

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE, KOLKATA  
OA NO. \_\_\_\_\_ OF 2025**

**U/S 18(1) R/W SEC 14, 15 OF N.G.T. ACT, 2010**

**IN THE MATTER OF:**

**ABHIJIT MAJHI**

**...APPLICANT**

**VS**

**WEST BENGAL POLLUTION  
CONTROL BOARD & Ors.**

**...RESPONDENTS**

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**FILED THROUGH**

*Shashank Rai*

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**Place: New Delhi**

**Dated: 18.05.2025**

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CONTROL BOARD & Ors.**

**...RESPONDENTS**

**MEMO OF PARTIES**

**1. ABHIJIT MAJHI**

Residents of Village Hapania,  
P.O. Nagarukhra, P.S. Haringhata,  
Nadia, West Bengal – 741257

**..APPLICANT**

**Versus**

**1. West Bengal Pollution Control Board**

Through its Member Secretary,  
Paribesh Bhawan, 10A, Block LA, Sector III,  
Salt LakeCity, Kolkata – 700106  
Email: [wbpcnet@wbpcb.gov.in](mailto:wbpccnet@wbpcb.gov.in)

**2. DISTRICT MAGISTRATE**

Office at Krishnanagar, Nadia,  
West Bengal – 741101  
Email: [dm-ndi@nic.in](mailto:dm-ndi@nic.in)

**3. STATE OF WEST BENGAL**

Through Additional Chief Secretary,  
Nabanna, 325 Sarat Chatterjee Road,  
Shibpur, Howrah – 711102  
Email: [acs.devpl@nic.in](mailto:acs.devpl@nic.in)

#### **4. Central Pollution Control Board**

Through Member Secretary Regional Office,  
South End Conclave, Block-502, 5th & 6th Floor,  
1581, Rajdanga Main Road, Kolkata – 700107  
Email: [mkbiswas.cpcb@nic.in](mailto:mkbiswas.cpcb@nic.in)

#### **5. Shree Krishna Husking Mill**

Through its Proprietor Mr. Akhil Baidya  
Situated at Village Hapania, P.O. Nagarukhra,  
P.S. Haringhata, District Nadia, West Bengal – 741257  
Email: [shreekrhusk@gmail.com](mailto:shreekrhusk@gmail.com)

#### **6. West Bengal State Electricity Distribution Company Limited (WBSEDCL) Through Chairman**

Vidyut Bhavan, Block- DJ,  
Sector-II, Bidhannagar,  
Kolkata, West Bengal - 700091  
Email: [nadia.circle@gmail.com](mailto:nadia.circle@gmail.com)

**...RESPONDENTS**

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**SYNOPSIS AND LIST OF DATES**

This present original application is being filed under Sections 14, 15, & 18 of the National Green Tribunal Act, 2010 seeking appropriate relief against the continuing illegal and hazardous operation of a rice mill, M/s Sree Krishna Husking Mill (Respondent No. 5), situated in a residential area in District Nadia, West Bengal. The said rice mill has been functioning since 2004 in violation of the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974, and industrial siting policy of West Bengal.

The applicant has been continuously subjected to severe air and noise pollution due to the illegal installation and 24-hour

operation of more than 10 heavy-duty industrial machines, including a dryer machine, directly in front of his residence. First and foremost, the said mill is located in a residential area. Also, it has failed to install any air pollution control device, effluent treatment plant, or noise mitigation systems and has been discharging untreated wastewater and husk dust into the surrounding environment, endangering public health and ecological balance.

Despite repeated complaints to the WBPCB, SDO, BDO, and CPCB, only perfunctory action was taken, and no effective enforcement measures were implemented. A field inspection by the WBPCB on 27.08.2024 confirmed several violations, including operating without consent, dust and noise pollution, and discharge of untreated effluents. Yet, inexplicably, the WBPCB later granted the respondent Consent to Establish and Consent to Operate in October-November 2024, ignoring its own findings.

The Applicant is constrained to approach this Hon'ble Tribunal as a last resort, invoking the precautionary principle, polluter pays principle, and the constitutional right to life under Article 21. The Applicant prays for immediate closure of the illegal mill or, alternatively, stringent regulation through technological interventions and continuous environmental monitoring to prevent irreparable harm to life, public health, and the environment.

## LIST OF DATES & EVENTS

- 2015 Boiler installed in the mill of Respondent No. 5 blasted causing grave loss of life and property.
- 14.05.2024 The Applicant, submitted a formal written complaint to the West Bengal Pollution Control Board (WBPCB), alleging that the rice mill was operating illegally with more than 10 industrial machines causing grave air and noise pollution. The complaint highlighted the absence of an Effluent Treatment Plant (ETP), improper disposal of solid waste, and unbearable noise levels due to continuous operations.
- 27.08.2024 WBPCB conducted an inspection of the Respondent mill's premises. The inspection report confirmed multiple environmental violations including: absence of Consent to Operate, operation of a wood-fired boiler without valid clearance, discharge of untreated wastewater into nearby low-lying areas, and installation of machines directly adjacent to the complainant's residence. The unit was also found to be lacking dust and noise mitigation

measures.

- 22.10.2024 Despite the serious non-compliance observed in the August inspection report, the WBPCB granted *Consent to Establish* to the Respondent No. 5, ignoring the cautionary recommendations made by its own field officers.
- 14.11.2024 WBPCB also proceeded to grant *Consent to Operate* to the Respondent, without verifying whether any of the environmental safeguards directed in the 01.10.2024 hearing had been implemented. The grant of consent was done mechanically, without any field verification or compliance report from the Respondent.
- 12.12.2024 A renewed complaint was submitted by the Applicant to the WBPCB, pointing out that the rice mill continued to operate round-the-clock in gross violation of the operating hour restrictions, and that no dust or noise mitigation measures had been implemented despite the prior order.

12.03.2025 Acting on the said complaint, the CPCB directed the WBPCB to submit an *Action Taken Report (ATR)* and initiate enforcement measures against the rice mill in accordance with the earlier inspection findings.

30.04.2025 The WBPCB submitted a response to the CPCB, asserting that it had already conducted an inspection in August 2024, and declined to take any further action. No environmental enforcement or prosecution was initiated against the Respondent despite clear findings of continuing violations.

Hence the Applicant was constrained to approach this Hon'ble Tribunal.

**FILED THROUGH**

*Shashank Rai*

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ANUSHI AGRAWAL, RAVI AGGARWAL

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Through its Proprietor Mr. Akhil Baidya

Situated at Village Hapania, P.O. Nagarukhra,

P.S. Haringhata, District Nadia, West Bengal – 741257

Email: [shreekrhusk@gmail.com](mailto:shreekrhusk@gmail.com)

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**...RESPONDENTS**

**ORIGINAL APPLICATION UNDER SECTIONS 14, 15, AND 18 OF THE NATIONAL GREEN TRIBUNAL ACT, 2010 SEEKING DIRECTIONS FOR CLOSURE OF ILLEGALLY OPERATING RICE MILL IN RESIDENTIAL AREA ALONG WITH IMPOSITION OF ENVIRONMENTAL COMPENSATION OR IN THE ALTERNATIVE, STRICT ENVIRONMENTAL COMPLIANCE WITH TECHNOLOGICAL CONTROLS AND POLLUTION MONITORING SYSTEMS IN VIEW OF CONTINUING VIOLATION OF ENVIRONMENTAL NORMS CAUSING NOISE AND AIR POLLUTION**

THE HON'BLE CHAIRMAN AND HIS COMPANION MEMBERS OF  
THE HON'BLE TRIBUNAL

**MOST RESPECTFULLY SHOWETH:**

1. That the Applicant is a responsible and environmentally-conscious and law-abiding citizen of the country residing at the address mentioned in the Memo of Parties.
2. That the RICE MILL, Respondent 5, located at the address in the Memo of Parties, has been operating in violation of environmental norms, in a residential area and causing severe environmental damage in gross violation of regulatory directives.
3. That the Respondent No. 1 to 4 are incharge of Government Authorities/Departments responsible for ensuring the compliance of environmental norms and regulations in the State of WEST BENGAL, and Respondent No 6 is responsible for distributing electricity to units in the region.

**FACTS IN BRIEF:-**

4. That it is to bring to the kind knowledge of the Honourable Tribunal that one of the major sources of increasing levels of

pollution in West Bengal is the various Rice Mills that are being operated in the state in blatant violations of the environmental rules & norms. The illegal operations of the Rice Mills contribute to the highest levels of pollutants in the ambient air, making it extremely hazardous to breathe in.

5. That the Respondent No. 5 Shree Krishna Husking Mill located in District-Nadia had commenced operations without obtaining the requisite "Consent to Establish" (CTE) and "Consent to Operate" (CTO) from the West Bengal Pollution Control Board (WBPCB). Respondent No. 3 can produce the taxation records/history from the relevant department which would establish beyond doubt the year of establishment.
6. That it was only after the Applicant's complaint dated 14.05.2024 and 29.05.2024 that Respondent No. 5 obtained these consents in October-November 2024, thereby regularizing an already illegal operation.
7. That as per Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and Section 25 of the Water (Prevention and Control of Pollution) Act, 1974, no industrial plant can

be established or operated in an area *without prior consent* from the State Pollution Control Board. The operation of the said Rice mill despite lacking such consent, constituted a direct violation of environmental laws.

8. That the rice mill, illegally established, is being operated directly adjacent to the Applicant's residential premises. The said unit has unlawfully installed and is operating more than ten heavy-duty industrial machines, including, inter alia, a wood threshing machine, dryer machine, without any adherence to pollution control norms prescribed under the applicable environmental laws.
9. That these machines operate continuously for twenty-four hours a day, producing excessive and hazardous levels of noise and emitting fine particulate matter, husk, dust, Particulate Matter (PM 2.5 and PM 10) and other air-borne pollutants that are hazardous to human health given their continued exposure beyond ambient levels. The operations of the said unit are causing severe environmental

degradation and public nuisance in what is otherwise a peaceful residential locality.

10. That the rice mill, covered in orange category, as per CPCB 2016 regulations, is situated within a residential area, violating zoning regulations. The establishment of such an industrial unit in a residential zone is impermissible and has led to the degradation of the living environment for the residents. It is beyond imagination how such a unit was granted CTO by the Respondent No. 1. A copy of land details where the said unit is located is annexed herewith as **ANNEXURE A-1**.

11. Moreover the unit continues to operate husking machines and sorter machines which do not fall under the exempted category of siting industrial policy of the state as observed by WBPCB in its inspection report.

12. That initially Applicant lodged a complaint with the West Bengal Pollution Control Board (WBPCB) on 14th May 2024, against M/s Shree Krishna Husking Mill, owned by Mr. Akhil Baidya, complaining that the mill, situated directly opposite

the Applicant's residence, had illegally installed over ten high-noise-generating machines including a wood threshing machine and a dryer machine. These machines have been operating continuously, 24 hours a day, emitting harmful dust and causing unbearable noise pollution, adversely affecting the physical and mental health of the Applicant and other residents in the locality. Despite the WBPCB issuing directions to the administrative authorities to stop the mill's operation, no effective action was taken.

13. The applicant is a student preparing for government competitive exams. The Applicant is unable to focus and study due to the incessant noise round the clock. Having said this, it is not just the Applicant but the entire locality whose right to live in a peaceful and clean environment. A list of signatures of residents of the locality is annexed herewith as **ANNEXURE A-2**.

14. That the West Bengal Pollution Control Board, on the basis of a complaint by the petitioner dated 29.05.2024, conducted an inspection on 27.08.2024 which conclusively

revealed that the Respondent No. 5—M/s Sree Krishna Husking Mill—was operating without a valid Consent to Operate, had failed to install any effluent treatment system, was emitting untreated wastewater into nearby areas, and was causing significant dust and noise pollution affecting the petitioner. A copy of the Record of Proceedings of WBPCB dated 30.10.2024 which contains Observations in Inspection of premises of Respondent No. 5 Rice Mill conducted by WBPCB Officials on 27.08.2024 is attached herewith as **ANNEXURE A-3.**

15. That the inspection on further enquiry also revealed that the respondent unit was operating a parboiled rice mill, including a husking facility, without obtaining mandatory clearances or Consent to Operate from the WBPCB since 2004, and had not installed any Effluent Treatment Plant (ETP) to treat process effluents, which were found to be discharged untreated into low-lying areas.
16. That despite the aforesaid detailed observations, findings, and cautionary directives issued by the West Bengal

Pollution Control Board in its inspection report, the Respondent No. 5 was inexplicably granted Consent to Establish and Consent to Operate on 22.10.2024 and 14.11.2024 respectively, in complete disregard of the serious non-compliances recorded. A copy of the CTE dated 22.10.2024 and CTO dated 14.11.2024 issued to the Respondent 5 is annexed herewith as **ANNEXURE A-4** and **ANNEXURE A-5** respectively.

17. It is to be noted that the aforesaid inspection report notes that *“In-charge of the Barrackpore Regional Office is requested to take note that the both the unit of paddy boiling and husking are functioning since 2018, at the time of disposing of the application of the respondent for issuance of Consent to Establish/Consent to Operates, and review the declaration of the respondent about capital investment, on merit, if they applied upon complying the direction above, with an intimation to this Office.”*. However, the CTE dated 22.10.2024 has been granted to Respondent 5 as a new unit in stark disregard of the inspection and observation report.

18. That the issuance of these consents not only negates the cautionary measures highlighted in the official inspection report but also reflects a gross oversight and abdication of regulatory responsibility on the part of the concerned authorities and even connivance, thereby enabling continued environmental degradation and public nuisance.
19. That on 12.12.2024 aggrieved by the inaction of the Respondent Authorities in ensuring environmental compliances and continued violation of the norms by the Respondent no 5 Applicant again, submitted a written complaint before the West Bengal Pollution Control Board (WBPCB) highlighting that the mill had illegally installed more than 10 machines, including a wood-threshing machine and a dryer, which were running continuously 24 hours a day, rice loaded engine vans, causing excessive noise and dust pollution in the residential locality and that no effective action has been taken to enforce the same.
20. That on 30.01.2025, a further complaint was addressed to the Central Pollution Control Board (CPCB), informing that

despite prior complaints to the BDO, SDO, and WBPCB, the mill continued its unlawful and hazardous operation. The Applicant reiterated the continuous noise and air pollution causing significant physical and mental health issues to the family members and local residents. The Applicant further alleged that the owners of the rice mill are illegal immigrants from Bangladesh who had fabricated documents and amassed wealth worth over ₹15 crores through unlawful means.

21. That an earlier boiler explosion in the said rice mill in 2015 had damaged the Applicant's house and trees. The present boiler is over 10 times more powerful than that and an explosion, if any, would cause huge destruction to life, property, and environment. The neighbouring residential buildings live under constant danger of collapse due to continuous vibrations emanating from the mill.

22. That pursuant to the aforementioned complaints, the Central Pollution Control Board (CPCB) was pleased to direct the West Bengal Pollution Control Board (WBPCB) to conduct

a **thorough investigation** into the matter and submit an Action Taken Report. However, despite the gravity of the environmental violations, the WBPCB failed to initiate any concrete or coercive measures for enforcement. A Copy of letter addressed to WBPCB by CPCB dated 12.03.2025 is attached herewith as **ANNEXURE A-6**.

