

Serial No.....117/2020  
As per Register of Notary

BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 56/2020/EZ



BETWEEN

AJAY POREL & ORS.

..... APPLICANT(S)

VERSUS :

MINISTRY OF ENVIRONMENT AND FOREST AND  
CLIMATE CHANGE AND ORS.

..... RESPONDENT(S)

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FILED BY

Prithwish Kumar Basu,  
PRITHWISH KUMAR BASU

Advocate  
W.B.P.C.B

12 OCT 2020

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

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**VERSUS :**

**MINISTRY OF ENVIRONMENT AND FOREST AND  
CLIMATE CHANGE AND ORS.**

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

**AFFIDAVIT ON BEHALF OF THE STATE POLLUTION  
CONTROL BOARD i.e. RESPONDENT NO. 5**

**Most Respectfully Sheweth**

I, Amar Nath Goswami aged about 53 years, S/o. Shri Madan Mohan Goswami residing at L-111/2, G-13, Baishnabghata Patuli Township, Kolkata 700 094 by religion Hindu, by occupation service do hereby solemnly declare and affirm as follows :-



**12 OCT 2020**

1. That, I am the Sr. Law Officer of the West Bengal Pollution Control Board (hereinafter will be referred to as the State Board) and as such I am fully acquainted with the facts and circumstances of the case and I am competent and duly authorized by the Respondent No. 5 to file the affidavit on behalf of the Respondent No. 5.
2. That, this affidavit is being affirmed in pursuant to the solemn order passed by the Hon'ble Tribunal dated 10.09.2020.
3. That, earlier in pursuance with a repeated complaint against the Unit, State Board conducted inspection followed by stack monitoring and collection of effluent sample and considering the inspection report State Board arranged a hearing and issued direction upon the Unit vide Memo dated 15.06.2020.

Copy of the said direction is enclosed herewith and marked with letter "R-1".

4. That, in the aforementioned direction State Board interalia directed the Unit to execute a Bank Guarantee of Rupees Twenty lacs within fifteen days, in favour of the West Bengal Pollution Control Board. Since, the Unit has not submitted the same, State Board issued a show cause notice upon the Unit for failure to submit Bank Guarantee, vide Memo dated 18.09.2020.

12 OCT 2020



5. That, in compliance with the order of the Hon'ble Tribunal in this matter, officers of the Central Pollution Control Board and State Pollution Control Board conducted Joint inspection of the Unit on 25.09.2020.

A copy of the Joint inspection report is enclosed herewith and marked with the letter "R-2".

6. That, the recommendations of the aforementioned Joint inspection report are as follows :

1. WBPCB directed the industry to install the Automatic Ambient Air Quality Monitoring Stations (AAQMS). However during the visit, it was observed that 3 Nos. of Ambient Air Quality Monitoring Stations (Manual) have been installed. Industry may be directed to install AAQMS at strategic location in consultation with Local Village Authority/ Gram Panchayat. The AAQMS data should be displayed at Plant Main Gate as well as transferred to WBPCB server.
2. The Storm Water outfall to Nayanjali Khal (Nalla) is not visible from outside the plant premises due to dense Shrubs/ Bushes. As informed, Nayanjali Khal and adjacent Service road is under the jurisdiction of NHAI. Accordingly NHAI/ Concerned Local Authority may be directed to clean the Nayanjali Khal and surrounding area so that Outfall may be monitored. Industry may provide necessary assistance to NHAI/ Concerned Local Authority for cleaning of the Khal, if required.
3. At present, 25.2% area is covered with green belt. Considering the ongoing expansion, industry may be directed to maintain adequate green belt (Minimum 33% as per CTO condition), especially on the north-eastern side towards the residential houses.
4. The VOC monitoring report may be submitted to WBPCB/ CPCB at the earliest. During monitoring, if any VOC emission problem is detected, precautionary measures should be initiated on urgent basis.

12 OCT 2020



Considering the inspection report, State Board is going to issue a notice for hearing involving the parties and will issue necessary directions.

7. 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.

ABDUL HAMID MOLLA  
NOTARY  
Advocate, High Court, Calcutta  
Reged. No. 9380 / 2011  
Government of India  
High Court, Calcutta  
Gate No 'E'  
M:- 9831104098

*Amar Nath Goswami*  
DEPONENT

Identify the person who sign in my presence

VERIFICATION

Advocate  
Enroll No

Verified at Kolkata by the deponent above named on this the .....day  
12 OCT 2020  
of October, 2020 and say that the contents of this affidavit made in paragraph nos. 1 is true to my knowledge and those made in paragraphs nos. 2 to 6 are true to my information derived from records and rest are my respectful submission before this Hon'ble Tribunal.

*Amar Nath Goswami*

*Amar Nath Goswami*  
DEPONENT

Identify the person who sign in my presence

Advocate  
Enroll No

ABDUL HAMID MOLLA  
NOTARY  
Advocate, High Court, Calcutta  
Reged. No. 9380 / 2011  
Government of India  
High Court, Calcutta  
Gate No 'E'  
M:- 9831104098



12 OCT 2020

116

(R-1)



WEST BENGAL POLLUTION CONTROL BOARD  
( Department of Environment, Govt. of West Bengal )  
Paribesh Bhawan, Bldg. No. 10A, LA Block,  
Sector-III, Bidhannagar, Kolkata-700 106  
Tel: 2335-9088, 2335-7428, 2335-8211, 2335-8073, 2335-6731  
Fax: (0091) (033) 2335-2813

Memo No.

