

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 96/2024/EZ

SRIKANT SINGH

.....APPLICANT(S)

VERSUS

WEST BENGAL POLLUTION CONTROL BOARD &
ORS.

.....RESPONDENT(S)

REPORT ON AFFIDAVIT FILED BY THE WEST
BENGAL POLLUTION CONTROL BOARD.

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Filed by

Ayush Dadhich

AYUSH KUMAR DADHICH
ADVOCATE

SL. NO. 51 Dt.-2 **08 MAY 2025**

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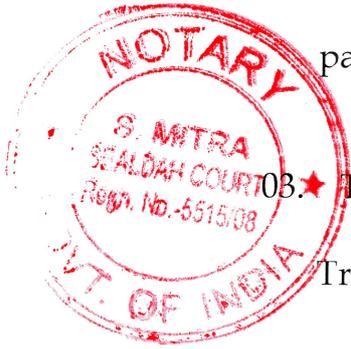
Most Respectfully Sheweth

I, Sri Swarup Kumar Mandal, son of Shri Barendra Mandal, aged about 56 years, by Religion - Hindu, by Occupation-Service, working for gain at West Bengal Pollution Control Board, having office at 10A, Block- LA, Sector- III, Bidhannagar, Kolkata - 700 106, do hereby solemnly declare and say as follows:-

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01. That, I am the Chief Engineer, West Bengal Pollution Control Board (hereinafter will be referred to as the 'State Board') and I am well acquainted with the facts and circumstances of the case. I have been duly authorized by the Respondent No. 01, to affirm this Affidavit on its behalf and as such, I am competent to do so.

02. That, this affidavit is being affirmed in pursuant to the order passed by this Hon'ble Tribunal dated 28.02.2025.



03. That, in compliance to the order of the Hon'ble National Green Tribunal dated 28.02.2025, the official of the State Board visited the said site of M/s Padmavati Metal Industries, located at 46/1, 46/7 and 46/8, Netaji Subhash Road, P.S.-Liluah, Dist.- Howrah, Pin-711204, on 18.03.2025.

04. That, the industry was not in operation during inspection. The following observations were made during the said inspection:

- As reported by the inspecting official, this is a redrawing plant and engaged in manufacturing copper pipes, gun metal pipes and brass pipes of different diameter from copper pipes, gunmetal pipes and brass pipes using three

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numbers draw bench. Pipes of higher diameter are redrawn to reduced diameter.

- The unit has also three numbers squeezing/pointing machine and one roller grinding machine which is used for minor machining. Manufacturing process involves redrawing, heating and drying of pipes.
- The two number draw benches are situated in an enclosed area inside factory shed, however three number squeezing/pointing machines and one roller grinding machine are located at the backside of the factory under shed but without any side walls.
- The factory wall near the complainant's residence is broken at some places.
- Complainant's house is situated just behind the industry.
- During inspection, complainant alleged about smoke emission and noise pollution against the unit.
- The pickling (surface cleaning) bath and rinsing bath observed during earlier inspection were found lying in dry condition during present inspection. The coal fired heating



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oven used for drying the pipes has been replaced by a gas fired oven.

- The Consent to Operate of the unit is valid upto 31/08/2029.

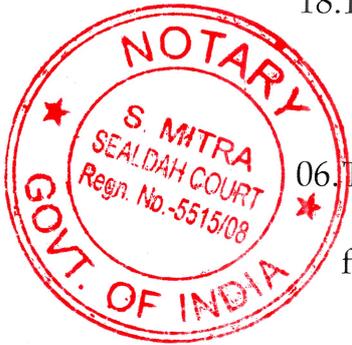
05. That, the unit was called for a hearing on 04/04/2025 at the Head office of the Board. Shri Ankur Sharma was also requested to remain present during the hearing. Accordingly, he was present in the hearing on behalf of the complainant and alleged that previously scraps were being used by the unit in the process and they had also carried out acid pickling activity for surface cleaning of copper pipes at their existing premises without installation of proper pollution control system and without permission of the State Board. He also mentioned that the unit is a habitual defaulter in respect of compliance of environmental norms and he requested the State Board to take necessary action against the unit for past violations. He claimed that the unit is still using scraps as raw material in the process resulting in enormous air pollution in the locality for which local people are still suffering from several health problems. He



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requested that a fresh inspection of the unit may be conducted for verification of his statement in presence of the complainant.

The representative on behalf of the unit along with his Advocate appeared in the hearing and submitted that in compliance of Board's earlier direction dated 06.09.2024, they have already dismantled the coal fired heating oven and installed gas fired oven for drying the pipes and also stopped the pickling activity at the existing plant premises and in this regard an action taken report would be submitted. He stated that Consent to Establish and Consent to Operate have been obtained under orange category on 18.11.2024 after payment of all arrear fees, fines etc.