23. That in its response to the CPCB's directive, the WBPCB merely stated that an investigation had already been conducted in October 2024, thereby abdicating its duty to take effective steps towards the implementation and enforcement of its very own directions towards environment protection made in the inspection report. A Copy of the said reply dated 30.04.2025 is attached herewith as **ANNEXURE A-7**

24. That it is humbly submitted the investigation report itself had recommended the imposition of stringent directives, inter alia, mandating the immediate installation of air pollution control devices, effluent treatment systems,

acoustic mitigation measures, proper mechanisms for solid waste disposal, and the regulation of operational hours. It further mandated that all operations be suspended forthwith unless the unit obtained the requisite statutory consents and clearances. The report also urged continuous monitoring of compliance by local authorities, including the jurisdictional police and the Block Development Officer (BDO). Yet, these critical directions have remained largely unimplemented, resulting in continued environmental degradation and violation of the rights of the residents.

25. That the conditions imposed on the Respondent 5 while granting CTE and/or CTO like working hours, production capacity, compliance with statutory norms/rules have been given a go by, which highlight the “**Profit over People**” and/or “**Profit at any Cost**” attitude of Respondent 5.

26. That it is in this backdrop, the concerned State instrumentalities have exhibited gross negligence towards the ongoing environmental pollution and degradation and

the attendant hazards posed to flora and fauna. The unchecked air and noise pollution emanating from such activities has threatened the ecological balance and the continuity of life itself. The cumulative environmental damage endangers the human health of the residents in the region. It is, therefore, imperative that such degradation is urgently curtailed and that the natural environment is safeguarded for present and future generations.

27. That it is pertinent to note that despite the alarming levels of pollution suffered by the neighbourhood, the rice mill has been operated illegally in the state since 2004, in blatant violation of the environmental rules & norms. Although the mill has lately obtained CTE and CTO, however the said CTE and/or CTO are merely an eyewash exercise. The inspection report itself noted that there was no whisper of a husking machine in the application of CTE, and hence CTE and CTO has been obtained by suppressing material facts and playing fraud upon the authorities. Likewise, CTE has been granted by treating it as a proposed new mill. Furthermore, there is

no compliance of statutory norms like Noise Pollution Rules, Solid Waste Management Rules etc.

28. That further the concerned authorities even after being made aware of the fact that the Respondent 5 is operating illegally and is causing environmental damage, evident as per their own investigation, have failed to ensure their immediate closure or impose any appropriate penalties or fines on Respondent 5 even though they were backed by the statutory powers to do so. Consequently, the Applicant's all possible attempts to bring the attention of all the concerned authorities towards these illegal operations were neglected hence leaving him with no other option but to approach this Hon'ble Tribunal. A Copy of all the complaints against Respondent No. 5 made by the Applicant to various authorities is attached herewith as **ANNEXURE A-8**.

29. That even the Respondents are operating illegally as can be seen from the GPS Photographs annexed as **ANNEXURE A-9**. Specifically, the corresponding photograph clearly shows Respondent No. 5 is situated in a residential area just

in front of the Applicant's residence. That the Applicant can submit, with the permission of this Hon'ble Tribunal, video recording which would establish beyond doubt the quantum of dust and noise pollution emanating from the illegal operation of Respondent No. 5.

30. That one of the photographs shows a truck transporting paddy to the mill. Everyday several trucks transport paddy to the mill. This amounts to 600 bags, each carrying 60 kg, thus totalling to 36 MT paddy per day. Now, on average, 100 kg of paddy produces 80 kg of rice and 20 kg of husk. Thus, the mill is overshooting permissible limits under CTO by several times.

31. That the Respondent Rice Mill has not yet complied with the requirement of any soundproofing, dust suppression, air filtration or noise abatement equipment, dust collectors, acoustic barriers, or filtration mechanisms, effluent treatment systems, proper mechanisms for solid waste disposal, the regulation of operational hours were in place as had been mandated by the WBPCB report nor has it

undertaken any green belt development around the premises, in flagrant violation of the norms prescribed by the Central and State Pollution Control Boards.

32. That the Rice Mill, especially coupled with husking activity, is clearly a major polluting industry, yet the regulatory authorities have failed to enforce environmental safeguards or collect environmental compensation. The Board's decision to let the Rice mill operate despite prior violations and without ensuring compliance with the Hon'ble Supreme Court and NGT directions, constitutes a gross abdication of its statutory duty under the Air (Prevention and Control of Pollution) Act, 1981, Water (Prevention and Control of Pollution) Act, 1974 and the Environment (Protection) Act, 1986. The present application seeks judicial intervention to rectify this failure, protect the health and ecology of the affected region, and uphold the principles of environmental justice.

33. That unregulated operations of rice mills, particularly those functioning without requisite environmental

safeguards, contribute substantially to ambient air and noise pollution. These mills emit significant quantities of respirable particulate matter (PM10 and PM2.5), husk, dust, and other airborne pollutants including volatile organic compounds (VOCs), thereby severely deteriorating the air quality in the region.

34. That the incessant operation of machinery, including threshers and boilers, generates intolerable noise levels, far exceeding permissible limits under the Noise Pollution (Regulation and Control) Rules, 2000. The cumulative impact of such emissions and noise pollution poses a grave threat to public health, especially for vulnerable populations such as children, the elderly, individuals with pre-existing pulmonary or cardiovascular ailments besides dangers to animals and birds.

35. That the continued functioning of such units in densely populated residential areas without pollution control devices constitutes a blatant violation of environmental norms and fundamental rights under Article 21 of the Constitution of

India. Further continuous operation of heavy machinery emits high decibel noise levels even during prohibited hours and airborne particulate matter, leading to respiratory issues, sleep disturbances, and other health problems among the residents. A screenshot showing high decibel levels even during early morning hours from 3 AM to 9 AM is annexed herewith as **ANNEXURE A-12** which shows open flouting of working hours clause of the Consent.

36. That despite evidence from GPS photographs and online records showing that the Respondent Rice Mill continues to operate unlawfully, authorities have failed to take meaningful action.

37. That it is further submitted that allowing the Respondent rice mill to escape liability would unjustly shift the burden of environmental remediation onto Respondent Authorities and by extension, the public exchequer. In effect, innocent taxpayers would be made to bear the economic and health costs of illegal operations carried out for private profit. Such an outcome would be contrary to the principles of justice,

equity, and environmental accountability. Hence, the present application is being filed bona fide and in the interest of upholding the constitutional and statutory mandate of environmental protection.

38. That the said Rice Mill, which is using dryer machines, boiler, husking machines of huge capacity, has been functioning without any environmental clearance - which flies in the face of EIA Notification, 2006. It is to be noted that EIA is based on the "**Precautionary Principle**" which is an important aspect of environmental jurisprudence, well recognized by HOn'ble Supreme Court of India in ***Indian Council for Enviro-Legal Action v. Union of India, (1996) 3 SCC 212***. Further, in ***Vanashakti vs Union of India (2025)*** unequivocally said that prior environmental clearance is law of the land and must be adhered to.

39. That it is respectfully submitted that the Respondent Rice Mill is operating in gross violation of environmental siting norms, being situated in close proximity to residential colonies, educational institutions, religious sites, village

settlements, and water bodies—all of which fall within restricted buffer zones prescribed under applicable environmental guidelines.

40. That the present application is being made bonafide in the interest of justice.

41. That the present Application is being filed after exhausting all other remedies available to the applicant to ensure that the Respondent Rice Mill, which is operating unlawfully in violation of environmental norms, is shut down as soon as possible and is held liable for their environmental violations and is made to compensate for the damage caused and penalized for the same based on "*Polluter pays principle*".

42. That no similar application and/or petition has been filed in any court or tribunal.

43. That the present execution Application is being filed under the relevant section 14 & 15 of the NGT, Act, 2010.

**GROUND:**

44. BECAUSE the WBPCB, arrayed as Respondent 1, other authorities, have neither looked into the matter nor taken

any remedial action to alleviate the environmental damage caused due to unlawful operation of the respondent Rice mill despite various complaints in this regard.

45. BECAUSE turning a blind eye to these environmental violations, inadvertently or otherwise, will incentivise other rice mills to operate illegally and cause immense damage to the environment.

46. BECAUSE the present application is maintainable in view of the persistent and continuing violations of environmental laws by Respondent No. 5, whose rice mill has been operating in a residential area in gross violation of zoning regulations and without adherence to pollution control norms.

47. BECAUSE the unit commenced operations without obtaining the mandatory statutory consents under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and Section 25 of the Water (Prevention and Control of Pollution) Act, 1974. These provisions mandate that no person shall establish or operate any industrial plant without

prior consent of the State Pollution Control Board. The belated grant of Consent to Establish (CTE) and Consent to Operate (CTO) in October and November 2024, respectively, cannot legalize the prior illegal operation spanning over a decade and a half. Such regularisation is contrary to the principles of environmental jurisprudence and amounts to rewarding persistent non-compliance.

48. The said rice mill, which falls under the "Orange" category of industries as per the CPCB classification, is impermissibly located within a residential zone. As per settled law, industrial units of moderate pollution potential such as those falling under the Orange category are not allowed to be established in purely residential areas. The establishment of such a unit in a residential setting is in direct contravention of zoning and siting norms under various environmental guidelines and State Industrial Siting Policies.

49. BECAUSE the CTO has been granted under Red Category, thereby highlighting the grave environmental consequences of operation of Respondent 5 in residential area.
50. BECAUSE the operations of the Respondent's unit are not only unauthorized but have caused significant environmental degradation and created a serious public nuisance. The rice mill runs heavy-duty industrial machinery, including drying machine and husking machines, throughout the day and night, emitting large volumes of husk dust, PM10, PM2.5, and other airborne pollutants, along with intolerable levels of industrial noise besides persistent vibrations.
51. BECAUSE the unit has also been discharging untreated wastewater into nearby low-lying areas in violation of the Environment (Protection) Act, 1986 and the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016. The failure to install effluent treatment plants (ETPs), noise suppression systems, or air pollution control mechanisms such as dust collectors and scrubbers

demonstrates a complete disregard for environmental safety, public health, and statutory obligations.

52. BECAUSE the pollution from the Respondent's rice mill poses a direct threat to the health and safety of the local population, particularly affecting children, the elderly, and those with pre-existing respiratory or cardiac conditions. The right to live in a clean and healthy environment has been held to be an essential part of the right to life guaranteed under Article 21 of the Constitution of India. In ***Subhash Kumar v. State of Bihar, (1991) 1 SCC 598***, the Hon'ble Supreme Court affirmed that the right to life includes the right to enjoyment of pollution-free air and water. The continued operation of the Respondent unit without remedial measures violates this sacrosanct right and must be restrained in the interest of public health and environmental justice.

53. BECAUSE, the action (or inaction) of the State Pollution Control Board and local authorities, who failed to enforce the

law despite being fully aware of these violations, amounts to a gross dereliction of duty under Section 17 of both the Air Act and the Water Act. The Respondent Board has chosen to rely on a prior investigation and has taken no concrete enforcement action, despite being directed by the Central Pollution Control Board (CPCB) to file an Action Taken Report and ensure compliance and in light of the fact that even after the said report environmental violations continued to take place in non compliance of the very same report. This constitutes an abdication of statutory responsibility and necessitates the intervention of this Hon'ble Tribunal to ensure accountability and enforcement of environmental safeguards.

54. BECAUSE the failure of the Respondent Authorities to shut down the mill or impose penalties despite the violations being documented by their own inspection reports is also a breach of the **Polluter Pays Principle**, now well established as part of the environmental law of the land. In ***Indian Council for Enviro-Legal Action v. Union of India***,

**(1996) 3 SCC 212**, the Supreme Court ruled that the responsibility for repairing the damage is that of the industry engaged in the hazardous or inherently dangerous activity. The polluter is liable to pay the cost to the individual sufferers as well as the cost of reversing the damaged ecology. Thus, Respondent Rice Mill is liable not only for environmental compensation but also for remediation of environmental degradation caused during their illegal operations.

55. BECAUSE the principle of "Polluter Pays" which has been judicially recognized as part of the law of the land by the Hon'ble Supreme Court in ***Vellore Citizens Welfare Forum v. Union of India, (1996) 5 SCC 647*** adequately applies in the present case. In that landmark judgment, the Court categorically held that the Polluter Pays Principle imposes absolute liability on a polluter not only to compensate victims of pollution but also to bear the cost of restoring environmental degradation. The Court further recognized the Precautionary Principle and Sustainable Development as part

of domestic environmental jurisprudence. In view of this binding precedent, the Respondent No. 5 is under an enforceable obligation to pay for the harm caused to the air, water, soil, and overall ecology of the region.

56. BECAUSE, under Rule 3 of the Noise Pollution (Regulation and Control) Rules, 2000, noise levels in residential areas must not exceed 55 dB(A) during daytime and 45 dB(A) during nighttime. The operation of industrial machinery beyond permissible decibel levels violates these Rules, and under Rule 6, it constitutes a punishable offence. In ***In Re: Noise Pollution (V), (2005) 5 SCC 733***, the Hon'ble Supreme Court emphasized the right of individuals to peaceful and noise-free living in residential zones, holding that the State has a duty to ensure compliance with noise standards and that right to live in a noise free environment is a fundamental right.

57. The continued functioning of the rice mill without effective compliance mechanisms is also violative of the precautionary

principle—a fundamental tenet of Indian environmental jurisprudence. In ***A.P. Pollution Control Board v. Prof. M.V. Nayudu***, (1999) 2 SCC 718, it was held that environmental measures must anticipate, prevent, and attack the causes of environmental degradation, and where there are threats of serious damage, lack of full scientific certainty should not be used as a reason for postponing measures.

58. Because the present case is squarely governed by the binding ratio laid down by the Hon'ble National Green Tribunal, Western Zone, Pune in ***Lokmangal Sansthan v. Shri Sanjay Wadettiwar & Ors.***, Application No. **22/2013 (WZ)**, wherein the Tribunal held that the proximity of a rice mill to residential or institutional buildings—coupled with the generation of husk dust and excessive industrial noise—constitutes actionable nuisance and environmental harm. In that case, the Tribunal observed that rice husk, when stored or handled without adequate enclosures and safeguards, disperses in the air and

contaminates surrounding areas, including water sources, causing air and water pollution. The Tribunal found that the constant pounding and mechanical sounds from the rice mill violated the noise pollution thresholds, interfering with the peaceful use of neighboring premises and causing distress to the occupants. Similar observations were also made by the Hon'ble Karnataka High Court in ***K. Muniswamy Gowda v. State of Karnataka, AIR 1998 Karnataka 281***. A copy of judgment/final order in *Lokmangal Sansthan v. Shri Sanjay Wadettiwar & Ors.*, Application No. 22/2013 (WZ) is annexed herewith as **ANNEXURE A-10**.

59. BECAUSE the present case also raises issues of public nuisance and private nuisance actionable under civil law and public law. The persistent health issues, mental anguish, property damage, and disturbance to peaceful enjoyment of property suffered by the Applicant and nearby residents qualify for judicial redress under the doctrine of environmental tort and nuisance.

60. BECAUSE, allowing the Respondent to continue operations without accountability would set a dangerous precedent, unjustly shifting the economic and ecological burden of pollution onto the State and its citizens. This would violate the principle of fairness, accountability, and good governance enshrined in Articles 47 and 48A of the Constitution.

