

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO.235/2024/EZ

In The Matter of:

Sri Ankur Sharma

... Applicant

Versus

The State of West Bengal & Ors.

... Respondent(s)

SL NO 255 DT. 19/2/25

AFFIDAVIT OF THE FACT-FINDING COMMITTEE SUBMITTED BY THE
RESPONDENT NUMBER 05, DISTRICT MAGISTRATE & COLLECTOR,
DISTRICT HOWRAH.

INDEX

SL No.	PARTICULARS	ANNEXURE	PAGE
1.	Affidavit of The Fact-Finding Committee		1-6
2.	Photocopy of the Report of the Fact-Finding Committee along with its enclosures and Colour Photographs are collectively annexed herewith	'R-1'	7 - 23

Filed by

Sudip Kumar Dutta

Sudip Kumar Dutta
Advocate

For the State of West Bengal



19 FEB 2025

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RESPONDENT NUMBER 05, DISTRICT MAGISTRATE & COLLECTOR,
DISTRICT HOWRAH

I, Dr. Deepap Priya P., D/o- I. Palraj , by faith: Hindu, by occupation-
Government Service, presently posted as District Magistrate & Collector,
district- Howrah having office at 6, Rishi Bankim Chandra Road, Post &
P.S- Howrah, District: Howrah, Pin: 711101, West Bengal do hereby
solemnly affirm and state as follows:-

1. That I am presently posted as District Magistrate & Collector, district-
Howrah having office at 6, Rishi Bankim Chandra Road, Post & P.S-
Howrah, District: Howrah, Pin: 711101 and I made myself acquainted
with the facts and circumstances of this case and am competent to
affirm this affidavit.
2. That vide Solemn Order dated 02.01.2025 the Hon'ble National Green
Tribunal, Eastern Zone Bench, Kolkata has been pleased to constitute
a Fact-Finding Committee and the District Magistrate Howrah has



19 FEB 2025

been directed to be the Nodal Office for all logistic purposes and for filing the Fact-Finding Report on affidavit.

3. That in obedience and compliance to the Solemn Order dated 02.01.2025 passed by the Hon'ble Tribunal, a Fact-Finding Committee has been formed consisting of the following members:

- i. Shri Azar Zia, Additional District Magistrate (L & LR), Howrah
- ii. Dr. Nupur Sengupta, Asst. Environmental Engineer, Howrah Regional Office, West Bengal Pollution Control Board.
- iii. Smt. Parna Maitra, Asst. Environmental Engineer, Kolkata Regional Office, West Bengal Pollution Control Board
- iv. Shri Manas Das, Secretary, Howrah Municipal Corporation
- v. Shri Jayanta Deb Sarkar, Executive Engineer, Electrical Lighting-Crematorium, Kolkata Municipal Corporation.
- vi. Shri Ankur Sharma, the petitioner in the instant Original Application.

4. That apart from the above-named Committee Members the following officials were also present to facilitate the inspection by the Committee:

- (a) Shri Partha Pratim Sadhukhan, Officer-in-Charge, Environment Section, District Administration, Howrah.
- (b) Shri Debabrata Pal, Executive Officer, Bally Municipality.

5. That accordingly an inspection on the sites in question was conducted on 08-02-2025, 10-02-2025 and 14-02-2025 by the committee constituted by the Hon'ble Tribunal. The Report of the Fact-Finding Committee is annexed herewith and marked as "R-1".



19 FEB 2025

6. That Howrah Municipal Corporation (HMC) and Kolkata Municipal Corporation (KMC) submitted reports of stack emission monitoring conducted by West Bengal Pollution Control Board recognized laboratories for furnaces of the crematoria under their jurisdiction and the results of emission show compliance with respective permissible standards.
7. That during interaction with members of the family of the deceased, it was learnt that the family members voluntarily opted for electric furnace or wooden pyre burning as per their personal beliefs and preferences under no compulsion. However, the rates of wooden pyre have been fixed at much higher rates by the respective municipal authorities due to the higher raw material costs and to encourage the use of electric furnaces as an eco-friendly alternative for the purpose of cremation.
8. That it was reported that all the electric furnaces along with Air Pollution Control Devices are taken into maintenance at regular intervals for smooth operation of the same.
9. That the Fact-Finding Committee recommended that adequate Air Pollution Control Systems like fume collection hood, scrubber, Induced Draft Fan, and stack of minimum height 15 m from Ground Level (GL) may be installed for all the wooden pyres in all crematoria which have not installed any control systems to comply with stipulated emission norms.
10. That the Fact-Finding Committee recommended that concerned Municipal Authority should earmark designated areas for interim storage of solid wastes generated from activities of the crematorium before final disposal at the designated municipal waste collection

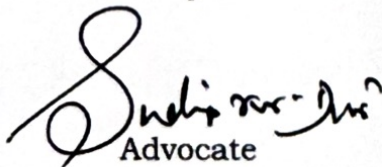


19 FEB 2025

points, wherever they are found to be lacking in such infrastructure.

