

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONAL BENCH, KOLKATA,
MEMORANDUM OF APPLICATION

[Under Section 18 (1) read with Sections 14, 15 and 17 of the National Green Tribunal Act, 2010]

Original Application No. **174** of 2025 E.Z.

Between
Asgar Ali Piada,
... Petitioner
Versus
The State of West Bengal & Ors.
... Respondents

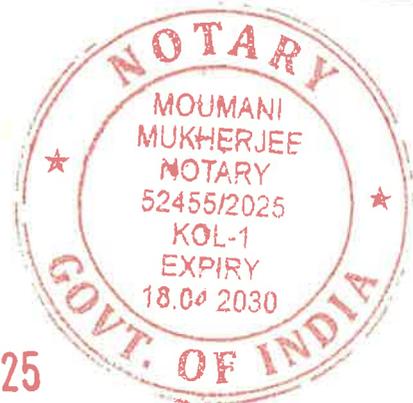
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Enrollment No. F/1509/1408/2021

23 MAY 2025



23 MAY 2025

LIST OF DATES

<u>DATES</u>	<u>PARTICULARS</u>
April, 2024	: The Saw Mill Factory was set up by the private respondent nos. 10 and 11.
2 nd May, 2024	: The applicant made representation to the respondent nos. 3 and 7 about the illegal running of the factory.
17 th May, 2024	: The applicant further made a representation to the respondent nos. 3 and 7 regarding the illegal running of the factory.
21 st March, 2025	: A representation was filed by the applicant through his Advocate to the respondent nos. 3 and 7.
4 th April, 2025	: The applicant received a forwarding letter from the Senior Scientific Officer & In Charge Public Grievance Cell of the Respondent no. 2, directing the respondent no. 8 to look into the matter.
21 st April, 2025	: A further representation was filed by the applicant through his Advocate to the respondent nos. 3 and 7.
30 th April, 2025	: An inspection was caused by the officials of the respondent no. 8 and being dissatisfied with the non-existence of any license directed the respondent nos. 10 and 11 to temporarily close the said factory unit further notice and further directed to lock the main gate of the said factory.
May, 2025	: In spite of the said direction the respondent nos. 10 and 11 are still continued to run the factory.
May, 2025	: Hence this application.



23 MAY 2025

SYNOPSIS

The Saw Mill Factory was set up by the private respondent nos. 10 and 11 at the residential area wherein the applicant lives and the said Sawmill Factory is being running since April, 2024. For running of the said Sawmill from the residential area the applicant is facing undue hardship. The applicant has made representation before the concerned authorities in written, but no steps has been taken by the respondent nos. 3 and 7. Thereafter, the applicant through its Advocate made two representations before the respondent nos. 3 and 7. Only on 4th April, 2025 the applicant received a forwarding letter from the Senior Scientific Officer & In Charge Public Grievance Cell of the Respondent no. 2, directing the respondent no. 8 to look into the matter. Thereafter, on 30th April, 2025 an inspection was caused by the officials of the respondent no. 8 and being dissatisfied with the non-existence of any license the officials of the respondent no. 8 directed the respondent nos. 10 and 11 to temporarily close the said factory unit further notice and further directed to lock the main gate of the said factory. In spite of the said direction the respondent nos. 10 and 11 are still continued to run the said factory for that the applicant is facing extreme difficulty and which is creating great difficulty to lead his livelihood.

Hence this application.



DISTRICT- NORTH 24 PARGANAS

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

MEMORANDUM OF APPLICATION

[Under Section 18 (1) read with Sections 14, 15 and 17 of the National
Green Tribunal Act, 2010]

Original Application No. of 2025 E.Z.

Between

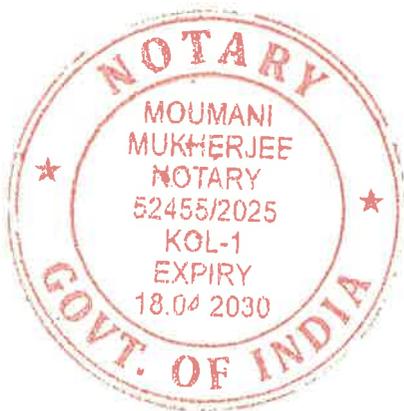
Asgar Ali Piada, son of Late Ombat
Ali Piada, residing at Hatiara,
Methupara, P.O.- Hatiara, Police
Station- Eco Park, District- North 24
Parganas, Kolkata-700157;

....APPLICANTS

Versus

1. The State of West Bengal, through
the Principal Secretary, Department
of Environment, Government of
West Bengal, Prani Sampad
Bhawan, 10A, Block-LB, Sector-III,
Bidhannagar, Kolkata- 700106,
(Email-acsenwb@gmail.com)

2. The West Bengal Pollution Control
Board, through the Member
Secretary, Department of
Environment, Government of West
Bengal, Paribesh Bhawan, 10A,
Block-LA, Sector-III, Bidhannagar,



23 MAY 2025

Kolkata-700098 (Email- ms.wbpcb-wb@bangla.gov.in);

3. The Chairman, West Bengal Pollution Control Board, Paribesh Bhawan, 10A, Broadway Road, LA Block, Sector-3, Bidhannagar Kolkata, West Bengal- 700106 (Email: chairman@wbpcb.gov.in);

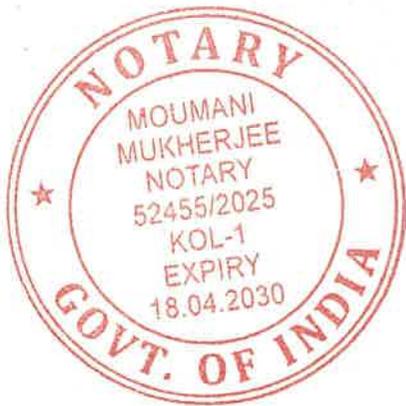
4. Bidhannagar Municipal Corporation, having office at Poura Bhawan, FD-415A, Block- FD, Sector-III, Salt Lake City, Kolkata-700106 (Email: bidhannagar.corporation@gmail.com);

5. The Mayor, Bidhannagar Municipal Corporation, having its office at Poura Bhawan, FD-415A, Block- FD, Sector-III, Salt Lake City, Kolkata-700106 (Email: bidhannagar.corporation@gmail.com);

6. The Mayor-in-Council, Bidhannagar Municipal Corporation, having its office at FD-415, Bidghannagar, Salt Lake City, Kolkata- 700106 (Email: bidhannagar.corporation@gmail.com);



7. The Commissioner, Bidhannagar Municipal Corporation, having its office at FD-415, Bidhannagar, Salt Lake City, Kolkata-700106 (Email: bidhannagar.corporation@gmail.com);
8. The Principal Chief Conservator of Forests, (HoFF), Department of Forest, Government of West Bengal, Block- LA-10A, Aranya Bhawan, Kolkata-700106 (Email: ccfhc.frd-wb@bangla.gov.in);
9. The Officer-in-Charge, Eco Park Police Station, having its office at Jatragachi, Deshbandhu Nagar, Kolkata-700156 (Email: oc.ecoparkps-bdn@policewb.gov.in and ecoparkpolicestation@gmail.com);
10. Nazimuddin Piada, son of s/o Late Afsar Ali Piada, working for gain at Dag No. 444, Mouza- Hatiara, J.L. No. 14, P.S.- Eco Park, District- North 24 Parganas, Pin- 700157;
11. Nuruddin Piada, son of Late Afsar Ali Piada, working for gain at Dag No. 444, Mouza- Hatiara, J.L. No. 14, P.S.- Eco Park, District- North 24 Parganas, Pin- 700157;



...RESPONDENTS.

The humble petition of the applicants
above named—

MOST RESPECTFULLY SHEWETH:

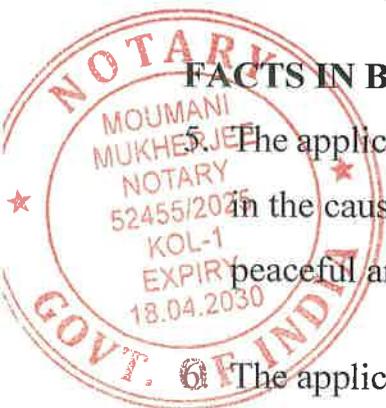
1. The applicant is a peace loving and law-abiding citizen of Union of India and resides at the address mentioned in the cause title hereinabove.
2. The applicant states that by reason of wrongful and arbitrary acts committed by the respondents and their unconscionable inaction, as more fully described hereinafter, the rights of your applicant have been wrongfully invaded and/or impaired and the applicant have suffered immense loss, prejudice and injury.
3. The addresses of the respondents are stated above for the purpose of service of notices pertaining to the instant application. All the acts, actions and inactions of the respondent authorities being subject matter of the instant application are amenable to the jurisdiction of this Hon'ble Tribunal.
4. The applicant above named begs to present this Memorandum of Application against the purported inaction on the part of the state respondents against illegal act of operating a sawmill factory without requisite permissions in a residential locale, particularly by the private respondent nos. 10 and 11 on the facts and grounds set out hereunder.

FACTS IN BRIEF:-

5. The applicant states that he has been peacefully residing at the address mentioned in the cause title herein above since childhood and the said neighbourhood has a peaceful and tranquil environment.

6. The applicant states that sometime in April, 2024 a Saw Mill factory has been set up and is being operated within the neighbourhood from the premises being R.S. Dag No. 444, Mouza- Hatiara, J.L. No. 14, P.O.- Hatiara, P.S- Eco Park, District- North 24 Parganas, Pin- 700157 (hereinafter referred to as the 'said factory').

7. The applicant states that the said factory is being operated by the respondent nos. 10 and 11.



8. The applicant states that the said factory is being operated not only in the morning but sometimes also at night and due to the operation of the said factory, the peace and tranquillity in the neighbourhood is being affected as an incessant horrible sound is being generated.
9. The applicant states that neither the private respondents have any authorisation to run the said factory nor the respondents are following the requisite norms of running the said factory. The applicant on several occasions protested against running of the said factory but the private respondents are continuing with his illegal act of running the said factory. Most surprisingly, despite informing the respondent Municipal Corporation no steps have been taken by them to stop the said factory.
10. The applicant states that he is a heart patient who has not been able to sleep properly since the operation of the said factory.
11. The applicant states that upon enquiry from the workers of the said factory on how a license was issued in favour of running the said factory in a residential area, was informed that there was no existing license as on date.
12. The applicant states that the traffic in this neighbourhood has significantly increased due to the said factory since heavy goods vehicles deliver raw materials and pick up finished goods from the said factory.
13. The applicant states that the applicant informed the Respondent no. 3 and the respondent no. 7, about the illegal running of the said factory by way of a representation dated 2nd May, 2024 which was received by the respondent nos. 3 and 7 on 3rd May, 2024. The applicant again made another representation through his Learned Advocate on 17th May, 2024 but till date no steps have been taken by the respondent authorities in pursuance to the applicant's representation.

Copies of the representations dated 2nd May, 2024 and 17th May, 2024 with seal and stamp of receipt by the respondents are annexed hereto and collectively marked with the letter 'A'.



14. The applicant states that the applicant made a representation through his Learned Advocate on 21st March, 2025 before the Respondent nos. 3 and 7., thereby ventilating his grievances and requesting for immediate steps to be taken. On 21st April, 2025 in addition to his previous representation another representation was made by the applicant through his Learned Advocate rectifying the address of the said factory in question

Copies of the representations dated 21st March, 2025 and 21st April, 2025 are annexed hereto and collectively marked with the letter "B".

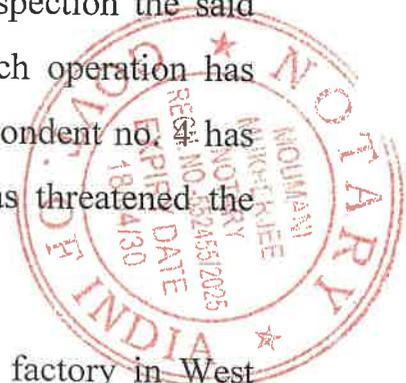
15. In the meantime, on 4th April, 2025 the applicant received a forwarding letter from the Senior Scientific Officer & In Charge Public Grievance Cell, of the Respondent no. 2, where the Respondent no. 8 was requested to look into the matter. In the said letter the Dag number was wrongly recorded as 441 instead of Dag No. 444, which was corrected by the letter dated 21st April, 2025 sent by the Advocate for the applicant.

A copy of such reply dated 4th April, 2025 is annexed hereto and marked with the letter "C".

16. The applicant states that it has come to the knowledge of the applicant that an inspection of the said factory was caused on 30th April, 2025 at 1:30 P.M., when the officials conducting the inspection had seized several wooden logs and being dissatisfied with the non-existence of any license in any manner whatsoever and directed the respondent nos. 10 and 11 to temporarily close the said factory until further notice. The respondent nos. 10 and 11 were further directed to lock the main gate of the said factory until further notice.

17. The applicant states that after merely two weeks of such inspection the said factory is again operating and on being questioned how such operation has restarted the private respondents have remarked that the Respondent no. 4 has given them the requisite permission, post inspection and has threatened the applicant to mind his own business.

18. The applicant states that for the establishment of a sawmill factory in West Bengal, a license is to be issued from the West Bengal Forest Department and thereafter follow the regulations as outlined in the West Bengal Forest

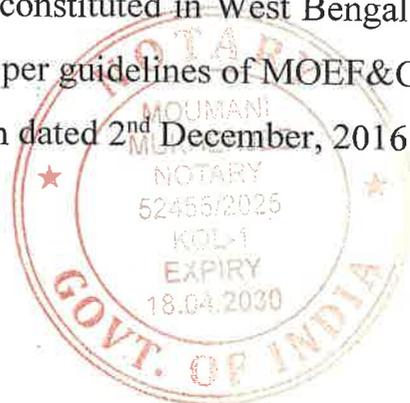


(Establishment and Regulation of Saw Mills and other Wood Based Industries) Rules, 1982 (hereinafter referred to as the 'said Rules').

A copy of the West Bengal Forest (Establishment and Regulation of Saw Mills and other Wood Based Industries) Rules, 1982 is annexed hereto and marked as Annexure 'D'.

19. The applicant states that Section 3(2) (b) of the said Rules stipulates that no person shall establish a saw-mill and other units including factories of the categories mentioned in Section 5A, without obtaining a license in Form I issued by an Authorised Officer.
20. The applicant states that Section 4(1) stipulates that every person intending to carry on business covered by the said rules shall apply to the Authorised Officer in Form II for a license mentioned in Rule 3 together with the clearance certificate of ST / IT, Panchayat Samity / Municipality / Municipal Corporation / WBSEB / CESC and District Industries Centre with location details.
21. Thereafter, Section 4(2) stipulates that the Authorised Officer shall after making an inquiry as he may think fit and within a period of 60 days from the date of such application shall grant or refuse such application.
22. The applicant states that as per direction of Hon'ble Supreme Court in WP 202 of 1995, the number of licenses which may be issued to General Category Saw Mill has to be linked to the local wood balance study. In the said case Central Empowered Committee (CEC) had been assigned the authority by the Hon'ble Supreme Court to look into the issuance of new license as well as to guide the State Governments in issues which come up regularly regarding running of wood-based industries. Later CEC directed that for better functioning about the issue all the State Governments will constitute State Level Committees for Wood Based Industries. The SLC was reconstituted in West Bengal vide. Govt. order No: 4140-For dated 02.12.2016 as per guidelines of MOEF&CC issued in 2016.

A copy of the notification dated 2nd December, 2016 is annexed hereto and marked with the letter 'E'.



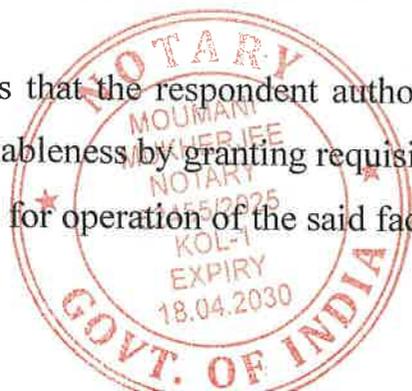
23. The applicant states that the incessant running of the sawmill factory without any license has resulted in the loss of peace and harmony in the neighbourhood.
24. The applicant is shocked at how such factory can be operated in a residential building. It is for the authorities to look into the matter whether requisite permissions have been granted towards the operation of such machine and if so granted, how the authorities could grant such permission in a residential building. The applicant puts the respondent authorities to strict proof thereto, on the license, if any, granted in favour of the private respondents.
25. In respect of Kolkata Municipal Corporation, certain guidelines are followed for the purpose of running sawmills, the same would be also applicable in respect of Biddhannagar Municipal Corporation. The procedure for setting up a power operated machine in a factory/workshop is clearly mentioned in the circular available in the Kolkata Municipal Corporation's Website. It is stated in such circular that in case of power-driven machine, Horse Power of the Motor is to be mentioned, intimation/permission of West Bengal Pollution Control Board is also necessary and in case of workshop dealing with hazardous items, prior Fire License/NOC is also required.

A copy of the guidelines procured from the Kolkata Municipal Corporation website is annexed hereto and marked with the letter 'F'.

26. The applicant states as per the Noise Pollution (Regulation and Control) Rules, 2000 it is stated that in a residential area the ambient air quality standard in respect of noise shall be 55db-in day time and 45db in night time. It would be apparent to a local resident or passerby alike that when the machine is operational, it clearly emits a much noise much higher than the permissible limit

A copy of the Noise Pollution (Regulation and Control) Rules,2000 is annexed hereto and marked as Annexure "G".

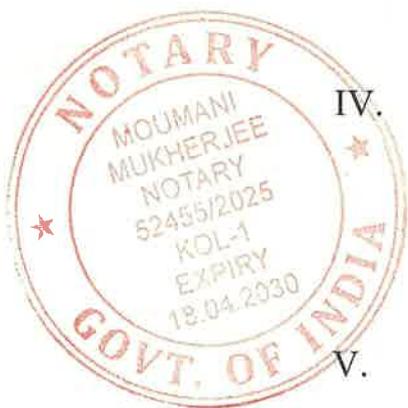
27. The applicant states that the respondent authorities have acted contrary to the principles of reasonableness by granting requisite permission, if at all any, to the private respondents for operation of the said factory from a residential building.



