

✕

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, EASTERN  
ZONE BENCH AT KOLKATA

I. A. No. 96 of 2024/EZ arising out O.A.No. 149 of 2023/EZ

In the matter of :

BISWAJIT MUKHERJEE & ANR.

.....Applicants

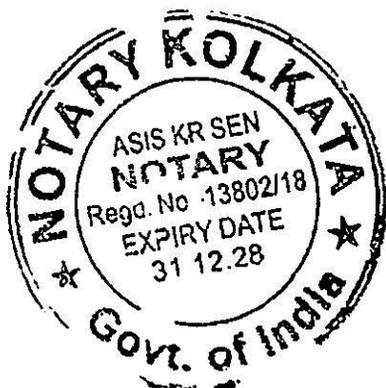
- Vs. -

UNION OF INDIA & ORS.

.....Respondents

INDEX

Sl.No.	Particulars	Annexure	Pages No.
1.	Counter Affidavit on behalf of the respondent no. 10		1-9
2.	Photocopy of the letter dated 22.04.2025.	"A"	10-12
3.	Photocopy of the relevant portion of the web portal of the Shilposathi.	"B"	13
4.	Photocopy of the reply dated 20.11.2024.	"C"	14-15



H X.

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, EASTERN  
ZONE BENCH AT KOLKATA**

**I. A. No. 96 of 2024/EZ arising out O.A. No.149 of 2023/EZ**

**In the matter of :**

**BISWAJIT MUKHERJEE & ANR.**

.....Applicants

- Vs. -

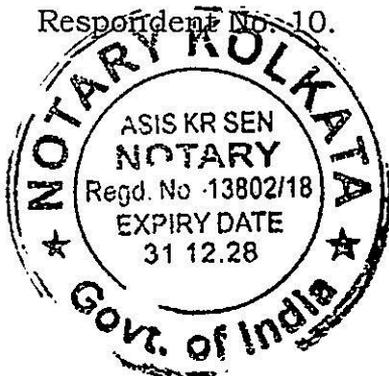
**UNION OF INDIA & ORS.**

.....Respondents

**COUNTER AFFIDAVIT ON BEHALF OF THE RESPONDENT NO. 10.**

I, Goutam Chakraborty, son of Late Ardhendu Chakraborty, aged about 60 years, by faith-Hindu, by occupation-service, working for gain as Deputy Manager (Law) in the office of the West Bengal Industrial Development Corporation Limited, a Government of West Bengal undertaking, having office at 'Protiti', 23 No. Abanindranath Thakur Sarani (Camac Street), Kolkata - 700 017, do hereby solemnly affirm and sincerely state as follows:

- i. That I am the Deputy Manager of West Bengal Industrial Development Corporation (hereinafter referred as "WBIDC") and I am well acquainted with the facts and circumstances of the case. I am also competent and duly authorized by the Respondent No. 10 herein to make and affirm this affidavit for and on behalf of the Respondent No. 10.



X

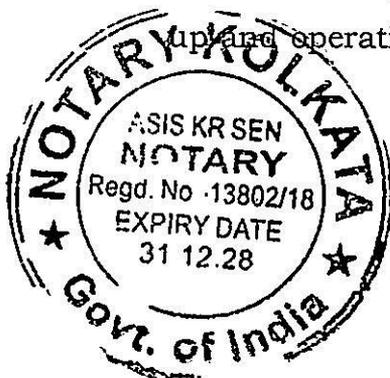
2. That at the very outset, the applicant herein had filed an application for impleading the Respondent No. 10 as party respondent in the instant original Application on 20.11.2024. The Hon'ble Tribunal was pleased to allow the said application on 27.11.2024 thereby directing to issue notice to the newly added Respondent No. 10. The Respondent No. 10 had received a notice for compliance through an email dated 18.12.2024 from the official website of the National Green Tribunal, Eastern Zone Bench, Kolkata. It is respectfully submitted that no copy of the said application was served upon the Respondent No. 10 and the Respondent No. 10 had no knowledge about the allegations raised against the Respondent No. 10 in the said application. Therefore, the Respondent No. 10 was unable to file the Counter Affidavit on 04.02.2025 before the Hon'ble Tribunal. The Respondent No. 10 received a letter dated 22.04.2025 from the Learned Advocate Sibojyoti Chakraborty, appearing for the State of West Bengal, on 05.05.2025. It is respectfully submitted that as per information, the Respondent No. 10 had not received any letter from the said Advocate on and before 09.04.2025. Thereafter, the Respondent No. 10 contacted with the Learned Advocate, who will be appeared on behalf of the Respondent No. 10 and the said Learned Advocate had forwarded all the documents in connection with the instant Original Application. Under the aforesaid circumstances, I am praying my unconditional apology for delay to file the Counter Affidavit on behalf of the Respondent No. 10. It is respectfully submitted that there is no willful negligence and/or laches on the part of the Respondent No. 10 to file the instant Counter Affidavit. The Respondent No. 10 is very much accountable



