

Serial No. 12/26.
as per Register of Notary

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BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

M.A. 38/2025/EZ

IN

ORIGINAL APPLICATION NO. 178/2024/EZ

DR. PAPITA GHOSH & ORS.

.....APPLICANT(S)

VERSUS

THE STATE OF WEST BENGAL & ORS.

.....RESPONDENT(S)

AFFIDAVIT FILED BY THE WEST BENGAL POLLUTION
CONTROL BOARD.

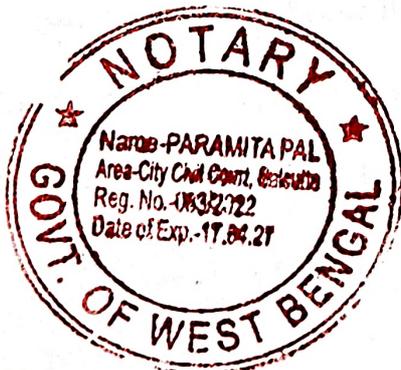
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3.	Copy of closure order with disconnection of electricity of the State Board.	'R2'	11 to 12

Filed by

Dipanj Ghosh

DIPANJAN GHOSH
ADVOCATE



29 JAN 2026

X

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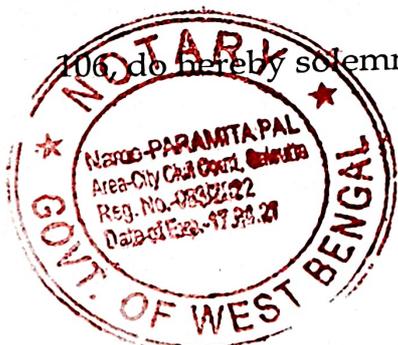
.....RESPONDENT(S)

AFFIDAVIT FILED BY THE 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

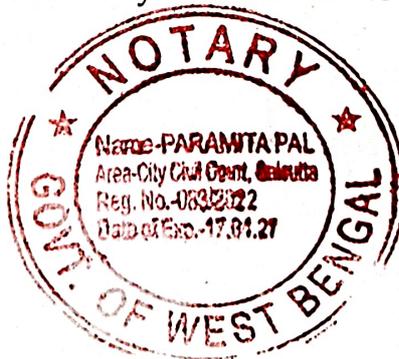
106 do hereby solemnly declare and say as follows:-



29 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. 01, 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 judgment passed by this Hon'ble Tribunal dated 08.01.2026.
03. That, the Hon'ble National Green Tribunal vide order dated 08.01.2026, directed the State Board to file a compliance report with respect to M/s Annapurna Agro Industries, located at Vill.- Raghabinubati, P.O.-Hazipur, P.S.-Gurap, Dist.- Hooghly, Pin- 712302.
04. That, in compliance to the order dated 08.01.2026, the State Board carried out an inspection of M/s Annapurna Agro Industries on 20.01.2026 to assess the current status of compliance. The unit has already submitted the Environmental

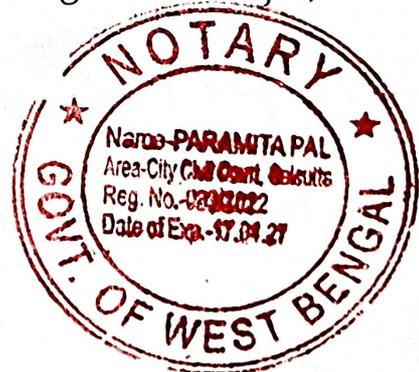


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Compensation amounting to Rs. 2,50,000/- (Rupees Two lakhs Fifty Thousand) through Demand Draft.

05. That, the following observations were made from the said inspection carried on 20.01.2026:

- The unit is a brick grinding facility located in a predominantly rural, agricultural and residential area in close proximity to the residences of the complainants, Dr. Papita Ghosh and Sri Asim Pratihar. The unit operates within the jurisdiction of Gudubari-II Gram Panchayat and Gurap Police Station.
- The brick grinding activity is carried out using a Raymond Mill and Pulverizer housed within a tin-roofed shed. The shed is constructed with corrugated metal sheets on all sides and is situated adjacent to the complainant's premises. It is noted that the front portion of Dr. Ghosh's property, along with adjoining open space, was sold by a co-sharer and subsequently purchased by Sri Argha Mukherjee, who established the grinding unit there.