-hg-co-s/06/1372 (Vol.III)

Date: /06/2020

**DIRECTION**

WHEREAS, M/s. Himadri Speciality Chemical Ltd. (hereinafter referred to as the industry) located at Vill.- Mahistikry, P.O. & P.S.- Haripal, Dist.- Hooghly, Pin- 712 223 is a carbon black & coal tar distillation unit. The unit is engaged in production of Carbon black, Coal tar pitch, H&L Creosote Oil, Napthalene, Power generation, Sulfonate Napthalene Formaldehyde and Tail gas etc.

AND WHEREAS, a repeated complaint was lodged by Mohistikari Parivesh, Jiban O Krishi Kalyan Mancha, Haripal, Hooghly against the unit for air & water pollution caused by the unit towards the village and the villagers are suffering from different diseases.

AND WHEREAS, the industry was inspected followed by stack monitoring & effluent sample collection conducted by the official of the West Bengal Pollution Control Board (hereinafter referred to as the Board) on 21.11.2019. The unit failed to comply with the effluent discharge standard as follows :-

Date of Sampling	Sampling point	Value Obtained(mg/l)	Permissible Limit(mg/l)
21.11.2019	At point of discharge to River Ghiya	COD-333.60 mg/l	COD-250 mg/l BOD-30mg/l
		BOD-80.80 mg/l	
	Agricultural field near village Mahistikry South	COD-315.30 mg/l	
		BOD-43.30 mg/l	

AND WHEREAS, during inspection accumulated brown water was found in the agricultural field nearby the unit and it may be due to heavy rainfall during Bulbul storm the surface run off water of the unit overflows to the agricultural field. Fugitive emission monitoring was also carried out during inspection. The result of stack monitoring and fugitive emission monitoring was within permissible limit.

AND WHEREAS, the Consent to Operate and Authorization for Hazardous waste of the industry is valid up to 31/08//2023 and 31/08/2024 respectively.

AND WHEREAS, the industry was called for a hearing on 25/02/2020 for non-compliance of environmental norms as observed during inspection by the Board official as well as repetitive public complaint against the industry.

AND WHEREAS, the complainants appeared in the hearing and alleged that adjacent agricultural field and nearby nayanjuli (nullah) has been contaminated due to discharge of waste water by the industry. In this regard, they submitted some photographs and water analysis report which shows compliance with the prescribed standard with respect to relevant Consented parameters (Phenol & Cyanide). They also alleged that liquid effluent generated from the unit enters into the agricultural field alongwith rainwater during heavy rainfall. They complained that they are suffering from noise pollution and obnoxious odour due to operation of the industry. They also complained that considerable carbon dust is blown away by wind towards the adjacent residential houses and deposited on different surfaces like floor, roof of their residences.

AND WHEREAS, the Director of the industry appeared in the hearing and submitted the following:-

1. They shall maintain zero discharge and 100% recycling in the process.
2. They shall construct a pit/tank within the factory premises for storing the industrial effluent in case of accidental discharge/release which shall be taken into the ETP.



3. Only storm water shall be discharged through dedicated drain outside the factory premises. In no way shall be any chance to mix the industrial effluent into the storm water
4. They shall not discharge any effluent other than storm water generated from the unit outside the premises
5. They have installed 2 nos. continuous ambient air quality monitoring stations at the eastern side and northern side of the industry. However, they will shift an ambient air quality monitoring station from northern side to another suitable location in the village in consultation with the local villagers/local body.
6. They would install additional 2 nos. automatic continuous ambient air quality monitoring station at convenient place at western side and southern side of the industry in consultation with the local villagers/local body.
7. They would install online continuous emission monitoring system for all the stacks and the data analysis report shall be brought in public domain. Every month we will upload the pollution data in our website in public domain.
8. They would take necessary measures for minimization of noise pollution and odour generated during operation of the industry.
9. They have already developed green belt in 20-22% area within the plant. They shall further develop green belt to achieve 33% of the total area as per condition of Environmental Clearance.
10. They shall submit detailed future plan under CSR activities in consultation with concerned local authority as well as local villagers.

**NOW THEREFORE**, considering the above, **M/s. Himadri Speciality Chemical Ltd.** located at Mahistikry, P.O. & P.S.- Haripal, Dist.- Hooghly, Pin- 712 223 is hereby directed as follows:-

