

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

M.A. NO. 28/2022/EZ.

AND

M.A. NO. 09/2022/EZ

IN

ORIGINAL APPLICATION NO. 09/2022/EZ

SHYAMAL KUMAR SAHA

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

VERSUS

STATE OF WEST BENGAL & ORS.

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

**AFFIDAVIT ON BEHALF OF THE RESPONDENT NOs. 04 and 05,
THE WEST BENGAL POLLUTION CONTROL BOARD.**

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**SIBOJYOTI CHAKRABORTI
ADVOCATE
HIGH COURT AT CALCUTTA**

SL. NO. 363 /2022

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

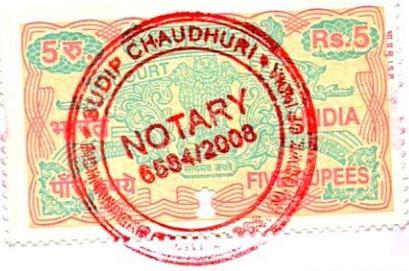
M.A. NO. 28/2022/EZ

AND

M.A. NO. 09/2022/EZ

IN

ORIGINAL APPLICATION NO. 09/2022/EZ



SHYAMAL KUMAR SAHA

..... APPLICANT(S)

BEFORE THE NOTARY PUBLIC
AT BIDHANNAGAR
DIST.-NORTH 24 PARGANAS

VERSUS

STATE OF WEST BENGAL & ORS.

..... RESPONDENT(S)

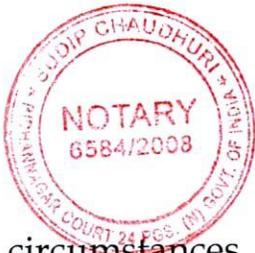
AFFIDAVIT ON BEHALF OF THE RESPONDENT NOs. 04 and 05,
THE WEST BENGAL POLLUTION CONTROL BOARD.

Most Respectfully Sheweth

I, Sri Debashis Sarkar, s/o Late Pabitra Kumar Sarkar, aged about 52 years, by Religion - Hindu, by Occupation- Service, residing at 22/8, Purbachal Main Road, P.S Garfa, Kolkata- 700 078 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 after this case and as such I am well acquainted with the facts and

18 NOV 2022



circumstances of the case. I have been duly authorized by the Respondent Nos. 04 and 05 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 orders passed by the Hon'ble Tribunal dated 09.09.2022.

03. That, in compliance to the order of the Hon'ble National Green Tribunal, the State Board carried an inspection of the unit on 16.08.2022. During inspection it was found that the operation of the unit was closed abiding the closure order of West Bengal Pollution Control Board. But the said premises was used as storage facility.

Copy of the inspection report is annexed herewith and marked with letter "R1".

04. That, such simple storage facility does not fall within the criteria of the industry in terms of the guideline issued by West Bengal Pollution Control Board. Therefore, it need not obtain any consent from the State Board. Thus the question of computation of environmental compensation for using the premises as a storage facility does not arise.

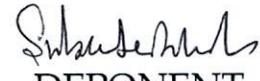
Copy of the category list is annexed herewith and marked with letter "R2"

18 NOV 2022



05. 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.


S. CHAUDHURI
★ NOTARY ★
GOVT. OF INDIA
Regd. No.-6584/08
Bidhannagar Court
Dist.-North 24 Pgs.


DEPONENT

18 NOV 2022



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 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.

Sudip Chaudhuri
DEPONENT

Identified and Settled by me

Sibojyoti Chakrabarti

Advocate

WBPCB

Sudip Chaudhuri
S. CHAUDHURI
★ NOTARY ★
GOVT. OF INDIA
Regd. No.-6584/08
Bidhannagar Court
Dist.-North 24 Pgs.

18 NOV 2022



5



"R1"

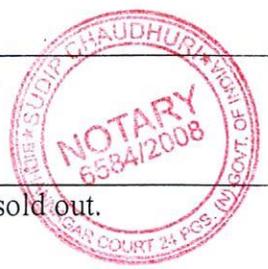
Inspection Report
West Bengal Pollution Control Board
Barrackpore Regional Office

Ref	:	OA No. 09 of 2022 / EZ of Hon'ble National Green Tribunal
Name of the industry	:	Laha Food Products
Address	:	852 Vivekananda Nagar
P.O. & Pin code	:	P.O.-East Udayrajpur, Pin - 700129
P.S.	:	Madhyamgram
District	:	North 24 Paraganas
Local body/authority	:	Madhyamgram Municipality
Power supply agency/authority	:	WBSEDCL
Category of industry	:	Orange
Date & Time of inspection	:	16.08.2022, 14.30 – 15.45 hrs
Date of previous inspection	:	03.03.2022
Inspecting officers	:	Mr. S. Garai (AEE) & Mrs. J. Mitra (AEE) Barrackpore Regional Office
Persons met during inspection	:	i. Mr. Kartick Laha , on behalf of the unit ii. Mrs. Anita Saha, W/o Mr. Shyamal Kumar Saha and iii. D/o Mr. Shyamal Kumar Saha - on behalf of the complainant

Status of Statutory Permission:

1. The unit has obtained CTE from DIC on 28.12.2020 for manufacturing chowmin and sauces.
2. The unit has applied for CTO vide application no. 482966 submitted on 17.03.2021.

Observation:	
A) Sources of generation of liquid waste.	Washing activities for manufacturing of Food Items (Chowmin and Sauces).
B) Facility available for treatment	3 nos. settling chambers and soak pit. Soak pit over flow is discharge to drain.
C) Generation of sewage and its treatment/ disposal	Domestic effluent discharged through septic tank to drain
D) Observation & comments on performance of treatment facility of liquid waste.	The unit was not in operation during inspection.
E) Sources of generation of gaseous emission.	The unit has one no. LPG fired chowmin boiling oven as well as two nos. diesel fired ovens for production of sauce. One no. Green DG set (1x15 KVA).
F) Facility available for treatment of gaseous emission.	DG has been provided with stack as per norms. Suction hood and chimney has been provided with all the ovens as per norms.



G) Observation & comments on performance of treatment facility for gaseous emission.	During inspection, the unit was not in operation.
H) Information regarding solid waste generation and disposal/ storing facility.	Wooden boxes, empty drum, paper cartoon etc. sold out.
I) Information regarding Hazardous waste generation and onsite storing facility.	--
J) Status of Hazardous waste (M &H) authorization.	Yes <input checked="" type="checkbox"/> No Last HWA was valid upto The unit has applied for the same on
K) Status of consent to establish.	Possess Valid NOC <input checked="" type="checkbox"/> Yes No At present whether NOC required Yes No If yes, whether applied for NOC Yes <input checked="" type="checkbox"/> No If yes, NOC applied on
L) Status of consent	Possess valid consent to operate Yes <input checked="" type="checkbox"/> No If yes, validity period up to If no, whether applied for consent <input checked="" type="checkbox"/> Yes No

M) Any other relevant information :-

1. During inspection, the unit was not in operation. The owner mentioned that production process is not going on for considerable period of time; however, the unit is being used as a storage facility at present.
2. The unit is located within a covered shed. The complainant's house is just opposite the unit. There is a narrow street between the two. The complainant complained about noise pollution.
3. The unit was requested to operate the machines for a while and the noise levels were measured thrice. Firstly, within the unit when the machines were not in operation, secondly within the unit while the machines were in operation and finally at the complainant's residence while the machines were operational. The Noise levels (Leq) were 57.41 dBA, 71.44 dBA and 62.24 dBA respectively.

Remarks:

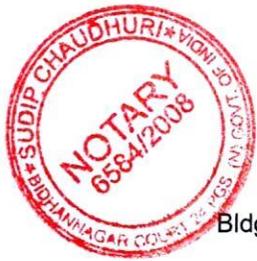
Necessary decision may be taken as deemed fit.

