



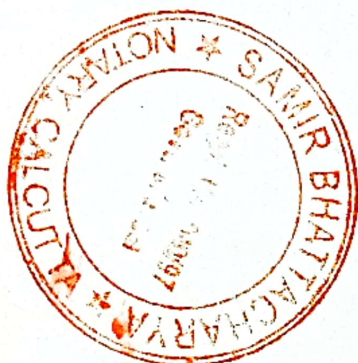
- 1 -

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

State of West Bengal & Ors.

... Respondents

COUNTER AFFIDAVIT ON BEHALF OF THE RESPONDENT NUMBER 02,  
DISTRICT MAGISTRATE & COLLECTOR, HOOGHLY DISTRICT.

INDEX

SL	PARTICULARS	ANNEXURE	PAGE
1.	Counter Affidavit		1-6
2.	Photocopy of the Joint Committee Report dated 18.12.2024 is annexed herewith	'R-1'	7-12

Filed by

*Sibojyoti Chakrabarti*

SIBOJYOTI CHAKRABARTI

Advocate

For The State of West Bengal

Email: [subho.advocate@gmail.com](mailto:subho.advocate@gmail.com)

(M): 9007035534

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

State of West Bengal & Ors.

... Respondents

COUNTER AFFIDAVIT ON BEHALF OF THE RESPONDENT NUMBER 02,  
DISTRICT MAGISTRATE & COLLECTOR, HOOGHLY DISTRICT.

I, Tamil Oviya S., D/o Soundara Pandiyan, aged 31 years by faith-Hindu and by occupation-Service, presently posted as Additional District Magistrate (L.R.), Hooghly district having office at Ghatakpara, Chinsurah, Hooghly- 712101, West Bengal, do hereby solemnly affirm and submit as follows:-

1. That I am presently posted as the Additional District Magistrate (L.R.) Hooghly district, having office address at Hooghly district having office at Ghatakpara, Chinsurah, Hooghly- 712101, West Bengal, I am competent to swear and affirm this affidavit for and on behalf of myself and on behalf of the District Magistrate & Collector, Hooghly.

2. That this Counter Affidavit is being filed in compliance to the Solemn Orders dated 13.11.2024 and 16.12.2024 passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata.

- 3 -

3. That subsequent to the direction passed by the Hon'ble Tribunal in which a Joint Committee was constituted comprising the State PCB, CPCB & the District Magistrate, Hooghly in the matter, comprising of the following members:

- (i) Smt. Tamil Oviya, ADM (LR), Hooghly
- (ii) Sri Sandeep Roy, Scientist 'D', Regional Directorate, CPCB, Kolkata
- (iii) Sri Bajjayanta Kumar Majumdar, Environmental Engineer & In charge, Hooghly Regional Office, WBPCB

That the members of the committee decided to carry out a site visit on 18.12.24. Accordingly, the members of the committee accompanied by Smt Roshni Sarkar, Officer-in-Charge (Environment), Shri D. Chattopadhyay, Assistant Environmental Engineer (AEE), WBPCB, Smt. Soma Das, Pradhan, Nabagram Panchayat and officials of the Serampore-Uttarpara Block visited the area on 18.12.2024 at around 12.00 noon. During the visit, the Applicant was also present at the alleged site.

4. That the committee made certain observations.

The garbage dumpsite was observed to be on a strip of land measuring about 6 cottah in between the eastern side of Nabagram Hiralal Paul College, Konnagar and the Howrah Bandel Railway line.

Although mounds of garbage were not found at the time of visit, however, it was informed that the land is used for dumping of all types of solid wastes (garbage) on regular basis. Remnants of unsegregated organic and inorganic wastes including some burnt wastes were observed in the dumpsite.