1. **That**, the industry shall always operate with efficient pollution control system so as to comply with environmental norms.
2. **That**, the industry shall maintain zero discharge and achieve its target regarding 100% recycling of effluent.
3. **That**, under any circumstances, the industry shall not discharge its treated effluent outside the factory premises. Only storm water is allowed to discharge through dedicated pipeline outside the factory premises.
4. **That**, the industry shall install holding tanks of adequate capacity inside the factory premises for holding industrial effluent in case of accidental discharge/release and such effluent shall be taken into the ETP.
5. **That**, the industry shall install a web-camera at discharge point of surface run off outside the factory premises.
6. **That**, all the surface drains especially passing through / near coal tar distillation section and ETP shall be fully covered to prevent contamination of surface run off during rainfall.
7. **That**, the industry shall clean natural surface drain flowing outside and along the boundary wall of the industry parallel to Durgapur Expressway, in case the natural flow of the said drain is blocked by dumping any solid waste by the industry.
8. **That**, the industry shall install additional 2 nos. automatic continuous ambient air quality monitoring stations outside the factory premises at a suitable location at the western side and the southern side of the industry in consultation with the local people of the concerned village.
9. **That**, the industry shall either shift the ambient air quality monitoring station which has been installed at northern side of the industry to another suitable location or one more station shall be installed outside the factory premises in consultation with the local villagers and the local authority.
10. **That**, the industry shall take necessary steps at the earliest for installation of online continuous emission monitoring system for all the stacks and the data analysis report shall be brought in public domain and uploaded on WBPCB server.
11. **That**, in case of any accidental release of carbon dust, the production should be stopped immediately and such incident shall be reported to the State Board on monthly basis.
12. **That**, under any circumstances, the industry cannot run the precipitated Carbon dust manufacturing unit without utilization of the off gas in the power plant.
13. **That**, to control the odour problem, the industry shall install VOC monitoring system at the glaze potential location so that the odour problem can be minimized. An action plan in this regard shall be submitted within one month.



14. **That**, the industry shall take necessary measures for minimization of noise pollution and odour generated from the operation of the industry.
15. **That**, the industry shall develop green buffer zone along the inside periphery of the factory premises covering at least 33% of total area.
16. **That**, the industry shall submit detailed future plan under Corporate Social Responsibility (CSR) activity as early as possible in consultation with concerned district authority as well as local villagers.
17. **That**, the industry shall execute a **Bank Guarantee** (proforma enclosed) of **Rs. 20,00,000/-** (Rupees Twenty lakh) only valid for twelve (12) months within fifteen [15] days from the date of issuance of this direction in favour of the **WEST BENGAL POLLUTION CONTROL BOARD (Corporation Bank IFSC Code CORP 0000663)** as an assurance to comply with the above direction as well as environmental norms.

The Environmental Engineer & In-charge, Hooghly regional office is requested to keep a strict vigil on the industry. If the industry is again found to be non-complying, the Board will take strict regulatory action like forfeiture of BG, closure with disconnection of electricity of the industry.

This direction is issued in exercise of the powers conferred under the provision of Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act 1981, the Environment (Protection) Act, 1986 and Rules made thereunder after being approved by the Competent Authority.

The delay in issuing the order is due to the declaration of lockdown period by the State Government.

By Order,

Sd/-  
**Chief Engineer**  
**Operation & Execution Cell**  
**West Bengal Pollution Control Board**

Memo No. 1044 (u) - -hg-co-s/06/1372 (Vol.III)

Date: 15/06/2020

Copy forwarded for information and necessary action to:

1. M/s. Himadri Speciality Chemical Ltd., Vill.- Mahistikry, P.O. & P.S.- Haripal, Dist.- Hooghly, Pin- 712 223
2. P.A. to the Chairman, WBPCB
3. T.A. to the Member Secretary, WBPCB
4. The Chief Engineer, Planning & W.M. Cell, WBPCB
5. The Senior Law Officer, WBPCB
6. The Environmental Engineer & In-charge, Hooghly Regional Office, WBPCB - She is requested to submit a status of compliance of the above mentioned direction by the industry at least 3 months before the expiry of the BG.
7. The Finance & Accounts Manager (F), WBPCB
8. Shri Bhaskar Dhara, Secretary, Mohistikari Paribesh Jiban O Krishi Kalyan Mancha, Vill. & P.O.- Mahistikry, P.S.- Haripal, Dist.- Hooghly, West Bengal, Pin- 712 223
9. Technical Cell, WBPCB for updating the website
10. The Environment Officer- Communication, WBPCB - for circulation through float file
- ✓ 11. Guard file of O & E Cell

*Bml*  
**Chief Engineer**  
**Operation and Execution Cell**  
**West Bengal Pollution Control Board**



**Inspection Report vide NGT Original application No. 56/2020/EZ Ajay Porel & Ors Vs. MoEFCC & Ors filed at NGT, Eastern Zone Bench, Kolkata**

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An Order dated September 10, 2020 was passed by the Hon'ble National Green Tribunal (NGT), Kolkata Bench in its Original Application No. 56/2020/EZ Ajay Porel & Ors Vs. MoEFCC & Ors filed at NGT, Eastern Zone Bench, Kolkata, wherein it was directed that **"CPCB and the State Pollution Control Board to inspect the unit in question, verify on the factual allegations and submit a report"**. In compliance of the above Order, and as per direction of the Hon'ble NGT, M/s Himadri Specialty Chemicals Ltd, Mahistkari, Dist. Hooghly (the Unit) was inspected jointly on September 25, 2020 by the following officers:

1. Sri Sandeep Roy, Scientist D, CPCB, Kolkata
2. Sri Sukhendu Biswas, SSA, CPCB, Kolkata
3. Ms Sarmistha Kundu, Environmental Engineer, Hooghly Regional Office, WBPCB
4. Sri Rahul Chakroborty, AEE, Hooghly Regional Office, WBPCB

Following personnel of the unit, M/s Himadri Specialty Chemicals Ltd. was present during the inspection:

1. Sri Anurag Choudhury, MD & CEO
2. Dr. S. Chakraborty, Director
3. Sh. Ajijul Haque, Plant Head
4. Dr. Somnath Das, Deputy Manager (Env)

During the visit, the plant was operational.