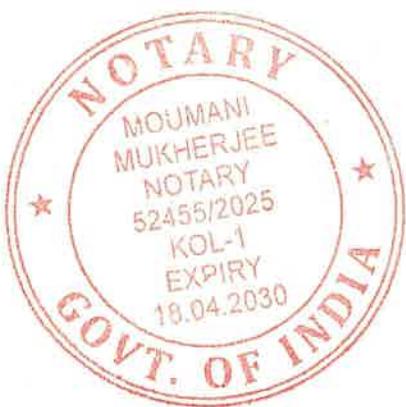
28. The applicant states that the respondent authorities have acted contrary to the principles of reasonableness by granting trade license, if at all any, to the private respondents for operation of the said factory from a residential building.
29. The applicant submits that the respondent authorities have acted contrary to the principle of reasonableness, non-arbitrariness which is of prime importance and basis of governmental action.
30. Being aggrieved by and dissatisfied with the non-consideration of the applicant's representation by the respondents the applicant begs to move the instant application on the following amongst other -

GROUND S

- I. FOR THAT the said factory is being operated not only in the morning but sometimes also at night.
- II. FOR THAT due to the operation of the said factory, the peace and tranquillity in the neighbourhood is being affected as an incessant horrible sound is being generated.
- III. FOR THAT neither the private respondents have any authorisation to run the said factory nor the respondents are following the requisites of running the said factory.
- IV. FOR THAT the applicant on several occasions protested against running of the said factory but the private respondents are continuing with his illegal act of running the said factory.
- V. FOR THAT despite informing the respondent Municipal Corporation no steps have been taken by them to stop the said factory.

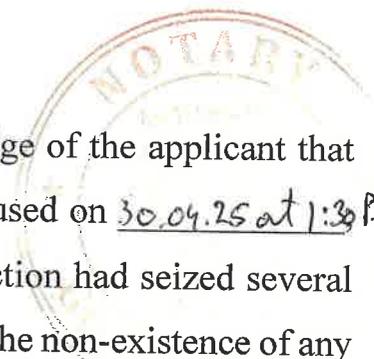


- VI. FOR THAT the applicant is a heart patient who has not been able to sleep properly since the operation of the said factory.
- VII. FOR THAT for the establishment of a sawmill factory in West Bengal, a license is to be issued from the West Bengal Forest Department and thereafter follow the regulations as outlined in the West Bengal Forest (Establishment and Regulation of Saw Mills and other Wood Based Industries) Rules, 1982 (hereinafter referred to as the 'said Rules').
- VIII. FOR THAT Section 3(2) (b) of the said Rules stipulates that no person shall establish a saw-mill and other units including factories of the categories mentioned in Section 5A, without obtaining a license in Form I issued by an Authorised Officer.
- IX. FOR THAT as per direction of Hon'ble Supreme Court in WP 202 of 1995, the number of licenses which may be issued to General Category Saw Mill has to be linked to the local wood balance study. In the said case Central Empowered Committee (CEC) had been assigned the authority by the Hon'ble Supreme Court to look into issuance of new license as well as to guide the State Governments in issues which come up regularly regarding running of wood-based industries. Later CEC directed that for better functioning about the issue all the State Governments will constitute State Level Committees for Wood Based Industries. The SLC was reconstituted in West Bengal vide. Govt. order No: 4140-For dated 02.12.2016 as per guidelines of MOEF&CC issued in 2016.
- X. FOR THAT upon enquiry from the workers of the said factory on how a license was issued in favour of running the said factory



in a residential area, was informed that there was no existing license as on date.

- XI. FOR THAT the traffic in this neighbourhood has significantly increased due to the said factory since heavy goods vehicles deliver raw materials and pick up finished goods from the said factory.
- XII. FOR THAT the applicant informed the Respondent no. 4, about the illegal running of the said factory by way of a representation dated 2nd May, 2024 which was received by the respondent no. 4 on 3rd May, 2024, but till date no steps have been taken by the respondent authority in pursuance to the petitioner's representation.
- XIII. The applicant states that the applicant made a series of representation on 2nd May, 2024 and 17th May, 2024 and also through his Learned Advocate on 21st March, 2025 and 21st April, 2025 before the Respondent no. 4 and Respondent no. 8, ventilating his grievances and requesting for immediate steps to be taken.
- XIV. FOR THAT it has come to the knowledge of the applicant that an inspection of the said factory was caused on 30.04.25 at 1:30 PM when the officials conducting the inspection had seized several wooden logs and being dissatisfied with the non-existence of any license in any matter whatsoever directed the respondent no. 10 and 11 to temporarily close the said factory until further notice. The respondent no. 10 and 11 were further directed to lock the main gate of the said factory until further notice.



- XV. FOR THAT after merely two weeks of such inspection the said factory is again operating and on being questioned how such operation has restarted the private respondents have remarked that the Respondent no. 4 has given them the requisite permission post inspection and has threatened the applicant to mind his own business.
- XVI. FOR THAT the incessant running of the sawmill factory without any license has resulted in the loss of peace and harmony in the neighbourhood.
- XVII. FOR THAT the applicant is shocked at how such factory can be operated in a residential building. It is for the authorities to look into the matter whether requisite permissions have been granted towards the operation of such machine and if so granted, how the authorities could grant such permission in a residential building.
- XVIII. FOR THAT the applicant puts the respondent authorities to strict proof thereto, on the license, if any, granted in favour of the private respondents.
- XIX. FOR THAT the procedure for setting up a power operated machine in a factory/workshop is clearly mentioned in the circular available in the Kolkata Municipal corporation's Website.
- XX. FOR THAT it is stated in such circular that in case of power-driven machine, Horse Power of the Motor is to be mentioned, intimation/permission of West Bengal Pollution Control Board is also necessary and in case of workshop dealing with hazardous items, prior Fire License/NOC is also required.



XXI. FOR THAT as per the Noise Pollution (Regulation and Control) Rules, 2000 it is stated that in a residential area the ambient air quality standard in respect of noise shall be 55db in day time and 45db in night time in residential areas. It would be apparent to a local resident or passerby alike that when the machine is operational, it clearly emits a much noise much higher than the permissible limit

XXII. FOR THAT the respondent authorities has acted contrary to the principles of reasonableness by granting requisite permission, if at all any, to the private respondents for operation of the said factory from a residential building.

XXIII. FOR THAT the respondent authorities have acted contrary to the principles of reasonableness by granting trade license, if at all any, to the private respondents for operation of the said factory from a residential building.

XXIV. FOR THAT the respondent authorities have acted contrary to the principle of reasonableness, non-arbitrariness which is of prime importance and basis of governmental action.

LIMITATION:

The applicant declares that the cause of action in the instant case, accrues on April, 2024 and continues on day-to-day basis. Such cause of action is renewing on a day-to-day basis and as such the question of applicability of the limitation prescribed in Section 14 (3) of the National Green Tribunal Act, 2010 does not arise.

INTERIM PRAYER:

Pending final disposal of the application the applicant seeks issuance of the following interim orders:



- A) An interim order of injunction directing the state respondents and/or their servants and/or their employees and/or their agents to take adequate measures to restrict the private respondents from operating the sawmill factory at Dag No. 444, J.L. No. 14, Ward- Bidhannagar Corporation, P.O.- Hatiara, P.S.- Eco Park, District- North 24 Parganas, Pin- 700157 in any manner whatsoever, till the disposal of the instant application,
- B) Ad-interim order in terms of prayers (a) as above.
- C) Order of stay of the illegal activities of the respondent nos.10 and 11 for illegally operating the sawmill factory at Dag No. 444, J.L. No. 14, Ward- Bidhannagar Corporation, P.O.- Hatiara, P.S.- Eco Park, District- North 24 Parganas, Pin- 700157 till the disposal of the instant matter.

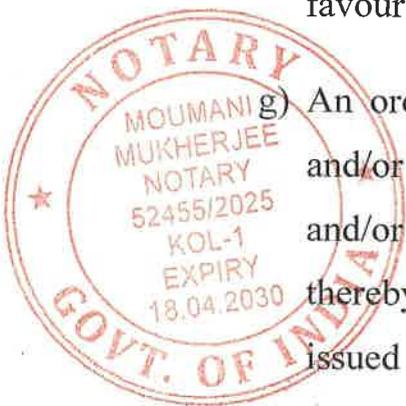
PRAYER

In view of the facts mentioned in paragraphs 1 to 30 above the applicants prays for the following reliefs:

- a) Mandatory order be issued commanding the State respondents and each one of them and their men, agents, assigns and subordinates to certify and transmit to this Hon'ble Tribunal all records forming the basis of their inaction regarding illegal operation of the sawmill factory at Dag No. 444, J.L. No. 14, Ward- Bidhannagar Corporation, P.O.- Hatiara, P.S.- Eco Park, District- North 24 Parganas, Pin- 700157 and also to stop the illegal action of respondent nos. 10 and 11 so that conscionable justice may be rendered.
- b) Mandatory order be issued commanding the State respondents and each one of them and their men, agents, assigns and subordinates to take adequate measures against the respondent nos. 10 and 11 from illegal operation of the sawmill factory at Dag No. 444, J.L. No. 14, Ward- Bidhannagar Corporation, P.O.- Hatiara, P.S.- Eco Park, District- North 24 Parganas, Pin- 700157 in any manner whatsoever;



- c) Mandatory order be issued commanding the State respondents and each one of them and their men, agents, assigns and subordinates to take adequate measures-to-prevent the illegal operation of the respondent nos. 10 and 11 causing noise pollution.
- d) Mandatory order be issued commanding the respondents, their men, agents, servants and/or assigns to direct the respondent Municipal Corporation to file a report as to whether certificate of any enlistment is granted in favour of the private respondents in respect of running of the said factory.
- e) An order commanding the respondents, their men, agents, servants and/or assigns to direct the respondent Municipal Corporation to ensure that the nonfunctioning of the said factory till consideration of representations dated 2nd May, 2024, 17th May, 2024, 21st March, 2025 and 21st April, 2025, made by the applicant and also by the Advocate of the Applicant;
- f) An order commanding the respondents, their men, agents, servants and/or assigns to direct the respondent authorities to file an interim report to the effect as to whether any trade license has been issued in favour of running the said factory;
- g) An order commanding the respondents, their men, agents, servants and/or assigns to transmit to this Hon'ble Court the entire records and/or proceedings forming subject matter of the instant case, and thereby cancellation or revocation of any such trade license, if at all, issued in favour of the private respondents by the respondent authorities.
- h) An order prohibiting the private respondents from running the said factory till consideration of the applicant's representation 2nd May, 2024, 17th May, 2024, 21st March, 2025 and 21st April, 2025 made by the applicant and also by the Advocate for the applicant.

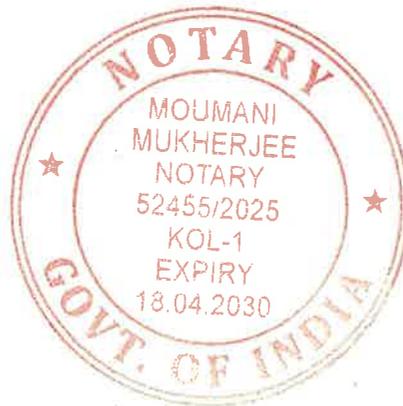


- i) Mandatory order be issued commanding the State respondents and each one of them and their men, agents, assigns and subordinates to take adequate measures to demolish the illegal saw mill at Dag No. 444, J.L. No. 14, Ward- Bidhannagar Corporation, P.O.- Hatiara, P.S.- Eco Park, District- North 24 Parganas, Pin- 700157 and restore it to its original nature and position;
- j) Order of stay of all illegal activities of all respondent nos. 10 and 11 without the permission of the West Bengal Pollution Control Board till disposal of the instant matter;
- k) Any other appropriate direction/directions and/or order/orders as this Hon'ble Tribunal may deem fit and proper,
- l) Cost of and/or incidental to the instant application;

For the act of kindness your petitioner/applicant is duty bound shall ever pray.

Asgar Ali Pirda.

SIGNATURE OF THE APPLICANT



VERIFICATION

I, Asgar Ali Piada, s/o Late Ombat Ali Piada, aged about 56 years, by faith- Muslim, by occupation- unemployed, residing at Hatiara, Methopara, P.S.- Eco Park, Hatiara, District- North 24 Parganas, Pin- 700157, do hereby verify this application and state that I am competent to verify this instant application. I do hereby verify that the contents of the paragraphs of the instant application are true to the best of my knowledge and belief and/or based on information and/or derived from source which I verily believe to be true and the rest are my humble submission before this Hon'ble Tribunal based on legal advice and I have not suppressed any material facts and circumstances

Asgar Ali Piada.

SIGNATURE OF THE APPLICANT

Identified by me,

Nityananda Ghose

Advocate

Place: Kolkata

Date: 23rd May, 2025

23 MAY 2025



SL NO. 8/25 Dt. 23.05.2025

AFFIDAVIT

I, Asgar Ali Piada, s/o Late Ombat Ali Piada, aged about 56 years, by faith- Muslim, by occupation- unemployed, residing at Hatiara, Methopara, P.S.- Eco Park, Hatiara, District- North 24 Parganas, Pin- 700157 do hereby solemnly affirm and say as follows:

1. That I am the applicant herein and as such I am well acquainted with the facts and circumstances of the instant Application and I am competent to affirm this Affidavit.
2. The statements made in paragraphs 1 to 21,23,24 and 26 to 30 are true to the best of my knowledge and belief and those made in paragraphs 22 and 25 are information based on records which I verily believe to be true and the rest are my humble submissions before this Hon'ble Bench.

Asgar Ali Piada

DEPONENT

Prepared in my office,

Neelayana Ghosai
Advocate

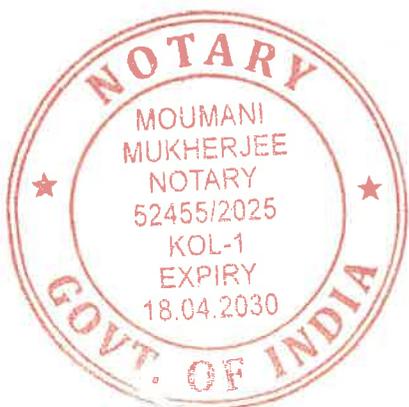
Identified by me,

Neelayana Ghosai
Advocate

Solemnly Affirm and declared
before me on Identification
by the Ld. Advocate

Moumani Mukherjee
MOUMANI MUKHERJEE
NOTARY
Govt. of India

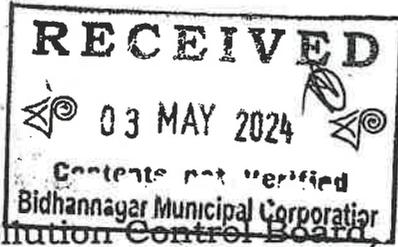
23 MAY 2025



19

2

ANNEXURE 'A'



Date
02.05.2024

To
1. The Chairman,
The West Bengal Pollution Control Board,
Paribesh Bhawan, 10A, Broadway Road,
LA Block, Sector-3, Bidhannagar, Kolkata,
West Bengal - 700106.

2. The Commissioner Bidhannagar Municipal Corporation.
Poura Bhawan,
FD Block, 415A, Sector-III,
Salt Lake City,
Kolkata-700106.

Sub: To stop illegal without any license a big Saw Mill in our locality.

Sir,

Al'

I am Md. Asgar Ali Piada son of Late Ali Ombat Piada, residing at Hatiara, Methopara, P.O.- Hatiara, Police station - Eco Park, District - North 24 Parganas, Kolkata -700157 to bring to your kind attention a pressing issue that has been affecting the peace and well being of our locality of a big saw Mill operating by Nazimruddin Piada and Nururuddin Piada resulting in significant sound pollution. I am heart patent and over the post few weeks, the residents of our locality have been subjected to incessant noise emanating from the operation of a big saw Mill. This continuous disturbance has not only disputed the tranquillity of our community but has also affected the quality of life and sleep patterns of the residents, including children and the elderly.

I request your intervention to investigate and put an end to the illegal operation of a big saw Mill in our locality.

Thanking you,

Schedule of the illegal Saw Mill

P.O.- Hatiara, P.S.- Eco-Park, Dist.- North 24 Parganas, in R.S. Dag No. 444, Mouza Hatiara, J.L. No. 14, District North 24 Parganas.



Yours faithfully,
Md. Asgar Ali Piada
Md. Asgar Ali Piada

To

Date
02.05.20

1. The Chairman,
The West Bengal Pollution Control Board,
Paribesh Bhawan, 10A, Broadway Road,
LA Block, Sector-3, Bidhannagar, Kolkata,
West Bengal - 700106.
2. The Commissioner Bidhannagar Municipal Corporation,
Poura Bhawan,
FD Block, 415A, Sector-III,
Salt Lake City,
Kolkata-700106.

Sub: To stop illegal without any license a big Saw Mill in our locality.

Sir,

I am Md. Asgar Ali Piada son of Late ^{AW} Ahi Ombat Piada, residing at Hatiara, Methopara, P.O.- Hatiara, Police station - Eco Park, District - North 24 Parganas, Kolkata -700157 to bring to your kind attention a pressing issue that has been affecting the peace and well being of our locality of a big saw Mill operating by Nazimruddin Piada and Nururuddin Piada resulting in significant sound pollution. I am heart patent and over the post few weeks, the residents of our locality have been subjected to incessant noise emanating from the operation of a big saw Mill. This continuous disturbance has not only disputed the tranquillity of our community but has also affected the quality of life and sleep patterns of the residents, including children and the elderly.

I request your intervention to investigate and put an end to the illegal operation of a big saw Mill in our locality.

Thanking you,

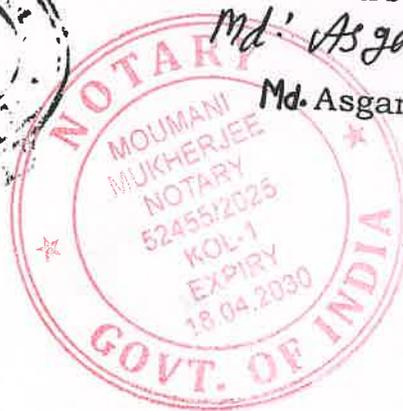
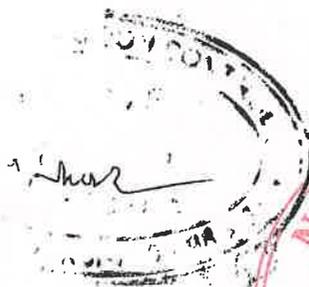
Schedule of the illegal Saw Mill

P.O.- Hatiara, P.S.- Eco-Park, Dist.- North 24 Parganas, in R.S.
Dag No. 444, Mouza Hatiara, J.L. No. 14, District North 24 Parganas.

Yours faithfully,

Md. Asgar Ali Piada

Md. Asgar Ali Piada



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Ⓐ

Priyam Misra

Advocate
High Court, Calcutta
And
Presidency Small Causes Court at Calcutta
2 & 3 Kiran Sankar Roy Road
Kolkata - 700001.

