

Serial No. 34.

963

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONAL BENCH, KOLKATA, WEST BENGAL  
FINANCE CENTRE, 3RD FLOOR, NEW TOWN  
ORIGINAL APPLICATION NO. 188/2023/EZ**

**Rajkumar Das ...Applicant**

**Versus**

**MOEF and others ... Respondents**

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**2<sup>nd</sup> SUPPLEMENTARY AFFIDAVIT**

**FILED ON BEHALF OF THE RESPONENT NO.4**

**SHOUNAK MITRA, Advocate**

**ZULFIQAR ALI ALQUADERI, Advocate**

**TIASHA GUPTA, Advocate**

**KHAITAN & CO LLP**

Advocates, Notaries, Patent &

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**RAMSARUP INDUSTRIES LTD.**  
*Sargata B. Jee*  
Director/Authorised Signatory

**23 JUN 2025**

**BEFORE THE NATIONAL GREEN TRIBUNAL**  
**EASTERN ZONAL BENCH, KOLKATA, WEST BENGAL**  
**FINANCE CENTRE, 3RD FLOOR, NEW TOWN**  
**ORIGINAL APPLICATION NO. 188/2023/EZ**

**Rajkumar Das**, son of Swapan Kumar Das, Malancha Chandpur, Kharagpur, Paschim Midnapore – 721301

**...Applicant**

**Versus**

1. **MOEF**, through its Secretary, Indira Paryavaran Bhawan, Jor Bagh, Lodi Road, New Delhi – 110003;
2. **The West Bengal Pollution Control Board**, service through the Chairman, Paribesh Bhawan, 10A, Block – LA, Sector – III, Bidhannagar, Kolkata – 700106;
3. **State Water Investigation Directorate**, through its Director Nirman Bhaban, 3<sup>rd</sup> Floor, Salt Lake City, Kolkata – 700091;
4. **Ramsarup Industries Limited**, previously Ramsarup Lohh Udyog Ltd., through its Chairman cum Managing Director, 7C, Kiron Shankar Roy Road, Hastings



RAMSARUP INDUSTRIES LTD.

*Sougata Banerjee*

Director/Authorised Signatory



Chamber, 1<sup>st</sup> Floor, Kolkata -  
700001.

... Respondents

**2<sup>ND</sup> SUPPLEMENTARY AFFIDAVIT ON BEHALF OF THE RESPONDENT NO.**

**4 ABOVE NAMED.**

I, Saugata Banerjee, son of Sri Baikuntheswar Banerjee, aged about 36 years, by faith- Hindu, by occupation- service, working for gain at Ramsarup Industries Limited and having its office at SS Chambers, 5, C.R. Avenue, 3<sup>rd</sup> Floor, Kolkata - 700072, do hereby solemnly affirm and say as follows: -

1. I am an Authorised Representative of the respondent no. 4. I am and have made myself well aware of and fully acquainted with all the relevant facts and circumstances of this case. I have also been duly empowered and authorized by the respondent no. 4 to make and affirm this affidavit on its behalf. As such, I am competent to affirm this affidavit on behalf of the respondent no. 4.
2. The applicant has filed an application purportedly under Section 18 (1) read with Section 14 of the National Green Tribunal Act, 2010 (hereinafter referred to as "the said application"). In response thereto, the answering respondent has filed and/or affirmed an Affidavit in Opposition on or about 3 April 2024 and thereafter has also filed a Supplementary Affidavit affirmed on 7 May 2025.
3. Subsequent to the filing of the said Affidavit in Opposition and the Supplementary Affidavit of the Respondent No.4, certain further developments have taken place and it is imperative to bring the same to the notice of this Hon'ble Tribunal for the fair and just adjudication of the instant proceeding.

