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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. 121/2025/EZ

In the matter of:
Dharma Moila Khadan Uched
Committee, Paschim Medinipur

... Applicant

Versus

State of West Bengal and others.

... Respondents

COMPLIANCE REPORT IN THE FORM OF AFFIDAVIT ON BEHALF OF
RESPONDENT NO. 3, DISTRICT MAGISTRATE, PASCHIM MEDINIPUR

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Notary
Regd. No. - 55817
Govt. of India
Exp on - 26 05.2030

Notarial Entry NO - M.S. 111/2025

Date: 10.04.2025

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COMPLIANCE REPORT IN THE FORM OF AFFIDAVIT ON BEHALF OF
RESPONDENT NO. 3, DISTRICT MAGISTRATE, PASCHIM MEDINIPUR

I, Shri Bijin Krishna, son of Balakrishnan. T, aged about 42 years, by faith Hindu, by occupation Service, presently posted as District Magistrate, Paschim Medinipur, having my office at Midnapore, District: Paschim Medinipur, do hereby solemnly affirm and state as follows:

1. That I am presently serving as the District Magistrate & Collector, Paschim Medinipur District, and being conversant with the facts and circumstances of the instant case, I am competent and authorised to affirm this affidavit on behalf of the answering respondent.
2. That this affidavit is being affirmed in compliance with the Order dated 29.07.2025 passed by the Hon'ble Tribunal, whereby all respondents were directed to file counter affidavits within four weeks, and further, a Joint Committee was constituted comprising the following members to visit the site in question and to submit a *Fact-Finding Report* regarding the allegations made in the Original Application:

- (i) The District Magistrate, Paschim Medinipur, or his representative not below the rank of Additional District Magistrate;
- (ii) Senior Scientist, West Bengal Pollution Control Board (WBPCB); and
- (iii) Senior Scientist, Central Pollution Control Board (CPCB).

3. That pursuant to the said direction, a Joint Committee was accordingly constituted as per nominations received from the concerned departments/offices, consisting of the following members:

- ATTESTED (i) Shri Suman Sourav Mohanty, the then Additional District Magistrate (Environment), Paschim Medinipur (now transferred vide Order No. 1836-PAR(IAS)/SC-1/2025 dated 27th October, 2025 of Secretary to

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the Govt. of West Bengal, Personnel & Administrative Reforms Department, Nabanna). ;

- (ii) Mr. Toufic Aslam, Senior Scientist, Central Pollution Control Board;
- (iii) Mr. Sisir Mondal, Environmental Engineer, Haldia Regional Office, WBPCB (Nominee of the Senior Scientist, WBPCB).

4. That in compliance with the aforesaid Order, the Joint Committee conducted a physical site inspection on 10.09.2025 at the location situated at Mouza-Hosnabad, J.L. No. 200, under BL&LRO, Medinipur Sadar, where the site used as a dumping ground of Midnapore Municipality is located.

5. That the dumping site, locally referred to as Moila Khadan, is situated on the outskirts of Midnapore Town, adjacent to the Kharagpur-Midnapore highway, and falls within the jurisdiction of Hosnabad Gram Panchayat.

6. That the site is partially enclosed with brick walls and metallic fencing. Residential houses were found on the northern, southern, and western sides approximately 100 metres from the boundary, and some dwellings on the north-eastern side were even closer. A garage and an LPG gas warehouse are situated across the road on the northern and southern sides respectively. Certain portions of the surrounding low-lying area were found waterlogged.

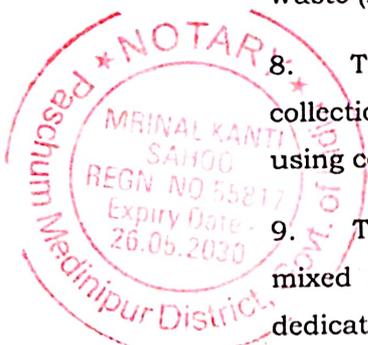
7. That as per the records provided by Midnapore Municipality, the dumpsite covers an area of 11.20 acres and has been operational since 1950. The Municipality caters to 25 wards, serving an estimated population of 2,20,312, generating approximately 103.06 tonnes of Municipal Solid Waste (MSW) per day.

