



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
ORIGINAL APPLICATION NO. 211/2024/EZ



In The Matter of:

Dr Srikanta Samanta

... Applicant

Versus

The State of West Bengal & Ors.

.....Respondents

ACTION TAKEN REPORT ON AFFIDAVIT ON BEHALF OF RESPONDENT  
NUMBER 05, PANCHAYET PRADHAN NABAGRAM GRAM PANCHAYET.

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Filed by

  
SUDIP KUMAR DUTTA

Advocate

Email: [adv.sk Dutta@gmail.com](mailto:adv.sk Dutta@gmail.com)

(M): 9874782072

13 JAN 2025

13 JAN 2025





Nabagram, P.S- Uttarpara, District: Hooghly, Pin: 712246 and I have been duly authorized to swear and affirm this Action Taken Report.

2. That the Panchayet Pradhan, at Nabagram Gram Panchayet has been impleaded as a respondent vide Order dated 16.12.2024 passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata on the basis of an Interlocutory Application being I. A. No. 126/2024/EZ moved by the applicant.
3. In the said Order the Hon'ble Tribunal has been pleased to direct the Nabagram Gram Panchayet to file its Action Taken Report regarding the existing status on affidavit.
4. That it is stated that the Nabagram Gram panchayet is not dumping any waste on the area in question and the Gram panchayet has already entered into an Agreement with the Uttarpara Kotrung Municipality in which interalia it has been agreed that the Uttarpara Kotrung Municipality will collect all waste of the Gram Panchayet and dispose off the same in accordance with the Solid Waste Management Rules, and the laws within its area.

A Photocopy of the Agreement entered into between Nabagram Gram Panchayet and Uttarpara Kotrung Municipality is annexed herewith and marked with the letter 'A'.



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5. That the Nabgram Gram Panchayet has cleaned the entire place where it was alleged that dumping occurred and moreover the Gram Panchayet has also installed netting in the site in question to prevent any further dumping by any people.

Coloured Photographs showing that the entire area where dumping has been alleged has been cleaned and netting has been done to prevent any further dumping are collectively annexed herewith and marked with the letter 'B'.

6. That this respondent also states and submits that the Nabagram Gram Panchayet has also initiated public awareness including miking among the local people so that the waste is not dumped in the alleged site.

7. That the present status of the alleged dumping ground is cleaned and the Hon'ble Tribunal Order has been complied.

8. That it is most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to accept the Action Taken Report and this respondent also undertakes to comply with any Order as may be passed by the Hon'ble Tribunal.

Identified by me

*Sudip Kumar Das*  
Advocate

*Soma Das*

Deponent

**Prodhan  
Nabagram Gram Panchayet**

Solemnly Affirmed and  
Declared before me U/S 139  
CPG, U/S 297 (C) CrPC

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Notary

*13.1.25*

**13 JAN 2025**

**Samir Bhattacharya**  
Notary Govt. of India  
Regd. No. 940/97  
City Civil Court, Calcutta



VERIFICATION:

I, the deponent within 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 as available in the department of Power, Government of West Bengal and I believe that nothing material has been concealed there from.

Verified at Kolkata on the 15<sup>th</sup> Day of January, 2024.

Identified by me

*Sudip Das*  
Advocate

*Soma Das*  
Deponent

**Prodhan**  
**Nabagram Gram Panchayet**

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"Answer - A"

**MEMORANDUM OF UNDERSTANDING BETWEEN**

**UTTARPARA KOTRUNG MUNICIPALITY**

**AND**

**NABAGRAM GRAM PANCHAYAT**

**REGARDING IMPLEMENTATION OF**

**SOLID LIQUID WASTE MANAGEMENT**

**PROJECT**

भारतीय गैर न्यायिक

31

पचास  
रुपये

रु.50

FIFTY  
RUPEES

Rs.50

INDIA

INDIA NON JUDICIAL

पश्चिम बंगाल WEST BENGAL

AG 085835

MEMORANDUM OF UNDERSTANDING BETWEEN UTTARPARA KOTRONG MUNICIPALITY  
AND NABAGRAM GRAM PANCHAYET  
REGARDING  
IMPLEMENTATION OF SOLID LIQUID WASTE MANAGEMENT PROJECT

