

X

BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA

I.A. NO. 52/2025/EZ

IN

M.A. NO. 04/2025/EZ

IN

ORIGINAL APPLICATION NO. 127/2023/EZ

A ALI

.....APPLICANT(S)

VERSUS

STATE OF WEST BENGAL & ORS.

..... RESPONDENT(S)

AFFIDAVIT FILED BY THE WEST BENGAL POLLUTION  
CONTROL BOARD.

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1.	Affidavit		
2.	Copy of the Action Taken Report submitted by the Block Development Officer, Nalhati-II	"R"(colly)	01-08 09-19

Filed by

DIPANJAN GHOSH  
ADVOCATE  
HIGH COURT AT CALCUTTA

SL. NO. 58

Dt.- 14 JUL 2025

BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA

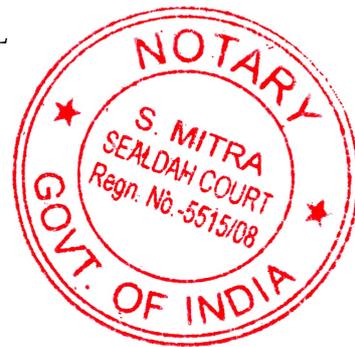
I.A. NO. 52/2025/EZ

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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:-

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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. 1, 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 01.07.2025.

03. That, in compliance to the order of this Hon'ble National Green Tribunal dated 01.07.2025, the Block Development Officer, Nalhati-II Development Block, Birbhum, submitted an Action Taken Report to the Sub-Divisional Officer, Rampurhat Sub-Division.

04. That, the Action Taken Report reads as follows:

(a) A joint inspection was carried out by the staff of the Block Development Office, Nalhati-II & Block Land & Land Reforms Office, Nalhati-II led by BL&LRO, Nalhati-II Block on 03.07.2025 at around 11 .00 A.M.



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(b) That, during the inspection, no aquatic plant, hyacinths or weeds were found in the water body in the possession of Smt. Tulabati Mal situated at Mouza: Lohapur, J.L. No. 117, L.R. Dag No. 172, P.S. Nalhati, Dist. Birbhum, measuring approximately 20 feet x 35 feet. However, there were some legacy waste materials like plastic bags, bottles etc. littered around the water body (Image-I). At the North-West side, approximately 10-12 feet away from the water body, there could be found an opening of a PVC Pipe discharging sullage in a trickling manner on the open land beside the pond from Shri Jagabandhu Ray's Household (Image-2).



(c) That, immediately thereafter, a notice vide this office Memo No. 1048/Nal-II Dev Block dated, 03.07.2025 (Annexure-I) was issued to Shri Jagabandhu Ray asking him not to discharge sullage into the water body in terms with Hon'ble NGT Judgment, service return of which is enclosed herewith (Annexure-II). Additionally, the Pradhan of the concerned Gram Panchayet i.e. Bara-I GP was instructed for taking necessary action for the compliance of the judgment vide this

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office Memo No. 1047/Nal-II Dev Block dated,03.07.2025  
(Annexure-III).

(d) That, regarding the visual cleanliness and overall hygiene of the pond, the Vector Control Teams of the said GP & the adjoining GP i.e. Bara-II GP were instructed to complete the overall cleaning work within 2 days i.e. by 05.07.2025.

(e) That, a follow-up inspection was done on 04.07.2025 at around 12.00 Noon by the Officials of the Block & the NS of the Concerned GP (Image-III). At the time of the inspection, the Vector Control Team were found at work (Image-4), and that all the legacy waste materials piled around the side of the pond were removed (Image-5). There were no signs of any aquatic plants or weeds on the surface of the pond. A small pit 4 feet x 2 feet x 1 feet was dug right beneath the pond of discharge of the sullage by Shri Jagabandhu Ray (Image-6) & visibly there were no indications of water being discharged into the water body. Although health of the said water body has been restored, being not satisfied with the volume of the pits so constructed, and its potential to soak the sullage before mixing with ground water, Shri Ray was



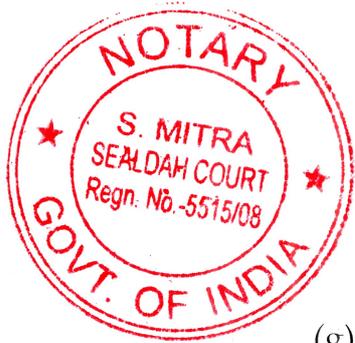
14 JUL 2025

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again instructed on the spot to execute the work as directed in Annexure-B of State Board by 12.00 noon of 05.07.2025.