S. Garai
18.08.2022

(S. Garai, AEE)

J. Mitra
18.8.22.

(J. Mitra, AEE)



-8- R2

WEST BENGAL POLLUTION CONTROL BOARD

(Department of Environment, Government of West Bengal)

Paribesh Bhawan

Bldg. No. 10A, Block – LA, Sector – III, Bidhannagar, Kolkata – 700 098

Tel: 2335-9088, 2335-7428, 2335-8211

2335-6731, 2335-0261, 2335-8861

Fax: (0091) (033) 2335-2813, 2335-6730

Website: www.wbpcb.gov.in

Memo No.: 1512/4A-18/2010 (Pt.I)

Date: 14.06.2016

ORDER

The Central Pollution Control Board (CPCB) has issued directions vide Memo No. F.No.B-29012/ESS(CPA)/2015-16/8591 dt. 07/03/2016, under Section 18(1)(b) of Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981, for harmonizing the classification of industrial sectors into Red / Orange / Green / White Categories taking into consideration the likely health impacts and also the concept of Pollution Index which is a function of the emissions, effluents, hazardous wastes generated and the consumption of resources. The modified Directions of CPCB have been considered and approved by the West Bengal Pollution Control Board (WBPCB).

Now in supersession of all previous orders in respect of categorization of industries and siting (locational) policy of industries in the state of West Bengal, the State Board in exercise of the powers conferred under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981, is hereby adopting the new categorization ('Red', 'Orange', 'Green', 'White' and 'Exempted') of industries as given in List A along with Siting (Locational) Policy of industries given in List B.

This order will take effect on and from 30/06/2016.

Sd/-

(Dr. Subrat Mukherjee)

Member Secretary

West Bengal Pollution Control Board



Memo No.: **1512** /4A-18/2010 (Pt.I)

Date: 14.06.2016

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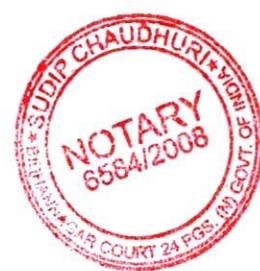
1. Principal Secretary, Department of Micro & Small Scale Enterprises & Textiles, GoWB
2. Principal Secretary, Department of Environment, GoWB
3. Principal Secretary, Department of Commerce and Industries, GoWB
4. Principal Secretary, Department of Land and Land Reforms, GoWB
5. Chief Engineer – Planning / O&E / WMC
6. Chief Scientist – **with a request to kindly update the Website and EMIS of WBPCB**
7. Director, Micro, Small & Medium Enterprise (MSME), New Secretariat Building
8. Jt. Director (Employment), Micro, Small & Medium Enterprise (MSME), N.S.Building
9. Senior Env. Engineer – EIM / O&M / Kakinara CO / O&E / WMC / PG&A / ANA&T
10. Senior Scientist – P. K. Barai / Dr. R. K. Saha / D. Gupta / Dr. D. Chakraborty
11. Senior Personnel Manager
12. Senior Law Officer
13. Environmental Engineer & In-Charge – Camac Street RO / Salt Lake RO / Alipore RO /
Haldia RO / Barrackpore RO / Hooghly RO / Durgapur RO / Asansol RO / Siliguri RO /
Howrah RO
14. Finance & Accounts Manager (A/F)
15. In-charge – Malda RO
16. Public Relation Officer
17. Environment Officer (Communication) – **for circulation in float file**
18. P.A. to Chairman

Sd/-

(Dr. Subrat Mukherjee)

Member Secretary

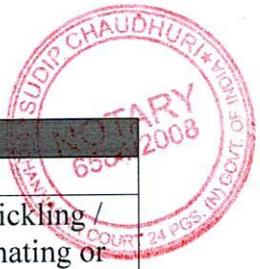
West Bengal Pollution Control Board

**LIST-A****RED CATEGORY**

Sl.No.	Activity
1	Isolated storage of hazardous chemicals (as per schedule of manufacturing, storage of hazardous chemicals rules, 1989 as amended)
2	Automobile manufacturing (integrated facilities) and heavy engineering including ship building (with investment on plant and machinery >10 crores)
3	Industries engaged in recycling / reprocessing / recovery / reuse of Hazardous Waste under schedule iv of HW (M, H & TBM) rules, 2008 - Items namely - Spent cleared metal catalyst containing copper, Spent cleared metal catalyst containing zinc
4	Manufacturing of lubricating oils, grease and petroleum based products
5	DG Set of capacity >5 MVA
6	Industrial carbon including electrodes and graphite blocks, activated carbon, carbon black
7	Lead acid battery manufacturing (excluding assembling and charging of lead - acid battery in micro scale)
8	Phosphate rock processing plant (including grinding)
9	Power generation plant (including Waste to Energy plants >15 MW capacity which attract provisions of EIA Notification, 2006 as amended) [except Wind and Solar renewable power plants of all capacities and Mini Hydel power plant of capacity <25 MW] (Other than Thermal Power Plants)
10	Industries engaged in recycling / reprocessing / recovery / reuse of Hazardous Waste under schedule-IV of HW (M, H& TBM) Rules, 2008 - Items namely - Spent catalyst containing nickel, cadmium, Zinc, copper, arsenic, vanadium and cobalt
11	Processes involving chlorinated hydrocarbons [including rigid PVC pipe manufacturing]
12	Sugar (excluding Khandsari)
13	Fibre glass production and processing (excluding moulding) [including glass wool and rock wool production, manufacturing of mica based electrical insulating products using thinners/solvents]
14	Fire crackers manufacturing and bulk storage facilities
15	Industries engaged in recycling / reprocessing / recovery / reuse of Hazardous Waste under schedule iv of HW (M, H & TBM) rules, 2008 - Items namely - Dismantlers Recycling Plants -- Components of waste electrical and electronic assembles comprising accumulators and other batteries included on list A, mercury-switches, activated glass cullets from cathode-ray tubes and other activated glass and PCB-capacitors, or any other component contaminated with Schedule 2 constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they exhibit hazard characteristics indicated in part C of this Schedule.
16	Milk processes and dairy products (integrated project)
17	Phosphorous and its compounds
18	Pulp & Paper (waste paper based without bleaching process to manufacture Kraft paper)
19	Coke making, liquefaction, coal tar distillation or fuel gas making
20	Manufacturing of explosives, detonators, fuses including management and handling



Sl.No.	Activity
	activities [including manufacturing of safety match]
21	Manufacturing of paints varnishes, pigments and intermediate (excluding blending / mixing)
22	Organic Chemicals manufacturing [including phenolic products, rubber chemicals]
23	Airports and Commercial Air Strips (waste water generation >100 KLD.)
24	Asbestos and asbestos based industries
25	Basic chemicals and electro chemicals and its derivatives including manufacturing of acid
26	Cement
27	Chlorates, per-chlorates & peroxides
28	Chlorine, fluorine, bromine, iodine and their compounds
29	Dyes and Dye-Intermediates
30	Health-care Establishment (as defined in BMW Rules) for waste water generation >100 KLD or with incinerator or both
31	Hotels (3 star and above) and hotels having ≥ 100 rooms or waste-water generation ≥ 100 KLD
32	Industries engaged in recycling / reprocessing / recovery / reuse of Hazardous Waste under schedule iv of HW (M, H & TBM) rules, 2008 - Items namely - Lead acid battery plates and other lead scrap / ashes / residues not covered under Batteries (Management and Handling) Rules, 2001. [* Battery scrap, namely: Lead battery plates covered by ISRI, Code word "Rails" Battery lugs covered by ISRI, Code word "Rakes". Scrap drained / dry while intact, lead batteries covered by ISRI, Code word "rains"
33	Industries engaged in recycling / reprocessing / recovery / reuse of Hazardous Waste under schedule iv of HW (M, H & TBM) rules, 2008 - Items namely - Integrated Recycling Plants -- Components of waste electrical and electronic assembles comprising accumulators and other batteries included on list A, mercury - switches, activated glass cullets from cathode -ray tubes and other activated glass and PCB -capacitors, or any other component contaminated with Schedule 2 constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they exhibit hazard characteristics indicated in part C of this Schedule
34	Manufacturing of glue and gelatin [excluding glue from starch and including manufacturing of synthetic adhesives, shellac processing, rubber based adhesives, industrial adhesives using paraffin wax and resin powder (for polishing leather goods, shoes etc.)]
35	Mining and ore beneficiation
36	Nuclear power plant
37	Pesticides (technical) (excluding formulation)
38	Photographic film and its chemicals
39	Railway locomotive work shop / Integrated road transport workshop / service centers having waste-water generation ≥ 100 KLD
40	Yarn / Textile processing involving any effluent / emission generating processes including bleaching, dyeing, printing and colouring [including composite woolen mill, dewaxing of raw wool and raw silk, manufacturing of woolen blanket from woolen fibre]
41	Chlor Alkali
42	Ship Breaking Industries
43	Oil and gas extraction including CBM (offshore & on-shore extraction through



