

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH AT KOLKATA  
ORIGINAL APPLICATION NO. 195 OF 2024**

**IN THE MATTER OF:**

PRAMEYA FOUNDATION

.... APPLICANT

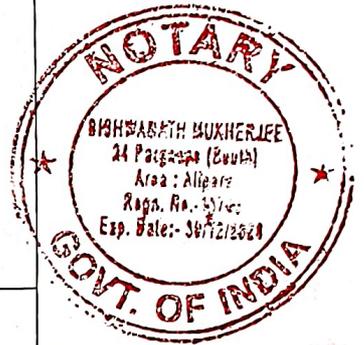
VERSUS

STATE OF WEST BENGAL AND ORS.

.... RESPONDENTS

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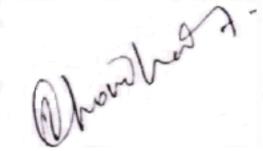
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**Proof of service  
THROUGH**

**17**

**RITWICK DUTTA    RAHUL CHOUDHARY    KAUSTAV DHAR**

**ADVOCATES**

COUNSELS FOR THE APPLICANT

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**PLACE: KOLKATA/NEW DELHI**

**DATE: 06.12.2025**



**06 DEC 2025**

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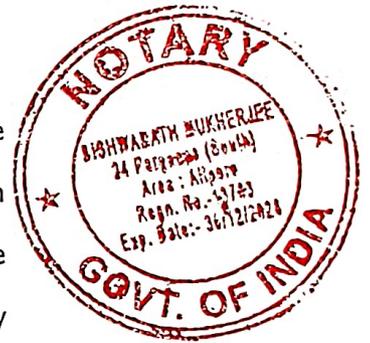
STATE OF WEST BENGAL AND ORS.

.... RESPONDENTS

**ADDITIONAL AFFIDAVIT ON BEHALF OF THE APPLICANT**

I, Sabyasachi Chowdhury, S/o Somnath Chowdhury, aged about 31 years, office at 5, A.P.C Avenue, Ground Floor, Purba Sinthee (E) Dumdum, Kolkata – 700030, do hereby solemnly affirm and declare on oath as under:

1. That I am the person authorised by the Applicant Organization and is conversant with the facts and circumstances of the case and competent to swear this Additional Affidavit.
2. That the Deponent, who is also the Applicant herein craves liberty to file the present Additional Affidavit to bring on record available information regarding the present status of the case and hence, the same shall be placed on record for perusal of this Hon'ble Tribunal which are necessary for the proper adjudication of the above-mentioned Application.
3. The above captioned Application was filed under Section 14 read with Section 20 of the National Green Tribunal Act, 2010 raising a 'substantial question relating to the environment' as defined under Section 2(m) of the Act, regarding the increase in the illegal use of polystyrene and expanded polystyrene (thermocol) commodities (also known as 'Styrofoam') during the festive season and celebrations across West Bengal in complete violation of Rule 4(2) of the Plastic Waste



  
  
**BISHWABATI MUKHERJEE**  
**NOTARY / ADVOCATE**  
**Govt. of India**  
**Regn. No. 51723**

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Management Rules, 2016 which categorically prohibits/bans the manufacture, import, stocking, distribution, sale and use of various polystyrene and expanded polystyrene (thermocool) commodities across the country from 1st July, 2022.

4. The Applicant in this regard has undertaken a field survey on 27.11.2025 which involves visiting the entire Kumartuli area and Barabazar area of Kolkata. Further, the Applicant herein also submits various instances of illegal dumping of thermocol cutleries and usage of thermocol decorative items during festivals and other celebrations like marriage. That the comprehensive findings of the survey are outlined below, accompanied by photographic evidence that captures the current status. This combination of detailed observations and photographic documentation provides a clear representation of the situation as it stands:

**ILLEGAL DUMPING OF THERMOCOL CUTLERIES NEAR THE HON'BLE TRIBUNAL AT NEWTOWN:**

5. The Applicant respectfully submits that on 26.07.2025, a substantial quantity of discarded thermocol cutlery was found dumped at a location approximately 800 metres from this Hon'ble Tribunal. This incident clearly demonstrates that the use and disposal of thermocol cutleries continue unabated, in complete disregard of the ban effective from 1st July, 2022. The unchecked and persistent violation of the prohibition reflects the widespread non-compliance of several directions passed by this Hon'ble Tribunal in this matter. The Applicant submits that such incidents occurring in close proximity to this Hon'ble Tribunal reflect a complete mockery of the law in force and a blatant disregard for the consistent directions issued by this Hon'ble Tribunal.