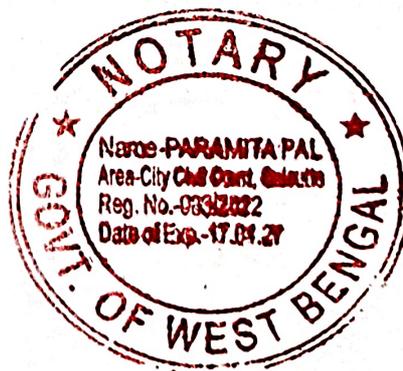


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- During the inspection, the unit was operational from 12:20 hours to 12:45 hours, after which operations ceased for the day. Approximately 6-7 workers were present.
- The earlier Joint Committee had recommended that the unit either relocate to a non-residential area or install adequate air and noise pollution control systems and operate only after obtaining Consent to Operate from the State Board.

06. That, the following non-compliances were noted during the said inspection:

- (i) The unit continues to operate without obtaining Consent to Establish (CTE) or Consent to Operate (CTO) from the State Board.
- (ii) No air pollution control system has been installed. Although some gaps between the roof and walls have been closed, numerous small openings remain. Significant fugitive dust emissions were observed within the premises and in surrounding areas.



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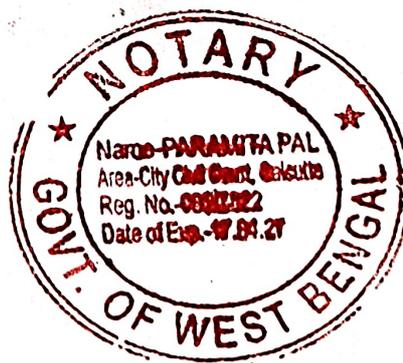
(iii) The unit stated that it intends to install gypsum board panels on the walls and roof to reduce noise levels and plans to undertake tree plantation to act as natural noise barriers. However, no such measures have been implemented as on the date of inspection.

07. That, the following remarks was made from the said inspection:

Given that the unit is operating without mandatory statutory clearances and has failed to install adequate air and noise pollution control systems, strict regulatory action may be considered against the unit in accordance with applicable environmental laws and guidelines.

Copy of the Inspection Report of the State Board is annexed herewith and marked with letter "R1".

08. That, based on the above-mentioned Inspection Report, the State Board vide Memo dated 27.01.2026, issued closure order with disconnection of electricity to the unit with immediate effect.



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Copy of the closure order with disconnection of electricity of the State Board is annexed herewith and marked with letter "R2".

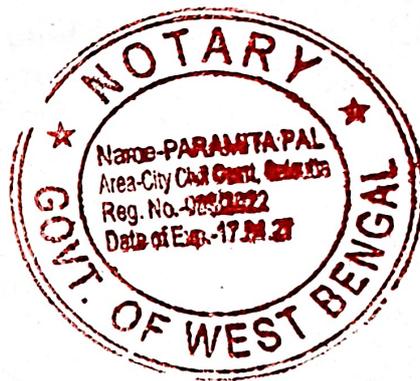
09. It is therefore respectfully prayed that Hon'ble Tribunal may pass such order/orders as it deems fit and proper in the interest of justice.

Swarnap Kumar Mousal
DEPONENT

I identify to me
Identified by me
Dip-jishu
Advocate
WB PCB

Solemnly affirmed and declared
Before me on Identification

PARAMITA PAL
City Civil Court
Kolkata
Reg. 083/2022



29 JAN 2026



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VERIFICATION

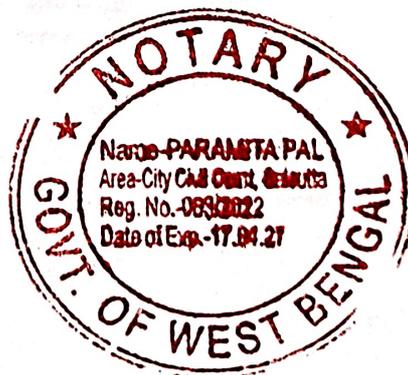
I, Sri Swarup Kumar Mandal, son of Shri Barendra Mandal, aged about 56 years, by Religion - Hindu, by Occupation-Service, working for gain at West Bengal Pollution Control Board, having office at 10A, Block- LA, Sector- III, Bidhannagar, Kolkata - 700 106, do hereby solemnly declare and say as follows:-

