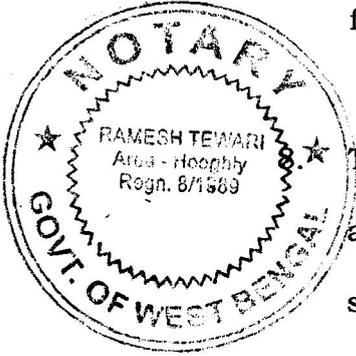
6. I further submit that the respondent statutory authorities have not yet submitted any report towards the identification of illegal and unlicensed fireworks manufacturers and their sellers nor have they taken any measures to close down the same.

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RAMESH TEWARI
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7. This instant supplementary affidavit is therefore filed in order to bring on record the aforesaid unfortunate accident at an illegal

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firecracker manufacturing and storing unit at Patharpratima Block, District South 24-Parganas and further to record the illegal acts and conducts of the respondent authorities who have failed and/or neglected to take steps for closing down the illegal firecracker manufacturing units in West Bengal.



The statements contained in paragraph no. 1 to 3 of the forgoing affidavit are true to my knowledge and rests are my respectful submission before this Hon'ble Tribunal.

Biswajit Mukherjee
Deponent

Prepared in my Office

B. Kash Shaw
Advocate

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SOLEMNLY AFFIRMED
DECLARED BEFORE ME

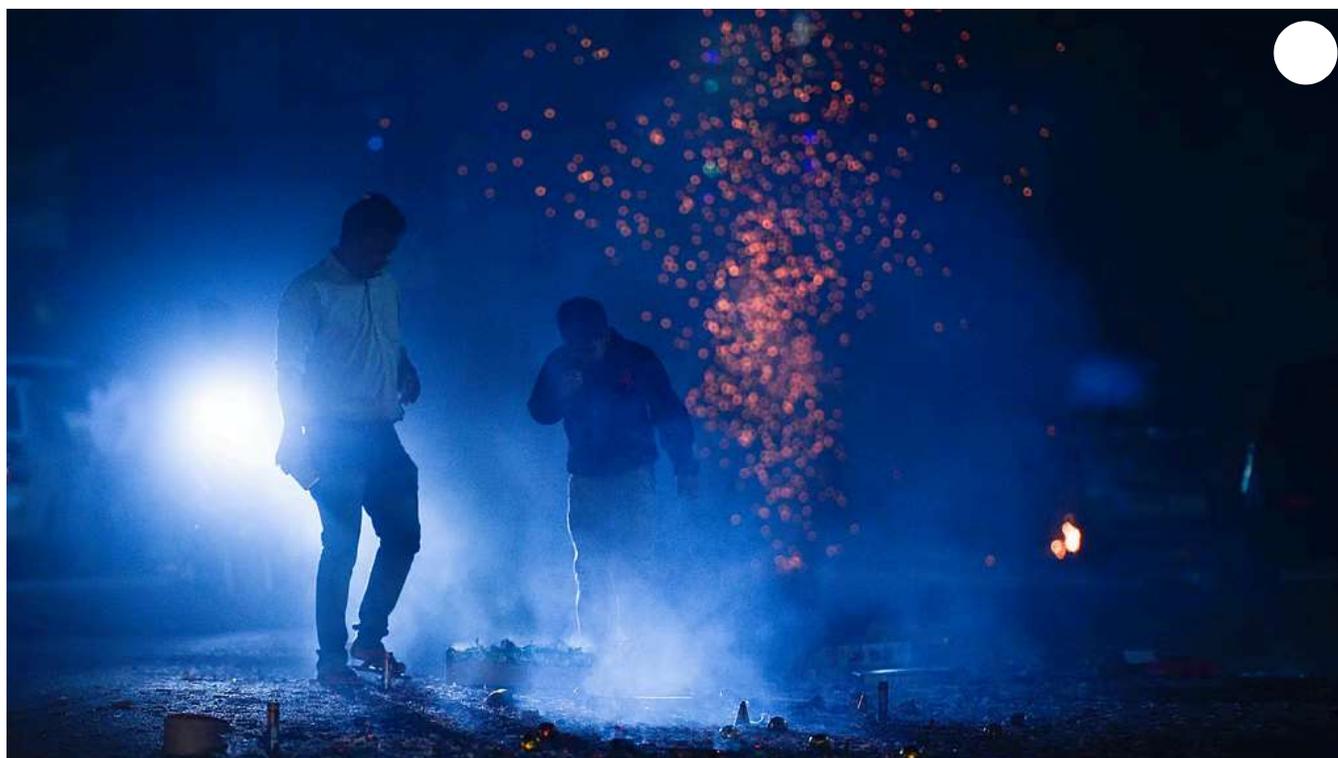
Ramesh Tewari
NOTARY

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Governance

Illegal firework unit explosions claim 80 lives in West Bengal since 2016 despite NGT ban, alleges ex-PCB official