- 4 -

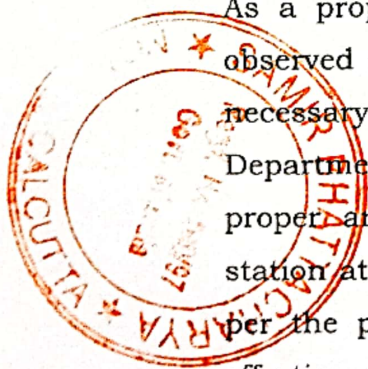
The area around the site is mostly residential with some commercial establishments including College in between.

Smt. Soma Das, Pradhan of Nabagram Panchayat, informed that they had a Memorandum of Agreement (MoU) with Uttarpara Kotrung Municipality dated 07/11/2017, valid for three years, based on which segregated wastes (about 3 TPD) from 7500 households of Nabagram Panchayat would be collected and temporarily stored in a segregated manner in a waste collection point after which the wastes would be collected & managed by the Uttarpara Kotrung Municipality in their solid waste processing facility. She informed that consultations for a revalidated agreement with Uttarpara Kotrung Municipality are underway and the MoU will be signed accordingly.

The following remarks have been made by the Joint Committee:

It is apparent that the surrounding environment including the students & staff of Nabagram Hiralal Paul College would be affected by the open dumpsite (foul odour, air and water pollution, aesthetic nuisance etc) in view of the proximity of the said dumpsite.

As a proper mechanism for scientific waste management was not observed at the open dumpsite. The committee recommends that the necessary direction may be issued to Panchayat & Rural Development Department Govt. of West Bengal to facilitate the setting up of a proper and scientifically managed solid waste storage & transfer station at Nabagram Panchayat under Serampore-Uttarpara Block as per the provisions of the Solid Waste Management Rules 2016. An effective waste management system would ensure adherence to environmental norms and thereby the people living in the neighbourhood would not suffer due to its activities in any way, whatsoever.



- 5 -

Guidelines on the provision of Buffer Zone must be complied with while setting up Solid Waste processing and disposal facilities.

Photocopy of the Joint Committee Report dated 18.12.2024 is annexed herewith and marked with the letter 'R-1'.

- 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 15.01.2025  
 State of West Bengal

*[Signature]*  
 Deponent  
 Addl. District Magistrate &  
 District Land & Land Reforms Officer  
 Hooghly



*Samir Bhattacharya*  
 Notary Govt. of India  
 Road No.- 940 / 97  
 CITY CIVIL COURT, CALCUTTA

Solemnly Affirmed and  
 Declared before me U/S 139  
 CPC/U/5297 (C) CRPC

*[Signature]*  
 Notary  
 15.1.25

15 JAN 2025

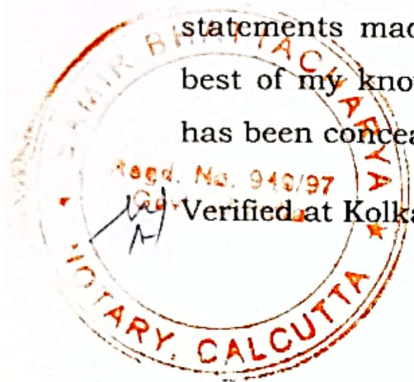


VERIFICATION:

— 6 —

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 and I believe that nothing material has been concealed there from.

Verified at Kolkata on the 15<sup>th</sup> Day of January, 2025.



Identified by me

*Siboyoti Chakrabarti*  
Advocate

State of West Bengal 15.01.2025

*[Signature]*  
Deponent

Addl. District Magistrate &  
District Land & Land Reforms Officer  
Hooghly





**LIFE**  
Lifestyle for  
Environment

*Assurance - R-1 - 7 -*

**WEST BENGAL POLLUTION CONTROL BOARD**

(Department of Environment, Government of West Bengal)  
Paribesh Bhawan, 10A, Block - LA, Sector III, Bidhannagar  
Kolkata - 700 106, Ph.: 2335-9088/8861/7428, Fax : 2335-2813  
Website: [www.wbpcb.gov.in](http://www.wbpcb.gov.in), Email: [net.wbpcb-wb@bangla.gov.in](mailto:net.wbpcb-wb@bangla.gov.in)

Memo No. 620 -2/WBPCB/HGY/OC(119)/19(Vol - I)

Date: 09/11/2025

To  
The Officer on Special Duty,  
Operation & Execution Cell,  
West Bengal Pollution Control Board,  
Paribesh Bhawan, Salt Lake, Sector - III,  
Kolkata - 700 106.

