

S.L. No. 34/25

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO.96/2025/EZ

In The Matter of:-

Little Flower Kinder Garten School

..... Applicant

- Versus-

State of West Bengal & Ors.

...Respondent(s)

COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NUMBER 08, THE OFFICER-IN-CHARGE, DHANIAKHALI POLICE STATION, DHANIAKHALI, HOOGHLY

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Filed by:

Sibojyoti Chakrabarti

Mr. SIBOJYOTI CHAKRABARTI,

Advocate,

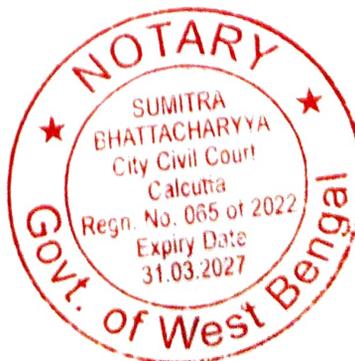
State of West Bengal

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29 JUL 2025





BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

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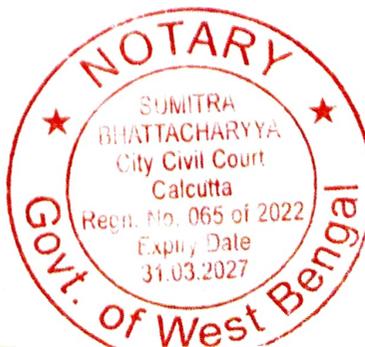
...Respondent(s)

COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NUMBER 08, THE OFFICER-IN-CHARGE, DHANIAKHALI POLICE STATION, DHANIAKHALI, HOOGHLY

I, SRI GOURANGA DEY, Son of Pradip Dey, aged about 28 years, by faith-Hindu, by occupation- Government Service, and presently posted as Officer-in-Charge, Dhaniakhali Police Station, Hooghly Rural Police district, having office at Village: Harpur, P.O & P.S- Dhaniakhali, District: Hooghly, Pin: 712302, do hereby solemnly affirm and declare as follows: -

1. That I am presently posted as the Officer-in-Charge, Dhaniakhali Police Station, Hooghly Rural Police district, having office at Village: Harpur, P.O & P.S- Dhaniakhali, District: Hooghly, Pin: 712302 and I have made myself acquainted with the facts and circumstances of this case and competent to affirm this affidavit for and on behalf of myself being respondent number 08.

2. That this Counter Affidavit is filed in compliance and obedience to the Solemn Order dated 30.06.2025, passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata.



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3. That the main allegation in the original application is that the Respondent No.9 being the private respondent has set up a plastic oil manufacturing plant from waste plastic which is causing huge air pollution in the Village and Mouza - Chotokhanpur, P.O.- Belmuri, P.S. - Dhaniakhali, District : Hooghly where the said industry is situated.

Moreover it has been further alleged that the Respondent No.9 has not obtained any Consent to Establish and/or Consent to Operate from the West Bengal Pollution Control Board for running the business of manufacturing of Plastic Oil from the Waste Plastic Material.

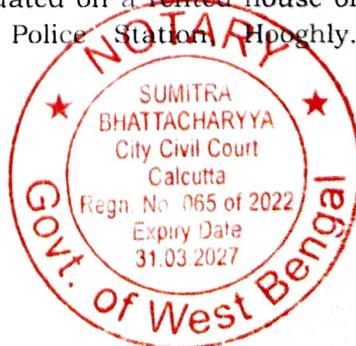
4. That in this regard an enquiry had been made by the Dhaniakhali Police Station on 07.07.2025 and the following observations have been made in the enquiry report:

During enquiry it has been revealed that M/S Natoraj Hydrocarbons Pvt. Ltd. situated Mouza- Chotokhanpur under PS- Dhaniakhali, Dist- Hooghly was used to produce Pyrosis oil from the waste plastic. The registered owner of said factory is Rahul Banshal (Aadhaar No. 7652 3669 0098) S/O Rajesh Kumar Banshal of 7A Bemtin Street, Kolkata- 01, the owner after modified the land from **SALI to FACTORY** as per order of Sub-Divisional Land & Land Reform Officer, Sadar, Hooghly U/S 4C of WBLR Act vide Memo No. IX-2/04/1904/6/SDL/CON/DNK/15 Dated 19.08.2015 set up the said factory.

