

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

ORIGINAL APPLICATION NO. 22/2023/EZ

ATINDRANATH CHATTERJEE

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

VERSUS

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

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

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

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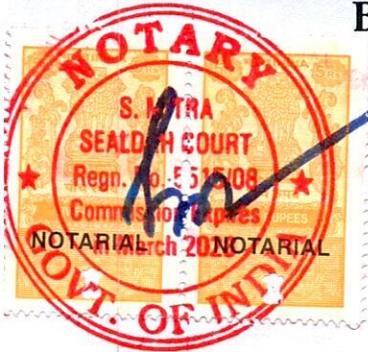
Filed by

Prithwish Kumar Basu

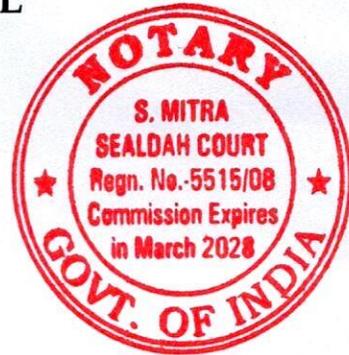
**PRITHWISH KUMAR BASU
ADVOCATE
HIGH COURT AT CALCUTTA**

2
SL No. 1 of 23/09/23

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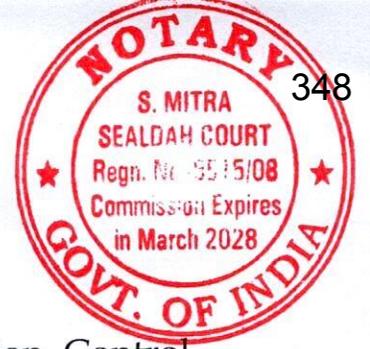
..... RESPONDENT(S)

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

Most Respectfully Sheweth

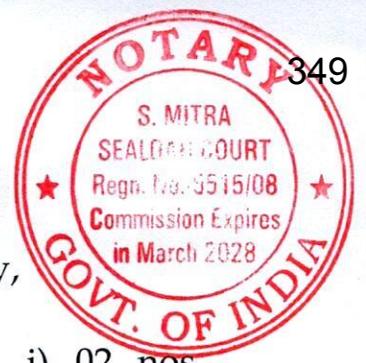
I, Sri Subrata Ghosh, Occupation- Service, residing at Narkelbagan,
Gorosthan, Chinsurah son of Shri Biswanath Ghosh, aged about 59
years, by faith-Hindu, by, District - Hooghly, do hereby solemnly
declare and say as follows:-

23 SEP 2023



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 circumstances of the case. I have been duly authorized by the Respondent No. 01, to affirm this Affidavit on its behalf and as such, I am competent to do so.
02. That, this affidavit is being affirmed in pursuance to the judgment passed by the Hon'ble Tribunal dated 18.08.2023.
03. That, in compliance to the order of the Hon'ble National Green Tribunal dated 18.08.2023, the State Board has filed inspection report in respect of Manaksia Aluminum Limited vide affidavit dated 12th July, 2023 and the present status report in respect of Manaksia Steel Limited was submitted vide affidavit sworn on 2nd August, 2023.
04. That, in compliance to the order of the Hon'ble Tribunal, Synopsis of present status of compliance about the Manaksia Aluminum Company Limited and Manaksia Steels Ltd. based on the para wise allegations, are placed as follows :-

23 SEP 2023



a) No. of melting and other furnaces used by the industry,

- Manaksia Aluminum Company Limited has, i) 02 nos. Holding furnace + 02 nos. melting furnace. ii) 01 no. Skeiner furnace + 4 nos. Crucible furnace. iii) 02 nos. Annealing furnace.
- Manaksia Steels Limited has, i) 01 no. Crucible furnace. ii) 2 nos. Black Plate furnace.

b) Whether CTO of the industry is valid or not;

- CTO of Manaksia Aluminum Company Limited is Valid up to 30.04.2028.
- CTO of Manaksia Steels Limited is valid up to 30.04.2028.

c) Whether the industry have CTO of its furnaces and other activities,

- Both the Manaksia Aluminum Company Limited and Manaksia Steels Limited have CTO for its furnaces and other activities.

d) Whether the industry has necessary permission regarding extraction of ground water,

- Manaksia Aluminum Company Limited and Manaksia Steels Limited, industry get their water, supplied from Haldia Development Authority.

