

SL NO... 33

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

(Application under Section 18(1) read with Sections 14 and 15 and under
Section 18(2) of the National Green Tribunal Act, 2010)

ORIGINAL APPLICATION NO. 44 OF 2025 2026

IN THE MATTER OF:

CHANDU MURMU & ANOTHER

....APPLICANTS

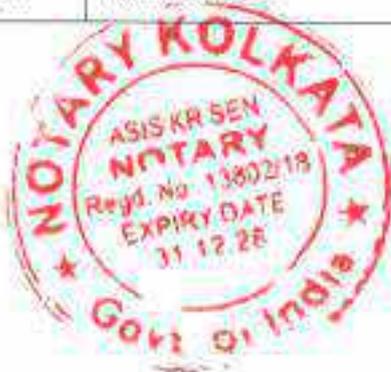
VERSUS

THE STATE OF WEST BENGAL & OTHERS

.....RESPONDENTS

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Filed by:

Stenandipk...
Advocate

Date: 26/11/2025

Place: Kolkata



SYNOPSIS

Applicants have filed the present Application, *inter alia*, challenging the impugned Notice/Order dated 7th August 2025 passed and/or issued by the Office of the District Magistrate, Birbhum, thereby directed the Applicants to discontinue the operation of their stone crushing unit and further imposed a penalty of Rs. 1,50,000/-, in spite of the fact that the applicants have never operated their unit illegally or in contravention of law. On the contrary, the Applicants have always carried on their business strictly under valid consents and permissions duly granted by the competent authorities. The Impugned Order has been passed with manifest mala fides and for extraneous considerations, without any cogent basis or justification. Such an Order not only violates the principles of natural justice but also amounts to abuse of administrative power. The Impugned Order has been passed in a wholly arbitrary and high-handed manner, without affording any opportunity of hearing to the Applicants which is in complete violation of the principles of natural justice. While violating the principles of natural justice, the concerned authorities have impinged upon Applicants' Fundamental Right enshrined under Article 19(1)(g) of the Constitution of India as it has snatched its right to carry on its business. Further, the Office of the District Magistrate does not have and cannot have any authority to impose or direct payment of any fine upon the Applicants. The power to levy or enforce such monetary penalties under the *Water (Prevention & Control of Pollution) Act, 1974* and the *Air (Prevention & Control of Pollution) Act, 1981* was expressly withdrawn from the Office of the District Magistrate pursuant to the Order dated 30th January 2023 issued by the West Bengal Pollution Control Board. Consequently, any direction for payment of fine issued by the District Magistrate is *void ab initio* and liable to be quashed and the impugned order dated 7th August 2025 passed by the Office of the District Magistrate, Birbhum is liable to be set aside.

Hence the present application.



LIST OF DATES AND EVENTS

DATE	EVENTS
28.11.2016	Notice dated 28 th November 2016 issued by the Office of the Additional District Magistrate and District Land & Land Reforms Officer, Birbhum, to the applicants thereby directing them to deposit a fine of Rs.1,50,000.
2017	Miscellaneous Applications filed by many Stone Crusher Unit in O.A. No. 44/2015/EZ, seeking appropriate reliefs before this Hon'ble Tribunal for modification of the Order dated 15 th November 2016 passed in Original Application.
11.10.2017	By an Order dated 11 th October 2017, the MA as filed by the applicants along with the Original Application No. 44/2015/EZ were disposed of, by directing the Office of the District Magistrate to consider the representation of the Applicants for issuance or renewal of the Consent to Operate.
31.12.2015	Consent to Operate was issued by the West Bengal Pollution Control Board in favour of the Applicant No. 2, validating the legality of the business of the Applicants.
19.09.2020	Consent to Operate was issued by the West Bengal Pollution Control Board in favour of the Applicant No. 2, validating the legality of the business of the Applicants.
24.06.2022	Consent to Operate was issued by the West Bengal Pollution Control Board in favour of the Applicant No. 2, validating the legality of the business of the Applicants.
30.01.2023	Order passed by the West Bengal Pollution Control Board thereby the authority earlier delegated to the Office of the District Magistrate for grant and / or renewal of Consent to Operate stood expressly withdrawn, thereby centralizing the power back with the West Bengal Pollution Control Board.
26.05.2023	By a letter dated 26 th May 2023, the Association of Mine



	Owners was apprised of an Order dated 30 th January 2023 passed by the West Bengal Pollution Control Board.
26.05.2023	The Applicants deposited and/or paid an amount of Rs. 4040/- to the West Bengal Pollution Control Board for renewal and / or extension of the Consent to Operate with effect from November 2022 till October 2027.
30.05.2023	From 30 th May 2023, the West Bengal Pollution Control Board became the sole and competent authority obliged to issue and / or renews the Consent to Operate in favour of the Applicants.
13.01.2025	The Applicants received a Notice issued by the Block Land & Land Reforms Officer, Md. Bazar, Birbhum. In the said Notice, the Applicants were directed to discontinue all business operations at their stone crushing unit forthwith without any reason mentioned therein.
07.08.2025	Notice/Order of the Office of the District Magistrate, Birbhum, thereby directed the Applicants to discontinue the operation of their stone crushing unit and further imposed a penalty of Rs. 1,50,000/-



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

(Application under Section 18(1) read with Sections 14 and 15 and under
Section 18(2) of the National Green Tribunal Act, 2010)

ORIGINAL APPLICATION NO. OF 2025

IN THE MATTER OF:

1. Chandu Murmu, son of Late Pitha Murmu, residing at Village Sagarbandhi, Post Office Mokdamnagar, Police Station Md Bazar, District Birbhum, Pin 731 216.
2. M/s. Adi Bashi Stone Crusher, a partnership firm within the meaning of the Partnership Act, 1932, represented by the aforesaid partners, having its office at Village Sagarbandhi, Post Office Mokdamnagar Mokdamnagar, Police Station Md. Bazar, District Birbhum.

.....APPLICANTS

VERSUS

1. The State of West Bengal, service through the Chief Secretary, Government of West Bengal, having its office at NABANNA (13th Floor),



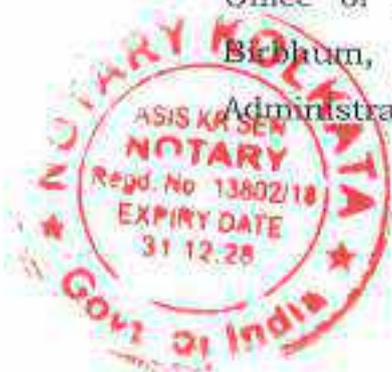
325, Sarat Chatterjee Road,
Shibpur, Howrah 711 102,
Email: secci@wb.gov.in

2. Central Pollution Control Board,
service through its Member
Secretary, having its office at
PARIVESH BHAWAN, East Arjun
Nagar, Delhi 110 032.
Email: mscb.cpcb@nic.in

3. Department of Environment,
Government of West Bengal, service
through its Additional Chief
Secretary, having its office at
PRANISAMPAD BHAWAN, Block (5th
Floor), LB-II, Salt Lake, Sector-III,
Bidhannagar, Kolkata 700 106.
Email: psecy.env-wb@gov.in

4. West Bengal Pollution Control
Board, service through its Member
Secretary, having its office at
PARIVESH BHAWAN, 10A, Block
LA, Sector III, Salt Lake City,
Kolkata 700 106.
Email: ms.wbpcb-wb@bangla.gov.in

5. The District Magistrate, Birbhum,
Office of the District Magistrate,
Birbhum, having its office at
Administrative Building, Suri Main



Road, Birbhum, West Bengal 731
101.

Email: dm-bir@nic.in

6. Block Development Officer, Md.
Bazar Development Block, having
its office at Block Development
Office, Post Office and Police
Station Md. Bazar, District
Birbhum, West Bengal 731 101.
Email: bdomdbazar@gmail.com

.....RESPONDENTS

**APPLICATION UNDER SECTION 18(1) READ WITH SECTION 14 AND 15
AND UNDER SECTION 18(2) OF THE NATIONAL GREEN TRIBUNAL ACT,**

2010

To

The Hon'ble Chairperson and his Companion Members of the Hon'ble
National Green Tribunal, Eastern Zone Bench, Kolkata



The humble application on behalf of
the applicants abovenamed most
respectfully

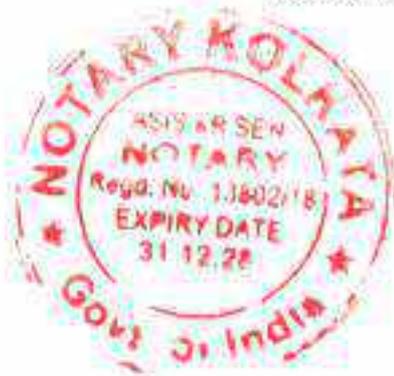
SHEWETH:

1. The present Application is being filed under Sections 18(1) and 18(2), read with Sections 14 and 15 of the National Green Tribunal Act, 2010 ("NGT Act"), against the Order dated 07.08.2025 passed by Respondent

No.5 i.e. District Magistrate, Birbhum, West Bengal, whereby Respondent No.5 has, *inter alia*, directed the Applicants to not to continue the operations in respect of Applicants' business of stone crushing and has also imposed a penalty of Rs. 1,50,000/- upon it ("**Impugned Order**"). The Impugned Order has been passed in a wholly arbitrary and high-handed manner, without affording any opportunity of hearing to the Applicants which is in complete violation of the principles of natural justice. While violating the principles of natural justice, the Respondent No.5 has impinged upon Applicants' Fundamental Right enshrined under Article 19(1)(g) of the Constitution of India as it has snatched its right to carry on its business. A bare perusal of the aforesaid Impugned Order makes it evident that the same is *ex facie* bogus since it *inter alia* wrongly puts Applicant No.2 under Category-1 as it is a matter of fact and record that Applicant No.2 would not fall under Category -1.

2. PARTIES:

- a. The Applicant No. 1 is one of the partners of Applicant No.2 firm. A copy of the current Partnership Deed dated 14th October, 2003 of the Applicants is annexed hereto as **ANNEXURE A.**
- b. Respondent No.1 is State of West Bengal, through the Chief Secretary, Government of West Bengal.
- c. Respondent No.2 is Central Pollution Control Board, through its Member Secretary.



- d. Respondent No.3 is Department of Environment, Government of West Bengal, through its Additional Chief Secretary.
- e. Respondent No.4 is West Bengal Pollution Control Board, service through its Member Secretary.
- f. Respondent No.5 is the District Magistrate, Birbhum, West Bengal.
- g. Respondent No.6 is Block Development Officer, Md. Bazar Development Block, Birbhum.

3. BRIEF FACTS:

The brief facts leading to the filing of the captioned Application are as hereunder:

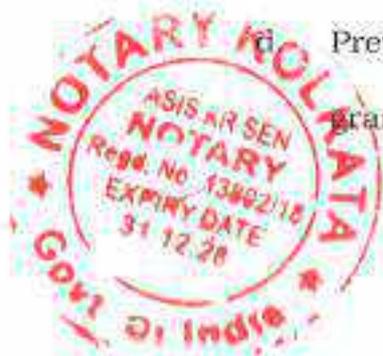
- a. The Applicants are carrying on business under the name and style of M/s. Adi Bashi Stone Crusher, and are engaged in the activity of stone crushing from their unit situated at Village Sagarbandhi, Post Office Mokdamnagar, Police Station Md. Bazar, District Birbhum. The Applicants have been continuously engaged in the said business for the past thirty years and have at all times duly complied with and adhered to the rules, regulations, and statutory requirements governing such business activities. Copy of the Registration Certificate necessary for conducting business of stone crushing, which is valid till 2028, is annexed hereto as

ANNEXURE B.



- b. Furthermore, the Applicants have been depositing necessary and appropriate tax and the same have been collected by the local Gram Panchayat from time to time. In this regard, a Copy of one of such receipt issued by the local Gram Panchayat are annexed hereto as **ANNEXURE C**.
- c. The business of the Applicants has at all material times, been conducted in a fair, transparent, and *bona fide* manner, strictly in compliance with the laws for the time being in force. It is respectfully submitted that no competent authority has ever raised any dispute, objection or adverse remark with respect to either the establishment or the continuation of the Applicants' business. On the contrary, the Applicants have consistently ensured lawful operation of their business by securing and maintaining, from time to time, all requisite permissions, licenses, approvals, and sanctions from the appropriate statutory and regulatory authorities. The Applicant no. 2 was granted Consent to Establish by the West Bengal Pollution Control Board way back in the year 2005 and time to time issued certificate of Consent to Operate. In this regard, a copy of the Consent to Establish dated 7th October, 2005 is annexed hereto as **ANNEXURE D**.

d. Previously, the Applicants were required to submit applications for grant and / or renewal of permission to operate and / or continue



their business before the Office of the District Magistrate, Birbhum i.e. Respondent No.5 herein. The said Office of the District Magistrate functioned as the delegated authority of the West Bengal Pollution Control Board i.e. Respondent No.4 herein, in terms of and under the provisions of the *Water (Prevention and Control of Pollution) Act, 1974* and the *Air (Prevention and Control of Pollution) Act, 1981*. In discharge of such delegated authority, the District Magistrate was duly empowered to issue the requisite certificates and / or consents from time to time. The Applicants, in faithful adherence to the said statutory scheme, regularly deposited the prescribed fees and charges with the Office of the District Magistrate, Birbhum, towards issuance and / or renewal of the requisite Consent to Operate. This consistent compliance on the part of the Applicants further demonstrates their *bona fide* intent and continued adherence to statutory and regulatory obligations governing their business.

- e. In or about November 2016, numerous numbers of similarly situated stone crusher units were taken by surprise upon receipt of a Notice dated 28th November 2016 issued by the Office of the Additional District Magistrate and District Land & Land Reforms Officer, Birbhum. The said Notice placed its reliance on an Order dated 15th November 2016 passed by this Hon'ble Tribunal in Original Application bearing No. 44/2015/EZ, enclosed therein. It



is pertinent to mention here that the applicants were not served with the said notice. It is pertinent that the applicants have not received such notice.

- f. Pursuant thereto, the said stone crusher units were directed to deposit a fine of Rs. 1,50,000/-. It is respectfully submitted that the aforesaid demand was raised without affording such stone crusher units any prior opportunity of hearing, and merely on the basis of reliance placed upon the said order, notwithstanding the fact that such stone crusher units were not party to the proceedings in O.A. No. 44/2015/EZ.
- g. The aforesaid stone crusher units were unaware of the proceedings bearing Original Application No. 44/2015/EZ or of any proceedings pending before this Hon'ble Tribunal in relation thereto. A bare perusal of the Order dated 15th November 2016 clearly reveals that such stone crusher units were neither parties to the said proceedings nor bound by the directions issued therein. Upon receipt of the said notice and the consequential demand purportedly raised on the strength of the said order, such stone crusher units promptly challenged the same and *inter alia* contended that they do not fall within the ambit or scope of the said Order, nor could any liability or fine be lawfully imposed upon them pursuant thereto. The applicants crave leave from this



Hon'ble Tribunal to produce and rely on one of such Miscellaneous Application at the time of hearing, if necessary.