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 ~~8~~ 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. Singh*
WBPCB

29 JAN 2026



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Annexure- 'R1'

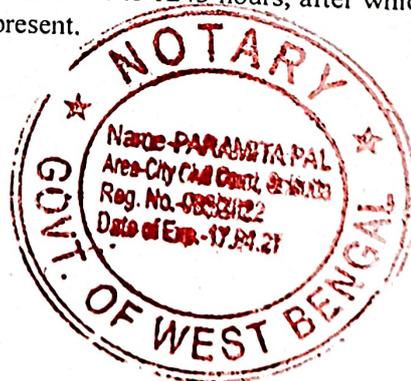
Inspection Report	
Name and Address of the unit / site visited	M/s Annapurna Agro Industries (Brick Grinding Unit) Village - Raghbindubati, P.O. - Hazipur, P.S. - Gurap District - Hooghly, Pin - 712302
Local Authority	Gudubari II Gram Panchayet.
Electricity Supply Authority	W.B.S.E.D.C.L.
Reference of Inspection	Miscellaneous Application # 38/2025/EZ, In Original Application # 178/2024/EZ, dated 08.01.2026, before the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata (Dr. Papita Ghosh & Others versus W.B.P.C.B. & Others)
Date & Time of Inspection	20/01/2026 1220 Hours - 1330 Hours.
Name of the Inspecting Official	Sri Rahul Chakraborty, E.E, Hooghly R.O.
Name of the Complainant representative met with	Dr. Papita Ghosh, Complainant (M: 9635951749 / 9800194754) Sri Ashim Pratihar, Complainant
Unit Category	Orange (Dry coal processing / mineral processing, industries involving ore sintering, pelletization, grinding, pulverization)
Name of the unit representatives met with	a) Sri Sadananda Mukherjee, Owner (94751 78983) b) Sri Argha Mukherjee, s/o Owner (9007133217)
Status of statutory clearance of the unit	The unit has not obtained NOC / CTO of the State Board. CTE (New) applications (bearing nos 6579390 and other multiple CTE applications) were submitted in the past. Queries were raised, but the unit could not submit the requisite information.
Month / Year of Commissioning	March / 2025

Preamble : In compliance with the recommendations of the Joint Inspection Report dated 23.10.2024—conducted by the Joint Committee comprising the State PCB and the District Magistrate, Hooghly, as directed by the Hon'ble National Green Tribunal, Principal Bench—an inspection of the unit was carried out by the Hooghly Regional Office on 20.01.2026 to assess the current status of compliance.

Observation :

The unit is a brick grinding facility located in a predominantly rural, agricultural, and residential area in close proximity to the residences of the complainants, Dr. Papita Ghosh and Sri Asim Pratihar. The unit operates within the jurisdiction of Gudubari II Gram Panchayat and Gurap Police Station. The brick grinding activity is carried out using a Raymond Mill and Pulverizer housed within a tin-roofed shed. The shed is constructed with corrugated metal sheets on all sides and is situated adjacent to the complainant's premises. It is noted that the front portion of Dr. Ghosh's property, along with adjoining open space, was sold by a co-sharer and subsequently purchased by Sri Argha Mukherjee, who established the grinding unit there.

During the inspection, the unit was operational from 1220 hours to 1245 hours, after which operations ceased for the day. Approximately 6-7 workers were present.



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The earlier Joint Committee had recommended that the unit either relocate to a non-residential area or install adequate air and noise pollution control systems, and operate only after obtaining Consent to Operate from the State Board.

The following "status of compliances" were noted during this inspection on 20.01.2026.

