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**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

ORIGINAL APPLICATION NO. 136/2025/EZ

RAMIJI KAZI

.....APPLICANT(S)

VERSUS

**THE WEST BENGAL POLLUTION CONTROL BOARD &
ORS.**

.....RESPONDENT(S)

**ACTION TAKEN REPORT ON AFFIDAVIT FILED BY THE
RESPONDENT No. 1, WEST BENGAL POLLUTION CONTROL
BOARD.**

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Filed by

**DIPANJAN GHOSH
ADVOCATE
HIGH COURT AT CALCUTTA**

SL. NO. 30 Dt. 06 JAN 2026

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 136/2025/EZ



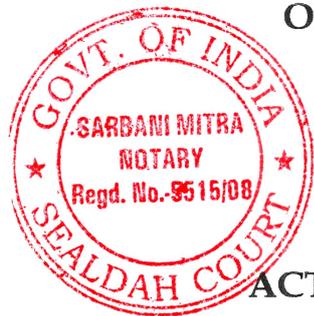
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.....RESPONDENT(S)



ACTION TAKEN REPORT ON AFFIDAVIT FILED BY THE
RESPONDENT No. 1, WEST BENGAL POLLUTION CONTROL
BOARD.

Most Respectfully Sheweth

I, Sri Swarup Kumar Mandal, son of Shri Barendra Mandal, aged about 56 years, by Religion - Hindu, by Occupation-Service, working for gain at West Bengal Pollution Control Board, having office at 10A, Block- LA, Sector- III, Bidhannagar, Kolkata - 700 106, do hereby solemnly declare and say as follows:-

06 JAN 2026

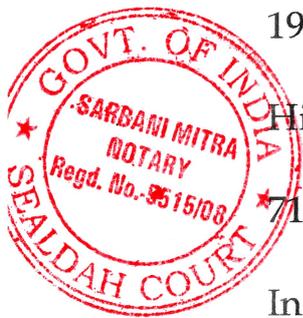
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01. That, I am the Chief Engineer, West Bengal Pollution Control Board (hereinafter will be referred to as the 'State Board') and I am well acquainted with the facts and circumstances of the case. I have been duly authorized by the Respondent No. 1 to affirm this Affidavit on its behalf and as such, I am competent to do so.

02. That, this affidavit is being affirmed in pursuant to the orders passed by this Hon'ble Tribunal dated 19.09.2025 and 10.12.2025.

03. That, in compliance to the order of the Hon'ble Tribunal dated 19.09.2025, M/s M. B. Sponge & Power Limited, located at P.O.- Hijalgora, P.S.- Jamuria, District- Paschim Bardhaman, Pin- 713362, was called for a hearing on 09.12.2025 by the State Board.

In the said hearing, Shri Rohan Agarwal, CEO of the industry appeared before the State Board and he was handed over the copy of the inspection report dated 21.08.2025, with a direction to submit an action taken based on the non-compliances observed by the State Board during the said inspection. Thereafter, the industry submitted a letter to the State Board on 16.12.2025.



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04. That, considering all the aspects, the State Board issued the following directions upon M/s M. B. Sponge & Power Limited vide Memo dated 29.12.2025 :

(a) The industry shall operate with strict compliance of the conditions of Environmental Clearance, Consent to Establish and Consent to Operate.

(b) Under any circumstances, the industry shall not use Coalchar/ Dolochar for landfill and it shall be disposed of by selling to CPPs.

(c) The industry shall take necessary environmental precautions during landfilling of bag filter refuse. Only wet refuse should be used for such filling work.

(d) The industry shall operate maintaining all environmental norms.

Copy of the Direction of the State Board dated 29.12.2025 is annexed herewith and marked with letter "R".

05. It is therefore respectfully prayed that Hon'ble Tribunal may pass such order/orders as it deems fit and proper in the interest of justice.

Swarup Kumar Mansal
DEPONENT

06 JAN 2026

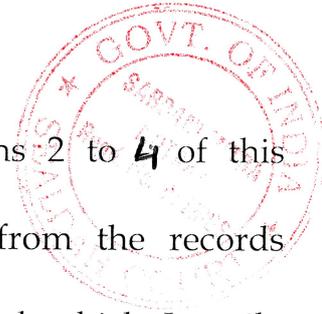




VERIFICATION

I, Sri Swarup Kumar Mandal, son of Shri Barendra Mandal, aged about 56 years, by Religion - Hindu, by Occupation-Service, working for gain at West Bengal Pollution Control Board, having office at 10A, Block- LA, Sector- III, Bidhannagar, Kolkata - 700 106, do hereby solemnly declare and say as follows:-

1. That, I am the Chief Engineer, West Bengal Pollution Control Board and I am well acquainted with the facts and circumstances of the instant Original Application.
2. That, the statements made in paragraph 1 of this affidavit is true to my knowledge and belief.
3. That, the statements made in paragraphs 2 to 4 of this affidavit are my information derived from the records available in the office of the State Board which I verily believe to be true and the rest are my respectful submission before this Hon'ble Tribunal.



