

BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 126/2023/EZ

In The Matter of:

Mujibur Rahman Malik

... Applicant

Versus

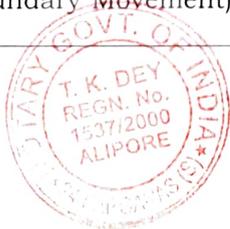
State of West Bengal & Ors.

... Respondents

AFFIDAVIT-IN-OPPOSITION ON BEHALF OF THE RESPONDENT NUMBER 09,
M/S SARAT INDUSTRIES LIMITED

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	valid till 28.02.2024, issued by the West Bengal Pollution Control Board are collectively annexed		
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Filed by


Malabika Roy De
 Advocate

For Respondent No. 09
 Email: mrdey@rediffmail.com
 (Contact): 9051634204



Serial No. A/ 169 12024

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

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AFFIDAVIT-IN-OPPOSITION ON BEHALF OF THE RESPONDENT NUMBER 09,
M/S SARAT INDUSTRIES LIMITED

I, Sri Tapan Roy, S/o Late Shanti Ranjan Roy, aged about 57 Years, by faith-Hindu, by occupation working as Director at M/s Sarat Industries situated at Village- Kalachara P.O & P.S- Chanditala, District: Hooghly, Pin: 712702, do hereby solemnly affirm and submit as follows:-

1. That this respondent has been made a party respondent in the instant original application vide Solemn Order dated 22.11.2023 as passed by the Hon'ble Tribunal.
2. That this respondent has received notice along with copy of application and Solemn Order dated 22.11.2023, passed by the Hon'ble Tribunal.
3. That the allegation as raised by the applicant in the instant Original Application relates to pollution being caused in the Rajapur Cannel and



03 JAN 2024

Kana Damadar River in the District of Howrah affecting hectors of agricultural land livelihood of thousand of farmers.

That it has further been stated that Rajapur Cannel is a fresh water drain which remains alive throughout the year and mixes with the Kana Damadar River. Moreover it is also stated that Rajapur Cannel and Kana Damadar River has been filled with black contaminated pieces of fine nets and threads which come from the Dankuni Industrial State thereby damaging ecological balance in the area both for agriculture and aquatic life and also making the water unfit for consumption by local commuters.

4. That it is pertinent to state that this respondent has also received a photocopy of the affidavit filed by the Respondent No.3, The District Magistrate of Collector Howrah dated 21.11.2023 at which in Paragraph number11 it has been categorically stated that certain units have been identified by the West Bengal Pollution Control Board in the area of Kalachara Hooghly District in which the name of this Respondent unit has been specified.

That it is pertinent to state and submit that although the units which have been mentioned in the affidavit dated 21.11.2023 filed by the District Magistrate & Collector, Howrah fall within the jurisdiction of Hooghly district no affidavit in this regard have been submitted by the District Magistrate & Collector, Hooghly.

5. That at the outset it is submitted that this respondent unit possess 'Consent To Operate' Certificate issued by the West Bengal Pollution Control Board which is valid till 31st December, 2025.



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Photocopy of the consent to operate dated 13.05.2021, valid till 31.12.2025 issued by the West Bengal Pollution Control Board is annexed herewith and marked with the letter 'R-1'.

6. That the Respondent Unit also possess trade license, fire license, Authorization under the provisions of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules 2016 valid till 28.02.2024, issued by the West Bengal Pollution Control Board for smooth running from the unit.

Photocopies of the trade license, fire license, Authorization under the provisions of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules 2016 valid till 28.02.2024, issued by the West Bengal Pollution Control Board are collectively annexed herewith and marked with the letter 'R-2'.

7. That the unit was issued show cause dated 31.03.2023 by the State Board for slight increase in BOD level.

Photocopy of the show cause issued by the State Board dated 31.03.2023 is annexed herewith and marked with the letter 'R-3'.

8. That subsequently the unit replied to the show cause vide its reply letter and the same was received by the Hooghly Regional office of the State Board on 20.04.2023.