61. BECAUSE non-compliance with the Environment Protection Act, 1986, is leading to unchecked pollution and gross violations of the Air (Prevention and Control of Pollution) Act, 1981, due to emissions of toxic pollutants along with breach of the Water (Prevention and Control of Pollution) Act, 1974, with rampant contamination of local water bodies and Noise Pollution (Regulation and Control) Rules, 2000, enacted under the Environment (Protection) Act, 1986 for emitting noise and vibrations beyond permissible limits

62. BECAUSE the unlawful activities without any penalties and compensation being imposed have resulted in substantial

revenue losses to the State while causing irreparable environmental damage. The absence of effective regulatory action not only encourages further violations but also endangers public health and biodiversity in the region.

63. BECAUSE the Respondent Rice Mill has, through their inaction and wilful negligence, allowed the illegal operation of rice mills in Nadia district, West Bengal, resulting in severe environmental degradation and gross violations of statutory mandates.

64. BECAUSE the rice mill operations involve extensive use of water and generate highly polluted effluents, the Respondents' act of discharging untreated wastewater without setting up an Effluent Treatment Plant and without obtaining prior consent from the Pollution Control Board violates Section 25 of the Water (Prevention and Control of Pollution) Act, 1974. This has led to contamination of land and water bodies, causing serious environmental and public health hazards. Accordingly, the Respondents are liable to be penalized under Section 44 of the said Act for

non-compliance and continued violation of statutory provisions.

65. Because the Supreme Court has consistently upheld the Right to a Clean and Healthy Environment as part of the fundamental Right to Life under Article 21. The continued operation of the polluting Rice Mill, despite closure orders, directly infringes upon the fundamental right of local residents.

66. BECAUSE the said Rice Mill is located in municipal and residential areas, violating zoning laws and endangering nearby inhabitants. Under the Environment Protection Act, 1986, and various Supreme Court and NGT judgments, industrial units operating without necessary permissions in prohibited zones must be immediately shut down and the cost of environmental restoration and mitigation be taken from the violator based on the "**Polluter Pays Principle**".

67. BECAUSE the said Rice Mill, with dryer machine, husking machines etc, is operating without Prior Environmental Clearance is a stark violation of Environment Impact

Assessment Notification, 2006. In **Vanashakti vs Union of India WRIT PETITION (C) NO.1394 OF 2023**, the Hon'ble Apex Court unequivocally stressed on Prior Environmental Clearance being the law of the land. The Mill, having violated EIA Notification, must be made to pay penalty and directed to be shut down.

68. BECAUSE the unlawful and unregulated operations of these Rice Mill have significantly deteriorated air quality, increased respiratory diseases among the local population, and caused irreparable harm to biodiversity.
69. BECAUSE since the consequences of these polluting activities are grave and not easily -if at all - reversible, it is in the interest of justice, equity and good conscience that the polluters are held liable for their illegal and unlawful actions and penalized for violation and make to compensate for the environmental damage caused.
70. BECAUSE the rice mill is operating in complete disregard of environmental laws, constitutional mandates, and judicial principles, and the failure of the regulatory authorities to act

effectively has enabled the continuation of serious environmental damage. The present application, filed bona fide in the interest of environmental justice and public health, merits urgent and strict intervention by this Hon'ble Tribunal.

**LIMITATION:-**

The present Original Application has been filed by the Applicant within the period of limitation as on 30.04.2025, when WBPCB submitted a response to the CPCB, referring to pror inspection in August 2024, and declined to take any further action despite clear findings of violations, the Cause of Action arose for the Applicant to approach this Hon'ble Tribunal. And this application is made within 6 months from that date. Further, the violations continue to exist, giving rise to continuing cause of action.

**INTERIM RELIEF:-**

In views of the aforesaid facts and circumstances, it is prayed that the Honourable Tribunal may graciously be pleased to:

- a. Direct Respondent No. 6 AND/OR Respondent No. 2 to

forthwith stop the supply of electricity to Respondent No. 5 till this Hon'ble Tribunal is satisfied that there is no violation of environmental norms.

- b. Pass any other order(s) as this Hon'ble Tribunal may deem fit in the interest of justice, public health, and environmental protection.

### **PRAYER**

In views of the aforesaid facts and circumstances, it is humbly prayed that the Honourable Tribunal may graciously be pleased to:

- a. Direct the immediate closure of M/s Sree Krishna Husking Mill, operated by Respondent No. 5, for having commenced and continued operations in flagrant violation of environmental statutes and for causing grave and persistent air and noise pollution in a residential area;
- b. Direct that the continued operation of the Respondent No. 5's rice and husking mill shall be strictly regulated and made subject to the installation and functioning of the following

minimum environmental safeguards and pollution control technologies,

- c. Direct the Respondent No. 5 to pay environmental compensation as per the "Polluter Pays Principle" for past and present continuing violations, to be used for remediation and health welfare in the affected area;
- d. Pass any other order(s) as this Hon'ble Tribunal may deem fit in the interest of justice, public health, and environmental protection.

Abhijit Maghi

**APPLICANT**

**FILED THROUGH**

*Shashank Rai*

AJAI KUMAR SRIVASTAVA, SHASHANK RAI, OM PRAKASH SAPRA,  
ANUSHI AGRAWAL, RAVI AGGARWAL  
**(COUNSELS FOR PETITIONER)**

A-757, Tulsi Marg, Sector-19 Noida , UP - 201301

**MOBILE:** +91 9643680750

**EMAIL:** [chambersofshashankrai@gmail.com](mailto:chambersofshashankrai@gmail.com)

**Place: New Delhi**

**Dated: 18.05.2025**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
AT KOLKATA**

**ORIGINAL APPLICATION NO. \_\_\_ OF 2025**

(Under Section 14 r/w S. 18 of National Green Tribunal Act, 2010)

**IN THE MATTER OF:**

**ABHIJIT MAJHI**

**...APPLICANT**

VERSUS

**WEST BENGAL POLLUTION CONTROL**

**BOARD & ORS.**

**...RESPONDENTS**

**BEFORE THE NOTARY PUBLIC AFFIDAVIT  
24-Parganas (North)**

I, Abhijit Majhi S/o Sh. Ruhitan Majhi, aged about 26 years, R/o  
Village: Hapania, P.O.: Nagarukhra, P.S.: Haringhata, District: Nadia,  
West Bengal – 741257, do hereby on solemn affirmation state as under:-

1. That I am the Applicant in the instant Original Application and thus fully conversant with the facts and circumstances of this case and am competent to swear this Affidavit in support of the accompanying Application.

**SL.No 1298-2025  
20 MAY 2025**



- 2. That I have read the contents of the accompanying Original Application including the submissions advanced and the Prayers sought. I state that the contents thereof are true and correct to the best of my knowledge and belief.
- 3. That the Annexures filed along with this Original Application are true copies of the original.

Abhijit Maghi  
DEPONENT

**VERIFICATION:**

Verified at \_\_\_\_\_ on this \_\_\_ day of May 2025 that the contents of the above affidavit are true and correct to the best of my knowledge, no part of it is false and nothing material has been concealed therein.

Abhijit Maghi  
DEPONENT



Solemnly Affirmed on this.....20<sup>th</sup>.....  
day of.....May.....2025.....  
Identified by Sri.....Shashank Rai.....Advocate

*Mittra*  
Mrityunjay Mitra  
NOTARY  
Regn. No.- 10285/13  
GOVT. OF INDIA

20 MAY 2025 CHECKED BY  
NOTARY CLERK

(Live Data As On 19/05/2025,15:02:40)

J.I No : 082 Thana : Haringhata

ANNEXURE A-1

Khatian No :	689
Raiter Nam :	Akhil Kumar Baidya
Pita/swami :	Sripada
Raiter Dharan :	Byakti
Thikana :	Nij
Zamir Pariman:	1.1271 Ekar
Dager Sankhyan :	10

## Atrasbatber Dager Bibaran O Pariman:

(\* Exact quantum of land in respect of any khatian will be determined as per the share mentioned in the khatian against the Plot.)

Dag No	Shreni	Ansh	Ansh Pariman(ekar)	Dakhaldar	Mantaby
30	Aush	0.0340	0.0300	Nil	Nil -- Remarks
33	Aush	0.1650	0.0800	Nil	Nil -- Remarks
41	Bhiti	1.0000	0.2000	Nil	Nil -- Remarks
42	Aush	1.0000	0.2100	Nil	Nil -- Remarks
45	Bhiti	0.3333	0.2900	Nil	Nil -- Remarks



(Live Data As On 19/05/2025,22:37:08)

J.I No : 082 Thana : Haringhata

Khatian No :	689
Raiter Nam :	Akhil Kumar Baidya
Pita/swami :	Sripada
Raiter Dharan :	Byakti
Thikana :	Nij
Zamir Pariman:	1.1271 Ekar
Dager Sankhyan :	10

Dag No	Shreni	Ansh	Ansh Pariman(ekar)	Dakhaldar	Mantaby
33	Aush	0.1650	0.0800	Nil	Nil -- Remarks
41	Bhiti	1.0000	0.2000	Nil	Nil -- Remarks
42	Aush	1.0000	0.2100	Nil	Nil -- Remarks
45	Bhiti	0.3333	0.2900	Nil	Nil -- Remarks
46	Aush	0.3433	0.1600	Nil	Nil -- Remarks



ভূমি ও ভূমি সংস্কার এবং উদ্বাস্তু ত্রাণ ও পুনর্বাসন দ  
Land & Land Reforms and Refugee Relief and Rehabilitation Depa

(Live Data As On 19/05/2025,22:39:02)

J.I No : 082 Thana : Haringhata

Khatian No :	676				
Raiter Nam :	Krishna Baidya				
Pita/swami :	Akhil				
Raiter Dharan :	Byakti				
Thikana :	Nij				
Dag No	Shreni	Ansh	Ansh Pariman(ekar)	Dakhaldar	Mantaby
33	Aush	0.4400	0.2200	Nil	Nil -- Remarks
45	Aush	0.1434	0.1300	Nil	Nil -- Remarks



ভূমি ও ভূমি সংস্কার এবং 50 ত্রাণ ও পুনর্বাসন দপ্তর  
Land & Land Reforms and Refugee Relief and Rehabilitation Department

(Live Data As On 19/05/2025,19:51:20)

J.I No 082 Thana Haringhata

Dag No	Shreni	Zamir Moat Pariman(ekar)	Dager Myap
33	Aush	0.5	

Khatian No	Raiter Nam	Pita/swami	Ansh	Ansh Pariman(ekar)	Dakhal dar	Manta by
331	Hajarilal Majumdar Byakti	Ananda Majumdar	0.04 33	0.0234	Nil	Nil-- <a href="#">Remar ks</a>
464	Lalit Majhi Byakti	Bharat	0.03 30	0.0165	Nil	Nil-- <a href="#">Remar ks</a>
465	Bharat Chandar Majhi Byakti	Bhajahari	0.12 55	0.0700	Nil	Nil-- <a href="#">Remar ks</a>
466	Tiken Majhi Byakti	Bharat	0.03 30	0.0100	Nil	Nil-- <a href="#">Remar ks</a>
468	Shanti Majhi Byakti	Lalit	0.05 92	0.0306	Nil	Nil-- <a href="#">Remar ks</a>
676	Krishna Baidya Byakti	Akhil	0.44 00	0.2200	Nil	Nil-- <a href="#">Remar ks</a>
689	Akhil Kumar Baidya Byakti	Sripada	0.16 50	0.0800	Nil	Nil-- <a href="#">Remar ks</a>
704	Nikhil Kumar Baidya Byakti	Sripada Baidya	0.03 00	0.0100	Nil	Nil-- <a href="#">Remar ks</a>
819	Lakshirani Baidya Byakti	Nikhil	0.03 00	0.0200	Nil	Nil-- <a href="#">Remar ks</a>
1284	Sakhi Majhi Byakti	Deben Majhi	0.00 75	0.0025	Nil	Nil-- <a href="#">Remar ks</a>
1285	Sunil Majhi Byakti	Deben Majhi	0.00 75	0.0025	Nil	Nil-- <a href="#">Remar ks</a>
1286	Ruitun Majhi Byakti	Deben Majhi	0.00 75	0.0025	Nil	Nil-- <a href="#">Remar ks</a>
1287	Bishwajit Majhi Byakti	Deben Majhi	0.00 75	0.0025	Nil	Nil-- <a href="#">Remar ks</a>
1392	Shanti Majhi Byakti	Lalit Majhi	0.01 10	0.0060	Nil	Nil-- <a href="#">Remar ks</a>



ভূমি ও ভূমি সংস্কার এবং উদ্বাস্তু ত্রাণ ও পুনর্বাসন দপ্তর  
Land & Land Reforms and Refugee Relief and Rehabilitation Department

<b>(Live Data As On 19/05/2025,22:43:17)</b>					
<b>J.I No : 082 Thana : Haringhata</b>					
<b>Khatian No :</b>	<b>819</b>				
<b>Raiter Nam :</b>	Lakshirani Baidya				
<b>Pita/swami :</b>	Nikhil				
<b>Raiter Dharan :</b>	Byakti				
<b>Thikana :</b>	Nij				
<b>Zamir Pariman:</b>	0.29 Ekar				
<b>Dager Sankhyan :</b>	4				
<b>Dag No</b>	<b>Shreni</b>	<b>Ansh</b>	<b>Ansh Pariman(ekar)</b>	<b>Dakhaldar</b>	<b>Mantaby</b>
31	Aush	0.2500	0.0500	Nil	Nil -- Remarks
32	Aush	0.2500	0.0600	Nil	Nil -- Remarks
33	Aush	0.0300	0.0200	Nil	Nil -- Remarks
45	Aush	0.1902	0.1600	Nil	Nil -- Remarks



ভূমি ও ভূমি সংস্কার এবং উদ্বাস্তু ত্রাণ ও পুনর্বাসন দপ্তর  
Land & Land Reforms and Refugee Relief and Rehabilitation Department

<b>(Live Data As On 19/05/2025,22:41:53)</b>					
<b>J.I No : 082 Thana : Haringhata</b>					
<b>Khatian No :</b>	704				
<b>Raiter Nam :</b>	Nikhil Kumar Baidya				
<b>Pita/swami :</b>	Sripada Baidya				
<b>Raiter Dharan :</b>	Byakti				
<b>Thikana :</b>	Nij				
<b>Dager Sankhyan :</b>	5				
<b>Dag No</b>	<b>Shreni</b>	<b>Ansh</b>	<b>Ansh Pariman(ekar)</b>	<b>Dakhaldar</b>	<b>Mantaby</b>
24	Aush	0.2273	0.1500	Nil	Nil -- Remarks
31	Aush	0.2500	0.0600	Nil	Nil -- Remarks
32	Aush	0.2500	0.0600	Nil	Nil -- Remarks
33	Aush	0.0300	0.0100	Nil	Nil -- Remarks
45	Aush	0.1898	0.1700	Nil	Nil -- Remarks

**TRUE COPY**

*Shashank Ravi*

To, Honorable Justice of  
National Green Tribunal  
Eastern Zone Kolkata

Sub: Parboiled rice mill Pollution

মহাশয়, আমরা খালতিয়া গ্রামের উত্তর পাড়ার বাসিন্দা। আমাদের চাটুরি  
লাজে ২০০৭ মালে বাসিন্দাদের সৈকে আসত অধিক যেন্দু একটি বানের  
বন্দর চান করে। ২০১৭ মালে ওই বন্দরটি মোটে মাদু অসুখী  
মাসি, দুইতন মাসি, তিন্দু মাসি ও অন্যান্য কিছু মরিগারের চাটুরি  
ও মাদু লালা মতি মদু।

২০২২ মালে ওই বানের মিনটি অনেকবেমি মমতা মমত্ব বন্দর ও  
অন্যান্য মমিন চমিমে ২৭ মতা চামু ও মফুসন করে চলেছে। মলে  
আমরা চিত্তে মমমামু মমদি।

২০১৭ মালের দুর্ভেদার জন্য আমরা বর্তমানে নিজেদের জীবনে  
অসুস্থিত মনে করছি।

সুতরাং, মহাশয় আমাদের মুরজা ও খাম্মরর জীবন অসুস্থ  
স্বাস্থ্যে মুরি মুরি; মিনটিকে অমিনে মরমতি এলাকা সৈকে  
মরিমে মেলানোর বরক্ষা বসুতেন।

ইতি

Address :

Vill - Hapania

PO - Nagarukhra

PS - Haringkata

Dist - Nadia

Pin - 741257

West Bengal .

