

S.L. No. 38/25



X

-X-

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. 227/2024/EZ

In The Matter of:

News item titled Time bomb:
Bidhannagar, New Town Waste
pile up at Dhapa; Government
delays action

... Applicant/Suo Motto

Versus

State of West Bengal & Ors.

... Respondents

COUNTER AFFIDAVIT ON BEHALF OF THE RESPONDENT
NUMBER 05, KOLKATA MUNICIPAL CORPORATION.

INDEX

SL	PARTICULARS	ANNEXURE	PAGE
1.	Counter Affidavit		1-10
2.	Photocopy of the minutes of the meeting held on 21.01.2025 along with its enclosures are collectively annexed herewith	'R-1'	11-19

Filed by

Sibojyoti Chakrabarti

SIBOJYOTI CHAKRABARTI

Advocate

For Kolkata Municipal Corporation

Email: subho.advocate@gmail.com

(M): 9007035534

19 MAR 2025



✕

- ✕ -

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. 227/2024/EZ

In The Matter of:

News item titled Time
bomb: Bidhannagar, New
Town Waste pile up at
Dhapa; Government delays
action

... Applicant/Suo Motto

Versus

State of West Bengal & Ors.

... Respondents

COUNTER AFFIDAVIT ON BEHALF OF THE RESPONDENT NUMBER
05, KOLKATA MUNICIPAL CORPORATION.

I, Sri Joydeep Mukhopadhyay, S/o Late Mohini Mohan Mukhopadhyay, aged 46 years by faith: Hindu and by occupation-Service, presently posted as Executive Engineer (Civil)/SWM-I, Kolkata Municipal Corporation, having office at 48, Market Street, Kolkata: 700087, West Bengal do by solemnly affirm and submit as follows:-

1. That I am presently posted as the Executive Engineer (Civil)/SWM-I, Kolkata Municipal Corporation having office at



X

-X-

48, Market Street, Kolkata: 700087, West Bengal, I am competent to swear and affirm this affidavit for and on behalf of myself and on behalf of the Kolkata Municipal Corporation.

2. That this Counter Affidavit is filed in compliance to the Solemn Order dated 29.11.2024 passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata.
3. That in the said Solemn Order in paragraph 17, the Hon'ble Tribunal has been interalia pleased to direct all the respondents to file counter affidavit.
4. That in compliance to the said Solemn Order a meeting was convened on 21st January 2025 (Tuesday) at 4:00 PM in the Prof. Nilay Chaudhuri Memorial Conference Hall, Southend Conclave, 1582 Rajdanga Main Road, Kolkata-700107. The meeting was held to discuss the issues in connection with the instant original application, pertaining to the news item titled "Time bomb: Bidhannagar, New Town Waste pile-up at Dhapa; Government delays action" published in The Telegraph online edition dated 26.11.2024.

The following Officials from the following organizations attended the meeting:

- West Bengal Pollution Control Board (WBPCB)
- Kolkata Metropolitan Development Authority (KMDA)
- Kolkata Municipal Corporation (KMC)



✕

- ✕ -

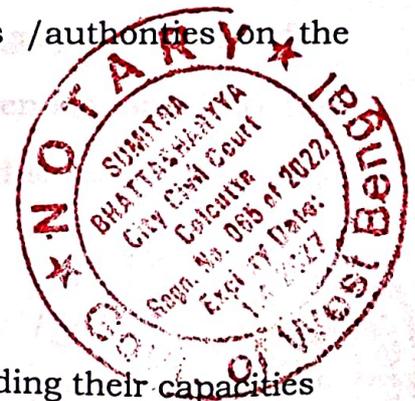
- Nabadiganta Industrial Township Authority (NDITA)
- New Town Kolkata Development Authority (NKDA)
- Bidhannagar Municipal Corporation (BMC)
- Panihati Municipality
- West Bengal State NGRBA Program Management Group (WBSPMG)
- State Urban Development Agency - West Bengal (SUDA)

The list of participants is enclosed as **Annexure B**.

