

BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 38/2024/EZ

RANJIT KUMAR SAPUI

.....APPLICANT(S)

VERSUS

THE STATE OF WEST BENGAL & ORS.

.....RESPONDENT(S)

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

INDEX

SL No	PARTICULARS	ANNEXURE	PAGE
1.	Affidavit		1-7
2.	Copy of inspection report of State Board	'R'	8-9

Filed by

*Mahasweta Pramanik*

MAHASWETA PRAMANIK  
ADVOCATE

SL. NO. 14<sup>2</sup> Dt.- 30 APR 2024

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**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:-

30 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. 13, 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 orders passed by this Hon'ble Tribunal dated 22.02.2024 and 14.03.2024.
03. That, in compliance to the order of the Hon'ble National Green Tribunal dated 22.02.2024, the official of the State Board visited the said site on 01.04.2024. The allegation of the Applicant was considered which states that Respondent Nos. 11 & 12 drained out water from the water

30 APR 2024



bodies by using pumps and started filling up the said water bodies depositing white sand and debris from the construction site. It is also stated that the said Respondents demarcated and divided the said land into several small plots and sold out the same to some buyers for purposes of construction of a Housing Complex Project on the said plots of land.

To find the exact location of the said land was very difficult so help from Purba Jadavpur Police Station was taken to find the exact location of the alleged site. Mr. Suman Dey, SI of Police, Purba Jadavpur Police Station assisted the official to inspect said site.

As learnt, the land falls partly within Narendrapur Police Station and partly under Purba Jadavpur Police Station. The portion under Purba Jadavpur Police Station comes within the purview of Kolkata Municipal Corporation (KMC). During inspection, no filling activity was going

30 APR 2024

on. No debris was found to be stored in the whole area. Only some municipal solid waste(garbage) is dumped at a small place of the area towards Purba Jadavpur Police Station. Two nos. tin made small houses were found in the said site but nobody was found in the said houses during inspection. A long portion of the land was found demarcated by barbed wire and some small plots were also divided by barbed wire. The rest of the area is full of aquatic vegetation.



04. That, the Inspecting Official of the State Board made the following remarks:

“As per the East Kolkata Wetlands (Conservation and Management) Act, 2006, the Dag Nos. of the site mentioned in the Hon’ble NGT order falls within East Kolkata Wetland and therefore the alleged site comes under the purview of East Kolkata Wetland Management Authority (EKWMA).”

30 APR 2024

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

05. 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



13 0 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 4 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.

*Mahasweta Perumal*

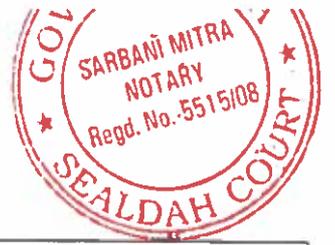
Identified and corrected by me  
Advocate  
WBPCB

*Subrata Ghosh*  
DEPONENT

solemnly Affirmed &  
Declared Before Me  
On Identification By

*hm*  
SARBANI MITRA  
NOTARY  
Regd. No.-5515/08

30 APR 2024



## INSPECTION REPORT

<b>Reference</b>	Order of Hon'ble NGT in matter of O.A. No. 38/2024/EZ dated 22.02.2024[ Ranjit Kumar Sapui Vs The State of West Bengal & Ors.]
<b>Date of inspection</b>	01.04.2024
<b>Inspecting officers</b>	Sri Chayan Gayen, AEE, WBPCB
<b>Observation:</b>	
<p>The allegation of the Applicant is that the Respondent Nos. 11 &amp; 12 drained out water from the water bodies by using pumps and started filling up the said water bodies depositing white sand and debris from the construction site. It is also stated that the said Respondents demarcated and divided the said land into several small plots and sold out the same to some buyers for purposes of construction of a Housing Complex Project on the said plots of land.</p> <p>To find the exact location of the said land was very difficult to the undersigned. So, the undersigned took help from Purba Jadavpur Police Station to found the exact location of the alleged site. Mr. Suman Dey, SI of Police, Purba Jadavpur Police Station assisted the undersigned to inspect said site.</p> <p>As learnt, the land falls partly within Narendrapur Police Station and partly under Purba Jadavpur Police Station. The portion under Purba Jadavpur Police Station comes within the purview of Kolkata Municipal Corporation (KMC). During inspection, no filling activity was going on. No debris was found to be stored in the whole area. Only some municipal solid waste(garbage) is dumped at a small place (Pic-1) of the area towards Purba Jadavpur Police Station. Two nos. tin made small houses (Pic-2&amp;3) were found in the said site but nobody was found in the said houses during inspection. A long portion of the land was found demarcated by barbed wire and some small plots were also divided by barbed wire (Pic-4&amp;5). The rest of the area is full of aquatic vegetation (Pic-6).</p>	
<b>Remarks:</b> As per the East Kolkata Wetlands (Conservation and management) Act,2006, the Dag Nos. of the site mentioned in the Hon'ble NGT order falls within East Kolkata Wetland and therefore the alleged site comes under the purview of East Kolkata Wetland Management Authority (EKWMA).	

*Sri Chayan Gayen*  
03/04/24

(Sri Chayan Gayen, AEE, Salt Lake RO, WBPCB)

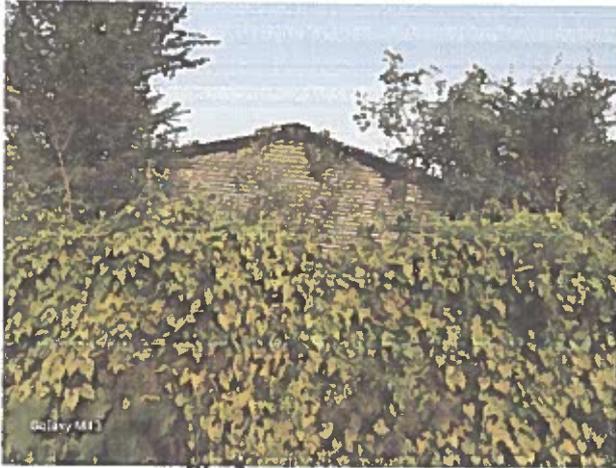
Some photographs taken during inspection on 01.04.2024



Pic-1



Pic-2



Pic-3



Pic-4



Pic-5



Pic-6

*Chayan*  
 03/04/24

(Sri Chayan Gayen, AEE, Salt Lake RO, WBPCB)

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**MAHASWETA PRAMANIK  
ADVOCATE**