Copy of the images taken by the Applicant on 26.07.2025 showing massive use of thermocol cutleries and illegal dumping at a location



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**NOTARY / ADVOCATE**  
**GOVT. of India**  
**Regd. No. 13783**

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approximately 800 metres from this Hon'ble Tribunal is annexed as

**ANNEXURE A/1.**

**ILLEGAL USE OF THERMOCOL FOR DECORATIONS DURING FESTIVALS AND OCCASSIONS:**

6. The Applicant submits that notwithstanding the ban effective from 1st July, 2022, and despite multiple directions issued by this Hon'ble Tribunal in the present matter, thermocol continues to be widely used for decorative purposes during festivals such as Durga Puja and Kali Puja, as well as for marriage pandals. Photographs taken by the Applicant on 17.10.2025 during Kali Puja in Kolkata, and additional images captured on 26.11.2025 at a marriage ceremony, clearly depict extensive use of thermocol in flagrant violation of the prevailing law. Copy of the images taken by the Applicant on 17.10.2025 and 26.11.2025 depict extensive use of thermocol in flagrant violation of the ban in existence are annexed herewith as **ANNEXURE A/2.**

**ILLEGAL STOCKING, DISTRIBUTION, SALE AND USE OF THERMOCOL AS WELL AS DUMPING IN THE GANGA GHATS PERSISTS IN KUMARTULI AS WITNESSED DURING FIELD SURVEY ON 27.11.2025 BY THE APPLICANT:**

7. The Applicant herein submits that the earlier surveys conducted by the Applicant on 11.09.2024, 21.10.2024, 28.01.2025 and 24.07.2025 categorically depicts the large scale illegal use of thermocol in Kumartuli despite the ban in existence. That this Hon'ble Tribunal had categorically directed the Director General of Police, West Bengal, to take immediate action against the violators. However, despite such explicit direction, the recent survey conducted on 27.11.2025 reveals that no substantial change has occurred on the ground. The survey conducted by the Applicant clearly demonstrates that the illegal sale and use of decorative



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items continued unabated, in disregard of the specific directions issued by this Hon'ble Tribunal.

8. It is absolute crucial to note that even after the passage of more than one year and despite repeated directions passed by this Hon'ble Tribunal to the Director General of Police, West Bengal the illegal stocking, distribution, sale and use of thermocol persists in Kumartuli as witnessed during field survey on 27.11.2025 by the Applicant. The Applicant witnessed that majority of the shops were still selling thermocol decorative items like crowns, ornaments, and other embellishments for the idols in absolute disregard to the Rule 4(2) of the PWM Rules, 2016 and specific directions passed by this Hon'ble Tribunal. It is evident that till date no tangible action has been taken to address this ongoing violation. The Applicant further observed that large sheets of thermocol were present in most shops, where artisans were actively cutting them into pieces and using them to create decorative items. The images captured by the Applicants serve as photographic evidences of the extensive stocking, distribution, sale and use of thermocol despite the ban.

Copy of the images taken by the Applicant on 27.11.2025 showing thermocol crowns and other decorative items in Kumartuli are annexed herewith as **ANNEXURE A/3**.

9. It is pertinent to note that Kumartuli is located adjacent to the Ganga Ghats. The wastes generated from these cut outs are mainly tiny pieces of thermocol which were found unscientifically discarded across the Ghats and roads adjacent to the Ghats. That it is pertinent to note that these discarded cut outs were found to be filled in plastic sacks and same are unscientifically dumped into the Ganga. This categorically shows the negligent attitude of the State Authorities in delegating its



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duty. Furthermore, various food stalls along the Ganga Ghats were serving food in thermocol cutleries.

Copy of the images of the thermocol wastes discarded adjacent to the Ganga Ghats are annexed herewith as **ANNEXURE A/4.**

**ILLEGAL STOCKING AND SELLING OF THERMOCOL CUTLERIES AT DUMDUM MARKET AND BARABAZAR MARKET IN KOLKATA:**

10. The Applicant also observed the widespread sale of thermocol cutlery at Dum Dum Market in Kolkata on 27.11.2025, clearly indicating that violations of the ban continue unabated.