- h. In the said MA, such stone crusher units had prayed for modification of the Order dated 15th November 2016, insofar as such stone crusher units were concerned. They have further prayed for a declaration that the Order for payment of fine is not applicable on such stone crusher units for the reason mentioned therein.
- i. A bare perusal of the said MA would further bring out that such stone crusher units had specifically brought to the notice of this Hon'ble Tribunal that the concerned authorities had duly accepted the requisite statutory fees from them towards renewal of the Consent to Operate. However, despite receipt and retention of such payments, the authorities failed and neglected to issue the renewal in favour of such stone crusher units such stone crusher units. The said omission, being arbitrary and contrary to the settled principles of fairness and administrative propriety, was raised in the said MA.
- j. Pursuant thereto, *vide* an Order dated 11th October 2017, the said MA along with the Original Application No. 44/2015/EZ were disposed of, by directing the Office of the District Magistrate to



consider the representation of such stone crusher units for issuance or renewal of the Consent to Operate. A copy of the said Order dated 11th October 2017 is annexed hereto as **ANNEXURE E**.

k. In the meantime, as required by the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981, certificate for Consent to Operate was issued by the West Bengal Pollution Control Board from time to time, and one of such consent was issued way back on 31st December, 2015 and thereafter on 19th September, 2020 and 24th June, 2022 in favour of the Applicant No. 2, validating the legality of the business of the Applicants. Copies of the Certificate and/or Consent to Operate dated 31st December, 2015, 19th September, 2020 and 24th June, 2022 are collectively annexed hereto as **ANNEXURE F**.

l. A bare perusal of the aforesaid Consent to Operate makes it clear that the West Bengal Pollution Control Board itself duly recognized and acknowledged the legality, validity, and *bona fide* operation of the Applicants' business. It is therefore evident that at no point of time was there any violation, irregularity, or infraction of the statutory provisions attributable to the Applicants in the course of their business activities. The said Consent to Operate, having been validly issued, remained operative for the period commencing from



December 2015 and continued until February 2027, thereby fortifying the Applicants' compliance with all regulatory requirements during the relevant period.

- m. In the meantime, a state of uncertainty arose with respect to the competent authority, insofar as it was unclear whether Respondent No.2 or Respondent No.5 was vested with jurisdiction to issue or renew the Consent to Operate. In view thereof, due to lack of clarity as to the appropriate body empowered to process such applications, the Applicants were effectively left remediless, having nowhere to approach for renewal of the Consent to Operate during the said period.
- n. Subsequently, by a letter dated 26th May 2023, the Association of Mine Owners was apprised of an Order dated 30th January 2023 passed by the West Bengal Pollution Control Board. A perusal of the said Order revealed that the authority earlier delegated to the Office of the District Magistrate for grant and/or renewal of Consent to Operate stood expressly withdrawn, thereby centralizing the power back with the West Bengal Pollution Control Board. This development clearly substantiates that the earlier impasse was due to inter-departmental uncertainty and not on account of any lapse, omission, or default on the part of the Applicants. A copy of the said order along with the covering letter is annexed hereto as **ANNEXURE G**.



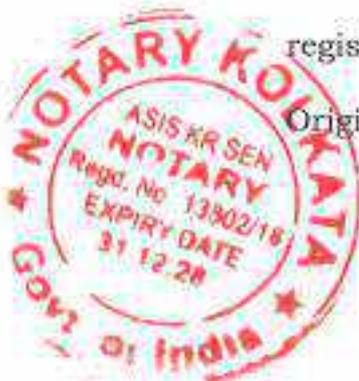
- o. A perusal of the aforesaid Order would reveal that earlier, the office of the District Magistrate was the delegated authority of the West Bengal Pollution Control Board, having the authority to exercise all powers of the West Bengal Pollution Control Board. However, by the aforesaid Order, the West Bengal Pollution Control Board mandated that Consent to Establish and Consent to Operate of stone crushers shall thereafter be exclusively dealt by the West Bengal Pollution Control Board.
- p. Accordingly, with effect from 30th May 2023, the West Bengal Pollution Control Board became the sole and competent authority obliged to issue and / or renews the Consent to Operate in favour of the Applicants. It is respectfully submitted that the Applicants had already complied with and duly discharged all statutory formalities, requirements, and obligations necessary for such renewal. No further act or duty remained to be performed on the part of the Applicants in relation thereto. In fact, the West Bengal Pollution Control Board, having accepted the renewal application along with the requisite statutory fees, was enjoined to process the same and, in the meantime, expressly advised and / or permitted the Applicants to continue their business operations. The conduct of the Board in accepting the application and fees gives rise to a legitimate expectation in favour of the Applicants that the renewal



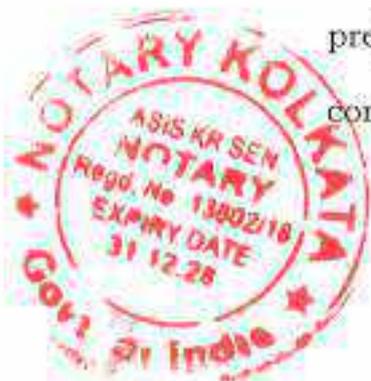
would be granted in due course, and accordingly, no prejudice ought to be caused to them on account of administrative delay or omission.

- q. On 12th May 2024, the *Hindu* published a news article "*Birbhum – a proposed coal mine in West Bengal and the related health hazards*" concerning the West Bengal Government's proposed 35,000 crore Deocha Pachami Coal Block Mining Project at Mohammad Bazar, Birbhum District, West Bengal ("**said Article**"). It is *inter alia* stated in the said Article that the Project has been facing protests relating to land acquisition and that the Government intends to commence mining operations at the Deocha Pachami Coal Block, as it is the largest coal block in the country, with estimated reserves of approximately 1,198 million tonnes of coal and 1,400 million cubic metres of basalt, spread over an area of 12.31 sq. km. (approximately 3,400 acres). The said Article further notes that the Project area comprises around twelve villages, with a population exceeding 21,000, including members of Scheduled Castes and Scheduled Tribes.

- r. In view of the aforesaid, the Hon'ble NGT, New Delhi Bench, registered a *suo motu* case on the basis of the said Article bearing Original Application No.722/2024/PB.



- s. Thereafter, the aforesaid Original Application was transferred by the New Delhi Bench of this Hon'ble Tribunal *vide* its Order dated 03.07.2024 to the Eastern Bench of the Tribunal and the case was renumbered as Original Application No.154/2024/EZ.
- t. On 11th September 2024, this Hon'ble Tribunal constituted a Fact-Finding Committee comprising the following members: (i) Senior Scientist, West Bengal Pollution Control Board; (ii) District Magistrate, Birbhum, or his representative not below the rank of Additional District Magistrate; and (iii) District Mining Officer, Birbhum, or his representative of senior rank. The Committee was directed by this Hon'ble Tribunal to inspect the site in question and submit a comprehensive fact-finding report in relation to the allegations raised in the Original Application.
- u. On 13th January 2025, the Applicants received a Notice issued by the Block Land & Land Reforms Officer, Md. Bazar, Birbhum. In the said Notice, the Applicants were directed to discontinue all business operations at their stone crushing unit forthwith without any reason mentioned therein. The abrupt and arbitrary nature of the said directive caused the Applicants considerable hardship and prejudice, particularly in light of their long-standing lawful conduct and prior approvals from the competent authorities.



v. Pursuant thereto, in spite having a valid consent to operate certificate valid till February, 2027, *Vide* the Impugned Order, the Office of the District Magistrate, Birbhum directed the Applicants to discontinue the operation of their stone crushing unit and further imposed a penalty of Rs. 1,50,000/-. A copy of the said Order dated 7th August 2025 issued by the Office of the District Magistrate is annexed hereto as **ANNEXURE H**.

w. Hence, the captioned Application.

4. **GROUNDS:**

Being aggrieved, the Applicants have filed the present Application *inter alia* on the following grounds, which are in alternative and without prejudice to each other:

- A. The Impugned Order has been passed in a wholly arbitrary and high-handed manner, without affording any opportunity of hearing to the Applicants which is in complete violation of the principles of natural justice.
- B. While violating the principles of natural justice, the Respondent No.5 has impinged upon Applicants' Fundamental Right enshrined under Article 19(1)(g) of the Constitution of India as it has snatched its right to carry on its business.



- C. A bare perusal of the aforesaid Impugned Order makes it evident that the same is *ex facie* bogus since it *inter alia* wrongly puts Applicant No.2 under Category-I as it is a matter of fact and record that Applicant No.2 would not fall under Category -I.
- D. The veracity of the Applicants' lawful operations and possession of requisite consents will be evident from the copies of the Consent to Operate issued by the Respondent No.5 and West Bengal Pollution Control Board from time to time, which demonstrates continuous compliance with statutory and regulatory requirements. The Impugned Order therefore suffers from a material error of fact and is liable to be set aside.
- E. It appears that an impermissible practice has developed on the part of the Respondent Nos. 4 and 2, whereby issuance or renewal of the Consent to Operate is wrongly withheld, whilst simultaneously issuing directions for the closure of stone crushing units. Such a course of action is arbitrary, procedurally irregular and contrary to the principles of natural justice, as it places the Applicants in an untenable position despite their bona fide compliance with statutory requirements.

It is of utmost importance to note that the Respondent No.5 did not possess any authority or jurisdiction to issue the Impugned



Order for closure of the Applicants' unit, as *vide* Order dated 30th January 2023 issued by the Respondent No.4, all powers and functions previously delegated to the Respondent No. 5 (Office of the District Magistrate) under the *Water (Prevention & Control of Pollution) Act, 1974* and the *Air (Prevention & Control of Pollution) Act, 1981*, were expressly withdrawn. Consequently, the Impugned Order suffers from a fundamental legal infirmity and is therefore null and *void ab initio*. The Applicants respectfully submit that any action taken pursuant to the Impugned Order is consequently without legal effect and liable to be set aside to prevent manifest injustice.

- G. It is respectfully submitted that the Impugned Order fails to cite or refer to any specific statutory provision or legal authority under which the directions for payment of fine and closure of the Applicants' units were purportedly issued. The absence of any such legal foundation renders the Impugned Order manifestly arbitrary, procedurally unsustainable and therefore liable to be set aside.

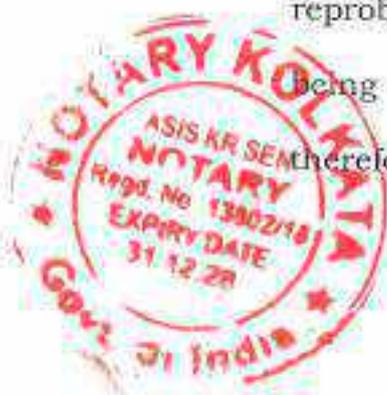
- H. It is further submitted that the Office of the District Magistrate neither possesses nor can exercise any authority to direct the Applicants to discontinue operations in their stone crushing units, as the statutory powers previously delegated to the District



Magistrate in this regard have, by Order of the West Bengal Pollution Control Board dated 30th January 2023, been expressly withdrawn. Any such purported direction is, therefore, wholly without jurisdiction and unenforceable in law.

- I. Similarly, the Office of the District Magistrate does not have and cannot have any authority to impose or direct payment of any fine upon the Applicants. The power to levy or enforce such monetary penalties under the *Water (Prevention & Control of Pollution) Act, 1974* and the *Air (Prevention & Control of Pollution) Act, 1981* was expressly withdrawn from the Office of the District Magistrate pursuant to the Order dated 30th January 2023 issued by the West Bengal Pollution Control Board. Consequently, any direction for payment of fine issued by the District Magistrate is *void ab initio* and liable to be quashed.

- J. The Respondent Authorities are estopped from denying the rights of the Applicants by reason of their own conduct, inasmuch as they have on one hand accepted consideration towards renewal of the Consent to Operate, while on the other hand, unjustifiably withheld such renewal. This amounts to approbation and reprobation, which is impermissible in law. The Impugned Order being vitiated by such arbitrary and contradictory conduct is therefore liable to be quashed and set aside.



- K. The Applicants have at all times complied with and adhered to all statutory norms, environmental safeguards and regulatory requirements prescribed under law. In such circumstances, the directions contained in the Impugned Order are wholly unjust, arbitrary, and without jurisdiction, as no violation is attributable to the Applicants.
- L. The Applicants have never operated their unit illegally or in contravention of law. On the contrary, the Applicants have always carried on their business strictly under valid consents and permissions duly granted by the competent authorities. The Impugned Order has been passed with manifest *mala fides* and for extraneous considerations, without any cogent basis or justification. Such an Order not only violates the principles of natural justice but also amounts to abuse of administrative power.
- M. The Office of the District Magistrate seems to have exercised powers under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and Section 31A of the Air (Prevention & Control of Pollution) Act, 1981, which cannot be exercised at all by the said authority. Only the West Bengal Pollution Control Board has the authority to exercise such powers. Thus, the Impugned Order deserves to be set aside.



N. The Respondent No.4 i.e. West Bengal Pollution Control Board has failed to discharge its statutory duty to issue or renew the requisite Consent to Operate in favour of the Applicants. Despite having received and appropriated the prescribed statutory fees and charges from the Applicants, the said Respondent has arbitrarily withheld such Consent to Operate. This conduct is not only manifestly unjust and arbitrary but also equivalent to abdication of its statutory obligations. The said Respondent, being a public authority, is bound by the principles of fairness, reasonableness, and transparency under Article 14 of the Constitution of India, and its failure to act accordingly renders the Impugned Order unsustainable in law.

O. It is pertinent to note that there has never been any allegation, much less any finding, that the Applicants have violated the permissible pollution norms, exceeded statutory parameters, or otherwise acted in breach of environmental regulations. In the absence of any contravention or violation, there is no jurisdiction vested in the Respondents to direct closure of the units or to impose any fine or penalty. Any such action without demonstrable misconduct on the part of the Applicants is *ex facie* arbitrary, illegal, and violative of the settled law that "*where there is no fault, there can be no penalty*".