RAMSARUP INDUSTRIES LTD.  
Saugata Banerjee  
Director/Authorised Signatory

4. The respondent no.1, Ministry of Environment, Forest and Climate Change by it's letter dated 22 May 2025 issued in favour of the respondent no.4, Ramsarup Industries Limited has extended the validity of the Environmental Clearance accorded by the Ministry vide File No. J-11011/14/2008-IA II(I) dated 3 June 2009 and EC transfer dated 30 December 2024 for a period upto 3 May 2030. A copy of the said letter dated 22 May 2025 extending the validity of the Environmental Clearance granted in favour of the respondent no.4 till 3 May 2030 is annexed hereto and marked as **Annexure "R4/29"**.
5. In such view of the matter, the respondent no. 4 prays for leave of this Hon'ble Tribunal to put on record the aforesaid subsequent developments and documents in connection thereto through the instant 2<sup>nd</sup> supplementary affidavit before this Hon'ble Tribunal. It is humbly prayed that this Hon'ble Tribunal may be pleased to take the instant 2<sup>nd</sup> supplementary affidavit on record and consider the same while adjudicating the present proceeding and treat the same as an integral part of the Respondent No.4's Affidavit in Opposition.
6. The statements made in paragraphs 1 and 2(part) hereinabove are true to my knowledge, those made in paragraphs 2(part), 3(part) and 4 hereinabove are based on information derived from records and believed by me to be true and those made in paragraphs 3(part) and 5 hereinabove are my most humble submissions before this Hon'ble Tribunal.

Prepared by me

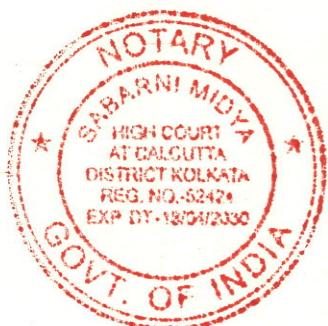
Zuyiga A. A. Bhadani  
Advocate  
F/1500/1596/2009

*Sargata B. Jee.*

DEPONENT

Identified by me

Zuyiga A. A. Bhadani  
Advocate



Signature Attested on  
Identification of Advocate  
Solemnly Affirmed & Declared  
before me on identification

*Sargata B. Jee.*  
Sabarni Midya, Notary  
Reg. No.-52424 Govt. of India  
High Court at Calcutta

23 JUN 2025

# ANNEXURE - R4/29"

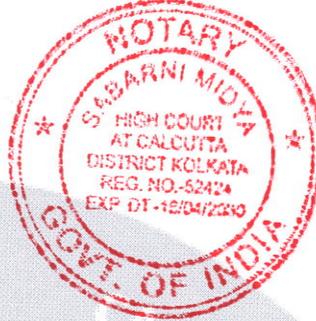
967



सत्यमेव जयते

File No.: J-11011/14/2008-IA II(I)  
Government of India  
Ministry of Environment, Forest and Climate Change  
IA Division

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Dated 22/05/2025

To,

M/s. RAMSARUP INDUSTRIES LIMITED  
3rd Floor, SS Chambers,  
5, C.R. Avenue, Kolkata, West Bengal- 700072  
E-mail: Prashantbhardwaj@shyamgroup.com

Subject:

**Modernization-cum-expansion of Integrated Steel Plant (0.3 MTPA to 0.7 MTPA) by M/s Ramsarup Industries Limited, located at Kharagpur, West Bengal- Consideration of Validity Extension of EC.**

Sir/Madam,

This is in reference to your application submitted to Ministry vide proposal number IA/WB/IND1/513941/2025 dated 16/01/2025 for an extension in validity of prior Environmental Clearance (EC) granted to the project under the provision of the EIA Notification 2006-and as amended thereof.

2. The particulars of the proposal are as below :

- |  |  |
|--|--|
| (i) Validity Extension Identification No.      | EC25A1005WB5481103N  |
| (ii) File No.                                  | J-11011/14/2008-IA II(I)   |
| (iii) Clearance Type                           | Application for Validity Extension of EC- Form-6   |
| (iv) Category                                  | A  |
| (v) Schedule No./ Project Activity             | 3(a) Metallurgical Industries (ferrous and non ferrous)  |
| (vi) Sector                                    | Industrial Projects - 1  |
| (vii) Name of Project                          | Modernization-cum-expansion of Integrated Steel Plant (0.3 MTPA to 0.7 MTPA) at Kharagpur, West Bengal by M/s. Ramsarup Industries Limited |
| (viii) Location of Project (District, State)   | MEDINIPUR WEST, WEST BENGAL  |
| (ix) Issuing Authority                         | MoEF&CC  |
| (x) EC date                                    |  |
| (xi) Status of implementation of the project   | Project is operational for partial components/units envisaged in the EC  |
| (xiii) Whether any amendment to the earlier EC | No   |



has been sought?

