

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, AT KOLKATA
O.A. No. 99 of 2024**

In the matter of :-

Nityendu Shekhar Bhattacharjee
.....Petitioner

-Versus-

The State of Assam & 5 Others
.....Respondents



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Date : 21/11/2025.

Place : Silchar, Assam.

Filed By-

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH, AT KOLKATA**

O.A. NO. 99 OF 2024

BETWEEN

Nityendu Shekhar Bhattacharjee

House No. 13. Bilpar, Silchar

Pin-788005

Email: Nityendubhatt61@gmail.com

.....Applicant

Versus

1. The Principal Secretary
Department of Environment and Forest,
The Govt. of Assam, F- Block, 2nd Floor,
Janata Bhawan, Dispur-781005
Email: acs.envforest@gmail.com

2. The Assam Pollution Control Board
Through the Member Secretary,
Department of Environment and Forest, Govt. of Assam,
Bamunimaidan, Guwahati-21, Assam-781021
Email: chairman@pcbassam.org



3. District Magistrate Cachar,
Silchar, Pin - 788001
Email: dc-cachar@nic.in
4. Silchar Municipal Corporation
Through The Commissioner (I/C),
Silchar Municipal Corporation
Silchar, Assam, Pin-788001
Email: smb1882@gmail.com
5. Superintendent of Police
Tarapur, Silchar, Assam
Pin-788001
Email: sp-cachar@assampolice.gov.in
6. Central Pollution Control Board
Through its Chairman, Parivesh Bhawan,
CBD-cum-office, Complex, East, Arjun Nagar,
New Delhi-110032
Email: ccb.cpcb@nic.in

.....**Respondents**



-AND-

IN THE MATTER OF: -

Counter affidavit filed by the Respondent No. 4 i.e. Silchar Municipal Corporation against the rejoinder dated 26.09.2025 filed by the Applicant.

I, Smt Srishti Singh, IAS , Daughter of Sri Rajeev Singh, aged about 27 years, resident of Silchar, by profession service, District- Cachar do hereby solemnly affirm and say as follows: -

1. That i am the Commissioner of Silchar Municipal Corporation. I have gone through, the affidavit filed by the applicant and have fully understood the contents thereof.
2. That deponent denies the submission made in paragraph 4 (a) and (b) of the rejoinder. Your deponent states that door to door collection is being carried out daily from commercial establishments as well as for the household in Silchar Town. It is unfortunate that the applicant made utterly false statement stating that workers of the corporation collect the garbage once in a week. Applicant making such false statement, trying to make out a case that because of such, so called delayed collection of garbage the residents are constrained to throw the



garbage into the drains, unauthorised dumping sites. This is admission on the part of the applicant that garbage are thrown in the drain and in the unauthorised sites by the citizens of the locality.

Photographs of door to door collection – Annexure – I.

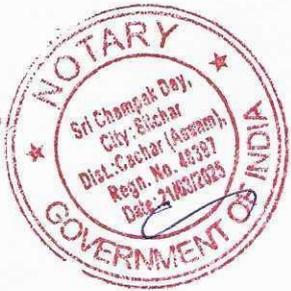
Order of door to door collection of NGO/SHG – Annexure – II.

3. That the submission made in paragraph 4 (c) of the rejoinder stating that it is mandatory duty of the corporation to collect garbage from commercial establishment and this statement has been made knowing fully well that the corporation have been carrying out cleaning and sweeping on regular basis.

Photographs of commercial garbage collection – Annexure – III.

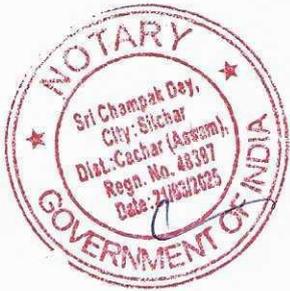
Photographs of street sweeping in day & night – Annexure – IV.

4. That the submission made in paragraph 4 (d) of the rejoinder are of similar design of making false allegation. It is stated that the service towards collection of garbage



from the locality are being carried out customarily on daily basis. There are instances where applicant himself had been penalised for throwing garbage on the road side.