RECEIVED
21 MAY 2024
Contents not verified
Bidhannagar Municipal Corporation

Chamber/Residence
53, Munshi Sadruddin Lane,
Police Station - Jorasanko,
Kolkata-700007
Mob-9073281474
Gmail id-priyammisra2@gmail.com

To

Date: 17.05.2024

- (1) The Chairman,
The West Bengal Pollution Control Board,
Paribesh Bhawan, 10A, Broadway Board,
LA Block, Sector-3, Bidhannagar, Kolkata
West Bengal -700106.
- (2) The Commissioner Bidhannagar Municipal Corporation
Poura Bhawan, FD Block, 415A, Sector-III,
Salt Lake City, Kolkata-700106.
- (3) The Chairman,
Bidhannagar Municipal Corporation, Poura Bhawan,
FD Block, 415A, Sector-III,
Salt Lake City, Kolkata-700106.
- (4) The Mayor, Bidhannagar Municipal Corporation,
Poura Bhawan, FD Block, 415A, Sector-III,
Salt Lake City, Kolkata-700106.
- (5) The Mayor-in-Charge, Bidhannagar Municipal Corporation,
Bidhannagar Municipal Corporation, Poura Bhawan, FD Block,
415A, Sector-III, Salt Lake City, Kolkata-700106.
- (6) Commissioner of Police,
Bidhannagar Police Commissionerate
Police Head quarter, Sector-III, Salt Lake, Stadium Road,
Kolkata -700106.
- (7) The Inspector-in-Charge,
ECO-Park Police Station, Jatragachi,
Deshbandhu nagar, New Town, West Bengal,
Pin - 700156.

Sir(s),

My client:

Md. Asgar Ali Piada, sonof Late Omath Ali Piada,
residing at Hetiara, Methopore, P.O.- Hatiara,
P.S.- Eco Park, Kolkata -700157.

NOTARY
MOUMANI
MUKHERJEE
NOTARY
52455/2025
KOL-1
EXPIRY
18.04.2030
GOVT. OF INDIA

Priyam Misra
Advocate
High Court, Calcutta
And
Presidency Small Causes Court at Calcutta
2 & 3 Kiran Sankar Roy Road
Kolkata - 700001.

Chamber/Residence
53, Munshi Sadruddin Lane,
Police Station - Jorasanko,
Kolkata-700007
Mob-9073281474
Gmail id-priyammisra2@gmail.com

Sub: Prayer for taking suo moto F.I.R. and to stop illegal big Saw Mill without any licence in my client locality.

Sir,

Under instruction from and on behalf of my above named client, I do address to you as under:-

That my above named client is absolute and joint owner of above mentioned address to bring to your kind attention a pressing issue that has been affecting the peace and well being of my clients locality of a big Saw Mill operating by Nizamuddin piada and Nururuddin Piada son of Late Affar Ali Piada creating significant sound pollution. My client is heart patient and over the past few weeks the residents of his locality have been subjected to incessant notice emanating from the operation of big saw mill. In this regard my client submitted complain before you're the Chairman of West Bengal Pollution Control Board and the Commissioner Bidhannagar Municipal Corporation. He is pressing the notice through Pen as a last and final reminder for illegal action against the Nizamuddin Piada and Nururuddin Piada to stop illegal Saw Mill of my clients locality as early as possible without any further delay.

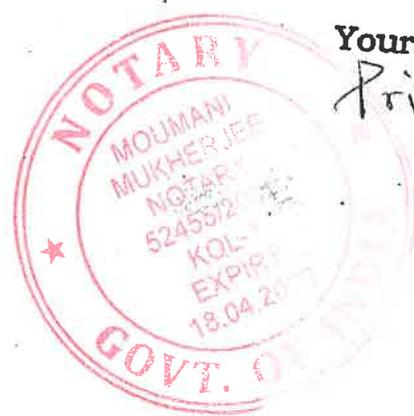
This is for your kind information waiting for for action against the offender.

Schedule of the illegal Saw Mill

P.O.- Hatiara, P.S.- Eco Park, Dist.- North 24 Parganas in R.S. Dag No. 444, Mouza - Hatiara, J.L. No. 14, District - North 24 Parganas.

Thanking you,

Priyam Misra
Advocate
HIGH COURT, CALCUTTA
Mob:- 9073281474



Yours faithfully,
Priyam Misra
Advocate

23

⑥

ANNEXURE 1B

NEELANJANA GHORUI
Advocate

Residence-cum-Chamber:
'Banorini Apartment', D-5/G2,
Bonhooghly, Near Solaries Bonhooghly,
Kolkata-700108
Phone:7003325147
Email: ghoruineelanjana@gmail.com

Date: 21.03.2025

To,

1. The Commissioner,
Bidhannagar Municipal Corporation,
Poura Bhawan,
FD Block, 415A, Sector III,
Salt Lake City,
Kolkata-700106
2. The Chairman,
The West Bengal Pollution Control Board,
Paribesh Bhawan, 10A, Broadway Road,
LA Block, Sector-3, Bidhannagar Kolkata,
West Bengal- 700106

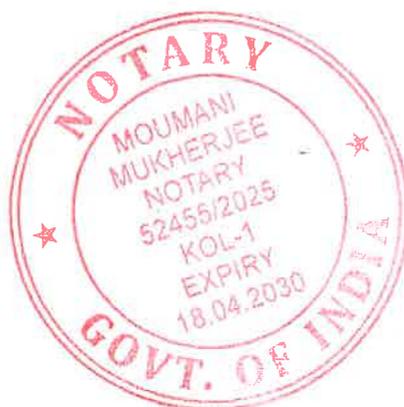
Sub: To stop illegal saw mill factory in the locality running without a license

My client: Asgar Ali Piada

Sir/Mam,

This is in pursuance to my client's earlier representation dated 2nd May, 2024 and 17th May, 2024. This is to inform you that my client, son of Late Ombath Ali Piada, residing at Hatiara, Methupara, P.O.- Hatiara, Police Station- Eco Park, District- North 24 Parganas, Kolkata- 700157 is living in harrowing conditions and hence wants to bring to your kind attention a pressing issue that has been affecting the peace and wellbeing of the locality. The operation of a saw mill factory being operated by Nizamuddin Piada and Nururuddin Piada, is resulting in significant noise pollution in the neighborhood.

The procedure for setting up a power operated machine in a factory/workshop is clearly mentioned in the circular available in the Kolkata Municipal corporation's Website. It is stated in such circular that in case of



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NEELANJANA GHORUI
Advocate

Residence-cum-Chamber:
'Banorini Apartment', D-5/G2,
Bonhooghly, Near Solaries Bonhooghly,
Kolkata-700108
Phone:7003325147
Email: ghoruineelanjana@gmail.com

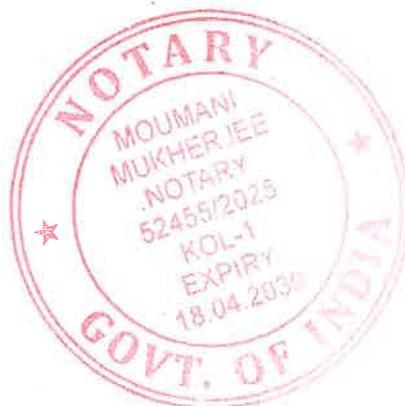
power-driven machine, Horse Power of the Motor is to be mentioned, intimation/permission of West Bengal Pollution Control Board is also necessary and in case of workshop dealing with hazardous items, prior Fire License/NOC is also required.

My client states that for the establishment of a sawmill factory in West Bengal, a license is to be issued from the West Bengal Forest Department and thereafter follow the regulations as outlined in the West Bengal Forest (Establishment and Regulation of Saw Mills and other Wood Based Industries) Rules, 1982.

My client states that Section 3(2) (b) of the said Rules stipulates that no person shall establish a saw-mill and other units including factories of the categories mentioned in Section 5A, without obtaining a license in Form I issued by an Authorised Officer.

My client states that as per direction of Hon'ble Supreme Court in WP 202 of.1995, the number of licenses which may be issued to General Category Saw Mill has to be linked to the local wood balance study. In the said case Central Empowered Committee (CEC) had been assigned the authority by the Hon' ble Supreme Court to look into issuance of new license as well as to guide the State Governments in issues which come up regularly regarding running of wood based industries. Later CEC directed that for better functioning about the issue all the State Governments will constitute State Level Committees for Wood Based Industries. The SLC was reconstituted in West Bengal vide. Govt. order No: 4140-For dated 02.12.2016 as per guidelines of MOEF&CC issued in 2016.

As per the Noise Pollution (Regulation and Control) Rules, 2000 it is stated that in a residential area the ambient air quality standard in respect of noise shall be 55db in day time and 45db in night time in residential areas. It would be apparent to a local resident or passerby alike that when the machine is



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NEELANJANA GHORUI
Advocate

Residence-cum-Chamber:
'Banorini Apartment', D-5/G2,
Bonhooghly, Near Solaries Bonhooghly,
Kolkata-700108
Phone:7003325147
Email: ghoruineelanjana@gmail.com

operational, it clearly emits a much noise much higher than the permissible limit.

My client is shocked at how such factory can be operated in a residential building. It is for the authorities to look into the matter whether requisite permissions have been granted towards the operation of such machine and if so granted, how the authorities could grant such permission in a residential building.

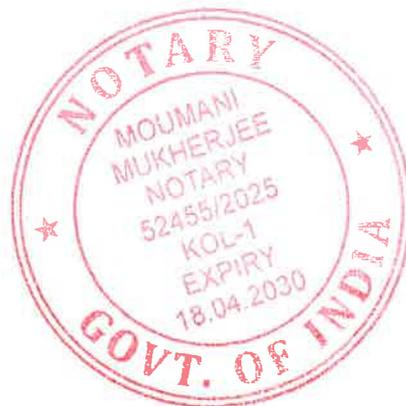
My client's family members are being affected by it. My client is a heart patient and over the past few weeks, my client has been subjected to incessant noise emanating from the operation of a big saw mill factory, for which he is unable to get proper sleep. This continuous disturbance has not only disputed the tranquility of the community but has also affected the quality of life and sleep patterns of the residents, including children and the elderly.

This above subject matter requires your intervention to investigate and put an end to the illegal operation of a big saw mill factory in the locality.

Schedule of the illegal saw mill factory

P.O.- Hatiara, P.S.- Eco Park, District- North 24 Parganas, in R.S. Dag No. 441, Mouza- Hatiara, J.L. No. 14, District- North 24 Parganas.

Neelanjana Ghorui
Thanking You,



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②

Dial 18002666666 (Near mask - Stay safe)

EW163869833IM IVR:6987163869
 SP TREASURY BUILDING SO (700001)
 Counter No:2,24/03/2025,13:30
 To:THE CHAIRMAN,LA BLOCK, SEC 3
 PIN:700106, Bidhan Nagar IR Market SO
 From:NEELANJANA ,BANDORINI APT, KO
 Wt:30gms
 Amt:17.70,Tax:2.70,Amt.Paid:18.00(Cash)
 Track on www.indiapost.gov.in

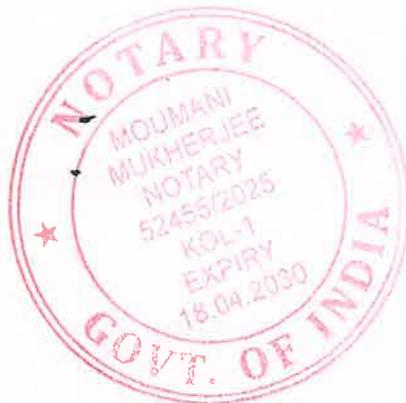


Dial 1 - 326666 (Near mask - Stay safe)

EW163869820IM IVR:6987163869
 SP TREASURY BUILDING SO (700001)
 Counter No:2,24/03/2025,13:30
 To:THE COMMISSIONER,FD BLOCK 415A SE
 PIN:700106, Bidhan Nagar IR Market SO
 From:NEELANJANA ,BANDORINI APT, KO
 Wt:30gms
 Amt:17.70,Tax:2.70,Amt.Paid:18.00(Cash)
 Track on www.indiapost.gov.in



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25, 8:36 PM

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डाक सेवा-जन सेवा



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Dak Seva-Jan Sewa



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* Consignment Number

EW163869820IN

Track More

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Treasury Building SO	24/03/2025 13:30:36	700106	17.70	Inland Speed Post	Bidhan Nagar IB Market SO	25/03/2025 15:27:16

Event Details For : EW163869820IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
25/03/2025	15:27:16	Bidhan Nagar IB Market SO	Item Delivered(Addressee)
25/03/2025	10:25:39	Bidhan Nagar IB Market SO	Out for Delivery
25/03/2025	08:17:51	Bidhan Nagar IB Market SO	Item Received
25/03/2025	06:04:15	KOLAP TMO	Item Dispatched
25/03/2025	05:30:14	KOLAP TMO	Item Received
25/03/2025	04:58:50	Kolkata NSH	Item Dispatched
25/03/2025	03:42:25	Kolkata NSH	Item Bagged
24/03/2025	23:29:23	Kolkata NSH	Item Received
24/03/2025	15:54:22	Treasury Building SO	Item Dispatched
24/03/2025	15:53:52	Treasury Building SO	Item Bagged
24/03/2025	13:30:36	Treasury Building SO	Item Booked

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25, 8:33 PM

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Language selection: Hindi

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डाक सेवा-जल सेवा



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Dak Sewa-Jan Sewa



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* Consignment Number

EW163869833IN

Track More

Booked At	Booked On	Destination Plncode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Treasury Building SO	24/03/2025 13:30:36	700106	17.70	Inland Speed Post	Bidhan Nagar IB Market SO	25/03/2025 15:42:31

Event Details For : EW163869833IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
25/03/2025	15:42:31	Bidhan Nagar IB Market SO	Item Delivered(Addressee)
25/03/2025	09:39:07	Bidhan Nagar IB Market SO	Out for Delivery
25/03/2025	08:17:51	Bidhan Nagar IB Market SO	Item Received
25/03/2025	06:04:15	KOLAP TMO	Item Dispatched
25/03/2025	05:30:14	KOLAP TMO	Item Received
25/03/2025	04:58:50	Kolkata NSH	Item Dispatched
25/03/2025	03:42:25	Kolkata NSH	Item Bagged
24/03/2025	23:29:23	Kolkata NSH	Item Received
24/03/2025	15:54:22	Treasury Building SO	Item Dispatched
24/03/2025	15:53:52	Treasury Building SO	Item Bagged
24/03/2025	13:30:36	Treasury Building SO	Item Booked

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NEELANJANAGHORUI
Advocate

Residence-cum-Chamber:
'Banorini Apartment', D-5/G2,
Bonhooghly, Near Solaries Bonhooghly,
Kolkata-700108
Phone: 7003325147
Email: ghoruineelanjana@gmail.com

21
Date: 04.04.2025

To,

1. The Commissioner,
Bidhannagar Municipal Corporation, Poura
Bhawan,
FD Block, 415A, Sector III,
Salt Lake City,
Kolkata-700106
2. The Chairman,
The West Bengal Pollution Control Board,
Paribesh Bhawan, 10A, Broadway Road, LA
Block, Sector-3, Bidhannagar Kolkata, West
Bengal- 700106.
3. The Principal Chief Conservator of Forest (HoFF),
Department of Forest, Government of West Bengal,
Block-LA-10A, Aranya Bhawan,
Kolkata – 700 106.

Sub: Rectification to the Schedule as per the Complaint dated

Sir,

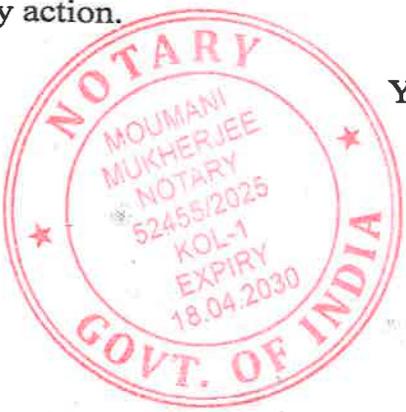
I am in receipt of the letter dated 4th April, 2025 addressed by the West Bengal Pollution Control Board thereby directing the Principal Chief Conservator of Forest to look into the issue as raised by me in my earlier complaint dated

It is to bring to your notice that my earlier complaint the schedule of the said illegal Saw Mill is inadvertently mentioned as Dag No. 441, J.L. No. 14, Ward Bidhannagar Corporation, P.O. Hatiara, P.S. Ico Park, District North 24 Parganas, Pin -700157.

This is for your perusal that the actual schedule of the illegal Saw Mill is situated at R.S. Dag No. 444 and not Dag No.441.

Kindly take necessary action.

Yours faithfully,



Neelanjana Ghorui

Advocate

EMS SPEED POST

ID- 4000530591 Contract No.-40321452

No. EW1825786121N

DATE	21/4/15	BNPL SPEED POST
WEIGHT	30 GMS	Customer Code No-4000530591
CHARGE Rs.	18/-	80/Barabazar H.P.O Kolkata - 700 007

SPEED POST RECEIPT

Bill No.

TO	The Chairman, WBPCB				
	K.A-106				
	PIN				
SENDER	N. Ghose, Adm Kolkata				

EMS SPEED POST

ID- 4000530591 Contract No.-40321452

No. EW1825786261N

DATE	21/4/15	BNPL SPEED POST
WEIGHT	30 GMS	Customer Code No-4000530591
CHARGE Rs.	18/-	80/Barabazar H.P.O Kolkata - 700 007

SPEED POST RECEIPT

Bill No.

TO	The Principal Chief Conservator of Forests				
	K.A-106				
	PIN				
SENDER	N. Ghose, Adm Kolkata				

EMS SPEED POST

ID- 4000530591 Contract No.-40321452

No. EW1825786301N

DATE	21/4/15	BNPL SPEED POST
WEIGHT	30 GMS	Customer Code No-4000530591
CHARGE Rs.	18/-	80/Barabazar H.P.O Kolkata - 700 007

SPEED POST RECEIPT

Bill No.

