

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,**EASTERN ZONE BENCH, KOLKATA****O.A. NO. 195/2024/EZ**

Prameya Foundation

...Applicant(s)

Versus

State of West Bengal

Others

...Respondent(s)

INDEX

Sl. No.	Particulars	Pages
1.	Counter-Affidavit submitted by the Deputy Commissioner of Police, Central Division, Kolkata on behalf of Commissioner of Police, Kolkata being Respondent No. 7.	1 to 7
2.	Annexure R-1.	8 to 30

Filed by:



Sudip Kumar Dutta
Sudip Kumar Dutta.
Advocate for Respondent No. 7.

X

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,

EASTERN ZONE BENCH, KOLKATA

O.A. NO. 195/2024/EZ

IN THE MATTER OF:

Prameya Foundation

...Applicant(s)

Versus

State of West Bengal and
Others.

...Respondent(s)

**COUNTER-AFFIDAVIT FILED BY THE DEPUTY COMMISSIONER
OF POLICE, CENTRAL DIVISION, KOLKATA, ON BEHALF OF
THE COMMISSIONER OF POLICE, KOLKATA IN COMPLIANCE
WITH THE SOLEMN ORDER DATED 25-09-2024 PASSED BY
THIS HON'BLE NATIONAL GREEN TRIBUNAL, EASTERN ZONE
BENCH, KOLKATA.**

I, Indira Mukherjee, daughter of Late Sahadeb Mookherjee, aged about 38 years, by faith - Hindu, occupation - service, working as Deputy Commissioner of Police, Central Division, Kolkata, having office at 138, S. N. Banerjee Road, Kolkata - 700013 do hereby solemnly affirm and state as follows:-



X

1. That, I am the Deputy Commissioner of Police, Central Division, Kolkata and have been duly authorised by the Respondent No. 7 to affirm this affidavit on his behalf.

2. That I have made myself acquainted with the facts and circumstances of the case and extent of the solemn order dated 25-09-2024 in connection with the Original Application filed. I am competent to swear this affidavit and being so, I hereby affirm this affidavit.

3. That a copy of the order Dated 25.09.2024 in connection with Original Application No- 195/2024/EZ in connection with "Prameya Foundation vs The State of West Bengal and others" has been served upon me and after perusing the same I have understood the meaning, content and purport thereof.

4. I submit that with a view to comply with the solemn order dated 25-09-2024, as the area duly named and pictures annexed in this application falls under the jurisdiction of the Deputy Commissioner of Police, North & North Suburban Division and the Deputy Commissioner of Police, Central Division. Accordingly, reports were collected from the concerned jurisdictions in detail regarding the steps taken for enforcement of the following:

- i. Plastic Waste Management Rules, 2016;



X

- ii. Notification No. EN/1209/3C-22/2019 dated 27.06.2022 issued by Environment Department of West Bengal;
- iii. Circular of Standard Operating Procedure for organizing domestic or community Festivals / Celebrations / Pujas in West Bengal dated 17.10.2023 issued by the West Bengal Pollution Control Board;
- iv. Revised Guidelines for Idol Immersions dated 12.05.2020 issued by the Central Pollution Control Board;

5. I further submit that reports in the matter have been duly collected from all the Police Stations of the concerned Divisions on the point of jurisdiction and has been annexed hereto and marked as **Annexure R-1**.

The said reports reveal the following:

- a) The aforesaid enforcements are being duly enforced by all the concerned Police Stations.
- b) One case has been lodged vide Jorabagan Police Station vide Case no. 152 dated 27-09-2024 u/s 223(b)/3(5) BNS for selling thermocol made articles and such articles were seized.



X

- c) One case has been recorded at Girish Park Police Station vide Case No. 102 dated 30-09-2024 u/s 223(b) BNS against person responsible namely Arun Kumar Saha for selling thermocol made articles violating the above noted ban and such articles were seized.
- d) Two more cases have been lodged vide Jorabagan Police Station vide Case no. 153 dated 28-09-2024 and Case no. 154 u/s 223(b)/3(5) BNS for selling thermocol made articles and such articles were seized.

6. That after receiving the orders from the Hon'ble Tribunal as well as from the department concerned, the undersigned and the officers of the police stations repeatedly directed the shops and local inhabitants to obey the law and also directed them not to sell thermocol made articles for the larger interest of inhabitants of the locality as well as environment and have also assured them that the police authorities are always ready to render any sort of assistance in this regard if required.

7. 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.



X

8. The Counter-Affidavit, as ordered, is filed before the Hon'ble National Green Tribunal in compliance with the solemn order with the submission that further order, if any, given shall be carried out in its entirety.

Indira Mukherjee

DEPONENT

Deputy Commissioner of Police,
Central Division, Kolkata.

Prepared in my office

Sudip K. Das
Advocate

SOLENNY AFFIRMED AND DECLARED
BEFORE ME ON IDENTIFICATION

[Signature]
PADMA DAS
NOTARY



30 SEP 2024



X

VERIFICATION

I, Indira Mukherjee, daughter of Late Sahadeb Mookherjee, aged about 38 years, by faith - Hindu, occupation - service, working for gain as the Deputy Commissioner of Police, Central Division, Kolkata having office at 138, S. N. Banerjee Road, Kolkata - 700013 do hereby verify that the contents of the report filed are true to the best of my knowledge and belief and no part of the report is false and nothing has been concealed therefrom.

Verified at Kolkata on this 30th day of September, 2024.

Indira Mukherjee

DEPONENT

Deputy Commissioner of Police,
Central Division, Kolkata

Identified by me

Sudip K. Das
Advocate



-X

Annexure - R-1

Email

Prabal Bandyopadhyay

O.A. No. 195/2024/EZ; Prameya Foundation Vs State of West Bengal & Ors.

From : DC, ND <dcnorth@kolkatapolice.gov.in>
Subject : O.A. No. 195/2024/EZ; Prameya Foundation Vs State of West Bengal & Ors.
To : Prabal Bandyopadhyay <law-kpd@kolkatapolice.gov.in>

Sat, Sep 28, 2024 12:51 PM

8 attachments

From: Deputy Commissioner of Police
North & North Suburban Division
Kolkata

To: Officer-in-Charge
Law Cell, KPD
Lalbazar

Ref.: O.A. No. 195/2024/EZ; Prameya Foundation Vs State of West Bengal & Ors.

With reference to the above, forwarding herewith the report of all P.Ss under North & North Suburban Division, Kolkata. Reveals that one case has been lodged vide Jorabagan P.S. Case No. 152 dated 27.09.2024 u/s 223(b)/3(5) BNS for selling thermocol made articles and such articles were seized.

All P.Ss reports are attached herewith.

End of the message.