11. The Applicant further visited Barabazar Market, a major wholesale hub in Kolkata, where several cutlery shops were found selling biodegradable alternatives. However, when the Applicant enquired about the availability of thermocol cutlery, the shopkeepers directed him to a specific shop and revealed that thermocol items are not openly displayed; instead, they are concealed in the upper storage area and supplied only upon customer request. The Applicant located the said shop, and upon enquiry, the shopkeeper produced thermocol cutlery along with thermocol beads and balls used for decorative purposes. It is pertinent to highlight that despite earlier seizures conducted in this area, shops continue to stock and sell these banned items covertly, demonstrating deliberate and persistent non-compliance with the law. Copy of the images taken by the Applicant on 27.11.2025 showing the illegal stocking and selling of thermocol cutleries are annexed herewith as **ANNEXURE A/5.**

**ILLEGAL STOCKING, SELLING AND DUMPING OF THERMOCOL CUTLERIES AT A MARKET IN JADAVPUR IN KOLKATA:**

12. The Applicant further observed rampant illegal stocking, distribution, and sale of thermocol cutleries at Jadavpur Market in Kolkata on

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 NOTARY / ADVOCATE  
 Gov. of India  
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30.11.2025, demonstrating that violations of the ban commodities continue unabated.

13. That the Applicant also found that all roadside food stalls were serving food exclusively in thermocol cutlery. Upon inquiry, the shopkeepers stated that thermocol items were the only cutlery available in the retail market. The surrounding roads were found to be heavily littered and overburdened with discarded thermocol cutlery. That such clear and blatant violation despite the ban existing since 1<sup>st</sup> July, 2022 shows the absolute nonchalant and indifferent attitude of the State.

Copy of the images taken by the Applicant on 30.11.2025 showing the illegal stocking, selling and dumping of thermocol cutleries at Jadavpur area in Kolkata are annexed herewith as ANNEXURE A/6.

14. That the above facts and documents are filed in compliance to the order dated 14.05.2025 passed by this Hon'ble Tribunal and hence are necessary for proper adjudication of the matter.

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DEPONENT

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BISHWANATH BUKHARJEE  
NOTARY / ADVOCATE  
Govt. of India  
Regd. No. 12786

VERIFICATION

Verified on this 06<sup>th</sup> day of December, 2025 at Kolkata that the contents of the above-mentioned Additional Affidavit are true and correct to my knowledge and no part of it is false and nothing material has been concealed therefrom.



*[Handwritten signature]*

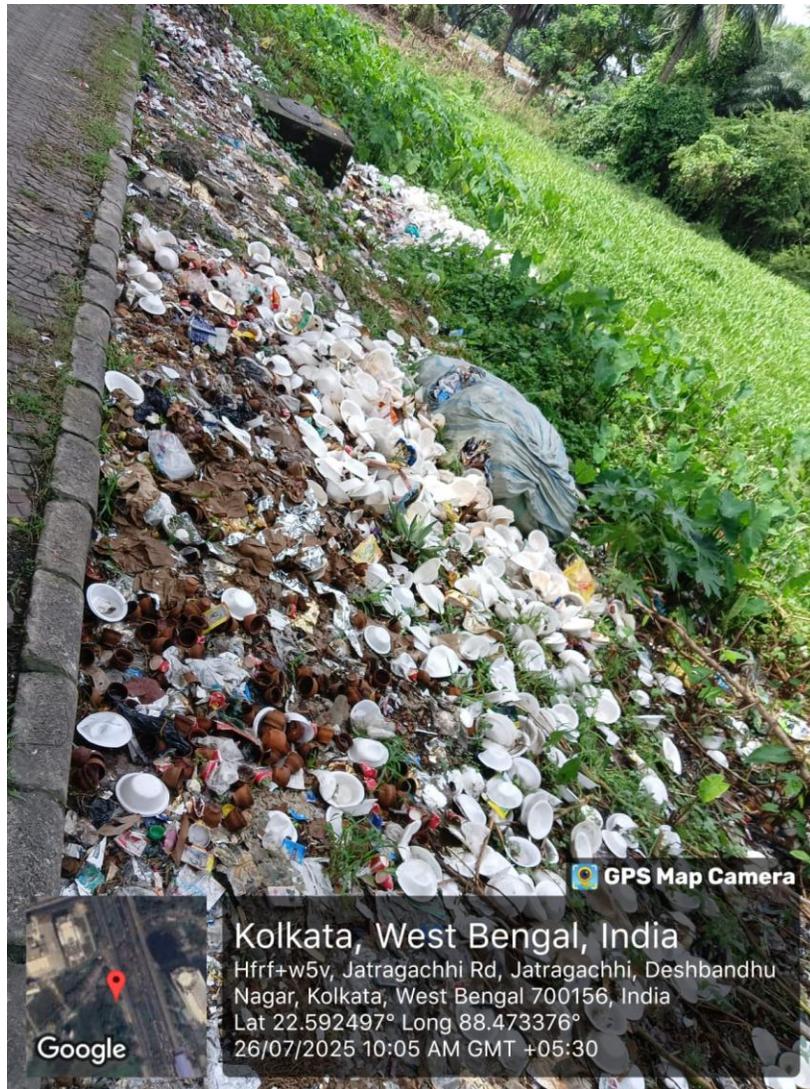
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BISHWANATH BUKHARJEE  
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Regd. No. 12786

