

S.L. No. 13/25

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA, WEST BENGAL
ORIGINAL APPLICATION No. 147/ 2025/EZ**

In The Matter of:

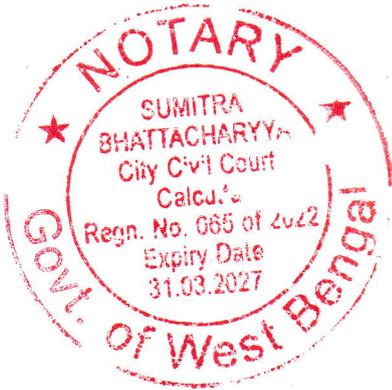
Indusekhar Das

... Applicant

Versus

State of West Bengal & Ors.

... Respondents



SUPPLEMENTARY AFFIDAVIT ON BEHALF OF APPLICANT, INDUSEKHAR DAS

INDEX

SL	PARTICULARS	ANNEXURE	PAGE
1.	Affidavit		1-6
2.	Photocopy of order dated 21.08.2025.	'A'	7-9
3.	Photocopy of complaint.	'B'	10-13

Filed by

Krishnendu Bera

KRISHNENDU BERA

Advocate

For the Applicant.

Email: krishnendubera87@gmail.com

(M): 9804470595

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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ORIGINAL APPLICATION No. 147/ 2025/EZ**

In The Matter of:

Indusekhar Das

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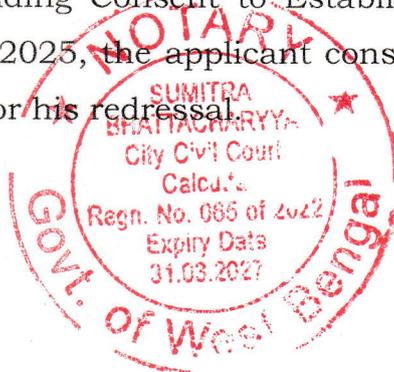
State of West Bengal & Ors.

..... Respondents

SUPPLEMENTARY AFFIDAVIT ON BEHALF OF APPLICANT, INDUSEKHAR DAS.

I, Indusekhar Das, son of Late Bhupal Chandra Das, aged about 65 years, by faith- Hindu and by occupation- Retired Govt. Employee, presently residing at 49, J M Avenue, Panshila, Sadhur More, Sodepur, Kolkata - 700112 do hereby solemnly affirm and submit as follows:

1. That I am the applicant in the instant application and I am competent to swear and affirm this affidavit and well conversant with the facts and circumstances.
2. That being aggrieved with the excessive sound and dust pollution at the instance of the respondent no. 8 for the carrying on operations of Carpentry Shop at the ground floor of the building to the opposite side of the applicant and also against the non compliance of order dated 02.04.2025 vide Memo no. 502(2)-5L/WPB-2024/M-5417 without obtaining all Statutory licenses including Consent to Establish and Consent to operate within 30th April, 2025, the applicant constrained to move before this Hon'ble Tribunal for his redressal.

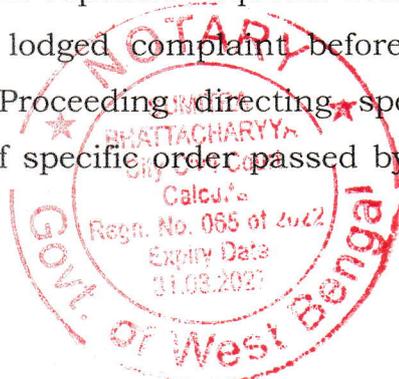


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3. That the said original application was admitted by the Hon'ble National Green Tribunal by an order dated 21.08.2025 after being satisfied with prima facie case of adverse impact on environment which was found to be made out and was pleased to direct the Registry to issue notices to respondents.

Copy of the said order dated 21.08.2025 is annexed hereto and marked with the letter 'A' to this affidavit.

4. Your applicant states that in compliance of the direction of the Hon'ble Tribunal applicant duly served the notice upon the respondent no. 8. But as the respondent no. 8 not appeared and therefore the Hon'ble Tribunal by an order dated 06.10.2025 directed to issue notice upon respondent no. 8 again through District Magistrate, North-24-Parganas.
5. Your applicant came to learn that on 07.11.2025, the officials of Panihati Municipality visited the premises of respondent no. 8 and on 08.11.2025, Mr. Litan Roy, the proprietor of respondent no. 8 accompanied by seven to eight persons, visited the residence of the applicant at about 5:30 PM. Their purpose was only to persuade the applicant to withdraw the case filed before this Hon'ble Tribunal. Although the applicant informed them that the instant case is filed only to ensure compliance with the remedial measures directed by the West Bengal Pollution Control Board (WBPCB). But it is unfortunate that said respondent no. 8 repeatedly insisted the applicant to withdraw the case.
6. The applicant states that due to excessive noise and dust generated from the unit of respondent no. 8 despite repeated requests over the past four to five years, the applicant lodged complaint before the WBPCB, which issued a Record of Proceeding directing specific measures to control pollution. Inspite of specific order passed by the

