

1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEWDELHI**

**ORIGINAL APPLICATION NO. 735/2022/PB**

**MUJIBUR RAHMAN MALIK**

..... APPLICANT(S)

**VERSUS**

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

..... RESPONDENT(S)

**AFFIDAVIT ON BEHALF OF THE RESPONDENT NO.  
04, i.e. THE WEST BENGAL POLLUTION CONTROL  
BOARD.**

**INDEX**

SL No	PARTICULARS	ANNEXURE	PAGE
1.	Affidavit		1-9
2.	Copy of the inspection report of the State Board dated 15.06.2023.	"R1"	10-25

Filed by

**MADHUMITA BHATTACHARYA  
ADVOCATE -on- RECORD  
SUPRIME COURT OF INDIA**

SL No: 42 of 03/08/23

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI



ORIGINAL APPLICATION NO. 735/2022/PB

MUJIBUR RAHMAN MALIK

..... APPLICANT(S)

VERSUS

THE STATE OF WEST BENGAL POLLUTION  
CONTROL BOARD & ORS.

..... RESPONDENT(S)

AFFIDAVIT ON BEHALF OF THE RESPONDENT NO.  
04, i.e. THE WEST BENGAL POLLUTION CONTROL  
BOARD.

Most Respectfully Sheweth

I, Sri Subrata Ghosh, Occupation- Service, residing at Narkelbagan,  
Gorosthan, Chinsurah son of Shri Biswanath Ghosh, aged about 59  
years, by faith-Hindu, by, District - Hooghly, do hereby solemnly  
declare and say as follows:-

01. That, I am the Chief Engineer, West Bengal Pollution Control  
Board (hereinafter will be referred to as the 'State Board') and look

03 AUG 2023

after this case and as such I am well acquainted with the facts and circumstances of the case. I have been duly authorized by the Respondent No. 04, to affirm this Affidavit on its behalf and as such, I am competent to do so.

02. That, this affidavit is being affirmed in pursuance to the judgment passed by the Hon'ble Tribunal dated 02.01.2023.

03. That, as per the order of the Hon'ble National Green Tribunal vide order dated 02.01.2023, constituted a Committee. The West Bengal Pollution Control Board was appointed as Nodal Agency for filing the report of the Committee for all logistics purposes. The Hon'ble National Green Tribunal by the said order directed the Committee to inspect the site in question in regard to the allegation made in the original application and thereafter submit its report along with observation and recommendations for remedial action.

04. That, as per the order of the Hon'ble National Green Tribunal, the Committee inspected the said site, namely, the Kana Damodar River, which starts in Purba Bardhaman and after flowing through Hooghly District enter Howrah District. Local Official informed that, they do not know any industrial water flowing into the Kana Damodar River. The Kana Damodar and Rajapur Canal meet near Basudevpur village and then joins the river Hooghly near Fuleswar. Rajapur canal flows



03 AUG 2023

through Chanditala I Block, Hooghly and Domjur Block, Panchala Block and Gabberia II of Howrah, Kana Damodar River flows through Amta Block, Jagatballavpur Block, Panchla Block and Uluberia Block of Howrah.

05. That, in the inspection, report inspecting officers made the following observations on the basis of Samples of canal water also drawn from the tributary canal (Kamarnala canal and the Janai Basin canal) as also from Kana Damodar :-

a) The samples collected from different places were found not to comply with bathing standard as per water quality criteria of Central Pollution Control Board, growth of hydrophytes like hyacinth throughout of water body has caused degradation of the water quality.

b) At the point of collection of water samples from Janai basin canal, the water quality was observed to be expectational poor with no Dissolved Oxygen, High BOD and very high Total Coliform levels as indiscriminate throwing of the solid waste on the canal pollutes the canal, creates stagnation of water and decreases aesthetic value of the river.

c) There are no drains constructed by local authority for discharge of sewage as the Rajapur Canal and Kana Damodar mainly flows through rural area. However, some houses were observed adjacent to the canal which could discharge their sewage into the canals.

03 AUG 2023

- d) It was informed by the local official and the local villagers that Industrial estates do not exist in that area but a cluster of various type of unit do exist in the Kalachara area of Chanditala II Block, Hooghly District out of which a few dyeing / colouring units discharge coloured effluent at different times into the Janai Basin canal which meets the Rajapur canal downstream.
- e) The units identified by the WBPCB in the Kalachara area of Hooghly districts are given below:-
- i) M/s Paul Fabrics, Vill: Kalachara, P.O. & P.S. Chanditala, Pin. 712 702.
  - ii) M/s. Kohinoor Sarees Pvt. Ltd. Vill: Kalachara, P.O. & P.S. Chanditala, Pin-712 702.
  - iii) M/s Uday industries Ltd., Vill: Kalachara, P.O. & P.S.- Chanditala, Pin- 712 702.
  - iv) M/s Sarat Industries (Processing Division) Vill: Kalachara, P.O. & P.S. Chanditala, Pin. 712 702.

06. On the basis of inspection report WBPCB has taken following steps against the polluting units:-

- a) M/s Paul Fabrics (Red Category and Consent to Operate valid upto 31.07.2027): A drainage system for bypassing the ETP was also observed. The State Board has thereafter issued a closure

03 AUG 2023



order dated 29.05.2023 for non compliance of environmental norms.

- b) M/s Kohinoor Sarees Pvt. Ltd. (Orange Category and Consent to Operate expired on 28.02.2023 - The State Board thereafter issued a closure order dated 18.05.2023 with disconnection of electricity for non compliance of environmental norms.
- c) M/s Sarat Industries Ltd. (Red Category and Consent to Operate and valid upto 31.12.2025) - The unit has been show-caused and asked to upgrade their ETP.
- d) M/s. Uday Industries (processing division) (Red Category and Consent to Operate valid upto 31.05.2025.



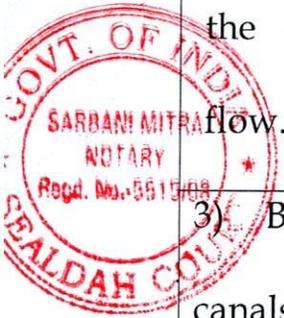
07. That the prayers of M/s Paul Fabrics and M/s Kohinoor Sarees Pvt. Ltd. for issuance of "Suspension of Closure Orders" are under consideration of the State Board.

08. That, on the basis of field inspection, the committee has recommended the following:-

Cause	Action to be taken	Concerned Department
1) Water-hyacinth in different locations of Rajapur Canal, Janai Basin canal and kamarnala canal restricts the water flow.	Periodical cleaning operations to be undertaken.	Irrigation and Waterways Department and local authority.