Sl.No.	Activity
	drilling wells)
44	Industry or process involving metal surface treatment or process such as pickling / electroplating / paint stripping / heat treatment using cyanide bath / phosphating or finishing and anodizing / enamellings / galvanizing
45	Tanneries
46	Ports and harbour, jetties and dredging operations
47	Synthetic fibers including rayon, tyre cord, polyester filament yarn [including natural fibre, raw wool, raw silk, cellophane paper, cellulose nitrate]
48	Thermal Power Plants
49	Slaughter house (as per notification S.O.270 (E) dated 26.03.2001) and meat processing industries, bone mill, processing of animal horn, hoofs and other body parts
50	Aluminium Smelter
51	Copper Smelter
52	Fertilizer (basic) (excluding formulation / granulation / blending only)
53	Iron & Steel (involving processing from ore / integrated steel plants) and or Sponge Iron units
54	Pulp & Paper (waste paper based units with bleaching process to manufacture writing & printing paper)
55	Zinc Smelter
56	Oil Refinery (Mineral Oil or Petro Refineries)
57	Petrochemicals Manufacturing (including processing of Emulsions of oil and water)
58	Pharmaceuticals (Basic Drugs) and related R & D
59	Pulp & Paper (Large-Agro & wood), Small Pulp & Paper (agro based-wheat straw / rice husk) [including straw board, grey board, duplex board and de-inking, bleaching activity]
60	Distillery (molasses / grain / yeast based) including Fermentation industry with waste water generation ≥ 100 KLD (including blending, bottling of alcoholic products with waste water generation ≥ 100 KLD)
61	Ceramic, Refractories having coal consumption ≥ 12 MT / day
62	Common treatment and disposal facilities (CETP, TSDF, E-waste recycling, CBMWTF, effluent conveyance project, incinerators, solvent / acid recovery plant, MSW sanitary landfill sites, STP)
63	Ferrous and Non-ferrous metal extraction > 1 MT/hr involving different furnaces through melting, refining, reprocessing, casting and alloy making and including metal extraction from Lead [including gold and silver smithy using greater than 1.0 litre sulfuric acid / nitric acid per month, forging with coal fired boilers and smelting, lead, zinc and other metals]
64	Industrial estates / parks / complexes / areas / export processing zones / SEZs / biotech parks (For Red Category member industries)
65	Industry or process involving foundry operations(foundries having capacity ≥ 5 MT/hr and requiring coal / coke consumption ≥ 500 kg/hr)
66	Manufacturing of glass (bulb, lamp, optical lens etc.) using coal / wood fired kiln including manufacturing of lead glass
67	Parboiled rice mills (Waste Water generation ≥ 100 KLD or fuel ≥ 12 MTD or both)
68	Synthetic detergents and soaps (excluding formulation) waste water generation ≥ 100 KLD



Sl.No.	Activity
69	Vegetable oils including solvent extraction and refinery / hydrogenated oils having waste water generation ≥ 100 KLD.
70	Non-alcoholic beverage (soft drink) and bottling of non-alcoholic products with waste water generation ≥ 100 KLD
71	Building and construction projects $> 20,000$ sq.mtr. built up area (waste water generation ≥ 100 KLD)
72	Cleaning / washing of old PVC and MS drums using mineral turpentine oil, kerosene oil and water
73	Steel and steel products using various furnaces like blast furnaces / open hearth furnace / induction furnace / arc furnace / submerged arc furnace / basic oxygen furnace [industries attracting EIA (Notification) 2006 as amended]
74	Any industry / industrial activity (irrespective of category), having solid fuel fired boiler / Thermic Fluid Heater (TFH) irrespective of capacity or oil / gas fired boiler > 5 TPH

Note:-

- a) Any industry / industrial activity which is not covered in category lists, having coal fired boiler with steam generation capacity > 5 TPH, will be considered under Red category subject to approval by the categorisation committee of the Board.
- b) Any industry / industrial activity using solid fuel (coal / wood / husk etc.) fired boiler / TFH irrespective of capacity and oil / gas fired boiler > 5 TPH will be considered under Red category.
- c) Capacity of boilers / furnace / kiln / oven / DG set etc. in any unit refers to the cumulative capacity of all such respective items.
- d) For activities attracting EIA notification, Environmental Clearance is mandatory followed by 'Consent to Establish' and 'Consent to Operate' of the Board.
- e) Detailed information for selection of specific nature of activity under industry category is available in the EMIS of the Board for facilitating project proponents.

ORANGE CATEGORY



Sl.No.	Activity
1	Dismantling of rolling stocks (wagons / coaches)
2	Bakery / confectionery / Sweet production units with capacity >1 TPD [with oven / furnaces], units with solid fuel fired oven of any capacity
3	Chanachur and laddoo from puffed and beaten rice (muri and chira) using husk coal / wood fired oven
4	Coated electrode manufacturing
5	Compact disc, computer floppy and cassette manufacturing / Reel manufacturing
6	Flakes from rejected PET bottles
7	Food and food processing including fruits and vegetable processing
8	Jute processing without dyeing
9	Manufacturing of silica gel
10	Manufacturing of tooth powder, toothpaste, talcum powder and other cosmetic items
11	Printing or etching of glass sheet using hydrofluoric acid
12	Silk screen printing, saree printing by wooden blocks
13	Synthetic detergents and soaps (excluding formulation) having waste water generation <100 KLD
14	Thermometer manufacturing
15	Cotton spinning and weaving (medium and large scale)
16	Almirah, grill manufacturing (dry mechanical process and with painting)
17	Aluminium and copper extraction from scrap using oil fired furnace (dry process only)
18	Railway locomotive workshops / integrated road transport workshop / Automobile servicing, repairing and painting having waste water generation <100 KLD (excluding only fuel dispensing)
19	Ayurvedic and homeopathic medicine [with boiler]
20	Brickfields (excluding fly ash brick manufacturing using lime process)
21	Building and construction projects >20,000 sq.mtr. built up area (waste water generation <100 KLD)
22	Ceramic, Refractories (coal consumption <12 MT / day)
23	Coal washeries
24	Dairy and dairy products (small scale)
25	DG set of capacity >1 MVA but <5 MVA
26	Dry coal processing / mineral processing, industries involving ore sintering, pelletization, grinding, pulverization
27	Fermentation industry having waste water generation <100 KLD [including manufacture of yeast, beer, distillation of alcohol (Extra Neutral Alcohol)]
28	Ferrous and non-ferrous metal extraction (≤ 1 MT / hour production and excluding metal extraction from Lead) involving different furnaces through melting, refining, reprocessing, casting and alloy making
29	Fertiliser (granulation / formulation / blending only)
30	Fish feed, poultry feed and cattle feed
31	Fish processing and packing [excluding chilling of fish]
32	Forging of ferrous and non-ferrous metal (using oil or gas fired furnaces)
33	Formulation / pelletization of camphor tablets, naphthalene balls from camphor / naphthalene powders [including pesticide formulation]