Swarup Kumar Mandal
DEPONENT

Identified and corrected by me
Advocate *D. P. Ghosh*
WBPCB

Solemnly Affirmed &
Declared Before Me
On Identification By.....

[Signature]
SARBANI MITRA
NOTARY
Regd. No.- 5515/08
Mob.- 8777303277

06 JAN 2026



LiFE
Lifestyle for
Environment



WEST BENGAL POLLUTION CONTROL BOARD

(Department of Environment, Government of West Bengal)

Paribesh Bhawan, 10A, Block - LA, Sector III, Bidhannagar

Kolkata - 700 106, Ph. No.: 2202-3000

Website: www.wbpcb.gov.in, Email: net.wbpcb-wb@bangla.gov.in

Memo No.

3L/WPB-E(IV)2025

Date

/12/2025



DIRECTION

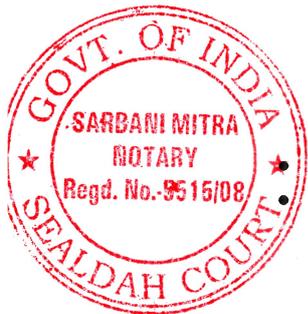
WHEREAS, M/s. M.B. Sponge & Power Ltd., (hereinafter referred to as the industry) located at Near Ikrah Railway Station, P.O.-Hijolgora, P.S.-Jamuria, Dist.-Paschim Bardhaman, Pin-713362 is a sponge iron manufacturing unit.

AND WHEREAS, in compliance of the Order of Hon'ble National Green Tribunal (NGT), Eastern Zone Bench, Kolkata dated 12.08.2025 in connection with the Original Application No. 136/2025/EZ, the industry was inspected by the official of the West Bengal Pollution Control Board (hereinafter referred to as the State Board) on 21.08.2025 to investigate allegations made by Shr Ramiji Kazi, son of Kazi Mobin, Kaji Para, Hijalgora, P.O.-Hijalgora, Dist.- Paschim Bardhaman, Pin-713362 regarding environmental violations including illegal expansion, non-compliance with the Directions of the State Board, improper waste management and overall disregard for statutory environmental standards.

AND WHEREAS, the allegations against the industry mainly relate to three areas i.e. (I) Emissions, Green Belt Coverage, and Monitoring & Reporting of Environmental Parameters, (II) Unauthorized expansion of industrial activities on encroached lands and (III) Dumping of Dolochar in a lowland.

AND WHEREAS, during inspection the following significant observations were made by the inspecting official:-

- The industry has 02X100 TPD coal-fired DRI Kilns which are equipped with individual GCT & individual 3 field ESP as Air Pollution Control Devices (APCD) followed by a common stack of height 38m from G.L. The unit has installed WHRBs (10 TPH) for both the DRI kilns. The industry has provided APCDs for all its emission sources. The ESP was observed under repair and modification. During inspection the changing of insulation and duct connections was underway. The common stack remains the same.
- During inspection the industry was not in operation. Both the DRI Kilns were under shutdown.
- The industry has installed an Online Continuous Emission Monitoring System (OCEMS) at the common stack of DRI Kilns which is connected to the CPCB Server. The available data from the OCEMS shows compliance over an extended period before the Kiln shutdowns. However, the data mostly displays the same value for a long time indicating some malfunction in the OCEMS.
- The air monitoring reports carried out by the WBPCB dated 18.07.2024 (common stack of DRI Kilns, stack of Cooler Discharge & Product House) and 29.04.2025 (common stack of DRI Kilns, stack of Cooler Discharge and Intermediate Bin) complied with the environmental norms.
- A separate Energy Meter has been installed for ESP (a single Energy Meter serves both ESPs).
- Ash from the ESP is collected pneumatically. Silo and Pug Mill have been installed.
- Housekeeping in the unit was unsatisfactory especially in the project area. Continuous rain has further worsened the conditions. A small amount of bag filter refuse was observed.
- The bag filter checking and maintenance schedule is maintained in a register.
- Coalchar/Dolochar was not seen stored inside the plant premises.
- Some raw materials such as iron ore, coal was observed stored in open areas, some were uncovered and others covered with tarpaulin sheets. However, most of the raw materials were stored inside the sheds.
- Dry Fog System has been installed by the unit in all the bag filter areas except the Stock House. Water sprinklers have also been installed at various strategic locations.
- Most internal roads are concretized.



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- Most conveyors were covered, however, some damaged conveyors were also seen in certain areas.
- The unit appeared to have sufficient coverage of the Green Belt. The unit has recently submitted a Green Belt Assessment from M/s. Sathi Planners Pvt. Ltd. (QCI-NABET Accredited Consultants) which states that the unit has a Green Belt area of 23.036 acres (52.08%) out of the total plant area of 38.72 acres (including the expansion area).

AND WHEREAS, the Consent to Operate of the industry is valid upto 31.03.2027 for the existing plant. The industry has obtained Hazardous Waste Authorization from the State Board which is valid upto 31.08.2029.

