

S.L. No. 121/22

IN THE NATIONAL GREEN TRIBUNAL, EASTERN ZONE BENCH KOLKATA

In the matter of:

M.A No. 7/2021/EZ

in

O.A No. 75 /2021/EZ

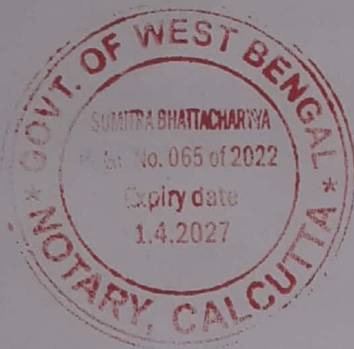
Abhinandan Chopra & Anr.

...Applicant

-Versus-

Union of India & Ors.

...Respondents.



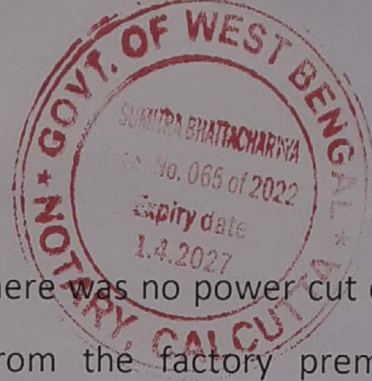
SUPPLEMENTARY AFFIDAVIT ON BEHALF OF THE RESPONDENT NO. 4 HEREIN.

I, Sushil Kumar Poddar, son of Late Gouri Shankar Poddar, aged about 69 years, by Religion - Hindu, by Occupation - Business being Proprietor of M/S Rail Udyog carrying out its business at 20/1, Shalimar, Shibpur, Howrah – 711103 and residing at 117/6, X Road, Kazipara, Belgachia, Howrah – 711108, West Bengal do hereby solemnly affirm and state as follows:

1. That I am the Proprietor of the Industrial Unit Respondent No. 4, i.e. M/S Rail Udyog and as such I am aware to the facts in the instant case and as such I am competent to make and affirm the instant Affidavit.
2. That I am a law abiding Citizen of India and very much respect the Constitution and Judicial System of India.
3. That I state that the Black DG Generator as stated by the West Bengal Pollution Control Board in their affidavit dated 20.07.2022 which was never

Sushil Kumar Poddar

14 OCT 2022



in operation since last 20 years (as there was no power cut compare to 20 yeras back), has been removed from the factory premises and the transaction invoice of the same is annexed hereto and marked as Annexure SA-1.

4. That the communication regarding removal of the said Black DG Generator in question has been duly communicated to the West Bengal Pollution Control Board on 16.09.2022 by M/S Rail Udyog vide letter dated 16.09.2022. The said letter to dated 16.09.2022 is annexed hereto and marked as Annexure SA-2.
5. That the factory premises of M/S Rail Udyog was been inspected by the officer of the West Bengal Pollution Control Board on 28.09.2022.
6. That the location of M/S Rail Udyog is in the Industrial Area adjacent to the Shalimar Railway Station at Shibpur, Howrah, due to which no power cut has been observed in the said industrial area or in the factory premises of M/S Rail Udyog.
7. I state that nor has any issue of power cut has taken place neither any issue of power fluctuation has been observed in our factory premises from last 20 years i.e. for a long period of time. As such M/S Rail Udyog has never felt the requirement for a Green DG Generator for any sought of power requirement and as such no Green DG Generator has been installed in the factory premises by the Respondent No. 4 herein till date.
8. That the statements made in paragraph nos. 1 to 2 are all true to my knowledge and the statements made in paragraph nos. 3 to 6 are all derived

Sushil K. Bhowmik

from the records which I verily believe to be true and rest are my humble submissions before this Hon'ble Tribunal.



VERIFICATION

I, Sushil Kumar Poddar, son of Late Gouri Shankar Poddar, aged about 69 years, by Religion - Hindu, by Occupation - Business being Proprietor of M/S Rail Udyog carrying out its business at 20/1, Shalimar, Shibpur, Howrah – 711103 and residing at 117/6, X Road, Kazipara, Belgachia, Howrah – 711108, West Bengal, and as such I am aware of the facts in the instant case and as such I am competent to make and affirm the instant Counter Affidavit .