Shri M. K. Biswas, Regional Director, CPCB, RD Kolkata, welcomed all attendees and briefed them on the purpose of the meeting, emphasizing the urgency and the short notice under which it was convened. He elaborated on the issues outlined in the NGT order, particularly related to solid waste management facilities and practices followed by the three municipalities (KMC, BMC, Panihati Municipality) and two authorities (NKDA and NDITA).

He requested the concerned officials to provide updated status reports of their respective jurisdiction's municipalities /authorities on the following:

- Quantity of waste generated (TPD)
- Quantity of waste processed (TPD)
- Details of waste processing facilities, including their capacities



X

~~X~~

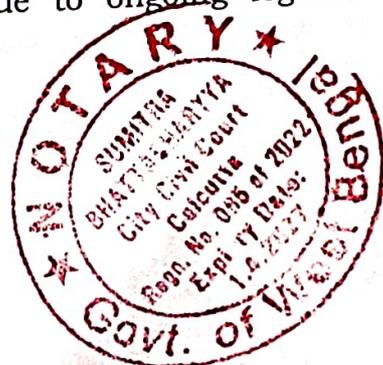
- Quantity of waste disposed, mode of disposal, and areas where it is disposed

The following key matters were discussed:

Detailed discussions were held regarding the Dhapa dump site and its current condition with respect to the following;

1. Waste Processing at Dhapa:

- KMC officials reported that 4500 TPD of solid waste is received at Dhapa having 60 acres of KMC's land, of which:
 - 1025 TPD is processed:
 - 500 TPD through composting
 - 500 TPD in the C&D plant
 - 5 TPD through BioCNG
 - 20 TPD processed informally (rag-picking, etc.)
 - Dhapa has a biomining facility of 3000 TPD.
 - As of July 2024, 15 lakh MT of legacy waste out of an estimated 40 lakh MT (2020) has been bio mined (37.5%). However, bio-mining was halted due to ongoing legal proceedings.



X

- X

2. Leachate Management:

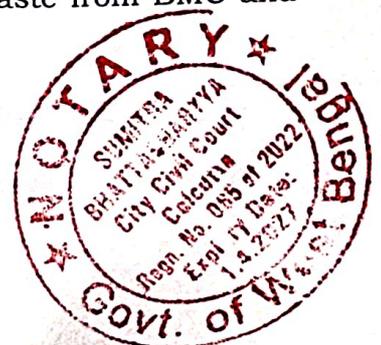
- Leachate from the biomining and biocapped regions is treated in a 300 KLD leachate treatment facility at Dhapa.

3. Fire incidents at Dhapa Dump Site:

- The meeting revisited the 2005 Dhapa accident, with KMC officials informing that no major fire incidents have occurred since then. They also highlighted the existing fire extinguishing facilities. However, concerns were raised about the continued influx of fresh waste from the five municipalities, emphasizing the need for separate solid waste disposal systems to prevent future incidents.

4. New SWM Facilities:

- KMC informed that 73 ha of land have been allotted for a new SWM facility, but progress is delayed due to land-related issues.
- A 500 TPD SWM facility for wet waste and MRF is proposed at Patharghata to handle waste from BMC and NDITA.



X

—X—

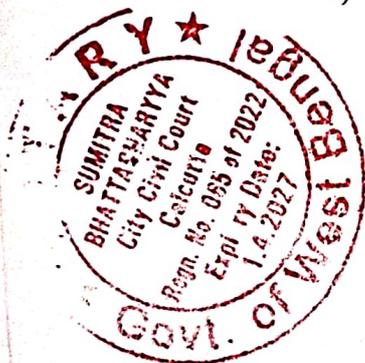
- NKDA officials stated that the proposal for integrated SWM facility to handle waste from New Town (Action Areas 1, 2, and 3) UNDER CITIIS-2.0 PROGRAMME has been submitted to NIUA, Delhi.
- As informed by SUDA, Biomining has been started for the legacy waste at Ram Chandrapur, Panihati Muniapality.