Photocopy of the reply to show cause received by the Hooghly regional office of the State Board on 20.04.2023 is annexed herewith and marked with the letter 'R-4'



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9. That a test was also carried on by another organization namely S. M. Scientific Service recognized by the WBPCB in which it has been observed that the unit is complying with all the parameters including the COD and BOD level.

Photocopy of the Test Report dated 02.12.2023 issued by S. M. Scientific Service is annexed herewith and marked with the letter 'R-5'.

10. That the ETP of the unit is functional following the norms as set forth by the West Bengal Pollution Control Board and the liquid effluent is discharged in the panchayet drain through 2 number of outlets as specified by the WBPCB in its Consent To Operate Certificate dated 13.05.2021.

11. That the respondent unit has been running after complying with the conditions as issued by the state Board and also observing strictly the laws and norms and after obtaining the statutory permissions from the authorities concerned.

12. That the respondent unit humbly submits that the unit has outmost respect to the Solemn Orders as passed by the Hon'ble Tribunal and in future will comply with any Order as may be directed by the

Hon'ble Tribunal.

Identified by me

Malabika Roy Roy
Advocate

Japan Roy
Deponent

Solemnly Affirmed & Declared
before me on identification

T.K. Day
T. K. Day, Judge
Alipore Judicial Officer Court, Cst-27
Reg. No. 1537/2000, Govt. of India

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03 JAN 2024

VERIFICATION:

I, the deponent above- named, do hereby verify and declare that the statements made in the aforesaid paragraphs are true and correct to the best of my knowledge and information and I believe that nothing material has been concealed there from.

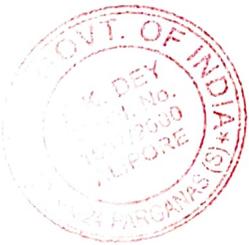
Verified at Kolkata on the Day of January, 2024.

Identified by me

Malabika Ray Ray
Advocate

SARAT INDUSTRIES LIMITED

Jaganloy
Deponent Director



03 JAN 2024

Annexure - R-1°

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WEST BENGAL POLLUTION CONTROL BOARD



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

Consent Letter Number : CO124921.

Date : 13/05/12

Memo Number : 150/hg_co_s/13/0035

Consent to Operate

under

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

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

M/s - Sarat Industries Ltd.

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

(hereinafter referred to as Applicant) for its unit located at Vill. - Kalachara,

P.O. & P.S. - Chanditala,

Dist. - Hooghly, Pin. - 712 701

(Detailed address of the manufacturing unit)

for a period from date of issue to 31/12/2025

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

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

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

For and on behalf of the State Board

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

Environmental Engineer

Hooghly Regional Office, W.B.P.C.B.



(2)

ANNEXURE

Consent to M/s. - Sarat Industries Ltd.
 for its unit at Vill. - Kalachara, P.O. & P.S. - Chanditala, Dist. - Hooghly.
Pin. - 712 702.

Conditions :

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

Sl. No.	Name of major products and by-products	Quantity manufactured per month
01	Dyed hosiery fabrics	78 MT
02	continuous bleaching	234 MT
	Total hosiery fabric (dyeing & bleaching)	312 MT
04		
05		
06		
07		
08		
09		
10		
11		
12		

02. The Applicant shall remain responsible for quantity and quality of liquid effluent and air emissions.
03. Daily discharge of industrial liquid effluent shall not exceed _____
04. Daily discharge of domestic liquid effluent shall not exceed _____
05. Daily discharge of mixed (industrial & domestic) liquid effluent shall not exceed 80.75
06. The Applicant shall discharge liquid effluent to canal via Panchayet drain (place of discharge through (one) 01 nos. outlets / outfalls.
07. To bring into any altered or new outlet/outfall or to change the place of discharge, the Applicant shall have to report to the Board and obtain prior permission of the Board in this effect.
08. The Applicant shall provide comprehensive facility for treatment of industrial liquid waste and domestic liquid waste (sewage, sullage and liquid effluent generated from canteen), and operate and maintain the same continuously so that the quality of final effluent conforms to the Standard as given in Table-I in page 03



(Member Secretary/Chief Engr./ Sr. Env. Engr./ Env. Engr./ Asst. Engr.)
Environmental Engineer
 Hooghly Regional Office, W.B.P.C.F.
 Chanditala

(3)

Consent to M/s - Sarat Industries Ltd.
 for its unit at Vill. - Kalachara, P.O. & P.S. - Chanditala, Dist. - Hooghly.
 Pin. - 712 702.