3. The proposal was considered in the 73rd EAC Meeting held during 30th – 31st January, 2025 and in the 2nd EAC (Industry-1) Meeting – 23rd – 25th April, 2025. The minutes of the meeting and all the project documents are available on PARIVESH portal which can be accessed at <https://parivesh.nic.in>.

**Details submitted by Project proponent**

4. Environment clearance were accorded by the Ministry vide letter no. F.No.J-11011/229/2006-IAII(I) dated 03/10/2006 and expansion EC vide letter no.F.No.J-11011/14/2008-IAII(I) dated 03/06/2009 in the name of M/s Ramsarup Lohh Udyog Ltd. Further, vide letter dated 30.12.2024, EC was transferred from M/s Ramsarup Lohh Udyog Ltd to M/s Ramsarup Industries Ltd.

5. The total capacity (i.e implemented part of EC dated 03.10.2006 and total capacity of EC dt. 03.06.2009) will be as given below:

<b>Implemented components of EC dated 03.10.2006 (as per EC transfer letter dated 30-12-2024)</b>			
S. No.	Unit	Capacity/ Configuration	Production capacity as per CTO
1.	Blast Furnace (BF) Plant lant	350M3	228100TPA
2.	Rotary Kiln (DRI Unit)	500 TPD	150000TPA
3.	CPP 20MW (DRI&BF Waste Gas)	Waste Heat Recovery Boiler – 12.5 MW BF Gas fired boiler – 7.5 MW	20MW
<b>Components of EC dated 03.06.2009</b>			
S. No.	Unit	Configiration and Capacity proposed as per EC dt. 03.06.2009	
1.	Sponge Iron (DRI) Plant	1x500 TPD (1,50,000 TPA)	
2.	Blast Furnace (BF) Plant	1x350M3 BF(310,900 TPA	
3.	Electric Arc Furnace (EAF)	1x70 T/383,200 TPA	
4.	Ladle Furnace	1x70 T	
5.	Billet Caster	1X4 Strand (372000 TPA Billets)	
6.	Power Plant	Power Plant (1x52.5 TPH WHRB + 1x25 TPH BFG Fired Boiler + 1x120 TPH CFBC Boiler) – 45 MW	
7.	Sinter Plant (1x90 m2) – 960000 TPA	(1x90 m2) 960,000 TPA	
8.	Oxygen Plant – 7300 Nm3/hr	7300 Nm3/hr of Oxygen	
9.	Rolling Mill – 0.8 MTPA	0.8 MTPA	

B)

Sl. No.	Unit	Consolidated Configuration
1.	Sponge Iron (DRI) Plant	2x500 TPD (3,00,000 TPA)
2.	Blast Furnace (BF) Plant	2x350M3 BF(539,000 TPA)
3.	Electric Arc Furnace (EAF)	1x70 T/383,200 TPA
4.	Ladle Furnace	1x70 T
5.	Billet Caster	1X4 Strand (372000 TPA Billets)
6.	Power Plant	Waste Heat Recovery Boiler – 12.5 MW BF Gas fired boiler – 7.5 MW Power Plant (1x52.5 TPH WHRB + 1x25 TPH BFG Fired Boiler + 1x120 TPH CFBC Boiler) – 45 MW Total 65 MW
7.	Sinter Plant (1x90 m2) – 960000	(1x90 m2) 960,000 TPA

	TPA	
8.	Oxygen Plant – 7300 Nm3/hr	7300 Nm3/hr of Oxygen
9.	Rolling Mill – 0.8 MTPA	0.8 MTPA

6. The instant proposal is for extension of validity of Environmental Clearance accorded by the Ministry vide File no. J-11011/14/2008-IA II(I) dated 03.06.2009 and EC transfer dated 30.12.2024 for a period upto 03.05.2031.

