

In the National Green Tribunal
Eastern Zone Bench
Kolkata

O.A. No. of 2024

In the matter of
Ramchandrapur Kalyan Samity
and Others

.... Applicants

Versus

The State of West Bengal and
Others

..... Respondents

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The State of West Bengal and
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..... Respondents

Synopsis of Facts

On 29th August, 1981 The Sub Divisional Officer, Barrackpore was pleased to convene a meeting in S.D.O's Bunglow, Office Barrackpore in connection with removal of trenching ground from Ramchandrapur, Sodepur and it was decided therein that on 15th October, 1981 The Panihati Municipality should start the work connected with the development of newly acquired land at Mohispota and it was also decided that the by June, 1982 the Development of new site of trenching ground at Mohishpota will be completed and from July, 1982 and onwards the Municipal Authority will abandon the present trenching ground at Ramchandrapur, Sodepur.

On 25th September, 2000 The Municipal Solid waste (Management Handling) Rules, 2000 and the Notification of Ministry of Environment and Forests, Government of India dated New Delhi, the

25th September, 2000 notified and published in the Gazette of India, vide No. 648 dated 03.10.2000 to avoid any environmental hazards to the surrounding habitation area.

On 1st September, 2001 The Applicants moved and approached from pillar to post with their prayer to remove the said trenching ground from the area and also moved to the Authority of the Pollution Control Board by making a complaint and on 13th September, 2001 The District Magistrate was pleased to convene a meeting at his Office and a consensus reached amongst the persons present in the said meeting that the garbage ground the Ramchandrapur would be removed to another place from the said area of Ramchandrapur dumping ground.

On 7th November, 2001 The Assistant Environmental Engineer (BRO) conducted an inspection in presence of the Chairmen, Officials, local councilors and members of the Applicant organization and subsequently The Applicants filed and moved a Writ Petition being W.P. No. 15274(W) of 2001 (Re. The Ramchandrapur Bhagar Ucched Committee and Others Vs. The State of west Bengal and Others) in the Hon'ble High Court at Calcutta and on 25th July, 2003 the matter came up for hearing before His Lordship the Hon'ble Justice Barin Ghosh and after hearing His Lordship was pleased to dispose of the said Writ Petition.

On 17th September, 2001 the District Magistrate, North 24 Parganas issued a direction under Memo No. 6583/Con dated 17.09.2001 directing the Panihati Municipality not to throw any carcass to the said Ramchandrapur dumping ground anymore and also directed to construct boundary wall around the existing dumping ground of Ramchandrapur within three month thereof and further directed that the said Municipality to find out alternative area to be used as a

dumping ground and on 22nd September, 2001 one Representation of objection to the said decision of the District Magistrate, North 24 Parganas was duly submitted.

On 6th January, 2012 The Government of west Bengal, Municipal Affairs Department in its memo being Memo No. 18/MA/0/C-10/3S-45/2005 dated Kolkata the 6th January, 2012 send a copy of the letter bearing No. MOS (UD)/09/2011/1553 dated 19.11.2011 requesting the Chief Executive Officer, KMDA, to develop the Scheme with detailed estimate for shifting of existing disposal ground located at Ramchandrapur to a new place at Mahishpota and on 8th September, 2014 The Applicants submitted a Memorandum to the District Magistrate, North 24 Parganas being the inter alia stating that on 3rd March, 2013 foundation stone has been laid down by the Hon'ble M.P. Dum Dum Constituency for waste to Energy plant at Mahishpota in presence of thousands of inhabitants and requested for issueing necessary direction for setting up waste and energy park from garbage at Mahishpota and removal of trenching ground from the said Ramchandrapur area.

In reply to the above on 16th September, 2014 the District Magistrate, North 24 Parganas, was pleased to forward the matter to the Chairman, Panihati Municipality with an advise to provide necessary information to the Applicant directly with a copy to him under Memo 155/DMA dated 16.09.2014.

On 18th October, 2014 the Applicants by way of an Application to the Chairman, Panihati Municipality ventilated their grievance by way of a written representation and on 25th November, 2014 The Chairman, Panihati Municipality, by way of a written reply to the aforesaid representation intimated the Applicant that a session with committee

representatives would be shortly been taking place to discuss the several issues in connection with the subject noted above.

On 28th November, 2014 The Applicants by way of a written representation to the Chairman, Panihati Municipality requested to act in accordance with its earlier decision and demanded immediate shifting of the trenching ground from Ramchandrapur to Mohishpota without any delay and also stated that the peaceful demonstration of the thousand of local people shall be continued till said dumping ground be shifted to the said new location.

On 20th May, 2015 The Applicants by way of a written representation ventilated all their grievances to the Hon'ble Chief Minister, Hon'ble Minister in Charge, Department of Urban Development and Municipal Affairs with a copy of the same to the Joint Secretary to the Government of West Bengal, Municipal Affairs Department stating inter alia all the facts and circumstances since 1975 and prayed for issuance of necessary directions for setting up waste to energy plant from garbage at Mohishpota and removal of trenching ground from Ramchandrapur.

On 19th February, 2016 a meeting was held in the chamber of District Magistrate, regarding waste disposal at Panihati and on 22nd February, 2016 the District Magistrate being the Respondent No.-2, by way of a Letter intimated the Principal Secretary, Municipal Affairs Department, Govt. of West Bengal, being the Respondent No.-1 and requested him to kindly intervene into the matter, so that an alternative site may be identified for waste disposal or a substitute arrangement for Modern Waste Management Plant, may be set up, so as to avoid pollution and hazard.

On 25th November, 2016 a Written Representation submitted by the Applicants to the District Magistrate being the Respondent No.-2, with prayer for removal of trenching ground from Ramchandrapur, Sodepur, and requested him to take initiative for removing the said trenching ground from Ramchandrapur on or before the stipulated date of 31.12.2016.

On 12th June, 2018 the Applicants received an information that, the First instalment of Central share of funds for the solid waste management project of West Bengal, including two Projects of Panihati Municipality, has been released and the Sanction Order for Release of 111.82 Crores, as the First instalment of Central Govt. share, was issued.

On 1st August, 2019 the Applicants submitted another written Representation to the Chief Executive Officer, KMDA, interalia, narrating all the facts and circumstances, requesting him to convey as and when the dumping of all sorts of garbage would be abandoned at Ramchandrapur on or before 31.10.2019, so that, the Applicants, alongwith the local people may avoid strike/aborodh on and from 01.11.2019.

On 4th March, 2020 The Applicants submitted another written Representation to the Respondent Nos.-1, 2 & 9, interalia, narrating all the facts and circumstances, requesting him to convey the Progress Report of the shifting the trenching ground from Ramchandrapur, in connection with the agitation of the local people.

On 2nd January, 2020 the Respondent No.-6, communicated the Resolution of the Meeting, in connection with the Ramchandrapur trenching ground to the Respondent Nos. 1 & 9 with a copy to the

Applicants and on 6th January, 2023 another meeting was held at the Board Room of Respondent No. 4 and in this meeting it was pointed out that, the Applicants will go for agitation, in near future, if the shifting of the trenching ground is not considered by the Municipal authority, shortly and further pointed out to approach the Govt. on the motto of shifting the trenching ground from Ramchandrapur and removing all the legacy, as well as, fresh waste from the trenching ground, within three months.

The Applicants on 12.06.2023 & 28.11.2023 submitted written representations to the Respondent No.-5, requesting him to stop dumping of garbage and to remove the legacy waste, from the said Ramchandrapur trenching ground, on and from the respective dates mentioned, therein.

On 10th January, 2024 the Respondent No.-11, being the Officer-In-Charge, Khardah Police Station, submitted a Report under Memo No.-KHD/185/24 dated 10.01.2024 to the Respondent No. 10, through proper channel, stating interalia, that, on receiving information of Recent agitation, as well as, request from Panihati Municipality an Open enquiry was conducted and it was Reported that, the garbage is piling up day by day, making the environment, foul and unhygienic for health and accordingly, the Applicants and local people are obstructing new garbage dumping but allowing the removal of legacy garbage. It was also reported, that the situation was/is grave and delicate and may invite unpleasant breach in law and order situation, if it is not taken care of by all the stake holders, at the earliest.

Hence this Application

List of Dates

29 th August, 1981	The Sub Divisional Officer, Barrackpore was pleased to convene a meeting in S.D.O's Bungalow, Office Barrackpore in connection with removal of trenching ground from Ramchandrapur, Sodepur.
15 th October, 1981	The Panihati Municipality should start the work connected with the development of newly acquired land at Mohispota
June, 1982	Development of new site of trenching ground at Mohishpota will be completed by the end of June, 1982.
July, 1982	The Municipal Authority will abandon the present trenching ground at Ramchandrapur, Sodepur from the 1 st week of July, 1982.
25 th September, 2000	The Municipal Solid waste (Management Handling) Rules, 2000 and the Notification of Ministry of Environment and Forests, Government of India dated New Delhi, the 25 th September, 2000 notified
3 rd October, 2000	The Notification of the Municipal Solid waste (Management Handling) Rules, 2000 published in the Gazette of India, vide No. 648 dated 03.10.2000 to avoid any environmental hazards to the surrounding habitation area.
1 st September, 2001	The Applicants moved and approached from pillar to post with their prayer to remove the said trenching ground from the area and also moved to the Authority of the Pollution Control Board by making a complaint

- 13th September, 2001 The District Magistrate was pleased to convene a meeting at his Office and a consensus reached amongst the persons present in the said meeting that the garbage ground the Ramchandrapur would be removed to another place from the said area of Ramchandrapur dumping ground.
- 7th November, 2001 The Assistant Environmental Engineer (BRO) conducted an inspection in presence of the Chairmen, Officials, local councilors and members of the Applicant organization.
- Year 2001 The Applicants filed and moved a Writ Petition being W.P. No. 15274(W) of 2001 (Re. The Ramchandrapur Bhagar Ucched Committee and Others Vs. The State of west Bengal and Others) in the Hon'ble High Court at Calcutta
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- 22nd September, 2001 Representation of objection to the said decision of the District Magistrate, North 24 Parganas was duly submitted.
- 6th January, 2012 The Government of west Bengal, Municipal Affairs Department in its memo being Memo No. 18/MA/0/C-10/3S-45/2005 dated Kolkata the 6th January, 2012 send a copy of the letter bearing No. MOS (UD)/09/2011/1553 dated 19.11.2011 requesting the Chief Executive Officer, KMDA, to develop the Scheme with detailed estimate for shifting of existing disposal ground located at Ramchandrapur to a new place at Mohishpita
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- 18th October, 2014 The Applicants by way of an Application to the Chairman, Panihati Municipality ventilated their grievance by way of a written representation.
- 25th November, 2014 The Chairman, Panihati Municipality, by way of a written reply to the aforesaid representation intimated the Applicant that a session with committee representatives would be shortly been taking place to discuss the several issues in connection with the subject noted above.
- 28th November, 2014 The Applicants by way of a written representation to the Chairman, Panihati Municipality requested to act in accordance with its earlier decision and demanded immediate shifting of the trenching ground from Ramchandrapur to Mahishpota without any delay and also stated that the peaceful demonstration of the thousand of local people shall be continued till said dumping ground be shifted to the said new location.
- 20th May, 2015 The Applicants by way of a written representation ventilated all their grievances to the Hon'ble Chief Minister, Hon'ble Minister in Charge, Department of Urban Development and Municipal Affairs with a copy of the same to the Joint Secretary to the Government of West Bengal, Municipal Affairs Department stating inter alia all the facts and circumstances since 1975 and prayed for issuance of necessary directions for setting up waste to energy plant

- from garbage at Mohishpota and removal of trenching ground from Ramchandrapur.
- 19th February, 2016 Meeting was held in the chamber of District Magistrate, being the Respondent No.-2, regarding waste disposal at Panihati.
- 22nd February, 2016 Respondent No.-2, by way of a Letter intimated the Principal Secretary, Municipal Affairs Department, Govt. of West Bengal, being the Respondent No.-1 and requested him to kindly intervene into the matter, so that an alternative site may be identified for waste disposal or a substitute arrangement for Modern Waste Management Plant, may be set up, so as to avoid pollution and hazard.
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- 2nd January, 2020 The Respondent No.-6, communicated the Resolution of the Meeting, in connection with the Ramchandrapur trenching ground to the Respondent Nos. 1 & 9 with a copy to the Applicants.
- 6th January, 2023 A Meeting was held at the Board Room of Respondent No. 4 and in this meeting it was pointed out that, the Applicants will go for agitation, in near future, if the shifting of the trenching ground is not considered by the Municipal authority, shortly and further pointed out to approach the Govt. on the motto of shifting the trenching ground from Ramchandrapur and removing all the legacy,

as well as, fresh waste from the trenching ground, within three months..

12th June, 2023

And

28th November, 2023

The Applicants on 12.06.2023 & 28.11.2023 submitted written representations are submitted to the Respondent No.-5, requesting him to stop dumping of garbage and to remove the legacy waste, from the said Ramchandrapur trenching ground, on and from the respective dates mentioned, therein.

10th January, 2024

The Respondent No.-11, being the Officer-In-Charge, Khardah Police Station, submitted a Report under Memo No.-KHD/185/24 dated 10.01.2024 to the Respondent No. 10, through proper channel, stating interalia, that, on receiving information of Recent agitation, as well as, request from Panihati Municipality an Open enquiry was conducted and it was Reported that, the garbage is piling up day by day, making the environment, foul and unhygienic for health and accordingly, the Applicants and local people are obstructing new garbage dumping but allowing the removal of legacy garbage. It was also reported, that the situation was/is grave and delicate and may invite unpleasant breach in law and order situation, if it is not taken care of by all the stake holders, at the earliest.

In the National Green Tribunal
Eastern Zone Bench
Kolkata

O.A. No. of 2024

In the matter of
An Application under Section 14
and 15 of the National Green
Tribunal Act, 2010

And

In the matter of
Environmental Pollution

And

In the matter of
The Environment (Protection) Act,
1986

And

In the matter of
The Air (Prevention and Control of
Pollution) Act, 1981

And

In the matter of
The Water (Prevention and Control
of Pollution Act, 1974

And

In the matter of

The Solid Waste Management
Rules, 2016

And

In the matter of
State Policy and Strategy on solid
waste Management for urban areas
of West Bengal

And

In the matter of
Arbitrary and Illegal action of the
Respondent Nos. (4) to (8) being the
Panihati Municipality, by dumping
garbage in a Residential area
causing environmental degradation
and Pollution thereby

And

In the matter of:

1. Ramchandrapur Kalyan Samity, a
registered Society under the West
Bengal Societies Registration Act,
having Registration No. S/6183,
represented by the Secretary of the
said Society having registered
Office at Ramchandrapur,
Sodepur, North 24 Parganas, Pin -
700110

2. Ramchandrapur Bhagar Ucchhed Committee, represented by its Convener, having office at Ramchandrapur, Sodepur, North 24 Parganas, Pin – 700110
3. Sumanta Chandra Bandyopadhyay alias Shyamal Banerjee, son of Paresh Chandra Bandyopadhyay, residing at Ramchandrapur, Panihati, North 24 Parganas, Sodepur, West Bengal, Pin – 700110.
Email: sagarmayadv@gmail.com
sovontonu@gmail.com
baidya.uttam@gmail.com
.... Applicants

Versus

1. The State of West Bengal, service through the Principal Secretary, Department of Urban Development and Municipal Affairs, Government of West Bengal, having Office at “Nagarayan” DF- 8, Sector – I, Salt Lake City, Kolkata – 700064, West Bengal, Email: secy.ma-wb@gov.in
2. The District Magistrate, North 24 Parganas, having Office at Banamalipur, Barasat, Kolkata –

700124, West Bengal, Email :
dm-bar-wb@nic.in

3. The Sub Divisional Officer, Barrackpore Sub Division, having Office at Administrative Building, S.N. Banerjee Road, Barrackpore Cantonment, Pin - 700120, North 24 Parganas, Email: sdobarrackpore@gmail.com
 4. Panihati Municipality, represented by its Executive Officer, having Office at Barrackpore Trunk Road, Panihati, Pin - 700114, North 24 Parganas, Email: panihatimunicipality@yahoo.co.in
 5. The Chairman, Panihati Municipality, having Office at Barrackpore Trunk Road, Panihati, Pin - 700114, North 24 Parganas, Email: panihatimunicipality@yahoo.co.in
 6. The Executive Officer, Panihati Municipality, having Office at Barrackpore Trunk Road, Panihati, Pin - 700114, North 24 Parganas, Email: panihatimunicipality@yahoo.co.in
-

7. The Sanitary Inspector, Panihati Municipality, having Office at Barrackpore Trunk Road, Panihati, Pin – 700114, North 24 Parganas, Email:
panihatimunicipality@yahoo.co.in
8. The Councilor, Municipal Ward No. 23, Panihati Municipality, having Office at Barrackpore Trunk Road, Panihati, Pin – 700114, North 24 Parganas, Email:
panihatimunicipality@yahoo.co.in
9. The State Urban Development Agency “SUDA”, West Bengal, represented by its Director, having Office at Ilgus Bhavan, HC Block, Sector – III, Salt Lake City, Kolkata, West Bengal, Pin – 700106, Email:wbsudadir@gmail.com
10. The Commissioner of Police, Barrackpore Police Commissionerate, having Office at Barrackpore Trunk Road, Barrackpore, North 24 Parganas, Kolkata – 700116, Email: habkpc@gmail.com

11. The Officer In Charge, Khardah Police Station, Barrackpore Trunk Road, Khardah, North 24 Parganas, Pin - 700110,
Email: pskhardah@gmail.com
12. The West Bengal Pollution Control Board, represented by its Member Secretary having Office at Paribesh Bhavan, 10A, Block LA, Sector - III, Bidhannagar, Kolkata 700106, West Bengal,
Email: net.wbpcb-wb@bangla.gov.in
13. The Department of Environment, Govt. of West Bengal through the Addl. Chief Secretary, Pranisampad Bhavan, 5th Floor, LB-2, Sector-III, Salt Lake, Kolkata- 700098,
Email: psecy.env-wb@gov.in
14. The Central Pollution Control Board, represented by its Member Secretary, having Office at 1582, Parivesh Bhavan, East Arjun Nagar, New Delhi- 110032, Email: mscb.cpcb@nic.in

..... Respondents

To,

The Hon'ble Chairperson, National Green Tribunal, Eastern Zone Bench at Kolkata and His Companion Members of the said Hon'ble Tribunal

The humble petition of the Applicants above named

Most Respectfully Showeth

1. The Applicants above named is a peace loving, law abiding citizens of India having their permanent addresses as given in the cause title hereinabove and grievances of the Applicants against the respondents are amenable to the jurisdiction of this Hon'ble Tribunal.

2. The Applicant No. (1) above named is a Society, formed and constituted by the thousands of inhabitants of the locality and registered the same under the West Bengal Societies Registration Act, 1961 represented by its Secretary duly authorized and empowered to act as such, Respondent No. (2) is a sub-committee under the Applicant No. (1) herein above duly constituted, authorised and empowered to look into the matter exclusively relating to the Ramchandrapur Trenching Ground (Bhagar) and the Applicant No. (3) is one of the affecting inhabitants of the locality, suffering continuously due to mismanagement and operation of the said Ramchandrapur Trenching Ground (Bhagar) by the Respondent Authorities and duly Authorised and empowered by the Applicant Nos. (1) and (2) to affirm the Affidavit before this Hon'ble Tribunal.

3. The Respondent Nos. (1) to (14) above named are the state as defined under Article 12 of the Constitution of India, hence the remedy

can be invoked by the Applicants against above named Respondents under the National Green Tribunal Act, 2010.

4. The Applicants state that the area wherein the trenching ground is operating by the local Municipal Authority being the Respondent Nos. (4) to (8) is within a residential area comprising Ramchandrapur, Simultala, Arunachal, Burmashell Mandela Park, New Colony, L.I.C. Park, H.B. Town, Dakshin Palli, Gandhinagar, Sodepur and Tarapukur area within the Police Station of Khardah and Ghola, having more than 1,30,000 population along with The Metropolitan Homoeopathic Medical Collage and Hospital, Ramchandrapur Primary School, Durga Mandir, Brindavan Mandir and Swamibag Ashram situated just adjacent thereto.

Photocopy of the said Mouza Map is annexed hereto marked with the letter "P - 1".

5. The Applicant states that there is an existence of trenching ground of night soil, carcasses, garbage and also solid waste which situates in and around of heart of the said densely and thickly polulated locality which is a public place controlled and managed by the local Municipal Authority being Respondent Nos. (4) to (8) herein.

6. The Applicant states that said area has evolved and developed in and around the said trenching ground at Ramchandrapur during last 75 years at the instance of the local body being Panihati Municipality as the said Respondent No. (4) has been sanctioning building plans, mutations as also receiving taxes, from the inhabitants and those inhabitants suffering immensely from acute health hazards and incurable diseases due to the existence of the said trenching ground creating nuisance, air, water, environmental pollutions coupled with

other hazards and unhygienic problems at large and the entire state of environment in the area has become so danger for life and habitation.

7. The Applicants state that the said area of Ramchandrapur, Simultala and all other areas of Panihati Municipality have now become and densely and thickly populated and wide by side and there is an existence of the said trenching ground of garbage, night soil and carcasses of Panihati Municipality which has been causing standing nuisance right in the heart of the said areas causing health hazards of the inhabitants apart from causing incurable diseases to them like epidemic etc., and the state of environment in the area have become so danger of lives and livelihood.

8. The State of West Bengal was pleased to issue a Notice under section 17 of the Act-I of 1894 and accordingly issued a Notice on 17.05.1975 and issued a public notice of the substance of Notification under Section 4(1) of the Act-I of 1894 on 17.12.2001, whereby acquired 4.325 acres of land, required by the Panihati Municipality for the purpose of trenching ground, in Mouza- Mahispota, J.L.No.-26, P.S.-Khardah, Dist.- North 24 Parganas and passed/approved/sanctioned the estimated amount of Rs. 19,34,420.50, towards estimate of the probable cost of acquiring land under the said Act of 1894.

Photo copy of the said Form-4A is annexed hereto and marked with the Letter-"P-2".

8. The Applicants state that as the problem existing for a long time continuously and with a view to resolve the burning problem, the Sub Divisional Officer, Barrackpore was pleased to convene a meeting on 29th August, 1981 and after detailed discussion about the problem the

decision were arrived at unanimously. The minute of the said meeting is set out below –

Minutes of the Meeting held in S.D.O's Bungalow, Office Barrackpore on 29.8.1981 in connection with removal of trenching ground from Ramchandrapur, Sodepur.

.....

Members Present

- | | | | |
|-----|--|---|------|
| 1. | Shri Gopal Bhattacharjee, MLA | | |
| 2. | Shri Indu Bhushan Sarkar, Member, Bhagar Ucched Committee. | | |
| 3. | Shri Shyamal Banerjee | -Do- | -Do- |
| 4. | Shri Sankar Das | -Do- | -Do- |
| 5. | Shri Narayan Ch. Das | -Do- | -Do- |
| 6. | Shri Subhas Banerjee | -Do- | -Do- |
| 7. | Shri Dhurjati Prd.
Bhattacharjee | -Do- | -Do- |
| 8. | Shri Samarendra Lal De | Khen Convenor | -Do- |
| 9. | Shri Barin Ghosh | S.D.O. Barrackpore | |
| 10. | Shri A.K.Chattopadhyay | Addl. S.P. Barrackpore | |
| 11. | Shri A.K. Ghosh | S.D.P.O. Belgharia | |
| 12. | Shri A.C. Majumdar | Chairman, Panihati Municipality | |
| 13. | Shri D.H. Ghosh | Commissioner, Ward No. 16 of
Panihati Municipality | |

S.D.O. Barrackpore took the Chair.

After through discussion of the problems the following decisions were arrived at unanimously.

No. 1

The Panihati Municipality should start immediately the work connected with the development of newly acquired land at Mohispota. Adequate police protection for the purpose will be rendered to the Municipality. prior to that construction of road and culvert leading to the newly acquired trenching ground should be taken up by the Municipality. The Municipal Authority will start this work by 15th October, 1981 with required Police protection. The actual date of commencement of this work should be reported to the Additional S.P. Barrackpore, by this Municipality at least 7 days ahead.

Development work of newly acquired land should commence from 2nd week of November, 1981. It is expected that the development of new site of trenching ground at Mohishpota will be completed by the end of June, 1982.

The Municipal Authority will abandon the present trenching ground at Ramchandrapur, Sodepur from the 1st week of July, 1982.

Another meeting will be convened by the Sub-Divisional Officer to review the progress of work by 1st week of February, 1982.

S/D (Illegible)

(Barin Basu)

Sub- Divisional Officer

Barrackpore

Memo No. : 1358 (13) CON

Dated 5/9/81

Copy forwarded to Shri

Member, Bhagar Ucched Committee for information and necessary action.

S/D (Illegible)

(Barin Basu)

Sub- Divisional Officer

Barrackpore

Photocopy of the said Minute of the meeting dated 29th August, 1981 is annexed hereto and marked with the letter "P - 3".

9. The Applicants state that the concerned Authorities having agreed and decided to remove the said trenching ground at Ramchandrapur to Mahishpota vide the said letter dated 5th September, 1981 have done nothing and on the other hand, they have been dumping garbage, night soil, and caresses of vast areas of entire Sodepur, Khardah and Ghola in the said trenching ground at Ramchandrapur, and the local inhabitants being represented by the Applicant organisations have been going to door to door of the Respondents to seek reliefs of all types of hazards causing out of the said trenching ground but all have been in vain.

Photocopy of the said letter of local councilor is annexed hereto and marked with the letter "P - 4".

10. The Applicants moved and approached from pillar to post with their prayer to remove the said trenching ground from the area but not result thereof lastly having no other alternative they moved to the Authority of the Pollution Control Board by making a complaint dated 1st September, 2001 on behalf of the inhabitants for taking necessary steps as regards the said trenching ground and lastly on 7th November, 2001 the Assistant Environmental Engineer (BRO) conducted an

inspection in presence of the Chairmen, Officials, local councilors and members of the Applicant organization, and observed as follows -

In response to the complainant petition dated 01.09.2001 of Ramchandrapur Bhagar Ucched Committee (R.B.U.C), Ramchandrapur, Sodepur, and as per instruction of Senior Law Officer, WBPCB, on 01.11.2001 an inspection was caused to the said Bhagar located at the heart of the of Ward No. - 23, which is densely polluted area. The Bhagar area includes about 7.5 bighas of land as learnt from the Officials of the Panihati Municipality during the visit of the undersigned on 07.11.2001 which was also admitted by the R.B.U.C. Sri Dinesh Chandra Roy, Chairman, P.W.D and Sri Charan Chakraborty Councillor of Panihati Municipality informed that about 300 mt of solid waste per month are generated from the day to day activities of 3.48 lakhs residents under Panihati Municipality. Night soil as collected during desludging from septic tanks are also deposited and dumped at said disposal ground. During inspection along with the members of R.B.U.C. it was noticed that the disposal/trenching ground in a very wretched condition causing environmental hazards in and around its surrounding. Moreover, carcasses are also dumped here and very haphazardly in an open area of which 3 sides are covered with brick wall of about 6' ht. No wall was noticed covering the dumping /trenching ground by segregating the human habitation. To put it straight it may be mentioned that due to dumping of solid waste including anatomical waste of beast bones with flesh of carcasses and the trenching ground of night soil creates evil effect to the thousands of people who are living very close to the said bhagar in particular and all the people who are living in Ward No. 23 and adjacent ward in general. During dumping of such hazardous substances

the Municipal Authority do not follow any scientific/ hygienic method considering the health hazards of the local people with the plea that the people had purchased the land closed to the bhagar at low cost and therefore, they have to face consequences. But the question arises why the Municipal Authority did never imposed any embargo for civil construction through non-sanctioning of building plans. During inspection it was surprisingly noticed that Homoeopathy research lab and Hospital and labour quarters of the said Municipality is located along with a primary school and Mandir within the handshake distance of the said bhagar. The inhabitants i.e., the Harizan people of the said labour quarter for their own business used to rear up pigs in their household and let them loose in the bhagar adjacent residential area and the pigs are roaming in that area leaving excreta and urine here and there on the area for which the inhabitants are also suffering. It is noted here, about 350 number of signatories sign in there submitted memorandum to this office for immediate removal of trenching ground of night soil and dumping station of carcasses for Ramchandrapur for which inhabitants of the said area was being suffered agony and very much annoyed apprehending serious diseases which may lead deterioration of Law and order situation due to rational mass movement of the R.B.U.C. and strong public opinion against dumping of Municipal wastes and Municipal Authority compelled to stop dumping activity at Ramchandrapur since 23.08.2001 which was learnt from the members of the committee and also admitted by the Authority. The Municipal official informed the undersigned presently they have made arrangement with Kalyani Municipality for dumping carcasses and the other solid waste are dumped at different law lands and dislodging of septic tanks are presently done which is also unhygienic and not at all desirable.

Towards removal of trenching grounds several meetings were held with the Administrator and Municipal Authority by the R.B.U.C. since 1975 but no positive action has yet been taken by the Authority. It is high time to look into the matter as it relates to Fundamental rights of the people of the land to live in clean environment which can not be violated by any such Authority.

It also appears from the submitted Memorandum of the R.B.U.C. that a most important agreement made in black and white in the year 1975 between the then S.D.O, M.L.A., and the Administrator of Panihati Municipality with the villagers of Ramchandrapur wherein it was agreed and signed that the trenching ground of night soil and dumping station of carcasses must be withdrawn/ removed from Ramchandrapur. To honour the said agreement the concerned Authority had purchased a land at Mahishpota and other allied works for the said purpose were started, but removal of bhagar was not made till now. Another important agreement was held at S.D.O. bungalow office Barrackpore, on 29.8.1981 in connection with the removal of bhagar of Ramchandrapur made between the then Chairman of Panihati Municipality , M.L.A., with the R.B.U.C. in presence of the S.P., S.D.P.O. which state that the Municipal Authority will abandon the present trenching ground at Ramchandrapur from the 1st week of July, 1984 but due to himalayan negligence and lacuna on the part of the Municipal Authority the shifting/ removal of the said bhagar was not yet done.

It was learnt from the Municipal Authority that the bhagar is about 100 years old and it is no doubt at the time or even about 26 or 27 years ago the surrounding population were not so, even huge vacant places were remained but after 27 years the population has gradually increased to the highest peck, so no

vacant place is there now-a-days. Moreover, trenching dumping ground has become over fulfilled and during rainy season the condition become more worst and horrible due to spreading of the nuisance substances mixed with rain water.

Disposal of Municipal solid waste following present practice may cause contamination of ground water, surface water and detoriet ambient air quality which leads to epidemic.

Considering the gravity of the prevailing situation which dumping of caresses, and night soil and solid waste in such a densely populated area should be outright discouraged and direction towards shifting/ removal of the said bhagar from the heart of ward No. 23 of Panihati Municipality at Ramchandrapur may be issued with immediate effect.

S/d Illegible

(B.Nandi)

Asst. Environmental Engineer,
Barrackpore Regional Office

Enclo : 6(Six) nos. of photographs of bhagar are enclosed herewith as ready reference

Photocopy of the said Inspection report of the West Bengal Pollution Control Board, Barrackpore Regional Office is annexed hereto and marked with the letter "P - 5".

11. The Applicants state that the West Bengal Pollution Control Board, Barrackpore Regional Office also made some comment over the issue of Ramchandrapur Bhagar under the Panihati Municipality holding that the Panihati Municipality is allowing for developing

habitation in and around the said Bhagar (Municipal Solid Waste dumping ground) on the other hand the said Authority continuing dumping activity of Municipal solid waste to the site in question violating the Municipal Solid waste (Management Handling) Rules, 2000. It was also commented that there is no such buffer zone between the said disposal ground and surrounding habitation area and further it was recommended that for developing a real habitational area the said Municipal Authority is at liberty to choose any other suitable plot for disposal of Municipal Solid waste instead of any populated area after taking adequate measures as stated in Municipal Solid waste (Management and Handling) Rules, 2000 and the Notification of Ministry of Environment and Forests, Government of India dated New Delhi, the 25th September, 2000 published in the Gazette of India, vide No. 648 dated 03.10.2000 to avoid any environmental hazards to the surrounding habitation area.

Photocopy of said Gazette notification of Ministry of Environment and Forests, Government of India dated New Delhi, the 25th September, 2000 is annexed hereto and marked with the letter "P - 6".

12. The Applicants state that they filed and moved a Writ Petition being W.P. No. 15274(W) of 2001 (Re. The Ramchandrapur Bhagar Ucched Committee and Others Vs. The State of west Bengal and Others) in the Hon'ble High Court at Calcutta intar alia praying for issuing -

- a) A Writ or Writs in the nature of Mandamus commanding the Respondents, their men, agents servants to act according to law and further directing them to remove the said garbage dumping ground at Ramchandrapur, P.O. Sodepur, P.S. Khardah within Panihati Municipality to an alternative place at

Mahispota, North 24 Parganas or any other suitable place for dumping of garbage, night soil etc., within very short period,

- b) A writ or Writs in the nature of Prohibition prohibiting the respondents, their men, agents, servants from using the said trenching ground at Ramchandrapur, Sodepur as garbage dumping ground any further till the disposal of this writ application,
- c) A writ or writs in the nature of Certiorari commanding the Respondents to produce all the documents and papers to this Hon'ble Court so that conscionable justice may be done to the Applicants and members of the public,
- d) Rule NISI in terms of prayer (a), (b) and (c) above
- e) Ad-interim order of injunction restraining the respondents, their men, agents, servants from using the said garbage dumping ground at Ramchandrapur P.O. Sodepur, P.S. Khardah, District - North 24 Parganas, for dumping garbage, carcasses, night soil etc., any further till the disposal of the instant application,
- f) ~~and/or to pass such other order or orders direction~~
or directions as your Lordships may deem fit and proper

Photocopy of the said Writ Petition with all annexure is annexed hereto and collectively marked with the letter "P - 7".

13. The Applicants state that the matter came up for hearing on 25th July, 2003 before His Lordship the Hon'ble Justice Barin Ghosh and after hearing His Lordship was pleased to observe that the main grievance of the Applicants in the writ petition have been sorted out for the KMDA has prepare a scheme for processing and removing the waste. The learned Counsel for the KMDA is present before me and he has submitted that his client has received appropriate fund for implementing the project from the State Government. He has further submitted that his client will implement the project for which about 2 ½ years time is needed. He has further submitted that immediately after completion of project, the same will be handed over to the Panihati Municipality and the project will be run by the Panihati Municipality and apart from giving trial run, KMDA will not shoulder the responsibilities of running the project after it is installed. To implement the project, according to the present estimate about Rs. 2.33 Crores would be required. At the time of implementing project, cost may go up. According to the leaned counsel appearing for the Panihati Municipality, its financial condition may not help the project after it is implemented. If that happens, public fund to the tune of more than Rs. 2 crores will be wasted. His Lordship further observed that before the project is implemented, the Municipality must in consultation with the State Government decide the appropriate steps that it must take for running the project, should also appropriately help the Municipality in manning and running the same. Until such time, however the project is implemented and the same starts functioning, the Municipality has to take measures to check dumping of waste. But there is still a grievance, on behalf of the Applicant, that the Municipality has not able to do anything in relation to night soil, and His Lordship observed that this

matter should also be looked at by the Panihati Municipality. the Chairman of the Panihati Municipality is thus requested to look into such grievances and eradicate the same as far as practical either personally or by appointing an appropriate committee for that purpose and His Lordship was pleased to dispose of the Writ Petition.

Photocopy of the said solemn order passed in the W.P. No.15274 (W) of 2001 is annexed hereto and marked with the letter "P - 8".

14. The Respondent Authorities particularly the Respondent Nos. (4) to (8) deliberately and intentionally putting the members of the public of the said Ramchandrapur to the mouth of death by dumping the garbage, night soil, carcasses etc., on the said trenching ground which is dangerous to human health and life.

15. The Applicants state that on 13th September, 2001 the District Magistrate being the Respondent No. (2) was pleased to convene a meeting at his Office wherein the then Chairman of the Panihati Municipality, Sub -Divisional Officer, Barrackpore, Superintendent of Police North 24 Parganas, the then local member of the legislative Assembly, local Police Authorities and the representative of the Applicants were present. In the said meeting consensus reached amongst the persons present in the said meeting that the garbage ground the Ramchandrapur would be removed to another place from the said area of Ramchandrapur dumping ground.

16. That apropos to the decision of the said meeting the District Magistrate, North 24 Parganas being the Respondent No. (2) issued a direction under Memo No. 6583/Con dated 17.09.2001 whereby and wherein directing the Panihati Municipality being the Respondent No. (4) not to throw any carcass to the said Ramchandrapur dumping

ground any more and also directed to construct boundary wall around the existing dumping ground of Ramchandrapur within three month thereof and further directed that the Panihati Municipality being the Respondent Nos. (4) to (8) and the district Administration as a long term measures, with the help of local people find out alternative area to be used as a dumping ground, if suitable area is not ultimately found, in the event, appropriate authority will be moved by the said Municipality and the District administration so that the facilities of the existing garbage dumping ground could be upgraded by installation of suitable equipment for scientific disposal of the Municipal garbage.

Photocopy of the said Memo being Memo No. 6583/Con dated 17.09.2001 is annexed hereto and marked with the letter "P - 9".

17. The Applicants state that a representation of objection to the said decision of the District Magistrate, North 24 Parganas, being the Respondent No. (2) was duly submitted to him on 22nd September, 2001 raising one primary and basic question by the Applicants inter alia stating that the removal of trenching ground at the Ramchandrapur area could be made within a very short period and not as a part of long term measure as there are already acquired some land at Mahishpota (Annexure-"P-2" Police Station - Ghola, District - North 24 Parganas, before long back, and for this purpose necessary order has been issued by the Respondent No. (3) being the Sub Divisional Officer, Barrackpore dated 5th September, 1981. Consequently, the Chairman being the Respondent No. (5) in his letter under Memo No. PM/Secy./48 dated 30th January, 1999 admitted that some plot of land at Mahishpota J.L. No. 26, under Police Station - Khardah presently - Ghola, have already been acquired and possessed by the said Municipal Authority being Respondent No. (4) for the purpose of maintaining supplies and services essentials to the life of the community.

Photocopy of the said letter dated 22nd September, 2001 is annexed hereto and marked with the letter "P - 10".

18. The Applicants state that as the as the Respondent Municipal Authority being the Respondent Nos. (4) to (8) herein already found alternative place for dumping garbage, carcass, night soil etc., and they have been using the said place for dumping for the purpose of dumping garbage etc., thereat therefore, it is not desirable that the said Respondent Nos. (4) to (8) herein cannot using the said Ramchandrapur dumping ground under any circumstances for a moment.

19. The Applicants state that on 6th January, 2012 the Government of west Bengal, Municipal Affairs Department in its memo being Memo No. 18/MA/O/C-10/3S-45/2005 dated Kolkata the 6th January, 2012 send a copy of the letter bearing No. MOS (UD)/09/2011/1553 dated 19.11.2011 with the copy of the same to the Applicants and request the Chief Executive Officer, KMDA, to develop the Scheme with detailed estimate for shifting of existing disposal ground located at Ramchandrapur to a new place at Mahishpota, land of which belongs to the Panihati Municipality and further informed that some fund support from the Department can be envisaged as soon as the scheme is ready.

Photocopy of the said memo being Memo No. 18/MA/O/C-10/3S-45/2005 dated Kolkata the 6th January, 2012 is annexed hereto and marked with the letter "P - 11".

20. The Applicants state that on 8th September, 2014 they have submitted a Memorandum to the District Magistrate, North 24 Parganas being the Respondent No. (2) herein alia stating that on 3rd March, 2013 foundation stone has been laid down by the Hon'ble M.P. Dum Dum Constituency for waste to Energy plant at Mahishpota in

presence of thousands of inhabitants and requested for issuing necessary direction for setting up waste and energy park from garbage at Mahishpota and removal of trenching ground from the said Ramchandrapur area.

Photocopy of the said Memorandum are annexed hereto and marked with the letter "P - 12".

21. The Applicants state that in reply to the above, the District Magistrate, North 24 Parganas, being the Respondent No. (2) herein was pleased to forward the matter to the Chairman, Panihati Municipality being the Respondent No. (5) herein and advise him to provide necessary information to the Applicant directly with a copy to him under Memo 155/DMA dated 16.09.2014.

Photocopy of the said reply under Memo 155/DMA dated 16.09.2014 is annexed hereto and marked with the letter "P - 13".

22. The Applicants state that on 18th October, 2014 they by way of an Application to the Chairman, Panihati Municipality being the Respondent No. (5) herein ventilated their grievance by way of a written representation.

Photocopy of the said written representation dated 18.10.2014 is annexed hereto and marked with the letter "P - 14".

23. The Applicant states that on 25th November, 2014 the said Chairman, Panihati Municipality, by way of a written reply to the aforesaid representation intimated the Applicant that a session with committee representatives would be shortly been taking place to discuss the several issues in connection with the subject noted above.

Photocopy of said reply dated 25.11.2014 is annexed hereto and marked with the letter "P - 15".

24. The Applicants state that they again by way of a written representation dated 28th November, 2014 to the Chairman, Panihati Municipality being the Respondent No. (05) herein requested to act in accordance with its earlier decision and demanded immediate shifting of the trenching ground from Ramchandrapur to Mohishpota without any delay and also stated that the peaceful demonstration of the thousand of local people shall be continued till said dumping ground be shifted to the said new location.

Photocopy of the said representation dated 28.11.2014 is annexed hereto and marked with the letter "P - 16".

25. The Applicants state that on 20th May, 2015 they by way of a written representation ventilated all their grievances to the (1) Hon'ble Chief Minister, (2) Hon'ble Minister-in-Charge, Department of Urban Development and Municipal Affairs with a copy of the same to the Joint Secretary to the Government of West Bengal, Municipal Affairs Department stating inter alia all the facts and circumstances since 1975 and prayed for issuance of necessary directions for setting up waste to energy plant from garbage at Mahishpota and removal of trenching ground from Ramchandrapur and also prayed for relief to the thousands of people of Panihati from the dire consequences of Pollution and other unbearable calamities from garbage and night soil in such a thickly populated area.

Photocopy of said representation dated 20.05.2015 is annexed hereto and marked with the letter "P - 17".

26. The Applicants state that in exercise of Powers conferred by Section 3, 6 and 25 of the Environment (Protection) Act, 1986 and in suppression of Municipal Solid Waste (Management and Handling) Rules, 2000 except as respect things done or omitted to be done before such suppression, the Central Government makes the Solid Waste Management Rules, 2016 and Rule 12 and Rule 15 of the said Rules of 2016 specifically spelt out the duties of District Magistrate or District Collector or Deputy Commissioner and duties and Responsibilities of local Authorities and Village Panchayets of census towns and urban agglomerations respectively. Moreover, in the said Rules of 2016 Rule 22 has been categorically mentioned the time frame for implementation and in Schedule II, to the said Rule of 2016 it has been categorically fixed the standard of processing and treatment of solid waste. But unfortunately the Authority concerned did not follow and observe the relevant Rules till date.

Photocopy of the said Solid Waste Management Rules, 2016 is annexed hereto and marked with the letter "P - 18".

27. The Applicants state that, a meeting was held on 19.02.2016, in the chamber of District Magistrate, being the Respondent No.-2, regarding waste disposal at Panihati and the Said Respondent No.-2, by way of a Letter under Memo No. 81/Con Dated 22.02.2016, intimated the Principal Secretary, Municipal Affairs Department, Govt. of West Bengal, being the Respondent No.-1 and requested him to kindly intervene into the matter, so that an alternative site may be identified for waste disposal or a substitute arrangement for Modern Waste Management Plant, may be set up, so as to avoid pollution and hazard.

Photocopy of the said Memo No. 81/Con Dated 22.02.2016 is annexed hereto and marked with the letter "P - 19".

28. The Applicants, by way of Written Representation, dated 25.11.2016, to the Respondent No.-2, prayed for removal of trenching ground from Ramchandrapur, Sodepur, and requested him to take initiative for removing the said trenching ground from Ramchandrapur on or before the stipulated date of 31.12.2016.

Photocopy of the said Written Representation, dated 25.11.2016 is annexed hereto and marked with the letter "P - 20".

29. The Applicants State that, they received an information that, the First instalment of Central share of funds for the solid waste management project of West Bengal, including two Projects of Panihati Municipality, has been released on 12.06.2018, and the Sanction Order for Release of 111.82 Crores, as the First instalment of Central Govt. share, was issued on 12.06.2018.

Photocopy of the said Memo No. D.O. No. 19/4/2018-SBM.II dated 28.06.2018 is annexed hereto and marked with the letter "P - 21".

30. The Applicants State that, another written Representation dated 01.08.2019, submitted to the Chief Executive Officer, KMDA, interalia, narrating all the facts and circumstances, requesting him to convey as and when the dumping of all sorts of garbage would be abandoned at Ramchandrapur on or before 31.10.2019, so that, the Applicants, alongwith the local people may avoid strike/aborodh on and from 01.11.2019.

Photocopy of the said Written Representation, dated 01.08.2019 is annexed hereto and marked with the letter "P - 22".

31. The Applicants State that, another written Representation dated 04.03.2020, submitted to the Respondent Nos.-1, 2 & 9, interalia, narrating all the facts and circumstances, requesting him to convey the Progress Report of the shifting the trenching ground from Ramchandrapur, in connection with the agitation of the local people.

Photocopy of the said Written Representation, dated 04.03.2020 is annexed hereto and marked with the letter "P - 23".

32. The Applicants State that, the Respondent No.-6, communicated the Resolution of the Meeting, in connection with the Ramchandrapur trenching ground, which was held on 02.01.2020 to the Respondent Nos. 1 & 9, with a copy to the Applicants.

Photocopy of the said Letter dated 13.01.2020 and Resolution dated 02.01.2020 are annexed hereto and collectively marked with the letter "P - 24".