M/s Himadri Specialty Chemicals Ltd. is located along Durgapur Expressway at Village Mahishtikry, District -Hooghly, West Bengal. There are villages and agricultural fields in the neighbouring area. The following Villages and River exist in the surrounding area, within 2 Km radius of the plant :-

**Villages:** Bakula, Dakshin Bannan, Sinher Bheri, Chapsara, Chakkalika Buri, Lakshmanpur, Uttar Ramchandrapur etc.

**River:** Ghiya River

**Major drain:** Nayanjali Khal (Nalla)

**Road:** NH-2 (Kolkata- Delhi; Durgapur Expressway)

A following map shows the nearby habitats/ river etc is following:



Distance from Ghiya River	1.4 km
Distance from Settlement 1	0.65 km
Distance from Settlement 2	1.43 km
Distance from Settlement 3	0.93 km
Distance from Settlement 4	1.13 km
Distance from Settlement 5	1.5 km
Distance from Settlement 6	0.95 km

The major raw material is Coal Tar which is by-product of Coke Oven (recovery type) plant. Coal tar is received through Road Tanker/ Railway Wagon from various steel plants (namely M/s Bhilai Steel Plant, M/s Tata Steel Plant, M/s Rourkela Steel Plant, M/s Durgapur Steel Plant etc) and stored in Tar storage tanks. The Unit has storage capacity of 72,000 m<sup>3</sup> of Coal Tar. The moisture content in Coal Tar is 1.5- 2.0%. The unit is having valid consent to operate from WBPCB which is valid till 31.8.2023.

Coal tar from various tanks is blended in centralized manner and sent to Dehydration tower. Oil and Tar recovered from Dehydration tower is sent to Oil fractionation & Distillation unit respectively for processing. Wastewater generated from the tower is sent to CETP. As per the CTO granted by WBPCB, industry is manufacturing the following products:

Sl No.	Plant	Product manufacture	Qty	End use
1	Coal Tar	Coal Tar Pitch	16666.5 MT/ month	Electrodes for Aluminium & Graphite industry
2		SNF	4166.67 MT/	Admixture, Dye &



			month	Pigment, Agrochemicals
3		Heavy & Light Creosote Oil	14000 MT/ month	Carbon black feed stock
4		Crude Naphthalene	2666.3 MT/ month	Naphthalene balls, dye & intermediate
5	Carbon Black	Carbon Black	15000 MT/ month	Tyre, Rubber, Belt conveyor units
6		Tail gas	133864900 Nm <sup>3</sup> / month	Used in power plant as fuel
7		Power plant	28 MW	Used for plant operation

### Air Environment

#### Coal Tar Process:

Coal tar pitch is manufactured from coal tar by distillation under vacuum. Through distillation, first oil and water separated out from the coal tar pitch. The dehydrated coal tar is further distilled under vacuum and product as light oil, naphthalene, wash oil and anthracene oil are removed. Oils recovered from the process of distillation go to carbon black plant as feedstock. Naphthalene goes to SNF as feedstock and is also sold as product in the market. Petroleum based CBFS is used as fuel oil to distill coal tar.



Distillation column residue is finished coal tar pitch. The pitch is dispatched to customers in molten condition as per specification. Part of finished liquid pitch is granulated by cooling through granulator as solid pitch product for specific customers.

There are 7 Nos. of stacks in the coal tar process. In all the stacks opacity meter has been installed to check the PM levels. The data can be checked from the Industry's website as it is made available for General Public. ([www.himadri.com](http://www.himadri.com))

**Carbon Black Process:**

Coal tar based feedstock is pyrolised in the reactors at temperature of 1900°C for manufacturing of Carbon Black. Petroleum based CBFS is used as fuel oil to heat the reactors at the desired temperature.

This Carbon Black laden gas travels through different heat exchangers and finally the Carbon Black separates out in the bag filters having emergency stack which is always closed as the total gas generation goes to the boiler for generating power. Carbon Black drops at the bottom and is palletized by molasses in the palletizer. Next it is dried in the rotary kiln dryer via indirect heat conveyed by the combustion of tail gas.

