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BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 79/2025/EZ

SUBHAS DATTA

.....APPLICANT(S)

VERSUS

THE STATE OF WEST BENGAL & ORS.

.....RESPONDENT(S)

REPORT ON AFFIDAVIT FILED BY THE  
RESPONDENT NO. 4, WEST BENGAL POLLUTION  
CONTROL BOARD.

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Filed by  
*Siboyoti Chakraborti*  
SIBOYOTI CHAKRABORTI  
ADVOCATE

SL. NO.

28

Dt.-

27 AUG 2025

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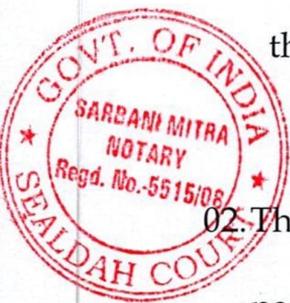
Most Respectfully Sheweth

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:-

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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. 4 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 orders passed by this Hon'ble Tribunal dated 08.05.2025 and 22.07.2025.

03. That, in pursuance to the order of the Hon'ble Tribunal dated 08.05.2025, the officials of the State Board caused inspections of the alleged Sonajhuri forest on 09.07.2025, 18.08.2025 and 19.08.2025.

04. That, the following observations were made during field visit vis-à-vis the allegations made by the complainant:

**Allegation no.1-** Regarding existence of hotels/resorts/guest houses on forest land.

**Observation:**

It was seen that a good number of hotels/resorts/guest houses exist near Sonajhuri Forest. As per the demarcation of forest

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land through pillars posted by the Forest Department, it was observed that such hotels/resorts/guest houses seem to be situated outside the forest land, except portions of Sonajhuri Atithi Nibas and Krishna Utsab Resort which may fall within forest land, which needs to be confirmed by the Forest Department.

**Allegation no.2-** Regarding building plans of such hotels/resorts been sanctioned by the local Panchayet without any administrative approval of the District Administration.

**Observation:**

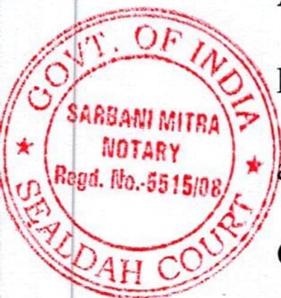
Out of the many hotels visited, The Cristallo Resort, Sonajhuri Bagan Bari, Krishna Utsab Resort and Resort Sanjhbari produced sanctioned building plan of Ruppur Gram Panchayat. Whether such building plans have been sanctioned with administrative approval of the District Administration is subject to verification.

**Allegation no.3-** Regarding operation of everyday Sonajhuri Haat with huge footfalls.

**Observation:**

Out of the total three days of inspection viz. 09/7/2025 (Wednesday), 18/8/2025 (Monday) & 19/8/2025 (Tuesday), the

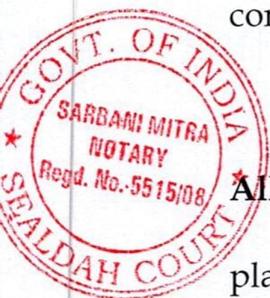
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Haat was seen to be organized on two days i.e. on 18/8/2025 (Monday) & 19/8/2025 (Tuesday). From local information, it was learnt that the Haat takes place six days a week, except on Wednesday.

During inspection, many traders with their commodities and considerable gathering of people were noticed during Haat days.



**Allegation no.4-** Regarding generation of solid wastes (including plastics) due to the Haat and improper waste management.

**Observation:**

It was seen that the Haat area within the Sonajhuri Forest was littered with solid wastes including plastics in the form of cups/glass/plates/sheets, etc. No designated vats/bins for waste disposal were seen during visit.

**Allegation no.5-** Regarding parking of motor vehicles inside Sonajhuri Forest and absence of drainage/sewerage for hotel effluents.

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**Observation:**

During the Haat days, parking of motor vehicles was observed in Sonajhuri Forest near the Haat.

Improper and inadequate drainage/sewerage system in the area for draining the waste water of hotels and resorts was seen.

Sewage of hotels/resorts/guest houses are discharged to

respective soakpits (via septic tanks) of the units. Sullage (bath

water, water from wash basins) and kitchen waste water of such

hotels/resorts/guest houses, except Resort Titli (which possesses

an Effluent Treatment Plant), is discharged without any treatment

to outside drain or low land.

