

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 48/2024/EZ

ANKUR SHARMA

.....APPLICANT(S)

VERSUS

THE STATE OF WEST BENGAL & ORS.

.....RESPONDENT(S)

COMMITTEE REPORT ON AFFIDAVIT FILED BY
THE WEST BENGAL POLLUTION CONTROL
BOARD.

INDEX

SL No	PARTICULARS	ANNEXURE	PAGE
1.	Affidavit		1-9
2.	Copy of inspection report of Committee.	'R'	10-15

Filed by

Ayush Dadhich

AYUSH KUMAR DADHICH
ADVOCATE

SL. NO. 38 Dt.- 2 24 APR 2024

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 48/2024/EZ

ANKUR SHARMA

.....APPLICANT(S)

VERSUS

THE STATE OF WEST BENGAL & ORS.

.....RESPONDENT(S)

COMMITTEE REPORT ON AFFIDAVIT FILED BY
THE WEST BENGAL POLLUTION CONTROL
BOARD.

Most Respectfully Sheweth

I, Sri Subrata Ghosh, son of Shri Biswanath Ghosh, aged about 60 years, by faith-Hindu, Occupation- Service, residing at Narkelbagan, Gorosthan, Chinsurah, District - Hooghly, do hereby solemnly declare and say as follows:-

24 APR 2024

01. That, I am the Officer on Special Duty (OSD), West Bengal Pollution Control Board (hereinafter will be referred to as the 'State Board') and I am well acquainted with the facts and circumstances of the case. I have been duly authorized by the Respondent No. 02, to affirm this Affidavit on its behalf and as such, I am competent to do so.



02. That, this affidavit is being affirmed in pursuant to the order passed by this Hon'ble Tribunal dated 13.03.2024.

03. That, the Hon'ble National Green Tribunal vide order dated 13.03.2024, constituted a committee comprising of the following members: -

- (i) Senior Scientist, West Bengal Pollution Control Board,
- (ii) Senior Officer, Howrah Municipal Corporation, and

24 APR 2024

(iii) District Magistrate, Howrah, or his representative not below the rank of Additional District Magistrate.

04. That, in compliance to the order of the Hon'ble National Green Tribunal dated 13.03.2024, the Committee visited the said site, namely, Lichu Bagan Police Quarters located at 11, Dr. P.K. Banerjee Road, Ward No. 29 under Howrah Police Station on 01.04.2024 and made the following observations:



i. These Police Quarter buildings are maintained by West Bengal Police Housing Infrastructure Development Corporation.

ii. Municipal Solid Waste including waste plastic, food waste etc. were found dumped in the small stretch of land behind Block nos. 1, 2 and 3 of the Police Quarter Buildings and the boundary

24 APR 2024

wall of the said premises. Some private buildings are situated on the other side of the Boundary wall. It is informed by the residents of Police Quarter that these solid wastes are dumped by the residents of the Police quarter as well as by the people residing in the adjoining buildings just outside the boundary wall. It appears that such waste has been dumped in the said land over a prolonged period.



iii) The septic tanks situated at the back side of the Blocks 1, 2 and 3 of Police Quarters were found in broken condition and leakage of sewerage was observed. The entire area was filled with obnoxious odour due to dumping of garbage and leakage of sewerage making the surroundings unhealthy.

24 APR 2024

- iv. One block in-front (Block no. 7) of within the Police Quarter was under demolition and debris was found dumped on the internal road side. Demolition work is carried out without any dust suppression arrangement such as water sprinkling and precautionary measures. On query regarding disposal of this Construction & Demolition (C & D) waste, it is learnt that said waste is not transported to designated C & D Plant of KMC and details place of disposal of this C & D waste could not be ascertained. Dumped waste was lying in open air without any cover.
- v. No centralized collection and disposal facility of domestic garbage was observed within the premises. All the internal roads with the Police Quarter Buildings were filled with dust, dry leaves, paper, plastic etc.



24 APR 2024

05. That, the Committee made the following remarks:

- (i) Proper segregation, handling and disposal of the solid wastes is to be done on a regular basis by concerned authority with the help of Howrah Municipal Corporation.
- (ii) Legacy waste should be immediately disposed from the site by concerned authority i.e. West Bengal Police Housing Infrastructure Development Corporation with the help of Howrah Municipal Corporation.
- (iii) Damaged septic tanks to be repaired immediately.
- (iv) C & D waste is to be routed for appropriate disposal and re-used as per C & D Rules, 2016.
- (v) Good housekeeping practice is to be developed by the concerned authority i.e. West Bengal



24 APR 2024

Police Housing Infrastructure Development
Corporation.