X

to pursue the directions of the Hon'ble Tribunal. Photocopy of the aforesaid letter dated 22.04.2025 is annexed hereto and marked as "Annexure A".

3. Before dealing with the allegations and/or statements and/or averments made in the various paragraphs of the said application, it is stated and submitted that the said application contains incorrect allegations and/or averments and/or statements carefully put in between the facts of the case only with the ulterior motive to mislead this Hon'ble Tribunal. It is made clear herein that the allegations and/or averments and/or statements which are not specifically dealt with by me hereinafter are deemed to be set out hereafter and traversed ad-seriatim.
4. Before dealing with the various allegations and/or statements and/or averments contained in the said application, it is respectfully submitted as follows:
  - i. Silpa Sathi is a Single Window Services can be accessed through an Online Single Window Portal, i.e. <https://silpasathi.wb.gov.in/>.
  - ii. It serves as a digital gateway for providing the necessary statutory compliances under the applicable Acts, Rules, Policies and Schemes of the Govt of West Bengal.
  - iii. Investors can get certificates and licences required for setting up and operating business in the State in a smooth and time-



X

bound manner, without the need to visit any government department or office.

- iv. In addition, SilpaSathi Kiosks are available at 23 Industry Facilitation Centers (IFCs) located in every district of the State. The IFCs provide handholding support to the investors seeking statutory compliance services from SilpaSathi portal.
- v. Online Single Window Portal serves as a digital gateway for providing the necessary services under the applicable Acts, Rules, Policies and Schemes made thereunder from a single point in a time-bound manner.
- vi. Silpasathi single window portal is acting as a medium of online application of various departmental services required for establishment of industry in West Bengal and the final certificates/NOCs/licences are being generated by the individual departments and the applicants can directly receive those documents downloading on their own after the departments upload the same. Entire process is being executed by the relevant departments only.
- vii. Role of SilpaSathi:
  - a) Provide online single window services under the various applicable Acts, Rules, Policies and Schemes.





- b) Provide necessary guidelines and information to investors intending to start a business or operating a business in the State.
- c) Provide a Common Application Form (CAF) which can be submitted online.
- d) Provide a status on application submitted and help to track its progress by keeping a close track on the timelines committed to the Investor.

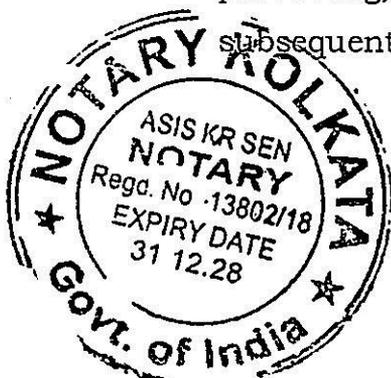
viii. Features :

- a. Online submission of common application for grant or issue of permissions, approvals, certificates, enrolments, registrations, licenses, allotments, consents, no objection certificates and the like including incentives, by any Department or Organization of the Government including local bodies to set up and operate a business.
- b. Online payment of fees.
- c. Online approval, tracking of real time status of application and issuance of the certificate(s).
- d. Notification alert to the applicants through SMS/ e-mail notification as and when application is submitted and/

X

or query is raised and/ or application is approved/ rejected.