11. That the Fact-Finding Committee recommended that separate Waste Collection Facilities should be maintained for the solid waste generated from the crematoria to prevent mixing with ordinary municipal waste.
12. That the deponent craves leave to submit supplementary Affidavit as may be required or as may be directed by the Hon'ble Tribunal for the smooth adjudication of the instant original application.
13. 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.

Identified by me


Advocate

State of West Bengal



Deponent
District Magistrate
Howrah

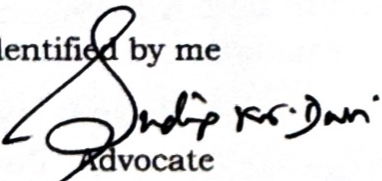



19 FEB 2025

VERIFICATION:


I, Dr. Deepap Priya P., D/o- I. Palraj , 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 per records available in the office of the District Magistrate & Collector, Howrah and I believe that nothing material has been concealed there from.

Verified at Howrah on the ^{20th} Day of February 2025.

Identified by me

Advocate
State of West Bengal


Deponent
District Magistrate
Howrah

IN IDENTIFICATION OF ADVOCATE
OLEMNLV AFFIRMED BEFORE


SWAPNA DAS
NOTARY GOVT. OF INDIA
Regn. No. 13814/18
Howrah Court, Howr



19 FEB 2025

Report of the Committee constituted by Hon'ble National Green Tribunal, Eastern Zone Bench Kolkata vide order dated 02.01.2025 in connection with O.A. No. 235/2024/EZ in the matter between Ankur Sharma - vs - State of West Bengal & Ors.

In compliance of the solemn order passed by Hon'ble NGT, Eastern Zone Bench Kolkata on 02.01.2025, an inspection on the crematoria of South Kolkata, Howrah & Bally and North Kolkata was conducted on 08-02-2025, 10-02-2025 and 14-02-2025 respectively by the committee constituted by the Hon'ble Tribunal comprising the following members:

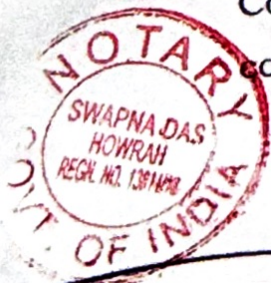
1. Shri Azar Zia, Additional District Magistrate (L & LR), Howrah
2. Dr. Nupur Sengupta, Asst. Environmental Engineer, Howrah Regional Office, West Bengal Pollution Control Board.
3. Smt. Parna Maitra, Asst. Environmental Engineer, Kolkata Regional Office, West Bengal Pollution Control Board
4. Shri Manas Das, Secretary, Howrah Municipal Corporation
5. Shri Jayanta Deb Sarkar, Executive Engineer, Electrical Lighting-Crematorium, Kolkata Municipal Corporation.
6. Shri Ankur Sharma, the petitioner in the instant Original Application.

The following officials were also present to facilitate the inspection by the aforementioned Committee:

1. Shri Partha Pratim Sadhukhan, Officer-in-Charge, Environment Section, District Administration, Howrah.
2. Shri Debabrata Pal, Executive Officer, Bally Municipality.

Observations of the Fact-Finding Committee:

- 1) The Committee made a detailed inspection to all the crematoria listed in the Order of Hon'ble NGT and made certain observations which are listed in Annexure I.
- 2) Howrah Municipal Corporation (HMC) and Kolkata Municipal Corporation (KMC) submitted reports of stack emission monitoring conducted by West Bengal Pollution Control Board recognized



19 FEB 2025

laboratories for furnaces of the crematoria under their jurisdiction and the results of emission show compliance with respective permissible standards.

- 3) On enquiry, as reported by the crematoria representatives, on an average about 300 kgs of firewood is required to cremate one human body.
- 4) During interaction with members of the family of the deceased, it was learnt that the family members voluntarily opted for electric furnace or wooden pyre burning as per their personal beliefs and preferences under no compulsion. However, the rates of wooden pyre have been fixed at much higher rates by the respective municipal authorities due to the higher raw material costs and to encourage the use of electric furnaces as an eco-friendly alternative for the purpose of cremation.
- 5) It was reported that all the electric furnaces along with Air Pollution Control Devices are taken into maintenance at regular intervals for smooth operation of the same.

