

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

O.A. No. 07/2023/EZ

In the matter of:

Vijay Kumar Barman

... Applicant(s)

-Versus-

**Central Pollution Control Board
and others**

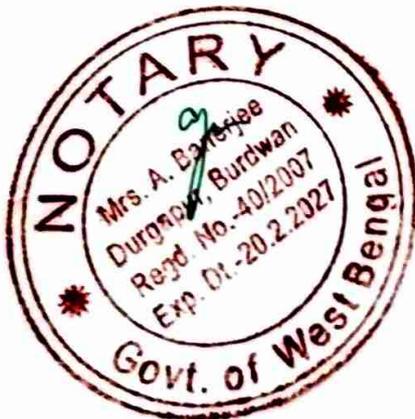
... Respondent(s)

**Before the Notary
Govt. of West Bengal
Burdwan District
Durgapur**

**AFFIDAVIT FILED BY THE DISTRICT MAGISTRATE, PASCHIM
BARDHAMAN, (RESPONDENT NO. 5)**

I, Sri S. Arun Prasad, aged about 37 years, by faith Hindu, by occupation Service, residing at DM Bungalow, beside Polo Ground, Asansol, District-Paschim Bardhaman, West Bengal, do hereby solemnly affirm and state as follows-

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



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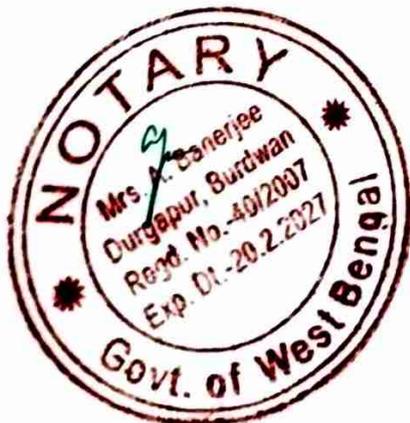
20 APR. 2023

2. That this affidavit is being affirmed pursuant to the solemn order passed by the Hon'ble National Green Tribunal Eastern Zone Bench, Kolkata on 06.02.2023 and 16.03.2023 directing the State Respondent to file an affidavit in respect of

"allegation in the Original Application is that the Applicant is a resident of R.S. Plot No. 33, J.L. No. 63, Mouza-Sujara, Police Station - Faridpur, Durgapur, District-Bardhaman, and the Respondent No.7, Private Respondent, is in occupation of a plot which is contiguous to the plot of the Applicant where he has started a Service Centre in the name and style of 'Laxmi Service Centre' at Kada Road, near Shiv Mandir, G.T. Road, Durgapur - 713203, and has recently installed a Stone Crusher and he is operating the said Stone Crusher Unit at the said plot.

It is alleged that as a result of the operation of the Stone Crusher, there is a vast quantity of emission of dust which is becoming a source of health hazard not only to the Applicant but also to the residents in the vicinity of this Stone Crushing Unit".

3. That in accordance with the solemn directions passed by Hon'ble Tribunal hereinafter to be referred as Hon'ble N.G.T., the undersigned has issued one written communication bearing Memo No. 1004/MM/D.L.&L.R.O./PAB/21 dated 17.03.2023 to the Sub-Divisional Magistrate, Durgapur whereby and whereunder the said Sub-Divisional Magistrate, Durgapur was called upon to transmit Report in connection with O.A. No. 07/2023 in the matter of Vijay Kumar Barman-Vs-Central Pollution Control Board & Ors., accordingly, the office held by the answering



20 APR 2023

respondent has received one report vide Memo bearing No. 95/Dev/Dgp. dated 24.03.2023 from the said Sub-Divisional Magistrate, Durgapur.

The photocopies of the Memo dated 17.03.2023 issued by the undersigned and 24.03.2023 issued by the Sub-Divisional Magistrate, Durgapur are annexed hereto and marked **Annexure-P-1** collectively.

4. That the copy of the Report received vide Memo dated 24.03.2023 from the said Sub-Divisional Magistrate, Durgapur, inter alia reveals the following:-

(i) That two separate field inspections have been conducted by the S.D.L. & L.R.O., Durgapur and the Officer-In-Charge, Durgapur Police Station over the site as indicated in the Original Application and also with regard to the operation of Crusher unit by "Laxmi Service Centre" at Kada Road More, near Shiv Mandir, G.T. Road, Durgapur-713203.

(ii) That the aforementioned Report has disclosed that the Crusher Unit, constituting the subject-matter of the Original Application is in running condition for the present at the site as indicated in the said Original Application.

(iii) That while causing inquiry by the concerned officers of the State of West Bengal, the Private Respondent, that is, the Respondent No. 07, namely, Shri Raj Kumar Shaw, the proprietor, Laxmi Service Centre, having his office at Kada Road, near Shiv Mandir, G.T. Road, Post Office-Durgapur, District-Paschim Bardhaman, PIN-713203, as



A handwritten signature in green ink, appearing to be "J. Banerjee".

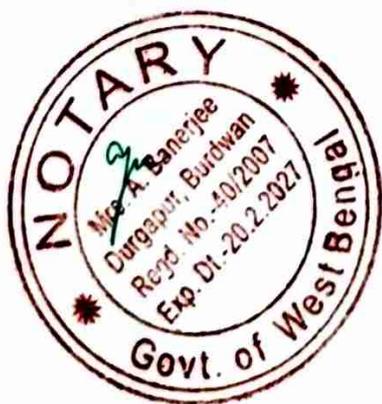
20 APR 2023

revealed from the cause title of the Original Application was not able to show any piece of document for relying upon running of the Crusher unit by possessing valid legal documents, save and except, the Trade License issued by the Durgapur Municipal Corporation unto favour of one Rita Shaw, who happens to be the proprietor of the "Shree Balaji Enterprise". The said Rita Shaw in terms of the Report submitted by the Sub-Divisional Magistrate, Durgapur has revealed that she has received Trade License from the Durgapur Municipal Corporation for operation of the Stone Crusher Unit.

(iv) That the enquiry made by the concerned officers further reveals that the land of the Original Applicant, namely, Shri Vijay Kumar Barman is situated adjacent to the land wherein the Crusher unit exists for the present.

