

BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA

*[Signature]*  
District Magistrate  
Paschim Bardhaman

O.A. No. 136/2025/EZ

In the matter of:

Ramiji Kazi

.....Applicant

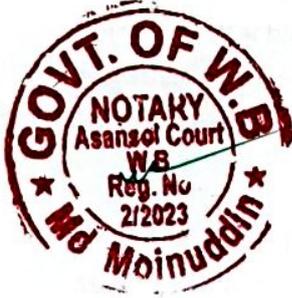
Versus

West Bengal Pollution Control Board

.....Respondent

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26 FEB 2026

Filed by:

*[Signature]*

Sudip Kumar Dutta  
Advocate for the State of  
W.B.

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

**O.A. No. 136/2025/EZ**

**In the matter of:**

**Ramiji Kazi**

**.....Applicant**

**Versus**

**West Bengal Pollution Control Board &  
Ors.**

**.....Respondent**

**Sl. No. 24/2026**

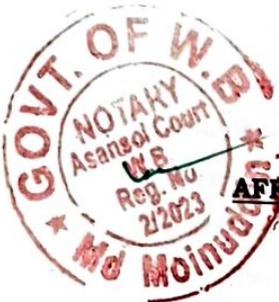
**AFFIDAVIT FILED BY THE DISTRICT MAGISTRATE, PASCHIM  
BARDHAMAN, (RESPONDENT NO. 2)**

I, Sri Ponnambalam S., Son of Sri Sonaimuthu P. aged about 40 years, by faith Hindu, by occupation Service, working for gain as the District Magistrate & Collector, Paschim Bardhaman residing at Palm Villa, Opposite Polo Ground, Asansol, District- Paschim Bardhaman, West Bengal, do hereby solemnly affirm and state as follows-

1. I am the District Magistrate & Collector, Paschim Bardhaman. I have duly consulted the records available in my office and thereafter, I have made myself well acquainted with the facts and circumstances of the case and, as such, am competent to affirm this Affidavit.

2. That this affidavit is being affirmed pursuant to the solemn order passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata, in short Hon'ble N. G. T., Eastern Zone Bench, Kolkata on 08.01. 2026 wherein Hon'ble N. G. T., Eastern Zone, Kolkata has been pleased to observe the following vide Para (5) of the aforesaid solemn order "*Responses by respondents no. 2 and 3 may also be filed within six weeks.*"

26 FEB 2026



3. That on perusal of the instant Original Application, it appears that it has been alleged by the Original Applicant that the Respondent No.3/M/s. M.B. Sponge & Power Limited is running a sponge iron industry and alleged to be involved in illegal expansion of such Industry without having necessary clearances.

4. That the aforesaid Respondent has been alleged to be violating the environmental norms and indiscriminately dumping Dolochar, i.e. heavily polluting byproduct of sponge iron and the Original Applicant has contended that the said byproduct is dumped in the open land, resultantly, expansion of the Industry is causing Air Pollution by endangering the lives of the common people at Mouza-Hijolgarh, as alleged in the Original Application.

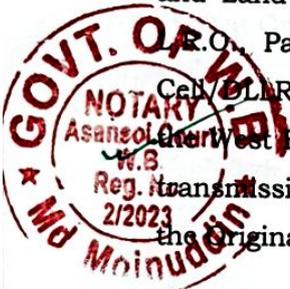
5. That the Original Applicant has prayed before Hon'ble N.G.T., E.Z., KOL to direct the Respondent No.3 from carrying on the alleged illegal activities over the Government Land and prayed for necessary Order for cancellation of the Consent to Establish of the Respondent No.3, as well as to arrange interim compensation by the Respondent No.3 in favour of the inhabitants of the concerned local area.