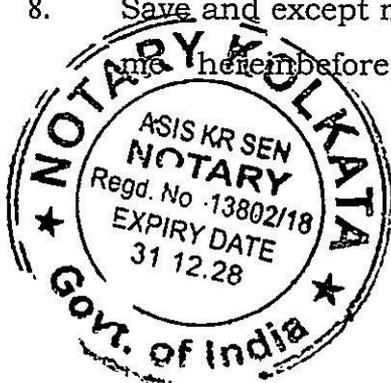
- e. Automated SMS/ e-mail notification to the respective Head of Competent Authorities with status information on the applications in which clearances are likely to breach the stipulated time frame specified in the West Bengal Right to Public Services Act, 2013.
- ix. Presently 136 e-services are enlisted under Silpasathi portal of various departments of Government of West Bengal where the portal is only catering as the medium of execution of online application.
- x. It is revealed from the web portal of the Shilposathi that the issuing authority of all the services related to green cracker license is District Administration. All the documents uploaded by the applicant and the required payment reach the District Authority directly. Silpasathi.gov.in portal is only catering as the medium of online application and after verifying all the documents, the final certificate is being generated by the District Administration only and after uploading the final certificate via Silpasathi portal, the applicant/s can download the same directly from the portal. Hence, it is seen that the full processing is done by the district administration and the Silpasathi Division of WBIDC has no role in the entire processing, except for providing the online portal for subsequent processing by the district authority. Photocopy of



X

the relevant portion of the web portal of the Shilposathi is annexed hereto and marked as "Annexure B".

5. Now I proceed to deal with the various averments and/or statements made in various paragraphs of the said petition. The statements and/or averments which are not specifically dealt with hereinafter are deemed to be set out hereinafter and traversed ad-seriatim.
6. With reference to the statement made in paragraph nos. 1 to 39 of the said petition, I offer no comment as the same are all matters of record and deny anything which is inconsistent and/or contrary to the facts borne out from the records. I specifically deny that the no information has been received against the RTI applications from the Respondent No. 10. I state that the Respondent No. 10, by way of letter dated 20.11.2024, replied to the said RTI Applications to the Learned Advocate of the petitioner. Photocopy of the aforesaid reply dated 20.11.2024 together with the proof of postal service is annexed hereto and marked as "Annexure C".
7. It is respectfully submitted that the Respondent No. 10 is not the authority to issue any license and/or No Objection Certificate and/or Consent Order in connection with operating the business of firecrackers. The Respondent No. 10 is only operating the said Web Portal, i.e. Silposathi which is the Revamped State Single Window portal.
8. Save and except matters of record and save what has been stated by me hereinbefore I do not admit any statement, averment,



X

contention, submission as made/raised in the said application as if the same are expressly denied by me in seriatim and specifically traversed.

9. That the statements made in Paragraphs Nos. 1 and 3 are true to my knowledge and belief and rest in paragraph no. 2, 4 and 6 are my humble submission before this Hon'ble Court.

Prepared in my office-

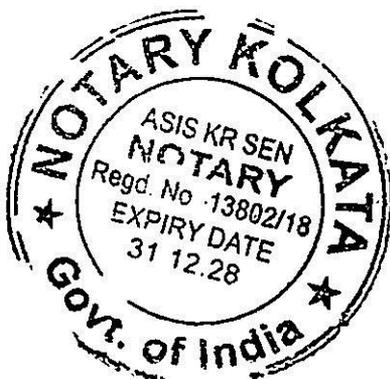
*Atul Kumar Pal*

Advocate

Enrollment No. WS/199/2009

✓ *Ganbar Chandra Deb*

Signature of the Deponent  
is known to me



X

## VERIFICATION

I, Goutam Chakraborty, son of Late Ardhendu Chakraborty, aged about 60 years, by faith-Hindu, by occupation-service, working for gain as Deputy Manager (Law) in the office of the West Bengal Industrial Development Corporation Limited, a Government of West Bengal undertaking, having office at 'Protiti', 23 No. Abanindranath Thakur Sarani (Camac Street), Kolkata- 700017, do hereby verify that the contents of Paragraphs Nos. 1 and 3 are true to my knowledge and belief and rest in paragraph no. 2, 4 and 6 are my humble submission before this Hon'ble Court and I am also well acquainted with the facts and circumstances of the instant case.

I sign this verification on this the 23<sup>rd</sup> day of May, 2025.

Date : 23.05.2025

Place : Kolkata

*Goutam Chakraborty*  
Signature of Applicant  
(GOUTAM CHAKRABORTY)

Identified by me:

*Milanjana Pal*  
Advocate

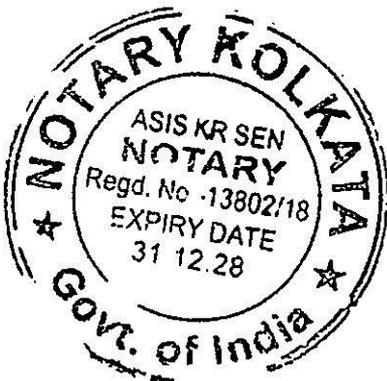
Enrollment No. WB/194/2009

Solemnly affirmed and declared  
Before me on Identification

*Asis Kumar Sen*

ASIS KUMAR SEN  
City Civil Court  
Kolkata

Reg. No. 13802/18 Govt. of India



23 MAY 2025

**Sibojyoti Chakrabarti**

ADVOCATE  
HIGH COURT, CALCUTTA

Contact : 9007035534  
e-mail : subho.advocate@gmail.com

"Amikura A"