AND WHEREAS, the industry has undertaken an expansion project for an additional DRI Kiln of capacity 350 TPD with 40 TPH WHRB, Ferro-Alloy, SMS with Rolling Mill & CPP. The industry has obtained Environmental Clearance (EC) on 20.07.2023 and Consent to Establish on 08.09.2023 for the same. The industry has also obtained Consent to Operate from the State Board on 19.11.2025 for Ferro Alloy Plant, Sponge Iron plant and Power Plant which is valid upto 31.10.2030.

AND WHEREAS, during inspection, the project activity was observed to be progressing actively. In this project, the unit is also undertaking the modification and enhancement of its existing emission control systems. Automatic ambient air quality monitoring stations (04 nos.) are yet to be installed.

AND WHEREAS, the complaint concerning the dumping of Dolochar primary involves plot no. 1757 situated on the western side of the unit and next to its existing premises. The land is divided by a boundary wall approximately 8 ft. high on the western side. The area near the boundary wall was mostly inaccessible due to ongoing project work and recent continuous rain, which caused a thick layer of mud around the single entrance to the disputed plot. However, the plot was observed from the top (26m high) of the adjacent Ferro-Alloy Section. It seemed to be filled with fly ash, soil, and various waste materials. Black and yellow patches were visible from above. The black patches mostly appeared to be a layer of wet refuse from bag filters. A recent inspection from the BL&LRO, Jamuria also indicated filling of the plot with fly-ash and soil.

AND WHEREAS, the industry was called for a hearing on 09.12.2025 at the Head office of the WBPCB in compliance of the Order dated 19.09.2025 of Hon'ble NGT, Eastern Zone Bench, Kolkata. Shri Rohan Agarwal, CEO of the industry appeared in the hearing and submitted that this is the first time they have received a communication from the Hon'ble NGT on 9th October, 2025 and accordingly they would appear before the Hon'ble NGT for the next hearing on 10.12.2025. A copy of the inspection report dated 21.08.2025 was handed over to him and he was directed to submit an action taken based on the observed non-compliances during inspection within 7(seven) days from the date of hearing. Accordingly, the industry has submitted a letter on 16.12.2025 along with relevant documents stating the following:-

- A new bag filter as APCD of coal circuit has been installed and it is operating continuously.
- Bag filter system along with stack for iron ore circuit has also been installed and the same is fully functional.
- All conveyor belts have been repaired and fully covered with metallic canopies to prevent dust dispersion.
- The OCEMS has been rectified and it is working properly.
- Separate storage room for storage of hazardous waste has been constructed.
- The unit has never used Dolochar for landfill. It is sold to other CPPs under proper invoices and transport documents.
- All fly ash generated is supplied to registered brick manufacturing units. No fly ash is used for landfill.
- Water sprinkling is being done on a regular basis on its internal roads. Regular housekeeping is being maintained.
- Additional plantation has been carried out covering more than 33% of total plant area.



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NOW THEREFORE, considering the above, **M/s. M.B. Sponge & Power Ltd.** located at **Near Ikrah Railway Station, P.O.-Hijolgora, P.S.-Jamuria, Dist.-Paschim Bardhaman, Pin-713362** is hereby directed as follows:-

1. The industry shall operate with strict compliance of the conditions of Environmental Clearance, Consent to Establish & Consent to Operate.
2. Under any circumstances, the industry shall not use Coalchar/Dolochar for landfill and it shall be disposed of by selling to CPPs.
3. The industry shall take necessary environmental precautions during landfilling of bag filter refuse. Only wet refuse should be used for such filling work.
4. The industry shall operate maintaining all environmental norms.

The Environmental Engineer & In-charge, Asansol Regional Office of the State Board is requested to oversee the compliance of Board's direction and also keep a strict vigil on the industry. If the industry is found to be non-complying with the Board's direction, the Board will take strict regulatory action against the industry.

This direction is issued in exercise of the powers conferred under the provision of Section 33A of Water (Prevention & Control of Pollution) Act, 1974, Section 31A of Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and Rules made thereunder after being approved by the Competent Authority.

By Order,

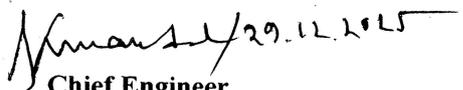
Sd/-
Chief Engineer
(Operation & Execution)
West Bengal Pollution Control Board

Date 29/12/2025

Memo No. 11409 (4) 3L/WPB-E(IV)2025

Copy forwarded for information and necessary action to:-

1. M/s. M.B. Sponge & Power Ltd., Near Ikrah Railway Station, P.O.-Hijolgora, P.S.-Jamuria, Dist.-Paschim Bardhaman, Pin-713362
2. The Chief Engineer, Planning & EIM Cell, WBPCB
3. The Senior Law Officer, WBPCB
4. The Spl. Law Officer(NGT), WBPCB
5. The Environmental Engineer & In-charge, Asansol Regional Office, WBPCB
6. T.A. to the Member Secretary, WBPCB
7. P.A. to the Chairman, WBPCB
8. Technical Cell, WBPCB for updating the website
9. Environment Officer- Communication, WBPCB – for circulation through float file
10. Guard file of O & E Cell


Chief Engineer
(Operation & Execution)
West Bengal Pollution Control Board



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