

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 64/2023/EZ



In The Matter of:

Raghunath Maity

... Applicant

Versus

West Bengal Pollution Control Board & Ors.

... Respondents

SUPPLEMENTARY AFFIDAVIT ON BEHALF OF THE RESPONDENT NUMBER .., THE DISTRICT MAGISTRATE & COLLECTOR, PURBA MIDNAPORE.

INDEX

SL	PARTICULARS	ANNEXURE	PAGE
1.	Supplementary Affidavit		1-6

Filed by

Sibojyoti Chakrabarti

SIBOJYOTI CHAKRABARTI

Advocate

For The State of West Bengal

Email: subho.advocate@gmail.com

(M): 9007035534



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 64/2023/EZ

In The Matter of:

Raghunath Maity

... Applicant

Versus

West Bengal Pollution Control Board & Ors.

... Respondents

SUPPLEMENTARY AFFIDAVIT ON BEHALF OF THE RESPONDENT NUMBER ..., THE DISTRICT MAGISTRATE & COLLECTOR, PURBA MIDNAPORE.

I, Sri Purnendu Kumar Maji, S/o Sri Mihir Kumar Maji, aged about 55 years, by faith - Hindu, by occupation- Service, presently posted as District Magistrate & District Collector, Purba Medinipur, at Ganapatnagar, P.O.- Uttar Sonamui, P.S.-Tamluk, District Purba Medinipur, Pin- 721 648, residing at Ganapatnagar, P.O-Uttar Sonamui, P.S.-Tamluk, District-Purba Medinipur, Pin- 721648, do hereby solemnly affirm and say as follows:



- 2
1. That I have been communicated with a copy of the order in O.A. No. 64/2023/EZ from the Learned State Advocate vide his letter dated 17.08.2023 in connection with the instant original application.
 2. That this affidavit is being filed in compliance to the Solemn Order dated 07.08.2023, passed by the Hon'ble Tribunal.
 3. That The Hon'ble National Green Tribunal, Eastern Zone Bench has been pleased to interalia direct the District Magistrate & Collector, Purba Midnapore to file his personal affidavit within 2 weeks explaining why since 2019 action has not been taken for recovery of the environmental compensation against the respondent number 6, i.e M/s Biswanath Bani Mill.
 4. That I have affirmed an affidavit dated 25.08.2023 stating the present status of the Certificate Proceedings for recovery of environmental compensation against the respondent



3

number 6, i.e M/s Biswanath Bani Mill and the same has been submitted before this Hon'ble Tribunal.

5. That inadvertently in the said affidavit I have not stated the reason for delay in taking action for recovery of environmental compensation for which I tender my unconditional apology.
6. That it is stated that a letter was sent to the Senior Law Officer, West Bengal Pollution Control Board representing the State Board as Certificate Holder), having office at 'Paribesh Bhawan', 10A, Block-LA, Sector-II, Bdhanagar, Kolkata-700 106, vide memo no. 15/XXIX/Cert/32 dated 03-02-2020 by the Additional District Magistrate(G), Purba Medinipur to submit Requisition Form alongwith Court Fees, maintaining all formalities to initiate proceedings under the Bengal Public Demand Recovery Act, 1913 against the respondent number 6 i.e the private respondent.



7. That after approximately 7 (seven) months, a communication was received vide memo no.186 3L/WPB-G(IV)/2017 dated 09-09-2020 on 10 September 2020, from the State Board when "Covid Restrictions" were imposed throughout the world and the Administration was combating the pandemic.
8. That it is also stated that subsequently, Office of the Collectorate, Purba Medinipur was also shifted from Salgechia, Tamluk to Ganapatnagar, P.O. Uttar Sonamui, P.S. Tamluk in the month of December 2020.
9. That subsequent to that the District Administration had to arrange West Bengal Legislative Assembly Election for the year 2021, which was held at the 1st Phase on April 2021 in the District of Purba Medinipur, maintaining Covid Protocol.
10. That it is most humbly submitted that due to the above reasons the initiation of certificate proceedings were



delayed against the private respondent but presently the Certificate Proceedings has been drawn up by the Certificate Officer, Purba Midnapore Vide Certificate No. 01/2023 dated 23.08.2023 and notice has been sent to the private respondent i.e M/s Biswanath Bani Mill and notice for hearing of the certificate case No. 01/2023 has been issued from the office of the Certificate Officer, Purba Midnapore dated 24.08.2023 in which the hearing has been fixed on 11.10.2023 in which the certificate Holder and Certificate Debtor both have been directed to appear on the date fixed for hearing.

11. That this deponent once again tenders unconditional apology for delay in initiating certificate proceedings against the private respondent.

12. That it is most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to accept the unconditional



6

apology of the deponent and pass necessary Order/Orders
as is deemed fit for the ends of justice.

Identified by me

Srijoti Chakrabarti

Advocate
State of West Bengal

Purnendu Kumar Maji

Deponent
District Magistrate
& Collector
Purba Medinipur

VERIFICATION:

I, the deponent above- named, do hereby verify and declare that
the statements made in the aforesaid paragraphs are true and
correct to the best of my knowledge and information and I believe
that nothing material has been concealed there from.

Verified at *Kolkata* on *26th* day of *August* 2023.

Identified by me

Srijoti Chakrabarti

Advocate
State of West Bengal

Purnendu Kumar Maji

Deponent
District Magistrate
& Collector
Purba Medinipur



SANTOSH KUMAR DATTA
NOTARY
90/1A, Hari Ghosh Street
Kolkata-700006
Regn. No.- 24 of 1998

27 AUG 2023

Solemnly Affirmed
&
Declared before me
on identification of Advocate

S. K. Datta
S. K. DATTA
NOTARY
27.8.2023

BEFORE THE HON'BLE
NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH,
KOLKATA

O. A. NO. 64/2023/EZ

In The Matter of:

Raghunath Maity

... APPLICANT

VERSUS

The State of West Bengal & Ors.

... RESPONDENT(S)



SUPPLEMENTARY AFFIDAVIT
ON BEHALF OF THE
RESPONDENT No. ..., DISTRICT
MAGISTRATE & COLLECTOR,
PURBA MIDNAPORE.

SIBOJYOTI CHAKRABARTI
ADVOCATE
HIGH COURT,
CALCUTTA
79 old Post office Street
Kol- 700004
(M) :- 9007085534