

SL. NO. 2/25

Before the National Green Tribunal

Eastern Zone Bench, Kolkata

OA No. 210/2024/EZ

Nandini Chakravarty

.....Applicant

Versus

State of West Bengal and Ors.

.....Respondents

**REJOINDER AFFIDAVIT ON BEHALF OF THE APPLICANT, TO THE
AFFIDAVIT FILED ON BEHALF OF THE RESPONDENT NO. 4**

I, Nandini Chakravarty, wife of Kunal Chakravarty, aged about 69 years, by faith Hindu, by occupation - business, residing at 49/5, P.G.M.Shah Road, Kolkata, West Bengal - 700033 and also at "Anandi", Purbannapara, Makardah, Howrah - 711409, do hereby solemnly affirm say as follows :

1. I am in receipt of the Affidavit affirmed by Sri Mrinal Kanti Biswas on behalf of the Central Pollution Control Board (CPCB) i.e., the Respondent No. 4 herein, along with the annexures thereto. I have understood the meaning and purport thereof. I am aware of the facts

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and circumstances of the instant case. I am competent to make and affirm this instant affidavit. I deny and dispute each and every allegations, statements and contentions made in the said affidavit which are contrary to my contentions, facts and records.

2. Before dealing with said affidavit and report, it is pertinent to bring on record certain relevant facts for proper adjudication of this matter.
3. I say that the wetlands of Nimerhati and the adjacent lands to the Saraswati Canal of the Saraswati Industrial Complex have been filled up illegally, leading to the drainage networks within the Saraswati Industrial Complex and adjacent to the complex being completely blocked and thus causing severe environmental pollution and resultant flooding of the entire area.
4. This illegal land filling has resulted in filling up & blockage of the drainage networks of the adjacent areas of Nimerhati, Purbannapara & Makardah, leading to unprecedented flooding of the entire area every year, which has been brought to the notice of the concerned Authorities, but to no effect.
5. A closure order with disconnection of electricity dated 17.08.2015 was issued by the West Bengal Pollution Control Board (WBPCB) towards 14 factories for noncompliance of Pollution norms. However, the current status of these factories is unknown till date and neither has such issue been dealt with, in the Affidavits affirmed by any of the answering Respondents.



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6. As per the order of this Hon'ble Tribunal a joint-inspection was conducted at the locale on 09.12.2024, wherein the following officials were present:

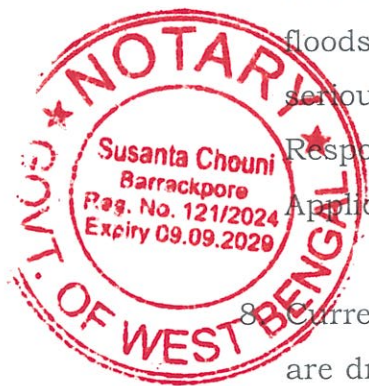
- a. The Addl. District Magistrate – Mr Azar Zia
- b. Mr Partha Sadhukhan, Spl. LO
- c. Mr.Bimalendu Mal on behalf of the WBPCB
- d. Mr Sandeep Roy on behalf of the CPCB
- e. Mr N.B.Saha, Joint BDO on behalf of the Domjur Block Office

On the day of inspection, the chemical and land contamination caused by the numerous factories within the Saraswati Industrial Complex were viewed in-person by the aforementioned officials.

7. Presently, this filling up of the waterbody / marsh land and the blockage of the internal drainage network has caused the water outlet & the drainage system of the adjacent village of Nimerhati, Makardah, Purbannapara and the areas thereof to be completely blocked causing floods and environmental hazards to all residents of the area, but this serious issue has not been substantially addressed by the answering Respondent, despite many representations being made by the Applicant and other local residents, to the concerned Authorities.

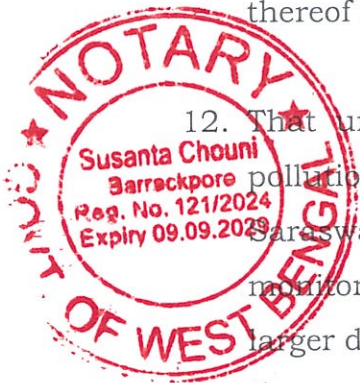
8. Currently the waste discharge from the Saraswati Industrial Complex are drained to the local drainage system and the same stagnates in the drains in the vicinity causing more pollution and breeding grounds for mosquitoes, as well as disbursal of harmful effluents.

9. Furthermore, the noise pollution is also continuing unabated from the complex, together with the emission of obnoxious gases and smoke.



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10. The drainage system within the Industrial Complex and in and around the complex is in a very bad shape and needs immediate rectification by the appropriate authorities without which we expect a catastrophic health hazard and continuation of flooding of the adjacent areas of Nimerhati, Purbannapara & Makardah villages. The wastewater is full of chemical discharge and obnoxious elements. During the monsoon season the drains fill up and flood the adjacent villages and this chemically dangerous wastewater flows into the residential areas causing a tremendous health hazard to the locality.
11. It is pertinent that an immediate installation of proper facility for disposal of solid waste, garbage, paper waste, chemical waste and chemical sludge be made within the said Industrial Complex and not littered in the adjoining areas. Open burning of industrial and chemical waste should be stopped with immediate effect. All industries continuing to flout the norms should be closed and a report thereof be submitted by the respondents concerned.
12. That unless immediate effective measures are taken to stop the pollution in the area and to drastically rectify the pathetic state of the Saraswati Canal (and its drainage network), together with continuous monitoring of the situation, the entire locality is headed for a much larger disaster than it has already reached and the resultant harm to the environment and to the local residents shall be unprecedented and irreversible.
13. Without prejudice to the aforesaid, save and except what are matters of record or gleaned therefrom all other facts, assertions, and allegations, if any, made in the said affidavit is deemed to have been



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denied and disputed as if the same has been set out herein and traversed in seriatim.

14. The statements made in paragraphs 1 to 10 of the foregoing paragraphs are true to my knowledge and the rest are my respectful submissions before this Hon'ble Tribunal.



DEPONENT

*Solemnly Affirmed and Declared
before me on Identification*



SUSANTA CHOUNI
NOTARY, Govt. of W.B.
Regd. No. 121/2024



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