A.pdf
472 KB

B.pdf
148 KB




-X-

 **C.pdf**
153 KB

 **F.pdf**
167 KB

 **M1.pdf**
106 KB

 **M2.pdf**
134 KB

 **N1.pdf**
150 KB

 **N2.pdf**
328 KB





To
The Officer - In Charge
Shyampur P.S.

~~X~~

Ref: Order dated- 25-09-2024 of the Hon'ble National Green Tribunal, Eastern Zone, Kolkata in connection with Original Application No. 195/2024/EZ.

Sub: Action taken report in connection with the above referred order.

Sir,

DCND.
ACC(1)ND.

Forwarded
for kind
personal and
necessary
orders.

[Signature]
27/09/2024

Officer In-Charge
Shyampur Police Station
Kolkata-6

With reference to the above noted order this is to submit that the Environment Department, Government of West Bengal issued ban with effect from 01-07-2022 by completely prohibiting the illegal manufacture/import/stocking/ distribution/sale/use of polystyrene and expanded polystyrene (thermocool) commodities below 100 micron vide a Notification No. EN/1209/3C-22/2019, dated- 27-06-2022 in view of the provisions of Rule 4(2) of the plastic waste Management Rules, 2016 issued by the Ministry of Environment, Forest and Climate Change (MoE 7 & CC).

In the meantime in compliance with the notification from time to time the market body/puja committee/shopping mall authority/shop owner/advertisement agencies/common people and others were repeatedly communicated the order and ban on the polystyrene and expanded polystyrene (thermocool) commodities below 100 micron verbally and physically and they also advised to adhere by the directives of the said notification. The printed notification was circulated among the market body/puja committee/shopping mall authority/shop owner/advertisement agencies/common people and others and miking in market and conspicuous places was also done repeatedly. The notification was also mentioned in beat meetings held by this P.S. with various organizations. It was also directed to dispose such materials in vats implemented by KMC for waste management. The Durga Puja organizers for the current year were also directed to ensure that decorators engaged in decorating the puja pandals must dispose their waste products/materials as per the guidelines of the Hon'ble Calcutta High Court and Pollution Control board, West Bengal. They were also instructed to dispose the waste/garbage after the puja festival in vats implemented by KMC.

It is pertinent to mention that idols of God and Goddesses are sculptured at "Kumartuli" area under Shyampur P.S. jurisdiction and traditionally 'Shola'/ Aspera is used for preparing the ornaments of such idols. Now a days there is a trend of using thermocol as replacement of 'Shola' as they are chip and easily accessible. There is a body of "Mrit Shilpo Sanskriti Samiti" and other associations in Kumartuli area. They were also directed to abstain from illegal manufacture/import/stocking/ distribution/sale/use of polystyrene and expanded polystyrene (thermocool) commodities below 100 micron.

However, close look out is being maintained over the approaches to the immersion ghats namely "Baghbazar ghat", "Mayer ghat", "Chanpatala ghats", "Shovabazar ghat" adjacent to Shyampur P.S. at the time of the immersion processions approaching them to curb the dumping of such wests in common places except KMC installed vats.

This is pertinent to mention here that the spokesperson representing the Pollution Control Board, West Bengal in the Durga Puja Coordination meeting hosted by the Ld. Commissioner of Police, Kolkata in the "Dhano Dhanya" auditorium on 25-09-2024 has specifically mentioned the guide lines of the Pollution Control Board, West Bengal for disposing such banned materials if used during the Durga Puja Festival.

However, the officers and men of Shyampur PS are keeping close vigil in the P.S. area to discontinue such use of above refereed articles.

NOTARY
PADMA DAS
Submitted
[Signature]
SABINDY BISWAS
Sub Inspector
27-09-24

Shyampur Police Station

Email

-X-

DC, ND

Re: O.A. No. 195/2024/EZ; Prameya Foundation Vs. State of West Bengal & Ors.

Sat, Sep 28, 2024 12:16 AM

From : SUPRIYA KUMAR PAL <jorabaganps@kolkatapolice.gov.in>
Subject : Re: O.A. No. 195/2024/EZ; Prameya Foundation Vs. State of West Bengal & Ors.
To : DC, ND <dcnorth@kolkatapolice.gov.in>

To
Deputy Commissioner of Police
ND & NSD, Kolkata

From
The Officer in Charge
Jorabagan P.S.

Ref: Order dated- 25-09-2024 of the Hon'ble National Green Tribunal, Eastern Zone, Kolkata in connection with Original Application No. 195/2024/EZ.

Sub: Action taken report in connection with the above referred order.

Sir,

With reference to the above noted order this is to submit that the Environment Department, Government of West Bengal issued ban with effect from 01-07-2022 by completely prohibiting the illegal manufacture/import/stocking/distribution/sale/use of polystyrene and expanded polystyrene (Thermocol) commodities below 100 micron vide a Notification No. EN/1209/3C-22/2019, dated- 27-06- 2022 in view of the provisions of Rule 4(2) of the plastic waste Management Rules, 2016 issued by the Ministry of Environment, Forest and Climate Change (MoE 7 & CC).

In compliance with the notification one case was recorded against two shopkeepers of one shop situated at 307 Rabindra Sarani, P.S. Jorabagan, Kolkata-700006 vide Jorabagan P.S. Case No. 152 dated 27/09/2024 U/s 223/3(5) BNS for selling thermocol made articles violating the above noted ban and such articles were seized.

Also, in compliance with the notification the market body/puja committee/shop owners/advertisement agencies/common people and others were communicated the order and ban on the polystyrene and expanded polystyrene (Thermocol) commodities and they were directed to adhere by the directive of the said notification.

The Durga Puja organizers for the current year were also directed to ensure that decorators engaged in decorating the Puja Pandals must not use to polystyrene and expanded polystyrene (Thermocol) commodities and also dispose their waste products/materials as per the guidelines of the Hon'ble Calcutta High Court and Pollution Control board, West Bengal. They were also instructed to dispose the waste/garbage after the Puja festival in vats implemented by KMC.

However, the officers and men of Jorabagan PS are keeping close vigil in the P.S. area preventing use of above referred banned articles.

//EOM//



Best Information of a cognizable crime reported under section 154 Cr. PC at P.S. **NDGNSD** Sub-Div. **LDAC JM Govt. Jababagan** Year **2024** FIR No. **153** Date **28/09/24**

2 (a) Act **BNS** Sections **223(b) 3(5)** (ii) Act. Sections

3 (a) General Diary Reference: Entry No. **2287** Time **21:35h**
(b) Occurrence of Offence: Day **On and before** Date **28/09/2024** Time **20:30h and 20:05h**

(c) Information received: Date **28/09/2024** Time **21:35h**
(d) No. **2287**

4. Type of Information: Written / Oral **On the basis of letter of complainant of the complainant namely Sd. Subir K. Singha of section 3 and signature of**
5. Place of Occurrence: (i) Direction and Distance from PS **2 KM. southeast from PS (A.P.M.C.)**
(a) Address **In front of 313 Rabindra Sarani, Natun Bazar, Kot 6.** Beat No.