Residence : 1095  
109, Sarat Chatterjee Road  
P.O. & P.S. Lake Town (Borat)  
Kolkata-700 089, West Bengal  
Chamber :  
7, Old Post Office Street  
1st Floor, Room No.-14  
Kolkata-700 001, West Bengal

Date : 22.04.2025

To

The West Bengal Industrial Development Corporation Limited  
"Protiti",  
23, Abanindranath Thakur Sarani,  
Camac Street, Kolkata- 700017.

OSD (SG)/  
OSD (RM)

RE: O. A. No. 149/2023/EZ

Biswajit Mukherjee

Versus

The Union of India & Ors.

Raman  
05/05/2025

Respected Sir/Madam,

This is to inform you that the above matter appeared before the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata on 09.04.2025, in which I appeared on behalf of the State of West Bengal.

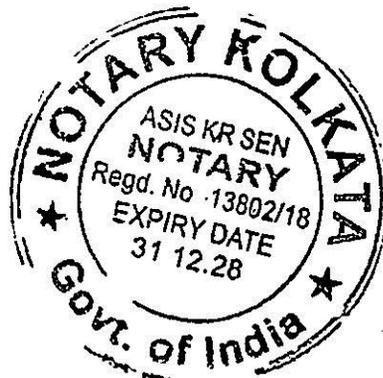
On that day the next date of the matter has been fixed on 27.05.2025 for hearing.

Kindly find enclosed copy of Solemn Order dated 09.04.2025 passed by Hon'ble Tribunal for your kind perusal and knowledge.

This is for your kind knowledge and information.

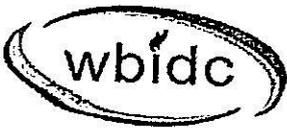
With Regards,

ve  
05/05/25  
12:20 PM



Yours Faithfully

Sibojyoti Chakrabarti  
Advocate,  
STATE OF WEST BENGAL



- X -

Ranit Manna &lt;ranit.manna@wbidc.com&gt;

## Fwd: Notice for Compliance in OA 149/2023/EZ order passed by Hon'ble NGT-Kolkata

Debasis Konar &lt;debasis.konar@wbidc.com&gt;

To: Ranit Manna &lt;ranit.manna@wbidc.com&gt;, sukanya gupta &lt;sukanya.gupta@wbidc.com&gt;

Wed, Dec 18, 2024 at 5:14 PM

Look into the same.

----- Forwarded message -----

From: WBIDC Ltd &lt;wbidc@wbidc.com&gt;

Date: Wed, 18 Dec 2024 at 16:38

Subject: Fwd: Notice for Compliance in OA 149/2023/EZ order passed by Hon'ble NGT-Kolkata

To: Harish\_ED &lt;harish@wbidc.com&gt;, Debasis Konar &lt;debasis.konar@wbidc.com&gt;

----- Forwarded message -----

From: National Green Tribunal, Eastern Zone Bench, Kolkata &lt;ngtjudicial-kolkata@gov.in&gt;

Date: Wed, Dec 18, 2024 at 4:04 PM

Subject: Fwd: Notice for Compliance in OA 149/2023/EZ order passed by Hon'ble NGT-Kolkata

To: wbidc &lt;wbidc@wbidc.com&gt;

--  
Regards/सादर

Judicial Section न्यायिक अनुभाग,  
National Green Tribunal / राष्ट्रीय हरित अधिकरण,  
Eastern Zone Bench / पूर्वी क्षेत्रीय न्यायपीठ,  
New Town, Kolkata / न्यू टाउन, कोलकाता - 700161  
Ph./संपर्क - 033-2324 0089  
Email: ngtjudicial-kolkata@gov.in

===== Forwarded message =====

From: National Green Tribunal, Eastern Zone Bench, Kolkata &lt;ngtjudicial-kolkata@gov.in&gt;

To: "bikash90999" &lt;bikash90999@gmail.com&gt;