Date: 14.10.2022

Place: KOLKATA

Prepared in my Office
and identified by me.

Sushil K. Poddar

Aishwarya Rajyeshree

Advocate

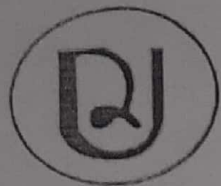
WB 482 A/2014

**Solely Affirmed and
Declared before me U/S 139
CPC, (C) CRPC**

Sumitra Bhattacharyya
Notary

Sumitra Bhattacharyya
Notary, Govt. of W.B.
Regd. No. 065 of 2022
City Civil Court, Calcutta

14 OCT 2022



RAIL UDYOG

20/1, SHALIMAR ROAD, HOWRAH - 711103.

WEST BENGAL (INDIA)

Tel: +919163448508, 9830429500

GSTIN: 19AEYPP3686F1ZL

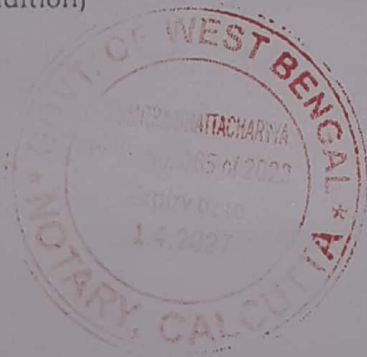
Original for
Receipt

Tax Invoice

Invoice No:	RU/112	Order No.	VERBAL
Invoice Date:	10.08.2022	Order Date	
Challan No.:	RU/112	Transport Mode:	By Road
Challan Date:	10.08.2022	Vehicle number:	WB11E2051
Reverse Charge Basis (Yes/No):	No	Work Ref:	

Bill to:	Shipped to:
Name: UNIQUE ENTERPRISE	Name: UNIQUE ENTERPRISE
Address: BALITIKURI, NASKAR PARA, HOWRAH - 711113	Address: BALITIKURI, NASKAR PARA, HOWRAH - 711113
GSTIN: 19BWGPR5138F1Z8	GSTIN: 19BWGPR5138F1Z8
State: WEST BENGAL	State: WEST BENGAL

S. No.	Product Description	HSN Code	UoM	Qty	Rate	Total
1	Diesel Generator Set 10 KVA (Make: Kirloskar) (OLD, as it is condition)	85021100	Nos	1	24,000.00	24,000.00



Total Invoice Amount (in words)	Taxable Value	24,000.00
Rupees : Twenty Eight thousand Three Hundred Twenty only	Add: SGST @	9% 2,160.00
	Add: CGST @	9% 2,160.00
Enclosure :	GROSS TOTAL	28,320.00
1. CHALLAN NO. RU/112 & DATE 10.08.22	TOTAL	28,320.00
	Company Seal	E. & O. E. For RAIL UDYOG Authorized Signatory

RAIL UDYOG

20/1, SHALIMAR ROAD, HOWRAH - 711103.

An ISO 9001:2015 Company

MSME Regd. Unit

Approved by RDSO, AEE

RU/C-53/332m

Date: 16.09.2022

W.B Pollution Control Board
Howrah Regional Office
Minority Bhawan, 5th Floor,
Alipore, Kolkata 700027

Received
Contents Not Verified
W. B. Pollution Control Board
Howrah Regional Office

Dear Sir,

Ref.: Affidavit Sl. No. 32 of 20.07.2022

Date of visit = 15.07.2022

Sub: Submission of compliance of your instruction.

During last visit on 15.07.2022 by Dr. N. Sengupta & Sri S. Mukherjee, (Both) AEE, Howrah, R.O. their report was submitted to Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata with a copy to us.

Against Remark/Recommendation of Page No 10, we hereby confirm as under :

- 1) No production activity is carried out by us in open space.
- 2) Air Pollution Control System is installed and used always.
- 3) We are following working time of 7 a.m. to 9 p.m. to avoid early morning & late night noise generation.
- 4) Black DG has been removed.

We assure to follow all rules and regulations of Pollution Control Board always.

Thanking you,
Yours faithfully,

For RAIL UDYOG

Sundar Lal Bhattacharya
Authorised Signatory