Copy of the inspection report of the Committee is annexed
herewith and marked with letter "R".

06. 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



24 APR 2024



VERIFICATION

I, Sri Subrata Ghosh, son of Shri Biswanath Ghosh, aged about 60 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 Officer on Special Duty (OSD), 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 5 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.

Amish Dasgupta

Identified and corrected by me
Advocate
WBPCB

Sarbani Mitra
DEPONENT

Solemnly Affirmed &
Declared Before Me
On Identification By

hm
SARBANI MITRA
NOTARY
Regd. No. 5515/00

24 APR 2024



INSPECTION REPORT OF THE COMMITTEE CONSTITUTED BY HON'BLE NGT VIDE THEIR ORDER DTD. 13.03.2024, IN THE MATTER OF OA NO. 48/2024/EZ-ANKUR SHARMA V/S. STATE OF WEST BENGAL & OTHERS

The Hon'ble NGT, EZB, vide its order dated 13.03.2024 in the matter of OA NO. 48/2024/EZ- Ankur Sharma -vs- West Bengal & others was pleased to constitute a committee comprising of the following members:

- I. District Magistrate, Howrah or his representative not below the rank of Additional District Magistrate
- II. Senior Scientist, West Bengal Pollution Control Board
- III. Senior Officer, Howrah Municipal Corporation

As per the order dated 13.03.2024 the following direction were issued by the Hon'ble NGT

1. The Committee shall visit the site and submit its report within one month with regard to the allegations made in the Original Application.
2. The office of the District Magistrate, Howrah, shall be the Nodal Agency for all logistic purposes.
3. The Committee report on affidavit shall be filed by the W.B. Pollution Control Board.

As per the direction of the Hon'ble NGT, Committee was constituted and following Officials visited the site on 1st April, 2024.

- i. Shri Jitin Yadav, IAS, Additional District Magistrate (LR & LA) , Howrah
- ii. Shri Manas Das, Secretary, Howrah Municipal Corporation.
- iii. Shri Bimalendu Mal, Environmental Engineer, Howrah Regional Office, WBPCB



The applicant has alleged rampant and continuous dumping of garbage and poor maintenance of Lichu Bagan Police Quarters located at 11, Dr. P.K. Banerjee Road, Ward No. 29 under Howrah P.S. He has also alleged that a vast strip of vacant Govt. land lying between some private buildings near the Applicant's residence and the said Police Quarters is being used as a dumping ground by residents of the area for years.

OBSERVATION:

- i. The committee visited alleged site that is Lichu Bagan Police Quarters located at 11, Dr. P. K. Banerjee Road, Ward No. 29 under Howrah Municipal Corporation.
- ii. These Police Quarter buildings are maintained by West Bengal Police Housing Infrastructure Development Corporation.
- iii. Municipal Solid Waste including waste plastic, food waste etc. were found dumped in the small stretch of land behind Block nos. 1, 2 and 3 of the Police Quarter Buildings and the boundary wall of the said premises. Some private buildings are situated on the other side of the Boundary wall. It is informed by the residents of Police Quarter that these solid wastes are dumped by the residents of the Police quarter as well as by the people residing in the adjoining buildings just outside the boundary wall. It appears that such waste has been dumped in the said land over a prolonged period.
- iv. The septic tanks situated at the back side of the Blocks 1, 2 and 3 of Police Quarters were found in broken condition and leakage of sewerage was observed. The entire area was filled with obnoxious odour due to dumping of garbage and leakage of sewerage making the surroundings unhealthy.
- v. One block in-front (Block no. 7) of within the Police Quarter was under demolition and debris was found dumped on the internal road side. Demolition work is carried out without any dust suppression arrangement such as water sprinkling and precautionary



measures. On query regarding disposal of this C & D waste, it is learnt that said waste is not transported to designated C & D Plant of KMC and details place of disposal of this C & D waste could not be ascertained. Dumped waste was lying in open air without any cover.

- vi. No centralized collection and disposal facility of domestic garbage was observed within the premises. All the internal roads with the Police Quarter Buildings were filled with dust, dry leaves, paper, plastic etc.

Remarks:

- i. Proper segregation, handling and disposal of the solid wastes is to be done on a regular basis by concerned authority with the help of HMC.
- ii. Legacy waste should be immediately disposed from the site by concerned authority i.e. West Bengal Police Housing Infrastructure Development Corporation with the help of HMC.
- iii. Damaged septic tanks to be repaired immediately.
- iv. C & D waste is to be routed for appropriate disposal and re-used as per C & D Rules, 2016.
- v. Good housekeeping practice is to be developed by the concerned authority i.e. West Bengal Police Housing Infrastructure Development Corporation.