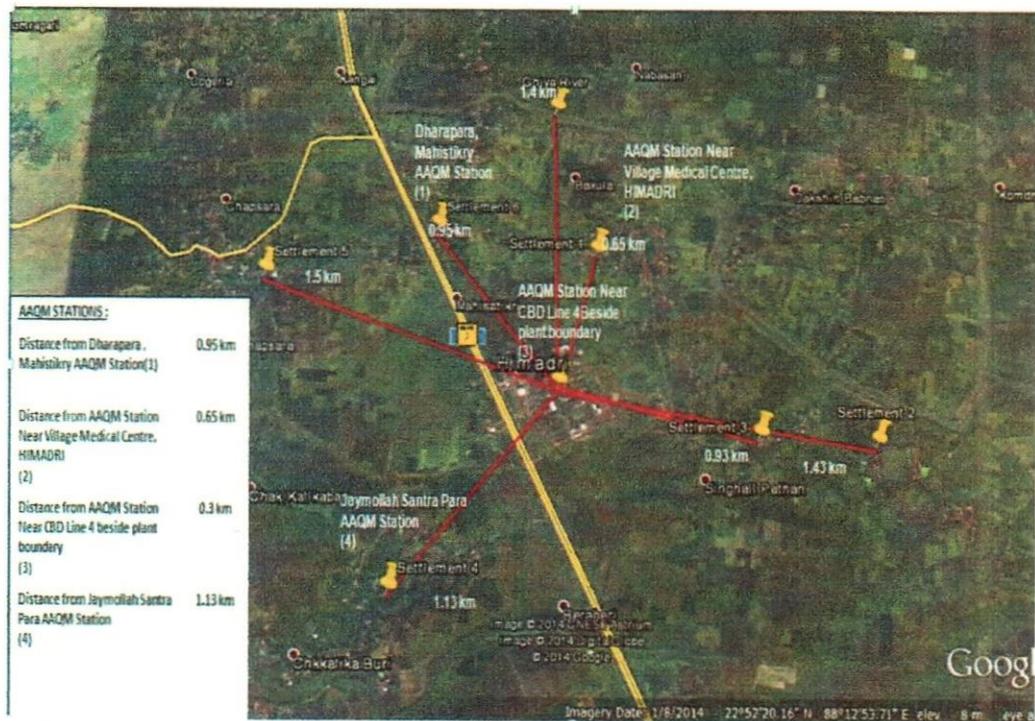
Main portion of tail gas from the bag filter goes to the combustion section of the boiler and is mixed with oxygen and burnt. In all 32% of tail gas is used for drying purpose and remaining 68% is used as fuel in the boiler to produce power. Burning of tail gases is an exothermic reaction generating heat which in turn produces steam. This helps in rotating the turbine and generating power.



There are 5 Nos. of stacks in the Carbon Black process. In all the stacks opacity meter and PCME (Pollution Control & Measuring Equipment – UK origin) have been installed to check the PM levels.

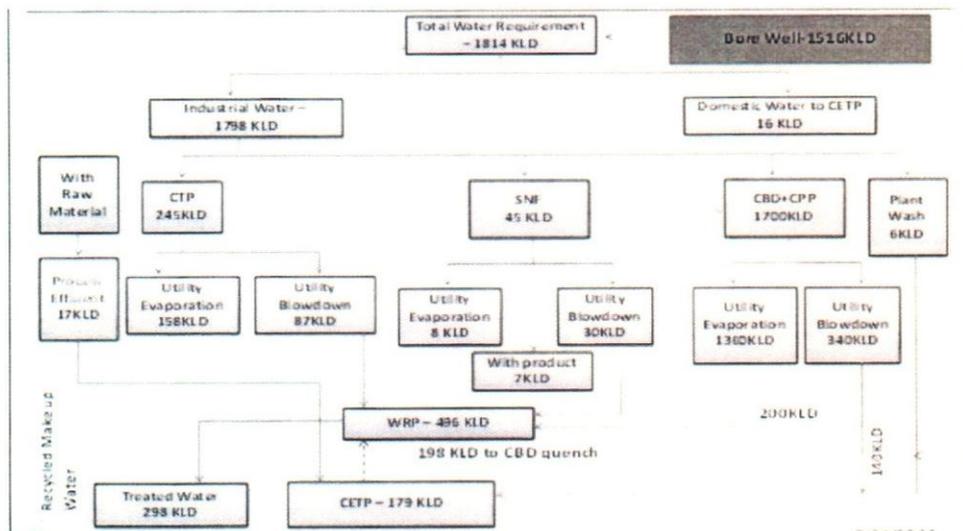
#### Ambient Air Monitoring:

As per the direction of WBPCB, the Industry has installed 3 Nos. of Manual Ambient Air Quality Monitoring (AAQM) stations in consultation with Local Gram Panchayat/ Village authority (AAQ Result enclosed). Installation of 1No. of AAQM installation is under process.



### Water Environment

The industry is using groundwater (Borewell) for industrial & domestic utilities. As informed 9 Nos. of Borewells are available for water extraction. At present 3 Borewells are in use and remaining are kept as standby. Daily water consumption is 2012 KLD out of which 496 KLD is recycled from Central Effluent Treatment Plant CETP (WRP).



