

BEFORE THE NATIONAL GREEN TRIBUNAL, EASTERN ZONE BENCH,

KOLKATA

ORIGINAL APPLICATION 34/2024/EZ

Kiran Chettri and others

...Applicant

Versus

The State of West Bengal and others.

...Respondents

**AFFIDAVIT FILED BY THE DISTRICT MAGISTRATE AT DARJEELING IN
CONNECTION WITH THE ORDER OF THE HON'BLE GREEN TRIBUNAL,
EASTERN ZONE, ORDER DATED 22.7.2024**

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Filed by

Sudip Kumar Dutta

Sudip Kumar Dutta.

Advocate

21 AUG 2024

Before the National Green Tribunal, Eastern Zone Bench, Kolkata

Original Application 34/2024/EZ

Kiran Chettri and others

...Applicant

Versus

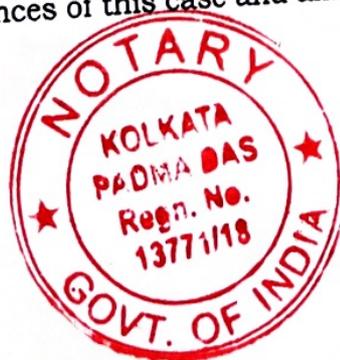
**The State of West Bengal and
others.**

....Respondents

**AFFIDAVIT FILED BY THE DISTRICT MAGISTRATE AT DARJEELING
IN C/W THE ORDER OF THE HON'BLE GREEN TRIBUNAL, EASTERN
ZONE, ORDER DATED 22.7.2024**

I, Smt. Preeti Goyal, daughter of Shri Narinder Goyal, aged about 39 years, by faith: Hindu, by occupation- Government Service, now posted as District Magistrate, Darjeeling, Government of West Bengal having its office at Kutchery Building, Lebong Cart Road, P.O. and District Darjeeling - 734101 do hereby solemnly affirm and state as follows:-

1. I am working as District Magistrate, Darjeeling, Government of West Bengal and I have made myself acquainted with the facts and circumstances of this case and am competent to affirm this affidavit.



PREETI GOYAL

District Magistrate
Darjeeling

2. That I have gone through the instant petition and have understood the contents and purported thereof. I reserve my right to submit before this Hon'ble Tribunal any further question of Law and documents in support thereof.

3. That this affidavit is being affirmed in pursuant to the solemn order passed by the Hon'ble Tribunal on 22.07.2024.

4. Site Selection Process:

The site selection for the Solid Waste Management (SWM) facility at Kalamjote, under Matigara-I Gram Panchayat, was conducted after a joint inspection by representatives from the Gram Panchayat, Block Administration, Block Land and Land Reforms Department and the Technical Team from Siliguri Mahakuma Parishad. The inspection aimed to ensure that the site adhered to appropriate standards for waste management while minimizing any adverse impact on the environment and nearby communities.

5. Suitability Criteria Considered:

- 5.1. **Non-Residential Zoning:** The selected site is located in a non-residential zone, ensuring no direct impact on residential areas. The nearest village, Kalamjote, is situated more than 100 meters away. The site is also bordered by non-residential features, including an irrigation bundh to the west, a crematorium to the north, and a Public Health Engineering (PHE) pump house to the south.
- 5.2. **Environmental Safeguards:** The proximity of the site to the river Balason was carefully considered, and appropriate safeguards have been implemented to prevent any contamination of the river or the surrounding land. The facility is designed with state-of-the-art bio gas



PREETI GOYAL

District Magistrate
Darjeeling

composting technology, ensuring that waste processing activities do not produce pollutants that could harm nearby water bodies.

- 5.3 Minimal Impact on Surrounding Areas:** The site was strategically selected to avoid sensitive areas such as schools, playgrounds, and residential neighbourhoods, thus ensuring minimal disruption. Additionally, noise pollution control measures have been incorporated by avoiding the use of sound-producing heavy machinery.
- 5.4 No Landfill Involvement:** It is respectfully submitted that the SWM facility does not involve landfill operations. Therefore, the specific sitting criteria outlined in Schedule I (A)(vii) of the Solid Waste Management Rules, 2016, which pertain to landfills, do not apply to this project.
- 5.5 Day-to-Day Processing of Waste:** The SWM facility is designed for efficient day-to-day processing of waste. Segregated waste collected at the source will be transported to the SWM Unit, where further refined segregation will be carried out within a dedicated concrete segregation shed. This systematic daily processing eliminates the need for stacking waste, thus preventing the potential generation of leachate or other pollutants. Biodegradable waste will be processed in the biogas plant, and dry waste will be managed according to the planned protocols. These measures ensure that the facility operates sustainably, with minimal environmental impact.

6. Compliance with the Solid Waste Management Rules, 2016:

The site selection and project planning have been conducted in full compliance with the Solid Waste Management Rules, 2016. Although the rules do not provide specific sitting criteria for waste processing facilities (except for landfills), all relevant environmental safeguards have been adhered to, ensuring that the site meets the broader objectives of the SWM Rules.

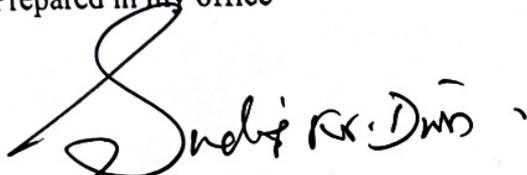


PREETI GOYAL

District Magistrate
Darjeeling

7. In light of the above submissions, it is respectfully stated that the site for the SWM facility at Kalamjote is compliant with the Solid Waste Management Rules, 2016, and that due consideration was given to the environmental and community impact during the selection process. I humbly request the Hon'ble Tribunal to accept this affidavit and permit the SWM project to proceed.
8. The statements made in paragraph 1 to 6 are based on information derived from the record which are usually kept and maintained by the answering respondents in the ordinary course of business and which I believe to be true and rest thereof are my humble submission before this Hon'ble Tribunal.

Prepared in my office


Sudip Kumar Dutta
Advocate


Deponent

District Magistrate
Darjeeling

SOLEMNLY AFFIRMED AND DECLARED
BEFORE ME ON IDENTIFICATION


PADMA DAS
NOTARY

21 AUG 2024

PADMA DAS
NOTARY
Regn. No.-13771/18
C.M.M's Court
Kolkata- 700 001

