

**BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH,
NEW DELHI**

ORIGINAL APPLICATION No. 727 OF 2024

IN THE MATTER OF:

**NEWS ITEM TITLED “ENDANGERED GANGETIC DOLPHINS
FOUND IN MOST TRIBUTARIES OF GANGES PROMPTING URGENT
CONSERVATION” APPEARING IN MONGABY-INDIA DATED
20.05.2024**

**COUNTER AFFIDAVIT ON BEHALF OF THE RESPONDENT NO. 10,
STATE OF WEST BENGAL**

PAPER BOOK

(FOR INDEX – KINDLY SEE INSIDE)

ADVOCATE FOR THE RESPONDENT NO. 10:

DEBMALYA GANGULI

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NDOH: 18.02.2026

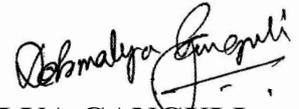
I N D E X

<u>Sl. No.</u>	<u>Particulars</u>	<u>Page Nos.</u>
1.	Counter Affidavit on behalf of the Respondent No. 10, State of West Bengal in the captioned Original Application;	01 – 08
2.	Proof of Service;	09

Place: NEW DELHI

Dated: 17.02.2026

FILED BY:



DEBMALYA GANGULI

Advocate for Respondent No. 10

B-242, Lower Ground Floor, Block – B,

Greater Kailash – I, New Delhi – 110048.

Email: advdebmalanyaganguli@gmail.com

Mobile: +91-9474147374

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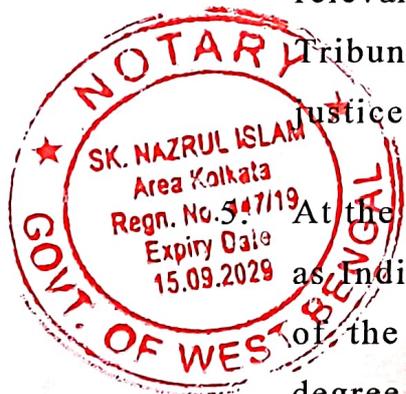
I, Sh. Rajesh Kumar, S/o Late Kamta Prasad, aged about 57 years, by occupation – Government Servant, permanent resident of Flat 501, Gardens Tower 5, Uniworld City, New Town, Rajarhat, Kolkata, West Bengal – 700156, working for gain in Bikash Bhawan, North Block, 3rd Floor, Salt Lake City, Kolkata, West Bengal – 700091, do hereby solemnly affirm and declare as follows: -

1. That I am serving in the post of Principal Chief Conservator of Forests, Wildlife & Chief Wildlife Warden, West Bengal in the Directorate of Forests, Government of West Bengal and authorised to execute the present affidavit on and behalf of the Respondent No. 10. As such, I am fully aware of the facts and circumstances of the case and hence, competent to swear this affidavit.



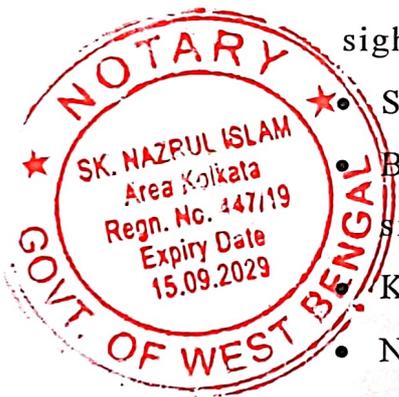
16 FEB 2026

2. The Counter Affidavit has been drafted by my counsel under my instructions. I have gone through the contents thereof, and the same is true and correct as per my knowledge and belief, information derived from the records of this case and advice rendered to me by my counsel and believed to be true.
 3. That the present Counter Affidavit is being filed by the Deponent in terms of the directions passed by this Hon'ble Tribunal vide order dated 04.09.2025.
 4. That the present Counter Affidavit is being filed on behalf of the Respondent No. 10 – State of West Bengal, through the Directorate of Forest, for the limited purpose of placing before this Hon'ble Tribunal the prevailing status of the Gangetic Dolphin (*Platanista gangetica*) in the State and the measures undertaken for its protection and conservation. The Respondent No. 10 craves leave to file a more detailed affidavit along with relevant records and documents, if so directed by this Hon'ble Tribunal or if the circumstances so warrant in the interest of justice.
- At the outset, it is submitted that the Gangetic Dolphin, notified as India's National Aquatic Animal and listed under Schedule I of the Wildlife (Protection) Act, 1972, receives the highest degree of statutory protection. The State of West Bengal, through the West Bengal Forest Department and Directorate of Forests, is implementing conservation measures in consonance with the Wildlife (Protection) Act, 1972, the centrally sponsored "Project Dolphin," and river-basin level conservation frameworks formulated by national institutions such as the Wildlife Institute



of India (WII) and the National Mission for Clean Ganga (NMCG).