TO	The Commissioner Bishanpur, M.C.				
	K.A-106				
	PIN				
SENDER	N. Ghose, Adm Kolkata				





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Dak Seva-Jan Seva

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EW182578612IN

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Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Barabazar H O	22/04/2025 14:16:43	700106	17.70	Inland Speed Post	Bidhan Nagar IB Market SO	23/04/2025 15:27:46

Event Details For : EW182578612IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
23/04/2025	15:27:46	Bidhan Nagar IB Market SO	Item Delivered(Addressee)
23/04/2025	09:44:04	Bidhan Nagar IB Market SO	Out for Delivery
23/04/2025	08:34:24	Bidhan Nagar IB Market SO	Item Received
23/04/2025	06:16:15	KOL AP TMO	Item Dispatched
23/04/2025	05:02:10	KOL AP TMO	Item Received
23/04/2025	03:45:52	Kolkata NSH	Item Bagged
22/04/2025	14:47:26	Barabazar H O	Item Dispatched
22/04/2025	14:45:39	Barabazar H O	Item Bagged
22/04/2025	14:16:43	Barabazar H O	Item Booked

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* Consignment Number

EW182578626IN

Track More

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Barabazar H O	22/04/2025 14:16:43	700106	17.70	Inland Speed Post	Bidhan Nagar IB Market SO	24/04/2025 14:58:25

Event Details For : EW182578626IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
24/04/2025	14:58:25	Bidhan Nagar IB Market SO	Item Delivered(Addressee)
24/04/2025	09:48:41	Bidhan Nagar IB Market SO	Out for Delivery
24/04/2025	08:27:25	Bidhan Nagar IB Market SO	Item Received
24/04/2025	06:23:11	KOL AP TMO	Item Dispatched
24/04/2025	04:46:27	KOL AP TMO	Item Received
24/04/2025	04:31:18	Kolkata NSH	Item Dispatched
24/04/2025	03:22:13	Kolkata NSH	Item Bagged
23/04/2025	21:13:36	Kolkata NSH	Item Received
23/04/2025	20:26:40	KOL AP TMO	Item Dispatched
23/04/2025	20:11:56	KOL AP TMO	Item Received
23/04/2025	15:23:16	ISI PO SO	Item Dispatched
23/04/2025	15:21:18	ISI PO SO	Item Bagged
23/04/2025	12:00:43	ISI PO SO	Item Redirected to Bidhan Nagar IB Market SO Insufficient Address
23/04/2025	09:51:59	ISI PO SO	Item Received





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Register

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डाक सेवा-जग सेवा

सत्यमेव जयते

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Dak SewaJan Sewa

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* Consignment Number

EW182578630IN

Track More

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Barabazar H O	22/04/2025 14:16:43	700106	17.70	Inland Speed Post	Bidhan Nagar IB Market SO	23/04/2025 15:29:49

Event Details For : EW182578630IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
23/04/2025	15:29:49	Bidhan Nagar IB Market SO	Item Delivered(Addressee)
23/04/2025	10:11:01	Bidhan Nagar IB Market SO	Out for Delivery
23/04/2025	08:34:24	Bidhan Nagar IB Market SO	Item Received
23/04/2025	06:16:15	KOLAP TMO	Item Dispatched
23/04/2025	05:02:10	KOLAP TMO	Item Received
23/04/2025	03:45:52	Kolkata NSH	Item Bagged
22/04/2025	14:47:26	Barabazar H O	Item Dispatched
22/04/2025	14:45:39	Barabazar H O	Item Bagged
22/04/2025	14:16:43	Barabazar H O	Item Booked

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17 34
ANNEXURE 'C'



LIFE
Lifestyle For
Environment

WEST BENGAL POLLUTION CONTROL BOARD

(Department of Environment, Government of West Bengal)
PG Cell and ANA&T Cell, Mani Square, 8th floor
Block / Space-8IT on Western Side,
164/1, Maniktala Main Road, Kolkata-700054
Ph.: 033-2202 3130 Website: www.wbpcb.gov.in

Complain Docket No. PCB9077

Memo No. :

-PG/LD/03/2025

Dated: 04-04-2025

To
The Principal Chief Conservator of Forests, (HoFF),
Department of Forest, Govt. of W.B.
Block- LA-10A,
Aranya Bhawan,
Kolkata- 700106.

Sub: Complaint regarding creation of nuisance due to a saw mill located at Hatiara, R.S. Dag No. 441, J.L. No. 14, Block/Municipality/ward -Bidhannagar Municipal Corporation, PO -Hatiara SO, PS -Eco Park, Dist-North 24 Parganas, Pin -700157.

Sir/Madam,

Enclosed please find herewith a complaint received by the State Board from Mr. Md. Asgar Ali Piada through letter by post against the respondent Mr. Nizamuddin Piada and Mr. Nururuddin Piada located at Hatiara, R.S. Dag No. 441, J.L. No. 14, Block/Municipality/ward -Bidhannagar Municipal Corporation, PO -Hatiara SO, PS-Eco Park, Dist:North 24 Parganas, Pin -700157.

In view of the above, I am directed to request your good office to look into the issue raised by the complainant Mr. Md. Asgar Ali Piada which needs to be duly addressed from your end, if the complaint is found to be true & correct, an **Action Taken Report (ATR)** may kindly be sent to the State Board & to the Complainant at an early date.

Yours faithfully,

Encl: As Stated

Sd/-
Senior Scientific Officer & In-Charge
Public Grievance Cell

Memo No. 522 (1) -PG/LD/03/2025

Dated:04-04-2025

Copy forwarded for information to: -

1. Mr. Md. Asgar Ali Piada, Hatiara, Methupara, Municipality - Bidhannagar (MC), PO - Hatiara SO, PS: Eco Park, Dist: North 24 Parganas, Pin: 700157.
2. The Sr. Environmental Engineer & In- Charge, Salt Lake Regional Office, Mani Square, Block No. 8IT, Western Side, 8th Floor, 164/1, Maniktala Main Road, Kolkata-700 054 for take necessary action.

Senior Scientific Officer & In-Charge
Public Grievance Cell



The West Bengal Forest (Establishment and Regulation of Saw-Mills and other Wood-Based Industries) Rules, 1982.

Short title, extent and commencement.

1. (1) These rules may be called the West Bengal Forest (Establishment and Regulation of Saw Mills and other wood-Based Industries) Rules. 1982.
- (2) These rules extend to the whole of the State of West Bengal.
- (3) They shall come into force on such date as the State Government may, by notification in the official Gazette, appoint and different dates may be appointed for different provisions of these rules and for different districts and any reference in any such provision to the commencement of these rules shall be construed as a reference to the coming into force of that provision in relation to such district to which these rules have been brought into force. ^{1,2}

Definitions:

2. (1) In these rules, unless there is anything repugnant in the subject or context -
 - (a) "the Act" means the Indian Forest Act, 1927 (16 of 1927):
 - (b) "Authorised Officer" means a Forest Officer not below the rank of an Additional Divisional Forest Officer whom the State Government or any officer empowered by the State Government in this behalf may, by notification in the Official Gazette, authorize to carry out the provisions of all or any of the purposes of these rules and may assign him such local limits as may be specified in the notification; ³

-
1. Vide Notification No.3173 - For dated 30.06.1982, published in the Calcutta Gazette.
 2. Amended vide Notification No.2730 - For dated 16.08.2004, published in the Calcutta Gazette.
 3. Vide Notification and subsequent amendment by Notification No.2080-F or dated 22.06.2004



(b) "document" includes a valid record in the form of a pass or permit or receipt indicating the transaction of forest produce;

(c) "factory" means any premises including the precincts thereof -

(i) whereon ten or more worker are working or were working on any day of the preceding twelve months, and in any part of which a manufacturing process is being carried on with the aid of power or is ordinarily so carried on, or

(ii) wherein twenty or more workers are working or were working on any day of preceding twelve months and in any part of which a manufacturing process is being carried on with the aid of power or is ordinarily so carried on but does not include a mine subject to the operation of the Mines Act, 1952 (35 of 1952) or a railway running shed:

(d) "Form" means a Form appended to these rules;

(e) "Licence" means a licence granted under the rules;

(f) "permit" means a written permission for carrying out any of the acts or operations covered by these rules;

(g) "person" includes a body, a company or a society duly registered for the purpose of carrying on a business;

(h) "saw-mill" means a mill for sawing timber or logs into logs or beams or scantlings or planks or battens

and includes hand saws whether in a fixed structure or enclosure or not;

(i) "section" means a section of the Act;

(j) "unit" means an establishment for manufacturing or processing or preparing and having a distinctive existence which may or may not be the part of a whole.

(2) Any expression used in these rules but not defined and defined in the Act, shall have the same meaning as in the Act.

Circumstances prohibiting establishment of saw-mills, etc. and grant of licence.

3. (1) No person shall establish a saw-mill and other units including factories of the categories mentioned in section 5 A ---



- (a) within a straight distance of two kilometres from the nearest Government forest boundary; and
- (b) without obtaining a licence in Form I issued by an Authorised Officer.

(2) (a) All persons carrying on business in saw-mills and other units including factories immediately before the commencement of these rules shall also obtain licence from the Authorised Officer.

(b) for the purpose of clause (a) such persons shall apply in Form II within a period of 5 (five) months ^{4,5} from the date of commencement of these rules and may carry on the said business or occupation until a licence is granted under these rules or is informed in writing about the refusal there of.

Application for licence.

4 (1) Every person intending to carry on business or occupation covered by these rules shall apply to the Authorised Officer in Form II for a licence mentioned in Rule 3 together with the clearance certificate of ST/IT, Panchayat Samity/Municipality/ Municipal Corporation / WBSEB / CESC and District Industries Centre with location details, viz, PS, sheet No., Mouza, JL No. and Plot No. ⁶

(2) On receipt of an application for licence, the Authorised Officer shall after making such inquiry as he may think fit and within a period of sixty days from the date of receipt of such application either grant or refuse to grant the licence. Provided that no licence shall be granted unless the Authorised Officer is satisfied about the location, availability of raw material, financial capacity and past records in business of such person. Where the Authorised Officer refuses to grant such licence, he shall record the reasons for so doing and such reasons shall be communicated to the person in writing.

(3) For the purpose of inquiry under sub-rule (2) the Authorised Officer may exercise the following powers:

-
- 4. Amended vide notification No.6466 - For dated 01.10.1982.
 - 5. Substituted by "in Form IIA within the 31st December, 1986", vide Notification No. 3627-For/F.P/8P-II/82 Pt. I dated 08.09.1986.
 - 6. Amended vide Notification No.2730 - For dated 16.08.04.



(a) enter into or upon any land, survey and demarcate the same, make a map thereof and authorized any other officer to do so;

(b) call for such documents as he deems necessary for ascertaining the merit of the application.

(4) In disposing of the applications for licence, the Authorized Officer shall consult the Ban-O-Bhumi Sanskar Sthayee Samiti of the Zilla Parishad as constituted under the West Bengal Panchayat Act, 1973, (West Ben. Act XLI of 1973). A representative of the Department of Cottage and Small-Scale Industries of the concerned district shall be associated in such consultation. In the case of Calcutta, a Committee shall be constituted by the State Government with such members as it may consider necessary for such consultation by the Authorised Officer. ⁷

4 (A) (1) Change of ownership may be permitted by the Authorised Officer. However, in case of transfer of ownership through inheritance due to the death of the owner, legal-heir certificates by the next of kin, together with no objection certificate by the other heirs shall have to be produced. In cases of transfer of ownership by sale, a copy of the 'Sale-deed" together with ST/IT Clearance Certificate of the new owner shall have to be produced.

(2) If the owner desires to change the name of the Unit, the owner has to apply, stating reasons for doing so and by depositing a fee of Rs.100/- to the Authorised Officer, along with relevant papers including Income Tax/Sales Tax Clearance Certificate. ⁸

Category of Licence: ⁹

4 (B) Licence for saw mills and other wood based industries would be issued under three categories as -

- 1) Licence for wood based industries of general category.
- 2) Licence for secondary units of wood based industries.
- 3) Licence for units of wood based industries dependent completely on imported timber.

7. Inserted vide Notification No.3637 - For/FP/8P-1 1/82 Pt. I dated 08.09. 1986

8. Inserted vide Notification No.2730 - For dated 16.08.2004

9. Inserted Vide Notification No: 3086 -

For/FR/O/FP/6M - 49/2002 Pt. II dt. 12.07.2005



Terms and Conditions for issue of licence under various categories

4 (C) I. General :

- i) All provisions of the West Bengal Forests (Establishment and Regulation of Saw Mills and other Wood Based Industries) Rules, 1982 and its amendments made time to time would be applicable.
- ii) Units having licence under this category would be free to use raw material procured from any source, e.g. local timber, timber sold by FD through auction, timber imported from other states, timber imported through Open General Licence etc.
- iii) Such units would be free to install machinery of any category subject to prior clearance of the Authorised Officer and also subject to restriction to already specified annual installed capacity.
- iv) New licence under this category will be issued only if it is found by the competent authority that there is surplus timber available from all sources qua capacity of existing licensed units.

II. Secondary Units:

All provisions of the West Bengal Forests (Establishment and Regulation of Saw Mills and other Wood Based Industries) Rules, 1982 and its amendments made time to time would be applicable. Besides this, the following specific regulations would also be applicable -

- (i) The secondary units of saw mills and wood-based industries would be categorized on the basis of the machinery installed.
- (ii) These units will have only vertical band saw, for cutting of Blocks of timber (sawn timber) into smaller pieces. No machinery for sawing of round logs (e.g. horizontal saw and trolley) or peeling/slicing of timber for plywood would be permitted.
- (iii) These units will also include ply board pasting units (without peeling / slicing machines), furniture manufacturing units, handicrafts, toys making units and other ancillary units which use/process sawn timber.



- (iv) Such units would not be eligible to carry out sawing of round logs. If the unit is found to have used round timber, whether from legal sources or otherwise, its licence will be liable to be cancelled in addition to other penalties as applicable.
- (v) Units having licence under this category would have to procure raw material from those converted by the primary licensed units under General Category.
- (vi) Sawn timber can be brought to the unit only with a valid transit permit. Record of all such TPs will be maintained and made available during the course of inspection/surprise visit by the authorities.
- (vii) The annual installed capacity of the unit cannot be enhanced.
- (viii) Conversion of licence from this category to any other category of wood based units will not be permissible. New licence under this category may be issued by the competent authority without linking it with timber availability qua capacity of existing licensed units.

III. Units running exclusively on imported timber

Wood based industries licence for units dependent completely on imported timber will be issued for units located in identified zone as per Annexure. All provisions of the West Bengal Forests (Establishment and Regulation of Saw Mills and other Wood Based Industries) Rules, 1982 and its amendments made time to time would be applicable. Besides, the following regulations would be applicable :

- (i) The unit will exclusively use only imported timber and under no circumstance it will use any other timber in its unit.
- (ii) If at any point of time, during inspections/surprise check or by other means, the unit is found to have utilized any timber other than the imported timber brought under cover of a valid transit permit, the licence of such unit shall be cancelled in addition to other applicable penalties/action.
- (iii) The units will maintain complete and authenticated documents regarding the details of the imported timber and submit a periodical report to the Authorized Officer in the prescribed form. In addition, copies of agreement with importer, timber utilized, balance timber, import-export license, transit permits and other relevant documents will be kept at the factory premises by the licensee and make them available during inspection /surprise checks by the authority.



- (iv) Timber will be brought to the factory only under the cover of a valid transit permit. Record of all such TPs should be maintained and made available during the course of inspection/surprise visit by authorities.
- (v) The annual installed capacity of such units will not be enhanced.

Special licence fee may be prescribed by the State Government for this category, to be notified from time to time in Official Gazette⁹

Application for renewal of Licence

5. (1) An application for renewal of a licence shall be made in Form III along with the declaration in form-VII (Proposed hereinafter) once in a year¹⁰ and with the fee specified in Sub-rule (I) of Rule 6 before the expiry of the previous licence.

A fine of Rs.10/-per day shall have to be paid if the application for renewal of licence reaches the office of the Authorised Officer after the expiry of the licence but within three months, from the date of such expiry beyond which such unit shall be treated as unauthorized.¹¹

(2) The Authorised Officer shall deal with the application for renewal of licence in the manner provided in Sub-rule (2) of Rule 4 and shall renew or refuse the license within 30 days from the date of receipt of the application.¹²

(3) No application for renewal of a licence shall be rejected unless the holder of such licence has been given an opportunity of presenting his case and unless the Authorised Officer is satisfied that –

10. Inserted vide notification No.2 730-For dated 16.08.2004

11. Inserted vide notification No.2730-For dated 16.08.2004

12. Inserted vide notification No.2730-For dated 16.08.2004

- (i) the application for such renewal has been made after the expiry of the period specified therefore, or
- (ii) any statement made by the person making application for the grant or renewal of the licence was incorrect or materially false, or
- (iii) such person has contravened any of the terms or conditions of the licence or any provision of the Act or these rules, or
- (iv) Such person does not fulfil the terms and conditions for such licence.

(4) Up to six months the power to renew the license or refuse the renewal shall vest with the concerned Conservator of Forests, subject to payment of Rs.1000/- lump sum and further subject to the conditions laid down in paras (ii) (iii) & (iv) of sub-rule (3) of rule 5". The Conservator of Forests shall remain empowered up to 6 months of expiry of the license after which such unit shall be treated as unauthorized and will be liable for closure and the license will automatically be treated as cancelled. ¹³

Procedure for making application for licence or renewal of licence.

6. (1) Every application referred to in Clause (b) of Sub-rule (2) of Rule3, Sub-rule (1) of Rule 4 and Sub-rule (1) of Rule 5 shall be accompanied by a challan as a token of deposit in the Government Treasury or the State Bank of India or the Reserve Bank of India, Calcutta, of a non-refundable application fee of Rs.300 (Rupees three hundred) only. ¹⁴

(2) The licence referred to in Sub-rule (2) of Rule 4 shall be issued on payment of a licence fee of-

- (a) For small industries Rs.1500 (Rs. One thousand and five hundred) only.
- (b) For medium industries Rs.3000 (Rs. Three thousand) only.
- (c) For large industries Rs.5000 (Rs. Five thousand) only. ¹⁵

13. Inserted vide notification No.2730 - For dated 16.08.2004

14. Modified and inserted vide Notification No.2730 - For dated 16.08.2004

15. Modified and inserted vide Notification No.2730 - For dated 16.08.2004



6. (2) (I) ¹⁶ Licence for units under the category of units dependent completely on imported timber shall be issued on payment of such licence fee to be prescribed by the State Government by issuing notification from time to time in the Official Gazette.

6. (2) (II) a) Every unit based on imported timber, during the time of issue of licence, shall have to pay a one time processing fee of Rs. 75,000/- only for saw mills and Rs. 1.5 lakh only for veneer/plywood mill.

b) Every unit under General category, during the time of issue of licence shall have to pay a one time processing fee of Rs. 25,000/- only, irrespective of its area of operation.

c) Every unit under the secondary unit category, during the time of issue of licence shall have to pay a one time processing fee of Rs. 5,000 /- only, irrespective of its area of operation, provided that secondary units dealing with ply board pasting shall have to pay a one time processing fee of Rs.25,000/-.

6. (2) (III) Units issued licence under all categories will have the category mentioned clearly on the body of the licence and will be issued in different coloured papers and it will be incumbent upon all licensed units to display the licence in original in the office of the unit. The colour of licence for general units will be white, for secondary units pink and for units based on imported timber green. ¹⁶

(3) Licence granted under these rules —

(a) shall be valid for one year from the date it is granted,

(b) shall not be transferable, and

(c) shall be renewable for a period not exceeding one year at a time on payment of renewal fee of —

(i) for small industries Rs.500 (Rs. Five hundred) only

(ii) for medium industries Rs.1000 (Rs. One thousand) only

(iii) for large industries Rs.2000 (Rs. Two thousand) only and such renewal shall be in Form IV for each unit.