06 DEC 2025

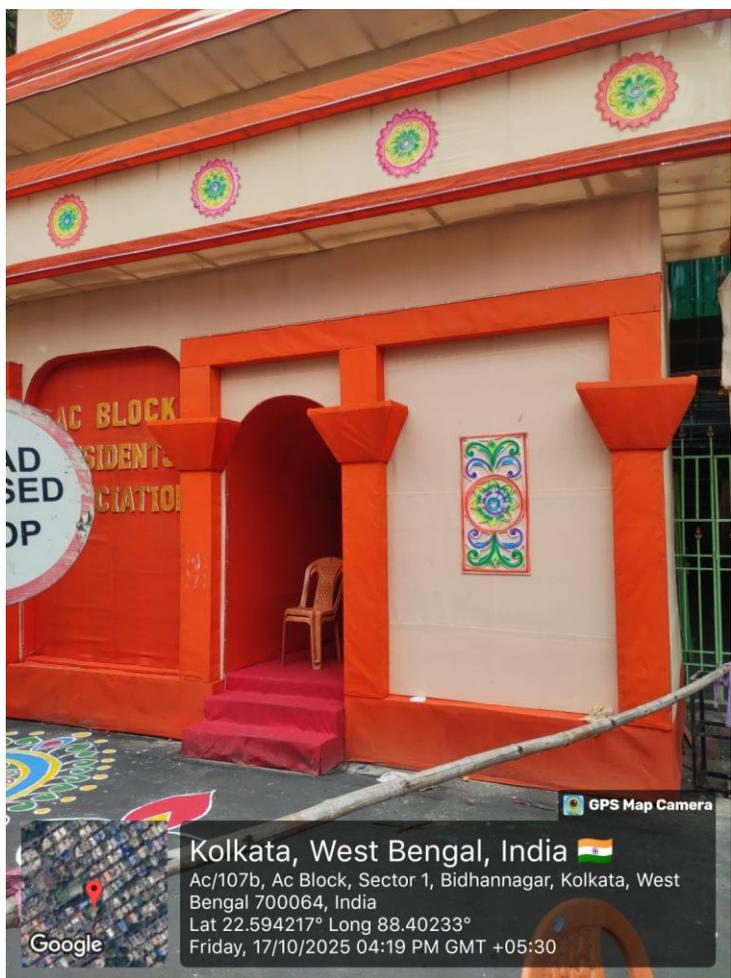
**ANNEXURE A/1**

**COPY OF THE IMAGES TAKEN BY THE APPLICANT ON 26.07.2025 SHOWING MASSIVE USE OF THERMOCOL CUTLERIES AND ILLEGAL DUMPING AT A LOCATION APPROXIMATELY 800 METRES FROM THIS HON'BLE TRIBUNAL.**



**ANNEXURE A/2**

**COPY OF THE IMAGES TAKEN BY THE APPLICANT ON 17.10.2025 AND 26.11.2025 DEPICT EXTENSIVE USE OF THERMOCOL FOR DECORATIVE PURPOSES FOR FESTIVALS AND CEREMONIES IN FLAGRANT VIOLATION OF THE BAN IN EXISTENCE:**