PLACE: Uttarpara DATE: 15/1/25

THIS MOU has been signed on this 15<sup>th</sup> Day of January 2025 between  
UTTARPARA KOTRONG MUNICIPALITY, DULY SIGNED BY Shri / Smt Dilip Yadav  
(Chairman, UTTARPARA KOTRONG MUNICIPALITY) And by Shri / Smt SOMA DAS  
(Pradhan, NABAGRAM GRAM PANCHAYET)

1.0 INTRODUCTION:-

Solid Waste Management system involving house to house collection of wastes from each household in a segregated manner (bio-degradable and non-bio-degradable waste) of NABAGRAM GRAM PANCHAYET transport of collected waste to nearest Waste Treatment Plant under UTTARPARA KOTRONG MUNICIPALITY for safe & scientific disposal of total collected waste

Soma Das  
Pradhan  
Nabagram Gram Panchayat  
15/01/25

## 2.0 RESPONSIBILITY OF UTTARPARA KOTRONG MUNICIPALITY

- A) To permit the waste collected from rural households of NABAGRAM GRAM PANCHAYET to be treated in waste Treatment Plant of UTTARPARA KOTRONG MUNICIPALITY and to be finally disposed of in a safe and scientific manner
- B) To permit the utilization of adequate numbers of four wheel fuel operated auto tippers for secondary mobile segregated Waste Collection system of UTTARPARA KOTRONG MUNICIPALITY for Secondary mobile collection of waste collected from households of NABAGRAM GRAM PANCHAYET.
- C) To permit the collection and transportation of Segregated Solid Waste from primary Waste Collection to four wheel fuel operated auto tippers for secondary mobile segregated Solid Waste collection system, which is extracted from households of NABAGRAM GRAM PANCHAYET, to the waste Treatment Plant UTTARPARA KOTRONG MUNICIPALITY by the mechanisms of the four wheel fuel operated auto tippers waste collection system (Labour, Vehicle and other accessory machineries) of the UTTARPARA KOTRONG MUNICIPALITY.

## 3.0 RESPONSIBILITY OF NABAGRAM GRAM PANCHAYET

- A) To collect the rural Solid waste generated in segregated manner ( bio - degradable and non- bio - degradable waste) from each household of NABAGRAM GRAM PANCHAYET
- B) To Transport the collected waste to the secondary mobile collection point located at different strategic location of NABAGRAM GRAM PANCHAYET in segregated manner by the mechanisms of four wheel fuel operated tippers of UTTARPARA KOTRONG MUNICIPALITY
- C) Transport the day to day segregated solid waste from secondary collection point to UTTARPARA KOTRONG MUNICIPALITY solid waste management plant for scientific disposal under solid waste management rules 2016

## 4.0 USERFEES -

- A) NABAGRAM GRAM PANCHAYET will be treated as bulk waste generator as per the definition of SWM RULE 2016 and NABAGRAM GRAM PANCHAYET will pay Rs 1,00,000.00 ( One Lakh ) per Year to UTTARPARA KOTRONG MUNICIPALITY for collection, transportation and scientific disposal of segregated solid waste which is extracted from households of NABAGRAM GRAM PANCHAYET
- B) NABAGRAM GRAM PANCHAYET if generates and transport mixed waste which is extracted from households of NABAGRAM GRAM PANCHAYET, UTTARPARA KOTRONG MUNICIPALITY will impose fine as per Solid Waste Management Rules 2016.

## 5.0 SETTLEMENT OF DISPUTES -

If any dispute (s) or difference (s) arises out of or in relation to this MOU, it shall in the first instance be settled amicably between the parties at operating level. In case any dispute is not settled amicably, it shall be referred to the Hooghly Zilla

*Soma Das*  
 15/01/25  
 Pradhan  
 Nabagram Gram Panchayat

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 Parties who will resolve and / or decide the dispute(s), or difference (s) jointly and their decision in that regard shall be final and binding on the parties

B) To Transport collected waste to the secondary mobile collection point located at different strategic location of Nabagram Gram Panchayat. In segregated manner by the mechanism of four wheel operated tippers

C) Transport by the day today segregated Solid Waste from secondary collection point to Uttarpara - Kotrung Municipal Solid Waste Management Plant for Scientific disposal under Solid Waste Management

#### 8.0 VALIDITY PERIOD :-

The MOU shall remain valid and binding on both the parties from date of starting of Solid Liquid Waste Management Project from 01.01.2025 for a period of 5 ( Five ) years, with a provision to review the terms and conditions every year in presence of both the parties. The validity period may be extended on mutually agreed period between both the parties.