23 SEP 2023

Water bills issued by the Haldia Water Services Private Limited are annexed herewith.

e) Whether the industry maintain the production capacity as per NOC,

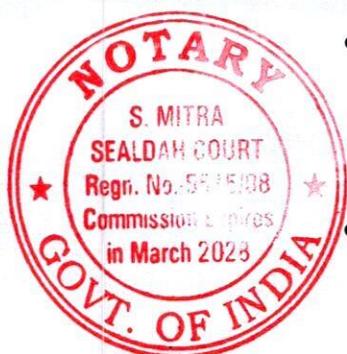
- As per record of the State Board both Manaksia Aluminum Company Limited and Manaksia Steels Limited maintain their production capacity as per NOC & CTO issued time to time.

f) Details about the commencement of production and date of issue of first consent to the unit,

- Manaksia Aluminum Company Limited - As per the record of WBPCB Consent to Establish was issued on 28.05.2003.
- Manaksia Steels Limited - As per the record of WBPCB issued Consent to Establish was issued on 28.05.2003.

g) Whether the unit maintain green belt coverage up to 33% of total land area,

- In case of both industries, Manaksia Aluminum Company Limited and Manaksia Steels Limited-
- As the CTO issued with condition to maintain 33% green coverage. As stated by the unit planation are in progress. Be it mentioned that local Divisional Forest Office only can



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ascertain the facts, whether the units have 33% greeneries or not.

h) Whether Private Respondent possesses valid hazardous waste authorization or not,

- Manaksia Aluminum Company Limited possess hazardous waste authorization, Valid up to 31.03.2026.
- Manaksia Steels Limited HWA is valid up to 31.11.2025.

i) Whether Private Respondent have obtained Fire License Certificate or not,

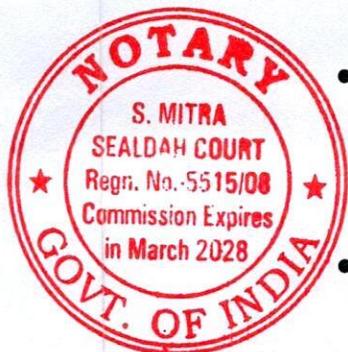
- Manaksia Aluminum Company Limited obtained Fire License valid up to 31.03.2026.
- Manaksia Steels Limited obtained fire license valid up to 12.02.2024.

The report of the concern Regional Office is annexed herewith and marked with letter -"R".

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.


DEPONENT

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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 4 of this affidavit are my information derived from the records available in the office of the State Board which I verily believe to be true and the rest are my respectful submission before this Hon'ble Tribunal.

Subrata Ghosh
DEPONENT

Identified and Settled by me

Prithwish Kumar Basu

Advocate

WBPCB

Solemnly Affirmed &
Declared Before me
on Identification by.....

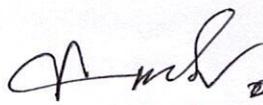
S. Mitra
SARBANI MITRA
NOTARY
Regd. No.-5515/08

23 SEP 2023

MANAKSIA ALUMINIUM COMPANY LTD.

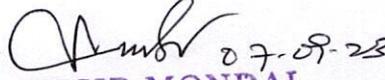
| | | |
|----|--|--|
| 1. | No. of melting and other furnaces used by the Industry : | a) 02 nos. Holding furnace + 02 nos. Melting furnace b) 01 no Skelner furnace + 4 nos. Crucible furnace c) 02 nos. Annealing furnace |
| 2. | Whether CTO of the industry is valid or not: | Valid up to 30.04.2028 |
| 3. | Whether the industry have CTO of its furnaces and other activities: | Yes |
| 4. | Whether the industry has necessary permission regarding extraction of ground water: | Industry gets its water, supplied from Haldia Development Authority |
| 5. | Whether the industry maintain the production capacity as per NOC: | Yes, As per NOC & Previous CTO issued time to time |
| 6. | Details about the commencement of production and date of issue of first consent to the unit: | As per the record kept & maintain, WBPCB issued Consent to Establish on 28.05.2003 |
| 7. | Whether the unit maintain green belt coverage up to 33% of total land area: | As per the CTO issued, the unit was directed to maintain 33% green belt coverage. Plantation is in progress |
| 8. | Whether Private Respondent possesses valid hazardous waste authorization or not: | Yes, Possesses, Valid up to 31.03.2026 |
| 9. | Whether Private Respondent have obtained Fire License Certificate or not: | Yes, Obtained, Valid up to 08.03.2025 |

The unit obtained NOC for additional 01 no. of melting furnace and 01 no. of holding furnace, applied for CTO of the same on 18.07.2023, file is currently under process. During last inspection by the officials this additional furnaces are not in operation.