5. Monitoring Data:

- WBPCB officials shared that air quality monitoring is conducted at/near Dhapa, and ground water quality data from various points around the capped region is available with WBPCB.

Based on the discussions and information shared, the following decisions were made:

- 1) A table (Annexure-A) summarizing information from the three municipalities and two authorities that send solid waste to the Dhapa dump site was prepared and finalized. This table highlights the lack of, or inadequacies in, solid waste management facilities within these municipalities.
- 2) The New Town Kolkata Development Authority (NKDA) and Nabadiganta Industrial Township Authority (NDITA) were



X

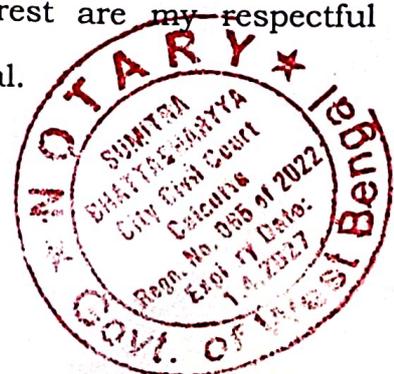
—X—

requested to submit Form IV as per the requirements of the Solid Waste Management Rules, 2016.

- 3) The Kolkata Municipal Corporation (KMC) was directed to ensure strict compliance with CPCB guidelines dated 27.01.2021, including maintaining detailed records on the disposal and utilization of refuse-derived fuel (RDF), fine earth, and other by products.
- 4) All relevant Urban Local Bodies (ULBs) and authorities were urged to address the issue of fresh waste disposal at legacy dump sites and take immediate corrective measures to prevent this ongoing practice.
- 5) The West Bengal Pollution Control Board (WBPCB) was asked to provide updated air and groundwater quality monitoring data for the Dhapa region to support environmental assessments.

Photocopy of the minutes of the meeting held on 21.01.2025 along with its enclosures are collectively annexed herewith and marked with the letter 'R-1'

5. That the statements made in the above paragraphs are true to my knowledge and belief and the rest are my respectful submission before this Hon'ble Tribunal.



X

~~X~~

6. 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

Joydeep Mukhopadhyay
Deponent
Exe Engineer (Civil)
S.W.M-I / K.M.C.

Kolkata Municipal Corporation

19.03.2025





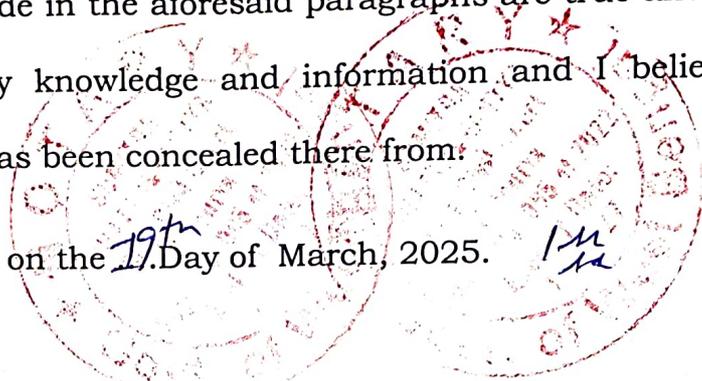
1X

~~1X~~

VERIFICATION:

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 19th Day of March, 2025.



Identified by me

Sibgyat Chakrabarti
Advocate

Kolkata Municipal Corporation

Joydeep Mukhopadhyay

Deponent
Exe Engineer (Civil)
S.W.M-I / K.M.C.