**Allegation no.6-** Regarding root bounding/stumping of trees in the Sonajhuri Forest by using concrete and thrown-away wine bottles and no sign of upkeep of trees resulting in some trees getting badly damaged.

**Observation:**

In the areas of Sonajhuri Forest visited during inspections, no root

bounding/stumping of trees in the Sonajhuri Forest by using

concrete and thrown-away wine bottles was noticed. Parts of a tree

trunk was found in a place inside Sonajhuri Forest area on

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09/7/2025; no other trunk or dead tree was seen to be lying on the forest ground.

**Allegation no.7-** Regarding rampant use of woods & logs inside the forest area those that are procured from fallen/cut/dead trees and permission of use of such woods and logs.

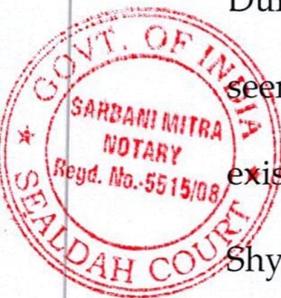
**Observation:**

During visit, no use of woods and logs inside the forest area was seen. However, cut wooden logs/fire-wood was seen to be existing within the premises of Shakuntala Village Resort, Ram Shyam Village Resort, Baul Hut and Sonajhuri Atithi Nibas. Such wooden logs are used as fuel for wood-fired ovens. The source of such woods/logs/fire-wood could not be verified. It may be mentioned here that LPG is the prime fuel used in kitchen in all the hotels/resorts/guest houses.

05. That, the following information were gathered during the inspections :

The State Board officials on talking to the hoteliers, learnt that there are about 30 such hotels/resorts/guest houses in the fringe area of Sonajhuri Forest and mouzas Kabimohanpur and

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Ballavpur, a few of which was also seen to be under construction stage.

The hotels/resorts/guest houses use Diesel Generator (DG) sets as backup power arrangement. Most of such hotels/resorts/guest houses possess 'Green' DG sets, except Palashboni Resort, Roshnai Village Resort, Maharshi Niwas and Muktheadhara Guest House those that are still using 'black' DG sets.

A road/pathway made of paver blocks, constructed by Sriniketan Shantiniketan Development Authority (SSDA), exist on the fringe of Sonajhuri Forest on the western side starting from Sonajhuri Atithi Nibas to Adibashi-para.

06. That, from the said inspections the following remarks/recommendations were made:

(a) None of the hotels/resorts/guest houses visited during inspections possess Consent to Operate of State Board, but they were all found operational. However, for operation of such hotels/resorts/guest houses Consent to Operate of State Board is mandatory.

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(b) The Birbhum District Administration and Birbhum Forest Division may take decision regarding frequency of occurrence of Sonajhuri Haat and allied parking of motor vehicles in Sonajhuri Forest.

(c) The concerned local authority should develop a proper solid waste management plan for the Sonajhuri Forest area.

(d) Birbhum Forest division should look after the upkeep of trees in Sonajhuri Forest area and see that there is no illegal felling of trees and unauthorized use of wood and logs.

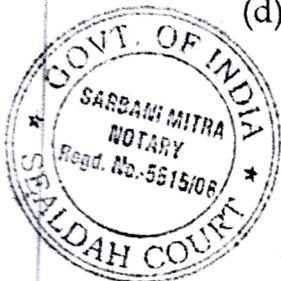
Copy of the inspection report of the State Board is annexed herewith and marked with letter "R".

07. 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.

Identified by me  
Sibgyati Chakrabarti  
Advocate  
WBPCB

Swarup Kumar Mandal  
DEPONENT

27 AUG 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 6 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

*Sibajyoti Chakrabarti*

Identified and corrected by me  
Advocate  
WBPCB

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

*[Signature]*  
SARBANI MITRA  
NOTARY  
Regd. No. 5515/08

27 AUG 2025

**Report of the field visits done by WBPCB officials of the Durgapur Regional Office in and around Sonajhuri Forest, Shantiniketan, Dist.- Birbhum in connection with O.A. no. 79/2025/EZ before the Hon'ble National Green Tribunal, Eastern Zonal Bench, Kolkata.**

**Name of visiting officials and date of visits:**

1. Sri C Dawn, AEE & Sri K. Modak, JEE on 09/7/2025 (Wednesday)
2. Sri A.K. Dey, EE & Sri. C. Dawn, AEE on 18/8/2025 (Monday)
3. Sri. S. Tudu, AEE & Sri K. Modak, JEE on 19/8/2025 (Tuesday)