#### 7. Reasons for delay:

i. M/s Ramsarup Lohh Udyog Limited had received an EC vide F.No. J-11011/229/2006-IAI(I) on 3rd October, 2006. The project was set up by erstwhile M/s Ramsarup Lohh Udyog Limited after obtaining Consent to Establish (CTE) vide NOC letter no. NO28866 on 6th June, 2006. Subsequently, Consent to Operate (CTO) certificates were obtained vide Letter Nos. CO17521, CO33601, and CO45580 on 8th February, 2007, 22nd December, 2008, and 2nd June, 2009, respectively.

ii. The company M/s Ramsarup Lohh Udyog Limited was amalgamated with M/s Ramsarup Industries Limited (RIL) and M/s Ramsarup Lohh Udyog Limited was dispensed with on 19th September, 2008. The plant was in operation till the year 2010. Thereafter, the plant remained shut down till date. The company Ramsarup Industries Limited was referred to CIRP (Corporate Insolvency Resolution Process) under the Insolvency and Bankruptcy Code, and eventually, the National Company Law Tribunal (NCLT) admitted the company into CIRP.

iii. RIL underwent a successful corporate insolvency resolution process ("CIRP"), wherein the Resolution Plan submitted by a consortium of S.S. Natural Resources Private Limited and Shyam SEL & Power Limited ("Approved Plan") was duly approved by the Hon'ble National Company Law Tribunal, Kolkata Bench (NCLT) vide its order dated 4th September, 2019 ("Plan Approval Order"). Subsequent to the Plan Approval Order, various legal proceedings were commenced by various parties, including the resolution applicants, challenging either the Approved Plan or the Plan Approval Order, which traveled to the Hon'ble Supreme Court. Ultimately, the Hon'ble Supreme Court, by its order dated 12th May, 2022, directed the implementation of the Approved Plan.

iv. In compliance with the said direction, the powers and responsibility were transferred/vested to the newly re-constituted Board of Directors of the Company. Hence, the ownership and management of the company were transferred under the Insolvency and Bankruptcy Code process, while the name of the company remained the same. Now, the new management intends to revive the project. For this purpose, EC transfer w.r.t. name change from the erstwhile M/s Ramsarup Lohh Udyog Limited to the existing M/s Ramsarup Industries Limited was obtained on 30.12.2024 from MoEF&CC.

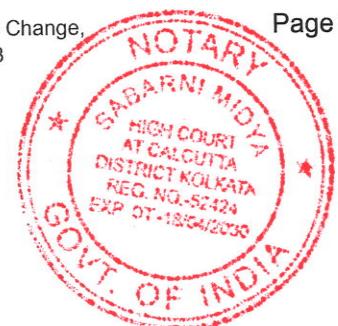
8. While granting the EC transfer dated 30.12.2024, it has been recorded that the proposal was examined by the IA-CMD and LMC w.r.t. compliance of EC conditions and EIA Notification, 2006. Based on the examination, it is inferred that in line with the IA C&MD MoEFCC letter dated 20/09/2024, the Environment Clearance dated 03/06/2009 is valid till 03/05/2025. Further M/s. Ramsarup Industries Limited reported that they had obtained the EC vide F. No. J-11011/14/2008-IA II (I) on 03.06.2009 with validity of 5 years i.e. till 02.06.2014. As per the observations of LMC of MoEF&CC vide letter dated 20.09.2024, validity has been extended up to May 2025.

#### Deliberation by the Committee 73rd EAC Meeting held during 30th – 31st January, 2025

9. The Committee noted the following:

i. Environment clearance were accorded by the Ministry vide letter no. F.No.J-11011/229/2006-IAII(I) dated 03/10/2006 and expansion EC vide letter no.F.No.J-11011/14/2008-IAII(I) dated 03/06/2009 in the name of M/s Ramsarup Lohh Udyog Ltd. Further, vide letter dated 30.12.2024, EC was transferred from M/s Ramsarup Lohh Udyog Ltd to Mis Ramsarup Industries Ltd.