33. The Applicants State that, a Meeting was held on 06.01.2023, at the Board Room of Respondent No. 4 and in this meeting it was pointed out that, the Applicants will go for agitation, in near future, if the shifting of the trenching ground is not considered by the Municipal authority, shortly and further pointed out to approach the Govt. on the motto of shifting the trenching ground from Ramchandrapur and removing all the legacy, as well as, fresh waste from the trenching ground, within three months..

Photocopy of the said proceeding of the Meeting dated 06.01.2023 is annexed hereto and marked with the letter "P - 25".

34. The Applicants State that, on 12.06.2023 & 28.11.2023, written representations are submitted to the Respondent No.-5, requesting him to stop dumping of garbage and to remove the legacy waste, from the said Ramchandrapur trenching ground, on and from the respective dates mentioned, therein.

Photocopy of the said Written Representations, dated 12.06.2023 & 28.11.2023 are annexed hereto and collectively marked with the letter "P - 26".

35. The Applicants State that, on 10.01.2024, the Respondent No.-11, being the Officer-In-Charge, Khardah Police Station, submitted a Report under Memo No.-KHD/185/24 dated 10.01.2024 to the Respondent No. 10, through proper channel, stating interalia, that, on receiving information of Recent agitation, as well as, request from Panihati Municipality an Open enquiry was conducted and it was Reported that, the garbage is piling up day by day, making the environment, foul and unhygienic for health and accordingly, the Applicants and local people are obstructing new garbage dumping but allowing the removal of legacy garbage. It was also reported, that the situation was/is grave and delicate and may invite unpleasant breach in law and order situation, if it is not taken care of by all the stake holders, at the earliest.

Photocopy of the said Report, dated 10.01.2024, with all annexures, is annexed hereto and marked with the letter "P - 27".

36. The Applicants submit that the area wherein the trenching ground is operating by the local Municipal Authority being the Respondent Nos. (4) to (8) is within a residential area comprising Ramchandrapur, Simultala, Arunachal, Burmashell Mandela Park, New

Colony, L.I.C. Park, H.B. Town, Dakshin Palli, Gandhinagar, Sodepur and Tarapukur area within the Police Station of Khardah and Ghola, having more than 1,30,000 population along with The Metropolitan Homoeopathic Medical Collage and Hospital, Ramchandrapur Primary School, Durga Mandir, Brindavan Mandir and Swamibag Ashram situated just adjacent thereto.

37. The Applicants submit that there is an existence of trenching ground of night soil, carcasses, garbage and also solid waste which situates in and around of heart of the said densely and thickly populated locality which is a public place controlled and managed by the local Municipal Authority being Respondent Nos. (4) to (8) herein.

38. The Applicant submit that said area has evolved and developed in and around the said trenching ground at Ramchandrapur during last 75 years at the instance of the local body being Panihati Municipality as the said Respondent No. (4) has been sanctioning building plans, mutations as also receiving taxes, from the inhabitants and those inhabitants suffering immensely from acute health hazards and incurable diseases due to the existence of the said trenching ground creating nuisance, air, water, environmental pollutions coupled with other hazards and unhygienic problems at large and the entire state of environment in the area has become so danger for life and habitation.

39. The Applicants submit that the said area of Ramchandrapur, Simultala and all other areas of Panihati Municipality have now become and densely and thickly populated and wide by side and there is an existence of the said trenching ground of garbage, night soil and carcasses of Panihati Municipality which has been causing standing nuisance right in the heart of the said areas causing health hazards of the inhabitants apart from causing incurable diseases to them like

epidemic etc., and the state of environment in the area have become so danger of lives and livelihood.

40. The Applicants submit that as the problem existing for a long time continuously and with a view to resolve the burning problem, the Sub Divisional Officer, Barrackpore was pleased to convene a meeting on 29th August, 1981 and after detailed discussion about the problem the decision were arrived at unanimously.

41. The Applicants submit that in the said meeting dated 29th August, 1981 it has been resolved that the Panihati Municipality should start immediately the work connected with the development of newly acquired land at Mahispota. Adequate police protection for the purpose will be rendered to the Municipality prior to that construction of road and culvert leading to the newly acquired trenching ground should be taken up by the Municipality.

42. The Applicants submit that in the said meeting dated 29th August, 1981 it has been resolved that the Municipal Authority will start this work by 15th October, 1981 with required Police protection. The actual date of commencement of this work should be reported to the Additional S.P. Barrackpore, by this Municipality at least 7 days ahead.

43. The Applicants submit that in the said meeting dated 29th August, 1981 it has been resolved that the said development work of newly acquired land should commence from 2nd week of November, 1981. It is expected that the development of new site of trenching ground at Mahishpota will be completed by the end of June, 1982.

44. The Applicants submit that in the said meeting dated 29th August, 1981 it has been also resolved that the Municipal Authority will abandon the present trenching ground at Ramchandrapur, Sodepur from the 1st week of July, 1982.

45. The Applicants submit that the concerned Authorities having agreed and decided to remove the said trenching ground at Ramchandrapur to Mahishpota vide the said letter dated 5th September, 1981 have done nothing but they have been dumping garbage, night soil, and caresses of vast areas of entire Sodepur, Khardah and Ghola in the said trenching ground at Ramchandrapur, and the local inhabitants being represented by the Applicant organisations have been going to door to door of the Respondents to seek reliefs of all types of hazards causing out of the said trenching ground but all have been in vain.

46. The Applicants submit that they moved and approached from pillar to post with their prayer to remove the said trenching ground from the area but not result thereof lastly having no other alternative they moved to the Authority of the Pollution Control Board by making a complaint dated 1st September, 2001 on behalf of the inhabitants for taking necessary steps as regards the said trenching ground and lastly on 7th November, 2001 the Assistant Environmental Engineer (BRO) conducted an inspection in presence of the Chairmen, Officials, local councilors and members of the Applicant organization.

47. The Applicants submit that in response to their complainant petition dated 01.09.2001, and as per instruction of Senior Law Officer, WBPCB, on 01.11.2001 an inspection was caused to the said Bhagar located at the heart of the of Ward No. - 23, which is densely polluted area and wherein the Bhagar area includes about 7.5 bighas of land as

learnt from the Officials of the Panihati Municipality during inspection on 07.11.2001 also it was informed that about 300 mt of solid waste per month are generated from the day to day activities of 3.48 lakhs residents under Panihati Municipality.

48. The Applicants submit that night soil as collected during desludging from septic tanks are also deposited and dumped at said disposal ground and during inspection it was noticed that the disposal/trenching ground in a very wreathed condition causing environmental hazards in and around its surrounding.

49. The Applicants submit that carcasses are also dumped in the said Bhagar at Ramchandrapur within the local limit of Panihati Municipality and too very haphazardly in an open area of which 3 sides are covered with brick wall of about 6 feet height.

50. The Applicants submit that no wall was noticed covering the dumping /trenching ground by segregating the human habitation.

51. The Applicants submit that due to dumping of solid waste including anatomical waste of beast bones with flesh of carcasses and the trenching ground of night soil creates evil effect to the thousands of people who are living very close to the said bhagar in particular and all the people who are living in Ward No. 23 and adjacent ward in general.

52. The Applicants submit that during dumping of such hazardous substances the Municipal Authority do not follow any scientific/hygienic method considering the health hazards of the local people with the plea that the people had purchased the land closed to the bhagar at low cost and therefore, they have to face consequences.

53. The Applicants submit that the Municipal Authority did never imposed any embargo for civil construction through non-sanctioning of building plans.

54. The Applicants submit that at the time of inspection it was noticed that The Metropolitan Homoeopathic Medical Collage and Hospital, Ramchandrapur Primary School, Durga Mandir, Brindavan Mandir, Swamibag Ashram and labour quarters of the said Municipality is located within the handshake distance of the said bhagar.

55. The Applicants submit that the inhabitants i.e., the Harizan people of the said labour quarter of the Panihati Municipality for their own business used to rear up pigs in their household and let them loose in the bhagar adjacent residential area and the pigs are roaming in that area leaving excreta and urine here and there on the area for which the inhabitants are also suffering.

56. The Applicants submit that about 350 number of signatories sign in there submitted memorandum to this office for immediate removal of trenching ground of night soul and dumping station of carcasses for Ramchandrapur for which inhabitants of the said area was being suffered agony and very much annoyed apprehending serious diseases which may lead detoriation of Law and order situation due to rational mass movement and strong public opinion against dumping of Municipal wastes and Municipal Authority compelled to stop dumping activity at Ramchandrapur since 23.08.2001.

57. The Applicants submit that the Municipal official informed arrangement have been made by the Panihati Municipality with Kalyani Municipality for dumping carcasses and the other solid waste which are

dumped at different law lands and dislodging of septic tanks are presently done which is also unhygienic and not at all desirable.

58. The Applicants submit that towards removal of trenching grounds several meetings were held with the Administrator and Municipal Authority by the Applicants since 1975 but no positive action has yet been taken by the Authority.

59. The Applicants submit that now it is high time to look into the matter as it relates to Fundamental rights of the people of the land to live in clean environment which cannot be violated by any such Authority.

60. The Applicants submit that a most important agreement made in black and white in the year 1975 between the then S.D.O, M.L.A., and the Administrator of Panihati Municipality with the villagers of Ramchandrapur wherein it was agreed and signed that the trenching ground of night soil and dumping station of carcasses must be withdrawn/ removed from Ramchandrapur.

61. The Applicants submit that to honour the said agreement the concerned Authority had purchased a land at Mahishpota and other allied works for the said purpose were started, but removal of bhagar was not made till now.

62. The Applicants submit that another important agreement was held at S.D.O. bungalow office Barrackpore, on 29.8.1981 in connection with the removal of bhagar of Ramchandrapur made between the then Chairman of Panihati Municipality, M.L.A., with the R.B.U.C. in presence of the S.P., S.D.P.O. which state that the Municipal Authority

will abandon the present trenching ground at Ramchandrapur from the 1st week of July, 1984.

63. The Applicants state that the trenching dumping ground has become over fulfilled and during rainy season the condition become more worst and horrible due to spreading of the nuisance substances mixed with rain water.

64. The Applicants submit that the Disposal of Municipal solid waste following present practice may cause contamination of ground water, surface water and detoriet ambient air quality which leads to epidemic.

65. The Applicants submit that the gravity of the prevailing situation which dumping of carcasses, and night soil and solid waste in such a densely populated area should be outright discouraged and direction towards shifting/ removal of the said bhagar from the heart of ward No. 23 of Panihati Municipality at Ramchandrapur may be issued with immediate effect.

66. The Applicants submit that the Panihati Municipality is allowing for developing habitation in and around the said Bhagar (Municipal Solid Waste dumping ground) on the other hand the said Authority continuing dumping activity of Municipal solid waste to the site in question violating the Municipal Solid waste (Management Handling) Rules, 2000 and subsequently, the Solid Waste Management Rules, 2016.

67. The Applicants submit that there is no such buffer zone between the said disposal ground and surrounding habitation area and therefore, for developing a real habitational area the said Municipal Authority is bound to choose any other suitable plot for disposal of

Municipal Solid waste instead of any populated area after taking adequate measures as stated in Municipal Solid waste (Management and Handling) Rules, 2000 and subsequently the Solid Waste Management Rules, 2016 and the Notification of Ministry of Environment and Forests, Government of India dated New Delhi, the 25th September, 2000 published in the Gazette of India, vide No. 648 dated 03.10.2000 to avoid any environmental hazards to the surrounding habitation area.

68. The Applicants submit that the KMDA has received appropriate fund for implementing the project from the State Government and for such implementation of the project, about 2 ½ years time from the date is needed.

69. The Applicants submit that the Respondent Authorities particularly the Respondent Nos. (4) to (8) deliberately and intentionally putting the members of the public of the said Ramchandrapur to the mouth of death by dumping the garbage, night soil, carcasses etc., on the said trenching ground which is dangerous to human health and life.

70. The Applicants submit that on 13th September, 2001 the District Magistrate being the Respondent No. (2) was pleased to convene a meeting at his Office and in the said meeting consensus reached amongst the persons present therein that the garbage ground the Ramchandrapur would be removed to another place from the said area of Ramchandrapur dumping ground.

71. The Applicants submits that apropos to the decision of the said meeting the District Magistrate, North 24 Parganas being the Respondent No. (2) issued a direction directing the Panihati Municipality being the Respondent No. (4) not to throw any carcass to

the said Ramchandrapur dumping ground any more and also directed to construct boundary wall around the existing dumping ground of Ramchandrapur within three month thereof and further directed that the Panihati Municipality being the Respondent Nos. (4) to (8) and the district Administration as a long term measures, with the help of local people find out alternative area to be used as a dumping ground, if suitable area is not ultimately found, in the event, appropriate authority will be moved by the said Municipality and the District administration so that the facilities of the existing garbage dumping ground could be upgraded by installation of suitable equipment for scientific disposal of the Municipal garbage.

72. The Applicants submit that the as the Respondent Municipal Authority already found alternative place fur dumping garbage, carcass, night soil etc., and they have been using the said place for dumping for the purpose of dumping garbage etc., thereat therefore, it is desirable that the said Respondent Nos. (4) to (8) must not use the said Ramchandrapur dumping ground under any circumstances for a moment in future.

73. The Applicants submit that, a meeting was held on 19.02.2016, in the chamber of District Magistrate, being the Respondent No.-2, regarding waste disposal at Panihati and the Said Respondent No.-2, by way of a Letter under Memo No. 81/Con Dated 22.02.2016, intimated the Principal Secretary, Municipal Affairs Department, Govt. of West Bengal, being the Respondent No.-1 and requested him to kindly intervene into the matter, so that an alternative site may be identified for waste disposal or a substitute arrangement for Modern Waste Management Plant, may be set up, so as to avoid pollution and hazard.

74. The Applicants submit that they by way of Written Representation, dated 25.11.2016, to the Respondent No.-2, prayed for removal of trenching ground from Ramchandrapur, Sodepur, and requested him to take initiative for removing the said trenching ground from Ramchandrapur on or before the stipulated date of 31.12.2016.

75. The Applicants submit that they received an information that, the First instalment of Central share of funds for the solid waste management project of West Bengal, including two Projects of Panihati Municipality, has been released on 12.06.2018, and the Sanction Order for Release of 111.82 Crores, as the First instalment of Central Govt. share, was issued on 12.06.2018.

76. The Applicants submit that, another written Representation dated 01.08.2019, submitted to the Chief Executive Officer, KMDA, interalia, narrating all the facts and circumstances, requesting him to convey as and when the dumping of all sorts of garbage would be abandoned at Ramchandrapur on or before 31.10.2019, so that, the Applicants, alongwith the local people may avoid strike/aborodh on and from 01.11.2019.

77. The Applicants submit that, another written Representation dated 04.03.2020, submitted to the Respondent Nos.-1, 2 & 9, interalia, narrating all the facts and circumstances, requesting him to convey the Progress Report of the shifting the trenching ground from Ramchandrapur, in connection with the agitation of the local people.

78. The Applicants Submit that the Respondent No.-6, communicated the Resolution of the Meeting, in connection with the Ramchandrapur trenching ground, which was held on 02.01.2020 to the Respondent Nos. 1 & 9, with a copy to the Applicants.

79. The Applicants submit that a Meeting was held on 06.01.2023, at the Board Room of Respondent No. 4 and in this meeting it was pointed out that, the Applicants will go for agitation, in near future, if the shifting of the trenching ground is not considered by the Municipal authority, shortly and further pointed out to approach the Govt. on the motto of shifting the trenching ground from Ramchandrapur and removing all the legacy, as well as, fresh waste from the trenching ground, within three months..

80. The Applicants submit that, on 12.06.2023 & 28.11.2023, written representations are submitted to the Respondent No.-5, requesting him to stop dumping of garbage and to remove the legacy waste, from the said Ramchandrapur trenching ground, on and from the respective dates mentioned therein.

81. The Applicants submit that on 10.01.2024, the Respondent No.-11, being the Officer-In-Charge, Khardah Police Station, submitted a Report under Memo No.-KHD/185/24 dated 10.01.2024 to the Respondent No. 10, through proper channel, stating interalia, that, on receiving information of Recent agitation, as well as, request from Panihati Municipality an open enquiry was conducted and it was Reported that, the garbage is piling up day by day, making the environment, foul and unhygienic for health and accordingly, the Applicants and local people are obstructing new garbage dumping but allowing the removal of legacy garbage. It was also reported, that the situation was/is grave and delicate and may invite unpleasant breach in law and order situation, if it is not taken care of by all the stake holders, at the earliest.

82. The Applicants submit that the solid waste can pollute the ground water through seepage of the leachates and also produce aesthetic impairment including stink pollution.

83. The Applicants submit that under warm and moist condition like and particularly with the vectors like water, air, food, rodents, mosquitos and flies organic solid waste are breeding places for pathogenic organism or pollution from excess and particulate emission from land-fill sites and Municipal incinerators also present some environmental concern.

84. The Applicants submit that Methane and Carbon dioxide are generated during the anaerobic decomposition of organic matter in the landfill, Methane can be explosive when its concentration reaches the air over 5%.

85. The Applicants submit that both of the Methane and Carbon dioxide are greenhouse gas, farming on solid waste often results in bioaccumulation of lead, copper, cadmium and therefore, the vegetable garden, if any, in the locality must be shown high bioaccumulation of lead in Amaranthaceae family.

86. The Applicants submit that the Municipal Authority concerned deliberately and willfully flouted and/or violated the various provisions of the Solid Waste Management Rules, 2016, particularly Rule 11 of the said Rule of 2016.

87. The Applicants submit that the Authority concerned deliberately and/or willfully flouted and /or violated the provision of Rule 11 of the Solid Waste Management Rule, 2016 which prescribes the specific

timeline with regard to the development of waste processing and disposal facility contemplated under Rule 12(a) of the said Rule of 2016.

88. The Applicants submit that the Authority concerned deliberately and/or willfully functional with laxity in the implementation of the Solid Waste Management Rules, 2016.

89. The Applicants submit that the damage caused to the environment at large due to the indiscriminate dumping and collection of legacy waste at the site has not been assessed at all or assessed in a way which is undesirable.

90. The Applicants submit that the acts and actions of the Respondent Authorities are neither bonafide nor lawful.

91. The Applicants submit that the actions of the Respondent Authorities are ex-facie bad on facts as well as in law.

92. The Applicants submit that said action and/or non-action of the Respondent Authorities is otherwise bad, illegal, perverse and cannot be countenanced both in law as well on facts.

93. The Applicants submit that the actions and/or non-actions of the Respondents complained of herein suffer from the vice of illegality, irrationality and/or procedural impropriety warranting interdiction by this Hon'ble Tribunal in exercise of jurisdiction vested upon it by the Constitution of India.

94. The Applicants submit that the acts and/or actions including non- actions of the Respondent Authorities are in flagrant violation of law, the principles of natural justice and as such is depictive of

highhandedness and mechanical action and as such amount to sheer miscarriage of justice.

95. Being thus aggrieved by and dissatisfied with the acts of discrimination meted out to the Applicants, the Applicants beg to move the instant Application before this Hon'ble Tribunal under the Provision the Constitution of India on the following amongst other

Grounds

- I. For that the area wherein the trenching ground is operating by the local Municipal Authority is a thickly populated residential area comprising Ramchandrapur, Simultala, Arunachal, Burmashell Mandela Park, New Colony, L.I.C. Park, H.B. Town, Dakshin Palli, Gandhinagar, Sodepur and Tarapukur area within the Police Station of Khardah and Ghola, having more than 1,30,000 population along with The Metropolitan Homoeopathic Medical Collage and Hospital, Ramchandrapur Primary School, Durga Mandir, Brindavan Mandir and Swamibag Ashram situated just adjacent thereto.
- II. For that a trenching ground of night soil, carcasses, garbage and also solid waste which situates in and around of heart of the said densely and thickly populated locality which is a public place controlled and managed by the local Municipal Authority.
- III. For that the inhabitants of that area are suffering immensely from acute health hazards and incurable

diseases due to the existence of the said trenching ground creating nuisance, air, water, environmental pollutions coupled with other hazards and unhygienic problems at large and the entire state of environment in the area has become so danger for life and habitation.

- IV. For that the said area existence of the said trenching ground of garbage, night soil and carcasses of Panihati Municipality which has been causing standing nuisance right in the heart of the said areas causing health hazards of the inhabitants apart from causing incurable diseases to them like epidemic etc., and the state of environment in the area have become so danger of lives and livelihood.
- V. For that the Sub Divisional Officer, Barrackpore was pleased to convene a meeting on 29th August, 1981 and after detailed discussion about the burning problem the decision were arrived at unanimously.
- VI. For that in the said meeting dated 29th August, 1981 it has been resolved that the Panihati Municipality should start immediately the work connected with the development of newly acquired land at Mohispota.
- VII. For that in the said meeting dated 29th August, 1981 it has been resolved that the Municipal Authority will start this work by 15th October, 1981 with required Police protection.

- VIII. For that in the said meeting dated 29th August, 1981 it has been resolved that the said development work of newly acquired land should commence from 2nd week of November, 1981. It is expected that the development of new site of trenching ground at Mahishpota will be completed by the end of June, 1982.
- IX. For that in the said meeting dated 29th August, 1981 it has been also resolved that the Municipal Authority will abandon the present trenching ground at Ramchandrapur, Sodepur from the 1st week of July, 1982.
- X. For that the concerned Authorities having agreed and decided to remove the said trenching ground at Ramchandrapur to Mahishpota vide the said letter dated 5th September, 1981 have done nothing but they have been dumping garbage, night soil, and caresses of vast areas of entire Sodepur, Khardah and Ghola in the said trenching ground at Ramchandrapur.
- XI. For that inhabitants moved and approached from pillar to post with their prayer to remove the said trenching ground from the area but not result thereof lastly having no other alternative they moved to the Authority of the Pollution Control Board by making a complaint dated 1st September, 2001.

- XII. For that on 7th November, 2001 the Assistant Environmental Engineer (BRO) conducted an inspection in presence of the Chairman, Officials, local councilors and members of the Applicant organization.
- XIII. For that it was recorded by the said inspection team that the said Bhagar located at the heart of the of Ward No. - 23, which is densely polluted area and wherein the Bhagar area includes about 7.5 bighas of land as learnt from the Officials of the Panihati Municipality, also it was informed that about 300 mt of solid waste per month are generated from the day to day activities of 3.48 lakhs residents under Panihati Municipality.
- XIV. For that night soil as collected during desludging from septic tanks are also deposited and dumped at said disposal ground and during inspection it was noticed that the disposal/trenching ground in a very wreathed condition causing environmental hazards in and around its surrounding.
- XV. For that carcasses are also dumped in the said Bhagar at Ramchandrapur within the local limit of Panihati Municipality and too very haphazardly in an open area of which 3 sides are covered with brick wall of about 6 feet height.
- XVI. For that no wall was noticed covering the dumping /trenching ground by segregating the human habitation.

- XVII. For that due to dumping of solid waste including anatomical waste of beast bones with flesh of carcasses and the trenching ground of night soil creates evil effect to the thousands of people who are living very close to the said bhagar in particular and all the people who are living in Ward No. 23 and adjacent ward in general.
- XVIII. For that during dumping of such hazardous substances the Municipal Authority do not follow any scientific/ hygienic method considering the health hazards of the local people with the plea that the people had purchased the land closed to the bhagar at low cost and therefore, they have to face consequences.
- XIX. For that the Municipal Authority did never imposed any embargo for civil construction through non-sanctioning of building plans.
- XX. For that The Metropolitan Homoeopathic Medical Collage and Hospital, Ramchandrapur Primary School, Durga Mandir, Brindavan Mandir, Swamibag Ashram and labour quarters of the said Municipality is located within the handshake distance of the said bhagar.
- XXI. For that the inhabitants i.e., the Harizan people of the said labour quarter of the Panihati Municipality for their own business used to rear up pigs in their

household and let them loose in the bhagar adjacent residential area and the pigs are roaming in that area leaving excreta and urine here and there on the area.

- XXII. For that the Municipal Authority with Kalyani Municipality made arrangement for dumping carcasses and the other solid waste which are dumped at different law lands and dislodging of septic tanks are presently done which is also unhygienic and not at all desirable.
- XXIII. For that towards removal of trenching grounds several meetings were held with the Administrator and Municipal Authority by the Applicants since 1975 but no positive action has yet been taken by the Authority.
- XXIV. For that now it is high time to look into the matter as it relates to Fundamental rights of the people of the land to live in clean environment which cannot be violated by any such Authority.
- XXV. For that a most important agreement made in black and white in the year 1975 between the then S.D.O, M.L.A., and the Administrator of Panihati Municipality with the villagers of Ramchandrapur wherein it was agreed and signed that the trenching ground of night soil and dumping station of carcasses must be withdrawn/ removed from Ramchandrapur.

- XXVI. For that the trenching/ dumping ground has become over fulfilled and during rainy season the condition become more worst and horrible due to spreading of the nuisance substances mixed with rain water.
- XXVII. For that the Disposal of Municipal solid waste following present practice may cause contamination of ground water, surface water and deteriorate ambient air quality which leads to epidemic.
- XXVIII. For that the gravity of the prevailing situation which dumping of caresses, and night soil and solid waste in such a densely populated area should be outright discouraged and direction towards shifting/ removal of the said bhagar from the heart of ward No. 23 of Panihati Municipality at Ramchandrapur may be issued with immediate effect.
- XXIX. For that the Panihati Municipality is allowing for developing habitation in and around the said Bhagar (Municipal Solid Waste dumping ground) on the other hand the said Authority continuing dumping activity of Municipal solid waste to the site in question violating the Municipal Solid waste (Management Handling) Rules, 2000 and subsequently, the Solid Waste Management Rules, 2016.
- XXX. For that there is no such buffer zone between the said disposal ground and surrounding habitation area and therefore, for developing a real habitational area the said Municipal Authority is bound to choose

any other suitable plot for disposal of Municipal Solid waste instead of any populated area after taking adequate measures as stated in Municipal Solid waste (Management and Handling) Rules, 2000 and subsequently the Solid Waste Management Rules, 2016 and the Notification of Ministry of Environment and Forests, Government of India dated New Delhi, the 25th September, 2000 published in the Gazette of India, vide No. 648 dated 03.10.2000 to avoid any environmental hazards to the surrounding habitation area.

- XXXI. For that the KMDA has received appropriate fund for implementing the project from the State Government and for such implementation of the project, about 2 ½ years time from the date is needed.
- XXXII. For that the Respondent Nos. (4) to (8) deliberately and intentionally putting the members of the public of the said Ramchandrapur to the mouth of death by dumping the garbage, night soil, carcasses etc., on the said trenching ground which is dangerous to human health and life.
- XXXII. For that on 13th September, 2001 the District Magistrate being the Respondent No. (2) was pleased to convene a meeting at his Office and in the said meeting consensus reached amongst the persons present therein that the garbage ground the Ramchandrapur would be removed to another place

from the said area of Ramchandrapur dumping ground.

XXXIII. For that apropos to the decision of the said meeting the District Magistrate, North 24 Parganas being the Respondent No. (2) issued a direction directing the Panihati Municipality being the Respondent No. (4) not to throw any carcass to the said Ramchandrapur dumping ground anymore and also directed to construct boundary wall around the existing dumping ground of Ramchandrapur within three month thereof and further directed that the Panihati Municipality being the Respondent Nos. (4) to (8) and the district Administration as a long term measures, with the help of local people find out alternative area to be used as a dumping ground, if suitable area is not ultimately found, in the event, appropriate authority will be moved by the said Municipality and the District administration so that the facilities of the existing garbage dumping ground could be upgraded by installation of suitable equipment for scientific disposal of the Municipal garbage.

XXXIV. For that the Respondent Municipal Authority already found alternative place fur dumping garbage, carcass, night soil etc., and they have been using the said place for dumping for the purpose of dumping garbage etc., thereat therefore, it is desirable that the said Respondent Nos. (4) to (8) must not use the said Ramchandrapur dumping ground under any circumstances for a moment in future.

- XXXV. For that the solid waste can pollute the ground water through seepage of the leachates and also produce aesthetic impairment including stink pollution.
- XXXVI. For that under warm and moist condition like and particularly with the vectors like water, air, food, rodents, mosquitos and flies organic solid waste are breeding places for pathogenic organism or pollution from excess and particulate emission from land-fill sites and Municipal incinerators also present some environmental concern.
- XXXVII. For that Methane and Carbon dioxide are generated during the anaerobic decomposition of organic matter in the landfill, Methane can be explosive when its concentration reaches the air over 5%.
- XXXVIII. For that both of the Methane and Carbon dioxide are greenhouse gas, farming on solid waste often results in bioaccumulation of lead, copper, cadmium and therefore, the vegetable garden, if any, in the locality must be shown high bioaccumulation of lead in Amaranthaceae family.
- XXXIX. For that the Municipal Authority concerned deliberately and willfully flouted and/or violated the various provisions of the Solid Waste Management Rules, 2016 particularly Rule 11 of the said Rule of 2016.

- XL. For that the Authority concerned deliberately and/or willfully flouted and /or violated the provision of Rule 11 of the Solid Waste Management Rule, 2016 which prescribes the specific timeline with regard to the development of waste processing and disposal facility contemplated under Rule 12(a) of the said Rule of 2016.
- XLI. For that the Authority concerned deliberately and/or willfully functional with laxity in the implementation of the Solid Waste Management Rules, 2016.
- XLII. For that the District Magistrate, being the Respondent No.-2, requested the Principal Secretary, Municipal Affairs Department, Govt. of West Bengal, being the Respondent No.-1 kindly to intervene into the matter, so that an alternative site may be identified for waste disposal or a substitute arrangement for Modern Waste Management Plant, may be set up, so as to avoid pollution and hazard.
- XLIII. For that the Applicants by way of Written Representation, dated 25.11.2016, to the Respondent No.-2, prayed for removal of trenching ground from Ramchandrapur, Sodepur, and requested him to take initiative for removing the said trenching ground from Ramchandrapur on or before the stipulated date of 31.12.2016.
- XLIV. For that the Applicants received an information that, the First instalment of Central share of funds for the

solid waste management project of West Bengal, including two Projects of Panihati Municipality, has been released on 12.06.2018, and the Sanction Order for Release of 111.82 Crores, as the First instalment of Central Govt. share, was issued on 12.06.2018.

XLV. For that by way of another written Representation dated 01.08.2019, submitted to the Chief Executive Officer, KMDA, by the Applicant and requesting him to convey as and when the dumping of all sorts of garbage would be abandoned at Ramchandrapur on or before 31.10.2019, so that, the Applicants, along with the local people may avoid strike/aborodh on and from 01.11.2019.

XLVI. For that by way of another written Representation dated 04.03.2020 submitted to the Respondent Nos.- 1, 2 & 9 the Applicants requested him to convey the Progress Report of the shifting the trenching ground from Ramchandrapur, in connection with the agitation of the local people.

XLVII. For that the Respondent No.-6, communicated the Resolution of the Meeting, in connection with the Ramchandrapur trenching ground, which was held on 02.01.2020 to the Respondent Nos. 1 & 9, with a copy to the Applicants.

XLVIII. For that a Meeting was held on 06.01.2023, at the Board Room of Respondent No. 4 and in this meeting it was pointed out that, the Applicants will go for

agitation, in near future, if the shifting of the trenching ground is not considered by the Municipal authority, shortly and further pointed out to approach the Govt. on the motto of shifting the trenching ground from Ramchandrapur and removing all the legacy, as well as, fresh waste from the trenching ground, within three months..

XLIX. For that on 12.06.2023 & 28.11.2023, written representations are submitted by the Applicants to the Respondent No.-5, requesting him to stop dumping of garbage and to remove the legacy waste, from the said Ramchandrapur trenching ground, on and from the respective dates mentioned therein.

XLX. For that on 10.01.2024, the Respondent No.-11, being the Officer-In-Charge, Khardah Police Station, submitted a Report under Memo No.-KHD/185/24 dated 10.01.2024 to the Respondent No. 10, through proper channel, stating interalia, that, on receiving information of Recent agitation, as well as, request from Panihati Municipality an open enquiry was conducted and it was Reported that, the garbage is piling up day by day, making the environment, foul and unhygienic for health and accordingly, the Applicants and local people are obstructing new garbage dumping but allowing the removal of legacy garbage. It was also reported, that the situation was/is grave and delicate and may invite unpleasant breach in law and order situation, if it is not taken care of by all the stake holders, at the earliest.

- XLXI. For that the damage caused to the environment at large due to the indiscriminate dumping and collection of legacy waste at the site has not been assessed at all or assessed in a way which is undesirable.
- XLXII. For that the acts and actions of the Respondent Authorities are neither bonafide nor lawful.
- XLXIII. For that the actions of the Respondent Authorities are ex-facie bad on facts as well as in law.
- XLXIV. For that the said action and/or non-action of the Respondent Authorities is otherwise bad, illegal, perverse and cannot be countenanced both in law as well on facts.
- XLXV. For that the actions and/or non-actions of the Respondents complained of herein suffer from the vice of illegality, irrationality and/or procedural impropriety warranting interdiction by this Hon'ble Tribunal in exercise of jurisdiction vested upon it by the Constitution of India.
- XLXVI. For that the acts and/or actions including non-actions of the Respondent Authorities are in flagrant violation of law, the principles of natural justice and as such is depictive of highhandedness and mechanical action and as such amount to sheer miscarriage of justice.

96. The Applicants submit that in view of the facts that the Respondent Municipal Authorities have already planned and/or started to start the dumping garbage in the said Ramchandrapur dumping ground without following any law, Rules framed for this purpose, and delay in restraining them may cause irreparable loss and injury to the Applicants, and as such, under such grave urgency in moving the instant application the service to the Respondents may be dispensed with.

97. The Applicants have no other effective remedy for redressal of their grievances and the reliefs as prayed for if granted will be full and complete.

98. The records of this case are laying within the jurisdiction of this Hon'ble Tribunal and as such this Hon'ble Tribunal is empowered to try and entertain it.

99. The instant application is bonafide and made for ends of justice.

100. Limitation :

The Applicants state that as the matter involved herein is arising out with the illegal dumping of garbage, night soil and carcasses in the said Ramchandrapur dumping ground without following any law and/or violating all the existing law and directions of the Authorities concerned and the problem is still continuing hence, therefore, the cause of action is continuing since the inception of such dumping of garbage, night soil and carcasses till date and/or no question of limitation is existing thereon.

101. Prayers:

Under the Circumstances the Applicants most humbly pray that Your Lordship may be graciously pleased to

- a) Grant leave for moving the instant Application as extreme urgent one by dispensing with Rule relating to service of copies upon the Respondents , and
- b) Pass an order or orders and/or direction or directions commanding the Respondent authorities, their men, agents, assigns, employees and/or subordinates whereby and wherein the said Respondent Authorities to remove the said Ramchandrapur dumping and/or trenching ground lying and situated in the Ward No. 23 within the local limit of the Panihati Municipality being the Respondent Nos. (4) to (8).to an alternative place and/or to the Mohishpota, the place earmarked for such dumping/ trenching ground forthwith and
- c) Pass a Prohibitory order in the nature of permanent Prohibition, prohibiting the Respondents their men, agents, assigns, employees and/or subordinates from using the said dumping and/or trenching ground lying and situated in the Ward

No. 23 within the local limit of the Panihati Municipality being the Respondent Nos. (4) to (8), and

- d) Pass an order or orders and/or direction or directions to the upon the Respondents to restore the Ramchandrapur Trenching Ground, situated in Ward No. 23 of Panihati Municipality to its Pristine state by adopting Scientific Methods, and
- e) Pass an order or orders and/or direction or directions to Constitute a Committee comprising of experts to Investigate and Inspect the Ramchandrapur Trenching Ground, situated in Ward No. 23 of Panihati Municipality and Submit a factual report, including Scientific measures to be adopted for Environmental restitution of the said area.
- f) Impose exemplary Environmental compensation on Respondent Nos. 4 to 8, who are primarily responsible for the present state of the Ramchandrapur Trenching Ground, situated in Ward No. 23 of Panihati Municipality and Pass an order or orders and/or direction or directions to initiate appropriate action

against erring officials and Respondents for their inaction and illegal action, and

- g) Pass an order or orders and/or direction or directions directing the Respondents to certify and transmit the records of this case to this Hon'ble Tribunal, so that conscionable justice may be administered thereby, and
- h) Issue a Rule NISI in terms of prayers made herein above, and
- i) Make the said Rule absolute on hearing the causes shown or if no cause is shown and/or to pass such other or further order or orders as to Your Lordship may seem fit and proper, and
- j) Grant an interim order directing the Respondent authorities, their men, agents, assigns, employees and/or subordinates whereby and wherein restraining them from using the said dumping and/or trenching ground lying and situated in the Ward No. 23 within the local limit of the Panihati Municipality being the Respondent Nos. (4) to (8) forthwith till disposal of the instant Application, and

k) Grant costs.

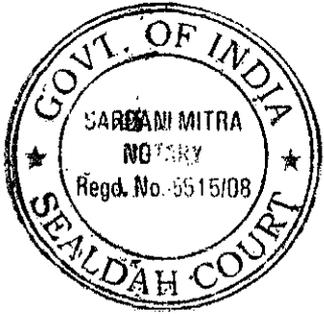
And the Applicants, as in duty bound, shall ever pray.

Sumanta Chandra Bandyopadhyay

Verification

I Sumanta Chandra Bandyopadhyay alias Shyamal Banerjee, aged about 77 years, son of Late Paresh Chandra Bandyopadhyay, being the Applicant No. (3) duly verify that the statements made in paragraphs 1 to 35 and 100 of the foregoing application are true to my knowledge and derived from my information which I verily believe to be true and the rests are my humble submission before this Hon'ble Tribunal and I sign this verification today the day of May, in the year 2024.

Sumanta Chandra Bandyopadhyay



Affidavit

I Sumanta Chandra Bandyopadhyay alias Shyamal Banerjee, aged about 77 years, son of Late Paresh Chandra Bandyopadhyay, by Nationality - Indian, by faith - Hindu, by occupation - Retired Government Employee, residing at P.O.- Ramchandrapur, P.S.- Kardah, Kolkata, Dist- North 24 Parganas, PIN-700110, do hereby solemnly affirm and declare as follows -

1. That I am the Applicant No. (3) to the instant Original Application and as such, well conversant with the facts and circumstances out of which this petition arises. I am authorized and/or empowered to affirm this Affidavit for myself, on behalf of the Other Applicants on their behalf and for them and I am sui juris to affirm this affidavit
2. That the statements made in paragraphs 1 to 35 and 100. of the foregoing application are true to my knowledge and derived from the information which I verily believe to be true and the rests are my humble submissions before this Hon'ble Tribunal.



Uttam Baidya. Sumanta Chandra Bandyopadhyay
 Prepared in my office
 Advocate

Deponent is known to me
 Clerk to Mr. *Uttam Baidya*
 Advocate

Solemnly affirmed before me
 This the day of May, 2024

I certify that all the
 annexure are legible

Uttam Baidya.
 Advocate

Solemnly Affirmed
 Declared Before Me
 On Identification By

Sm
 SARBANI MITRA
 NOTARY
 Regd. No. -5515/08

15 MAY 2024

Form 4A

ANNEXURE - 'P/2'

[See Paragraph No. 27]

- 76 -

Estimate of the probable cost of acquiring land under Act I of 1894

L. A. P./L. A. Name of Project :- Acquisition
 Case No. - LA-II/1 of 75-76 of 4.325 Area...
 Mouza :- Mahispala acres/Hectares of land required
 J. L. No. 26 by the Savitri Municipality
 P. S. Khardah for Teaching ground
 Dist. North 24-Parganas.
 i) Date of Public Notice u/s 4(1) of Act I of 1894 17/12/2004
 ii) Tentative date of Award under Act I of 1894 31/1/2005
 iii) Date of Possession u/s 17 17/5/2005

Description of land & area in acres and decimals	Rate/Acre	Valuation of land in col. 1
Classification (a)	Area (b)	(c)
Jali	4.15 Acres	Rs - 3,24,726/-
Doba	0.175 Acres	Rs - 1,62,364/-

4 Total Market value of land Rs. 13,76,034.90/-

5) Total Annual Revenue Payable as per W. B. Land Holding Revenue Act, 1979 NIL

6) Capitalised value of land revenue as per G. O. 5769(59)-LA(II) dt. 29-10-88 (25 times the amount in col. 5 : NIL

7) Value of tenants interest in total market value of land as in col. 4 Rs - 13,76,034.90/-

Value of houses and trees
 8a) Houses NIL
 8b) Trees NIL

9) Total Market Value col. 7 + 8(a) + 8(b) Rs. 13,76,034.90/-

10) Additional Compensation @ 30% of the Market Value as per Sec. 23(2) of Act I of 1894 Rs - 4,12,810.47/-

11) Additional 12% per annum on the market value in col. 10 as per sec 23 (1A) of Act I of 1894 Rs - 20,526.23/-

12) Drawings if any under clauses 2 to 7 of sec. 23(1) of Act I of 1894 Rs - 70295.38/-

13) Rs. 1000 from 17/5/2005 to 16/12/04

13) Excavation Cost of Tank/Hany

14) Total (col. 1 to 12) = Rs. 18,86,681.80/-

15) Interest for the period from ... NIL

16) Contingencies including cost of measurement = Rs. 18,86,681.80/- = 627,933.73/-

17) Cost of Establishment

18) Law charges if any

19) Cap. value (as assessed in col. 3 and 5) = Rs. 10,000/-

20) GRAND TOTAL = Rs. 19,34,410.50/-

Total (in words): Nineteen Lacs thirty four thousand four hundred and twenty only

21) Remarks

Certified that the estimate is fair and that the rates have been arrived at after local enquire and inspection of the ground and with reference to the settlement records and the records of the Registration Directorate

District: North 24-Parganas

Dated the

23.12.61
Surveyor

K. G. O. S. L. A. O.
North 24-Parganas
Bharasat

Additional Land Acquisition Officer
North 24-Parganas

Additional Collector (L.A.)
North 24-Parganas
District

Value of land in receipt of date of possession 17.5.1975

Rate 1/15 Area 1005560/100 = Rs. 22074.00/-

Rate 10/175 Area 101589/100 = Rs. 2078.08/-
Rs. 23352.08/-

Collector
North 24-Parganas

Commissioner
Presidency Division

PASSED/APPROVED/SANCTIONED
AT BOARD MEETING DATED 28/12/61

Secretary
Land and Land Reforms
Department
Government of West Bengal

Typed Copy of:

13. Excavation Cost of Tank, if any
14. Total (col. 8+9+10+11+12) Rs. 18,86,686.80/-
15. Interest for the period fromNil
to.....on.....
16. Contingencies including cost of measurement : 2% Rs. 18,86,686.80/- = Rs. 37,733.73/-
17. Cost of Establishment
18. Law Charges, if any
19. Cap value (as asessed in col. 5 and 6) Rs. 10000/-
20. GRAND TOTAL Rs. 19,34,420.50/-
Say Rs. 19,34,420/-

Total (in words):- Nineteen Lacs thirty four thousand four hundred and twenty only.

21. Remarks:-

Certified that the estimate is fair and that the rates have been arrived at after local enquire and inspection of the ground and with reference to the settlement records and the records of the Registration Directorate

District :- North 24 Parganas

Dated the

Sd/-	Sd/-	Sd/-	Sd/-
23.12.02	23.12.02	24.12.02	31.12.02
Surveyor	K.G.O. Asst. L.A.O. North 24 Parganas Barasat	Addl. L.A.O. North 24 Parganas Officer	Addl District Magistrate (L.A.) North 24 Parganas District

Value of land in respect of date of possession L.O. 17.05.1975

Sali - 4.15 Dcrm x Rs. 5560/- = Rs. 23,074.00/-

Doba- 0.175 Dcrm X Rs. 1589/- = Rs. 278.08/-
Rs. 23,352.08/-

Sd/-
Collector
North 24 Parganas

Sd/-
Commissioner
Presidency Division

PASSED/APPROVED/SANCTIONBED AT
BOARD MEETING DATED 31.01.03

Sd/-
Secretary
Land and Reforms Department
Government of West Bengal

①
 MINUTES OF THE MEETING HELD IN S.D.O.'S BARRACKPORE OFFICE, BARRACKPORE ON 29.8.81 IN CONNECTION WITH REMOVAL OF TRENCHING GROUND FROM RAMCHANDRAPUR, SONAPUR.

MEMBERS PRESENT

1. Shri Gopal Bhattacharjee, MLA
2. Shri Indu Bhusan Sarkar, Member- Bhagan Uchhed Committee.
3. Shri Shyamal Banerjee -do- -do-
4. Shri Sankar Das -do- -do-
5. Shri Narayan Ch. Das -do- -do-
6. Shri Subhas Sengupta -do- -do-
7. Shri Dhurjati Pr. Bhattacharjee -do- -do-
8. Shri Samrat Lal De Khan-Convenor -do-
9. Shri Barin Das, S.D.O., Barrackpore
10. Shri A.K. Chattopadhyay, Adl. S.P., Barrackpore
11. Shri A.K. Ghosh, S.D.P.O., Belgharia
12. Shri A.C. Majumdar, Chairman, Panihati Municipality.
13. Shri D.K. Ghosh, Commissioner, Ward No. 16 of Panihati Municipality.

S.D.O., Barrackpore took the chair.

After thorough discussions of the problem the following decisions were arrived at unanimously.

No.1

The Panihati Municipality should start immediately the work connected with the development of newly acquired land at Mohispota. Adequate police protection for the purpose will be rendered to the Municipality. Prior to that construction of road and culvert leading to the newly acquired trenching ground should be taken up by the Municipality. The Municipal Authority will start this work by 15th October, 1981 with required police

Cont'd.....2

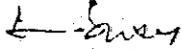
: 2 :

protection. The actual date of commencement of this work should be reported to the Addl. S.P., Barrackpore by the Municipality at least 7 days ahead.

Development work of newly acquired land should commence from the 2nd week of November, 1981. It is expected that the development of new site of Trenching ground at Mahispota will be completed by the end of June, 1982.

The Municipal authority will abandon the present Trenching ground at Ranchandrapur, Sodepur from the 1st week of July, 1982.