- P. The Applicants have been subjected to penal consequences despite there being no fault or default on their part. The Respondent Authorities, having themselves failed to issue or renew the Consent to Operate in a timely and lawful manner cannot now take advantage of their own wrong and proceed to penalize the Applicants. Such conduct squarely falls within the doctrine that no man can take advantage of his own wrong which is a settled law by the Hon'ble Supreme Court of India.
- Q. The conduct and/or steps taken by the Respondent Authorities amount to infringement of the rights of the Applicants as guaranteed under Articles 14, 19 and 21 of the Constitution of India.
- R. There are numerous stone crushing units operating in the same vicinity. The rights of all such units have been infringed and/or violated by the actions of the Respondent Authorities. A substantial question relating to the environment has arisen, i.e., as to whether the Respondent Authorities can withhold permission and/or Consent to Operate, despite there being no violation of any environmental norms and despite accepting the renewal fees.



- S. The Respondent Authorities, especially the West Bengal Pollution Control Board, are required to be directed to issue or renew the Consent to Operate in favour of the Applicants, with effect from November 2022 till such time as this Hon'ble Tribunal shall deem fit and proper. Till such time such certificate and/or consent is issued, no coercive step can be taken by the Respondent Authorities.
- T. There has been a clear abdication of duties by the West Bengal Pollution Control Board, and failure of discharging the duties under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.
5. The Applicants have not preferred any other application on the self-same cause of action before any other Court.
6. The Impugned Order was passed on 7th August 2025 and hence the cause of action for filing the present Application arose on 7th August 2025. Thus, the instant application is being filed within the period of limitation as prescribed under Section 14 of the National Green Tribunal Act, 2010.



7. This Hon'ble Tribunal also has the power and jurisdiction to receive, try and determine the instant application, as the same falls within the subject matter prescribed under the said Act.
8. There is no other alternative or efficacious remedy available to the Applicants and the reliefs, as prayed for herein, if granted, shall do complete justice to the Applicants.
9. The records of the present case are lying at the offices of the Respondent Authorities situated within this Hon'ble Tribunal's jurisdiction. Hence, this Hon'ble Tribunal has the territorial jurisdiction to receive, try and determine the instant Application.
10. There is extreme urgency in the matter as by the Impugned Order dated 7th August 2025, the Office of the District Magistrate has directed the Applicants to discontinue operation in the units, failing which it has been threatened that legal action shall be taken against the Applicants. Thus, in the event immediate Interim Orders are not passed, the Respondent Authorities shall take coercive measures against the Applicants, and in such an event, the Applicants shall suffer irreparable loss, injury and prejudice.
11. The Impugned Order by which the Applicants have been directed to apply for necessary consents / permission is completely misplaced, as the Applicants have already applied for renewal and / or issuance of



Consent to Operate, and the same is pending at the Office of the West Bengal Pollution Control Board.

12. The balance of convenience and/or inconvenience is entirely in favour of the Applicants herein as no prejudice whatsoever would be caused to the Respondents if reliefs prayed for herein are granted, whereas grave prejudice and irreparable loss would be caused to the Applicants on account of huge losses if reliefs prayed for herein are not so granted.

13. The instant application is being made *bona fide* and in the interests of justice.

LIMITATION

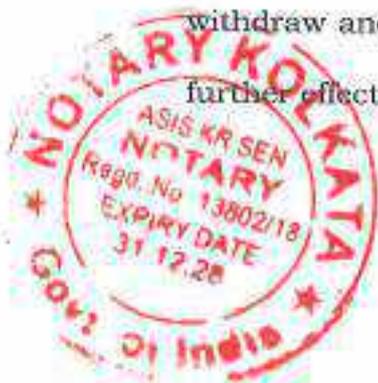
The Applicants declare that as per the National Green Tribunal Act, 2010, the captioned Application is well within the prescribed period of limitation. The cause of action arose upon receipt of the Notice / Order dated 7th August 2025, hence the captioned Application.

PRAYERS

In view of the aforesaid facts, circumstances and grounds, it is humbly prayed that this Hon'ble Tribunal be pleased to:

(a) Set aside the Order dated 7th August 2025 passed by the Office of the District Magistrate, Birbhum;

(b) Direct the Office of the District Magistrate, Birbhum to forthwith withdraw and/or rescind and/or forbear from giving effect and/or any further effect to the Order dated 7th August 2025;



- (c) Restrain the Respondent Authorities from taking any coercive measures against the Applicants in any manner whatsoever; and
- (d) Pass further and/or other order(s) and/or direction(s) as this Hon'ble Tribunal may deem fit and proper.

INTERIM RELIEFS

In view of the aforesaid facts, circumstances and grounds, it is humbly prayed that pending disposal of the instant Application, this Hon'ble Tribunal be pleased to:

- (a) Restrain the Respondent Authorities from giving any effect and/or any further effect to the Order dated 7th August 2025;
- (b) Restrain the Respondent Authorities from taking any coercive measures against the Applicants in any manner whatsoever, including any step for recovery of an amount of Rs. 1,50,000/- either on the basis of the Impugned Order dated 7th August 2025 or otherwise;
- (c) Grant *ex parte ad interim / interim* reliefs in terms of the aforesaid prayers (a) and (b); and
- (d) Pass further and/or other order(s) and/or direction(s) as this Hon'ble Tribunal may deem fit and proper.

Kolkata

Date:



M/s Adibasi Stone Crusher

Chander Muzumdar

Partner

By the applicant no.2

Steven Davidip Bina

Advocate

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

(Application under Section 18(1) read with Sections 14 and 15 and under
Section 18(2) of the National Green Tribunal Act, 2010)

ORIGINAL APPLICATION NO. OF 2025

IN THE MATTER OF:

CHANDU MURMU & ANOTHER

.....APPLICANTS

VERSUS

THE STATE OF WEST BENGAL & OTHERS

.....RESPONDENTS

VERIFICATION

I, Chandu Murmu, aged about 80, son of Late Pitha Murmu, residing at Village Sagarbandhi, Post Office Mokdamnagar, Police Station Md Bazar, District Birbhum, Pin 731 216, do hereby verify that the contents of paragraph nos. 1 to 11 are true to my knowledge and the rest are my respectful submissions before the Hon'ble Tribunal and that I have not suppressed any material fact.

Identified by

Stendersondipb...

Advocate

F/1959/1708/2019

M/s Ardhasi Stone Crusher
Chandhu *Murmu*
Patner

Deponent



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

(Application under Section 18(1) read with Sections 14 and 15 and under
Section 18(2) of the National Green Tribunal Act, 2010)

ORIGINAL APPLICATION NO. OF 2025

IN THE MATTER OF:

CHANDU MURMU & ANOTHER

.....APPLICANTS

VERSUS

THE STATE OF WEST BENGAL & OTHERS

.....RESPONDENTS

AFFIDAVIT

I, Chandu Murmu, aged about 80, son of Late Pitha Murmu, residing at Village Sagarbandhi, Post Office Mokdamnagar, Police Station Md Bazar, District Birbhum, Pin 731 216, do hereby solemnly affirm and state as follows:

1. That I am the applicant no. 1 herein and as such I am well acquainted with the facts of the case and I am duly authorized by the applicant no.2 to affirm this affidavit.
2. That the facts stated in the instant Original Application are all true to the best of my knowledge,

Identified by

Steven...

Advocate

F/1959/1708/2019

Solemnly affirms and declares
before me on Identification

ASIS KUMAR SEN

ASIS KUMAR SEN
City Civil Court, Kolkata
Notary
Reg. No.-13802/18

M/s Adihasi Stone Crusher

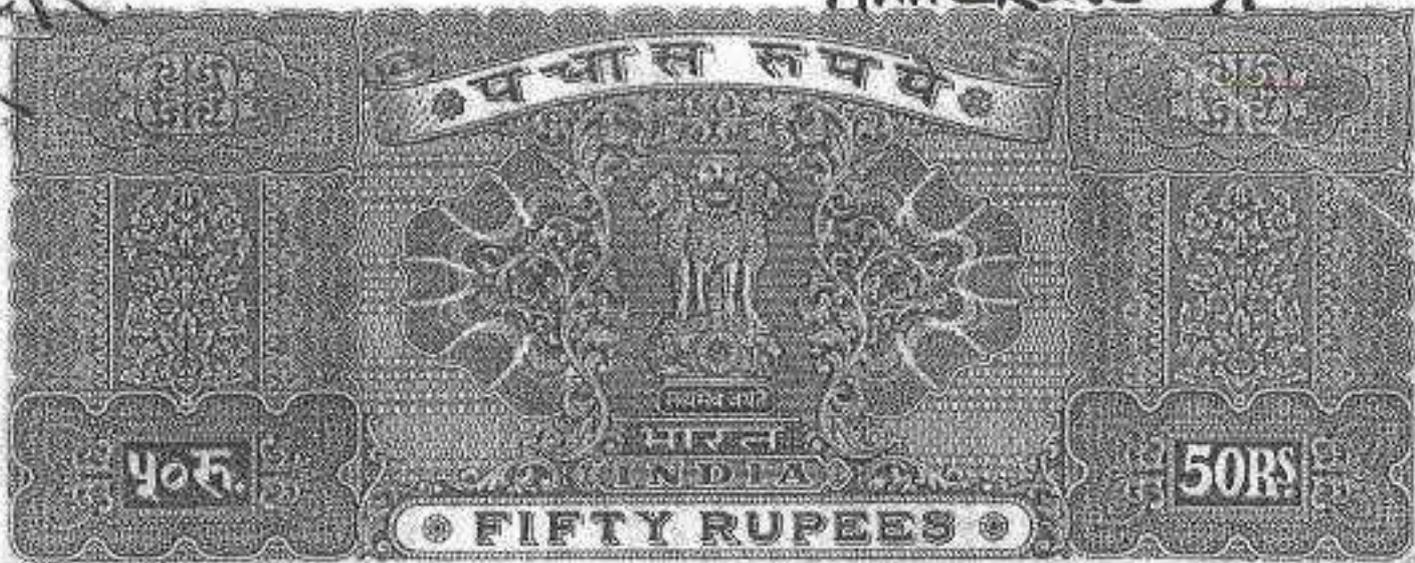
Chandu Murmu
Partner

Deponent



24 NOV 2025





Chandu Murrmu
Md. Haraj' Ali'

DEED OF PARTNERSHIP

THIS DEED OF PARTNERSHIP made on this
 14th Oct. 2003 (Fourteen October Two thousand three)

BETWEEN

1. CHANDU MURMU. Son of late Pihha Murrmu. aged about 62 year
 residing at Village-Sagarbandhi, P.O-Mokdannagar, P.S-Md.Bazar,
 in the District of Birbhum, W.B. by religion Hindu(Sacuntal) herem
 after called the 1st Party of the FIRST PART.

AND

2. MD. HARAJ ALI Son of Late Samu Se aged about 46 year
 at Vill-Alinagar, P.O- Mokdannagar, P.S-Md.Bazar in the
 of Birbhum, W.B. by religion Muslim herem after called
 the 2nd Party of the SECOND PART.



COUN.....



Chandu Mishra
 Md. Haraj Ali

--2--

WHEREAS the above Two partner intended to start a Joint Partnership Business and other as to avoid disputes and misunderstanding amongs the Partners which may be arised in future the parties here to off all above parts have also decided to give in proper form of low and to put in writing the terms and condition according to which the Co- partnership Business would be carried on AND NOW THIS INDENTURE WITNESS as follows:-

1. That the Name and style of the Firm will be "M/S ADI BASHI STONE CRUSHER".

2. That the principal place of Business is Vill -Sagarbandhu, P.O- Mokedamnagar, P.S -Md.Bazar, in the District of Birbham, W.B.

[Handwritten signature]



COUN.....



Chandu Mishra

M. Harsaj Ali

--30--

[Handwritten signature]

3. That the nature of business is Manufacturing of Stone Chips and reselling Quarrying of Stone, Morrum Laterite and supply Business of Stone materials but the firm may engage it self in self in any other Business or industry as the partners of the Firm may decided.
4. That the partnership Business may be extended to any other time so or time of the activity as may be mutually agreed upon and all such activity will be Govern by this indenture of partnership.
5. That the partnership Business would be deemed to have been commence on and form 14-10-2003(Fourteen October Two Thousand Three)

CONT.....



Chandu Mithun
Md. Haraj' Ali

6. That all the partner invest the Capital according to their share of the Business which will be shown in the books of accounts and add any further capital be deemed the partners may contribute or may raise loans from outsiders on suitable terms and from Banks, or W.B.F.C as to case may be decided by the partner.
7. That the Books of accounts of the partnership firm will be closed on 31st March of every Calendar year and the Profit and Loss as ascertained there on would be shared by the partner here to as follow:-

- i) 1st Party ----- 33%
- ii) 2nd Party ----- 67%

8. That the invest capital to the this partnership firm by the partners will be placed in the Book of accounts and it may be maintained in the name of the partnership Firm.

CONT.....



Chander Muzumdar
Md. Hameed Ali

9. That on account or accounts will be opened in any Schedule Bank to be decided by the said purposes and will be operated by jointly.
10. That the firm can borrow money, from any person or persons / bank / Govt. financial Institution as the partners may think necessary for the Business all the loans of the firm shall be required to be executed and signed by all partners or through their agent by way of power of attorney duly appointed on this behalf.
11. That none of partners have any liberty to pledge, hypothecate or encumber the property assets or stocks of goods of the firm with out the consent in writing of the others.
12. That in case of death of any of the partners, the firm is not dissolved but it will be continued by admitting the legal heir or heirs or nominee of the deceased partner and the firm shall continue, if the legal heir or nominee of the deceased partner do not want to continue the firm, the heirs any right to take capital form the firm according to balance sheet.
13. That the all parties of this deed of partnership shall be as working partners and the all the above stated working partners are responsible for day to day business activities of the firm and the working partners shall get salary / Remuneration for their Services rendered toward the firm as below:-

i)	1 st	Party	-----	Rs.	35000/- P.M
ii)	2 nd	Party	-----	Rs.	35000/- P.M

That the payment of salary / Remuneration does not exceed the limit laid Down U/s 40 (b) of Income Tax Act, Amendment by Finance Act, 1999.

14. That all the above stated working partners shall also entitled to get interest as capital upon their respective investments of capital towards the firms business @ 12% p.a. that the rate of interest will not exceed 12% p.a. that the rate of interest may be varied or waived as decided by the working partner firm time to time without any written agreement on their part.