(v) That the Report dated 20.03.2023 of the Police Authority, received by the office held by the Sub-Divisional Magistrate, Durgapur on 22.03.2023 reveals that the Crusher Unit exists in the name of the Laxmi Service Centre and the said Report further states that the Air pollution in the surrounding area is happening on account of the crusher business and the materials for running the said business have been collected from the Durgapur Steel Plant.

(vi) That in compliance with the Report called for by the undersigned by establishing Memo dated 17.03.2023 the concerned Sub-Divisional Magistrate, Durgapur has convened a hearing on 22.03.2023 whereby and where under Shri Raj Kumar Shaw, being arrayed in the Original Application as the Private Respondent/the



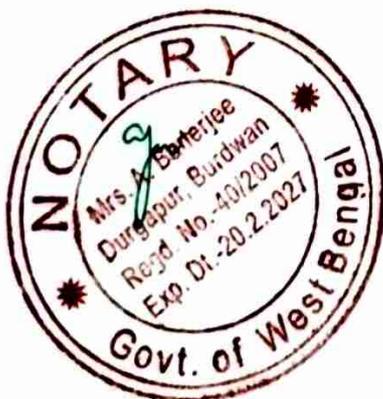
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20 APR 2023

Respondent No. 07 was called upon to produce relevant documents alongwith "Consent to Establish" and "Consent to Operate" issued by the respective Pollution Control Board for operating the Crusher Unit and in turn, save and except the Trade License issued by the concerned Municipal Corporation and an application disclosing the prayer for N.O.C. regarding "Consent to Establish" and "Consent to Operate" the Crusher Unit before the competent authority, no other document for substantiating his cause has been adduced in course of hearing before the Sub-Divisional Magistrate, Durgapur by the Private Respondent/the Respondent No. 07.

(vii) That Shri Raj Kumar Shaw/ the Private Respondent/the Respondent No. 07 has claimed in course of hearing that "Shree Balaji Enterprise" for operating Stone Crusher Unit, owned by his wife, namely, Mrs. Rita Shaw has applied for online consent in "Solid Waste Management Section" of the West Bengal Pollution Control Board on 28.02.2023 bearing Application No. 3476882.

(viii) That the Report tendered before the answering respondent by the Sub-Divisional Magistrate, Durgapur reveals that upon verification of the claim, as indicated in the preceding paragraph (supra) of the Private Respondent/ Respondent No.07 in the Original Application from the Pollution Control Board, Durgapur Regional Office, it transpires that "Shree Balaji Enterprise" has not submitted any application in proper form and in accordance with the extant rules and procedure for obtaining from the Pollution Control Board, Durgapur Regional Office N.O.C. for "Consent to Establish" and "Consent to Operate" the Crusher Unit and merely an application to



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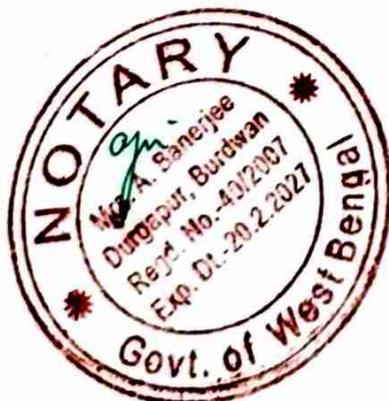
20 APR 2023

allow access to "Municipal Solid Waste" has been submitted by the concerned Private Respondent.

(ix) That it has been confirmed by the Sub-Divisional Magistrate, Durgapur while submitting his Report that the Private Respondent/ Respondent No.07 arrayed in the Original Application is running a Crusher Unit in the site as indicted in the Original Application, but, without possessing any valid legal document in this regard and thus, the act done by the said respondent is constituting a source of environmental pollution, thereby, interferes with the right to have free and clean environment by the concerned Original Applicant.

(x) That it is humbly submitted by the answering respondent that the present affidavit is being filed before Hon'ble N.G.T. by relying upon the Report dated 24.03.2023 submitted by the concerned Sub-Divisional Magistrate, Durgapur, a copy whereof is annexed herewith alongwith all the annexure annexed thereto, marked herein Annexure-P2 collectively with the Memo dated 17.03.2023 issued by the undersigned and crave leave to refer a copy of the same before Hon'ble N.G.T.,E.Z., Kolkata at the time of hearing, if necessary.

5. That pursuant to the facts disclosed in the report dated 24.03.2023 by the Sub-Divisional Magistrate, Durgapur and information gathered therefrom, the undersigned in terms of Memo bearing No. 1244/MM/DL&LRO/PAB/23 dated 30.3.2023 has requested the Environmental Engineer, Durgapur Regional Office, West Bengal Pollution Control Board to take necessary measures on an immediate basis in accordance with Law against the Private Respondent/ Respondent No.07 in



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20 APR 2023

as much as valid documents, that is, "Consent to Establish" and "Consent to Operate" are not available with the said Respondent. On 13.04.2023, the Environmental Engineer, West Bengal Pollution Control Board, Durgapur Regional Office vide its memo bearing no. 1528-2/WPBD-OC992/14)Part-I) dated 13.04.2023 has sent a copy of Inspection report . It has also been mentioned in that memo ,the said Inspection report had been sent to the concerned authority of the State Board at Paribesh, Salt Lake for taking necessary action.

The photocopies of the Memo dated 30.03.2023 issued by the undersigned and 13.04.2023 issued by the Environmental Engineer, West Bengal Pollution Control Board, Durgapur Regional Office are annexed hereto and marked **Annexure-P-2** collectively.

6. It is therefore prayed that the Hon'ble Tribunal may pass necessary order or further orders as it deem fit and proper in the interest of justice.

7. The statements made in paragraph 1 to 6 are based on information derived from the record which are usually kept and maintained by the answering respondents in the ordinary course of business and which I believe to be true and rest thereof are my humble submission before this Hon'ble Tribunal.

Prepared in my office

Advocate

Arun Prasad

Deponent

District Magistrate
Paschim Bardhaman



Solemnly Affirmed before me on
Sr/Smt. S. Arun Prasad
id. by Subir Kumar Dutta Advocate
On this 20th day of April 2023

Atabi Banerjee
Mrs. Atabi Banerjee, Notary
Durgapur, Burdwan, W.B.
No. 40/2007 Govt. of W.B.