Another meeting will be convened by the Sub-Divisional Officer to review the progress of work, by 1st week of February, 1982.


(Barin Basu)
Sub-Divisional Officer
Barrackpore.

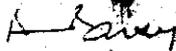
MEMO. NO : 1358

(13) CON

DATED: 5/9/81

Copy forwarded to Shri

Member, Bhagan Uched Committee
for information and necessary action.


(Barin Basu)
Sub-Divisional Officer
Barrackpore.

Typed Copy Of:

MINUTES OF THE MEETING HELD IN S.D.O'S BUNGALOW
OFFICE, BARACKPORE ON 29.8.81 IN CONNECTION WITH
REMOVAL OF TRENCHING GROUND FROM RAMCHANDRAPUR,
SODEPUR.

.....

MEMBERS PRESENT

1. Shri Gopal Bhattacharjee, MLA
2. Shri Indu Bhusan Sarkar, Member-Bhagar Uchhed Committee.
3. Shri Shyamal Banerjee -do- -do-
4. Shri Sankar Das -do- -do-
5. Shri Narayan Ch. Das -do- -do-
6. Shri Subhas Banerjee -do- -do-
7. Shri Dhurjati Prd.Bhatta- -do- -do-
Charjee.
8. Shri Samarendra Lal De Khan-Convenor -do-
9. Shri Barin Basu, S.D.O, Barrackpore
10. Shri A.K.Chattopadhyay, Addl. S.P, Barrackpore
11. Shri A.K.Ghosh, S.D.P.O, Belgharia
12. Shri A.C.Majumder, Chairman, Panihati Minicipality.
13. Shri D.N. Ghosh, Commissioner, Ward No. 16 of Panihati
Municipality.

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No.1.

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Development work of newly acquired land should commence from the 2nd week of November, 1981. It is expected that the development of new site of Trenching ground at Mahispota will be completed by the end of June, 1982.

The Municipal authority will abandoned the present Trenching ground at Ramchandrapur, Sodepur from the 1st week of July, 1982.

Another meeting will be convened by the Sub-Divisional Officer to review the progress of the work, by the 1st week of February, 1982.

Sd/-
(Barin Basu)
Sub-Divisional Officer,
Barrackpore

MEMO. NO: 1358(13) CON DATED: 5/9/81

Copy forwarded to Shri

Member, Bhagar Ucched Committee

For information and necessary action.

Sd/-
(Barin Basu)
Sub-Divisional Officer,
Barrackpore

- 83 -

Translated Copy of:

PANIHATI MUNICIPAL OFFICE

PANIHATI 24 PARGANAS (NORTH), PIN-743178

PHONE: 653-2909, 563-4457. FAX: 553-1487

Dated: 24.8.2001

Respectable,
Chairman,
Panihati Municipality,

Subject: Bhagar (Trenching Ground)

For the obnoxious smell of the Trenching ground, situated at Ramchandrapur in Ward No.2, the livelihood of the inhabitants, residing at this locality and the surrounding regions, have become tiresome. This Trenching has been turned into a hell, due to the lacuna on the Part of this Municipality. So, for drawing your contentious/ attention, I am submitting this letter. By taking immediate proper steps, kindly help to transform this area, pollution free. Many inhabitants of this locality are passing off their days in ill health. I pray to draw your kind attention, as a chairman, on all these.

Thanking you.

Sd/-

Mira Banik

24.08.2001

Councillor,

PANIHATI MUNICIPALITY

Receipt No.-6395

Date of Submission-24.8.2001

2/11/01
T. S. Chakraborty

ANNEXURE - P/5
- 84 -

WEST BENGAL POLLUTION CONTROL BOARD

Barrackpore Regional Office

Inspection Report of Ramchandrapur Bhagar under Panihati Municipality

Name & Address of the unit : Trenching ground of Night Soil & dumping Station of
gainst which complaint has Municipal Solid Waste & Caresses owned by Panihati
been lodged. Municipality Vill - Ramchandrapur. Ward no.23,
Panihati, Sodepur, P.S. Khardah

Date and time of Inspection : 07.11.2001 from 3.10 PM to 4.40 PM

Inspection made by : Shri B. Nandi, Asst. Env. Engineer (BRO)

Name of the persons : Sri Dinesh Ch. Roy, Chairman, P.W.D of Panihati
met on behalf of the Municipal Municipality. Sri Charan Chakroborty, Councillor
authority in Charge of Municipal waste

Name of the persons present : Members of the Ramchandrapur Bhagar Uchhed
on behalf of the complainant Committee

Nature of pollution : Air/Water..

Observation

In response of the complainant petition dated 01.09.2001 of Ramchandrapur Bhagar Uchhed Committee (R.B.U.C.) Ramchandrapur, Sodepur and as per instruction of Senior Officer, WBPCB on 01.11.2001 an inspection was caused to the said Bhagar located at the heart of Ward No - 23, which is a densely populated area. The Bhagar area includes about 7.5 bighas of land as learnt from the official of the Panihati Municipality during visit of the undersigned on 7.11.2001 which was also admitted by the R.B.U.C. Sri Dinesh Ch. Roy, Chairman, P.W.D & Sri Charan Chakroborty councillor of Panihati Municipality informed that about 300 Mt of solid waste per month are generated from the day to day activities of 3.48 lacks residents under Panihati Municipality. Night soil as collected during desludging from septic tanks are also deposited & dumped at the said disposal ground. During inspection along with the members of the R.B.U.C, it was noticed that the disposal/trenching ground in a very wretched condition causing environmental hazards in & around its surrounding. Moreover caresses are also dumped here & very haphazardly in a open area of which 3 sides are covered with Brick wall of about 6' ht.. No wall was noticed covering the

dumping/trenching ground by segregating the human habitation. To put it straight it may be mentioned that due to dumping of solid waste including anatomical waste of beast bones with flesh of carcases and the trenching ground of Night soil creates evil effect to the thousand of people who are living very closed to the said Bhagar in particular and all the people who are living in ward No. 23 and the adjacent wards in general. During dumping of such hazardous substances the Municipal authority do not follow any scientific/ hygienic method considering the health hazards of the local people with the plea that the people had purchased the land close to Bhagar at low cost and therefore they have to face consequence. But the question arises why the Municipal authority did never imposed any embargo for civil construction through non-sanctioning of building plan. During inspection it was surprisingly noticed that Homeopathy research Lab. and Hospital and labour quarters of the said Municipality is located along with a primary school and Mondir within the handshake distance of the said Bhagar. The inhabitants i.e. Harijan people of the said labour quarter for their own business used to rear up pigs in their household and let them loose in the Bhagar adjacent residential area & the pig are roaming in that area living excreta & urine here & there on the area for which the inhabitants are also suffering. It is noted here, that about 350 nos of signatories sign in their submitted memorandum to his office for immediate removal of trenching ground of Night soil & dumping station of carcases from Ramchandrapur for which inhabitants of the said area was being suffered agony & very much annoyed apprehending serious diseases which may lead deterioration of law and order situation. Due to rational mass movement of the R.B.U. Committee and strong public opinion against dumping of Municipal waste the Municipal authority compelled to stop dumping activity at Ramchandrapur since 23.08.2001 which was learnt from the members of the committee & also admitted by the authority. The Municipal officials informed the undersigned presently they have made arrangement with the Kalyani Municipality for dumping carcases & the other solid waste are disposed of different low lands & desludging of septic tanks are not presently done which is also unhygienic & not at all desirable. Towards removal of the trenching ground several meetings were held with the administrator and the Municipal authority by the R.B.U.C. since 1975 but no positive action has yet been taken by the authority. It is high time to look into the matter as it relates to Fundamental Rights of the people of the land to live in clean environment which can not be violated by any such authority.

It also appears from the submitted Memorandum of the R.B.U.C that a most important agreement made in black & white in the year 1975 between the then S.D.O, M.L.A and the administrator of Panihati Municipality with the villagers of Ramchandrapur wherein it was agreed and signed that the trenching ground of night soil and dumping station of caresses must be withdrawn / removed from Ramchandrapur . To honour the said agreement the concern authority had purchased a land at Mahispota and other allied works for the said purpose were started, but removal of Bhagar was not made till now. Another important agreement held at S.D.O. Bungalow office Barrackpore on 29.8.81 in connection with removal of Bhagar of Ramchandrapur made between the then Chairman of Panihati Municipality, M.L.A. with the R.B.U.C in-presence of the then S.P, S.D.P.O. which state that the municipal authority will abandon the present trenching ground at Ramchandrapur from 1st week of July 1984 but due to himalayan negligence and lacuna on the part of Municipal authority the shifting/ removal of the said Bhagar was not yet done.

It was learnt from the Municipal authority that the said Bhagar is about hundred years old and it is no doubt at that time or even about 26 or 27 years ago the surrounding population were not so. even huge vacant places were remained but after 27 years the population has gradually increased to the highest peak, so no vacant place is there now-a-days. Moreover trenching/ dumping ground has become over fulfilled and during rainy-season the condition become more worst and horrible due to spreading of the nuisance substances mixed with rain water.

Disposal of Municipal solid waste following present practice may causes contamination of ground water, surface water and detoriet ambient air quality which leads to epidemic.

Considering the gravity of the prevailing situation such dumping of caresses, and night soil & solid waste in such a densely populated area should be outright discouraged and direction towards shifting/ removal of the said Bhagar from the heart of ward no. 23 of Panihati Municipality at Ramchandrapur may be issued with immediate effect.

sdf/-
(B. Nandi)

Asstt. Environmental Engineer
Barrackpore Regional Office

Encl - 6(Six) nos. photographs
of Bhagar are enclosed
herewith as ready reference.

Comments :-

- i) From the above inspection report it appears that the Panihati Municipal Authority is allowing for developing habitation in & around the said Bhagar (Municipal solid waste dumping ground) on the other hand the said authority continuing dumping activity of Municipal solid waste to the site in question ,violating the Municipal Solid Wastes (Management and Handling) Rules, 2000.
- ii) There is no such buffer zone between the said disposal ground and surrounding habitation area.
- iii) For developing a real habitation area the said Municipal Authority is at liberty to choose any other suitable isolated plot for disposal of Municipal Solid Waste instead of any populated area after taking adequate measures as stated in Municipal Solid Wastes (Management and Handling) Rules, 2000 and the Notification of Ministry of Environment & Forests, Govt. of India dtd. New Delhi, the 25th September, 2002, published in the Gazette of India, vide no.648 dtd. 3.10.2000, to avoid any environmental hazards to the surrounding habitation area.


(B. K. Pal)

Environmental Engineer
Barrackpore Regional Office

- 88 -

Typed Copy of:

WEST BENGAL POLLUTION CONTROL BOARD
Barrackpore Regional Office
Inspection Report of Ramchandrapur Bhagar under Panihati Municipality

1. Name & Address of the unit against which complaint has been lodged. Trenching ground of Night Soil & dumping Station of Municipal Solid Waste & Caresses owned by Panihati Municipality Vill-Ramchandrapur, Ward no.23, Panihati, Sodepur, P.S. Khardah.
2. Date and time of Inspection 07.11.2001 from 3.10 PM to 4.40 PM
3. Inspection made by Shri B. Nandi, Asst.Env. Engineer (BRO)
4. Name of the persons met on behalf of the Municipal authority Sri Dinesh Ch.Roy, Chairman, P.W.D of Panihati Municipality, Sri Charan Chakraborty, Councillor in Charge of Municipal waste
5. Name of the persons present on behalf of the complainant Members of the Ramchandrapur Bhagar Uchhed Committe
6. Nature of pollution Air/Water..
7. Observation

In response of the complainant petition dated 01.09.2001 of Ramchandrapur Bhagar Uchhed Committee(R.B.U.C) Ramchandrapur, Sodepur and as per instruction of Senior Law Officer, WBPCB on 01.11.2001 an inspection was caused to the said Bhagar located at the heart of Ward No.-23, which is a densely populated area. The Bhagar area includes about 7.5 bighas of land as learnt from the official of the Panihati Municipality during visit of the undersigned on 7.11.2001 which was also admitted by the R.B.U.C. Sri Dinesh Ch.Roy, Chairman, P.W.D & Sri Charan Chakraborty councillor of Panihati Municipality informed that about 300 Mt of solid waste per month are generated from the day to day activities of 3.48 lacks residents under Panihati Municipality. Night soil as collected during desludging from septic tanks are also deposited & dumped at the said disposal ground. During inspection along with the members of the R.B.U.C, it was noticed that the disposal/trenching ground in a very wretched condition causing environmental hazards in & around its surrounding. Moreover caresses are also dumped here & very haphazardly in a open area of which 3 sides are covered with Brick wall of about 6' ht.. No wall was noticed covering the dumping/trenching ground by segregating the human habitation. To put it straight it may be mentioned that due to dumping of solid waste including anatomical waste of beast bones with flesh of caresses and the trenching ground of Night soil creates evil effect to the thousand of people who are living very closed to the said Bhagar in particular and all the people who are living in ward No.23 and the adjacent wards in general. During dumping of such hazardous substances the Municipal authority do not follow any scientific/hygienic method considering the health hazards of the local people with the plea that the people had purchased the land close to Bhagar at low cost and therefore they have to face consequence. But the question arises why the Municipal authority did never imposed any embargo for civil construction through non-sanctioning of building plan. During inspection it

was surprisingly noticed that Homeopathy research Lab. and Hospital and labour quarters of the said Municipality is located along with a primary school and Mondir within the handshake distance of the said Bhagar. The inhabitants i.e. Harijan people of the said labour quarter for their own business used to rear up pigs in their household and let them loose in the Bhagar adjacent residential area & the pig are roaming in that area living excreta & urine here & there on the area for which the inhabitants are also suffering. It is noted here, that about 350 nos of signatories sign in their submitted memorandum to this office for immediate removal of trenching ground of Night soil & dumping station of caresses from Ramchandrapur for which inhabitants of the said area was being suffered agony & very much annoyed apprehending serious diseases which may lead deterioration of law and order situation Due to rational mass movement of the R.B.U. Committee and strong public opinion against dumping of Municipal waste the Municipal authority compelled to stop dumping activity at Ramchandrapur since 23.08.2001 which was learnt from the members of the committee & also admitted by the authority. The Municipal officials informed the undersigned presently they have made arrangement with the Kalyani Municipality for dumping caresses & the other solid waste are disposed of different low lands & desludging of septic tanks are not presently done which is also unhygienic & not at all desirable. To wards removal of the trenching ground several meetings were held with the administrator and the Municipal authority by the R.B.U.C, since 1975 but no positive action has yet been taken by the authority. It is high time to look into the matter as it relates to Fundamental Rights of the people of the land to live in clean environment which can not be violated by any such authority.

It also appears from the submitted Memorandum of the R.B.U.C that a most important agreement made in black & white in the year 1975 between the then S.D.O, M.L.A and the administrator of Panihati Municipality with the villagers of Ramchandrapur wherein it was agreed and signed that the trenching ground of night soil and dumping station of caresses must be withdrawn/removed from Ramchandrapur. To honour the said agreement the concern authority had purchased a land at Mahispota and other allied works for the said purpose were started, but removal of Bhagar was not made till now. Another important agreement held at S.D.O. Bungalow office Barrackpore on 29.8.81 in connection with removal of Bhagar of Ramchandrapur made between the then Chairman of Panihati Municipality, M.L.A. with the R.B.U.C in-presence of the then S.P, S.D.P.O. which state that the municipal authority will abandon the present trenching ground at Ramchandrapur from 1st week of July 1984 but due to Himalayan negligence and lacuna on the part of Municipal authority the shifting/removal of the said Bhagar was not yet done.

It was learnt from the Municipal authority that the said Bhagar is about hundred years old and it is no doubt at that time or even about 26 or 27 years ago the surrounding population were not so, even huge vacant places were remained but after 27 years the population has gradually increased to the highest peak, so no vacant place is there now-a-days. Moreover trenching/dumping ground has become over fulfilled and during rainy-season the condition become more worst and horrible due to spreading of the nuisance substances mixed with rain water.

Disposal of Municipal solid waste following present practice may causes contamination of ground water, surface water and detoriet ambient air quality which leads to epidemic.

- 90 -

Considering the gravity of the prevailing situation such dumping of caresses, and night soil & solid waste in such a densely populated area should be outright discouraged and direction towards shifting/removal of the said Bhagar from the heart of ward no.23 of Panihati Municipality at Ramchandrapur may be issued with immediate effect.

Sd/-

(B Nandi)

Asstt. Environmental Engineer
Barrackpore Regional Office

Encl.:- 6(Six) nos. photographs
of Bhagar are enclosed
herewith as ready reference.

Comments:-

- i) From the above inspection report it appears that the Panihati Municipal Authority is allowing for developing habitation in & around the said Bhagar (Municipal solid waste dumping ground) on the other hand the said authority continuing dumping activity of Municipal solid waste to the site in question, violating the Municipal Solid Wastes (Management and Handling) Rules, 2000.
- ii) There is no such buffer zone between the said disposal ground and surrounding habitation area.
- iii) For developing a real habitation area the said Municipal Authority is at liberty to choose any other suitable isolated plot for disposal of Municipal Solid Waste instead of any populated area after taking adequate measures as stated in Municipal Solid Wastes (Management and Handling) Rules, 2000 and the Notification of Ministry of Environment & Forests, Govt. of India dtd. New Delhi, the 25th September, 2000 published in the Gazette of India, vide no.648 dtd. 3.10.2000, to avoid any environmental hazards to the surrounding habitation area.

Sd/-

(B.K.Pal)

Environmental Engineer
Barrackpore Regional Office



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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पर्यावरण और वन मंत्रालय

अधिसूचना

नई दिल्ली, 25 सितम्बर, 2000

का.आ. 908(अ).— नगरीय ठोस अपशिष्ट (प्रबंधन और हथालन) नियम, 1999 का प्रारूप भारत सरकार के पर्यावरण और वन मंत्रालय की अधिसूचना संख्यांक का.आ.783 तारीख 27 सितम्बर, 1999, उसी तारीख के भारत के राजपत्र, भाग 2, खंड 3, उपखंड (ii) में, ऐसे व्यक्तियों से जिनके उनसे प्रभावित होने की संभावना थी, उस तारीख से साठ दिनों की अवधि की समाप्ति से पहले आक्षेप और सुझाव आमंत्रित करते हुए प्रकाशित की गई थी जिसको उक्त अधिसूचना से युक्त राजपत्र की प्रतियां जनता को उपलब्ध करा दी जाती हैं ;

और उक्त राजपत्र की प्रतियां 5 अक्टूबर, 1999 को जनता को उपलब्ध करा दी गई थी ;

और उक्त प्रारूप नियमों की बाबत जनता से प्राप्त आक्षेप और सुझावों पर केन्द्रीय सरकार ने सम्यक रूप से विचार कर लिया है ;

अतः अब, केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3, 6 और 25 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए नगरीय ठोस अपशिष्टों के प्रबंधन और हथालन को विनियमित करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :-

1. संक्षिप्त नाम और प्रारंभ :-

(1) इन नियमों का संक्षिप्त नाम नगरीय ठोस अपशिष्ट (प्रबंधन और हथालन) नियम, 2000 है ।

(2) जैसा इन नियमों में अन्यथा उपबंधित है उसके सिवाए ये राजपत्र में प्रकाशन की तारीख को लागू प्रवृत्त होंगे ।

2. लागू होना - ये नियम नगरीय ठोस अपशिष्टों के संग्रहण, पृथक्करण, भंडारण, परिवहन, प्रसंस्करण तथा व्ययन के लिए उत्तरदायी प्रत्येक नगरपालिका प्राधिकारी को लागू होंगे ।

3. परिभाषाएं - इन नियमों में जब तक संदर्भ से अन्यथा अपेक्षित न हो, -

(i) "वात निरपेक्ष पाचन" से ऐसी नियंत्रित प्रक्रिया अभिप्रेत है जिसमें आक्सीजन के अभाव में कार्बनिक पदार्थ का माइक्रोबायोल विद्योजन अंतर्बलित है ;

(1)

**MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION**

New Delhi, the 25th September, 2000

S.O. 908(E).—Whereas the draft of the Municipal Solid Wastes (Management and Handling) Rules, 1999 were published under the notification of the Government of India in the Ministry of Environment and Forests number S.O. 783(E), dated, the 27th September, 1999 in the Gazette of India, Part II, Section 3, Sub-section (ii) of the same date inviting objections and suggestions from the persons likely to be affected thereby, before the expiry of the period of sixty days from the date on which the copies of the Gazette containing the said notification are made available to the public;

And whereas copies of the said Gazette were made available to the public on the 5th October, 1999;

And whereas the objections and suggestions received from the public in respect of the said draft rules have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by section 3, 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules to regulate the management and handling of the municipal solid wastes, namely :-

1. Short title and commencement .—

- (1) These rules may be called the Municipal Solid Wastes (Management and Handling) Rules, 2000.
- (2) Save as otherwise provided in these rules, they shall come into force on the date of their publication in the Official Gazette.

2. Application .— These rules shall apply to every municipal authority responsible for collection, segregation, storage, transportation, processing and disposal of municipal solid wastes .

3. Definitions .— In these rules, unless the context otherwise requires, —

- (i) "anaerobic digestion" means a controlled process involving microbial decomposition of organic matter in the absence of oxygen;

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- (ii) "authorization" means the consent given by the Board or Committee to the "operator of a facility";
- (iii) "biodegradable substance" means a substance that can be degraded by micro-organisms;
- (iv) "biomethanation" means a process which entails enzymatic decomposition of the organic matter by microbial action to produce methane rich biogas;
- (v) "collection" means lifting and removal of solid wastes from collection points or any other location;
- (vi) "composting" means a controlled process involving microbial decomposition of organic matter;
- (vii) "demolition and construction waste" means wastes from building materials debris and rubble resulting from construction, re-modelling, repair and demolition operation;
- (viii) "disposal" means final disposal of municipal solid wastes in terms of the specified measures to prevent contamination of ground-water, surface water and ambient air quality;
- (ix) "Form" means a Form appended to these rules;
- (x) "generator of wastes" means persons or establishments generating municipal solid wastes;
- (xi) "landfilling" means disposal of residual solid wastes on land in a facility designed with protective measures against pollution of ground water, surface water and air fugitive dust, wind-blown litter, bad odour, fire hazard, bird menace, pests or rodents, greenhouse gas emissions, slope instability and erosion;
- (xii) "leachate" means liquid that seeps through solid wastes or other medium and has extracts of dissolved or suspended material from it;
- (xiii) "lysimeter" is a device used to measure rate of movement of water through or from a soil layer or is used to collect percolated water for quality analysis;
- (xiv) "municipal authority" means Municipal Corporation, Municipality, Nagar Palika, Nagar Nigam, Nagar Panchayat, Municipal Council including notified area committee (NAC) or any other local body constituted under the relevant statutes and, where the management and handling of municipal solid waste is entrusted to such agency;
- (xv) "municipal solid waste" includes commercial and residential wastes generated in a municipal or notified areas in either solid or semi-solid form

excluding industrial hazardous wastes but including treated bio-medical wastes;

- (xvi) "operator of a facility" means a person who owns or operates a facility for collection, segregation, storage, transportation, processing and disposal of municipal solid wastes and also includes any other agency appointed as such by the municipal authority for the management and handling of municipal solid wastes in the respective areas;
- (xvii) "pelletisation" means a process whereby pellets are prepared which are small cubes or cylindrical pieces made out of solid wastes and includes fuel pellets which are also referred as refuse derived fuel;
- (xviii) "processing" means the process by which solid wastes are transformed into new or recycled products;
- (xix) "recycling" means the process of transforming segregated solid wastes into raw materials for producing new products, which may or may not be similar to the original products;
- (xx) "Schedule" means a Schedule appended to these rules;
- (xxi) "segregation" means to separate the municipal solid wastes into the groups of organic, inorganic, recyclables and hazardous wastes;
- (xxii) "State Board or the Committee" means the State Pollution Control Board of a State, or as the case may be, the Pollution Control Committee of a Union territory;
- (xxiii) "storage" means the temporary containment of municipal solid wastes in a manner so as to prevent littering, attraction to vectors, stray animals and excessive foul odour;
- (xxiv) "transportation" means conveyance of municipal solid wastes from place to place hygienically through specially designed transport system so as to prevent foul odour, littering, unsightly conditions and accessibility to vectors;
- (xxv) "vadose water" water which occurs between the ground, surface and the water table that is the unsaturated zone;
- (xxvi) "vermicomposting" is a process of using earthworms for conversion of bio-degradable wastes into compost.

4. Responsibility of municipal authority :-

- (1) Every municipal authority shall, within the territorial area of the municipality, be responsible for the implementation of the provisions of these rules, and for any

infrastructure development for collection, storage, segregation, transportation, processing and disposal of municipal solid wastes.

(2) The municipal authority or an operator of a facility shall make an application in Form-I, for grant of authorization for setting up waste processing and disposal facility including landfills from the State Board or the Committee in order to comply with the implementation programme laid down in Schedule I.

(3) The municipal authority shall comply with these rules as per the implementation schedule laid down in Schedule I.

(4) The municipal authority shall furnish its annual report in Form-II,-

(a) to the Secretary-in-charge of the Department of Urban Development of the concerned State or as the case may be of the Union territory, in case of a metropolitan city; or

(b) to the District Magistrate or the Deputy Commissioner concerned in case of all other towns and cities,

with a copy to the State Board or the Committee on or before the 30th day of June every year.

5. Responsibility of the State Government and the Union territory Administrations .—

(1) The Secretary-in-charge of the Department of Urban Development of the concerned State or the Union territory, as the case may be, shall have the overall responsibility for the enforcement of the provisions of these rules in the metropolitan cities.

(2) The District Magistrate or the Deputy Commissioner of the concerned district shall have the overall responsibility for the enforcement of the provisions of these rules within the territorial limits of their jurisdiction.

6. Responsibility of the Central Pollution Control Board and the State Board or the Committees .—

(1) The State Board or the Committee shall monitor the compliance of the standards regarding ground water, ambient air, leachate quality and the compost quality including incineration standards as specified under Schedules II, III and IV.

(2) The State Board or the Committee, after the receipt of application from the municipal authority or the operator of a facility in Form I, for grant of authorization for setting up waste processing and disposal facility including landfills, shall examine the proposal taking into consideration the views of other agencies like the State Urban Development Department, the Town and Country Planning Department, Air Port or Air Base Authority, the Ground Water Board or any such other agency prior to issuing the authorization.

(3) The State Board or the Committee shall issue the authorization in Form-III to the municipal authority or an operator of a facility within forty-five days stipulating compliance criteria and standards as specified in Schedules II, III and IV including such other conditions, as may be necessary.

(4) The authorization shall be valid for a given period and after the validity is over, a fresh authorization shall be required.

(5) The Central Pollution Control Board shall co-ordinate with the State Boards and the Committees with particular reference to implementation and review of standards and guidelines and compilation of monitoring data.

7. Management of municipal solid wastes .—

(1) Any municipal solid waste generated in a city or a town, shall be managed and handled in accordance with the compliance criteria and the procedure laid down in Schedule-II.

(2) The waste processing and disposal facilities to be set up by the municipal authority on their own or through an operator of a facility shall meet the specifications and standards as specified in Schedules III and IV.

8. Annual Reports .—

(1) The State Boards and the Committees shall prepare and submit to the Central Pollution Control Board an annual report with regard to the implementation of these rules by the 15th of September every year in Form-IV.

(2) The Central Pollution Control Board shall prepare the consolidated annual review report on management of municipal solid wastes and forward it to the Central Government alongwith its recommendations before the 15th of December every year.

9. Accident Reporting .— When an accident occurs at any municipal solid wastes collection, segregation, storage, processing, treatment and disposal facility or landfill site or during the transportation of such wastes, the municipal authority shall forthwith report the accident in Form-V to the Secretary in-charge of the Urban Development Department in metropolitan cities, and to District Collector or Deputy Commissioner in all other cases.

Schedule I

[see rules 4(2) and (3)]

Implementation Schedule

Serial No.	Compliance Criteria	Schedule
1.	Setting up of waste processing and disposal facilities	By 31.12.2003 or earlier
2.	Monitoring the performance of waste processing and disposal facilities	Once in six months
3.	Improvement of existing landfill sites as per provisions of these rules	By 31.12.2001 or earlier
4.	Identification of landfill sites for future use and making site (s) ready for operation.	By 31.12.2002 or earlier

Schedule -II

[see rules 6(1) and (3), 7(1)]

Management of Municipal Solid Wastes

S. no	Parameters	Compliance criteria
1.	Collection of municipal solid wastes	<p>1. Littering of municipal solid waste shall be prohibited in cities, towns and in urban areas notified by the State Governments. To prohibit littering and facilitate compliance, the following steps shall be taken by the municipal authority, namely :-</p> <p>(i) Organising house-to-house collection of municipal solid wastes through any of the methods, like community bin collection (central bin), house-to-house collection, collection on regular pre-informed timings and scheduling by using bell ringing of musical vehicle (without exceeding permissible noise levels);</p> <p>(ii) Devising collection of waste from slums and squatter areas or localities including hotels, restaurants, office complexes and commercial areas;</p> <p>(iii) Wastes from slaughter houses, meat and fish markets, fruits and vegetable markets, which are biodegradable in nature, shall be managed to make use of such wastes;</p> <p>(iv) Bio-medical wastes and industrial wastes shall not be mixed with municipal solid wastes and such wastes shall follow the rules separately specified for the purpose;</p> <p>(v) Collected waste from residential and other areas shall be</p>

		<p>transferred to community bin by hand-driven containerised carts or other small vehicles;</p> <p>(vi) Horticultural and construction or demolition wastes or debris shall be separately collected and disposed off following proper norms. Similarly, wastes generated at dairies shall be regulated in accordance with the State laws;</p> <p>(vii) Waste (garbage, dry leaves) shall not be burnt,</p> <p>(viii) Stray animals shall not be allowed to move around waste storage facilities or at any other place in the city or town and shall be managed in accordance with the State laws</p> <p>2. The municipal authority shall notify waste collection schedule and the likely method to be adopted for public benefit in a city or town</p> <p>3. It shall be the responsibility of generator of wastes to avoid littering and ensure delivery of wastes in accordance with the collection and segregation system to be notified by the municipal authority as per para 1(2) of this Schedule</p> <p>2. Segregation of municipal solid wastes</p> <p>In order to encourage the citizens, municipal authority shall organise awareness programmes for segregation of wastes and shall promote recycling or reuse of segregated materials. The municipal authority shall undertake phased programme to ensure community participation in waste segregation. For this purpose, regular meetings at quarterly intervals shall be arranged by the municipal authorities with representatives of local resident welfare associations and non-governmental organizations</p> <p>3. Storage of municipal solid wastes</p> <p>Municipal authorities shall establish and maintain storage facilities in such a manner as they do not create unhygienic and insanitary conditions around it. Following criteria shall be taken into account while establishing and maintaining storage facilities, namely :-</p> <p>(i) Storage facilities shall be created and established by taking into account quantities of waste generation in a given area and the population densities. A storage facility shall be so placed that it is accessible to users.</p> <p>(ii) Storage facilities to be set up by municipal authorities or any other agency shall be so designed that wastes stored are not exposed to open atmosphere and shall be</p>
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		<p>aesthetically acceptable and user-friendly;</p> <p>(iii) Storage facilities or 'bins' shall have 'easy to operate' design for handling, transfer and transportation of waste. Bins for storage of bio-degradable wastes shall be painted green, those for storage of recyclable wastes shall be painted white and those for storage of other wastes shall be painted black;</p> <p>(iv) Manual handling of waste shall be prohibited. If unavoidable due to constraints, manual handling shall be carried out under proper precaution with due care for safety of workers.</p>
4.	<p>Transportation of municipal solid wastes</p>	<p>Vehicles used for transportation of wastes shall be covered. Waste should not be visible to public, nor exposed to open environment preventing their scattering. The following criteria shall be met, namely:-</p> <p>(i) The storage facilities set up by municipal authorities shall be daily attended for clearing of wastes. The bins or containers wherever placed shall be cleaned before they start overflowing;</p> <p>(ii) Transportation vehicles shall be so designed that multiple handling of wastes, prior to final disposal, is avoided.</p>
5.	<p>Processing of municipal solid wastes</p>	<p>Municipal authorities shall adopt suitable technology or combination of such technologies to make use of wastes so as to minimize burden on landfill. Following criteria shall be adopted, namely:-</p> <p>(i) The biodegradable wastes shall be processed by composting, vermicomposting, anaerobic digestion or any other appropriate biological processing for stabilization of wastes. It shall be ensured that compost or any other end product shall comply with standards as specified in Schedule-IV;</p> <p>(ii) Mixed waste containing recoverable resources shall follow the route of recycling. Incineration with or without energy recovery including pelletisation can also be used for processing wastes in specific cases. Municipal authority or the operator of a facility wishing to use other state-of-the-art technologies shall approach the Central Pollution Control Board to get the standards laid down before applying for grant of authorisation.</p>
6.	<p>Disposal of municipal solid wastes</p>	<p>Land filling shall be restricted to non-biodegradable, inert waste and other waste that are not suitable either for recycling or for biological processing. Land filling shall also</p>

be carried out for residues of waste processing facilities as well as pre-processing rejects from waste processing facilities. Land filling of mixed waste shall be avoided unless the same is found unsuitable for waste processing. Under unavoidable circumstances or till installation of alternate facilities, land-filling shall be done following proper norms. Landfill sites shall meet the specifications as given in Schedule—III.

Schedule III
[see rules 6(1) and (3), 7(2)]

Specifications for Landfill Sites

Site Selection

1. In areas falling under the jurisdiction of 'Development Authorities' it shall be the responsibility of such Development Authorities to identify the landfill sites and hand over the sites to the concerned municipal authority for development, operation and maintenance. Elsewhere, this responsibility shall lie with the concerned municipal authority.
2. Selection of landfill sites shall be based on examination of environmental issues. The Department of Urban Development of the State or the Union territory shall co-ordinate with the concerned organisations for obtaining the necessary approvals and clearances.
3. The landfill site shall be planned and designed with proper documentation of a phased construction plan as well as a closure plan.
4. The landfill sites shall be selected to make use of nearby wastes processing facility. Otherwise, wastes processing facility shall be planned as an integral part of the landfill site.
5. The existing landfill sites which continue to be used for more than five years, shall be improved in accordance of the specifications given in this Schedule.
6. Biomedical wastes shall be disposed off in accordance with the Bio-medical Wastes (Management and Handling) Rules, 1998 and hazardous wastes shall be managed in accordance with the Hazardous Wastes (Management and Handling) Rules, 1989, as amended from time to time.

7. The landfill site shall be large enough to last for 20-25 years.
8. The landfill site shall be away from habitation clusters, forest areas, water bodies, monuments, National Parks, Wetlands and places of important cultural, historical or religious interest.
9. A buffer zone of no-development shall be maintained around landfill site and shall be incorporated in the Town Planning Department's land-use plans.
10. Landfill site shall be away from airport including airbase. Necessary approval of airport or airbase authorities prior to the setting up of the landfill site shall be obtained in cases where the site is to be located within 20 km of an airport or airbase.

Facilities at the Site

11. Landfill site shall be fenced or hedged and provided with proper gate to monitor incoming vehicles or other modes of transportation.
12. The landfill site shall be well protected to prevent entry of unauthorised persons and stray animals.
13. Approach and other internal roads for free movement of vehicles and other machinery shall exist at the landfill site.
14. The landfill site shall have wastes inspection facility to monitor wastes brought in for landfill, office facility for record keeping and shelter for keeping equipment and machinery including pollution monitoring equipments.
15. Provisions like weigh bridge to measure quantity of waste brought at landfill site, fire protection equipments and other facilities as may be required shall be provided.
16. Utilities such as drinking water (preferably bathing facilities for workers) and lighting arrangements for easy landfill operations when carried out in night hours shall be provided.
17. Safety provisions including health inspections of workers at landfill site shall be periodically made.

Specifications for land filling

18. Wastes subjected to land filling shall be compacted in thin layers using landfill compactors to achieve high density of the wastes. In high rainfall areas where heavy compactors cannot be used, alternative measures shall be adopted.

19. Wastes shall be covered immediately or at the end of each working day with minimum 10 cm of soil, inert debris or construction material till such time waste processing facilities for composting or recycling or energy recovery are set up as per Schedule I.
20. Prior to the commencement of monsoon season, an intermediate cover of 40-65 cm thickness of soil shall be placed on the landfill with proper compaction and grading to prevent infiltration during monsoon. Proper drainage berms shall be constructed to divert run-off away from the active cell of the landfill.
21. After completion of landfill, a final cover shall be designed to minimize infiltration and erosion. The final cover shall meet the following specifications, namely :—
 - (a) The final cover shall have a barrier soil layer comprising of 60 cms of clay or amended soil with permeability coefficient less than 1×10^{-7} cm/sec.
 - (b) On top of the barrier soil layer, there shall be a drainage layer of 15 cm.
 - (c) On top of the drainage layer, there shall be a vegetative layer of 45 cm to support natural plant growth and to minimize erosion.

Pollution prevention

22. In order to prevent pollution problems from landfill operations, the following provisions shall be made, namely :—
 - (a) Diversion of storm water drains to minimize leachate generation and prevent pollution of surface water and also for avoiding flooding and creation of marshy conditions;
 - (b) Construction of a non-permeable lining system at the base and walls of waste disposal area. For landfill receiving residues of waste processing facilities or mixed waste or waste having contamination of hazardous materials (such as aerosols, bleaches, polishes, batteries, waste oils, paint products and pesticides) minimum liner specifications shall be a composite barrier having 1.5 mm high density polyethylene (HDPE) geomembrane, or equivalent, overlying 90 cm of soil (clay or amended soil) having permeability coefficient not greater than 1×10^{-7} cm/sec. The highest level of water table shall be at least two meter below the base of clay or amended soil barrier layer.
 - (c) Provisions for management of leachates collection and treatment shall be made. The treated leachates shall meet the standards specified in Schedule-IV;
 - (d) Prevention of run-off from landfill area entering any stream, river, lake or pond.

Water Quality Monitoring

23. Before establishing any landfill site, baseline data of ground water quality in the area shall be collected and kept in record for future reference. The ground water quality within 50 metres of the periphery of landfill site shall be periodically monitored to ensure that the ground water is not contaminated beyond acceptable limit as decided by the Ground Water Board or the State Board or the Committee. Such monitoring shall be carried out to cover different seasons in a year that is, summer, monsoon and post-monsoon period.
24. Usage of groundwater in and around landfill sites for any purpose (including drinking and irrigation) is to be considered after ensuring its quality. The following specifications for drinking water quality shall apply for monitoring purpose, namely :-

S.No.	Parameters	IS 10500: 1991 Desirable limit (mg/l except for pH)
1.	Arsenic	0.05
2.	Cadmium	0.01
3.	Chromium	0.05
4.	Copper	0.05
5.	Cyanide	0.05
6.	Lead	0.05
7.	Mercury	0.001
8.	Nickel	-
9.	Nitrate as NO ₂	45.0
10.	PH	6.5-8.5
11.	Iron	0.3
12.	Total hardness (as CaCO ₃)	300.0
13.	Chlorides	250
14.	Dissolved solids	500
15.	Phenolic compounds (as C ₆ H ₅ OH)	0.001
16.	Zinc	5.0
17.	Sulphate (as SO ₄)	200

Ambient Air Quality Monitoring

25. Installation of landfill gas control system including gas collection system shall be made at landfill site to minimize odour generation, prevent off-site migration of gases and to protect vegetation planted on the rehabilitated landfill surface.

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26. The concentration of methane gas generated at landfill site shall not exceed 25 per cent of the lower explosive limit (LEL).
27. The landfill gas from the collection facility at a landfill site shall be utilized for either direct thermal applications or power generation, as per viability. Otherwise, landfill gas shall be burnt (flared) and shall not be allowed to directly escape to the atmosphere or for illegal tapping. Passive venting shall be allowed if its utilisation or flaring is not possible.
28. Ambient air quality at the landfill site and at the vicinity shall be monitored to meet the following specified standards, namely :-

S.No.	Parameters	Acceptable levels
(i)	Sulphur dioxide	120 $\mu\text{g}/\text{m}^3$ (24 hours)
(ii)	Suspended Particulate Matter	500 $\mu\text{g}/\text{m}^3$ (24 hours)
(iii)	Methane	Not to exceed 25 per cent of the lower explosive limit (equivalent to 650 mg/m^3)
(iv)	Ammonia daily average (Sample duration 24 hrs)	0.4 mg/m^3 (400 $\mu\text{g}/\text{m}^3$)
(v)	Carbon monoxide	1 hour average : 2 mg/m^3 8 hour average : 1 mg/m^3

29. The ambient air quality monitoring shall be carried out by the concerned authority as per the following schedule, namely:-
- Six times in a year for cities having population of more than fifty lakhs;
 - Four times in a year for cities having population between ten and fifty lakhs;
 - Two times in a year for town or cities having population between one and ten lakhs.

Plantation at Landfill Site

30. A vegetative cover shall be provided over the completed site in accordance with the following specifications, namely :-
- Selection of locally adopted non-edible perennial plants that are resistant to drought and extreme temperatures shall be allowed to grow,

- (b) The plants grown be such that their roots do not penetrate more than 30 cms. This condition shall apply till the landfill is stabilised;
- (c) Selected plants shall have ability to thrive on low-nutrient soil with minimum nutrient addition;
- (d) Plantation to be made in sufficient density to minimize soil erosion.

Closure of Landfill Site and Post-care

31. The post-closure care of landfill site shall be conducted for at least fifteen years and long term monitoring or care plan shall consist of the following, namely :-
- (a) Maintaining the integrity and effectiveness of final cover, making repairs and preventing run-on and run-off from eroding or otherwise damaging the final cover;
 - (b) Monitoring leachate collection system in accordance with the requirement;
 - (c) Monitoring of ground water in accordance with requirements and maintaining ground water quality;
 - (d) Maintaining and operating the landfill gas collection system to meet the standards.
32. Use of closed landfill sites after fifteen years of post-closure monitoring can be considered for human settlement or otherwise only after ensuring that gaseous and leachate analysis comply with the specified standards.

Special provisions for hilly areas

33. Cities and towns located on hills shall have location-specific methods evolved for final disposal of solid wastes by the municipal authority with the approval of the concerned State Board or the Committee. The municipal authority shall set up processing facilities for utilization of biodegradable organic wastes. The inert and non-biodegradable waste shall be used for building roads or filling-up of appropriate areas on hills. Because of constraints in finding adequate land in hilly areas, wastes not suitable for road-laying or filling up shall be disposed of in specially designed landfills.

Schedule IV
[see rules 6(1) and (3), 7(2)]

Standards for Composting, Treated Leachates and Incineration

1. The waste processing or disposal facilities shall include composting, incineration, pelletisation, energy recovery or any other facility based on state-of-the-art technology duly approved by the Central Pollution Control Board.
2. In case of engagement of private agency by the municipal authority, a specific agreement between the municipal authority and the private agency shall be made particularly, for supply of solid waste and other relevant terms and conditions.
3. In order to prevent pollution problems from compost plant and other processing facilities, the following shall be complied with, namely :-
 - (i) The incoming wastes at site shall be maintained prior to further processing. To the extent possible, the waste storage area should be covered. If, such storage is done in an open area, it shall be provided with impermeable base with facility for collection of leachate and surface water run-off into lined drains leading to a leachate treatment and disposal facility;
 - (ii) Necessary precautions shall be taken to minimise nuisance of odour, flies, rodents, bird menace and fire hazard;
 - (iii) In case of breakdown or maintenance of plant, waste intake shall be stopped and arrangements be worked out for diversion of wastes to the landfill site;
 - (iv) Pre-process and post-process rejects shall be removed from the processing facility on regular basis and shall not be allowed to pile at the site. Recyclables shall be routed through appropriate vendors. The non-recyclables shall be sent for well designed landfill site(s).
 - (v) In case of compost plant, the windrow area shall be provided with impermeable base. Such a base shall be made of concrete or compacted clay, 50 cm thick, having permeability coefficient less than 10^{-7} cm/sec. The base shall be provided with 1 to 2 per cent slope and circled by lined drains for collection of leachate or surface run-off;
 - (vi) Ambient air quality monitoring shall be regularly carried out particularly for checking odour nuisance at down-wind direction on the boundary of processing plant.
 - (vii) In order to ensure safe application of compost, the following specifications for compost quality shall be met, namely:-

Parameters	Concentration not to exceed * (mg/kg dry basis, except pH value and C/N ratio)
Arsenic	10.00
Cadmium	5.00
Chromium	50.00
Copper	300.00
Lead	100.00
Mercury	0.15
Nickel	50.00
Zinc	1000.00
C/N ratio	20-40
pH	5.5-8.5

* Compost (final product) exceeding the above stated concentration limits shall not be used for food crops. However, it may be utilized for purposes other than growing food crops.

4. The disposal of treated leachates shall follow the following standards, namely:-

S. No	Parameter	Standards (Mode of Disposal)		
		Inland surface water	Public sewers	Land disposal
1.	Suspended solids, mg/l, max	100	600	200
2.	Dissolved solids (inorganic) mg/l, max	2100	2100	2100
3.	pH value	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0
4.	Ammonical nitrogen (as N), mg/l, max	50	50	-
5.	Total Kjeldahl nitrogen (as N), mg/l, max	100	-	-
6.	Biochemical oxygen demand (3 days at 27° C) max. (mg/l)	30	350	100
7.	Chemical oxygen demand, mg/l, max	250	-	-
8.	Arsenic (as As), mg/l, max	0.2	0.2	0.2
9.	Mercury (as Hg), mg/l, max	0.01	0.01	-
10.	Lead (as Pb), mg/l, max	0.1	1.0	-
11.	Cadmium (as Cd), mg/l, max	2.0	1.0	-
12.	Total Chromium (as Cr), mg/l, max	2.0	2.0	-

13	Copper (as Cu), mg/l, max.	3.0	3.0	-
14	Zinc (as Zn), mg/l, max.	5.0	15	-
15	Nickel (as Ni), mg/l, max.	3.0	3.0	-
16	Cyanide (as CN), mg/l, max.	0.2	2.0	0.2
17	Chloride (as Cl), mg/l, max.	1000	1000	600
18	Fluoride (as F), mg/l, max.	2.0	1.5	-
19	Phenolic compounds (as C ₆ H ₅ OH) mg/l, max.	1.0	5.0	-

Note : While discharging treated leachates into inland surface waters, quantity of leachates being discharged and the quantity of dilution water available in the receiving water body shall be given due consideration.