6. That in the light of the solemn Order dated 08-01-2026 passed by the Hon'ble N.G.T., E.Z., KOL, the Additional District Magistrate and District Land and Land Reforms Officer, Paschim Bardhaman, in short A.D.M. & D.L. & L.R.O., Paschim Bardhaman in terms of the Memo bearing No. 477/Law-Cen/26-LRRO-PAB/26 dated 12-02-2026 has requested the designated Officer of West Bengal Pollution Control Board having its Office at Asansol to cause transmission of an Action Taken Report in the line of the allegations raised by the Original Applicant.

26 FEB 2026 photocopy of the aforesaid Memo dated 12-02-2026 is annexed hereto and marked **Annexure-P1**.

7. That in response to the Memo dated 12-02-2026 sent by the A.D.M. & D.L.&L.R.O., Paschim Bardhaman, the Environmental Engineer, Asansol Range Office has sent a Report in terms of the Memo bearing No. 80-WBPA/Red (BWN)/Cont (517)/06 dated 16-02-2026 whereby and whereunder the following have been emanated:-

- (i) Inspections have been caused at the Industrial Unit by the Board Officials.
- (ii) Hearing has been held at Head Quarter (H.O.), Kolkata.



- (iii) The State Board has been pleased to issue direction upon the concerned Industrial Unit, as delineated in the Memo bearing No. 10954-2N-62/2022/E dated 15-07-2025.
- (iv) The Unit has been visited again for reported prescribed non-compliance with the norms set-out by the State Board, thereby, first hearing has been conducted.
- (v) The record of proceeding of the said first Hearing is reported to be underway.
- (vi) Direction issued by the State Board dated July 15, 2025 and direction for Appearance dated February 03, 2026 before the State Board have been forwarded to the A.D.M. & D.L.& L.R.O., Paschim Bardhaman by the Environmental Engineer, Asansol Range Office dated 16-02-2026 (ibid).

The photocopy of the aforesaid Memo dated 16-02-2026 alongwith the Report and proceeding annexed thereto are annexed herewith and marked collectively **Annexure-P2**.

8. That it is being humbly submitted before this Hon'ble Tribunal that in the light of the facts and reports discussed and gathered from the Office under the control of the Respondent No.1 by the answering respondent herein may kindly be considered by the Hon'ble N.G.T., E.Z., KOL for adjudication of the instant Original Application.

9. That 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.

10. The statements made in paragraph (1) to (5) are based on information derived from the records, which are usually kept and maintained by the answering respondent in the ordinary course of business, which I verily believe to be true and the statements made in paragraphs (6) to (9) are my humble submission before this Hon'ble Tribunal.

Prepared in my office

Advocate

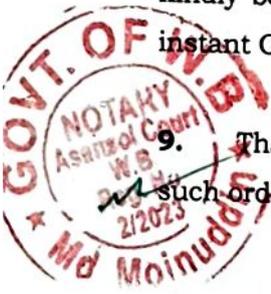
solemnly affirmed & declared as  
Oath before me on Identification

*Md. Moinuddin*  
Md. Moinuddin  
NOTARY Reg. No. 2/2023  
Asansol Court, Govt of WB

Deponent

District Magistrate  
Paschim Bardhaman

26 FEB 2026



26 FEB 2026

**Verification**

I, the deponent within named, do hereby solemnly affirm and verify that the contents of the statements made in the above paragraphs of the affidavit are true and correct to the best of my knowledge and belief. No part of the same is false and nothing material has been concealed therefrom.

Verified at Asansol, on this the 26<sup>th</sup> Day of February, 2026.

Identified by me

*Sudip Kumar Das*  
Advocate

State of West Bengal

Deponent

*[Signature]*

District Magistrate  
Paschim Bardhaman



26 FEB 2026

Solemnly Affirmed & Declared  
Oath before me on Identification

*Md. Mozinuddin*

Md. Mozinuddin  
NOTARY Reg. No. 2/2023  
Asansol Court, Govt. of W.B.