Sl.No.	Activity
34	Glass, ceramic, earthen potteries and tile manufacturing using oil or gas fired kiln coating on glasses using cerium fluoride, magnesium fluoride etc. [including cement products like pipe, pillar, concrete sleeper using oil fired boiler]
35	Gravure printing, digital printing on flex, vinyl
36	Heat treatment using oil fired furnace (excluding cyaniding)
37	Hot mix plants
38	Hotels (<3 star) or hotels having >20 rooms and <100 rooms having waste-water generation <100 KLD and >10 KLD, and / or having boiler / heater / oven etc. [including restaurants with capital investment on land, building, plant and machinery >30 lac]
39	Ice cream
40	Industries engaged in recycling / reprocessing / recovery / reuse of Hazardous Waste under schedule IV of Hazardous Wastes (M, H & TBM) Rules, 2008 and its amendments : items namely Paint and ink Sludge / residues
41	Industries engaged in recycling / reprocessing / recovery / reuse of Hazardous Waste under schedule IV of Hazardous Wastes (M,H & TBM) Rules, 2008 and its amendments : Items namely Brass Dross, Copper Dross, Copper Oxide Mill Scale, Copper Reverts, Cake & Residues, Waste Copper and copper alloys in dispersible form, Slags from copper processing for further processing or refining, Insulated Copper Wire, Scrap / copper with PVC sheathing including ISRI-code material namely "Druid", Jelly filled Copper cables, Zinc Dross-Hot dip Galvanizers SLAB, Zinc Dross-Bottom Dross, Zinc ash / Skimming arising from galvanizing and die casting operations, Zinc ash / Skimming / other zinc bearing wastes arising from smelting and refining, Zinc ash and residues including zinc alloy residues in dispersible form
42	Industry or process involving foundry operations (foundries having capacity <5 MT/hr requiring coal / coke consumption <500 kg/hr)
43	Lime manufacturing (using lime kiln)
44	Liquid floor cleaner, black phenyl, liquid soap, glycerol monostearate manufacturing
45	Manufacturing of glass (excluding solid fuel fired kiln and excluding lead glass)
46	Manufacturing of iodized salt from crude / raw salt
47	Manufacture of mirror from sheet glass
48	Manufacturing of mosquito repellent coil
49	Manufacturing of starch / sago
50	Mechanized laundry using oil fired boiler
51	Modular wooden furniture from particle board, MDF, sawn timber etc., ceiling tiles / partition board from saw dust, wood chips etc. and other agricultural waste using synthetic adhesive resin, wooden box making (with boiler)
52	New highway construction projects
53	Non-alcoholic beverage (soft drink) and bottling of non-alcoholic products with waste water generation <100 KLD
54	Paint blending and mixing (ball mill) including construction chemicals manufacturing by mixing
55	Paints and varnishes (mixing and blending)
56	Plyboard manufacturing (including veneer and laminate) with oil fired boiler / thermic fluid heater (without resin plant)
57	Potable alcohol (IMFL) by blending, bottling of alcoholic products (Waste water



Sl.No.	Activity
	generation <100 KLD)
58	Printing ink manufacturing
59	Printing press
60	Reprocessing of waste plastic (including PVC)
61	Rolling mill (oil or coal fired)
62	Spray painting, paint baking, paint stripping
63	Steel and steel products using various furnaces like blast furnaces / open hearth furnace / induction furnace / arc furnace / submerged arc furnace / basic oxygen furnace [not attracting EIA (Notification) 2006 as amended]
64	Stone crushers
65	Surgical and medical products involving prophylactics and latex
66	Teflon based products
67	Thermocol manufacturing (with boiler)
68	Tobacco products including cigarettes and tobacco / opium processing
69	Transformer repairing / manufacturing (dry processing only)
70	Tyres and tubes vulcanization / hot retreading
71	Vegetable oils including solvent extraction and refinery / hydrogenated oils having waste water generation <100 KLD [including manufacturing of citronella oil (herbal aromatic chemical), bio-diesel from vegetable oil by trans-esterification process, jute batching oil and oil for sizing in paper industries from waste vegetable oil]
72	Wire drawing and wire netting [including bailing straps, wire drawing by cold process only]
73	Dry cell battery (excluding manufacturing of electrodes) and assembling and charging of acid lead battery in micro scale
74	Pharmaceutical formulation and related R&D
75	Synthetic resins
76	Synthetic rubber excluding moulding [including reclamation of rubber, manufacture of rubber solution containing mineral naphtha and rubber wastes]
77	Cashew nut processing
78	Coffee seed processing
79	Parboiled rice mills (Waste Water <100 KLD and fuel <12MTD)
80	Foam manufacturing
81	Industries engaged in recycling / reprocessing / recovery / reuse of Hazardous Waste under schedule IV of Hazardous Wastes (M,H & TBM) Rules, 2008 and its amendments : Used Oil – As per specifications prescribed from time to time
82	Industries engaged in recycling / reprocessing / recovery / reuse of Hazardous Waste under schedule IV of Hazardous Wastes (M,H & TBM) Rules, 2008 and its amendments : Waste Oil – As per specifications prescribed from time to time
83	Producer gas plant using conventional up-drift coal gasification (linked to rolling mills, glass and ceramic industry, refractories for dedicated fuel supply)
84	Airports and commercial air strips (waste water generation <100 KLD)
85	Tea processing with boiler
86	CETP and effluent conveyance project, (only Orange category member industries)
87	Health care establishment (as defined in BMW Rules) having waste water generation ≤100 KLD and without incinerator
88	Industrial estates / parks / complexes / areas / export processing zones / SEZs / biotech parks / leather complex (only Orange category member industries)

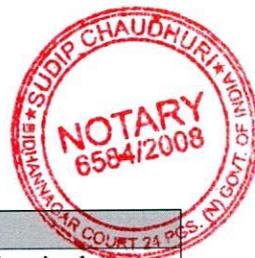


Sl.No.	Activity
89	Heavy engineering (investment on plant and machinery ≤ 10 crore)
90	Waste to Energy plants ≤ 15 MW capacity
91	Handicraft products like terracotta work, sculptures (plaster of paris and fibre glass)
92	Infrastructure development project
93	Any industry / industrial activity which is not covered in category lists, using oil / gas fired boiler of capacity > 2 TPH and ≤ 5 TPH

Note:-

- a) Any industry/industrial activity which is not covered in Orange category list, using oil/gas fired boiler of capacity > 2 TPH and ≤ 5 TPH will be considered under Orange category subject to approval by the Categorisation Committee of the Board.
- b) Capacity of boilers /furnace/kiln/oven/DG set etc. in any unit refers to the cumulative capacity of respective items.
- c) Sl.No.16 (Almirah, grill manufacturing) is not permitted in municipal areas of West Bengal.
- d) For activities attracting EIA notification, Environmental Clearance is mandatory followed by 'Consent to Establish' and 'Consent to Operate' of the Board.
- e) Detailed information for selection of specific nature of activity under industry category is available in the EMIS of the Board for facilitating project proponents.

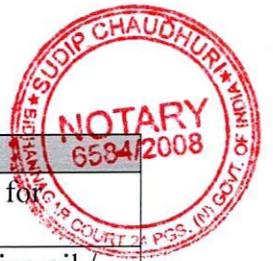
GREEN CATEGORY



Sl.No.	Activity
1	Aluminium utensils from aluminium circles by pressing only (dry mechanical operation)
2	Ayurvedic and homeopathic medicines (without boiler)
3	Bakery / confectionery / sweets products (with production capacity <1tpd (with oil, gas or electrical oven)
4	Bi-axially oriented PP film along with metalizing operations [including adhesive coating, viscose / polyester coated brass, glass yarn]
5	Biomass briquettes (sun drying) without using toxic hazardous wastes
6	Blending of melamine resins & different powder, additives by physical mixing [including simple mixing and mould / coating compound by mixing, versatile master batch / polymer compound using talc, calcite, pigment, additives, polymer etc. as raw material]
7	Brass and bell metal utensils manufacturing from circles (dry mechanical operation without re-rolling facility)
8	Candy
9	Cardboard or corrugated box and paper products (excluding paper or pulp manufacturing and without using boilers)
10	Carpentry & wooden furniture manufacturing (excluding saw mill) with the help of electrical (motorized) machines such as electrical wood planner, steel saw cutting circular blade, etc. [including modular wooden furniture from particle board, MDF, sawn timber etc., ceiling tiles / partition board from saw dust, wood chips etc. and other agricultural waste using synthetic adhesive resin, wooden box making (without boiler)]
11	Cement products (without using asbestos / boiler / steam curing) like pipe, pillar, jafri, well ring, block / tiles etc. (should be done in closed covered shed to control fugitive emissions)
12	Ceramic colour manufacturing by mixing & blending only (not using boiler and wastewater recycling process)
13	Chilling plant, cold storage and ice making (including only chilling of fish)
14	Coke briquetting (sun drying)
15	Cotton spinning and weaving (small scale)
16	Dal Mills
17	Decoration of ceramic cups and plates by electric furnace
18	Digital printing on PVC Clothes
19	Facility of handling, storage and transportation of food grains in bulk
20	Flour mills (dry process)
21	Glass, ceramic, earthen potteries, tile and tile manufacturing using electrical kiln or not involving fossil fuel kiln (including activity not involving kiln)
22	Glue from starch (physical mixing) with gas / electrically operated oven / boiler
23	Gold and silver smithy (purification with acid, smelting operation and sulphuric acid polishing operation) (using ≤ 1 litre of sulphuric acid / nitric acid per month)
24	Heat treatment with any of the new technology like ultrasound probe, induction hardening, ionization beam, gas carburizing etc. (including heat treatment using electrical heater)
25	Insulation and other coated papers (excluding paper or pulp manufacturing)
26	Leather foot wear and leather products (excluding tanning and hide processing)