5. The incinerators shall meet the following operating and emission standards, namely:-

A. Operating Standards

- (1) The combustion efficiency (CE) shall be at least 99.00%.
- (2) The combustion efficiency is computed as follows :

$$C.E. = \frac{\%CO_2}{\%CO_2 + \%CO} \times 100$$

B. Emission Standards

Parameters	Concentration mg/Nm ³ at (12% CO ₂ correction)
(1) Particulate matter	150
(2) Nitrogen Oxides	450
(3) HCl	50
(4) Minimum stack height shall be 30 metres above ground.	
(5) Volatile organic compounds in ash shall not be more than 0.01%.	

Note :

- (1) Suitably designed pollution control devices shall be installed or retrofitted with the incinerator to achieve the above emission limits, if necessary.
- (2) Wastes to be incinerated shall not be chemically treated with any chlorinated disinfectants
- (3) Chlorinated plastics shall not be incinerated.
- (4) Toxic metals in incineration ash shall be limited within the regulatory quantities as specified in the Hazardous Wastes (Management and Handling) Rules, 1989 as amended from time to time.
- (5) Only low sulphur fuel like LDO, LSPS Diesel shall be used as fuel in the incinerator.

Form -1

[see rules 4(2) & 6(2)]

Application for obtaining authorization

To,

The Member Secretary

1. Name of the municipal authority/Name of the agency appointed by the municipal authority
2. Correspondence address :
Telephone No. :
Fax No. :
3. Nodal Officer & designation (Officer authorised by the municipal authority or agency responsible for operation of processing or disposal facility)
4. Authorization applied for (Please tick mark) : (a) Setting up & operation of waste processing facility
(b) Setting up & operation of disposal facility
5. Detailed proposal of waste processing/disposal facility (to be attached) to include
 - 5.1 Processing of Waste
 - (i) Location of site
 - (ii) Name of waste processing technology
 - (iii) Details of processing technology
 - (iv) Quantity of waste to be processed per day
 - (v) Site clearance (from local authority)
 - (vi) Details of agreement between municipal authority and operating agency
 - (vii) Utilization programme for waste processed (Product utilization)
 - (viii) Methodology for disposal of waste processing rejects (quantity and quality)
 - (ix) Measures to be taken for prevention and control of environmental pollution
 - (x) Investment on Project and expected returns

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(x) Measures to be taken for safety of workers working in the plant

5.2 Disposal of Waste

- (i) Number of sites indentified
- (ii) Layout maps of site
- (iii) Quantity of waste to be disposed per day
- (iv) Nature and composition of waste
- (v) Details of methodology or criteria followed for site selection
- (vi) Details of existing site under operation
- (vii) Methodology and operational details of landfilling
- (viii) Measures taken to check environmental pollution

Date

Signature of Nodal Officer

Form - II

[See rule 4(4)]

Format of Annual Report to be submitted by the Municipal Authority

(i) Name of City/Town.....(ii) Population

(iii) Name of municipal body.....
and Address

Telephone No. :

Fax :

(iv) Name of Incharge dealing
with municipal solid
wastes.....
with designation
.....**I. Quantity and composition of solid wastes**(i) Total quantity of wastes generated per day
_____(ii) Total quantity of wastes collected per day

(iii) Total quantity of wastes processed for :

(a) Composting :
.....(b) Vermiculture :
.....(c) Pellets :
.....(d) Others, if any, please specify
.....

(iv) Total quantity of waste disposed by landfilling:

(a) No. of landfill sites used :
.....(b) Area used :
.....(c) Whether Weigh-bridge
facilities available :

Yes

No

(d) Whether area is
fenced :

Yes

No

(e) Lighting facility
on site :

Yes

No

(f) Whether equipment
like Bulldozer,Compactors etc. available. (Please specify) : _____
_____(g) Total Manpower
available on site : _____(h) Whether covering
is done on daily basis :

Yes

No

(i) Whether covering material
is used and whether
it is adequately available :(j) Provisions for gas
venting provided :Available
(Yes/No)

Not available

(k) Provision for
leachate collection :Provisions
madeProvisions not
made

2. Storage facilities

(i) Area covered for collection of wastes :

(ii) No. of houses covered :

(iii) Whether house-to-house collection is practised (if yes, whether done by Municipality or through Private Agency or Non-Governmental Organisation)

(iv) Bins :

Specifications (Shape & Size)	Existing Numbers	Proposed for future

(a) RCC Bins (Capacity) :

(b) Trolleys (Capacity) :

(c) Containers (Capacity) :

(d) Dumper Placers :

(e) Others, please specify :

(v) Whether all bins/ collection spots are attended for daily lifting of garbage :

Yes

No

(vi) Whether lifting of garbage from dustbins is manual or mechanical i.e. for example by using of front-end loaders (Please tick mark) specify

Manual

Loader

Others, please

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3. Transportation

	Existing number	Actually Required/Proposed
(i) Truck	:	
(ii) Truck-Tipper	:	
(iii) Tractor-Trailer	:	
(iv) Refuse-collector	:	
(v) Dumper-placers	:	
(vi) Animal Cart	:	
(vii) Tricycle	:	
(viii) Others (please specify)	:	

4. Whether any proposal has been made to improve solid wastes management practices

5. Are any efforts made to call for private firms etc. to attempt for processing of waste utilizing technologies like :

	Waste Utiliation Technology	Proposals	Steps taken (Quantity to be processed)
(i) Composting	:		
(ii) Vermiculture	:		
(iii) Pelletisation	:		
(iv) Others if any, Please specify	:		

6. What provisions are available and how these are implemented to check unhygienic operations of :

- (i) Dairy related activities :
- (ii) Slaughter houses and unauthorised slaughtering :
- (iii) Malba construction

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debris) lifting

(iv) Encroachment in Parks,
Footpaths etc.

7 How many slums are identified and whether
these are provided with sanitation facilities :

8. Are municipal magistrates appointed for
Taking penal action

: Yes No

[If yes, how many cases registered &
settled during last three years
(give year-wise details)]

9. Hospital waste management

(i) How many Hospitals/Clinics under
the control of the Corporation

(ii) What methods are followed
for disposal of bio-medical wastes ?

(iii) Do you have any proposal for
setting up of common treatment facility
for disposal of bio-medical wastes

(iv) How many private Nursing Homes,
Clinics etc. are operating in the city/town
and what steps have been taken to check
disposal of their wastes

Dated :

Signature of Municipal Commissioner

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Form -III
[Sec-rule 6(3)]
Format for Issue of Authorisation

File No.: _____

Date: _____

To,

Ref: Your application number _____ dt _____

The _____ State Pollution Control Board/Pollution Control Committee after examining the proposal hereby authorizes _____ having their administrative office at _____ to set up and operate waste processing/waste disposal facility at _____ on the terms and conditions (including the standards to comply) attached to this authorization letter.

1. The validity of this authorization is till _____. After the validity, renewal of authorization is to be sought.
2. The _____ State Pollution Control Board/Pollution Control Committees may, at any time, revoke any of the conditions applicable under the authorization and shall communicate the same in writing.
3. Any violation of the provision of the Municipal Solid Wastes (Management and Handling) Rules, 2000 will attract the penal provision of the Environment (Protection) Act, 1986 (29 of 1986).

Date : _____
 Place : _____

(Member Secretary)
 State Pollution Control Board/
 Pollution Control Committee

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Form - IV
[see rule 8(1)]

Format of Annual Review Report to be submitted by the State Pollution Control Board/Committees to the Central Pollution Control Board
To,

The Chairman,
Central Pollution Control Board,
(Ministry of Environment and Forests)
Government of India,
'Parivesh Bhawan', East Arjun Nagar,
DELHI- 110 003.

1. Name of the State/Union territory
2. Name & address of the State Pollution Control Board/Pollution Control Committee
3. Number of municipal authorities responsible for management of municipal solid wastes in the State/Union territory under these rules
4. A Summary Statement on progress made by municipal authorities in respect of implementation of Schedule I [rule 4(3)] : Please attach as Annexure-I
5. A Summary Statement on progress made by municipal authorities in respect of implementation of Schedule II [rules 6(1) and (3), 7(1)] : Please attach as Annexure-II
6. A Summary Statement on progress made by municipal authorities in respect of implementation of Schedule III [rules 6(1) and (3), 7(2)] : Please attach as Annexure-III
7. A summary statement on progress made by municipal authorities in respect of implementation of Schedule IV [rules 6(1) and (3), 7(2)] : Please attach as Annexure-IV

Date:
Place:

Chairman or the Member Secretary
State Pollution Control Board/
Pollution Control Committee.

Form - V
[see rule 9]
Accident reporting

1. **Date and time of accident**
2. **Sequence of events leading to accident**
3. **The waste involved in accident**
4. **Assessment of the effects of the accidents on human health and the environment**
5. **Emergency measures taken**
6. **Steps taken to alleviate the effects of accidents**
7. **Steps taken to prevent the recurrence of such an accident**

Date:

Signature

Place:

Designation

[F No 17-2/95-HSMD]

V RAJAGOPALAN, Jt. Secy.

ANNEXURE - P/7
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DISTRICT: NORTH 24-PARGANAS.

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
(Appellate side)

W.P. No. 15274 (W) of 2001

In the matter of:

An application under Article 226 of
the constitution of India

-And-

In the matter of:

The Ramchandrapur Bhagar Panchayat
Committee & Ors.

.....Petitioners.

-Versus-

The District Magistrate 24 Pgs (N)
The State of West Bengal & Ors. *et al.*

...Respondents.

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<u>Sl. No.</u>	<u>Description of documents relied upon</u>	<u>Annexures</u>	<u>Page No.</u>
1.	writ petition		3 to 16
2.	Xerox copies of decision dated 5-9-1981 by the sub-divisional Officer, Barrackpore	'P'	17 and 18
3.	Xerox copy of letter dated 24-8-2001 issued by the local Municipal Councilor	'P-1'	19
4.	Letter to the authority of Pollution Control	'P-2'	20 and 21
5.	Letter of decisions of the District Magistrate	'P-3'	22
6.	Letter of objection of the Petition	'P-4'	23 to 30
7.	Letter of the Chairman of the Panihati Municipality	'P-5'	31 and 32

Advocate-on-Record;

Mr. Jashobanta Rakshit
C/o. Mr. Alok Raichudhuri
Advocate,

High Court, Calcutta,
Bar Association Room No. 9.

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LIST OF DATES

1. Since last few years there is a trenching ground of night soil and carcasses at Ramchandrapur, P.O. Sodepur, P.S. Khardah, District North 24-Parganas in and around thickly populated area.
2. September 5, 1981:
There was decision at the chamber of S.D.O. Barrackpore in presence of the the M.L.A. the then Chairman of the Panihati Municipality that the said trenching ground would be removed from Ramchandrapur to Sodepur to Mahispota Ghola, District North 24-Parganas and as a result a memo was issued by the S.D.O. Barrackpore to that effect;
3. August 24, 2001:
Letter issued by the councillor of the panihati municipality to the chairman of the said municipality for removal of the said trenching ground along with the representation of the local with the representation of the local people.
4. Letter to the sub-divisional pollution control authority.
5. September 3, 2001:
Orders passed by the learned Executive Magistrate Barrackpore under section 107/144(2) of the Cr. P.C. in respect of the dispute of the said trenching ground directing the police authority to enquire, report and to maintain peace in the local and also directing the police authority to see that the man and agent of the panihati Municipality do not harass and assault the man involving in the Bhagar Ushhed Committee.
6. September 5, 2001.:
The writ petition being W.P. No. 13368(W) of 2001, containing the prayer for direction directing the respondents to carry out the orders of the learned Executive Magistrate Barrackpore dated September 3, 2001 and the said writ application is till pending disposal before the Hon'ble Justice Kalyan Jyoti Sengupta.

7. September 13, 2001;

The District Magistrate called for a meeting at his Chamber to resolve the dispute as to the removal of Ramchandrapur Trenching ground.

8. September 17, 2001;

The District Magistrate, North 24-Parganas communicated the decisions of the said meeting dated 13-9-2001.

9. September 22, 2001;

Representation of objection submitted by the petitioners.

10. January 30, 1999;

The Chairman of the Panihati Municipality issued a letter to the collector of District of North 24-Parganas for draft publication in respect of acquisition of said plots of land at Mahispota.

POINTS OF LAW

1. The inhabitants of Ramchandrapur Sodepur, District North 24-Parganas being thickly populated area have been suffering very much from air and environmental pollution and the dirty consequences at large due to existence of a trenching ground various ailments amongst the people.
2. Several attempts were made on behalf of the local people for removal of the said trenching ground, several discussions took place amongst the General Administration, Municipal Administration and the representatives of the local people to resolve the said trenching ground since 1975. At last, a decision being memo. no. 1358(13) CON dated 5-9-81 was resolved at the chamber of the S.D.O. Barrackpore for removal of the said trenching ground to another place but in vain and subsequent decisions have been issued by the District Magistrate. Not

contd....

24-Paraganas on 17-9-2001 for removal of the said garbage station but as a part of long term measure which is not tenable.

3. The present authority of the Municipality is adamant not to remove the same trenching ground from densely and thickly populated area at Raschandrapur to another place although the Panihati Municipality has been possessing scheduled plots of land for the purpose and for the reason, the authority concerned are violating the provisions of law, that is, The West Bengal Municipal Act, 1993 whereby the Municipal authority is statutorily bound to cleanse the public place.

DISTRICT: NORTH 24-PARGANAS.

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IN THE HIGH COURT AT CALCUTTA
Constitutional writ Jurisdiction
(Appellate Side)

W.P. No. 15274 (w) of 2001;

In the matter of:

An application under Article 226 of
the Constitution of India;

-And-

In the matter of:

A writ or writs, in the nature of
Mandamus and/or Certiorari and/or
Prohibitions and/or any other
appropriate order or orders, direction
or directions;

-And-

In the matter of:

The West Bengal Municipal Act, 1993

-And-

In the matter of:

The West Bengal Municipal (of ^{Amendments}
wards) Act. 1997;

-And-

In the matter of:

The West Bengal Town and Country (Pla-
nning and Development) Act, 1979;

-And-

In the matter of:

AIR (Prevention and Control of
Pollution) Act. 1981;

contd...

-And-

In the matter of:

Violation of an order being no. 1350(13) QM dated 5-9-81 issued by the sub-divisional Officer, Barrackpore for removal of the Trenching ground at Ramchandrapur, Sodepur to another place being scheduled.

-And-

In the matter of

An impugned order being memo. No. 6583/Con, dated 17-9-2001 issued by the District Magistrate North 24-parganas for finding out of alternative area to be used as dumping ground as a part of long term measure;

-And-

In the matter of:

1. Ramchandrapur Bhagar Uchhed Committee comprising of about ten thousands inhabitants ^(as above) at Village: Ramchandrapur, P.O. Sodepur, P.S. Khardah, District: North 24-parganas;

2. The Convenor, Ramchandrapur Bhagar Uchhed Committee at Village: Ramchandrapur, P.O.

contd..

Sodepur, P.S. Khardah, District: North
24-Parganas;

3. The Secretary, Ramchandrapur
Kalyan Samiti, Village: Ramchandrapur
P.O. Sodepur, P.S. Khardah, District:
North 24-Parganas.

....Petitioners.

-Versus-

1. The District Magistrate, North
24-Parganas, P.O. & P.S. Barasat,
Dist.- North 24-Parganas.

2. The Superintendent of Police,
North 24-parganas, P.O. & P.S. Barasat,
District: North 24-Parganas.

3. The Sub-Divisional Officer,
Barrackpore Sub-Division, P.O. & P.S.
Barrackpore, District: North 24-Pgs.

4. The Chairman,
Panihati Municipality, P.O. Sodepur,
Dist.- North 24-Parganas.

....Respondents.

To
The Hon'ble Mr. Ashok Kumar Mathur, Chief Justice and His
Companion Justices of the said Hon'ble Court.

The humble petition of the petitioners
abovenamed most respectfully -

contd....

S H E W E T H:

1. That the petitioners are the law-abiding citizens of India having their permanent address as mentioned to the Cause Title.
2. That the petitioner no. 1 is an association formed by the inhabitants of locality of Ramchandrapur, Sodepur and the members of said association are as may as ten thousands and above who are the tax paying inhabitants under the Panibati Municipality. The said Bhagar Uchhed Committee is meant for conducting movement as well as representing the inhabitants of the said area of Ramchandrapur in support of the right and just cause of removal of a garbage ground therein being a public place. Bhagar Uchhed Committee, elected by the inhabitants of the said area of Ramchandrapur, Simultala, Arunachal, Burmashell Mandala Park, L.I.C. Park etc. in a General meeting and the petitioner No. 2 is the Secretary of Ramchandrapur Kalyan Samity, Ramchandrapur, P.O. Sodepur, P.S. Khardah, District North 24-parganas having its registration no. 5/6183 and the said Ramchandrapur Kalyan Samity is in full co-ordination and association with the said Ramchandrapur Bhagar Uchhed Committee for the democratic and lawful movement in support of right and just of removal of the said garbage ground as well.
3. That the petitioners state that there is a huge number of tax paying inhabitants as many as one lakh people (approximately) residing at Ramchandrapur, Simultala, H.B. Town, Dakshinpally Burmashell, Arunachal, L.I.C. Park Mandala Park New Colony, Gandhinagar, Sodepur and Terapurur area within the police Stations of Khardah and Ghola, District-North 24-parganas as also within

contd...

the vicinity of some Municipal works of Panihati Municipality. For these inhabitants of the said entire localities, there is an existence of a trenching ground of night soil, ^{carcasses} /garbages as also within the vicinity of solid wastes which situates in and around the heart of the densely and thickly populated locality which is very much being a public place as stated above under the area supervision and control of the Panihati Municipality of Ranchandrapur adjoining East of the 'Sodepur Railway Station' under Panihati Municipality in ward no. 23, within the Police Stations Khardah, District North 24-Parganas.

4. That the petitioners state that a densely and thickly populated area has evolved and developed in and around the said trenching ground at Ranchandrapur during last fifty years at the instance of the Panihati Municipality being the Respondent no. 4 as the said Municipality has been sanctioning building plan, mutation as also receiving due taxes from the inhabitants. And, the inhabitants of the said area of Ranchandrapur at the same time have been suffering from acute health hazards and incurable diseases due to the existence of the said trenching ground creating nuisance air pollution and other hazards and inhygienic problems at large.

5. That the petitioners state that the said areas, that is, Ranchandrapur, Simultala and all other areas within the Panihati Municipality have become densely and thickly populated and wide by side there is an existence of the said trenching ground of garbage, night soil and carcasses of Panihati Municipality which has been causing standing nuisances right in the heart of the said areas and affecting health hazards of the inhabitants as also causing incurable diseases to them like epidemic etc. and the entire state of environment in the areas have become so dangerous for life that epidemic in any manner may come out at any time in the areas which may be beyond control.

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-7-

it is expected that the Development of New site of Trenching ground at Mahispota will be completed by the end of June, 1982.

The municipal authority will absorb the present Trenching ground at Ramchandrapur, Sodepur, from the 1st week of July, 1982.

The another meeting will be convened by the Sub-Divisional Officer to renew the presence of work, by 1st week of February, 1992.

Sd/-
Barin Basu,
Sub-Divisional Officer,
Barrackpore.

Memo. no. 1358 (13) CCN

Dated 5/9/81.

A xerox copy of the said letter is annexed hereto and marked as letter 'P'.

7. That the authority concerned having agreed and decided to remove the said trenching ground at Ramchandrapur to Mahispota vide the said letter dated 5-9-81 have done nothing and on the other hand, they have been dumping garbage, night soil and caresses of vest areas of entire Sodepur Khardah and Ghola in the said Trenching ground at Ramchandrapur. And the local inhabitants being represented by the petitioner's organisation have been going to door to door of the respondents to seek relief of all types of hazards causing out of the said trenching ground but all have been in vain.

Xerox copy of the letter of local Councilor is annexed hereto and marked as letter 'P-1'.

contd....

8. That the petitioners moved and approached to the authority of the pollution control board by making representation on behalf of the inhabitants for taking necessary steps as regards the said trenching ground but in vain.

A xerox copy of the representation is annexed hereto and marked as letter 'P-2'.

9. That thereafter, having found no other alternative the local inhabitants through the member of the Ramchandrapur Bhagar Uched Committee moved and filed two applications before the learned executive Magistrate Barrackpore, that is, one is under section and is U/S. 107 144(2) ~~of the Code of Criminal Procedure~~ of the Code of Criminal Procedure on September 3, 2001, on those two applications under section 344(2) and 107 of the Code of Criminal Procedure which were registered on M.P. Case 2232/2001 and M.P. Case No. 1162 of 2001 respectively, the learned Magistrate at Barrackpore passed necessary and usual orders.

10. That the orders dated September 3, 2001 passed by the learned Magistrate were duly served upon the respondents but they are not acting according to the said orders for which the petitioners have moved the Hon'ble Court having prayed for direction of carrying out of those two orders dated 3-9-2001 passed by the Ld. Magistrate and the said writ application still pending disposal before the Hon'ble Justice Kalyan Jyoti Sengupta being W.P. No. 13368 (W) of 2001.

11. That the respondents are forcefully putting the members of the public of the said Ramchandrapur to the mouth of death by dumping the garbages, night soil, carcasses etc. on the said trenching ground which is dangerous to human life and also in violation of the provisions of law which the petitioners crave leave to the refer at the time of hearing.

12. That on September 13, 2001, the District Magistrate, North 24-Parganas convened a meeting at his office wherein the Chairman of the Panihati Municipality, Sub-Divisional Officer, Barrackpore, Superintendent of Police, North 24-Parganas, Local Member of the Legislative Assembly, Local Police authorities and the petitioners were present. In the said meeting consensus reached amongst the persons present in the said meeting that the said garbage ground at Ramchandrapur would be removed to another place from the said area of Ramchandrapur dumping.

13. That the result of the said meeting in the manner of decision some of which had not reached unanimously was issued by the District Magistrate, North 24-Parganas, Barasat the respondent no. 1 being memo. no. 6583/Con. dated 17-9-2001 whereby the respondent no. 1 has directed the Panihati Municipality not to throw any carcass to the said Ramchandrapur trenching ground any more.

14. That the Respondent no. 1 further directed in the memo. no. 6583/Con dated 17-9-2001 that the Panihati Municipality within next three months will construct the boundary wall around the existing garbage dumping ground at Ramchandrapur.

15. That the respondent no. 1 further directed in the said memo. cited 17-9-2001 that the Panihati Municipality and District Administration as a part of long term measure, with the help of local people will find out alternative area to be used as a dumping ground of the Municipality. The respondent no. 1 further directed that if suitable area is not ultimately found in the event, appropriate authority will be moved by the Municipality and the District Administration so that the facilities of the existing garbage dumping ground

could be upgraded by installation of suitable equipments for scientific disposal of the Municipal Garbage.

A xerox copy of the said letter dated 17-9-2001 is annexed hereto and marked as letter 'P-3'.

16. That the petitioners state that a representation of objection to the said decisions of the respondent no. 1 was duly submitted to him on Sept. 22, 2001 raising one primary and basic questions by the inhabitants of the said area of Ramchandrapur and the petitioners too. Because, the removal of the said trenching ground at Ramchandrapur could be made within very short period and not as a part of long term measure as there is already acquire some plots of land at Mahispota P.S. Ghola, District North 24-Parganas before long back. And, for this purpose, the Respondent no. 3 issued necessary order dated 5-9-1981 being Annexure 'P' to this application.

A xerox copy of the said representation dated 22-9-2001 is annexed hereto and marked as letter 'P-4'.

17. Moreso, the Chairman of the Municipality in his letters being memo. no. PM/Secy./48 dated January 30, 1999 admitted that some plots of land at Mahispota, J.L. No. 26, P.S. Khardah (now P.S. Ghola) have already been acquired and possessed by the Panihat Municipality for the purpose of maintaining supplies and services essential to the life of the community. Therefore, particular land for the purpose of alternative area to be used as dumping station (Garbage Ground) of the Municipality itself is already acquired and possessed by the Panihat Municipality according to law and the said Trenching ground at Ramchandrapur can easily be removed to the said plot of land within a very short period for the sake of the interest of the members of the public.

A xerox copy of the said letter dated 30-1-1999 is annexed hereto and marked as letter P-5'.

18. That the petitioners state that the respondents have practically found alternative place or places for dumping garbage, night soil, carcass instead of the said Ramchandrapur garbage dumping ground as they have been dumping the garbage to some other places during last few days.

19. That the petitioners state that they have come to know that the Panihati Municipality is not the owner of the said Ramchandrapur Trenching ground in any manner and they cannot use it as a garbage dumping ground under any circumstances. Moreover, the a densely and chicky populated area in and around the said garbage ground has developed for which the said garbage ground could not be used for a single moment in the interest of the members of public.

20. That the respondents are doing or discharging their duties against the civic life of humanity.

21. That the respondents are acting against concept of welfare state by deliberately and willfully creating pollution and public nuisance off the said trenching ground.

22. That the respondent are violating their own agreement in not removing the said trenching ground from Ramchandrapur to another place wherein the plots of land has been acquired and possessed by the authority concerned.

23. That the Panihati Municipality has got alternative place or places to dump on the garbage, carcasses, night soil etc. as it has been doing so instead of dumping on the said trenching ground at Ramchandrapur during last few days.

24. That the respondents are doing or discharging their duties

against the ^{civil} ~~civil~~ life of human ^{being} ~~being~~ by creating air and environment pollution in the around the locality of Sodepur.

25. That the respondents are acting against the concept of welfare state by deliberately and willfully creating air and environmental pollution and public nuisance off the said trenching ground at Ramchandrapur.

26. That unless your Lordships be pleased to pass an order restraining the respondents from dumping on the garbages, carcasses, night soil etc. which are dangerous to the human life on the said Ramchandrapur Trenching grounds at Sodepur and/or directing them to remove the said Trenching ground, the ~~some~~ member of the public inhabitants/citizen of the locale shall suffer irreparable loss and injury and that's way this writ application is most urgent to move before the Hon'ble Court.

27. That the application is made bonafide and in the interest of justice.

28. That being aggrieved by and dissatisfied with the illegal acts of the respondents, the petitioners begs to move this application under Article 226 of the Constitution of India as environmental pollution control matter on the following amongst others:

GROUND S:

- I. For that the respondents are forcefully putting the members of the public to the ^{mouth} ~~mouth~~ of death by operating the said trenching ground of night soil and garbages which are dangerous to human life.

II.

For that the respondents are doing or discharging their duties against the civic life of humanity by creating air and environmental pollution in and around the locality by dumping the garbages on the garbage ground which situate within the heart of the locality;

III.

For that the respondents are acting against concept of welfare state by deliberately and willfully creating air and environmental pollution and public nuisance off the said trenching ground;

IV.

For that the respondents are violating their own decision in not removing the said trenching ground from Pachandapur to another place wherein plots of land has been acquired by the authority concerned.

V.

For that the the respondents are forcefully and deliberately using the said Trenching ground as dumping station of garbages, carcasses, night soil although they have alternative place of dumping station.

VI.

For that the respondents, have admitted that the said garbage ground would be removed as a part of long term measure although it can be removed within very short period as the Pandhri Municipality has been acquiring and pollution particular plots of land for the purpose;

In the circumstance as stated ^{above} & move
your petitioners most humbly and
respectfully prays that your Lordships
would graciously be pleased to issue:

a) A writ or writs in the nature of
Mandamus commanding the respondents,
their men, agents, servants, to act
according to law and further directing
them to remove the said garbage dumping
ground at Ramchandrapur, P.O. Sodepur,
P.S. Khardah within Panihati Municipality
to an alternative place at Mahispota,
North 24-parganas or any other suitable
place for dumping of garbages night soil
etc. within very short period.

b) A writ or writs in the nature
of Prohibition Prohibiting the respon-
dents their men, agents, servants from
using the said Trenching ground at
Ramchandrapur, Sodepur as Garbage dump-
ing ground any further till the disposal
of this writ application;

c) A writ or writs in the nature of
Certiorari commanding the respondents
produce all the documents and papers to
this Hon'ble Court so that conscionable
justice may be done to the petitioners
and members of the public;

d) Rule NISI in terms of prayers (a), (b) and (c) as above;

e) Ad-interim order of injunction restraining the respondents, their men agents, servants from using the said garbage dumping ground at Bahchandrapur, P.O. Sodepur, P.S. Khardah, District : North 24-parganas for dumping garbage carcases, night soil etc. any further till the disposal of the interest application;

f) And/or to pass such other order or orders, direction or directions as your Lordships may deem fit and proper;

And your petitioner, as in duty bound shall ever pray.

Certified that the petitioner no. 2 Shyamal Banerjee has been authorised to swear and sign this petition on behalf of the petitioner no. 1

is known to me
Petitioner

4/10

Sd/ A. Rai choudhary
Advocate.

Affidavit.....

AFFIDAVIT

I, Shyamal Banerjee son of Late Parash Chandra Banerjee, aged about 54 years, by faith Hindu, by Occupation Service residing at Sodepur, P.S. Khardah, District: North 24-Parganas, do hereby solemnly affirm and say as follows:

1. That I am the petitioner no. 1 in the interest case and as such I am well acquainted with the facts and circumstances of the case and I have duly authorized to swear and sign this petition on behalf of the petitioner no. 2.

2. That the statement made in paragraph 1 to 3, ^{16 and 17} 15, are true to my knowledge and those made in paragraphs ^{4 to 14} 4 to 14 and information derive a from the records and which are verily believe to be true and the rest are my respectful submissions before this Hon'ble Court.

Prepared in my Office

Sd/- A. Rai handwri.
Advocate

Sd/-
Deponent is known to me

S.K. M. Ahamed
Clerk to Mr.

Solemnly affirmed before me

on this the 4th day of October, 2001.

Sd/- Advocate
A. Reichandery

Commissioner.

14 (17) # - 137 -

MINUTES OF THE MEETING HELD IN S.D.O.'S BARRACKS, BARRACKPORE ON 29.8.31 IN CONNECTION WITH REMOVAL OF TRENCING BOUND FROM RAICHANDRAPUR, SOANPUR.

MEMBERS PRESENT

1. Sri Gopal Chittacharya, MLA
2. Sri Indu Bhushan Sarkar, Member - Rangpur Uchhed Committee
3. Sri Snyamal Banerjee -do-
4. Sri Sankar Das -do-
5. Sri Narayan Ch. Das -do-
6. Sri Subhas Banerjee -do-
7. Sri Dhurjati Prd. Master -do-
-chargee.
8. Sri Samson Lal De Khan-Convenor -do-
9. Sri Binay Das, S.D.O, Barrackpore
10. Sri A.K. Chattopadhyay, Asst. S.P, Barrackpore
11. Sri A.K. Ghosh, S.D.P.O, Baloghripa
12. Sri A.C. Majumdar, Chairman, Panihati Municipality.
13. Sri D.K. Ghosh, Commissioner, Ward No. 16 of Panihati Municipality.

S.D.O, Barrackpore took the chair.

After thorough discussions of the problem the following decisions were arrived at unanimously.

No. 1

The Panihati Municipality should start immediately the work connected with the development of newly acquired land at Monispota. Adequate police protection for the purpose will be rendered to the Municipality. Prior to that construction of road and culvert leading to the newly acquired Trenching ground should be taken up by the Municipality. The Municipal Authority will start the work by 15th October, 1931 with required police

Cont'd...2

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: 2 :

protection. The actual date of commencement of this work should be reported to the Asst. S.P., Barrackpore by the Municipality at least 7 days ahead.

Development work of newly acquired land should commence from the 2nd week of November, 1981. It is expected that the Development of new site of Trenching ground at Mahispota will be completed by the end of June, 1982.

The Municipal authority will abandon the present Trenching ground at Ranchandrapur, Sodepur from the 1st week of July, 1982.

Another meeting will be convened by the Sub-Divisional Officer to review the progress of work, by 1st week of February, 1982.

[Signature]
(Barin Basu)
Sub-Divisional Officer
Barrackpore.

MEMO. NO : 1358

(13) CON

DATED: 5/9/81

Copy forwarded to Shri

Member, Bhaya Uchchad Committee
for information and necessary action.

[Signature]
(Barin Basu)
Sub-Divisional Officer
Barrackpore.

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- 139 -

PANIHATI MUNICIPAL OFFICE

PANIHATI 24 PARGANAS (NORTH), PIN-743 176

PHONE : 653-2509. 563-4457 • FAX : 553-1487

Dated 28.6.2003

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Handwritten text in Bengali script, appearing to be a list or set of instructions, possibly related to a public hearing or administrative process. The text is partially obscured and difficult to read due to the quality of the scan.

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Councillor
PANIHATI MUNICIPALITY

— 140 —

Ranchandrapur Bhagar Uchhed Committee
Ranchandrapur, Sodepur, 24-pgs (N)

Ref: ..

Date: 16.9.

To
The Controller,
W.B. Pollution Control Board,
Barrackpore Regional Office
Kankinara Sanpur More
Kalyani Express Way
Vill - Sanpur, Po - Narayanpur
P.S. Jagudal, Dist - 24 Pgs (N)
Pin - 743126

Sir,

Kindly refer to our Memorandum dt. 26.9.2001 received by your office on 4.9.2001 wherein your kind and sympathetic attention was drawn to the facts & circumstances regarding removal of Fencing Ground, Garbages and Carcasses from Ranchandrapur, since 1974.

(1) In this regard the related papers for purchasing a plot of land at Mohispota, in the year 1975 to honour/fulfill the Agreement for removing the said Bhagar within 31.10.1976 made between S. Bhri V. Subrahmaniam, A.K. Roy, Administrator, Panitahi Municipality and Tapan Chatterjee, M.L.A and with the representatives of Bhagar Uchhed Committee are enclosed for your perusal.

(2) Copy of one more agreement in the year 1974 is also enclosed for your kind perusal.

(3) Recently the R.B.U.C finding no other alternative removed two applications U/s. 144 (Z) as also

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- 141 -

Ranchandrapur Bhagar Uchhed Committee
Ranchandrapur, Sodepur, 24-pgs (N)

U/s. 107 of the Cr. P.C. before the learned Executive Magistrate at Barrackpore on 3.9.2001 and learned Magistrate on the said two applications was pleased to pass appropriate and mandatory orders. The photocopy of the said two orders are enclosed for your kind perusal.

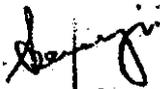
⑤ In this connection your kind valid opinion and report under Air Pollution Act is solicited urgently.

⑥ I hope that you would be kind enough to submit the report urgently and save the 60 thousand people surrounding the said Teaching Ground according to the present circumstances, from dire consequences.

Thanking You,

Enclos: As above
Pages - 14

Yours faithfully,


(Shyamal Banerjee)
Convener

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P-3

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Proceedings of the meeting held in the chamber of District Magistrate, North 24-Parganas on 13.09.2001 at 11 a.m. in connection with dumping of Municipal Garbage at Ranchandrapur and dumping ground under Panihati Municipality.

- (1) Details of the participation of the meeting are enclosed.
- (2) District Magistrate, North 24-Parganas presided over the meeting and initiated the discussions. Chairman, Panihati Municipality explained the present situation. Convener of the Ranchandrapur Bhagar Uchhed Committee submitted the grounds on the basis of which they have started the agitation. M.L.A., Panihati explained the entire history. S.P., North 24-Parganas offered some valuable suggestions towards solution of the problem.

After thorough discussions following decisions were taken.

- a) Panihati Municipality will not throw any carcass to the Ranchandrapur Garbage ground any more.
- b) As a short term measure, Panihati Municipality within next three months will construct the boundary wall around the existing garbage dumping ground at Ranchandrapur.
- c) Panihati Municipality and District Administration as a part or long term measure, with the help of local people will find out alternative area to be used as a dumping ground of the Municipality. If suitable area is not ultimately found in the event, appropriate authority will be moved by the Municipality and the District Administration so that the facilities of the existing garbage dumping ground could be upgraded by installation of suitable equipments for scientific disposal of the Municipal garbage.
- d) All concerned would render all necessary cooperation towards for implementation of the above decisions.

The meeting end with thanks to everyone present in the meeting.

Sd/-
District Magistrate
North 24-Parganas
Barasat.

17.09.2001

Memo No. 603/b

Dated 17.9.01

Copy alongwith the enclosures forwarded to the :-

- 1. Supdt. of Police, North 24-Parganas, Barasat.
- 2. M.L.A., Panihati.
- 3. Chairman, Panihati Municipality.
- 4. Convener, Ranchandrapur Bhagar Uchhed Committee.
- 5. I.C., Khardah P.S.

17.09.01

District Magistrate
North 24-Parganas
Barasat.

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**RAMCHANDRAPUR BHAGARUCHED COMMITTEE
RAMCHANDRAPUR, SODEPUR, 24 PARGANAS(N)**

Ref :

Date: 22/09/2001

To

1. **The District Magistrate,**
North 24 Parganas.
Po. & P.S.- Barasat.
North 24 Parganas.
2. **The Superintendent of Police,**
North 24 Parganas,
Po. & P.S.- Barasat,
24 Parganas(N).
3. **The Chairman,**
Panhati Municipality
Po. Sodepur, P.S.- K...
Parganas(N).

Subject:- Memo bearing no 5583/Con. Dt 17/9/2001 issued by the Honble District Magistrate, North 24 Parganas as regards Ramchandrapur Trenching Ground at Sodepur, 24 Parganas(N).

Respected Sir,

We the undersigned law-abiding inhabitants of Ramchandrapur Shimeta, Teropukur, M...eta Park, LIC Park, Arunachal, Sandhinagar, T- B Town, Dakshin Pally, under the Panhati Municipality have resolved in a Mass meeting convened by Sri Snyamal Banerjee, R.B.U.C. on 22.9.01 at 7P.M. the following decisions unanimously for which your kind attention is drawn to the facts as regards aforesaid memo. issued by the Honble District Magistrate North 24-Parganas dated 17.9.2001 on the following amongst other

:- GROUNDS :-

1. With regard to proposal/decision no. (a) as stated in the said memo. we are in full agreement that the Panhati Municipality will not throw

(Contd)

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- any Carcasses to the Ramchandrapur Garbage/Dumping ground anymore.
2. With regard to the proposal/decisions no (b) and (c) as stated in the said memo dated 17/03/2001 we emphatically object and dispute to the effect that the Panihati Municipality as statutory body has already acquired and taken possession of certain plots of land under Mouza Mohispota J.L.No.26, P.S. Khardah (now P.S. Gholia) in the district of North 24-Parganas on 17th May 1975 for the purpose of maintaining supplies and services essential to the life of the community (Copies enclosed for ready reference). The said plots of land have been given possession to the said Municipality by the good office of the Learned Collector of the District of North 24-Parganas, that is the Honble District Magistrate, North 24-Parganas and also by virtue of the Honble High Courts order in the said matter in possession of the said Municipality.
 3. That, the Sub Divisional Officer, Barrackpore pursuant to the acquisition of the said plots of land and possession thereof by the Municipality, issued an order being No. 1358(3) COM dated 15/11/1981. (Copy enclosed for ready reference) concerning the schedule of removal of the existing trenching ground or garbage ground at Ramchandrapur and construction of a new Garbage ground on the said plots of land at Mohispota being acquired and possessed by the Municipality but for the reasons best known to the concerned authority the operation of the said order of the SDO has been kept abeyance.
 4. That, after the discussions and deliberations held on last 13th September 2001 at the instance of the Dist Magistrate North 24 Parganas the respective Superintendent of Police North 24 Parganas made an observation that if the Carcasses are withdrawn then the Airport Authority of Dum Dum Airport would have no objection to construct a Garbage Ground for dumping Garbage and Night-Soil on the said plots of land at Mohispota which are still in possession of the Panihati Municipality.
 5. That, while the Panihati Municipality has got its own plots of land at Mohispota as stated above which are still in physical possession thereof and a process for removal of the said Garbage Station at Ramchandrapur to said plots of land at Mohispota was initiated at the instance of the government in the year of 1981 as aforesaid, the

(Contd)

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- 145 -

Garbage Station at Ramchandrapur may kindly be removed to the said place with immediate effect as the Hon'ble DM, North 24 Parganas by His said memo. Dated 17th September, 2001 as a matter of policy has practically admitted for removal of the Ramchandrapur Garbage Ground as a part of long term measure. But while particular plots of land are being possessed by the Panihati Municipality in accordance with law the said Ramchandrapur Garbage Ground may easily be removed to the said plots of land being still vacant in accordance with law and while law does not stand in the way of such removal the authority concerned may take appropriate step in this regard for the sake of the interest of the Tax-paying inhabitants of the Panihati Municipality who have been residing in and around the said Garbage Ground at Ramchandrapur after having been permitted by the authority of the Panihati Municipality in accordance with law. So as to prevent from the effect of air & environmental pollution coming from the said Garbage Ground situated at the heart land of the density and thickly populated area while there is law in the hand of concerned authority.

6. In view of what have been stated above we the undersigned would like to request you to take appropriate step by initiating the process for removal of the Garbage/Night Soil Ground at Ramchandrapur, Sodepur to Moh:shuota and/or elsewhere within three months from the date of receipt of this representation and thus save our lives from air and environmental pollution and oblige

Thanking you.

Yours faithfully

Date: 22/09/2001

Shyamal Banerjee

Shyamal Banerjee.

Convener of Ramchandrapur Bhager Uched Committee.

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Mukherjee

Jani Roy

Shyamal Roy

Govind Chatterjee

Sarbata Chatterjee

7. सुभा चिकदार

8. G. S. Chatterjee

9. M. M. Chatterjee

10. UNIL

11. सुधा रजन

12. सुकुमी दे

13. सुकुमी दे

14. सुकुमी दे

15. Gopal Chakrabarty

16. सुकुमी दे

Monta Roy

17. सुकुमी दे

18. Subangit Chakrabarty

19. Subir Chakrabarty

20. सुकुमी दे

21. सुकुमी दे

22. Rohit Chakrabarty

23. Uma Chakrabarty

24. सुकुमी दे

25. Kartick Chakrabarty

28. Tapan Kumar Mondal

29. Mrs. Sonali Kana Mo

30. Biplobkabi Raj

31. Kaleri Kalita

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32. Kaleri Kalita

33. Ananta Bhowmik

34. Gouri Bidwas

(35) Anil K. Misra

(36) Pritika Bidwas

(37) प्रोफ. सुकुमी दे

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(43) Debha Chakrabarty

44. Kuntal Chakrabarty

45. Swati Chakrabarty

46. सुकुमी दे

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48. सुकुमी दे

49. Anju Kumar Sen

50. Amilava Sarkar

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54. Wapan Sarkar

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- 94. श्रीमती व. व. व.
- 95. Kajal Bose
- 96. Haru Singh
- 97. Shikha Bose
- 98. श्रीमती व. व. व.
- 99. Suma Banerjee
- 100. J. Banerjee
- 101. S. Banerjee
- 102. S. Banerjee
- 103. Chhaya Guha
- 104. Shikha Guha
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- 106. श्रीमती व. व. व.
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- 182 अ. ५५ (५)
- 183 अ. ५५ (५)
- 184 अ. ५५ (५)
- 185 अ. ५५ (५)
- 186 अ. ५५ (५)
- 187 अ. ५५ (५)
- 188 अ. ५५ (५)
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R.T. 1 of Rumbala Mitra



R.T. 1 of Gouri Oreni

283 ~~Malali Saha~~
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283 Malali Saha
 284 Minmay Das
 285 Anil K. Bhadra
 286 Debjani Bhadra
 287 Mera Saha
 288 Abhishek Saha
 297 ~~Malali Saha~~
 298 Prof KUMAR Goshal
 299 ~~Malali Saha~~
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312 Chinn Ranjan Das

314	...	336	Rajen Choudhary
315	...	337	Soma Dutta
316	...	338	Sandhya Biswas
317	...	339	Montu Bhow
318	...	340	Sangita Biswas
319	Luman Bardhan	341	Rubi Barick
320	Moyaghosh	342	Kakali Bardhan
321	...	343	...
322	...	344	...
323	...	345	...
324	...	346	Silpa K. Biswas
325	Saktinayak Das	347	Tanusree Biswas
326	Anjan Choudhary	348	Sumantra Biswas
327	Raja Das	349	Amrita Ghatak
328	Savojit Das	350	...
329	Sannant Mitra	351	Chanchal Chakraborty
330	Amit Das	352	Minati Saha
331	Sujani Chatterjee	353	Santosh Dasgupta
332	Perimal Bardhan	354	Karika Dasgupta
333	Gouri Bardhan	355	Jyotsna Dasgupta
334	Rita Bardhan	356	Sadhana Das
		357	...
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		359	...

