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**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA**

**ORIGINAL APPLICATION NO. 30/2025/EZ**

**IN RE: SINKING B'DESHI VESSEL DUMPS TOXIC FLY ASH IN RIVER  
NEAR GHORAMARA, SHOWS VIDEO SHARED BY PANCHAYAT  
MEMBER NEWS ITEM PUBLISHED IN THE TIMES OF INDIA  
KOLKATA SECTION DT 17.02. 2025**

..... APPLICANT(S)

**VERSUS**

**STATE OF WEST BENGAL & ORS.**

..... RESPONDENT(S)

**AFFIDAVIT FILED BY THE WEST BENGAL POLLUTION CONTROL  
BOARD.**

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Filed by

**DIPANJAN GHOSH  
ADVOCATE  
HIGH COURT AT CALCUTTA**

SL. NO. 47 Dt. ~~08~~ DEC 2025



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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:-

08 DEC 2025

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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. 07, 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 13.11.2025.



03. That, in compliance with the order of this Hon'ble Tribunal dated 13.11.2025, Respondent No. 7 (WBPCB) and Respondent No. 8 (CPCB) were directed to file response quantifying the environmental compensation payable by Respondents No. 9 (AJBELA Navigation) and Respondents No. 10 (M/s. King Ocean Shipping Lines) or projecting reasonable amount which may be taken as security to cover the environmental compensation amount on calculation.

04. That a meeting was held on 04.12.2025 by the officials of Central Pollution Control Board and West Bengal Pollution Control Board and after discussion the following decisions were taken :

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1. It was proposed that the matter may be dealt with in accordance with the Notification dated 21.12.2021 issued by MoEF&CC on Ash Utilisation by Coal or Lignite Based Thermal Power Plants. The Notification stipulates that *“it shall be the responsibility of the transporter or vehicle owner to deliver ash to authorized purchaser or user agency and if it is not complied, then an environmental compensation of Rs. 1500 per ton on such quantity as misdelivered to unauthorized users or non-delivered to authorized users will be imposed besides prosecution of such non-compliant transporters by State Pollution Control Board (SPCB) or Pollution Control Committee (PCC).”* Accordingly, environmental compensation may be calculated by WBPCB as per the above Notification.

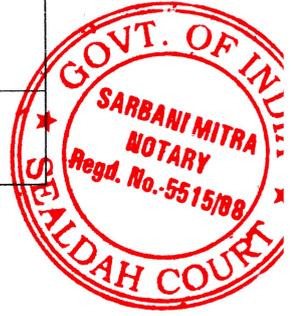
2. As per information received from the Inland Waterways Authority of India (Letter No. IWAI/KOL/PROT(1)/2024-25/1897 dated 10.03.2025), the quantity of fly ash dumped is 490 MT. Accordingly, the environmental compensation computed is as follows:

**08 DEC 2025**



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Quantity of Fly Ash	Rate of EC	Total EC Payable
Dumped		
490 MT	₹1500 per MT	₹7,35,000/-



Copy of the Minutes of the Meeting is annexed herewith and 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.

*Swamy Kumar Mandal*  
DEPONENT

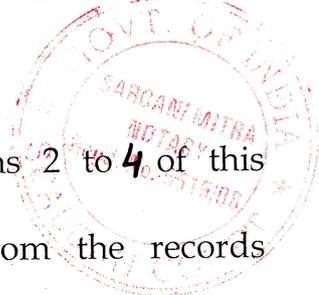
08 DEC 2025

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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. B. Ghosh*  
WBPCB

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

*Sarbani Mitra*  
SARBANI MITRA  
NOTARY  
Regd. No.- 5515/08  
Mob.- 8777303277

08 DEC 2025



\*  
केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
(Ministry of Environment, Forest & Climate Change, Govt. of India)  
क्षेत्रीय निदेशालय, कोलकाता  
Regional Directorate, Kolkata