Recommendations of the Fact-Finding Committee:

In view of the above, the Committee recommends the following:

- i. Adequate Air Pollution Control Systems like fume collection hood, scrubber, Induced Draft Fan, and stack of minimum height 15 m from Ground Level (GL) may be installed for all the wooden pyres in all crematoria which have not installed any control systems to comply with stipulated emission norms.
- ii. Concerned Municipal Authority should earmark designated areas for interim storage of solid wastes generated from activities of the crematorium before final disposal at the designated municipal waste



19 FEB 2025

collection points, wherever they are found to be lacking in such infrastructure.

- iii. Separate Waste Collection Facilities should be maintained for the solid waste generated from the crematoria to prevent mixing with ordinary municipal waste.

The Photographs taken during the course of inspection are annexed herewith.

Nupur Singupta

Assistant Environment Engineer
Howrah Regional Office, WBPCB

P. Maitra

Assistant Environmental Engineer
Kolkata Regional Office, WBPCB

H.S.

Secretary
Howrah Municipal Corporation

[Signature]

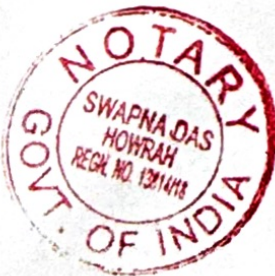
Executive Engineer
Electrical Lighting-Crematorium
Kolkata Municipal Corporation

Ankur Sharma

Ankur Sharma

[Signature]

A.D.M. (LR) & D.L. & L.R.O.
Howrah



19 FEB 2025

Glimpses of the Inspection held on 08-02-2025, 10-02-2025 and 14-02-2025 in connection with Hon'ble NGT, Eastern Zone Bench, Kolkata, OA No. 235 /2024/EZ



Inspection at Shanagar Burning Ghat



Inspection at Shibpur Burning Ghat



19 FEB 2025



Inspection at Kashimitra Burning Ghat



Inspection at Nimtala Burning Ghat



19 FEB 2025



Interaction with family member of Deceased at Nimtala Burning Ghat



Inspection at Pathak Ghat Burning Ghat



19 FEB 2025



Inspection at Morapora Burning Ghat



Inspection at Banstala Burning Ghat



19 FEB 2025



Inspection at Salkia Burning Ghat



Inspection at Shibpur Burning Ghat



19 FEB 2025



Inspection at Birjunala Burning Ghat



Inspection at Shanagar Burning Ghat



19 FEB 2025



Latitude: 22.460817
Longitude: 88.379094
Elevation: 25.01±1 m
Accuracy: 4.6 m
Time: 08-02-2025 14:56
Note: 235 Adi Garia

Inspection at Garia Adi Mahasamsan Burning Ghat



Latitude: 22.490335
Longitude: 88.339457
Elevation: -68.33±37 m
Accuracy: 18.8 m
Time: 08-02-2025 14:04
Note: 235 Sirty

Inspection at Sirty Burning Ghat

NOTARY
SWAPNA DAS
HOWRAH
REGN. NO. 13814/18
GOVT. INDIA

19 FEB 2025



Inspection at Shanagar Burning Ghat



Inspection at Sri Sri Ramkrishna Mahasamsan Burning Ghat



19 FEB 2025

Annexure I

S I N O	Name of Crematorium and Address	Persons Met	Date of Inspection	Facilities Present (Type and Nos of Furnaces)	Air Pollution Control System Present (APCS)	Solid Waste (SW) Management	Status of Consent to Operate (CTO)	Remarks (Functional APCS/ number of bodies cremated past one year)
1.	Shibpur Burning Ghat 95, Jagat Banerjee Ghat Road, Shibpur, Howrah 711102	Sri Soumojit Ghosh SAE, Crematorium, HMC Amitabha Rakshit, SAE, Crematorium, HMC	10/02/2025	Electric Cremation Furnace-02, Wooden Pyre -04	Electric Cremation Furnace-Venturi Scrubber and packed bed scrubber in series followed by common stack of height about 30m from GL Wooden Pyre - None	Designated area exists	Expired on 31/07/2016	APCD was functional during Inspection Electric Cremation- 6424 Wooden Pyre - 545
2.	Salkia Burning Ghat, 8 Brindaban Dutta Lane, Howrah 711106	Sri Soumyajit Ghosh SAE, Crematorium, HMC Amitabha Rakshit, SAE, Crematorium, HMC	10/02/2025	Electric Cremation Furnace-02 (one is operated at a time) Wooden Pyre -05	Electric Cremation Furnace-Venturi Scrubber and packed bed scrubber in series followed by common stack of height about 30m from GL. One furnace was in operation, no stack emission observed. One body was in waiting for cremation Wooden Pyre -None	Designated area exists, nearby lane is also used for waste storage	Expired on 31/07/2016	APCD was functional during inspection One furnace was under maintenance during inspection Electric Cremation- 3082 Wooden Pyre - 320