Table-I

Outlet No.	Nature of effluent	Parameters	Standard	Frequency of effluent sampling
01	Domestic	pH	Between :	
4	Industrial	Total Suspended Solids	Not to exceed : 100 mg/l.	
		Biochemical Oxygen Demand (3day at 27°C)	Not to exceed : 30 mg/l.	
		Chemical Oxygen Demand	Not to exceed : 250 mg/l.	
		Oil & Grease	Not to exceed : 10 mg/l.	
		Colour, P.C.U. (Platinum cobalt Units)	150 ..	
		Total Chromium (g)	2.0 ..	
		Sulphide (as S)	2.0 ..	
		Phenolic compounds (as C ₆ H ₅ OH)	1.0 ..	
		Total Dissolved Solids (TDS)	2100 ..	
		Sodium Absorption Ratio (SAR)	26 ..	
		Ammoniacal Nitrogen (as N)	50 ..	

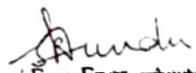
9. The Applicant falls in the Category of the Water (Prevention and Control of Pollution) Cess Act, 1977 and Rules made thereunder and the Applicant shall comply with the provisions of the said Act and Rules made thereunder.

10. Daily water consumption for the following purposes should not exceed :-

- Industrial cooling, spraying in mine pits and boiler feed water → 05 KL
 (Water used for gardening should be included in this category of use)
- Domestic purpose → 11, 25 KL
- Processing whereby water gets polluted and the pollutants are easily biodegradable → 25 KL
- Processing whereby water gets polluted and the pollutants are not easily biodegradable → KL

The Applicant shall regularly submit to the Board the Returns of Water Consumption in the prescribed form and pay the Cess as specified under Section 3 of the said Act.




 (Member Secretary/Chief Engr./Sr. Env. Engr./Env. Engr./Asst. Engr.)
Environmental Engineer
 Hooghly Regional Office, W.B.P.C.B.
 Contd.

(4)

Consent to M/s - Sarat Industries Ltd.for its unit at Vill.- Kalachara, P.O. & P.S.- Chanditala, Dist.- Hooghly,Pin.- 712 701.

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

Table-II

Stack No.	Stack height from G.L., (in mts.)	Stack attached to (sources and control system, if any):	Volume Nm ³ /hr.	Velocity of gas emission m/sec	Concentrations of parameters not to exceed				Frequency of emission sampling
					SPM (mg/Nm ³)	CO (%v/v)			
S-1	30.48	1 no. husk fired boiler (06 T/hr.)			150	--			Yearly
S-2	30.48	1 no. husk fired boiler (04 T/hr.)			150	--			..
S-3	9.14	1 no. 125 KVA D.G. set			150	1			..
S-4	9.14	1 no. 60KVA D.G. set			150	1			..
S-5									
S-6									
S-7									
S-8									
S-9									
S-10									



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

Environmental Engineer
Hooghly Regional Office, W.B.P.C.B.

Consent to M/s - Sarat Industries Ltd.

for its unit at vill.- Kalachara, P.O. & P.S.- Chanditala, Dist.- Hooghly.

Pin.- 712 702.

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

Sl. No	Type of fuel	Quantity consumed per day	Fuel burning operation where the fuel is used
01	Husk	250 MT/month.	Boiler
02	Diesel	33 litres.	D.G.set
03			
04			
05			

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

Type of waste	Quantity	Treatment	Disposal
Ash of rice husk	01 MT/day		Land filling

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

Time	Limit in dB(A) L_{eq}
Day Time (06 a.m. to 10 p.m.)	65
Night Time (10 p.m. to 06 a.m.)	55

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



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

Environmental Engineer
Hooghly Regional Office, Chanditala, Dist. Hooghly, W.B.

