

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

in

Original Application No.13/2026(EZ)

(Earlier OA 675/2025/PB)

IN THE MATTER OF:

Newspaper Report Titled "Rajdhani Express Derails After Hitting Elephant Herd in Assam 7 Jumbos Dead Over 9 Trains Cancelled"

Versus

State of Assam & Ors.

RESPONDENT(S)

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Shantanu Kr Dutta

Shantanu Kr Dutta

Regional Director Shillong

Central Pollution Control Board

Filed through Counsel

Dated: 29.01.2026

Place: Shillong



क्षेत्रीय निदेशक / Regional Director
केन्द्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण वन और जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(Ministry of Environment, Forest & Climate Change, Govt. of India)
क्षेत्रीय निदेशालय - शिलांग
Regional Directorate - Shillong
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BSNL NE - 1, Telecom Circle, CTO Building, Shillong - 753001

SI/Instrument No. 44
Date 29.1.2026

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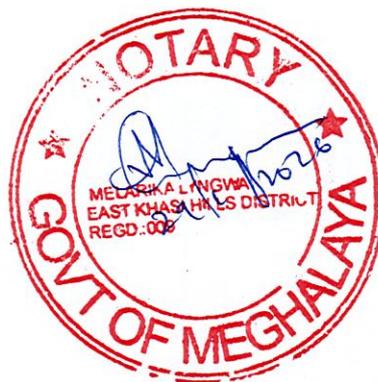
State of Assam & Ors.

RESPONDENT(S)

REPLY ON BEHALF OF THE RESPONDENT NO. 04: CENTRAL POLLUTION CONTROL BOARD (CPCB)

1. That, it is humbly submitted that the Hon'ble National Green Tribunal, Principal Bench at New Delhi (hereinafter referred to as the "NGT, PB"), vide order dated 05.01.2026, took suo motu cognizance of the present matter, implemented the Central Pollution Control Board (hereinafter referred to as "CPCB") as Respondent No. 4, and directed the CPCB to file its reply in the instant matter. Accordingly, the present reply is being filed by the CPCB in the instant Original Application (hereinafter referred to as the "OA"), as stated in the succeeding paragraphs.
2. That, the matter relates to the news report of tragic death of seven (07) elephants at the Jamunamukh-Kampur section under the Lumding Division of N.F. Railway due to their collision with the Rajdhani Express, which also derailed the train and resulting in loss to biodiversity and also to the national economy, as published/updated in the New Indian Express dt. 20.12.2025.
3. That, it is humbly submitted that CPCB is constituted under the Water (Prevention and Control of Pollution) Act, 1974. It performs the functions under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, and the Environment (Protection) Act, 1986.
4. That, the CPCB respectfully submits that the matter is primarily related to violations under The Wildlife Protection Act 1972 violations, if any, are related to the State Forest Department and other local authorities concerned and may not fall within the statutory functions of CPCB.
5. That, the CPCB does not possess technical expertise to inquire into, or verify matters related to violations of The Wildlife Protection Act, 1972. However, the other respondents i.e (i) State of Assam (ii) Additional Principal Chief Conservator of

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Forests and (iii) Principal Chief Conservator of Forests, are better placed to reply on this matter. Thereby, it is humbly requested that the response/reply submitted by the aforementioned respondents may kindly be considered in adjudication of the instant matter.

6. That, in light of the above submission, it is respectfully submitted that this Answering respondent i.e. CPCB, shall abide by any order(s) or direction(s) passed by this Hon'ble Tribunal in the instant O.A.

Shantanu Kr. Dutta

(Shantanu Kr. Dutta)

Regional Director Shillong
Central Pollution Control Board

क्षेत्रीय निदेशक / Regional Director
केन्द्रीय प्रदूषण निंत्रण बोर्ड
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AFFIDAVIT

I, Shantanu Kr Dutta, Son of (L) Lalit Chandra Dutta, aged 53 years, having office at the Regional Directorate- Shillong, Central Pollution Control Board (CPCB), CTO Building (BSNL), Shillong 793 001 do hereby solemnly affirm and sincerely state as follows: -

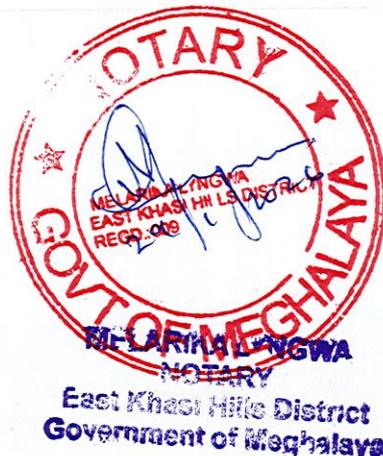
1. That I, the deponent herein, is authorized representative to represent the Respondent CPCB in the present case, and as such, I am well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent and authorized to verify, sign and swear this affidavit on behalf of the Respondent CPCB.
2. That the accompanying reply may be read part and parcel of the present affidavit as I am competent to swear this affidavit.
3. That the accompanying reply has been drafted and filed under my instructions and authority the contents thereof are true and correct on the basis of the record maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.

IDENTIFIED BY ME

Shantanu Kr Dutta

DEPONENT

ADVOCATE



क्षेत्रीय निदेशक / Regional Director
केन्द्रीय प्रदूषण निंत्रण बोर्ड
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BSNL NE - 1, Telecom Circle, CTO Building, Shillong - 793001

VERIFICATION

Verified at Shillong on this day of Day 29th of January, 2026 that the contents above are correct and true on the basis of the record of the cases as mentioned in the day-to-day affairs of the CPCB. Nothing has been concealed therefrom or mis-stated.

Verified at Shillong on this the 29th Day of January, 2026.

IDENTIFIED BY ME

Shalata ML

DEPONENT

ADVOCATE

क्षेत्रीय निदेशक / Regional Director
केन्द्रीय प्रदूषण नियंत्रण बोर्ड
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