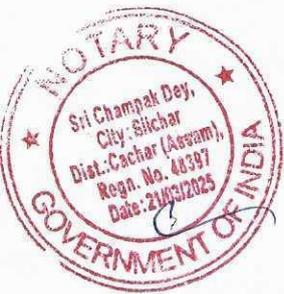
5. That the submission made in paragraph 4 (c) of the rejoinder suffers from misjoinder of cause of action i.e. refers to the improper combination of unrelated claims in a single proceeding, particularly when it involves different parties and do not arise from the same transaction. So far supply of drinking water is concerned it is maintained by PHED, Assam and therefore Public Health Engineering Department is a necessary party. However it is apposite to mention that fees regarding the maintenance, chemical supply, electricity etc. is collected by corporation as decided earlier. It is totally a false statement that since 2022 till date, the water being supplied has been constantly contaminated, containing mud, drain water, bacteria, and insects. Apart from that this narrative was not canvassed by the applicant in his O.A No. 99 of 2024. Furthermore, betterment fee which has been enhanced in the year 2024 has been in challenge by filing WP(C) No. 5198 of 2024 before the Hon'ble Gauhati High Court, which is pending disposal. Hon'ble Gauhati High Court did



not pass any interim order as the petitioner could not establish any prima facie case.

6. That the submission made in paragraph 4 (f) of the rejoinder your deponent states that the submission made in this paragraph is utterly false in as much as corporation customarily cleans and remove silt and sediment from body of water.

Photographs of siltation
clearing from various drains –
Annexure – V.



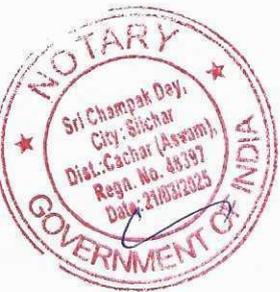
7. That in regard to submission made in paragraph 6 of the rejoinder your deponent reiterate the statement made in counter affidavit filed on 07.08.2025 i.e. corporation regularly cleans up the drain on daily basis. In paragraph 6 of the rejoinder it is stated that garbage collection is done every after 4 to 5 days again stated Respondent No. 4 cleans the dumping sites only once in every alternate day. The submission made in this paragraph is absolutely a false statement. It is stated that there is conservancy section to clean up entire garbage in all the areas and drain especially natural stream. To assist them, squad have been constituted headed by engineers. Natural

stream is the property of Water Resource Department, Assam. It is respectively stated that the floating plastic bottles/ bags are being cleaned up by Silchar Municipal Corporation in regular interval.

Order of Ward wise Squad headed by Engineers – Annexure – VI.

Photographs of Squad Team clearing garbage – Annexure – VII.

8. That applicant as its inherent habit used to through garbage in front of the main road. As a coincidence, corporation's worker were working in that area and consequently worker of the applicant was caught red handed throwing garbage in front of the main road. Notice was issued to the applicant imposing fine of Rs. 2,000/- which is not received by him. Corporation thereafter pasted the notice in a conspicuous place of his house.
9. It is totally a false statement that applicant had sent one of his relatives to pay fine amount before the office of Respondent No. 4. However concerned officials initially declined to accept the payment and thereafter subjected to that person unnecessary harassment. Had this incident has any sort of truth in that he could have named that



person who harassed his relatives. Applicant could have filed complaint before the commissioner. It is to be remembered that high sounding theoretical statements do not turn the lies into truth. Submission made in paragraph 7 and 8 of the rejoinder utterly false and the deponent denies such submission.

10. That the submission made in paragraph 9 of the rejoinder is bundle of lies. It is to be stated that applicant himself contributes to the dirty work by throwing garbage in front of the main road and, as such it does not suit in his mouth all such narrative as tied to be made in the rejoinder. Applicant has admitted in paragraph 4 (a) and (d) that the residents are constrained to through the garbage into the drains or at unauthorised dumping sites.
11. That in regard to paragraph 10 of the rejoinder your deponent states that utilisation certificate reveals kind of projects in official manner which describes the nature of project where fund has been utilised and its declaration for such utilisation.

