

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH AT KOLKATA  
ORIGINAL APPLICATION NO. 49/2024/EZ

In the mater of :

Ankur Sharma

..... Applicant

Versus

The State of West Bengal & Ors.

..... Respondents

**AFFIDAVIT ON BEHALF OF THE APPLICANT IN COMPLIANCE WITH  
THE SOLEMN ORDER DATED 07.05.2024.**

SL.	PARTICULARS	ANNEXURE	PAGE
1.	Affidavit		1-3
2.	Photocopy of the solemn order dated 07.05.2024.	A-1	4-6

Ankur Sharma

Ankur Sharma

(Applicant in person)

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Email: Adv.ankursharma9@gmail.com

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ORIGINAL APPLICATION NO. 49/2024/EZ

In the mater of :

Ankur Sharma

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..... Respondents

SL NO 109. DT. 9/7/24.

**AFFIDAVIT ON BEHALF OF THE APPLICANT IN COMPLIANCE WITH  
THE SOLEMN ORDER DATED 07.05.2024.**

I, Ankur Sharma, the Applicant aged about 28 years by occupation Advocate residing at 13/3, Dr. P.K. Banerjee Road, Howrah - 711101 do hereby solemnly affirm and state as under :

1. I am the Applicant in the abovementioned Original Application and I am making the present Affidavit in compliance with the solemn order dated 07.05.2024 passed by the Hon'ble National Green Tribunal Eastern Zone Bench at Kolkata.



2. The Applicant in the impugned Original Application's List of Dates (page no. 8 of the Original Application) mentioned a date of complaint as 05//12/2020 instead of 02.06.2023 due to unwilling inadvertence of your Applicant. The said complaint dated 02.06.2023 is annexed with the Original Application as annexure 'P-4' in page no. 64.

3. The Hon'ble Eastern Zone Bench of the Hon'ble National Green Tribunal, inter alia, in the solemn order dated 07.05.2024 observed that "Mr. Ali also refers to the complaint dated 05.12.2020 mentioned in page 8 of the paper book but submits that the said complaint has not been filed with the Original Application. Mr. Ankur Sharma, the Applicant submits that the date 05.12.2020 is a typographical error". The Hon'ble Tribunal further directed that "The Applicant shall file affidavit of clarification stating the correct date".

09 JUL 2024

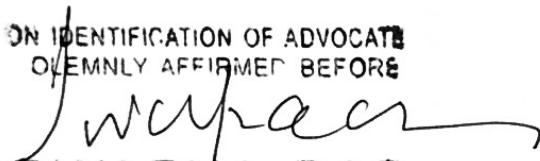
A photocopy of the said solemn order is annexed herewith and marked by the letter and figure 'A-1'.


4. The Applicant submits that the date 05//12/2020 was mentioned due to unwilling inadvertence of your Applicant in the Original Application. No complaint was made to any authority on 05//12/2020, only one complaint was registered with the authorities on 02.06.2023 which is annexed with the Original Application as stated above.
5. The unwilling inadvertence resulting in typographical error may kindly be condoned for the ends of justice for which your Applicant tenders unconditional apology.

Solemnly affirmed at Howrah

On this 8<sup>th</sup> day of July, 2024

ON IDENTIFICATION OF ADVOCATE  
SOLEMNLY AFFIRMED BEFORE

  
SWAPNA DAS  
NOTARY GOVT. OF INDIA  
Regn. No. 13814/18  
Judges' Court, Howrah

  
Ankur Sharma  
Applicant


Identified by me  
Soumyadeb Chakraborty  
Advocate  
Enrolment No. F-3084/22

#### VERIFICATION

I, Ankur Sharma, the abovenamed Applicant do hereby verify that the contents of the above Affidavit in Rejoinder are true and correct to the best of my knowledge, no part of it is false and nothing material has been concealed there from.

Verified at Howrah on this day of 8<sup>th</sup> day of July, 2024.



  
Ankur Sharma  
Applicant

Identified by me  
Soumyadeb Chakraborty  
Advocate  
Enrolment No. F-3084/22

  
09 JUL 2024

Item No.01

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.49/2024/EZ

Ankur Sharma

Applicant(s)

Versus

State of West Bengal & Ors.

