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BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 41/2025/EZ

ANKUR SHARMA

.....APPLICANT(S)

VERSUS

THE STATE OF WEST BENGAL & ORS.

..... RESPONDENT(S)

AFFIDAVIT ON BEHALF OF THE RESPONDENT NO.
05 i.e. THE WEST BENGAL POLLUTION CONTROL
BOARD.

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Filed by
Sibojyoti Chakraborty
SIBOJYOTI CHAKRABORTI
ADVOCATE
HIGH COURT AT CALCUTTA

SL. NO. 23 Dt.- 29 MAY 2025

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AFFIDAVIT ON BEHALF OF THE RESPONDENT NO.
05 i.e. THE WEST BENGAL POLLUTION CONTROL
BOARD.

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. 5 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 25.03.2025.

03. That, M/s. ARCL Organics Ltd. located at B.B.T. Road, Rampur, P.O.-Gobindapur, P.S.-Maheshtala, Dist.-South 24 Parganas, Pin-700141 was issued with a Closure Order by the State Board vide Memo dated 24.06.2024, with a condition that the industry shall immediately stop the operation of newly installed Formaldehyde plant of capacity 220 TPD, Resin Plant of capacity 12 TPD and UF Drier of 30 TPD without obtaining Environmental Clearance, Consent to Establish and Consent to Operate. The industry was also directed to dismantle the said Formaldehyde plant, Resin Plant and UF Drier and submit a compliance report to the State Board. The industry had



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submitted a letter dated 19.07.2024 to the State Board mentioning that they have stopped operation of newly installed expansion unit i.e. Formaldehyde Plant, Resin Plant and UF Drier.

Subsequently, the industry was inspected by the Board official on 15.07.2024, 05.09.2024, 09.01.2025 and 02.05.2025. During inspection on 15.07.2024, the expansion part was not in operation, but it was found operational during inspection on the rest three occasions.

The industry possesses valid Consent to Operate and the Hazardous Waste Authorization for the existing plant upto 31.12.2026 and 31.07.2028, respectively.

04. That, in compliance of the direction of this Hon'ble National Green Tribunal wherein the State Board is to disclose whether environmental compensation has been computed against the industry for environmental violations noted earlier, the said unit was called for a hearing on 20.05.2025 at the head office of the State Board.

Shri Jaydeep Kumar, Administrative Head on behalf of the industry appeared in the hearing and claimed that operation of



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expansion unit is not being carried out. However, he confirmed that expansion unit has not been dismantled as per order of the State Board dated 24.06.2024.

05. That, considering the above, the State Board issued the following directions upon the unit:

(i) The industry shall immediately submit a compliance report in regard to the Closure order issued by the State Board vide Memo dated 24.06.2024.

(ii) The industry shall operate the existing plant maintaining all environmental norms.

(iii) The industry shall submit an Environmental Compensation (EC) amounting to Rs. 12,00,000/- (Rupees twelve lakhs) for operating its expansion unit violating the Closure order of the State Board dated 24.06.2024.

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



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06. 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.

Swamy Kumar Mansel
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 5 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.

Swarup Kumar Mandal

DEPONENT

Identified and corrected by me

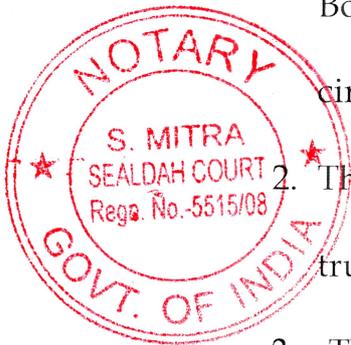
Sibani Mitra
Advocate

WBPCB

Solemnly Affirmed &
Declared Before Me
On Identification By *hm*

hm
SARBANI MITRA
NOTARY
Regd. No. - 5515/08

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Lifestyle for
Environment

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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.

-10/WPB-h(11)/18

Date: /05/2025

DIRECTION

WHEREAS, M/s. ARCL Organics Ltd. (hereinafter referred to as the industry) located at **B.B.T. Road, Rampur, P.O.-Gobindapur, P.S.-Maheshtala Dist.- South 24 Parganas, Pin-700141** was issued a Closure Order by the **West Bengal Pollution Control Board** (hereinafter referred to as the State Board) vide Memo No. 6088-10/WPB-h(11)/18 dated 24.06.2024 with a condition that the industry shall immediately stop the operation of newly installed Formaldehyde plant of capacity 220 TPD, Resin Plant of capacity 12 TPD and UF Drier of 30 TPD without obtaining Environmental Clearance, Consent to Establish and Consent to Operate. The industry was also directed to dismantle the said Formaldehyde plant, Resin Plant and UF Drier and submit a compliance report to the State Board. The industry had submitted a letter dated 19.07.2024 to the State Board mentioning that they have stopped operation of newly installed expansion unit i.e. Formaldehyde plant, Resin Plant and UF Drier.

AND WHEREAS, subsequently, the industry was inspected by the Board official on 15.07.2024, 05.09.2024, 09.01.2025 and 02.05.2025. During inspection on 15.07.2024, the expansion part was not in operation, but it was found operational during inspection on the rest three occasions.

AND WHEREAS, the industry possesses valid Consent to Operate and the Hazardous Waste Authorization for the existing plant upto 31.12.2026 and 31.07.2028.

AND WHEREAS, Hon'ble National Green Tribunal (NGT) directed the State Board in connection with O.A. No. 41/2025/EZ to disclose whether environmental compensation has been computed against the industry for environmental violations noted by the State Board earlier.

AND WHEREAS, the industry was called for a hearing on 20/05/2025 at the head office of the Board for violation of environmental norms as observed during inspections by the Board official. Shri Jaydeep Kumar, Administrative Head on behalf of the industry appeared in the hearing and claimed that operation of expansion unit is not being carried out. However, he confirmed that expansion unit has not been dismantled as per Order of the State Board dated 24.06.2024.

NOW THEREFORE, considering the above, **M/s. ARCL Organics Ltd.** located at **B.B.T. Road, Rampur, P.O.-Gobindapur, P.S.-Maheshtala Dist.- South 24 Parganas, Pin-700141** is hereby directed as follows:-

1. **That,** the industry shall immediately submit a compliance report in regard to the Closure order issued by the State Board vide Memo No. 6088-10/WPB-h(11)/18 dated 24.06.2024.
2. **That,** the industry shall operate the existing plant maintaining all environmental norms.
3. **That,** the industry shall submit an Environmental Compensation(EC) amounting to **Rs. 12,00,000/-** (Rupees twelve lakhs) only within ten (10) days from the date of issuance of this direction, by Demand Draft in favour of **WEST BENGAL POLLUTION CONTROL BOARD** payable at Kolkata for operating its expansion unit violating the Closure order of the State Board dated 24.06.2024.



The Senior Environmental Engineer & In-charge, Alipore Regional Office is requested to oversee the compliance of Board's direction.

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. 10847(4)-10/WPB-h(11)/18

Date: 28/05/2025

Copy forwarded for information and necessary action to:-

1. M/s. ARCL Organics Ltd., B.B.T. Road, Rampur, P.O.-Gobindapur, P.S.-Maheshtala Dist.- South 24 Parganas, Pin-700141
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 Senior Environmental Engineer & In-charge, Alipore 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. Technical Cell, WBPCB for updating the website
10. Environment Officer- Communication, WBPCB -- for circulation through float file
11. Guard file of O & E Cell

Amansah 28.05.2025
Chief Engineer
(Operation & Execution)
West Bengal Pollution Control Board



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