Subject: Report of the committee regarding complaint against dumping ground located near the southern boundary wall of the Hiralal Paul College, Konnagar, and the Howrah-Bandel Railway Line in compliance of direction dated 13/11/2024 of Hon'ble NGT passed in connection with Original Application No. 211/2024/EZ.

Reference: Letter of the Member Secretary, WBPCB to the District Magistrate, Hooghly vide memo no. 393/3L/WPB-J(II)24 dated 26/11/2024.

Sir,

With reference to above, enclosed please find herewith the report of the committee regarding complaint against dumping ground located near the southern boundary wall of the Hiralal Paul College, Konnagar, and the Howrah-Bandel Railway Line in compliance of the order of Hon'ble National Green Tribunal, Eastern Zone Bench dated 13/11/2024 (O.A. No. 211/2024/EZ). This is for your kind perusal and action please.

Yours faithfully,

*Signature, 8/1/25*

Enclo.: As stated.

Environmental Engineer & In-charge  
Hooghly Regional Office, WBPCB

- 8 -

Report in the matter of Original Application No. 211/2024/EZ (Dr. Srikanta Samanta & Others vs. The State of West Bengal ) vide Hon'ble NGT order (Eastern Zone Bench) dated 13.11.2024.

The Hon'ble National Green Tribunal, Eastern Zone Bench constituted a Joint Committee comprising the State PCB, CPCB & the District Magistrate, Hooghly in the matter.

Pursuant to the order of the Hon'ble NGT, the Committee comprising the following members was constituted.

1. Smt. Tamil Oviya, IAS, ADM (LR), Hooghly
2. Sri Sandeep Roy, Scientist 'D', Regional Directorate, CPCB, Kolkata
3. Sri Baijayanta Kumar Majumdar, Environmental Engineer & In charge, Hooghly Regional Office, WBPCB

The members of the committee decided to carry out a site visit on 18.12.24. Accordingly, the members of the committee accompanied by Smt Roshni Sarkar, WBCS (Ex.), OC (Env.), Shri D. Chattopadhyay, AEE, WBPCB, Smt. Soma Das, Pradhan, Nabagram Panchayat and officials of the Serampore-Uttarpara Block visited the area on 18.12.2024 at around 12.00 noon. During the visit, the Applicant was also present at the alleged site.

**Observations:**

The garbage dumpsite was observed to be on a strip of land measuring about 6 *kottah* in between the eastern side of *Nabagram Hiralal Paul College, Konnagar* and the *Howrah-Bandel Railway line*. Although mounds of garbage were not found at the time of visit, however, it was informed that the land is used for dumping of all types of solid wastes (garbage) on regular basis. Remnants of unsegregated organic and inorganic wastes including some burnt wastes were observed in the dumpsite. The area around the site is mostly residential with some commercial establishments including College in between.

Smt. Soma Das, Pradhan of Nabagram Panchayat, informed that they had a Memorandum of Agreement (MoU) with Uttarpara Kotrung Municipality dated 07/11/2017, valid for three years, based on which segregated wastes (*about 3 TPD*) from 7500 households of Nabagram Panchayat would be collected and temporarily stored in a segregated manner in a waste collection point after which the wastes would be collected & managed by the Uttarpara Kotrung Municipality in their solid waste processing facility. She informed that consultations for a revalidated agreement with Uttarpara Kotrung Municipality are underway and the MoU will be signed accordingly.