03 AUG 2023

<p>2) Siltation surrounding the bridges restrict the water flow and hinders tidal effect. It was observed that stretches of the Rajapur Canal and Kana Damodar require de-siltation to maintain the ecological water flow.</p>	<p>It needs periodical dredging to maintain the water flow</p>	<p>Local Authority, Irrigation and waterways Dept.</p>
<p>3) Bridges over the canals and river need to be fenced upto double a man height on both the sides of the river so as to check the dumping of solid wastes.</p>	<p>A notice of punishment for dumping solid wastes may be displayed by the local authorities in relevant locations for the awareness of the local people.</p>	<p>District police Authority and Local authority</p>
<p>4) Direct discharge of sewage.</p>	<p>Prevention of direct discharge of sewage from houses into Rajapur Canal.</p>	<p>Local authority, Irrigation and waterways dept.</p>



03 AUG 2023

Copy of the inspection report of the State Board dated 05.04.2023 is annexed herewith and marked with letter "R1".

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

*Suhra Shahid*  
DEPONENT



03 AUG 2023

## VERIFICATION

I, Sri Subrata Ghosh, son of Shri Biswanath Ghosh, aged about 59 years, by Religion - Hindu, by Occupation- Service, residing at Narkelbagan, Gorosthan, Chinsurah, District-Hooghly, do hereby solemnly declare and say as follows:-

1. That, I am the Chief Engineer, West Bengal Pollution Control Board and I am well acquainted with the facts and circumstances of the instant Original Application.

2. That, the statements made in paragraph 1 of this affidavit is true to my knowledge and belief.

3. That, the statements made in paragraphs 2 to 6 of this affidavit are my information derived from the records available in the office of the State Board which I verily believe to be true and the rest are my respectful submission before this Hon'ble Tribunal.

*Subrata Ghosh*  
DEPONENT

Identified by me

*Prithwish Kumar Basu*

Advocate

WBPCB

Solemnly Affirmed &  
Declared Before Me  
On Identification By

*Sarbani Mitra*  
SARBANI MITRA  
NOTARY  
Regd. No -5515/RA

03 AUG 2023

**Report in the matter of Original Application No. 735/2022 (Regarding water pollution in Rajapur Canal and Kana Damodar River, Mujibur Rahman Malik vs. The State of West Bengal & Ors.) vide Hon'ble NGT order (Principal Bench, New Delhi) dated 02.01.2023.**

The Hon'ble National Green Tribunal, Principal Bench constituted a Joint Committee comprising State PCB, District Magistrate, Howrah and CPCB in the matter. The State Board was to act as the nodal agency for coordination and compliance.

Pursuant to the order of the Hon'ble NGT, the Committee comprising of the following members was constituted as per nominations received from the participating departments/ offices.

1. Smt. Debaroti Ghosh, WBCS (Exe.), ADM (LR), Howrah
2. Sri Sandeep Roy, Scientist D, CPCB Regional Office, Kolkata
3. Smt. Rita Datta, Environmental Engineer & In charge, Howrah Regional Office, WBPCB
4. Sri Baijayanta Kumar Majumder, Environmental Engineer & In charge, Hooghly Regional Office, WBPCB

The members of the committee decided to carry out site visit for the purpose of preparation of the report on 15.03.23. Accordingly, the members of the joint committee accompanied by Shri Prasanta Kr. Maity, Dy. DLRO, and Shri Subir Sarkar, SDO Irrigation visited the areas around Rajapur canal and Kana Damodar River on 15.03.2023. Officials of Bhagabatipur Panchayat of Chandipur I Block, Hooghly and the villagers of Haranandabati, Hooghly informed that the Rajapur canal starts at Vedo-Kanaidanga at Hooghly district and then enters Howrah district. The Kamarnala canal meets the Rajapur canal at Haranandabati, Hooghly. The Kamarnala Canal is also met by the Janai Basin canal in the upstream area. The local officials and the local villagers further stated that industries from the Kalachara area of Chanditala II Block, Hooghly district discharge coloured water at different times into the Janai Basin canal which in turn contributes the polluted water to the Rajapur Canal, allegedly ruining the flora and fauna of the canal.

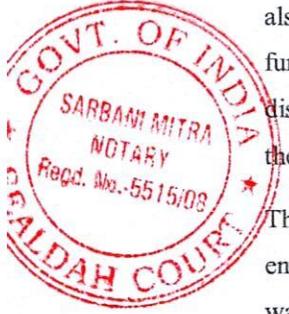
The Kana Damodar River starts in Purba Bardhaman and after flowing through Hooghly district enters Howrah district. Local officials informed that they do not know of any industrial waste water flowing into Kana Damodar River.

The Kana Damodar and Rajapur canal meet near Basudevpur village and then joins the river Hooghly near Fuleswar.

Rajapur canal flows through Chanditala I Block, Hooghly and Domjur Block, Panchla Block and Gabberia II of Howrah. Kana Damodar River flows through Amta Block, Panchla Block and Uluberia Block of Howrah.

**Observations:**

The Rajapur canal was visited from the starting point at Vedo-Kanaidanga, Hooghly to the meeting point of Kana Damodar and samples were thereafter drawn at different points for analysis. Samples of canal water were also drawn from the tributary canals (Kamarnala canal and the Janai Basin canal) as also from Kana Damodar.



1. The first sample (13:00 hrs) was collected from Kamarnala Canal , approx. 1 km west from the Rajapur Canal junction. LAT 22.653900 LONG 88.180400. The Canal in this location was covered with floating algae and floating hydrophytes.



No flow in the canal was noticed, the water quality in this location is degraded and do not comply with the bathing standards as per the water quality criteria of CPCB. Growth of the hydrophytes like Hyacinth throughout the water body causes the degradation of the water quality.

2. The second sample (13:40hrs) was collected from Kamarnala Canal & Rajapur Canal junction. LAT 22.654300 LONG 88.178300. Locally the place is known as Haranandabati.