20 APR 2023

জালা শাসক এবং জেলা জুজি
&
আধিকারকর করণ
বর্ধমান
সরপি, রামকৃষ্ণ মিশন, কন্যাপুর
আসোল, পিন - ৭১৩৩০৫
ইমেল - diropaschimbardhaman@gmail.com



Annexure - P-1
Office of the Additional District Magistrate
And
District Land & Land Reforms Officer
Paschim Bardhaman
Vivekananda Sarani, Ramkrishna Mission, Kanyapuri
Asansol, PIN - 713305
Email - diropaschimbardhaman@gmail.com

Memo No. 1004 /MM/DL&LRO/PAB/21

Date: 17/3/23

To
The Sub-Divisional Officer,
Durgapur, Paschim Bardhaman



Sub.: Reg. report in connection with O.A. No. 07/2023 in the matter of
Vijay Kr. Burman-Vs-Union of India

In connection with above quoted subject, you are requested to submit a
detail report regarding operation of Stone Crusher by the name "Laxmi Service
Centre" at Kada Road, near Shiv Mandir, G.T.Road, Durgapur-713203. The
desired report must reach to this end within four(4) days of receiving this letter.

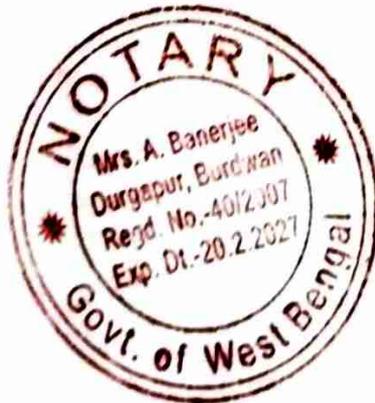
The report is required to file counter affidavit in connection with O.A. No.
07/2023/EZ.

This may please be treated as urgent.

Copy of the OA and other relevant documents are enclosed herewith.

Encl. As stated


District Magistrate and Collector,
Paschim Bardhaman



20 APR 2023



GOVERNMENT OF WEST BENGAL
OFFICE OF THE SUB DIVISIONAL MAGISTRATE - DURGAPUR
CITY CENTRE, DURGAPUR-16, PASCHIM BARDHAMAN DISTRICT
PHONE: 0343-2546105, 03432546680 | FAX: 0343 2546680 | E MAIL: sdodurgapur@gmail.com

Memo No: 95 /Dev/Dgp.

Date: 24.03.2023

To
The District Magistrate and Collector
Paschim Bardhaman.

Sub:- Reg. Report in connection with O.A. No. 07/2023 in the matter of Vijay Kr. Burman -
Vs- Union of India.
Ref:- Your Memo no. 1004/MM/DL& LRO/PAB/21. Dated 17.03.2023

Sir,

With reference to the above, this is for your kind information that,

1. Two separate Field Inspection have been conducted from SDL & LRO, Durgapur end and from the end of Officer-in-charge, Durgapur Police Station at the mentioned site regarding operation of Stone Crusher by 'Laxmi Service Centre' at Kada Road More, Near Shiv Mandir, G.T. Road, Durgapur-713203.

2. As per the Report received from SDL & LRO, Durgapur (Copy along with photograph enclosed), the Stone Crusher is in running condition at present at the mentioned site at Laxmi Service Centre. The Owner could not show any paper for running the Stone Crusher except the Trade License. Vijay Kr. Barman's land falls adjacent to the Stone Crusher.

3. As per the Report received from Waria I/C, Durgapur Police Station (Copy enclosed), there is a Stone Creaser in the name of Laxmi Service Centre.

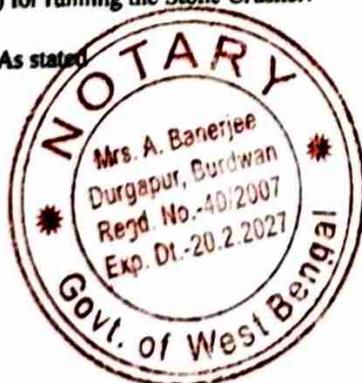
4. An Urgent Hearing in this regard is also convened on 22.03.2023 at the chamber of the undersigned with the Manager/Owner of the Stone Crusher. The Owner/Manager is requested to appear with all relevant permissions/ documents (if there is any) including 'Consent of Establish' (NOC) and 'Consent to Operate' from the Competent Authority and other documents for running the Stone Crusher.

In the Hearing, Sri Raj Kumar Shaw who is also the Respondent No 07 in O.A. No. 07/2023, the husband of Rita Shaw has stated that his wife is the proprietor of SHREE BALAJEE ENTERPRISE at premises no 35, Kada Road More, Near Shiv Mandir, G.T. Road, Durgapur-713203. As per the permanent "Certificate of Enlishment" issued from Durgapur Municipal Corporation (Certificate No. 0917P491622352060), nature of business of SHREE BALAJEE ENTERPRISE is 'Stone Crusher'. As admitted by Sri Raj kumar Shaw, they don't possess 'Consent to Establish' and 'Consent to Operate' from the Competent Authority.

Raj Kumar Shaw claimed that SHREE BALAJI ENTERPRISE has applied for online consent in 'Solid Waste Management' Section at West Bengal Pollution Control Board on 28.02.2023 bearing Application No 3476882. However, upon verification of the claim from Pollution Control Board, Durgapur Regional office, it is revealed that, SHREE BALAJI ENTERPRISE has not submitted Final Application yet in Proper Form and moreover, that Application is not regarding 'Consent of Establish' (NOC) or 'Consent to Operate' for Stone Crusher, but related to Municipal Solid Waste (Copy enclosed).

From all the submitted Reports from all concerned Authorities, the undersigned is of the opinion that the Respondent No 07 in O.A. No. 07/2023 has Stone Crusher in running Condition at the address of Kada Road More, Near Shiv Mandir, G.T. Road, Durgapur-, but does not possess any legal document (Consent to Establish or Consent to Operate) for running the Stone Crusher.