- 9 -

**Remarks:**

It is apparent that the surrounding environment including the students & staff of Nabagram Hiralal Paul College would be affected by the open dumpsite (foul odour, air and water pollution, aesthetic nuisance etc.) in view of the proximity of the said dumpsite.

As a proper mechanism for scientific waste management was not observed at the open dumpsite, the committee recommends that the necessary direction may be issued to Panchayat & Rural Development Department, Govt. of West Bengal, to facilitate the setting up of a proper and scientifically managed solid waste storage & transfer station at Nabagram Panchayat under Serampore-Uttarpara Block as per the provisions of the Solid Waste Management Rules, 2016. An effective waste management system would ensure adherence to environmental norms and thereby the people living in the neighbourhood would not suffer due to its activities in any way, whatsoever.

Guidelines on the provision of Buffer Zone must be complied with while setting up Solid Waste processing and disposal facilities.



-----  
Mr. B. K. Majumdar,  
Environmental Engineer,  
WBPCB



-----  
Mr Sandeep Roy,  
Scientist 'D', CPCB



-----  
Ms. Tamil Ojha, IAS,  
ADM (I.R), Hooghly

-10-



The open garbage dumpsite with Nabagram Hiralal Paul College on the right and train line on the left



The garbage dumpsite



-11-

**West Bengal Pollution Control Board**  
(Department of Environment, Government of West Bengal)

Memo No. : 393 File No.3L/WPB-J(II)24

Date : 26/11/2024

To

- i) The Collector & District Magistrate, Hooghly

**Sub:** Compliance of direction dated 13.11.2024 of Hon'ble NGT passed in connection with Original Application No. 211/2024/EZ.

Enclosed please find the copy of the order of Hon'ble National Green Tribunal, Eastern Zone Bench, dated 13.11.2024 passed in connection with Original Application No. 211/2024/EZ (Dr.Srikanta Samanta vs State of West Bengal), which speaks for itself.

The Hon'ble National Green Tribunal, Eastern Zone Bench was pleased to constitute a Committee, comprising of the following Members:-

- (i) Collector & District Magistrate, Hooghly, or his representative not below the rank of Additional District Magistrate;
- (ii) Senior Scientist, West Bengal State Pollution Control Board; and
- (iii) Senior Scientist, Central Pollution Control Board

The District Magistrate, Hooghly shall be the Nodal Office for all logistic purposes.

WBPCB has been directed to file Inspection Report of the Committee.

The Committee has been directed to carry out inspection of the various sites with reference to the allegations made by the applicant in the Original Application.

Shri Baijayanta Kumar Majumdar, Environmental Engineer & In-charge, Hooghly Regional Office (M- 9830203228, Email: ee3.wbpcb-wb@bangla.gov.in) of the West Bengal Pollution Control Board will represent the State Pollution Control Board, West Bengal in this matter.

Encl: As stated

  
 26/11/2024  
 Member Secretary

o/c

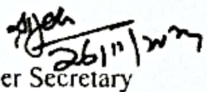
-12-


Memo No. 393/3 File No.3L/WPB-J(11)24

Dated: 26/11/2024

Copy forwarded to:

1. OSD (O&E), WBPCB.
2. Shri Baijayanta Kumar Majumdar, Environmental Engineer & In-charge, Hooghly Regional Office to represent the Committee.
3. Shri Baijayanta Kumar Majumdar, Environmental Engineer & In-charge, Hooghly Regional Office  
- For information and necessary action.

  
26/11/2024  
Member Secretary  
West Bengal Pollution Control Board



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

State of West Bengal & Ors.

... Respondents

COUNTER AFFIDAVIT ON  
BEHALF OF THE RESPONDENT  
NUMBER 02, DISTRICT  
MAGISTRATE & COLLECTOR,  
HOOGHLY DISTRICT.

SIBOJYOTI CHAKRABARTI

Advocate

For The State of West Bengal

Email: [subho.advocate@gmail.com](mailto:subho.advocate@gmail.com)

(M): 9007035534.