15. That the partnership Business shall be "AT WILL"

--:6:--

- 16. That none of partner here entitled to transfer the office the place of Business Without the consent of all parties.
- 17. That each partner of the firm shall be treated as authorized partner of every law full activity done by him in the connection of this Business which can not hamper or the business by such act.
- 18. That the partner shall not be liable for any personal debt of obligation of the partner there of.
- 19. That the partner shall have equal right and power over the control and Management of the Business.
- 20. That if any dispute arise for the different opinion of the partners the matter will be settle by arbitration according to INDIAN ARBITRATION ACT.
- 21. That in all other mater not specifically deferred there in before the foregoing paragraphs the provision of the INDIAN PARTNERSHIP Act 1932 shall apply and Govern such matter.
- 22. IN WITNESS WHERE OF THE PARTNERS of this Indenture do here up to put in their Signature on this date time mentioned herein before.

WITNESS:-

- 1. *Alauddin Sec*
- 2. *S. K. Ramso of Ali*

Signature of the Partners

- 1. *Chandu Mursum*
Party of the First Part
- 2. *Md. Hossain Ali*
Party of the Second Part

[Signature]
 Drafted By:
 Kh. Ziaul Islam, (Advocate)



FORM 11

[See rule 58(2)]

Name Of District : **BIRBHUM**

Name Of Block : **MOHAMED-BAZAR**

Name Of Gram Panchayat : **BHARKATA**

Trade Registration No:- **1212**

Trade Registration Date:- **19-Aug-2025**

Trade Registration Certificate issue No:- **1**

Issue Date:- **19-Aug-2025**

Trade Registration Certificate issued for the period of: **2025-2026,2026-2027,2027-2028**

To **CHANDU MURMU**

(Name of Prop/partner/Director)

Full Address :

VILLAGE - **CHANDA**

PARA - **CHANDA MORE**

POLICE STATION - **MD BAZAR**

POST OFFICE - **BHARKATA**

MOUZA - **CHANDA-02**

DAG - **943**

PIN NO - **731216**

Gram Sansad/ Part No. **VIII**

Description of Trade : **STONE CRUSHER**

Gram panchayat acknowledges a sum of **Rs. 750** (Rupees Seven Hundred and Fifty Only)

From **ADIBASHI STONE CRUSHER**

(Name of Trade)

Grant of this certificate shall not absolve the applicant from the requirement of procuring all the statutory clearances to be obtained from the appropriate authority before actual commencement of the trade. If any violation/default is noted later is, the certificate shall be liable to be cancelled and the trade/business shall be closed down with immediate effect.

This Certificate Is Electronically Generated

N.B.: Gram Panchayat has every right to cancel or revoke or not allowing renewal of registration at any time

Ref. Application Docket No. **SSNOCECLE12884264N**

<https://prdeodb.wb.gov.in/>



03090293

ফর্ম-৪

রসিদ নং _____

[নিয়ম ৮ (২) এবং ৩১ (২) দেখুন]

943

ভাঁড়কাটা গ্রাম পঞ্চায়েত

গ্রাম পঞ্চায়েতের দ্বারা নির্ধারিত কর, অধিকর ও ফি এর রসিদ
(দুদিকে কার্বন পেপার দিয়ে রসিদের দুটি কপি করতে হবে)

১. নির্ধারিত নাম ও ঠিকানা : আদিবাসী স্টেশন কোম্পানি হোল্ডিং নং (যদি থাকে) :

২. প্রাপ্ত অর্থের খাত ও পরিমাণ : প্যাচায়ী - স্বীকৃতি

- (ক) বৈমাসিক _____/বছর) সময়কালের জন্য জমি ও বাড়ির উপর কর : _____ টাকা
- (খ) _____ সময়কালের জন্য বাড়ির রেজিস্ট্রেশনের উপর ফি : _____ টাকা
- (গ) _____ সময়কালের জন্য স্বাস্থ্যবিধান ব্যবস্থার উপর ফি : _____ টাকা
- (ঘ) _____ সময়কালের জন্য জলের অধিকর : _____ টাকা
- (ঙ) _____ সময়কালের জন্য আলোর অধিকর : _____ টাকা
- (চ) _____ সময়কালের জন্য সাফাই অধিকর : _____ টাকা
- (ছ) ২০২৫/২০২৬ সময়কালের জন্য বাবসা-বাণিজ্য নিবন্ধীকরণের উপর ফি : 1000 টাকা
- (জ) _____ সময়কালের জন্য গ্রাম পঞ্চায়েত কর্তৃক চালু বা পঞ্চায়েতের অধীনে পরিচালিত পরিবহন ব্যবস্থায় যাত্রী, যানবাহন, প্রাণী বা ফেরির উপর টোল বা পথকর : _____ টাকা
- (ঝ) স্থপানঘাট ব্যবহারের উপর ফি : _____ টাকা

- (ঞ) _____ সময়কালের জন্য শ্যালো বা ডিপ-টিউবওয়েলের নিবন্ধীকরণের উপর ফি : _____ টাকা
- (ট) গ্রামে উৎপাদিত ও গ্রামের বাজারে বিক্রীত পণ্য সামগ্রীর উপর ফি : _____ টাকা
- (ঠ) _____ সময়কালের জন্য জনসমক্ষে প্রদর্শনের উদ্দেশ্যে রক্ষিত, প্রদর্শিত কোনও বিজ্ঞাপনের উপর ফি : _____ টাকা
- (ড) ৪৭ নং খায়া বলে উপবিধিতে আদায়যোগ্য জরিমানা : _____ টাকা
- (ঢ) অন্যান্য : _____ টাকা



মোট এক হাজার টাকা
তিনশত টাকা
০৩/০৫/২০২৫

(তারিখ সহ স্বাক্ষর)
গ্রাম পঞ্চায়েতের সচিব/কর আদায়কারী

নোট : (১) পঞ্চায়েতের কোন সদস্যকে এই কাজের দায়িত্ব দেওয়া যাবে না।
(২) ড্রাফট বা চেকে কোনো পেমেন্ট করা হলে টাকার অংকের পাশে চেকের নম্বর ও তারিখ লিখে রাখতে হবে।



42

Annexure - C
Typed Copy

03090293

Form- 4

Receipt No. 943

Rule 8(2) and 31(2) Section
Bharkata Gram Panchayat

Receipts of taxes, duties and fees prescribed by the Gram Panchayat
(Two copies of the receipt must be made with carbon paper on both sides)

- 1. Name and Address of the assessor: ADIBASI STONE CRUSHER
- 2. Sector and amount of money received: PANCHAMI, BIRBHUM

Holding No(if available) :

- A. Quarterly...../year) Tax on land and houses for a period :rupees
- B. Fee on vehicle registration for the period :rupees
- C. Fee on health care services for the period :rupees
- D. Water agent for the period :rupees
- F. Light agent for the period :rupees
- F. Cleaning agent for the period :rupees
- G. 2025/2026..... Fees on business registration for the period : 1,000/-.....rupees
- H. Toll or road tax on passengers, vehicles,
animals or cargo in the transport system operated by the Gram
Panchayat or under the Panchayat for a period :rupees
- I. Fees on use of crematorium :rupees
- J. Fee on registration of a Shallow or Deep-
Tubewell for a period of time :rupees
- K. Fees on goods produced in Villages and sold in village markets :rupees
- L. Fees on any advertisement displayed, intended
for public display for a period of time :rupees
- M. Section 47 states that the fines payable under the bye-laws are :rupees
- N. Others :rupees

Total : 1,000/-.....rupees

One Thousand Rupees Only

Sd/-

03.05.2025

(Signed with date)

Gram Panchayat Secretary/Tax Collector

- Note : 1. No member of the panchayat can be given the responsibility of this work.
2. If a payment is made by draft or check, the check number and date must be written next to the amount.



NOC NO 20120.

WEST BENGAL POLLUTION CONTROL BOARD

Paribesh Bhawan
10A, Block-LA, Sector-III
Salt Lake City, Kolkata - 700 098

Memo No.
996



Dated
7.10.05

From:
Member Secretary,
West Bengal Pollution Control Board

To:

WEST BENGAL

Sub: Consent to Establish (NOC) from Environmental Point of View

Ref: Your letter No. Dated

Dear Sirs,

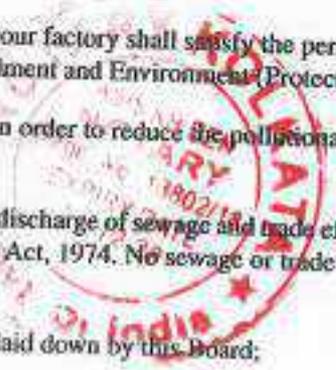
In response to the application for Consent to Establish (NOC) for proposed Unit of Mr. Adh. Basu Stone Crusher Prop. Chanda Nagar, J.I. No. 106, 107, Sagardhama, P.O. Bhadrakali, P.S. No. Bazar, Barbhui,

for manufacturing/storage/installation of Stone Crushers

at House-Chanda, J.I. No. 106, 107, Sag.No. 943

this is to inform you that this Board hereby grants the Consent to Establish (NOC) from the environmental point of the above subject to the following conditions and special conditions annexed.

1. The quality of sewage and trade effluent to be discharged from your factory shall satisfy the permissible limits as prescribed in IS : 2490(pt.I) of 1974; and/or its subsequent amendment and Environment (Protection) Rules 1986;
2. Suitable measures to treat your effluent shall be adopted by you in order to reduce the pollutional load so that the quality of the effluent satisfies the standards mentioned above;
3. You shall have to apply to this Board for its consent to operate and discharge of sewage and trade effluent according to the provisions of the water (Prevention & Control of Pollution) Act, 1974. No sewage or trade effluent shall be discharged by you without prior consent of this Board;
4. All emission from your factory shall conform to the standards as laid down by this Board;
5. No. emission shall be permitted without prior approval of this Board and ...



You shall comply with

- (i) Water (Prevention and Control of Pollution) Cess Act, 1977, if applicable.
- (ii) Water (Prevention and Control of Pollution) Cess Act, 1978, if applicable.
- (iii) Environment (Protection) Act, 1986
- (iv) Environment (Protection) Rules, 1986
- (v) Hazardous Wastes (Management and Handling) Rules, 1989 and Amended Rules, 2000.
- (vi) Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 and Amended Rules, 2000.
- (vii) Manufacture, Use, Import, and Storage and Hazardous Micro - Organisms, Genetically Engineered Organisms or Cell Rules, 1989.
- (viii) The Public Liability Insurance Act, 1991 and Amended Act, 1992.
- (ix) The Public Liability Insurance Rules, 1991 and Amended Rules 1993.
- (x) Biomedical Wastes (Management & Handling) Rules, 1998, and Amended Rules 2000 if applicable.
- (xi) Recycled Plastics Manufacture and Usage Rules 1999, if applicable and
- (xii) Ozone Depleting Substances (Regulation & Control) Rules, 2000, if applicable

8. You will have to abide by any other stipulations as may be prescribed by any authority / local bodies/ Government Departments etc.

SPECIAL CONDITION:

Process to be carried out in closed room with adequate noise insulation. Dust containment-cum-suppression system for the equipment to be installed and operated. Metalled road to be constructed within the premises. Regular cleaning and wetting of the ground within the premises to be done. Mask and personnel protective device to be provided to all workers. Battery screen to be properly covered on the upper side and dust collector arrangements for the dumping places of sized stone also to be made. Wind breaking walls to be constructed and the crusher and screen plant to be housed in a shed. The suspended particulate matter measured between 3-10 meters from any process equipment of a stone crushing unit shall not exceed 600 micrograms/m³

Value of P/W. Rs. 3,52,560/-

Any violation of the aforesaid conditions shall entail cancellation of this Consent to Establish (NOC)

Yours faithfully,

[Signature]
 General Secretary,
 West Bengal Pollution Control Board
 BIRBHUM

Dated.....
 Ex-Officio Environment Officer

Memo No.....

Copy forwarded for information to :

1. Chief Inspector of Factories, Government of West Bengal, N.S. Building, Kolkata - 700 001, P. C. B.
2. Director of Industries/Director of Cottage & Small Scale Industries, Government of West Bengal, N.S. Building, Kolkata - 700 001.
3. Guard file. West Bengal Pollution Control Board.
4. Environmental Engineer, I/II Alipur R.O./Howrah R.O./Hooghly R.O./B.R.O./D.R.O./Haldia R.O./S.R.O./Asansol R.O./WBPC Board.

Himalaya Bhawan
 Delhi Road, Dankuni
 Dist. Hooghly

VIII. Panpur
 Kalyani Expressway
 P.O. Narayanpur
 Dist. 24 Pgs. (N)

Sahid Khudiram Sarani
 City Centre, Durgapur - 16
 Dist. Bardwan

Bhabani Bhawan
 2nd Floor, Alipur
 Kolkata - 700 027

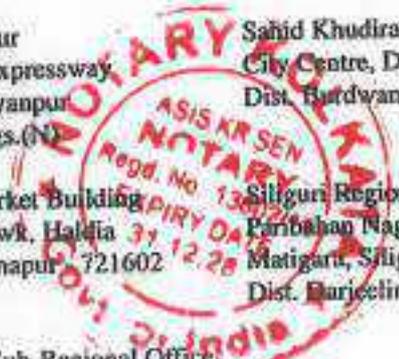
Paribesh Bhawan
 10A, LA-Block, Sector III
 Salt Lake City,
 Kolkata - 700 098

Super Market Building
 Durgachawl, Haldia
 Dist. Midnapur 721602

Siliguri Regional Office
 Paribesh Nagar,
 Matiguri, Siliguri,
 Dist. Darjeeling

10, Camac Street
 2nd Floor
 Kolkata - 700 017

Asansol Sub-Regional Office
 Ghanty Mansion(2nd Floor)



BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

Item No.	Application No.	Parties
2. Original Application O.A 44/2015/EZ	Jaydeep Mukherjee	
	Vs.	
M.A. No. 47/2017/EZ In Original Application no. 44/2015/EZ	Pollution Control Board, West Bengal & Ors. M/s Maien Stone Crusher (R.555)	
	Vs.	
M.A. No. 48/2017/EZ In Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors. M/s Motherland Stone Crusher (R.559)	
	Vs.	
M.A. No. 49/2017/EZ In Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors. M/s Karmakar Industries (R.65)	
	Vs.	
M.A. No. 50/2017/EZ In Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors. M/s New Baba Bashukinath Stone Crusher (R.525)	
	Vs.	
M.A. No. 51/2017/EZ In Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors. M/s V.S.P Stone Crusher (R.544)	
	Vs.	
M.A. No. 52/2017/EZ In Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors. M/s Kali Mata Stone Crusher (R.554)	
	Vs.	
M.A. No. 53/2017/EZ In Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors. M/s Loknath Baba Stone Crusher (R.476)	
	Vs.	
M.A. No. 54/2017/EZ In Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors. M/s New Molah Stone Product (R.98)	
	Vs.	
M.A. No. 55/2017/EZ In Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors. M/s Kalyaneswari Stone Crusher (R.64)	
	Vs.	
	West Bengal Pollution Control	



M.A. No. 56/2017/EZ In Original Application no. 44/2015/EZ	Board & Ors. M/s Pachami Granite (R.104) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 57/2017/EZ In Original Application no. 44/2015/EZ	M/s Bhai Bhai Stone Crusher (R.47) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 58/2017/EZ In Original Application no. 44/2015/EZ	M/s Pachami Stone Works (R.536) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 59/2017/EZ In Original Application no. 44/2015/EZ	M/s Sahab Stone Crusher (R.550) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 60/2017/EZ In Original Application no. 44/2015/EZ	M/s R.K. Enterprise (R.521) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 61/2017/EZ In Original Application no. 44/2015/EZ	M/s Maa Kali Stone Crusher (R.561) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 62/2017/EZ In Original Application no. 44/2015/EZ	M/s West Wind Stone Crusher (R.29) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 63/2017/EZ In Original Application no. 44/2015/EZ	M/s Panchami Stone Product Unit-II (R. 492) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 64/2017/EZ In Original Application no. 44/2015/EZ	M/s C.S.D Stone (R.539) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 65/2017/EZ In Original Application no. 44/2015/EZ	M/s A.K. Enterprise (R.552) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 66/2017/EZ In Original Application no. 44/2015/EZ	M/s Unique Stone Product (R.562) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 67/2017/EZ In Original Application no.	M/s Joy Ma Tara Stone Products (R.59) Vs.