(f) That, the site of the sullage discharge by the side of Shri Jagabandhu Ray's house was again visited at around 11.00 a.m. on 05.07.2025. During the time of the inspection, it was found that Shri Ray constructed a soak pit measuring 2.5 feet x 5 feet with gravel bedding (Image-7) and the sullage of his house was being discharged in the same, thereby ensuring proper treatment and no discharge to the water body.

(g) That, in the light of the above mentioned series of action taken and the compliance report submitted by the Executive Assistant, Bara-I (Annexure-IV), the pond is now free from aquatic plants or weeds and due to the construction of the soak pit by Mr. Ray (Image-8), sullage from his house is not discharged into the said water body in compliance with the judgment of the Hon'ble National Green Tribunal.



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Copy of the Action Taken Report submitted by the Block Development Officer, Nalhati-II Development Block, Birbhum is annexed herewith and collectively marked with letter "R".

05. 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 Mandal*

DEPONENT

14 JUL 2025

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## 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 4 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 *D. P. Ghosh*  
WBPCB

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

*hm*  
SARBANI MITRA  
NOTARY  
Regd. No.- 5515/08

14 JUL 2025



Government of West Bengal  
Office of the Block Development Officer  
Nalhati-II Development Office, Lohapur

Memo No. 1058 /BDO/Nal-II

Date: 07/07/25

To  
The Sub-Divisional Officer  
Rampurhat Sub-Division



**Sub: Action Taken Report regarding the Hon'ble National Green Tribunal (NGT)**

**Judgement dated, 12/03/24 in O.A 127/2024/EZ. (A. Ali vs WBPCB & Ors)**

**Ref: Your Good Office Memo No. 647/G dated, 24/06/2024**

Sir,

In reference to the above, the undersigned would like to submit the following Action Taken Report for the favour of your kind perusal & information please:

- 1) That, following the receipt of the aforesaid Memo, a joint inspection was carried out by the staff of the Block Development Office, Nalhati-II & Block Land & Land Reforms Office, Nalhati-II led by BL&LRO, Nalhati-II Block on 03/07/2025 at around 11 AM.
- 2) That, during the inspection, no aquatic plants, hyacinths or weeds were found in the water body in the possession of Smt Tulabati Mal situated at Mouza :Lohapur J.L No. 117, L.R. Dag No. 172, P.S.Nalhati, Dist: Birbhum, measuring approximately 20 feet x 35 feet. However, there were some legacy waste materials like plastic bags, bottles etc littered around the water body (Image-1). At the North-West side, approximately 10-12 feet away from the water body, there could be found an opening of a PVC Pipe discharging sullage in a trickling manner on the open land beside the pond from Shri Jagabandhu Ray's Household (Image-2).
- 3) That, immediately thereafter, a notice vide this office Memo no. 1048/Nal-II Dev Block dated, 03/07/25 (Annexure-I) was issued to Shri Jagabandhu Ray asking him not to discharge sullage into the water body in terms with Hon'ble NGT Judgement, service return of which is enclosed herewith (Annexure-II). Additionally, the Pradhan of the concerned Gram Panchayat i.e., Bara-I GP was instructed for taking necessary action for the compliance of the Judgment vide this office Memo no. 1047/Nal-II Dev Block dated, 03/07/2025 (Annexure-III).
- 4) That, regarding the visual cleanliness and overall hygiene of the pond, the Vector Control Teams of the said GP & the adjoining GP i.e., Bara-II GP were instructed to complete the overall cleaning work within 2 days i.e. by 05/07/25.