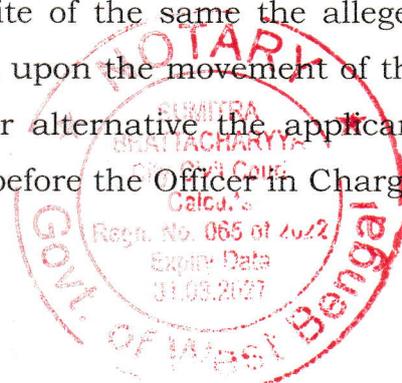


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WBPCB the respondent no. 8 in daylight violated the same and disregarded the said directions which compelled the applicant to approach this Hon'ble Tribunal.

7. The applicant states that on 24.11.2025, one of the associates of the Respondent, namely Sri Rakesh Das alias Bappa, son of Sri Ranjit Das, came to the residence of applicant at about 1 PM in an intoxicated condition. The same individual was also present in the group who came to the residence on 08.11.2025 for withdrawal of the case and threatened the applicant with abusive language as the applicant refused to withdraw the instant proceeding. In broad daylight the associate of respondent no. 8 put pressure upon the applicant to withdraw the case and claiming himself to be an antisocial element and if the applicant not withdrawn the instant proceeding he would go to any extent for the same. He continued to shout outside the residence and also threatened the applicant as well as his family members upon giving life-threatening threats and everything were recorded in the CCTV footage of the applicant's residence. It is stated further that he also visited the residence of Sri Manoranjan Pal, neighbour of the applicant and used abusive language against his female family members after questioning them about their signature on a letter addressed to WBPCB.

8. That due to continuous threats and intimidation the applicant contacted Khardah Police Station when the officials of Khardah Police Station investigated the same and recorded the details of the applicant. But it is unfortunate that inspite of the same the alleged persons roaming in the local and kept vigil upon the movement of the applicant. As such having found no other alternative the applicant lodged a written complaint on 25.11.2025 before the Officer in Charge,



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Khardah Police Station with a copy to the Commissioner of Police, Barrackpore.

Copy of the said complaint is annexed hereto and marked with the letter 'B' to this affidavit.

9. It is respectfully submitted that inspite of putting uninterrupted pressure upon the applicant to withdraw the instant original application, the applicant not willing to withdraw the instant application and most humbly praying for a direction upon the West Bengal Pollution Control Order Board's to issue 'Closure Order' in favour of the respondent no. 8 who is continuing operation of the unit in violation of the order dated 02.04.2025 vide Memo no. 502(2)-

5L/WPB-2024/M-5417 without obtaining all Statutory licenses including Consent to Establish and Consent to operate within 30th April, 2025.

10. The statements made in paragraphs 1 to 8 are true to my knowledge and rest are my respectful submission before this Hon'ble Tribunal.

Identified by me

Krishnendu Bera

Advocate

Indrakant Das

Deponent

Solely Affirmed and
Declared before me U/S 139
CPO, (C)

Sumitra Bhattacharyya
Notary

Sumitra Bhattacharyya
Notary, Govt. of W.B
Regd. No. 065 of 2022
City Civil Court, Calcutta

01 DEC 2025

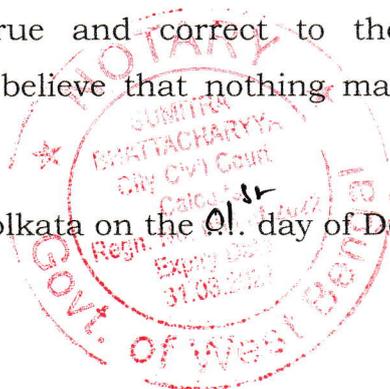


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VERIFICATION:

I, Indusekhar Das, son of Late Bhupal Chandra Das, the deponent do hereby verify and declare that the statements made in the aforesaid paragraphs are true and correct to the best of my knowledge and information and I believe that nothing material has been concealed there from.

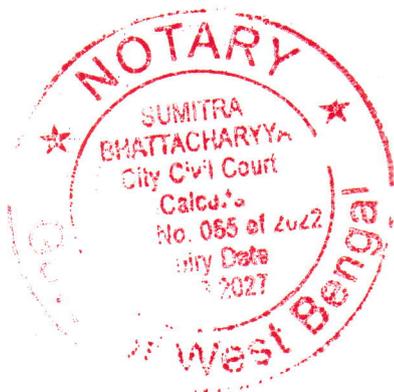
Verified at Kolkata on the 01st day of December, 2025.