Enclosed: As stated



Yours faithfully


Sub-Divisional Magistrate
Durgapur

20 APR 2023

To

The B.L.&L.R.O
Addl Durgapur - Faridpur



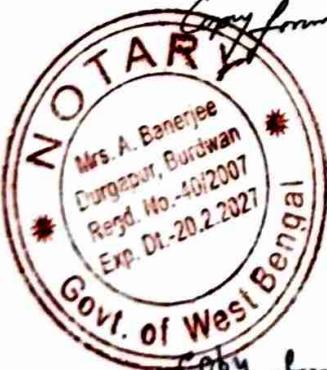
Subj.: Field enquiry report.

সমান্বিত
সমান্বিত আদালত বিচিন্তনক্রমে সুবর্ত্ত আওতা R.S-33 নং
সহ Laxmi service centre stone crusher এর বিরুদ্ধে
National Green Tribunal অভিযোগের বিধিত সরাসরি তদন্ত
করিনাম।

ভাঙ্গুর অঞ্চল তথা সার R.S-33 অঞ্চলে স্থাপিত
46 নং LR সহ স্থাপিত। Stone crusher কে-সংক্রান্ত তদন্ত
আমি। Stone crusher এর স্থাপনা এবং কামা-এর সহ
অন্যান্য কাগজপত্র তদন্ত করা হইবে। এছাড়াও
License দাখল করা হইবে। এছাড়াও
অভিযোগকারি স্থির করা হইবে। Stone crusher এর
নামে সার ৩৩৩ নং আওতা। অভিযোগকারি
সংক্রান্ত তদন্ত-
করা হইবে।

উক্ত অঞ্চলে R.S-33 আওতা প্রসিদ্ধ
আদালত বিধিত পূরণ করিনাম।

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২০/৩
২০/৩
20/3/2023
Revenue Inspector
B.L. & L.R.O. Revenue Inspector
Addl. Durgapur-Faridpur B.L. & L.R.O.
Addl. Durgapur-Faridpur



Copy forwarded to SDWG Durgapur for taking necessary action.

Block land & Land Reforms Officer
Addl. Durgapur-Faridpur
21/3/23

Block land & Land Reforms Officer
Addl. Durgapur-Faridpur

Copy forwarded to the end of SDM Durgapur
for his kind information and taking
n/a. (Three photographs are enclosed herewith)

20 APR 2023

22.3.2023
Sub-Divisional Land & Land Reforms Officer
Faridpur-Paschim Bardhaman

(Translated Copy)

To

The B.L.&L.R.O.

Addl. Durgapur-Faridpur

Sub:- Field enquiry report

Sir,

As per your instruction, physical enquiry has been conducted by me on the basis of complaint made before National Green Tribunal against Laxmi Service Centre Stone Crusher at RS plot no. 33 of mouza- Sujra.

At the time of enquiry it is found that corresponding LR plot no. of the said RS plot at present is 46. The Stone Crusher is at present is in running condition. Raj Kumar Shaw, the owner of the Stone Crusher could not submit any documents or N.O.C, except Deed of the land and Trade License when he was asked to submit relevant documents. Land of Vijay Kumar Barman, the Complainant is adjacent to the Stone Crusher and in the same plot. At present the Complainant has rented out the land to another person.

Hence the report of the enquiry is submitted before you.

Yours faithfully

Sd/- (Biswajit Banerjee)
20.03.2023

Revenue Inspector
B.L. & L.R.O.

Addl. Durgapur- Faridpur

Copy forwarded to S.D.L&L.R.O.. Durgapur for taking necessary action.

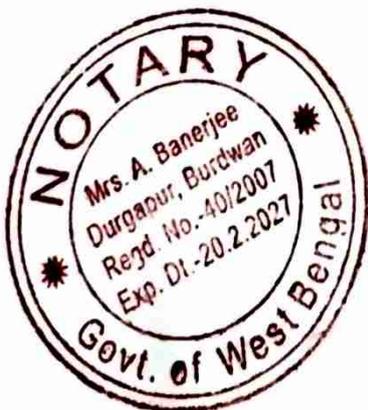
Sd/- (Mainak Chatterjee)

Block Land & Land Reforms Officer
Addl. Durgapur- Faridpur

Copy forwarded to the end of SDM Durgapur for his kind information and taking n/a (Three photographs are enclosed herewith)

Sd/- (Amit Chattopadhyay)

Sub Divisional Land & Land Reforms Officer
Durgapur- Paschim Bardhaman



20 APR 2023

3080
22/3/2023

OIC
Dev

S D M (D)

To
The Sub - Divisional Magistrate
Durgapur
City Center, Durgapur -16
Paschim Bardhaman

Ref - Memo No- 91/Dev/Dgp Date- 20.03.2023

Sub: - Service reply.

Sir,
With profound respect I beg to submit report that as per your kind order I had been to Kadaroad, Near Shiv Mandir, G.T. Road, Durgapur- 713203 to serve notice to the Owner/ Manager of Laxmi Service Centre, Kadaroad , Near Shiv Mandir, G.T. Road, Durgapur- 713203 in c/w above noted reference. And during service the said notice received by Raj Kumar Show (Mob: 7908607337) who is the owner of Laxmi Service Centre, Kadaroad , Near Shiv Mandir, G.T. Road, Durgapur- 713203.

This is for favour of your kind information.

Encl:
1. Receipt copy of notice .

Yours faithfully
Nm Mahomed Sy
SI of Police
Waria I/C
PS- Durgapur
Date- 22.03.2023

NOTARY
Mrs. A. Banerjee
Durgapur, Burdwan
Regd. No.-49/2007
Exp. Dt.-20.2.2027
Govt. of West Bengal

20 APR 2023

To
The Sub - Divisional Magistrate
Durgapur
City Center, Durgapur -16
Paschim Bardhaman

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22/3/2023

OIC
Dev

Sdm (D)

Ref: - Memo No- 91/Dev/Dgp Date- 20.03.2023

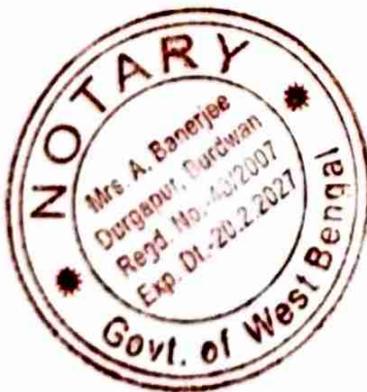
Sub: - Enquiry report.