8. That the Committee noted significant progress towards a door-to-door collection system, with about 78% of waste now being segregated at source using compartmentalised vehicles.

9. That however, the segregated and non-segregated wastes are found mixed at the dump site due to inadequate infrastructure and lack of a dedicated segregation zone. Fresh waste is being deposited at locations where legacy waste remains stored.

10. That the Committee observed accumulation of leachate water and formation of dense leachate blocks. No Leachate Treatment Plant (LTP) has been installed by Midnapore Municipality to treat the same.

11. That the Committee experienced pervasive foul odour and also noted scattered bio-medical waste, used napkins, and diapers outside the site



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boundary. A large number of scavenger birds were observed, indicative of open food waste exposure.

12. That the Municipality has engaged *M/s Aakansha Enterprises* through SUDA for bio-mining of 2.64 Metric Tonnes of legacy waste, under a contract valid till December 2026, supervised by the Municipal Engineering Directorate and SUDA.

13. That a Trommel Machine of 40 TPH capacity has been installed and operational for segregating waste. As on the date of inspection, the Municipality reported that 2,456 MT of legacy waste had been processed, yielding 1,350 MT Good Earth/Bio-earth, 860 MT Inert Material, and 126 MT Refuse-Derived Fuel (RDF).

14. That the Municipality produced a copy of an invoice showing that RDF is being sent to *M/s Dalmia Cement Environ Ltd., Odisha*, for use as an alternative fuel.

15. That the agency representatives informed that a weighbridge has been installed for operational transparency, and calibration was pending completion within seven days. A second Trommel Machine is also proposed to be installed shortly.

16. That the Committee advised the Municipal representatives to obtain Consent to Operate (CTO) from WBPCB at the earliest and to ensure timely submission of Annual Environmental Returns, noting a lapse in statutory compliance.

17. That upon inspection, the Committee observed potential hazards to environment and public health, and therefore recommended the following remedial measures:

(i) The Midnapore Municipality shall be directed to strictly comply with all provisions of the Solid Waste Management Rules, 2016. The Consent to Operate (CTO) from the WBPCB must be secured within a time-bound manner.

(ii) Immediate steps must be taken to design, install, and commission a proper leachate collection and adequate treatment facility (LTP). The treated leachate shall be recycled or utilised, and if discharged into the sewerage line, it must mandatorily meet the standards specified in Schedule-II of the Solid Waste Management Rules, 2016. In no case whatsoever shall untreated leachate be released into the open environment.

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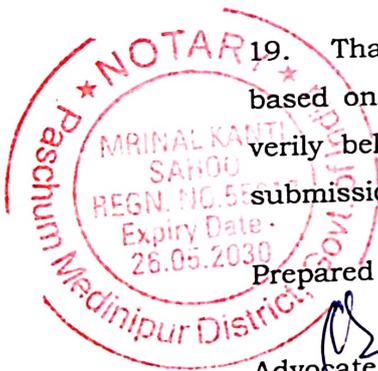


- (iii) The accumulated processed solid waste, specifically the inert material, good-earth, and Refused Derived Fuel (RDF), must be evacuated/removed or disposed of scientifically within a defined timeframe to free up space for fresh waste treatment and to prevent environmental accumulation. Furthermore, analysis of various screened fraction materials (RDF, Fine earth/bio-earth, etc.) by an accredited agency must be carried out prior to its final disposal/utilisation to ensure environmental safety.
- (iv) The Municipality must be directed to install proper secure gate infrastructure and functional CCTV cameras to prevent the unauthorised entry of individuals and stray animals and, crucially, to maintain continuous vigil over illegal dumping of Bio-Medical Waste (BMW) outside the site boundary. Any identified violators must be prosecuted immediately.

Photocopy of the said Fact-Finding Report is annexed hereto and marked as Annexure - "A".