16. Inserted Vide Notification No: 3086 - For/FR/O/FP/6M - 49/2002

Pt. II dt. 12.07.2005

Note for the purpose of Sub-rule 2 and 3 of Rule 6, small industries will mean industries having installed capacity below 300 cum per year, medium industries will mean industries having installed capacity more than 300 cum but less than 1500 cum per year and large industries will mean industries having installed capacity above 1500 cum per year. ¹⁷

Shifting: ¹⁸

6 (A). If the owner desires to shift his saw mill/unit from one place to another but within the jurisdiction of the same Authorised Officer he will apply to the Authorised Officer stating the reasons thereof. The Authorized Officer after making such enquiry as he deems fit, in terms of sub-Rule(2) of Rule(4), but within 30 days of receipt of the application, may grant the prayer, provided the nature of the business remains same or he may refuse it and record the reason(s) of the refusal in writing.

However, if the application is made to shift the unit outside the jurisdiction of the present Authorised Officer, the Authorised Officer shall forward the application along with all relevant papers/documents together with a report after proper enquiry on the good conduct or otherwise of the unit to the second Authorised Officer in whose jurisdiction the unit is requested to be shifted. The second Authorised Officer shall deal with the matter in the same manner as mentioned herein before, and within 30 days of the receipt of the documents from the first Authorised Officer, shall grant the application or refuse the same after recording the reasons in writing.

Provided that the shifting of wood based industries falling in the general category and the special category of the secondary wood-based units from one place to another would be allowed and shifting of industries from one place to another place, for units falling under imported timber based category, will not be permissible. ¹⁸

Suspension or Cancellation of Licence

7. Authorised Officers within those jurisdiction the unit lies may

17. Modified vide Notification No.2730 dt. 16.08.2004

18. Inserted Vide Notification No: 3086 - For/FR/O/FP/6M - 49/2002 Pt. II dt. 12.07.2005

for reasons to be recorded by him in writing, suspend or cancel any licence granted or renewed under these rules. ¹⁹

Provided that no such suspension or cancellation shall be made except after giving the holder of the licence an opportunity of being heard.

Appeal

8. (1) An appeal from an order refusing to grant or to renew a licence under sub-rule (2) of rule 4 or sub-rule(2) of Rule 5 as the case may be, or an order suspending or cancelling a licence under rule 7, shall lie ---

(a) if the order is made by the Authorised Officer with the Conservator of Forests of the Circle concerned

Or

(b) if the order is made by the Conservator of Forests of the Circle concerned, with the Chief Conservator of Forests, West Bengal.

(2) An appeal under this rule shall be preferred within 30 days from the date of communication of the order appealed against and shall be registered in a book to be called the Register of appeal which shall be maintained by the appellate authority in Form V:

Provided that the appellate authority may admit any appeal preferred after the expiry of the period as aforesaid if it is satisfied that the appellant had sufficient cause for not preferring the appeal in time.

(3) Every order passed in appeal under these rules shall be final.

Maintenance of register and submission of declaration to the Authorised Officer.

9. (1) A licensee under these Rules shall maintain register in form VI & Form VII ²⁰

(2) Deleted ²¹

19. Modified vide Notification No.2730 dt. 16. 08.2004

20. Modified vide Notification No.2730 dt. 16.08.2004

21. Modified vide Notification No.2730 dt. 16.08.2004



Inspection and verification of records

10. (1) The Conservator of Forests of the Circle concerned or the Authorised Officer or any Inspector not below the rank of a Deputy Ranger / Forester duly appointed, may inspect and verify during working hours without notice the following within the premises of the saw-mills and other units including factories or a licensee --

- (a) records required to be maintained under sub-rule (1) of rule 9;
- (b) stock of raw materials present; and
- (c) stock of sawn timber or manufactured products or processed products.

(2) During such inspection and verification, the licensee or his authorised agent, employees and workers shall be lawfully required to extend all possible assistance and produce all documents and records as may be required during such inspection and verification.

Production of licence, permit etc for inspection and verification

11. For the purpose of rule 10, the licensee shall when required to do so, produce immediately for inspection and verification ---

- (1) any licence, permit or other documents granted to him or required to be kept by him under the provisions of these rules;
- (2) any forest produce or raw material or manufactured or processed product or any product in the process of manufacturer in his control, custody or possession whether located in the premises or not.

Transit pass for Forest Produce

12. All forest produce entering or leaving a saw-mill and other units including factories shall be covered by a transit pass duly issued under the provisions of the West Bengal Forest Produce Transit Rules, 1959.

Appointment of Forest Officer as Inspector

13. As soon as may be after the commencement of these rules in any district, the Conservator of Forests of the Circle concerned may, for the purpose of these rules, appoint one or more Forest Officer not below the rank of a Deputy Ranger / Forester as Inspector or Inspectors for an area to be specifically mentioned in the order.



Penalties

14. Any person contravening any of the provisions of these rules shall be punishable with imprisonment which may extend to one year or with fine which may extend to one thousand rupees or with both.²²

14 (A)²³

- (i) For violation of any provision as prescribed above, a notice for closure of such mill would be issued by the Authorized Officer.

- (ii) The owner of the licence would be given an opportunity of being heard for the violation of rule and for the first time, a penalty in the form of fine may be imposed by the Authorised Officer along with suitable compensation for causing harm to the nature and environment.

- (iii) For second violation, the Authorised Officer will be at his liberty to issue an order for suspension of licence for a period up to six-months along with suitable fine and compensation.

- (iv) For subsequent violation, the Authorised Officer will be at his liberty to issue an order for the closure of the unit.

- (v) In such cases, the licensee would be free to appeal to the respective Conservator of Forests and Appellate Authority, against the order of the closure within 30 (thirty) days from the date of receipt of the said order. The decision of the Conservator of Forests (CF), in this regard will be final.

- (vi) If the CF finds it appropriate, he may refer the case to a committee comprising three members which would be constituted by the Principal Chief Conservator of Forests, in consultation with the Department of Forests.

- (vii) A defaulting unit will not be given any license in future for any other wood based industries.

22. Modified vide Notification No 2730 - For dt. 16.06.2004

23. Inserted Vide Notification No: 3086 - For/FR/O/FP/6M - 49/2002 Pt. II dt. 12.07.2005



(viii) These provisions will be applicable to licensed units of all categories.

(ix) For units having licence under secondary unit category, if at any point of time, during checking, they are found to have used round timber, whether from legal sources or otherwise, their licence will be cancelled immediately by the Authorised Officer.

(x) For units having licence under the category of imported timber based units, if at any point of time during the course of checking, are found to have used indigenous timber, whether from legal sources or otherwise, their licence will be cancelled immediately by the Authorised Officer.

(xi) The rates of compensation would be prescribed by the State Government from time to time, by issuing Government Order through notification. ²³

FORM I

[See rule 3(1) (b)]

Form of Licence

Licence No. _____ dated the _____ day of _____ (month) _____ (year).

Subject to the provisions of Chapter VIIIA of the Indian Forest, 1927 (16 of 1927) and the rules made thereunder _____

(Name /Names), inhabitants (s) of _____

(address to be given in details) in the Police Station _____

District _____, by profession _____, is /are hereby

permitted to set up / run the following _____

Mill / Factory / Unit using _____ as raw materials for a period of one year

commencing on the _____ day of _____ and ending with the

_____ day of _____

- 1. Name of the Mill/Factory/Unit :
- 2. Location :
- 3. Installed capacity :
- 4. Capital value of the Mill/Factory Unit :
- 5 Employment ---
 - (i) No. of regular employees :
 - (ii) No. of daily workers :
- 7 Licence fee paid :
- Signature of Issuing Authority

(Seal) Place : Date :



FORM II

[See rules 3(2)(b) and 4(1)]

Form of application for licence for setting up to manufacture/for existing unit / Manufacturing products based on forest produce.

To The Conservator of Forests (or the Authorized Officer) _____ Circle, West Bengal
Sir,

I/We _____, inhabitant(s) of _____
(in block letters)

_____ in the Police Station _____, District
(address to be given in details) _____, by profession _____ apply
for a licence for setting up of

Factory/Mill/Unit to manufacture / manufacturing _____ for existing Unit / Factory /
Mill / and using _____ as raw materials. The particulars of the Factory / Mill/Unit are
given herein below.

1. Name of the Mill/Factory/Unit : 2 Location : 3 Whether a Limited Company, a Partnership :
or a Proprietorship business and the relationship of the applicant(s) with such Company or partnership or
proprietorship business (documents to be attached). 4 Capital value : 5 Rated capacity (volume of timber,
etc. :

consumed per year) 6 Expected source/sources of raw materials : 7 Labour :

(a) Strength of regular employees (b) Strength of daily rated workers 8 Source of capital investment : 9
Whether convicted of / penalized in any :

criminal/forest offence case 10 Whether processing more than one such

Factory/Mill/Unit in the same circle 11 Whether the licence fee is attached and if so, :

No. and date of challan/draft

I have read Chapter VIII A of the Indian Forest Act, 1927 (16 of 1927) and the rules made
thereunder and undertake to abide by the same.

Yours faithfully,

Place:

Date:

Signature of the Applicant(s)



FORM III

[See rule 5(1)]

Form of Applications for Renewal of Licence.

To The Conservator of Forests _____ Circle West Bengal

Sir,

I/We _____, inhabitant(s) of _____

(in block letters)

_____ (address in details) in the Police Station

_____, District _____, by profession _____ apply for
renewal of my/our licence No. _____, dated _____ the validity of
which expired on _____.

The renewal fee of Rs. _____ only is enclosed as per challan/Bank Draft No.
_____ dated _____.

Yours faithfully,

Date: Place: Signature of the Applicant(s)



FORM IV
[See rule 6(3) (c)]
Form of Renewal of Licence

NO. _____

Dated: _____

The licence is renewed and shall be valid upto _____ . The licensee has paid the renewal fee of Rs..... (Rupees) only.

Signature of the Issuing Authority
(Seal)

Place:

Date:



Form V
[See Rule 8(2)]
Register of appeals

Appeal Case No	Name and Address of the appellant	Name and Address of the respondent	Date of receipt	Date of the order appealed against	Grounds of the appeal in brief	Date of hearing	Order passed	Remarks
1	2	3	4	5	6	7	8	9

FORM VI (DAILY STOCK)

[See Rule 9(1)]

Date	Opening Balance		Received			
	Round	Converted cu. m or units	Round	Reference T.P./Challan	Converted cu. m or units	Reference T.P./Challan

TOTAL		DISPOSAL	REF	BALANCE	
Round	Converted cu. m or units	Converted cu. m or units	T.P./Challan	Round	Converted cu. m or units

At the end of the month, an abstract showing totals of receipts and disposals should be prepared.



38

55

FORM VII (ANNUAL RETURN)

[See Rule 9(1)]

OPENING BALANCE		RECEIVED		DISPOSED		CLOSING BALANCE	
Round	Converted	Round	Converted	Round	Converted	Round	Converted



ANNEXURE

Prescribed area for setting up of Saw Mills & other Wood Based Industries exclusively with Imported timber

District	Sub-division	Block/Municipality/Municipal Corporation
Purba Medinipore	Tamluk	All 7 Blocks & 1 Municipality
	Haldia	All 5 Blocks & 1 Municipality
Hooghly	1. Sadar	All 5 Blocks & 2 Municipalities
	2. Chandannagore	All 3 Blocks, 3 Municipalities & 1 Municipal Corporation
	3. Sreerampore	All 4 Blocks, 5 Municipalities
	4. Arambagh	All 6 Blocks, 1 Municipality
Howrah	1. Sadar	All 5 Blocks, 1 Municipality & 1 Municipal Corporation
	2. Uluberia	All 9 Blocks, 1 Municipality
North 24-Parganas	1. Bangaon	All 3 Blocks & 1 Municipality
	2. Barasat	All 7 Blocks & 6 Municipalities
	3. Barrackpore	All 2 Blocks & 16 Municipalities
	4. Salt Lake	Bidhannagar Municipality
	5. Basirhat	All 10 Blocks & 3 Municipalities
Nadia	1. Ranaghat	All 4 Blocks & 3 Municipalities
	2. Kalyani	All 2 Blocks & 3 Municipalities
Kolkata		Entire Area
South 24 - Parganas	1. Sadar	Entire Area
	2. Diamond Harbour	Entire Area

**GOVERNMENT OF WEST BENGAL FORESTS DEPARTMENT FOR
BRANCH**

No. 2080-For

Dated: 22.06.2004

NOTIFICATION

In exercise of power conferred by clause (b) of sub-rule (1) of Rule 2 of the West Bengal Forest (Establishment and Regulation of Saw Mills and other wood based Industries) Rules 1982 (hereinafter referred to as the said rules), the Governor is pleased hereby to authorise the officers mentioned in column (1) of the schedule below (hereinafter referred to as the said schedule) to carry out all the purposes of the said rules and to assign their legal limits specified each in column (2) of the said schedule.

The Schedule

Sl. No.	Name of Officer(s)	Areas
1.	DFO, Darjeeling	Sadar Sub-Division of Darjeeling Dist.
2.	DFO, Kurseong Divn.	Sub-Division of Kurseong and Siliguri of Darjeeling District.
3.	Divisional Manager, Kalimpong Divn.	Sadar Sub-Division of Kailmpong
4.	DFO, Jalpaiguri Divn.	Dist. of Jalpaiguri
5.	DFO, Baikunthapur Divn.	Dist. of Jalpaiguri and Siliguri Sub-Divn. of Darjeeling Dist.
6.	DFO, 24-Pgs. (North) Divn.	24-Pgs. (North) Dist.
7.	DFO, 24-Pgs. (South) Divn.	24-Pgs. (South) Dist.
8.	DFO, Nadia & Murshidabad Divn.	Dist. of Nadia & Murshidabad
9.	DFO, West Medinipur Divn.	Dist. of Paschim Medinipur
10.	DFO, East Medinipur Divn.	Dist. of Paschim Medinipur
11.	DFO, Kharagpur Social Forestry Divn.	Dist. of Purba Medinipur and the Dist. of Paschim Medinipur
12.	DFO, Rupnarayan Planning and Survey Divn.	Dist. of Paschim Medinipur
13.	DFO, Bankura (North) Divn.	Dist. of Bankura
14.	DFO, Bankura (South) Divn.	Dist. of Bankura

Sl. No.	Name of Officer(s)	Areas
15.	DFO, Panchet Soil Conservation Divn.	Dist. of Bankura
16.	DFO, Purulia Divn.	Dist. of Purulia
17.	DFO, Kangsabati Divn. - I	Dist. of Purulia
18.	DFO, Kangsabati Divn. - II	Dist. of Purulia
19.	DFO, Birbhum Divn.	Dist. of Birbhum
20.	DFO, Durgapur Social Forestry	Dist. of Burdwan
21.	DFO, Howrah Social Forestry	Dist. of Howrah and Hooghly
22.	DFO, Burdwan Divn.	Dist. of Burdwan
23.	DFO, Raiganj Social Forestry Divn.	Dist. of Uttar Dinajpur and Dakshin Dinajpur
24.	DFO, Malda Divn.	Dist. of Malda
25.	DFO, Cooch-Bihar Social Forestry Divn.	Dist. of Cooch-Bihar
26.	Dy. Field Director Sunderban Tiger Reserve	Dist. of South-24 Pgs.
27.	Dy. Field Director Buxa Tiger Reserve (East)	Dist. of Jalpaiguri
28.	Dy. Field Director Buxa Tiger Reserve (West)	Dist. of Jalpaiguri
29.	DFO, Wild-Life Divn.- I	Dist. of Darjeeling
30.	DFO, Wild-Life Divn.-II	Dist. of Jalpaiguri and Kalimpong, Sub-Divn. of Darjeeling Dist.
31.	DFO, Cooch-Bihar Divn. - II	Dist. of Jalpaiguri
32.	DFO, Utilisation Divn.	Dist. of Kolkata within the meaning of Kolkata Municipal Corporation Act, 1980 (W.B. Act. LIX of 1980).

This issues in supersession of this Dept's Notification No. 2385-For dated 20.07.2001 and all other previous orders issued in this respect.

Sd/-

(PD.BANDHOPADHYAY)

Dy. Secy. to the Govt. of West Bengal

No.2080/1(50)-For

Dated: 22.06.2004

Copy to –

1. The Principal Chief Conservator of Forests, West Bengal
2. The Divisional Forest Officer(s)

Sd/-

Dy. Secy. to the Govt. of West Bengal



GOVERNMENT OF WEST BENGAL

Department of Forests

Forests

NOTIFICATION

No. 770 For 19th October 1959.— In exercise of the powers conferred by sections 41, 42 and 76 of the Indian, Forest Act, 1927 (16 of 1927), and in supersession of the West Bengal Forest Produce Transit Rules, 1955, the Governor is pleased to make the following rules to regulate the transit by land or water of timber and other forest produce into, from and within the districts of Jalpaliguri, Cooch Behar, Birbhum, Bankura, Burdwan, Midnapore, Malda, Darjeeling [including the territory since transferred from Bihar under section 3 of the Bihar and West Bengal (Transfer to Territories) Act, 1956 (40 of 1956)], West Dinajpur, Darjeeling [including the territory since transferred from Bihar under section 3 of the Bihar and West Bengal (Transfer to Territories) Act, 1956 (40 of 1956)], Murshidabad, Nadia, Hooghly, Purulia and 24-Parganas (excluding the areas of the 24-Parganas Forest Division and Sunderbans tiger reserve to which the Forest Produce Transit rules for 24 Parganas Forest Division apply)¹ and Calcutta and Howrah² (in respect of timber imported from abroad under Open General Licence),³ namely:-

The West Bengal Forest-Produce Transit Rules, 1959

1. These rules may be called the WestBengal Forest-Produce Transit Rules, 1959.
2. In these rules, "forest-produce has the same meaning as in the Indian Forest Act, 1927 (16 of 1927).

1. Inserted Vide Notification No. 4032-For./FP/4A-5/85 dt. 28.08.1985.

2. Inserted vide Notification No. 41 77-For/4A-1/87. dt. 25.05.1988.

3. Inserted Vide Notification No. 4487-For-FP/4A-1/87 dt. 28.10.1987.



3. These rules shall apply to timber and other forest-produce from any source within the districts of Jalpaliguri, Cooch Behar, Birbhum, Bankura, Burdwan, Midnapore, Malda, Darjeeling (including the territory since transferred from Bihar), West Dinajpur (including the territory since transferred from Bihar), Murshidabad, Purulia, Nadia, Hooghly and 24-Parganas (excluding the areas of the 24-Parganas Forest Division and Sunderbans Tiger reserve to which the forest Produce Transit Rules for 24-Parganas Forest Division apply)⁴ and also to timber imported to and transported out of Calcutta and Howrah⁵ under Open General Licence⁶ which are moved by any of the routes within the boundaries of these districts.

Provided that veneer produced from timber imported under Open General Licence (OGL) and converted by veneer mills having licence for this purpose (OGL licenced units) will not require any in lieu T.P. for movement. However, while transporting such veneer, relevant documents showing the proof of origin of the veneer must be carried for checking.⁷

4. (1) Within the limits of the areas specified in rule 3, no person shall conceal any timber.