27.09.23
SISIR MONDAL
Environmental Engineer
Haldia Regional Office
West Bengal Pollution Control Board

MANAKSIA STEELS LTD

| | | |
|----|--|---|
| 1. | No. of melting and other furnaces used by the Industry : | a) 01 no Crucible furnace b) 2 nos. Black Plate furnace |
| 2. | Whether CTO of the industry is valid or not: | CTO is valid up to 30.04.2028 |
| 3. | Whether the industry have CTO of its furnaces and other activities: | Yes |
| 4. | Whether the industry has necessary permission regarding extraction of ground water: | Industry gets its water, supplied from Haldia Development Authority |
| 5. | Whether the industry maintain the production capacity as per NOC: | Yes, As per NOC & Previous CTO issued time to time |
| 6. | Details about the commencement of production and date of issue of first consent to the unit: | As per the record kept & maintain, WBPCB issued Consent to Establish on 28.05.2003 |
| 7. | Whether the unit maintain green belt coverage up to 33% of total land area: | As per the CTO issued, the unit was directed to maintain 33% green belt coverage. Plantation is in progress |
| 8. | Whether Private Respondent possesses valid hazardous waste authorization or not: | HWA is valid up to 31.11.2025 |
| 9. | Whether Private Respondent have obtained Fire License Certificate or not: | Yes, valid up to 12.02.2024 |


SISIR MONDAL
Environmental Engineer
Haldia Regional Office
West Bengal Pollution Control Board



Corporate Identity Number : L27101WB2001PLC138341

Factory Address :

Vill & P.O. : Bhuniarachak,
Haldia, Purba Medinipur, W.B.
E-mail : haldiateels@manaksia.com

Date: 11.09.2023

TO WHOME SO EVER IT MAY CONCERN

It is hereby declare that, we are not using any ground water for production purpose at our Factory of M/s Manaksia Steels limited, Haldia, Purba Medinipur.

Thanking You,

For Manaksia Steels Limited.

Indrajit Guha
General Manager



A PRODUCT OF MANAKSIA STEELS LTD.

Registered Office : 'Turner Morrison Building' 6 Lyons Range 1st Floor, Kolkata - 700001,INDIA
Phone : + 91 33 2231 0055 / 56 • E-mail : info.steels@manaksia.com • Website : www.manaksiasteels.com





Corporate Identity Number : L27101WB2001PLC138341

Factory Address :

Vill & P.O. : Bhuniarachak,
Haldia, Purba Medinipur, W.B.
E-mail : haldiateels@manaksia.com

Date: 11.09.2023

TO WHOME SO EVER IT MAY CONCERN

It is hereby declare that, our manufacturing product and by-product and quantity are maintained as per our consent to operate received from West Bengal Pollution Control Board.

Thanking You,

For Manaksia Steels Limited.

Indrajit Guha
General Manager



A PRODUCT OF MANAKSIA STEELS LTD.

Registered Office : 'Turner Morrison Building' 6 Lyons Range 1st Floor, Kolkata - 700001,INDIA
Phone : + 91 33 2231 0055 / 56 • E-mail : info.steels@manaksia.com • Website : www.manaksiasteels.com





Corporate Identity Number : L27100WB2010PLC144405

8/1 Lal Bazar Street, Bikaner Building
3rd Floor, Kolkata - 700001, INDIA
Phone : +91 33 2243 5053 / 54 / 6055
E-mail : info@malcoindia.co.in
Website : www.manaksiaaluminium.com

TO WHOM SO EVER IT MAY CONCERN

It is hereby declare that , our manufacturing product , value added product and quantity are maintained as per our consent to operate received from West Bengal Pollution Control Board.

