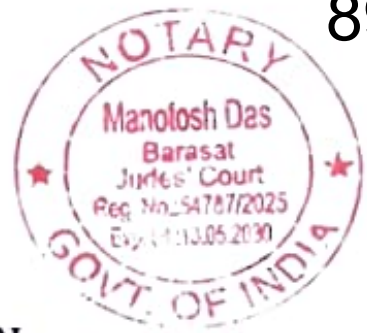




**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. 03/2026/EZ**

In The Matter of:-

Khardaha Jugberia Debrupayan
Nagar Abasik Cultural Association

..... Applicant

- Versus-

The State of West Bengal & Ors.

...Respondents

**AFFIDAVIT ON BEHALF OF RESPONDENT NUMBER 3, THE DISTRICT
MAGISTRATE & COLLECTOR NORTH (24) PARGANAS.**

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Filed by:

Mr. Rajib Roy,
Advocate,

State of West Bengal

(M): 9830132729

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Sl. No. 252/2026
21 JUL 2026



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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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**AFFIDAVIT ON BEHALF OF RESPONDENT NUMBER 3, THE DISTRICT
MAGISTRATE & COLLECTOR NORTH (24) PARGANAS.**

I, Smt. Shilpa Gourisaria, D/o Parmanand Gourisaria, aged about 42 years, by faith- Hindu, by occupation- Government Service, now posted as District Magistrate and Collector, North-24 Parganas having office at Barasat, North (24) Parganas, West Bengal, do hereby solemnly affirm and declare as follows:

1. That I am presently posted as the District Magistrate and Collector, North-24 Parganas having office at Barasat, North (24) Parganas, West Bengal, and I have made myself acquainted with the facts and circumstances of this case and competent to affirm this affidavit for and on behalf of the District Magistrate & Collector North (24) Parganas, West Bengal, being the respondent number 3 herein, in the instant original application.



2. That this Affidavit is filed in compliance and obedience to the Solemn Order dated 16.01.2026, passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata, wherein the Hon'ble Tribunal was pleased to grant opportunity inter-alia to the respondent no. 3 to file reply/response in the form of affidavit in the present matter. The server copy of the solemn order dated 16.01.2026 passed by the Hon'ble Tribunal in the present matter is annexed herewith and marked as annexure 'A'.

3. That the deponent herein perused the response/reply filed on behalf of the instant respondent no 4, Panihati Municipality, wherefrom it appears that the deponent therein inter-alia submitted on record that:

i) The Panihati Municipality has taken all steps to clean the trenching ground.

ii) The entire land is in the name of Bilkanda I Gram Panchayat, P.O. Jugberia, North 24-Parganas, Pin- 700110.

iii) There is a proposal for relinquishment of the land in question between the Bilkanda- I, Gram Panchayat and the Panihati Municipality.

iv) The Municipality shall make a covered garbage trenching ground in proper scientific way (as per Solid Waste Management Rule, 2016) where no one will be affected.

4. That the deponent herein also perused the report on affidavit filed on behalf of the instant respondent no 2, the West Bengal Pollution Control Board, wherefrom inter-alia it appears that:



i) Site inspection was conducted on behalf of The West Bengal Pollution Control Board on 17.04.2026.

ii) The site is located within the Debrupayan Nagar of Mouza-Bodai, P.S.-Ghola, under the Bilkanda-I Gram Panchayat within the District-North 24 Parganas.

iii) Land Development work for construction of processing facility for Municipal Solid Waste along with boundary walls is/was going on.

iv) As informed on behalf of the Panihati Municipality that the old dumped garbage/municipal waste is being transported to Dhapa Dumping ground.

v) However, some burnt municipal solid waste was found dumped adjacent to the site being constructed.

vi) It has been suggested that the Solid Waste Management (SWM) facility should follow the siting criteria for such kind of set up, Necessary clearances from the competent authority should be obtained prior to setting up of the facility and the burnt solid waste found dumped adjacent to the construction site should be removed.

5. That considering the response and affidavit filed by the authorities as stated above, the answering respondent broadly concurs with the observations and recommendations contained in paragraph 5 of the affidavit filed by the West Bengal Pollution Control Board and undertakes to extend all necessary administrative assistance for implementation of any direction passed by this Hon'ble Tribunal.