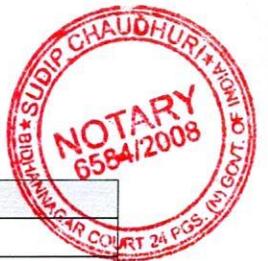
Sl.No.	Activity
	except cottage scale)
27	Lubricating oil, greases or petroleum based products (only blending at normal temperature)
28	Manufacturing of pasted veneers using gas fired boiler or thermic fluid heater and by sun drying
29	Oil mill ghani and extraction (no hydrogenation / refining)
30	Packing materials manufacturing from non-asbestos fibre, vegetable fibre yarn
31	Phenyl / toilet cleaner formulation and bottling
32	Polythene and plastic processed products manufacturing (virgin plastic)
33	Poultry, Hatchery and Piggery
34	Power looms (without dyeing and bleaching)
35	Puffed rice (muri) (using oil, gas or electrical heating system)
36	Pulverization of bamboo, scrap wood, rice husk, groundnut, soya waste, coconut shell
37	Ready mix cement concrete
38	Reprocessing of waste cotton including dhaniamill & cotton from scrap cloth
39	Rice mill (Rice hullers only)
40	Rolling mill (gas fired) and cold rolling mill
41	Rubber goods industry (with oil / gas operated baby boiler \leq 2 TPH steam generation capacity)
42	Saw mills
43	Soap manufacturing (handmade without steam boiling / boiler)
44	Spice grinding (\leq 20 HP motor)
45	Spice grinding ($>$ 20 HP motor)
46	Steel furniture without spray painting
47	Steeping and processing of grains
48	Tyres and tube retreating (without boilers)
49	Ice making without using ammonia
50	CO ₂ recovery (including core CO ₂ manufacturing)
51	Distilled water (without boiler) with electricity as source of heat
52	Hotels (up to 20 rooms) without boilers or with electrical / gas fired boiler / heater / oven etc. having \leq 10 KLD waste water generation and only restaurants with capital investment on land, building, plant and machinery upto 30 lac
53	Manufacturing of optical lenses (using electrical furnace)
54	Mineralized water (including water softening and demineralization plant)
55	Tamarind powder manufacturing
56	Cutting, sizing and polishing of marble stone
57	Emery powder (fine dust of sand) manufacturing
58	Flyash export, transport & disposal facilities
59	Mineral stack yard / railway sidings
60	Oil and gas transportation pipeline
61	Seasoning of wood in steam heated chamber
62	Synthetic detergent formulation (excluding LABSA manufacturing)
63	Tea processing (without boiler)
64	Thermocol manufacturing (without boiler)
65	Industrial estates / parks / complexes / areas / export processing zones / SEZs / biotech parks / leather complex (Only for Green Category member industries)



Sl.No.	Activity
66	Common Effluent Treatment Plant and effluent conveyance project (Only for Green Category member industries)
67	Any industry / industrial activity which is not covered in category lists, using oil / gas fired boiler of capacity <2 tph

Note:-

- a. Any industry / industrial activity which is not covered in category lists, using oil / gas fired boiler of capacity <2 TPH will be considered under Green category subject to approval by the Categorisation Committee of the Board.
- b. Any industry / industrial activity using oil / gas fired boiler of capacity <2 TPH will be considered under Green category.
- c. Capacity of boilers / furnace / kiln / oven / DG set etc. in any unit refers to the cumulative capacity of respective items.
- d. For activities attracting EIA notification, Environmental Clearance is mandatory followed by 'Consent to Establish' and 'Consent to Operate' of the Board.
- e. Detailed information for selection of specific nature of activity under industry category is available in the EMIS of the Board for facilitating project proponents.



WHITE CATEGORY

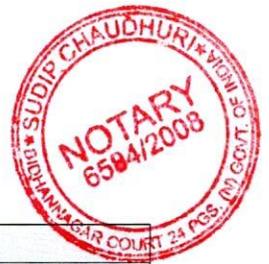
Sl.No.	Activity
1	Assembly of air coolers / conditioners, repairing and servicing
2	Assembly of bicycles, baby carriages and other small non motorizing vehicles
3	Bailing (hydraulic press) of waste papers
4	Bio fertilizer and bio-pesticides without using inorganic chemicals
5	Biscuits trays etc. from rolled PVC sheet (using automatic vacuum forming machines)
6	Blending and packing of tea (including tea garden)
7	Block making of printing without foundry (excluding wooden block making)
8	Chalk making from plaster of paris (only casting without boilers etc. - sun drying / electrical oven)
9	Compressed oxygen gas from crude liquid oxygen (without use of any solvents and by maintaining pressure & temperature only for separation of other gases)
10	Cotton and woolen hosiery making (dry process only without any dyeing / washing operation)
11	Diesel pump repairing and servicing (complete mechanical dry process)
12	Electric lamp (bulb) and CFL manufacturing by assembling only
13	Electrical and electronic item assembling (completely dry process) (including manufacturing of electrical and electronic items, electronic and mechanical toys, hardware for computers and other information technology instruments)
14	Engineering and fabrication units [dry process without any heat treatment / metal surface finishing operations / painting]
15	Flavoured betel nuts production / grinding (completely dry mechanical operations)
16	Fly ash bricks / block manufacturing
17	Fountain pen manufacturing by assembling only
18	Glass ampoules and vials making from glass tubes (including laboratory wares)
19	Glass putty and sealant (by mixing with machine only)
20	Ground nut decorticating
21	Handloom / carpet weaving (without dyeing and bleaching operation)
22	Leather cutting and stitching (> 10 machine and using motor)
23	Manufacturing of coir items from coconut husks
24	Manufacturing of metal caps, containers etc.
25	Manufacturing of shoe brush and wire brush
26	Medical oxygen
27	Organic and inorganic nutrients (by physical mixing)
28	Organic manure (manual mixing)
29	Packing of powdered milk [including repacking of chemicals, bitumen etc. in small container without any processing or heating]
30	Paper pins and u clips [including safety pins]
31	Repairing of electric motors and generators (dry mechanical process)
32	Rope (plastic and cotton)
33	Scientific and mathematical instrument manufacturing
34	Solar module non-conventional energy apparatus manufacturing unit
35	Solar power generation through solar photovoltaic cell, wind power and mini hydel power (< 25 MW)
36	Surgical and medical products assembling only (not involving effluent / emission generating processes)
37	Almirah, grill manufacturing (Dry mechanical process and without painting)



Sl.No.	Activity
	operation)

Note :

- (a) There is no necessity of obtaining consent for White Category of industries and an intimation to WBPCB is sufficient.
- (b) Industry / industrial activity mentioned in the White category is permitted in any area in West Bengal subject to site clearance by local authority.
- (c) Sl.No.31 (Repairing of electric motor and generator) is not permitted in congested areas.
- (d) Sl.No.37 (Almirah, grill manufacturing) is not permitted in municipal areas of West Bengal.