Sir,

With profound respect I beg to submit report that as per your kind order and as per endorsed to O/C Durgapur PS I had been to Kadaroad, Near Shiv Mandir, G.T. Road, Durgapur- 713203 and local peoples as well as the alleged person namely Kumar Show (Mob: 7908607337) who is the owner of Laxmi Service Centre, Kadaroad , Near Shiv Mandir, G.T. Road, Durgapur- 713203, I came to learnt that a business is continuing at Laxmi Service Centre , near Shiv Mandir, GT Road, Durgapur -713203 as a stone creaser business. I demand relevant papers in respect of the above noted creaser before the owner of the above creaser but he failed to produce any relevant documents before me. It is believe that air pollution is happened due to this creaser business. But the above creaser imports their materials from Durgapur Steel Plant.

This is for favour of your kind information.

Yours faithfully
Ashok Banerjee,
ASI of Police
Waria I/C
PS- Durgapur
Date- 22.03.2023



20 APR 2023

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The Subdivisional Magistrate
Durgapur cantt
Durgapur

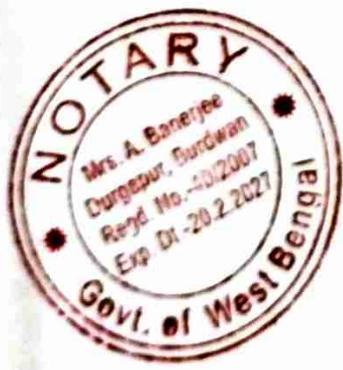
श्रीमान

श्रीमान निवात नं ६ ए ११ Karami Barvi.
Durgapur

Being Stone का नाम Crusher का
wife का नाम श्री शree Balajee
to establish apply किस ए ३१
का operate का लिए कर रहे हैं, consent
Crusher का नाम का है, consent to
operate. श्रीमान का नाम श्रीमान का नाम
का नाम Shree Balajee Enterprises Kade Road
Durgapur-3

श्रीमान

श्रीमान का नाम



20 APR 2023

To
The Sub Divisional Magistrate
Durgapur court
Durgapur

(Translated Copy)

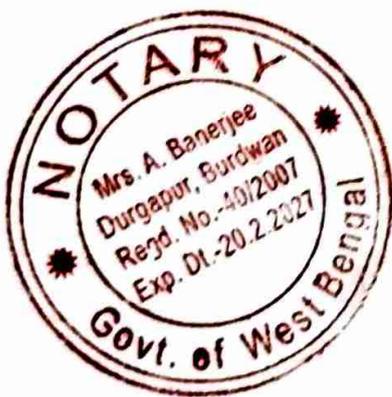
Sir,

Humble submission is that there is no Crusher in the name Laxmi Servicing Stone . Trade License and Consent to establish has been applied by my wife in the name Shree Balaji Ent. Crusher unit is closed due to non-availability of Consent to Operate. At present Crusher unit is not operating. Name of the Company is Shree Balajee Enterprise, Kada Road, Durgapur-3.

Yours

Sd/-

Raj Kumar Shaw



20 APR 2023

Form -24
(Under Rule 82)

E-TRADE

On the Issuance of CE

Certificate No. 0917P491622352060

PERMANENT CERTIFICATE OF ENLISTMENT

West Bengal Municipal Corporation Act, 2006
[See Section 141]
(Duplicate to be filled up)

Durgapur Municipal Corporation
Durgapur, Paschim Bardhaman

The Board of Councillors of Durgapur Municipal Corporation hereby grant unto Rita Shaw, the proprietor of SHREE BALAJEE ENTERPRISE, residing and / or carrying on or intending to carry on business at holding Premises No. 35, Kada Road More Durgapur, P.O- Main Galt, P.S- DURGAPUR, Pincode- 713203 in Ward No. 13 and exercising or intending to exercise the Profession, Trade or Callings of Other Enterprises(Category), Stone Crusher (Nature of Business) this Permanent Certificate of Enlistment under Section 141 of the West Bengal Municipal Corporation Act, 2006 and acknowledge to have received in consideration thereof, a total fee of ₹ 5200/- (Rupees : Five Thousand Two Hundred) only.

This Certificate of Enlistment will be in force until the 03rd day of April, 2023 and to be produced at the time of renewal.

Date of Issuance : 03-09-2022



Durgapur Municipal Corporation|Stone Crusher |0917P491622352060|03-09-2022|03-04-2023

(Scan QR Code with QR Reader)

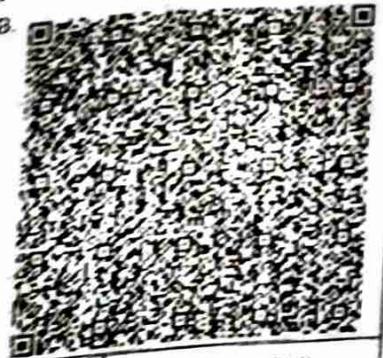
Disclaimer : This document is auto-generated through Computer system as per data submitted by the applicant himself in online procedure. Respective Department / Authority/ Institution/ Office may verify the documents /credentials from the CE holder , if so deem fit.

20 APR 2023

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19AAAC57062F
 U.C. CODE-0599009331
 EMAIL-COCPRIDNP@GMAIL.COM
 GSTIN-19AAAC57062F6Z6
 CIN-L27100DL1973GC0006454
 ACK NO-182313053834300

STEEL AUTHORITY OF INDIA LIMITED
 DURGAPUR STEEL PLANT, DURGAPUR-713203, W.B.
 PHONE: 0343-2574355, FAX- 0343-2574344
 REGD. OFFICE: ISPAT BHAWAN, LOUHI ROAD,
 NEW DELHI- 110003.
TAX INVOICE
DUPLICATE FOR TRANSPORTER



Bill To PAN: AIMPG0162D
 IRN-024654299c1a1b4e93e89e677f39e358a4f53bd32a358251411d26f2147bb6f

INVOICE NO	INVOICE DATE	SALES OFFER NO	DATE	PARTY CODE
050380023062	16.02.2023	34008736	19.03.2022	1000013425 DPR0098010101