**ANNEXURE A/3**

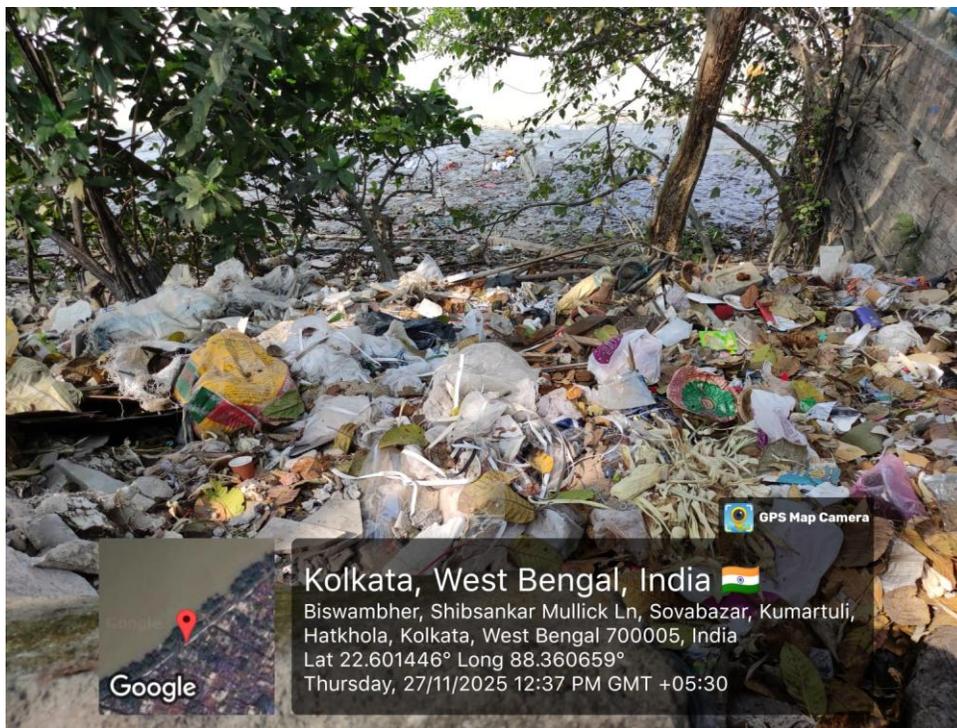
**COPY OF THE IMAGES TAKEN BY THE APPLICANT ON 27.11.2025 SHOWING THERMOCOL CROWNS AND OTHER DECORATIVE ITEMS FOR GODS AND GODDESS ARE SOLD AT LARGE SCALE IN KUMARTULI.**