Date :

- ১) রুস্তাম মাসি
- ২) রাজু প্রসন্ন মাসি
- ৩) মফুসন মাসি
- ৪) উত্তর মাসি
- ৫) মফুসন মাসি
- ৬) মফুসন মাসি
- ৭) মফুসন মাসি
- ৮) মফুসন মাসি
- ৯) মফুসন মাসি
- ১০) Koushik Grain.
- ১১) Shankar Mondal.

- 12/ ବିଜୟଚିତ୍ର ଚଳଚ୍ଚିତ୍ର  
13/ Madhab Mandal  
ଫୋଟୋ ଗ୍ରହଣ ଚଳଚ୍ଚିତ୍ର  
⑭ Abhishek Roy  
⑮ ଉତ୍ତମ ଚଳଚ୍ଚିତ୍ର

To  
Honourable Justice of  
National Green Tribunal  
Eastern Zone, Kolkata,

Sub: Parboiled rice mill pollution.

Sir,

We are resident of village Hapania Uttarpara, in 2001, Akhil Baidya, who came from Bangladesh started a little rice mill boiler next to our house. In 2014 the boiler exploded and damaged the houses of and trees of Ruitan Majhi, Sunit Majhi, Biswjit Majhi and some other families.

In 2022 that rice mill installed much more powerful boiler and others machines, causing air and noise pollution 24 hours a day, causing us to suffer from various health problems.

We currently feel unsafe in our lives because of 2014 accident.

Therefore, sir, to ~~remove~~ ensure our safty and healthy life, please take legal action to remove the Shri Krishna Husking mill from our residential area.

Thanking you

TRUE COPY

Shastank Ravi



**LiFE**  
Lifestyle For  
Environment

**WEST BENGAL POLLUTION CONTROL BOARD**  
(Department of Environment, Govt. of West Bengal)  
Mani Square, 8<sup>th</sup> floor  
Block / Space-8IT on Western Side,  
164 / 1, Maniktala Main Road, Kolkata-700054.  
Ph- 033-2202 3130, Website : [www.wbpcb.gov.in](http://www.wbpcb.gov.in)  
e-mail: [net.wbpcb-wb@bangla.gov.in](mailto:net.wbpcb-wb@bangla.gov.in)

Memo No. 5L/WPB-2024/A-5374

Dated: 2024

### PUBLIC GRIEVANCE CELL

Complainant (s)	Respondent (s)
Abhijit Majhi	M/s Sree Krishna Hasking Mill Prop: Akhil Baidya
Date: 01-10-2024	Time: 12:00 PM.

### RECORD OF PROCEEDINGS

This proceeding has been initiated as directed by the OSD (O & E Cell), WBPCB, dated 12-09-2024 over a complaint by Mr. Abhijit Majhi, which registered with Grievance Redressal Monitoring Cell at the office of the Hon'ble Chief Minister on 29-05-2024 against a parboiled rice mill named as M/s Sree Krishna husking Mill, situated at Vill: Hapania, P.O.: Nagarukhra, P.S.: Haringhata, Dist: Nadia, Pin: 741257, West Bengal, allegedly causing air pollution and environmental hazards in the neighbourhood area during their operations.

Over the matter, Officials of the Barrackpore Regional Office, WBPCB, being requisitioned caused an inspection and on 27/08/2024, a report they submitted.

Excerpts from the inspection report are given below under head of their:

#### Observation:

*This is a complaint against a parboiled rice mill for causing air and noise pollution. Complaint's house is located adjacent to the unit. For production of rice the unit uses one wood fired boiler. The capacity of the boiler could not be furnished by the unit representative. However, from the visual observation the capacity of the boiler appears to be less than 2 MT/hr. During inspection, the unit was not in operation due to load shedding. The boiler is provided with MDC and a stack of height about 30 m. from GL. The stack is provided with sampling ladder, platform and port hole. The unit has not installed ETP for treatment of process effluent. The untreated process waste water is discharged to the low-lying area within the factory premises.*

*During inspection, Shri Avijit Majhi, complainant, informed that the unit has installed some machines towards their side. As a result, they are suffering due to noise pollution. He also informed that the dust generated from the process of the unit also create the problems. Shri Akhil Kr. Baidya, Prop. of the unit stated that they are continuing the rice milling activity for last 10 years and installed boilers and other machineries in the last year.*

*At the time of inspection, it was observed that the unit has installed husking machine and other machines towards the complainant side.*

And put **Remarks** as:

1. *The noise level could not be measured as the unit was not in operation due to load shedding.*
2. *Unit may be directed to take proper acoustic measures for the noise generating machines installed towards the complainant's side or shift the same to a location away from the complainant side.*
3. *Proper dust control system to be taken at the vulnerable sources to arrest the spreading of dust.*
4. *Unit should not operate without CTO of the State Board.*

In view of the report and to resolve the issue, notice has been issued upon the parties above to hear out them this day. Then one, Mr. Abhijit Majhi, complainant and Mr. Akhil Kumar Baidya, proprietor of M/s Sree Krishna Hasking Mill/respondent, appeared in person.

During hearing the complainant submitted that they are suffering tremendously due to severe dust and noise pollution carryout from the respondent unit. He also stated that the mill is running their activities, almost round the clock, since 2004 and recently their suffering aggravated as they added/installed few new machines. So, finding no alternative lodged this complain.

The respondent in counter denied the allegation. He furnished a copy of trade license issued to them by the Nagarukhra-II Gram Panchayat for the year 2024-2027 for the profession/trade of "Rice Mill" and a copy of *consent to establish* under green category of the State Board obtained from the District Industries Centre, Nadia, dated 27-03-2018. He also furnished a copy of the application for fresh *consent to establish* under **orange category** of the State Board dated 08-09-2024 and a copy of receipts of depositing fees for consent to establish/consent to operate of the State Board. Nothing more.

The representative of the respondent candidly admits that till date, no clearance from the Pollution Control Board they obtained. It is further disclosed by them that since 2004 they in this business. Once in 2018 they applied for consent to establish but not persuaded any further.

The grievance of the complaint, mainly toward the noise and dust generating due process of husking activity and of running sorter machine. The copy document i.e for new consent to establish, there is no mentioning of establishing any machine of husking and other activity, except boiling and drying of paddy etc. They explained that unit of husking not belonged to him but to his wife. During inspection no such claim, they made to justify it. This day they did not come forward with any document to show that his wife run any husking business in that premises, or she had any trade license or any authority to run such business. It is needless to mention that husking mill is not fall under exempted category of sitting industrial policy of State.

Since inspection report shows that respondent's unit ie rice mill as well as husking unit runs without having no requisite clearance from the Pollution Control Board and found lacking facility to curb the probable environmental pollution, we consider fit to interfere into it.

Accordingly, considering the overall scenario, the contents of the inspection report and submission of the complainant and respondent, we direct the **M/s Sree Krishna Hasking Mill**, to:

1. *Obtain all statutory licenses including **consent to operate** under **appropriate** category of the State Board within **30<sup>th</sup> November 2024**, if they want to run their **rice and husking mill** and **do not operate thereafter**, if they failed to obtain such **consent to operate** of the State Board;*
2. *Avoid nuisance as caused by generating noise, taking adequate noise control measures, so that sound does not travel outside the respondent unit beyond the permissible limit;*

3. *Install appropriate Air Pollution Control System (APCS) in the workshop and ventilate the emissions through a proper exhaust system to a stack of height at least 3.5 meters above the roof level of the nearest tallest building, so that the people living in the neighbourhood may not be inconvenienced due to emissions generated from its operation. Fugitive emission shall be avoided.*
4. *Install effluent treatment plant (ETP) immediately for the effluent generated from their respective unit;*
5. *And dispose of solid wastes properly as per the Solid Waste Management Rules, 2016 and*
6. *Operational time shall be restricted in between 9 AM to 6 PM only with a proper recess time in between.*

We make it clear that the respondent units shall maintain environmental norms strictly and take all necessary measures so that the people living in the neighbourhood may not suffer due to their activities in any way, whatsoever.

The unit is further directed to comply with the direction above and submit a compliance report to the In-charge of the Barrackpore Regional Office of the State Board.

The unit is also at liberty to approach the Barrackpore Regional Office of the State Board in case of technical guidance they required, if any.

In-charge of the Barrackpore Regional Office is requested to take note that *the both the unit of paddy boiling and husking are functioning since 2018, at the time of disposing of the application of the respondent for issuance of Consent to Establish/Consent to Operates, and review the declaration of the respondent about capital investment, on merit, if they applied upon complying the direction above, with an intimation to this Office.*

The Block Development Officer, Haringhata Development Block, may be kept informed of this order passed by the State Board today.

*The Officer in Charge, Haringhata Police Station, is requested to oversee the compliance of this order and also see that the M/s Sree Krishna Hasking Mill shall not operate their activities without obtaining Consent to Operate of the State Board, beyond 30<sup>th</sup> November 2024. In case of any violation of this order, he is at liberty to take necessary action in accordance with law.*

Sd/-  
( Dr. D. Chakraborty )  
Sr. Scientist & Incharge, P.G. Cell

Sd/-  
[A. K. Choudhury, WBJS (Rtd.)]  
Hearing Officer

Sd/-  
( S. Barua )  
Asst. Environmental Engineer

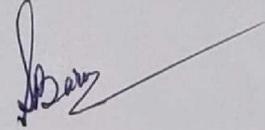
Sd/-  
(S. Saren)  
Asst. Environmental Engineer

Memo No. 2141 - 5L/WPB-2024/A-5374

Dated: 30-10-2024

Copy forwarded to:- (2)

1. M/s Sree Krishna Hasking Mill, Prop: Akhil Baidya, Vill: Hapania, P.O.: Nagarukhra, P.S.: Haringhata, Dist: Nadia, Pin: 741257, West Bengal.
- ✓ 2. Mr. Abhijit Majhi & Others, Vill: Hapania, P.O.: Nagarukhra, P.S.: Haringhata, Dist: Nadia, Pin: 741257, West Bengal.
3. The Joint Secretary, Environment Department, Govt. of West Bengal, Pranisampad Bhawan, 5th Floor, LB-2, Sec-III, Salt Lake, Kolkata-700106. (cmro.env@gmail.com). *This is in reference to your mail dated 01-10-2024 regarding a complaint registered on Grievance Redressal Monitoring Cell at the office of the Hon'ble Chief Minister on 29-05-2024 by Mr. Abhijit Majhi.*
4. The Block Development Officer, Haringhata Development Block, Kanchrapara - Haringhata - Jaleswar Rd, Haringhata, Subarnapur, West Bengal 741249.
5. The Officer in Charge, Haringhata Police Station, Haringhata, Subarnapur, Dist: Nadia, Pin: 741249, West Bengal.
6. The General Manager, District Industries Centre, North 24 Parganas, Hatipukur Road, Office of the District Magistrate, P.O.+ P.S: Barasat, North 24 Parganas, Pin - 700124.
7. The OSD (O & E Cell), WBPCB.
8. The Environmental Engineer & In charge, Barrackpore Regional Office, WBPCB.
9. The P.A. to the Member-Secretary, WBPCB.
10. Guard File.



Asst. Environmental Engineer, P.G. Cell,  
W. B. Pollution Control Board

TRUE COPY

Shastank Rai



**WEST BENGAL POLLUTION CONTROL BOARD**  
 Paribesh Bhawan, 10A, Block LA, Sector III  
 Salt Lake City, Bidhan Nagar, Kolkata – 700 106, INDIA  
 Website : www.wbpcb.gov.in, e-mail : wbpcbnet@wbpcb.gov.in

Validity Period :22/10/2024 To 31/08/2031

Category: RED

Application Type: CTE

CTE No.: WBPCB/5759829/2024

Date: 22/10/2024

Sub : Consent to Establish (CTE) under Section 25 & 26 of the Water (Prevention and Control of Pollution) Act, 1974 as amended and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 as amended.

Ref.: Application No. 5759829

To,

M/s SRIKRISHNA HUSKING MILL

Dag no. 41, 45, JL no. 82, Mouza & Vill- Hapania, P.O.- Nagarukhra, P.S.- Haringhata, Nadia- 741257

The West Bengal Pollution Control Board (hereinafter referred to as the State Board) hereby grants Consent to Establish (CTE) from environmental point under Section 25 & 26 of the Water (Prevention and Control of Pollution) Act, 1974, as amended and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 as amended and rules and orders made thereunder for proposed new unit of SRIKRISHNA HUSKING MILL at Dag no. 41, 45, JL no. 82, Mouza & Vill- Hapania, P.O.- Nagarukhra, P.S.- Haringhata, Nadia- 741257 for the following activities :

Sl.No.	Name of Activity, Product and/or By-Product	Production Capacity
1	RICE	495 Metric Tonnes/Month
2	BY PRODUCT HUSK	17.6 Metric Tonnes/Month

Total cost of the Project (in Lakhs)

148.0

**(A) General Conditions :**

- (1) The quality of sewage and industrial effluent to be discharged from the factory shall satisfy the permissible limits as per norms and Environment (Protection) Rules 1986.
- (2) The unit shall apply to the State Board for Consent to operate according to the provisions of the Water (Prevention & Control of Pollution) Act, 1974 as amended and the Air (Prevention & Control Pollution) Act, 1981 as amended prior to commencement of activities of the unit.
- (3) The unit shall comply with the following Environmental Acts and Rules and its amendment as applicable
  - (i) The Water (Prevention and Control of Pollution) Act, 1974 .
  - (ii) The Air (Prevention and Control of Pollution) Act, 1981
  - (iii) The Environment (Protection) Act, 1986
  - (iv) The Public Liability Insurance Act, 1991
  - (v) The Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989
  - (vi) The Ozone Depleting Substances (Regulation and Control) Rules, 2000
  - (vii) The Batteries (Management and Handling) Rules, 2002
  - (viii) The Noise Pollution (Regulation and Control) Rules, 2000
  - (ix) The Bio-medical Wastes Management Rules, 2016
  - (x) The Hazardous Wastes (Management and Transboundary Movement) Rules, 2016
  - (xi) The Plastic Waste Management Rules, 2016

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WBPCB/5759829/2024

Page 1



(xii) The Solid Waste Management Rules, 2016

(xiii) The E-Waste (Management Rules), 2022

(xiv) The Construction and Demolition Waste Management Rules, 2016

(4) The State Board reserves the right to review, amend, suspend, revoke etc. this consent for establishment and the same shall be binding on the unit.

(5) The unit shall obtain permission/clearance from the other competent authorities, as applicable and such permissions may be required at the time of submitting application for Consent to operate.