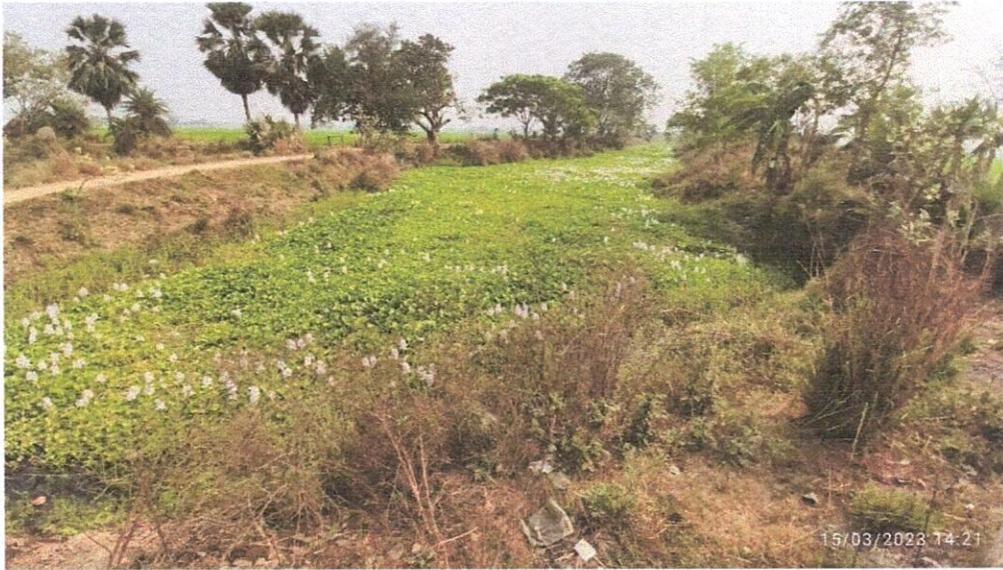
Kamarnala Canal

The sample collected does not comply with the bathing standards as per the water quality criteria of CPCB.



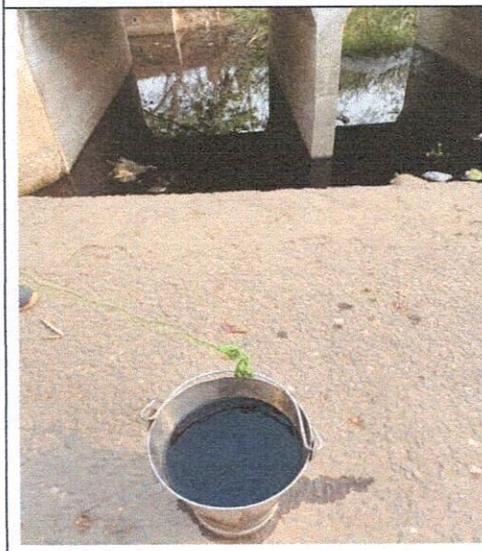
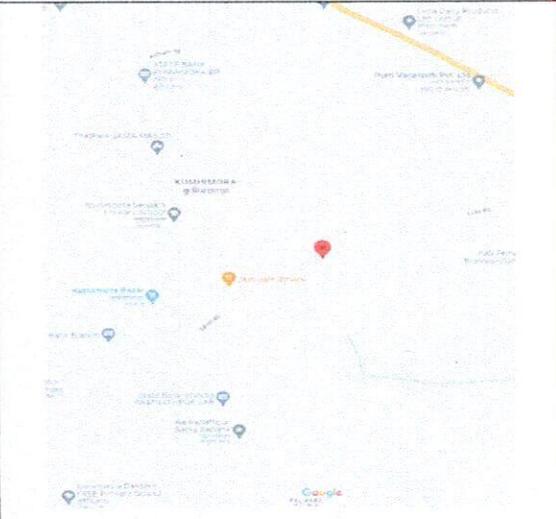
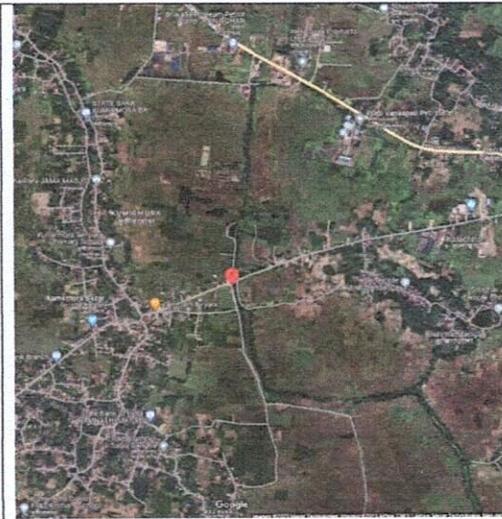
3. The third sample (14:00 hrs) was collected from the Rajapur Canal. LAT 22.659500  
LONG 88.179200.



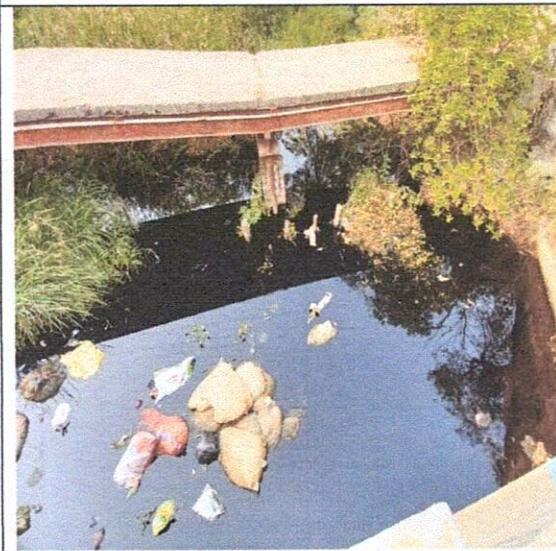


The sample however does not again comply with the bathing standards as per the water quality criteria of CPCB. Extensive growth of water hyacinth was observed on the water body.

- 4. Fourth sample (15:10 hrs) from Kumir Mora Khal (Janai Basin Canal), LAT 22.694700  
LONG 88.232400.