19.03.2025

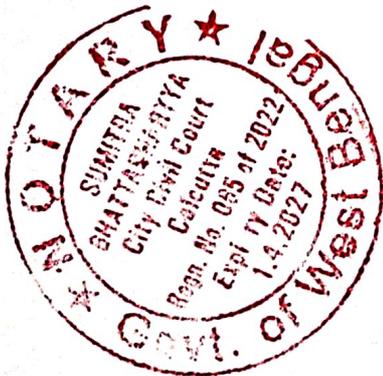
Solemnly Affirmed and
Declared before me
U/S 139 CPC (C)

Notary

Sumitra Bhattacharyya

Sumitra Bhattacharyya
Notary, Govt. of W.B.
Regd. No. 065 of 2022
City Civil Court, Calcutta

19 MAR 2025





केन्द्रीय प्रदूषण नियंत्रण बोर्ड - 121 -
CENTRAL POLLUTION CONTROL BOARD
 (पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
 (Ministry of Environment, Forest & Climate Change, Govt. of India)
क्षेत्रीय निदेशालय, कोलकाता
Regional Directorate, Kolkata



Date: 22.01.2025

OFFICE MEMORANDUM

Minutes of the Meeting regarding Hon'ble NGT matter OA No. 227/2024/EZ dated 29.11.2024 held on 21.01.2025 at 4.00 PM

A copy of the Minutes of the Meeting regarding Hon'ble NGT matter OA No. 227/2024/EZ dated 29.11.2024 held on 21.01.2025 at 4.00 PM is forwarded herewith for information and necessary actions, please.

(M.K. Biswas)
 Regional Director

Encl: As above.

To:

1. The Member Secretary, West Bengal Pollution Control Board (WBPCB)
2. The Director, State Urban Development Agency - West Bengal (SUDA)
3. The Municipal Commissioner of, Kolkata Municipal Corporation, (KMC)
4. The Special Secretary, Kolkata Metropolitan Development Authority, (KMDA)
5. The Commissioner, Bidhannagar Municipal Corporation (BMC)
6. The Director, Nabadiganta Industrial Township Authority (NDITA)
7. The Chief Executive Officer, New Town Kolkata Development Authority (NKDA)
8. The Commissioner, Panihati Municipality

Copy for kind information to:

1. PS to MS
2. DH-UPC-II

(M.K. Biswas)

मुख्यालय/Head Office:
 परिवेश भवन/Parivesh Bhawan,
 पूर्वी अर्जुन नगर/East Arjun Nagar

क्षेत्रीय निदेशालय/Regional Directorate:
 502, साउथएंड कॉन्क्लेव/502, Southend Conclave
 1582, राजडांगा मेन रोड / 1582, Rajdanga Main Road

- ~~17~~ -

Minutes of the Meeting regarding Hon'ble NGT Matter in OA No. 227/2024/EZ dated 29.11.2024

A meeting was convened on **21st January 2025 (Tuesday) at 4:00 PM** in the Prof. Nilay Chaudhuri Memorial Conference Hall, 5th Floor, Southend Conclave, 1582 Rajdanga Main Road, Kolkata-700107. The meeting was held to discuss the Hon'ble NGT matter OA No. 227/2024/EZ dated 29.11.2024, pertaining to the news item titled "Time bomb: Bidhannagar, New Town Waste pile-up at Dhapa; Government delays action" published in *The Telegraph* online edition dated 26.11.2024.

Officials from the following organizations attended the meeting:

- West Bengal Pollution Control Board (WBPCB)
- Kolkata Metropolitan Development Authority (KMDA)
- Kolkata Municipal Corporation (KMC)
- Nabadiganta Industrial Township Authority (NDITA)
- New Town Kolkata Development Authority (NKDA)
- Bidhannagar Municipal Corporation (BMC)
- Panihati Municipality
- West Bengal State NGRBA Program Management Group (WBSPMG)
- State Urban Development Agency – West Bengal (SUDA)

The list of participants is enclosed as **Annexure B**.