-6-  
ANNEXURE- P<sub>1</sub>



GOVERNMENT OF WEST BENGAL  
OFFICE OF THE ADDITIONAL DISTRICT MAGISTRATE AND  
DISTRICT LAND & LAND REFORMS OFFICER  
PASCHIM BARDHAMAN

Vivekananda Sarani, P.O. R.K. Mission, Asansol 713305

E-mail: dlropaschimbardhaman@gmail.com

Memo. No.: 477 /Law-Cell/DLLRO-PAB/26

Date: 12.02.2026

To,  
The Senior Environmental Engineer,  
West Bengal Pollution Control Board,  
KSTP, near Shramik Bhawan, Asansol,  
Paschim Bardhaman, PIN- 713305

Sub.- Onward transmission of Action Taken Report-Reg.

Ref.- O.A. No. 136/2025/EZ (NGT) in the matter of Ramiji Kazi -Vs- The West Bengal Pollution Control Board & Ors.

Sir,

Apropos the subject and reference quoted above, this is to inform you that one Ramiji Kazi has filed an Original Application before the Hon'ble National Green Tribunal, Eastern Zone, Kolkata by raising allegation against the Respondent No.3, that is, M/s. MB Sponge & Power Limited to the extent that the said Respondent is allegedly causing Air Pollution by endangering the lives of the common people of the area at Mouza-Hijolgorah and allegedly involved in expansion of the Sponge iron industry over the said area.

It has further been alleged that the said Industry is continuing its operation without having clearance of the appropriate authority.

The aforesaid matter has been heard out by the Hon'ble National Green Tribunal, Eastern Zone Bench at Kolkata and specific directions have been given for filing response by the Respondent No.2, that is, the District Magistrate, Paschim Bardhaman by submitting an Affidavit.

The specific Plot (Dag) Nos. and the quantum of land have been mentioned in the Original Application and photocopy of the said Original Application is enclosed hereto.

In view of the above, you are hereby requested to arrange and transmit an Action Taken Report as expeditiously as possible for ensuring compliance regarding filing Affidavit by the Respondent No. 2 (District Magistrate, Paschim Bardhaman).

Encl:- As stated above.

Yours faithfully,

12/02/26  
ADDITIONAL DISTRICT MAGISTRATE,  
AND  
DISTRICT LAND AND LAND REFORMS OFFICER,  
PASCHIM BARDHAMAN  
&  
DISTRICT LAND & LAND REFORMS OFFICER  
PASCHIM BARDHAMAN



**LIFE**  
Lifestyle for  
Environment

R-757  
16/02/26

7- ~~OC Law~~

ANNEXURE-P2

WEST BENGAL POLLUTION CONTROL BOARD  
(Department of Environment, Government of West Bengal)

Asansol Regional Office  
Kalyanpur Satellite Township Project (KSTP)  
Dr. B.C. Roy Road, P.O.- Dakshin Dhadka  
Asansol -713 302, Dist- Paschim Bardhaman  
Phone: (0341) 2999280 /2999281

Memo No: 80 - WPBA/Red (Burn)/Cont(517)/06

Date: 16 /02/2026

From: Environmental Engineer  
Asansol Regional Office  
To,

Additional District Magistrate, and District Land & Land Reforms Officer  
Office of the ADM, DL & LRO, Paschim Bardhaman  
Vivekananda Sarani, PO- Ramkrishna Mission,  
Asansol 713305

Sub: Onward transmission of Action Taken Report

Ref: i. Your letter vide memo no 477/Law-Cell/DLLRO-PAB/26 dated 12/02/2026  
ii. OA No 136/2025/EZ(NGT) in the matter of Ramji Kazi-vs- The West Bengal Pollution Control & Ors.