18. That in view of the facts stated above, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to pass such other or further orders as may be deemed fit and proper in the interest of justice and environmental protection.

19. That the statements contained in paragraphs 1 to 17 hereinabove are based on records maintained in the ordinary course of business, which I verily believe to be true, and the remaining statements are my humble submissions before this Hon'ble Tribunal.



Prepared in my office

[Signature]
Advocate

Deponent

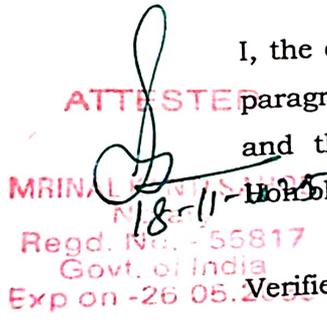
[Signature]

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Verification

I, the deponent above named, do hereby verify that the statements made in paragraphs 1 to 17 are true to my knowledge derived from official records and the remaining statements are my humble submissions before this Hon'ble Tribunal.



18-11-2025

Verified on this day of November, 2025.

Annexure - 'A' ~~XB~~

:: JOINT INSPECTION REPORT ::

1. **Reference** : Compliance of direction dated 29.07.2025 of Hon'ble NGT passed in connection with Original Application No. 121/2025/EZ and subsequent order of Hon'ble National Green Tribunal, Eastern Zone to constitute a Committee comprising o the following members:
- i. District Magistrate, District- Paschim Medinipur or his representative not below the rank of Additional District Magistrate (ADM);
 - ii. Senior Scientist, West Bengal Pollution Control Board; and
 - iii. Senior Scientist, Central Pollution Control Board.
- The Committee shall visit the site and submit a Fact-Finding Report.
2. **Name & Address of the site** : Dharma Dumping Ground (Mentioned as Dharma Moila Khadan), Mouza- Hosnabad (JL no. 200), Dharma, Medinipur, District- Paschim Medinipur, PIN- 721101
3. **Name of the Police Station** : Kotwali
4. **Date & Time of Inspection** : 10.09.2025 during 10:30a.m. to 11:50a.m.
5. **Name of Inspecting Officer** : 1. Suman Sourav Mohanty, IAS, ADM (LR) & DL & LRO, Paschim Medinipur.
2. Sisir Mondal, Environmental Engineer & In-Charge, Haldia Regional Office, WBPCB.
3. Toufic Aslam, Scientist 'C', CPCB.
6. **Representative met with** : During inspection officials from Medinipur Municipality were met with.
7. **Status of CTE / CTO** : Municipality has been advised to obtain necessary Consent from the State Board, and to submit Annual Return in time.
8. **Statement of Complainant** : Dharma Moila Khadan Uchhed Committee, Midnapore has approached the Hon'ble NGT against the Environmental Pollution affecting health, water contamination and economic issues arising due to waste disposal and burning of plastic, etc. at Moila Khadan.
9. **Brief Introduction of Dumpsite as provided by the Municipality representatives** : Dharma Dumping Ground has been used as primary Municipal Solid Waste (MSW) disposal site for Medinipur Municipality since 1950. The dumpsite covers approximately 11.20 acres. The waste from 25 (twenty-five) wards, having estimated population of 2,20,312 (1,69,127 as per 2011 census), is brought here. The municipality generates approximately 103.06 TPD (tonnes per day) municipal solid waste, for disposal. All the waste are collected through door-to-door, of which 78% of the waste are segregated and source before bringing it to the dumpsite through designated vehicles.



Work related to legacy waste disposal are being carried out under supervision of Municipal Engineering Directorate and State Urban Development Agency (SUDA).

10. Observations:

- : The dumpsite is located on the eastern side of the road connecting Kharagpur to Mohanpur under Hosnabad Gram Panchayat area and owned by Medinipur Municipality. There are multiple residential dwellings situated on the Northern, Southern and Western (across the road) sides approximately 100 metres from the boundary, but some dwellings on the North-eastern boundary are much closer. There is a garage along the road, situated on the Northern boundary and an LPG Gas warehouse on the southern side. The rest of the area along the boundaries were low land and was found inundated in some places. Boundary walls were present along the dumpsite, along with an elevated metallic boundary in some areas.