Shri M. K. Biswas, Regional Director, CPCB, RD Kolkata, welcomed all attendees and briefed them on the purpose of the meeting, emphasizing the urgency and the short notice under which it was convened. He elaborated on the issues outlined in the NGT order, particularly related to solid waste management facilities and practices followed by the three municipalities (KMC, BMC, Panihati Municipality) and two authorities (NKDA and NDITA).

He requested the concerned officials to provide updated status reports of their respective jurisdiction's municipalities /authorities on the following:

- Quantity of waste generated (TPD)
- Quantity of waste processed (TPD)
- Details of waste processing facilities, including their capacities
- Quantity of waste disposed, mode of disposal, and areas where it is disposed

Key Discussions:

Detailed discussions were held regarding the Dhapa dump site and its current condition with respect to the following;

1. Waste Processing at Dhapa:

- KMC officials reported that 4500 TPD of solid waste is received at Dhapa having 60 acres of KMC's land, of which:
 - 1025 TPD is processed:
 - 500 TPD through composting
 - 500 TPD in the C&D plant
 - 5 TPD through BioCNG
 - 20 TPD processed informally (rag-picking, etc.)
 - Dhapa has a biomining facility of 3000 TPD.

- 13 -

- As of July 2024, 15 lakh MT of legacy waste out of an estimated 40 lakh MT (2020) has been biominer (37.5%). However, biominer was halted due to ongoing legal proceedings.

2. Leachate Management:

- Leachate from the biominer and biocapped regions is treated in a 300 KLD leachate treatment facility at Dhapa.

3. Fire incidents at Dhapa Dump Site:

- The meeting revisited the 2005 Dhapa accident, with KMC officials informing that **no** major fire incidents have occurred since then. They also highlighted the existing fire extinguishing facilities. However, concerns were raised about the continued influx of fresh waste from the five municipalities, emphasizing the need for separate solid waste disposal systems to prevent future incidents.

4. New SWM Facilities:

- KMC informed that 73 ha of land have been allotted for a new SWM facility, but progress is delayed due to land-related issues.
- A 500 TPD SWM facility for wet waste and MRF is proposed at Patharghata to handle waste from BMC and NDITA.
- NKDA officials stated that the proposal for integrated SWM facility to handle waste from New Town (Action Areas 1, 2, and 3) UNDER CITIIS-2.0 PROGRAMME has been submitted to NIUA, Delhi.
- As informed by SUDA, Biominer has been started for the legacy waste at Ram Chandrapur, Panihati Municipality.

5. Monitoring Data:

- WBPCB officials shared that air quality monitoring is conducted at/near Dhapa, and ground water quality data from various points around the capped region is available with WBPCB.

Based on the discussions and information shared, the following decisions were made:

1. A table (**Annexure-A**) summarizing information from the three municipalities and two authorities that send solid waste to the Dhapa dump site was prepared and finalized. This table highlights the lack of, or inadequacies in, solid waste management facilities within these municipalities.
2. The New Town Kolkata Development Authority (NKDA) and Nabadiganta Industrial Township Authority (NDITA) were requested to submit Form IV as per the requirements of the *Solid Waste Management Rules, 2016*.
3. The Kolkata Municipal Corporation (KMC) was directed to ensure strict compliance with CPCB guidelines dated 27.01.2021, including maintaining detailed records on the disposal and utilization of refuse-derived fuel (RDF), fine earth, and other by products.

- ~~X~~ -

4. All relevant Urban Local Bodies (ULBs) and authorities were urged to address the issue of fresh waste disposal at legacy dump sites and take immediate corrective measures to prevent this ongoing practice.
5. The West Bengal Pollution Control Board (WBPCB) was asked to provide updated air and groundwater quality monitoring data for the Dhapa region to support environmental assessments.

The meeting ended with thanks to and from the chair.