*Amol Das*  
#7/25  
Block Development Officer  
Nalhati-II, Dev. Block  
Lohapur, Birbhum

- ~~X~~
- 5) That, a follow-up inspection was done on 04/07/25 at around 12 Noon by the Officials of the Block & the NS of the Concerned GP (Image-3). At the time of the inspection, the Vector Control Team were found at work (Image-4), and that all the legacy waste materials piled around the side of the Pond were removed. (Image-5). There were no signs of any aquatic plants or weeds on the surface of the pond. A small pit 4 Feet x 2 Feet x 1 Foot was dug right beneath the point of discharge of the sullage by Shri Jagabandu Ray (Image-6) & visibly there were no indications of water being discharged into the water body. Although the health of the said water body has been restored, being not satisfied with the volume of the pit so constructed, and its potential to soak the sullage before mixing with ground water, Shri Ray was again instructed on the spot to execute the work as directed in Annexure-B of State Board by 12 Noon of 05/07/25.
- 6) That, the site of the sullage discharge by the side of Shri Jagabandhu Ray's house was again visited at around 11 AM on 05/07/25. During the time of the inspection, it was found that Shri Ray constructed a soak pit measuring 2.5 Feet x 5 feet with gravel bedding (Image-7) and the sullage of his house was being discharged in the same, thereby ensuring proper treatment and no discharge to the water body.
- 7) That, in the light of the above mentioned series of action taken & the compliance report submitted by the Executive Assistant, Bara-I (Annexure-IV), the pond is now free from aquatic plants or weeds & due to the construction of the soak pit by Mr. Ray (Image-8), sullage from his house is not discharged into the said water body in compliance with the Judgement of the Hon'ble National Green Tribunal.

This Action Taken report is submitted for your kind information & kind consideration as compliance, if found satisfactory.

**Enclos:**

1. Annexure-I-IV
2. Supporting Images 1-8



Yours faithfully,

*md as 7/7/25*  
 Block Development Officer  
 Nalhati-II Development Office  
 Lohapur, Birbhum

Date: 07/07/25

Memo No. 1058(1)/1(2) /BDO/Nal-II  
 Copy forwarded for kind information to:

1. The CA to the District Magistrate, Birbhum
2. The CA to the Additional District Magistrate (Dev), Birbhum



*md as 7/7/25*  
 Block Development Officer  
 Nalhati-II Development Office  
 Lohapur, Birbhum

X

(Annexure -I)



GOVERNMENT OF WEST BENGAL  
OFFICE OF THE BLOCK DEVELOPMENT OFFICER  
NALHATI-II DEVELOPMENT BLOCK  
LOHAPUR, BIRBHUM  
Email- bdonalhati2@gmail.com



NOTICE

In pursuance of Compliance of the Hon'ble National Green Tribunal (NGT) Judgement dated 12.03.2024 in O.A 127/2024/EZ (A.Ali vs WBPCB & Ors.) Sri Jagabandhu Ray, residing at Vill- Lohapur , P.S- Nalhati , Dist- Birbhum is hereby instructed not to discharge the sullage generated from your residence to the water body situated at Mouza- Lohapur, J.L. No. 117,LR Dag No.172, P.S- Nalhati, Dist- Birbhum.

Encl:-As stated.

*mdas*  
*3/7/25*  
Block Development Officer  
Nalhati-II Development Block  
Lohapur :: Birbhum

Memo No. 1048/ Nal - II Dev. Block

Dated: 03/07/2025

Copy forwarded to:

- 1) Sri Jagabandhu Ray, residing at Vill- Lohapur , P.S- Nalhati , Dist- Birbhum, for strict compliance

*mdas*  
*3/7/25*  
Block Development Officer  
Nalhati-II Development Block  
Lohapur :: Birbhum

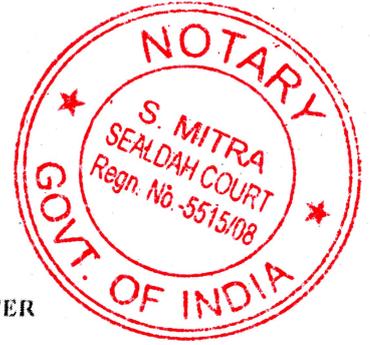
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(Annexure-II)

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GOVERNMENT OF WEST BENGAL  
OFFICE OF THE BLOCK DEVELOPMENT OFFICER  
NALHATI-II DEVELOPMENT BLOCK  
LOHAPUR, BIRBHUM  
Email- bdonalhati2@gmail.com



Memo No.-1047 /Nal-II Dev. Block

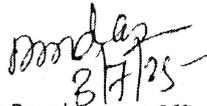
Dated: 03/07/2025

To,  
The Pradhan  
Bara-I GP under Nalhati-II Block

Sub :- Compliance of the Hon'ble National Green Tribunal (NGT) Judgement dated 12.03.2024 in O.A  
127/2024/EZ (A.Ali vs WBPCB & Ors.)