(c) In case outside limit of this Police Station, then the name of P.S. District

6. Complainant/Informant:
(a) Name **Sd. Subir K. Singha of Jababagan PS**

(b) Father's/Husband's Name **As per of book**

(c) Date/Year of Birth **Indian**

(d) Nationality **Jababagan Police station, Kolkata-06**

(e) Address **As per of book**

7. Details of Known/suspected/unknown/accused with full particulars: **Hemanta Mallick (35)**
S/O = Hemanta Mallick of Panchayat PS - Shyampur, Howrah, 98, B.K. Paul Ave. Kot 6.

8. Reasons for delay in reporting by the Complainant/Informant:

9. Particulars of properties stolen/involved: (Attach separate sheet, if required).

10. Total value of properties stolen/involved

11. Inquest report/U.D.: Case No. if any:

12. FIR Contents: (Attach separate sheets, if required)

13. Action taken: Since the above report reveals commission of offence(s) u/s **223(b) 3(5) BNS.**

registered the case and took up the investigation/directed **Under order of Addl. Sd. Secy**

Sd. Bimal Sarkar of Secy to take up the investigation/

transferred to P.S. on point of jurisdiction. FIR read over to the Complainant/Informant

admitted to be correctly recorded and a copy given to the Complainant/Informant free of cost.

The letter of complainant and seizure list of Sd. Sarkar treated as F.I.R. of the case.

Shimal Sarkar
sd/secy
28/09/24

Signature of the Officer-in-Charge, Police Station

Name **ARNAB ROY CHOWDHURY**

Rank **Addl. Secy Jababagan PS**

Number, if any **28/09/2024**



FIRST INFORMATION REPORT

376856

1. Date and Time of occurrence: 28/9/24 (Saturday) at about 20:00 hrs.
 2. Name of Complainant: S.E. Bimal Senkar of Jorabagan P.S.
 3. Address: 307, Rabindra Sarani, Kolkata-06, P.S. Jorabagan.
 4. Nature of Offence: Theft of gold jewelry and cash.
 5. Estimated Value: Rs. 22,89,000/- (Twenty Two Lacs and Eighty Nine Thousand only).
 6. Name of Offender: Ajay Singh (54) 10 Lt.
 7. Name of Victim: Bimal Senkar, S.E. of 307 Rabindra Sarani, Kolkata-06, P.S. Jorabagan.

8. Details of Known Suspected Person: Ajay Singh (54) 10 Lt. Chandra Senkar, S.E. of 307 Rabindra Sarani, Kolkata-06, P.S. Jorabagan.
 9. Reasons for delay in reporting: The case was reported on 28/9/24 at about 20:00 hrs. The P.S. named as per above person was sleeping at that time. He was awakened by the complainant's neighbor who called him. He immediately reported the case to the P.S. on 29/9/24 at 27:16:12 and also filed a written complaint (Form No. 1) on 29/9/24 at 27:16:12. The notification was received from 01/7/2022.

10. Total value of properties stolen/involvement: Rs. 22,89,000/-
 11. Inquest report U.D. Case No. If any: None
 12. FIR Contents: (Attach separate sheets if required) The brief facts of the case are as under on 28/9/24 at about 20:00 hrs. The P.S. named as per above person was sleeping at that time. He was awakened by the complainant's neighbor who called him. He immediately reported the case to the P.S. on 29/9/24 at 27:16:12 and also filed a written complaint (Form No. 1) on 29/9/24 at 27:16:12. The notification was received from 01/7/2022.

13. Action taken: Since the above report reveals commission of offence, the case was registered and taken up for investigation. Directed S.P.S. K. Singh of Sec B to take up the investigation. On point of jurisdiction, FIR read over to the Complainant Information transferred to P.S. admitted to be correctly recorded and a copy given to the Complainant/Informant free of cost. The letter of complaint and signature list of S.E. Bimal Senkar, Bimal Senkar was been prepared on the S.C. of Sec B. F.I.R. of the case.

Signature/Thumb Impression of the Complainant Informant: S.E. Bimal Senkar of Sec B

Signature of the Officer-in-Charge, Police Station with Rank and Number: ARNAB ROY CHOWDHURY, Rank: S.P., Number: 28/9/24



Place: Jorabagan P.S., Kolkata

Email



DC, ND

O.A. No.195/2024/EZ; Prameya Foundation Vs State of West Bengal & Ors.

From : Burtolla PS <burtollaps@kolkatapolice.gov.in> Fri, Sep 27, 2024 10:11 PM
Subject : O.A. No.195/2024/EZ; Prameya Foundation Vs State of West Bengal & Ors.
To : DC, ND <dcnorth@kolkatapolice.gov.in>

To: DC, ND & NSD

From: O/C, Burtolla P.S.

Sub: O.A. No.195/2024/EZ; Prameya Foundation Vs State of West Bengal & Ors.

Sir,

With reference to the above beg to report that in compliance with the order of Hon'ble High Court, Calcutta dated 25.09.2024 had been to different market area and checked, but there did not find any shop where thermocol cutlery items were selling. However, contacted several local shop owners including secretary of Manicktala Bazar, Chatubabu Bazar, etc. and made themselves aware for not using or selling any Polystyrene and expanded polystyrene (thermocol) commodities. (This refers to Burtolla P.S. GDE No. 2347 dated 27.09.2024).

This is for favour of your kind perusal

///E.O.M///



Email

DC, ND

Re: O.A. No. 195/2024/EZ; Prameya Foundation Vs. State of West Bengal & Ors.

From : Amherst Street PS <amherststreetps@kolkatapolice.gov.in> **Fri, Sep 27, 2024 10:05 PM**
Subject : Re: O.A. No. 195/2024/EZ; Prameya Foundation Vs. State of West Bengal & Ors. **2 attachments**
To : DC, ND <dcnorth@kolkatapolice.gov.in>

To : DC ND & NSD

From : O/C, Amherst Street P.S

Subject: O.A. No. 195/2024/EZ; Prameya Foundation Vs. State of West Bengal & Ors.

With reference to the above this is to submit that is no manufacturing unit as well as import, stocking, distribution, sale and use of single use plastic including polystyrene (thermocool) commodities and expanded polystyrene has been located under the jurisdiction of Amherst Street P.S.

This is for your kind information.