Respondent(s)

Date of hearing: 07.05.2024

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER  
HON'BLE DR. SATYAGOPAL KORLAPATI, EXPERT MEMBER**

For Applicant(s) : Mr. Ankur Sharma, in person (in Virtual Mode)

For Respondent(s): Mr. Sudip Kumar Dutta, Adv. for R-1,4,6 & 8,  
Ms. Rashmi Singhee, Adv. for R-2 (in Virtual Mode),  
Mr. Sibojyoti Chakraborty, Adv. for R-3,  
Mr. Ayush Kumar Dadhich, Adv. for R-5,  
Ms. Paushali Banerjee, Adv. for R-7 (in Virtual Mode),  
Mr. Amitesh Banerjee, Sr. Adv. a/w  
Mr. Sarvapriya Mukherjee, Adv. and  
Mr. Bikash Shaw, Adv. for R-10,  
Mr. Akbar Ali, Adv. for R-11 (in Virtual Mode)

**ORDER**

1. Mr. Ankur Sharma, the Applicant is present in person (in Virtual Mode).
2. Mr. Sibojyoti Chakraborty, learned Counsel files Vakalatnama on behalf of the Respondent No.3, Central Pollution Control Board (CPCB); the same is taken on record.
3. Ms. Paushali Banerjee, learned Counsel files Vakalatnama on behalf of the Respondent No.7, Kolkata Metropolitan Development Authority (KMDA); the same is taken on record.
4. Mr. Bikash Shaw, learned Counsel files Vakalatnama on behalf of the Respondent No.10, M/s. M. L. Dalmiya & Company Limited; the same is taken on record. When the case is next listed, the name of

- Mr. Bikash Shaw shall be printed in the cause list as the Counsel for Respondent No.10.
5. Mr. Amitesh Banerjee, learned Senior Counsel appearing for Respondent No.10 prays for and is granted four weeks time for filing counter affidavit.
  6. Mr. Akbar Ali, learned Counsel appearing for Respondent No.11 mentions that the title of the Respondent has wrongly been mentioned in the array of respondents. It should be 'CLC Tanners Association' instead of 'Calcutta Leather Complex Tanners Association'.
  7. Let the necessary correction be made in the course of the day.
  8. Mr. Ali also refers to the complaint dated 05.12.2020 mentioned in page 8 of the paper book but submits that the said complaint has not been filed with the Original Application. Mr. Ankur Sharma, the Applicant submits that the date 05.12.2020 is a typographical error. The Applicant shall file affidavit of clarification stating the correct date. Mr. Akbar Ali prays for and is granted four weeks time for filing counter affidavit.
  9. Mr. Sudip Kumar Dutta, learned Counsel for the State Respondents points out that the matter pertains to South 24 Parganas but by mistake, while constituting the Committee, the 'District Magistrate, Howrah' has been mentioned instead of 'District Magistrate, South 24 Parganas'.
  10. We direct the correction to be made. The Committee shall remain the same except that in place of 'District Magistrate, Howrah', it shall be 'District Magistrate, South 24 Parganas'. The Committee shall visit the site and submit its Report on affidavit within four weeks.

11. Mr. Dutta prays for and is granted four weeks time for filing counter affidavit.
12. Affidavit dated 25.04.2024 has been filed on behalf of the Respondent No.8, State Water Investigation Directorate, West Bengal; the same is taken on record.
13. Affidavit dated 06.05.2024 has been filed on behalf of the Respondent No.3, Central Pollution Control Board; the same is taken on record.
14. Mr. Rashmi Singhee, learned Counsel appearing (in Virtual Mode) on behalf of the Respondent No.2, Ministry of Environment, Forests and Climate Change (MoEF&CC), prays for and is granted four weeks time for filing counter affidavit.
15. The Respondent No.5, West Bengal Pollution Control Board is granted four weeks time for filing affidavit bringing on record the Inspection Report.
16. **List on 10.07.2024.**

.....  
**B. Amit Sthalekar, JM**

.....  
**Dr. Satyagopal Korlapati, EM**

May 07, 2024,  
Original Application No.49/2024/EZ  
SKB