(6)

Consent to M/s - Sarat Industries Ltd.for its unit at Vill.- Malachara, P.O. & P.C.- Chanditala, Dist.- Hooghly,Pin.- 712702.

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

Special Conditions: Kindly refer to annexure.



(Member Secretary/Chief Engr./Sr. Env. Engr./ Env. Engr.)
Environmental Engineer
 Hooghly Regional Office, W.B.P.C.B.



Government of West Bengal
West Bengal Form No. 393Z (28)
License under the West Bengal Fire Services Act, 1950

License no.: IND/WB/FSL/20192020/262359

Date: 07-04-2021

License is hereby granted to SARAT INDUSTRIES LTD under Section 12 of the West Bengal Fire Services Act, 1950, to use the building or place being No. (a) KALACHARA, P.O.-CHANDITALA, DIST-HOOGHLY, PIN-712702, KALACHARA, P.O.-CHANDITALA, DIST-HOOGHLY, PIN-712702, Hooghly, Pincode - 712702, P.S. - Chanditala, Nearest Fire Station - Srirampur as a warehouse/workshop for storing or processing or keeping (b)

1. Cotton - 80000 Kg.
2. Packing Box - 2000 Kg.
3. Petroleum and Petroleum derivatives - 25000 Ltr.

subject to the conditions noted below and such other conditions as may be prescribed.

It is hereby acknowledged that a sum of Rs. 80000 being the license fee due by the said SARAT INDUSTRIES LTD for the period from 17/02/2022 to 16/02/2024 in respect of the aforesaid license has been received @Rs. 40000 per annum.

CONDITIONS ABOVE REFERRED TO:

- (1) The warehouse/workshop shall at all times be open to inspection by such officer or officers, being member or members of the Fire Brigade, as may be appointed by the Director General of Fire Service.
- (2) The warehouse/workshop shall conform to the conditions prescribed under Section 12 of the West Bengal Fire Services Act, 1950.
- (3) No article referred to in the Clause (I) of Section 12 of the West Bengal Fire Services Act, 1950, shall be made, prepared, dried or treated in any manner on the top or roof of any building constituting or forming a part of a warehouse.
- (4) No person shall be allowed to use as residence any part of the warehouse or to bring into the warehouse any match-boxes or match-sticks or any artificial light not duly and thoroughly protected or to smoke within the warehouse while jute or cotton is stored therein.
- (5) Needs to renewed within next 2 Years

Signature valid

Digitally signed by PEMBA
 TSHERING SHARPA
 Date: 2021.04.07 12:12:07 IST

Collector

Fire License Section,
 13D, Mirza Ghalib Street, Kolkata - 16

FORM 11**[See rule 58(2)]****Name Of District :HOOGHLY****Name Of Block : CHANDITALA-II****Name Of Gram Panchayat : CHANDITALA****Trade Registration No:- 1698****Trade Registration Date:-18-Apr-2018****Trade Registration Certificate issue No:- 1****Issue Date:-03-May-2022****Trade Registration Certificate issued for the period of: 2022-2023,2023-2024,2024-2025****To SRI SHARAD AGARWAL****(Name of Prop/partner/Director)****Full Address :****VILLAGE - KALACHARA****PARA - GHOSH AND MALIKPARA****POLICE STATION - CHANDITALA****POST OFFICE - CHANDITALA****MOUZA - 54****DAG - 124 125 126 127****PIN NO - 712702****Gram Sansad/ Part No. VI****Description of Trade :HOSIERY FABRIC BLEACHING & DYEING****Gram panchayat acknowledges a sum of Rs. 1500 (Rupees One Thousand Five Hundred Only)****From SARAT INDUSTRIES LIMITED PROCESSING DIVISION****(Name of Trade)**