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- 364 In Kanchi.
- 365 Tapasli Dr.
- 366 Anindita Kundu
- 367 Jayamouli Das
- 368 Santa Das
- 369 Panchab Biswas
- 370 Krishna Biswas
- 371 Suchana Biswas
- 372 Tapita Roy
- 373 Subali Roy
- 374 Manoj Roy
- 375 Tany Roy
- 376 Anupam Roy
- 377 Binoy Roy
- 378 U.S. Roy
- 379 Sibabrata Das
- 380 Apru Das
- 381 N.C. K. Das
- 382 Anjali Das
- 383 Anu. Das
- 384 Kartas Das
- 385 Tanu Das
- 386 Kanchi Das
- 387 Jayan Das
- 388 Mitinai Das
- 389 Sudit Das
- 390 Mukherjee Das
- 391 Sonamoni Das
- 392 Anjali Das
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- 393 Anjali Das
- 394 Biswa Pada Rakshit.
- 395 Anupam Roy
- 396 Samin Das - 153 -
- 397 Anjali Das
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121 Peta Sarkar
 122 Nani Gupta
 123 Dipankar Dutta
 124 Suddhakar Dutta
 125 Ayan Dey
 126 Lalit Dey
 127 Gopal Dey
 128 Asit Krishna Dey
 129 Prakash Chandra Dey
 130 Sikandar
 131 Rakha Das
 132 Subhrajit Das
 133 Bina Majumdar
 134 Bismit Das
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 146 Raju Das
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 151 Muma Das
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 153 Sima Das
 154 Nirmal Das

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 463 A. Banerjee
 464 S. Banerjee
 465 T. Banerjee
 466 S.B. Banerjee
 467 Anur Banerjee
 468 Anil Chatterjee
 469 Krishna Chatterjee
 470 Jyotirmoy Chatterjee
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 481 R. Das

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- 487 Kuman Das.
- 488 Tapashi Das.
- 489 Ankan Das
- 490 Sama Das
- 491 Suman Das
- 492 Manmi Das
- 493 Apu Jit Das
- 494 Paria Das
- 495 Tatini Das
- 496 Skon
- 497 S...
- 498 Tripti Das.
- 499 Kesta Pada Das.
- 500 Samit Chatterjee
- 501 Debasish Chakraborty.
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- 503 Dipali Chakraborty.
- 504 Bhobotoch Chakraborty
- 505 Monmoh Chakraborty
- 506 Sila Chakraborty
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- John Paul.
- Pushpa Paul
- Rumi Paul
- Mayuri Paul
- Paul Paul
- 544 Anshu Kanti Chatterjee
- 545 Menaka Chatterjee
- 546 Sipra Chatterjee
- 547 Arun Kanti Chatterjee
- 548 D. K. Biswas
- 549 Pulok Chatterjee
- 550 ...
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- 55 Anoko Kumar Roy
- 56 Kabita Roy
- 57 Narendra Kumar Roy
- 558 Aloke Kanti Roy
- 559 Amitava Roy
- 560 Bela Roy
- 561 ...
- 562 Bhabani Mohi
- 563 Anima Mohi
- 564 ...
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- 567 ...
- 568 Rina Das
- 569 Shyamshree Das
- 570 Sharmila Das

- 571 Umesh Biswas
- 572 Somen Biswas
- 573 Biswajit Biswas
- 574 Ramani Biswas
- 575 Subrata Biswas
- 576 Prabir Biswas
- 577 Annapurna Biswas
- 578 (eta Biswas
- 579 Miu Biswas

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- 588 Siddhanti Shanthi Das
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(12) 632 Kunjana Sarkar

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633 Nitai Sarkar

634 Subhesh Saha

635 Rakesh Saha

636 Shyamala Saha

637 Bhabesh Saha

638 Sirekti Reber

Raja Bera
Ally Biswas

Japa Kuma Bera

Tahir Kuma Biswas

৩৭২ (৪৪) মিত্র

৩৭৩ মিত্র

৩৭৪ মিত্র

2 Lkenet Sarkar

Namita Sarkar

Subrata Sarkar

Umita Sarkar

Kristina Sarkar

Karaki Sarkar

18 Nityanand Roy

19 Sadananda Roy

20 Gobinda Roy

21 Shefali Roy

22 Sadana Roy

23 Shova Roy

24 Prava Sarkar

25 Nabanita Sarkar

26 Rajarshi Sarkar

27 মিত্র

28 মিত্র

29 মিত্র

30 মিত্র

31 মিত্র

- # 17. Trishna Kar.
- # 18.
- # 19.
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- # 21.
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- # 23.
- # 24.

- # 25 Biswajit Dutta
- # 20 Swapna Dutta
- # 21
- # 22 Subash Majumdar
- # 23
- # 24 Ratna Banerjee.
- # 25 Panamita Banerjee.
- # 26
- # 27 Dipali Das

- # 28 Tanushree Das
- # 29
- # 30 Anita Chatterjee
- # 31
- # 32
- # 33
- # 34. Kamal Anandh
- # 35
- # 36
- # 37

- # 38

Shanti Lal Sahi

(15)

Anita Chatterjee
Maha Das Vallyji

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Bibeni Roy
Nitira Roy
Suma Das
Amata Jaha
OVA Das

~~Rita~~

Sarvagpuri
Rayman Ch Das

10 Maya Das

9 Bablu Das
Biswanath Das

Surbati Das

Gayatri Das

Rajib Sarkar

Amal Das

Subhakar Das

Pradip Lal Chatterjee

7 Dip Narayan Chatterjee

58 Sifer

59 Gulu Das

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SHIMULTALA JANAKALYAN PARISHAD

শিমুলতলা জনকল্যান পৰিষদ



Shimultala, Agartala North 24 Parganas West Bengal. Regd No 37527 ESI 1966

- | | |
|--------------------------|-------------------------|
| 771. Birajit Ch. Ghosh | 792. Indrajit Kumar Das |
| 772. Sumita Ghosh | 793. Anand Kumar Das |
| 773. Kishore Mohan | 794. Anand Kumar Das |
| 774. Anand Kumar Das | 795. Dilip K. Das |
| 775. Anand Kumar Das | 796. Anand Kumar Das |
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| 786. Samir Bhattacharjee | 807. Anand Kumar Das |
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| 791. Anand Kumar Das | |

- 1 842. ଶ୍ରୀମତୀ ଚରଣ
- 2 843. Sunanda Dasman
- 3. 844. ସୁସମିତା ଦାସମାନ
- 4. 845. Minu Dasman
- 5. 846. ଶ୍ରୀମତୀ ଚରଣ
- ୬ 847. ଶ୍ରୀମତୀ ଚରଣ
- ୭ 848. ଶ୍ରୀମତୀ ଚରଣ
- ୮ 849. Sabita Sarker
- ୯ 850. ଶ୍ରୀମତୀ ଚରଣ -
- ୧୦ 851. ଶ୍ରୀମତୀ ଚରଣ -
- ୧୧ 852. Anurup Bose
- ୧୨ 853. ଶ୍ରୀମତୀ ଚରଣ
- ୧୩ 854. ଶ୍ରୀମତୀ ଚରଣ
- ୧୪ 855. Sanat Misra
- ୧୫ 856. ଶ୍ରୀମତୀ ଚରଣ
- ୧୬ 857. ଶ୍ରୀମତୀ ଚରଣ
- ୧୭ 858. S. M.
- ୧୮ 859. ଶ୍ରୀମତୀ ଚରଣ
- ୧୯ 860. Jaya Choudhury
- ୨୦ 861. Ramendra Ch. Mondal

- ୨୧ 862. ଶ୍ରୀମତୀ ଚରଣ
- ୨୨ 863. Papia Mondal
- ୨୩ 864. Susmita Mondal
- ୨୪ 865. Dipangyee Das
- ୨୫ 866. Anita Da.
- ୨୬ 867. ଶ୍ରୀମତୀ ଚରଣ
- ୨୭ 868. Jagabandhu's misra
- ୨୮ 869. ଶ୍ରୀମତୀ ଚରଣ
- ୨୯ 870. Santanu Karmalen
- ୩୦ 871. ଶ୍ରୀମତୀ ଚରଣ
- ୩୧ 872. ଶ୍ରୀମତୀ ଚରଣ
- ୩୨ 873. Mishir Kumar Jaha
- ୩୩ 874. Minu Das
- ୩୪ 875. Gadadhar Mishra
- ୩୫ 876. ଶ୍ରୀମତୀ ଚରଣ
- ୩୬ 877. Gopal Day.
- ୩୭ 878. D. C. Day.
- ୩୮ 879. B. Day.
- ୩୯ 880. Abalu Choudhury
- ୪୦ 881. ଶ୍ରୀମତୀ ଚରଣ
- ୪୧ 882. Sudab Misra
- ୪୨ 883. Rajendra Nath Mukherjee
- ୪୩ 884. ଶ୍ରୀମତୀ ଚରଣ

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| 855. ... | 889. Namai Ganguly |
| 856. Babir Kr. Majumdar | 889. ... |
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| 859. Lum Lum Day. | 887. Kajlakshmi Ghosh |
| 860. Pintu Day. | 888. Sujoy Ghosh |
| 861 - ... | 889. Sima Dutta |
| 862 - ... | 890. ... |
| 863. Soumya Thakurta | 891. Kanam Munshi |
| 864. ... | 892. Palash Munshi |
| 865. ... | 893. ... |
| 866. Babya Bachi Bosh. | 894. ... |
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| 868. Laxmi Bosh. | 896. ... |
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| 870. Jaya Chowdhury. | 898. ... |
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| 877 - Sebika Das - | 905. Bibek Kundu |
| 878 - Soumen Das - | 906. Prabir Choudhury |
| 879 - Sandip Das - | 907. Dilip Sarkar |
| 880. Narayan Ch. Ganguly | 908. Anirban Sarkar |
| 881. Sulekha Ganguly | |
| 882. Piyali Ganguly | |

- 938. Indira Nath Mallick
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- 939. Sava Sarda
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| 964 | Amendra Nath Mishra | 994 | Dibyendu Sarda |
| 965 | ... | 995 | ANANDU CHAKRABORTY |
| 966 | ... | 996 | BIBHA CHAKRABORTY |
| 967 | ... | 997 | ANANDU CHAKRABORTY |
| 968 | ... | 998 | Subadh Kr. Sarkar |
| 969 | ... | 999 | Nayendra Swarna |
| 970 | ... | 1000 | J.indra Chandra Laha |
| 971 | ... | 1001 | Jayanta Laha |
| 972 | ... | 1002 | Lakshmi Laha |
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| 979 | ... | 1009 | Santanu kamalan |
| 980 | ... | 1010 | Kesari Nath Saha |
| 981 | ... | 1011 | SAMIR SAHA |
| 982 | ... | 1012 | BILKA SAHA |
| 983 | ... | 1013 | Naital Sen |
| 984 | ... | 1014 | debabrata sen |
| 985 | ... | 1015 | Nani Gopal Saha |
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P. S. P. S.

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- 1019 Anilaben Saha.
- 1020 Shikha Saha.
- 1021 Anjan Saha.
- 1022 Ranjan Saha.
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- 1025 Arindam Saha.
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- 1027 A. Siva Lalita D.
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- 1030 D. K. Lahiri
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- 1037 Champadas
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- 1039. F. Abi Sankar Das
- 1040. M. Uva Sarkar
- 1041
- 1042 Siba Prasad Sarkar

- 1043 Biva Das
- 1044 Sumita Das
- 1045 Sushela Das
- 1046 Simpa Das
- 1047 Saptim Das
- 1048
- 1049 Jagati Jota Paul
- 1050 Prayati Paul
- 1051 Jaganti Paul
- 1052 Nikhilan Saha
- 1053 Rita Saha
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- 1055 Jagadish Ch. Saha.
- 1056 Sante Saha.
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- 1059. Armita Saha.
- 1060. Geopa Saha.
- 1061. Debapriya Saha.
- 1062. Arjit Saha.
- 1063. Kapana Paul
- 1064. Palindra Nalli Paul
- 1065 Jishu K. Paul.
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- 1067 Sri Jagannath Das
- 1068 Smt. Kama Devi
- 1069 Sri Ganesh Das
- 1070 Smt. ...
- 1071 Sri Monoranjan Das
- 1072 ...
- 1073 Sri Rindu Das
- 1074 Smt. Shilpani Das
- 1075 ...
- 1076 Smt. Tumpa Das
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- 1078 ...
- 1079 Sudestona Ghosh
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- 1081 Kama Chandra Das
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- 1083 Ranga May Das
- 1084 Arindam Das
- 1085 Sunjita Das
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- 1087 Kaushik ...
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1137 विद्युत्तन्त्र विभाग (मं.)	1140
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সিদ্ধান্তিন জুয়েলস্

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(সাহস্রিক জনসভা উদ্যোগী সংগঠন)

সিদ্ধান্তিন জুয়েলস্
১৯৩৬ সালের ১৯ জানুয়ারি

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তারিখ.....

সিদ্ধান্তিন জুয়েলস্	President.	1177
২৫ জন জুয়েলস্	Secretary.	1178
সিদ্ধান্তিন জুয়েলস্		1179
R. Das		1180
Paul Mondal.		1181
San Dutta.		1182
Athens Majumder		1183
Subrata Paul		1184
Biswajit Kumar Das.		1185
H. M. Das.		1186
Pras Chakraborty.		1187
Pradip Kr. Deb.		1188
Prabhat Ch. Paul		1189
Sinaita Bandy.		1190
Rajat C. Ghosh		1191
Shankar Chatterjee		1192
PUPALI SARKAR		1193
Arati Laskar		1194
Jungib Kr. Das		1195
Renanda Kr. Chakraborty		1196
Kalankama Sarker		1197
Pratim Mondal		1198

সিদ্ধান্তিন জুয়েলস্

(26)

(সাহিত্যিক এবং সমাজসেবা সংক্রান্ত)

পত্রিকাসংখ্যা (১)। বিক্রয় সমাপ্ত

আমদানি, ১৯৫৩ সালের (১৫) ১, ১৯৫৩

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- ২১/ Kripak Sarkar. 1199
- ২২/ Paritosh Hazumder. 1200
- ২৩/ Shama B. Ch. 1201
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- ২৫/ S. S. S. 1203
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- ৩০/ Debnath, S. 1208
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- ৪৬/ S. S. S. 1224

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EMPLOYEES' SUBURBAN CO-OPERATIVE HOUSING SOCIETY LTD.

P-17, L. I. C. Park, P. O. Sodepur.
Dt. North 24-Parganas. Pin-743178

No

Date

Memo Signature in support of the Campaign
organised by Rouchoudrasa & ^{Bhagat} ~~the~~ ^{Welfare} ~~the~~ Committee

Samuel Banerjee	-	P-50
Upal Banerjee	-	P-38
J. Purkayastha	-	P-6
Sachin Mandal	-	P-65
Ajit Kumar Ray Choudhury	-	5
Somendra Gupta Mukherjee	-	P-61
Giridhari Prasad Ghosh	-	P-37
Amitabha Karjhal	-	P-67
Kala Chand Debia Debta	-	P-25
Badal Bose	P. Bose	P-66
Sunil Kr Banik		P-29
Smriti Ch. Roy		P-4
Nepal Ch. Chakraborty		P-43
Sujit Kr Chakraborty		P-58
Sutanon Chakraborty		P-38
T. K. Chakraborty		P-47
K. N. Ganguly		P-35
Byjoy Narayan Datta		P-27
Samarjit Kumar Das		P-42
Baidya N. D. Das		P-28
Biswanath Datta		P-44
Pranabendra Paul		P-45

RTR

- 1250 Anjali Ghosh P-46
- 1251 Subirama Nath Sanyal P-47
- 1252 P-34
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- 1254 Manjani Chatterjee - P-36
- 1255 Nilani Dey P-53
- 1256 Saswati Datta Roy. P. -55
- 1257 P-14
- 1258 Mamata Mallik P-26
- 1259 P-8
- 1260 Sumita Guha. P-13
- 1261 Jayati Datta P-24
- 1262 Golap Sarikare P-11
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- 1267 P-21
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- 1269 P-7
- 1270 P-19
- 1271 P-3
- 1272 P-58
- 1273 P-58

EMPLOYEES' SUBURBAN CO-OPERATIVE HOUSING SOCIETY LTD.

P-17, L.I.C Park, P.O. Sodepur.
Dt. North 24-Parganas. Pin-743178

No. _____ Date _____
Masa Signature in support of the
campaign organised by Kamalchandra
Bhagar Mukherjee Committee

- 47 _____ P-30
- 48 Bela Rani Chatterjee P-30
- 49 Biswanath Dahiya P-31
- 50 Anand Roy Choudhury 64
- 51 Bimal Kanti Bhowmik P-63
- 52 Sibani Chatterjee P/62
- 53 Krishna Benerjee P-60
- 54 Bandana Mondal
- 55 Mira Saha P-70
- 56 Malay Das P-69
- 57 Sumitra Chatterjee P-48
- 58 Santhi K Saha P-32
- 59 Swapan K. Mookherjee P-51
- 60 Ashis Chandra - 16

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 Mrs. Sonviti Kanungo
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- 32) Kuldani Kalbraj
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- 34) Gowri Biswas
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- 124 Anup Datta
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- 160 कृष्ण 9305
- 161 नीला 1510
- 162 श्री श्री श्री
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- 169 L.T. 1 of Haru Das
- 170 श्री श्री श्री
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- 174 श्री श्री श्री
- 175 R.T. 1 of R. B. Chak
- 176 श्री श्री श्री
- 177 Sunil Chak Mandel

- 179 श्री श्री श्री
- 180 श्री श्री श्री
- 181 Haru Das
- 182 Ramendra Ball
- 183 श्री श्री श्री
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- 186 श्री श्री श्री
- 187 Gopal Singh
- 188 Sujay Das
- 189 Shyamal Runder
- 190 Swadhin Das
- 191 S. N. Sutta
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- 202 Bahadur
- 203 M. S. Das
- 204 ~~M. S. Das~~
- 205 M. S. Das
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- 219 Smita Chakraborty
- 220 K. G. Das
- 221 M. S. Das
- 222 Bala Chakraborty
- 223 Goma Mitra
- 224 R.T. 1 of Rumbala Mitra

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- 226 M. S. Das
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- 234 M. S. Das
- 235 R.T. 1 of Gouri Oram
- 236 Kalidas Chakrabarti
- 237 M. S. Das
- 238 M. S. Das
- 239 M. S. Das
- 240 Goutam Bhadra
- 241 Amit K. Singh
- 242 M. S. Das
- 243 Ranjit K. Saha
- 244 M. S. Das
- 245 M. S. Das
- 246 Goma Mitra
- 247 M. S. Das
- 248 M. S. Das

- (C) 285 Malati Saha
- 286 Minmay Das
- 288 Anil K. Bhadra
- 289 Debjani Bhadra
- 297 Mura Saha
- 298 Abhishek Saha
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- 290 Raj Kumar Ghosh
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- 298 Partha Chakraborty
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- 303 Anish Chakraborty
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- 309 Prasad Ghosh
- 310 Apurva Ghosh
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- 312 Chiranjeev Das

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- 19 Subhankar Saha
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- 1. K. K. Kundu.
- 2. Anandita Kundu.
- 3. Jagannath Das.
- 63. Santa Das
- 65. Prabhat Bhatnagar
- 66. Krishna Biswal
- 67. Subarna Biswas
- 68. Ananta Prasad
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- 397. Pradyumna Prasad
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- 400. Pradyumna Prasad
- 401. Rama Banerjee
- 402. Rama Banerjee
- 403. Rama Banerjee
- 404. Ananta Prasad
- 405. Hari Prasad Choudhury
- 406. Jayant Prasad
- 407. Minoty Prasad
- 408. Mohan Das
- 409. Shamsher Das
- 410. Subrata Das
- 411. Prasad Choudhury
- 412. Ananta Prasad
- 413. Subrata Choudhury
- 414. Subrata Choudhury
- 415. Ananta Prasad
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- 417. Thuma Choudhury
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- 421. Prabir Ananta Prasad
- 422. Ananta Prasad
- 423. Ananta Prasad

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 131 Pita Sarkar
 132 Nani gopal Kulo
 133 Dipankar-Dutta
 134 Subhakar-Dutta
 135 Ayan Dey
 136 Dali Dey
 137 Gopal Dey
 138 Anil K. Dey
 139 Felim Chandra
 140 Sikandar
 141 Rakha Das
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 144 Kishore Das
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 463 A. Banerjee
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- 484 Kumar Das
- 485 Pashu Das
- 486 Ankan Das
- 487 Boma Das
- 488 Ganga Das
- 489 Muni Das
- 488 Aparajita Das
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- 494 Keta Pada Das
- 495 Sambhu Chattop
- 496 Debasikh Chakraborty
- 497 Binodini Das
- 498 Dipali Chakraborty
- 499 Bhobolosh Chakraborty
- 500 Manmoh Chakraborty
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- 530 Chaitali
- 531 Supti Mukherjee
- 532 ~~...~~
- 533 Gouri Devi
- 534 Bikash
- 535 Jaya Das
- 536 Ujjal Das
- 537 Kalyan

6/29/27
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- John Paul
- Pushpa Paul
- Ruma Paul
- Mayumi Paul
- Paul Paul
- 1. Dushan Kanti Chatterjee
- 2. Monika Chatterjee
- 3. Dipra Chatterjee
- 4. Arun Kumar Biswas
- 5. Dabi Biswas
- 6. Puloka Mishra
- 7. Reba Biswas
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- 571 Umesh Biswas
- 572 Semon Biswas
- 573 Biswajit Biswas
- 574 Ramesh Biswas
- 575 Subrata Biswas
- 576 Prabin Biswas
- 577 Annapurna Biswas
- 578 Chita Biswas
- 579 Mili Biswas
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- 588 Siddhanti Shukla
- 589 Shiba Das
- 590 Nivedita Das
- 591 Maitrimay Biswas
- 592 Shikha Biswas
- 593 Tejvir Biswas
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- 603 Raja Bora
- 604 Pally Biswas
- 605 Jafa. Kuna Bora
- 608 Jafin. Kun Biswas.
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- 632 Kanjuna Sarkar
- 633 Nitai Sarkar
- 634 Subhesh Saha
- 635 Rakesh Saha
- 636 Shyamali Saha
- 637 Bhabesh Saha
- 638 Shakti Rehan

668) अडा डोर (16)

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669) गुमा

686 सुजा

670) Kullinatt Gholl

687 विमल

671) ताम्र

688 Bhan

672) अमृत

689 Am

673) उरवी

690 Sam

674) Matan mandal

691 Ra

675) अमृत

692 B. U.

676) अमृत

693 Kullinatt

677) Amal Surtar

694 Surtar

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- Rathindra Nath Kar.
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- 25 Biswajit Dutta
- 26 Swarna Dutta
- 27 Sampurnan Narayana
- 28 Subash Chandra
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- 30 Ratna Banerjee
- 31 Parvati Banerjee
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- 33 Dipali Das
- 34 Tanushree
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- 36 Anita Chattopadhyay
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- Sanjay Das
- 10 Maya Devi
- 9 Bablu Das
- 8 Bikash Nath Das
- Subir Das
- Gopali Das
- 7 Kapil Saha
- Chaman Das
- Subhankar Das
- 6 Pradip Lal Chatterjee
- 7 Dip Narayan Chatterjee
- 58 Sipra Chatterjee
- 59 Subu Das
- 10 ...
- 11 Chh...
- 12 Maya ...
- 13 Lalita ...
- 13 Bali ...
- 4 ...
- 5 Hena Rani Chatterjee
- Subir Lal Chatterjee
- 2 ... Chatterjee

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Sri Nouranjan Sarker,
Chairman.

Office of
THE MUNICIPAL COUNCILLORS
OF PANIHATI
PANIHATI 24 PARGANAS (N)
PIN 743176

Memo No. PM/SECY./48

Dated:- 3.01.1999

To:
The Collector, North 24-Parganas,
Land Acquisition Department,
Barasat, North 24-Parganas.

Sub: Publication of draft notification for acquisition
of land in Mouza-Mahishpota, J.L.No-26, P.S.Khardah
Dist. North 24-Parganas for establishment of a
Trenching Ground Vide L.A. Case No. LA-II/1 of
1975-76

Ref: This office Memo No. PM/SECY/24, Dated, 21st. Oct. 1998

S i r ,

I am surprised to see your notification of North 24-Parganas No. 214 LAA-4/12/1997-98 dated 21.12.98 published in the Ganashakti Patrika on 29.12.98 that (i) R.S. Plot (in full) 676 & (ii) R.S. Plots (in part) 496, 665, 668, 669, 670, 674, 675 and 684 read with the part of R.S. Plot Nos 665/752 & 671/762 under Mouza Mahishpota J.L.No. 26, P.S. Khardah in the district of North 24-Parganas, are going to be acquisitioned inspite of the fact that the said plots of land were taken possession of by this municipality on 17th May, 1975, for the purpose of maintaining supplies and services essential to the life of the community as aforesaid. The photo copy of the certificate of possession of the said property made over to this municipality together with the photo copy of your notification published in the Ganashakti Patrika on 29.12.98 is collectively marked hereto as Annexure - "A" for your ready reference.

~~24/1/99~~

Contd. Page-2

THE MUNICIPAL COUNCILLORS
OF PANIHATI
PANIHATI 24 PARGANAS (N)
PIN 743176

Since in the instant case, the said plots of land have been given possession of to this municipality by your good office, there is no reason to be needed by other requiring body as the said plots are under physical possession of this municipality and is utilizing the same in terms of the solemn orders of the Hon'ble High Court at Calcutta.

This municipality in its latest correspondence addressed to you referred to above requested your good self to ensure acquisition of the said plots of land in the interest of Public Service as permissible under the law of the land.

In view of the intricate situation, I request you once again to initiate the proceeding of acquisition of the land in question in favour of this municipality in accordance with law without any further delay by expunging and/or deleting the said plots of land from the proposed notification for construction of Express Way.

Thanking you in advance ,

Yours faithfully,

[Signature]
Chairman

Panihati Municipality.

Enclo:- As stated above.

Copy to:

1. Mrs. Mira Banik, Councillor, Ward - 23;
2. The Secretary,
Ramchandrapur Kalyan Samity, Ramchandrapur, Sodepur - for information please.

[Signature]
Chairman

Panihati Municipality.

[Signature]
30/1/99

District : North 24-Parganas.

IN THE HIGH COURT AT CALCUTTA
Constitutional writ Jurisdiction
(Appellate side)

...
of 2001.

-and-

In the matter of:

An application under Article 226 of
the Constitution of India;

-And-

In the matter of:
Remchandrapur Bhagar Uchhed Committee
& Ors.

...Petitioners.

-Versus-

The District Magistrate, North
24-parganas & Ors.

...Respondents.

Mr. Alok Saha
Advocate,
High Court, Calcutta,
Bar Association Room No. 9.

Date by Office or Advocate	Serial No.	Date	Office notes, reports, orders or proceedings with signature
		25.7.2003	<p>Mr. Amjad Ali Mr. A. Roy Chowdhury</p> <p>..For the petitioner.</p> <p>Mr. Subrata Banerjee ..For the State.</p> <p>Mr. S.K. Dutta Mr. D.K. De Mr. S. Mondal ..For the Panihati Municipality</p> <p>Mr. Partha Sarathi Basu Mr. Fazlul Haque ... For the KMDA</p> <p>The main grievances of the petitioner in the writ petition have been sorted out, for the KMDA has prepared a Scheme for processing and removing the waste. The learned Counsel, for the KMDA, is present before me, and he has submitted that his client has received appropriate fund for implementing the project from the State Government. He has further submitted that his client will implement the project for which about 2½ years time is needed. He has further submitted that immediately after completion of the project, the same will be handed over to the Panihati Municipality and the project will be run by the Panihati Municipality and apart from giving trial run, KMDA will not shoulder the responsibilities of running the project after it is installed. To implement the project, according to the present estimate, about ^{Rs.} 2.33 Crores would be required. At the time of implementing project, cost may go up. According to the learned Counsel appearing for the Panihati Municipality, its financial condition may not help ^{to be run} to run the project, after it is implemented. If that happens, public fund to the tune of more than 2 crores will be wasted. I think much before</p>

Name of Office or Advocate	Serial No.	Date	Office notes, reports, orders or proceedings with signature
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the project is implemented, the Municipality must in consultation with the State Government decide the appropriate steps that it must take for running the project. It is hoped and expected that the State, which has come up with the fund for the project, should also appropriately help the Municipality in manning and running the same.

Until such time, however, the project is implemented and the same starts functioning, the Municipality has to take measures to check ^{proliferation} ~~pollution~~ of waste. But there is still a grievance, on behalf of the petitioner, that the Municipality has not been able to ^{do this} in relation to night-soil. I think this matter should also be looked at by the Panihati Municipality.

The Chairman of the Panihati Municipality is thus requested to look into such grievances and to eradicate the same as far as practical either personally or by appointing an appropriate committee for that purpose.

This disposes of the writ petition.
There shall be no order as to costs.

Let xerox plain copy of this order duly countersigned by the A.R. (Court) be handed over to the learned Counsel for the parties on their usual undertaking.

Xerox Plain copy
Jallian
3/17/03

S/-(Barin Ghosh, J).

Assistant Registrar. (Court)
High Court Appellate Side
Calcutta.

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ANNEXURE-P/9'

Proceedings of the meeting held in the Chamber of District Magistrate, North 24-Parganas on 13.09.2001 at 11 a.m. in connection with dumping of Municipal Garbage at Ramchandrapur Garbage dumping ground under Panihati Municipality.

- (1) Details of the participants of the meeting are enclosed.
- (2) District Magistrate, North 24-parganas presided over the meeting and initiated the discussions, Chairman, Panihati Municipality explained the present situation, Convenor of the Ramchandrapur Bhagar Ucchhed Committee submitted the grounds on the basis of which they have started the agitation. M.L.A., Panihati explained the entire history. S.P., North 24-parganas offered some valuable suggestions towards solution of the problem.

After the above discussions following decisions were taken

- a) Panihati Municipality will not throw any carcass to the Ramchandrapur Garbage ground any more.
- b) As a short term measure, Panihati Municipality within next three months will construct the boundary wall around the existing garbage dumping ground at Ramchandrapur.
- c) Panihati Municipality and District Administration as a part of long term measure, with the help of local people will find out alternative area to be used as a dumping ground of the Municipality. If suitable area is not ultimately found in the event, appropriate authority will be moved by the Municipality and the District Administration so that the facilities of the existing garbage dumping ground could be upgraded by installation of suitable equipments for scientific disposal of the Municipal garbage.
- d) All concerned would to render all necessary cooperation towards for implementation of the above decisions.

The meeting end with thanks to everyone present in the meeting.

sd/ —
District Magistrate
North 24-parganas
Barasat.

Memo No. 6553/67

Dated, 17.9.01

Copy alongwith the enclosures forwarded to the :-

1. Supdt. of Police, North 24-parganas, Barasat.
2. M.L.A., Panihati.
3. Chairman, Panihati Municipality.
4. Convenor, Ramchandrapur Bhagar Ucchhed Committee.
5. I.C., Khardah P.S.

District Magistrate
North 24-parganas
Barasat.

ANNEXURE-P/10'
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RAMCHANDRAPUR BHAGAR UCHED COMMITTEE
RAMCHANDRAPUR, SODEPUR, 24 PARGANAS(N)

Ref:

Date: 22/09/2001

To

1. The District Magistrate,
North 24 Parganas.
Po. & P.S.- Barasat.
North 24 Parganas.

2. The Superintendent of Police,
North 24 Parganas,
Po. & P.S.- Barasat,
24 Parganas(N).

3. The Chairman,
Panihati Municipality,
Po.- Sodepur, P.S.- Khardah,
24 Parganas(N).

Subject:- Memo being No. 6583/Con. Dt 17/9/2001 issued by the
Hon'ble District Magistrate, North 24 Parganas as regards Ramchandrapur
Trenching Ground at Sodepur, 24 Parganas(N).

Respected Sir,

We the undersigned law-abiding inhabitants of Ramchandrapur,
Shimultala Tarapurkur, Mandela Park, LIC Park, Arunachal, Gandhinagar, H B
Town, Daskhir Pally, under the Panihati Municipality have resolved in a Mass
meeting conveyed by Sri Shyamal Banerjee, R.B.U.C.on 22.9.01 at 7P.M. the
following decisions unanimously for which your kind attention is drawn to
the facts as regards aforesaid memo. issued by the Hon'ble District
Magistrate, North 24-Parganas dated 17.9.2001 on the following amongst
other.

:-: GROUNDS :-:

1. With regard to proposal/decision no. (a) as stated in the said memo,
we are in full agreement that the Panihati Municipality will not throw

any Carcasses to the Ramchandrapur Garbage/Dumping ground anymore.

2. With regard to the proposal/decisions no. (b) and (c) as stated in the said memo dated 17/09/2001 we emphatically object and dispute to the effect that the Panihati Municipality as statutory body has already acquired and taken possession of certain plots of land under Mouza Mahispota J.L.No.26, P.S. Khardah (now P.S. Gholā) in the district of North 24-Parganas on 17th May 1975 for the purpose of maintaining supplies and services essential to the life of the community (Copies enclosed for ready reference). The said plots of land have been given possession to the said Municipality by the good office of the Learned Collector of the District of North 24-Parganas, that is the Hon'ble District Magistrate, North 24-Parganas long ago by virtue of the Hon'ble High Court's order which are still in possession of the said Municipality.
3. That, the Sub Divisional Officer, Barrackpur pursuant to the acquisition of the said plots of land and possession thereof by the Municipality, issued an order being No. 1358(13) CON dated 5/9/1981. (Copy enclosed for ready reference) containing the schedule of removal of the said Trenching Ground or Garbage Ground at Ramchandrapur and construction of a new Garbage Ground on the said plots of land at Mohispota being acquired and possessed by the Municipality but for the reasons best known to the concerned authority the operation of the said order of the SDO has been kept abeyance.
4. That in the course of discussions and deliberations held on last 13th September 2001 at the instance of the Dist. Magistrate, North 24 Parganas, the respected Superintendent of Police, North 24 Parganas made an observation that if the Carcasses are withdrawn, then the Airport Authority of Dum Dum Airport would have no objection to construct a Garbage Ground for dumping Garbage and Night-Soil on the said plots of land at Mohispota which are still in possession of the Panihati Municipality.
5. That, while the Panihati Municipality has got its own plots of land at Mohispota as stated above which are still in physical possession thereof and a process for removal of the said Garbage Station at Ramchandrapur to said plots of land at Mohispota was initiated at the instance of the government in the year of 1981 as aforesaid, the

- 199 -

Garbage Station at Ramchandrapur may kindly be removed to the said place with immediate effect as the Hon'ble DM, North 24 Parganas by His said memo. Dated 17th September, 2001 as a matter of policy has practically admitted for removal of the Ramchandrapur Garbage Ground as a part of long term measure. But while particular plots of land are being possessed by the Panihati Municipality in accordance with law the said Ramchandrapur Garbage Ground may easily be removed to the said plots of land being still vacant in accordance with law and while law does not stand in the way of such removal, the authority concerned may take appropriate step in this regard for the sake of the interest of the Tax -paying inhabitants of the Panihati Municipality who have been residing in and around the said Garbage Ground at Ramchandrapur after having been permitted by the authority of the Panihati Municipality in accordance with law as also suffering from the effect of air & environmental pollution being caused of the said Garbage Ground situated at the heart land of the density and thickly populated area while there is lawful alternative measure in the hand of concerned authority.

6. In view of what have been stated above we the undersigned would like to request you to take appropriate step by initiating the process for removal of the Garbage/Night Soil Ground at Ramchandrapur, Sodepur to Mohishpota and/or elsewhere within three months from the date of receipt of this representation and thus save our lives from air and environmental pollution and oblige.

Thanking you,

Yours faithfully

Date: 22/09/2001

Shyamal Banerjee
Shyamal Banerjee.

Convener of Ramchandrapur Bhager Uched Committee.

ANNEXURE - P/11

— 200 —

**Government of West Bengal
Municipal Affairs Department
Writers' Buildings, Kolkata.**

No. 18/MA/0/C-10/3S-45/2005

Dated, Kolkata the 6th January, 2012.

From : Joint Secretary to Government of West Bengal.

To : The Chief Executive Officer, KMDA,
Prosashan Bhavan, Salt Lake,
Kolkata-700 064.

Sir,

I am directed to send herewith a copy of the letter bearing No. MOS (UD)/09/2011/1553 dated 19.11.2011, which is self-explanatory, and to request you to kindly develop as Scheme with detailed estimate for shifting of existing disposal ground located at Ramchandrapur to a new place at Mohispota, land of which belongs to the Panihati Municipality.

I am further directed to inform you that some fund support from the Department can be envisaged as soon as the scheme is ready.

Encls : As stated.

Yours faithfully,

Sd/-

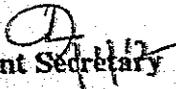
Joint Secretary

No. 18/1(3)/MA/0/C-10/3S-45/2005

Dated, Kolkata, the 6th January, 2012.

Copy forwarded for information to :

1. The P.S. to Minister-of-State,
Ministry of Urban Development,
Government of India,
Nirman Bhavan, New Delhi- 110 011.
2. The Chairman,
Panihati Municipality,
P.O. Panihati, North 24 Parganas,
Pin- 700 114.
3. The Convenor,
Ramchandrapur Bhagar Uchhed Committee,
Ramchandrapur, P.O. Sodepur,
Kolkata- 700 110.


Joint Secretary

Encl: 2 ' P/12'
ANNEXURE —

RAMCHANDRAPUR BHAGAR UCHHED COMMITTEE

RAMCHANDRAPUR, P.O. SODEPUR, KOLKATA - 700110

— 201 —

To
The Hon'ble District Magistrate,
North 24 Parganas,
Barasat.

Date: 08.09.2014,

Sub : Submission of Memorandum of Immediate withdrawal and/or removal of Trenching ground of Night Soil and Dumping Garbages from Ramchandrapur Sodepur, Kolkata-700110

Respected Sir,

Kindly Refer to our earlier submissions and/or prayer dated 21.08.2011, 01.09.2011, 25.09.2011 for shifting the Trenching Ground from Ramchandrapur, Sodepur, Kolkata - 700110 under ward no. 23 of Panihati Constituency and furthermore draw your kind attention to the fact :-

- 2) that the area where the disposal ground is situated had been surrounded with the thickly populated residential area ;
- 3) that the thousands of people residing at Ramchandrapur, Simultala, H.B. Town, Dakshin Pally, Barmashel, Arunachal, LIC Park, Mendala Park, New Colony, Gandhi Nagar & Tarapukur have been suffering nuisances , evil effects and pollution effected by the Trenching Ground of Night Soil and dumping of garbages since long time as the said trenching ground is in the heart of the above said localities;
- 4) that considering the necessity of shifting the trenching ground from Ramchandrapur , the thickly populated residential area several agreements made by the Higher Authorities in 1975 & 1981; (Xerox copy of agreement, 1981 is enclosed for ready reference) EXB-1
- 5) that considering the earlier prayer and submissions as well as Pollution Control Board's report for relieving the people from pollution, nuisances and nasty smelt the Govt. of West Bengal (Maa Mati Manus) has decided to shift the trenching ground from Ramchandrapur on 06.01.2012 under letter no. 18/MA/O/C-10/35-45/2005 dated 06.01.2012 of the Joint Secretary to the Govt. of West Bengal, Kolkata. (Xerox Copy Enclosed- EXB-2)
- 6) that West Bengal Pollution Board's observation may kindly be seen at EXB-3 wherein it was written that "it relates to Fundamental Right of the People to live in clean environment which cannot be violated..... considering the prevailing situation should be outright discouraged and direction towards shifting / removal of the Bhagar from the heart of ward no. 23 of Panihati Municipality, at Ramchandrapur may be issued with immediate effect;"
- 7) that residential houses at Ramchandrapur are within the handshaking distance of all around the trenching ground;
- 8) that with reference to our earlier prayer and suggestion of production of electricity from the garbages the Govt. of West Bengal has decided to start the project for electricity production at Mohispota.
- 9) that on 3rd March 2013 the Inauguration of laying foundation stone was inaugurated by the Hon'ble MP Sri Sougata Roy, Sri Nirmal Ghosh M.L.A., Panihati and the then Chairman of Panihati Municipality, Sri Charan Chakraborty where the members of RBUC and other eminent councilors were present;
- 10) that an agreement between Panihati Municipality and Rochem Separation System of India Pvt. Ltd. was signed for the project of the electricity production and 3 Acres of plot of land was given lease for 30 years;
- 11) that there was no village nearby at the said adjacent area, and thereby no question of residential house;
- 12) that it was so far visible only a ditch and/or low land at the said area;

Contd...2

(2)

-202-

13) that there exists only Kalyani Express High Way Road;

S. E.

14) that there exists Electric Sub-Station of W.B.D.C.L.;

15) that no person made any objection at the time of Inauguration of Laying of Foundation Stone by the Hon'ble MP at Mohispota on 3rd March 2013.

16) that more than 2 years past from the order of Govt. of West Bengal and one year already passed from the inauguration laying foundation stone but no shifting has yet been started;

17) Under the above circumstances the mass gathering resolved on 06.09.2014 for immediate shifting the trenching ground and kindly save the people of Panihati from pollution and other dire consequences specially those who are living at the adjacent distance of trenching ground for which a mass signature from different Clubs and Villages are placed from your kind and sympatric consideration of shifting the Trenching Ground from Ramchandrapur.

Waiting for the early consideration of shifting.

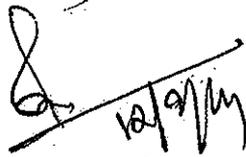
Thanking you,

With all the best,

Encl. EXB-1, 2, 3, A & B

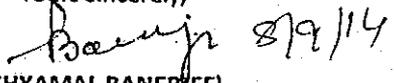
37 Sheets

(including Mass Signatories
more than 1500.)



P.A. To
District Magistrate
North 24-Parganas
Barasat

Yours sincerely,


(SHYAMAL BANERJEE)

CONVENOR

R.B.U.C., RAMCHANDRAPUR, SODEPUR

Government of West Bengal
Office of the District Magistrate
North 24-Parganas, Barasat
District Municipal Affairs Section.

Encls: 3

ANNEXURE - P/13

Dated : 16.09.2014

- 203 -

Memo No. 155 /DMA

To
The Chairman,
Panihati Municipality,
North 24_Parganas.

Sub : Application of Sri Shyamal Banerjee, Convenor, R.B.U.C., Ramchandrapur,
Sodepur dt.08.09.2014.

Sir,

With reference to the above, the original letter of Sri Shyamal Banerjee, Convenor, R.B.U.C., Ramchandrapur, Sodepur dt.08.09.2014 along with a Mass Petition are sending herewith which will speak for itself. You are requested to look into the matter considering the gravity of circumstances and send the necessary information directly to the applicant with a copy to the undersigned.

Encls:- As stated

Yours faithfully,

Sd/-

For District Magistrate
North 24-Parganas, Barasat.

Dated : 16.09.2014

Memo No. 155/1(1) /DMA

Copy forwarded for kind information to Sri Shyamal Banerjee, Convenor, Ramchandrapur
Bhagar Uched Committee., Ramchandrapur, PO-Sodepur, Kolkata-700 110.

Sd/-

For District Magistrate
North 24-Parganas, Barasat.

*Recd on 18.9.14
for info
18/09/14*

ANNEXURE - P/14
Encls - 4
- 204 -

RAMCHANDRAPUR BHAGAR UCCHED COMMITTEE

RAMCHANDRAPUR, P.O. SODEPUR, KOLKATA - 700110

To
Shri. Swapan Ghosh,
Chairman,
Panihati Municipality.

Date: 18.10.2014

Sub: Removal of Trenching Ground from Ramchandrapur to Mahispota.

Sir,

We convey our OM Vijaya Priti O Suvecha and you are requested to convey the same to other eminent Councillors in your Panihati Municipality.

2. Please refer to my letters dt: 16.12.2013 and 08.09.2014 regarding shifting of Trenching Ground from Ramchandrapur.
3. In this connection, your attention is drawn to Memo No: 155/DMA dt.16.09.2014 of Honorable D.M North 24 Pgs, Barasat to you and a copy to me under Memo No: 155(1)/DMA dt. 16.09.2014.
4. We met you several times and you are kind enough to assure the shifting process would be started very shortly and progress report would be intimated from time to time. But neither you have responded the Honorable D.M's letter nor intimated the starting of shifting process / work even you did not call us any meeting for shifting the Trenching Ground from Ramchandrapur as yet, which will lead us to go on movement.
5. In this connection your attention is drawn to the fact that it is resolved in the general meeting if you do not make any response on or before 31.10.2014 with reference to above we would be compelled to do movement by not permitting any sort of dumping at Ramchandrapur. You are requested to look into the matter with reference to above said memo no of the District Magistrate 24 Pgs North, Barasat to consider the shifting process immediately for taking effect and report to the undersigned.

Yours Faithfully,

Copy forwarded for kind information and necessary action to :-

- 1) District Magistrate, North 24 Parganas, Barasat
- 2) Sub Divisional Officer, Barrackpore, North 24 Parganas
- 3) Sri Sougata Roy, MP, Dum Dum
- 4) Sri Nirmal Ghosh, MLA, Panihati
- 5) Astt. Commissioner, Police | Barrackpore
- 6) Vice Chairman, Panihati Municipality

B. B. C.
B.B.C.

ANNEXURE - 'P/15'
- 205 -



**Office of the
Municipal Councillors of Panihati**
Panihati, North 24 Pgs, Kolkata - 700 114
Phone: 2553-2909/2563-4457
Fax : 2553-1487
Website- www.panihatimunicipality.in
Email ID- panihatimunicipality@yahoo.co.in

No:PM/Gen/FT.G/14-15/ 577

Date: 25.11.2014

To,
The Convener
Ramchandrapur Bhagar Uchhed Committee
Panihati, North 24 Parganas

Sub: Discussion on Ramchandrapur Bhagar at Ward - 23 under Panihati Municipality
Ref: Your letter dated 18th of October, 2014

Sir,

In response to the letter under ref., we are pleased to make you known that a session with Committee representatives would have shortly been taking place to discuss on several issues in connection with the subject noted above.

You are, therefore, requested to look after the matter and assist to the Municipal Authority discharging its civic services in usual course favoring the lakhs of citizens under Panihati Municipal jurisdiction.

Your attendance and precious opinion may help derive some ways out in this regard.

With thanks

Chairman
Panihati Municipality

Chairman
Panihati Municipality



Encl: 6

RAMCHANDRAPUR BHAGAR UCHHED COMMITTEE

RAMCHANDRAPUR, P.O. SODEPUR, KOLKATA - 700110

ANNEXURE - 'P/15'

Date 28.11.14

- 206 -

To
The Chairman,
Panihati Municipality
Panihati.

Sub: Removal of Trenching Ground from Ramchandrapur, Sodepur to Mohispota

Sir,

Please refer to your letter No.PM/Genl/T.G./14-15/577 dt 25.11.14 received by me on the day at 3.45 pm at the peaceful demonstration center against the dumping.