(6) The unit shall abide by the stipulations as may be prescribed by any authority / local body / government departments etc.

(7) Suitable measures to treat the effluent and emission shall be adopted in order to reduce the pollution load so that the quality of the effluent and emission from the unit always conforms to the relevant permissible standards.

(8) No equipment/machinery, emission and effluent generation/discharge source etc. shall be installed/modified without prior approval of the State Board.

**(B) Special Conditions:**

**A. Emission: -**

i) Boiler- 1 no. 3 TPH husk/wood fired boiler is to be provided with ID fan, suitable air pollution control device and a stack of height 30 m from GL.

ii) D.G. Set- 2 nos. 100 KVA DG sets are to be provided with separate stacks of height 3.5 m above the DG set rooms. Stack- to have ladder, platform & sampling port as per Emission Regulations Part III of CPCB.

**B. Effluent:-**

a. Process/wash: to be discharged to Panchayat drain after proper treatment.

b. Domestic: to be discharged through septic tank to Panchayat drain.

C. Solid Waste: to be disposed in arrangement with the local authority.

**D. General:-**

1. No additional machinery/equipment can be installed without prior permission from WBPCB. No change in raw materials, products, production capacity and manufacturing process shall be made without prior permission from the Board.

2. Noise Control- Ambient noise level not to exceed the permissible limit.

3. Work shall be done under covered shed.

4. Good housekeeping to be maintained.

5. Tree planting / saplings - along the periphery of the unit.

6. 'Consent to Operate' to be obtained from the State Board before commissioning of the unit.

7. 'Land Conversion Certificate' to be obtained wherever applicable.

8. Ground water shall not be abstracted without prior permission of the Competent Authority.

UDIN: 24-G-GA000004-C-1729583765920 (Verify at <https://udin.wb.gov.in/verify-udin>)

9. The unit shall obtain necessary permissions from the relevant regulatory bodies before commencement of operation.
10. The unit shall comply with the Plastic Waste Management Rules, 2016 and its amendments thereof.
11. This NOC is valid for 7 (seven) years from the date of issue for setting up the unit.

**Any Violation of the aforesaid Conditions shall entail cancellation of this Consent to Establish**

**For and on behalf of West Bengal Pollution Control Board**

*R Satta*

22/10/2024

**Environmental Engineer  
Barrackpore Regional Office**



**TRUE COPY**

*Shashank Ravi*



WEST BENGAL POLLUTION CONTROL BOARD  
 Paribesh Bhawan, 10A, Block LA, Sector III  
 Salt Lake City, Bidhan Nagar, Kolkata - 700 106, INDIA  
 Website : www.wbpcb.gov.in, e-mail : wbpcbnet@wbpcb.gov.in

Category of the Industry : RED

Application Type: CTO

CTO No.: WBPCB/5885097/2024

Date : 14/11/2024

Consent to Operate (CTO) under Section 25 & 26 of the Water (Prevention and Control of Pollution) Act, 1974 as amended and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 as amended.

Reference: Application No.: 5885097

The West Bengal Pollution Control Board (hereinafter referred to as State Board) under the provisions of Section 25 & 26 of the Water (Prevention and Control of Pollution) Act, 1974 as amended and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 as amended, and Rules and Orders made thereunder hereby grants Consent to SRIKRISHNA HUSKING MILL (hereinafter referred to as Applicant) for its unit located at **Dag no. II, 45, JL no. 82, Mouza & Vill- Hapania, P.O.- Nagarukhra, P.S.- Haringhata, Nadia- 741257** for the period from **14/11/2024 to 30/09/2029** to operate the industrial unit/project and to discharge liquid effluent and gaseous emission from the premises / land of the industrial unit/project, in accordance with the conditions as mentioned below, provided that on any day at any instance the quantity and quality of liquid discharge and gaseous emission shall not exceed the permissible limit as specified in this consent letter and in the Environment (Protection) Act, 1986 and Rules thereunder, as amended.

breach of the conditions and / or failure to comply with the conditions as mentioned below shall render the industry/project liable for prosecution under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 as amended and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 as amended.

The State Board reserve the right to revoke, withdraw or make any reasonable variation / change / alter the conditions of this consent letter giving one month's notice to the industry.

Conditions :

This Consent is valid for the following activities :

SLNo	Name of Activity/Products/By-products	Production Capacity (Per Month)
1	RICE	495.00 Metric Tonnes/Month
2	BY PRODUCT HUSK	17.6 Metric Tonnes/Month

The industry shall remain responsible for quantity and quality of liquid effluent and air emission.

Daily waste water generation and discharge shall not exceed :

No. of outlets	Source of Waste Water	Quantity in Kilo Liters/day	Place of discharge
1	Mixed	26.3	Panchayat drain after treatment

To bring into any altered or new outlet / outfall or to change the place of discharge, the industry shall have to inform the Board and obtain prior permission of the Board in this effect.

5 The industry shall provide comprehensive facility for treatment of industrial liquid waste and domestic liquid waste (sewage, sullage and liquid effluent generated from canteen), and operate and maintain the same continuously so that the quality of final effluent conforms to the Standard as given below:

Outlet No.	Nature of effluent	Parameters and standard			Frequency of sampling
		Parameters	Standards	Unit	
1	Mixed	pH	5.5 to 9.0		Half-yearly
1	Mixed	Total suspended Solid (TSS)	100	mg/L	Half-yearly
1	Mixed	Biological Oxygen Demand (BOD)	30	mg/L	Half-yearly
1	Mixed	Chemical Oxygen Demand (COD)	250	mg/L	Half-yearly
1	Mixed	Oil & Grease	10	mg/L	Half-yearly

Provisions shall be made to install sensor-based Water Quality monitoring system and flow meter to share the information with the state board on a Real Time basis.

6 Daily water consumption for the following purposes shall not exceed

SL NO.	Purpose of Water Use	Quantity (KL/Day)
1.	Domestic	1.0
2.	Boiler	3.0
3.	Industrial	30.0

7 The Industry shall install suitable digital device for measuring the volume of water consumed for different purposes as mentioned above giving correct result to the satisfaction of the State Board. The device shall be able to provide information to disseminate the quantity on a real time basis.

8 All the stacks connected to various sources of emission must be designated by numbers.

9 The industry shall install comprehensive pollution control equipment and operate and maintain the same to conform to the standard as given below:

Stack height from ground level (m)	Stack attached to emission sources	Capacity of emission source	Cons up-Unit	Fuel details		Control system (if any)	Concentrations of parameters not to exceed					Frequency of sampling	Remarks	
				Fuel used	Quantity		PM (mg/N m <sup>3</sup> )	CO (%)	Acid Mist (mg/N m <sup>3</sup> )	Pb (mg/N m <sup>3</sup> )	SO <sub>2</sub> (mg/N m <sup>3</sup> )			NO <sub>x</sub> (mg/N m <sup>3</sup> )
30	Boiler	3.0	Metric Tonne/Hour	WOOD/HUSK	0.75 Metric Tonne/Hour	Multi Cyclone separator	250						PM to be normalised at 6% O <sub>2</sub>	Half-yearly
3.5	DG Set	100	KVA	Diesel	Kilo Liters/Month	None	150	1						Half-yearly
3.5	DG Set	100	KVA	Diesel	Kilo Liters/Month	None	150	1						Half-yearly

10 The industry shall provide ports in the stack(s) and other necessary permanent facilities such as ladder, platform etc. for monitoring / sampling the air emissions and the same shall be made available for inspection and use by the State Board's staff as well as State Board's authorized agencies.

File No.PI-14/1/2021-TECH-RD-KOLKATA-RD (Kolkata)/1632-

Date: 12-03-2025

To  
 The Member Secretary  
 West Bengal Pollution Control Board  
 Paribesh Bhavan, 10 A Block LA  
 Sector III, Salt Lake City  
 Kolkata - 700106, W.B.

**Sub: Request for Investigation and Action Taken Reports on Pollution-Related Complaint in West Bengal - reg.**

Sir,

Please find enclosed herewith copy of the complaint received in this office regarding pollution and other issues in West Bengal.

Sl. No.	Complaint / Subject
01.	Public complaint received dated 30.01.2025 regarding pollution due to rice mills.

It is therefore, requested that the matters may be investigated and action taken reports (ATRs) be provided to the respective complainant. A copy of the ATRs may also be sent to this office for reference, if not already submitted.

Thanking you.

Yours faithfully,

(M. K. Biswas)  
 Regional Director

**Encl:** As above

✓ **Copy to:** Sh. Abhijit Majhi  
 C/o Ruhitan Majhi, Vill:Hapania,  
 P.S.:Haringhata, P.O.:Nagarukhra  
 PIN-741257

—Sd—  
 (M. K. Biswas)

TRUE COPY

*Shashank Rai*



**Life**  
Lifestyle For  
Environment

66

ANNEXURE A-7

Department of Environment, Govt. of West Bengal)  
PG Cell and ANA&T Cell, Mani Square, 8<sup>th</sup> floor  
Block / Space-8IT on Western Side,  
164 / 1, Maniktala Main Road, Kolkata-700054.  
Ph- 033-2320 0042, Website: [www.wbpcb.gov.in](http://www.wbpcb.gov.in)

Memo No 5L/WPB-2024/A-5374

Date: / 04/ 2025

The Officer In-charge,  
Haringhata Police Station,  
Haringhata, Subarnapur,  
District- Nadia,  
West Bengal- 741249.

Sub: Complaint regarding creation of severe nuisance due to the operation of a parboiled rice mill located at Village- Hapania, PO- Nagarukhra, PS- Haringhata, District- Nadia, Pin- 741257.

Sir,

Enclosed please find herewith a complaint received by the State Board from Mr. Abhijit Majhi regarding creation of severe nuisance due to the operation of a parboiled rice mill operated in the name & style as M/s Sree Krishna Hasking Mill, Prop: Akhil Baidya located at Village- Hapania, PO- Nagarukhra, PS- Haringhata, District- Nadia, Pin- 741257.

In this regard, please note that a hearing was previously conducted in the State Board on this issue on 01/10/2024, a copy of the "Record of Proceedings" {Abhijit Majhi vs M/s Sree Krishna Hasking Mill, Prop: Akhil Baidya} is enclosed herewith for your ready reference.

In view of the above, you are requested to kindly advise your good office to oversee that **M/s Sree Krishna Hasking Mill shall not operate without obtaining Consent to Operate** of the State Board. In case of any violation of this order, you are at liberty to take necessary action in accordance with the law.

Yours faithfully,

Sd/-

Senior Scientific Officer & In-charge,  
Public Grievance Cell

Encl: As stated.

Memo No 621(1) - 5L/WPB-2024/A-5374

Date: 30 / 04/ 2025

Copy forwarded for information to:

- ✓ Mr. Abhijit Majhi, Village- Hapania, PO- Nagarukhra, PS- Haringhata, District- Nadia, Pin- 741257.
- The Sr. Environmental Engineer & In-Charge, Barrackpore Regional Office, WBPCB, Panpore More, Kalyani Expressway, Village- Panpur, PO- Narayanpur, District- 24 Parganas (N), Pin- 743126.

Senior Scientific Officer & In-charge,  
Public Grievance Cell

TRUE COPY

Shashank Rai

To,

Central Pollution Control Board.  
'South end Conclave' Block-502, 5th & 6th Floor,  
1582, Rajidanga, Main Road, Kolkata - 700107

Sub: Dust and noise pollution by rice mill.

Respected Sir,

I would like to inform that a rice mill in front of our house illegally installed more than 10 machines and also a wood threshing machine. Dust and loud noise of 24 hours running machines are damaging us physically and mentally.

I complained to BDO, SDO and WBPCB against the rice mill but they didn't take proper action.

I request to CPCB authority to interfere in this matter and take legal action against the rice mill to remove the machines from our residential area.

(Note: i) Our house and Trees were damaged by their boiler explosion a few years ago.

ii) The family involved in the rice mill came from Bangladesh in 2004 and illegally created fake documents and wealth of over Fifteen crore).

Appellor

Name - Abhijit Majhi

CO - Ruhitan Majhi

vill - Hapania

PB - Haringhata

PO - Nagarukhra

Pin - 741257

Ph - 9670448274

Date: 30.01.2025

Accused

Shree Krishna

Husking Mill.

owner - Akhil Baidya

Thank you

Abhijit Majhi

Central Pollution Control Board  
1582, Rajdanga Main Road  
Kasba New Market  
Kolkata- 700 107

Safar Das  
30/01/25

To  
 The Senior Scientist,  
 In Charge, ANA & P.G Cell  
 West Bengal Pollution Control Board  
 Mani Square, Block/Space - 8 IT  
 On Western Side Road of 8th Floor  
 164/1, Maniktala Main Road  
 Kolkata - 700051

Dear Sir,

I am Abhijit Majhi, I filed a written complaint to Pollution Control Board of West Bengal against "Shree Krishna Husking Mill" on 14th May 2024.

The Pollution Control Board had also sent an order regarding this issues to all administrative departments to stop mill's operation but no action has been taken so far.

The rice mill have been running all the machines (8-10 machines) regularly 24 hours a day and it's producing loud noise and spreading dust.

I request to the Board authorities to take legal action against the rice mill and mill owner.

Otherwise, I will have to lodge my complaint elsewhere.

Thank You

Abhijit Majhi

Name - Abhijit Majhi  
 C.O - Ruhitan Majhi  
 Vill - Hapania  
 PO - Nagarukhra  
 PS - Haringhatat  
 Dist - Nadia  
 Pin - 741257  
 M.No - 8670418274  
 Date - 12.12.2024



Mill - Shree Krishna Husking Mill  
 Owner - Akhil Baidya

69

To  
The Honorable Justice of  
National Green Tribunal,  
Eastern Zone Kolkata

sub: Rice mill pollution

Respected Sir,

A Bangladeshi family who entered in India, illegally  
installed more than 10 different types of machines  
in our residential area. As the mill is close to  
our house, we are suffering from health problems  
due to noise and dust from the machines.

So sir please accept my case to remove  
the machines from our residential area.

Thanking you  
Abhijit Majhi.