ii. The instant proposal is for extension of validity of Environmental Clearance accorded by the Ministry vide File no. J-11011/14/2008-IA II(I) dated 03.06.2009 and EC transfer dated 30.12.2024 for a period upto 03.05.2031.



iii. PP reported that the company post 2006 EC was amalgamated with M/s Ramsarup Industries Limited (RIL) on 19th September, 2008, and remained operational until 2010, after which it was shut down. RIL underwent CIRP under the Insolvency and Bankruptcy Code, and NCLT approved a resolution plan by S.S. Natural Resources Pvt. Ltd. and Shyam SEL & Power Ltd. on 4th September, 2019. Legal challenges followed, and the Hon'ble Supreme Court upheld the plan on 12th May, 2022. The new management intends to revive the project, and EC transfer for name change to M/s Ramsarup Industries Limited was granted by MoEF&CC on 30th December, 2024.

iv. The EAC noted that while granting the EC transfer dated 30.12.2024, it has been recorded that the proposal was examined by the IA-CMD and LMC w.r.t. compliance of EC conditions and EIA Notification, 2006. Based on the examination, it is inferred that in line with the IA C&MD MoEFCC letter dated 20/09/2024, the Environment Clearance dated 03/06/2009 is valid till 03/05/2025. Therefore, the EC validity may be assumed to be extended till 03.05.2030 in pursuance to MoEF&CCs OM vide F.No. IA3-22/28/2022-IA.III [E181584] dated 13.12.2022 which may be further extendable for additional 1 year subject to application by project proponent as per the provisions made in EIA Notification, 2006 as amended.

Recommendations of the Committee (73rd EAC Meeting held during 30th – 31st January, 2025)

10. In view of the foregoing and after deliberations, the Committee **recommended** to extend the validity of Environmental Clearance accorded by the Ministry vide File no. J-11011/14/2008-IA II(I) dated 03.06.2009 and EC transfer dated 30.12.2024 for a period upto 03.05.2030. All other terms and conditions stipulated in the Environmental Clearance accorded by the Ministry vide File no. J-11011/14/2008-IA II(I) dated 03.06.2009 and EC transfer dated 30.12.2024 shall remain unchanged.

11. During processing of the proposal in the Ministry, the Competent Authority noted that the Project Proponent (PP) was earlier granted two Environmental Clearances (ECs) dated 03.10.2006 and 03.06.2009. PP has submitted a consolidated implementation status of both the ECs. However, the EAC recommendation for validity extension was for EC dated 03-06-2009. Accordingly, it merged that there is a need for correction in the previous MoM wherein the EC validity extension aspect was dealt with and recommended. Hence, a clarity is needed in the matter w.r.t. implementation status. Accordingly, proposal was reconsidered in the 2nd EAC, wherein it is considered appropriate to mention the capacities and implementation status EC-wise as mentioned above.

Deliberation by the Committee 2nd EAC (Industry-1) Meeting – 23rd – 25th April, 2025

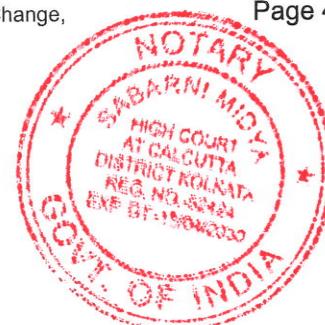
12. The Committee noted the following:

- i. The instant proposal is for extension of validity of EC accorded by the Ministry vide File no. J-11011/14/2008-IA II(I) dated 03.06.2009, and EC transfer dated 30.12.2024, which was recommended earlier for extension for a period upto 03.05.2030.
- ii. The consolidated implementation status table presented in 73rd EAC held during 30th – 31st January, 2025 was required to be updated EC-wise to maintain clarity.
- iii. Accordingly, the EC-wise and consolidated table are prepared and presented above in preceding paragraphs to have clarity on the status of implementation of the project. The information and tables presented above may be considered to have replaced the previous implementation status table mentioned in the MoM of 73rd EAC meeting held on 30-31 January, 2025.