Hon'ble NGT Matter

Date: 8<sup>th</sup> December, 2025

**OFFICE MEMORANDUM**

**Sub: Minutes of Meeting between CPCB and WBPCB in the matter of OA No. 30/2025/EZ (News Item titled "Sinking B'deshi vessel dumps toxic fly ash in river near Ghoramara, shows video shared by panchayat member" Vs. State of West Bengal & Others)**

A copy of the Minutes of Meeting between CPCB and WBPCB held on 04.12.2025 at 2:30 PM in the matter OA No. 30/2025/EZ (News Item titled "Sinking B'deshi vessel dumps toxic fly ash in river near Ghoramara, shows video shared by panchayat member" Vs. State of West Bengal & Others) to deliberate upon the Hon'ble NGT directions dated 13.11.2025 for computation of Environmental Compensation (EC) to be filed before the Hon'ble Tribunal is forwarded herewith, for information and necessary action.

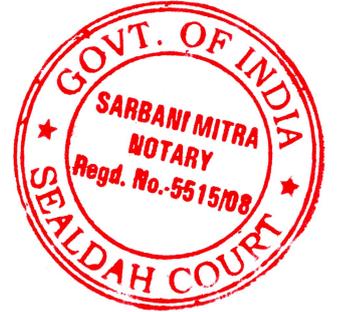
This issues with approval of MS, CPCB.

  
(M. K. Biswas)  
Regional Director

Encl: As Above.

To

1. Mr. Praseon Gargava, Scientist 'F' & Divisional Head, IPC-II & Law Division, CPCB, Delhi
2. Mr. Anil Ranveer, Divisional Head, R&D, CPCB, Delhi
3. Mr. Mrinal Kanti Biswas, Scientist 'E', Research Division, CPCB, Kolkata
4. Mr. Swarup Kumar Mandal, Chief Engineer, WBPCB
5. Ms. Ruby Sinha, Senior Environmental Engineer, WBPCB
6. Mr. Tapan Kumar Biswas, Senior Environmental Engineer, Alipore Regional Office, WBPCB
7. Mr. Anjan Fouzdar, Environmental Engineer, WBPCB Head Office
8. Mr. Niranjana Mandal, Assistant Environmental Engineer, Alipore Regional Office, WBPCB
9. Mr. Gaurav Gehlot, Scientist 'C', CPCB, Delhi
10. Mr. Toufic Aslam, Scientist 'C', CPCB, Kolkata
11. Ms. Urmila Thakur, Senior Law Officer, Law Division, CPCB, Delhi
12. Ms. Pausali Mukherjee, Special Law Officer, WBPCB
13. Mr. Siddharth Jain, Scientist 'B', CPCB, Kolkata
14. Mr. Durganand Jha, Scientist 'B', CPCB, Delhi
15. Dr. Devaleena Chaudhuri, Research Associate-III, CPCB RD, Kolkata



Copy for information to:

1. Member Secretary, WBPCB
2. PS to MS, CPCB Delhi
3. PS to RD Kolkata

  
(M. K. Biswas)

मुख्यालय/Head Office:  
परिवेश भवन/Parivesh Bhawan,  
पूर्वी अर्जुन नगर/East Arjun Nagar  
दिल्ली/Delhi-110 032  
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वेबसाइट/Website: www.cpcb.nic.in

क्षेत्रीय निदेशालय/Regional Directorate:  
502, साउथएंड कॉनक्लेव/502, Southend Conclave  
1582, राजडांगा मेन रोड / 1582, Rajdanga Main Road  
कोलकाता/Kolkata- 700107  
दूरभाष/Tel: 033-2441 4677  
ई-मेल/e-mail: [rdkolkata.cpcb@gov.in](mailto:rdkolkata.cpcb@gov.in)



**Minutes of Meeting between CPCB and WBPCB in the matter of OA No. 30/2025/EZ (News Item titled "Sinking B'deshi vessel dumps toxic fly ash in river near Ghoramara, shows video shared by panchayat member" Vs. State of West Bengal & Others)**

A meeting between officials of CPCB and WBPCB was held on 04 December 2025 through hybrid mode to deliberate upon the Hon'ble NGT directions in OA No. 30/2025/EZ and to arrive at the Environmental Compensation (EC) to be filed before the Tribunal.