19 FEB 2025

1

Sl. No.	Name of Crematorium and Address	Persons Met	Date of Inspection	Facilities Present (Type and Nos of Furnaces)	Air Pollution Control System Present (APCS)	Solid Waste (SW) Management	Status of Consent to Operate (CTO)	Remarks (Functional APCS/ number of bodies cremated past one year)
3.	Banstala Burning Ghat, 25 Dr. Gangadhar Mukherjee Road, Howrah 711101	Sri Soumajit Ghosh SAE, Crematorium, HMC Amitabha Rakshit, SAE, Crematorium, HMC	10/02/2025	Electric Cremation Furnace-01 Wooden Pyre -02	Electric Cremation Furnace-Venturi Scrubber and packed bed scrubber in series followed by common stack of height about 30m from GL. Wooden Pyre – Individual suction hood, leading to Venturi Scrubber and packed bed scrubber in series followed by common stack of height 30m from GL.	No designated area exists for waste storage	Expired on 31/07/2016	APCD was functional during inspection. None of the furnaces were in operation during the visit. One body was under preparation. Electric Cremation- 1711 Wooden Pyre - 68
4.	Pathak Ghat, 1 Pathak Ghat Lane, Bally Howrah 711201	Pratyay Banerjee, SAE, Electrical, Bally Municipality	10/02/2025	Electric Cremation Furnace-01 Wooden Pyre -03	Electric Cremation Furnace-Venturi Scrubber and packed bed scrubber in series followed by common stack of height about 30m from GL. Wooden Pyre – None	PVC drums observed for interim storage of SW. However, nearby private land was found to be dumped with waste clothes, waste flowers and MSW.	Expired on 31/07/2016	APCD was functional during inspection. None of the furnaces were in operation during the visit. Electric Cremation- 2612 Wooden Pyre - 116



19 FEB 2025

S I N O	Name of Crematorium and Address	Persons Met	Date of Inspection	Facilities Present (Type and Nos of Furnaces)	Air Pollution Control System Present (APCS)	Solid Waste (SW) Management	Status of Consent to Operate (CTO)	Remarks (Functional APCS/ number of bodies cremated past one year)
5.	Mora Pora Ghat, 5/31/1 Ashbish Mukherjee Road, Howrah 711201	Debabrata Pal, EE, Bally Municipality	10/02/2025	Electric Cremation Furnace- none Wooden Pyre -03	Wooden Pyre - Natural Draft hood for 02 furnace with stack of height about 20 ft from GL. 01 Wooden Pyre -None	No designated area exists for waste storage	Expired on 31/07/2016	None of the pyres was in operation during the visit. Wooden Pyre - 255
6.	Shanagar (Keoratala) Burning Ghat, 113, Tollgunge Road, Kolkata 700026	Sri J Jena, EE, Electrical, KMC, Sri S Mukherjee AEE, Crematorium, KMC	08/02/2025	Electric Cremation Furnace-08, Wooden Pyre -02	Electric Cremation Furnace-02 nos each are connected to common 02 nos wet scrubber in series followed by common stack of height about 30m from GL Wooden Pyre - Individual suction hood, leading to common 02 nos wet scrubber in series followed by common stack of height 30m from GL.	Designated area exists	Valid upto 31/05/2029	Furnace No 03 and 04 were in operation, mild stack emission was observed during inspection. All APCDs were functional during inspection Electric Cremation- 22304 Wooden Pyre - 174