Identified by me

Krishmendu Bera
Advocate

Indusekhar Das
Deponent



01 DEC 2025

Amended-A

7

Item No.02

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.147/2025/EZ

Sri Indusekhar Das

Applicant(s)

Versus

State of West Bengal & Ors.

Respondent(s)

Date of hearing: 21.08.2025

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

For Applicant(s) : Mr. Krishnendu Bera, Advocate (in Virtual Mode)

ORDER

1. This Original Application has been filed with the prayer that a direction to be issued to the respondents (State Authorities) to issue closure order in respect of the unit of Respondent No.8, M/s Manju Furniture which is operating without obtaining Consent to Establish and Consent to Operate.
2. The submission made is that the Respondent No.8 industry is running a carpentry shop at the ground floor of the building opposite the narrow lane where all kinds of wood work using manual as well as electrical machineries is being done. The work of cutting, shaping, chopping, chiseling and burnishing is being done leading to high level of decibel sound everyday from 9 am to 10 pm.
3. The Applicant resides along with his family at a distance of 05 meters (approx.) from the said carpentry shop and is exposed to exorbitant amount of dust spread in the environment.
4. Being aggrieved, the Applicant lodged a compliant with Respondent No.3, West Bengal Pollution Control Board (Department of Environment) on 27.06.2024. Thereafter, the Respondent No.3

8

directed the Officer-in-Charge, Khardah Police Station to inspect the site and verify the correctness of the complaint but in vain.

5. Complaint was also made to the National Human Rights Commission as well which was forwarded to the Respondent No.3 for necessary action.
6. During inspection, no actual carpentry work was found to be taking place. Noise level was measured three times:
 - (i) *once from just outside the unit on JM Avenue Road while the activities of unit was not operational, the noise level was found to be 65.10 dBA (ambient);*
 - (ii) *once from inside the unit while the activities of the unit were operational, the noise level was found to be 85.42 dBA; and*
 - (iii) *once from the complainant's east side windows while activities of the unit were operational, the noise level was found to be 73.98 dBA.*
7. The Respondent No.3, West Bengal Pollution Control Board after considering the Inspection Report as well as the complaint passed certain direction ordering the Respondent No.8 to maintain environmental norms strictly and take all necessary measures so that people living in the neighborhood would not suffer due to their activities. The unit was also directed to submit a compliance report to the in-charge of Barrackpore Regional Office of the Respondent No.3 within 30th April, 2025.
8. On 23.05.2025, the Applicant made a reminder about non-compliance of the order of Respondent No.3 and on 11.06.2025, the officials of Panihati Municipality visited the shop of the Respondent No.8 premises to inspect whether licenses were granted and found that no license other than "Trade License" was granted. The



Respondent No.3 specifically directed Respondent No.8 to operate the unit only after obtaining Consent to Establish (CTE) and Consent to Operate (CTO) under the 'Green' Category but even that order was flouted. Hence, the above prayer is made.

9. The prima facie case of adverse impact on environment is found to be made out and therefore we admit this Original Application and direct the Registry to issue notices to respondents, returnable within four weeks.
10. Mr. Sudip Kumar Dutta, learned Counsel appearing (in Virtual Mode) accepts notice on behalf of the Respondent Nos.1, 2, 5 and 6, State Respondents, Government of West Bengal.
11. Mr. Sibojyoti Chakrabarti, learned Counsel appearing (in Virtual Mode) accepts notice on behalf of the Respondent Nos.3 and 4, West Bengal Pollution Control Board.
12. Issue notice to the Respondent No.7, Panihati Municipality and Respondent No.8, M/s Manju Furniture, returnable within four weeks and steps to be taken within seven days for both ways services upon the respondents.
13. **List on 06.10.2025.**

.....
Dinesh Kumar Singh, JM

.....
Dr. Vijay Kulkarni, EM

August 21, 2025,
Original Application No.147/2025/EZ
OM

Answer B

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RECEIVED
 CONTENT NOT VERIFIED
 — 25.11.25
 Khordah Police Station
 BARTOLLORE Commissioner's Office

To
 The Officer in Charge,
 Khardah Police Station,
 B.T Road, Jole Doba Paras,
 Khardah,
 West Bengal – 700116

Dear Sir,

GD
 Sub: To file an FIR regarding life threatening threat

GD I, Sri Indusekhar Das, son of late Bhupal Chandra Das, aged about 65 years, residing at 49, J M Avenue, Panshila, Sadhur More, Sodepur, Kolkata – 700112, hereby request the filing of a First Information Report (FIR) due to receiving life-threatening threats from an individual assigned by some another person. The details of the case are provided below.