- 1) The unit continues to operate without obtaining CTE or CTO from the State Board.
- 2) No air pollution control system has been installed. Although some gaps between the roof and walls have been closed, numerous small openings remain. Significant fugitive dust emissions were observed within the premises and in surrounding areas.
- 3) The unit stated that it intends to install gypsum board panels on the walls and roof to reduce noise levels and plans to undertake tree plantation to act as natural noise barriers. However, no such measures have been implemented as of the inspection date.

Remarks :

Given that the unit is operating without mandatory statutory clearances and has failed to install adequate air and noise pollution control systems, strict regulatory action may be considered against the unit in accordance with applicable environmental laws and guidelines.

Rahne Choudhary

(Signature of visiting official)

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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.: 033-2202-3000
Website: www.wbpcb.gov.in, Email: net.wbpcb-wb@bangla.gov.in

Date: /01/2026

Memo No.

-1M-11/2009 (Part-XIV)

CLOSURE ORDER WITH DISCONNECTION OF ELECTRICITY

WHEREAS, M/s. Annapurna Agro Industries (hereinafter referred to as the unit) located at Vill.-Raghabindubati, P.O.-Hazipur, P.S.-Gurap, Dist.-Hooghly, Pin-712302 is engaged in brick grinding activity.

AND WHEREAS, in compliance of the order of Hon'ble National Green Tribunal (NGT), Eastern Zone Bench dated 12.09.2024 in the matter of Original Application No. 178/2024/EZ (Dr. Papita Ghosh & Others vs. The State of West Bengal & Ors.), the unit was issued a Direction by the **West Bengal Pollution Control Board** (hereinafter referred to as the State Board) vide Memo No. 10766-3L/WPB-H(VII)2024 (Part-I) dated 30.04.2025 directing either to explore the possibility of shifting to a non-residential area and operate maintaining the environmental statutes or install adequate air and noise control measures at the existing unit so that the neighbourhood is not affected by the activities of the unit due to dispersion of dust and noise pollution and operate only after obtaining Consent to Establish and Consent to Operate of the State Board.

AND WHEREAS, Hon'ble NGT had again issued an order dated 01.05.2025 directing the State Board to compute the Environmental Compensation for environmental violations by the unit. Accordingly, the State Board had further issued a Direction to the unit vide Memo No. 10911-1M-11/2009 (Part-XIII) dated 26.06.2025 to comply with the following conditions:-

1. That, the unit shall strictly comply with the Direction issued by the State Board vide Memo No. 10766-3L/WPB-H(VII)2024 (Part-I) dated 30.04.2025.
2. That, the unit shall submit an Environmental Compensation (EC) amounting to Rs. 2,50,000/- (Rupees two lakhs fifty thousand) only within ten (10) days from the date of issuance of this direction, by Demand Draft in favour of **WEST BENGAL POLLUTION CONTROL BOARD** payable at Kolkata for violation of environmental norms.

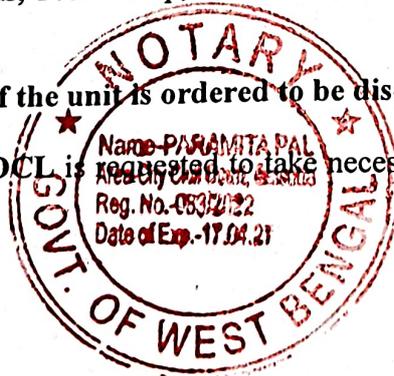
AND WHEREAS, the unit has submitted the EC amount of Rs. 2,50,000/- through Demand Draft.

AND WHEREAS, an inspection of the unit was again carried out by the State Board official on 20.01.2026 to assess the current status of compliance as per Order of the Hon'ble NGT dated 08.01.2026 in the said matter. During inspection the unit was operational. The unit is still operating without obtaining Consent to Establish and Consent to Operate from the State Board and without installing adequate air and noise pollution control systems.

NOW THEREFORE, considering the above, M/s. Annapurna Agro Industries located at Vill.-Raghabindubati, P.O.-Hazipur, P.S.-Gurap, Dist.-Hooghly, Pin-712302 is hereby closed by the State Board with immediate effect.