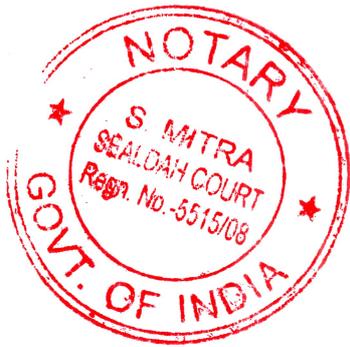


06. That, thereafter the unit was directed by the State Board as follows:-

- (a) The unit shall always carry out its activities within the work zone. No activity shall be carried out in open space in order to avoid dissipation of noise.

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- (b) The unit shall immediately cover the gaps in the factory shed and repair the factory walls especially near the residence of the complainant to restrict propagation of noise.
- (c) The unit shall not use any scraps as raw material in the process and operate in compliance of conditions of Consent to Operate of the State Board.
- (d) Under any circumstances, the unit shall not carry out any acid pickling activity at the existing plant premises. Empty pickling and rinsing baths should be immediately dismantled.
- (e) The unit shall always operate maintaining all environmental norms.
- (f) An action taken report in regard to the above-mentioned direction shall be submitted to the State Board within 15(fifteen) days from the issuance of this Direction.
- (g) The unit shall execute a Bank Guarantee of Rs. 1,00,000/- only, in favour of the State Board, within 15 days of issuance of the direction.

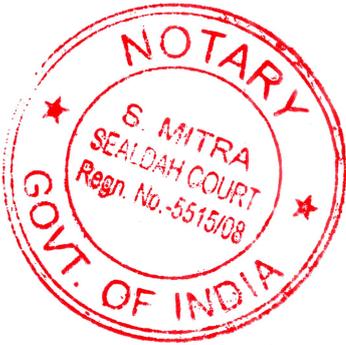


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Copy of direction of State Board is annexed herewith and marked with letter "R".

07. It is therefore respectfully prayed that Hon'ble Tribunal may pass such order/orders as it deems fit and proper in the interest of justice.

Swarup Kumar Mandal
DEPONENT



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VERIFICATION

I, Sri Swarup Kumar Mandal, son of Shri Barendra Mandal, aged about 56 years, by Religion - Hindu, by Occupation-Service, working for gain at West Bengal Pollution Control Board, having office at 10A, Block- LA, Sector- III, Bidhannagar, Kolkata - 700 106, do hereby solemnly declare and say as follows:-

1. That, I am the Chief Engineer, West Bengal Pollution Control Board and I am well acquainted with the facts and circumstances of the instant Original Application.
2. That, the statements made in paragraph 1 of this affidavit is true to my knowledge and belief.
3. That, the statements made in paragraphs 2 to 6 of this affidavit are my information derived from the records available in the office of the State Board which I verily believe to be true and the rest are my respectful submission before this Hon'ble Tribunal.



Ayush Dadhich

Identified and corrected by me
Advocate
WBPCB

Swarup Kumar Mandal
DEPONENT

Identified By Me

R. N. G.
Advocate

Solemnly Affirmed &
Declared Before Me
On Identification By *[Signature]*
SARBANI MITRA
NOTARY
Regd. No.- 5515/08

08 MAY 2025



LIFE
Lifestyle for
Environment

WEST BENGAL POLLUTION CONTROL BOARD

(Department of Environment, Government of West Bengal)

Paribesh Bhawan, 10A, Block – LA, Sector III, Bidhannagar

Kolkata – 700 106, Ph. No.: 2202-3097/3096

Website: www.wbpcb.gov.in, Email: net.wbpcb-wb@bangla.gov.in

Memo No.

-PCB/HOW/387-2002

Date: /05/2025

DIRECTION

WHEREAS, M/s. Padmavati Metal Industries (hereinafter referred to as the industry) located at 46/1, 46/7 & 46/8, Netaji Subhash Road, P.S.-Liluah, Dist.-Howrah, Pin-711204 was inspected by the West Bengal Pollution Control Board (hereinafter referred to as the State Board) official on 18/03/2025 in connection with Hon'ble National Green Tribunal (NGT) matter (O.A. No. 96/2024/EZ).

AND WHEREAS, a complaint was lodged by Shri Ankur Sharma on behalf of Shri Srikant Singh, Applicant against the unit alleging emission of dense smoke escaping from asbestos shed of the unit due to extraction of copper from scraps and processing of copper waste. It is also alleged that said activity is causing discomfort and health hazard to the applicant and his family and also causing noise pollution.

AND WHEREAS, the industry was not in operation during inspection. As reported by the inspecting official, this is a redrawing plant and engaged in manufacturing copper pipes, gun metal pipes and brass pipes of different diameter from copper pipes, gunmetal pipes and brass pipes using three numbers draw bench. Pipes of higher diameter are redrawn to reduced diameter. The unit has also three numbers squeezing/pointing machine and one roller grinding machine which is used for minor machining. Manufacturing process involves redrawing, heating and drying of pipes.

AND WHEREAS, the two number draw benches are situated in an enclosed area inside factory shed, however three number squeezing/ pointing machines and one roller grinding machine are located at the backside of the factory under shed but without any side walls. The factory wall near the complainant's residence is broken at some places. Complainant's house is situated just behind the industry. During inspection, complainant alleged about smoke emission and noise pollution against the unit.