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

This Certificate Is Electronically Generated

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

Ref. Application Docket No. NOCOJCO31670532R
<https://wbprd.gov.in/>



WEST BENGAL POLLUTION CONTROL BOARD

(Department of Environment, Govt. of West Bengal)
Paribesh Bhawan

Bldg. No. 10 A, Block-LA, Sector-III, Bidhan Nagar,
Kolkata – 700 098

Tel : 0091 (033) 2335-9088 / 8861 / 8211 / 8073 / 6731
2335-0261 / 8212 / 8213 / 7428 / 5975

Fax : 0091 (033) 2335 6730 / 2813

Website : www.wbpcb.gov.in, e-mail : [wbpcbn@wbpcb.gov.in](mailto:wbpccbn@wbpcb.gov.in)

Authorisation letter no.:

Memo No. 84/2S(HW)-1959/2005

Date: 10.04.2019

FORM 2

Grant of Authorization under the provisions of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.

Ref.: Application for hazardous waste authorization dated 21.02.2019 for management & handling of hazardous & Other wastes.

M/s Sarat Industries Limited,

Village: Kalachara, P.O. & P.S. – Chanditala, District : Hooghly, PIN : 712 702, West Bengal is hereby granted an authorisation based on the enclosed signed inspection report for generation, collection, reception, storage, transport, reuse, recycling, recovery, pre-processing, co-processing, utilisation, treatment, disposal, or any other use of hazardous or other wastes or both on the premises situated at **Village: Kalachara, P.O. & P.S. – Chanditala, District : Hooghly, PIN : 712 702, West Bengal.**

Details of Authorisation

Sl. no.	Category of Hazardous Waste as per the Schedule I, II and III of these rules	Authorised mode of disposal or recycling or utilization or co-processing etc.	Quantity (ton/annum)
1.	35.3	Disposal to CHWTSDF. *	12.00
2.	33.1	Recycling through authorized recyclers or Disposal to CHWTSDF*	1.00
3.	36.2	Disposal to CHWTSDF. *	0.002

* For detail refer to Specific Conditions.

- (1) Authorisation shall be valid for a period upto **28.02.2024** with effect from the date of issue.
- (2) The authorisation is subject to the following general and specific conditions:


[Chief Engineer]
Waste Management Cell
West Bengal Pollution Control Board

Encl.: Terms & conditions for authorization.

A. General conditions of authorisation

1. The authorised person shall comply with the provisions of the Environment (Protection) Act, 1986, and the rules made there under.
2. The authorisation or its renewal shall be produced for inspection at the request of an officer authorised by the State Pollution Control Board.
3. The person authorised shall not rent, lend, sell, transfer or otherwise transport the hazardous and other wastes except what is permitted through this authorisation.
4. Any unauthorised change in personnel, equipment or working conditions as mentioned in the application by the person authorised shall constitute a breach of his authorisation.
5. The person authorised shall implement Emergency Response Procedure (ERP) for which this authorisation is being granted considering all site specific possible scenarios such as spillages, leakages, fire etc. and their possible impacts and also carry out mock drill in this regard at regular interval of time;
6. The person authorised shall comply with the provisions outlined in the Central Pollution Control Board guidelines on "Implementing Liabilities for Environmental Damages due to Handling and Disposal of Hazardous Waste and Penalty"
7. It is the duty of the authorised person to take prior permission of the State Pollution Control Board to close down the facility.
8. The imported hazardous and other wastes shall be fully insured for transit as well as for any accidental occurrence and its clean-up operation.
9. The record of consumption and fate of the imported hazardous and other wastes shall be maintained.
10. The hazardous and other waste which gets generated during recycling or reuse or recovery or pre-processing or utilisation of imported hazardous or other wastes shall be treated and disposed of as per specific conditions of authorisation.
11. The importer or exporter shall bear the cost of import or export and mitigation of damages if any.
12. An application for the renewal of an authorisation shall be made three months before the expiry of such authorisation.
13. Any other conditions for compliance as per the Guidelines issued by the Ministry of Environment, Forest and Climate Change or Central Pollution Control Board from time to time.
14. Annual return in Form 4 shall be filed by June 30th every year for the period ending 31st March of that year.