(2) No timber or other forest-produce shall be moved into, from or within the districts referred to in rule 3, except under cover of a transit pass in the form prescribed in Appendix I hereto annexed from an officer of the Forest Directorate not below the rank of a Forester duly authorised by the Divisional Forest Officer to issue the same or otherwise than in accordance with the conditions of such pass.

(3) All timber, in respect of which a transit pass has been issued by the officers of the Forest Directorate, shall bear a Government hammer mark the facsimile of which shall be imprinted on the connected pass.

(4) In respect of timber and other forest-produce from Khasmahal forests transit pass shall be issued by the Divisional Forest Officer or any officer duly authorised in this behalf on the production of a certificate of origin issued by the Khasmahal officer.

(5) Movement of timber and other forest produce may be prohibited by an order of the Circle Conservator during the period from 18.00 hrs. to 6.00 hrs. of the following day.⁸

4. Inserted Vide Notification No. 4032-For/FP/4A-5/85 dt. 28.08.1985

5. Inserted vide Notification No. 4177-For/4A-1/87 dt. 25.05.1988

6. Inserted Vide Notification No. 4487-For..FP/4A-1/87 dt. 28.10.1987

7. Inserted Vide Notification No. 2357-For/6M-4/99 dt. 13.06.2005

8. Inserted Vide Notification No. 4487-For-FP/4A-1/87 dt. 28.10.1987



(6) In respect of timber and other forest-produce grown under Social Forestry Project on private lands, a tree-card in the form prescribed in Appendix-II shall be maintained by each owner of such land. The tree-card shall be in triplicate and shall be issued by the territorial Divisional Forest Officer. One copy of the tree - card shall be retained by the owner of the land and the other copies by the Beat Officer and the Divisional Forest Officer.

(7) The transit pass in respect of timber and other forest produce mentioned in sub-rule (6) shall be issued by the Beat Officer authorised by the territorial Divisional Forest Officer in this regard. The rotation, the number of trees issued against a transit pass and the balance left for harvesting shall be noted on the reverse page of the tree-card. The number of the transit pass should be recorded on the reverse page each time the transit pass is issued.

(8) The tree-card may be renewed or a duplicate issued in the event of loss, defacement or otherwise.

(9) The Beat Officer shall use the departmental passing hammer for marking the trees mentioned in the transit pass. No property mark shall be necessary in any such case.⁹

(5) Fees for transit passes in respect of different items of forestn produce moved from the districts specified in rule 3 may be levied in accordance with rates may be prescribed by the Conservator of Forests from time to time. It shall be within the competence of the Conservator of Forests subject to the approval of Government to regulate the movement of certain kinds of forest-produce in short supply from the limits of the areas specified in rule 3.

(6) Any person importing, exporting or moving timber or other forest-produce into, from or within the areas specified in rule 3 or any persons in possession or charge of timber or other forest-produce in transit, shall produce the pass referred to in rule 4 on demand by any Forest officer or Police Officer.

9. Inserted vide Notification No. 8786 - For. Dt. 26.11.1991



(7) (1) All timber and other forest-produce to which these rules apply, and any cart, vehicle, boat, or other vessel suspected of carrying the same, shall be liable to stoppage by any Forest Officer within the limits of the area specified in rule 3 for the purpose of examination and check.

(2) Any sum due and payable to the Forest Directorate, Government of West Bengal, on such timber or other forest-produce shall be realised at the nearest forest office.

(3) Any timber or other forest-produce not covered by a transit pass referred to in sub-rules (2) and (3) of rule 4 together with boats, carts, vehicles or cattle suspected to be carrying the same or any timber which is cancelled in contravention of sub-rule (1) of rule 4, shall be liable to seizure and dealt with further under the provisions contained in Chapter IX of the Indian Forest act, 1927 (16 of 1927), and any cattle seized in this connection shall be liable to be impounded.

(8) (1) Any Forest Officer who has seized any forest-produce under rule 7 shall –

(a) Immediately issue a written notice to the owner of such forest-produce, or if the owner is unknown, to the person in charge or possession of such forest-produce at the time of seizure, calling upon him to produce proof of the origin of the forest-produce and his title thereto within thirty days from the date of issue of such written notice, a copy of which shall be pasted on a Notice Board at nearest forest office, and (b) Submit a seizure report in the prescribed form without delay to the Magistrate having jurisdiction to try the offence on account of which the seizure has been made.

(2) The seized forest-produce shall be released or confiscated under the provisions contained in Chapter IX of the Indian Forest Act, 1927 (16 of 1927).

(9) (1) Any person dealing in timber fashioned or un-fashioned shall register with the Divisional Forest Officer concerned a property mark which, after approval of fees prescribed by the Conservator of Forests concerned, shall be registered in the Divisional Forest office.

Provided that the Divisional Forest Officer may, at his discretion and at any time, require the return of such registered property mark and replacement of the same by a fresh property mark duly approved by him.

(2) All timber imported, exported or moved into, from or within the limits of the area specified in rule 3 shall be marked with a registered property mark in addition to a Government hammer mark as required under rule 4 (3); timber found without a registered property mark and a government hammer mark shall be liable to detention and seizure for enquiry under the provisions of rule 8.

(3) The Divisional Forest Officer may at his discretion permit any one person to register more than one property mark, provided that no two such marks shall have identical design.

(4) A certificate of registration showing the design approved by the Divisional Forest officer and duly registered shall be furnished to the owner of a property mark. Certificates must be returned annually to the Divisional Forest Officer for the purpose of renewal.

(5) It shall be within the competence of the Divisional Forest Officer to waive the registration of a property mark in cases where small quantities of timber are to be moved within, from or into the area specified in rule 3. Application shall in all such cases be made to the nearest Forest Officer for the issue of a transit pass and the marking of such timber with a Government hammer.

(6) The Divisional Forest Officer may, in consultation with the Collector concerned, provide for the establishment and regulation of Check Posts or Depots at which timber or other forest-produce shall be stopped for examination or for the payment of dues therefore or in order that Government hammer marks may be affixed to the same.

(10) (1) There shall be no closing or obstructing of any river, stream or channel or the bank of any river, stream or channel used or capable of being used for the transit of forest-produce; nor shall there be any stoppage of navigation on such rivers, streams and channels for such transit.

(2) The Collector of the district may order any person who by any act of negligence, has caused such closure, obstruction or stoppage to remove the same within a time to be specified in writing and on the expiry of such period, may cause the obstruction to be removed at the cost of the person to whom such notice has been issued.

(11) (1) Any person contravening any of the provisions of these rules shall be punishable to six months or with fine may extend to five hundred rupees or with both.

(2) Penalties which are double of these mentioned in sub-rule (1) may be inflicted in cases where the offence is committed after sunset and before sunrise, or after preparation for resistance to lawful authority, or where the offender has been previously convicted of a offence.

APPENDIX I

Transit Pass

FOREST DIRECTORATE, WEST BENGAL

Book No.-----

Serial No ---

- ১) ক্রেতার নাম -
- ২) ক্রেতার ঠিকানা -
- ৩) বনজদ্রব্যের সংখ্যা/পরিমাণ ও বর্ণনা -
- ৪) গন্তব্য স্থান -
- ৫) গন্তব্য পথ -
- ৬) পাশ দিবার তারিখ সকাল/সন্ধ্যা ঘটিকা -
- ৭) পাশের মেয়াদ উত্তীর্ণ হইবার তারিখ -
সকাল/সন্ধ্যা ঘটিকা
- ৮) যে জঙ্গল বা ডিপো বা দোকান হইতে -
ঐ বনজদ্রব্য সংগৃহীত হইয়াছে
- ৯) ঐ জঙ্গলের বা ডিপোর বা দোকানের -
মালিকের নাম
- ১০) কাঠে ব্যবহৃত সরকারী হাতুড়ির -
অনুরূপ চিহ্ন

পাশ প্রদানকারীর স্বাক্ষর

(The pass shall be in triplicate in the above form in vernacular and serially numbered)



GOVERNMENT OF WEST BENGAL

পশ্চিমবঙ্গ সরকার

FOREST DEPARTMENT

(বন বিভাগ)

APPENDIX - II

পরিশিষ্ট - ২

Tree Identification Card

(বৃক্ষ পরিচয়পত্র)

1. Name (নাম) :
2. Father's/ Husband's Name (পিতার নাম/স্বামীর নাম) :
3. Address (ঠিকানা) :
4. Description of trees (গাছের বর্ণনা) :

Species (প্রজাতি)	No. (সংখ্যা)	Year (বৎসর)
5. Description of land (জমির বর্ণনা) :
 - a) Area (পরিমাণ) :
 - b) Plot No. (দাগ নং) :
 - c) Mouza and J.L.No. (মৌজা ও জে.এল.নং) :
 - d) Police Station & District (থানা ও জেলা) :
6. Signature (সহি) :
7. Name & Address of the first nominee
(প্রথম মনোনীত উত্তরাধিকারীর নাম ও ঠিকানা) :
8. Name & Address of the Second nominee
(দ্বিতীয় মনোনীত উত্তরাধিকারীর নাম ও ঠিকানা) :
9. The statement made above is true
(উপোরক্ত বিবরণ সত্য) :

Pradhan

B.L.L.R.O.

Range/Beat officer

Gram Panchayat

E

(Signature with Seal)

(Signature with Seal)

(Signature with Seal)

প্রধান গ্রাম পঞ্চায়েত
(মোহর যুক্ত স্বাক্ষর)

বি.এল.এল.আর.ও.
(মোহর যুক্ত স্বাক্ষর)

অঞ্চল/ক্ষেত্র আধিকারিক
(মোহর যুক্ত স্বাক্ষর)

Divisional Forest Officer

..... Division.

(বনভুক্তি আধিকারিক)

.....(ভুক্তি)

This pass will be used only by legal heirs and is not transferable

(এই পরিচয় পত্র বৈধ উত্তরাধিকারী কর্তৃক ব্যবহৃত হইবে
কিন্তু হস্তান্তর যোগ্য নহে।)



'B'

SI No.	Date	No. of trees as per Transit Pass	Transit Pass No.	No. Of balance trees	Signature of Range/Beat Officer
(1)	(2)	(3)	(4)	(5)	(6)
ক্রমিক নং	তাং	ট্রানজিট পাসে বর্ণিত গাছের সংখ্যা	T.P. নং	অবশিষ্ট গাছের সংখ্যা	অঞ্চল/ক্ষেত্র আধিকারিকের স্বাক্ষর
(১)	(২)	(৩)	(৪)	(৫)	(৬)

**Salient conditions imposed by Central Empowered Committee (CEC)
constituted by Hon'ble Supreme Court of India regarding
issuance of new license in General Category.**

- (1) The transfer of new license will not be permissible for the next five years from the date of issue except by way of inheritance succession. After five years, the transfer of license will be permissible subject to the guidelines issued by the competent authority from time to time in this regard.
- (2) Any unit found dealing in illegal timber will be liable for cancellation of the license.
- (3) The license will be granted strictly as per the seniority list of existing eligible Wood Based Industries of West Bengal on the principle of first come last go.
- (4) No enhancement of the installed capacity or the numbers type of machine will be permissible.
- (5) In addition to the above, all the relevant Sawmill rules and the condition on which the Saw Mill license has been issued shall be strictly adhered to.



GOVERNMENT OF WEST BENGAL
DEPARTMENT OF FORESTS
Aranya Bhawan, Block LA-10A, Sector-III, Salt Lake City,
Kolkata-700 098

No.4140- For

Kolkata, the 2nd December, 2016

NOTIFICATION

In exercise the power conferred by Para 3 of the Wood Based Industries (Establishment and Regulation) Guidelines, 2016 framed by the Government of India, Ministry of Environment, Forest and Climate Change according to Hon'ble Supreme Court's order dated 10.05.2015 and in suppression of this Department's notification issued previously in this respect, the Governor is pleased to reconstitute the **State Level Committee** with the following officers, with effect from the date of issue of this notification and until further order(s).

a)	Principal Chief Conservator of Forests & Head of Forest Force, West Bengal	Chairperson
b)	A representative of the Regional Office, Ministry of Environment, Forest and Climate Change, Eastern Zone, Bhubaneswar nominated by MoEF & CC	Member
c)	Director / Additional Director of Department of Industries	Member
d)	Chief Conservator of Forests, Head Quarter	Member
e)	General Manager, Headquarter, West Bengal Forest Development Corporation	Member
f)	Chief Conservator of Forests, Western Circle	Member
g)	Conservator of Forests, Administration, Publicity and Marketing	Member - Secretary

Special Invitee: As per Para 3(vi) the State Level Committee will invite one representative of the industry nominated by the saw mill association as a special invitee to each and every meeting of the State Level Committee.

1/2/11

The Deputy Conservator of Forests, Legal will assist the committee in its day to day functioning.

The power and functions of the State Level Committee is as follows:

1. Assess the availability of timber for wood based industrial units in the State/UT every five years.
2. Assess quantity of different raw material requirement for wood based industrial units which may be sustainably harvested from trees outside forest areas in the State/ U.T.
3. Assess annual requirement of timber and other forest produce in the domestic markets in the State.
4. Maintain a database of timber and other raw materials utilized by each wood based industrial unit permitted to establish and operate in the State/UT during each financial year.
5. Approve appropriate locations for setting up of wood based industrial units.
6. Approve the name of wood based industrial units which may be considered for grant of fresh license or enhancement of the existing licensed capacity in case the committee is satisfied that timber is available legally for the said new Wood Based Industries (such as Trees outside forest, Forests etc.)
7. The State Level Committee will ensure that the amount lying with the respective State Forest Departments (recovered from Wood Based Industries) will be utilized for the purpose of afforestation only.
8. Examine and make appropriate recommendations on any other matter referred by the State Government or the Ministry of Environment, Forest and Climate Change.
9. Approve the renewal and revocation of the already exiting license to a Wood Based Industry.
10. Approve the transfer of the license on sale / succession etc.
11. Any other function mentioned in the guideline.

By Order of the Governor,

Sd/-

Principal Secretary to the Govt. of West Bengal



SPECIFIC REQUIREMENTS FOR ALL THE TRADES:

1. Photocopy of current rent receipt / challan from rent control (for tenants) or current K.M.C Property Tax Receipt /Bill (for owner of the trading premises);
2. In case of Rent-free trading spaces, Current consent letter in original, mentioning the area along with Current C.E of the consenter if the said consenter doing any Trade along with current Rent Receipt / Receipts from Rent Control or Current K.M.C Property Tax Receipt/ Bill of the Consenter.
3. Copy of agreement / Certified copy of conveyance Deed or in case of I.G.R. Receipt copy which duly certified by the respective Advocate for confirming I.G.R. for registration of purchase/received copy of an application for Mutation.

Sl. No.	Nature Of Trade	Specific Requirements
001	Amusement Park	Current Clearance/Permission from Amusement Department, K.M.C.
002	Analyst with Laboratory	Nil
003	Art Gallery/Exhibition Gallery	Nil
004	ATM Banking	Declaration from the particular Bank along with current C.E. of the declared Bank.
005	Auction House	Nil
006	Band Supplier	Nil
007	Beauty Parlour (Non A/C)	Nil
008	Beauty Parlour /Saloon (With A/C)	Nil & In case of Audio visual arrangement Permission from Amusement Department. K.M.C.
009	Billiard/Snooker Room Keeper	Current Clearance/Permission from Amusement Department, K.M.C.
010	Block Maker/Seller	Nil
011	Blood Bank	Permission from Directorate of Health, West Bengal.
012	Boarding/Guest House (Lodging only With/Without A/C)	Clearance/Permission from Police or an application for information to the Police for such Clearance/Permission and Fire NOC/Licence from WBF&ES.
013	Boat Owner/Supplier	Nil
014	Boating Resort (Without Food)	Current Clearance/Permission from Amusement Department, K.M.C.
015	Boating Resort (With Food)	Current Clearance/Permission from Amusement Department, K.M.C.
016	Book Maker for Race Horses	Nil
017	Bottle Seller	Nil
018	Bottles/Utensils Cleaner	Nil
019	Bullion Merchant	Permission/Clearance from R.B.I.
020	Cable TV Operator/Sub Agent thereof	Permission/Confirmation From Post & Telegraph Department. A confirmation of Agent is required in case of sub-Agent or Operator
021	Call Centre	Clearance/Permission from Amusement Department, K.M.C. /Application to Police authorities.