During inspection, the dumpsite was receiving fresh MSW from designated vehicle. Leachate water was found to be accumulated in areas where fresh and legacy waste were stored, but the dumpsite does not have any Leachate Treatment Plant to treat this. The Municipality has installed a trommel machine of 40 Ton/hour capacity and was in operation, the separated good earth and inert were being kept near the trommel and the segregated recyclable waste (Refused Derived Fuel) from the trommel were being sent to Integrated Cement Plant in Orissa as informed by the Municipality along with a photocopy of its invoice.

During inspection, it was informed that M/s. Aakansha Enterprises was engaged as a micro-planner, through tendering procedure by SUDA for processing of this legacy solid waste by bio-mining. The agency will dispose of 2.64 Lakh MT of this waste through their contract period, i.e. within December 2026. According to Municipalities representatives, as of now, 2456 MT of legacy waste has been processed, of which 1350 MT is good earth, 860 MT is inert, 126 is RDF (Refused Derived Fuel) and moisture. However, a significant amount of dense black leachate was noticed. Considerable amount of good-earth and inert was found to be dumped near the trommel. During inspection, the trommel was in operation. Obnoxious/filthy smell was felt within the dump site and scavenger birds were also observed. It may be mentioned that, few packets of bio-medical waste, used napkin, diapers were observed just outside the boundary wall of dumping ground. Nowhere, outbreak of fire was noticed.

The weighbridge has been installed and its calibration will be completed in approximately seven days and another trommel machine will also be installed soon as per information provided by the representative of M/s Aakansha Enterprises with installation of real time monitoring system.

During inspection, a drone was used for taking birds-eye-view of the

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11. Recommendations: :

dumping grounds and some of the photographs are attached.

- a) The municipality may be directed to strictly comply with all the provisions of MSW Rules 2016 (as amended thereof).
- b) Proper leachate collection and adequate treatment facility to be installed. The treated leachate shall be recycled or utilized as permitted, otherwise should be released into the sewerage line, after meeting the standards as specified in Schedule-II of SWM Rules, 2016. In no case, leachate shall be released into open environment.
- c) Processed solid waste, i.e. inert, good-earth and RDF to be evacuated/removed or disposed scientifically to create space for fresh waste treatment and disposal.

Analysis of various screened fraction materials, i.e. RDF, fine earth/bio earth, etc. to be carried out prior to its disposal/utilization.

- d) Proper gate and CC TV cameras to be installed to prevent unauthorised people and stray animal to enter into the dump site and make vigil over illegal dumping of BMW outside the dump site.
- e) All records to be kept and maintained as per SWM Rules, 2016.
- f) Initiatives to be taken in war footing manner to dispose the legacy solid waste.
- g) Plantation with long trees may be developed along the periphery of the boundary wall of the dump site.

Sisir Mondal

(Sisir Mondal)
Environmental Engineer
Haldia Regional Office
WBPCB

SISIR MONDAL
Environmental Engineer
Haldia Regional Office
West Bengal Pollution Control Board

Aslam

(Toufic Aslam)
Scientist 'C'
Regional Directorate, Kolkata
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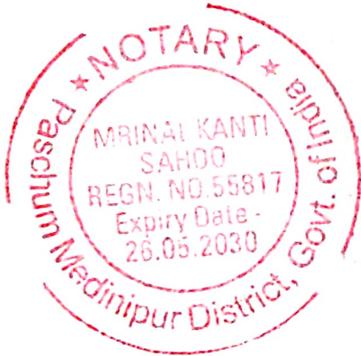
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VERSUS

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Affidavit on behalf of the respondent no.
3, the District Magistrate, Paschim
Mednipore

Notarial Entry NO - M.S. 9065

Date..... 18 NOV 2025

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