////END////

From: "DC, ND" <dcnorth@kolkatapolice.gov.in>
To: "SHRI ARUP KUMAR BANERJEE" <shyampukurps@kolkatapolice.gov.in>, "SUPRIYA KUMAR PAL" <jorabaganps@kolkatapolice.gov.in>, "Burtolla PS" <burtollaps@kolkatapolice.gov.in>, "Amherst Street PS" <amherststreetps@kolkatapolice.gov.in>, "KALYAN KUMAR BHANJA" <cossiporeps@kolkatapolice.gov.in>, "SINTHI POLICE STATION" <sinthips@kolkatapolice.gov.in>, "Chitpur PS" <chitpurps@kolkatapolice.gov.in>, "SHRI ABHIJIT MONDAL" <talaps@kolkatapolice.gov.in>
Sent: Thursday, September 26, 2024 12:44:12 PM
Subject: O.A. No. 195/2024/EZ; Prameya Foundation Vs. State of West Bengal & Ors.

From: "Prabal Bandyopadhyay" <law-kpd@kolkatapolice.gov.in>
To: "DC Central" <dccentral@kolkatapolice.gov.in>, "DC, ND" <dcnorth@kolkatapolice.gov.in>
Sent: Thursday, September 26, 2024 12:11:43 PM
Subject: O.A. No. 195/2024/EZ; Prameya Foundation Vs. State of West Bengal & Ors.

Sir,

Kindly find the attached order dated 25-09-2024 along-with an Original Application that has been filed before the Hon'ble National Green Tribunal, Eastern Zone, Kolkata which is self explanatory.

In the said order the Hon'ble Tribunal has impleaded the Commissioner of Police, Kolkata as Respondent No. 7 considering the allegations made by the petitioner in the said application. Hon'ble Court has been further pleased to direct the Respondents to file their counter-affidavits by the next date on 01.10.2024.

Mr. Sudip Kumar Dutta, Ld. State Advocate having mobile no. 9874782072 will appear on behalf of Respondent no. 7. The address of his chamber is at 12/1 Hare Street, opposite of BSNL office, Kolkata - 700001.



In view of the above, it is requested that a competent officer of the respective Police Stations may kindly be directed to contact with the Ld. Advocate immediately for further course of action considering the date of filing counter affidavit.



~~✗~~ Email

Kindly the message be treated as most urgent.



-
-  **NGT Order 25-09-2024 OA 195 of 2024 EZ Prameya Foundation.pdf**
203 KB
 -  **OA 195 of 2024 EZ Prameya Foundation petition_.pdf**
7 MB
-



Email



DC, ND

Fwd: O.A. No.195/2024/EZ; Prameya Foundation Vs State of West Bengal &Ors.

From : KALYAN KUMAR BHANJA <cossiporeps@kolkatapolice.gov.in>
Subject : Fwd: O.A. No.195/2024/EZ; Prameya Foundation Vs State of West Bengal &Ors.
To : DC, ND <dcnorth@kolkatapolice.gov.in>

Fri, Sep 27, 2024 07:07 PM

From: "KALYAN KUMAR BHANJA" <cossiporeps@kolkatapolice.gov.in>
To: "DC, ND" <dcnorth@kolkatapolice.gov.in>
Sent: Friday, September 27, 2024 6:05:59 PM
Subject: O.A. No.195/2024/EZ; Prameya Foundation Vs State of West Bengal &Ors.

To : DC, ND & NSD

From : O/C, Cossipore P.S.

Sub: O.A. No.195/2024/EZ; Prameya Foundation Vs State of West Bengal &Ors.

Sir,

With reference to the above beg to report that in compliance with the order of Hon'ble High Court, Calcutta dated 25.09.2024 had been to 6, Pramanick Ghat Rd, Kol-36 and adjacent areas, but there did not find any shop where thermocol cutlery items were selling. However contacted several local shop owners namely (i) Ganesh Ghosh (76), S/O- Lt. Jaladhar Ghosh, of-4B, Pramanick Ghat Rd, Kol-36 (Owner of Dashakarma Bhandar), (ii) Sudhir Ch. Laha (86), S/O- Lt. Lalit Mohan Laha, of-4B, Pramanick Ghat Rd, Kol-36 (Vegetable shop owner), (iii) PaltuSahoo (52), S/O- Lt. Ganga Prasad Sahoo, of- 4A, Pramanick Ghat Rd, Kol-36 (Vegetable shop owner), (iv) Manoj Singh (55), S/O- Hariprasad Singh, of-4A, Pramanick Ghat Rd, Kol-36 (Meat shop owner) and others including secretary of Baranagar Bazar namely Taraknath Das, S/O- Robin Ch Das, of- 98/2 B.K. Moitra Rd, P.S.- Baranagar, Kol-36 and made themselves aware for not using or selling any Polystyrene and expanded polystyrene (thermocool) commodities. (This refers to Cossipore P.S. GDE No. 1692 dated 26.09.2024).

This is for favour of your kind perusal

///E.O.M///



Email

~~✗~~

DC, ND

Ref: O.A. No. 195/2024/EZ; before The Hon'ble National Green Tribunal Eastern Zone Bench, Kolkata In/c/with Prameya Foundation Vs. State of West Bengal & Ors.

From : SINTHI POLICE STATION
<sinthips@kolkatapolice.gov.in>

Thu, Sep 26, 2024 04:02 PM

Subject : Ref: O.A. No. 195/2024/EZ; before The Hon'ble National Green Tribunal Eastern Zone Bench, Kolkata In/c/with Prameya Foundation Vs. State of West Bengal & Ors.

To : DC, ND <dcnorth@kolkatapolice.gov.in>

Reply To : SINTHI POLICE STATION
<sinthips@kolkatapolice.gov.in>

To: DC, ND & NSD

From: OC, Sinthi PS

Ref: O.A. No. 195/2024/EZ; before The Hon'ble National Green Tribunal Eastern Zone Bench, Kolkata In/c/with Prameya Foundation Vs. State of West Bengal & Ors.

Sub: Enquiry report.

Sir,

As asked, this is to submit that there is no such manufacturing or distribution point of single use plastic including polystyrene and expandable polystyrene is running under Sinthi PS jurisdiction.

This is for your kind information and perusal.

//EOM//



75
Azadi Ka
Amrit Mahotsav





Email

DC, ND

O.A. No. 195/2024/EZ; Prameya Foundation Vs. State of West Bengal & Ors.

From : Chitpur PS <chitpurps@kolkatapolice.gov.in>

Fri, Sep 27, 2024 04:32 PM

Subject : O.A. No. 195/2024/EZ; Prameya Foundation Vs. State of West Bengal & Ors.

To : dcnorth@kpolice.gov.in, DC, ND <dcnorth@kolkatapolice.gov.in>

To: DC ND & NSD

From: O.C Chitpur P.S

Ref: O.A. No. 195/2024/EZ; Prameya Foundation Vs. State of West Bengal & Ors.

Sir,

As desire this is to report that there is no such manufacturing or distributing point of single use of plastic including polystyrene and expandable polystyrene(Thermocol) is running under Chitpur P.S jurisdiction.

This is for your kind perusal and onward transmission.