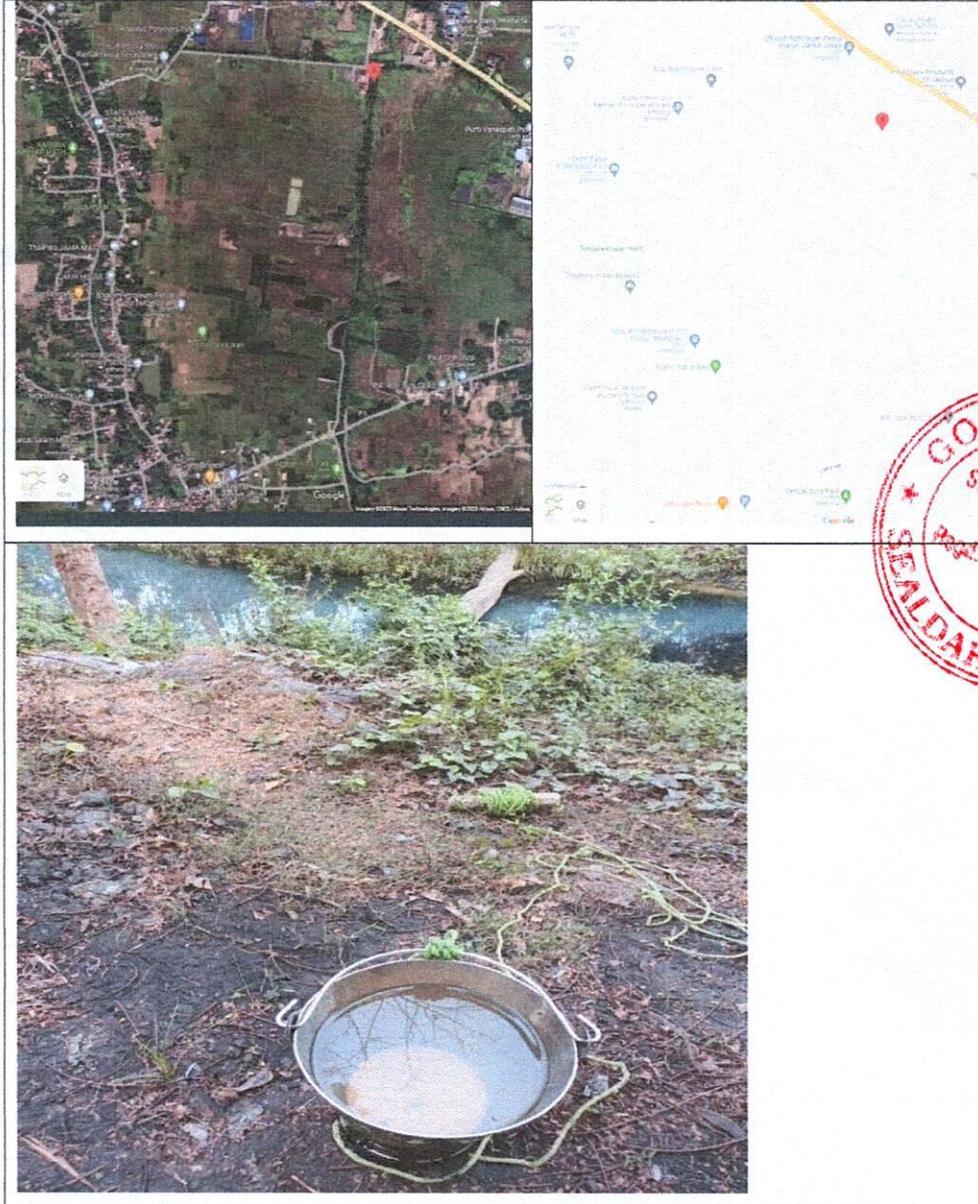
**Black colour of Janai basin Canal**



**Dumped solid wastes on Janai basin Canal**

The colour of the Janai Basin Canal site near the concrete bridge at Bamandanga/Kumirmora was observed to be black and bags filled with solid waste were also observed dumped on the Canal. Indiscriminate throwing of the solid waste on the canal pollutes the canal, creates stagnation of the water and decreases the aesthetic value of the river. The water quality was observed to be exceptionally poor with no Dissolved Oxygen, High BOD and very high Total Coliform levels.

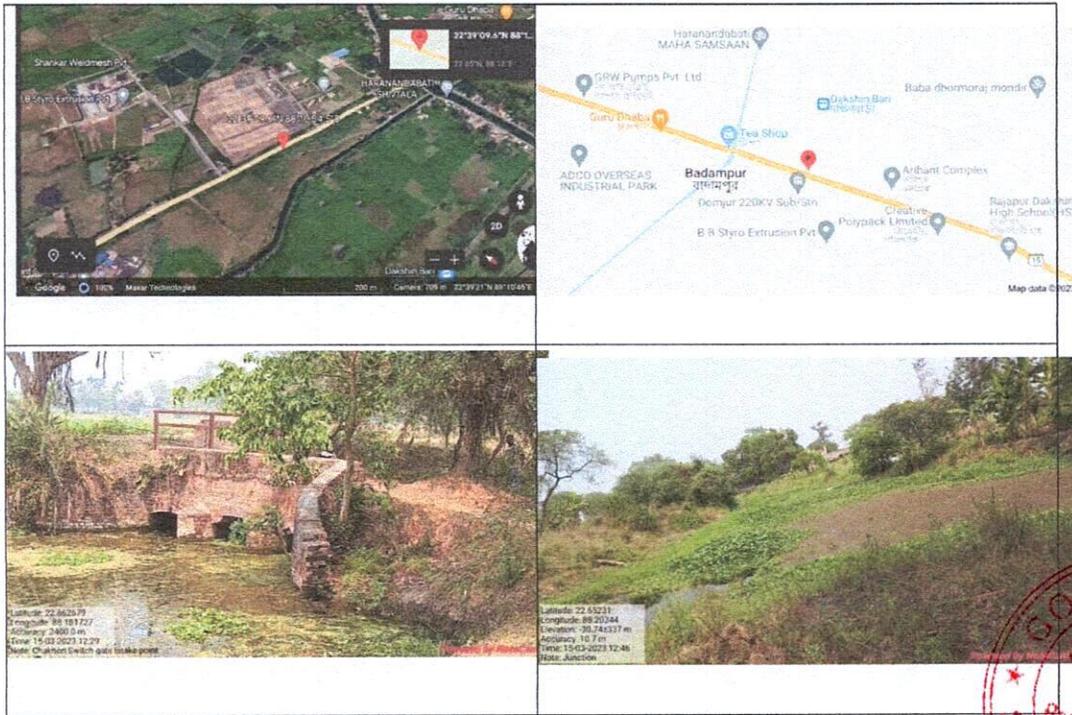
5. The fifth sample (16:00 hrs ) was collected from a drain in front of M/s Sarat Industries Limited, M/s Uday Industries (Processing Division), LAT22.7042 LONG 88.2335.



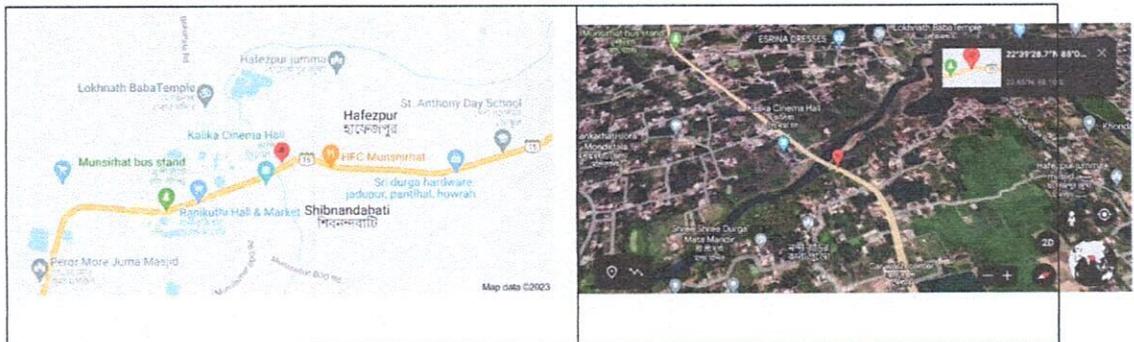
The water quality in this sample was also observed to be extremely poor with no Dissolved Oxygen, High BOD and very high Total Coliform levels.