B. Specific conditions:

1. The unit shall store the hazardous wastes (category wise separately) under shade in an environment friendly safe manner within the premises at designated places.
2. The unit shall not store hazardous wastes onsite for more than 90 (ninety) days.

3. Empty drums/barrels contaminated with hazardous waste (33.1) shall be sent for recycling through manifest system (Form 10) only to the recyclers having valid authorisation of the State Pollution Control Board (SPCB). Each have, the original Pass-book issued by SPCB to the authorized recyclers shall be endorsed mentioning the quantity and copy of the same should be kept as record.

If not fit for cleaning, then the same shall be sent to the Common Hazardous Waste Treatment, Storage and Disposal Facility, CHWTSDF through manifest system.

4. ETP Sludge (35.3), discarded oil filter (36.2) and contaminated cotton rags shall be disposed to the CHWTSDF through manifest (Form – 10) system.
5. Records of hazardous waste generation, storage and disposal shall be maintained properly and shall be available to the inspecting officials of the State Board during inspection.
6. The unit shall update regularly the environmental information in Display Boards as per the order of the Hon'ble Supreme Court dated. 14.10.2003 in W.P.(C) NO.657 of 1995.
7. The unit shall apply for the renewal of Hazardous Waste authorisation at least 60 (sixty) days before the expiry of this authorisation.
8. Authorisation will be revoked in case of non-compliances with any of the above conditions.

✓ M/s Sarat Industries Limited,

Village: Kalachara, P.O. & P.S. – Chanditala,
District : Hooghly, PIN : 712 702, West Bengal.


[Chief Engineer]
Waste Management Cell
West Bengal Pollution Control Board

Enclosed! As Stated

Amexone - Q-3

20



West Bengal Pollution Control Board

(Department of Environment, Govt. of West Bengal)

Hooghly Regional Office

Himalaya Bhawan, Delhi Road, Dankuni, Dist - Hooghly, Pin - 712311

Telefax # (033) 2659 0957

Website : www.wbpcb.gov.in Email : wbpcbnet@cal3.vsn

Memo No. 193 -hg-co-s/13/0035

Date: 31 /03/2023

To
M/s. Sarat Industries Limited
Vill- Kalachara, P.O & P.S- Chanditala,
Dist: Hooghly, Pin: 712 702

Sub. - Show cause notice for non-compliance.
Ref. - Effluent sampling conducted by the State Board official at your unit on 22/02/2023.

Sir,
As per analysis report of effluent sample collected on 22/02/2023, you have failed to comply with the permissible standard for the following parameter.

Sample collected from	Parameter	Result obtained(mg/L)	Permissible limit(mg/L)
ETP outlet	BOD	39.65	30.00

You are, directed to explain the reason for such failure to comply with the effluent standard and also explain why legal action shall not be initiated against your unit for such non-compliance.

Further, you are hereby directed to properly maintain the sludge drying bed and store ETP sludge as per Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, as amended.

Your reply shall reach this office within 07 (Seven) days from the date of receipt of this letter, failing which regulatory action will be initiated against your unit without any further reference.

11/03/23

Yours faithfully,
29/3/23

Environmental Engineer & In-Charge
Hooghly Regional Office

20th. April 2023

To

The Environmental Engineer & In- Charge,
WEST BENGAL POLLUTION CONTROL BOARD,
Hooghly Regional Office,
Himalaya Bhawan, Delhi Road, Dankuni, Hooghly,
Pin -712311.

Received
20/04/23
Content: Not verified
W.B. Pollution Control Board
Hooghly Regional Office
Himalaya Bhawan Delhi Road
Dankuni, Hooghly - 712311

Sub: Reply to the Show Cause Notice under your Memo No- 193-hg-co-s/13/0035 dated 31.03.23 and received by us on 11.04.2023.

Dear Sir,

First, I regret our delay in the submission of our reply within the stipulated period.

As per captioned subject, we submit to your good self that we have taken every care so that effluent meets the prescribed parameters by getting effluent tested regularly by recognized agencies for our satisfaction.