Date: Wed, 18 Dec 2024 16:03:13 +0530

Subject: Notice for Compliance in OA 149/2023/EZ order passed by Hon'ble NGT-Kolkata

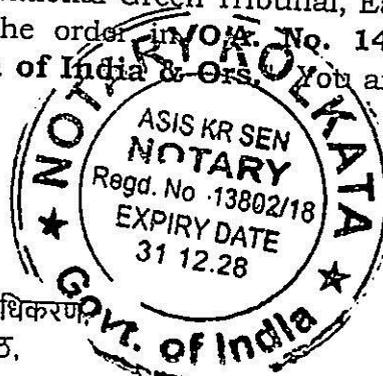
===== Forwarded message =====

Sir,

I am directed to forward herewith a copy of Notice along with order dated 27.11.2024 passed by Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata on the above noted subject. As per the order in **NOA No. 149/2023/EZ** titled "**Sri Biswajit Mukherjee & Anr. Vs. Union of India & Ors.**" you are directed to comply with the said order please.

--  
Regards/सादर

Judicial Section न्यायिक अनुभाग,  
National Green Tribunal / राष्ट्रीय हरित अधिकरण,  
Eastern Zone Bench / पूर्वी क्षेत्रीय न्यायपीठ,



New Town, Kolkata / न्यू टाउन, कोलकाता - 700161

Ph./संपर्क - 033-2324 0089

Email: ngtjudicial-kolkata@gov.in

- ✍ -

Regards,

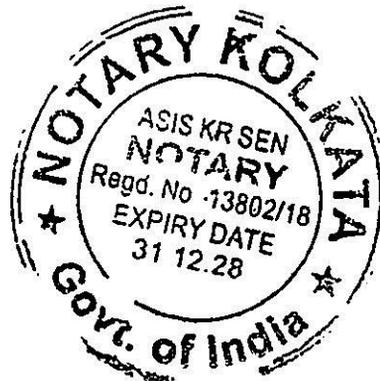
Debasis Konar

---

2 attachments

 Notice in OA 149-2023-EZ.pdf  
313K

 Order in OA 149-2024-EZ.pdf  
97K

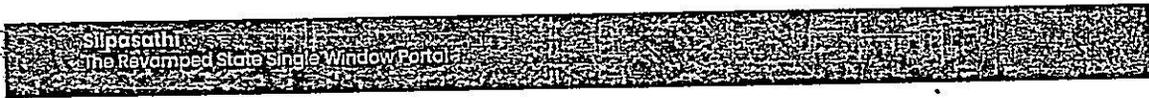


"Amexwaa B"

- 18 -

There are five services related to Green Cracker manufacturing and selling service enlisted under E-services of Silpasathi single window service portal.

List Of services options



List of e-Services

show 10 entries

Search: green

Sl. No.	Department/Ministry/State Administration	Service Name	Download	Apply Now
13	District Administration	License for Manufacturing of Green Fire Cracker		
14	District Administration	License for Selling of Green Fire Cracker		
15	District Administration	NOC for Commencement of Construction of Green Fire Cracker Manufacturing Unit		
16	District Administration	Recommencement of License for Manufacturing of Green Fire Cracker		
17	District Administration	Recommencement of License for Selling of Green Fire Cracker		

Showing 1 to 5 of 5 entries (filtered from 139 total entries)

4 Previous NEXT P



9/10

**WEST BENGAL INDUSTRIAL DEVELOPMENT CORPORATION LTD.** 1099

**(A GOVERNMENT OF WEST BENGAL UNDERTAKING)**

"PROTITI", 23, Abanindranath Thakur Sarani (Camac Street), Kolkata - 700 017

Phone : +91 33 2255 3700

Fax : +91 33 2255 3737

E-mail : mdoffice@wbidc.com

Web : www.wbidc.com

Corporate Identity Number : U75142WB1967SGC026988



- 19 -

No.RTI/SPIO/391/2024/1465

Date : 20.11.2024

"Answered C"

To  
Bikash Shaw, Advocate,  
10, Old Post Office Street,  
Room No.107/4, 4<sup>th</sup> Floor,  
Kolkata - 700 001.