022	Caterer	Nil
023	Ceremonial House (Area upto 2,500 Sq.Ft.)	Application in the specific formal to be submitted along with the necessary documents as mentioned in the annexure to the application form as per Kolkata Municipal Corporation (Control, Restraint and Levy of Fees and Charges upon premises permitted to let out for holding Ceremonial Functions) Regulations, 2003 & WBF&ES NOC
024	Ceremonial House (Area 2,501 - 4,000 Sq.Ft.)	As Serial No. 23
025	Ceremonial House (Area 4,001 - 5,500 Sq.Ft.)	As Serial No. 23
026	Ceremonial House (Area 5,501 - 7,500 Sq.Ft.)	As Serial No. 23
027	Ceremonial House (Area Above 7,500 Sq.Ft.)	As Serial No. 23
028	Chain/Jack Pulley Seller/Renter/ Repairer	Nil
029	Charitable Dispensary/Medication Centre	Nil
030	Charitable Hospital	Registration under Clinical Establishment Act. From Govt. of W.B.
031	Cigarette/Biri/Hucca-Tobacco/ Khaini/Zarda/Betel/Pan Masala Seller/Supplier	Nil
032	Cinema/Film/TV Serial/ Programme Producer/Distributor	Nil
033	Cinema/Film/TV Serial/Programme Studio	Fire NOC/Licence from WBF&ES.
034	Cinema/Theatre/Auditorium	Clearance/Permission from Amusement Department, K.M.C. & Fire NOC/Licence.
035	Circus Owner	Permission from Park & Squire and Amusement Department, K.M.C.
036	Cloth Printer (Manually)	Nil
037	Cloth Printer (Power Driven)	Nil
038	Collection Centre for ...	Nil
039	Commercial School/College/ Tuition in Group (Non Technical)	Nil
040	Commercial School/College/ Tuition in Group (Technical)	Nil
041	Commercial Theatre Group	Nil
042	Commercial Centre/ConferenceRoom Owner(Letting of Office/Table space)	Nil
043	Commercial/Members' Club without Restaurant without Bar	Clearance from Amusement Department, K.M.C.
044	Commercial/Members' Club with Bar with/without Restaurant	Clearance/Permission from Amusement Department, K.M.C.; Excise Permission/Licence in case of Bar, Application to police authorities

045	Commission Agent/Broker of (non food items)	Membership Certificate from S.E.B.I. in case of Share Broker.
046	Commission Agent/Broker of (Food Items)	Nil
047	Company registered under Company's Act 1956 (dealing Non food) /Bank/Financial Institution area upto 1,000 Sq.Ft.)	Memorandum and Article of Association, Certificate of Incorporation/Certificate of Commencement in case of Public Limited Company and Form-18/INC-22 and Form-32/DIR-12 and also Money Receipt of the same. In case of Amalgamation of Companies Form-21 and Money Receipt and necessary order passed by Hon'ble High Court. For Branch/Branches of a Company (Ltd.) copy Of current C.E. of the Registered office (if within K.M.C. Area), copy of Board of Resolution mentioning for opening of such branch, Date of Commencement, Location and Area and List indicates Names of Director (Within/Without K.M.C. area). In case of Bank/Financial Institute permission from R.B.I
048	Company registered under Company's Act 1956 (dealing Non food) /Bank/Financial Institution area 1,001 - 2,000 Sq.Ft.)	As Serial No. 047
049	Company registered under Company's Act 1956 (dealing Non food) /Bank/Financial Institution area 2,001 - 3,000 Sq.Ft.)	As Serial No. 047
050	Company registered under Company's Act 1956 (dealing Non food) /Bank/Financial Institution area above 3,000 Sq.Ft.)	As Serial No. 047
051	Company registered under Company's Act 1956 (Dealing Food Items)/Bank/Financial Institution area upto 1,000 Sq.Ft.)	As Serial No. 047 & In case of Canteen declaration for run a Canteen from concerned Regional Office
052	Company registered under Company's Act 1956 (Dealing Food Items)/Bank/Financial Institution area 1,001 - 2,000 Sq.Ft.)	As Serial No. 051
053	Company registered under Company's Act 1956 (Dealing Food Items)/Bank/Financial Institution area 2,001 - 3,000 Sq.Ft.)	As Serial No. 051
054	Company registered under Company's Act 1956 (Dealing Food Items)/Bank/Financial Institution area above 3,000 Sq.Ft.)	As Serial No. 051
055	Computer Education Institution	Nil
056	Consumer Co-Operative/Body of Individuals (Dealing Non Food Items)	Certificate Of Co-Operative Society in case of Consumer Co-Operative
057	Consumer Co-Operative/Body of Individuals (Dealing Food Items)	As Serial No. 056

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058	Contractor (Civil/Mechanical/ Electrical), Builder, Developer & alike	Professional Document for Civil & Mechanical for confirming said profession and 'Form-E' for confirming Electrical Profession as supervisor.
059	Contractor /Supplier of Security Guards / Nurses / Ayas /Labours /House Keepers & alike	Nil
060	Courier Service/Logistic Management	In case of own vehicle, Certificate for fitness. Blue Book. Current Tax Receipt from R.T.A. & clearance certificate, from Pollution Control Board. In case of hire vehicles agreement if any or a declaration. In case of Logistic Management Custom Clearance is the additional requirement if necessary.
061	Cycle/Cycle Rickshaw/ Animal Drawn Carriage Repairer	Nil
062	Data Processing/Electronic Data Conversion Centre	Nil
063	Decorator/Flower Decorator	Nil
064	Dental Clinic (Total Area Upto 300 Sq.Ft.)	Nil
065	Dental Clinic (Total Area 301 - 800 Sq.Ft.)	Nil
066	Dental Clinic (Total Area above 800 Sq.Ft.)	Nil
067	Departmental Store (Seller of Food & Non Food Items covering area above 1,000 Sq.Ft.)	Clearance/Permission from Amusement Department, K.M.C for using TV/Music System
068	Desk Top Publisher (DTP)	Nil
069	Doctors' Clinic (of any Pathos)	Nil
070	Doctors' Polyclinic	Nil
071	Dyer	Nil
072	Earth Pot/Idol/Image Ornaments/ Handicrafts Maker/Seller/Supplier	Nil
073	Eating House/Restaurant/Eating House cum Restaurant/Fast Food Centre (Area upto 150 Sq.Ft.)	Fire Licence /NOC. *Exemption from Fire Licence if area less than 300 sq.ft. & Licence uses Coal/Diesel/Micro-oven/Town gas as fuel.This has to be certified by Licencee through an Indemnity bond.
074	Eating House/Restaurant/Eating House cum Restaurant/Fast Food Centre (Area 151 - 300 Sq.Ft.)	Do
075	Eating House/Restaurant/Eating House cum Restaurant/Fast Food Centre (Area 301 - 500 Sq.Ft.)	Fire Licence/NOC is mandatory for area more than 300 sq.ft.
076	Eating House/Restaurant/Eating House cum Restaurant/Fast Food Centre (Area 501 - 1,000 Sq.Ft.)	Do
077	Eating House/Restaurant/Eating House cum Restaurant/Fast Food Centre (Area 1,001 - 1,500 Sq.Ft.)	Do



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078	Eating House/ Restaurant (Area 1,501 - 2,500 Sq.Ft.)	Do
079	Eating House/Restaurant/Eating House cum Restaurant/Fast Food Centre (Area above 2,500 Sq.Ft.)	Do
080	Egg Seller	Nil
081	E-Mail/E-Commerce/Internet/Cyber Café Services	Clearance/Permission from Amusement Department, K.M.C , Application to Police Authorities.
082	Embroiderer (Manual)	Nil
083	Fancy Fish Seller/Supplier	Nil
084	Financer	Permission/Clearance from R.B.I.
085	Fish/Dry Fish/Meat/Tallow/Fowl/ Crab/Sea Food Seller/Supplier	In case of Meat Seller glass window should be fixed in front of the shop/a declaration for fixing glass window within a month after getting C.E.
086	Flower Seller/Supplier	Nil
087	Garage (Parking only)	Clearance From Police/Application to the Police Authority for such Permission of Parking.
088	Godown/Warehouse/Aarat/Store/ Stockist of Non Food Items	a) For non hazardous items -NIL b) Fire Licence for hazardous items.
089	Godown/Warehouse/Aarat/Store/ Stockist of Food Items	Permission From Police And Excise In Case of Licenced Foreign/Country Liquor.
090	Gold/Silver/Copper/Tin/Brass Smith & alike	Nil
091	Gymnasium/Health Club	Clearance/Permission from Amusement Department, K.M.C.
092	Hatchery Owner	Nil
093	Health Resort	Clearance/Permission from Amusement Department, K.M.C.
094	Horse Dealer	Nil
095	Horse (Race Horse) Dealer	Nil
096	Hotel Without Star (Food & Lodging, Without Bar & With/Without A/C)	Application to Police authorities, permission from Amusement Department, K.M.C. in case of arrangement of Audio Visual System, Fire Licence/NOC.
097	Hotel Without Star (Food & Lodging, With Bar & With/Without A/C)	Application to Police and necessary permission as regards Excise in case of Bar (On Shop) , permission from Amusement Department, K.M.C. in case of arrangement of Audio Visual System & Fire Licence/ NOC.
098	Hotel 1-Star (Without Bar & With/Without A/C)	Application to Police and permission from appropriate authority for confirming status of Star, permission from Amusement Department, K.M.C. in case of arrangement of Audio Visual System & Fire Licence/ NOC.



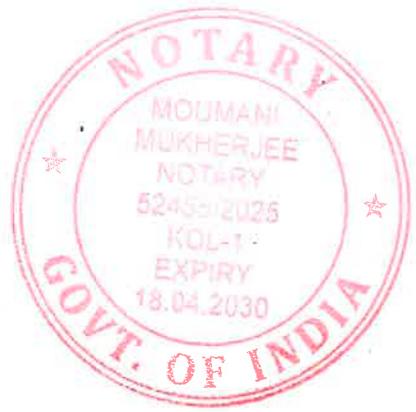
099	Hotel 1-Star (With Bar & With/Without A/C)	Clearance/Permission from Police And necessary Permission as regards Excise in case of Bar (On Shop) and permission from appropriate authority for confirming status of star & permission from Amusement Department, K.M.C. in case of arrangement of Audio Visual System & Fire Licence/ NOC.
100	Hotel 2-Star (Without Bar & With/Without A/C)	Application to Police and permission from appropriate authority for confirming status of Star & permission from Amusement Department, K.M.C. in case of arrangement of Audio Visual System & Fire Licence/ NOC.
101	Hotel 2-Star (With Bar & With/Without A/C)	Application to Police And necessary Permission as regards Excise in case of Bar (On Shop) and permission from appropriate authority for confirming status of star & permission from Amusement Department, K.M.C. in case of arrangement of Audio Visual System& Fire Licence/ NOC.
102	Hotel 3-Star	As Serial No 101
103	Hotel 4-Star	As Serial No 101
104	Hotel 5-Star	As Serial No 101
105	Hotel 5-Star Deluxe	As Serial No 101
106	Hotel Above 5-Star Deluxe	As Serial No 101
107	Importer/Exporter (of Non Food Items)	Import & Export Certificate (I.E.C.) from Ministry of Commerce, Govt. of India.
108	Importer/Exporter (of Food Items)	As Serial No. 107
109	Jatra, Paalaa Gaan, Opera & Alike	Nil
110	Kiosk/Stall of Non Food Items (in Separate Identified Campus or Assessable Premises)	C.E. may be issued only the name of Actual Tenant No consent of Sub-Tenant will be entertained only consent may be obtained from Secretary Of Co-Operative Society for trading in such Cases/Clearance from appropriate authority of Govt. Markets/K.M.C. Markets/Like Campus Of K.M.C, K.P.T, K.I.T, K.M.D.A. Etc.
111	Kiosk/Stall Of Food Items (in Separate Identified Campus or Assessable Premises)	As Serial No. 110
112	Kite Maker And/Or Seller/Supplier	Nil
113	Laundry (Ironing Only)	Nil
114	Laundry (Without Workshop)	Nil
115	Laundry (With Workshop)	Nil
116	Leisure Plex	Clearance/Permission from Amusement Department., K.M.C. and application to the Police for such Permission/Clearance.
117	Licenced Country Liquor Off Shop	Application to Police and necessary Permission as regards Excise, wherever applicable.
118	Licenced Country Liquor On Shop	As Serial No. 117 & Fire Licence/ NOC.
119	Licenced Foreign Liquor Off Shop	As Serial No. 117



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120	Licenced Foreign Liquor on Shop (With/Without Restaurant)	As Serial No. 117 & Fire Licence/ NOC.
121	Licenced Ganja/Opium/Pachai/Todi/Bhang Shop	Application to Police for such permission and necessary Permission as regards Excise, wherever applicable.
122	Manufacturer of Country Liquor	As Serial No. 117 & Fire Licence/ NOC.
123	Manufacturer of Mineral Water	Clearance/Permission from Water Supply/Tubewel Department
124	Market / Shopping Mall Owner	In case of Market having permanent structure or structure, a certified copy of Inspection Book from Assessment Department, K.M.C. Sanctioned Plan from Building Department. K.M.C. in case of Shopping Mall & Fire Licence / NOC.
125	Marriage Bureau	Nil
126	Mobile Outlet (3-Wheeler) of Non Food Items (Should have separate Office/Factory Premises)	Permission from Police and Certificate for Fitness from R.T.A. for current year is necessary and also should have separate office/factory with current C.E.& Fire Licence/ NOC as may be applicable.
127	Mobile Outlet (3-Wheeler) of Food Items (Should have separate Office/Factory Premises)	As Serial No. 126
128	Mobile Outlet (4-Wheeler) of Non Food Items (Should have separate Office/Factory Premises)	As Serial No. 126
129	Mobile Outlet (4-Wheeler) of Food Items (Should have separate Office/Factory Premises)	As Serial No. 126
130	Mobile STD / 1SD / PCO Both	Documents of approval and deposited money receipt of P & T / BSNL. In case of private sector, approved documents with money receipt & communication address should be mentioned in the application form which should be within the K.M.C. jurisdiction.
131	Money Lender/Changer	Current Permission/Clearance From R.B.I.
132	Mortuary	Clearance/Permission from Police and Directorate of Health, Govt. of West Bengal.
133	Motor Training Institute	Permission/Clearance from R.T.A.
134	Multiplex	Application to Police & Amusement Department, K.M.C. & Fire Licence/ NOC.
135	News Paper/Periodical/Journal Publisher (Without Press)	A Declaration For Not To Print Or Publish Any Unconstitutional Articles/Matters or legally banned.
136	News Paper/Periodical/Journal Publisher (With Press)	As Serial No. 135 & Fire Licence/ NOC
137	Nursery of Plants/Mushroom Culture	Nil
138	Nursery School/Creche	Fire Licence/ NOC.
139	Nursing Home/Private Hospital (Having No. of Beds Upto 10)	Registration Under Establishment Of Clinical Act, Govt. Of W.B. And Clearance/Permission from West Bengal Pollution Control Board, Govt. of W.B. & Fire Licence/ NOC.



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140	Nursing Home/Private Hospital (Having No. of Beds More Than 10)	As Serial No. 139
141	Office/Chamber/Studio of...	Rent Bill/Agreement/Live & Licence/Lease Deed & Certificate of Enlistment of consentor
142	Organisation for Performing/Visual Art	Nil
143	Organiser of Exhibition / Fair / Fete /Mela	Permission/Clearance from Police, Organizer as regards Park & Square and Amusement Department, (K.M.C.) wherever necessary.
144	Owner Of Public Carriage (For each Car With/Without Office)	Permission/Clearance from R.T.A.
145	Owner of Tele Commission Tower (for each Tower)	Permission from Building Department, K.M.C.
146	Pathological/Diagnostic Centre/Laboratory Clinic for X-Ray /ECG /USG /MRI /CT Scan & alike	Registration Under Establishment Clinical Act, Govt. of W.B.
147	Paying-Guest House (Upto 5 Beds)	Clearance/Permission from Police or Application to Police for such Permission/Clearance.
148	Petrol Pump Without Hydraulic Machine	Permission/Clearance from HP, IBP, IOC and alike and Fire Licence/Necessary Permission from Director of West Bengal Fire Services or Explosive Licence and Declaration for number of using Hydraulic Machine.
149	Petrol Pump With Hydraulic Machine(s)	As Serial No. 148
150	Photographer With Studio & Processing Laboratory	Nil
151	Photo processing laboratory (with or without studio)	Nil
152	Photo copier only	Nil
153	Physiotherapy Clinic/Yoga Centre (with instruments)	Nil
154	Planetarium	Clearance/Permission From Amusement Department, K.M.C.
155	Private School/College	Nil
156	Professional(S) (Without Office/ Chamber/ Studio/ Laboratory)	Necessary documents for confirming profession wherever applicable.
157	Professional(S) (With Office/ Chamber/ Studio/ Laboratory)	Necessary documents for confirming profession wherever applicable.
158	Publisher/Seller/Supplier of Book	A Declaration from Publisher is necessary for not to publish any un constitutional book or legally banned also for seller/supplier.
159	Race Course	Clearance/Permission From Police And Amusement Department, K.M.C.
160	Renter Of...	Nil
161	Research Organisation (Non Profit)/ Welfare Organisation/Non Govt. Organization (NGO)	Certificate/Documents for Confirming Organization/ Trade
162	Retail Seller/Supplier of Non Food Items	Nil



163	Retail Seller/Supplier of Food Items	Nil
164	Rubber Stamp Maker and/or Seller	Nil
165	Saloon (Non A/C)	Nil
166	Seller of Livestock (Birds)	Declaration for kind of Birds & only upon permission from appropriate govt. authority (i.e. Forest Deptt. & alike)
167	Seller of Livestock (Animals)	Declaration for kind of Animals & as in Serial No.166
168	Sharpener	Nil
169	Shawl Repairer/Mender/Darkner	Nil
170	Sign Board/Banner Maker	Nil
171	Stall (Temporary) Holder Of Non Food Items In Fair/ Fete/ Mela	Permission/Clearance from Police, Organiser as regards Park & Square and Amusement, (K.M.C) Wherever Necessary
172	Stall (Temporary) Holder of Food Items in Fair/Fete/Mela	As Serial No. 171
173	STD/ISD/PCO/FAX Booth/Centre (Static)	Documents for Approval and Deposited Money Receipt of P & T/BSNL. In case of Private sector an approval from the said Private Company along with Money Receipt
174	Sweetmeat Seller/Supplier (Non A/C)	Nil
175	Sweetmeat Seller/Supplier (With A/C)	Nil
176	Sweetmeat Seller/Supplier With Workshop (Total Area Upto 200 Sq.Ft.)	Fire licence/ NOC. *Exemption from Fire Licence if area less than 300 sq.ft. & Licence uses Coal/Diesel/Micro-oven/Town gas as fuel. This has to be certified by Licencsee through an Indemnity bond.
177	Sweetmeat Seller/Supplier with Workshop (Total Area 201 - 400 Sq.Ft.)	For area greater than 300 sq. ft. fire Licence is mandatory.
178	Sweetmeat Seller/Supplier with Workshop (Total Area 401 - 750 Sq.Ft.)	Do
179	Sweetmeat Seller/Supplier with Workshop (Total Area 751 - 1,000 Sq.Ft.)	Do
180	Sweetmeat Seller/Supplier with Workshop (Total Area 1,001 - 1,500 Sq.Ft.)	Do
181	Sweetmeat Seller/Supplier with Workshop (Total Area Above 1,500 Sq.Ft.)	Do
182	Tailor	Nil
183	Vegetable (any item) Seller/Supplier	Nil
184	Video Library/Video Games Parlour	Clearance/Permission from Amusement Department., K.M.C.
185	Watch/Clock Repairer/Seller	Nil



186	Weigh Bridge (With/Without Computer)	Nil
187	Whole Seller/Dealer/Distributor/Merchant Of Non Food Items	Permission for Distributorship from respective organization is necessary in case of a Distributor/Dealer
188	Whole Seller/Dealer/Distributor/Merchant of Food Items	As Serial No. 187
189	Workshop/Factory of Non Food Items (Area upto 200 Sq.Ft.)	In case of Power Driven Machine-H/P of Motor to be mentioned. Intimation/Permission of West Bengal Pollution Control Board. Fire Licence /NOC in case of workshop dealing with hazardous items.
190	Workshop/Factory Of Non Food Items (Area 201 - 500 Sq.Ft.)	As Serial No. 189
191	Workshop/Factory of Non Food Items (Area 501 To 1000 Sq.Ft.)	As Serial No. 189
192	Workshop/Factory of Non Food Items (Area 1,001 To 2,000 Sq.Ft.)	As Serial No. 189
193	Workshop/Factory of Non Food Items (Area 2,001-3,000 Sq.Ft.)	As Serial No. 189
194	Workshop/Factory of Non Food Items (Area above 3,000 Sq.Ft.)	As Serial No. 189
195	Workshop/Factory of Food Items (Area upto 200 Sq.Ft.)	As Serial No. 189
196	Workshop/Factory of Food Items (Area 201 - 500 Sq.Ft.)	As Serial No. 189
197	Workshop/Factory of Food Items (Area 501 - 1,000 Sq.Ft.)	(In case of Power Driven Machine-H/P of Motor to be mentioned in case of an 'area covering more than 500 Sq. Ft. receipt of an application to West Bengal Pollution Control Board is necessary)
198	Workshop/Factory of Food Items (Area 1,001 - 2,000 Sq.Ft.)	As Serial No. 203
199	Workshop/Factory of Food Items (Area 2,001 - 3,000 Sq.Ft.)	As Serial No. 203
200	Workshop/Factory of Food Items (Area above 3,000 Sq.Ft.)	As Serial No. 203
201	X-Ray Clinic only	Registration Under Clinical Establishment Act, Govt. Of W.B.
202	Yoga Centre (Without Instruments)	Nil

Note: For Trades/Businesses carried on at WBIDC/ WBSIDC areas, permissions/occupancy proof from the Authorities of WBIDC/WBSIDC along with Fire Clearance/NOC from WBF&ES in favour of the respective Industrial area will be mandatory.