**Background:**

Hon'ble National Green Tribunal, Eastern Zonal Bench, Kolkata passed orders dated 08/5/2025 & 22/7/2025 in connection with the Original Application no. 79/2025/EZ, Subhas Dutta (applicant) vs. State of West Bengal & Ors. (respondents), filed by the applicant Sri Subhas Dutta with the following allegations: -

1. That, there are hotels/resorts/guest houses on the side of Sonajhuri Forest area situated on forest land.
2. That, the building plans of such hotels/resorts have been sanctioned by the local Panchayet without any administrative approval of the District Administration.
3. That, Sonajhuri Forest in Shantiniketan is a natural forest and is also considered to be a natural heritage. That, earlier Sonajhuri Haat used to be held within the forest area of Birbhum only on Saturday where few people used to sell their commodities. But recently, due to lack of administrative command, about 3000 to 4000 traders have started their daily business there which in turn attracts thousands of tourists visiting the site everyday including weekends & holidays.
4. That, the daily Haat generates solid wastes and plastic wastes but there is no system of waste management resulting in the entire forest area being littered with plastics & other wastes.
5. That, hundreds of motor vehicles, of both tourists & traders, are parked inside the Sonajhuri Forest area creating considerable air pollution. Also, there is no drainage or sewerage system in the area for draining the waste water of hotels & resorts.
6. That there are evidences of root bounding/stumping of trees in the Sonajhuri Forest by using concrete and thrown-away wine bottles and that there is no sign of upkeep of trees resulting in some trees getting badly damaged.
7. That there is rampant use of woods & logs inside the forest area those that are procured from fallen/cut/dead trees.

**Observations during field visit vis-à-vis allegations:**

*Allegation no.1- Regarding existence of hotels/resorts/guest houses on forest land.*

**Observation:**

It was seen that a good number of hotels/resorts/guest houses exist near Sonajhuri Forest. As per the demarcation of forest land through pillars posted by the Forest Department, it was observed that such hotels/resorts/guest houses seem to be situated outside the forest land, except portions of *Sonajhuri Atithi Nibas* and *Krishna Utsab Resort* which may fall within forest land, which needs to be confirmed by the Forest Department.



*Allegation no.2- Regarding building plans of such hotels/resorts been sanctioned by the local Panchayat without any administrative approval of the District Administration.*

*Observation:*

Out of the many hotels visited (*Annexure 1: List of hotels visited*), *The Cristallo Resort, Sonajhuri Bagan Bari, Krishna Utsav Resort and Resort Sanjhbati* produced sanctioned building plan of Ruppur Gram Panchayat. Whether such building plans have been sanctioned with administrative approval of the District Administration is subject to verification.

*Allegation no.3- Regarding operation of everyday Sonajhuri Haat with huge footfalls.*

*Observation:*

Out of the total three days of inspection viz. 09/7/2025 (Wednesday), 18/8/2025 (Monday) & 19/8/2025 (Tuesday), the *Haat* was seen to be organized on two days i.e. on 18/8/2025 (Monday) & 19/8/2025 (Tuesday). From local information, it was learnt that the *Haat* takes place six days a week, except on Wednesday. During inspection, many traders with their commodities and considerable gathering of people was noticed during *Haat* days.

*Allegation no.4- Regarding generation of solid wastes (including plastics) due to the Haat and improper waste management.*

*Observation:*

It was seen that the *Haat* area within the Sonajhuri Forest was littered with solid wastes including plastics in the form of cups/glass/plates/sheets, etc. No designated vats/bins for waste disposal were seen during visit.

*Allegation no.5- Regarding parking of motor vehicles inside Sonajhuri Forest and absence of drainage/sewerage for hotel effluents.*

*Observation:*

During the *Haat* days, parking of motor vehicles was observed in Sonajhuri Forest near the *Haat*. Improper & inadequate drainage/sewerage system in the area for draining the waste water of hotels & resorts was seen. Sewage of hotels/resorts/guest houses are discharged to respective soakpits (via septic tanks) of the units. Sullage (bath water, water from wash basins) and kitchen waste water of such hotels/resorts/guest houses, except *Resort Titli* (which possesses an ETP), is discharged without any treatment to outside drain or low land.