Recipient: M/s RAJESH KUMAR GUPTA, STAFF QUARTER MORE, G.T. ROAD, DURGAPUR, West Bengal, 713203, India, State Code
 (Bill To) : 19, GSTIN : 19AIMPG0162D1ZK
 Consignee: M/s RAJESH KUMAR GUPTA, STAFF QUARTER MORE, G.T. ROAD, DURGAPUR, West Bengal, 713203, State Code
 (Ship To) : 19, India, GSTIN : 19AIMPG0162D1ZK

P.O. No. & DATE: DL 25 03 2022

NEGOTIATING BRANCH:		PAYING AUTHORITY		D.A. No	D.A. DATE
DESTINATION		RAJESH KUMAR GUPTA		80955391	16.02.2023
B.R./F.N.R. NO.	B.R. DATE	B.R. WT. (CHARGBL)	B.R. WT. (ACTUAL)	FRT RATE	FRT AMOUNT

ITEM	PRODUCT SPECIFICATION SECTION DESCRIPTION	UNIT	QUANTITY	RATE		AMOUNT	
				Rs	P	Rs	P

1	106400000000000000 B.F. SLAG HSN CODE : 26190090	MT	22 570	93 00		2,099.01	
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Gross Value : 2,099.01



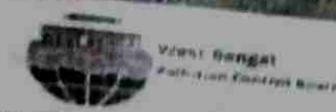
Taxable Value :		2,099.01
Truck: WB10A9688	CGST : 9%	188.91
	SGST : 9%	188.91
TOTAL BILL VALUE		2,477.00

RUPEES TWO THOUSAND FOUR HUNDRED SEVENTY SEVEN Only

Certified that the particulars given above are true and correct.
 The amount indicated represents the price actually charged and
 that there is no additional consideration directly or indirectly
 from the buyer as on date

20 APR 2023

Authorized Signatory
 (FOR DURGAPUR STEEL PLANT)

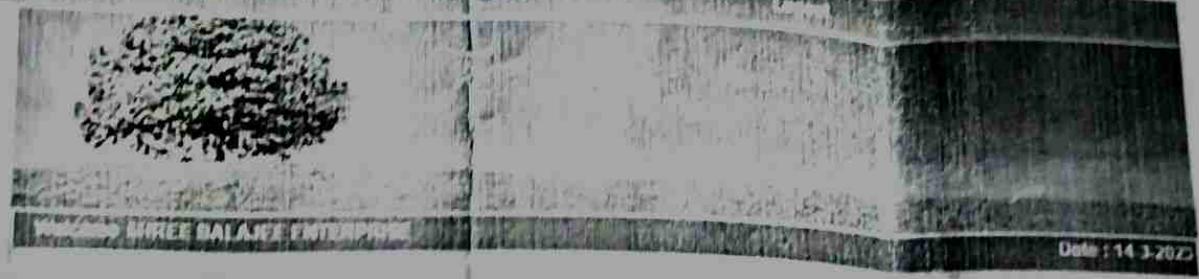


Online Consent Management & Monitoring System

West Bengal Pollution Control Board
(Department of Environment, Govt. of West Bengal)

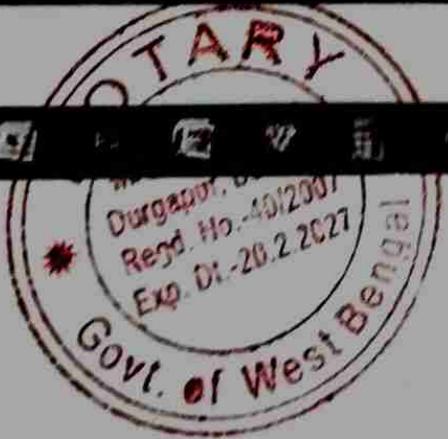
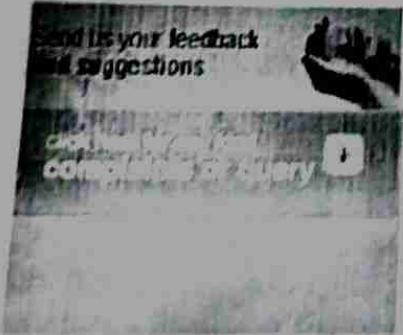


- Home
- Apply For SWM
- Filing of Annual Return
- Waste Management Authorization Applications
- Waste Management Annual Return
- Delete InProgress SWM Applications
- Delete InProgress SWM Annual Return Applications
- Profile Update



Applications are pending in Solid Waste Management clear those before making any new application

InProgress Application	Completed Application		
Application No	Application No	Authorization Required For	Application Date
Municipal Solid Waste Applications			
2476552	Solid Waste Management		20-02-2023 07:02



20 APR 2023



WEST BENGAL POLLUTION CONTROL BOARD
(Department of Environment, Government of West Bengal)
Durgapur Regional Office
Sahid Khudiram Sarani, City Centre
Durgapur - 713 216, Tele Phone: (0343) 254-6708, 254-4915

Memo No. 1215-2/WPBD-OC(41)/06

Date: 24/03/2023

To
The Sub-Divisional Magistrate, Durgapur
City Centre, Durgapur-713216

Sub: Status of application no. 3476882

Ref: Memo No. 93/Dev/Dgp dated 23/03/2023

Sir,

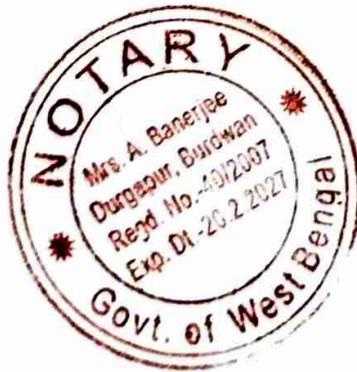
In reference to the above, present status in respect of application no. 3476882 is provided below.

1. This is a draft application which is now at the end of the applicant. They have to submit it properly then the application can be seen from our end.
2. This application is not regarding 'Consent to Establish' or 'Consent to Operate' of Stone Crusher. This is the application related to municipal solid waste.

Thanking you.

