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BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 236/2024/EZ

NEWS ITEM TITLED "SILIGURI PROTESTS
DUMPING OF SIKKIM WASTE, RAISES HEALTH
AND ENVIRONMENTAL CONCERNS" APPEARING
IN THE TELEGRAPH ONLINE DATED 12.11.2024

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

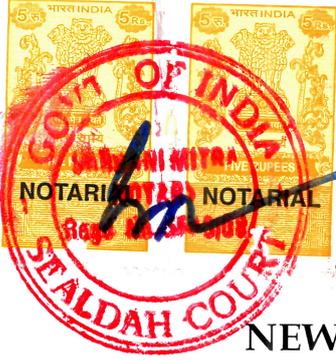
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Filed by

DIPANJAN GHOSH
ADVOCATE
HIGH COURT AT CALCUTTA

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

Most Respectfully Sheweth

I, Sri Swarup Kumar Mandal, son of Shri Barendra Mandal,
aged about 55 years, by Religion - Hindu, by Occupation-Service,
working for gain at West Bengal Pollution Control Board, having
office at 10A, Block- LA, Sector- III, Bidhannagar, Kolkata - 700
106, do hereby solemnly declare and say as follows:-

28 FEB 2025

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01. That, I am the Chief Engineer, 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. 3 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 30.01.2025.



03. That, the Original Application No. 1337/2024/PB was registered as suo moto by the New Delhi Bench of the Tribunal on the basis of a news item titled "Siliguri protests dumping of Sikkim waste, raises health and environmental concerns" appearing in The Telegraph online dated 12.11.2024. Thereafter, the said original Application was transferred by the New Delhi Bench of the Tribunal vide its order dated 27.11.2024 to the Eastern Bench of the Tribunal at Kolkata and the case has now been re-numbered as Original Application No.-236/2024/EZ.

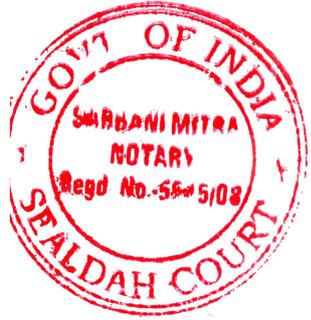
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04. That, in the article it was stated that there is an unauthorized dumping of medical and hazardous waste at a vacant plot in Farabari near Siliguri, West Bengal, allegedly from the neighboring state of Sikkim. As per the article, the vacant plot where waste is being dumped is just around 50 meters from the boundary of the Baikuntapur forest. The activity poses risks to the wildlife.

The article also highlights that the situation became more complicated when it was revealed that the owner of the vacant plot had made private arrangements with truck drivers for waste disposal without obtaining necessary clearances from the local Panchayat or other relevant authorities. It is further alleged that irresponsible dumping of waste is a source of inconvenience to residents and the environment. This adds to the issue of waste management in Siliguri.

An inspection has been carried out by the State Board officials on 27.01.2025 at the alleged location.

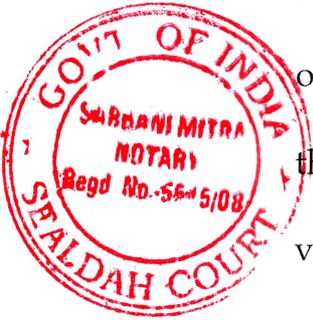


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05. That, the following are the findings of the inspecting team:

The inspecting team has visited the Siliguri Municipal Corporation (SMC). The secretary of SMC stated that the alleged location falls in Panchayet area and is not in the jurisdiction of SMC, hence they could not take any action. The inspecting team has visited the alleged location. During inspection, it was observed that plot where waste was dumped, is surrounded by a boundary wall and the entry gate to the plot is found closed with lock and key. However, only by viewing from the gap of the closed gate it is observed that dumped waste have been lifted and only remains of the waste are scattered around the plot. The plot is located in village Farabari which falls in the Binnaguri Gram Panchayet. The Panchayet Pradhan has informed that the plot belongs to a person from Siliguri. However, the name and address of the person is unknown to him. He has informed that the local people had complained to him about the unauthorized dumping of waste in the mentioned plot. On receiving the complaint from the local people, the Panchayet Pradhan lodged an FIR at Bhorer Alo police station (formerly known as Ambari Police Station) on the day



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before the matter was published in the telegraph. However, he has not handed over the FIR copy to the inspecting officials. He has further informed that police have raided the alleged site and sealed the site. Later, with the help of the police the waste from the plot was lifted off by the same trucks that previously dumped the waste. The matter is under the control of Bhorer Alo Police Station at present.