EXEMPTED CATEGORY

Sl.No.	Activity
1	Agarbati manufacturing and packaging
2	Assembly of domestic electrical appliances, servicing and repairing
3	Atta chakkis (wheat grinding)
4	Auto emission testing centres
5	Ball pen refill
6	Bamboo and cane products (only dry operation)
7	Biogas plant
8	Black smithy (should not be allowed in congested areas)
9	Boarding and lodging
10	Book binding
11	Cable TV network
12	Candles manufacturing
13	Colour/black and white studio
14	Cushions/pillows and quilts manufacturing
15	Cyber café
16	Diesel generator sets (≤ 1 MVA) for residential buildings, commercial buildings and health care organisation etc.
17	Gold and silver smithy (excluding purification/polishing with any acid and smelting operation)
18	Handicraft products like conchshell, coconutshell, dokra, cane and bamboo products, baluchari saree, stone carving, wood carving, batik, sola work etc.
19	Handmade paper
20	House hold decorative (interior and exterior) involving coloured artificial flowers, sola, palms, jute etc. (without dyeing and bleaching of flowers and other items)
21	Building and construction projects upto 20,000 sq.mtr. built up area
22	Leather cutting and stitching (≤ 10 machines and without any motor)
23	Leather footwear and leather products (excluding tanning and hide processing) (cottage scale only)
24	Manual brass painting
25	Manufacture of steel trunks and suitcases
26	Manufacturing and packaging of 'alta' and packaging of 'sindoor'
27	Manufacturing of umbrella (only assembling)
28	Mushroom plantation and spawn
29	Musical instrument manufacturing
30	Optical frames
31	Optical lens manufacturing (without furnace)
32	Photo framing
33	Plant tissue culture laboratory
34	PP and PE bag (only cutting and sealing)
35	Radio assembling, servicing and repairing work
36	Repairing & servicing of bicycles, baby carriage and other non-motorised vehicles
37	Repairing and servicing of electronic equipment
38	Shoelace manufacturing



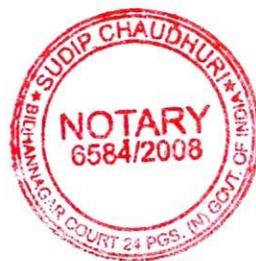
Sl.No.	Activity
39	Soft toys, wooden toys manufacturing (except electronic and mechanical toys)
40	Software development for information and technology industry
41	Sports goods manufacturing
42	Storage and distribution of LPG cylinders less than threshold storage quantity at a time, as per rules
43	Tailoring and garment stitching/garment and apparel manufacturing
44	Tank calibration centre
45	Weigh bridge (not manufacturing)
46	Wooden block making for printing
47	Xerox and photocopying
48	Zari embroidery work
49	Automobile fuel outlet (only dispensing)
50	E-waste collection Centre
51	Rubber goods industry (without boiler)

D. Exempted category industries

- (a) Industry / industrial activity mentioned in the Exempted category is permitted in any area in West Bengal subject to site clearance by local authority.
- (b) Industry / industrial activity mentioned in the Exempted category need not apply for either 'Consent to Establish' or 'Consent to Operate' from the Board.

LIST-B

Industrial Siting / Locational Policy in West Bengal



A. Red category industries

- (a) Setting up of any Red category industry is not permitted within municipal areas of Kolkata Metropolitan Area (KMA) and within municipal areas of Burdwan district except Jamuria Industrial Estate. These can however be set up beyond the municipal areas of KMA and Burdwan district with adequate pollution abatement system subject to site clearance by local authority.
- (b) However, for Red category industry / industrial activity in following serial nos., the consideration for siting within municipal areas of KMA and municipal areas of Burdwan district is location specific and will be decided by the Board.

Sl. No.	Industry / Activity Type
RED 1	Isolated storage of hazardous chemicals (as per schedule of manufacturing, storage of hazardous chemicals rules, 1989 as amended)
RED 2	Only heavy engineering including ship building (with investment on plant and machinery > 10 crores)
RED 5	DG Set of capacity > 5 MVA
RED 9	Power generation plants (applicable only for Waste to Energy plants)
RED 23	Airports and Commercial Air Strips (for airports having waste water generation > 100 KLD.)
RED 30	Health-care establishment (as defined in BMW Rules) for waste water generation > 100 KLD or with incinerator or both
RED 31	Hotels (3 star and above) and hotels having ≥ 100 rooms or waste-water generation ≥ 100 KLD
RED 39	Railway locomotive work shop / Integrated road transport workshop / service centers having waste-water generation ≥ 100 KLD
RED 42	Ship breaking activities
RED 43	Oil and gas extraction including CBM (offshore & on-shore extraction through drilling wells)
RED 46	Ports and harbour, jetties and dredging operations
RED 62	Common treatment and disposal facilities (CETP, effluent conveyance project, incinerator, MSW sanitary landfill site, STP only)
RED 64	Industrial estates / parks / complexes / areas / export processing zones / SEZs / biotech parks (for Red Category member industries and only activities which do not attract siting restrictions)

- (c) Diversification / modification / modernization / expansion of existing Red Category industry situated within the municipal boundaries of KMA is allowed on a case to case basis considering the location of industry, type of activity, environmental impact, environmental pollution management proposal for such activity.

Orange category industries

- (a) Setting up of any Orange category industry is not permitted within Kolkata Municipal Corporation (KMC) and Howrah Municipal Corporation (HMC) areas (except



industrial estates in KMC and HMC area). These can however be set up beyond the KMC and HMC areas and in industrial estates in KMC and HMC area with adequate pollution control measures subject to site clearance by local authority.

- (b) However, for Orange category industry/industrial activity in following serial nos., the consideration for siting within KMC and HMC areas will be location specific and will be decided by the Board.

Sl. No.	Industry / Activity Type
ORANGE 1	Dismantling of rolling stocks (wagons / coaches)
ORANGE 18	Railway locomotive workshops / integrated road transport workshop / Automobile servicing, repairing and painting having waste water generation < 100 KLD) (excluding only fuel dispensing)
ORANGE 21	Building and construction projects >20,000 sq.mtr. built up area (waste water generation <100 KLD)
ORANGE 25	DG set of capacity >1 MVA but <5 MVA
ORANGE 37	Hot mix plants
ORANGE 38	Hotels (< 3 star) or hotels having >20 rooms and < 100 rooms having waste-water generation <100 KLD and >10 KLD, and / or having coal / oil fired boiler / heater / oven etc. [including restaurants with capital investment on land, building, plant and machinery >30 lac]
ORANGE 50	Mechanized laundry using oil fired boiler
ORANGE 51	Modular wooden furniture from particle board, MDF, sawn timber etc., ceiling tiles / partition board from saw dust, wood chips etc. and other agricultural waste using synthetic adhesive resin, wooden box making (with boiler)
ORANGE 52	New highway construction projects
ORANGE 54	Paint blending and mixing (ball mill) [including construction chemicals manufacturing by mixing]
ORANGE 55	Paints and varnishes (mixing and blending)
ORANGE 56	Plyboard manufacturing (including veneer and laminate) with oil fired boiler / thermic fluid heater (without resin plant)
ORANGE 59	Printing press
ORANGE 73	Dry cell battery (excluding manufacturing of electrodes) and assembling and charging of acid lead battery in micro scale
ORANGE 74	Pharmaceutical formulation and related R&D
ORANGE 84	Airports and commercial air strips (waste water generation < 100 KLD)
ORANGE 87	Health-care Establishment (as defined in BMW Rules) for waste water generation ≤100 KLD or with incinerator or both
ORANGE 89	Heavy engineering (investment on plant and machinery ≤10 crore)
ORANGE 90	Waste to Energy plants upto 15 MW capacity
ORANGE 92	Infrastructure development project

- (c) Activity under sl. no. 16 (Almirah, grill manufacturing - dry mechanical process and with painting) is not permitted in municipal areas of West Bengal.
- (d) Activity under 71 (Transformer repairing / manufacturing (dry processing only) is not permitted in congested areas.



- (e) There is no restriction for allowing expansion of Orange Category of industries within KMC and HMC area without prejudice to any existing Order.