2. In response to para one in your letter under reference "a session with committee representatives would have been taking place shortly to discuss on several issues " does no arise at all at this stage because several meetings and discussions were held with you and with our beloved MLA Panihati, but no result compels us to lead peaceful demonstration, now require only to comply the Government Order dated 06.01.2012 for implementing and /or activating the shifting work because the foundation stone was already laid down and a lease also given to.
3. In response to para 2 of your letter under reference it is to say that implementation of Government Order dated 06.01.2012 had not been implemented to remove the pollution of lacs of citizen under Panihati municipal jurisdiction.
4. In respect of precious opinion referred in you letter it is to say that on the basis of our precious opinion the Government of West Bengal had already ordered the shifting the Trenching Ground from Ramchandrapur to Mohispota and also under processing the garbages would produce the Electricity , and so that the foundation stone was laid down on 03.03.2013 and the lease was given on the day .
5. Now the question arises as to why the work of shifting has not been started. Even the surrounding walls and overhead sheds have not been constructed . It proves that more than one year and eight months have passed but no effort for shifting work was initiated.
6. We several times meet you in your chamber to know the progress work of shifting and in every time you assured us that the discussions were going on and the progress report would be intimated from time to time but not intimated at all.
7. In the said letter you requested to assist the favour of civic service to the lacs of people under Panihati municipal jurisdiction. But it is for your kind information that more than forty years we are favoring the civic service to the people of Panihati municipality for the sake of Panihati people. Now the question arises as to why the dumping would be continued till date in such a thickly populated area at Ramchandrapur. To get free from pollution and make cleanliness all over Panihati garbages are required to be processed and thereby to produce electricity.

Contd...2

(2)

— 207 —

8. it is resolved unanimously in the general meeting at the peaceful demonstration centre on 26.11.2014 that the Trenching Ground from Ramchandrapur may please be shifted immediately. So long the Trenching Ground from Ramchandrapur would not be shifted according to the Government Order dt. 06.01.2012 the peaceful demonstration against any sort of dumping would be continued and/ or would not be allowed to dump. As soon as shifting work would be started the general people would think for withdrawal the peaceful demonstration.

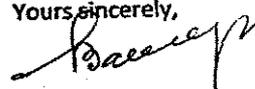
9. you are requested to look into the matter considering the gravity of circumstances by taking the necessary steps for shifting the trenching ground from Ramchandrapur.

Thanking you,

With all the best,

Encl. — Xerox copy of one Govt. Order
Dated 06.1.2012

Yours sincerely,


(SHYAMAL BANERJEE)

CONVENOR

R.B.U.C., RAMCHANDRAPUR, SODEPUR

ANNEXURE - 'P/17' - 208 -
BY COURIER SERVICE

RAMCHANDRAPUR BHAGAR UCHHED COMMITTEE

RAMCHANDRAPUR, P.O. SODEPUR, KOLKATA - 700110

Date: 20.5.2015

- 1) To
Smt. Mamata Banerjee,
Hon'ble Chief Minister,
Govt. of West Bengal,
Nabanna, Howrah.
- 2) Janab Firhad Hakim,
MIC. Urban Development
Of Municipal Affairs,
Govt. of West Bengal,
Nabanna, Howrah.

Sub: Removal of Trenching Ground from Ramchandrapur, Sodepur, Ward No-23 of Panihati Municipality to Mohispota.

Respected Madam / Sir,

Kindly refer to Joint Secretary, Govt. of W.B. Municipal Affairs Department's letter C. No 18/MA/O/C-10/3S-45/2005 dated, Kolkata the 6th January, 2012 for shifting of existing disposal ground located at Ramchandrapur, a thickly populated area to a new place at Mohispota, land of which belongs to the Panihati Municipality (Copy enclosed-for ready reference Encl-1).

2. Thanks to the Ministry of Govt. of W.B. and Shri Sougata Roy, Hon'ble M.P. Dum Dum Constituency, Shri Nirmal Ghosh Hon'ble M.L.A. Panihati who are the pioneer for taking the historical decision for removal the Trenching ground from Ramchandrapur ending long forty years movement and to set up Waste to Energy Plant of 150 TPD Capacity at Mohispota from Municipal Solid Waste, under P.P.P Model.

3. Accordingly, on 3rd March, 2013 the inauguration of laying foundation stone was inaugurated by our beloved Hon'ble M.P. Shri Sougata Roy, Dum Dum Constituency, Shri Nirmal Ghosh, Hon'ble M.L.A. Panihati and the then Chairman of Panihati Municipality, Shri Charan Chakraborty for Waste to Energy Plant at Mohispota under the consent / permission of Hon'ble Janab Firhad Hakim, MIC, Urban Development and Municipal Affairs, Govt. of W.B., Writers Buildings, Kol-700001, where the members of R.B.U.C. and other eminent councilors were present.

4. So far knowledge is concerned that an agreement and/or MOU between Panihati Municipality and Rochem Separation System of India Pvt. Ltd. Under P.P.P Model was signed for the project of Energy Plant and / or production of electricity for which 3 acres of Plot of land at Mohispota was given lease for 30 years to Rochem Separation system of India Pvt. Ltd. for the said project to be completed within a period of 40 weeks excluding monsoon from the date of signature of the said project.

5. Our moto is to remove pollution from Ramchandrapur a thickly populated area of Panihati, to keep clean Panihati pollution free by proper utilization from total garbages of Panihati and to produce electricity under Waste to Energy Plant at Mohispota to make up more or less deficit of electricity of West Bengal.

6. But I am compelled to draw your kind attention that more than 2 years passed from the date of foundation stone, unfortunately, neither Energy Plant project from garbages at Mohispota has been started nor removal of Trenching ground and / or shifting process has been started, as to why is not known to us, though the Govt. of West Bengal is very much eager to start the said project as well as shifting of Trenching ground from Ramchandrapur for giving relief to the thousands of people.

7. In the meantime several correspondences had been made with the Hon'ble D.M. Barasat, Hon'ble SDO, Barrackpore and the Hon'ble Chairman, Panihati Municipality some of which are enclosed for your kind perusal and necessary kind action at your end (Copy enclosed- 2-6).

8. As the above said Govt. Development work is not implemented and / or not complied since long time in spite of several efforts to the people of Ward No. 33 under Panihati Municipality irrespective of all the ages even old women are compelled to do the peaceful movement since 23.11.2014 till the shifting of trenching ground from Ramchandrapur is decided by the thousands of adjacent residential sufferers.

9. You are fervently requested to kindly look into the matter and kindly issue the necessary direction for setting up Waste to Energy Plant from garbages at Mohispota and removal of trenching ground from Ramchandrapur and/or implement the Govt. direction / your kind order for giving relief to the thousands of people of Panihati from dire consequences of pollution and other unbearable calamities from garbages and Night Soil which should not be in the thickly populated area reported by the Pollution Control Board, Barrackpore and time to time shifting decision unanimously taken / resolved by different MLAs in the year, 1975 and 1981.

10. Anxiously waiting for your kind order.

Thanking you,

With all the best,

Yours most obedient,

(Handwritten signature)
(SHYAMAL BANERJEE)

CONVENOR

R.B.U.C., RAMCHANDRAPUR, SODEPUR

Copy forwarded to
The Joint Secretary to Govt. of West Bengal,
Municipal Affairs Department, Nabanna, Howrah
With reference to his letter No 18/MA/O/C-10/35-45/2005
Dated 6th January 2012 for kind necessary action at his end.
He is requested to take initiative so as to the thousands of
people may get relief from pollution.

Yours faithfully,

(Handwritten signature)
(SHYAMAL BANERJEE)

CONVENOR

R.B.U.C., RAMCHANDRAPUR, SODEPUR



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 861]

नई दिल्ली, शुक्रवार, अप्रैल 8, 2016/चैत्र 19, 1938

No. 861]

NEW DELHI, FRIDAY, APRIL 8, 2016/CHAITRA 19, 1938

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 8 अप्रैल, 2016

का.आ. 1357(अ).—ठोस अपशिष्ट प्रबंधन नियम, 2015 का प्ररूप भारत सरकार के पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय की अधिसूचना सं. सा.का.नि.451 (अ) तारीख 3 जून, 2015 को भारत के राजपत्र भाग II, खंड-3, उप खंड (i) में उसी तारीख को प्रकाशित किए गए थे, जिसमें उनसे प्रभावित होने वाले संभावित व्यक्तियों से नगरीय ठोस अपशिष्ट (प्रबंधन और हथालन) नियम 2000 को अधिक्रांत करते हुए उक्त अधिसूचना के द्वारा ठोस अपशिष्ट प्रबंधन नियम, 2015 के प्रकाशन की तारीख से साठ दिनों की अवधि की समाप्ति से पूर्व आक्षेप और सुझाव आमंत्रित किए थे।

उक्त राजपत्र की प्रतियां जनता को तारीख 3 जून, 2015 को उपलब्ध कराई गई थीं;

निर्धारित अवधि के भीतर उक्त प्रारूप नियमों पर प्राप्त आपत्तियों तथा टिप्पणियों पर केन्द्र सरकार द्वारा सम्यक रूप से विचार किया गया था;

पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3, 6 और 25 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और नगरीय ठोस अपशिष्ट (प्रबंधन और हथालन) नियम, 2000, उन बातों के सिवाय अधिक्रांत करते हुए जिन्हें ऐसे अधिक्रमणों से पहले किया गया है या किए जाने का लोप किया गया है, केन्द्रीय सरकार ठोस अपशिष्टों का प्रबंधन करने के लिए निम्नलिखित नियम बनाती है अर्थात् :

1. संक्षिप्त नाम और प्रारंभ.—

- (1) इन नियमों का संक्षिप्त नाम ठोस अपशिष्ट प्रबंधन नियम, 2016 है।
- (2) ये राजपत्र में इनके प्रकाशन की तारीख से प्रवृत्त होंगे।

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नगरपालिकाओं की कुल संख्या:

प्रस्तुत की गई कार्य योजना की संख्या:

प्ररूप-VI

[नियम 25 देखें]

दुर्घटना का प्रतिवेदन

1.	दुर्घटना की तारीख और समय	:	
2.	दुर्घटना के लिए कारकों का अनुक्रम	:	
3.	दुर्घटना में शामिल अपशिष्ट	:	
4.	मानव स्वास्थ्य और पर्यावरण पर दुर्घटनाओं के प्रभावों का मूल्यांकन	:	
5.	किए गए आपातकालीन उपाय	:	
6.	दुर्घटनाओं के प्रभावों को कम करने के लिए उठाए गए कदम	:	
7.	ऐसी किसी दुर्घटना की पुनरावृत्ति को रोकने के लिए उठाए गए कदम	:	
तारीख		हस्ताक्षर	
स्थान		पदनाम	

[फा. सं. 18-3/2004-एचएसएमडी]

विश्वनाथ सिन्हा, संयुक्त सचिव

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 8th April, 2016

S.O. 1357(E).—Whereas the draft of the Solid Waste Management Rules, 2015 were published under the notification of the Government of India in the Ministry of Environment, Forest and Climate Change number G.S.R. 451 (E), dated the 3rd June, 2015 in the Gazette of India, part II, Section 3, sub-section (i) of the same date inviting objections or suggestions from the persons likely to be affected thereby, before the expiry of the period of sixty days from the publication of the said notification on the Solid Waste Management Rules, 2015 in supersession of the Municipal Solid Waste (Management and Handling) Rules, 2000;

And whereas, copies of the said Gazette were made available to the public on the 3rd June, 2015;

And whereas, the objections or comments received within the stipulated period were duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sections 3, 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986) and in supersession of the Municipal Solid Waste (Management and Handling) Rules, 2000, except as respect things done or omitted to be done before such supersession, the Central Government hereby makes the following rules for management of Solid Waste, namely:-

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1. Short title and commencement.-

- (1) These rules may be called the Solid Waste Management Rules, 2016.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. **Application.**— These rules shall apply to every urban local body, outgrowths in urban agglomerations, census towns as declared by the Registrar General and Census Commissioner of India, notified areas, notified industrial townships, areas under the control of Indian Railways, airports, airbases, Ports and harbours, defence establishments, special economic zones, State and Central government organisations, places of pilgrims, religions and historical importance as may be notified by respective State government from time to time and to every domestic, institutional, commercial and any other non residential solid waste generator situated in the areas except industrial waste, hazardous waste, hazardous chemicals, bio medical wastes, e-waste, lead acid batteries and radio-active waste, that are covered under separate rules framed under the Environment (Protection) Act, 1986.

3. **Definitions**—(1) In these rules, unless the context otherwise requires, (1) "aerobic composting" means a controlled process involving microbial decomposition of organic matter in the presence of oxygen;

2. "anaerobic digestion" means a controlled process involving microbial decomposition of organic matter in absence of oxygen;
3. "authorization" means the permission given by the State Pollution Control Board or Pollution Control Committee, as the case may be, to the operator of a facility or urban local authority, or any other agency responsible for processing and disposal of solid waste;
4. "biodegradable waste" means any organic material that can be degraded by micro-organisms into simpler stable compounds;
5. "bio-methanation" means a process which entails enzymatic decomposition of the organic matter by microbial action to produce methane rich biogas;
6. "brand owner" means a person or company who sells any commodity under a registered brand label.
7. "buffer zone" means zone of no development to be maintained around solid waste processing and disposal facility, exceeding 5 TPD of installed capacity. This will be maintained within total area allotted for the solid waste processing and disposal facility.
8. "bulk waste generator" means and includes buildings occupied by the Central government departments or undertakings, State government departments or undertakings, local bodies, public sector undertakings or private companies, hospitals, nursing homes, schools, colleges, universities, other educational institutions, hostels, hotels, commercial establishments, markets, places of worship, stadia and sports complexes having an average waste generation rate exceeding 100kg per day;
9. "bye-laws" means regulatory framework notified by local body, census town and notified area townships for facilitating the implementation of these rules effectively in their jurisdiction.
10. "census town" means an urban area as defined by the Registrar General and Census Commissioner of India;
11. "combustible waste" means non-biodegradable, non-recyclable, non-reusable, non hazardous solid waste having minimum calorific value exceeding 1500 kcal/kg and excluding chlorinated materials like plastic, wood pulp, etc;
12. "composting" means a controlled process involving microbial decomposition of organic matter;
13. "contractor" means a person or firm that undertakes a contract to provide materials or labour to perform a service or do a job for service providing authority;
14. "co-processing" means use of non-biodegradable and non recyclable solid waste having calorific value exceeding 1500k/cal as raw material or as a source of energy or both to replace or supplement the natural mineral resources and fossil fuels in industrial processes;
15. "decentralised processing" means establishment of dispersed facilities for maximizing the processing of bio-degradable waste and recovery of recyclables closest to the source of generation so as to minimize transportation of waste for processing or disposal;
16. "disposal" means the final and safe disposal of post processed residual solid waste and inert street sweepings and silt from surface drains on land as specified in Schedule I to prevent contamination of ground water, surface water, ambient air and attraction of animals or birds;
17. "domestic hazardous waste" means discarded paint drums, pesticide cans, CFL bulbs, tube lights, expired medicines, broken mercury thermometers, used batteries, used needles and syringes and contaminated gauge, etc., generated at the household level;

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18. "door to door collection" means collection of solid waste from the door step of households, shops, commercial establishments, offices, institutional or any other non residential premises and includes collection of such waste from entry gate or a designated location on the ground floor in a housing society, multi storied building or apartments, large residential, commercial or institutional complex or premises.
19. "dry waste" means waste other than bio-degradable waste and inert street sweepings and includes recyclable and non recyclable waste, combustible waste and sanitary napkin and diapers, etc;
20. "dump sites" means a land utilised by local body for disposal of solid waste without following the principles of sanitary land filling;
21. "extended producer responsibility" (EPR) means responsibility of any producer of packaging products such as plastic, tin, glass and corrugated boxes, etc., for environmentally sound management, till end-of-life of the packaging products;
22. "facility" means any establishment wherein the solid waste management processes namely segregation, recovery, storage, collection, recycling, processing, treatment or safe disposal are carried out;
23. "fine" means penalty imposed on waste generators or operators of waste processing and disposal facilities under the bye-laws for non-compliance of the directions contained in these rules and/or bye-laws
24. "Form" means a Form appended to these rules;
25. "handling" includes all activities relating to sorting, segregation, material recovery, collection, secondary storage, shredding, baling, crushing, loading, unloading, transportation, processing and disposal of solid wastes;
26. "inerts" means wastes which are not bio-degradable, recyclable or combustible street sweeping or dust and silt removed from the surface drains;
27. "incineration" means an engineered process involving burning or combustion of solid waste to thermally degrade waste materials at high temperatures;
28. "informal waste collector" includes individuals, associations or waste traders who are involved in sorting, sale and purchase of recyclable materials;
29. "leachate" means the liquid that seeps through solid waste or other medium and has extracts of dissolved or suspended material from it;
30. "local body" for the purpose of these rules means and includes the municipal corporation, nagar nigam, municipal council, nagarpalika, nagar Palikaparishad, municipal board, nagar panchayat and town panchayat, census towns, notified areas and notified industrial townships with whatever name they are called in different States and union territories in India;
31. "materials recovery facility" (MRF) means a facility where non-compostable solid waste can be temporarily stored by the local body or any other entity mentioned in rule 2 or any person or agency authorised by any of them to facilitate segregation, sorting and recovery of recyclables from various components of waste by authorised informal sector of waste pickers, informal recyclers or any other work force engaged by the local body or entity mentioned in rule 2 for the purpose before the waste is delivered or taken up for its processing or disposal;
32. "non-biodegradable waste" means any waste that cannot be degraded by micro organisms into simpler stable compounds;
33. "operator of a facility" means a person or entity, who owns or operates a facility for handling solid waste which includes the local body and any other entity or agency appointed by the local body;
34. "primary collection" means collecting, lifting and removal of segregated solid waste from source of its generation including households, shops, offices and any other non-residential premises or from any collection points or any other location specified by the local body;
35. "processing" means any scientific process by which segregated solid waste is handled for the purpose of reuse, recycling or transformation into new products;
36. "recycling" means the process of transforming segregated non-biodegradable solid waste into new material or product or as raw material for producing new products which may or may not be similar to the original products;
37. "redevelopment" means rebuilding of old residential or commercial buildings at the same site, where the existing buildings and other infrastructures have become dilapidated;

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38. "refused derived fuel"(RDF) means fuel derived from combustible waste fraction of solid waste like plastic, wood, pulp or organic waste, other than chlorinated materials, in the form of pellets or fluff produced by drying, shredding, dehydrating and compacting of solid waste;
39. "residual solid waste" means and includes the waste and rejects from the solid waste processing facilities which are not suitable for recycling or further processing;
40. "sanitary land filling " means the final and safe disposal of residual solid waste and inert wastes on land in a facility designed with protective measures against pollution of ground water, surface water and fugitive air dust, wind-blown litter, bad odour, fire hazard, animal menace, bird menace, pests or rodents, greenhouse gas emissions, persistent organic pollutants slope instability and erosion;
41. "sanitary waste" means wastes comprising of used diapers, sanitary towels or napkins, tampons, condoms, incontinence sheets and any other similar waste;
42. "Schedule" means the Schedule appended to these rules;
43. "secondary storage" means the temporary containment of solid waste after collection at secondary waste storage depots or MRFs or bins for onward transportation of the waste to the processing or disposal facility;
44. "segregation" means sorting and separate storage of various components of solid waste namely biodegradable wastes including agriculture and dairy waste, non biodegradable wastes including recyclable waste, non-recyclable combustible waste, sanitary waste and non recyclable inert waste, domestic hazardous wastes, and construction and demolition wastes;
45. "service provider" means an authority providing public utility services like water, sewerage, electricity, telephone, roads, drainage, etc;
46. "solid waste" means and includes solid or semi-solid domestic waste, sanitary waste, commercial waste, institutional waste, catering and market waste and other non residential wastes, street sweepings, silt removed or collected from the surface drains, horticulture waste, agriculture and dairy waste, treated bio-medical waste excluding industrial waste, bio-medical waste and e-waste, battery waste, radio-active waste generated in the area under the local authorities and other entities mentioned in rule 2;
47. "sorting" means separating various components and categories of recyclables such as paper, plastic, cardboard, metal, glass, etc., from mixed waste as may be appropriate to facilitate recycling;
48. "stabilising" means the biological decomposition of biodegradable wastes to a stable state where it generates no leachate or offensive odours and is fit for application to farm land, soil erosion control and soil remediation;
49. "street vendor" means any person engaged in vending of articles, goods, wares, food items or merchandise of everyday use or offering services to the general public, in a street, lane, side walk, footpath, pavement, public park or any other public place or private area, from a temporary built up structure or by moving from place to place and includes hawkker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words "street vending" with their grammatical variations and cognate expressions, shall be construed accordingly;
50. "tipping fee" means a fee or support price determined by the local authorities or any state agency authorised by the State government to be paid to the concessionaire or operator of waste processing facility or for disposal of residual solid waste at the landfill;
51. "transfer station" means a facility created to receive solid waste from collection areas and transport in bulk in covered vehicles or containers to waste processing and, or, disposal facilities;
52. "transportation" means conveyance of solid waste, either treated, partly treated or untreated from a location to another location in an environmentally sound manner through specially designed and covered transport system so as to prevent the foul odour, littering and unsightly conditions;
53. "treatment" means the method, technique or process designed to modify physical, chemical or biological characteristics or composition of any waste so as to reduce its volume and potential to cause harm;
54. "user fee" means a fee imposed by the local body and any entity mentioned in rule 2 on the waste generator to cover full or part cost of providing solid waste collection, transportation, processing and disposal services.
55. "vermi composting" means the process of conversion of bio-degradable waste into compost using earth worms;
56. "waste generator" means and includes every person or group of persons, every residential premises and non residential establishments including Indian Railways, defense establishments, which generate solid waste;
57. "waste hierarchy" means the priority order in which the solid waste is to should be managed by giving

emphasis to prevention, reduction, reuse, recycling, recovery and disposal, with prevention being the most preferred option and the disposal at the landfill being the least;

58. "waste picker" means a person or groups of persons informally engaged in collection and recovery of reusable and recyclable solid waste from the source of waste generation the streets, bins, material recovery facilities, processing and waste disposal facilities for sale to recyclers directly or through intermediaries to earn their livelihood.

(2) Words and expressions used herein but not defined, but defined in the Environment (Protection) Act, 1986, the Water (Prevention and Control of Pollution) Act, 1974, Water (Prevention and Control of Pollution) Cess Act, 1977 and the Air (Prevention and Control of Pollution) Act, 1981 shall have the same meaning as assigned to them in the respective Acts.

4 Duties of waste generators.- (1) Every waste generator shall,-

(a) segregate and store the waste generated by them in three separate streams namely bio-degradable, non bio-degradable and domestic hazardous wastes in suitable bins and handover segregated wastes to authorised waste pickers or waste collectors as per the direction or notification by the local authorities from time to time;

(b) wrap securely the used sanitary waste like diapers, sanitary pads etc., in the pouches provided by the manufacturers or brand owners of these products or in a suitable wrapping material as instructed by the local authorities and shall place the same in the bin meant for dry waste or non- bio-degradable waste;

(c) store separately construction and demolition waste, as and when generated, in his own premises and shall dispose off as per the Construction and Demolition Waste Management Rules, 2016; and

(d) store horticulture waste and garden waste generated from his premises separately in his own premises and dispose of as per the directions of the local body from time to time.

(2) No waste generator shall throw, burn or bury the solid waste generated by him, on streets, open public spaces outside his premises or in the drain or water bodies.

(3) All waste generators shall pay such user fee for solid waste management, as specified in the bye-laws of the local bodies.

(4) No person shall organise an event or gathering of more than one hundred persons at any unlicensed place without intimating the local body, at least three working days in advance and such person or the organiser of such event shall ensure segregation of waste at source and handing over of segregated waste to waste collector or agency as specified by the local body.

(5) Every street vendor shall keep suitable containers for storage of waste generated during the course of his activity such as food waste, disposable plates, cups, cans, wrappers, coconut shells, leftover food, vegetables, fruits, etc., and shall deposit such waste at waste storage depot or container or vehicle as notified by the local body.

(6) All resident welfare and market associations shall, within one year from the date of notification of these rules and in partnership with the local body ensure segregation of waste at source by the generators as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body.

(7) All gated communities and institutions with more than 5,000 sqm area shall, within one year from the date of notification of these rules and in partnership with the local body, ensure segregation of waste at source by the generators as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorized recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body.

(8) All hotels and restaurants shall, within one year from the date of notification of these rules and in partnership with the local body ensure segregation of waste at source as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body.

5. Duties of Ministry of Environment, Forest and Climate Change.- (1) The Ministry of Environment, Forest and Climate Change shall be responsible for over all monitoring the implementation of these rules in the country. It shall constitute a Central Monitoring Committee under the Chairmanship of Secretary, Ministry of Environment, Forest and Climate Change comprising officer not below the rank of Joint Secretary or Advisor from the following namely,-

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- 1) Ministry of Urban Development
- 2) Ministry of Rural Development
- 3) Ministry of Chemicals and Fertilizers
- 4) Ministry of Agriculture
- 5) Central Pollution Control Board
- 6) Three State Pollution Control Boards or Pollution Control Committees by rotation
- 7) Urban Development Departments of three State Governments by rotation
- 8) Rural Development Departments from two State Governments by rotation
- 9) Three Urban Local bodies by rotation
- 10) Two census towns by rotation
- 11) FICCI, CII
- 12) Two subject experts

2. This Central Monitoring Committee shall meet at least once in a year to monitor and review the implementation of these rules. The Ministry of Environment, Forest and Climate Change may co-opt other experts, if needed. The Committee shall be renewed every three years.

6. **Duties of Ministry of Urban Development.**—(1) The Ministry of Urban Development shall coordinate with State Governments and Union territory Administrations to,—

- (a) take periodic review of the measures taken by the states and local bodies for improving solid waste management practices and execution of solid waste management projects funded by the Ministry and external agencies at least once in a year and give advice on taking corrective measures;
- (b) formulate national policy and strategy on solid waste management including policy on waste to energy in consultation with stakeholders within six months from the date of notification of these rules;
- (c) facilitate States and Union Territories in formulation of state policy and strategy on solid management based on national solid waste management policy and national urban sanitation policy;
- (d) promote research and development in solid waste management sector and disseminate information to States and local bodies;
- (e) undertake training and capacity building of local bodies and other stakeholders; and
- (f) provide technical guidelines and project finance to states, Union territories and local bodies on solid waste management to facilitate meeting timelines and standards.

7. **Duties of Department of Fertilisers, Ministry of Chemicals and Fertilisers.**—(1) The Department of Fertilisers through appropriate mechanisms shall,—

- (a) provide market development assistance on city compost; and
- (b) ensure promotion of co-marketing of compost with chemical fertilisers in the ratio of 3 to 4 bags: 6 to 7 bags by the fertiliser companies to the extent compost is made available for marketing to the companies.

8. **Duties of Ministry of Agriculture, Government of India.**—The Ministry of Agriculture through appropriate mechanisms shall,—

- (a) provide flexibility in Fertiliser Control Order for manufacturing and sale of compost;
- (b) propagate utilisation of compost on farm land;
- (c) set up laboratories to test quality of compost produced by local authorities or their authorised agencies; and
- (d) issue suitable guidelines for maintaining the quality of compost and ratio of use of compost *visa-a-vis* chemical fertilizers while applying compost to farmland.

9. **Duties of the Ministry of Power.**—The Ministry of Power through appropriate mechanisms shall,—

- (a) decide tariff or charges for the power generated from the waste to energy plants based on solid waste.
- (b) compulsory purchase power generated from such waste to energy plants by distribution company.

10. **Duties of Ministry of New and Renewable Energy Sources.**—The Ministry of New and Renewable Energy Sources through appropriate mechanisms shall,—

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- (a) facilitate infrastructure creation for waste to energy plants; and
- (b) provide appropriate subsidy or incentives for such waste to energy plants.

11. Duties of the Secretary-in-charge, Urban Development in the States and Union territories.- (1) The Secretary, Urban Development Department in the State or Union territory through the Commissioner or Director of Municipal Administration or Director of local bodies shall,-

- (a) prepare a state policy and solid waste management strategy for the state or the union territory in consultation with stakeholders including representative of waste pickers, self help group and similar groups working in the field of waste management consistent with these rules, national policy on solid waste management and national urban sanitation policy of the ministry of urban development, in a period not later than one year from the date of notification of these rules;
- (b) while preparing State policy and strategy on solid waste management, lay emphasis on waste reduction, reuse, recycling, recovery and optimum utilisation of various components of solid waste to ensure minimisation of waste going to the landfill and minimise impact of solid waste on human health and environment;
- (c) state policies and strategies should acknowledge the primary role played by the informal sector of waste pickers, waste collectors and recycling industry in reducing waste and provide broad guidelines regarding integration of waste picker or informal waste collectors in the waste management system.
- (d) ensure implementation of provisions of these rules by all local authorities;
- (e) direct the town planning department of the State to ensure that master plan of every city in the State or Union territory provisions for setting up of solid waste processing and disposal facilities except for the cities who are members of common waste processing facility or regional sanitary landfill for a group of cities; and
- (f) ensure identification and allocation of suitable land to the local bodies within one year for setting up of processing and disposal facilities for solid wastes and incorporate them in the master plans (land use plan) of the State or as the case may be, cities through metropolitan and district planning committees or town and country planning department;
- (h) direct the town planning department of the State and local bodies to ensure that a separate space for segregation, storage, decentralised processing of solid waste is demarcated in the development plan for group housing or commercial, institutional or any other non-residential complex exceeding 200 dwelling or having a plot area exceeding 5,000 square meters;
- (i) direct the developers of Special Economic Zone, Industrial Estate, Industrial Park to earmark at least five percent of the total area of the plot or minimum five plots or sheds for recovery and recycling facility.
- (j) facilitate establishment of common regional sanitary land fill for a group of cities and towns falling within a distance of 50 km (or more) from the regional facility on a cost sharing basis and ensure professional management of such sanitary landfills;
- (k) arrange for capacity building of local bodies in managing solid waste, segregation and transportation or processing of such waste at source;
- (l) notify buffer zone for the solid waste processing and disposal facilities of more than five tons per day in consultation with the State Pollution Control Board; and
- (m) start a scheme on registration of waste pickers and waste dealers.

12. Duties of District Magistrate or District Collector or Deputy Commissioner.- The District Magistrate or District Collector or as the case may be, the Deputy Commissioner shall, -

- (a) facilitate identification and allocation of suitable land as per clause (f) of rules 11 for setting up solid waste processing and disposal facilities to local authorities in his district in close coordination with the Secretary-in-charge of State Urban Development Department within one year from the date of notification of these rules;
- (b) review the performance of local bodies, at least once in a quarter on waste segregation, processing, treatment and disposal and take corrective measures in consultation with the Commissioner or Director of Municipal Administration or Director of local bodies and secretary-in-charge of the State Urban Development.

13. Duties of the Secretary-in-charge of Village Panchayats or Rural Development Department in the State and Union territory.- (1) The Secretary-in-charge of Village Panchayats or Rural Development Department in the State and Union territory shall have the same duties as the Secretary-in-charge, Urban Development in the States and Union territories, for the areas which are covered under these rules and are under their jurisdictions.

14. Duties of Central Pollution Control Board.- The Central Pollution Control Board shall, -

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- (a) co-ordinate with the State Pollution Control Boards and the Pollution Control Committees for implementation of these rules and adherence to the prescribed standards by local authorities;
- (b) formulate the standards for ground water, ambient air, noise pollution, leachate in respect of all solid waste processing and disposal facilities;
- (c) review environmental standards and norms prescribed for solid waste processing facilities or treatment technologies and update them as and when required;
- (d) review through State Pollution Control Boards or Pollution Control Committees, at least once in a year, the implementation of prescribed environmental standards for solid waste processing facilities or treatment technologies and compile the data monitored by them;
- (e) review the proposals of State Pollution Control Boards or Pollution Control Committees on use of any new technologies for processing, recycling and treatment of solid waste and prescribe performance standards, emission norms for the same within 6 months;
- (f) monitor through State Pollution Control Boards or Pollution Control Committees the implementation of these rules by local bodies;
- (g) prepare an annual report on implementation of these rules on the basis of reports received from State Pollution Control Boards and Committees and submit to the Ministry of Environment, Forest and Climate Change and the report shall also be put in public domain;
- (h) publish guidelines for maintaining buffer zone restricting any residential, commercial or any other construction activity from the outer boundary of the waste processing and disposal facilities for different sizes of facilities handling more than five tons per day of solid waste;
- (i) publish guidelines, from time to time, on environmental aspects of processing and disposal of solid waste to enable local bodies to comply with the provisions of these rules; and
- (j) provide guidance to States or Union territories on inter-state movement of waste.

15. Duties and responsibilities of local authorities and village Panchayats of census towns and urban agglomerations.- The local authorities and Panchayats shall:-

- (a) prepare a solid waste management plan as per state policy and strategy on solid waste management within six months from the date of notification of state policy and strategy and submit a copy to respective departments of State Government or Union territory Administration or agency authorised by the State Government or Union territory Administration;
- (b) arrange for door to door collection of segregated solid waste from all households including slums and informal settlements, commercial, institutional and other non residential premises. From multi-storage buildings, large commercial complexes, malls, housing complexes, etc., this may be collected from the entry gate or any other designated location;
- (c) establish a system to recognise organisations of waste pickers or informal waste collectors and promote and establish a system for integration of these authorised waste-pickers and waste collectors to facilitate their participation in solid waste management including door to door collection of waste;
- (d) facilitate formation of Self Help Groups, provide identity cards and thereafter encourage integration in solid waste management including door to door collection of waste;
- (e) frame bye-laws incorporating the provisions of these rules within one year from the date of notification of these rules and ensure timely implementation;
- (f) prescribe from time to time user fee as deemed appropriate and collect the fee from the waste generators on its own or through authorised agency;
- (g) direct waste generators not to litter i.e throw or dispose of any waste such as paper, water bottles, liquor bottles, soft drink cans, tetra packs, fruit peel, wrappers, etc., or burn or bury waste on streets, open public spaces, drains, waste bodies and to segregate the waste at source as prescribed under these rules and hand over the segregated waste to authorised the waste pickers or waste collectors authorised by the local body;
- (h) setup material recovery facilities or secondary storage facilities with sufficient space for sorting of recyclable materials to enable informal or authorised waste pickers and waste collectors to separate recyclables from the waste and provide easy access to waste pickers and recyclers for collection of segregated recyclable waste such as paper, plastic, metal, glass, textile from the source of generation or from material recovery facilities; Bins for storage of bio-degradable wastes shall be painted green, those for storage of recyclable wastes shall be printed white and those for storage of other wastes shall be printed black;

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- (i) establish waste deposition centres for domestic hazardous waste and give direction for waste generators to deposit domestic hazardous wastes at this centre for its safe disposal. Such facility shall be established in a city or town in a manner that one centre is set up for the area of twenty square kilometers or part thereof and notify the timings of receiving domestic hazardous waste at such centres;
- (j) ensure safe storage and transportation of the domestic hazardous waste to the hazardous waste disposal facility or as may be directed by the State Pollution Control Board or the Pollution Control Committee;
- (k) direct street sweepers not to burn tree leaves collected from street sweeping and store them separately and handover to the waste collectors or agency authorised by local body;
- (l) provide training on solid waste management to waste-pickers and waste collectors;
- (m) collect waste from vegetable, fruit, flower, meat, poultry and fish market on day to day basis and promote setting up of decentralised compost plant or bio-methanation plant at suitable locations in the markets or in the vicinity of markets ensuring hygienic conditions;
- (n) collect separately waste from sweeping of streets, lanes and by-lanes daily, or on alternate days or twice a week depending on the density of population, commercial activity and local situation;
- (o) set up covered secondary storage facility for temporary storage of street sweepings and silt removed from surface drains in cases where direct collection of such waste into transport vehicles is not convenient. Waste so collected shall be collected and disposed of at regular intervals as decided by the local body;
- (p) collect horticulture, parks and garden waste separately and process in the parks and gardens, as far as possible;
- (q) transport segregated bio-degradable waste to the processing facilities like compost plant, bio-methanation plant or any such facility. Preference shall be given for on site processing of such waste;
- (r) transport non-bio-degradable waste to the respective processing facility or material recovery facilities or secondary storage facility;
- (s) transport construction and demolition waste as per the provisions of the Construction and Demolition Waste management Rules, 2016;
- (t) involve communities in waste management and promotion of home composting, bio-gas generation, decentralised processing of waste at community level subject to control of odour and maintenance of hygienic conditions around the facility;
- (u) phase out the use of chemical fertilizer in two years and use compost in all parks, gardens maintained by the local body and wherever possible in other places under its jurisdiction. Incentives may be provided to recycling initiatives by informal waste recycling sector.
- (v) facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or with private sector participation or through any agency for optimum utilisation of various components of solid waste adopting suitable technology including the following technologies and adhering to the guidelines issued by the Ministry of Urban Development from time to time and standards prescribed by the Central Pollution Control Board. Preference shall be given to decentralised processing to minimize transportation cost and environmental impacts such as-
- a) bio-methanation, microbial composting, vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable wastes;
 - b) waste to energy processes including refused derived fuel for combustible fraction of waste or supply as feedstock to solid waste based power plants or cement kilns;
- (w) undertake on their own or through any other agency construction, operation and maintenance of sanitary landfill and associated infrastructure as per Schedule I for disposal of residual wastes in a manner prescribed under these rules;
- (x) make adequate provision of funds for capital investments as well as operation and maintenance of solid waste management services in the annual budget ensuring that funds for discretionary functions of the local body have been allocated only after meeting the requirement of necessary funds for solid waste management and other obligatory functions of the local body as per these rules;
- (y) make an application in Form-I for grant of authorisation for setting up waste processing, treatment or disposal facility, if the volume of waste is exceeding five metric tones per day including sanitary landfills from the State Pollution Control Board or the Pollution Control Committee, as the case may be;
- (z) submit application for renewal of authorisation at least sixty days before the expiry of the validity of authorisation;

- (za) prepare and submit annual report in Form IV on or before the 30th April of the succeeding year to the Commissioner or Director, Municipal Administration or designated Officer;
- (zb) the annual report shall then be sent to the Secretary -in-Charge of the State Urban Development Department or village panchayat or rural development department and to the respective State Pollution Control Board or Pollution Control Committee by the 31st May of every year;
- (zc) educate workers including contract workers and supervisors for door to door collection of segregated waste and transporting the un-mixed waste during primary and secondary transportation to processing or disposal facility;
- (zd) ensure that the operator of a facility provides personal protection equipment including uniform, fluorescent jacket, hand gloves, raincoats, appropriate foot wear and masks to all workers handling solid waste and the same are used by the workforce;
- (ze) ensure that provisions for setting up of centers for collection, segregation and storage of segregated wastes, are incorporated in building plan while granting approval of building plan of a group housing society or market complex; and
- (zf) frame bye-laws and prescribe criteria for levying of spot fine for persons who litters or fails to comply with the provisions of these rules and delegate powers to officers or local bodies to levy spot fines as per the bye laws framed; and
- (zg) create public awareness through information, education and communication campaign and educate the waste generators on the following; namely:-
- (i) not to litter;
 - (ii) minimise generation of waste;
 - (iii) reuse the waste to the extent possible;
 - (iv) practice segregation of waste into bio-degradable, non-biodegradable (recyclable and combustible), sanitary waste and domestic hazardous wastes at source;
 - (v) practice home composting, vermi-composting, bio-gas generation or community level composting;
 - (vi) wrap securely used sanitary waste as and when generated in the pouches provided by the brand owners or a suitable wrapping as prescribed by the local body and place the same in the bin meant for non-biodegradable waste;
 - (vii) storage of segregated waste at source in different bins;
 - (viii) handover segregated waste to waste pickers, waste collectors, recyclers or waste collection agencies; and
 - (ix) pay monthly user fee or charges to waste collectors or local bodies or any other person authorised by the local body for sustainability of solid waste management.
- (zh) stop land filling or dumping of mixed waste soon after the timeline as specified in rule 23 for setting up and operationalisation of sanitary landfill is over;
- (zi) allow only the non-usable, non-recyclable, non-biodegradable, non-combustible and non-reactive inert waste and pre-processing rejects and residues from waste processing facilities to go to sanitary landfill and the sanitary landfill sites shall meet the specifications as given in Schedule-I, however, every effort shall be made to recycle or reuse the rejects to achieve the desired objective of zero waste going to landfill;
- (zj) investigate and analyse all old open dumpsites and existing operational dumpsites for their potential of bio-mining and bio-remediation and wheresoever feasible, take necessary actions to bio-mine or bio-remediate the sites;
- (zk) in absence of the potential of bio-mining and bio-remediation of dumpsite, it shall be scientifically capped as per landfill capping norms to prevent further damage to the environment.

16. Duties of State Pollution Control Board or Pollution Control Committee.- (1) The State Pollution Control Board or Pollution Control Committee shall,-

- (a) enforce these rules in their State through local bodies in their respective jurisdiction and review implementation of these rules at least twice a year in close coordination with concerned Directorate of Municipal Administration or Secretary-in-charge of State Urban Development Department;
- (b) monitor environmental standards and adherence to conditions as specified under the Schedule I and Schedule II for waste processing and disposal sites;
- (c) examine the proposal for authorisation and make such inquiries as deemed fit, after the receipt of the application for the same in Form I from the local body or any other agency authorised by the local body;

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- (d) while examining the proposal for authorisation, the requirement of consents under respective enactments and views of other agencies like the State Urban Development Department, the Town and Country Planning Department, District Planning Committee or Metropolitan Area Planning Committee, as may be applicable, Airport or Airbase Authority, the Ground Water Board, Railways, power distribution companies, highway department and other relevant agencies shall be taken into consideration and they shall be given four weeks time to give their views, if any;
- (e) issue authorisation within a period of sixty days in Form II to the local body or an operator of a facility or any other agency authorised by local body stipulating compliance criteria and environmental standards as specified in Schedules I and II including other conditions, as may be necessary;
- (f) synchronise the validity of said authorisation with the validity of the consents;
- (g) suspend or cancel the authorization issued under clause (a) any time, if the local body or operator of the facility fails to operate the facility as per the conditions stipulated:
provided that no such authorization shall be suspended or cancelled without giving notice to the local body or operator, as the case may be; and
- (h) on receipt of application for renewal, renew the authorisation for next five years, after examining every application on merit and subject to the condition that the operator of the facility has fulfilled all the provisions of the rules, standards or conditions specified in the authorisation, consents or environment clearance.
- (2) The State Pollution Control Board or Pollution Control Committee shall, after giving reasonable opportunity of being heard to the applicant and for reasons thereof to be recorded in writing, refuse to grant or renew an authorisation.
- (3) In case of new technologies, where no standards have been prescribed by the Central Pollution Control Board, State Pollution Control Board or Pollution Control Committee, as the case may be, shall approach Central Pollution Control Board for getting standards specified.
- (4) The State Pollution Control Board or the Pollution Control Committee, as the case may be, shall monitor the compliance of the standards as prescribed or laid down and treatment technology as approved and the conditions stipulated in the authorisation and the standards specified in Schedules I and II under these rules as and when deemed appropriate but not less than once in a year.
- (5) The State Pollution Control Board or the Pollution Control Committee may give directions to local bodies for safe handling and disposal of domestic hazardous waste deposited by the waste generators at hazardous waste deposition facilities.
- (6) The State Pollution Control Board or the Pollution Control Committee shall regulate Inter-State movement of waste.
17. **Duty of manufacturers or brand owners of disposable products and sanitary napkins and diapers.**- (1) All manufacturers of disposable products such as tin, glass, plastics packaging, etc., or brand owners who introduce such products in the market shall provide necessary financial assistance to local authorities for establishment of waste management system.
- (2) All such brand owners who sell or market their products in such packaging material which are non-biodegradable shall put in place a system to collect back the packaging waste generated due to their production.
- (3) Manufacturers or brand owners or marketing companies of sanitary napkins and diapers shall explore the possibility of using all recyclable materials in their products or they shall provide a pouch or wrapper for disposal of each napkin or diapers along with the packet of their sanitary products.
- (4) All such manufacturers, brand owners or marketing companies shall educate the masses for wrapping and disposal of their products.
18. **Duties of the industrial units located within one hundred km from the refused derived fuel and waste to energy plants based on solid waste.**- All industrial units using fuel and located within one hundred km from a solid waste based refused derived fuel plant shall make arrangements within six months from the date of notification of these rules to replace at least five percent of their fuel requirement by refused derived fuel so produced.
19. **Criteria for Duties regarding setting-up solid waste processing and treatment facility.**- (1) The department in-charge of the allocation of land assignment shall be responsible for providing suitable land for setting up of the solid waste processing and treatment facilities and notify such sites by the State Government or Union territory Administration.
- (2) The operator of the facility shall design and set up the facility as per the technical guidelines issued by the Central Pollution Control Board in this regard from time to time and the manual on solid waste management prepared by the Ministry of Urban Development.

(3) The operator of the facility shall obtain necessary approvals from the State Pollution Control Board or Pollution Control Committee.

(4) The State Pollution Control Board or Pollution Control Committee shall monitor the environment standards of the operation of the solid waste processing and treatment facilities.

(5) The operator of the facility shall be responsible for the safe and environmentally sound operations of the solid waste processing and or treatment facilities as per the guidelines issued by the Central Pollution Control Board from time to time and the Manual on Municipal Solid Waste Management published by the Ministry of Urban Development and updated from time to time.

(6) The operator of the solid waste processing and treatment facility shall submit annual report in Form III each year by 30th April to the State Pollution Control Board or Pollution Committee and concerned local body.