Name - Abhijit Majhi

CO - Ruhitan Majhi

Vill - Hapania

PO - Nagarukhra

PS - Haringhata

Dist - Nadia

Pin - 741257

M - 7074680064

Date - 22.04.2025

Mill - Shree Krishna Husking Mill

owner - Akhil Baidya

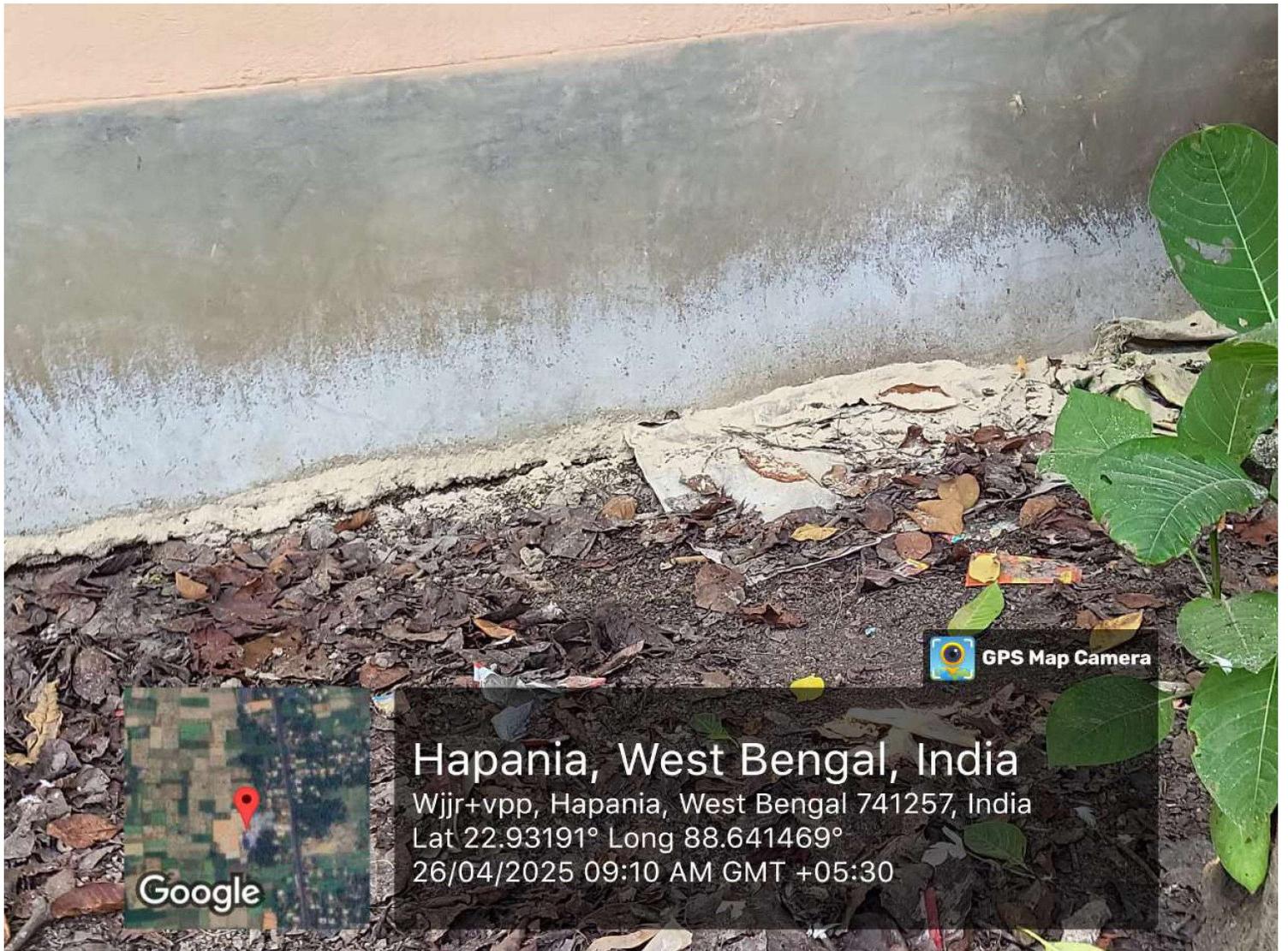
Received

Sayanta Ghosh  
22/04/2025

TRUE COPY

Shastank Rai





GPS Map Camera

Hapania, West Bengal, India  
Wjjr+vpp, Hapania, West Bengal 741257, India  
Lat 22.93191° Long 88.641469°  
26/04/2025 09:10 AM GMT +05:30

72



 **GPS Map Camera**

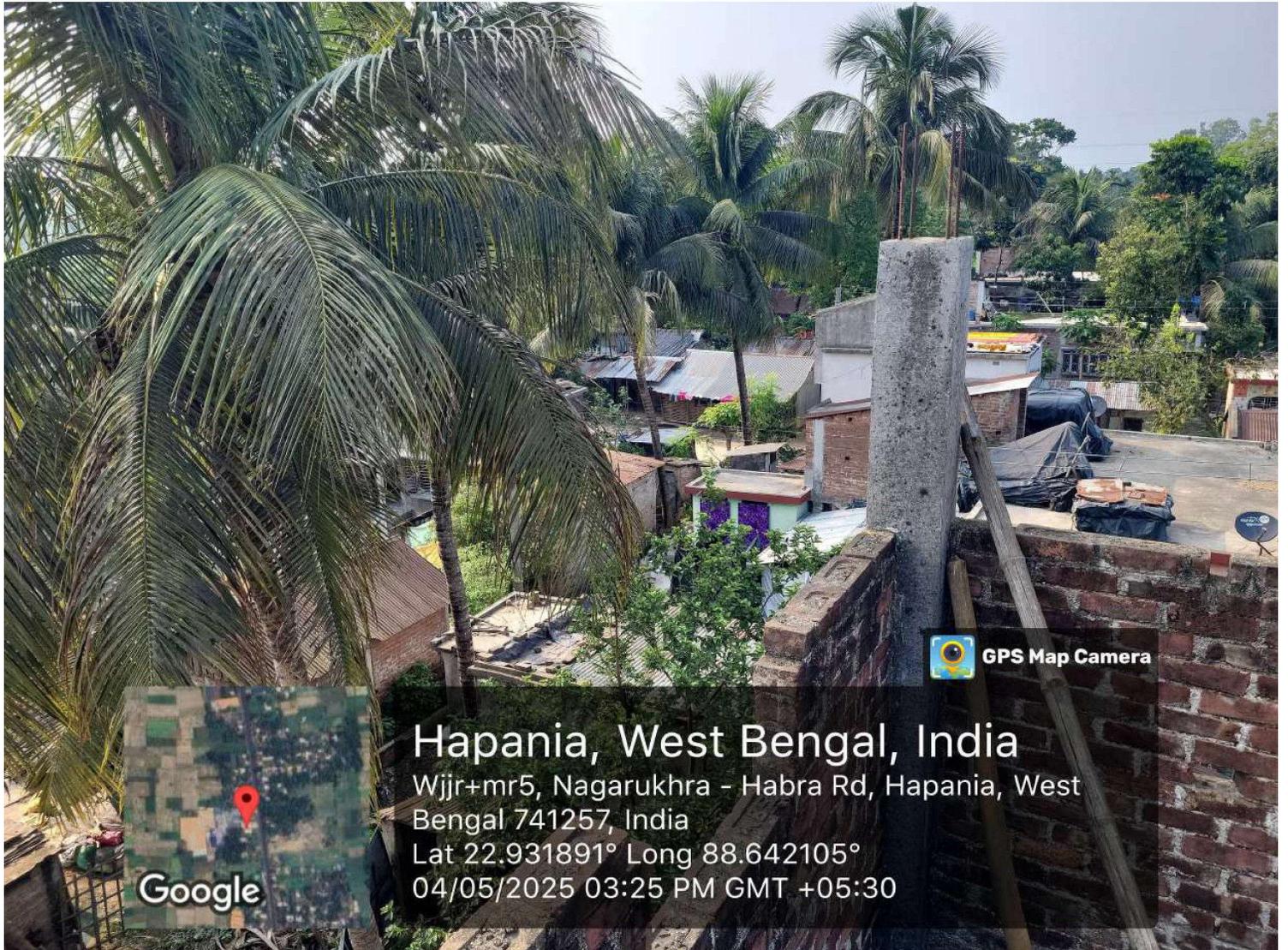


**Hapania, West Bengal, India**

Na, Galdob Majherpara, Hapania, West Bengal  
741257, India

Lat 22.931159° Long 88.641164°

04/05/2025 02:53 PM GMT +05:30



GPS Map Camera

Hapania, West Bengal, India  
Wjjr+mr5, Nagarukhra - Habra Rd, Hapania, West  
Bengal 741257, India  
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04/05/2025 03:25 PM GMT +05:30



Google

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 GPS Map Camera



Majhi Para, West Bengal, India

Wjir+qxj, Majhi Para, West Bengal 741257, India

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24/05/2025 06:29 AM GMT +05:30

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*Shashank Rai*

**BEFORE THE NATIONAL GREEN TRIBUNAL  
(WESTERN ZONE) BENCH, PUNE  
APPLICATION No. 22/2013(WZ)**

**CORAM:**

**Hon'ble Mr. Justice V.R. Kingaonkar  
(Judicial Member)**

**Hon'ble Dr. Ajay A. Deshpande  
(Expert Member)**

**B E T W E E N:**

Lokmangal Sansthan  
Through : Smt. M.J. Tharayil,  
Director Lokmangal Sansthan, Ghot,  
Tah. Chamorshi, Distt : Gadchiroli

**....Applicant**

**V E R S U S**

- 1 Shri Sanjay Wadettiwar,  
Age 35 Yrs., Occn : Business,  
R/o.Ghot, Tq. Chamorshi,  
District : Gadchiroli.
- 2 Sarpanch, Gram Panchyat, Ghot,  
Tah. Chamorshi, Distt : Gadchiroli,
- 3 District Collector, Gadchiroli,  
(Deleted)
- 4 Shri Vitthal Wadettiwar  
(Dead)
- 4(a) Avinath Vitthal Wadettiwar
- 4(b) Ajay Vitthal Wadettiwar,

Both R/o. Ghot, Tq. Chamorshi,  
District : Gadchiroli.

4(c) Shobhatai Namdeo Katpaliwar,  
R/o.Jebgaon, Tq. Saoli,  
District : Chandrapur.

4(e) Chhaya Naresh Suranwar (Dead)  
Through :

1. Nakul Naresh Suranwar  
2. Nikhil Naresh Suramwar,  
R/o. Saoli, Tq. SAoli,  
Distt : Gadchiroli.

.....**Respondents**

**Counsel for Applicant:**

**Ms. M.I. Tharagil, Adv.**

**Counsel for Respondent No.1 to 4 :**

**Mr. P.B. Borawar, Adv.**

**Counsel for MPCB**

**Mr. D.M. Gupte, Adv.**

**Ms. Supriya Dangre, Adv.**

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**DATE : 11<sup>th</sup> December, 2013**

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**J U D G M E N T**

1 This application arises out of Civil action initiated by Applicant-Lokmangal Sanstha. Originally, Lokmangal Sanstha, filed Civil suit bearing Regular Civil Suit No.55/2003 against the Respondents in the Court of Civil Judge (J.D.), Chamorshi. Because the suit involves substantial civil dispute pertaining to environmental issues and in view of jurisdictional bar under Section 29(2) of the National Green Tribunal Act, 2010, the suit was transferred to this Tribunal.

2 The suit filed in the Civil Court was for declaration that permission dated June 29<sup>th</sup>, 2001 granted in favour of Respondent Nos.1 and 4 is void and therefore, construction of Sai Rice Mill in the proximity of Lokmangal Sanstha is illegal and **void-ab-initio**. In addition, Applicant Lokmangal Sanstha also prayed for permanent prohibitory injunction restraining the said Respondents from operating Sai Rice Mill unit or alternatively to take preventive measures to stop the nuisance caused by the air and noise pollution created due to running of the Rice Mill.

3 According to Applicant-Lokmangal Sanstha, it is a registered institution dedicated to upliftment of women in general and for their financial empowerment in particular. The Applicant runs a Training Institute which caters vocational programmes such as Typing skills, sewing, bamboo handicrafts, and preparation of herbal medicines, literacy classes, so on and so forth. The training institute is being run on land bearing old Survey No.396/2 and 396/3 (now S.No.8 and 9) which were originally owned by one Dilasagram Society. The latter gave that land on lease to Applicant Lokmangal Sanstha for a period of 30 years in or about 1997. Applicant Lokmangal Sanstha thereafter constructed building for the training institute as well as staff quarters on the said land. There is a big well of about 20 ft. diameter in the campus of institute for drawing potable water to be used by the inmates of the institute and staff members.

4 It is the case of Applicant Lokmangal Sanstha that the Respondents Nos.1 to 4 made certain encroachment over agricultural lands bearing S.No.6 and 7 and have constructed Sai Rice Mill at a short distance of about 10 ft from the residential quarters. So also, the construction of Rice Mill is in the close proximity of the premises of vocational classes of the training institute. The construction permission was granted by Respondent No.2 Gram Panchyat without calling of objections and without following the relevant Rules. The Rice Mill is being run constantly for 24 hours. The constant pounding sound and banging sound emanating from the Rice Mill causes serious sound pollution, which creates disturbance in the work of the training institute. The husk emanating from the Rice Mill fly helter-skelter. It floats in the nearby area and ultimately gets deposited in the kitchen and other parts of the institution as well as into the well which provides drinking water to the in-mates. The frequent flow of solid particles of chaff/husk also causes health hazard to the trainees, staff members, and others who are required to be in the premises of Applicant-Lokmangal Sanstha. The institute of Applicant-Lokmangal Sanstha is a social welfare organization, situated at village Ghot, Tq. Chamorshi, District Gadchiroli.

5 All the Respondents were duly served with the Notices. It appears that original Respondent No.4 died during pendency

of the suit. His Legal Representatives were brought on record as Respondent No.4(a) to 4(e).

6 Respondent No.1 filed W.S./reply-Affidavit and resisted the Application. He denied all the material averments made by Applicant Lokmangal Sanstha. He contended that the application is barred by limitation and as such, this Tribunal should not entertain the same. He denied the allegation that the Rice Mill is constructed on encroached portion land no.6 and 7. He also disputed that Lokmangal Sanstha has been given agricultural land bearing Old S.no.396/2 and 396/3 (now S.No.8 and 9) by Dilasgram Society on lease for a period of 30 years. He flatly denied that unit of the Rice Mill causes air pollution and sound pollution, particularly, endangering the rights of Applicant Lokmangal Sanstha. He emphatically denied that Applicant Lokmangal Sanstha has raised any substantial environmental dispute by way of filing the present Application.

7 According to contesting Respondents, inside the Rice Mill, pipes are fixed for emitting of the husk which is collected near inner wall of the Rice Mill, within its premises. The husk is useful for power generation plant as a fuel and hence it is immediately disposed of. There is no possibility that husk emitting from the Rice Mill would fly in the air, and will get deposited in the premises of Applicant Lokmangal Sanstha. There is no harsh sound created due to running of the Rice Mill and therefore, there is no substance in the allegation that there

is noise pollution because due to running of the Rice Mill. According to the contesting Respondents, the Rice Mill is not manufacturing unit as such, but it is only processing unit. In this processing, grains of the rice are mechanically separated from paddy and thereafter are polished. The Polishing work is done mainly by rubber rolls and separators are used for segregating husk from polished rice. No heavy machinery or furnace is used in the Rice Mill. The material collected while polishing the rice is subsequently used for extraction of edible oil, popularly known as "Rice Bran Oil". Thus, it is contended that there is no waste material left out nor any Pollution is caused by the Rice Mill. In nutshell, it is the case of Respondents that Rice Mill does not cause any actionable nuisance or environmental harm for which the Applicant Lokmangal Sanstha can ventilate grievances through the present Application. Hence, the Respondents sought dismissal of the Application.

8 We have heard Learned Counsel for the contesting parties and MPCB. Though MPCB has not separately contested the matter, yet, it being regulatory and monitoring agency, we had directed the MPCB to place on record the status report of *juxtaposition*. That Report is filed by the MPCB. We have perused the relevant documents including depositions recorded in the Trial Court.

9 The relevant issues, culled out for determination, may be stated as follows :

- 1) Whether the application is barred by limitation and liable to be dismissed for such a reason?
- 2) Whether Applicant Lokmangal Sanstha has made out a case to demonstrate substantial environmental dispute and existence of actionable nuisance of air pollution/noise pollution on account of running of adjoining Sai Rice Mill, run by contesting Respondents?
- 3) Whether Applicant-Lokmangal Sanstha is entitled to claim relief of declaration and injunction or of any other nature? If so, to what relief Applicant Lokmangal Sanstha is entitled?