44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 68/2017/EZ	M/s Bholu Baba Stone Crusher (R.484)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 69/2017/EZ	M/s A.K. Industries (R.509)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 70/2017/EZ	M/s N.S. Stone Crusher (R.500)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 71/2017/EZ	M/s Bhai Bhai Stone Crusher Unit-II (r.48)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 72/2017/EZ	M/s Rangamati Stone Crusher (R.119)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 73/2017/EZ	M/s Choudhury Stone Crusher (R.548)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 74/2017/EZ	M/s United Stone Crusher (R.140)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 75/2017/EZ	M/s Panchami Black Stone (R.542)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 76/2017/EZ	M/s Sairam Stone Crusher (R.126)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 77/2017/EZ	M/s Gour Hari Stone Crusher (R.505)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 78/2017/EZ	M/s Dammi Chandi Stone Crusher (R.540)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.



M.A. No. 79/2017/EZ In Original Application no. 44/2015/EZ	M/s Panchari Stone Quarry (R.543) Vs West Bengal Pollution Control Board & Ors.
M.A. No. 80/2017/EZ In Original Application no. 44/2015/EZ	M/s New Lakshmi Mata Enterprise (R.95) Vs West Bengal Pollution Control Board & Ors.
M.A. No. 81/2017/EZ In Original Application no. 44/2015/EZ	M/s N. Hossain Stone Com (R.547) Vs West Bengal Pollution Control Board & Ors.
M.A. No. 82/2017/EZ In Original Application no. 44/2015/EZ	M/s Panchari Syndicate (R.105) Vs West Bengal Pollution Control Board & Ors.
M.A. No. 83/2017/EZ In Original Application no. 44/2015/EZ	M/s Man Durga Stone Crusher (R.73) Vs West Bengal Pollution Control Board & Ors.
M.A. No. 84/2017/EZ In Original Application no. 44/2015/EZ	M/s Rabul Islam Moliah (R.545) Vs West Bengal Pollution Control Board & Ors.
M.A. No. 85/2017/EZ In Original Application no. 44/2015/EZ	M/s Lakshmi Mata Enterprise (R.68) Vs West Bengal Pollution Control Board & Ors.
M.A. No. 86/2017/EZ In Original Application no. 44/2015/EZ	M/s Bhola Nath Stone Crusher (R.533) Vs West Bengal Pollution Control Board & Ors.
M.A. No. 87/2017/EZ In Original Application no. 44/2015/EZ	M/s J.B. Industries (R.532) Vs West Bengal Pollution Control Board & Ors.
M.A. No. 88/2017/EZ In Original Application no. 44/2015/EZ	M/s Mondal Stone Product (R.482) Vs West Bengal Pollution Control Board & Ors.
M.A. No. 100/2017/EZ In Original Application no. 44/2015/EZ	M/s Beacon Stone Product (R.44) Vs West Bengal Pollution Control Board & Ors.
M.A. No. 101/2017/EZ	M/s Black Stone Crusher (R.49)



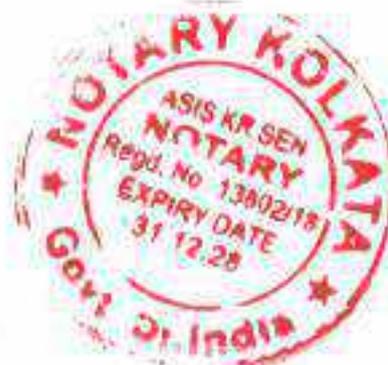
In Original Application no. 44/2015/EZ M.A. No. 102/2017/EZ	Vs. West Bengal Pollution Control Board & Ors. M/s Jeet Stone Crusher (R.57)
In Original Application no. 44/2015/EZ M.A. No. 103/2017/EZ	Vs. West Bengal Pollution Control Board & Ors. M/s L.G. Enterprise (R.66)
In Original Application no. 44/2015/EZ M.A. No. 104/2017/EZ	Vs. West Bengal Pollution Control Board & Ors. M/s Max Ganga Stone Product (R.75)
In Original Application no. 44/2015/EZ M.A. No. 105/2017/EZ	Vs. West Bengal Pollution Control Board & Ors. M/s Mondal Stone Crusher (R.88)
In Original Application no. 44/2015/EZ M.A. No. 106/2017/EZ	Vs. West Bengal Pollution Control Board & Ors. M/s Modina Stone Crusher (R.85)
In Original Application no. 44/2015/EZ M.A. No. 107/2017/EZ	Vs. West Bengal Pollution Control Board & Ors. M/s New Raja Enterprise (R.99)
In Original Application no. 44/2015/EZ M.A. No. 108/2017/EZ	Vs. West Bengal Pollution Control Board & Ors. M/s New Santa Enterprise (R.101)
In Original Application no. 44/2015/EZ M.A. No. 109/2017/EZ	Vs. West Bengal Pollution Control Board & Ors. M/s Panchami Unique Stone Product (R.107)
In Original Application no. 44/2015/EZ M.A. No. 110/2017/EZ	Vs. West Bengal Pollution Control Board & Ors. M/s Raisa Enterprise (R.111)
In Original Application no. 44/2015/EZ M.A. No. 111/2017/EZ	Vs. West Bengal Pollution Control Board & Ors. M/s Raj Stone Product (R.116)
In Original Application no. 44/2015/EZ M.A. No. 112/2017/EZ	Vs. West Bengal Pollution Control Board & Ors. M/s Sapta Sikha Stone Works (R.128)
In Original Application no. 44/2015/EZ M.A. No. 113/2017/EZ	Vs. West Bengal Pollution Control Board & Ors. M/s Garai Stone Industries (R.480)



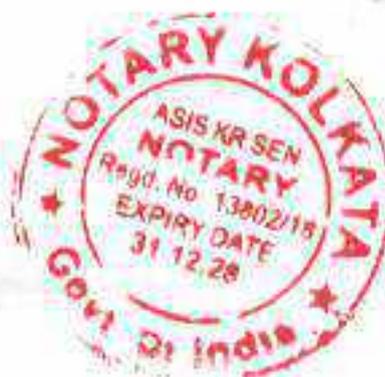
Original Application no. 44/2015/EZ	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 114/2017/EZ In	M/s Raghunath Enterprise (R.488)
Original Application no. 44/2015/EZ	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 115/2017/EZ In	M/s Bengal Stone Crusher (R.511)
Original Application no. 44/2015/EZ	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 116/2017/EZ In	M/s Raem Stone Crusher (R.512)
Original Application no. 44/2015/EZ	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 117/2017/EZ In	M/s Data Stone Crusher (R.574)
Original Application no. 44/2015/EZ	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 118/2017/EZ In	M/s Gitanjali Enterprise (578)
Original Application no. 44/2015/EZ	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 119/2017/EZ In	M/s Joy Ganga Stone Conany (R.58)
Original Application no. 44/2015/EZ	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 131/2017/EZ In	M/s B Das & Company (R.42)
Original Application no. 44/2015/EZ	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 132/2017/EZ In	M/s Raja Enterprise (R.117)
Original Application no. 44/2015/EZ	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 133/2017/EZ In	M/s Malleswar Stone Crusher (R.80)
Original Application no. 44/2015/EZ	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 134/2017/EZ In	M/s Suraj Stone Product (R.138)
Original Application no. 44/2015/EZ	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 135/2017/EZ In	M/s Jyoti Stone Crusher (R.479)
Original Application no. 44/2015/EZ	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 136/2017/EZ In	M/s Kalyan Bose & Company (R.514)



Original Application no. 44/2015/EZ.	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 137/2017/EZ In	M/s Chanda Stone Crusher (R.515)
Original Application no. 44/2015/EZ.	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 138/2017/EZ In	M/s Netaji Stone Crusher (R.518)
Original Application no. 44/2015/EZ.	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 139/2017/EZ In	M/s Rinki Stone Crusher (R.519)
Original Application no. 44/2015/EZ.	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 140/2017/EZ In	M/s Rani Stone Crusher (R.576)
Original Application no. 44/2015/EZ.	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 141/2017/EZ In	M/s Kajal Stone Product (R.62)
Original Application no. 44/2015/EZ.	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 142/2017/EZ In	M/s Maa Durga Stone Crusher (R.73)
Original Application no. 44/2015/EZ.	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 143/2017/EZ In	M/s Maa Tara Stone Crushing (R.79)
Original Application no. 44/2015/EZ.	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 144/2017/EZ In	M/s Pal Stone Crusher (R.106)
Original Application no. 44/2015/EZ.	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 145/2017/EZ In	M/s Sankha Laghu & O.B.C Stone Crusher (R.127)
Original Application no. 44/2015/EZ.	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 146/2017/EZ In	M/s Shib Durga Stone Product (R.134)
Original Application no. 44/2015/EZ.	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 147/2017/EZ In	M/s Sri Krishna Stone Crusher (R.137)
Original Application no. 44/2015/EZ.	Vs. West Bengal Pollution Control Board & Ors.



M.A. No. 148/2017/EZ In Original Application no. 44/2015/EZ	M/s K.P. Enterprise (R.475) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 149/2017/EZ In Original Application no. 44/2015/EZ	M/s Marisen Stone Product (R.478) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 150/2017/EZ In Original Application no. 44/2015/EZ	M/s Bubai Ghosal (R.487) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 151/2017/EZ In Original Application no. 44/2015/EZ	M/s Radha Gobinda Enterprise (R.489) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 152/2017/EZ In Original Application no. 44/2015/EZ	M/s K.G.N Stone Crusher (R.508) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 153/2017/EZ In Original Application no. 44/2015/EZ	M/s R B N Stone Product (R.577) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 154/2017/EZ In Original Application no. 44/2015/EZ	M/s Hari Sadhu Stone Crusher (R.55) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 155/2017/EZ In Original Application no. 44/2015/EZ	M/s Pratima Stone Crusher (R.568) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 158/2017/EZ In Original Application no. 44/2015/EZ	M/s Stone India (R.402) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 159/2017/EZ In Original Application no. 44/2015/EZ	M/s Sahana Stone Crusher (R.125) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 160/2017/EZ In Original Application no. 44/2015/EZ	M/s Digital Gram Stone Crusher (R.510) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 161/2017/EZ In Original Application no.	M/s S.S.P. Stone Crusher (R.497) Vs.



44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 162/2017/EZ In	M/s Ghosh Enterprise (R.362) Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 163/2017/EZ In	M/s Associated Enterprise (R.41) Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 164/2017/EZ In	M/s Y.M. Stone Chips (R.142) Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 165/2017/EZ In	M/s Shiv Shakti Stone Product (R.134) Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 166/2017/EZ In	M/s Aditi Stone Crusher (R.565) Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 167/2017/EZ In	M/s Kalimata & Kalimata Stone Crusher (R.554) Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 168/2017/EZ In	M/s Swarnamayi Stone Crusher (R.139) Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 169/2017/EZ In	M/s M S Stone Crusher (R.71) Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 170/2017/EZ In	M/s Sri Gobinda Stone Product (R.136) Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 171/2017/EZ In	M/s Shri Paremath Industries (R.108) Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 172/2017/EZ In	M/s Abdul Hamid Stone Crusher (R.485) Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 173/2017/EZ In	M/s Dewanganj Stone Company (R.570)



Original Application no. 44/2015/EZ
Vs
West Bengal Pollution Control Board & Ors.
M.A. No. 174/2017/EZ
In
M/s Ashirbad Stone Product (R.164)
Original Application no. 44/2015/EZ
Vs
West Bengal Pollution Control Board & Ors.
M.A. No. 175/2017/EZ
In
M/s New Panchami Stone Crusher (R.573)
Original Application no. 44/2015/EZ
Vs
West Bengal Pollution Control Board & Ors.
M.A. No. 176/2017/EZ
In
M/s Jugal Kishore Stone Product (R.61)
Original Application no. 44/2015/EZ
Vs
West Bengal Pollution Control Board & Ors.
M.A. No. 177/2017/EZ
In
M/s National Stone Enterprise (R.490)
Original Application no. 44/2015/EZ
Vs
West Bengal Pollution Control Board & Ors.
M.A. No. 178/2017/EZ
In
M/s Mondal Stone Product (R.482)
Original Application no. 44/2015/EZ
Vs
West Bengal Pollution Control Board & Ors.
M.A. No. 179/2017/EZ
In
M/s Panchami Stone Enterprise (R.486)
M.A. No. 233/2017/EZ
To
M.A. NO. 293/2017
&
M.A. NO. 309/2017
M.A. NO. 310/2017/EZ
In
Original Application no. 44/2015/EZ
Vs
West Bengal Pollution Control Board & Ors.