The said Hydrocarbons company has duly been registered under Ministry of Micro, Small & Medium Enterprises, Govt. of India vide Udyam Reg. No. UDYAM-WB-10-0004821 & PAN No. AAECN7855P, date of commencement of production of business- 01/04/2016.

The said company had also been taken Trade License from Belmuri Gram Panchayat under Dhaniakhali Block vide Reg. No. 1127 & Reg. Certificated Issue No. 01 dated- 13th Jul- 2022 and valid up to 2024-2025.

On the other hands, "**Little Flower Kinder Garten School**" is affiliated under **School Education Department, West Bengal** vide school DISE No. 19121802607, which was formerly situated on a rented house of Iman Ali of Brajadhan under Dhaniakhali Police Station, Hooghly.



Thereafter on the ~~month of March~~ **2024** said school shifted adjacent to the Nataraj Hidhrocarbons Pvt. Ltd. Presently 239 (two hundred thirty nine) pupils are studying at the said school (Lower Class-26, Upper Class -42, KG-62, Class One- 23, Class Two-25, Class Three-17, Class Four-26, Class Five-18).

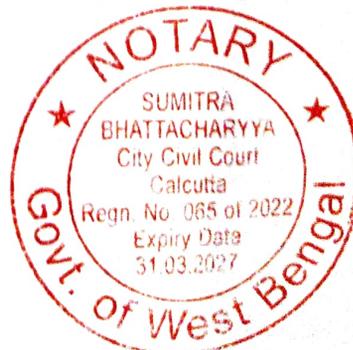
M/s. Nataraj Hydrocarbons Pvt. Ltd. (hereinafter referred to as the unit) has obtained consent to establish from WBPCB for manufacturing glass Fiber Reinforced Plastic Products, but later on it obtained a fresh consent to Establish for manufacturing Reprocessed Plastic Granule and in violation of the said consent to establish, they started manufacturing plastic oil from waste plastic thereby causing huge air pollution.

Earlier the West Bengal Pollution Control Board (hereinafter referred to as the State Board) vide Memo No. 7085-PCB/HGY/O/6740-2022(I) dated 16.07.2024 issued Closure order with disconnection of electricity for operating in violation of environmental norms. The unit had obtained Consent to Establish for manufacturing reprocessed plastic granules, but had installed and operated the waste plastic pyrolysis plant without obtaining CTE/CTO from the State Board. Accordingly, the concern department complied the above noted order.

Later on, after inspection the factory, the State Board was pleased to consider the temporarily suspend the 'Closure order with disconnection of electricity' issued to M/s. Nataraj Hydrocarbons Pvt. Ltd. located at Vill.- Chotokhanpur, P.O.-Belmuri, P.S.-Dhaniakhali, Dist.-Hooghly, Pin- 712302 vide Memo No. 7085-PCB/HGY/O/6740-2022(1) dated 16.07.2024 for three (3) months and the Director (HR), WBSEDCL is requested for taking necessary steps for restoration of electricity connection of the above mentioned unit immediately. Accordingly on the same day i.e. 22.11.24 the WBSEDCL restore the power connection to the said plant.

During spot visit it is found that at present the production of Pyrosis oilin M/s. Nataraj Hydrocarbons Pvt. Ltd. is stopped as the factory is closed. Presently a few security guards are present on the said factory and we talked with them to ascertain the actual reason for the closure, but they are unable to give any information. Later we also tried to make communication with the owner of the said factory over, but failed.

On the other hand, the Authority of Little Flower Garten School has no more allegations against the said M/s. Nataraj Hydrocarbons Pvt. Ltd. The photos of the factory are attached herewith.



Photocopy of the Enquiry Report carried out by the Dhaniakhali Police Station is annexed herewith and marked with the letter 'R-1'.

5. That it is respectfully prayed before the Hon'ble Tribunal may be pleased to pass such further Order/Orders as is deemed fit for the ends of justice.