Yesterday, around 1 PM, Sri Rakesh Das (Bappa), son of Sri Ranjit Das, residing in our locality came to my house in an intoxicated state. At that moment, I was not at home. He requested money from my wife, and she told him to come later when I would be available in the house. Upon my arrival, I found him talking with Sri Litan Roy, the owner of M/s. Manju Furniture, outside his shop. When I entered my house, he approached and incessantly rang my doorbell. Upon meeting him, he demanded two thousand rupees. When I declined his request, he insisted to withdraw the case which I had filed against M/s. Manju Furniture with the National Green Tribunal. Upon my refusal to retract the case, he began to threaten me using abusive language. He claimed to be an antisocial element and asserted that he would go to any extent to force me to withdraw the case. Subsequently, I shut the door. However, he continued shouting outside my house, using foul language. He proclaimed that he would ensure I could not live in this place without withdrawing the Green Tribunal's case. He consistently issued life-threatening threats, indicating that my family would also face challenges in residing in this area.

Then, he also went to the house of Sri Manoranjan Pal, who lives next to me, to question him about why he also signed the letter for the West Bengal Pollution Control Board against M/s. Manju Furniture. At that moment, he was not present in the house. His family members informed him that they were also experiencing difficulties due to carpentry work near their house, which led them to sign the application. Subsequently, he began to use abusive language towards all the female family members who were present in the house.

Then, I contacted Khardah Police station over phone. After a while, a police van arrived near Sahajatri Club, adjacent to my house. At that moment, Sri Rakesh Das was ringing my doorbell. When I opened the door, it was found that he was near the police van, communicating something to them. I explained the situation, stating that initially, he demanded money from me, and when I declined to pay, he insisted that I withdraw the case I had filed with the Green Tribunal against M/s. Manju Furniture. I also presented the police officers with the documentation of the case I had already filed, which is currently pending before the Tribunal. Following this, the police officials detained him in the police van and requested my name, my father's name, and my mobile number, all of which I provided to them.

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Prior to this incident, Mr. Litan Roy visited my residence on 08.11.2025 accompanied by several local and outside people including Sri Rakesh Das (Bappa), urging me to withdraw the case. I informed them that I had been persistently requesting the shop owner Mr Litan Roy to resolve the issues of excessive noise and dust that I have endured daily from his furniture shop for the past four to five years. I had already conveyed to Mr. Litan Roy, the owner of M/s. Manju Furniture, that if he failed to provide a solution, I would be compelled to contact the West Bengal Pollution Control Board for relief. However, he did not heed my concerns. Consequently, I reached out to the Pollution Control Board. When they summoned a hearing, he also failed to attend. Following this, a Record of Proceeding was issued by the WBPCB, mandating certain remedial actions, with a copy sent to the Khardah Police Station, which he also neglected to comply with. As a result, I was forced to file a case with the National Green Tribunal. The intent of this case is not to shut down the shop but to enforce the remedial measures recommended by the WBPCB. I explained all these matters to the group present on 08.11.2025. Nevertheless, they insisted that I withdraw the case. Then, I told them that I would think over it. Subsequently, this incident occurred yesterday.

Now, as I am facing life-threatening threats to withdraw the case before the National Green Tribunal, I want to file an FIR against Mr. Litan Roy, the owner of M/s. Manju Furniture, and Mr. Rakesh Das (Bappa) to ensure that, should any physical harm come to me or my family, they will be held entirely responsible for any negative circumstances that may arise.

Thanking you,

Date: 25.11.2025

Yours faithfully,

Indusekhar Das

(Indusekhar Das)
49, J M Avenue,
Panshila, Sadhur More,
Sodepur, Kolkata - 700112

Mobile: 8509075692

- DA: (i) Record of Proceedings issued by
West Bengal Pollution Control Board dtd 02.04.2025
(ii) Copy of OA filed before the Hon'ble National Green
Tribunal, Eastern Zone Bench, Kolkata
(iii) One pen drive containing CCTV footage
and mobile video recording of the incident that
occurred on 24.11.2025

Copy to: Commissioner of Police, B.T. Road, Near Latbagan Main Gate, Barrackpore, Kol- 700120

12

To
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 B.T Road, Jole Doba Paras,
 Khardah,
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RECEIVED
 (Content not Verified)
 P. P. Chatterjee
 Dt 25/11/25
 Commissioner of Police
 Barrackpore

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Date: 25.11.2025

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Mob: 8509075692

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**SUPPLEMENTARY AFFIDAVIT ON
BEHALF OF APPLICANT**

Krishnendu Bera
Advocate.
High Court, Calcutta
9804470595 (M)

Email : krishnendubera87@gmail.com