The list of participants is enclosed as **Annexure-I**.

As per the Hon'ble NGT order dated 13.11.2025, para 9:

*"Respondent No. 7 (WBPCB) and Respondent No. 8 (CPCB) are directed to file a response quantifying the environmental compensation payable by Respondents No. 9/10 or projecting a reasonable amount which may be taken as security to cover the environmental compensation amount on calculation. Response may be filed within two weeks."*

Respondent No. 9 is AJBELA Navigation and Respondent No. 10 is M/s King Ocean Shipping Lines.

The meeting was initiated by Shri M. K. Biswas, Regional Director, CPCB-RDK, who welcomed all participants, conveyed his sincere thanks for attending the meeting at short notice, and requested Mr. Siddharth Jain, Scientist 'B', to brief the gathering on the case background and the requirement for compliance with the Tribunal's directions.

The following issues were discussed for the computation of the Environmental Compensation (EC);

1. Based on the discussion, it was proposed that the matter may be dealt with in accordance with the Notification dated 21.12.2021 issued by MoEF&CC on Ash Utilisation by Coal or Lignite Based Thermal Power Plants. The notification stipulates that-

*"it shall be the responsibility of the transporter or vehicle owner to deliver ash to authorized purchaser or user agency and if it is not complied, then an environmental compensation of Rs. 1500 per ton on such quantity as misdelivered to unauthorized users or non-delivered to authorized users will be imposed besides prosecution of such non-compliant transporters by State Pollution Control Board (SPCB) or Pollution Control Committee (PCC)."*

Accordingly, EC may be calculated by WBPCB as per the above notification.

2. As per information received from the Inland Waterways Authority of India (Letter No. IWAI/KOL/PROT(1)/2024-25/1897 dated 10.03.2025), the quantity of fly ash dumped is 490 MT. Accordingly, the Environmental Compensation computed is as follows:

S. No.	Quantity of Fly Ash Dumped	Rate of EC	Total EC Payable
1.	490 MT	₹1500 per MT	₹7,35,000/-

3. On behalf of CPCB and WBPCB, WBPCB may file the response before the Hon'ble NGT along with the EC computed at para 2 and all other relevant supporting documents.

The meeting concluded with a vote of thanks.





## Annexure I

## List of Participants attended the Meeting

Sr. No.	Name of Participants	Mode of Participation
1.	Mr. Prasoon Gargava, Sc. 'F' and DH IPC II & Law Division, CPCB Delhi	Online Mode
2.	Mr. Anil Ranveer, DH, R&D, CPCB, Delhi	Online Mode
3.	Mr. Mrinal Kanti Biswas, Sc. E and RD, CPCB Kolkata	Physical Mode
4.	Mr. Swarup Kumar Mandal, Chief Engineer, WBPCB	Physical Mode
5.	Ms. Ruby Sinha, Sr. Env. Engineer, WBPCB	Physical Mode
6.	Mr. Tapan Kumar Biswas, SEE, Alipore RO, WBPCB	Physical Mode
7.	Mr. Anjan Fouzdar, Env. Engineer, WBPCB HO	Physical Mode
8.	Mr. Niranjana Mandal, AEE, Alipore, RO, WBPCB	Physical Mode
9.	Mr. Gaurav Gehlot, Sc. C, CPCB Delhi	Online Mode
10.	Mr. Toufic Aslam, Sc. C CPCB Kolkata	Physical Mode
11.	Ms. Urmila Thakur, SLO Law Division, CPCB Delhi	Online Mode
12.	Ms. Pausali Mukherjee, Spl Law Officer, WBPCB	Physical Mode
13.	Mr. Siddharth Jain, Scientist B, CPCB Kolkata	Physical Mode
14.	Mr. Durgānand Jha, Scientist B, CPCB Delhi	Online Mode
15.	Dr. Devaleena Chaudhuri, RA III, CPCB RD Kolkata	Physical Mode



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ADVOCATE  
HIGH COURT AT CALCUTTA**