6. The sixth sample (12:35 hrs) was collected from junction of Rajapur Branch Channel and Kamarnala Khal near Chakhori Village. LAT 22.662679 LONG 88.181727. The Canal in this location was covered with floating algae and floating hydrophytes. No flow in the

canal was noticed, the water quality in this location is degraded and do not comply with the bathing standards as per the water quality criteria of CPCB. Growth of the hydrophytes like Hyacinth throughout the water body causes the degradation of the water quality.

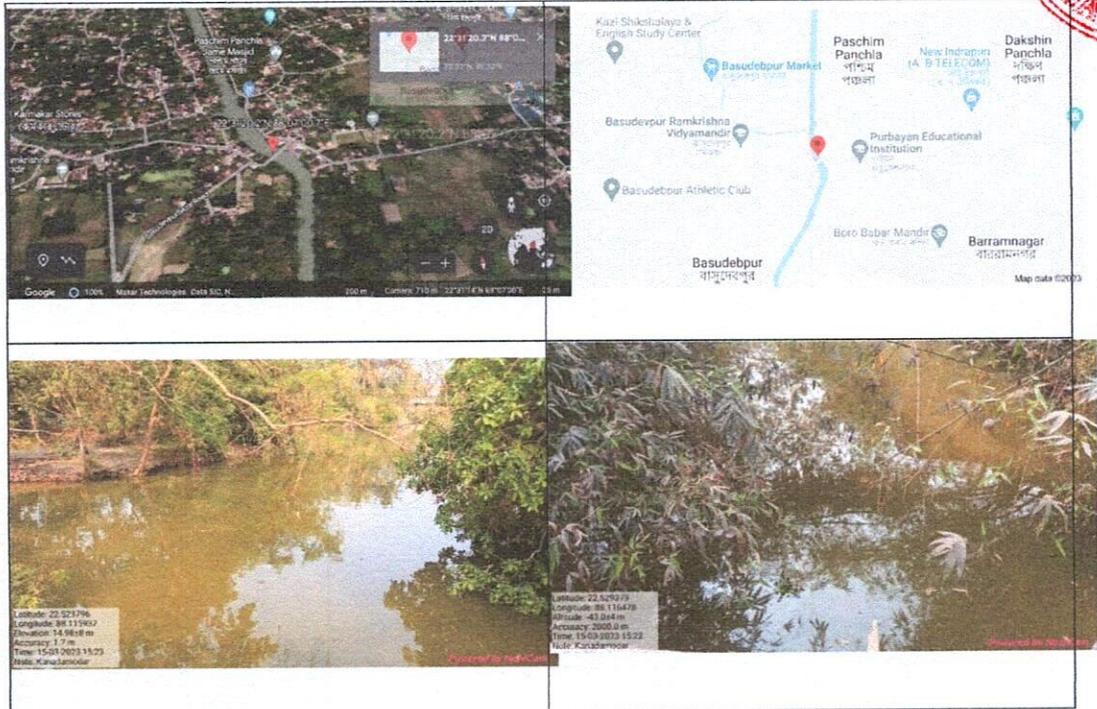


7. The seventh sample (13:50 hrs) was collected from Kana Damodar at junction of Munsirhat PWD RCC Bridge near Kalika Cinema Hall. LAT 22.657953 LONG 88.098109. This location was covered with floating algae and floating hydrophytes. The flow of this portion of Kana Damodar is very slow and no tidal effect was noticed. Indiscriminate dumping of solid waste was noticed beside the canal. The sample collected again does not comply with the bathing standards as per the water quality criteria of CPCB.





8. The Eighth sample (15:10 hrs) was collected at Lalpole (Basudevpur) meeting point of Kana Damodar & Rajapur Canal. LAT 22.523796 LONG 88.115937. Tidal effect was noticed. The sample collected again does not comply with the bathing standards as per the water quality criteria of CPCB.





The eight canal water analysis reports are given in **Annexure 1** and **Annexure 2**. It is to be noted that although all the eight samples of canal water have failed to meet the bathing criteria of the CPCB, the canal water quality of sample **4** ( Kumirmora/Janai basin canal) & **5** ( Janai basin canal ) is exceptional as the BOD,DO and Total Coliform levels exceeds the prescribed standards by a wide margin (**Annexure 1**).

As informed by local officials, there are no drains constructed by local authorities for discharge of sewage as the Rajapur canal and Kana Damodar mainly flows through rural area. However, some houses were observed adjacent to the canals which could discharge their sewage into the Canals.

It was informed by the local officials and the local villagers that industrial estates do not exist in that area but a cluster of various types of units do exist in the Kalachara area of Chanditala II Block, Hooghly district out of which a few dyeing/colouring units discharge coloured effluent at different times into the Janai Basin canal which meets the Rajapur Canal downstream.

The units identified by the WBPCB in the Kalachara area of Hooghly district are given below:

- i) M/s Paul Fabrics, Vill: Kalachara, PO & PS :Chanditala, Pin-712 702.
- ii) M/s Kohinoor Sarees Pvt. Ltd, Vill: Kalachara, PO & PS: Chanditala, Pin-712 702.
- iii) M/s Uday Industries (Processing Division), Vill: Kalachara, PO & PS :Chanditala, Pin-712 702.
- iv) M/s Sarat Industries Limited, Vill: Kalachara, PO & PS :Chanditala, Pin-712 702.

As decided by the committee, officials of the Hooghly Regional Office of WBPCB visited the above stated units.

#### **Action taken by the WBPCB**

- a) M/s Paul Fabrics (Red category and consent to operate valid upto 31/07/2027): This dyeing and bleaching unit was last visited on 13/04/23. Dyeing and bleaching was not being carried out on the day of inspection. Knitting and silk screen printing is however being carried out. ETP was observed to be in a defunct state with dried ETP sludge dumped in the drains and in the open land. A drainage system for bypassing the ETP was also observed. The State Board has thereafter issued a closure order dated 29/05/2023 for non-compliance of environmental norms (**Annexure 4**).
- b) M/s Kohinoor Sarees Pvt. Ltd. (Orange category and consent to operate expired on 28/02/23- Applied for renewal online. Clarification sought from the industry online which is pending at their end): This silk screen printing unit was last visited on 16/03/23. The



unit possesses an ETP. However, treated effluent quality did not meet the prescribed standard of the State Board with respect to Total Suspended Solids, Bio-chemical Oxygen Demand, Chemical Oxygen Demand. The State Board has thereafter issued a closure order dated 18/05/23 with disconnection of electricity for non-compliance of environmental norms(Annexure 5).