19 FEB 2025

S I N O	Name of Crematorium and Address	Persons Met	Date of Inspect ion	Facilities Present (Type and Nos of Furnaces)	Air Pollution Control System Present (APCS)	Solid Waste (SW) Management	Status of Consent to Operate (CTO)	Remarks (Functional APCS/ number of bodies cremated past one year)
7.	Nimtola Burning Ghat, 2P Strand Road, Kolkata 700006	Dr Manas Sikdar, Sub Registrar	14/02/ 2025	Electric Cremation Furnace-08 (New Complex), Electric Cremation Furnace -04 (Old Complex)	Electric Cremation Furnace- 02 nos each are connected to common 02 nos wet scrubber in series followed by common stack of height about 30m from GL	Designated area exists Some waste flowers and other cremation wastes were found on the nearby river bank	Valid upto 31/05/2029	Furnace No 05 and 06 were in operation, mild stack emission was observed during inspection. All APCDs were functional during inspection. 02 nos electric furnaces were under maintenance. Electric Cremation- 25242 Wooden Pyre – 2429 Alternative fuel comprising of cow dung is provided by a third party namely Perna Foundation as reported during inspection.



4
19 FEB 2025

S I N O	Name of Crematorium and Address	Persons Met	Date of Inspection	Facilities Present (Type and Nos of Furnaces)	Air Pollution Control System Present (APCS)	Solid Waste (SW) Management	Status of Consent to Operate (CTO)	Remarks (Functional APCS/ number of bodies cremated past one year)
8.	Sri Sri Ramkrishna Mahasamsan Burning Ghat, 5 Chandra Kumar Roy Lane, Kolkata 700036	Dr Partha Pratin Mondal, Sub Registrar	14/02/2025	Electric Cremation Furnace-04 Wooden Pyre -02	Electric Cremation Furnace-02 nos each are connected to common 02 nos wet scrubber in series followed by common stack of height about 30m from GL	Designated area exists	Valid upto 31/05/2029	01 no. Furnace was in operation, mild whitish stack emission was observed during inspection. All APCSs were functional during inspection. 01 no electric furnace was under maintenance. Electric Cremation- 10289 Wooden Pyre - 147
9.	Kashimtra Burning Ghat, 1 Strand Road, Kolkata 700006	Dr. J Pramanik, Sub Registrar	14/02/2025	Electric Cremation Furnace-01 Wooden Pyre -02	Electric Cremation Furnace-new APCD under installation comprising of 02 nos wet scrubber in series connected to existing stack of height about 30m from GL. Wooden Pyre - None	Designated bin exists	Valid upto 31/05/2029	01 no electric furnace was under shut down due to maintenance. Old APCDs were observed in partially dismantled condition Electric Cremation- 1667 Wooden Pyre was in operational condition. Wooden Pyre - 20



19 FEB 2025

S I N O	Name of Crematorium and Address	Persons Met	Date of Inspection	Facilities Present (Type and Nos of Furnaces)	Air Pollution Control System Present (APCS)	Solid Waste (SW) Management	Status of Consent to Operate (CTO)	Remarks (Functional APCS/ number of bodies cremated past one year)
10.	Garia Adi Mahasamsan Burning Ghat, 138 Boral Main Road, Kolkata 700084	Chiranjib Sarkar, AEE, Crematorium, KMC	08/02/2025	Electric Cremation Furnace-04, Wooden Pyre -03	Electric Cremation Furnace-02 nos each are connected to common 02 nos wet scrubber in series followed by common stack of height about 30m from GL Wooden Pyre - None	Designated area exists	Valid upto 31/05/2029	01 furnace was in operation during inspection. APCDs were functional during inspection Electric Cremation- 5979 Wooden Pyre - 5
11.	Sirity Burning Ghat, B L Saha Road, Kolkata 700041	Chiranjib Sarkar, AEE, Crematorium, KMC	08/02/2025	Electric Cremation Furnace-02	Electric Cremation Furnace-02 nos are connected to common 02 nos wet scrubber in series followed by common stack of height about 30m from GL	Designated area exists	Valid upto 31/05/2029	01 no. furnace was in operation during inspection. APCDs were functional during inspection Electric Cremation- 3406
12.	Birjunala Buring Ghat Z 20, Lenin Road, Kolkata 700044	Chiranjib Sarkar, AEE, Crematorium, KMC	08/02/2025	Electric Cremation Furnace-02, Wooden Pyre -02	Electric Cremation Furnace-02 nos are connected to common 02 nos wet scrubber in series followed by common stack of height about 30m from GL Wooden Pyre - None	Designated area exists	Valid upto 31/05/2029	None was in operation during inspection. APCDs were functional during inspection Electric Cremation- 213 No sampling port was found in the stack. Wooden Pyre - 15



19 FEB 2025

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Advocate

For The State of West Bengal