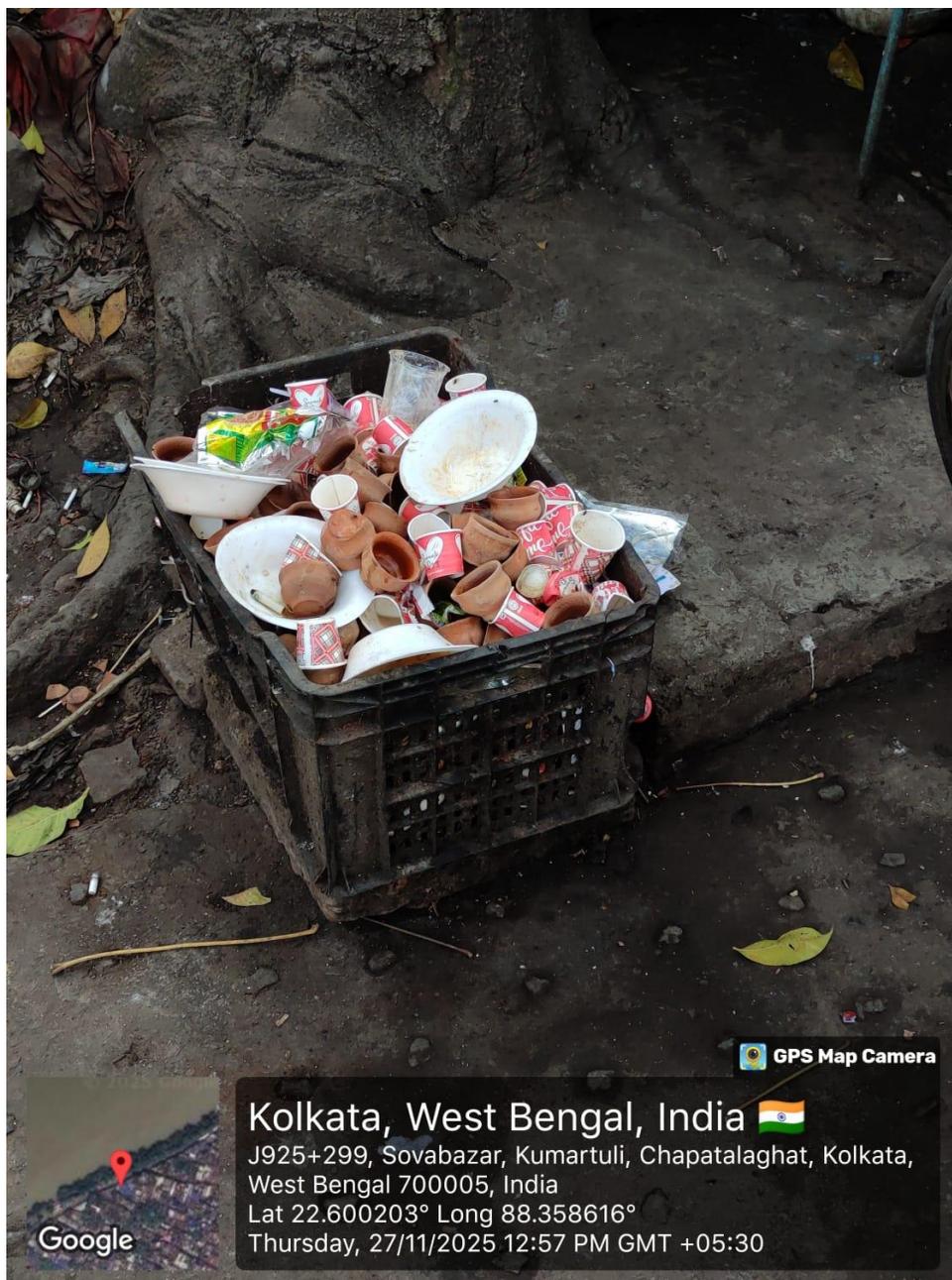




**ANNEXURE A/4**

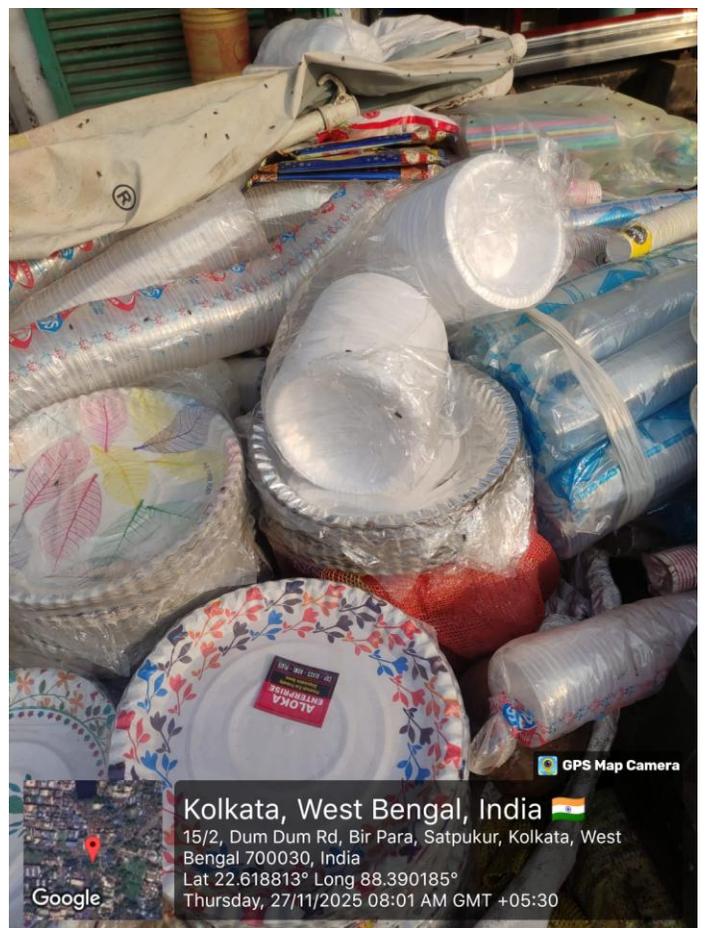
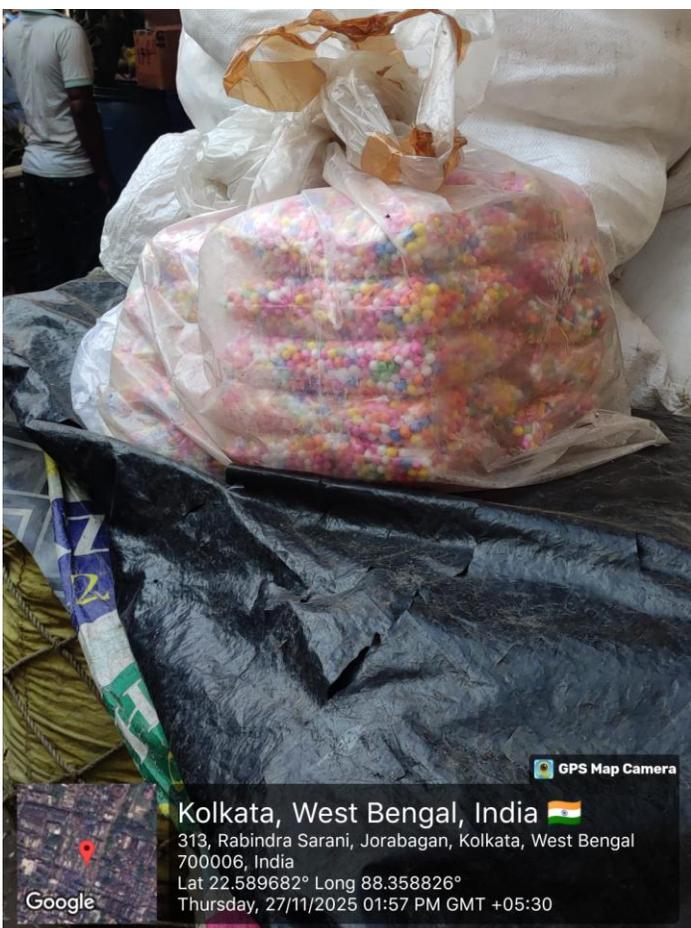
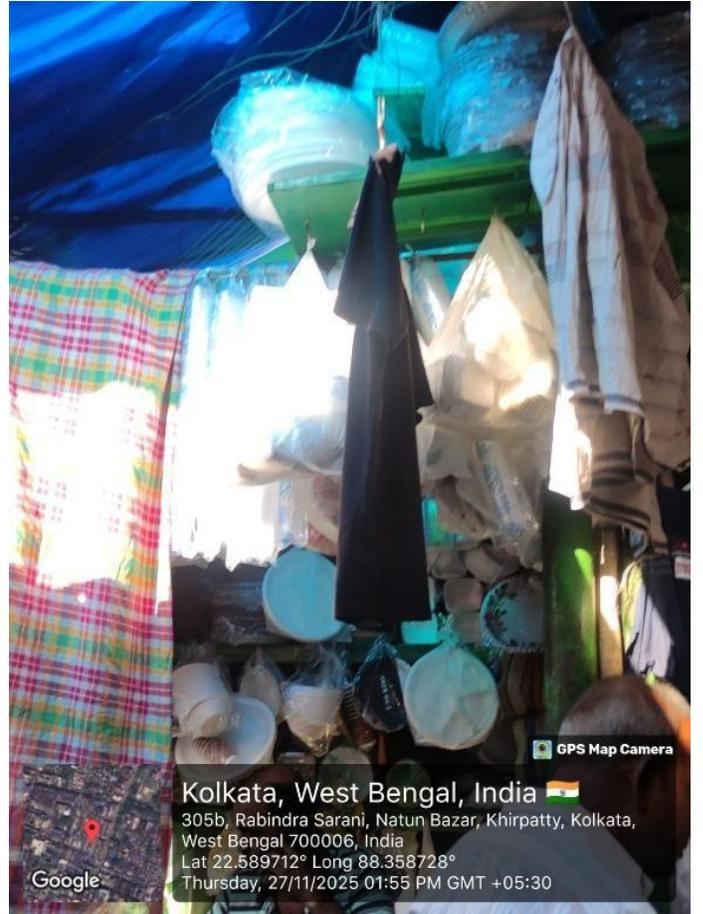