*****E.O.M*****

From: "DC, ND" <dcnorth@kolkatapolice.gov.in>

To: "SHRI ARUP KUMAR BANERJEE" <shyampukurps@kolkatapolice.gov.in>, "SUPRIYA KUMAR PAL" <jorabaganps@kolkatapolice.gov.in>, "Burtolla PS" <burtollaps@kolkatapolice.gov.in>, "Amherst Street PS" <amherststreetps@kolkatapolice.gov.in>, "KALYAN KUMAR BHANJA" <cossiporeps@kolkatapolice.gov.in>, "SINTHI POLICE STATION" <sinthips@kolkatapolice.gov.in>, "Chitpur PS" <chitpurps@kolkatapolice.gov.in>, "SHRI ABHIJIT MONDAL" <talaps@kolkatapolice.gov.in>

Sent: Thursday, September 26, 2024 12:44:12 PM

Subject: O.A. No. 195/2024/EZ; Prameya Foundation Vs. State of West Bengal & Ors.

From: "Prabal Bandyopadhyay" <law-kpd@kolkatapolice.gov.in>

To: "DC Central" <dccentral@kolkatapolice.gov.in>, "DC, ND" <dcnorth@kolkatapolice.gov.in>

Sent: Thursday, September 26, 2024 12:11:43 PM

Subject: O.A. No. 195/2024/EZ; Prameya Foundation Vs. State of West Bengal & Ors.

Sir,

Kindly find the attached order dated 25-09-2024 along-with an Original Application that has been filed before the Hon'ble National Green Tribunal, Eastern Zone, Kolkata which is self explanatory.

In the said order the Hon'ble Tribunal has impleaded the Commissioner of Police, Kolkata as Respondent No. 7 considering the allegations made by the petitioner in the said application. Hon'ble Court has been further pleased to direct the Respondents to file their counter-affidavits by the next date on 01.10.2024.

Mr. Sudip Kumar Dutta, Ld. State Advocate having mobile no. 9874782072 will appear on behalf of Respondent no. 7. The address of his chamber is at 12/1 Hare Street, opposite of BSNL office, Kolkata - 700001.

In view of the above, it is requested that a competent officer of the respective Police Stations may kindly be directed to contact with the Ld. Advocate immediately for further course



9/28/24, 11:06 AM

Email - ~~XI~~ -

of action considering the date of filing counter affidavit.

Kindly the message be treated as most urgent.



zimbra

- 20 -
dcnorth@kpolice.gov.in

Ref: O.A. No. 195/2024/EZ; Prameya Foundation Vs. State of West Bengal & Ors.

From : Tala PS <tala@kpolice.gov.in>
Subject : Ref: O.A. No. 195/2024/EZ; Prameya Foundation Vs.
State of West Bengal & Ors.
To : dcnorth <dcnorth@kpolice.gov.in>

Fri, Sep 27, 2024 08:46 PM

To: DC ND & NSD**From: O/C, Tala PS**

Ref: O.A. No. 195/2024/EZ; Prameya Foundation Vs. State of West Bengal & Ors.

Sir,

With reference to the above, this is to report that till date no such report of manufacture, import, stocking, distribution, sale and use of polystyrene and expanded polystyrene (thermocool) had been received by Tala Police Station, so far.

The market committees of the market situated under Tala Police Station were kept apprised not to sell polystyrene and expanded polystyrene (thermocool) at the market places.

However, close watch is being maintained to prevent any incident of manufacture, import, stocking, distribution, sale and use of polystyrene and expanded polystyrene (thermocool).

This is for favour of your kind information and onward transmission.

////END////



- 23 -

Government of West Bengal,
Office of the Deputy Commissioner of Police,
Central Division, Kolkata,
138, S N Banerjee Road,
Kolkata-700013.

Memo No. 348/CD (PA) + Emcllo .

Dated 30/09/2024

To
The Joint Commissioner of Police,
Headquarters'
Kolkata,
18, Lalbazar Street,
Kolkata - 700001.

Ref: Order dated 25.09.2024 of the Hon'ble National Green Tribunal, Eastern Zone,
Kolkata i/c/w Original Application No. 195/2024EZ.

Sub: Action taken report.

Sir,

Please find enclosed herewith a detailed report submitted by Shri HIRAK DALAPATI,
Officer-in-Charge, Girish Park PS, Central Division for favour of your kind information.

Jm 30/09/24

Deputy Commissioner of Police,
Central Division, Kolkata.

Deputy Commissioner of Police,
Central Division, Kolkata

Enclosed:

Original report, as above.





To,
The Deputy Commissioner of Police,
Central Division,
Kolkata

-21-

Ref: Order dated 25.09.2024 of the Hon'ble National Green Tribunal, Eastern Zone, Kolkata in connection with Original Application No. 195/2024/EZ

Sub: Action Taken Report in connection with the above referred order.

Madam,

With reference to the above noted order this is to submit that the Environment Department, Government of West Bengal issued ban on the polystyrene and expanded polystyrene (Thermocol) commodities by completely prohibiting the illegal manufacture/import/stocking/ distribution/sale/use of polystyrene and expanded polystyrene (Thermocol) commodities below 100 micron vide Notification No EN/1209/3C-22/2019, dated 27.06.2022 in view of the provisions of Rule 4(2) of the plastic waste Management Rules, 2016 issued by the Ministry of Environment, Forest and Climate Change (MoEF & CC).

In compliance with the notification several searches were made at Girish Park PS area including the address mentioned in the Original Application No. 195/2024/EZ i.e at 312, Rabindra Sarani, Kolkata 06 and 330, Rabindra Sarani, Kolkata 06, but it was noticed that that respective persons responsible are not selling/storing the above noted banned articles. It was also noticed that owner of the shop situated at 312 Rabindra Sarani, namely Naresh Yadav (38y), S/O Parameswar Yadav is selling the betel, chips and cold drinks where as 330, Rabindra Sarani, Kolkata 06 is a residential address and the owner namely Binod Pal (45), S/O Lt Mantu Pal is making clay idol for selling.

However, during search it was noticed that the PR of the shop "Mayer Ashirbad" situated at 314 Rabindra Sarani is selling the banned thermocol products and subsequently one case was recorded at Girish Park PS vide Girish Park PS Case No 102 dt. 30.09.2024 U/S 223(b) BNS against the PR of the said shop namely Arun Kumar Saha (65y), S/O Birendranath Saha for selling thermocol made articles violating the above noted ban and such articles were seized. In course of search no other shops were found selling/ stocking/manufacturing the polystyrene and expanded polystyrene (Thermocol) commodities in Girish Park PS area.

In compliance with the above noted notification market body/ puja committee/ shop owners/ advertisement agencies/ common people and others of Girish Park PS were also communicated the order and ban on the polystyrene and expanded polystyrene (Thermocol) commodities and they were directed to adhere by the directive of the said notification.