20. Criteria and actions to be taken for solid waste management in hilly areas.- In the hilly areas, the duties and responsibilities of the local authorities shall be the same as mentioned in rule 15 with additional clauses as under:

- (a) Construction of landfill on the hill shall be avoided. A transfer station at a suitable enclosed location shall be setup to collect residual waste from the processing facility and inert waste. A suitable land shall be identified in the plain areas down the hill within 25 kilometers for setting up sanitary landfill. The residual waste from the transfer station shall be disposed of at this sanitary landfill.
- (b) In case of non-availability of such land, efforts shall be made to set up regional sanitary landfill for the inert and residual waste.
- (c) Local body shall frame Bye-laws and prohibit citizen from littering wastes on the streets and give strict direction to the tourists not to dispose any waste such as paper, water bottles, liquor bottles, soft drink canes, tetra packs, any other plastic or paper waste on the streets or down the hills and instead direct to deposit such waste in the litter bins that shall be placed by the local body at all tourist destinations.
- (d) Local body shall arrange to convey the provisions of solid waste management under the bye-laws to all tourists visiting the hilly areas at the entry point in the town as well as through the hotels, guest houses or like where they stay and by putting suitable hoardings at tourist destinations.
- (e) Local body may levy solid waste management charge from the tourist at the entry point to make the solid waste management services sustainable.
- (f) The department in-charge of the allocation of land assignment shall identify and allot suitable space on the hills for setting up decentralised waste processing facilities. Local body shall set up such facilities. Step garden system may be adopted for optimum utilisation of hill space.

21. Criteria for waste to energy process.- (1) Non recyclable waste having calorific value of 1500 K/cal/kg or more shall not be disposed of on landfills and shall only be utilised for generating energy either or through refuse derived fuel or by giving away as feed stock for preparing refuse derived fuel.

(2) High calorific wastes shall be used for co-processing in cement or thermal power plants.

(3) The local body or an operator of facility or an agency designated by them proposing to set up waste to energy plant of more than five tones per day processing capacity shall submit an application in Form-I to the State Pollution Control Board or Pollution Control Committee, as the case may be, for authorisation.

(4) The State Pollution Control Board or Pollution Control Committee, on receiving such application for setting up waste to energy facility, shall examine the same and grant permission within sixty days.

22. Time frame for implementation.- Necessary infrastructure for implementation of these rules shall be created by the local bodies and other concerned authorities, as the case may be, on their own, by directly or engaging agencies within the time frame specified below:

Sl. No.	Activity	Time limit from the date of notification of rules
(1)	(2)	(3)
1.	Identification of suitable sites for setting up solid waste processing facilities	1 year

2.	identification of suitable sites for setting up common regional sanitary landfill facilities for suitable clusters of local authorities under 0.5 million population and for setting up common regional sanitary landfill facilities or stand alone sanitary landfill facilities by all local authorities having a population of 0.5 million or more .	1 year
3.	procurement of suitable sites for setting up solid waste processing facility and sanitary landfill facilities	2 years
4.	enforcing waste generators to practice segregation of bio degradable, recyclable, combustible, sanitary waste domestic hazardous and inert solid wastes at source .	2 years
5.	Ensure door to door collection of segregated waste and its transportation in covered vehicles to processing or disposal facilities.	2 years
6.	ensure separate storage, collection and transportation of construction and demolition wastes	2 years
7.	setting up solid waste processing facilities by all local bodies having 100000 or more population	2 years
8.	Setting up solid waste processing facilities by local bodies and census towns below 100000 population.	3 years
9.	setting up common or stand alone sanitary landfills by or for all local bodies having 0.5 million or more population for the disposal of only such residual wastes from the processing facilities as well as untreatable inert wastes as permitted under the Rules	3 years
10.	setting up common or regional sanitary landfills by all local bodies and census towns under 0.5 million population for the disposal of permitted waste under the rules	3years
11.	bio-remediation or capping of old and abandoned dump sites	5years

23. **State Level Advisory Body.** - (1) Every Department in-charge of local bodies of the concerned State Government or Union territory administration shall constitute a State Level Advisory Body within six months from the date of notification of these rules comprising the following members, namely:-

Sl. No	Designation	Member
(1)	(2)	(3)
1.	Secretary, Department of Urban Development or Local self government department of the State	Chairperson, ex-officio
2.	One representative of Panchayats or Rural development Department not below the rank of Joint Secretary to State Government	Member, ex-officio
3.	one representative of Revenue Department of State Government	Member, ex-officio
4.	One representative from Ministry of Environment, Forest and Climate Change Government of India	Member, ex-officio

5.	One representative from Ministry of Urban Development, Government of India	Member, ex-officio
6.	One representative from Ministry of Rural Development, Government of India	Member, ex-officio
7.	One representative from the Central Pollution Control Board	Member, ex-officio
8.	One representative from the State Pollution Control Board or Pollution Control Committee	Member, ex-officio
9.	One representative from Indian Institute of Technology or National Institute of Technology	Member, Ex-officio
10.	Chief town planner of the state	Member
11.	Three representatives from the local bodies by rotation	Member
12.	Two representatives from census towns or urban agglomerations by rotation.	Member
13.	One representative from reputed Non-Governmental Organisation or Civil Society working for the waste pickers or informal recycler or solid waste management	Member
14.	One representative from a body representing Industries at the State or Central level	Member
15.	one representative from waste recycling industry	member
16.	Two subject experts	Member
17.	Co-opt one representative each from agriculture department, and labour department of State Government.	Member

(2) The State Level Advisory Body shall meet at least one in every six months to review the matters related to implementation of these rules, state policy and strategy on solid waste management and give advice to state government for taking measures that are necessary for expeditious and appropriate implementation of these rules.

(3) The copies of the review report shall be forwarded to the State Pollution Control Board or Pollution Control Committee for necessary action.

24. Annual report.- (1) The operator of facility shall submit the annual report to the local body in Form-III on or before the 30th day of April every year.

(2) The local body shall submit its annual report in Form-IV to State P Control Board or P Committee and the Secretary-in-Charge of the Department of Urban Development of the concerned State or Union Territory in case of metropolitan city and to the Director of Municipal Administration or Commissioner of Municipal Administration or Officer in -Charge of Urban local bodies in the state in case of all other local bodies of state on or before the 30th day of June every year

(3) Each State Pollution Control Board or Pollution Control Committee as the case may be, shall prepare and submit the consolidated annual report to the Central Pollution Control Board and Ministry of Urban Development on the implementation of these rules and action taken against non complying local body by the 31st day of July of each year in Form-V.

(4) The Central Pollution Control Board shall prepare a consolidated annual review report on the status of implementation of these rules by local bodies in the country and forward the same to the Ministry of Urban Development

and Ministry of Environment, Forest and Climate Change, along with its recommendations before the 31st day of August each year.

(5) The annual report shall be reviewed by the Ministry of Environment, Forest and Climate Change during the meeting of Central Monitoring Committee.

25. **Accident reporting-** In case of an accident at any solid waste processing or treatment or disposal facility or landfill site, the Officer-in-charge of the facility shall report to the local body in Form-VI and the local body shall review and issue instructions if any, to the in-charge of the facility.

SCHEDULE I

[see rule 15 (w), (z), 16 (1) (b) (e), 16 (4)]

Specifications for Sanitary Landfills

- (A) **Criteria for site selection.-**
- (i) The department in the business allocation of land assignment shall provide suitable site for setting up of the solid waste processing and treatment facilities and notify such sites.
 - (ii) The sanitary landfill site shall be planned, designed and developed with proper documentation of construction plan as well as a closure plan in a phased manner. In case a new landfill facility is being established adjoining an existing landfill site, the closure plan of existing landfill should form a part of the proposal of such new landfill.
 - (iii) The landfill sites shall be selected to make use of nearby wastes processing facilities. Otherwise, wastes processing facility shall be planned as an integral part of the landfill site.
 - (iv) Landfill sites shall be set up as per the guidelines of the Ministry of Urban Development, Government of India and Central Pollution Control Board.
 - (v) The existing landfill sites which are in use for more than five years shall be improved in accordance with the specifications given in this Schedule.
 - (vi) The landfill site shall be large enough to last for at least 20-25 years and shall develop 'landfill cells' in a phased manner to avoid water logging and misuse.
 - (vii) The landfill site shall be 100 meter away from river, 200 meter from a pond, 200 meter from Highways, Habitations, Public Parks and water supply wells and 20 km away from Airports or Airbase. However in a special case, landfill site may be set up within a distance of 10 and 20 km away from the Airport/Airbase after obtaining no objection certificate from the civil aviation authority/ Air Force as the case may be. The Landfill site shall not be permitted within the flood plains as recorded for the last 100 years, zone of coastal regulation, wetland, Critical habitat areas, sensitive eco-fragile areas..
 - (viii) The sites for landfill and processing and disposal of solid waste shall be incorporated in the Town Planning Department's land-use plans.
 - (ix) A buffer zone of no development shall be maintained around solid waste processing and disposal facility, exceeding five Tonnes per day of installed capacity. This will be maintained within the total area of the solid waste processing and disposal facility. The buffer zone shall be prescribed on case to case basis by the local body in consultation with concerned State Pollution Control Board.
 - (x) The biomedical waste shall be disposed of in accordance with the Bio-medical Waste Management Rules, 2016, as amended from time to time. The hazardous waste shall be managed in accordance with the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, as amended from time to time. The E-waste shall be managed in accordance with the e-Waste (Management) Rules, 2016 as amended from time to time.
 - (xi) Temporary storage facility for solid waste shall be established in each landfill site to accommodate the waste in case of non-operation of waste processing and during emergency or natural calamities.
- (B) **Criteria for development of facilities at the sanitary landfills.-**
- (i) Landfill site shall be fenced or hedged and provided with proper gate to monitor incoming vehicles, to prevent entry of unauthorised persons and stray animals
 - (ii) The approach and / internal roads shall be concreted or paved so as to avoid generation of dust particles due to vehicular movement and shall be so designed to ensure free movement of vehicles and other machinery.
 - (iii) The landfill site shall have waste inspection facility to monitor waste brought in for landfilling, office facility for record keeping and shelter for keeping equipment and machinery including pollution monitoring equipment. The operator of the facility shall maintain record of waste received, processed and disposed.

- (iv) Provisions like weigh bridge to measure quantity of waste brought at landfill site, fire protection equipment and other facilities as may be required shall be provided.
- (v) Utilities such as drinking water and sanitary facilities (preferably washing/bathing facilities for workers) and lighting arrangements for easy landfill operations during night hours shall be provided.
- (vi) Safety provisions including health inspections of workers at landfill sites shall be carried out.
- (vii) Provisions for parking, cleaning, washing of transport vehicles carrying solid waste shall be provided. The wastewater so generated shall be treated to meet the prescribed standards.

(C) Criteria for specifications for land filling operations and closure on completion of land filling.-

- (i) Waste for land filling shall be compacted in thin layers using heavy compactors to achieve high density of the waste. In high rainfall areas where heavy compactors cannot be used, alternative measures shall be adopted.
- (ii) Till the time waste processing facilities for composting or recycling or energy recovery are set up, the waste shall be sent to the sanitary landfill. The landfill cell shall be covered at the end of each working day with minimum 10 cm of soil, inert debris or construction material..
- (iii) Prior to the commencement of monsoon season, an intermediate cover of 40-65 cm thickness of soil shall be placed on the landfill with proper compaction and grading to prevent infiltration during monsoon. Proper drainage shall be constructed to divert run-off away from the active cell of the landfill.
- (iv) After completion of landfill, a final cover shall be designed to minimise infiltration and erosion. The final cover shall meet the following specifications, namely :-
 - a) The final cover shall have a barrier soil layer comprising of 60 cm of clay or amended soil with permeability coefficient less than 1×10^{-7} cm/sec.
 - b) On top of the barrier soil layer, there shall be a drainage layer of 15 cm.
 - c) On top of the drainage layer, there shall be a vegetative layer of 45 cm to support natural plant growth and to minimise erosion.

(D) Criteria for pollution prevention.-In order to prevent pollution from landfill operations, the following provisions shall be made, namely:-

- (i) The storm water drain shall be designed and constructed in such a way that the surface runoff water is diverted from the landfilling site and leachates from solid waste locations do not get mixed with the surface runoff water. Provisions for diversion of storm water discharge drains shall be made to minimise leachate generation and prevent pollution of surface water and also for avoiding flooding and creation of marshy conditions.
- (ii) Non-permeable lining system at the base and walls of waste disposal area. For landfill receiving residues of waste processing facilities or mixed waste or waste having contamination of hazardous materials (such as aerosols, bleaches, polishes, batteries, waste oils, paint products and pesticides) shall have liner of composite barrier of 1.5 mm thick high density polyethylene (HDPE) geo-membrane or geo-synthetic liners, or equivalent, overlying 90 cm of soil (clay or amended soil) having permeability coefficient not greater than 1×10^{-7} cm/sec. The highest level of water table shall be at least two meter below the base of clay or amended soil barrier layer provided at the bottom of landfills.
- (iii) Provisions for management of leachates including its collection and treatment shall be made. The treated leachate shall be recycled or utilized as permitted, otherwise shall be released into the sewerage line, after meeting the standards specified in Schedule- II. In no case, leachate shall be released into open environment.
- (iv) Arrangement shall be made to prevent leachate runoff from landfill area entering any drain, stream, river, lake or pond. In case of mixing of runoff water with leachate or solid waste, the entire mixed water shall be treated by the concern authority.

(E) Criteria for water quality monitoring.-

- (i) Before establishing any landfill site, baseline data of ground water quality in the area shall be collected and kept in record for future reference. The ground water quality within 50 meter of the periphery of landfill site shall be periodically monitored covering different seasons in a year that is, summer, monsoon and post-monsoon period to ensure that the ground water is not contaminated.
- (ii) Usage of groundwater in and around landfill sites for any purpose (including drinking and irrigation) shall be considered only after ensuring its quality. The following specifications for drinking water quality shall apply for monitoring purpose, namely :-

S. No.	Parameters	IS 10500:2012, Edition 2.2(2003-09) Desirable limit (mg/l except for pH)
(1)	(2)	(3)
	Arsenic	0.01
	Cadmium	0.01
	Chromium(as Cr ⁶⁺)	0.05
	Copper	0.05
	Cyanide	0.05
	Lead	0.05
	Mercury	0.001
	Nickel	-
	Nitrate as NO ₃	45.0
	pH	6.5-8.5
	Iron	0.3
	Total hardness (as CaCO ₃)	300.0
	Chlorides	250
	Dissolved solids	500
	Phenolic compounds (as C ₆ H ₅ OH)	0.001
	Zinc	5.0
	Sulphate (as SO ₄)	200

(F) Criteria for ambient air quality monitoring.-

- (i) Landfill gas control system including gas collection system shall be installed at landfill site to minimize odour, prevent off-site migration of gases, to protect vegetation planted on the rehabilitated landfill surface. For enhancing landfill gas recovery, use of geomembranes in cover systems along with gas collection wells should be considered.
- (ii) The concentration of methane gas generated at landfill site shall not exceed 25 per cent of the lower explosive limit (LEL).
- (iii) The landfill gas from the collection facility at a landfill site shall be utilized for either direct thermal applications or power generation, as per viability. Otherwise, landfill gas shall be burnt (flared) and shall not be allowed to escape directly to the atmosphere or for illegal tapping. Passive venting shall be allowed in case if its utilisation or flaring is not possible.
- (iv) Ambient air quality at the landfill site and at the vicinity shall be regularly monitored. Ambient air quality shall

meet the standards prescribed by the Central Pollution Control Board for Industrial area.

G. Criteria for plantation at landfill Site.— A vegetative cover shall be provided over the completed site in accordance with the following specifications, namely:—

- (a) Locally adopted non-edible perennial plants that are resistant to drought and extreme temperatures shall be planted;
- (b) The selection of plants should be of such variety that their roots do not penetrate more than 30 cms. This condition shall apply till the landfill is stabilized;
- (c) Selected plants shall have ability to thrive on low-nutrient soil with minimum nutrient addition;
- (d) Plantation to be made in sufficient density to minimise soil erosion.
- (e) Green belts shall be developed all around the boundary of the landfill in consultation with State Pollution Control Boards or Pollution Control Committees.

H. Criteria for post-care of landfill site.— (1) The post-closure care of landfill site shall be conducted for at least fifteen years and long term monitoring or care plan shall consist of the following, namely:—

- (a) Maintaining the integrity and effectiveness of final cover, making repairs and preventing run-on and run-off from eroding or otherwise damaging the final cover;
- (b) Monitoring leachate collection system in accordance with the requirement;
- (c) Monitoring of ground water in and around landfill;
- (d) Maintaining and operating the landfill gas collection system to meet the standards.

(2) Use of closed landfill sites after fifteen years of post-closure monitoring can be considered for human settlement or otherwise only after ensuring that gaseous emission and leachate quality analysis complies with the specified standards and the soil stability is ensured.

I. Criteria for special provisions for hilly areas.— Cities and towns located on hills shall have location-specific methods evolved for final disposal of solid waste by the local body with the approval of the concerned State Pollution Control Board or the Pollution Control Committee. The local body shall set up processing facilities for utilisation of biodegradable organic waste. The non-biodegradable recyclable materials shall be stored and sent for recycling periodically. The inert and non-biodegradable waste shall be used for building roads or filling-up of appropriate areas on hills. In case of constraints in finding adequate land in hilly areas, waste not suitable for road-laying or filling up shall be disposed of in regional landfills in plain areas.

J. Closure and Rehabilitation of Old Dumps.— Solid waste dumps which have reached their full capacity or those which will not receive additional waste after setting up of new and properly designed landfills should be closed and rehabilitated by examining the following options:

- (i) Reduction of waste by bio mining and waste processing followed by placement of residues in new landfills or capping as in (ii) below.
- (ii) Capping with solid waste cover or solid waste cover enhanced with geomembrane to enable collection and flaring / utilisation of greenhouse gases.
- (iii) Capping as in (ii) above with additional measures (in alluvial and other coarse grained soils) such as cut-off walls and extraction wells for pumping and treating contaminated ground water.
- (iv) Any other method suitable for reducing environmental impact to acceptable level.

SCHEDULE II

[see rule 16 (1), (b), (c), 16 (4)]

Standards of processing and treatment of solid waste

A. Standards for composting.— The waste processing facilities shall include composting as one of the technologies for processing of bio degradable waste. In order to prevent pollution from compost plant, the following shall be complied with namely:—

- (a) The incoming organic waste at site shall be stored properly prior to further processing. To the extent possible, the waste storage area should be covered. If, such storage is done in an open area, it shall be provided with impermeable base with facility for collection of leachate and surface water run-off into lined drains leading to a leachate treatment and disposal facility;
- (b) Necessary precaution shall be taken to minimise nuisance of odour, flies, rodents, bird menace and fire hazard;

- (c) In case of breakdown or maintenance of plant, waste intake shall be stopped and arrangements be worked out for diversion of waste to the temporary processing site or temporary landfill sites which will be again reprocessed when plant is in order;
- (d) Pre-process and post-process rejects shall be removed from the processing facility on regular basis and shall not be allowed to pile at the site. Recyclables shall be routed through appropriate vendors. The non-recyclable high calorific fractions to be segregated and sent to waste to energy or for RDF production, co-processing in cement plants or to thermal power plants. Only rejects from all processes shall be sent for sanitary landfill site(s).
- (e) The windrow area shall be provided with impermeable base. Such a base shall be made of concrete or compacted clay of 50 cm thick having permeability coefficient less than 10^{-7} cm/sec. The base shall be provided with 1 to 2 per cent slope and circled by lined drains for collection of leachate or surface run-off;
- (f) Ambient air quality monitoring shall be regularly carried out. Odour nuisance at down-wind direction on the boundary of processing plant shall also be checked regularly.
- (g) Leachate shall be re-circulated in compost plant for moisture maintenance.
- (h) The end product compost shall meet the standards prescribed under Fertilizer Control Order notified from time to time.
- (i) In order to ensure safe application of compost, the following specifications for compost quality shall be met, namely:-

Parameters	Organic Compost (FCO 2009)	Phosphate Rich Organic Manure (FCO 2013)
(1)	(2)	(3)
Arsenic (mg/Kg)	10.00	10.00
Cadmium (mg/Kg)	5.00	5.00
Chromium (mg/Kg)	50.00	50.00
Copper (mg/Kg)	300.00	300.00
Lead (mg/Kg)	100.00	100.00
Mercury (mg/Kg)	0.15	0.15
Nickel (mg/Kg)	50.00	50.00
Zinc (mg/Kg)	1000.00	1000.00
C/N ratio	<20	Less than 20:1
pH	6.5-7.5	(1:5 solution) maximum 6.7
Moisture, percent by weight, maximum	15.0-25.0	25.0
Bulk density (g/cm ³)	<1.0	Less than 1.6
Total Organic Carbon, per cent by weight, minimum	12.0	7.9

Total Nitrogen (as N), per cent by weight, minimum	0.8	0.4
Total Phosphate (as P ₂ O ₅) percent by weight, minimum	0.4	10.4
Total Potassium (as K ₂ O), percent by weight, minimum	0.4	-
Colour	Dark brown to black	-
Odour	Absence of foul Odor	-
Particle size	Minimum 90% material should pass through 4.0 mm IS sieve	Minimum 90% material should pass through 4.0 mm IS sieve
Conductivity (as dsm-1), not more than	4.0	8.2

* Compost (final product) exceeding the above stated concentration limits shall not be used for food crops. However, it may be utilized for purposes other than growing food crops.

B. Standards for treated leachates.—The disposal of treated leachates shall meet the following standards, namely:-

S. No	Parameter	Standards (Mode of Disposal)		
		Inland surface water	Public sewers	Land disposal
(1)	(2)	(3)	(4)	(5)
1.	Suspended solids, mg/l, max	100	600	200
2.	Dissolved solids (inorganic) mg/l, max.	2100	2100	2100
3	pH value	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0
4	Ammonical nitrogen (as N), mg/l, max.	50	50	-
5	Total Kjeldahl nitrogen (as N), mg/l, max.	100	-	-
6	Biochemical oxygen demand (3 days at 27° C) max.(mg/l)	30	350	100
7	Chemical oxygen demand, mg/l, max.	250	-	-
8	Arsenic (as As), mg/l, max	0.2	0.2	0.2
9	Mercury (as Hg), mg/l, max	0.01	0.01	-
10	Lead (as Pb), mg/l, max	0.1	1.0	-
11	Cadmium (as Cd), mg/l, max	2.0	1.0	-

12	Total Chromium (as Cr), mg/l, max.	2.0	2.0	-
13	Copper (as Cu), mg/l, max.	3.0	3.0	-
14	Zinc (as Zn), mg/l, max.	5.0	15	-
15	Nickel (as Ni), mg/l, max	3.0	3.0	-
16	Cyanide (as CN), mg/l, max.	0.2	2.0	0.2
17	Chloride (as Cl), mg/l, max.	1000	1000	600
18	Fluoride (as F), mg/l, max	2.0	1.5	-
19	Phenolic compounds (as C ₆ H ₅ OH) mg/l, max.	1.0	5.0	-

Note : While discharging treated leachates into inland surface waters, quantity of leachates being discharged and the quantity of dilution water available in the receiving water body shall be given due consideration.

C. Standards for incineration: The Emission from incinerators /thermal technologies in Solid Waste treatment/disposal facility shall meet the following standards, namely:-

Parameter	Emission standard		
	(1)	(2)	(3)
Particulates	50 mg/Nm ³	Standard refers to half hourly average value	
HCl	50 mg/Nm ³	Standard refers to half hourly average value	
SO ₂	200 mg/Nm ³	Standard refers to half hourly average value	
CO	100 mg/Nm ³	Standard refers to half hourly average value	
	50 mg/Nm ³	Standard refers to daily average value	
Total Organic Carbon	20 mg/Nm ³	Standard refers to half hourly average value	
HF	4 mg/Nm ³	Standard refers to half hourly average value	
NO _x (NO and NO ₂ expressed as NO ₂)	400 mg/Nm ³	Standard refers to half hourly average value	
Total dioxins and furans	0.1 ng TEQ/Nm ³	Standard refers to 6-8 hours sampling. Please refer guidelines for 17 concerned congeners for toxic equivalence values to arrive at total toxic equivalence.	
Cd + Pb + their compounds	0.05 mg/Nm ³	Standard refers to sampling time anywhere between 30 minutes and 8 hours.	
Hg and its compounds	0.05 mg/Nm ³	Standard refers to sampling time anywhere between 30 minutes and 8 hours.	

3.	Nodal Officer & designation (Officer authorised by the local body or agency responsible for operation of processing/ treatment or disposal facility)	
4.	Authorisation required for setting up and operation of the facility (Please tick mark)	waste processing recycling treatment disposal at landfill
5.	Attach copies of the Documents Site clearance (local body) Proof of Environmental Clearance Consent for establishment Agreement between municipal authority and operating agency Investment on the project and expected return	
6.	Processing/recycling/treatment of solid waste (i) Total Quantity of waste to be processed per day Quantity of waste to be recycled Quantity of waste to be treated Quantity of waste to be disposed into landfill (ii)Utilisation programme for waste processed (Product utilisation) (iii)Methodology for disposal (attach details) Quantity of leachate Treatment technology for leachate (iv)Measures to be taken for prevention and control of environmental pollution (v)Measures to be taken for safety of workers working in the plant (vi)Details on solid waste processing/recycling/ treatment/disposal facility (to be attached)	
7.	Disposal of solid waste Number of sites identified Quantity of waste to be disposed per day Details of methodology or criteria followed for site selection (attach) Details of existing site under operation Methodology and operational details of landfilling Measures taken to check environmental pollution	
8.	Any other information.	

Date:

Place:

Signature:

Designation

Form- II

[see rule 16 (1) (e)]

Format for issue of authorisation

File No.: _____

Dated: _____

Authorisation No _____

To _____

Ref: Your application number _____ dt. _____

The _____ State Pollution Control Board/Pollution Control Committee after examining the proposal hereby authorises _____ having administrative office at _____ to set up and operate waste processing/recycling/ treatment/disposal facility at _____

The authorisation is hereby granted to operate the facility for processing, recycling, treatment and disposal of solid waste.

The authorisation is subject to the terms and conditions stated below and such conditions as may be otherwise specified in these rules and the standards laid down in Schedules I and II under these rules.

The _____ State Pollution Control Board/Pollution Control Committees of the UT _____ may, at any time, revoke any of the conditions applicable under the authorisation and shall communicate the same in writing.

Any violation of the provision of the Solid Waste Management Rules, 2016 will attract the penal provision of the Environment (Protection) Act, 1986 (29 of 1986).

(Member Secretary)

State Pollution Control Board/Pollution Control Committee of the UT

(Signature and designation)

Date: _____

Place: _____

Form – III

[see rule 19 (6), 24 (1)]

Format of annual report to be submitted by the operator of facility to the local body

1	Name of the City/Town and State	
2	Population	
3	Area in sq. kilometers	
4	Name & Address of the local body Telephone No. Fax No. E-mail:	
5	Name and address of operator of the facility	
6	Name of officer in-charge of the facility Phone No: Fax No: E-mail:	

7	Number of households in the city/town , Number of non-residential premises in the city Number of election/ administrative wards in the city/town	
8	Quantity of Solid waste	
	Estimated Quantity of solid waste generated in the local body area per day in metric tones	/tpd
	Quantity of solid waste collected per day	/tpd
	Per capita waste collected per day	/gm/day
	Quantity of solid waste processed	/tpd
	Quantity of solid waste disposed at landfill	/tpd
9	Status of Solid Waste Management (SWM) service	
	Segregation and storage of waste at source Whether solid waste is stored at source in domestic/commercial/ institutional bins If yes, Percentage of households practice storage of waste at source in domestic bins Percentage of non-residential premises practice storage of waste at source in commercial /institutional bins Percentage of households dispose of throw solid waste on the streets Percentage of non-residential premises dispose of throw solid waste on the streets Whether solid waste is stored at source in a segregated form If yes, Percentage of premises segregating the waste at source	Yes/No % % % %
	Door to Door Collection of solid waste	
	Whether door to door collection (D2D) of solid waste is being done in the city/town	Yes/No
	if yes	
	Number of wards covered in D2D collection of waste	
	No. of households covered	
	No. of non-residential premises including commercial establishments ,hotels, restaurants educational institutions/ offices etc covered	

Percentage of residential and non-residential premises covered in door to door collection through :						
Motorized vehicle		%				
Containerized tricycle/handcart		%				
Other device		%				
If not, method of primary collection adopted						
Sweeping of streets						
Length of roads, streets, lanes, bye-lanes in the city that need to be cleaned		km				
Frequency of street sweepings and percentage of population covered	frequency	Daily	Alternate	Twice	Occasionally	
		days	a	week		
	% of population covered					
Tools used						
Manual sweeping		%				
Mechanical sweeping		%				
Whether long handle broom used by sanitation workers		Yes/No				
Whether each sanitation worker is given handcart/tricycle for collection of waste		Yes/No				
Whether handcart / tricycle is containerized		Yes/No				
Whether the collection tool synchronizes with collection/ waste storage containers utilized		Yes/No				
Secondary Waste Storage facilities						
No. and type of waste storage depots in the city/town		No. Capacity in m ³				
Open waste storage sites						
Masonry bins						
Cement concrete cylinder bins						
Dhalao/covered rooms/space						
Covered metal/plastic containers						
Upto 1.1 m ³ bins						
2 to 5 m ³ bins						
Above 5m ³ containers						
Bin-less city						
Bin/ population ratio						

Ward wise details of waste storage depots (attach) : Ward No: Area: Population: No. of bins placed Total volume of bins placed		
Total storage capacity of waste storage facilities in cubic meters		
Total waste actually stored at the waste storage depots daily		
Give frequency of collection of waste from the depots Number of bins cleared	Frequency	No. of bins
	Daily	
	Alternate day	
	Twice a week	
	Once a week	
Whether storage depots have facility for storage of segregated waste in green, blue and black bins	Yes/No (if yes, add details) No. of green bins: No. of blue bins: No. of black bins:	
	Whether lifting of solid waste from storage depots is manual or mechanical. Give percentage	(%) of Manual Lifting of SOLID WASTE
(%) of Mechanical lifting		%
If mechanical - specify the method used	front-end loaders/ Top loaders	
Whether solid waste is lifted from door to door and transported to treatment plant directly in a segregated form	Yes/ No (if yes, specify)	

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Waste Transportation per day Type and Number of vehicles used (pl tick or add)	No. Trips made waste transported
Animal cart Tractors Non tipping Truck Tipping Truck Dumper Placers Refuse collectors Compactors Others JCB/loader	
Frequency of transportation of waste	Frequency (%) of waste transported Daily Alternate day Twice a week Once a week Occasionally
Quantity of waste transported each day	/tpd
Percentage of total waste transported daily	%
Waste Treatment Technologies used	
Whether solid waste is processed	Yes/No
If yes, Quantity of waste processed daily	/tpd
Land(s) available with the local body for waste processing (in Hectares)	
Land currently utilized for waste processing	
Solid waste processing facilities in operation	
Solid waste processing facilities under construction	
Distance of processing facilities from city/town boundary	
Details of technologies adopted	

Composting .	Qty. raw material processed Qty. final product produced Qty. sold Qty. of residual waste landfilled
vermi composting	Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled
Bio-methanation	Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled
Refuse Derived Fuel	Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled
Waste to Energy technology such as incineration, gasification, pyrolysis or any other technology (give detail)	Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled
Co-processing	Qty. raw material processed
Combustible waste supplied to cement plant	
Combustible waste supplied to solid waste based power plants	
Others	Qty.
Solid waste disposal facilities	
No. of dumpsites sites available with the local body	
No. of sanitary landfill sites available with the local body	
Area of each such sites available for waste disposal	
Area of land currently used for waste disposal	
Distance of dumpsite/landfill facility from city/town	kms
Distance from the nearest habitation	kms
Distance from water body	kms

	Distance from state/national highway	kms
	Distance from Airport	kms
	Distance from important religious places or historical monument	kms
	Whether it falls in flood prone area	Yes/No
	Whether it falls in earthquake fault line area	Yes/No
	Quantity of waste landfilled each day	tpd
	Whether landfill site is fenced	Yes / No
	Whether Lighting facility is available on site	Yes / No
	Whether Weigh bridge facility available	Yes / No
	Vehicles and equipments used at landfill (specify)	Bulldozer, Compactors etc. available
	Manpower deployed at landfill site	Yes/No (if yes, attach details)
	Whether covering is done on daily basis	Yes/No
	If not, Frequency of covering the waste deposited at the landfill	
	Cover material used	
	Whether adequate covering material is available	Yes/No
	Provisions for gas venting provided	Yes/No, (if yes, attach technical data sheet)
	Provision for leachate collection	Yes/No, (if yes, attach technical data sheet)
10	Whether an Action Plan has been prepared for improving solid waste management practices in the city	Yes/No (if Yes attach Action Plan details)
11	What separate provisions are made for : Dairy related activities : Slaughter houses waste : C&D waste (construction debris) :	Attach details on Proposals, Steps taken, Yes/No Yes/No Yes/No
12	Details of Post Closure Plan	Attach Plan
13	How many slums are identified and whether these are provided with Solid Waste Management facilities :	Yes/ No (if Yes, attach details)
14	Give details of manpower deployed for collection including street sweeping, secondary storage, transportation, processing and disposal of waste	

15	Mention briefly, the difficulties being experienced by the local body in complying with provisions of these rules	
16	Mention briefly, if any innovative idea is implemented to tackle a problem related to solid waste, which could be replicated by other local bodies.	

Signature of Operator

Dated :

Place:

Form - IV

[see rules 15(za), 24(2)]

Format for annual report on solid waste management to be submitted by the local body

CALENDAR YEAR:	DATE OF SUBMISSION OF REPORT:

1	Name of the City/Town and State	
2	Population	
3	Area in sq. kilometers	
4	Name & Address of local body Telephone No. Fax No. E-mail:	
5	Name of officer in-charge dealing with solid waste management (SOLID WASTE)Phone No: Fax No: E-mail:	
6	Number of households in the city/town Number of non-residential premises in the city Number of election/ administrative wards in the city/town	
7	Quantity of Solid waste (solid waste)	
	Estimated Quantity of solid waste generated in the local body area per day in metric tones	/tpd
	Quantity of solid waste collected per day	/tpd

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	Per capita waste collected per day	/gm/day
	Quantity of solid waste processed	/tpd
	Quantity of solid waste disposed at dumpsite/ landfill	/tpd
8	Status of Solid Waste Management service	
	Segregation and storage of waste at source Whether SOLID WASTE is stored at source in domestic/commercial/ institutional bins, If yes, Percentage of households practice storage of waste at source in domestic bins Percentage of non-residential premises practice storage of waste at source in commercial /institutional bins Percentage of households dispose or throw solid waste on the streets Percentage of non-residential premises dispose of throw solid waste on the streets Whether solid waste is stored at source in a segregated form, If yes, Percentage of premises segregating the waste at source	Yes/No % % % % Yes/No %
	Door to Door Collection of solid waste	
	Whether door to door collection (D2D) of solid waste is being done in the city/town	Yes/No
	if yes	
	Number of wards covered in D2D collection of waste	
	No. of households covered	
	No. of non-residential premises including commercial establishments ,hotels, restaurants educational institutions/ offices etc covered	
	Percentage of residential and non-residential premises covered in door to door collection through : Motorized vehicle Containerized tricycle/handcart Other device	 % % %
	If not, method of primary collection adopted	
	Sweeping of streets	
	Length of roads, streets, lanes, bye-lanes in the city that need to be cleaned	km

Frequency of street sweepings and percentage of population covered	frequency	Daily	Alternate days	Twice a week	Occasionally
	% of population covered				
Tools used Manual sweeping Mechanical sweeping Whether long handle broom used by sanitation workers Whether each sanitation worker is given handcart/tricycle for collection of waste Whether handcart / tricycle is containerized Whether the collection tool synchronizes with collection/ waste storage containers utilized				% % Yes/No Yes/No Yes/No Yes/No	
Secondary Waste Storage facilities					
No. and type of waste storage depots in the city/town Open waste storage sites Masonry bins Cement concrete cylinder bins Dhalaos/covered rooms/space Covered metal/plastic containers Upto 1.1 m ³ bins 2 to 5 m ³ bins Above 5m ³ containers Bin-less city	No.	Capacity in m ³			
Bin/ population ratio					
Ward wise details of waste storage depots (attach) : Ward No: Area: Population: Na. of bins placed Total volume of bins placed					
Total storage capacity of waste storage facilities in cubic meters					
Total waste actually stored at the waste storage depots daily					

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Give frequency of collection of waste from the depots Number of bins cleared	Frequency	No. of bins
	Daily	
	Alternate day	
	Twice a week	
	Once a week	
	Occasionally	
Whether storage depots have facility for storage of segregated waste in green, blue and black bins	Yes/ No (if yes, add details) No. of green bins: No. of blue bins: No. of black bins:	
Whether lifting of solid waste from storage depots is manual or mechanical. Give percentage (%) of Manual Lifting of solid waste (%) of Mechanical lifting	% %	
If mechanical – specify the method used	front-end loaders/ Top loaders	
Whether solid waste is lifted from door to door and transported to treatment plant directly in a segregated form	Yes/ No (if yes, specify)	
Waste transportation per day Type and Number of vehicles used	No. Trips made waste transported	
Animal cart Tractors Non tipping Truck Tipping Truck Dumper Placers Refuse collectors Compactors Others JCB/loader		

Frequency of transportation of waste	Frequency (%) of waste transported Daily Alternate day Twice a week Once a week Occasionally
Quantity of waste transported each day	/tpd
Percentage of total waste transported daily	%
Waste Treatment Technologies used	
Whether solid waste is processed	Yes/No
If yes, Quantity of waste processed daily	/tpd
Whether treatment is done by local body or through an agency	
Land(s) available with the local body for waste processing (in Hectares)	
Land currently utilized for waste processing	
Solid waste processing facilities in operation	
Solid waste processing facilities under construction	
Distance of processing facilities from city/town boundary	
Details of technologies adopted	
Composting .	Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled
Vermi composting	Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled
Bio-methanation	Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled

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Refuse Derived Fuel	Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled
Waste to Energy technology such as incineration, gasification, pyrolysis or any other technology (give detail)	Qty. raw material processed Qty. final product produced Qty. sold Quantity of residual waste landfilled
Co-processing	Qty. raw material processed
Combustible waste supplied to cement plant	
Combustible waste supplied to solid waste based power plants	
Others	Qty.
Solid waste disposal facilities	
No. of dumpsites sites available with the local body	
No. of sanitary landfill sites available with the local body	
Area of each such sites available for waste disposal	
Area of land currently used for waste disposal	
Distance of dumpsite/landfill facility from city/town	kms
Distance from the nearest habitation	kms
Distance from water body	kms
Distance from state/national highway	kms
Distance from Airport	kms
Distance from important religious places or historical monument	kms
Whether it falls in flood prone area	Yes/No
Whether it falls in earthquake fault line area	Yes/No
Quantity of waste landfilled each day	tpd
Whether landfill site is fenced	Yes / No
Whether Lighting facility is available on site	Yes / No

	Whether Weigh bridge facility available	Yes / No
	Vehicles and equipments used at landfill (specify)	Bulldozer, Compactors etc. available
	Manpower deployed at landfill site	Yes/No (if yes, attach details)
	Whether covering is done on daily basis	Yes/No
	If not, Frequency of covering the waste deposited at the landfill	
	Cover material used	
	Whether adequate covering material is available	Yes/No
	Provisions for gas venting provided	Yes/No (if yes, attach technical data sheet)
	Provision for leachate collection	Yes/No (if yes, attach technical data sheet)
9	Whether an Action Plan has been prepared for improving solid waste management practices in the city	Yes/No (if Yes attach Action Plan details)
10	What separate provisions are made for : Dairy related activities : Slaughter houses waste : C&D waste (construction debris) :	Attach details on Proposals, Steps taken. Yes/No Yes/No Yes/No
11	Details of Post Closure Plan	Attach Plan
12	How many slums are identified and whether these are provided with Solid Waste Management facilities :	Yes/ No (if Yes, attach details)
13	Give details of: Local body's own manpower deployed for collection including street sweeping, secondary storage, transportation, processing and disposal of waste	
14	Give details of:- Contractor/ concessionaire's manpower deployed for collection including street sweeping, secondary storage, transportation, processing and disposal of waste	
15	Mention briefly, the difficulties being experienced by the local body in complying with provisions of these rules	

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16	Mention briefly, if any innovative idea is implemented to tackle a problem related to solid waste, which could be replicated by other local bodies	
----	--	--

Signature of CEO/Municipal Commissioner/
Executive Officer/Chief Officer

Date:

Place:

Form - V

[see rule 24(3)]

Format of annual report to be submitted by the state pollution control board or pollution control committee committees to the central pollution control board

PART A

To,

The Chairman
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar
DELHI- 110 0032

1.	Name of the State/Union territory	
2.	Name & address of the State Pollution Control	
3.	Number of local bodies responsible for management of solid waste in the State/Union territory under these rules	
4.	No. of authorisation application Received	
5.	A Summary Statement on progress made by local body in respect of solid waste management	Please attach as Annexure-I
6.	A Summary Statement on progress made by local bodies in respect of waste collection, segregation, transportation and disposal	Please attach as Annexure-II
7.	A summary statement on progress made by local bodies in respect of implementation of Schedule II	Please attach as Annexure-III

Date:	Chairman or the Member Secretary State Pollution Control Board/ Pollution Control Committee
Place:	

PART B

Towns/cities

Total number of towns/cities

Total number of ULBs

Number of class I & class II cities/towns

Authorisation status (names/number)

Number of applications received

Number of authorisations granted

Authorisations under scrutiny

SOLID WASTE Generation status

Solid waste generation in the state (TPD)

collected

treated

landfilled

Compliance to Schedule I of SW Rules (Number/names of towns/capacity)

Good practices in cities/towns

House-to-house collection

Segregation

Storage

Covered transportation

Processing of SW (Number/names of towns/capacity)

Solid Waste processing facilities setup:

Sl. No.	Composting	Vermi-composting	Biogas	RDF/Pelletization

Processing facility operational:

Sl. No.	Composting	Vermi-composting	Biogas	RDF/Pelletization

Processing facility under installation/planned:

Sl. No.	Composting	Vermi-composting	Biogas	RDF/Pelletisation

Waste-to-Energy Plants: (Number/names of towns/capacity)

Sl. No.	Plant Location	Status of operation	Power generation (MW)	Remarks

Disposal of solid waste (number/names of towns/capacity):

Landfill sites identified

Landfill constructed

Landfill under construction

Landfill in operation

Landfill exhausted

Landfilled capped

Solid Waste Dumpsites (number/names of towns/capacity):

Total number of existing dumpsites

Dumpsites reclaimed/capped

Dumpsites converted to sanitary landfill

Monitoring at Waste processing/Landfills sites

Sl. No.	Name of facilities	Ambient air	Groundwater	Leachate quality	Compost quality	VOCs
1.						
2.						
3.						

Status of Action Plan prepared by Municipalities

Total number of municipalities:

Number of Action Plan submitted:

Form - VI

[see rule 25]

Accident Reporting

1.	Date and time of accident	
2.	Sequence of events leading to accident	
3.	The waste involved in accident	

4.	Assessment of the effects of the accidents on human health and the environment	
5.	Emergency measures taken	
6.	Steps taken to alleviate the effects of accidents	
7.	Steps taken to prevent the recurrence of such an accident	
Date:		Signature:
Place:		Designation:

[F. No. 18-3/2004-HSMD]
BISHWANATH SINHA, Jt. Secy.

ANNEXURE - 'P/19'
- 252 -

GOVERNMENT OF WEST BENGAL
OFFICE OF THE DISTRICT MAGISTRATE
NORTH 24-PARGANAS, BARASAT

No. 81 /Con

Dated: 22/2 /2016

From District Magistrate
North 24-Parganas,
Barasat

To : The Principal Secretary,
Municipal Affairs Department,
Writers' Buildings,
Kolkata-1.

Sir,

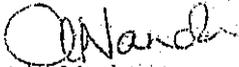
Your kind attention is drawn to the fact that the issue of trenching ground of Panihati Municipality has become quite acute and complicated. For the last few decades this Bhagar located at Ramchandrapur, Ward No.23 under Panihati Municipality has been used extensively as dumping ground of municipal wastes collected from municipal area. In the year 1974-75 a 5 acre area of adjacent Mahispota at Kalyani Road was identified as the alternative dumping ground but since then nothing tangible has happened. In the year 2012 a Waste to Management Energy Project through PPP model was contemplated and Reichen company was asked to execute the project but somehow this also did not materialise and Reichen company left the work site in the midway.

Now, the inhabitants of Ramchandrapur area, where the dumping ground is located are holding agitation so that it may be shifted to any alternative site and the people are also resisting towards further disposal of wastes at this area. Situation has become so critical that the daily life of almost 5 lakhs inhabitants of Panihati area may be badly hampered.

In view of the above fact this is to request you to kindly intervene into the matter so that an alternative site may be identified for waste disposal or a substitute arrangement for Modern Waste Management Plant may be set up so as to avoid pollution and hazard.

Your kindly intervention in to the matter is earnestly solicited.

Yours faithfully,

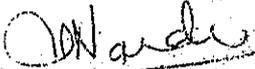

District Magistrate
North 24-Parganas, Barasat

Dated 22/2 /2016

No. 81/4 /Con(Dev)

Copy forwarded to :

1. Shri Nirmal Ghosh, MLA, Panihati A.C.
2. Chairman, Panihati Municipality.
3. Sub-divisional officer, Barrackpore
4. C.A. to ADM(Dev), North 24-Parganas


District Magistrate
North 24-Parganas, Barasat

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Typed Copy of:

GOVERNMENT OF WEST BENGAL
OFFICE OF THE DISTRICT MAGISTRATE
NORTH 24-PARGANAS, BARASAT

No.....81...../Con

Dated:22/02/2016

From: District Magistrate
North 24-Parganas,
Barasat

To : The Principal Secretary,
Municipal Affairs Department,
Writers' Buildings,
Kolkata-1.