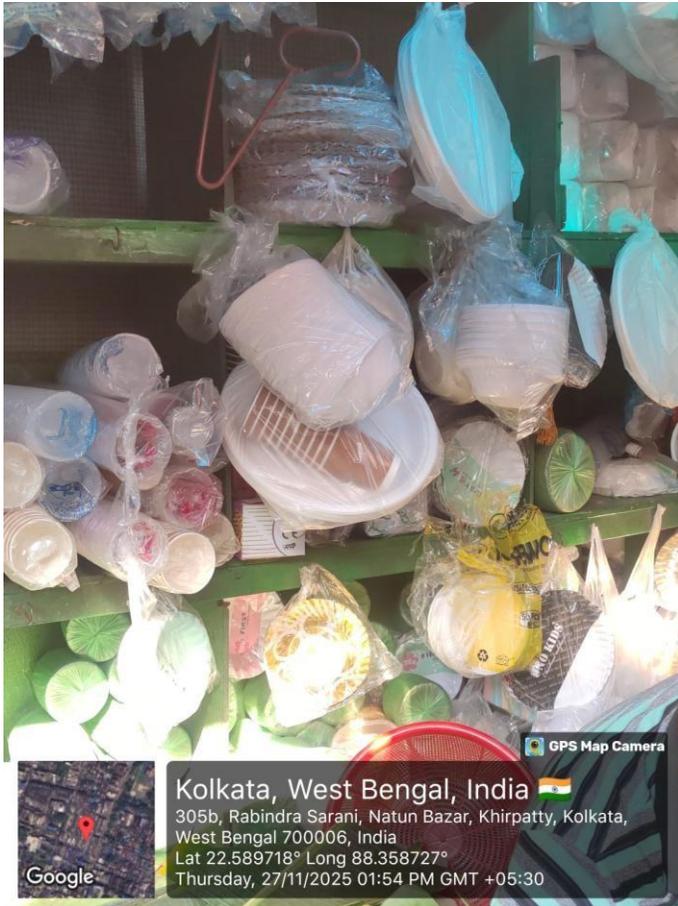
**COPY OF THE IMAGES SHOWING THE THERMOCOL WASTES DISCARDED DIRECTLY INTO THE TO THE GANGA GHATS IN KUMARTULI:**