C. Green category industries

- (a) Setting up of any Green category industry is permitted in any area of West Bengal with adequate pollution control measures subject to the site clearance by local authority.
- (b) However, for Green category industry / industrial activity in following serial nos., the consideration for siting will be location specific and will be decided by the Board.

Sl. No.	Industry / Activity Type
GREEN 33	Poultry, Hatchery and Piggery
GREEN 41	Rubber goods industry (with oil / gas operated baby boiler \leq 2 TPH steam generation capacity)
GREEN 62	Synthetic detergent formulation (excluding LABSA manufacturing)
GREEN 13	Chilling plant, cold storage and ice making (including only chilling of fish)
GREEN 56	Cutting, sizing and polishing of marble stone
GREEN 58	Flyash export, transport & disposal facilities
GREEN 59	Mineral stack yard / railway sidings

D. White category industries

- (a) There is no necessity of obtaining consent for White Category of industries and an intimation to WBPCB is sufficient.
- (b) WHITE 37 (Almirah, grill manufacturing) is not permitted in municipal areas of West Bengal.
- (c) Industry / industrial activity mentioned in the White category is permitted in any area in West Bengal subject to site clearance by local authority.

E. Exempted category industries

- (a) Industry / industrial activity mentioned in the Exempted category is permitted in any area in West Bengal subject to site clearance by local authority.
- (b) Industry / industrial activity mentioned in the Exempted category need not apply for either 'Consent to Establish' or 'Consent to Operate' from the Board.

F. Special Restrictions

- (a) Specific 60 categories of water intensive industries (Annexure-1) are not permitted in within 10 Km. radius (specified Mouzas mentioned in Annexure-2) around the integrated leather complex at Bantala.
- (b) For area around Victoria Memorial Hall (as per Order of the Hon'ble Calcutta High Court):-
- (i) All hotels and restaurants situated within a radius of 3 Km. of Victoria Memorial Hall shall use cleaner fuels such as LPG.
- (ii) No dry leaf is allowed to be burnt within a radius of 3 Km. of Victoria Memorial Hall.

- (iii) There will be total ban on establishing new industrial units and expansion of the existing industries within 10 Km. from the Victoria Memorial Hall which may emit CO₂, SO₂, NO_x or other gaseous substance which form acids in contact with moisture in the atmosphere.
- (c) Green Category industries will be allowed to operate in the premises vacated by tanneries earlier operating at Tiljala, Topsia, Tangra and Pagladanga area within KMC. Consent to Establish and Consent to Operate for such Green category industries will be issued by the Board only.
- (d) For East Kolkata Wetland (declared as a RAMSAR site) area:-
[Order no. S/EN/487/177/08 dated 03.03.2008 of Department of Environment, Govt. of West Bengal read with The East Kolkata Wetlands (Conservation and Management) Act, 2006 published vide No. 404-L dated 31.03.2006]
- (i) Local authority should not issue any license or building plan for any commercial activity without clearance from the East Kolkata Wetland (EKW) Authority.
- (ii) Land & Land Reforms Department of the concerned area will not issue any certificate for change of character of land without clearance from the EKW Authority.
- (iii) The occupiers of EKW areas cannot transfer land to any person(s) in any manner through Deed of Sale, or through providing lease or tenancy right, without clearance from the EKW Authority.
- (iv) The Registration Authority of land or houses in the EKW area shall not allow registration of land, house or pond of EKW area (specified in Annexure-3) without clearance from the EKW Authority (<http://www.ekwma.com>).
- (v) The occupiers of EKW areas may approach the Member Secretary, EKW Authority for obtaining necessary clearance for transfer of land and EKW Authority will consider such prayer within 2 months from the receipt of such application.
- (e) For Kalyani and Gayeshpur Industrial Estate:-
- a) Setting up new red category of industries will be allowed in the vacant plots of Block-D of Kalyani Industrial area excepting Plot No. 39. Expansion of existing red category of industries in the area will also be permitted.
- b) Setting up of new red category of industries in the vacant plots and in the premises of closed units in Phase-II of WBIDC of Kalyani Industrial Estate, Block-A will be allowed on a case to case basis considering the environmental pollution load of the proposed unit.
- c) Setting up new red category of industries in the closed industrial premises of Phase-I of WBIDC and/or in Gayeshpur will be allowed on a case to case basis comparing the pollution load of the proposed unit with that of the closed units. Expansion of red category of industries will also be permitted on a case to case basis considering the pollution load of the proposed activity.
- (f) Hotels, restaurants and resorts are not to be developed within a radius of 1 km. of reserve forests area, notified wild life sanctuaries within the State of West Bengal without prior permission of the Department of Tourism, Government of West Bengal.

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Annexure-1

List of Industries restricted in Mouzas as mentioned in Annexure-2

1. Distillery including Fermentation industry
2. Sugar (excluding khandsari)
3. Fertiliser (Basic) (excluding formulation)
4. Pulp & Paper (paper manufacturing with or without pulping)
5. Basic Drugs & Pharmaceuticals (excluding formulation)
6. Chlor - alkali
7. Dyes and Dye-intermediates
8. Pesticides (excluding formulation)
9. Oil refinery (Mineral oil or Petro refineries)
10. Tanneries
11. Petrochemicals (Manufacture of and not merely use of as raw material)
12. Cement
13. Thermal power plants
14. Iron and Steel (Involving processing from ore / scrap / integrated steel plants)
15. Zinc smelter
16. Copper smelter
17. Aluminium smelter
18. Synthetic rubber
19. Rubber goods industry (with boiler)
20. Ferrous & Non - ferrous metal extraction (different furnaces & smelting), refining, casting, forging, alloy making etc.
21. Paints and varnishes (excluding units with only blending / mixing)
22. Pigments and intermediates
23. Lubricating oils, greases or petroleum - based products (excluding blending at normal temperature)
24. Synthetic & natural fibre including rayon, tyre cord, polyester filament yarn & raw woolen, raw silk
25. Synthetic detergent (excluding formulation) and soap (with steam boiling)
26. Chemical, petrochemical and electrochemicals, manufacture (including distillation) of acids such as Sulphuric Acid, Nitric Acid, Phosphoric Acid etc.
27. Industrial or inorganic gases
28. Chlorates, perchlorates and peroxides
29. Glue and gelatine
30. Integrated textile mills (processing involving scouring, bleaching, dyeing, printing or any effluent / emission generating process)
31. Vegetable oils processing including solvent extracted oils, hydro-generated oils.
32. Industry or process involving metal treatment or process such as pickling, surface coating (excluding spray, manual brush, dip painting, paint baking, paint stripping), heat treatment (only cyaniding), phosphating or finishing etc.
33. Electroplating operations
34. Galvanizing operations
35. Asbestos and asbestos-based industries

36. Slaughter houses and meat processing units
37. Steel and steel products including coke plants involving use of any of the equipment such as blast furnaces, open hearth furnace, induction furnace or arc furnace etc. or any of the operations or processes such as heat treatment, acid pickling, rolling or galvanizing etc.
38. Power generating plants (excluding D.G. Sets)
39. Lime manufacturing
40. Phosphate rock processing plants
41. Coke making, coal liquefaction, coal tar distillation or fuel gas making, coke briquetting (excluding sundrying)
42. Phosphorous and its compounds
43. Processes involving chlorinated hydrocarbons
44. Chlorine, fluorine, bromine, iodine and their compounds
45. Hydrocyanic acid and its derivatives
46. Milk processing and dairy products (Integrated Project)
47. Industry or process involving foundry operations
48. Rubber chemicals
49. Electrochemicals
50. Food and food processing (with more than Rs.20 lac investment on plant and machinery)
51. Dyeing of fabrics, yarns etc.
52. Bone Mill
53. Phenolic products
54. Radioactive elements
55. Stone crushing
56. Rolling mill
57. Shellac processing
58. Plyboard manufacturing (with captive resin manufacturing plant)
59. Acid lead batteries
60. Lead Smelting