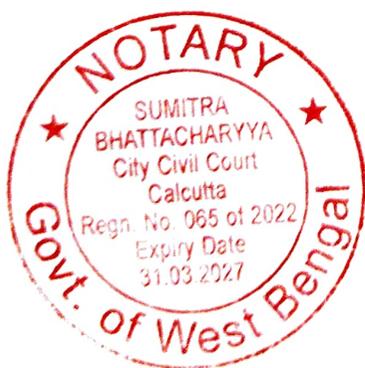
6. That the statements made in paragraph 1 is true to my knowledge and paragraphs 2 to 5, are based on information derived from the record and which I believe to be true and rest thereof are my humble submission before this Hon'ble Tribunal.

Identified by me

Sibajyoti Chakrabarti
Advocate
State of West Bengal
29.07.2025

Govindanga
Deponent
29/07/2025

Officer-in-charge
Dhaniakhali Police Station
Heughty (Rural)





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Verification

I, SRI GOURANGA DEY, Son of Pradip Dey, aged about 28 years, by faith-Hindu, by occupation- Government Service, and presently posted as Officer-in-Charge, Dhaniakhali Police Station, Hooghly Rural Police district, having office at Village: Harpur, P.O & P.S- Dhaniakhali, District: Hooghly, Pin: 712302, do hereby solemnly affirm and verify that the contents of the statements made in the above paragraphs of the affidavit are true and correct to the best of my knowledge and belief. No part of the same is false and nothing material has been concealed therefrom.

Verified at Kolkata, on this the 29th Day of July, 2025.

Identified by me

Sibojyoti Chakrabarti
Advocate 29.07.2025
State of West Bengal

Gouranga Dey
Deponent 29/07/2025
Officer-in-charge
Dhaniakhali Police Station
Hooghly (Rural)

**Solemnly Affirmed and
Declared before me U/S 139
CPC, (C)**

Sumitra Bhattacharyya
Notary

Sumitra Bhattacharyya
Notary, Govt. of W.B
Regd. No. 065 of 2022
City Civil Court. Calcutta

29 JUL 2025

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"Annexure-R-1"

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, EZB, KOLKATA

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CASE NO. O. A. NO. 96/2025/EZ

(Little Flower Kinder Garten School Versus State of West Bengal & Ors)

To
Learned State Advocate
West Bengal.

Sub:- Enquiry Report of petition duly submitted by Manas Kumar Ghoshal, President, Little Flower Garten School.

Respected Sir,

In pursuant of the directions given y Hon'ble National Green Tribunal, EZB, Kolkata an enquiry has been conducted regarding the allegation mention in the petition of the petitioner of Bikash Shaw (Advocate, High Court, Calcutta) in favor of Manas Kumar Ghoshal, President, Little Flower Garten Schooland the findings of enquiry is furnished below.

During enquiry it has been revealed that M/S Natoraj Hidhrocarbons Pvt. Ltd. situated Mouza- Chotokhanpur under PS- Dhaniakhali, Dist- Hooghly was used to produce Pyrosis oilfrom the waste plastic. The registered owner of said factory is Rahul Banshal (Aadhaar No. 7652 3669 0098) S/O Rajesh Kumar Banshal of 7A Bemtin Street, Kolkata- 01, the owner after modified the land from SALI to FACTORYas per order of Sub-Divisional Land & Land Reform Officer, Sadar, Hooghly U/S 4C of WBLR Act vide Memo No. IX- 2/04/1904/6/SDL/CON/DNK/15 Dated 19.08.2015 set up the said factory.

The said Hidrocarbons company has duly been registered under Ministry of Micro, Small & Medium Enterprises, Govt. of India vide Udyam Reg. No. UDYAM-WB-10-0004821 & PAN No.AAECN7855P, date of commencement of production of business- 01/04/2016.

The said company had also been taken Trade License from Belmuri Gram Panchayat under Dhaniakhali Block vide Reg. No. 1127 & Reg. Certificated Issue No. 01 dated- 13th Jul- 2022 and valid up to 2024-2025.