We feel that the reason for the failure of the effluent sample drawn on 22.02.2023 to meet the prescribed parameter of BOD might be the inadvertent oversight by our workers concerned. We also submit to your good self that we will remain more cautious and take the required measures to bring down the parameter within the prescribed limit of the WBPCB and as such, we have no intention to violate the stipulations of the said State Board.

Further, we would like to inform your good self that we are maintaining the sludge dumping bed and the storage of ETP sludge as directed by WPCB.

Hence, we pray to your good self for your kind consideration against such a failure on our part and for which act of kindness we shall ever pray.

Thanking you,

Yours faithfully,

For SARAT INDUSTRIES LIMITED
(Processing Division)

Mohabir Prasad
Authorized Signatory

Sarat Industries Ltd. (Processing Division)

Factory Address: Vill: Kalachara, P.O. + P.S. : Chanditala, Dist: Hooghly, Pin -712702

Email : seplpd@saratgroup.com • Ph. : 9051099482, 9674173266

S.M. SCIENTIFIC SERVICE

Environmental Laboratory Recognised by West Bengal pollution Control Board

Laboratory :
486, Dum Dum Park.
Kolkata - 700 055, ☎ : (033) 2590 8629

Office :
237K, Manicktala Main Road.Kolkata - 700 054,
Mob. 98300 84373 / 86228 46149 / 90514 62716
E-mail : smscientificservice@yahoo.co.in

FORMAT NO. SMSS/EWM/04 ISSUE NO.: 02 ISSUE Dt.: 02.01.2023 (Rev No.:02)

EFFLUENT WATER ANALYSIS

Name of the Customer :	M/S. SARAT INDUSTRIES LIMITED (Processing Division)	Report No :	WW/134A/2023
Address :	Vill:- Kalachara, P.O & P.S:- Chanditala, Dankuni, Dist:- Hooghly, Pin:- 712702	Reporting Date :	02-12-2023
		Sampling Date :	25-11-2023
Sampling Location :	E.T.P Outlet	Sample Rcvd. Date :	25-11-2023
Type of Sample :	Effluent Water	Test Start Date :	25-11-2023
Sampling Drawn By :	(M/S. SARAT INDUSTRIES LIMITED)	Test End Date :	01-12-2023

Sl. No.	Parameter	Standard method	Unit	Results	General Standard For Discharge Water	
					Inland Surface Water	Public Sewers
1.	pH	APHA 23rd edition 2017	---	8.27	5.5-9.0	5.5-9.0
2.	Total Suspended Solid	APHA 23rd edition 2017	mg/lit	34.0	100.0	600.0
3.	COD	APHA 23rd edition 2017	mg/lit	116.0	250.0	---
4.	BOD (3 days at 27 ^o C)	IS 3025(p-44):1993 reaffirmed 2003	mg/lit.	20.0	30.0	350.0
5.	Oil & Grease	APHA 23rd edition 2017	mg/lit	5.0	10.0	20.0
6.	Sulphide (as S ⁻)	APHA 23rd edition 2017	mg/lit.	0.20	2.0	---
7.	Phenolic Compound (as C ₆ H ₅ OH)	APHA 23rd edition 2017	mg/lit.	0.10	1.0	5.0
8.	Ammonical Nitrogen (as NH ₃ -N)	APHA 23rd edition 2017	mg/lit.	2.09	50.0	50.0

*S. M. Scientific service is not responsible for anything duplicity if done by the party during supply of the effluent water.

For S.M. Scientific Service

S.P. Ray
(Lab-In charge)

BEFORE THE NATIONAL GREEN
TRIBUNAL EASTERN ZONE BENCH,
KOLKATA

212

O. A. NO. 126/2023/EZ

In The Matter of:

Mujibur Rahman Malik

... APPLICANT

VERSUS

The State of West Bengal & Ors.

... RESPONDENT(S)

AFFIDAVIT-IN-OPPOSITION ON BEHALF
OF THE RESPONDENT No. 09 M/S
SARAT INDUSTRIES LIMITED.



Submitted By:-

Malabika Roy De
Advocate
For Respondent No. 09

03 JAN 2024

Email: mrdey@rediffmail.com

(Contact): 9051634204