-15-

**Status of per day Collection & Transportation of Fresh Waste of 5 ULBs of West Bengal
(BMC, KMC, NKDA, NDITA and Panihati Municipality)**

S. No.	Name of the Local Body	Quantity of waste generated (TPD)	Quantity of waste processed (TPD)	Details of waste processing facilities along with their capacity	Quantity of waste disposed (TPD)	Mode of disposal	Area of disposal & proposed activities
1	Bidhan Nagar Municipal Corporation (BMC)	350	0	Bio-CNG (wet) 192.5 TPD & MRF (dry) 157.5 TPD*	350	Landfilling at Dhapa	*Proposed 500 TPD Mechanical Biological Treatment (MBT) facility for wet waste and Material Recovery Facility (MRF) BMC and NDITA, to be established by K at Patharghata, with a target completion by January 2027.
2	Panihati Municipality	176	0	Windrow Composting (wet) 96.8 TPD & MRF (dry) 79.2 TPD*	176	Land filling at Dhapa	Dhapa Biomining started for the legacy waste Ram Chandrapur
3	Kolkata Municipal Corporation (KMC)	4500	1025	500 TPD- Windrow Composting 500 TPD - C&D waste at Patharghata 20 TPD- Recycling in Formal & informal 5 TPD- Bio CNG 100 TPD - MRF along with 10 TPD Plastic waste processing under trial run. Decentralised OWC - 06 nos 1 TPD Thermocol processing plant - under trial run.	4500	Landfilling at Dhapa	Dhapa On 73 Ha KMC's land at Dhapa Proposed projects: 1. 500 TPD Bio CNG compost plant (may be extended upto 750 TPD). 2. 1000 TPD RDF power plant. 3. 600 TPD in vessel composting. 4. 600 TPD Sanitary Landfill to be up on reclaimed land after bio mining. 5. Augmentation of existing 500 TPD compost plant. 6. 30,000 beds & 2,000 non-bed medical waste treatment & disposal facilities.#

S. No.	Name of the Local Body	Quantity of waste generated (TPD)	Quantity of waste processed (TPD)	Details of waste processing facilities along with their capacity	Quantity of waste disposed (TPD)	Mode of disposal	Area of disposal & proposed activities
4	New Town Development Authority (NKDA)	95	5	5 TPD Bio methanation Plant (Since 2022)	90	Land filling at Dhapa	Proposed for Integrated Solid Waste Management Plants under CITIIS-Programme at Action Area -I, II & within Newtown Kolkata
5	Nabadiganta Industrial Township Authority (NDITA)	40	0	-	40	Land filling at Dhapa	*Proposed 500 TPD Mechanical Biological Treatment (MBT) facility for wet waste and Material Recovery Facility (MRF) BMC and NDITA, to be established by K at Patharghata, with a target completion by January 2027.

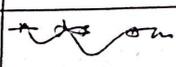
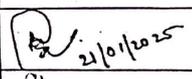
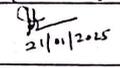
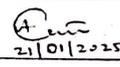
* Tender to be floated for engagement of agency for setting up of fresh waste processing plant. Preparation of tender document under process
Bio-CNG and windrow compost plant to be set up for remaining wet waste and for remaining dry waste MRF to be set up

~~IX~~
List of participants attended the meeting on 21.01.2025 at 4:00 PM

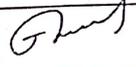
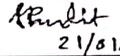
Central Pollution Control Board
Regional Directorate, Kolkata

Meeting Regarding Hon'ble NGT matter in OA No. 227/2024/EZ order dated 29.11.2024 held on 21.01.2025 with WBPCB, SUDA, Municipality & KMDA

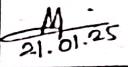
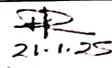
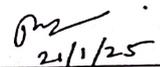
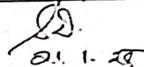
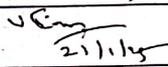
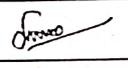
Attendance Sheet