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ANNEXURE 16

MINISTRY OF ENVIRONMENT & FORESTS
The Noise Pollution (Regulation and Control) Rules, 2000;

(As amended till 10/08/2017 vide S.O. 2555(E))

S.O.123 (E).- Whereas the increasing ambient noise levels in public places from various sources, inter-alia, industrial activity, construction activity, (*fire crackers, sound producing instruments*)¹, generator sets, loud speakers, public address systems, music systems, vehicular horns and other mechanical devices have deleterious effects on human health and the psychological well being of the people, it is considered necessary to regulate and control noise producing and generating sources with the objective of maintaining the ambient air quality standards in respect of noise;

Whereas a draft of Noise Pollution (Control and Regulation) Rules, 1999 was published under the notification of the Government of India in the Ministry of Environment and Forests vide number S.O. 528 (E) dated the 28th June, 1999 inviting objections and suggestions from all the persons likely to be affected thereby, before the expiry of the period of sixty days from the date on which the copies of the Gazette containing the said notification are made available to the public-

And whereas copies of the said Gazette were made available to the public on the 1st day of July, 1999.

And whereas the objections and suggestions received from the public in respect of the said draft rules have been duly considered by the Central Government-

Now therefore, In exercise of the powers conferred by clause (ii) of sub-section (2) of section 3, sub-section (1) and clause (b) of sub-section (2) of section 6 and section 25 of the Environment (Protection) Act, 1986 (29 of 1986) read with rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following rules for the regulation and control of noise producing and generating sources, namely:

The Noise Pollution (Regulation and Control) Rules, 2000

1. Short title and commencement.

- (1) These rules may be called the Noise Pollution (Regulation and Control) Rules, 2000.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.- In these rules, unless the context otherwise requires,

- (a) "Act" means the Environment (Protection) Act, 1986 (29 of 1986);
- (b) "area/zone" means all areas which fall in either of the four categories given in the Schedule annexed to these rules;

1. In the said rules, in the opening para/portion after the words 'construction activity' additional words as at (1) above have been inserted vide S.O.50 dated 11/01/2010.



[(c) "authority" means and includes any authority or officer authorised by the Central Government, or as the case may be, the State Government in accordance with the laws in force and includes a District Magistrate, Police Commissioner, or any other officer not below the rank of the Deputy Superintendent of Police designated for the maintenance of the ambient air quality standards in respect of noise under any law for the time being in force;]²

[(d) "court" means a governmental body consisting of one or more judges who sit to adjudicate disputes and administer justice and includes any court of law presided over by a judge, judges or a magistrate and acting as a tribunal in civil, taxation and criminal cases;

(e) "educational institution" means a school, seminary, college, university, professional academies, training institutes or other educational establishment, not necessarily a chartered institution and includes not only buildings, but also all grounds necessary for the accomplishment of the full scope of educational instruction, including those things essential to mental, moral and physical development;

(f) "hospital" means an institution for the reception and care of sick, wounded, infirm or aged persons, and includes government or private hospitals, nursing homes and clinics;]³

[(g) "person" shall include any company or association or body of individuals, whether incorporated or not;]⁴

(h) "State Government" in relation to a Union territory means the Administrator thereof appointed under article 239 of the Constitution.

[(i) "public place" means any place to which the public have access, whether as of right or not, and includes auditorium, hotels, public waiting rooms, convention centres, public offices, shopping malls, cinema halls, educational institutions, libraries, open grounds and the like which are visited by general public; and

(j) "night time" means the period between 10.00 p.m. and 6.00 a.m.]⁶

3. Ambient air quality standards in respect of noise for different areas/zones.

(1) The ambient air quality standards in respect of noise for different areas/zones shall be such as specified in the Schedule annexed to these rules.

(2) The State Government (shall categorize)⁵ the areas into industrial, commercial, residential or silence areas/zones for the purpose of implementation of noise standards for different areas.

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2. In rule 2 for clause "(c) "authority" means any authority or officer authorized by the Central Government, or as the case may be, the State Government in accordance with the laws in force and includes a District Magistrate, Police Commissioner, or any other officer designated for the maintenance of the ambient air quality standards in respect of noise under any law for the time being in force;" has been substituted with a new clause as at (2) above vide S.O.1046 (E) dated 22/11/2000.
 3. In rule 2, after Clause (c) new clause (d) (e) & (f) have been inserted as at (3) above vide S.O.1046 dated 22/11/2000.
 4. In rule 2, clause (d) & (e) have been re-numbered as clauses (g) and (h) respectively and for (g) as so renumbered "(g) "person" in relation to any factory or premises means a person or occupier or his agent, who has control over the affairs of the factory or premises;" has been substituted as at (4) above vide S.O. 1046 (E) dated 22/11/2000.
 5. In sub-rule (2) of rule 3 of the said rules, for the words "may categorize", the words "shall categorize" has been substituted as at (5) above vide S.O.1046 dated 22/11/2000
 6. In the said rules, in rule 2, after clause (h), the following clauses (i) & (j) have been inserted as at (6) above vide S.O. 50 dated 11/01/2010.

(3) The State Government shall take measures for abatement of noise including noise emanating from vehicular movements, (blowing of horns, bursting of sound emitting fire crackers, use of loud speakers or public address system and sound producing instruments)⁹ and ensure that the existing noise levels do not exceed the ambient air quality standards specified under these rules.

(4) All development authorities, local bodies and other concerned authorities while planning developmental activity or carrying out functions relating to town and country planning shall take into consideration all aspects of noise pollution as a parameter of quality of life to avoid noise menace and to achieve the objective of maintaining the ambient air quality standards in respect of noise.

(5) An area comprising not less than 100 metres around hospitals, educational institutions and courts may be declared (by the State Government)¹⁴ as silence area/zone for the purpose of these rules.

{Provided that, an area shall not fall under silence area or zone category, unless notified by the State Government in accordance with sub-rule(2).}¹⁴

4. Responsibility as to enforcement of noise pollution control measures.

(1) The noise levels in any area/zone shall not exceed the ambient air quality standards in respect of noise as specified in the Schedule.

(2) The authority shall be responsible for the enforcement of noise pollution control measures and the due compliance of the ambient air quality standards in respect of noise.

[(3) The respective State Pollution Control Boards or Pollution Control Committees in consultation with the Central Pollution Control Board shall collect, compile and publish technical and statistical data relating to noise pollution and measures devised for its effective prevention, control and abatement.]⁸

5. Restrictions on the use of loud speakers/public address system (and sound producing instruments).¹⁰

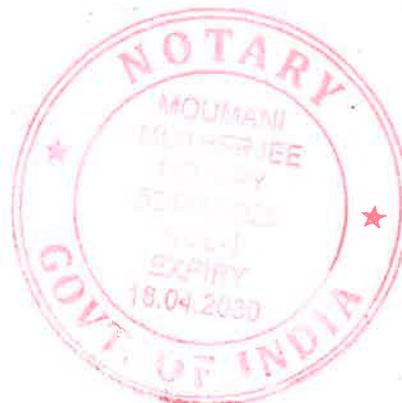
(1) A loud speaker or a public address system shall not be used except after obtaining written permission from the authority.

[(2) A loud speaker or a public address system or any sound producing instrument or a musical instrument or a sound amplifier shall not be used at night time except in closed premises for communication within, like auditoria, conference rooms, community halls or during a public emergency.]¹¹

[(3) Notwithstanding anything contained in sub-rule (2), the State Government may subject to such terms and conditions as are necessary to reduce noise pollution, permit use of loud speakers or public address systems and the like during night hours (between 10.00 p.m. to 12.00 midnight) on or during any cultural, religious or festive occasion of a limited duration not exceeding fifteen days in all during a calendar year and the concerned State Government or District Authority in respect of its jurisdiction as authorized by the concerned State Government shall generally specify in advance, the number and particulars of the days on which such exemption should be operative.

Explanation.- For the purposes of this sub-rule, the expressions-

- (i) "festive occasion" shall include any National function or State function as notified by the Central Government or State Government; and



(ii) "National function or State function" shall include"-

- (A) Republic Day;
- (B) Independence Day;
- (C) State Day; or
- (D) such other day as notified by the Central Government or the State Government.]¹⁵

7. In rule 5 after sub-rule (2) new rule 3 has been inserted as at (7) above vide S.O. 1088 (E) dated 11/10/2002.
8. In rule 4 after sub-rule (2) new sub-rule (3) has been inserted as at (8) above vide S.O. 1569 (E) dated 19/09/2006.
9. In the said rules, in rule 3, in sub-rule (3) after the words "noise emanating from vehicular movements, the additional words as at (9) above have been inserted vide S.O. 50 dated 11/01/2010.
10. In rule 5, for heading after the words "public address system" new words has been inserted as at (10) vide S.O. 50 dated 11/01/2010.
11. In rule 5, sub-rule (2) has been substituted by new sub-rule as at (11) above vide S.O. 50 dated 11/01/2010.
12. In rule 5, in sub-rule (3) for the words "public address systems during night hours" has been substituted by new words as at (12) above vide S.O. 50 dated 11/01/2010.
13. In rule 5, in sub-rule (3) after the words "a limited duration.....a calendar year" new sentence has been added as at (13) above vide S.O. 50 dated 11/01/2010.
14. In rule 3, in sub-rule (5) after the words "may be declared" the words "by the State Government" shall be inserted and there after new proviso is inserted as at (a) above vide S.O. 2555 dated 10/08/2017.
15. In rule 5, for the existing sub-rule "(3) Notwithstanding anything contained in sub-rule (2), the State Government may subject to such items and conditions as are necessary to reduce noise pollution permit use of loudspeakers or (public address system and the like during night hours)¹² (between 10.00 p.m. to 12.00 midnight) on or during any cultural or religious festive occasion of a limited duration not exceeding fifteen days in all during a calendar year.)" (The concerned State Government shall generally specify in advance, the number and particulars of the days on which such exemption would be operative)¹³." a new para is inserted as at (b) above vide S.O. 2555 dated 10/08/2017.



[(4) *The noise level at the boundary of the public place, where loudspeaker or public address system or any other noise source is being used shall not exceed 10 dB (A) above the ambient noise standards for the area or 75 dB (A) whichever is lower;*

(5) *The peripheral noise level of a privately owned sound system or a sound producing instrument shall not, at the boundary of the private place, exceed by more than 5dB (A) the ambient noise standards specified for the area on which it is used.]¹⁶*

[5A. Restrictions on the use of horns, sound emitting construction equipments and bursting of fire crackers.

(1) *No horn shall be used in silence zones or during night time in residential areas except during a public emergency.*

(2) *Sound emitting fire crackers shall not be burst in silence zone or during night time.*

(3) *Sound emitting construction equipments shall not be used or operated during night time in residential areas and silence zones.]¹⁷*

6. Consequences of any violation in silence zone/area.

Whoever, in any place covered under the silence zone/area commits any of the following offence, he shall be liable for penalty under the provisions of the Act:

(i) whoever, plays any music or uses any sound amplifiers,

(ii) whoever, beats a drum or tom-tom or blows a horn either musical or pressure, or trumpet or beats or sounds any instrument, or

(iii) whoever, exhibits any mimetic, musical or other performances of a nature to attract crowds.

[(iv) whoever, bursts sound emitting fire crackers; or

(v) whoever, uses a loud speaker or a public address system.]¹⁸

7. Complaints to be made to the authority.

(1) A person may, if the noise level exceeds the ambient noise standards by 10 dB(A) or more given in the corresponding columns against any area/zone (or, if there is a violation of any provision of these rules regarding restrictions imposed during night time,)¹⁹ make a complaint to the authority.

(2) The authority shall act on the complaint and take action against the violator in accordance with the provisions of these rules and any other law in force.

16. In rule 5, after sub-rule (3) new sub-rules (4) & (5) have been inserted as at (16) above vide S.O. 50 dated 11/01/2010.

17. In the said rules, after rule 5, new rule 5A has been inserted as at (17) above vide S.O.50 dated 11/01/2010.

18. In the said rules, in rule 6, after the clause (iii) new clauses (iv) & (v), as at (18) above have been inserted vide S.O. 50 dated 11/01/2010.

19. In the said rules, in rule 7 in sub-rule (1), after the words "in corresponding columns" & ending with "area/zone", new sentence as at (19) above has been inserted vide S.O.50 dated 11/01/2010.



8. Power to prohibit etc. continuance of music sound or noise.

(1) If the authority is satisfied from the report of an officer in-charge of a police station or other information received by him (including from the complainant)²⁰ that it is necessary to do so in order to prevent annoyance, disturbance, discomfort or injury or risk of annoyance, disturbance, discomfort or injury to the public or to any person who dwell or occupy property on the vicinity, he may, by a written order issue such directions as he may consider necessary to any person for preventing, prohibiting, controlling or regulating:

(a) the incidence or continuance in or upon any premises of -

(i) any vocal or instrumental music,

(ii) sounds caused by playing, beating, clashing, blowing or use in any manner whatsoever of any instrument including loudspeakers, (*public address systems, horn, construction equipment, appliance or apparatus*)²² or contrivance which is capable of producing or re-producing sound, or

[(iii) *sound caused by bursting of sound emitting fire crackers, or*]²³

(b) the carrying on in or upon, any premises of any trade, avocation or operation or process resulting in or attended with noise.

(2) The authority empowered under sub-rule (1) may, either on its own motion, or on the application of any person aggrieved by an order made under sub-rule (1), either rescind, modify or alter any such order:

Provided that before any such application is disposed of, the said authority shall afford to the applicant (and to the original complainant, as the case may be)²¹ an opportunity of appearing before it either in person or by a person representing him and showing cause against the order and shall, if it rejects any such application either wholly or in part, record its reasons for such rejection.

20. In rule 8, in sub-rule (1) after the words "received by him" the words "including from the complainant" has been inserted as at (18) above vide S.O. 1569 (E) dated 19/09/2006

21. In rule 8, in sub-rule (2) in the proviso, after the words "afford to the applicant", the words "and to the original complainant, as the case may be", has been inserted as at (19) above vide S.O. 1569 (E) dated 19/09/2006

22. In the said rules, in rule 8, in sub-rule (1), in clause (a) in sub-clause (ii), for the words, "public address systems, appliance or apparatus" new words have been substituted as at (20) above vide S.O. 50 dated 11/01/2010.

23. In the said rules, in rule 8, in sub-rule (1), in clause (a) after sub-clause (ii) new sub-clause (iii) as at (21) above has been inserted vide S.O. 50 dated 11/01/2010.



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SCHEDULE
(see rule 3(l) and 4(l))

Ambient Air Quality Standards in respect of Noise

Area Code	Category of Area/Zone	Limits in dB(A) Leq *	
		Day Time	NightTime
(A)	Industrial area	75	70
(B)	Commercial area	65	55
(C)	Residential area	55	45
(D)	Silence Zone	50	40

Note:-

1. Day time shall mean from 6.00 a.m. to 10.00 p.m.
2. Night time shall mean from 10.00 p.m. to 6.00 a.m.
3. Mixed categories of areas may be declared as one of the four above mentioned categories by the competent authority.

*dB(A) Leq denotes the time weighted average of the level of sound in decibels on scale A which is relatable to human hearing.

A "decibel" is a unit in which noise is measured.

"A", in dB(A) Leq, denotes the frequency weighting in the measurement of noise and corresponds to frequency response characteristics of the human ear.

Leq : It is an energy mean of the noise level, over a specified period.

24. In the schedule to the said rules, for the note 3 and the entries thereto. "Silence zone is defined as an area comprising not less than 100 metres around hospitals, educational institutions and courts. The silence zones are zones which are declared as such by the competent authority." has been substituted as at (22) above vide S.O. 1046 (E) dated 22/11/2000.

25. In the schedule to the said rules, in the note, paragraph ("3. Silence zone is an area comprising not less than 100 meters around hospitals, educational institutions and courts, religious places or any other area which is declared as such by the competent authority ") has been omitted as may be seen above vide S.O. 2555 (E) dated 10/08/2017.

Note: The Principal rules were published in the Gazette of India vide Notification number S.O. 123(E) dated 14 February, 2000 and subsequently amended vide

- 1) S.O.1046(E) dated 22/11/2000;
- 2) S.O.1088(E) dated 11/10/2002;
- 3) S.O.1569(E) dated 19/09/2006;
- 4) S.O.50(E) dated 11/01/2010;
- 5) S.O.2555(E) dated 10/08/2017;



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Md. Asgar Ali Prada.

VAKALATNAMA

In the
Before Ld _____ at
Suit/Case No. Judge
at 201
Signature

Asgar Ali Prada

Plaintiff
Application
Application

-Vs-

The State of West Bengal & Ors.

Defendant
Opp. Party
Respondent

KNOWN ALL MEN by these that I/We

do hereby in my/our name and my/(our behalf constitute and appoint Sri Neelanjana Ghosevi true and lawful Pleader/Advocate & Attorneys to appear and act for me/us in the matter noted above to the suit written statement, conduct suit, appeal from original suit order etc. and for that purpose to do all acts and things, whatsoever in that connection including compromise of the above matter disposing in or withdrawing money from filling or taking out of appear, document and payment order from court referring matters in dispute between the parties here to arbitration, withdrawing the above matters with liberty title fresh suit, sending properties released from attachment filling execution or Miscellaneous cases and other petitions, bidding at execution sale, obtaining payment from us our Court, Withdrawing custody and other fees and doing on my/our behalf such other acts in the above matters as are necessary and proper

I/We hereby agreeing to ratify and confirm all acts so done by the said Advocate or Attorneys as my/our own acts and as it done by me/us to all igtents and purposes.

Date. 23/5/2025

ADVOCATES

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DISTRICT : NORTH 24 PARGANAS
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

O. A. of 2025 E.Z.

Between

In the matter of:

Asgar Ali Piada

.... Applicant

-Vs-

The State of West Bengal & Ors.

...Respondents

APPLICATION



23 MAY 2025

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