Whereas both parties reserve the right to cancel this agreement after serving one month or written notice for termination to the other side.

Where as the both parties are agreed to execute this indenture today upon agreed to the aforesaid clause

Signed on This date , Month & Year by & between.

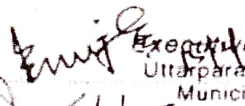
For UTTARPARA KOTRONG MUNICIPALITY.

  
 THE CHAIRMAN  
 UTTARPARA KOTRONG MUNICIPALITY  
 Chairman  
 Uttarpara-Kotrung Municipality


WITNESSES :-

1. Sn / Smt

2. Sn / Smt

  
 Executive Officer  
 Uttarpara-Kotrung Municipality  
 15/01/25  
 Finance Officer  
 Uttarpara-Kotrung Municipality

For NABAGRAM GRAM PANCHAYET.

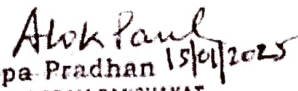
  
 THE PRADHAN  
 NABAGRAM GRAM PANCHAYET  
 Pradhan  
 Nabagram Gram Panchayat  
 15/01/25

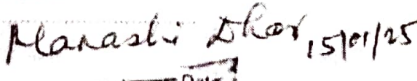
WITNESSES :-

Sn / Smt

Sri / Smt

Place

  
 Upa Pradhan 15/01/2025  
 NABAGRAM GRAM PANCHAYAT

  
 Manashi 15/01/25  
 সঞ্চালক Date  
 শিল্প ও পরিকাঠামো  
 উপসমিতি



11 Annexure - B



10/01/2024  
 Pradhan  
 Nabagram Gram Panchayat

# VAKALATNAMA

In The ~~High Court at Calcutta~~

District: \_\_\_\_\_  
 Before The Hon'ble National Green Tribunal, E2 B, Kolkata  
 Constitutional Writ Civil Criminal Revisional  
 Appellate Jurisdiction

O. A. No. 211 of 2024/E2

Dr. Srikanta Samanta

{ Appellant  
 Petitioner

-Versus-

State of West Bengal & ors

{ Respondent  
 Opposite Party

Vakalatnama on behalf of Pradhan, Nabagram Gram Panchayat.  
 Known all men by these presents that by Vakalatnama, I/We appoint the Advocates noted below or any one of them my/our lawful Advocate or Advocates for filing the memorandum or appeal or petition/of entering appearance in the above matter for appearing, conducting and arguing the same for depositing or withdrawing any money in connection there with for moving the Court in any matter connected therewith, for preparing the paper book in the case and for putting in papers, petitions etc. On my/our behalf for filing, taking back any documents for withdrawing suits or appeals or petitions with permission to institute fresh suit etc. For signing and filing petitions of compromise in connection with the said matter and for taking copies of paper from the Record and I/We further say that any act done by my/our said Advocate or Advocates or by any one of them after accepting this Vakalatnama, shall be considered as my/our own true and lawful act. And I/We further hereby agree and undertake to pay the said Advocates his or their fees as settled and all others sums that may be necessary to carry out the requisition of the Court and otherwise to enable the said Advocates to conduct the case properly. Failing which the said Advocates after notice to me/us will be at liberty to withdraw from further conducting the case.

In witness where of I/we sign and execute this Vakalatnama on this the 11<sup>th</sup> day of January, 2024

Name of the Advocates

Respondent No:- 05.

SUDIP KUMAR DUTTA.  
 ADVOCATE.

Enrolment No:- 200/532/2000  
 Email/Id:- adv.sk.dutta@  
 gmail.com.  
 Phone:-  
 9874782072

पुणे जिल्हा न्यायालय  
पुणे

Received the vokalnama  
from the Executant within  
named Satisfied & accepted

Sudhakar-DMS  
Advocate.

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

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AFFIDAVIT ON BEHALF OF  
RESPONDENT NUMBER 05,  
PANCHAYET PRADHAN NABAGRAM  
GRAM PANCHAYET.

Filed by

SUDIP KUMAR DUTTA  
Advocate

For Respondent Number 05  
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