**ANNEXURE A/5**

**COPY OF THE IMAGES TAKEN BY THE APPLICANT ON 27.11.2025 SHOWING THE ILLEGAL STOCKING AND SELLING OF THERMOCOL CUTLERIES IN BARABAZAR AREA AND DUMDUM MARKET IN KOLKATA:**



**ANNEXURE A/6**

**COPY OF THE IMAGES TAKEN BY THE APPLICANT ON 30.11.2025 SHOWING THE ILLEGAL STOCKING, SELLING AND DUMPING OF THERMOCOL CUTLERIES AT JADAVPUR AREA IN KOLKATA.**







Litigation . &lt;litigation@dclawchambers.com&gt;

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**Additional Affidavit on behalf of the Applicant in OA No. 195 of 2024 Prameya Foundation Versus. State of West Bengal & Ors.**

1 message

**Litigation .** <litigation@dclawchambers.com>

Tue, Dec 9, 2025 at 11:08 AM

To: Sibojyoti Chakrabarti &lt;subho.advocate@gmail.com&gt;, ASHOK PRASAD &lt;ashokadvhc@gmail.com&gt;, Anamika Pandey &lt;legumjure@gmail.com&gt;, Sudip Kumar Dutta &lt;adv.skdutta@gmail.com&gt;

Cc: Kol Office &lt;kol\_office@dclawchambers.com&gt;

Dear Sir/madam,

Please find attached- Additional Affidavit on behalf of the Applicant in OA No. 195 of 2024 Prameya Foundation Versus. State of West Bengal &amp; Ors.

Thanks & Regards  
Counsel for the Applicant

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 **Additional Affidavit on behalf of the Applicant.pdf**  
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