Yours faithfully,

Kay
24/3/2023
Environmental Engineer
Durgapur Regional Office



20 APR 2023

01-

भारत सरकार
GOVERNMENT OF INDIA



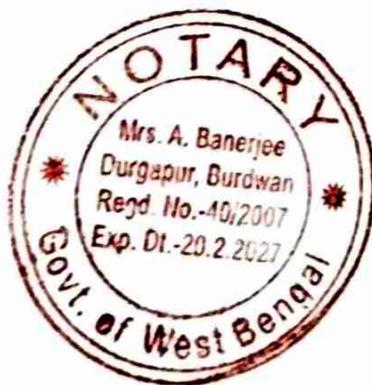
Raj Kumar Shaw
DOB: 01/01/1961
Male / MALE

2834 0857 6667

भारतीय निश्चित पहचान प्रणालि
UNIQUE IDENTIFICATION AUTHORITY OF INDIA

Address:
2 NO SALBAGAN, BENACHITY,
Durgapur (m Corp), Bardhaman,
West Bengal - 713213

2834 0857 6667



ATTESTED

Atabi Banerjee
Mrs. Atabi Banerjee, Notary
Durgapur, Burdwan W.B.
Regd. No.-40/2007 Govt. of W.B.

20 APR 2023



भारत सरकार
Government of India

भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India

Enrollment No 0000/00144/51023

To
Rita Shaw

H/o. Raj Kumar Shaw,
2ND Street, Salbagan Road,
Benachity,
VTC: Durgapur (m Corp), PO: Benachity,
District: Paschim Bardhaman,
State: West Bengal, PIN Code: 713213,
Mobile: 8637049965

27248054



KG272480545F1



आपका आधार क्रमांक / Your Aadhaar No. :

4054 9624 8691

मेरा आधार, मेरी पहचान



भारत सरकार
Government of India



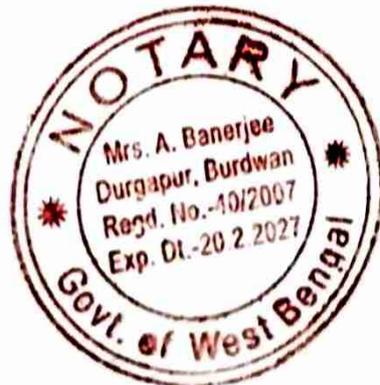
Issue Date: 21/04/2015



Rita Shaw
DOB: 01/01/1963
Female

4054 9624 8691

मेरा आधार, मेरी पहचान



ATTESTED

Mrs. Atabi Banerjee, Notary
Durgapur, Burdwan W.B.
Regd. No.-40/2007, Govt. of W.B.

20 APP 2023



20 APR 2023

GPS Ma
Camera Lite

68W+VH7, Grand Trunk Rd, Main Gate, Durgapur, West Bengal 713203, India

Latitude
25.6759789°
Time 10:23:53 AM
04:53:53 AM

Longitude
87.24594884°
Altitude 81 meters
Sunday, 19.03.2023



20 APR 2023

GPS Ma
Camera Lite

H68W+VH7, Grand Trunk Rd, Main Gate, Durgapur, West Bengal 713203, India

Latitude
25.56752517°

Longitude
87.2459294°

Time 10:23:25 AM
Date 04:53:25 AM

Altitude 100 meters
Sunday, 19.03.2023



NOTARY
Mr. A. Banerjee
District, Burdwan
Regd. No. 482021
Exp. Date: 2.2.2027
Govt. of West Bengal

20 APR 2023

GPS Ma
Camera Lite

H68W+VH7, Grand Trunk Rd, Main Gate, Durgapur, West Bengal 713203, India

Latitude
23.56733362°

Longitude
87.24577976°

Local 10:24:34 AM
UTC 04:54:34 AM

Altitude 81 meters
Sunday, 19.03.2023

Sunday, 19.03.2023

শাসক এবং জেলা ভূমি

ও

আধিকারকের করণ

মান

সরসি, রামকৃষ্ণ মিশন, কন্যাপুর

পিন - ৭১৩৩০৫

ilropaschimbardhaman@gmail.com



Annexure - P-2
Office of the Additional District Magistrate
And
District Land & Land Reforms Officer
Paschim Bardhaman
Vivekananda Sarani, Ramkrishna Mission, Kanyapt
Asansol, PIN - 713305
Email - ilropaschimbardhaman@gmail.com

Memo No.

1244

/MM/DL&LRO/PAB/23

Date: 30-03-2023

To

The Environmental Engineer,
Durgapur Regional Office,
West Bengal Pollution Control Board
Sahid Kshudiram Sarani, City Centre, Durgapur
District- Paschim Bardhaman
PIN-713216



Sub.: Reg. ... Crusher unit namely "Laxmi Service Centre" at Kada Road
More, Near Shiv Mandir, G.T. Road, Durgapur-713203

In connection with above quoted subject, This is to state that it is apparent from the report of Sub Divisional Magistrate, Durgapur, dated 24.03.2023, Sri Rajkumar Shaw, the Respondent No. 7 in O.A. No. 07/2023 in the matter of Vijay Kr. Burman -Vs- Union of India is running a Crusher Unit without any valid documents such as Consent to Establish and Consent to Operate. Hence, you are requested to take necessary measures as per provision of laws, immediately.

This may please be treated as urgent.

Copy of the report of the Sub Divisional Magistrate, Durgapur is enclosed herewith.

Encl. As stated

District Magistrate and Collector,
Paschim Bardhaman



20 APR 2023



Annexure - A-2

WEST BENGAL POLLUTION CONTROL BOARD
(Department of Environment, Government of West Bengal)
Durgapur Regional Office
Sahid Khudiram Sarani, City Centre
Durgapur - 713 216, Tele Phone: (0343) 254-6708, 254-4915

Memo No. 1528 -2/WPBD-OC(92)/14(Part-I)

Date: 13.04.2023

To
The District Magistrate and Collector
Paschim Bardhaman

Ref: 1. Memo No. 1244/MM/DL&LRO/PAB/23 dated 30/03/2023
2. Order of Hon'ble NGT, EZ Bench dated 16/03/2023 in connection with O.A. No. 07/2023/EZ

Sir,

In reference to the above, this is for your kind information that the industry namely M/s. Shree Balajee Enterprise, P.O.-Kada Road, Dist.-Paschim Bardhaman, Pin-713203 was inspected by this office on 05/04/2023. Inspection report had been sent to the competent authority of the State Board at Paribesh Salt Lake for kind perusal and taking necessary action. A copy of the inspection report is enclosed for your kind perusal.