Sir,

Your kind attention is drawn to the fact that the issue of trenching ground of Panihati Municipality has become quite acute and complicated. For the last few decades this Bhagar located at Ramchandrapur, Ward No.23 under Panihati Municipality has been used extensively as dumping ground of municipal wastes collected from municipal area. In the year 1974-75 a 5 acre area of adjacent Mahispota at Kalyani Road was identified as the alternative dumping ground but since then nothing tangible has happened. In the year 2012 a Waste to Management Energy Project through PPP model was contemplated and Rochem company was asked to execute the project but somehow this also did not materialised and Rochem company left the work site in the midway.

Now, the inhabitants of Ramchandrapur area, where the dumping ground is located are holding agitation so that it may be shifted in any alternative site and the people are also resisting towards further disposal of wastes at this area. Situation has become so critical that the daily life of almost 5 lakhs inhabitants of Panihati area may badly hampered.

In view of the above fact this is to request you to kindly intervene into the matter so that an alternative site may be identified for waste disposal or a substitute arrangement for Modern Waste Management Plant may be set up so as to avoid pollution and hazard.

Your kindly intervention in to the mater is earnestly solicited.

Yours faithfully,
Sd/-

District Magistrate
North 24-Parganas Barasat
Dated: 22.02.2016.

No...81/4/...../Con(Dev)

Copy forwarded to:

1. Shri Nirmal Ghosh, MLA, Panihati A.C.
2. Chairman, Panihati Municipality.
3. Sub-divisional officer, Barrackpore
4. C.A. to ADM(Dev), North 24-Parganas.

Sd/-

District Magistrate
North 24-Parganas,Barasat.

ANNEXURE - 'P/20'
- 254 -

RAMCHANDRAPUR BHAGAR UCHHED COMMITTEE

RAMCHANDRAPUR , P.O. SODEPUR , KOLKATA -700110

Ref. No.....

Date.....

25/11/2016
3/12/2016

To
The Honourable District Magistrate ,
North 24 Paraganas ,
Barasat , Kolkata -700124

Sub : Removal of Trenching Ground from Ramchandrapur , Sodepur , Kolkata -700110

Respected Sir/Madam ,

Kindly refer to the minutes of the meeting held on 19.02.2016 at 4 PM in your chamber regarding waste disposal at Panihati (Copy enclosed for your kind reference) Encl-1-4

2. Your kind attention is drawn to the fact that on the basis of the Hon'ble District Magistrate's letter cited above having given due honour to her decision , we , Bhagar Uched Committee had withdrawn 465 days ABORODH and Panihati Municipality called a meeting on 23.02.2016 where Hon'ble M.L.A., Sri Nirmal Ghosh was present wherein a decision was resolved unanimously that a discussion as to the progress and development of said west management works on the basis of the letter cited above will be on 31.07.2016 or latter and final discussion would be held within 31.12.2016 (copy of Panihati Municipality's letter dated 26.02.2016 enclosed)
Encl-2

3. It may kindly be mentioned here that in the said meeting our beloved and respected Sri Saugata Roy , M.P. (Dumdum P.C.) , over telephone proposed to the Hon'ble District Magistrate North 24 Parganas for inclusion of Panihati Municipality's Waste Management Project to the project of North Dumdum and South Dumdum Project , newly started which Hon'ble District Magistrate confirmed that she had a telephonic talk with Hon'ble Sri Sougata Roy in this regards on 19.02.2016. Several correspondences between Ramchandrapur Bhagar Uched Committee and Panihati Municipality are enclosed herewith .

4. It may also kindly be mentioned here that our beloved Hon'ble M.P. and M.L.A. know all these facts and circumstances very well that we have been struggling to remove this Trenching Ground from Ramchandrapur since more than 40 years and several assurances where given by several respected Forums and Hon'ble Ministers also to remove this Trenching Ground from Ramchandrapur .

5. Under the above circumstances , you are kindly requested to take kind necessary initiative for shifting the Trenching Ground from a densely populated area of Ramchandrapur under Word No. 23 of the Panihati Municipality to save from the curse of pollution. hazard , flies , mosquitoes , bad smell etc..

NSP-38

6. Expecting your kind initiative for removing the Trenching Ground from Ramchandrapur as stipulated on or before 31.12.2016, settled/resolved between Panihati Municipality and Ramchandrapur Bhagar Uched Committee, honouring your few months time taken letter cited above

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7. Thanking you,

Yours faithfully,

Sdf

SHYAMAL BANERJEE

Convenor

Ramchandrapur Bhagar Uched Committee

Copy for information and necessary action please to :-

- 1) The Sub divisional officer, Barrackpore, North 24 Parganas
- 2) Sri Sougata Roy, M.P., Dumdum P.C.
- 3) Sri Nrimal Ghosh, M.L.A., Panihati A.C.
- 4) The Chairman, Panihati Municipality, Panihati, North 24 Parganas
- 5) The Vice Chairman, Panihati Municipality, Panihati, North 24 Parganas

*Banerjee
Convenor
R. B. U. C.*

दीप एन पुरी
ROOEEP S PURI



सत्यमेव जयते

आवासन और शहरी कार्य
राज्य मंत्री (स्वतंत्र प्रभार)
भारत सरकार

MINISTER OF STATE (I/C)
HOUSING AND URBAN AFFAIRS
GOVERNMENT OF INDIA

ANNEXURE - 'P/21'
- 256 -

28 June 2018

F
b/7
D.O.No. 19/4/2018-SBM.II

Dear Prof. Roy,

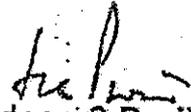
Kindly refer to your letter of 11 May 2018 and 12 June 2018 regarding release of Central Share funds for 13 Solid Waste Management Projects (SWM) of West Bengal Government, including two for Panihati Municipality.

You will be happy to know that the first instalment of central share of funds for the Solid Waste Management Projects of West Bengal including two projects of Panihati Municipality has been released on 12 June 2018.

I am informed that the complete proposal after rectifying the deficiencies, was received in the Ministry on 04 June 2018. After due process, the sanction order for release of Rs. 111.82 crore as the first instalment of Central Government share, was issued on 12 June 2018.

With best wishes,

Yours sincerely


(Hardeep S Puri)

Prof. Shri Saugata Roy
Hon'ble Member of Parliament (Lok Sabha)
162/D/593, Lake Gardens
Kolkata, West Bengal - 700045

ANNEXURE - P/22'
- 257 -

RAMCHANDRAPUR BHAGAR UCHHED COMMITTEE

RAMCHANDRAPUR, P.O. SODEPUR.KOLKATA -700110

Ref. NO

Date: . . .

To
The Hon'ble Chief Executive Officer ,
Kolkata Metropolitan Development Authority ,
Prasahan Bhaban ,
Block DD 1 , Sector 1 , Bidhannagar ,
Kolkata 700064

Sub : Removal of Trenching ground from Ramchandrapur, Sodepur Kolkata-700110 under
Ward No. 23 Panihati Municipality

Respected Madam ,

I , Convenor of Ramchandrapur Bhagar Uchhed Committe , on behalf of the
villages / inhabitants of Ramchandrapur , LIC Park , Mandela Park , Arunachal , H.B Town ,
Tarapukur and Simultala under the jurisdiction of Ward No. 23 of Panihati Municipality take
the opportunity to draw your kind attention to the following facts :

1. that the issue of Trenching ground of Panihati Municipality has become quite acute and complicated . For the last few decades the Bhagar located at Ramchandrapur, ward No. 23 under Panihati Municipality has been used extensively as dumping ground of municipal wastes collected from Municipal area. In the year 1974 -75 a 5 acre area of adjacent Mohispota at Kalyani Road was identified as the alternative dumping ground but since then nothing tangible has happened. In the year 2012 a Waste to Management Energy Project through PPP Model was contemplated and Rochem Company was asked to execute the project but some how this also did not materialise and Rochem Company left the work site in the midway.
2. that with reference to our letter dt. 25.11.2016 / 03.12.2016 , the then Honourable D.M. Madam Antara Acharya was pleased to take our hearing in her chamber on 3.12.2016 and was pleased to receive some important papers and documents like Govt. Of West Bengal, Municipal Affairs Department, Writer's Building Kolkata's letter No. 18 / MA / O / C - 10 / 35 - 454 / 2005 dt. The 6th January 2012 from Joint Secretary to Chief Executive Officer, KMDA (copy enclosed) which would speak for itself , and invitation letter of inauguration the project at Mohispota by our Honourable and beloved Shri Sougata Roy, M.P of Dum Dum Constituency.
3. that after the said meeting the work has been processed so that another plot of land belonging to Panihati Municipality at Mohispota was selected by Shri Rajat Chatterjee, the then D.G K.M.D.A with our presence for sap of plants and/or "SAR PRAKALPA".
4. that required money 65% was sanctioned by Govt. Of West Bengal, Finance Department with the help of Shri Nirmal Ghosh , M.L.A. , Panihati & Chief Whip of West Bengal.

5. that the rest 35% money of Central Govt. share was brought to sanction by our respected and beloved Shri Sougata Roy , M.P. , Dum Dum Constituency by his earnest effort in the month of June , 2018.
6. that our honourable and beloved Chief Minister of West Bengal , Smt. Mamata Banerjee was kind enough to inaugurate the foundation stone of the Project (SWM) of "SAR PROKALPA" at Mohispota from Haroa , 24 parganas(N) on 1st December 2018 to remove our long painstaking struggling from pollution , nasty smell , flies , mosquito's etc. which previous any government has done nothing in spite of our several efforts during last more than 40 years to the different level and forum of the Ministry . Over & above Left Front Govt. arrested us , even 70 years of aged men and women . It is historical stepping in Panihati by our respected and beloved Chief Minister , West Bengal .
7. that on the other hand , after withdrawing the 465 days "ABORODH" the dumping of garbage's at Ramchandrapur is so disastrous that thousands of people under Ward No. 23 are suffering extreme direness of pollution and hazards .
8. that everything is quite ready to start the work at Mohispota as well as shifting process but not yet . This is the question of the people .

You are requested to kindly order to start the work at Mohispota for "SAR PROKALPO" and / or Solid Waste Management Project under Panihati Municipality and / or shifting process of "BHAGAR" from Ramchandrapur so that the thousands of people may be saved from curse of pollution hazards , flies , mosquitoes and nasty smell and at the same time you are requested to convey us when the dumping of all sorts of garbage would be abandoned at Ramchandrapur under Ward No. 23 Panihati Municipality on or before 31.10.2019 so that the local people of the said adjacent of evil effected area under Ward No. 23 of Panihati may avoid another "ABORODH" on and from 1.11.2019 which was resolved in the mass / general meeting held on 13.07.2019

Awaiting your early positive response.
Thanking you ,

Date:

Enclo :

Yours faithfully,
Banerji 1/8/2019
(SHYAMAL BANERJEE)
Convener

Ramchandrapur Bhagar Uchhed Committee

Copy Submitted to the Director, SUDA,
~~...~~, Kolkata for kind necessary
action.

Banerji
R. B. U. C.

ANNEXURE - 'P/23'

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RAMCHANDRAPUR BHAGAR UCHHED COMMITTEE

RAMCHANDRAPUR, P.O. SODEPUR, KOLKATA - 700110

Ref. NO

Date: 14.3.20

1. To
The Principal Secretary
Urban Development & Municipal Affairs Department
Govt of West Bengal
2. The Director
State Urban Development Authority
Govt of West Bengal
3. The District Magistrate
North 24 Parganas

Sub : Removal of Trenching ground from Ramchandrapur, Sodapur Kolkata-700110

Respected Sir / Madam,

Kindly refer to Ref. No. PM/GENL/2019-20/474 dated 13.01.2020 along with the minutes of the meeting held on 02.01.2020 at Panihati Municipality with Hon'ble Administrator, Panihati Municipality .

2. In the said meeting our beloved M.L.A. Panihati Constituency Sri Nirmal Ghosh who presided over the said meeting told that garbage from Ramchandrapur under Panihati Municipality would be taken to Dum Dum and after compilation with the garbage of Dum Dum the said product would be sent to Mohispota for "SAR PRAKALPA" where in the Director of State Urban Development Agency (SUDA) told that State Government has already engaged the transaction advisor KPMG Advisory Services Pvt. Ltd. for assisting Panihati, Titagarh, Khardah, Barrackpor and North Barrackpore Municipality for planning of Scientific Solid Waste Management through cluster approach . Copy of the said letter by the Director SUDA is enclosed .

3. On 20.11.2020 , I and Sri Subhas Banerjee met Hon'ble Director , SUDA , W.B. with the reference of Sri Sougata Roy , our beloved Hon'ble M.P. where Hon'ble Director told us existing Trenching Ground at Ramchandrapur would be removed and the existing dumping ground would come down at green land level by scientific process.

4. Our beloved MLA told the compilation of Panihati Project with Dum Dum Project in respect of "SAR PRAKALPA" where Director SUDA told cluster Project .

5. In this connection , whatever the process is being adopted we have no objection but we fervently request you to emphasis for taking immediate steps to set up new modern SWM Project at Mohispota on an emergency basis to give relief to thousands of people of Ramchandrapur and adjacent area within this year 2020 along with scientific processing of existing garbages at Ramchandrapur .

6. It may kindly be mentioned that ,

(a) Shifting order was issued on 06.01.2012 .

NP-2321

- 260 -

(b) Land of Mohispota for proposed project has been finalised .

(c) Money has been sanctioned by the Govt. of West Bengal and Central Govt for shifting purposes after completion of DPR and other procedures .

(d) Our beloved Chief Minister inaugurated " SAR PROKALPA" at Mohispota on 01.12.2018 .

(e) Thousand of people have been suffering and struggling from pollution , nasty scent , flies , mosquito and epidemic .

(f) It is nonetheless to mention here our beloved M.P. Sri Sougata Roy and MLA Sri Nirmal Ghosh are trying their best level to shift the trenching ground from Ramchandrapur to give relief thousands of people from long time suffering by frequently meeting with us and referring the matter to Hon'ble top level Govt. of W.B. to remove the trenching Ground from Ramchandrapur .

7. The Director , SUDA is requested to convey the progress report

of shifting the Trenching Ground from Ramchandrapur , so that we may face the grievances of thousands of people smoothly for delay of shifting for long time since shifting order 06.01.2012 .

8. Your Honour , Sir / Madam referring to the last Para of the said minutes our kind request to shift the Ramchandrapur Trenching ground within this year so that thousands of people may get rid of extreme struggling from pollution , nasty scent , flies , mosquitoes , epidemic etc . since more than forty years.

Thanking you ,

Date:

Yours faithfully ,

(SHYAMAL BANERJEE)

Convenor

Ramchandrapur Bhagar Uched Committee

Mob: 9831832489

Copy to forwarded for kind information an necessary action to :

1. Shri Sougata Roy , M.P. Dum Dum
2. Shri Nirmal Ghosh , Chif Whip , W.B. & M.L.A Panihati
3. The Administrator , Panihati Municipality & S.D.O Barrackpore

CONVEYED
 R. L. J.
 RAMCHANDRA PUR
 DUR. 24-PCB-2

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~~260~~

भारतीय डाक



EW31859463IN IIR:6987
SF SUBURB SO (700110) India Post
Counter Note: 05/03/2020, 12:00
To: THE DIRECTOR, URBAN SCHEM
PIN: 700104, Baidya Nagar 13 Sector 3, G
From: SW/HR/1. SEC. DEVELOPMENT
Wt: 50gms
Sat: 17.70 (Cash) Tax: 2.70
(Track on www.indiapost.gov.in)
Total INR 266 8888

भारतीय डाक



EW31859450IN IIR:6987
SF SUBURB SO (700110) India Post
Counter Note: 05/03/2020, 12:00
To: THE D W. NORTH 26 SEC
PIN: 700124, Barasat SE
From: SW/HR/1. SEC. DEVELOPMENT
Wt: 50gms
Sat: 17.70 (Cash) Tax: 2.70
(Track on www.indiapost.gov.in)
Total INR 266 8888

भारतीय डाक



EW31859432IN IIR:6987
SF SUBURB SO (700110) India Post
Counter Note: 05/03/2020, 12:00
To: PRINCIPAL, SEC. DEVELOPMENT
PIN: 700091, Sech Shava 3, G
From: SW/HR/1. SEC. DEVELOPMENT
Wt: 50gms
Sat: 17.70 (Cash) Tax: 2.70
(Track on www.indiapost.gov.in)



Office of the Municipal Councillor of Panihati

Panihati, North 24 Parganas, Pin no.- 700 114

Phone: 2553-2909/2563-4457 / Fax : 2553-1487

Website- www.panihatimunicipality.in/ Email ID- panihatimunicipality@yahoo.co.in

RefNo:-PM/GENL/2019-20/474

Dated:- 13.01.2020

13/1/2020

5

1. To
The Principal Secretary
Urban Development & Municipal Affrs Department
Govt of West Bengal
2. The Director
State Urban Development Authority
Govt of West Bengal
3. The District Magistrate
North 24 Parganas

ANNEXURE - 'P/24'
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Sub :- Ramchandrapur Trenching Ground under Panihati Municipality

Sir / Madam ,

I would like to draw your kind attention to the subject noted above and to say that the meeting was held succesfully on 02.01.2020 at Panihati Municipality with " Ramchandrapur Bhagar Uched Committee" on Ramchandrapur Trenching Ground under Panihati Municipality and the minutes of the said meeting is attached herewith for your kind information.

This is for your kind information and necessary action.

Enclo:- As Stated

Yours faithfully

Executive Officer
Panihati Municipality
Executive Officer
Panihati Municipality

Copy forwarded to:-

1. Sri Nirmal Ghosh Hon'ble MLA & Chief Whip, Govt of West Bengal
2. Sri Swapan Ghoshn, Ex-Chairman, Panihati Municipality
3. Smt Somnath Dey, Representative of Hon'ble MP, Dum Dum
- ✓ 4. Sri Shyamal Banerjee, Convenor, Ramchandrapur Bhagar Uched Committee for his information that the new project of Solid Waste Management of Panihati Municipality is under process and as amount of Rs:-45 Crores (apporx) has already been approved by the Govt. and the said project will be started in full swing soon in the public interest.



Yours faithfully

13/1/2020
Executive Officer
Panihati Municipality
Executive Officer
Panihati Municipality

MR-19 (9)

**Resolution of the meeting in connection with Ramchandrapur Trenching Ground,
Ward no-23, Panihati Municipality**

Venue:- Panihati Municipality
Date:-02/01/2020
Time:-1.00 PM

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Hon'ble MLA Sri Nirmal Ghosh took the Chair and presided over the meeting in presence of SDO Barrackpore and Administrator, Panihati Municipality. Sri Swapan Ghosh (Ex-Chairman), was present in the meeting as Special invitee. Sri Somnath Dey was present in the meeting on behalf of Hon'ble MP.

The following officer / officials were also present the said meeting:

- a) Sri Prabir Kumar Basu, Executive Officer
- b) Sri Utpal Nandy, Finance Officer
- c) Sri Pinaki Majumder, Asstt Engineer
- d) Sri Debashis Chakraborty, Sanitary Inspector
- e) Sri Shatanu Kundu, Motor-Vehicles-in-Charge
- f) Sri Gopal Rabidas, Acting Labour Supervisor
- g) Sri Trideb Karmakar, Conservancy staff

Apart from this, the following persons were also present in the meeting:

- a) Sri Shyamal Banerjee, Covenor, Ramchandrapur Bhagara Uched Committee
- b) Sri Subhas Chandra Banerjee
- c) Sri Biswajit Banerjee
- d) Sri Debashis Sen
- e) Sri Nirmal Chandra Nath

The following resolution had been taken in the said meeting after discussion with all concerned.

1. The amount of garbage heaped at the dumping ground at Ramchandrapur will reduced by suitable continuous process.
2. Repair and renovation and maintenance of the dumping ground will be made. Special care will be taken for the boundary wall and drainage system by the Municipality.
3. Existing approach roads will be maintained in good condition.
4. Arrangement will be made to drain out the logged water in and around the trenching ground at suitable outfall available nearby.
5. Additional security and labour will be engaged at the trenching ground as per requirement.

The Convener of the Ramchandrapur Bhagar Uched Committee has further requested to take up necessary approach to the Government for taking immediate steps to set up new modern SWM Project at Mohispota on an emergency basis to give relief to the people of Ramchandrapur and adjacent areas, within this year along with scientific processing of existing garbage at Ramchandrapur, so that Municipality can be able to dispose of garbages and night soils at Ramchandrapur dumping ground till completion of new SWM Project at Mohispota. It is further decided in the meeting that Joint inspection would be arranged every 3 months interval to solve difficulties if any.

The meeting ended with thanks from & to the chair.



[Signature]
02/01/2020
Administrator
Panihati Municipality
Administrator
Panihati Municipality



187/123
at 3 p.m.

ANNEXURE - P/25
- 264 -

Office of the
Municipal Councillors of Panihati
Panihati, North 24 Pgs, Kolkata - 700 114
Phone: 2553-2909/2563-4457
Fax : 2553-1487
Website- www.panihatimunicipality.in

Email ID- panihatimunicipality@yahoo.co.in

Proceedings of the meeting regarding Ramchandrapur Trenching Ground, Ward - 23 under Panihati Municipality held on 06.01.2023 at 3.00 pm in the Board Room of Panihati Municipality in presence of the Representatives/Officials of different Organization/Agency.

Sri Malay Roy, Chairman, Panihati Municipality presided over the meeting.

On the outset of the meeting President welcomed all the representatives present in the meeting for their presence and requested Sri Himangshu Deb, MCIC (PH&S), Panihati Municipality to present the current status of the work being carried at the Trenching Ground of this Municipality.

- Sri Himangshu Deb, MCIC (PH&S), Panihati Municipality stated that the same work of removing waste is being carried in the trenching ground of 78 nos of Municipalities in West Bengal Hence, this is, as sought for, is not the issue of this ULB only. Handling of Solid Waste is the issue in state as well national level. The work being carried by the Agency is being faster day by day as the execution of the work is running whole night considering disturbance of the nearby citizens.

Sri Deb requested the representatives of the Agency to finish the job at the very earliest.

- Sri Shyamal Banerjee, Convenor - Ramchandrapur Bhagar Uchhed Committee viewed their single point agenda i.e removing of the Trenching Ground from Ramchandrapur leaving all sort of action taken what so ever by the Municipal Authority/SUDA and /other Departments of Govt. of West Bengal for arranging scientific Solid Waste Management..

He voiced to go for agitation once again in near future if the stand of shifting of the Trenching Ground was not considered by Municipal Authority/Govt..

- Sri Somnath Dey, MCIC(PWD), Panihati Municipality stated that Govt was very much concerned about Solid Waste Management and a joint venture might approach to Govt. Depts. on the issue - to be solved.

He proposed to form a monitoring committee comprising members from local inhabitants/Committees as well Municipality to visit and approach to the Govt on the subject very shortly.

- Sri Shyamal Banerjee, Convenor, Ramchandrapur Bhagar Uchhed Committee, pointed it out to approach to Govt. by the said monitoring committee only on the motto of (i) shifting the Trenching Ground from Ramchandrapur and (ii) removing all the legacy as well fresh waste from the Trenching Ground within three months.



JCF-11

Sri Samrat Chakraborty, Councillor, Ward - 23, Panihati Municipality on behalf of the citizens of Ward no-23 thanked to the Municipal Authority for development work of drain to be executed soon, manning Municipal workers and other arrangements made by the Municipal Authority at Trenching Ground as per discussion held in the earlier meeting dt.- 28.11.2022.

He also requested the Municipal Authority to arrange Municipal covered vehicles carrying Waste to and fro daily.

— 265 —

Sri Chakraborty, on behalf of this ULB requested the representatives of Samitees/Committees to consider time more i.e at least three months before going for agitation further/stopping the Municipal daily conservancy work at Ramchandrapur Trenching ground.

- Sri Himangshu Deb, MCIC (PH&S), Panihati Municipality assured to arrange covered vehicles to carry waste.
- One representative of the Committee requested the Agency representative to stop the work after 12.00 A.M, if possible, and to enhance the number of waste carriers of the Agency to make the process faster in day time.
- The Representative of M/s GreenTech Environment Management (P) Ltd assured to enhance the numbers of carriers.
- Chairman, Panihati Municipality requested to the Convenor, Ramchandrapur Bhagar Uchhed Committee to nominate the members of the Monitoring Committee from their end in writing immediately as decided to be constituted in the meeting.
- Sri Banerjee, Convenor, Ramchandrapur Bhagar Uchhed Committee nominated the names of 05 (five) Members - (i) Sri Shyamal Banerjee, (ii) Sri Bimal Singh, (iii) Sri Pradyut Biswas, (iv) Sri Swadhan Das and (v) Sri Mihir Lal Chatterjee for the Monitoring Committee.
- The Chairman, Panihati Municipality nominated the names of - (i) Sri Tirthankar Ghosh MCIC(W/S), (ii) Sri Somnath Dey MCIC(PWD), (iii) Sri Sri Himangshu Deb, MCIC(PH&S), (iv) Sri Samrat Chakraborty, Councillor, Ward -23, (v) Sri Debashis Chakraborty, Sanitary Inspector and headed by (vi) Sri Bhabesh Chandra Paria, Executive Officer, Panihati Municipality.

The meeting was ended with vote of thanks to and from the end of President.



Chairman
Panihati Municipality
Chairman
Panihati Municipality

Most Immediate / Reminder

RAMCHANDRAPUR BHAGAR UCCHED COMMITTEE

RAMCHANDRAPUR, P.O. SODEPUR, KOLKATA - 700110

No. RBUC/2023/26

Date 12.06.2023

To
The Chairman,
Panihati Municipality,
Kolkata -700114,

ANNEXURE - P/26
- 266 -

Sub: Removal of Trenching Ground from Ramchandrapur,
Sodepur, Kolkata-700110

Respected Sir,

Please refer to my letter No. RBUC/2023/14 dated 17.05.2023 received by your office on 18.05.2023.

2. In the said letter, your kind attention is drawn to "we would be compelled to start "ABORODH" not to dump night soil at Ramchandrapur Trenching Ground on and from 26th June, 2023.

3. Furthermore, your kind attention is also drawn to not to allow dumping in respect of fresh garbages and/or any sort of dumping at Ramchandrapur Trenching ground on and from the said date, i.e, on and from 26th June, 2023.

Thanking you,

Yours faithfully--

(SHYAMAL BANERJEE)
Convenor
R.B.U.C.

C.NO. RBUC/2023/26

DATE: 12.06.2023

Copy forwarded for information and kind necessary action to :-

1. Prof. Sougata Roy, M.P. Dumdum Constituency
2. Shri Nirmal Ghosh, Chief Whip, Govt. of West Bengal, MLA Panihati Assembly.
3. Shri Joly Choudhury, Additional Secretary, UD &MA Dept. Govt. of W.B., SUDA
4. Officer in charge of Khardah PS.
5. Shri Samrat Chakraborty, Councillor of Panihati Municipality, Ward No.- 23.
6. Master file

Received
Comptroller
12/06/23

(SHYAMAL BANERJEE)
Convenor
R.B.U.C.

Before copy to the Secretary, Ramchandrapur
Kalyan Society for information and for further
action

12/6/23

RAMCHANDRAPUR BHAGARUCHHED COMMITTEE

RAMCHANDRAPUR, P.O. SODEPUR, KOLKATA-700110

Ref. No. 0-BUC/2023/90-43

Date 28.11.23

TO
The Chairman
Panihati Municipality
Kolkata -700114

- 267 -

Sub: Removal of Trenching Ground from Ramchandrapur, Sodepur Kolkata 700110
under Ward No.23 of Panihati Municipality.

Sir,

1. Proceeding of the meeting held on 4.9.2013 at 3:00 p.m. in your Conference Room under your Chairmanship was confirmed by your end to send with the following points which have not yet been received by this end still now.
2. That it was decided to be written "The dumping of Night Soil at Ramchandrapur Trenching Ground has been abandoned and/or closed on and from with the specific date for ever."
3. That to honour the request of Sri Nirmal Ghosh Chip Whip of West Bengal and MLA of Panihati, the dumping of fresh garbages will be allowed to dump up to 30th November 2023 and thereby no dumping will be allowed on and from 1st December 2023. In other words, it would compels us to go to 'ABORODH' from 1st December 2023 provided the dumping is not stopped and/or closed within 30th November 2023.
4. That it was proposed to hold a meeting amongst both Honourable MLAs of Panihati, Khardah Assembly and our beloved honourable MP Professor Sri Sougata Roy to solve the problem of Ramchandrapur Trenching Ground early which also was supported by Shri Samrat Chakraborty Councillor of Ward No. 23 of Panihati Municipality.
5. Sir you are requested to follow up to honour the said proceedings of the said meeting, specially to arrange the meeting almost both honourable MLA's and Honourable MP as started.

Thanking you,

Yours faithfully,


SHYAMAL BANERJEE
Convener
R. B. U. C

Copy forwarded for information and kind necessary action to:-

1. Sri Professor Sougata Roy, M.P, DumDum
2. Shri Nirmal Ghosh MLA Panihati and Chip Whip Govt. Of West Bengal.
3. Sri Samrat Chakraborty Council of Panihati Ward No. 23 is requested to help the Chairman to hold the Apex meeting to solve the problem of Ramchandrapur Trenching ground early.

Yours faithfully,


SHYAMAL BANERJEE
Convener
R. B. U. C



Government of West Bengal
Khardah Police Station

B.T. Road, Jole Doba Para, Khardah, Kolkata - 700116, (N) 24 PGS
Tel. - 033-2553-2859, email: pskhardah@gmail.com

ANNEXURE - 'P/27'
- 268 -

Memo No. KDH/185/24

Dt. 10.01.2024

To
The Learned Commissioner of Police,
Barrackpore Police Commissionerate.

Through proper channel

Sub: Movement by "Ramchandrapur Bhagar Uchhed Committee" at Ward No. 23 of Panihati Municipality under Khardah Police Station.

Sir,

With due respect I would like to draw your kind attention to the on-going movement held by "Ramchandrapur Bhagar Uchhed Committee" at Ward No. 23 of Panihati Municipality under Khardah Police Station over dumping of garbage in the centre of population since long.

Ramchandrapur is situated at Sodepur, Panihati under ward no. 23 of Panihati Municipality under Khardah Police Station. Around in the year 1946, Ramchandrapur area was named after an Ashram situated at this place, then only few people were living there and rest area was covered with low lands and jungle. Since long, being a low-populated area, about 3.5 acres of land at Ramchandrapur was used to dump garbage, carcasses, bio-logical wastes, night soils, solid wastes, plastics etc. After that, people started to move in Ramchandrapur area and built residences after taking necessary permissions from the Panihati Municipality. However, the growing and heaving garbage including bio-logical wastes and carcasses started to make the environment inhabitable around it. Accordingly, agitation amidst the people led to movement and obstruction to the dumping of garbage at said "Ramchandrapur Bhagar". Over time, population increased and such movement and obstruction by hundreds of people of Ramchandrapur for safe and hygienic atmosphere and livelihood gave birth of "Ramchandrapur Bhagar Uchhed Committee" in the year 1974/1975.

After that, on several occasions, said "Ramchandrapur Bhagar Uchhed Committee", being supported by hundreds to thousands of people made movements for stopping dumping of garbage there. Accordingly, several meetings/ inspections/ plannings were taken up/ held at/by different govt. offices/bodies in presence of the members of "Ramchandrapur Bhagar Uchhed Committee." During the year, 1975-77, people of Ramchandrapur were assured by organisers of such meetings that a piece of land of 5 acres has been fixed by the Panihati Municipality at Mohispota under Khardah PS (now Ghola PS) as the new garbage - dumping land and soon said "Ramchandrapur Bhagar" will be removed. But surprisingly no effective steps were taken by Panihati

Municipality. Therefore, soon again such movements were held by "Ramchandrapur Bhagar Uchhed Committee." Again, meetings were held and new promises were given. Such repetitive incidents of movements followed by meetings and promises have been going on since then. Also, on 10.03.2013 a land at Mohispota beside Kalyani Expressway near Power-House under Ghola PS is being claimed to be inaugurated virtually by the Hon'ble CM, Govt. of West Bengal for making electricity from the wastes of Panihati Municipality and new promise was given to the thousands of people of ward no. 23 of Panihati Municipality and "Ramchandrapur Bhagar Uchhed Committee" (as per statements of members of said committee). But again, neither any progress in removal of "Ramchandrapur Bhagar" nor any starting of new garbage-dumping ground at said new promised land at Mohispota could be seen to be initiated. Hence, the cyclic process of movements and meetings started again. Lastly on 03.01.2024 another meeting was held at the office of Panihati Municipality but till now no fruitful solution has been surfaced.

However, on receiving information of recent agitation as well as requests from Panihati Municipality, an open enquiry was conducted at Ramchandrapur area and also at panihati Municipality where it has been found that said Bhagar is situated almost at the centre of ward no. 23 of Panihati Municipality and thousands of people reside around it. At present garbage removal process is held on seldom occasions but new garbage is dumped regularly. Hence, garbage is piling up day by day making the environment foul and unhygienic for health. Accordingly, the people of ward no 23 along with members of "Ramchandrapur Bhagar Uchhed Committee" obstructing new garbage dumping but allowing removal of garbage. The situation is grave and delicate and may invite unpleasant breach in L/O situation, if it is not taken care of by all concerned departments, bodies and stakeholders at the earliest.

This is for favour of your kind information. I also pray that necessary communication may kindly be made to the concerned stakeholders and departments for taking necessary steps to find a permanent solution in view of giving the people of Ramchandrapur under Khardah PS a hygienic and healthy livelihood.

Encl. Photographs

Sd/-

OC Khardah PS
Barrackpore Police Commissionerate

Memo No. KDH/185(5)/24

Dt. 10.01.2024

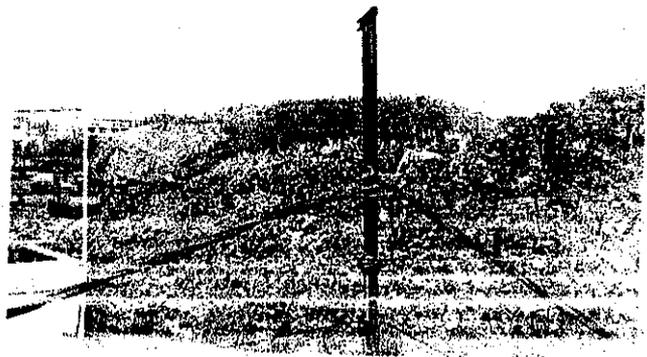
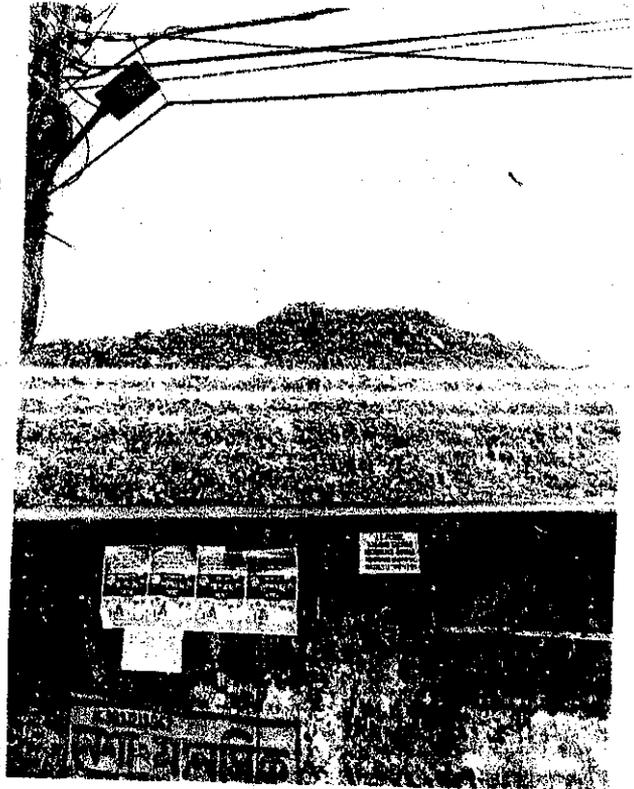
Copy forwarded for kind information and n/a to

- (i) The District Magistrate, North 24 Parganas
- (ii) The Sub Divisional Officer, Barrackpore
- (iii) The Executive Officer, Panihati Municipality
- (iv) The Chairman, Panihati Municipality
- (v) Mr. Shyamal Banerjee, Convenor of R.B.U. Committee

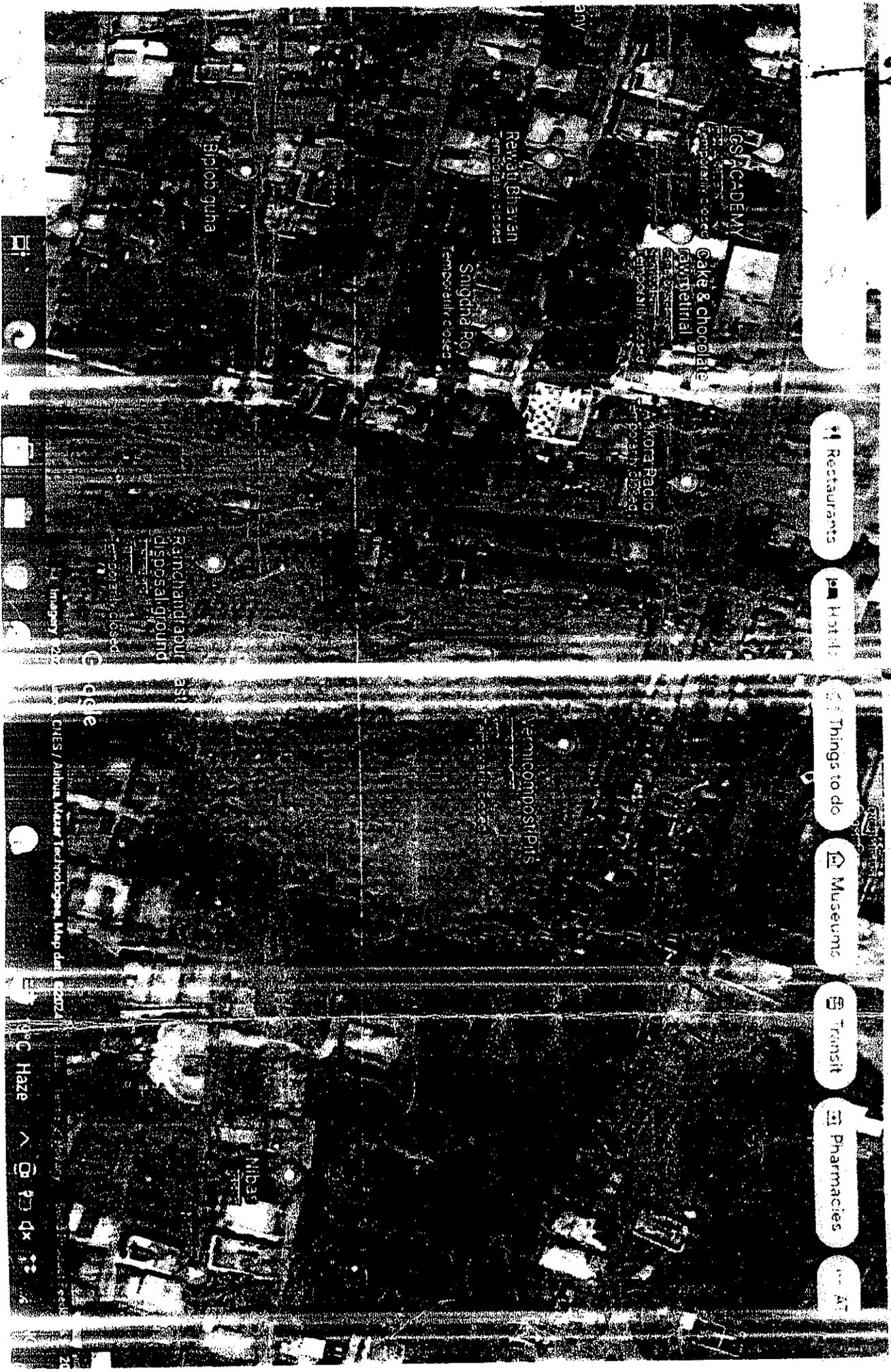
W u 10/01/24

OC Khardah PS
Barrackpore Police Commissionerate

Officer-In-Charge
Khardah Police Station
Barrackpore Commissionerate



271-



Restaurants

Hotels

Things to do

Museums

Transit

Pharmacies

AT

IGS ACADEMY
@cake & chocolate
Rajmehral

Akrora Pacific

Rajesh Bhatnagar

Suguna Roy

Biplob guha

Ranchhandraji
disposal ground

VENICOMPOSTPITS

CHES / Airbus Water Technologies Map data

Haze

274



Temporarily closed

Restaurants

Hotels

Things to do

Museums

Pharmacies

ATM

Middag Ashram

Bijlob guna

Sonia home

Gan Chandrapur waste disposal ground

Municipal Solid Waste Disposal Ground

GHAKRABORTYS

NIBBS

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ENC

VAKALATNAMA

In the National Green Tribunal
Eastern Zone Bench
Kolkata

Siva onla- chandra Bandyopadhyay

District : North 24 Parganas

O.A. No. _____ of 2024

Ramchandrapur Kalyan Samity
and Others

....Petitioners

Versus

The State of West Bengal and Ors.

.... Respondents

VAKALATNAMA on behalf of Petitioners

KNOW ALL MEN by these presents that by VAKALATNAMA, WE appoint the Advocates noted below or any of them our lawful Advocate or Advocates for filling the memorandum or appeal or petition /of entering appearance in the above matter for appearing conducting or arguing the same for deposing or withdrawing any money in connection therewith for moving the Court or Tribunal in any matter connected therewith, for preparing the paper book in the case and for putting in papers, petitions etc., on my behalf for filing taking back any documents for withdrawing suits or appeals or petitions to institute fresh suit etc., for signing and filling petitions of compromise in connection with the said matter and for taking copies of paper from the Record and I further say that any act done by our said Advocate or Advocates or by any one of them after accepting this VAKALATNAMA shall be considered as our own true and lawful act.

AND WE further hereby agree and undertake to pay the said Advocate or Advocates his or their fees as settled and all other sums that may be necessary to carry out the requisition of the Court or Tribunal and otherwise to enable the said Advocate or Advocates to conduct the case properly, failing which the said Advocate or Advocates after notice to me will be at liberty to withdraw from further conducting the case.

IN WITNESS WHEREOF I sign and execute this VAKALATNAMA on this the ____ day of April in the year 2024.

NAME OF THE ADVOCATE

SAGARMAY GHOSH	WB/921/2009	9433746410
SHOBHANTANU BHATTACHARYA	WB/901/2009	8697448690
UTTAM BAIDYA	F/954/2010	9153512596

309, B.B. Ganguly Street,
East Block, 2nd Floor,
Kolkata - 700012

Sagarmay adv@gmail.com
Sovontoru@gmail.com



RAMCHANDRAPUR KALYAN SAMITY

Regd. No. - S/6183, Estd. - 1953

RAMCHANDRAPUR, SODEPUR, KOLKATA - 700110

Ref. No.

Date : 28.03.2024

.....EXTRACTS FROM THE MINUTES OF THE MEETING held in the Ramchandrapur Kalyan Samity, at its Registered Office at P.O.- Ramchandrapur, P.S.- Kardah, Kolkata, Dist- North 24 Parganas, PIN-700110 On 28th March, 2024 at 3:30PM

Resolved in the meeting of both the Ramchandrapur Kalyan Samity and its sub-committee namely Ramchandrapur Bhagar Ucched Committee, having its Registered Office at P.O.- Ramchandrapur, P.S.- Kardah, Kolkata, Dist- North 24 Parganas, PIN-700110, that, Sri Sumanta Chandra Bandyopadhyay alies Shyamal Banerjee , S/O Paresh Chandra Bandyopadhyay, residing at P.O.- Ramchandrapur, P.S.- Kardah, Kolkata, Dist- North 24 Parganas, PIN-700110, one of the Members of the Samity and the Convener of the Ramchandrapur Bhagar Ucched Committee, is hereby appointed as the constituted attorney and authorized and/or empowered to affirm, initiate and/or defend all the legal proceedings on behalf of both the Ramchandrapur Kalyan Samity and its sub-committee namely Ramchandrapur Bhagar Ucched Committee as and when required before the Hon'ble National Green Tribunal, Eastern Zone Bench at Kolkata.

Further Resolved that for the above purpose Sri Sumanta Chandra Bandyopadhyay alies Shyamal Banerjee do hereby further authorized, to appoint any Advocate, Solicitor and Counsel to represent us before the Hon'ble National Green Tribunal, Eastern Zone Bench at Kolkata.

Further Resolved that for the above purposes said Sri Sumanta Chandra Bandyopadhyay alies Shyamal Banerjee, further do hereby authorized to sign on all plaint, written statement, application, affidavit and all other legal documents and/or also to enter into any compromise with any of the litigants and to collect the benefits thereof, on behalf of both the abovementioned Ramchandrapur Kalyan Samity and its sub-committee namely Ramchandrapur Bhagar Ucched Committee, as and when necessary, before the Hon'ble National Green Tribunal, Eastern Zone Bench at Kolkata.

Certified to be true copy

Sumanta Chandra Bandyopadhyay

Signature of

Sri Sumanta Chandra Bandyopadhyay

Attested by;

Biswajit Marik

Secretary

Ramchandrapur Kalyan Samity

Signature of Sri Biswajit Marik,

Secretary, Ramchandrapur Kalyan Samity and its sub-committee namely Ramchandrapur Bhagar Ucched Committee.

Biswajit Marik

Secretary

Ramchandrapur Kalyan Samity

Signature of Sri Biswajit Marik, Secretary, Ramchandrapur Kalyan Samity and its sub-committee namely Ramchandrapur Bhagar Ucched Committee.

In the National Green Tribunal
Eastern Zone Bench
Kolkata

O.A. No. of 2024

In the matter of
An Application under Section 14
and 15 of the National Green
Tribunal Act, 2010

And

In the matter of
Ramchandrapur Kalyan Samity
and Others

.... Applicants

Versus

The State of West Bengal and
Others

.... Respondents

Application

Advocates-on-Record

Sri Shobhantanu Bhattacharyya,

Sri Sagarmay Ghosh

Sri Uttam Baidya

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