CORAM: Hon'ble Mr. Justice S.P.Wangdi, Judicial Member
Hon'ble Prof. (Dr.) P. C. Mishra, Expert Member

PRESENT: Applicant : Ms. Leena Mukherjee, Advocate
Respondent No.1 : Mr. Sibojyoti Chakraborti, Advocate
Respondent No. 2 & 3 : Mr. Rajib Ray, Advocate
Respondent No. 4 : Mr. Binod Kumar Gupta, Advocate
Ms. Aishwarya Rajyashree, advocate
Respondent No. 5 : Mr. Surendra Kumar, Advocate
Applicants in MAs : Mr. Ambar Majumdar, Advocate ✓
Mr. Biswajib Ghose, Advocate ✓
Mr. Avirup Chatterjee, Advocate ✓



Date & Remarks	Orders of the Tribunal
Item No. 2 11 th October, 2017.	<p>These MAs arising out of OA 44/2015/EZ are taken up together for disposal since similar questions are involved.</p> <p>As already observed in our order dated 27.7.2017 it had been made abundantly clear after a detail hearing that the only question that remained to be decided in these matters was as to whether the applicants would be held liable to pay penalty in terms of our order passed in OA 41/2015/EZ and that as it was an admitted position that the applicants had been operating their stone crusher units without consents to operate even before they were granted such consent, there could be no doubt that they were liable to pay penalty of Rs. 1.5 lakh as they fell under category I, i.e., those who did not have any consent to operate at any point of time at all.</p> <p>Today, Mr. Amber Mukherjee, Id. advocate for the applicants in the MAs submits that he would not press the MAs and would comply with the findings of the Tribunal but only prays that the District Magistrate be directed to consider their cases based on the documents, which had been sought for under the RTI</p>



Act, 2005, with regard to which reply dated 21.8.2017 had been sent to the applicants by the Dy. Magistrate & Dy. Collector and SPIO, Sadar, Suri, Birbhum district.

Notwithstanding the established fact that the applicants are liable to pay the penalty, we direct the District Magistrate, Birbhum to consider the pleas expressed by the applicants in these MAs before finally directing them to pay the penalty as per our directions. This shall be done within a month from hence.

The letter produced before us by Mr. Majumdar be taken on record and marked with letter A for identification.

For the reasons stated above, in our opinion, nothing further would remain for our determination in these cases and accordingly the MAs stand disposed of.

O.A. 44/2015/EZ :

For the same reasons alluded to above, the OA also stands disposed of.

No order as to costs.

Justice S.P. Wangdi, JM
11-10-2017

Prof. (Dr.) P. C. Mishra, EM
11-10-2017



WEST BENGAL POLLUTION CONTROL BOARD

'Paribesh Bhawan',
Bldg. No. - 10A, Block - LA, Sector-III,
Salt Lake City, Kolkata - 700 098



Consent Letter Number :

Memo Number : 1662 (10)/S

Date : 31/12/15

Consent to Operate

under

Section 25 & 26 of the Water (Prevention and Control of Pollution) Act, 1974 and
Section 21 of the Air (Prevention and Control of Pollution) Act, 1981

The West Bengal Pollution Control Board (hereinafter referred to as State Board) under the provisions of Section 25 & 26 of the Water (Prevention and Control of Pollution) Act, 1974, as amended and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981, as amended, and Rules and Orders made thereunder, hereby grants its consent to :

M/S Adibasi Stone Crusher

(Address of Regd. office/Head/Office/City Office)

(hereinafter referred to as Applicant) for its unit located at Vill - Sagarbandhi P.O - Bharrate
Mouza - Chand, 32 No. 2, Plot no 943, PS - MD Bazar
Dist - Birbhum

(Detailed address of the manufacturing unit)

for a period from 23-12-2015 to 22-12-2018

to operate the industrial unit and to discharge liquid effluent and to emit gaseous effluent from the premises/land of the industrial unit, in accordance with the conditions as mentioned in the Annexure to this consent letter provided on any day at any instance the quantity and quality of liquid discharge and gaseous emission shall not exceed the permissible limit as specified in the Table I & II of this consent letter and in the Environmental (Protection) Act, 1986.

Breach of the conditions and / or failure to comply with the directions as set put in the Annexure shall render the applicant liable for prosecution under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

The State Board reserve the right to revoke, withdraw or make any reasonable variation / change / alter the conditions of this consent letter giving one month's notice to the applicant.

Seal

For and on behalf of the State Board
Sub-Divisional Officer
Sadar, Sun, Birbhum
(Member Secretary/Chief Engr./Sr. Env. Engr./Env. Engr./Asst. Env. Engr.)

ANNEXURE

Consent to M/S Adibasi Stone-Crusher.
for its unit at Vill - Sagarbanshi, P.O. - Charkate, Mouza - Chanda
JL NO. 02, Plot no. 943, PS - Ma Bazar Dist - Birbhum

Conditions :

1. This Consent is valid for the manufacture of :—

Sl. No.	Name of major products and by-products	Quantity manufactured per month
01	Stone chips	36000 cft./month
02		
03		
04		
05		
06	WEST BENGAL	
07		
08		
09		
10		
11		
12		

- 02. The Applicant shall remain responsible for the quantity and quality of liquid effluent and air emissions.
- 03. Daily discharge of industrial liquid effluent shall not exceed 0.5 KL.
- 04. Daily discharge of domestic liquid effluent shall not exceed 0.3 KL.
- 05. Daily discharge of mixed (industrial & domestic) liquid effluent shall not exceed KL.
- 06. The Applicant shall discharge liquid effluent to Soak Pit (place of discharge)
through nos. outlets/outfalls.
- 07. To bring into any altered or new outlet/outfall or to change the place of discharge, the Applicant shall have to inform the Board and obtain prior permission of the Board in this effect.
- 08. The Applicant shall provide comprehensive facility for treatment of industrial liquid waste and domestic liquid waste (sewage, sullage and liquid effluent generated from canteen), and operate and maintain the same continuously so that the quality of final effluent conforms to the Standard as given in Table-I in page 03.

(Member Secretary/Chief Engr./Sr. Env. Engr./Env. Engr./Asst. Env. Engr.)
Sub-Divisional Officer
Sadar, Suri, Birbhum

Consent to M/S Adibasi Stone Crusher
 for its unit at Vill - Sagarbandhi, P.O - Bharrkate, Mouza - Chanda,
3L No. 02, Plot no. 949, PS - Ma Bazar, Dist - Birbhum

11. The Applicant shall install suitable device for measuring the volume of water consumed for different purposes as mentioned above giving correct result to the satisfaction of the State Board.
12. All the stacks connected to various sources of emissions must be designated by numbers such as S-1, S-2, S-3, etc., and this must be painted/displayed to facilitate identification.
13. The Applicant shall install comprehensive control system consisting of pollution control equipment as is warranted with reference to generation of air emissions and operate and maintain the same continuously so as to achieve the level of pollutants of the Standard as given in Table-II below :

Table - II

Stack No.	Stack height from G.L., (in mts.)	Stack attached to (sources and control system, if any) :	Volume Nm ³ /hr.	Velocity of gas emission m/sec	Concentrations of parameters not to exceed			Frequency of emission sampling
					SPM (mg/Nm ³)	CO (% v/v)		
S-1								
S-2								
S-3								
S-4								
S-5								
S-6								
S-7								
S-8								
S-9								
S-10								



[Signature]
31/12/18

Member Secretary/Chief Engr./Sr. Env. Engr./Env. Engr./Asst. Env. Engr.)
 Sub-Divisional Officer
 Sadar, Suri, Birbhum

Continued....

Consent to M/S Adibasi Stone Crusher
 for its unit at Vill - Sagarbandhi, P.O - Bhanukate, Mouza - Chandee,
3L No. 02, Plot no. 943, PS - Ma Bazar, Dist - Birbhum

11. The Applicant shall provide ports in the stack(s) and other necessary permanent facilities such as ladder, platform, etc. for monitoring/sampling the air emissions and the same shall be made available for inspection and use by the State Board's staff as well as State Board's authorised agencies.
15. The Applicant shall observe the following fuel consumption pattern :-

Sl No.	Type of fuel	Quantity consumed per day	Fuel burning operation where the fuel is used
01			
02			
03			
04			
05			

16. The Applicant shall maintain the generation and treatment / disposal of non-hazardous solid waste as specified below :

Type of waste	Quantity	Treatment	Disposal
Stone dust	2400 cft	West Bengal	To be disposed off in environmentally safe manner.

17. The Applicant shall take adequate measures for control of noise levels from its own sources within the premises within the limit given below :

Time	Limit in dB(A) L _{eq}
Day Time (06 a.m. to 09 p.m.)	62
Night Time (09 p.m. to 06 a.m.)	55

18. The Applicant shall at all times maintain good house-keeping, proper working order, and operate efficiently for control of pollution from all sources so as not to cause nuisance to surrounding areas/inhabitants and to achieve compliance with the terms and conditions of the consent.
19. The Applicant shall bring about at least 33% of the available open land under the green coverage/plantation.
20. The Applicant shall provide for an alternate electric power source sufficient to operate all pollution control facilities installed by the Applicant to maintain compliance with the terms and conditions of the consent. In absence of such an alternate electric power source, the Applicant shall stop, reduce or otherwise control production to abide by the terms and conditions of the Consent regarding pollution level.
21. The Applicant shall install a separate energy meter showing the consumption of energy for operation of pollution control devices.
22. The Applicant shall ensure that fugitive emissions from the activity are controlled so as to maintain clean and safe environment in and around the factory premises.
23. The Applicant shall provide drainage system for conveying industrial and domestic liquid waste. Storm water drain shall be kept separate from the drainage system meant for industrial and domestic liquid waste.



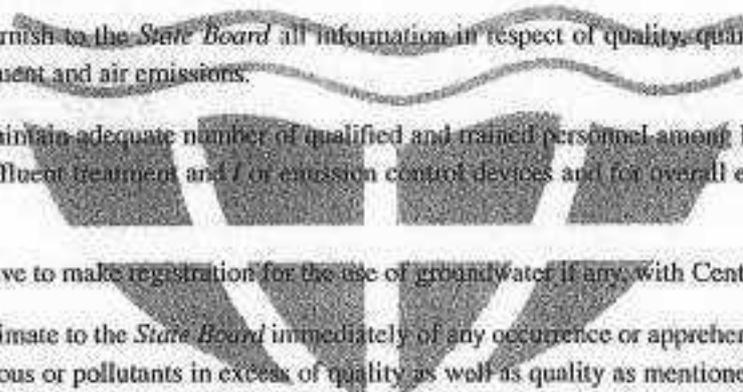
(Member Secretary/Chief Engr./Sr. Env. Engr./Env. Engr./Asst. Env. Engr.)
 Sub-Divisional Officer
 Sadar, Suri, Birbhum

Continued.....

Consent to M/S Adibasi Stone Crusher
for its unit at Vill - Sagarbandhi P.O - Bharketa Mouza - Chanda
3L No. 02, Plot no. 943, P.S - MD Bazar Dist - Birbhum

- 24. The Applicant shall maintain a separate register showing consumption of chemicals used in pollution control systems.
- 25. The Applicant Shall get the samples of hazardous wastes/leachates analysed at least once in..... from the laboratory recognised of the West Bengal Pollution Control Board and ensure that they conform to the limits stipulated. Test reports shall be sent to the Board.
- 26. The Applicant shall provide adequate and safe facility for collection of air, waste water and solid waste samples by the State Board's staff as well as State Board's authorised agencies.
- 27. The Applicant shall submit to the State Board by the 30th September of every year the Environmental Statement Report for the financial year ending 31st March of the current year in the prescribed form (Form - V) as required under the provisions of rule 14 of the Environment (Protection) [Second Amendment] Rules, 1992.
- 28. The Applicant shall allow the Officers of the State Board to enter into the applicant's premises at any reasonable time to inspect the pollution control systems as well as monitoring and measuring devices in connection with prevention & control of pollution.
- 29. The Applicant shall maintain an Inspection Book in the factory premises which shall be made available to Officers & employees of the State Board for inspection, review and to write down any direction or observation as is deemed necessary during the inspection from time to time.
- 30. The Applicant shall furnish to the State Board all information in respect of quality, quantity, rate of discharge, place of discharge of liquid effluent and air emissions.
- 31. The Applicant shall maintain adequate number of qualified and trained personnel among his staff for proper maintenance and operation of the effluent treatment and / or emission control devices and for overall environment management of the industry.
- 32. The Applicant shall have to make registration for the use of groundwater if any, with Central Ground Water Authority.
- 33. The Applicant shall intimate to the State Board immediately of any occurrence or apprehension of occurrence of discharge of any poisonous, noxious or pollutants in excess of quality as well as quantity as mentioned earlier to any receiving water body/receiving system or to atmosphere owing to accident or other unforeseen incident/event including natural disaster. The Applicant Shall (i) take all steps adequate to prevent such accident discharge/release of poisonous, noxious or pollutants and to limit their consequences to persons and the environment, (ii) provide to the persons working on the site with the information, training and equipment including antidotes necessary to ensure their safety and mitigate the accidental release of poisonous, noxious or pollutants to the environment.
- 34. The Applicant shall make an applicant to the State Board in the prescribed form for renewal of the consent at least 60 (sixty) days before the date of expiry of this Consent.
- 35. The Applicant shall not make any alternation/modification/expansion in the existing manufacturing process and equipment as well as the pollution control system without prior approval of the Board.
- 36. The Applicant shall comply with the conditions as laid down in the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 and Hazardous Wastes (Management & Handling) Rules, 1989.

WEST BENGAL



Additional Conditions

- (1) Ambient air quality report to be submitted within 4 (four) months from the date of issuance of this consent letter and thereafter
- (2) Terms and conditions mentioned in the NOC annexure are strictly to be followed



Member Secretary/Chief Engr./Sr. Env. Engr./Env. Engr./Asst. Env. Engr.)
Sub-Divisional Officer
Sadar, Suri, Birbhum

WEST BENGAL POLLUTION CONTROL BOARD



'Paribesh Bhawan'
Bldg. No. - 10A, Block - LA, Sector-III
Salt Lake City, Kolkata-700 098

Consent Letter Number :

Memo Number : 1464/S

Date : 19.09.2020

Consent to Operate

under

Section 25 & 26 of the Water (Prevention and Control of Pollution) Act, 1974 and
Section 21 of the Air (Prevention and Control of Pollution) Act, 1981

The West Bengal Pollution Control Board (hereinafter referred to as State Board) under the provisions of Section 25 & 26 of the Water (Prevention and Control of Pollution) Act, 1974, as amended and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981, as amended and Rules and Orders made thereunder, hereby grants its consent to :

M/s Adibasi stone crusher

Prop:- Hafeez Ali Sars.

(Address of Regd. office/Head/Office/City Office)

(hereinafter referred to as Applicant) for its unit located at Vill- Sogorbandi, P.O- Bhowkata

Mouza - Chanda, Flr no 02, Plot no - 943

P.S- Md. Basak, Dist- Birbhum.