- c) M/s Sarat Industries Limited (Red category and consent to operate valid upto 31/12/2025). This dyeing and bleaching unit was last visited on 22/02/23. The unit possesses an ETP and the analysis of treated effluent reveals that with the exception of BOD, all other parameters have met the prescribed standard of the State Board. The unit has been show-caused and asked to upgrade their ETP.
- d) M/s Uday Industries (Processing Division) (Red category and consent to operate valid upto 31/05/2025). This dyeing and bleaching unit was last visited on 16/03/23. The unit possesses an ETP and treated effluent quality met the prescribed standard of the State Board.

**Action required to be taken:**

- 1) Canals are considered as flowing water bodies but almost no flow was observed in the Kamarnala, the Rajapur and the Janai Basin Canal. Water hyacinth in different locations of Rajapur Canal, Janai Basin canal and Kamarnala canal restricts the water flow. Periodical cleaning operations to be undertaken

**Action: Irrigation and Waterways Dept. & Local Authority**

- 2) Siltation surrounding the bridges restrict the water flow and hinders tidal effect. It was observed that stretches of the Rajapur Canal and Kana Damodar require de-siltation to maintain the ecological water flow. It needs periodical dredging to maintain the water flow.

**Action: Local Authority, Irrigation and Waterways Dept.**

- 3) Bridges over the canals and river need to be fenced upto double a man height on both the sides of the river so as to check the dumping of solid wastes. A notice of punishment for dumping solid wastes may be displayed by the local authority in relevant locations for the awareness of the local people.

**Action: District Police Authority and Local Authority**

- 4) Sewage discharge from houses into the Rajapur Canal, Kamarnala Canal, Janai Basin canal and Kana Damodar river is required to be properly managed for preventing degradation of the canal.

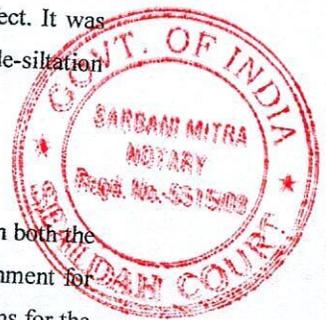
**Action: Local Authority, Irrigation and Waterways Dept.**

*Howrah*  
Addl. District Magistrate (LR), Howrah  
**ADN (LR) & Land Reforms Officer**  
Howrah

*[Signature]*  
Scientist D  
CPCB Regional Office, Kolkata

*R Salta*  
Environmental Engineer & In-Charge  
Howrah Regional Office, WBPCB

*[Signature]*  
Environmental Engineer & In-Charge  
Hooghly Regional Office, WBPCB



**CANAL WATER ANALYSIS REPORT OF RAJAPUR CANAL AND ITS TRIBUTARIES  
(KAMARNALA KHAL AND JANAI BASIN CANAL) ON THE HOOGHLY DISTRICT  
SIDE**

Parameters	Classification criteria for outdoor bathing (organisation)	Sample No. 1	Sample No. 2	Sample No. 3	Sample No. 4	Sample No. 5
		Badampur/ Haranandabati, Kamarnala Khal, approx. 1 km from Rajapur Canal  LAT 22.653900 LONG 88.180400	Badampur/ Haranandabati, Kamarnala Khal, meets at Rajapur Canal  LAT 22.654300 LONG 88.178300	Rajapur Canal  LAT 22.659500 LONG 88.179200	Kumir Mora Khal (Janai Basin Canal)  LAT 22.694700 LONG 88.232400	Janai basin Canal in front of Uday & Sarat Industries Pvt Ltd.  LAT 22.704200 LONG 88.233500
pH	6.5-8.5	7.47	7.62	7.59	7.44	8.14
Dissolved Oxygen (mg/l)	5 mg/l or more	9.2	3.6	2.2	BDL	BDL
BOD(mg/l)	3 mg/l or less	3.17	2.5	2.42	92.5	18.25
Total Coliform(MPN/100 ml)	500 or less	330	1300	3300	230000	92000