Recommendations of the Committee (–2nd EAC (Industry-1) Meeting – 23rd – 25th April, 2025)

13. In view of the foregoing and after deliberations, the Committee recommended to extend the validity of Environmental Clearance accorded by the Ministry vide File no. J-11011/14/2008-IA II(I) dated 03.06.2009 and EC transfer dated 30.12.2024 for a period upto 03.05.2030 duly noting the implementation status presented above. All other terms and conditions stipulated in the Environmental Clearance accorded by the Ministry vide File no. J-11011/14/2008-IA II(I) dated 03.06.2009 and EC transfer dated 30.12.2024 shall remain unchanged.

Decision of MoEF&CC



14. The undersigned is directed to inform that Ministry of Environment, Forest and Climate Change has examined the proposal in accordance with the Environment Impact Assessment (EIA) Notification, 2006 & further amendments thereto and after accepting the recommendations of the Expert Appraisal Committee (Industry-1) hereby **decides to extend the validity of Environmental Clearance accorded by the Ministry vide File no. J-11011/14/2008-IA II(I) dated 03.06.2009 and EC transfer dated 30.12.2024 for a period up to 03.05.2030 duly noting the implementation status presented above at Para-5.**

15. All other terms and conditions mentioned in the earlier EC letter F. No. J-11011/14/2008-IA II(I) dated 03.06.2009 and EC transfer dated 30.12.2024 shall remain unchanged.

16. This issue with the approval of the Competent Authority.

(Dinesh Runiwal)  
Scientist 'F'/Director  
Tel: 011-20819346  
E-mail: d.runiwal@gov.in

**Copy To**

1. The Principal Secretary, Department of Environment, Government of West Bengal, Prani Sampad Bhavan, 5th Floor, LB-2, Sector-III, Salt Lake, Kolkata-700098.
2. The Deputy Director General of Forests (C), Ministry of Environment, Forest and Climate Change, Sub Office, IB-198, Sector-III, Salt Lake City, Kolkata-700106.
3. The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi-110032.
4. The Chief Wildlife Warden, Govt. of West Bengal, Bikash Bhawan, North Block, 3rd Floor, Salt Lake City, Kolkata – 700 091.
5. The Chairman, West Bengal Pollution Control Board, Paribesh Bhawan, 10A, Block-LA, Sector-III, Bidhannagar, Kolkata-700 106
6. The Member Secretary, Central Ground Water Authority, A-2, W3, Curzon Road Barracks, K.G. Marg, New Delhi-110001.
7. The District Collector, Kharagpur District, West Bengal.
8. MoEF&CC websiteMonitoring Cell, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi.
9. Guard File/Monitoring File/Website/Record File/Parivesh Portal.

(Dinesh Runiwal)  
Scientist 'F'/Director

**Annexure 1**

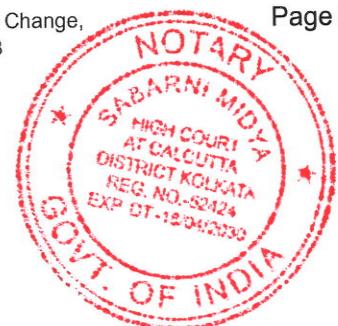
**Specific EC Conditions for (Metallurgical Industries (Ferrous And Non Ferrous))**

**1. Specific**

S. No	EC Conditions
1.1	-

**Additional EC Conditions**

Not Applicable.



**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONAL BENCH, KOLKATA  
WEST BENGAL, FINANCE CENTRE, 3RD FLOOR,  
NEW TOWN**

[Under Section 18 (1) read with Section 14 of the  
National Green Tribunal Act, 2010]

ORIGINAL APPLICATION NO. **188/2023/EZ**

**RAJKUMAR DAS**

... Applicant

-And-

**MOEF, THROUGH ITS SECRETARY, INDIRA  
PARYAVARAN BHAWAN & ORS.**

... Respondents

**2<sup>nd</sup> SUPPLEMENTARY AFFIDAVIT ON BEHALF OF  
THE RESPONDENT NO.4 ABOVENAMED**



23 JUN 2025

**SHOUNAK MITRA, Advocate  
ZULFIQAR ALI ALQUADERI, Advocate  
TIASHA GUPTA, Advocate  
KHAITAN & CO LLP**

Advocates, Notaries, Patent &  
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