Enclosed please find herewith a letter of the Member Secretary of West Bengal Pollution Control Board regarding compliance of the Hon'ble Green Tribunal (NGT) Judgement dated 12.03.2024 in O.A. 127/2024/EZ (A.Ali vs WBPCB & Ors. ) is forwarded for information and taking necessary action and an action taken report must be sent to this end within 7 days positively .

Encl:-As stated.

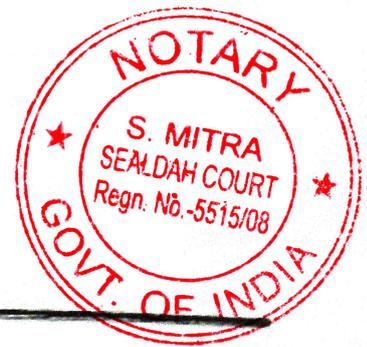
  
Block Development Officer  
Nalhati-II Development Block  
Lohapur :: Birbhum

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(Annexure -III) 122



GOVERNMENT OF WEST BENGAL  
OFFICE OF THE BLOCK DEVELOPMENT OFFICER  
NALHATI-II DEVELOPMENT BLOCK  
LOHAPUR, BIRBHUM  
Email: bdoonalhati2@gmail.com



NOTICE

In pursuance of Compliance of the Hon'ble National Green Tribunal (NGT) Judgement dated 12.03.2024 in O.A. 127/2024/EZ (A. Ali vs WBPCB & Ors.) Sri Jagabandhu Ray, residing at Vill- Lohapur, P.S- Nalhati, Dist- Birbhumi is hereby instructed not to discharge the sullage generated from your residence to the water body situated at Mouza- Lohapur, J.L. No. 117, LR Dag No. 172, P.S- Nalhati, Dist- Birbhumi.

Encls- As stated

*Handwritten signature*  
3/7/25

Block Development Officer  
Nalhati-II Development Block  
Lohapur - Birbhumi

Memo No 1048/Vol - II Des Block

Dated: 03/07/2025

Copy forwarded to:

- 1) Sri Jagabandhu Ray, residing at Vill- Lohapur, P.S- Nalhati, Dist- Birbhumi, for strict compliance

*Handwritten signature*  
3/7/25

Block Development Officer  
Nalhati-II Development Block  
Lohapur - Birbhumi

*Handwritten initials*

*Handwritten signature*  
03/7/25

14

(Annexure-IV)

Email : baraonegp@gmail.com

OFFICE OF THE PRODHAN  
**BARA - I GRAM PANCHAYAT**  
 ( Under Nalhati - II Dev. Block )  
 P.O.-BARA, DIST-BIRBHUM ( W.B.)

Ref. No. 593/P-1/25

Date 07/07/2025

To  
 the B.D.O  
 Nalhati-II Dev. Block  
 Lalapur, Birbhum

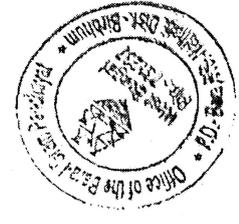
সিদ্ধান্ত :- প্রাপ্ত সর্ব ৬ নং নথি পর্যালোচনা করে  
 প্রাপ্তি নথি ২৭.৭.২৫ গণ-নির্বাহ

স্বাক্ষর-স্বাক্ষর,

এই নথি পর্যালোচনা করে প্রাপ্তি নথি  
 প্রাপ্তি নথি ২৭.৭.২৫ গণ-নির্বাহ  
 প্রাপ্তি নথি ২৭.৭.২৫ গণ-নির্বাহ



Majidul Islam  
 07.07.25  
 Executive Assistant-in-Charge  
 Bara-I Gram Panchayat



1/A

Email : baraonegp@gmail.com

OFFICE OF THE PRODHAN  
BARA – I GRAM PANCHAYAT  
(Under Nalhati – II Dev. Block)  
P.O. – Bara, Dist. – Birbhum (W.B.)

Ref. No. 593/B-1/25

Date : 07.07.2025

To  
The B.D.O.,  
Nalhati – II Dev. Block,  
Lohapur, Birbhum



Subject: Update on Completion of Soak Pit and Pond Cleaning

Dear Sir/Madam,

This is to inform you that the issue regarding Jagatbandhu Roy, son of the late Kritibas Roy, R/o Lohapur Bazar, within this Panchayat, dumping water into the pond has been resolved.