Copy of the inspection report of the State Board 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.

Swaraj Kumar Mandal
DEPONENT

28 FEB 2025

VERIFICATION

I, Sri Swarup Kumar Mandal, son of Shri Barendra Mandal, aged about 55 years, by Religion - Hindu, by Occupation-Service, working for gain at West Bengal Pollution Control Board, having office at 10A, Block- LA, Sector- III, Bidhannagar, Kolkata - 700 106, do hereby solemnly declare and say as follows:-

1. That, I am the Chief Engineer, 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.

Swarup Kumar Mandal

DEPONENT

D. P. Ghosh
Identified and corrected by me
Advocate
WBPCB

Solemnly Affirmed &
Declared Before Me
On Identification By

hm
SAREANI MITRA
NOTARY
Regd. No. 5515/08

28 FEB 2025

Inspection Report w.r.t. the NGT case in O.A. No. 236/2024/EZ (Siliguri protests dumping of Sikkim waste, raises health and environmental concerns):

The Original Application No. 1337/2024/PB was registered as suo moto by the New Delhi Bench of the Tribunal on the basis of a news item titled "Siliguri protests dumping of Sikkim waste, raises health and environmental concerns" appearing in The Telegraph online dated 12.11.2024. Thereafter, the said Original Application was transferred by the New Delhi Bench of the Tribunal vide its order dated 27.11.2024 to the Eastern Bench of the Tribunal at Kolkata and the case has now been re-numbered as Original Application No. - 236/2024/EZ.

In the article it is stated that there is an unauthorized dumping of medical and hazardous waste at a vacant plot in Farabari near Siliguri, West Bengal, allegedly from the neighboring state of Sikkim. As per the article, the vacant plot where waste is being dumped is just around 50 meters from the boundary of the Baikuntapur forest. The activity poses risks to the wildlife.

The article also highlights that the situation became more complicated when it was revealed that the owner of the vacant plot had made private arrangements with truck drivers for waste disposal without obtaining necessary clearances from the local panchayat or other relevant authorities. It is further alleged that irresponsible dumping of waste is a source of inconvenience to residents and the environment. This adds to the issue of waste management in Siliguri.

The Hon'ble NGT, New Delhi Bench has taken the cognizance of the allegations made and served notices to the following departments to file their counter affidavits at least one week before the next date of hearing on 30.01.2025.

- i) Siliguri Municipal Corporation, Through its commissioner
- ii) State Pollution Control Board Sikkim, Through its Member Secretary
- iii) West Bengal Pollution Control Board, Through its Member Secretary
- iv) Central Pollution Control Board, Through its Member
- v) Ministry of Environment, Forest and Climate Change (MoEF) – Regional office, Sikkim
- vi) Ministry of Environment, Forest and Climate Change (MoEF) – Regional office, West Bengal



Accordingly, an inspection has been carried out by the WBPCB officials on 27.01.2025 at the alleged location.

The findings of the inspecting team are listed below: -

The inspecting team has visited the Siliguri Municipal Corporation (SMC). The secretary of SMC stated that the alleged location falls in Panchayet area and is not in the jurisdiction of SMC, hence they could not take any action. The inspecting team has visited the alleged location. During inspection it is observed that plot where waste was dumped, is surrounded by a boundary wall and the entry gate to the plot is found closed with lock and key. However, only by viewing from the gap of the closed gate it is observed that dumped waste have been lifted and only remains of the waste are scattered around the plot

(Photographs enclosed). The plot is located in village Farabari which falls in the Binnaguri Gram Panchayet. The Panchayet Pradhan has informed that the plot belongs to a person from Siliguri. However, the name and address of the person is unknown to him. He has informed that the local people had complained to him about the unauthorized dumping of waste in the mentioned plot. On receiving the complaint from the local people, he lodged an FIR at Bhorer Alo police station (formerly known as Ambari Police Station) on the day before the matter published in the telegraph. However, he has not handed over the FIR copy to the inspecting officials. He has further informed that police have raided the alleged site and sealed the site. Later, with the help of the police the waste from the plot was lifted off by the same trucks that previously dumped the waste. The matter is under the control of Bhorer Alo Police Station at present.