The wastewater generated from the industrial process/ cooling is sent to Central Effluent Treatment Plant (CETP) and Water Recycling Plant (WRP). The treatment capacity of CETP and WRP is  $600 \text{ m}^3/\text{day}$  and  $1000 \text{ m}^3/\text{day}$  respectively. Flow meter is also installed at inlet & outlet of CETP. Log book is maintained for the same. During visit flow was observed as  $0.208 \text{ m}^3/\text{hr}$ . The treatment process is given below:

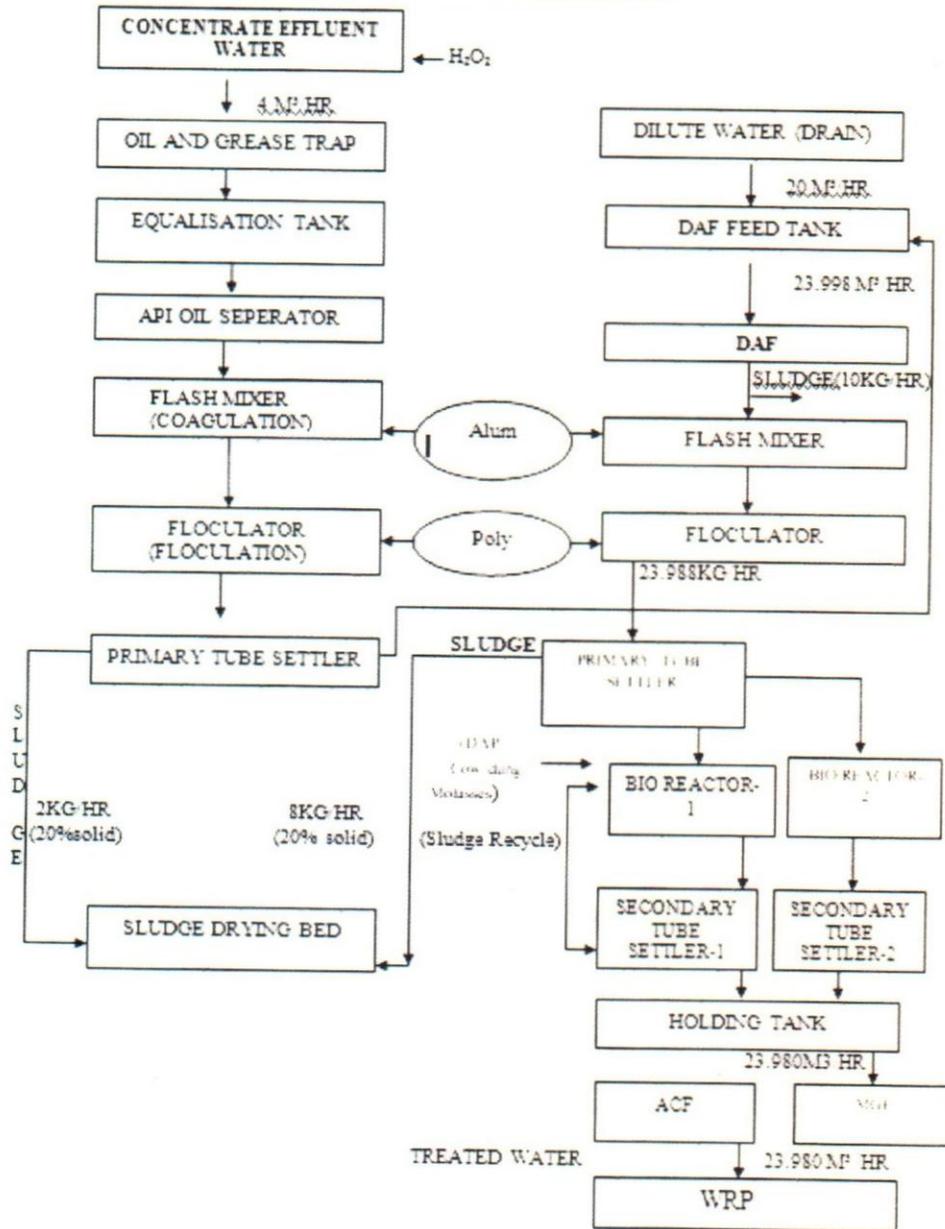
#### Water Recycle Plant (WRP)

The WRP includes Clarifier, Settler, Multi Grade Filter (MGF), Ultra Filter followed by Reverse Osmosis and de-gasser. Approximately, 496 KLD



wastewater is treated in WRP. The RO reject (198 KLD) is used in Carbon Black quenching and palletizing process. Remaining treated wastewater is reused as makeup water in CBD & CPP process.

**FLOW DIAGRAM OF CETP**



Treated wastewater from CETP and WRP is stored in storage tanks having capacity of 450 m<sup>3</sup> x 2, 500 m<sup>3</sup> x 2 respectively. During visit, unit was found maintaining Zero discharge. The unit is utilizing treated effluent for quenching of the initial reaction for Carbon Black manufacture at temperature 1900°C to 200°C. It also used along with molasses for formation of globules in Carbon Black Manufacturing unit.

Water samples were collected during inspection. Analysis result is following:

Parameter	Sampling Location		Standard**	Remark
	CETP Outlet	WRP Outlet		
pH	7.9	6.6	5.5-9.0	Treated wastewater is recycled in the industrial process.
BOD (mg/l)	51	< 2.5	30	
COD (mg/l)	118	4.0	250	
TSS (mg/l)	74	< 5	100	
O&G (mg/l)	< 5	< 5	10	
CN (mg/l)	0.65	< 0.01	0.2	
Phenol (mg/l)	59	2.5	1.0	
NH <sub>3</sub> -N (mg/l)	22.8	0.10	--	

**\*\*Standard as prescribed by WBPCB in CTO.**



**Hazardous waste**

The unit has obtained Hazardous Waste Authorization. The authorization is valid till 31/08/2024. The unit is generating following as hazardous waste:

Sl. No.	Waste	Category	Quantity	Storage	Disposal
1	ETP sludge	34.3	3.3 (Ton/annum)	Hazardous wastes are stored in Vat, provided by West Bengal Waste Management, Haldia.	Sent to West Bengal Waste Management (TSDF site), Haldia.
2	Oily sludge, Oil soaked cotton, jute, rag waste and other oil bearing substances	5.2	0.550 (Ton/annum)		
3	Empty & discarded hazardous chemical containers and bags	33.3	0.7 (Ton/annum)		
4	Used oil	5.1	1.01 (Kilo Liter/annum)	On- Site Storage	Registered recycler/ re-processor (M/s Ba Ma Oil Industries)



**Other observation:**

WBPCB had inspected the industry in November 2019 and issued direction after conducting a hearing. The compliance status as observed during the visit is as follows:

<u>S.No.</u>	<u>Direction</u>	<u>Status of compliance</u>	<u>Remarks</u>
1.	That, the industry shall always operate with efficient pollution control system so as to comply with the environmental norms.	To control the PM emission from the stack, scrubber system has been installed.  Online stack emission monitoring system (Opacity meter) is installed in all the stacks.	PM value of the Stack, monitoring work carried out by 3 <sup>rd</sup> party basis (M/s Envirocheck), was found within the prescribed limit.
2.	That, the industry shall maintain zero discharge and achieve its target regarding 100% recycling of treated effluent.	During inspection, no discharge was found from CETP and WRP system. As informed, treated wastewater is recycled in the industrial process for quenching, palletization and other utilities.	As informed, in case of heavy rainfall, storm water is discharged through 1 No. of Outlet which finally drains in Nayanjali Khal. However, this outlet point is not visible due to dense shrubs & bushes near the Boundary wall (Outside of the plant premises)



3.	That, under any circumstances, the industry shall not discharge its treated effluent outside the factory premises. Only storm water is allowed to discharge through dedicated pipeline outside the factory premises.	As informed, treated wastewater is recycled for Industrial process. Industrial Wastewater is not discharged outside the Plant premises.  Storm water is discharged through 1 No. of Outlet which finally meets in Nayanjali Khal.	
4.	That, the industry shall install holding tanks of adequate capacity inside the factory premises for holding the industrial effluent in case of accidental discharge/release and such effluent shall be taken into the ETP.	The treated wastewater is recycled for Industrial process. Industrial Wastewater is not discharged outside the Plant premises.  However to cater to emergency situation Industry has constructed 4 Nos. of Storage tanks (Capacity: 250 m <sup>3</sup> ). One more tank was found to be under construction.	
5.	That, the industry shall install a web-camera at discharge point of surface run off outside	One No. of camera is installed at discharge point.	



	the factory premises.		
6.	That, all the surface drains especially passing through / near coal tar distillation section and ETP shall be fully covered to prevent contamination of surface run off during rainfall.	All drains are not covered only some portion of the drains is covered with concrete slabs.	
7.	That, the industry shall clean natural surface drain flowing outside and along the boundary wall of the industry parallel to Durgapur Expressway, in case the natural flow of the said drain is blocked by dumping of any solid waste by the industry.	As informed, Surface drain/ Nayanjali Khal is under the jurisdiction of National Highways Authority of India (NHAI), so they are unable to clean the Drain or surrounding area.  Any type of solid waste is not dumped outside of the plant premises.	The waste (Hazardous) is lifted by M/s West Bengal Waste Management Ltd, TSDF, Haldia.
8.	That, the industry shall install additional 2 Nos. automatic continuous ambient air quality monitoring station outside the factory premises at a suitable location at the western side and the southern side of the industry	3 Nos. of Manual Ambient Air Quality Monitoring (AAQM) stations have been installed at nearby villages.  Installation of 1No. of AAQM installation is under process.	During visit only manual Ambient Air Quality Monitoring Stations were found.  Automatic Ambient Air Quality Monitoring Stations (AAQM) not



	consultation with the local people of the concerned village.		installed.
9.	That, the industry shall either shift the ambient air quality monitoring station which has been installed at the northern side of the industry to another suitable location or one more station shall be installed outside the factory premises in consultation with the local villagers and the local authority.	Location of AAQM: 1. Back side of Carbon Black (Line#4). 2. Village Medical Centre. 3. Mahishtikry Village	The AAQ data is available on Industry's website.  The industry is also sending test reports to WBPCB on regular basis.
10.	That, the industry shall take necessary steps at the earliest for installation of online continuous emission monitoring system for all the stacks and the data analysis report shall be brought in public domain as well WBPCB server.	Stacks have been provided with opacity meters.	
11.	That, in case of any accidental release of carbon dust, the production should be stopped automatically immediately and such	As informed, interlocking system is installed at various stages of the process and finally connected with DCS which	