For reasons discussed hereinafter, we have recorded our findings in the last but one paragraph of the judgment.

10 Before we proceed to deal with the environmental issues, arising out of the installation of the Rice Mill, let it be noted that there are certain guide-lines issued by the Central Pollution Control Board (CPCB) for installation of such industries. These guide-lines are required to be followed by the State Pollution Control Board while granting Consent to Rice Mills. The handling, storage and transport of the rice husk are the subject matter of mandatory guidelines issued by the CPCB which needs to be implemented through the consent mechanism. One of the main recommendations is that there shall be a close enclosure for blowing of rice husk. It is mill type enclosure which shall be closed from all the sides and have an access for loading and handling of the rice husk. Obviously, no activity regarding blowing and storage of rice husk shall be carried out, outside the said enclosure.

11 The important points in these guidelines are mentioned here. Rice husk is the largest byproduct of Rice Milling Industry which amounts to 22-24 per cent of the total paddy. The unit needs to handle large quantity of husk and store them within the unit premises till husk is used or sold. During the Milling of the paddy, rice husk is mechanically separated out in the de-husker machine and husk is conveyed to the storage yard through the husk conveyance system. This conveyance system varies based on the size of the Rice Mill. CPCB has categorized the rice mills with the capacity less than three tons per hour as small mills, 3 to 15 tons per hour capacity as Medium and greater than 15 tons per capacity at large. In most of the small mills, husk from the de-husker is simple blown to the storage yard with the help of blowers. In Medium and large mills, the husk is extracted from the de-husking machines and taken through the conveyance system to the cyclone where fine dust is separated out. The environmental issues in the Rice Mills are mainly related to the Management of the rice husk and the noise pollution due to the operation of the mechanical equipment. Central Pollution Control Board has already published guide-lines for: i. Siting of rice Sheller's/Mills, ii. Handling and storage of rice husk, iii. Handling storage and disposal of husk generated in boiler using rice husk as fuel in 2012.

The Rice Mills employ mechanical equipment for cleaning and milling activities for de-husking of the paddy. These mechanical equipments can cause significant noise pollution, particularly in

Rural site CPCB has already carried out study and following noise Pollution prevention measures have been recommended. Various generating sources in Rice Mill, Rotary, vibratory screen bucket, elevator, screw conveyors and grinders, motors etc. need to be provided with adequate noise prevention control measures including following :

- 1) Provide vibration dampening pads to prevent noise generated due to vibration.
- 2) To provide rigid enclosure for Rotting/vibrating screen.
- 3) All transfer points to be covered with rigid enclosures.

These guide-lines are quite elaborate and the chapter 10 proposes the siting criteria for the rice mills which should be considered by the State Pollution Control Board while granting consent to establish for the new Rice Mills. This section also gives guide-lines for handling storage and transport of the rice husk which shall be mandated by SPCB through the consent mechanism. One of the important recommendation is unit shall be mandated to provide a close on enclosure for blowing and storage of rice husk. This mill type enclosure shall be closed from all the sites and have an access for loading and handling of the rice husk. No activity regarding blowing and storage of rice husk shall be carried out, outside the said enclosure.

12 The grains of rice are required to be separated from the chaff by mechanical process. The Small Scale Industrial Unit needs to handle large quantity of husk and store the same within the close premises till it is sold away or otherwise disposed of in appropriate manner. During the milling of the paddy, rice husk is separated out in de-husker machine and husk is conveyed to the storage yard through the husk conveyor system. The conveyor system varies as per size of the Rice Mill. In most of the small Rice Mills, simple blower system is used which throws the husk to the storage yard with the help of wind blowers. The noise pollution is required to be minimized with the help of mechanical equipment. Any chance of mixing of the husk with water is likely to cause foul smell.

13 Considering the above background, it is important to note that the Training institute of the Applicant (Lokmangal Sanstha) was already being run much prior to installation of the Rice Mill of the Respondent Nos.1 and 4(a) to (e). We are not much concerned with the issue of encroachment over S.nos.6 and 7. The fact remains that they started the Rice Mill in the premises of said agricultural land somewhere in or about 2001-02. The training institute of Applicant (Lokmangal Sanstha) was being run about 10 years prior to installation of the Rice Mill. It appears that consent to establish the Rice Mill was issued on 8-12-2003 (Ex.D/1) by the MPCB. The MPCB granted consent till end of December 2005. One of the conditions imposed on the Respondent Nos.1 and 4 was that they shall take adequate measures for control of air pollution so as

not to cause nuisance to surrounding area arising from bad smell, gaseous or particulate emission.

14 There is an elaborate affidavit of Miss Annies Pappu Parapilly in support of the Application. She is a Social Worker. She has categorically stated that the Rice Mill emits husk which causes water pollution due to its falling in the adjoining well of the Training institute. Her version further shows that due to continuous running of the Rice Mill, the Training institute suffers from noise pollution. The husk blows out of the Industrial unit and causes health hazard to the staff members and inmates of the Training institute. She states that running of the Rice Mill has causes nuisance to the Training institute. The Learned Counsel for the Respondent Nos.1 and 4 has pointed out, from cross-examination of Miss A.P. Parapilly, that in village Ghot, there are two other Rice Mills in the residential locality. It is also pointed out that she does not know location of place where the Rice bran falls. She also admits that she has no knowledge whether the Rice bran is used for manufacturing of edible oil. She does not know where the polished rice falls from the out-let of the Rice Mill. These admissions of Miss A.P. Parapilly are not sufficient to dislodge her version. Nothing of much importance could be gathered from her cross-examination so as to disbelieve her version. One cannot be oblivious of the fact that she has no personal interest in the matter. She is more interested in the social work and benefit of the welfare activities of the Training institute. She has no business rivalry

against the Respondent Nos.1 and 4. It is true, however, that solitary statement of Dr. Siddheshwar Naringe is not sufficient to establish the fact that the rice chaff/husk had triggered any epidemic disease in the near-by area.

15 We have perused the photographs filed along with the Application. It is an admitted fact that the Rice Mill is situated hardly at a distance of 10 ft. from the rear wall of the Training institute run by Applicant Lokmangal Sanstha. This fact is clearly seen from photograph No.2 (D-11). It appears that although the Respondent Nos.1 and 4 have erected a middle wall between the Rice Mill and the Training institute, yet, that wall is only a Kachcha wall without foundation. It is but natural that the said wall may collapse during rainy season and the husk will be exposed to the rain water.

16 That the contesting Respondents have not entered the witness box. From the record, it can be gathered that on 24<sup>th</sup> October 2013, the authorities of MPCB visited the site of the Rice Mill and the Training institute as per directions of this Tribunal. We had called upon the Regional Officer, Chandrapur to give the status Report. The status Report dated 28<sup>th</sup> October 2013 reveals following information:

A) The Sai Rice Mill is located very close to the residential building of President Lokmangal Sanstha (about 4.0 mtrs.). The institute main building is about 52.0 m away from the Rice Mill. The open well located in the premises of Lokmangal Sanstha is about 16.0 m away from the Rice Mill.

B) The noise level monitoring is carried out though the industry is not in operation, to assess the normal noise level within the premises of Lokmangal Sanstha. The readings are as follows :

- (a) 57.8 dB(A)    (b) 55.3 dB(A)    (c) 57.8 dB(A)  
 (d) 56.9dB(A)    (e) 56.9 dB(A)    (f) 58.0dB(A)  
 (g) 58.4 dB(A)    (h) 58.2 dB(A)    (i) 59.7 dB(A)  
 (j) 60.0 dB(A).

From the above readings it is observed that, the normal noise level is within, 55.3 dB(A) to 60.0 dB(A).

C) The Rice Mill is located adjacent to the premises of Lokmangal Sanstha. The distance between the Wall of the Rice Mill and Wall of the building of residence of President Lokmangal Sanstha is about 4.0 mtrs.

D) The rice husk storage shed, roof was found damaged. The proprietor Shri Sanjay Waddetiwar informed that, due to heavy rain the roof has been damaged. He further informed that, before starting the mill the same will be repaired and open portion between roof and wall will be plugged.

E) About 5 to 6 Ton of rice husk was found stored outside the rice husk shed. The Proprietor Shri Sanjay Waddetiwar told that, the rice husk will be removed within 15 days.

F) During the Inspection, the consent copy was not made available. However, from the office records it is observed that they are having consent to operate valid up to 31/12/2008. The industry has submitted the application for consent to operate (Renewal) on 25-10-2013 at Regional Office, Chandrapur.

17 Perusal of the above report clearly indicates that the rice husk was found stored outside of the rice husk shed, though the Rice Mill was not in operation. So, it cannot be believed that when the Rice Mill is in operation, the husk totally falls within the enclosed area of the rice processing unit. It was also noticed that the roof of the rice husk storage shed was damaged. The proprietor of the Rice Mill informed the authority that due to heavy rains, the roof was damaged. Still, however, in spite of fact that the rainy season had been over at least 3-4 months back of the said visit, no steps were taken to repair the roof. The fact that the Rice Mill was not being operated, did not give any opportunity to examine the issue of noise pollution. The report is silent about the noise abatement measures implemented by the industry. We are surprised to see as to how same Sub Regional Officer of the MPCB Chandrapur observed that the normal noise level was within permissible units. It is nobody's case that even for temporary purpose the Rice Mill was made functional during the short duration of the said limits dated 24<sup>th</sup> October 2013. Another status Report dated 2<sup>nd</sup> December 2013 submitted by the Sub Regional Officer, MPCB Chandrapur is also dis-satisfactory. The Report shows that the Rice Mill was not in operation during the visit dated 22<sup>nd</sup> October 2013. The Report further shows that the old rice husk was under process of lifting. The representative of the Rice Mill (Shri Sanjay Waddetiwar) verbally informed that the maintenance of all the machinery including oil and greasing work was conducted.

We do not find whether the MPCB verified correctness of such information.

18 It is difficult to place implicit reliance of such top-sided status Report submitted by the MPCB. The Learned Counsel appearing for the Respondent Nos.1 and 4 submitted that rice husk is valuable by-product of the Rice Mill and immediately sold away to bran oil manufactures. He placed reliance on some payment receipts (D-14 to D-29). These payment receipts are for the period from 13-12-2011 to 1-1-2012. So also, these receipts do not indicate that the entire stock of the husk produce from the Rice Mill is sold to the Rice Bran Oil Manufacturer.

19 All said and done, it cannot be overlooked that due to proximity of the premises of the Rice Mill, there is more possibility that the husk separated from the grains after process of the paddy may flow away towards premises of the training institute run by the Applicant. The running of the Rice Mill causes constant pounding sound which also amounts to nuisance. Thus, the Applicant has made out a case of actionable nuisance. The MPCB has not has so far granted consent to operate the Rice Mill. Consequently, we find it necessary to ensure that without appropriate measures taken for arresting the air and noise pollution, the consent to operate may not be renewed.

20 Coming to the question of limitation, it may be noted that the application is transferred to this Tribunal and was originally a suit filed in the Civil Court. The suit was based on the cause of

action which was stated in the Notice issued U/s. 80 of Code of Civil Procedure. Moreover, running of the Rice Mill continued during the relevant period. The nuisance gave recurring cause of action. The suit was not barred by limitation. The continuity of the nuisance and air pollution as well as noise pollution amounts to continuity of cause of action. Hence, the suit cannot be deemed as barred by limitation.

21 In view of the foregoing discussion, we record our findings on the issues mentioned earlier as follows: Issue No.1 : No, Issue No.2 : Yes, and Issue No.3 : Yes.

22 In the result, the application is partly allowed with costs of Rs.25,000/- (Rs. Twenty five thousand only) each by the Respondent Nos. 1 and 4 to the Applicant Lokmangal Sanstha within period of four (4) weeks.

23 The Respondent Nos. 1 and 4(a) to 4(e) (Legal Representatives of deceased Respondent No.4) shall pay compensation of Rs.50,000/- (Rs. Fifty Thousand only) to Applicant Lokmangal Sanstha for causing noise pollution and air pollution during the period for which the Rice Mill was being operated, the amount which has been arrived at, has been founded on general assessment, having regard to the fact that the Rice Mill is a small unit and is a seasonal industry.

24 We direct that the MPCB shall not grant renewal of consent to operate the Rice Mill run by the Respondent Nos. 1 and

4(a) to (e) unless it is duly satisfied that adequate measures are taken by them to install modern equipment in order to control the noise pollution by way of proper insulation of the unit and to ensure that the chaff/husk will not flow outside the unit's premises. The Rice Mill shall install a conveyance system or conveyor belt to carry the chaff/husk to adequately covered cellar/storage from which it can be carried out for sell/disposal. Unless such facilities are adequately provided, the application for renewal of grant for consent to operate shall not be processed by the MPCB. In case the Rice Mill is found running without consent to operate or any breach of conditions envisaged in the consent to operate is noted, action under Section 31-A of the Air (Prevention & Control Pollution) Act 1981 may be taken by the MPCB against Proprietor.

The Respondent Nos.1 and 4 shall bear their own costs.

The Application is accordingly disposed of.

....., JM  
(Justice V. R. Kingaonkar)

....., EM  
(Dr. Ajay A. Deshpande)

**TRUE COPY**

The Senior Scientist, In Charge, ANA & T and P.C. cell  
 To,  
 The Pollution Control Board Officer  
 West Bengal, Mani Square,  
 Block/Space - 821, on western side of Road of 8th floor,  
 164/1, Maniktala Main Road, Kolkata - 700054,  
 subject: Pollution caused by rice mill releasing  
 dust and high sound.

Respected Sir / Madam,

I am Abhijit Majhi, a resident of village Hapania in district Nadia. I am writing this letter to bring your attention the issue of pollution caused by rice mill releasing dust and high sound in front of our house.

A few months ago mill owner installed some machines to expand his business, now they run the machines 24 hours daily.

At present a large amount of dust is coming towards our house everytime and filling the houses and trees.

As result we can not eat and sleep healthily also we have been suffering from various health issues such as breathing problems, skin allergies and headaches due to the dust of rice mill.

My father had already complained to B.D.O and S.D.O for this kind of problem but we didn't get permanent solution.

Again we complained to the mill owner to creating problems, but he ignored and replied us "to do what we want with them".

We request you to kindly intervene in this matter urgently and take strict action against the rice mill and mill owner and help us to get back our healthy life and environment.