Our Panchayat had previously issued a notice to Mr. Roy, setting a deadline for resolution. Today, Panchayat officials visited the site and confirmed that Jagatbandhu Roy has constructed a covered drain leading to a soak pit. He has also completely cleaned the pond.

Sd/-  
07.07.25  
Executive Assistant in Charge  
Bara – I Gram Panchayat.



1



Latitude: 24.301632  
Longitude: 87.963747  
Elevation: 49.6±21.0 m  
Accuracy: 3.489 m  
Time: 07-03-2025 16:40  
Note: Mir Biton

**Image-1 : BEFORE Condition of the Pond & its surroundings during 1<sup>st</sup> Visit**

2



**Image-2: BEFORE Condition of sullage discharge from Jagabandhu Ray's House during 1<sup>st</sup> Visit (Day1)**



3



Latitude: 24.301644  
 Longitude: 87.96365  
 Elevation: 49.6±8 m  
 Accuracy: 11.6 m  
 Time: 07-04-2025 12:11  
 Note: bdo officeB  
 BDO

Powered by NoteCam

**Image-3: DURING Visit by Block Officials & NS of Concerned during Cleaning work**



Latitude: 24.301531  
 Longitude: 87.963708  
 Elevation: 52.4±13 m  
 Accuracy: 13.2 m  
 Time: 07-04-2025 12:03  
 Note: bdo officeB  
 BDO

Powered by NoteCam

**Image-4: DURING Vector Control Team at Work, cleaning the surroundings**



5



**Image-5: AFTER Condition of the Pond after being cleaned**



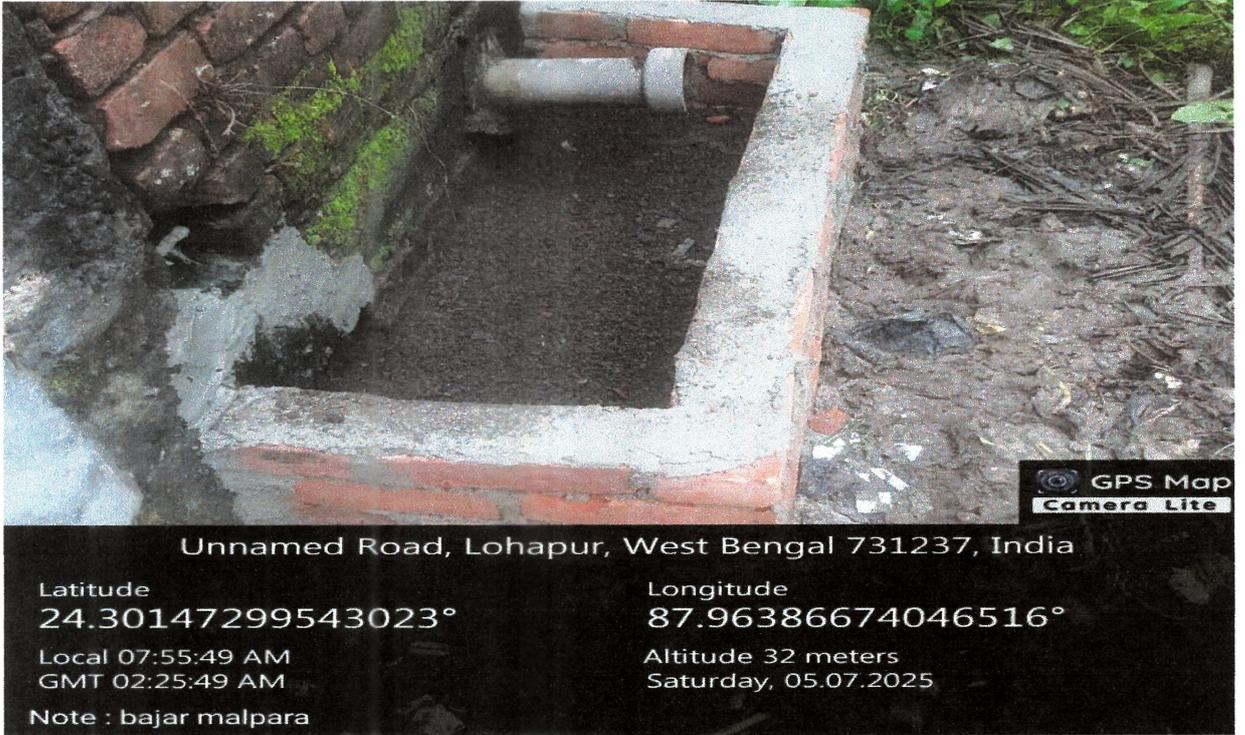
Latitude: 24.301569  
Longitude: 87.963798  
Elevation: 52.4±21 m  
Accuracy: 29.4 m  
Time: 07-04-2025 14:51  
Note: bdo officeB  
BDO