	incident shall be reported to the State Board on monthly basis.	instantly stop the process during any Accident/ Emergency.	
12.	That, under any circumstances, the industry cannot run the precipitated Carbon dust manufacturing unit without utilization of the off gas in the power plant.	The off gases are used in the gas based CPP.	
13.	That, to control the odour problem, the industry shall install VOC monitoring system at the glands/joint potential location so that the odour problem can be minimized. An action plan in this regard shall be submitted within one month.	As informed, for VOC monitoring, the industry has engaged a laboratory (M/s Mitra S K)	
14.	That, the industry shall take necessary measures for minimization of noise pollution and odour generate from the operation of the industry.	To minimize the noise from DG sets, Acoustic enclosure has been provided.	
15.	That, the industry shall develop green buffer zone along the inside	The industry is having total land area of 142393 m <sup>2</sup> and at	Approximate 25.2% area is covered with



	periphery of the factory premise covering at least 33% of total area.	present 36000 m <sup>2</sup> area is planted with trees.	Green Belt.
16.	That, the industry shall submit detailed future plan under Corporate Social Responsibility (CSR) activity as early as possible in consultation with concerned district authority as well as local villagers.	Yet to be submitted	



**Recommendation:**

1. WBPCB directed the industry to install the Automatic Ambient Air Quality Monitoring Stations (AAQMS). However during the visit, it was observed that 3 Nos. of Ambient Air Quality Monitoring Stations (Manual) have been installed. Industry may be directed to install AAQMS at strategic location in consultation with Local Village Authority/ Gram Panchayat. The AAQMS data should be displayed at Plant Main Gate as well as transferred to WBPCB server.
2. The Storm Water outfall to Nayanjali Khal (Nalla) is not visible from outside the plant premises due to dense Shrubs/ Bushes. As informed, Nayanjali Khal and adjacent Service road is under the jurisdiction of NHAI. Accordingly NHAI/ Concerned Local Authority may be directed to clean the Nayanjali Khal and surrounding area so that Outfall may be monitored. Industry may provide necessary assistance to NHAI/ Concerned Local Authority for cleaning of the Khal, if required.
3. At present, 25.2% area is covered with green belt. Considering the ongoing expansion, industry may be directed to maintain adequate green belt (Minimum 33% as per CTO condition), especially on the north-eastern side towards the residential houses.
4. The VOC monitoring report may be submitted to WBPCB/ CPCB at the earliest. During monitoring, if any VOC emission problem is detected, precautionary measures should be initiated on urgent basis.



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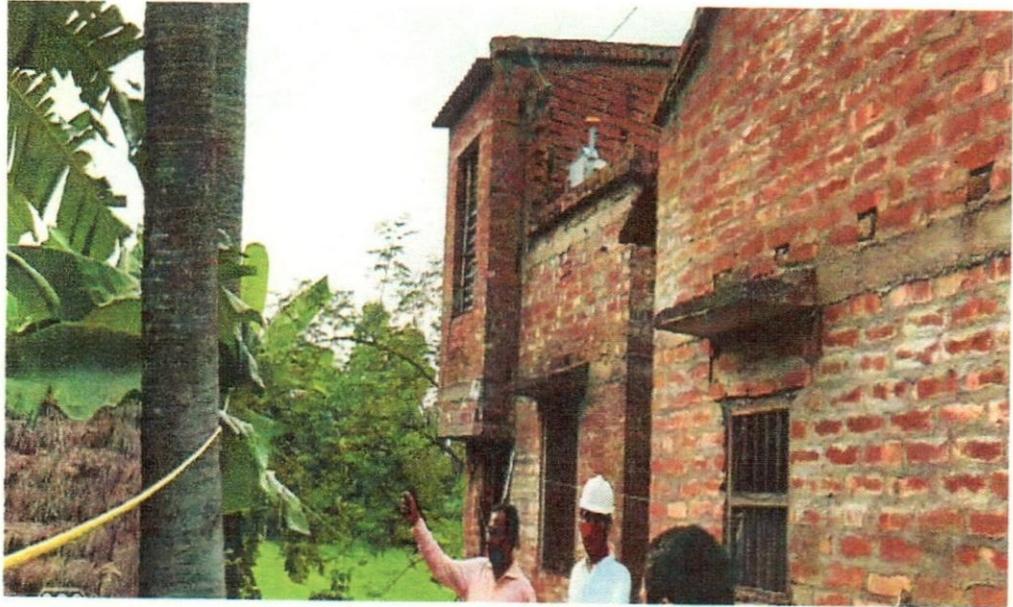
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Photographs



Ambient Air Quality Monitoring Station (Manual) operated by Industry at Village area



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CETP Overview/ Inlet Flow meter reading/ Wastewater sample collection

ABDUL HAMID MOLLA GOVT. OF INDIA  
NOTARY  
REGD NO.  
9380/2011  
KOLKATA

**BEFORE THE NATIONAL  
GREEN TRIBUNAL**

**EASTERN ZONE BENCH,  
KOLKATA**

**ORIGINAL APPLICATION  
NO. 56/2020/EZ**

**BETWEEN**

**AJAY POREL & ORS.  
.....APPLICANT(S)**

**MINISTRY OF**

**ENVIRONMENT AND FOREST  
AND CLIMATE CHANGE &  
ORS.**

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



**1 2 OCT 2020**

**AFFIDAVIT ON BEHALF OF  
THE RESPONDENT NO. 5,  
THE WEST BENGAL  
POLLUTION CONTROL  
BOARD.**

**PRITHWISH KUMAR BASU**

**Advocate  
W.B.P.C.B**