6. It is submitted that, as per the most recent scientific assessments and surveys conducted in the year 2024, the estimated population of Gangetic Dolphins in the State of West Bengal is approximately 815 individuals. The State ranks third in the country in terms of dolphin population, following Uttar Pradesh and Bihar. While the distribution of the species within the State remains fragmented across stretches of the Ganga and its tributaries, consistent sightings in identified pockets indicate the continued ecological viability of such habitats.
7. The principal habitats and distribution pattern of the Gangetic Dolphin in West Bengal are summarized hereinbelow:
 - i. **Major Habitat:** The Hooghly–Bhagirathi river system, along with its tributaries, namely Rupnarayan, Ajoy and Damodar, constitutes the principal habitat.
 - ii. **Hotspots and Sighting Areas:** Regular and documented sightings have been reported from:
 - Sabujdewip and Khamargachi in Hooghly District;
 - Bakshi near Bagnan in Howrah District (identified as a significant hotspot);
 - Katwa in Purba Bardhaman District;
 - Nabadewip and Nayachar in Nadia District;
 - Azimganj in Murshidabad District, where 30 dolphins were recorded within an 8 km stretch during a survey.
 - iii. **Sightings in Stressed Stretches:** Notwithstanding anthropogenic pressures, relatively high sighting



frequencies have been recorded in stretches such as Kolaghat and Gadiara, as well as in proximity to densely inhabited areas like Katwa and Nabadwip.

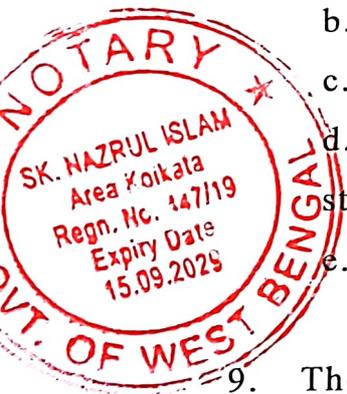
- iv. **Population Trends:** Recent surveys and calf sightings, particularly in Azimgunj, Nayachar and Nabadwip, suggest a stable to gradually improving population trend.
- v. **Calf Sightings:** In the Nayachar region, 34 individuals were documented, including 9 calves, which is indicative of successful breeding and habitat suitability.

8. The Respondent State has formulated and is implementing the “*Conservation Action Plan for Gangetic Dolphins for West Bengal: 2021–2031*”. The Action Plan identifies the following major threats:

- a. Entanglement in fishing gear and instances of poaching;
- b. Disturbance from motorized vessels;
- c. Degradation and loss of riverine habitat;
- d. Reduced environmental flow owing to dams and irrigation structures;
- e. Water pollution and salinity intrusion.

9. The conservation strategies adopted under the said Action Plan are structured around protection, habitat management, research, capacity building, and community participation. The salient measures include:

- i. **Strengthening Protection Mechanisms:** Augmentation of field staff deployment, riverine patrolling, and surveillance in sensitive stretches.



ii. **Monitoring, Rescue and Rehabilitation:** Development of infrastructure and protocols for scientific monitoring and timely rescue operations.

iii. **Habitat Conservation:** Prevention, mitigation and restoration of critical habitats through coordinated inter-departmental efforts, alongside both in-situ and limited ex-situ interventions where necessary.

iv. **Community Engagement:** Awareness generation and capacity building among fishing communities, students and other stakeholders to foster participatory conservation.

10. In furtherance of the aforesaid Action Plan, the following specific steps have been undertaken by the West Bengal Forest Department:

i. Conduct of sustained awareness campaigns, including outreach programmes in riparian villages and among fishing communities.

ii. Inter-departmental sensitisation meetings to ensure coordinated biodiversity protection.

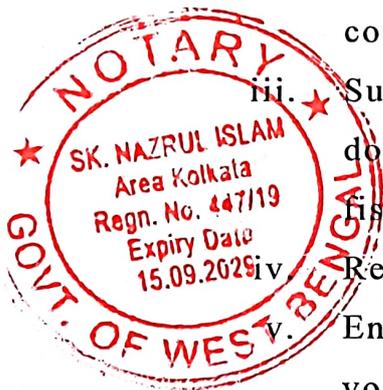
iii. Successful rescue and release operations, including documented voluntary release of entangled dolphins by fishermen.

iv. Regular patrolling in identified hotspots such as Nayachar.

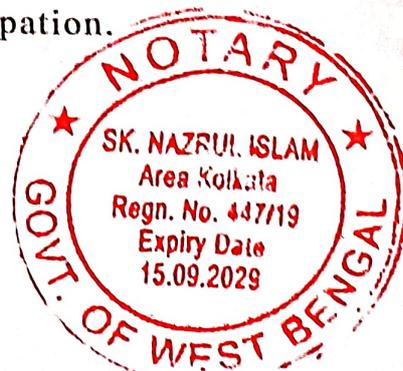
Engagement of “Ganga Praharis” and “Prakriti-Bondhu” volunteers for monitoring and reporting.

vi. Declaration of ‘Charbalidanga’ as a Biodiversity Heritage Site owing to its dolphin-rich ecosystem.

vii. Pilot deployment of acoustic deterrent devices (pingers) in collaboration with WWF-India to reduce bycatch.