(Detailed address of the manufacturing unit)

for a period from March 19 to February 22

to operate the industrial unit and to discharge liquid effluent and to emit gaseous effluent from the premises/land of the industrial unit, in accordance with the conditions as mentioned in the Annexure to this consent letter provided on any day at any instance the quantity and quality of liquid discharge and gaseous emission shall not exceed the permissible limit as specified in the Table I & II of this consent letter and in the Environmental (Protection) Act, 1986.

Breach of the conditions and / or failure to comply with the directions as set out in the Annexure shall render the applicant liable for prosecution under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

The State Board reserve the right to revoke, withdraw or make any reasonable variation / change / alter the conditions of this consent letter giving one month's notice to the applicant.



Seal

19/09/20
S. D. O. Sector, Salt Lake
&
Engr. Office Env. Engineer
West Bengal Pollution Control Board
For and on behalf of the State Board

(Member Secretary/Chief Engr/ Sr. Env. Engr. / Env. Engr. / Asst. Env. Engr.)

ANNEXURE

Consent to M/S Adibasi Stone Crusher, Prop. Harej Ali Lora
 for its unit at Vill - Sogorbandhi, P.O - Bharkata, Mouza - Chanda,
J.L.No - 02, Plot no - 943, P.S - Md. Bazar, Dist - Birbhum.

Conditions :

01. This Consent is valid for the manufacture of :-

Sl. No.	Name of major products and by-products	Quantity manufactured per month
01	Stone chips	36,000 cft.
02		
03		
04		
05		
06		
07		
08		
09		
10		
11		
12		

- 02. The Applicant shall remain responsible for quantity and quality of liquid effluent and air emissions.
- 03. Daily discharge of industrial liquid effluent shall not exceed 0.5 KL.
- 04. Daily discharge of domestic liquid effluent shall not exceed 0.3 KL.
- 05. Daily discharge of mixed (industrial & domestic) liquid effluent shall not exceed KL.
- 06. The Applicant shall discharge liquid effluent to Soakpit (place of discharge) through nos. outlets / outfalls.
- 07. To bring into any altered or new outlet/outfall or to change the place of discharge, the Applicant shall have to inform the Board and obtain prior permission of the Board in this effect.
- 08. The Applicant shall provide comprehensive facility for treatment of industrial liquid waste and domestic liquid waste (sewage, sullage and liquid effluent generated from canteen), and operate and maintain the same continuously so that the quality of final effluent conforms to the Standard as given in Table-I in page 03.



[Signature] 19/09/20

Member Secretary/Chief Engr./ Sr. Env. Engr. / Env. Engr. / Asst. Env. Engr.)
 S. D. O. Sadar, Birbhum
 &
 En. Officer Env. Engineer
 West Bengal Pollution Control Board

Continued.....

(4)

Consent to M/S Adibasi stone crusher, Prop- Harejali Lons
 for its unit at Vill - Sagsebandhi, P.O - Bharkata, Mouza - Chanda, T.L. NO - 02
 Plot no - 943, P.S - Md. Bazar, Dist - Bishakhum.

11. The Applicant shall install suitable device for measuring the volume of water consumed for different purposes as mentioned above giving correct result to the satisfaction of the State Board.
12. All the stacks connected to various sources of emissions must be designated by numbers such as S-1, S-2, S-3, etc., and this must be painted/displayed to facilitate identification.
13. The Applicant shall install comprehensive control system consisting of pollution control equipment as is warranted with reference to generation of air emissions and operate and maintain the same continuously so as to achieve the level of pollutants of the Standard as given in Table-II below :

Table-II

Stack No.	Stack height from G.L., (in mts.)	Stack attached to (sources and control system, if any):	Volume Nm ³ /hr.	Velocity of gas emission m/sec	Concentrations of parameters not to exceed				Frequency of emission sampling
					SPM (mg/Nm ³)	CO (%v/v)			
S-1									
S-2									
S-3									
S-4									
S-5									
S-6									
S-7									
S-8									
S-9									
S-10									



(Member Secretary/Chief Engr./ Sr. Env. Engr./ Env. Engr./ Asst. Env. Engr.)
 S. D. O. Bishakhum

En-Office P.O. Bishakhum

Continued.....

(5)

Consent to M/s Adibasi Stone Crusher, Prop- Harej Ali & Ors
 for its unit at Vill- Sagarbandhi, P.O- Bharkata, Mouza- Chanda, T.L. NO- 02
Plot no- 943 P.S- Md. Bazar, Dist- Birbhum.

14. The Applicant shall provide ports in the stack(s) and other necessary permanent facilities such as ladder, platform, etc. for monitoring/sampling the air emissions and the same shall be made available for inspection and use by the State Board's staff as well as State Board's authorised agencies.
15. The Applicant shall observe the following fuel consumption pattern :-

Sl. No	Type of fuel	Quantity consumed per day	Fuel burning operation where the fuel is used
01			
02			
03			
04			
05			

16. The Applicant shall maintain the generation and treatment/disposal of non-hazardous solid waste as specified below :-

Type of waste	Quantity	Treatment	Disposal
Stone Dust	2400 cft.	West-Bengal	To be disposed off in environmental safe manner.

17. The Applicant shall take adequate measures for control of noise levels from its own sources within the premises within the limit given below :-

Time	Limit in dB(A) L _{eq}
Day Time (06 a.m. to 09 p.m.)	65
Night Time (09 p.m. to 06 a.m.)	55

18. The Applicant shall at all times maintain good house-keeping, proper working order, and operate efficiently for control of pollution from all sources so as not to cause nuisance to surrounding areas/inhabitants and to achieve compliance with the terms and conditions of the consent.
19. The Applicant shall bring about at least 33% of the available open land under the green coverage / plantation.
20. The Applicant shall provide for an alternate electric power source sufficient to operate all pollution control facilities installed by the Applicant to maintain compliance with the terms and conditions of the consent. In absence of such an alternate electric power source, the Applicant shall stop, reduce or otherwise control production to abide by the terms and conditions of the Consent regarding pollution level.
21. The Applicant shall install a separate energy meter showing the consumption of energy for operation of pollution control devices.
22. The Applicant shall ensure that fugitive emissions from the activity are controlled so as to maintain clean and safe environment in and around the factory premises.
23. The Applicant shall provide drainage system for conveying industrial and domestic liquid waste. Storm-water drain shall be kept separate from the drainage system meant for industrial and domestic liquid waste



[Signature]
 (Member Secretary/Chief Engr/ Sr. Env. Engr/ Env. Engr/ Asst. Env. Engr.)

Consent to M/S Adibasi stone crusher, Prop- Harej Ali & ors.
 for its unit at Vill- Sagarebandhi, P.O- Bhankata, Mouza- Chanda, T.L. NO- 02
Plot no- 943, P.S- Md. Bazar, Dist- Birbhum.

24. The Applicant shall maintain a separate register showing consumption of chemicals used in pollution control systems.
25. The Applicant shall get the samples of hazardous wastes/leachates analysed at least once in from the laboratory recognised of the West Bengal Pollution Control Board and ensure that they conform to the limits stipulated. Test reports shall be sent to the Board.
26. The Applicant shall provide adequate and safe facility for collection of air, waste water and solid waste samples by the State Board's staff as well as State Board's authorised agencies.
27. The Applicant shall submit to the State Board by the 30th September of every year the Environmental Statement Report for the financial year ending 31st March of the current year in the prescribed form (Form -V) as required under the provisions of rule 14 of the Environment (Protection) [Second Amendment] rules, 1992.
28. The Applicant shall allow the Officers of the State Board to enter into the applicant's premises at any reasonable time to inspect the pollution control systems as well as monitoring and measuring devices in connection with prevention & control of pollution.
29. The Applicant shall maintain an Inspection Book in the factory premises which shall be made available to Officers & employees of the State Board for inspection, review and to write down any direction or observation as is deemed necessary during the inspection from time to time.
30. The Application shall furnish to the State Board all information in respect of quality, quantity, rate of discharge, place of discharge of liquid effluent and air emissions.
31. The Applicant shall maintain adequate number of qualified and trained personnel among his staff for proper maintenance and operation of the effluent treatment and / or emission control devices and for overall environment management of the industry.
32. The Applicant shall have to make registration for the use of groundwater if any, with Central Ground Water Authority.
33. The Applicant shall intimate to the State Board immediately of any occurrence or apprehension of occurrence of discharge of any poisonous, noxious or pollutants in excess of quality as well as quality as mentioned earlier to any receiving water body/receiving system or to atmosphere owing to accident or other unforeseen incident/event including natural disaster. The Applicant Shall (i) take all steps adequate to prevent such accident discharge/release of poisonous, noxious or pollutants and to limit their consequences to persons and the environment, (ii) provide to the persons working on the site with the information, training and equipment including antidotes necessary to ensure their safety and mitigate the accidental release of poisonous noxious or pollutants to the environment.
34. The Applicant shall make an application to the State Board in the prescribed form for renewal of the consent at least 60 (sixty) days before the date of expiry of this Consent.
35. The Applicant shall not make any alternation/modification/expansion in the existing manufacturing process and equipment as well as the pollution control system without prior approval of the Board.
36. The Applicant shall comply with the conditions as laid down in the Manufacture, Storage and Transport of Hazardous Chemicals Rules, 1989 and Hazardous Wastes (Management & Handling) Rules, 1989.

Additional Conditions

(Member Secretary/Chief Engr/ Sr. Env. Engr / Env. Engr. / Assl. Env. Engr.)
 Er. Official Env. Engineer



AMBIENT AIR QUALITY...

WEST BENGAL POLLUTION CONTROL BOARD,

'Paribesh Bhawan', Bldg. No. 10A, Block - LA, Sector III, Bidhannagar, Kolkata - 700 106

(Orange/Green Category Unit)



Memo Number: 973/c

Date: 24.6.22

Consent to Operate under Section 25 & 26 of the Water (Prevention and Control of Pollution) Act, 1974, and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981.

The West Bengal Pollution Control Board (hereinafter referred to as State Board) under the provisions of Section 25 & 26 of the Water (Prevention and Control of Pollution) Act, 1974 as amended and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 as amended, and Rules and Orders made thereunder hereby grants its Consent to:

M/s. Adibasi Stone complex (Chanda) Part, Chandu Murmu,

(hereinafter referred to as Applicant) for its unit located at Vill - Chanda, P.O - Bharrata, Morpa-Chanda

J.L. NO - 02, Plot no - 943, P.S - Md. Prabhun.

(Detailed address of the manufacturing unit)

for a period from March 2021 to Feb. 2024 to operate the industrial unit and to discharge liquid effluent and to emit gaseous effluent from the premises/land of the industrial unit in accordance with the conditions as mentioned below provided on any day at any instance the quantity and quality of liquid discharge and gaseous emission shall not exceed the permissible limit as specified in this consent letter and as specified in the Environmental (Protection) Act, 1986.

Breach of the conditions and/or failure to comply with the directions as mentioned below shall render the applicant liable for prosecution under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

The State Board reserve the right to revoke, withdraw or make any reasonable variation/change/alter the conditions of this consent letter giving one month's notice to the applicant.

Conditions:

01. This Consent is valid for the manufacture of

Sl. No.	Name of major products made by - products	Quantity produced per month	Sl. No.	Name of major products made by - products	Quantity produced per month
01.	<u>Stone chips</u>	<u>30,000 cft.</u>	03		
02.			04		

02. The Applicant shall observe the following fuel consumption pattern.

Sl. No.	Type of fuel	Quantity per day	Sl. No.	Type of fuel	Quantity per day	Sl. No.	Type of fuel	Quantity per day
01			02			03		

03. The Applicant falls in the category of the Water (Prevention and Control of Pollution) Cess Act, 1977 and Rules made thereunder and shall comply with the provisions of said Act. and Rules and regularly submit to the Board the Returns of Water consumption in the prescribed form and pay the Cess as specified under Section 3 of the said Act.

04. Daily water consumption for the following purposes should not exceed.

Industrial cooling, spraying in mine pits and boiler feed water (water used for gardening should be included in this category of use)	Domestic purpose	Processing whereby water gets polluted and the pollutants are easily biodegradable	Processing whereby water gets polluted and the pollutants are not easily biodegradable
<u>5.0 KL</u>	<u>3.0 KL</u>		

05. Daily discharge of effluent shall not exceed

No. of outfalls	Industrial liquid effluent	Domestic liquid effluent	Mixed (Industrial & domestic) liquid effluent
	<u>105</u> KL	KL	<u>0.3</u> KL
Quantity	<u>105</u> KL		<u>0.3</u> KL
Place of discharge	<u>Soanpit, India</u>		<u>Soanpit</u>

06. The Applicant shall provide drainage system for conveying industrial & domestic liquid waste & separate drainage system for storm-water and shall provide comprehensive treatment facility for industrial and domestic liquid waste (except surface & liquid effluent generated from garages) and ensure and maintain the same to

07. The Applicant shall provide comprehensive pollution control equipment and operate and maintain the same continuously to conform the quality of the final gaseous emission to the Standard as given below :

Stack No.	Stack height from G.L. (in mts.)	Stack attached to (sources and control system, if any)	Volume Nm ³ /hr	Velocity of gaseous emission (mg/sec)	Concentrations of parameters not to exceed			Frequency of sampling
					SPM (mg./Nm ³)	CO (% v/v)		
S-1								
S-2								
S-3								
S-4								

08. The Applicant shall maintain the generation and treatment/disposal of non-hazardous solid waste as specified below.

Type of waste	Quantity	Treatment	Disposal
Stone Dust	6000 eff.	N.O.	To be disposed of in environmental safe manner.

09. The Applicant shall take adequate measures for control of noise levels from its own sources within its premises to conform to

Time	Limit in dB (A) L _{eq}	Time	Limit in dB (A) L _{eq}
Day time (06 a.m. to 09 p.m.)	65	Night Time (09 p.m. to 06 a.m.)	55

10. The Applicant shall remain responsible for quantity and quality of liquid effluent and air emissions and shall furnish to the State Board all information in respect of quality, quantity, rate of discharge, place of discharge of liquid effluent and air emissions.

11. The Applicant shall at all times maintain good house-keeping, proper working order, control pollution (including fugitive emissions) from all sources to maintain clean environment in & around factory premises and to surrounding areas/inhabitants.

12. The Applicant shall bring about at least 33% of the available open land under the green coverage/ plantation.

13. The Applicant shall provide for sufficient alternate electric power source to operate all pollution control facilities. In absence of such alternate power source, the production should be stopped/reduced/controlled to conform the conditions of the Consent.

14. All the stacks connected to various sources of emissions must be painted/displayed to designate by numbers such as S-1, S-2 etc. and shall have ports, ladder, platform etc. for monitoring/sampling the air emissions and the same shall be made available for inspection and use by the State Board's staff as well as State Board's authorised agencies.