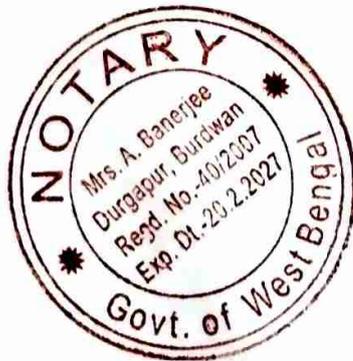
With regards.

Yours faithfully,


12/4/23

Environmental Engineer
West Bengal Pollution Control Board
Durgapur Regional Office

Encl: As stated.

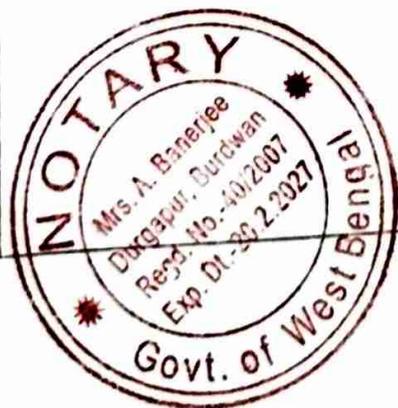


20 APR 2023

Inspection Report Cum Check list

Ref: 1) Order of National Green Tribunal Eastern Zone Bench, Kolkata Vide
Original Application No. 07/2023/EZ dated 16/03/2023.

1.	Name of the industry	:: M/s. Shree Balajee Enterprise.
2.	Address of the unit	:: P.O. Kada Road, P.S. Waria I/c, Durgapur, Dist. Paschim Bardhaman, PIN-713203.
3.	Local Body	:: Durgapur Municipal Corporation
4.	Electric Supplying Agency	:: WBSEDCL
5.	Category of industry	:: Orange, Slag Crushing Unit
6.	Date & time of inspection	:: 05/04/2023, 4.40p.m. onwards
7.	Name of the Inspecting officer	:: Sri Sudipto Banerjee, AEE, DRO Sri Kalyan Modak, JEE, DRO
8.	Person meet during inspection	:: Mr. Joy Sankar Singha, Manager Mobile no. 7601946077
9.	Introduction	: The unit is engaged in crushing of blast furnace slag procured from M/s. Durgapur Steel Plant. The unit is located under Durgapur Municipal Corporation area.
10.	Allegation of complainant	: The complainant Sri Vijay Kumar Burman was not available at the time of inspection. However, complainant was contacted over phone. It was stated that they have been suffering a lot due to dust generated from the activity of the unit. The complainant submitted that his land (presently rented to M/s. Shree Shyam Enterprise-engaged in wholesaling and retailing of rods, tiles and grill items) is situated just beside the unit. Whenever the crusher operates, a huge dust engulfs the entire area and causes severe inconveniences to the people living in the surroundings.
11.	Submission of unit representative	: It was submitted by the representative of the unit that the crusher is owned by Smt Rita Shaw (wife of Raj Kumar Shaw) and has been operating since the last 15 years using two nos. workers. At present, the unit has been lying closed since the last three weeks. It was stated that blast furnace slag is procured from authorized contractors of M/s. Durgapur Steel Plant. The crushed slag is sold in the market.



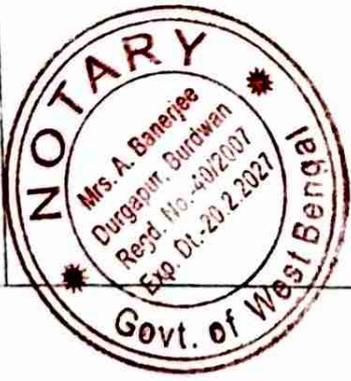
20 APR 2023

12. Observation

1. The unit was not operating at the time of inspection.
2. The unit has one no. slag crushing machine.
3. Blast furnace slag was found dumped all around the factory premises.
4. The unit has no dust suppression system to control fugitive dust generated from its' activity.
5. The unit has no dry fog system.
6. The conveyor of the crusher is not provided with canopies.
7. The unit has no water sprinkling arrangement.
8. The raw materials (blast furnace slag) and products (crushed slag) were found stored under open sky without any cover.
9. Internal roads were found not paved/concretized.
10. The unit could not show valid Consent to Operate of the Board.

13) Recommendation

1. The unit has obtained Consent to Establish from the State Board vide memo no. 1526 dated 21/01/2002 (copy enclosed) but the unit has not obtained Consent to Operate till date. Since the unit has been operating without valid Consent to Operate of the Board and violating environmental norms, necessary regulatory action is recommended and the unit should immediately be directed by the Board to stop its' activity.
2. It is hereby recommended before the Competent Authority of the Board that necessary Environmental Compensation may be imposed upon the unit (for operating without Consent to Operate and violating environmental norms).
3. The activity of the unit falls under Orange category. As per existing siting policy of the Board, there is no restriction of setting up of any Orange category industry within Durgapur Municipal Corporation



20 APR 2023

area. As such, the unit may be directed to operate only after obtaining valid Consent to Operate of the Board. Consent to Operate may be granted only after compliance of the following conditions:-

- a) The unit has to install dust suppression system to control fugitive dust generated from its' activity.
- b) The unit has to install proper dry fog system.
- c) The conveyor of the crusher should be provided with closed canopies.
- d) The unit has to install adequate number of water sprinklers all along the periphery.
- e) The raw materials (blast furnace slag) and products (crushed slag) should be stored under permanent sheds.
- f) Adequate water sprinkling should be carried out on raw materials prior to crushing.
- g) Green belt should be developed along the boundary wall.
- h) Internal roads should be paved/concretized.
- i) Vehicles to be used for transportation of crushed slag should not be overloaded.

14) Remarks	: Any other action may be taken by the : Competent Authority of the Board as deemed to be appropriate.
-------------	---

K. Modak
32/04/2023

K. Modak
Junior Environmental Engineer
Durgapur Regional Office



S. Banerjee
12/04/2023

S. Banerjee
Assistant Environmental Engineer
Durgapur Regional Office

20 APR 2023