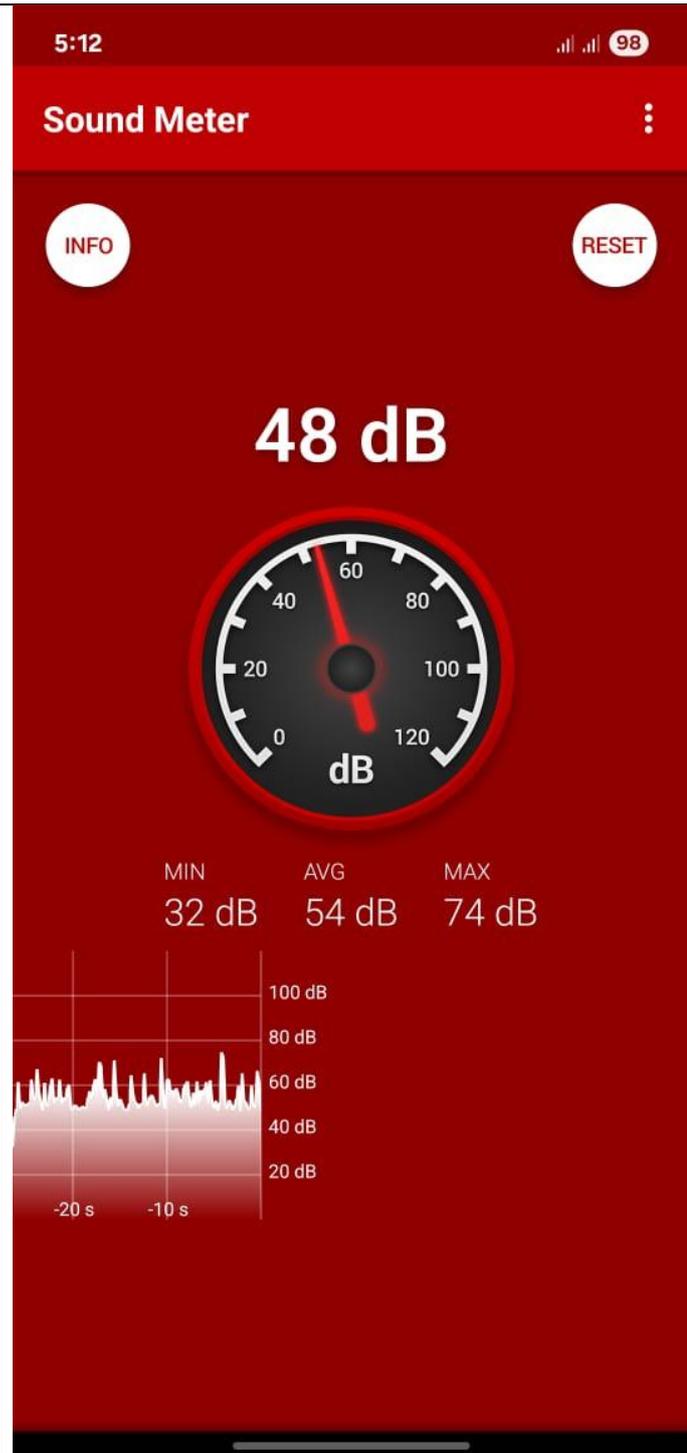
Date: 14.05.2024.

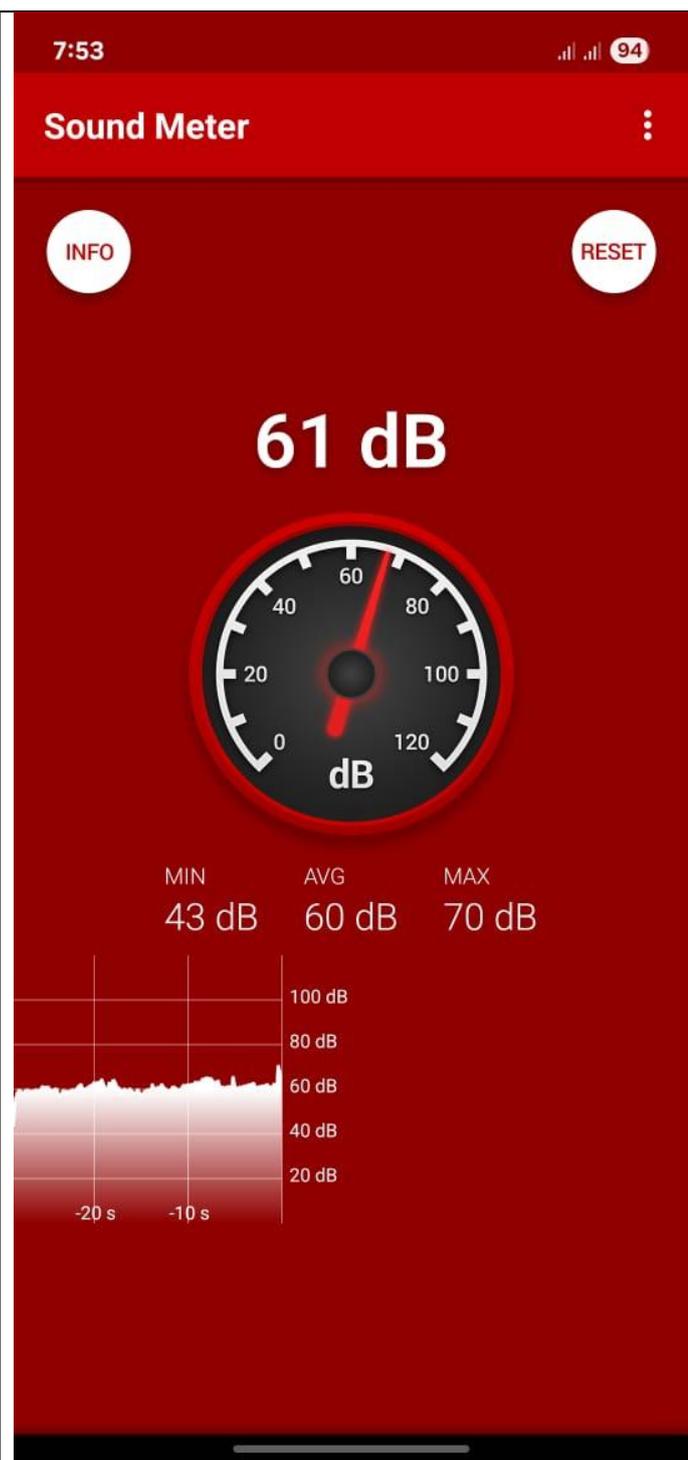
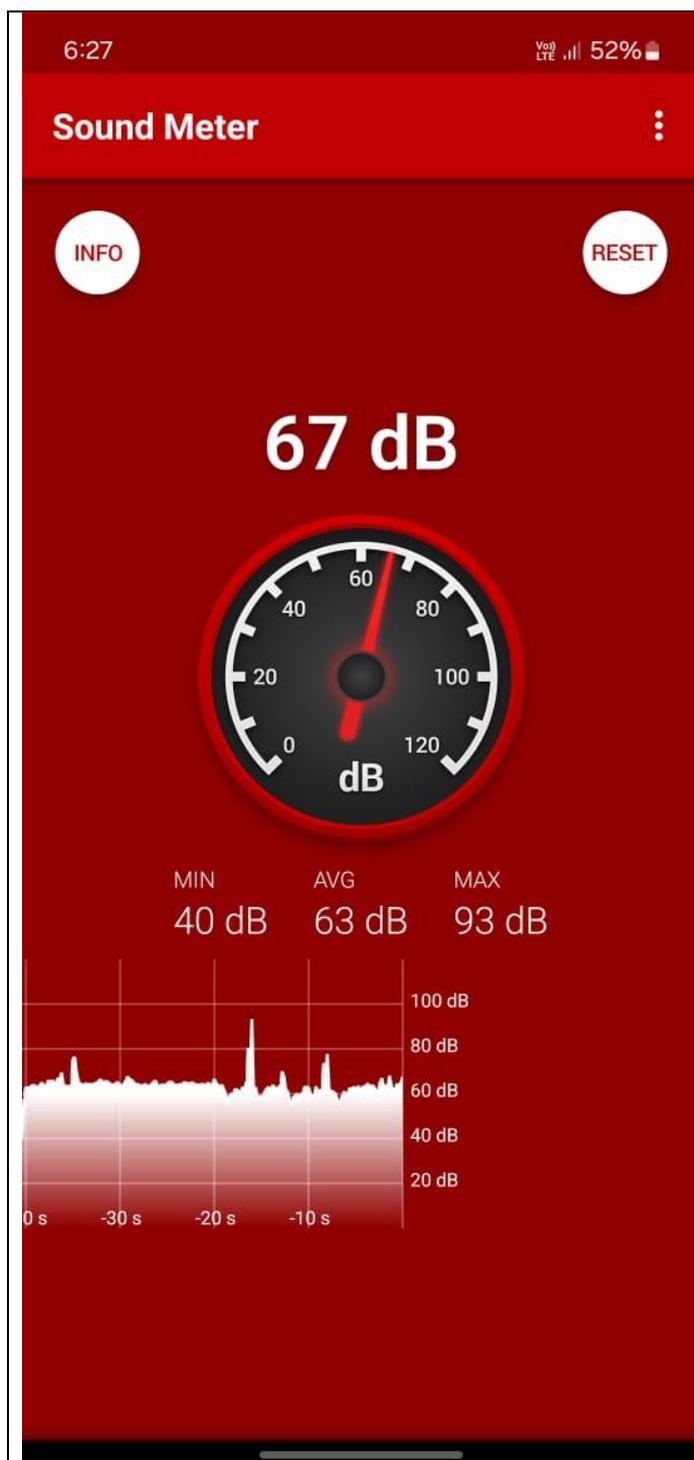
Thanking You  
 Abhijit Majhi

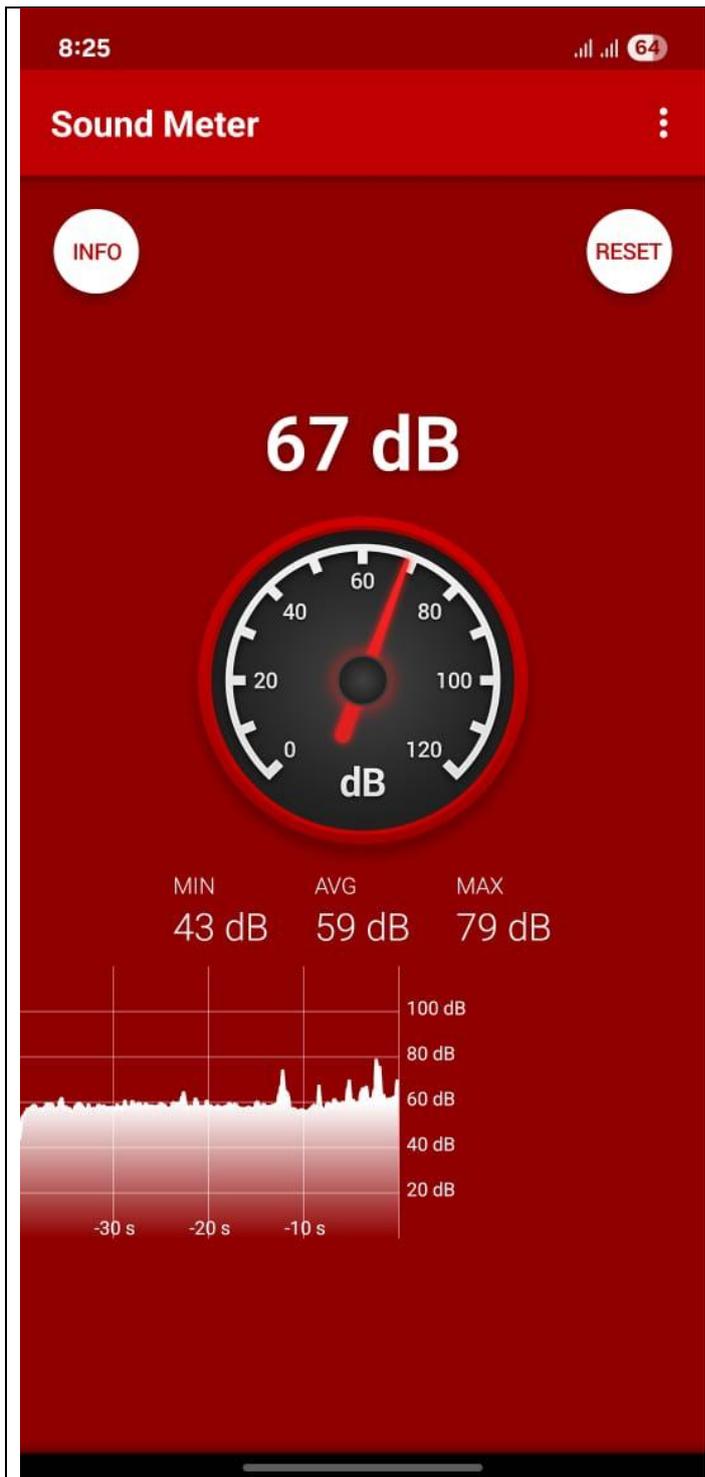
<u>Appellor Details</u>	<u>Accused Details</u>
Name : Abhijit Majhi.	Mill Name :
Father's Name : Ruhitan Majhi.	Shree Krishna Hasking Mill.
Address :	Owner : Akhil Baidya
Vill : Hapania	
PO : Nagarukhra	
PS : Haringhata	
Pin : 741257	
Dist : Nadia	
State : West Bengal	
Occupation : Student	
Mobile No : 7074680064	
	<u>Neighbour signatures</u>
7)	1) <u>স্বপ্নান সানিক</u>
8)	2) Dipmoy Sarkar
	3) Shankar Mondal
	4) <u>রাজেশ সানিক</u>
	5) Rakesh Ghain
	6) Rajib Shit

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Shashank Ravi

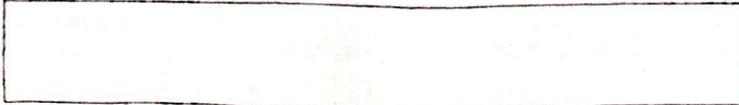






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*Shashank Rai*



IN THE COURT OF National Green Tribunal Eastern Zone  
S/W/ Appeal No. \_\_\_\_\_ JURISDICTION OF 2025

In re:-  
ABHIJIT MAJHI Plaintiff(s) or Petitioner(s)  
Appellant(s) Complainant(s)

VERSUS  
West Bengal Pollution Control Board & Ors Defendant(s) / Respondent(s) / Accused Know all to whom  
these Present shall come that I/we Abhijit Majhi, S/o Sh. Rukhman Majhi, R/O Village: Hapanic  
P.O.: Nagarukhna, P.S. Haridighata, District: Nadia, West Bengal - 741257  
The above named APPLICANT

SHASHANK RAI do hereby appoint  
E. No. D/6888/2023 ADVOCATE Anushi Pooja Kumari Om Prakash  
1st Floor, C-92, CL Joseph Block, Arawal Sapra  
Tis Hazari Court, Delhi-110054 18750/2023  
therein after signing this document to be my / our Advocate in the above - noted case authorize him:-

To act, appear and plead in the above-noted case in this court or in any other court in which the same may be tried or heard and also in the appellate court including High Court subject to payment of fees separately for each court by me/us.

To sign file, verify and present pleadings, appeals cross-objection or petitions for executions review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subjects to payment of fees for each stage.

To file and take back documents, to admit and/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences of disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings on paying separate fee.

To deposit, draw and receive money, cheques, cash and grant receipts hereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution on the said case.

To appoint and instruct any other Legal Practitioner authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on our behalf.

And I/we undersigned to hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purpose.

And I/we undertake that I/We or my/our duly authorized agent would appear in court on all hearings and will inform the Advocate for appearance when the case is called.

And I/We undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the court shall be of the Advocate which he shall receive and retain for himself.

And I/we undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settle is only for the above case and above Court. I/We hereby agree that once the fee is paid, I /We will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3 years the original fee shall be paid again by me/us.

IN WITNESS WHERE OF I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this 16 Day of May 2025 Accepted subject to the terms of the fees

Shashank Rai Advocate  
Abhijit Majhi Client  
Client

Anushi  
Pooja Kumari  
I Identify the Signature/Thumb Impression of Below Mentioned Person,  
Signed in My Presence. The Client.