Sl. No.	Name	Designation	Organisation	Mobile No.	Email Id	Signature
1.	M.K.Biswas	Regional Director	CPCB,RDK	9911001631	mkbiswas.cpcb@nic.in	
2	A. Fouzder	EE, WBPCB	WBPCB	9131041338	ace2.wbpcb-wb@bangla.gov.in	
3	Rajib Sachin	CE, SWM	KMDA	8443879213	sd.kmda@gmail.com	 21/1/25
4	Dijay Krishna Pal	SE/SWM	KMDA	9432378545	dkpal.kmda09@gmail.com	 21/01/2025
5	Jaydeep Mukhopadhyay	EEU/SWM-I	KMC	7439602090	j-mukhopadhyay@kmc.gov.in	 21/01/2025
6	ATANU KHATUA	SAECC)	KMC	9831545507	atanuk999@gmail.com	 21/01/2025

~~X~~

Sl. No.	Name	Designation	Organisation	Mobile No.	Email Id	Signature
7	GAUTAM SARKAR	Executive Engineer (E)	NDITA	9433476709	info@ndita.org	
8	MD. ANNARUL HAQUE	S.I.E.	NDITA	9143161070	info@ndita.org	
9	Tarit Paul	SE	NKDA	9883651629	ee.hda123@gmail.com	
10	Ashutosh Das	EE-SWM	NKDA	9433487686	ee_swm@nkda.in	
11	SUKHENDU BISHTAS	S.E.	CPCB-KA	9831056571	sukhendu.cpcb@nic.in	
12	Deepanjan Mukherjee	Joint Director	SUDA	8100992610		 21.01.25
13	Moumita Mitra	Law officer	SUDA	7171286197	ngt.udma@gmail.com	 21/01/2025
14	Barun Halder	Executive Engineer	SUDA	9732638235	bhalder60@gmail.com	 21/01/25
15	Sayani Saha Budit	JLO	SPMCA	9641495672	jlo_wbspmg@gmail.com	 21/01/25
16	Dr. Sujay Mitra	Chief Manager - Planning & Monitoring	SUDA	9433369666	skm.wb.suda@gmail.com	

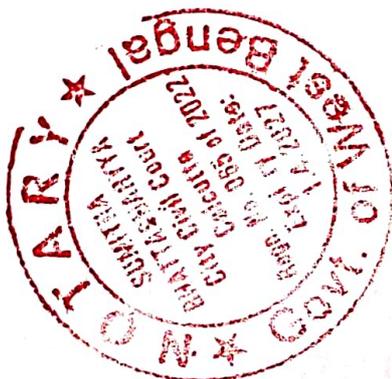
-18-

Sl. No.	Name	Designation	Organisation	Mobile No.	Email Id	Signature
17	DIPANKAR MISTRY	SAE	BMC	8910513160		 21.01.25
18	Rahul Rakshit	SAE	BMC	7980573581	rahulrakshit-1917@gmail.com	 21.1.25
19	Pallavi Mukherjee	RA	CPCB	8777659731	pallavimukherjeev@gmail.com	 21/1/25
20	Suvanku Dutta	RA	CPCB	9874523420	suvankudutta.cpcb@seppostgr.in	 21.1.25
21	V. Kiran Kumar	RA	CPCB	9949363437	Vaddemkiran@gmail.com	 21.1.25
22	Awamindra Kumar	Sc-B	CPCB	9163496598	awamindra.cpcb@nic.in	
23						
24						
25						
26						

BEFORE THE HON'BLE
NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH,
KOLKATA

ORIGINAL APPLICATION NO.
227/2024/EZ



In The Matter of:

News item titled Time bomb:
Bidhannagar, New Town Waste
pile up at Dhapa; Government
delays action

... Applicant/Suo Motto

Versus

State of West Bengal & Ors.

... Respondents

COUNTER AFFIDAVIT ON
BEHALF OF THE RESPONDENT
NUMBER 05, KOLKATA
MUNICIPAL CORPORATION.

SIBOJYOTI CHAKRABARTI

Advocate

For Kolkata Municipal
Corporation

Email:

subho.advocate@gmail.com

(M): 9007035534.