Powered by NoteCam

**Image-6: DURING Pit excavated by Shri Jagabandhu Ray**

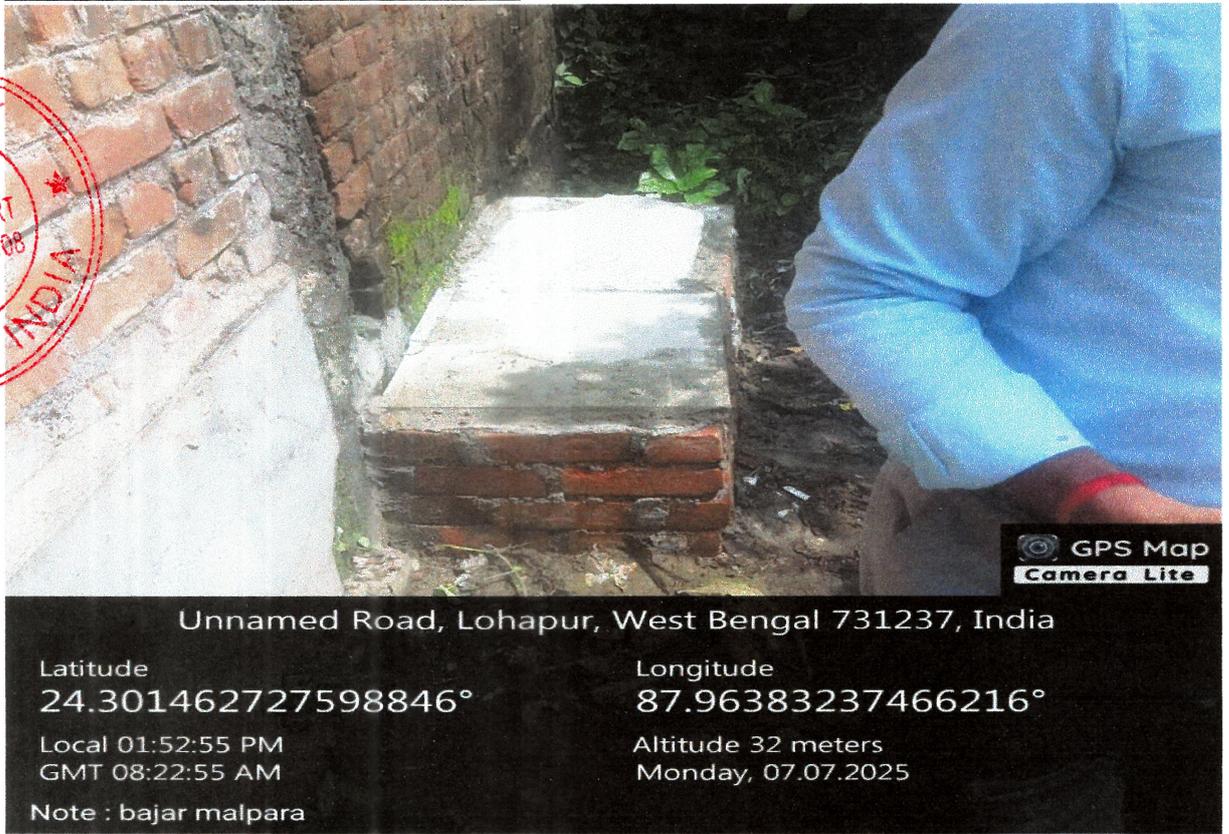


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**Image-7: DURING soakpit construction**

8



**Image-8: AFTER Soakpit fully constructed**

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BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA

I.A. NO. 52/2025/EZ

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HIGH COURT AT CALCUTTA