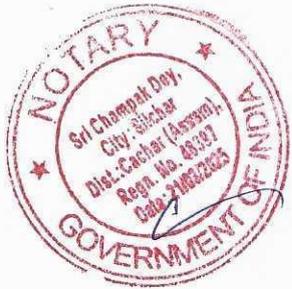
Necessary pictorial evidence of the project has been enclosed.



The submission made in this paragraph reveals that applicant posing to be Income Tax Officer and trying to make a robing enquiry.

Photographs of completed & ongoing projects including IEC programme – Annexure – VIII.

12. That the statement made in this affidavit and in paragraph 2 to 11 are matter of records which I believe to be true.
13. The mobile number in which I can be contacted is 7571858924 and if during the pendency of the instant proceedings, there is a change in my contact number, I undertake to inform the Registry of this Hon'ble Court.



"OATH"

"That I swear that this, my declaration is true, that it conceals nothing, and that no part of it is false, so help me God."

And I sign this affidavit on this the 21st day of November, 2025 at Silchar.



Identified by: -

Budhaditya Sukhoyastha
Advocate
Enrol. No. 997 of 2022

[Signature]
Commissioner
Silchar Municipal Corporation
DEPONENT

[Signature] 21/11/25
SRI CHAMPAK DEY
NOTARY PUBLIC,
GOVERNMENT OF INDIA
Regn. No. 48397 Dt.: 21/03/2025
Mbl. No. 7002742033



**OFFICE OF THE SILCHAR MUNICIPAL BOARD
CACHAR::: SILCHAR**

No. SMGUA(SBM). 27/2023-24/127

Dated- 24/04/2023

WORK ORDER

In response to the Tender (Order No SMGUA (SBM). 27/2022-23/3612 dated 01/02/2023) called from registered NGOs/SHGs/Firms for primary collection and disposal of Municipal Solid Waste, some NGOs/Firms have been selected based to provide the services on behalf of Silchar Municipal Board for a period of 2 two years. The list of selected service providers and their assigned wards given below:

Sl. No	Name of the NGOs/SHGs/Firms	Assigned Wards
1	Padmanagar Janakalyan Samity	Ward no 09
2	Trinetra Foundation	Ward no 10
3	Trinetra Foundation	Ward no 11
4	Nirupom Goswami	Ward no 13
5	Nirupom Goswami	Ward no 14
6	Nirupom Goswami	Ward no 19
7	Shakti SHG	Ward no 23
8	Gita Studio	Ward no 24
9	Gita Studio	Ward no 27
10	Gita Studio	Ward no 28

The selected NGOs/ SHGs/Firms are requested to start the work within 7days from the date of this order & their performance will be evaluated by the undersigned for the first two months & if the undersigned satisfies then agreement will be made between the 1st party & the second party.

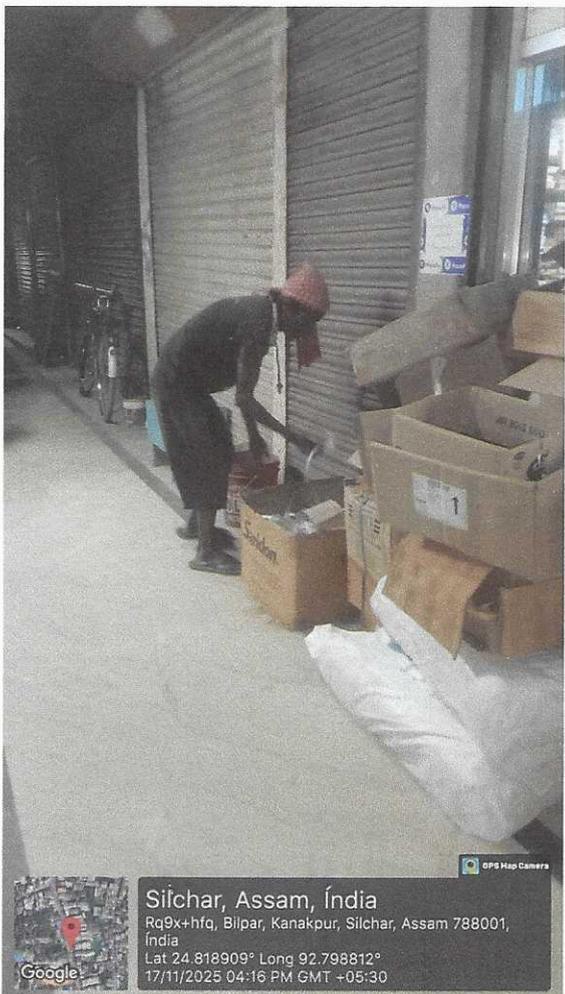
Executive Officer
Silchar Municipal Board
Dated- 24/04/2023
[Signature] Executive Officer
Silchar Municipal Board