Letters from the activist Biswajit Mukherjee to state & Centre flags nexus between regulators and violators following a blast killing 8 people



In November 2015, the eastern bench of the National Green Tribunal directed state authorities to close all illegal cracker manufacturing units. Vikas Choudhary / CSE



Ayanta Basu

Published on: 03 Apr 2025, 5:31 pm



At least eight people, including four children, died in an explosion on March 31, 2025 at a house in Patharpratima, South 24 Parganas district of West Bengal, where fireworks were allegedly being manufactured and stored illegally. The incident was the latest in a series of deadly blasts that have plagued the state, despite repeated court orders and regulatory directives to curb illegal firework units.

Despite the National Green Tribunal's (NGT) directive in late 2015 to shut down all illegal firework manufacturing units, violations continued unchecked — so much so that 31 such explosions have occurred since 2016, claiming around 80 lives, according to data available with this correspondent. Activists blamed a sustained nexus between government officials and violators for the continuing deaths and accused authorities of turning a blind eye to the illegal industry.

In a letter dated April 1, Biswajit Mukherjee, former chief law officer of the West Bengal Pollution Control Board (WBPCB), urged senior environment officials at both state and central levels to take immediate action. Mukherjee, known for his role in curbing noise pollution in the late 1990s and early 2000s, alleged that the state had become a “hotspot” of explosions due to “passive support” from officials and a “nexus between government machinery and environmental criminals”.

“Deaths due to explosions in unlicensed firework manufacturing units have become almost day-to-day affair,” Mukherjee wrote in the letter, which was also sent to the chairman of the Central Pollution Control Board, the director general of police in West Bengal and the state PCB Member Secretary. He indicated plans to move the Supreme Court for a nationwide crackdown on such illegal units, citing similar incidents in Gujarat.

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In
November
2015, the



Ignored directives, unchecked violations

documents 37 explosions since 2007, resulting in at least 110 deaths.

In August 2023, a meeting chaired by the state's chief secretary revealed that 5,556 firework units were operating across West Bengal, including those involved in manufacturing, storage and sales. According to the minutes of the meeting, only four units were licensed by the WBPCB to produce green crackers, as mandated by court orders. The vast majority were operating illegally, yet no enforcement action followed.

A senior police official admitted the Patharpratima unit lacked all necessary licences – including those for green cracker production, fire safety and trade. “It is not possible to search every household to identify such operations,” the officer said. A senior WBPCB official shifted responsibility to law enforcement agencies, saying, “We only provide technical support. It is the police who are the nodal authority for monitoring and enforcement.”

Activists rejected these explanations. “The administration already has a list of known violators, as discussed in the 2023 meeting,” said a spokesperson for Sabuj Mancha, a collective of green organisations in the state. “Inaction despite having this information points to complicity.” Sabuj Mancha had previously petitioned the court on the matter.

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Bengal shows the way forward to reduced fireworks noise standard on Diwali



In November 2015, the

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Mukherjee and other activists argue that the regulatory failure is not incidental, but systemic. “West Bengal was once a model for firework and noise pollution control, thanks to court orders led by the late Justice Bhagwati Prasad Banerjee,” said Mukherjee. “That legacy has been completely reversed.”

He accused the Petroleum and Explosives Safety Organisation, WBPCB and state police of negligence, saying his organisation had repeatedly written to the Chief Controller of Explosives, demanding action. “Due to the apathy of regulatory bodies,

institutional complicity. “The regulatory role of the pollution control board was neutralised by classifying fireworks as a ‘white category’ industry, which is considered non-polluting,” said Dutta. “This shifted the burden of approval to the Union Ministry of Micro, Small and Medium Enterprises (MSME), which neither has the expertise nor mandate to oversee such operations.”

The push to create “firework clusters” had only enabled corruption and expanded the illegal business, Dutta added. “Nothing has been done on the ground apart from opening doors for corruption engineered by some unscrupulous firework businessmen,” he stated.

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