The electricity connection of the unit is ordered to be disconnected forthwith.

The Director (HR), WBSEDCL is requested to take necessary steps for disconnection of electricity of the unit immediately.



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The closure order will take immediate effect and the Officer-in-Charge, Gurap Police Station is directed to execute the closure order against the aforementioned unit and submit the compliance report to the State Board within seven (07) days from the receipt of this Memo.

This direction has been issued to the Officer-in-Charge, Gurap Police Station and the Director (HR), WBSEDCL in conformity with the order of the Hon'ble High Court, Calcutta dated 21/08/1998 and 28/04/1999 respectively.

The Environmental Engineer & In-charge, Hooghly Regional Office, WBPCB is requested to take necessary steps for proper execution of the closure order against the unit and also visit the unit involving the local police station and the Nodal Police Officer.

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,

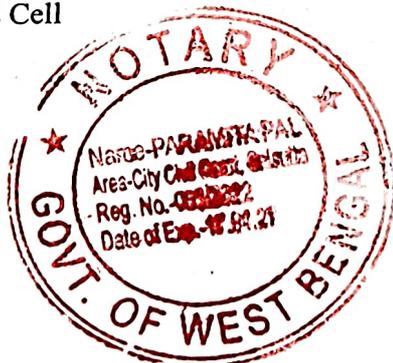
Sd/-
Chief Engineer
(Operation & Execution)
West Bengal Pollution Control Board

Date: 27/01/2026

Memo No. 87(8) -1M-11/2009 (Part-XIV)

Copy forwarded for information and necessary action to:-

1. M/s. Annapurna Agro Industries, Vill.-Raghabindubati, P.O.-Hazipur, P.S.-Gurap, Dist.-Hooghly, Pin-712302
2. P.S. to the Hon'ble Minister of State (Independent charge), Dept. of Environment, Govt. of W.B. Prani Sampad Bhavan, 5th Floor, LB-2, Sector-III, Bidhannagar, Kolkata-700106
3. P.S. to the Additional Chief Secretary, Dept. of Environment, Govt. of W.B., Prani Sampad Bhavan, 5th Floor, LB-2, Sector-III, Bidhannagar, Kolkata-700106
4. The Superintendent of Police, Hooghly Rural Police District, P.O.-Kamarkundu, P.S.-Singur, Dist.-Hooghly, Pin-712407
5. The Director (HR), WBSEDCL, Bidyut Bhawan, Bidhannagar, Kolkata - 700 091
6. The Chief Engineer, Planning & EIM Cell, WBPCB
7. The Senior Law Officer, WBPCB
8. Smt. Pausali Mukherjee, Special Law Officer (NGT), WBPCB
9. The Environmental Engineer & In-charge, Hooghly Regional Office, WBPCB
- 10 T.A. to the Member Secretary, WBPCB
- 11 P.A. to the Chairman, WBPCB
- 12 The Officer-in-Charge, Gurap Police Station, P.O. & P.S.-Gurap, Dist.-Hooghly, Pin-712 303
- 13 Dr. Papita Ghosh, Vill.-Raghabindubati, P.O.-Hazipur, P.S.-Gurap, Dist.-Hooghly, Pin-712302
- 14 Technical Cell, WBPCB for updating the website
- 15 Environment Officer- Communication, WBPCB - for circulation through float file
- 16 Guard file of O & E Cell




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

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BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

M.A. 38/2025/EZ

IN

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DR. PAPITA GHOSH & ORS.

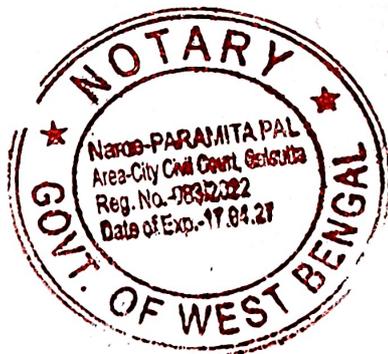
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POLLUTION CONTROL BOARD.



DIPANJAN GHOSH
ADVOCATE

29 JAN 2026