*Allegation no.6- Regarding root bounding/stumping of trees in the Sonajhuri Forest by using concrete and thrown-away wine bottles and no sign of upkeep of trees resulting in some trees getting badly damaged.*

*Observation:*

In the areas of Sonajhuri Forest visited during inspections, no root bounding/stumping of trees in the Sonajhuri Forest by using concrete and thrown-away wine bottles was noticed. Parts of a tree trunk was found in a place inside Sonajhuri Forest area on 09/7/2025; no other trunk or dead tree was seen to be lying on the forest ground.



*Allegation no.7- Regarding rampant use of woods & logs inside the forest area those that are procured from fallen/cut/dead trees and permission of use of such woods & logs.*

**Observation:**

During visit, no use of woods & logs inside the forest area was seen. However, cut wooden logs/fire-wood was seen to be existing within the premises of *Shakuntala Village Resort, Ram Shyam Village Resort, Baul Hut* and *Sonajhuri Atithi Nibas*. Such wooden logs are used as fuel for wood-fired ovens. The source of such woods/logs/fire-wood could not be verified. It may be mentioned here that LPG is the prime fuel used in kitchen in all the hotels/resorts/guest houses.

**Other relevant information:**

On talking to the hoteliers, it was learnt that there are about 30 such hotels/resorts/guest houses in the fringe area of Sonajhuri Forest and mouzas Kabimohanpur & Ballavpur, a few of which was also seen to be under construction stage.

List of the hotels/resorts/guest houses those that were visited during the three days of inspection is given as Annexure-1 with their particulars.

The hotels/resorts/guest houses use DG sets as backup power arrangement. Most of such hotels/resorts/guest houses possess 'Green' DG sets, except *Palashboni Resort, Roshnai Village Resort, Maharshi Niwas* and *Muktadhara Guest House* those that are still using 'black' DG sets.

A road/pathway made of paver blocks, constructed by Sriniketan Shantiniketan Development Authority (SSDA), exist on the fringe of Sonajhuri Forest on the western side starting from *Sonajhuri Atithi Nibas* to Adibashi-para.

Photographs taken during visit are attached herewith for ready reference.

**Remarks/Recommendations:**

- 1) None of the hotels/resorts/guest houses visited during inspections possess *Consent to Operate* of WBPCB, but they are all found operational. However, for operation of such hotels/resorts/guest houses *Consent to Operate* of WBPCB is mandatory.
- 2) The Birbhum District Administration and Birbhum Forest Division may take decision regarding frequency of occurrence of *Sonajhuri Haat* and allied parking of motor vehicles in Sonajhuri Forest.
- 3) The concerned local authority should develop a proper solid waste management plan for the Sonajhuri Forest area.
- 4) Birbhum Forest division should look after the upkeep of trees in Sonajhuri Forest area and see that there is no illegal felling of trees and unauthorized use of wood & logs.



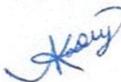
(K. Modak, JEE)



(S. Tudu, AEE)



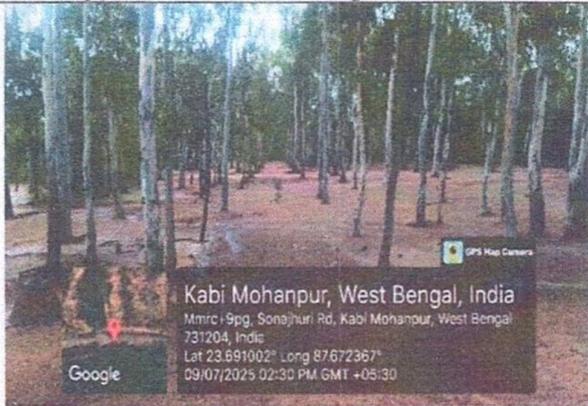
(C. Dawn, AEE)



(A.K. Dey, EE)



Photographs taken during the visit on 09/7/2025 (Wednesday) in and around Sonajhuri Forest Area



