

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH AT KOLKATA  
ORIGINAL APPLICATION NO. 75/2023/EZ

In the mater of :

Ankur Sharma

..... Applicant

Versus

The State of West Bengal & Ors.

..... Respondents

**AFFIDAVIT-IN-REJOINDER ON BEHALF OF THE APPLICANT  
TO AFFIDAVIT ON BEHALF OF RESPONDENT NO. 08.**

SL.	PARTICULARS	ANNEXURE	PAGE
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2	Photographs of the canal	A-1	



*Ankur Sharma*

Ankur Sharma

(Applicant in person)

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Before the Notary Public  
Howrah

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TO AFFIDAVIT ON BEHALF OF RESPONDENT NO. 08.**

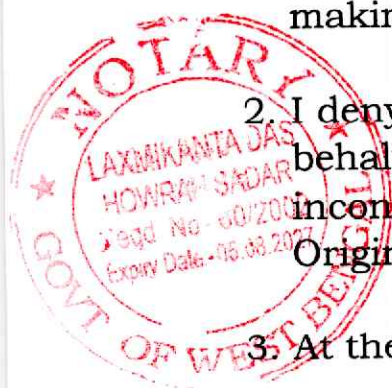
I, Ankur Sharma, the Applicant aged about 27 years by occupation Advocate residing at 13/3, Dr. P. K. Banerjee Road, Howrah - 711101 do hereby solemnly affirm and state as under :

1. I am the Applicant in the abovementioned Original Application. I have read the Affidavit on behalf of Respondent No. 08 i.e. District Magistrate, Howrah (hereinafter for the sake of brevity referred to as the 'said Affidavit'), and I am making the present Affidavit in Rejoinder thereto.

2. I deny the contents and averments made in the Affidavit on behalf of the Respondent No. 08 that are contrary to and/or inconsistent with anything stated in the abovementioned Original Application and the present Affidavit in Rejoinder.

3. At the out set, I say the following :

a. The District Magistrate, Howrah did not explain reason of her allowing discharging industrial effluents in an irrigation canal namely Barjola/Sarenga Canal which



itself is illegal. The Applicant on 07.12.2024 visited Abada-Ghoraghat area and captured photographs of the canal from two sides of Abada-Ghoraghat concrete bridge. The said photographs clearly shows that the canal is full of toxic effluents, the toxicity of water is such that even water hyacinth is unable to thrive.

Two photographs are annexed herewith and marked by the figure 'A-1'.

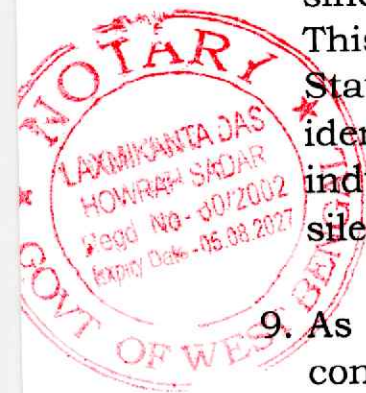
- b. The District Magistrate, Howrah, however, conspicuously refrained from making her comments and/or citing any observation in the matter for reasons best known to her, and this Affidavit thus bears no indication that the District Magistrate, Howrah has involved herself in the matter in any manner whatsoever not even through the Additional District Magistrate (LA & LR), Howrah being her representative in the Committee far less to speak of any suggestions or recommendations whatsoever.
- c. The report of the Committee annexed by the District Magistrate, Howrah is not only undated but also it does not contain any authenticated lab test report. The data present in the Committee report is not authenticated by any scientist and/or expert but is only plain typed out document.
- d. The District Magistrate, Howrah claimed in her Affidavit that water quality has improved compared to last year magically without installation of a Common Effluent Treatment Plant, nor that she has any plan for installation of such plant ever.



e. At no point of time the Affidavit discloses that source of pollution wherever exists throughout all the industrial complexes as might have been detected during revisit of the team thereby prompting your Applicant to state, again, radical improvement as claimed has taken place

in last one year which can be termed only as God's act to save the river Hooghly.

4. I shall now deal with the Affidavit in seriatim :
5. As regard paragraph nos. 1, 2, 3 and 4 I say that the same does not requires any specific reply.
6. As regards paragraph no. 5 of the said Affidavit and its accompanying report I say that the report does not contain the lab report of the water sample collected, the inspection report is undated but contains mere typed version of acclaimed lab reports. The Applicant raises question on the authenticity of the report since samples were collected in absence of the Applicant. The Photographs annexed in paragraph no. 3(a) herein shows that the canal is grossly polluted with toxic effluents.
7. As regards paragraph no. 6 of the said Affidavit I say that none of the projects/works have much bearing with abatement of pollution. The report is silent on discharging of industrial effluents into an irrigational canal. The report is also silent on the date of issuance of DPRs, details of any tender floated, or photographs which raises question on authenticity of such tall claims.
8. As regards paragraph no. 7 of the said Affidavit I say that none of the illegal borewells as mentioned in the report have been sealed. Such illegal borewells are rampantly operating since more than a year apart from only 2 out of some 36 nos. This shows their seriousness in controlling the menace. The State Water Investigation Directorate was only able to identify 36 numbers of illegal borewells in three different industrial parks having hundreds of industrial units and silent about the others.
9. As regards paragraph no. 8 and 9 I say that the report contained therein largely relates to domestic wastes and sewage but is silent about industrial wastes.



10. As regards paragraph no. 10 of the said Affidavit I say that the District Magistrate, Howrah mentioned that General Manager, District Industries Centre, Howrah submitted a report regarding a meeting held on 18.09.2024 to assess measures taken by the polluting industries. Unfortunately, the minutes of the meetings is not at all an assessment report of measures taken it appears that a meeting was held with the industrialists of three parks on 18.09.2024 with photographs thereof indicating only what the association informed the meeting and what was emphasized for remedy. Importance of emphasizing remedy as discussed in the meeting clearly canvasses that there are matters to be remediated. Members representing the parks were urged in the meeting to take certain actions candidly, there was no assessment of any measure whatsoever taken by the industries on reducing water pollution.

The whole of the affairs is therefore an exercise of white washing the menace of pollution caused by several hundreds of industrial units located in the named three parks.

11. As regards paragraph nos. 11 and 12 I say that the same does not require any specific reply.

In view of what is stated herein above, I humbly pray before this Hon'ble Tribunal to do justice to this Applicant.

Solemnly affirmed at Howrah

On this 12<sup>th</sup> day of December, 2024

*Abu Sharma*

Applicant



SOLEMNLY AFFIRMED AND DECLARED BEFORE ME BY THE DEPONENT ON IDENTIFICATION OF ADVOCATE

Identified by *Ayushi Kakarania*  
F/498/371/2021

Place *Judge's Court*  
Howrah - 71101  
W.B. India

*12.12.24*  
LAXMIKANTA DAS  
NOTARY HOWRAH  
Govt. of West Bengal

12 DEC 2024

## 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 12<sup>th</sup> December, 2024.

*Ankur Sharma*

Applicant





7 Dec 2024 1:11:21 pm  
Nalpur  
Ghoraghat  
Presidency Division  
West Bengal



7 Dec 2024 1:11:06 pm  
Dhulagori  
Ghoraghat  
Presidency Division  
West Bengal