

-1-

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
ORIGINAL APPLICATION NO. 121/2023/EZ



In The Matter of:

Sumanta Ghosh

... Applicant

Versus

State of West Bengal & Ors.

... Respondents

COMMITTEE REPORT IN THE FORM OF AFFIDAVIT ON BEHALF OF THE  
RESPONDENT NUMBER 08, DISTRICT MAGISTRATE & COLLECTOR,  
DARJEELING DISTRICT.

INDEX

SL	PARTICULARS	ANNEXURE	PAGE
1.	Committee Report in the Form of Affidavit		1-6
2.	Photocopy of the Committee Report dated 27.10.2024 along with photographs are collectively annexed herewith	'R-1'	7.

Filed by

*Siboyoti Chakrabarti*

SIBOYOTI CHAKRABARTI

Advocate

For The State of West Bengal

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-2-

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
ORIGINAL APPLICATION NO. 121/2023/EZ



In The Matter of:

Sumanta Ghosh

... Applicant

Versus

State of West Bengal & Ors.

SL. NO. 07/2024

BEFORE THE NOTARY PUBLIC  
AT BIDHANNAGAR  
DIST.-NORTH 24 PARGANAS

... Respondents

COMMITTEE REPORT IN THE FORM OF AFFIDAVIT ON BEHALF OF THE  
RESPONDENT NUMBER 08, DISTRICT MAGISTRATE & COLLECTOR,  
DARJEELING DISTRICT.

I, Dr. Preeti Goyal, D/o Narinder Goyal, aged about 39 years, by faith-Hindu and by occupation-Service, presently posted as District Magistrate Darjeeling district having office at Kutchery Compound, Lebong Cart Road, District: Darjeeling, Pin: 734101, West Bengal, do hereby solemnly affirm and submit as follows:-

1. That I am presently posted as the District Magistrate, Darjeeling district having office at Kutchery Compound, Lebong Cart Road, District: Darjeeling, Pin: 734101, West Bengal, I am competent to swear and affirm this affidavit.

02 DEC 2024

-3-

2. That this Committee Report is filed in compliance to the Solemn Order dated 28.08.2024 passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata. That in the said Solemn Order the Hon'ble Tribunal has been interalia pleased to constitute a committee and direct the committee to submit its report and as observed in paragraph 12 of the Solemn Order dated 28.08.2024, the District Magistrate & Collector has been designated as the Nodal office for filing the Committee report on affidavit.

3. That in compliance and obedience to the above mentioned order accordingly an inspection has been carried out on 27.10.2024 at the site of the crusher unit by the Committee comprising of the following members:

- i) Sri Bhaskar J. V. Chief Conservator of Forests, Wildlife (North), as representative of the Chief Wildlife Warden;
- ii) Dr Prasun Kumar Mondal, Assistant Environmental Engineer, & In-Charge, Siliguri Regional Office, WBPCB
- iii) Sri Ram Kumar Tamang, District Land & Land Reforms Officer, Darjeeling.

4. That the findings of the inspecting team are listed below: -

The committee had visited the Stone Crusher Unit on 27.10.2024 at 11:00 am. The Chief Conservator of Forests, Wildlife (North), has been nominated by the Chief Wildlife Warden, Government of West Bengal, to carry out the directives of the Hon'ble NGT, Eastern Zone Bench on his behalf, as per memo no. 3248/WL/3R-148/2024 dated 22.10.2024. In compliance with the Hon'ble Court's order, The committee inspected the entire Stone Crusher Unit area and recorded GPS locations of both the Stone Crusher Unit and the nearest

02 DEC 2024



- 4 -

boundary of Mahananda Wildlife Sanctuary. These coordinates were verified in the Geographical Information Lab of the Forest Directorate, and the distance between the Stone Crusher Unit and the boundary of Mahananda Wildlife Sanctuary was measured using satellite imagery.

As per the distances measured from GPS location using satellite imagery it was observed that, the Stone Crusher Unit (88°20'30.99"E 26°45'25.5"N) is located at a distance of 2.50km from the nearest boundary (88°20'56.85"E 26°46'43.67"N) of Mahananda Wildlife Sanctuary and falls within the 5 km radius of the Eco-Sensitive Zone of the Sanctuary. The Map indicating the distance between Stone Crusher Unit (M/s Alam Enterprise located at Mouza: Panchkulguri, P.O & PS: Matigara, Dist.- Darjeeling) from nearest forest boundary of Mahananda Wildlife Sanctuary and its location in relation to Eco-Sensitive Zone of Mahananda Wildlife Sanctuary is appended for reference.

As per the Gazette notification published by Ministry of Environment, Forests and Climate Change dated 22<sup>ND</sup> September, 2020, the Eco-Sensitive Zone shall be to an extent of 5km uniform around the boundary of Mahananda Wildlife Sanctuary. Enclosed: A map showing the location of the Stone Crusher Unit, its distance from the boundary of Mahananda Wildlife Sanctuary, and its position relative to the Eco-Sensitive Zone.