Haat areas within Sonajhuri Forest without any traders & tourists

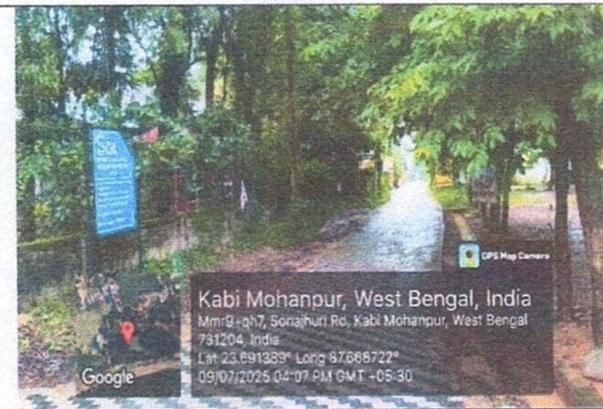


Haat area littered with different kinds of solid wastes including plastics



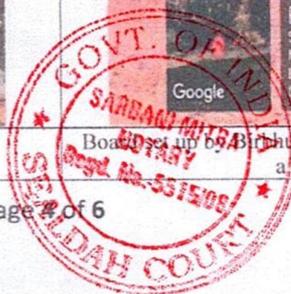
Pillars posted (marked F.D.) by the Forest Department for demarcating forest land

Wooden logs and charcoal, within the premises of Shakuntala Village Resort, stocked to be used as fuel



The road developed with paver block by SSDA

Board set up by Bolpur Forest Division mentioning forest land, with a demarcation pillar in front



Photographs taken during the visit on 18/8/2025 (Monday) in and around Sonajhuri Forest Area



Parking of vehicles inside Sonajhuri forest



Sonajhuri Haat with traders and people



Wastes, including plastics, littered within Sonajhuri forest





Photographs taken during the visit on 19/8/2025 (Tuesday) in and around Sonajhuri Forest Area



Sonajhuri Haat with traders and people



Parking of vehicles inside Sonajhuri forest



## Annexure-1

Sl. no.	Name of the unit	Address of the unit	Date of inspection	Facility type	Industry category*	CTE of WBPCB possessed	CTO of WBPCB possessed
1	Shakuntala Village Resort	Kabimohanpur, Bolpur Municipality ward no.1, P.O. & P.S.- Santiniketan, Birbhum-731235	09/7/2025	Fooding & Lodging	Orange	Yes	No
2	Ram Shyam Village Resort	-do-	-do-	Fooding & Lodging	Orange	Could not be produced	No
3	The Cristallo Resort	-do-	-do-	Fooding & Lodging	Orange	Yes	No
4	Palashboni Resort	-do-	-do-	Lodging only	Exempted	Not applicable	Not applicable
5	Krishna Utsab Resort	-do-	18/8/2025	Fooding & Lodging	Orange	Yes	No
6	Sonajhuri Bagan Bari	Ballavpur, Ruppur GP, P.O.- Sriniketan, P.S.- Santiniketan, Birbhum-731236	-do-	Fooding & Lodging	Orange	Yes	No
7	Sanchari Resort & Restaurant (Unit of Udayan)	-do-	-do-	Fooding & Lodging	Orange	Yes	No
8	Roshnai Village Resort	Kabimohanpur, Bolpur Municipality ward no.1, P.O. & P.S.- Shantiniketan, Birbhum- 731235	19/8/2025	Fooding & Lodging	Green	Yes	No
9	Baul Hut	-do-	-do-	Fooding & Lodging	Green	Could not be produced	No
10	Sonajhuri Atithi Niwas	-do-	-do-	Fooding & Lodging	Green	Yes	No
11	Bonolota Bagan Bari	-do-	-do-	Lodging only	Exempted	Not applicable	Not applicable
12	Resort Sanjhabati	-do-	-do-	Fooding & Lodging	Green	Could not be produced	No
13	La Sonajhuri Resort	-do-	-do-	Fooding & Lodging	Orange	Could not be produced	No
14	Muktadhara Guest House	-do-	-do-	Fooding & Lodging	Green	Could not be produced	No
15	Resort Titli	-do-	-do-	Fooding & Lodging	Orange	Yes	No
16	Tanubithi Resort	-do-	-do-	Fooding & Lodging	Green	Could not be produced	No
17	Maharshi Niwas	Ballavpur, Ruppur GP, P.O.- Sriniketan, P.S.- Santiniketan, Birbhum-731236	-do-	Fooding & Lodging	Green	Could not be produced	No



\* Hotels (<3 star) or hotels having 20<rooms<100 having 10KLD<waste water generation<100KLD and/or having boiler/heater/oven etc.: **Orange** category

Hotels (upto 20 rooms) without boilers or with electrical/gas-fired boiler/heater/oven etc. having waste water generation =< 10 KLD: **Green** category

Boarding & lodging facility only: **Exempted** category

CTE => Consent to Establish ; CTO => Consent to Operate

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SIBOJYOTI CHAKRABORTI  
ADVOCATE