It is also hereby declare that , for manufacturing process we are using only HDA supplied water .

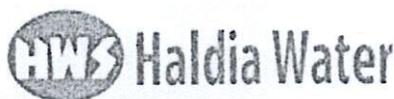
Thanking You

MANAKSIA ALUMINIUM COMPANY LTD.
For Manaksia Aluminium Co Ltd

A handwritten signature in black ink, appearing to be 'D. Chatterjee', is written over the printed name of the company.

AUTHORISED SIGNATORY

Authorized Signature



Bill of Supply

For the month of August, 2023

| | | |
|--|---------------|------------------|
| To, THE DIRECTOR, PROJECTS, MANAKSIA LIMITED, MANAKSIA LIMITED, HINDUSTAN SEALS LTD., BHUNI/RAJCHAK, DURGACHAK, HALDIA-721602 | Bill No.: | HWSPL/23-24/1136 |
| | Billing Date: | 05-09-23 |
| | Due Date: | 20-09-23 |

Consumer ID: HDA-I-021 Contractual Volume (KL) : 7500
 Consumer Category: Industrial Maximum Sanctioned Volume (KL) : 9000.0
 Present Reading (KL): 51690 (as on : Current meter reading date)
 Previous Reading (KL): 48860 (as on : Previous meter reading date)
 Total Unit Consumed (KL): 2830

| | | |
|-------|------|--|
| HSN : | 2201 | Water [other than aerated, mineral, purified, distilled, medicinal, ionic, battery, de-mineralized and water sold in sealed container] |
|-------|------|--|

Due's from Nov'2019 : Rs.0.00 Penalty: Rs. 0.00

| Billing Period | Water Consumed (KL) | Dutiable unit (KL) | Rate per Unit KL (Rs.) | Water Charge (Rs.) | Meter Rent (Rs.) | Previous Dues (From Nov'19) (Rs.) | Adjusted Amount (Rs.) | Amount Payable (Rs.) |
|----------------|---------------------|--------------------|------------------------|--------------------|------------------|-----------------------------------|-----------------------|----------------------|
| Aug-26-23 | 2830 | 3750 | 21.24 | 79650.00 | 10.0 | 0 | 6 | 79654.00 |

N.B.:

1. Payment shall be made on or before due date through P.N.B., Durgachak in A/C No. 2314002100019342, IFSC Code PUNB0231400, Durgachak Branch, Haldia, PIN 720602
2. Any outstanding prior to 1st Nov 2019 will be paid to HDA directly as per their existing Bank Account number.
3. Cheque payment shall be made 5 days before the due date and cheques to be drawn in favour of Haldia Development Authority, Revenue Collection Account.
4. Please write Current Bill number when payment is made.
5. Please mention Consumer's Mobile / Land Line number and Consumer ID in PNB Bank Scroll.
6. While making payment, bill should be shown to the Bank Authority as an evidence to support that payment is made as per bill. Bank Authority may refuse to accept the payment if bill is not shown and payment is not made as per the bill.
7. No outstation cheque will be received.
8. If payment is made after the due date, penalty @ 5 paise per day per 1000 Liters shall be charged.
9. All details of online payments of consumer through RTGS I NEFT, should be intimated to HWSPL (to the following Email: 1) nandish.m@haldiawater.com 2) subhash.sarkar@haldiawater.com) within 7 days positively for verification and correct maintenance of Consumer's Ledger Account.

10.E & O.E.

Subhash Sarkar

For Haldia Water Services Private Limited

Subhash Sarkar
Authorised Signatory

HALDIA WATER SERVICES PRIVATE LIMITED

CIN: U41000WB2019PTC232887

PAN No - AAEC9776P Udyog Aadhaar No (MSME) - WB10D0023131 GST No - 19AAEC9776P1ZG

Communication Address - Basudavpur Pumping Station, Basudevpur, P.O.- Khanjanchak, P.S.-Durgachak, Haldia-721602, Purba Medinipur, WB

Registered Office: Plot No.X-1, 2 & 3, Block-EP, Sector-V, Salt Lake City, Kolkata-700091

Phone: +91-3224-275222, +91-33-6606 7818; Email:business@haldiawater.com

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EASTERN ZONE BENCH, KOLKATA**

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.....APPLICANT(S)

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