

X

**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.**

INDEX

SL No	PARTICULARS	ANNEXURE	PAGE
1.	Affidavit		1-7
2.	Copy of inspection report of State Board.	'R'	8-10

Filed by

**DIPANJAN GHOSH
ADVOCATE
HIGH COURT AT CALCUTTA**

SL. NO. 41 Dt.-

22 APR 2025

X

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.

Most Respectfully Sheweth

I, Sri Swarup Kumar Mandal, son of Shri Barendra Mandal, aged about 56 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:-

22 APR 2025



X

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 07.03.2025.

03. That, the State Board officials inspected the site on 27.01.2025 in view of the direction of Hon'ble National Green Tribunal, New Delhi Bench and the same has been submitted to this Hon'ble Tribunal.

04. That, the Hon'ble National Green Tribunal, Eastern Zone Bench in its order dated 07.03.2025 once again directed the State Board to inspect the alleged site where the waste was found dumped and partly cleared to verify whether any pollution happened

22 APR 2025

X

and affected the people of the locality and file affidavit within four weeks.

Accordingly, an inspection has been carried out by the WBPCB officials on 09.04.2025 at the alleged site.

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

The inspecting team has visited the alleged site. The entry gate of the plot where waste was dumped has been found closed with lock and key and by viewing from the gap of the closed gate remains of the waste have been found scattered around the plot. The scenario is same as that observed in the earlier inspection carried out by the State Board officials in pursuance to the Tribunal's order dated 30.01.2025.

The inspecting team has approached the Panchayat Member of that area, i.e. Farabari Nepali Busty and he has informed that the waste has been dumped for a very short duration barely one week. As soon as the matter has been published in the Telegraph, quick action has been taken by the Panchayat and with the help of the police the dumped waste has been lifted.



22 APR 2025

X

From then onwards no further dumping has been carried out in the alleged plot and in any other places in that area. He has further stated that no health-related complaints from the local people have been reported to him till date from the date of occurrence of that incident.

The inspecting team has also talked with the local people to verify whether they face any problem of pollution of that dumped waste like foul smell, any water borne disease from the probable contamination of ground water by leaching of pollutants from the solid waste or any vector borne disease from the dumped solid waste. They have informed that they have not faced any environmental issues or health-related issues from that waste dumping incident in the alleged site. Also, no complaint regarding facing of environmental pollution of that waste dumping incident from the locals of that area or from any authority has been reported to the State Board till date.

Copy of the inspection report of the State Board is annexed herewith and marked with letter "R".



22 APR 2025

X

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.

Swarup Kumar Mansal
DEPONENT



22 APR 2025

X

VERIFICATION

I, Sri Swarup Kumar Mandal, son of Shri Barendra Mandal, aged about 56 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

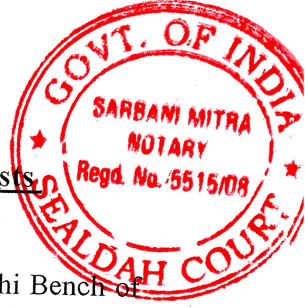
Identified and corrected by me
Advocate *Sarbani Mitra*
WBPCB

Solemnly Affirmed &
Declared Before Me
On Identification By.....

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

22 APR 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, which poses risks to wildlife.

The article also highlights that the situation has become 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.

As per the order of Hon'ble NGT, New Delhi Bench dated 27.11.2024, the site has been inspected by the WBPCB officials on 27/01/2025 and the inspection report has been submitted before the hon'ble court.

The Hon'ble NGT, Eastern Zone Bench in its order dated 07.03.2025 once again directed WBPCB to inspect the alleged site where the waste was found dumped and partly cleared to verify whether any pollution happened and affected the people of the locality and file affidavit within four weeks.

Accordingly, an inspection has been carried out by the WBPCB officials on 09.04.2025 at the alleged site.

The findings of the inspecting team are listed below: -

The inspecting team has visited the alleged site. The entry gate of the plot where waste was dumped has been found closed with lock and key and by viewing from the gap of the closed gate remains of the waste have been found scattered around the plot. The scenario is same as that observed in the earlier inspection carried out by the WBPCB officials in pursuance to the Tribunal's order dated 30.01.2025.

The inspecting team has approached the Panchayet Member of that area, i.e. Farabari Nepali Busty. He has informed that the waste has been dumped for a very short duration barely one week. As soon as the matter has been published in the Telegraph, quick action has been taken by the Panchayet and with the help of the police the dumped waste has been lifted. From then onwards no further dumping has been

X

carried out in the alleged plot and in any other places in that area. He has further stated that no health related complaints from the local people have been reported to him till date from the date of occurrence of that incident.



The inspecting team has also talked with the local people to verify whether they face any problem of pollution of that dumped waste like foul smell, any water borne disease from the probable contamination of ground water by leaching of pollutants from the solid waste or any vector borne disease from the dumped solid waste. They have informed that they have not faced any environmental issues or health-related issues from that waste dumping incident in the alleged site. Also, no complaint regarding facing of environmental pollution of that waste dumping incident from the locals of that area or from any authority has been reported to WBPCB till date

[R. KARMAKAR]
Jr. Env. Engineer, Siliguri RO
WBPCB

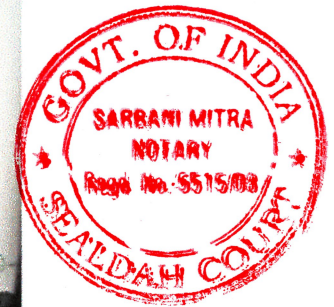
[B. PAN]
Asst. Env. Engineer, Siliguri RO
WBPCB



Photographs taken during inspection on 07.04.2025



Gate found closed with lock and key



Remains of waste are found scattered in the alleged plot

X

**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.**

**DIPANJAN GHOSH
ADVOCATE
HIGH COURT AT CALCUTTA**