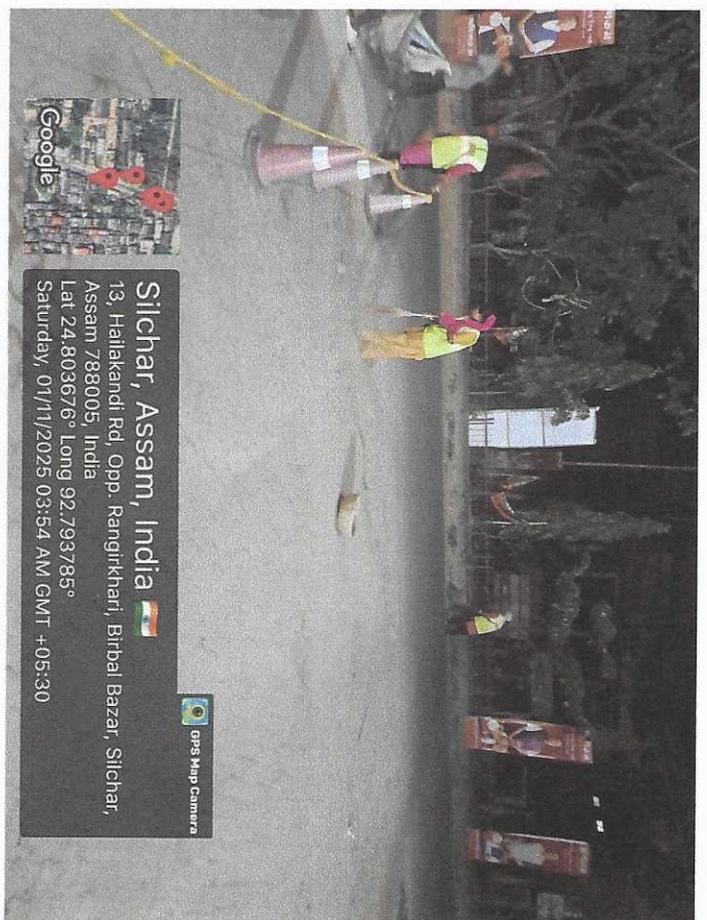
No. SMGUA(SBM). 27/2023-24/

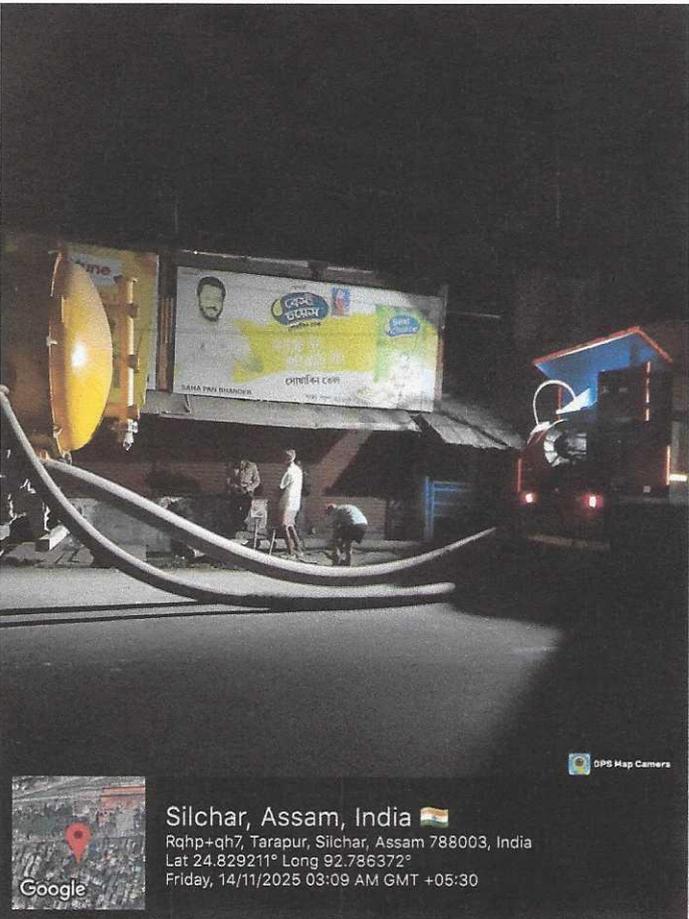
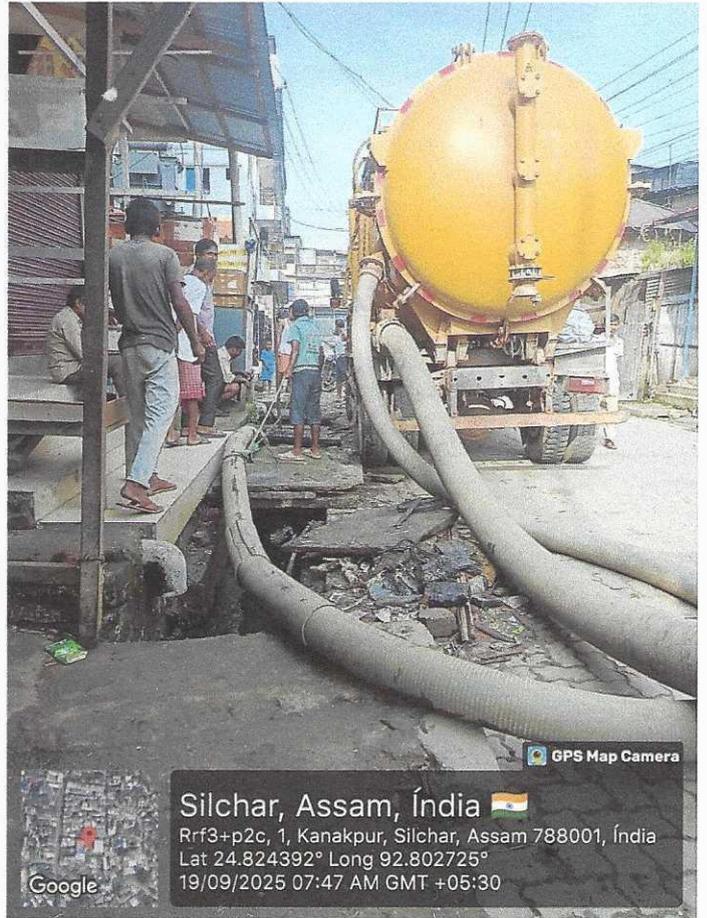
Copy to:

1. The NGOs/Firms concern for favour of kind information and necessary action.
2. Notice Board
3. Book Copy
4. File Copy.
5. Copy to Accountant, SMB for Information & necessary action.

[Signature]
Executive Officer
Silchar Municipal Board









OFFICE OF THE COMMISSIONER
SILCHAR MUNICIPAL CORPORATION
CACHAR ::: SILCHAR
Estd.1882

Email Id: smb1882@gmail.com

Ph.No: 03842-233830

O R D E R

In exigency of public services and smooth functioning of the corporation in connection with formation of squad as mentioned here under for cleaning of commercial and residential lies under various existing wards of Silchar Municipal Jurisdiction. However, the entire allotted wards' essential works of Drain clearing/cleaning, water logging issues etc. at their responsibilities. The following officials are hereby deputed to perform the supervision works as mentioned against their names in addition to their normal duties. The details area of works along with ward numbers are given in Annexure-A attached herewith.