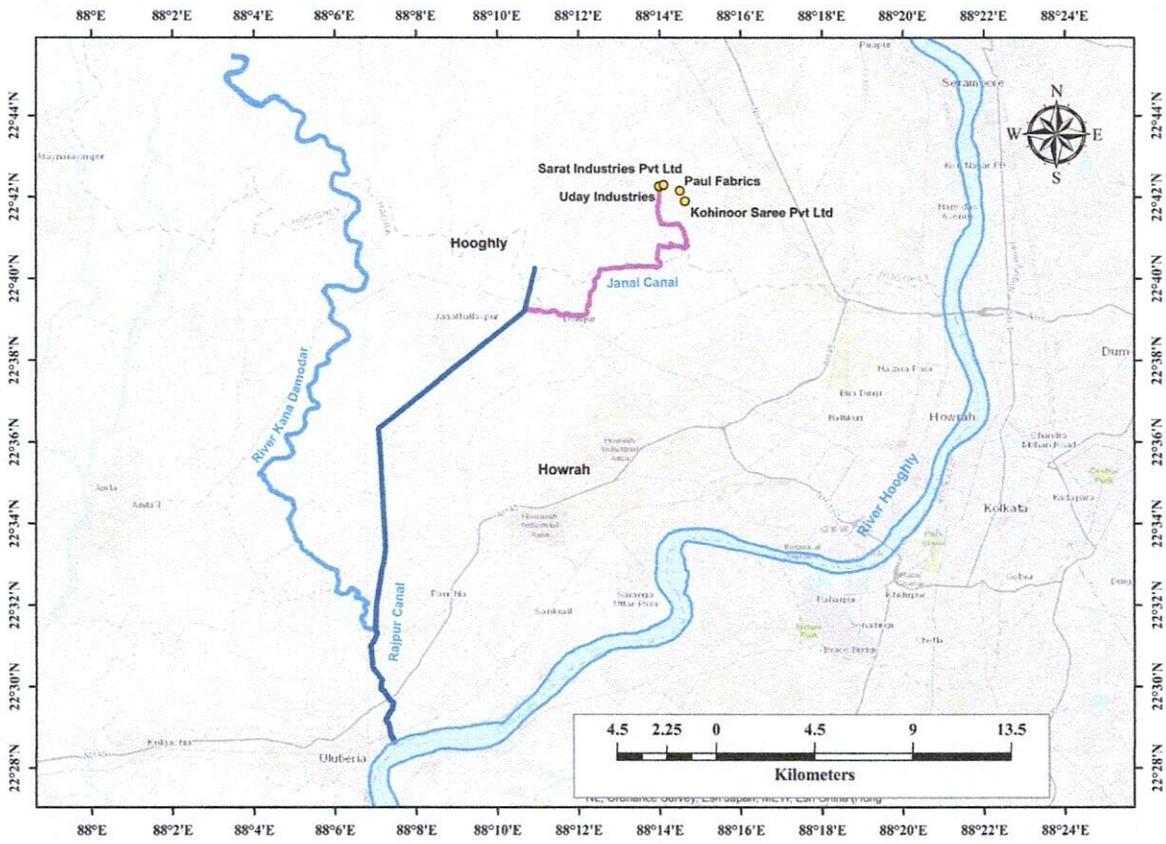


**CANAL WATER ANALYSIS REPORT OF RAJAPUR CANAL AND ITS TRIBUTARY,  
KANA DAMODAR RIVER, ON THE HOWRAH DISTRICT SIDE**

Parameters	Classification criteria for outdoor bathing(organisation)	Sample No. 6	Sample No. 7	Sample No.8
		Rajapur Branch Channel and Kamarnala Khal near Chakhori Village.	Munsirhat PWD RCC Bridge near Kalika Cinema Hall.	Lalpole (Basudevpur) meeting point of Kana Damodar & Rajapur Canal.
		LAT 22.662679 LONG 88.181727	LAT 22.657953 LONG 88.098109	LAT 22.523796 LONG 88.115937
pH	6.5-8.5	7.16	7.25	7.85
Dissolved Oxygen (mg/l)	5 mg/l or more	1.10	4.74	8.67
BOD(mg/l)	3 mg/l or less	14.5	16.16	6.32
Total Coliform( MPN/100 ml)	500 or less	24000	4900000	13000



Annexure 3



Map of Rajapur Canal, Janai Basin Canal & River Kana Damodar





**West Bengal Pollution Control Board**  
 (Department of Environment, Government of West Bengal)  
 ParibeshBhawan, Bldg. 10A, Block LA  
 Sector III, Bidhannagar, Kolkata 700 106  
 Tel: 2335-6730, 2335-9088/7428/8211/6731/0261/8861  
 Fax: (0091) (033) 2335-2813

Memo No.

-hg-co-s/12/0302

Date: /05/2023

**CLOSURE ORDER**

**WHEREAS, M/s. Paul Fabrics** (hereinafter referred to as the industry) located at **Vill.- Kalachara, P.O. & P.S.-Chanditala, Dist.-Hooghly, Pin-712702** is a dyeing and bleaching unit. The unit has 1 no. wood/coal fired boiler of capacity 2TPH which is connected to a cyclone separator followed by a bag filter and a stack of height 30m from G.L.

**AND WHEREAS,** the industry was inspected by the officials of the **West Bengal Pollution Control Board** (hereinafter referred to as the State Board) on 13.04.2023. The following observations were made by the inspecting official during inspection:

- During inspection boiler was not in operation.
- The knitting section and silk screen printing activity of the unit were in operation. However, dyeing and bleaching of cloths through winch and soft-flow machines were not being done.
- The unit has not obtained Consent to Establish/Consent to Operate from the State Board for silk screen printing activity.
- Cloth cuttings and other reuse material including boiler ash was found to be dumped in the open space inside the factory premises.
- The Effluent Treatment Plant (ETP) was found in defunct condition. Arrangement for bypassing the ETP into the adjacent drain was observed.
- Dried ETP sludge was found to be spread over the ground, near ETP area as well as in the drain around ETP.
- Impression of open burning (over the ground) was noticed near ETP area.

**AND WHEREAS,** the Consent to Operate of the industry is valid up to 31.07.2027. The unit has not obtained Hazardous Waste Authorization from the State Board.

**AND WHEREAS,** it is to be mentioned that the industry was previously issued Closure order with disconnection of electricity by the State Board vide Memo No. 289-PCB/HGY/Spl.R/3274-08(I) dated 14.11.2019 for failing to comply with the environmental norms. Subsequently, Pollution Control Appellate Authority (W.B) issued an order on 18.12.2019 for restoration of electricity of the unit and the unit had been directed to operate trial run.

**AND WHEREAS,** further, the State Board issued a direction to the industry vide Memo No. 79-PCB/HGY/Spl.R/3274-08(I) dated 31.01.2023 as the industry failed to meet the liquid effluent discharge standard on consecutive occasions during inspection by the Board official on 14.07.2022 and 28.07.2022. A Bank Guarantee of Rs. 2,00,000/- (Rupees two lakhs) and an Environmental Compensation of Rs. 75,000/- (Rupees seventy five thousand) were also imposed upon the industry. The industry submitted only the EC amount and prayed for waiving the BG amount through a letter dated 16.02.2023 due to their financial crisis.

**AND WHEREAS,** the industry was again called for a hearing on 28.04.2023 at the Head office of the Board for the repeated non-compliance of environmental norms as observed during inspection on 13.04.2023. Smt. Sarmistha Paul, partner of the industry appeared in the hearing and submitted the following:

- The unit has not been running in full swing for a long period, hence, the ETP is not properly functioning. However, necessary rectifications of ETP will be done as early as possible.
- No bypass arrangement exists at the unit premises.

Page 1 of 2



- The silk screen printing activity is carried out under the name and style of M/s. Paul Fashions and owner of the said unit is a tenant and they have a separate identity in the said premises. The said unit has no connection with M/s. Paul Fabrics.

**AND WHEREAS**, during the course of hearing, the Technical Committee directed M/s. Paul Fabrics to immediately submit all necessary documents with regard to M/s. Paul Fashions to the State Board. Accordingly, they have submitted documents regarding M/s. Paul Fashions to the State Board on 02.05.2023.

**NOW THEREFORE**, considering the repetitive violation of environmental norms on the part of the industry, **M/s. Paul Fabrics** located at Vill.- Kalachara, P.O. & P.S.- Chanditala, Dist.-Hooghly, Pin-712702 is hereby closed by the Board with immediate effect.

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

This direction has been issued to the Officer-in-Charge, Chanditala Police Station in conformity with the order of the Hon'ble High Court, Calcutta dated 21/08/1998.

- The Environmental Engineer & In-charge, Hooghly Regional Office, WBPCB is requested to conduct an inspection of M/s. Paul Fashions situated at the premises of M/s. Paul Fabrics at Vill.- Kalachara, P.O. & P.S.- Chanditala, Dist.-Hooghly, Pin-712702 to verify the current status in regard to the environmental norms and send the report to the headquarter accordingly for further action.

