

Serial No.....133/2022

As per Register of Notary

Avijit Ghosh
Executive Director (Distribution & Sales)
CESC Limited

Filed by
[Signature]

BEFORE THE NATIONAL GREEN TRIBUNAL EASTERN ZONE

BENCH, KOLKATA

Appeal No. 10 of 2017/EZ

In the matter of:

M/s Shree Shyam Bleaching Co.

..... Appellant

-Versus-

The State of West Bengal and Ors

.. Respondents



AFFIDAVIT-IN-OPPOSITION ON BEHALF OF THE

RESPONDENT NO. 3

I, Avijit Ghosh, son of Late Sunil Sekhar Ghosh, aged about 58 years, by faith – Hindu, by occupation – service, working for gain at CESC Limited, CESC House, Chowringhee Square, Kolkata-700001, Police Station – Bowbazar, Post Office - GPO, do hereby solemnly affirm and state as follows:

1. I am the authorized representative of the respondent no. 3 in the instant appeal and I am well acquainted with the facts and circumstances of the case. I am duly competent and authorized by the respondent no. 3 to sign and swear this affidavit on behalf of the respondent no 3.
2. With reference to paragraph 1 to 19 of the said application, save and except what are matter of records and what may be borne out from a true construction thereof, all other allegations and / or contentions contrary thereto are denied and disputed.

3. At the very outset I submit that for proper adjudication of the disputes certain facts needed to be placed before this Learned Tribunal and they are as follows:-

- a) That the respondent no. 3 herein was directed by the West Bengal Pollution Control Board vide Closure Order dated 24.10.2017 to disconnect the electricity supply of the appellant and the same was done. It is also stated that the West Bengal Pollution Control Board vide letter dated 19.12.2017 directed the respondent no 3 to restore the electricity supply to the appellant herein and the same was executed.
- b) That the respondent no 3 has inspected the said appellant's premises and has observed that a tin shed single storied establishment exists with a large processing unit where bleaching and dyeing of clothes are done through several chemical treatments. A sign board can be viewed on the front wall of the establishment where the name of the company (M/s Shree Shyam Bleaching Co.) and the address (38/A, Raja Manindra Road, Kol - 37) is written.
- c) It is also pertinent to mention that electricity supply to the establishment is being catered through three electrical meters which are right now running live whose details are given hereinbelow:-

Sl No	Consumer Name	Consumer No	Meter No	Email Id
1.	Paramabati Agarwal (SM)	45055355009	3773679	ssbleachingco@gmail.com
2.	M/s Sri Gopal Calendering Co.	45055356006	3773678	ssbleachingco@gmail.com
3.	Saroj Murarka	45055354001	3773682	ssbleachingco@gmail.com



Avijit Ghosh
Executive Director (Distribution)
CESC Limited

Filed by
D. Ghosh
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d) All the aforesaid three meters are installed in one service position and inside the premises of Shree Shyam Bleaching Co. The team of the respondent no. 3 visited the premises on 04.08.21 and found that Shree Shyam Bleaching Co was operational in full swing. Representatives of Shree Shyam Bleaching Co didn't allow the respondent no 3's representative to switch off the main switch in order to ascertain whether energy consumption was being recorded by the meters used by Shree Shyam Bleaching Co or not. But they told that several parts of the factory (Shree Shyam Bleaching Co) was operational from the aforesaid three meters.

e) Pursuant to the solemn order dated 16.12.2021 passed by the Hon'ble National Green Tribunal, Easstern Zone Branch, Kolkata in the aforesaid Appeal and upon receipt of a memo no. 887(07)-sl-co-r/16/0207 dated 13.12.2021 from the office West Bengal Pollution Control Board, we confirm having disconnected three meters being nos. 3773678, 3773679 and 377682 on 18.12.2021 which were catering to the load requirement of M/S Shree Shyam Bleaching Co. at premises no. 38A, Raja Manindra Road, P.O Belgachia, P.S Chitpur, Kolkata - 700037

4. That the respondent no 3 herein states that the respondent no. 3 will obey the direction as this Ld. Tribunal deems fit and proper and will also act in terms of the order and/or judgement, if any, passed in the instant appeal.

5. I state that all orders /directions in the instant matter for disconnection and restoration of the supply have been communicated to me and I have ensured due compliance thereof. At the material point of time I was officiating as the Vice President - Distribution



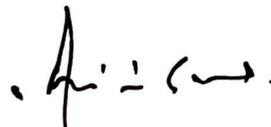
Services of the Respondent no. 3. I have been subsequently elevated to the post of Executive Director – Distribution Services. I am swearing the instant affidavit in terms of the order so passed by this Hon'ble Tribunal.

6. The statements made in paragraphs 1 to 4 are true to my knowledge and the rest are my humble submissions before this learned Court.

IDENTIFY THE PERSONS WHO SIGN IN MY PRESENCE

Prepared in my office

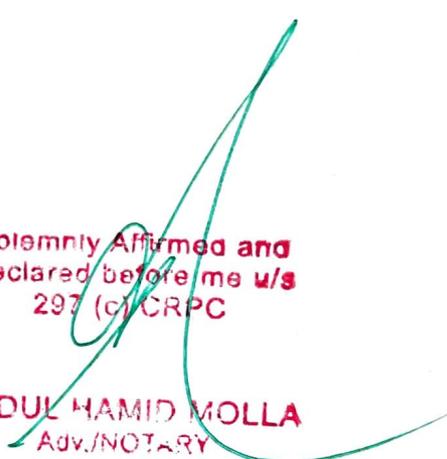

Advocate ENROLL NO (M) NO-


Deponent is known to me

Avijit Ghosh
Executive Director (Distribution Services)
CESC Limited



solemnly Affirmed and Declared before me u/s 297 (c) CRPC


ABDUL HAMID MOLLA
Adv./NOTARY
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High Court, Gate No. F
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