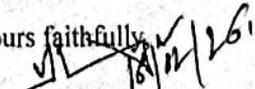
Sir,

With reference to issues related to compliance of environmental norms raised in the original application (OA no 136/2025/EZ(NGT)) before Eastern Bench of NGT, inspections were caused at the unit by Board officials and hearing was held at HO, Kolkata. A direction was issued against the unit accordingly from the State Board vide memo no 10954-2N-62/2022/E dated 15/07/2025.

The unit was however visited again for non-compliance with respect to prescribed environmental norms and fresh hearing has been conducted. Record of proceeding of the said hearing is underway.

Direction from the State Board dated 15/07/2025 and direction for appearance dated 03/02/2026 before the State Board are attached herewith.

Yours faithfully,

  
Environmental Engineer  
Asansol Regional Office



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Environment

**WEST BENGAL POLLUTION CONTROL BOARD**  
(Department of Environment, Government of West Bengal)  
Parbesh Bhawan, 10A, Block - LA, Sector III, Bidhannagar  
Kolkata - 700 106, Ph. No.: 2202-3097/3096  
Website: [www.wbpcb.gov.in](http://www.wbpcb.gov.in), Email: [net.wbpcb-wb@bangla.gov.in](mailto:net.wbpcb-wb@bangla.gov.in)

Memo No.

-2N-62/2022/E

Date: /07/2025

### DIRECTION

WHEREAS, the West Bengal Pollution Control Board (hereinafter referred to as the State Board) had received a complaint from M/s. Rashmi Cement Ltd., having Corporate office at Premlata Building, 39, Shakespeare Sarani, 6<sup>th</sup> Floor, Kolkata-700017 against M/s. MB Sponge & Power Ltd. (hereinafter referred to as the industry) located at Vill.-Hijalgora, P.S.-Jamuria, Dist.-Paschim Bardhaman, Pin-713362 regarding unauthorized construction by M/s. MB Sponge & Power Ltd. at LR plot nos. 1757 & 1798, Mouza.-Hijalgora, J.L. No.40, P.O.& P.S.-Jamuria, Dist.-Paschim Bardhaman which are legally owned by M/s. Rashmi Cement Ltd. They also alleged that M/s. MB Sponge & Power Ltd. had submitted false and misleading land documents along with ownership of the said plots at the time of getting Environmental Clearance and Consent to Establish and they requested the State Board for taking necessary steps in this regard.

AND WHEREAS, M/s. MB Sponge & Power Ltd. had obtained Environmental Clearance (EC) and Consent to Establish for its expansion project at Vill.-Hijalgora, P.S.-Jamuria, Dist.-Paschim Bardhaman, Pin-713362 on 20.07.2023 and 08.09.2023 respectively. They had applied for Consent to Operate for the same which was rejected due to improper land documents. The unit has included Plot Nos. 1757 & 1798 in their expansion project. Also, a Court case is pending before the Hon'ble High Court, Calcutta in the matter WPA No. 26875 of 2024 in this regard.

AND WHEREAS, the State Board arranged a hearing on 20/06/2025 at the Head office of the Board involving both M/s. MB Sponge & Power Ltd. and M/s. Rashmi Cement Ltd. Shri Shankar Lal Agrawal, Director, M/s. MB Sponge & Power Ltd. appeared in the hearing and submitted that they are setting up a plant (DRI Kiln, WHRB Power Plant and Ferro Alloy Plant) on 33.22 acres land out of total 38.66 acres land at Vill.-Hijalgora, P.S.-Jamuria, Dist.-Paschim Bardhaman, Pin-713362 after obtaining EC and CTE. He mentioned that they are not setting up any plant machinery on disputed lands i.e. 4.60 acres land under plot no. 1757 and 0.84 acres land under plot no. 1798 and these lands are still vacant. He requested to issue Consent to Operate for its expansion project. He mentioned that they have already applied to the DL&LRO, Paschim Bardhaman for Long Term Settlement (LTS) of 8.69 acres Govt. vested land under Mouza - Hijalgora and Ikhra in favour of their proposed unit which is under active consideration of the Govt.