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

By Order,

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

Memo No. 532 (11) -hg-co-s/12/0302

Date: 29/05/2023

Copy forwarded for information and necessary action to:

1. M/s. Paul Fabrics, Vill.- Kalachara, P.O. & P.S.-Chanditala, Dist.-Hooghly, Pin-712702
2. OSD. to the Hon'ble MIC, Dept. of Environment, Govt. of W.B. Prani Sampad Bhavan, 5<sup>th</sup> Floor, LB-2, Sector-III, Bidhannagar, Kolkata-700106
3. P.S. to the Principle Secretary, Dept. of Environment, Govt. of W.B., Prani Sampad Bhavan, 5<sup>th</sup> Floor, LB-2, Sector-III, Bidhannagar, Kolkata-700106
4. The Superintendent of Police, Hooghly Rural Police District, Singur, Kamarkundu, Dist.- Hooghly, Pin-712 407
5. The Chief Engineer, Planning & EIM Cell, WBPCB
6. The Senior Law Officer, WBPCB
7. The Environmental Engineer & In-charge, Hooghly Regional Office, WBPCB
8. T.A. to the Member Secretary, WBPCB
9. P.A. to the Chairman, WBPCB
10. The Officer-in-Charge, Chanditala Police Station, P.O. & P.S.- Chanditala, Dist.-Hooghly, Pin-712 702
11. Technical Cell, WBPCB for updating the website
12. Environment Officer- Communication, WBPCB – for circulation through float file
13. Guard file of O & E Cell

*[Signature]*  
Chief Engineer  
Operation & Execution Cell  
West Bengal Pollution Control Board

Page 2 of 2





**West Bengal Pollution Control Board**  
(Department of Environment, Government of West Bengal)  
Paribesh Bhawan, Bldg. 10A, Block LA  
Sector III, Salt Lake, Kolkata 700 106  
Tel: 2335-6730, 2335-9088/7428/8211/6731/0261/8861  
Fax: (0091) (033) 2335-2813

Memo No.

-hg-co-o/07/0130

Date: /05/2023

**CLOSURE ORDER WITH DISCONNECTION OF ELECTRICITY**

**WHEREAS**, M/s. Kohinoor Sarees Pvt. Ltd. (hereinafter referred to as the industry) located at Vill.-Kalachara, P.O. & P.S.- Chanditala, Dist.-Hooghly, Pin- 712702 is engaged in saree printing (without dyeing & bleaching).

**AND WHEREAS**, the industry was inspected by the **West Bengal Pollution Control Board** (hereinafter referred to as the State Board) official on 16.03.2023. During inspection the industry was found in operation and the following observations were made by the inspecting officials:

- The unit has a wood fired small baby boiler which was found in defunct condition.
- The unit has an effluent treatment plant (ETP) consisting of collection chamber, chemical dosing chamber (lime, ferrous sulphate, poly electrolite) setting tank 1, settling tank 2, settling tank 3, sand filter, carbon filter and discharge. ETP was in operation during inspection.
- Effluent sample was collected from the ETP outlet and it is observed from the analysis report that the unit has failed to meet the liquid effluent discharge standard.
- Earlier the unit also failed to meet the liquid effluent discharge standard during inspection on 22.04.2022. A show cause notice was issued to the unit on 24.05.2022. The unit replied to the said notice which is not satisfactory. The detail analysis results are given below:

Sampling date	Sample collected from	Parameter	Result obtained (mg/l except pH)	Permissible limit (mg/l except pH)
16.03.2023	ETP outlet	pH	>10.0	6.5-8.5
		TSS	196.0	100
		BOD	89.98	30
		COD	372.80	250
22.04.2022		BOD	44.15	30
		TSS	226.0	100
		SAR	116.57	26

- It was observed during inspection by the Board officials on 14.06.2022 that the ETP of the unit was found not in operation and arrangement for bypassing the physico-chemical treatment was observed.
- The unit has no proper storage facility for storing of ETP sludge.

**AND WHEREAS**, the Consent to Operate of the unit expired on 28.02.2023. The unit applied online for renewal of CTO on 23.03.2023 after date of expiry of the same. But the last Consent to Operate was issued to the unit vide dated 24.10.2019 wherein it was mentioned that the unit shall apply renewal application of CTO before 60 days from the date of expiry of the same. The unit did not comply with the CTO conditions. The unit has not obtained Hazardous Waste Authorization from the State Board.

**AND WHEREAS**, the industry was called for a hearing on 28/04/2023 at the Head office of the Board for above mentioned non-compliance of environmental norms. The Director of the unit appeared in the hearing, but he could not submit any proper explanation to the gross non-compliance of environmental norms as observed by the Board official during inspections.



-25-

**NOW THEREFORE**, considering the repetitive violation of environmental norms on the part of the industry, **M/s. Kohinoor Sarees Pvt. Ltd.** located at **Vill.-Kalachara, P.O. & P.S.- Chanditala, Dist.-Hooghly, Pin-712702** is hereby closed by the State Board with immediate effect.

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

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

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

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

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

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

By Order,

Sd/-  
**Chief Engineer**  
**Operation & Execution Cell**  
**West Bengal Pollution Control Board**

Memo No. 494 (12) -hg-co-o/07/0130

Date: 18/05/2023

Copy forwarded for information and necessary action to:

1. M/s. Kohinoor Sarees Pvt. Ltd., Vill.-Kalachara, P.O. & P.S.- Chanditala, Dist.-Hooghly, Pin- 712702
2. OSD to the Hon'ble MIC, Dept. of Environment, Govt. of W.B. Prani Sampad Bhavan, 5<sup>th</sup> Floor, LB-2, Sector-III, Bidhannagar, Kolkata-700106
3. P.S. to the Principal Secretary, Dept. of Environment, Govt. of W.B., Prani Sampad Bhavan, 5<sup>th</sup> Floor, LB-2, Sector-III, Bidhannagar, Kolkata-700106
4. The Superintendent of Police, Hooghly Rural Police District, Singur, Kamarkundu, Dist.- Hooghly, Pin-712407
5. The Director (HR), WBSEDCL, Bidyut Bhawan, Bidhannagar, Kolkata - 700 091
6. The Chief Engineer, Planning & EIM Cell, WBPCB
7. The Senior Law Officer, WBPCB
8. The Environmental Engineer & In-charge, Hooghly Regional Office, WBPCB
9. T.A. to the Member Secretary, WBPCB
10. P.A. to the Chairman, WBPCB
11. The Officer-in-Charge, Chanditala Police Station, P.O. & P.S.-Chanditala, Dist.- Hooghly, Pin-712702
12. Technical Cell, WBPCB for updating the website
13. Environment Officer- Communication, WBPCB - for circulation through float file
14. Guard file of O & E Cell

  
**Chief Engineer**  
**Operation & Execution Cell**  
**West Bengal Pollution Control Board**

Page 2 of 2



**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEWDELHI**

**ORIGINAL APPLICATION NO. 735/2022/PB**

**MUJIBUR RAHMAN MALIK**

**..... APPLICANT(S)**

**VERSUS**

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

**..... RESPONDENT(S)**

**AFFIDAVIT ON BEHALF OF THE RESPONDENT NO.  
04, i.e. THE WEST BENGAL POLLUTION CONTROL  
BOARD.**

**Madhumita Bhattacharya  
ADVOCATE -on- RECORD  
SUPRIME COURT OF INDIA**