Annexure-2

List of Mouzas within 10 km. radius of Kolkata Leather Complex

Police Station: Bhangore

Sl.No.	J.L.No.	Name of Mouza
1	2	Kochpukurria
2	3	Jotibhim
3	4	Hatgachha
4	5	Nadia
5	6	Oharmatala Pachuria
6	7	Kulberia
7	8	Chanda Kanthalberia
8	9	Hatisala
9	10	Bhagabanpur
10	12	Dakshih Khairpur
11	13	Tarahadia
12	14	Swastayangachhi
13	15	Anantapur
14	17	Uttar Ghazipur
15	18	Uriapara
16	22	Jaynagar
17	23	Naoabad
18	24	Pithapukuria
19	25	Jirancachhi
20	26	Wari
21	27	Bconta
22	28	Paikan
23	29	Chariswar
24	30	Sukpukuria
25	31	Krolbaria
26	32	Karaidanga
27	33	Bhatipota
28	34	Kharamba
29	35	Gangapur
30	36	Andulgari
31	37	Mousal
32	38	Tarahdah Kapatati
33	39	Narayantala
34	40	Ushpara
35	41	Bairampur

Sl.No.	J.L.No.	Name of Mouza
36	42	Biqhari
37	43	Dakshin Gazipur
38	44	Ghomineghi
39	45	Bamunia
40	46	Kachua
41	47	Uttar Mashikelbaria
42	48	Norgalbeki
43	49	Seduli
44	50	Majherhat
45	51	Uttar Kashipur
46	52	Chandihat
47	56	Bhogati
48	61	Bankachua
49	62	Kantadanga
50	63	Sonpur
51	64	Rampur
52	65	Nimkuria
53	66	Dheati
54	67	Sanpukuria
55	68	Uttar Rajapur
56	69	Chakbaria
57	70	Jawpur
58	71	Chak Maricha
59	72	Maricha
60	73	Serpur
61	74	Narayanpur
62	75	Madhabpur
63	76	Hosaidara
64	77	Taldighi
65	78	Kasiadanga
66	79	Maheshpukuria
67	80	Kasinagar
68	81	Sundia
69	82	Kamarhati
70	83	Dari Madhabpur

Sl.No.	J.L.No.	Name of Mouza
71	84	Amreswar
72	85	Dara
73	86	Padmapuria
74	87	Malancha
75	88	Chak Barali
76	89	Bhangore Raghunathpur
77	90	Panapukur
78	91	Uttar Khatalia
79	92	Gobindapur
80	99	Ghatakpur
81	100	Kalikapur
82	101	Nalmuri
83	102	Ranigachhi
84	103	Balipur
85	104	Chak Bhika
86	105	Bazarati
87	106	Bangoda
88	107	Karunarhati
89	108	Dharmatala
90	109	Dakshin Kasipur
91	110	Satbaria
92	114	Jalalabad
93	115	Kasinathpur
94	116	Chandaneswar
95	117	Bausahar
96	118	Chungri
97	119	Sankshar
98	120	Erenda
99	121	Sainhati
100	122	Sangachhi
101	123	Jagulgachhi
102	141	Situri

Police Station: Rajarhat

Sl. No.	J.L. No.	Name of Mouza
1.	18	Mahishbathan
2.	19	Thakdari
3.	20	Mahishgot
4.	23	Ghuni
5.	24	Jatragachhi
6.	25	Kadampukur
7.	32	Mahammadpur
8.	33	Chak Pachuria

Sl. No.	J.L. No.	Name of Mouza
9.	34	Baligori
10.	35	Chhapna
11.	36	Patharghata
12.	37	Bauragari
13.	38	Jhalgachhi
14.	39	Kasinathpur
15.	40	Kalikaour
16.	41	Umarhati

Sl. No.	J.L. No.	Name of Mouza
17.	42	Jamalpara
18.	49	Sikharpur
19.	50	Bazelari
20.	51	Arbelia
21.	52	Bagu
22.	53	Naoabad
23.	54	Hadarait
24.	55	Akandakesri

Police Station: Sonarpur

Sl. No.	J.L. No.	Name of Mouza
1	1	Chak Kolarkhal
2	6	Ranabhutia
3	7	Kantipota
4	8	Bhaqabanpur
5	9	Kharki
6	10	Deara
7	11	Kheadaha
8	12	Khodhati
9	13	Goalapota
10	14	Kumarapukuria
11	15	Tardaha
12	16	Tihuria

Sl. No.	J.L. No.	Name of Mouza
13	17	Nayabad
14	18	Gangajoara
15	19	Dih
16	20	Chandpur
17	21	Khurigachhi
18	23	Ghasiara
19	25	Jagadishpur
20	26	Radhanagar
21	27	Gopalpur
22	28	Araoalch
23	29	Hasanpur
24	41	Kamrabandh

Sl. No.	J.L. No.	Name of Mouza
25	91	Samukpota
26	92	Protapnagar
27	93	Garal
28	94	Metiari
29	95	Kalikapur
30	96	Muragacha
31	97	Natagachhi
32	105	Chakbaria
33	106	Makrampur
34	107	Kustia
35	108	Sangur
36	109	Nabhasan

Station: Kasba

Sl.No.	J.L.No.	Name of Mouza
1	2	Dhapa

Station: Salt Lake

Sl.No.	J.L.No.	Name of Mouza
1	1	Dhapa Manpur

Annexure-3

<i>District</i>	<i>Police Station</i>	<i>Mouza</i>	<i>J.L. No.</i>	<i>Area</i>	<i>Sl.No. as shown in the map in Schedule-II</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>	<i>(5)</i>	<i>(6)</i>
24-Parganas (South)	Tiljola	Dhapa	2	as specified in Table 1	1
		Chowbaga	3	as specified in Table 2	2
		Bonchtala	4	as specified in Table 3	3
		Dhalenda	8	as specified in Table 4	4
		Paschim Chowbaga	9	as specified in Table 5	5
		Nonadanga	10	as specified in Table 6	36
	Sonarpur	Chak Kolar Khal	1	as specified in Table 7	6
		Karimpur	2	as specified in Table 8	7
		Jagatipota	3	as specified in Table 9	8
		Mukundapur	4	as specified in Table 10	9
		Atghara	5	as specified in Table 11	10
		Ranabhutia	6	as specified in Table 12	11
		Kantipota	7	as specified in Table 13	12
		Bhagabanpur	8	as specified in Table 14	13
		Kharki	9	as specified in Table 15	14
		Deara	10	as specified in Table 16	15
		Kheadaha	11	as specified in Table 17	16
		Khodahati	12	as specified in Table 18	17
		Goalpota	13	as specified in Table 19	18
		Kumapukuria	14	as specified in Table 20	19
		Tardaha	15	as specified in Table 21	20
		Tihuria	16	as specified in Table 22	21
		Nayabad	17	as specified in Table 23	22
		Samukpota	91	as specified in Table 24	23
		Pratapnagar	92	as specified in Table 25	24
		Garal	93	as specified in Table 26	25
	Kolkata Leather Complex	Dakshin Dhapa Manpur	1	as specified in Table 27	34
		Dhapa Manpur (presently Kochpukur)	2	as specified in Table 28	35
		Hatgachha	4	as specified in Table 29	26
		Haldia	5	as specified in Table 30	27
		Dharmatala Pachuria	6	as specified in Table 31	28
		Kulberia	7	as specified in Table 32	29
		Beonta	27	as specified in Table 33	30
Tardaha Kapashati	38	as specified in Table 34	31		
Purba Jadabpur	Kalikapur	20	as specified in Table 35	33	
24-Parganas (North)	South Bidhan Nagar	Dhapa Manpur	1	as specified in Table 36	32
	Rajarhat	Thakdari	19	as specified in Table 37	37

Note: Table 1-37 available at <http://www.ekwma.com>

BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

M.A. NO. 28/2022/EZ

AND

M.A. NO. 09/2022/EZ

IN

ORIGINAL APPLICATION NO. 09/2022/EZ

SHYAMAL KUMAR SAHA

..... APPLICANT(S)

VERSUS

STATE OF WEST BENGAL & ORS.

..... RESPONDENT(S)

**AFFIDAVIT ON BEHALF OF THE RESPONDENT NOS. 04 and 05,
THE WEST BENGAL POLLUTION CONTROL BOARD.**

FILED BY

**SIBOJYOTI CHAKRABORTI
ADVOCATE
HIGH COURT AT CALCUTTA**