

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 211/2024/EZ

DR. SRIKANTA SAMANTA

.....APPLICANT(S)

VERSUS

STATE OF WEST BENGAL & ORS.

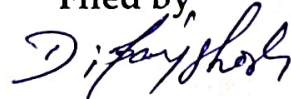
.....RESPONDENT(S)

REPORT ON AFFIDAVIT FILED BY THE WEST
BENGAL POLLUTION CONTROL BOARD.

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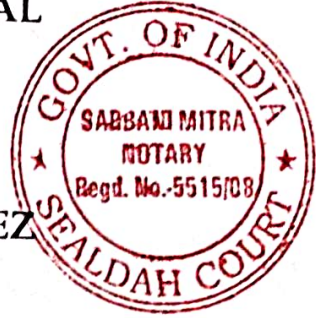


DIPANJAN GHOSH
ADVOCATE

SL. NO. 41. ² Dt.-16 JAN 2025

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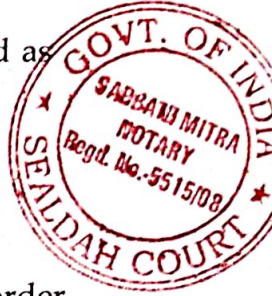
REPORT ON AFFIDAVIT FILED BY THE WEST
BENGAL POLLUTION CONTROL BOARD.

Most Respectfully Sheweth

I, Sri Subrata Ghosh, son of Late Shri Biswanath Ghosh, aged about 60 years, by faith-Hindu, Occupation- Service, residing at Narkelbagan, Gorosthan, Chinsurah, District - Hooghly, do hereby solemnly declare and say as follows:-

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01. That, I am the Officer on Special Duty (OSD), West Bengal Pollution Control Board (hereinafter will be referred to as the 'State Board') and I am well acquainted with the facts and circumstances of the case. I have been duly authorized by the Respondent No. 03, to affirm this Affidavit on its behalf and as such, I am competent to do so.



02. That, this affidavit is being affirmed in pursuant to the order passed by this Hon'ble Tribunal dated 13.11.2024.

03. That, the Hon'ble Tribunal vide dated 13.11.2024, constituted a committee comprising of the following members:

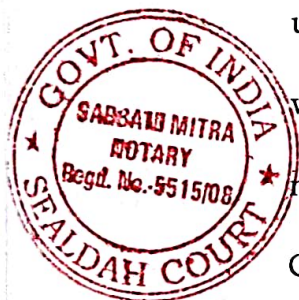
- (i) Collector & District Magistrate, Hooghly, or his representative not below the rank of Additional District Magistrate;
- (ii) Senior Scientist, West Bengal State Pollution Control Board;
- (iii) Senior Scientist, Central Pollution Control Board.

The said Committee visited the site in question on 18.12.2024 at around 12.00 noon.

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04. That, the following observations were made by the Committee members:

The garbage dumpsite was observed to be on a strip of land measuring about 6 kattah 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.



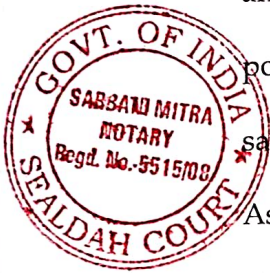
Smt. Soma Das, Pradhan of Nabagram Panchayat, informed that they had a Memorandum of Agreement (MoU) with Uttarpara Kotrung Municipality dated 07.11.2017, valid for three years, based on which segregated wastes (about 3 TPD) from 7500 households of Nabagram Panchayat would be collected and temporarily 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

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facility. She informed that consultations for a revalidated agreement with Uttarpara Kotrung Municipality are underway and the MoU will be signed accordingly.

05. That, the Committee members made the following remarks from the said inspection:

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.



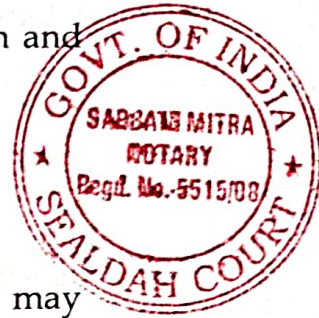
As a proper mechanism for scientific waste management was not observed at the open dumpsite, the committee recommends that the necessary direction may be issued to Panchayat & Rural Development Department, Govt. of West Bengal, to facilitate the setting up of a proper and scientifically managed solid 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

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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.

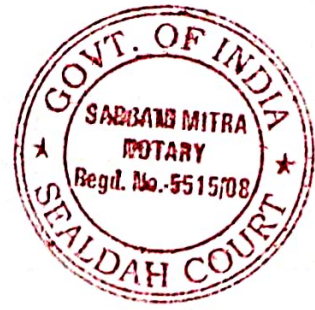
Copy of Inspection Report of Committee is annexed herewith and marked with letter "R".



06. It is therefore respectfully prayed that Hon'ble Tribunal may pass such order/orders as it deems fit and proper in the interest of justice.

Sarban Mitra
DEPONENT

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VERIFICATION

I, Sri Subrata Ghosh, son of Shri Biswanath Ghosh, aged about 60 years, by Religion - Hindu, by Occupation- Service, residing at Narkelbagan, Gorosthan, Chinsurah, District-Hooghly, do hereby solemnly declare and say as follows:-

1. That, I am the Officer on Special Duty (OSD), West Bengal Pollution Control Board and I am well acquainted with the facts and circumstances of the instant Original Application.
2. That, the statements made in paragraph 1 of this affidavit is true to my knowledge and belief.
3. That, the statements made in paragraphs 2 to 5 of this affidavit are my information derived from the records available in the office of the State Board which I verily believe to be true and the rest are my respectful submission before this Hon'ble Tribunal.

Sri Subrata Ghosh
DEPONENT

D. Banerjee
Identified and corrected by me
Advocate
WBPCB

Solemnly Affirmed &
Declared Before Me
On Identification By

Sarbani Mitra
SARBANI MITRA
NOTARY
Regd. No. 5515/08

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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

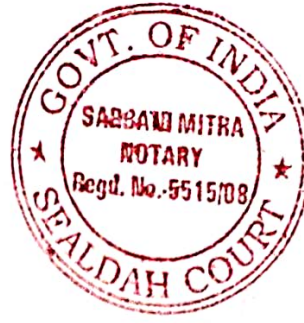


The members of the committee decided to carry out a site visit on 18.12.24. Accordingly, the members of the committee accompanied by Smt Roshni Sarkar, WBCS (Ex.), OC (Env.), Shri D. Chattopadhyay, AEE, WBPCB, Smt. Soma Das, Pradhan, Nabagram Panchayat and officials of the Serampore-Uttarpara Block visited 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.



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 Ojya, IAS,
ADM (LR), Hooghly



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



The garbage dumpsite



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