AND WHEREAS, the pickling (surface cleaning) bath and rinsing bath observed during earlier inspection were found lying in dry condition during present inspection. The coal fired heating oven used for drying the pipes has been replaced by a gas fired oven.

AND WHEREAS, the Consent to Operate of the unit is valid upto 31/08/2029.

AND WHEREAS, it is to mention here that the State Board had earlier directed the unit vide Memo No. 10060-3L/WPB-E(IV)/2024 dated 06.09.2024 not to operate its coal fired oven and not to carry out any acid pickling activity for surface cleaning of copper pipes at the existing factory premises.

AND WHEREAS, the unit was called for a hearing on 04/04/2025 at the Head office of the Board. Shri Ankur Sharma was also requested to remain present during the hearing. Accordingly, he was present in the hearing on behalf of the complainant and alleged that previously scraps were being used by the unit in the process and they had also carried out acid pickling activity for surface cleaning of copper pipes at their existing premises without installation of proper pollution control system and without permission of the State Board. He also mentioned that the unit is a habitual defaulter in respect of compliance of environmental norms and he requested the State Board to take necessary action against the unit for past violations. He claimed that the unit is still using scraps as raw material in the process resulting in enormous air pollution in the locality for which local people are still suffering from several health problems. He requested that a fresh inspection of the unit may be conducted for verification of his statement in presence of the complainant.

AND WHEREAS, the representative on behalf of the unit appeared in the hearing and submitted that in compliance of Board's earlier direction dated 06.09.2024, they have already dismantled the coal fired heating oven and installed gas fired oven for drying the pipes and also no pickling activity is being undertaken at the existing plant premises and in this regard an action taken report would be submitted. He stated that CTE and CTO have been obtained under Orange category on 18.11.2024 after payment of all arrear fees, fines etc.





NOW THEREFORE, considering the above, M/s. Padmavati Metal Industries located at 46/1, 46/7 & 46/8, Netaji Subhash Road, P.S.-Liluah, Dist.-Howrah, Pin-711204 is hereby directed as follows:-

1. **That**, the unit shall always carry out its activities within the work zone. No activity shall be carried out in open space in order to avoid dissipation of noise.
2. **That**, the unit shall immediately cover the gaps in the factory shed and repair the factory walls especially near the residence of the complainant to restrict propagation of noise.
3. **That**, the unit shall not use any scraps as raw material in the process and operate in compliance of conditions of Consent to Operate of the State Board.
4. **That**, under any circumstances, the unit shall not carry out any acid pickling activity at the existing plant premises. Empty pickling and rinsing baths should be immediately dismantled.
5. **That**, the unit shall always operate maintaining all environmental norms.
6. **That**, an action taken report in regard to the above mentioned direction shall be submitted to the State Board within 15(fifteen) days from the issuance of this Direction.
7. **That**, the unit shall execute a **Bank Guarantee (BG)** (proforma enclosed) of **Rs. 1,00,000/-** (Rupees one lakh) only valid for twelve (12) months within fifteen [15] days from the date of issuance of this direction in favour of the **WEST BENGAL POLLUTION CONTROL BOARD (Union Bank of India IFSC Code UBIN0906638)** as an assurance to comply with the environmental norms.

The Environmental Engineer & In-charge, Howrah Regional Office of the Board is requested to conduct a fresh inspection of the unit with prior intimation to Shri Srikant Singh, complainant to ascertain the present status of environmental compliance as requested by Shri Ankur Sharma during hearing. Further action will be taken based on the findings of the said inspection report.

This direction is issued in exercise of the powers conferred under the provision of Section 33A of Water (Prevention & Control of Pollution) Act, 1974, Section 31A of Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and Rules made thereunder after being approved by the Competent Authority.

By Order,

Sd/-
Chief Engineer
(Operation & Execution)
West Bengal Pollution Control Board

Memo No. 10784(04) -PCB/HOW/387-2002

Date: 07 /05/2025

Copy forwarded for information and necessary action to:-

1. M/s. Padmavati Metal Industries, 46/1, 46/7 & 46/8, Netaji Subhash Road, P.S.-Liluah, Dist.-Howrah, Pin-711204
2. The Chief Engineer, Planning & EIM Cell, WBPCB
3. The Senior Law Officer, WBPCB
- ✓ 4. Smt. Pausali Mukherjee, Special Law Officer (NGT), WBPCB
5. The Environmental Engineer & In-charge, Howrah Regional Office, WBPCB
6. The Finance & Accounts Manager, WBPCB
7. T.A. to the Member Secretary, WBPCB
8. P.A. to the Chairman, WBPCB
9. Shri Ankur Sharma, 13/3, Dr. P.K. Banerjee Road, Howrah-711 101
10. Technical Cell, WBPCB for updating the website
11. Environment Officer- Communication, WBPCB – for circulation through float file
12. Guard file of O & E Cell


Chief Engineer
(Operation & Execution)
West Bengal Pollution Control Board

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ADVOCATE