- viii. Deployment of sniffer dogs to detect illegal possession or trade in dolphin oil.
 - ix. Intensified anti-poaching measures and public reporting mechanisms.
 - x. Coordination with urban development and water resource authorities, including NMCG, to ensure commissioning of STPs and FSTPs in urban centres such as Kolkata and Bardhaman for improving water quality in the Hooghly–Bhagirathi system.
 - xi. Conduct of periodic and scientific population estimation exercises in collaboration with expert bodies such as WII and WWF-India.
11. The State has also outlined forward-looking measures under the 10-year Action Plan (2021–2031), with an approved financial outlay of approximately ₹95 Crores. The proposed measures include:
- a. Establishment of dedicated Conservation and Monitoring Centres.
 - b. Introduction of a riverine monitoring protocol on the lines of M-STrIPES for systematic surveillance.
 - c. Preparation of a scientifically vetted reintroduction protocol, where ecologically feasible.
 - d. Proposal for declaration of Nayachar as a Biodiversity Heritage Site.
 - e. Strengthening of K9 units for wildlife crime detection.
 - f. Institutionalisation of the “Dolphin Mitra” scheme for incentivised community participation.



g. Regular capacity-building programmes for frontline staff and volunteers.

h. Continued sensitisation of fishing communities regarding the avoidance of harmful gear.

12. It is respectfully submitted that the cumulative impact of the above measures has begun to yield encouraging results, as reflected in stable population estimates and increased calf sightings in certain stretches. The Respondent State reiterates its commitment to strict enforcement of statutory provisions, scientific management of habitats, inter-departmental coordination, and sustained community engagement to ensure the long-term survival and ecological security of the Gangetic Dolphin in West Bengal.



13. The Respondent No. 10 submits that it remains fully committed to complying with any further directions that may be issued by this Hon'ble Tribunal in the present *suo motu* proceedings for strengthening conservation outcomes.

14. That the facts stated in this counter affidavit are true to my knowledge and belief, and nothing material has been concealed therefrom, and no part of it is false.

Rajesh Kumar
DEPONENT

VERIFICATION:

I, abovenamed deponent, do hereby state on solemn affirmation that the contents of the foregoing paragraphs are true and correct to

my knowledge and I believe the same to be true and that nothing material has been concealed therefrom.

Verified at Kolkata, West Bengal on this 16th day of February, 2026.

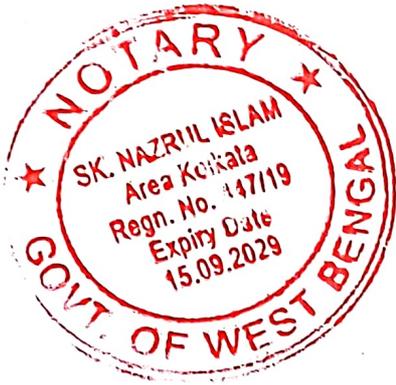
Rajesh Kumar
DEPONENT

Identified by me
Kushal Das
Advocate
Calcutta High Court
F/1377/14/20/2015

I solemnly Affirmed and
Declared before me on the
identification of the Advocate.

Notary

SK. Nazrul Islam
Notary, Govt. of W.B.
Govt. No. 447/19
City Civil Court, Calcutta



16 FEB 2026





DEBMALYA GANGULI <advdebmalanyaganguli@gmail.com>

SERVICE OF COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO. 10, STATE OF WEST BENGAL || O.A. NO. 727 OF 2024 || HON'BLE NGT, PRINCIPAL BENCH, NEW DELHI || In Re: News Item Titled " Endangered Gangetic Dolphins"

DEBMALYA GANGULI <advdebmalanyaganguli@gmail.com>

Mon, Feb 16, 2026 at 6:24 PM

To: gijicgeorge.adv42@yahoo.in, saurabh.balwani@balwanilawchambers.com

Sir/Madam,

Greetings of the day.

We appear for the **Respondent No. 10, State of West Bengal**, in the captioned matter. Please find attached the Counter Affidavit on behalf of the Respondent No. 10 to be filed in the captioned matter.

You can connect me to the coordinates given in the signature below.

Best Regards,

Yours sincerely,

DEBMALYA GANGULI

Advocate

Supreme Court of India

Mobile: +91-9474147374

Office (NEW DELHI): B-242, Lower Ground Floor, Block - B,
Greater Kailash - I, New Delhi - 110048.

Office (KOLKATA): Room No. 21, 01st Floor,
Nicco House, 2, Hare Street,
Kolkata, West Bengal - 700001.

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