The Durga Puja organizers for the current year were also directed to ensure that decorators engaged in decorating the Puja Pandals must not use the polystyrene and expanded polystyrene (Thermocol) commodities and also dispose their waste products /materials as per the guidelines of the Hon'ble High Court, Calcutta and Pollution Control Board, West Bengal. They were also instructed to dispose the waste/ garbage after the Puja festival in vats installed by Kolkata Municipal Corporation.

However, the officers and men of Girish Park PS are keeping close vigil in the P.S area preventing the use of above referred banned articles.

Yours faithfully,



Hirak Dalapati
Hirak Dalapati,
Officer-in-Charge,
Girish Park PS
Kolkata
30/09/24
Kolkata

FIRST INFORMATION REPORT

410853

First information of a cognizable crime reported under section 154 Cr. PC at P.S.

1. Dist. CDKolkata Sub-Div. KDMJ Midtown P.S. Girish Park Tear 2024 FIR.No. 102 Date 30/09/2024

2. (i) Act BNS Sections 223(b) (ii) Act Sections (iii) Act Sections (iv) Other Acts & Sections

3. (a) General Diary Reference : Entry No. 2232, dated - 30/09/2024 Time 11.20 hrs.

(b) Occurrence of Offence : Day Before 30/09/2024 at about Time 09.40 hrs.

(c) Information received : Date 30/09/2024 Time at the Police Station :

4. Type of Information : Written / Oral letter of complaint of complainant.

5. Place of Occurrence : (a) Direction and Distance from P.S. 4 Km. South West from P.S.

(b) Address M/S Mayer Ashirbad at 314A, Rabindra Sarani, K01-06. Beat No.

(c) In case outside limit of this Police Station, then the Name of the P.S. District

6. Complainant / Informant : (a) Name Apurba Chakraborty (SI of Girish Park P.S).

(b) Father's / Husband's Name As per Service book.

(c) Date / Year of Birth : As per Service book.

(d) Nationality Indian.

(e) Address Girish Park P.S., 138, Kamdula Sanyal Street, K01-06.

7. Details of known/suspected/unknown/accused with full particulars : Arun Kumar Saha, s/o - Birendra Nath Saha proprietor of M/S Mayer Ashirbad, 314A, Rabindra Sarani, K01-06.

8. Reasons for delay in reporting by the Complainant / Informant :

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) :

10. Total value of properties stolen / involved

11. Inquest report / U.D. Case No., if any

12. FIR Contents : (Attach separate sheets, if required) : The accused person being the proprietor of M/S Mayer Ashirbad at 314A, Rabindra Sarani, K01-06 selling some Polythene (Thermocol) made commodities by violating the order of the Department of Environment, Government of West Bengal vide Notification No-EN/1209/3C-22/2019, dt-29/06/2022 following Plastic Waste Management Rules 2016 at the above said date, time and place.

13. Action taken : Since the above report reveals commission of offence(s) u/s 223(b) BNS.

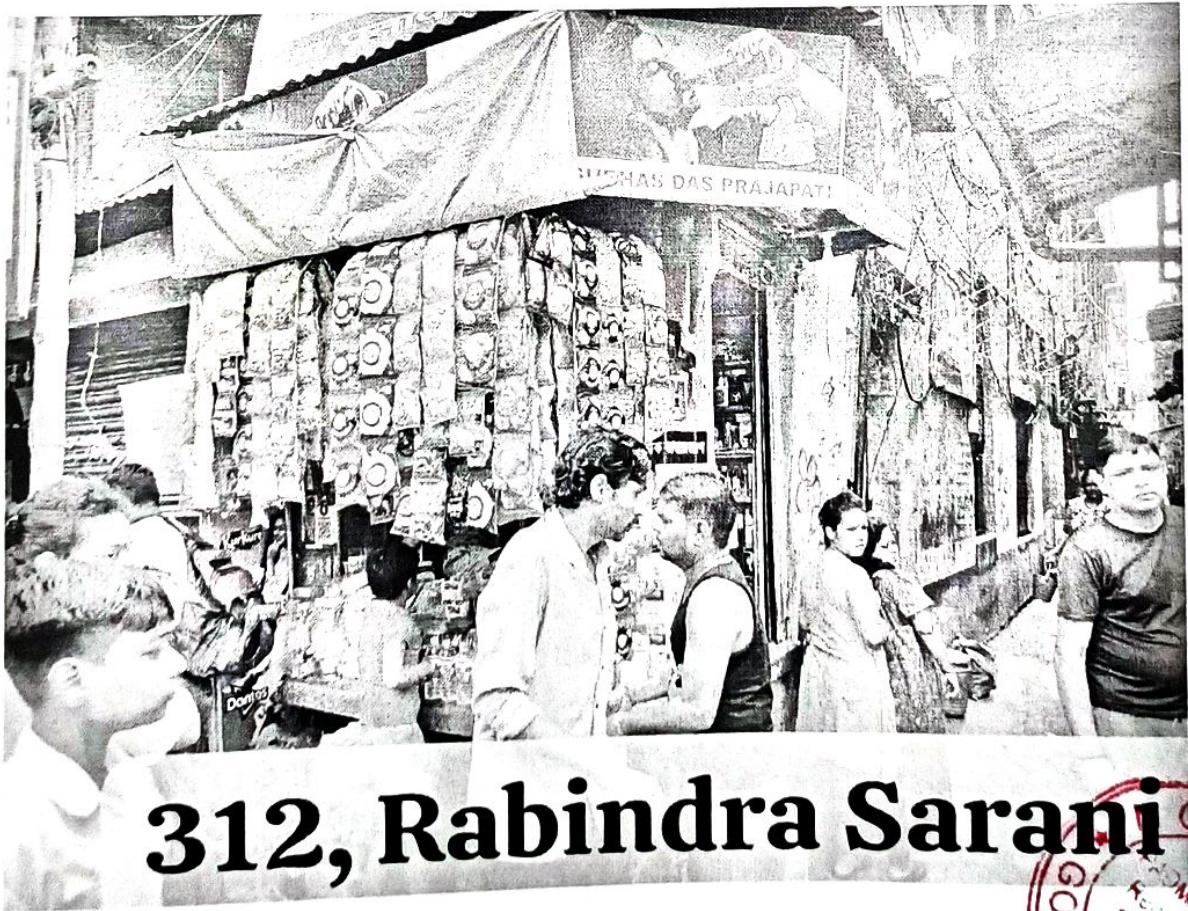
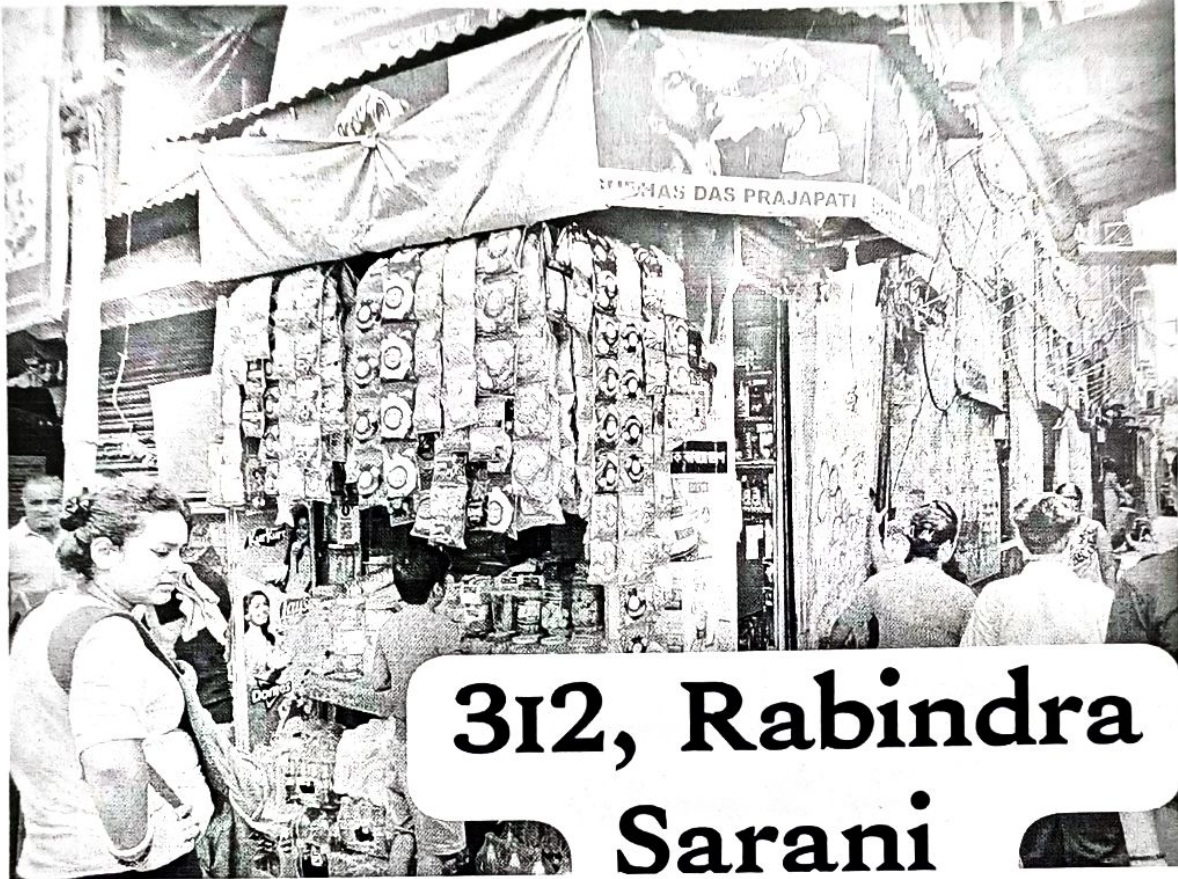
registered the case and took up the investigation / directed by SI. Rajib Kumar Majhi of Sec E2 to take up investigation / transferred to P.S. on point of jurisdiction. FIR read over to the Complainant/Informant, admitted to be correctly recorded and a copy given to the Complainant / Informant free of cost.