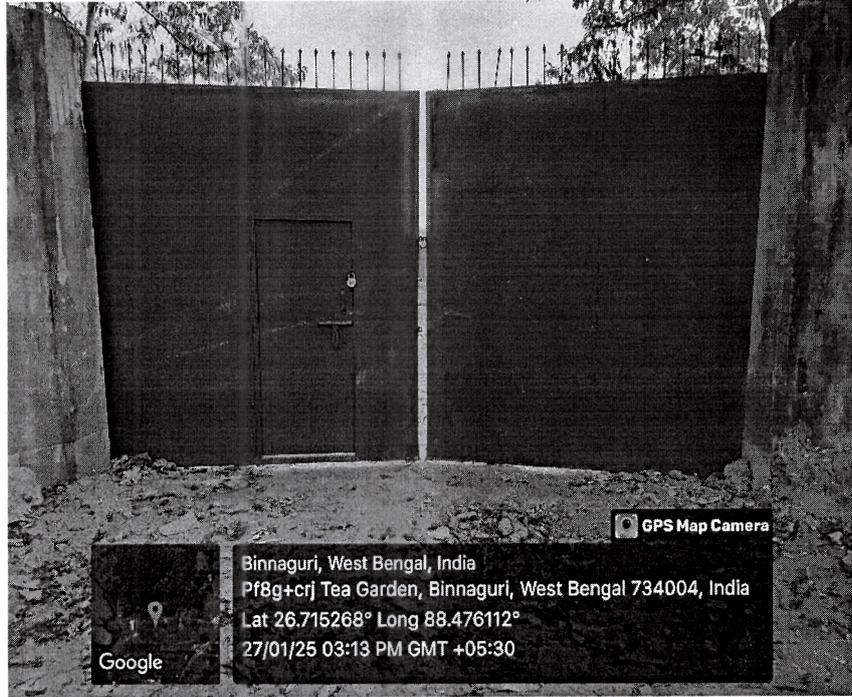
[R. KARMAKAR]
Jr. Environmental Engineer
Siliguri Regional Office, WBPCB



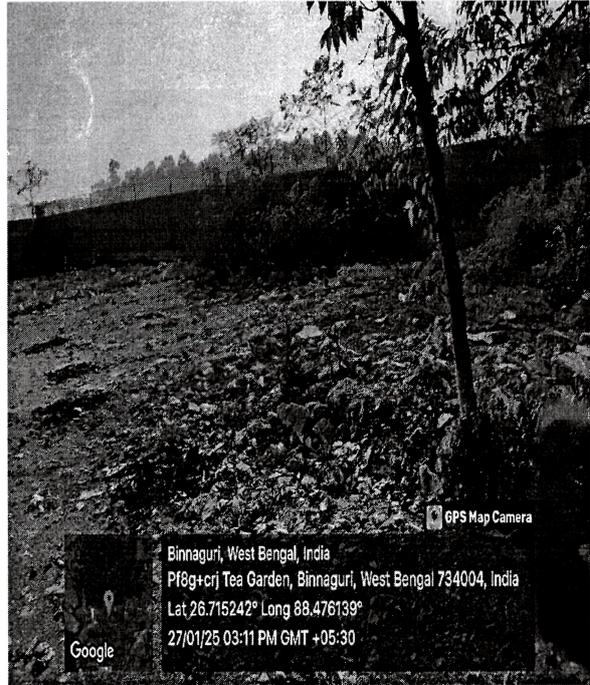
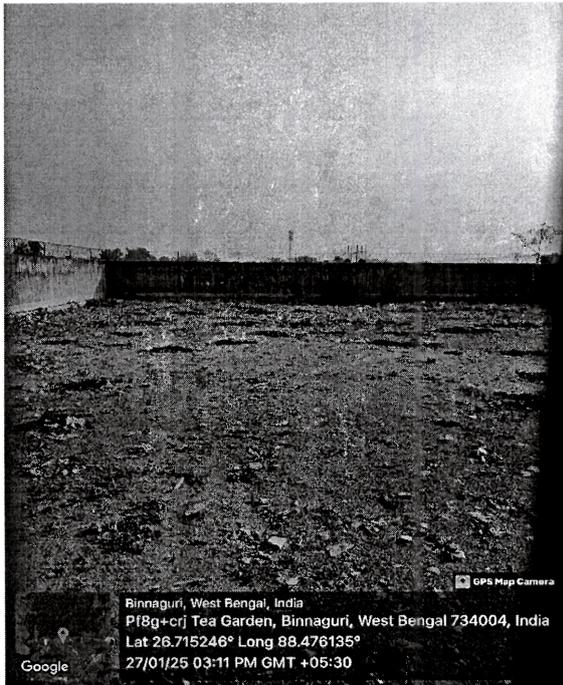
[B. PAN]
Asst. Environmental Engineer
Siliguri Regional Office, WBPCB



Photographs taken during inspection on 27.01.2025



Gate found closed with lock and key



Remains of waste are found scattered in the alleged plot



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