

Serial No.....24.....

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

MEMORANDUM OF APPLICATION

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

Original Application No. 188 of 2023

Rajkumar Das

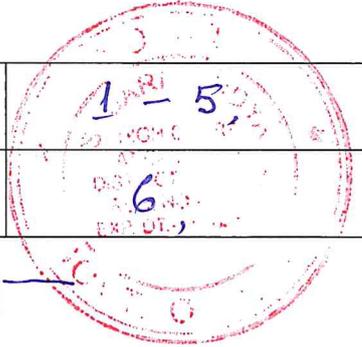
..... Applicant

AND

MOEF & ORS

..... Respondent

INDEX

1.	Affidavit	
2.	verification	

Paushali Banerjee
Paushali Banerjee

Advocate



10 DEC 2025

- X -

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

MEMORANDUM OF APPLICATION

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

Original Application No. 188 of 2023

Rajkumar Das

..... Applicant

AND

MOEF & ORS

..... Respondent

**REJOINDER TO THE COUNTER AFFIDAVIT OF WEST BENGAL POLLUTION
CONTROL BOARD.**

I, Rajkumar Das, Son of Swapan Kumar Das, aged about 45 years residing at Malancha Chandpur, Khargapur, Paschim Midnapore-721301, by occupation Service, do hereby solemnly affirm and say as follows:

1. I am the Applicant in this herein and as such I am fully conversant with the fact and circumstances of the case, as such I am competent to affirm this affidavit in this instant matter.



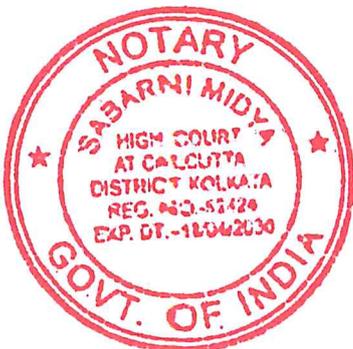
~~X~~

2. I have perused the Affidavits affirmed by State Board on 23/07/24 and understood the contents and purport thereof (hereinafter referred to as the said Affidavit).
3. I have been advised to traverse and/or to deal with only those statements and/or allegations contained in the instant OA and to refer to such facts as may be material and/or relevant for the disposal of the same.
4. As such, save what would be borne out by the admitted records or what may be specifically admitted by me hereinafter, all statements and/or allegations contained in the said Affidavit should be deemed to have been denied and disputed by me as if each one has been set out hereunder and denied in seriatim
5. I say that before dealing with the Affidavit, the Applicant seek liberty to place on record certain preliminary objections that are crucial for a holistic adjudication of the present matter.
6. I say that in the Original Application it was stated by the Applicant that *"respondent no.4 therefore continued excess production of cold pig iron from 2008 violating the Environmental Clearence as the limit of production in the Environmental Clearence is 31,300 TPA and in 2008 the consent was granted for 18360 MT/ M which amounts to 20,238 TPM*



and 2,42,856 TPA (20,238 X 12) so the State Board also granted the Consent to respondent no.4 in violation of the EIA notification 2006.....” in the said Affidavit in Annexure R 3 (page-908) it is clearly stated by Respondent no.4, is engaged in sponge Iron production capacity of 12500 MT/month . The directions of the State Board did not mention and /or deal with the production capacity of the cold pig iron plant.

7. I say that inspection of respondent no.4 was conducted by the State Board on 9/02/24, (annexed as annexure R with Affidavit affirmed on 8/04/24) it was that during inspection civil and structural work related to sinter plant with an incomplete stack height of 55m from GL was observed during inspection. The directions of the State Board also did not consider the violations of illegal construction of Respondent no.4.
8. I say that in the said Affidavit the direction of the State Board also specified that huge emission was observed during inspection of the unit of respondent no.4, but the State Board did not give any directions with regard to emission neither any EC was calculated for air pollution.
9. Now dealing with the Affidavit with regards to paragraphs 1,2,3,4,5,6 , 7 & 8 of the said Affidavit save and expect what are matters of record I deny and dispute each



- X -

and every paragraph of the said Affidavit. I specifically say and repeat that State Board did not inspect respondent no.4's cold pig iron plant and neither the inspection report nor the directions of the State Board deals with the issue of excess production of cold pig iron plant of respondent no.4. The State Board did not give any directions with regard to huge emission emanating from the sponge iron plant neither any EC was calculated for air pollution caused by the emission of the sponge iron plant of respondent no.4. The State Board during inspection on 9/02/24 at the sponge iron plant observed that civil and structural work related to sinter plant with an incomplete stack height of 55m from GL was found during inspection, but the State board failed to provide direction regarding the illegal construction on 9/02/24, the EC of respondent no.4 at that time already expired and even no application of EC application was put forward by the respondent no.4, even if the personal hearing of respondent no.1 is considered that was held on 11/07/24 when in the question of validity of EC the views of LMC was sought. In an Affidavit affirmed on 10/07/25 respondent no.1 clarified that as the resolution plan entails that all licenses for carrying on business of the respondent no.4 therefore the EC of the respondent no.4 is valid up to 3/05/25. Therefore during 9/02/24 when inspection was held the State Board did not have any insight regarding the validity of EC and chose not to deal with the illegal construction of respondent no.4.



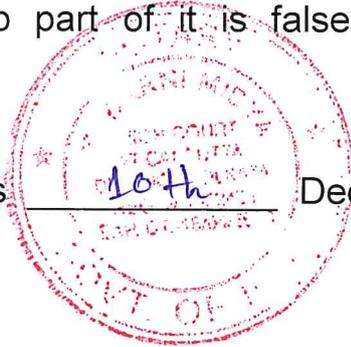
~~X~~

VERIFICATION



I, the deponent above named do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge which are derived from the relevant office records. No part of it is false and nothing material has been concealed there from.

Verified at Kolkata on this 10th December, 2025.



Rij Kumar Das

DEPONENT

Paushee Banerjee
Schroder

Solemnly Affirmed & Declared
before me on identification

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

10 DEC 2025