The letter of complaint of the complainant has been treated as FIR of the case.

Signature / Thumb impression of the Complainant / Informant [Signature] 30/09/24

Signature of the Officer-in-Charge, Police Station with [Signature] Name HIRAK DALAPATI Rank INSPECTOR OF POLICE Number, if any O/E Cu E2 30/09/24





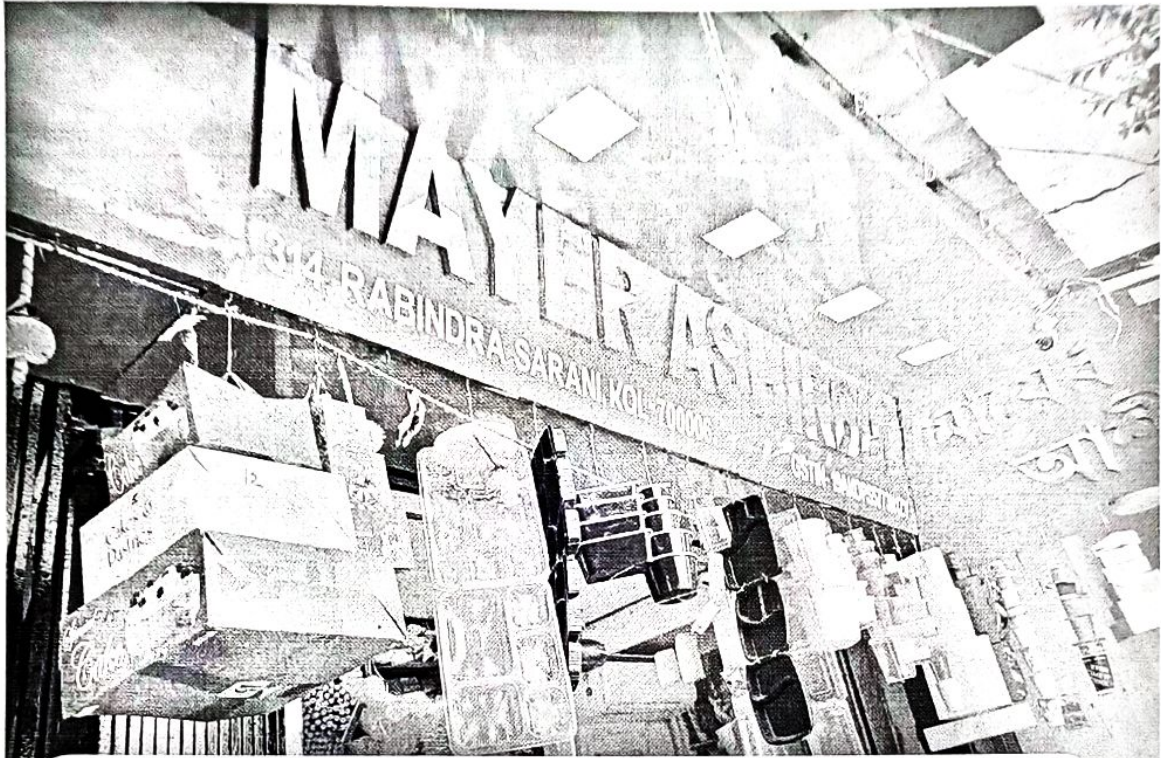


314A, Rabindra Sarani



314A, Rabindra Sarani



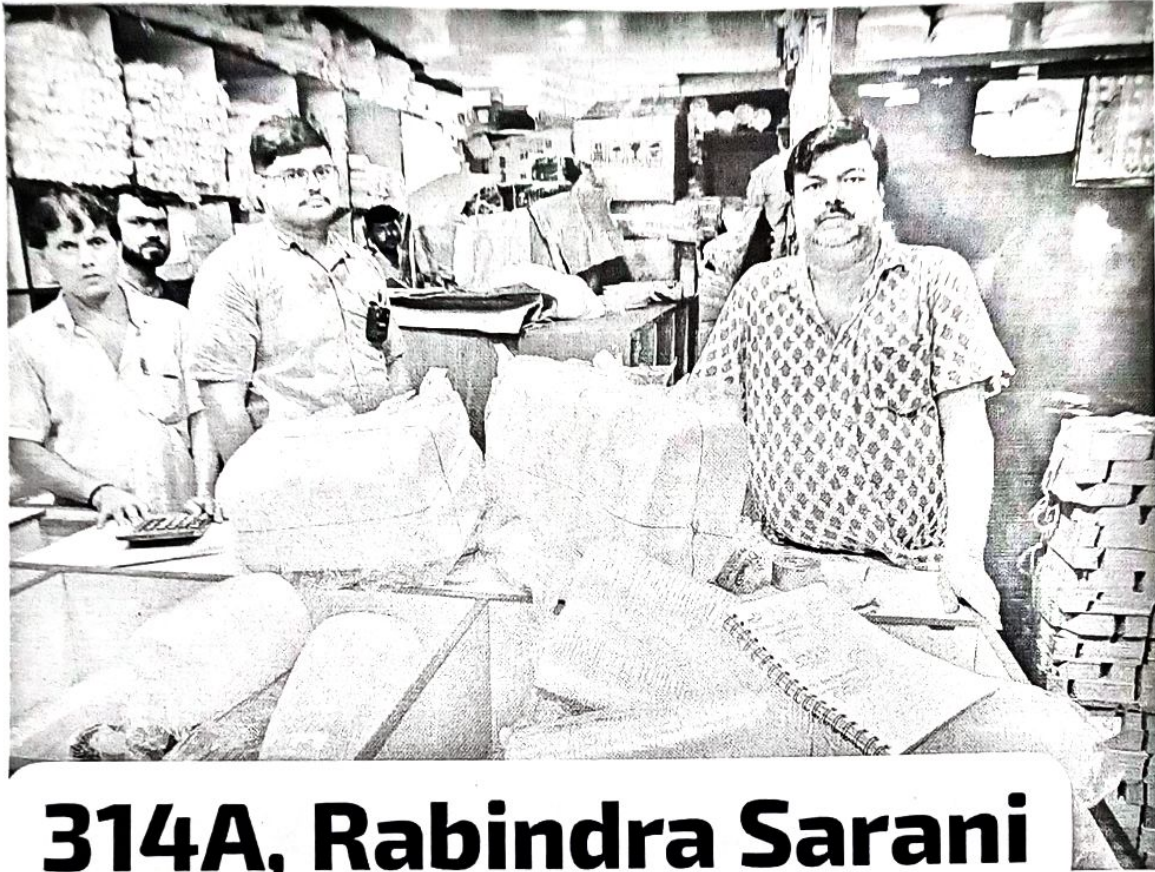


314A, Rabindra Sarani



314A, Rabindra Sarani



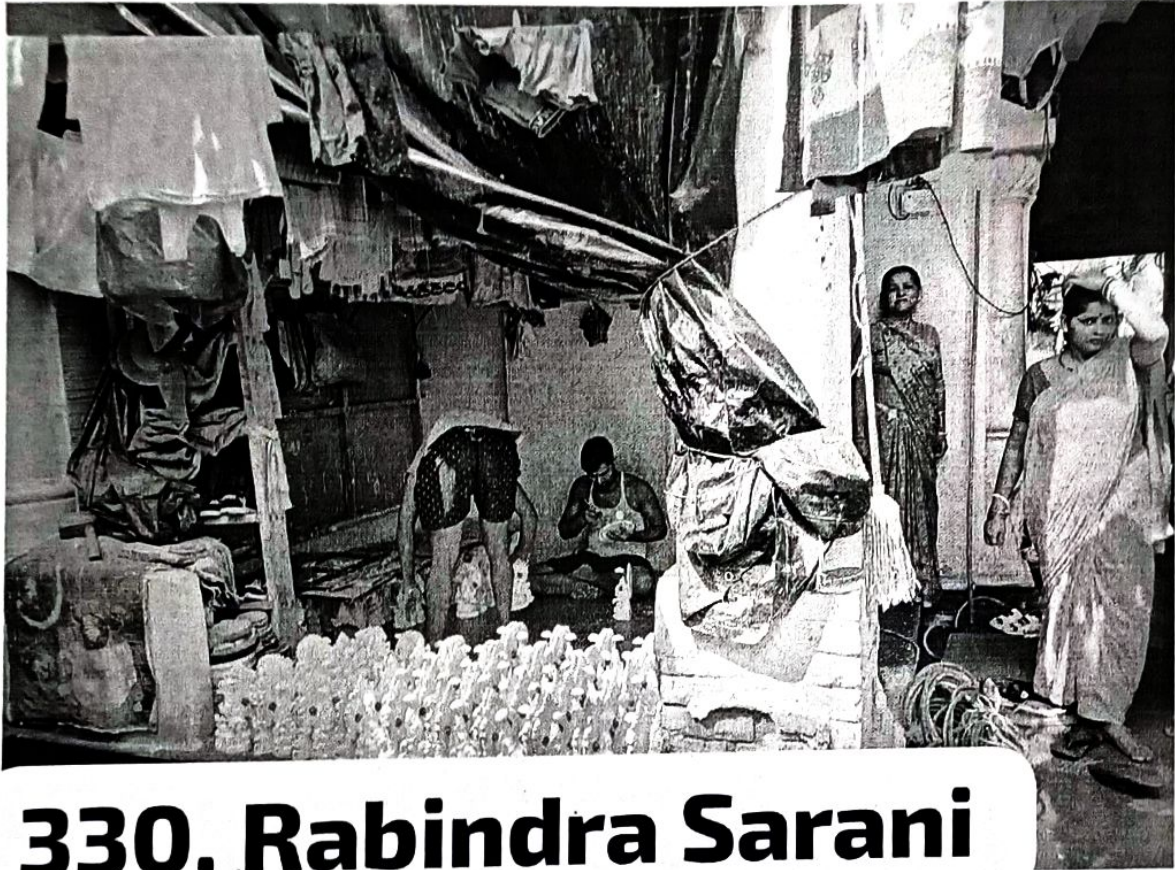


314A, Rabindra Sarani



330, Rabindra Sarani





330, Rabindra Sarani