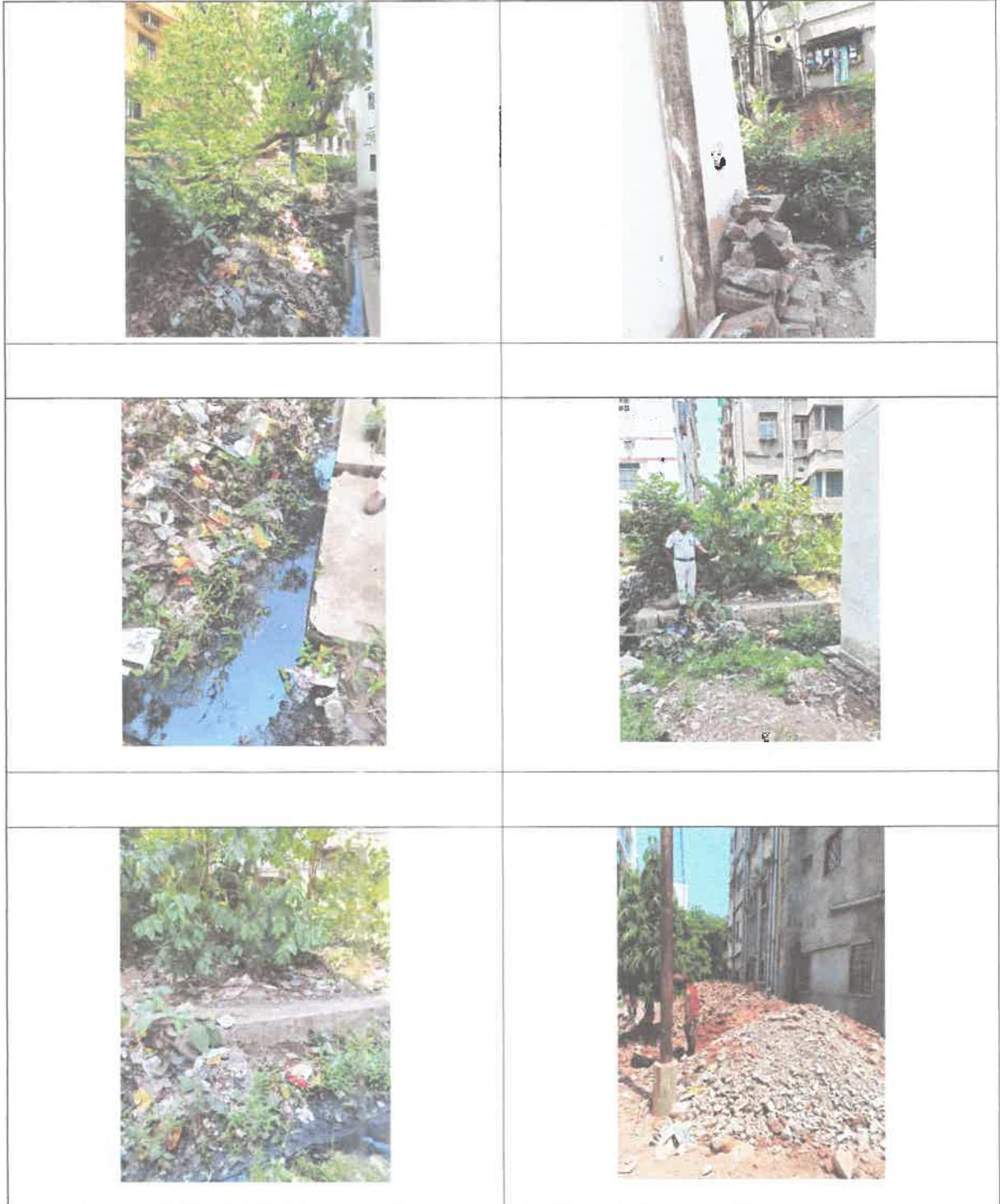
Shri Jitin Yadav, IAS
Addl. District Magistrate (LR&LA), Howrah

Shri Manas Das, Secretary,
Howrah Municipal Corporation.

Shri Bimalendu Mal,
Env. Engineer, WBPCB



Photographs taken during inspection of committee constituted by
Hon'ble NGT in the matter of OA 48/2024/EZ







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

ORIGINAL APPLICATION NO. 48/2024/EZ

ANKUR SHARMA

.....APPLICANT(S)

VERSUS

THE STATE OF WEST BENGAL & ORS.

.....RESPONDENT(S)

**COMMITTEE REPORT ON AFFIDAVIT FILED BY
THE WEST BENGAL POLLUTION CONTROL
BOARD.**

**AYUSH KUMAR DADHICH
ADVOCATE**