AND WHEREAS, the State Board vide Memo No. 206-2N-62/2022(E) dated 10.03.2025 directed M/s. MB Sponge & Power Ltd. not to undertake any construction activity on land parcels which are not under their legal possession

AND WHEREAS, Shri B.N. Sharma on behalf of M/s. Rashmi Cement Ltd. was present during the hearing on 20/06/2025 and stated that M/s. MB Sponge & Power Ltd. has submitted false and misleading information regarding land ownership for its expansion project while obtaining EC from MoEF&CC, GoI and Consent to Establish from the State Board. He also stated that plot nos. 1757, 1798 & 1786 under Mouza.-Hijalgora, J.L.No.-40, P.O.& P.S.-Jamuria, Dist.-Paschim Bardhaman are legally owned by M/s. Rashmi Cement Ltd. and its associate companies and not by M/s. MB Sponge & Power Ltd. He mentioned that the alleged unit is constructing on the said plots and he requested not to issue any Consent to Operate to the alleged unit for the disputed plots. He also mentioned that they have filed a writ petition before the Hon'ble High Court, Calcutta in the matter WPA No. 26875 of 2024 in this regard.

**AND WHEREAS**, since the issue is related to the possession of Govt. vested land, the Technical Committee is of the opinion that the matter may be referred to the Additional District Magistrate (Land & Land Reforms), Paschim Bardhaman for his kind information with a request to inform the State Board regarding the status of LTS in favour of M/s. Rashmi Cement Ltd. / M/s. MB Sponge & Power Ltd. with respect to plot nos. 1757, 1798, 1786, 1802, 1771 under Mouza-Hijalgora and plot no. 2027 under Mouza-Ikhra.

**NOW THEREFORE**, considering the above, M/s. MB Sponge & Power Ltd. located at Vill.-Hijalgora, P.S.-Jamuria, Dist.-Paschim Bardhaman, Pin-713362 is hereby directed as follows:-

1. That, the industry shall not carry out any construction activity on the plot nos. 1757, 1798 & 1786 at Vill.-Hijalgora, P.S.-Jamuria, Dist.-Paschim Bardhaman, Pin-713362 and also other plots of land parcels which are not under their valid possession.
2. That, the industry shall submit Right of Records / Porcha from Land & Land Reforms Department, Govt. of West Bengal in favour of the unit for the above mentioned plots at the earliest.
3. That, Consent to Operate for upcoming units of the industry shall be considered only after submission of proper land documents under their possession.
4. That, the industry shall not start the operation of its expansion project without obtaining Consent to Operate from the State Board.
5. That, the industry shall strictly comply with the conditions of Environmental Clearance and Consent to Establish and in case of any violation of conditions of Consent to Establish, the State Board shall initiate necessary action under relevant Acts/Rules.

M/s. Rashmi Cement Ltd. is advised to inform ADM (L&LR), Paschim Bardhaman regarding possession of their land parcels as mentioned in their submission.

The Additional District Magistrate (Land & Land Reforms), Paschim Bardhaman is requested to inform the State Board regarding the status of LTS in favour of M/s. Rashmi Cement Ltd. / M/s. MB Sponge & Power Ltd. with respect to plot nos. 1757, 1798, 1786, 1802, 1771 under Mouza-Hijalgora and plot no. 2027 under Mouza-Ikhra. The ADM (L&LR), Paschim Bardhaman is also requested to inform the State Board whether any other plots of Govt. vested land allotted to M/s. MB Sponge & Power Ltd. on LTS for industrial purposes.

The Environmental Engineer & In-charge, Asansol Regional Office of the State Board is requested to oversee the compliance of Board's direction.