The officials are as -

SL/ No.	Name of Officer/Officials with Designation	Squad Name	Ward No.	Nos. of Labour attached
01	Sri Chonglong Engli, AUES, Urban Technical Officer	A	1,2,3 & 4	10 Nos. of Labours
02	Sri Nippan Paul, Asstt. Engineer	B	6,7,8,& 9	05 Nos. of Labours
03	Sri Pritom Nath, Jr. Engineer	C	11,21,22 & 23	05 Nos. of Labours
04	Sri Saptarshi Paul, AUES, Urban Technical Officer	D	24, 27 & 28	07 Nos. of Labours
05	Sri Saurab Roy, Jr. Engineer	E	25, 26 & 19	10 Nos. of Labours
06	Sri Mrinal Kanti Dey, Asstt. Executive Engineer	F	17, 18 & 20	12 Nos. of Labours
07	Sri Partha Pratim Dey, Jr. Engineer (Fixed Pay)	G	10, 12 & 14	08 Nos. of Labours
08	Sri Mrinal Kanti Dey, Asstt. Executive Engineer & Sri Raju Dey, Supdt. of Accounts	H	13, 15 & 16	10 Nos. of Labours

All squad In-Charges are report to Sri Nabuttom Sharma, AUAS, Executive Officer (I/c) on daily basis regarding the work performance accordingly and finally Executive Officer (I/c) will report the undersigned.

This order come into force with immediate effect.

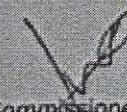

Commissioner
Silchar Municipal Corporation
Silchar Municipal Corporation

Memo No. SMGP.93/2025-2026/ 2090-2094

Dated, Silchar the 22/08/2025

Copy forwarded to: -

- 1) The Administrator, Silchar Municipal Corporation, Silchar/Guwahati, for favour of his kind information.
- 2) The Municipal Inspector, Silchar Municipal Corporation, Silchar, for information. Further, he should have to clear the lift out garbages from drain as per the systematic arrangements/instruction of Executive Officer (I/c).
- 3) Person concerned.
- 4) Book Copy.
- 5) File Copy.


Commissioner
Silchar Municipal Corporation
Commissioner
Silchar Municipal Corporation



Silchar, Assam, India
 Rrc3+c3h, L.p, Road, Chamragudam, Madhurbond,
 Silchar, Assam 788001, India
 Lat 24.820991° Long 92.802557°
 terça-feira, 14/10/2025 02:14 PM GMT +05:30



Silchar, Assam, India
 60, Mahut Para, Kanakpur, Silchar, Assam 788001, India
 Lat 24.820133° Long 92.803978°
 20/09/2025 01:02 PM GMT +05:30



Silchar, Assam, India
 7, Janiganj Bazar, Kanakpur, Silchar, Assam 788005, India
 Lat 24.823688° Long 92.80311°
 25/09/2025 06:57 AM GMT +05:30



Silchar, Assam, India
 Rrc3+7x2, Old Lakhijour Rd, Chamragudam, Kanakpur,
 Silchar, Assam 788001, India
 Lat 24.820678° Long 92.805024°
 09/10/2025 01:57 PM GMT +05:30



SILCHAR MUNICIPAL CORPORATION

KEY ACTIVITIES: School Awareness Program At Vivekamanda Vidyapith H.S School, Chengkuri Road (Ward no 19).



SILCHAR MUNICIPAL CORPORATION

KEY ACTIVITIES- Cleanliness Drive at Subhash Nagar, Ward no.21



SILCHAR MUNICIPAL CORPORATION

KEY ACTIVITIES-School Awareness At Shree Ramkrishna Vidyamandir L.P School