Photocopy of the Committee report dated 27.10.2024 along with photographs taken during the visit are collectively annexed herewith and marked with the letter 'R-1'.

02 DEC 2024



-5-

5. That it is most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to pass necessary Order/Orders as is deemed fit for the ends of justice and that the deponent has high regard to the Order/Orders as passed by this Hon'ble Tribunal.



Identified by me

*Sibojyoti Chakrabarti*  
Advocate  
3 of 11/2024  
State of West Bengal

*[Signature]*  
Deponent

*[Signature]*  
S. CHAUDHURI  
\* NOTARY \*  
GOVT. OF INDIA  
Regd. No.-6584/08  
Bidhannagar Court  
Dist.-North 24 Pgs.

02 DEC 2024

- 6 -



VERIFICATION:

I, the deponent 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 the 30<sup>th</sup> Day of November, 2024.

Identified by me

*Sibojyoti Chakrabarti*  
Advocate  
State of West Bengal  
30/11/2024

*[Signature]*  
Deponent

*[Signature]*  
**S. CHAUDHURI**  
**\*NOTARY\***  
**GOVT. OF INDIA**  
**Regd. No.-6584/08**  
**Bidhanagar Court**  
**Dist.-North 24 Pgs.**

**02 DEC 2024**

**Identified by me**

*[Signature]*  
Advocate  
**MANOJ BASU**  
Advocate  
Enrolment No.-F-247/2006  
Bidhan Nagar Court  
Kolkata-700091

Report of the Committee on the Distance between the Boundary of Mahananda Wildlife Sanctuary and the Stone Crusher Unit:

A committee has been constituted by the Eastern Zone Bench of the National Green Tribunal, Kolkata, vide Order No. 121/2023/EZ, dated 28-08-2024, in the case of *Sumanth Ghosh vs. State of West Bengal & Others*.

The committee comprises of

1. Chief Wildlife Warden, West Bengal.
2. Regional In-charge, West Bengal Pollution Control Board (WBPCB), Darjeeling.
3. District Land and Land Reforms Officer, Darjeeling (D.L & L.R.O)


The committee has been directed to carry out a scientific measurement of the actual distance between the boundary of Mahananda Wildlife Sanctuary and the Stone Crusher Unit, including on-ground verification, and to record verifications within eight (8) weeks.

The Chief Conservator of Forests, Wildlife (North), has been nominated by the Chief Wildlife Warden, Government of West Bengal, to carry out the directives of the Hon'ble NGT, Eastern Zone Bench on his behalf, as per memo no. 3248/WL/3R-148/2024 dated 22/10/2024. In compliance with the Hon'ble Court's order, the committee visited the Stone Crusher Unit on 27/10/2024 at 11:00 am. The committee inspected the entire Stone Crusher Unit area and recorded GPS locations of both the Stone Crusher Unit and the nearest boundary of Mahananda Wildlife Sanctuary. These coordinates were verified in the Geographical Information Lab of the Forest Directorate, and the distance between the Stone Crusher Unit and the boundary of Mahananda Wildlife Sanctuary was measured using satellite imagery.

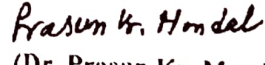
As per the distances measured from GPS location using satellite imagery it was observed that, the Stone Crusher Unit (88°20'30.99"E 26°45'25.5"N) is located at a distance of 2.50km from the nearest boundary (88°20'56.85"E 26°46'43.67"N) of Mahananda Wildlife Sanctuary and falls within the 5 km radius of the Eco-Sensitive Zone of the Sanctuary. The Map indicating the distance between Stone Crusher Unit (M/s Alam Enterprise located at Mouza: Panchkulguri, P.O & PS: Matigara, Dist.- Darjeeling) from nearest forest boundary of Mahananda Wildlife Sanctuary and its location in relation to Eco-Sensitive Zone of Mahananda Wildlife Sanctuary is appended for reference.

As per the Gazette notification published by Ministry of Environment, Forests and Climate Change dated 22<sup>nd</sup> September, 2020, the Eco-Sensitive Zone shall be to an extent of 5km uniform around the boundary of Mahananda Wildlife Sanctuary.

Enclosed: A map showing the location of the Stone Crusher Unit, its distance from the boundary of Mahananda Wildlife Sanctuary, and its position relative to the Eco-Sensitive Zone.

  
(Bhaskar J.V., IFS)  
Chief Conservator of Forests  
Wildlife North, W.B.

  
( Ram Kr. Tamang, WBCS (Exe.)  
Additional District Magistrate &  
DL & LRO, Darjeeling

  
(Dr. Prasan Kr. Mondal)  
Asst. Environmental Engineer &  
In-Charge, Siliguri R.O., WBPCB

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NUMBER 08, DISTRICT  
MAGISTRATE & COLLECTOR,  
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SIBOJYOTI CHAKRABARTI  
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