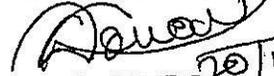
Sub : Your RTI application dated 30.09.2024

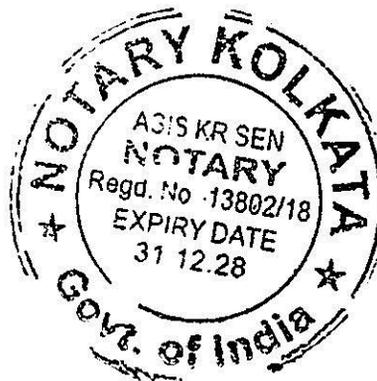
Sir,

All the queries raised in the RTI application are related to Small & Medium Scale Industries. Thus, the information sought may be available with MSME Department, Govt. of West Bengal.

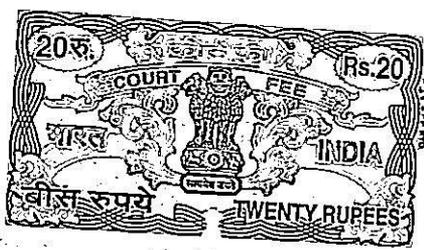
Thanking you.

Yours faithfully,

  
SPIO, WBIDC 20/11/2024







VAKALATNAMA

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, EASTERN ZONE AT KOLKATA

IN THE MATTER OF: P. A. No. 96 of 2024 / EZ
O. A. No. 149 of 2023 / EZ

Biswajit Mukherjee & Ans. Vs ...Petitioners

Union of India & Ors. .... Respondents

GOUTAM CHAKRABORTY Deputy Manager (Law) West Bengal Industrial Development Corporation Ltd. 23, Abanindranath Tagore Sarani Kolkata-700 017

I/We, Goutam Chakraborty, am the Petitioner / Respondent in the above Appeal/ Application.

Reference hereby appoint and retain Nilanjana Pal, Advocate, to Act and appear for me/us in the above Appeal/Petition/Reference and on my/our behalf to conduct and prosecute or defend either by himself or through any of his delegate the same and all proceedings that may be taken in respect of any application connected with the same, of any decree or order passed therein, including proceedings in taxation and applications/for Review, to file and obtain return of documents, and to deposit and receive money on my/our behalf in the said Application/ Appeal/ Petition/ Reference and in applications of review, and to represent me/us and to take all necessary steps on my/our behalf in the above matter. I/We agree to ratify all acts done by the aforesaid Advocate in this authority.

Dated this 23rd day of May 2025

Goutam Chakraborty COMPLAINANT(S)/PETITIONER(S)/ OPPOSITE PARTY/RESPONDENT(S)

Certified, identified, Accepted & Satisfied

MEMO OF APPEARANCE

GOUTAM CHAKRABORTY Deputy Manager (Law) West Bengal Industrial Development Corporation Ltd. 23, Abanindranath Tagore Sarani Kolkata-700 017

To The Registrar, National Green Tribunal, Principal Bench, New Delhi.

Sir,

Please enter my appearance on behalf of the Petitioner(s)/ Appellant(s)/ Respondent(s) Opposite Party (s)/Interveners in the matter above mentioned.

Dated this day the 23rd day of May 2025

Yours faithfully,

Nilanjana Pal ADVOCATE FOR PETITIONER(S)/ OPPOSITE PARTY/RESPONDENT(S) Respondent no. 10.





Received the vakalatnama  
from the executant and  
the same is accepted and  
satisfied.

Nilanjan Pal  
Advocate

23.05.2025

BEFORE THE HON'BLE NATIONAL  
GREEN TRIBUNAL, EASTERN ZONE  
BENCH AT KOLKATA

I. A. No. 96 of 2024/EZ

arising out

O.A. No.149 of 2023/EZ

In the matter of :

BISWAJIT MUKHERJEE & ANR.

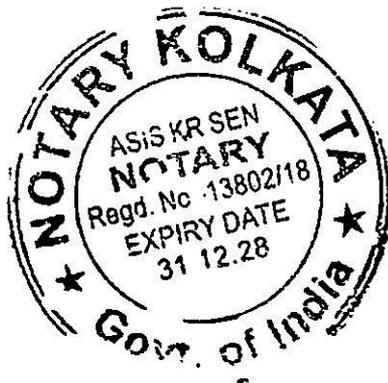
.....Applicants

- Vs. -

UNION OF INDIA & ORS.

.....Respondents

COUNTER AFFIDAVIT



NILANJAN PAL

Advocate

C/O – Kallol Basu, Advocate  
B. N. Basu & Co. (Solicitors),  
2<sup>nd</sup> Floor, 6, Old Post Office Street,  
Kolkata – 700001.

Enrollment No - WB/194/2009.

Mobile : 9433768756

Email: nilanjan\_pal83@yahoo.com