6. That the answering respondent shall abide by and implement any direction that may be passed by this Hon'ble Tribunal.



7. That the statements made in paragraph 1 is true to my knowledge and paragraphs 2 to 4, are based on information derived from the record and which I believe to be true and rest thereof are my humble submission before this Hon'ble Tribunal.

Identified by me

Advocate
State of West Bengal

Snitpa Gouraig

Deponent

District Magistrate
North 24-Parganas, Barasat



Verification

I, the deponent within named do hereby solemnly affirm and verify that the contents of the statements made in the above paragraphs of the affidavit are true and correct to the best of my knowledge and belief. No part of the same is false and nothing material has been concealed therefrom.

Verified at Kolkata, on this the day of July, 2026.

Identified by me

Advocate
State of West Bengal

Suilepa Courtana

Deponent
District Magistrate
North 24-Parganas, Barasat

Solemnly Affirmed in this *21/7*
Day Of *Jul 20 26*
Identified By *R. Roy* Advocate

Manotosh Das, Notary
Reg. No: 54787/2025
Govt. of India

21 JUL 2026

Item No.03

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

Original Application No.03/2026/EZ

Khardaha Jagberia Debrupayan Nagar Cultural
Association

Applicant

Versus

The State of West Bengal & Ors.

Respondent(s)

Date of hearing: 16.01.2026

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. ISHWAR SINGH, EXPERT MEMBER**

Applicant: Ms. Paushali Banerjee, Advocate for the applicant.

ORDER

1. In this Original Application, the Applicant has raised grievance against the illegal dumping of garbage on an open land at Mouza-Bodai, J.L. No.27, P.S. Khardahat (at present - Ghola), District-24 Parganas.
2. The submission of the learned Counsel for the Applicant is that the land in question is an agricultural land and in support of such a plea, she has referred to the Land Record Extract (page 51). Further submission of learned Counsel for the Applicant is that the Respondent No.4-Panihati Municipality and Respondent No.5-Bilkanda 1, Gram Panchayat are illegally dumping the municipal solid waste on the agricultural land without any authorization or permission.
3. In support of the plea that the solid waste is being dumped on the land in question, learned Counsel for the Applicant has referred to the photographs filed as Annexure 'B' page 40 onwards. She has further submitted that the waste is being dumped within 30 meters of residential area, 830 meters from Kalyani Highway, 300 meters from nearest lake,



677 meters from Mohispota Girls High School, 644 meters from [unclear] park and 436 meters from Kali Temple.

4. In support of the plea of violation of siting criteria, the Applicant has placed on record the satellite images collectively filed as Annexure 'A' page 24 onwards.

5. Learned Counsel for the Applicant referring to the photographs filed as Annexure 'C' page 44 onwards, has also submitted that the Gram Panchayat and the Municipality are illegally burning the solid waste and are causing air pollution.

6. The OA raises substantial issue relating to compliance of the environmental norms.

7. Issue notice to the respondents for filing their response/reply by way of affidavit before the Tribunal at least one week before the next date of hearing through e-filing. If any respondent directly files the reply without routing it through his advocate, then the said respondent will remain virtually present to assist the Tribunal.

8. Mr. Rajib Ray, learned Counsel accepts notice on behalf of Respondents No.1 and 3, State Respondents and Mr. Sibojyoti Chakrabarti, learned Counsel accepts notice on behalf of Respondent No.2-West Bengal Pollution Control Board and seeks four weeks' time to file the reply.

9. The Applicant is directed to serve the remaining Respondents No.4 and 5 and file affidavit of service atleast one week before the next date of hearing.



10. The Respondent No.2-West Bengal Pollution Control Board is directed to get the spot inspection done, ascertain the correctness of the allegations made by the Applicant and file the Status Report atleast one week before the next date of hearing.

11. The Respondents No.4 and 5 are also directed to ensure appropriate remedial measures and submit the report atleast one week before the next date of hearing.

12. List on 10.03.2026.

Prakash Shrivastava, CP

Ishwar Singh, EM

January 16th, 2026
Original Application No.03/2026/EZ
MN



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GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO.
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DISTRICT MAGISTRATE &
COLLECTOR NORTH (24)
PARGANAS.**

Filed by:

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