On the other hands, "Little Flower Kinder Garten School" is affiliated under School Education Department, West Bengal vide school DISE No. 19121802607, which was formerly situated on a rented house of Iman Ali of Brajadhan under Dhaniakhali Police Station, Hooghly. Thereafter on the month of March' 2024 said school shifted adjacent to the Natoraj Hidhrocarbons Pvt. Ltd. Presently 239 (two hundred thirty nine) pupils are studying at the said school (Lower Class-26, Upper Class -42, KG-62, Class One- 23, Class Two-25, Class Three-17, Class Four-26, Class Five-18).

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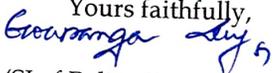
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On the other hand, the Authority of Little Flower Garten School has no more allegations against the said M/s. Nataraj Hydrocarbons Pvt. Ltd. The photos of the factory are attached herewith.

This is for your kind information.

Yours faithfully,

 (SI of Police Gouranga Dey)
 Officer in Charge

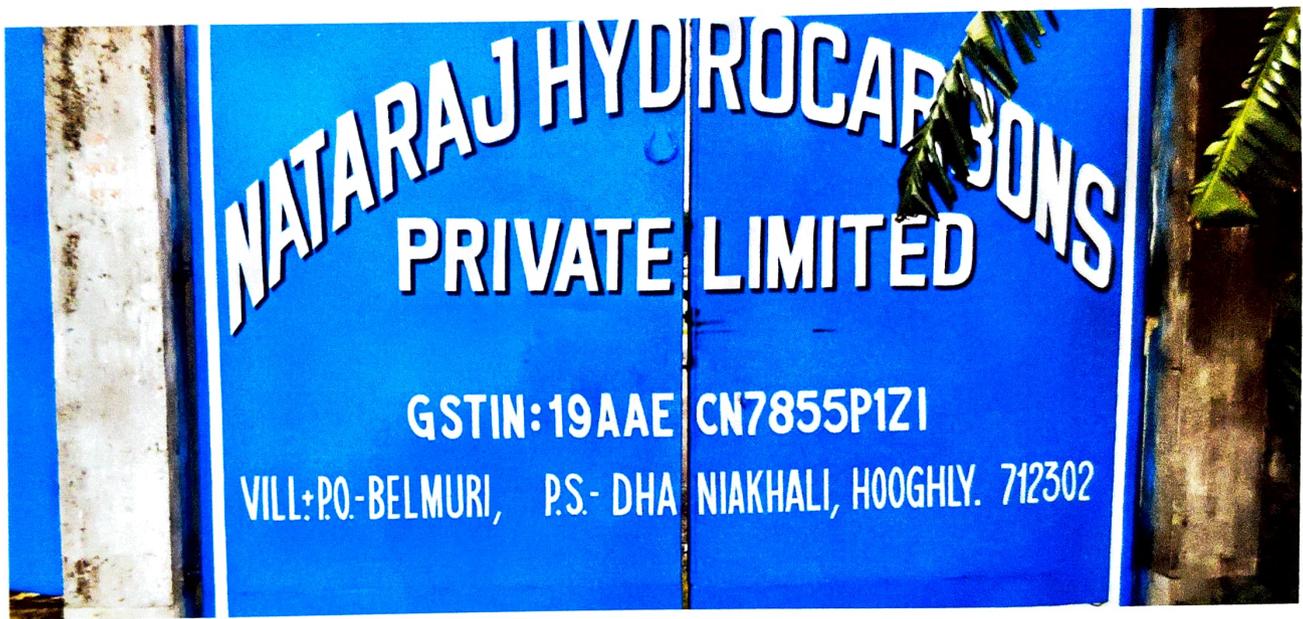
Dhaniakhali PS, Hooghly Rural PD

Dated: 29.07.2025

Officer-in-charge
Dhaniakhali Police Station
Hooghly (Rural)

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"Annexure R-1"



[Signature]
29/07/25
Officer in-Charge
Dhenakhal PS

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Certified to be true
29/07/25
Officer in-Charge
Dhanakthali PS

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

**ORIGINAL APPLICATION
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RESPONDENT NUMBER 08, THE
OFFICER-IN-CHARGE, DHANIAKHALI
POLICE STATION, DHANIAKHALI,
HOOGHLY**

Filed by:

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(M): 9007035534
Email: subho.advocate@gmail.com