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/-

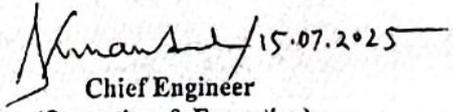
Chief Engineer  
(Operation & Execution)  
West Bengal Pollution Control Board

Memo No. 10954 (9) -2N-62/2022/E

Date: 15/07/2025

Copy forwarded for information and necessary action to:-

1. M/s. MB Sponge & Power Ltd., Vill.-Hijalgora, P.S.-Jamuria, Dist.-Paschim Bardhaman, Pin-713362
2. M/s. Rashmi Cement Ltd., Premlata Building, 39, Shakespeare Sarani, 6<sup>th</sup> Floor, Kolkata-700017
3. The Additional District Magistrate (L&LR), Paschim Bardhaman, Office of the District Magistrate, ADDA Administrative Building, Kanyapur, P.O.-Ramkrishna Misson, Dist.-Paschim Bardhaman Pin-713 305
4. The Chief Engineer, Planning & EIM Cell, WBPCB
5. The Senior Law Officer, WBPCB
6. The Environmental Engineer & In-charge, Asansol Regional Office, WBPCB
7. T.A. to the Member Secretary, WBPCB
8. P.A. to the Chairman, WBPCB
9. Technical Cell, WBPCB for updating the website
- 10 Environment Officer- Communication, WBPCB - for circulation through float file
- 11 Guard file of O & E Cell

  
15.07.2025  
Chief Engineer  
(Operation & Execution)  
West Bengal Pollution Control Board



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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.: 033-2202-3000  
Website: [www.wbpcb.gov.in](http://www.wbpcb.gov.in), Email: [nct.wbpcb-wb@bangla.gov.in](mailto:nct.wbpcb-wb@bangla.gov.in)

Memo No.

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

Date: /02/2026

**DIRECTION FOR APPEARANCE**

Based on non-compliance of environmental norms observed during inspection of the unit by the State Board official on 19/01/2026, M/s. **M.B. Sponge & Power Ltd.** located at Near Ikrah Railway Station, P.O. Hijolgora, P.S. Jamuria, Dist. Paschim Bardhaman, Pin. 713362 hereby directed to appear before the State Board on **10<sup>th</sup> February, 2026 (Tuesday), at 13.30 Hrs.** at "Paribesh Bhawan", 10A, Block - LA, Sector - III, Salt Lake City, Kolkata - 700106 for giving an opportunity through a hearing as a means of natural justice.

The unit is requested to remain present on the said hearing through its Managing Director/ Director/ General Manager/Proprietor/Partner/occupier accompanied by concerned technical person along with all relevant papers including statutory licenses like copy of Environmental Clearance, the Consent to Establish & Consent to Operate etc. The unit may make a written submission during the hearing.

Sd/-

**Sr. Environmental Engineer (O&E)**  
**West Bengal Pollution Control Board**

Memo No 100 (1) -1M-11/2009(Pt-XIV)

Date: 03/02/2026

Copy to:

✓ M/s. **M.B. Sponge & Power Ltd.** located at Near Ikrah Railway Station, P.O. Hijolgora, P.S. Jamuria, Dist. Paschim Bardhaman, Pin. 713362

*Relin* 03/02/2026

**Sr. Environmental Engineer (O&E)**  
**West Bengal Pollution Control Board**

**BEFORE THE HON'BLE NATIONAL  
GREEN TRIBUNAL EASTERN ZONE  
BENCH, KOLKATA**

**ORIGINAL APPLICATION NO.  
136/2025/EZ**

In The Matter of:-

Ramiji Kazi

..... Applicant

- Versus-

West Bengal Pollution Control  
Board & Ors.

.... Respondents

**AFFIDAVIT ON BEHALF OF  
RESPONDENT NUMBER 02, i.e THE  
DISTRICT MAGISTRATE &  
COLLECTOR, PASCHIM BARDHMAN**

Submitted by:

Mr. SIUDIP DUTTA,  
Advocate,  
State of West Bengal  
(M): 9874782072  
Email: advocate.skdutta@gmail.com