15. The Applicant shall install a separate energy meter showing the consumption of energy for operation of pollution control devices and shall install suitable device for measuring the volume of water consumed for different purposes as mentioned above giving correct result to the satisfaction of the State Board.

16. The Applicant shall allow the Officers of the State Board to enter into the premises of the unit at any reasonable time to inspect the pollution control systems and shall provide adequate and safe facility for collection of air, wastewater and solid waste samples for monitoring and measuring by the State Board's staff as well as State Board's authorised agencies.

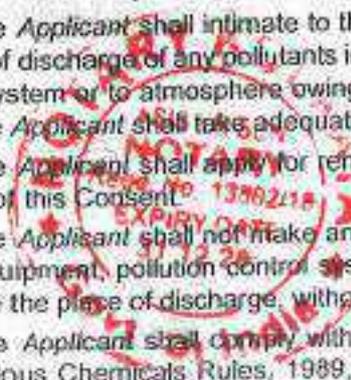
17. The Applicant shall maintain an Inspection Book in the factory premises which shall be made available to inspecting officers of the State Board for inspection, review and to write down any direction or observation as is deemed necessary during the inspection.

18. The Applicant shall intimate to the State Board immediately of any occurrence or apprehension of occurrence of discharge of any pollutants in excess of quality and quantity as mentioned above to any receiving water body/system or to atmosphere owing to accident or other unforeseen incident/event including natural disaster and the Applicant shall take adequate steps to prevent such accidental event.

19. The Applicant shall apply for renewal of consent to State Board in prescribed form 60 (sixty) days before expiry of this Consent.

20. The Applicant shall not make any alteration/modification/expansion in the existing manufacturing process and equipment, pollution control system and shall not bring into any altered or new outlet/outfall or stack or change the place of discharge, without prior approval of the Board.

21. The Applicant shall comply with the conditions as laid down in the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989, Hazardous Wastes (Management & Handling) Rules, 1989 and Public Liability insurance Act, 1991.





Government of West Bengal
Office of the Sub Divisional officer,
Birbhum Sadar, Suri

No 659/S

Date: 26/05/2023

✓ To,
The Secretary,
Panchami Mine Owner's Association,
Kapasdanga, Bharkata, Birbhum

Sub: Order regarding the power to issue 'Consent to Establish' & 'Consent to operate' of all units attracting environmental clearance.

Ref: Order of the Chairman, West Bengal Pollution Control Board issued vide Memo. no 02/4A-10/2012 30/01/2023

Sir,

Enclosed please find herewith the copy of the order issued by the Chairman, West Bengal Pollution Control Board issued vide Memo. no 02/4A-10/2012 30/01/2023 regarding the processes to be followed to get 'Consent to Establish'(NOC) - & 'Consent to Operate' of stone crushers and units dealing with mining of all minor minerals such as river sand, black stone, china clay etc. attracting Environment Clearance(EC) provisions.

You are requested to take necessary steps accordingly.

Encl: As stated.

Yours faithfully,


Sub-Divisional Officer,
Birbhum Sadar,

Date: 26/05/2023

No 659/10/1/S

Copy forwarded for information to:

- 1) The CA to the District Magistrate, Birbhum.
- 2) The CA to the Additional District Magistrate(L&LR).


Sub-Divisional Officer,
Birbhum Sadar





West Bengal Pollution Control Board

Paribesh Bhawan,
Block No. 50 A, Block I.A, Sector-III, Salt Lake City, Bidhan Nagar,
Kolkata - 700 106, INDIA
Website: www.wbpcb.gov.in, e-mail: wbpcbnet@wbpcb.gov.in

Memo No. 02/4A-10/2012

Dated: 30.01.2023

ORDER

WHEREAS the West Bengal Pollution Control Board, Department of Environment, Government of West Bengal is concerned about various complaints against the illegal mining of minor minerals such as river sand, black stone, China Clay etc., having mining lease area less than 5 hectare which are operating without proper statutory licenses and without adopting proper pollution control systems and measures and thereby creating environmental hazards and various other environmental problem.

AND WHEREAS the West Bengal Pollution Control Board (hereinafter will be referred to as the State Board) is executing the provisions of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, and the Environment (Protection) Act, 1986 and Rules framed thereunder for Prevention and Control of Pollution within the territorial jurisdiction of West Bengal.

AND WHEREAS the State Board by the order bearing No.3895/43L/WPB/2003 dated 09/12/2010 declared the Block Development Officer, Sub-Divisional Officer of all the Districts, West Bengal as Ex-Officio Environment Officers of the State Board. They were delegated powers to inspect and monitoring of the stone queries and stone crushing units and also to issue 'Consent to Establish' (NOC) and 'Consent to Operate' maintaining the norms and procedure as mentioned therein.

AND WHEREAS in the said Order of the State Board, the District Magistrates were declared as "Ex-Officio Senior Environmental Officer" of the State Board and powers were also delegated to the District Magistrates of all the Districts of West Bengal to issue regulatory order against the stone queries and stone crushing units in the form of closure, disconnection of, electricity, water line and also to exercise such powers as conferred under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981 and Environment (protection) Act, 1986 and Rules framed thereunder, for the purpose of abatement of pollution from the Stone quarries and stone crushing units.

AND WHEREAS the Ministry of Environment and Forest & Climatic Change, Govt. of India issued Notifications dated 15-01-2016 and 20-01-2016 in order to streamline process of issuance of Environmental Clearance (EC) for mining minerals units, as mentioned therein.

AND WHEREAS the District Level Environment Impact Assessment Authority (DEIAA) and District Expert Appraisal Committee (DEAC) have been constituted by the West Bengal Government at all the Districts towards issuance of EC for such units dealing with mining of minor

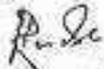


Applications.

HENCE, after careful consideration of the above mentioned orders, Notification and National Green Tribunal Orders, West Bengal Pollution Control Board, in consultation with the Department of Environment, Government of West Bengal has decided to withdraw the delegation of Power given to District Magistrate, Sub-Divisional Officers & Block Development Officers vide no. 3895/431/WPB/2003 dated 09/12/2010 and 67/375L/WPB/2017 dated 24/01/2017.

NOW THEREFORE to ensure uniformity in consent application, processing through OCMMS and in supersession of all previous orders in this regard, the State Board hereby orders that henceforth Consent to Establish (NOC) and Consent to Operate applications of stone crushers and units dealing with mining of all minor minerals such as river sand, black stone, China Clay etc., attracting Environmental Clearance (EC) provisions shall be dealt by the State Board.

This order will take immediate effect.


Kalyan Rudra
Chairman





Government of West Bengal
Office of the District Magistrate
Birbhum
Email :: dm-bir@nic.in

Memo No. M&M/4142(210)/DL&LRO(B)/2025

Date: 07.08.2025

To,
Name of Stone Crushing Unit : M/S Adibashi Stone Crusher
Name of Proprietor/Owner : Md Firoj Ali
Address : Panchami, PS-Md.Bazar, Dist.-Birbhum
Mouza where crushing unit is located : Pachami-03
P.S. & District : Md. Bazar, Birbhum.

Sub: Operation of Stone Crushing Unit without obtaining requisite Consent to Establish/Consent to Operate from the WBPCB and imposition of Environment Compensation in terms of the solemn order dated 21.03.2025 passed by the Hon'ble NGT. Eastern Zone Bench in O.A. No. 154/2024/EZ.

Whereas, in terms of the solemn order dated 21.03.2025 by the Hon'ble National Green Tribunal, Eastern Zone Bench passed in O.A. No. 154/2024/EZ (Earlier O.A. No.722/2024/PB) in the matter of Re: News item titled "Birbhum- a proposed Coal mine in West Bengal and the related health hazards" appearing in "The Hindu" dated 12.05.2024 as regards determination of Environmental Compensation against the Stone Crushing Units operating illegally in contravention of law, Notice being Memo No. M&M/1630/DL&LRO(B) dated 04.04.2025 was issued to the 229 number of stone crushing units under PS- Md. Bazar asking them to submit copies of all permissions/consents/licenses/relevant documents related to their stone crushing units in the office of the BL&LRO, Md. Bazar within two weeks from the date of receipt of the said notice;

And whereas, in terms of the said direction vide the Notice dated 04.04.2025, the appearing stone crushing units have submitted certain documents as available to them, in connection with their respective crushing units;

And whereas, after scrutiny of the said documents, as submitted by the appearing stone crushing units before the BL&LRO, Md. Bazar Block, it appears that your stone crushing unit is being operated/run by you without valid subsisting Consent/Permission/Clearance from the appropriate authority from the period from Since inception till date;

And whereas, in earlier occasion, the Hon'ble National Green Tribunal, Eastern Zone vide Order dated 15.11.2016 passed in O.A. No. 41/2015/EZ read with the Order dated 11.10.2017 passed in O.A. No. 44/2015/EZ in the matter of Joydeep Mukherjee Vs. WBPCB & Or., categorized the stone crushing units into two as follows:

Category-I : Those units which did not have any consent at any point of time but running illegally;

Category-II : Those units which possessed consents to operate the validity of which expired and were not renewed but continuing to be operating illegally.

The Hon'ble National Green Tribunal vide the aforesaid order, was pleased to impose a fine of Rs. 1.5 Lakhs for Category-I and Rs. 1.00 Lakh for the Category-II, which was to be submitted with the WBPCB.



Suman Dhibar

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And whereas, while adopting the aforesaid method and manner of imposition of such penalty, it appears that your stone crushing falls within the Category- I and therefore, you are liable to pay a fine of Rs. 1,50,000 (Rs. One Lakh Fifty Thousands only).

You are therefore directed to:

1. Not to resume/continue operation in your stone crushing unit until you obtain the requisite license/consent/permission from the competent authority;
2. Pay the aforesaid fine of Rs. 1,50,000 (Rs. One Lakh Fifty Thousands only) with the regional office of the WBPCB within one month from the date of receipt of this order and to obtain requisite consents/permission thereof in respect of your crushing unit following the relevant procedure.

In the event of failure of the aforesaid directions, legal action shall be taken against your crushing unit strictly in accordance with the law.

It is clarified that payment of the aforesaid fine shall not *ipso facto* create any right or equity in favour of you to grant/issue requisite consent/permission by the competent authority, for which you have to follow the relevant procedure to apply and such application shall be dealt with by the competent authority in accordance with law.


District Magistrate
Birbhum.

Memo No. M&M/4142(210)/I(9)/DL&LRO(B)/2025

Date: 07.08.2025

Copy forwarded for information and necessary action to:

1. The Superintendent of Police, Birbhum with a request to make necessary arrangements to ensure that the stone crushing unit in issue does not resume/continue its operation till he obtains the requisite consents/permissions.
2. The Additional District Magistrate and District Land & Land Reforms Officer, Birbhum.
3. The Sub-Divisional Officer, Suri Sadar Sub-Division, Birbhum.
4. The Environment Engineer and In-Charge, WBPCB, Durgapur Regional Office.
5. The Sub-Divisional Land & Land Reforms Officer, Suri Sadar Sub-Division, Birbhum.
6. The Block Development Officer, Md. Bazar Dev. Block, Birbhum.
7. The Block Land & Land Reforms Officer, Md. Bazar Block, Birbhum.
8. The Mining Officer, Suri Zone.
9. The Officer-in-Charge, Md. Bazar Police Station.


District Magistrate
Birbhum.



M/S. ADIBASI STONE CRUSHER**All Kinds of Stone Chips Manufacturer & Suppliers.****Vill. Sagarbandhi :: P.O.-Bharkata :: P.S.-Md.****Bazar :: Dist.-Birbhum :: Pin.-731216**

Ref. No.-

Date.....

AUTHORIZATION LETTER

We, M/s. Adi Bashi Stone Crusher, a partnership firm within the meaning of the Partnership Act, 1932, having its office at Village – Sagarbandhi, Post Office – Mokdamnagar, Police Station – Md. Bazar, District - Birbhum, do hereby solemnly affirm and authorize as follows:

That we do hereby expressly authorize Mr. Chandu Murmu, son of Late Pitha Murmu, residing at Village Sagarbandhi, Post Office – Mokdamnagar, Police Station – Md. Bazar, District – Birbhum, PIN – 731 216, one of the partners, to act jointly and severally for and on behalf of M/s Adi Bashi Stone Crusher, for the purpose of filing the Original Application before the Hon'ble National Green Tribunal, Eastern Zone Bench at Kolkata, and to represent the partnership firm in the said proceedings and take all necessary steps, signing, affirming and submitting documents, affidavits, applications, replies, and doing all such acts and things as may be incidental, necessary or expedient for due prosecution of the said proceedings.

That any act, deed or thing done by the said Chandu Murmu pursuant to this authorization shall be deemed to have been done with full authority and shall be binding upon the partnership firm.

That this authorization is given in good faith and shall remain valid and subsisting until the conclusion of the said proceedings, unless expressly revoked in writing.

In witness whereof, I, the undersigned, have executed this Authorization Letter on this 24th day of December 2025 at Kolkata.

For M/s Adi Bashi Stone Crusher

M/s Adibasi Stone Crusher
Chandu Murmu
 Partner

M/s Adibasi Stone Crusher
 For, Md. Firoj Ali
 Partner

M/s Adhasi Stone Crusher
Kolkata
Partner
Chandra

"VAKALATNAMA"

In the _____ at _____
Before Ld NATIONAL GREEN TRIBUNAL Judge

Suit/Case No. EASTERN ZONE BENCH, KOLKATA at 201
ORIGINAL APPLICATION No. OF 2025

CHANDU HURNU & ANR.

Signature

~~Plaintiff~~
~~Applicant~~
~~Appellant~~

-VS-

THE STATE OF WEST BENGAL & OTHERS

~~Defendant~~
~~Opp-Party~~
~~Respondent~~

KNOW ALL MEN by these APPLICANT

that I/We do hereby in my / our name and my / (our behalf constitute and appoint Sri STEVEN SOURODIP BISNAB, ADVOCATE 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 filing or taking out of appeal, document and payment order from Court referring matters in dispute between the parties here to arbitration, withdrawing the above matters with liberty file fresh suit, sending properties released from attachment filing 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 agents and purposes.

Date 25/11/2025

ADVOCATES-
STEVEN SOURODIP BISNAB,
ADVOCATE,
HIGH COURT AT CALCUTTA,
S, PARK LANE, KOLKATA-700016
EMAILED: bicans.steven@gmail.com
Phone: 7009415384 (M)
F/1959/1708/2019

Received this Vakalatnamah
from the executants direct.

Satisfied and accepted the same.

It is
Dhanoo Chandra Biswas
Advocate