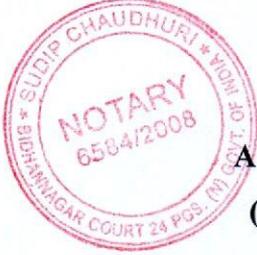


**BEFORE THE NATIONAL GREEN TRIBUNAL, EASTERN ZONE BENCH,  
KOLKATA**



**Miscellaneous Application No.20/2022/EZ in  
Execution Application No.03/2021/EZ  
Arising out in Original Application No. 70/2016/EZ  
(REGARDING DUMPING OF GARBAGES AT  
RAJIV NAGAR, NORTH 24 PARGANAS)  
TRIBUNAL ON ITS OWN MOTION**

**BEFORE THE NOTARY PUBLIC  
AT BIDHANNAGAR  
DIST.-NORTH 24 PARGANAS**

**.....PETITIONER**

**-Versus-**

**STATE OF WEST BENGAL & ORS.**

**.....RESPONDENTS**

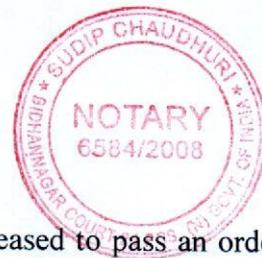
**REPORT OF COMPLIANCE IN FORM OF AFFIDAVIT ON BEHALF OF THE  
RESPONDENT NO. 7 i.e. THE DEPARTMENT OF URBAN DEVELOPMENT &  
MUNICIPAL AFFAIRS, GOVERNMENT OF WEST BENGAL IN ACCORDANCE  
WITH THE DIRECTION OF HON'BLE NATIONAL GREEN TRIBUNAL, EASTERN  
ZONE BENCH, KOLKATA, ORDER DATED 13.10.2022.**

**Most Respectfully Sheweth:**

I, Joly Chaudhuri, son of Biswanath Chaudhuri, aged about 53 years, by occupation service, working as Additional Director, State Urban Development Agency (SUDA) under Urban Development and Municipal Affairs Department, Government of West Bengal, having office at ILGUS BHAVAN, H.C. Block, Sector III, Bidhannagar, Kolkata - 700106, do hereby solemnly affirm and state as under:-

1. That I am the Additional Director, State Urban Development Agency (SUDA) under Urban Development and Municipal Affairs Department, Government of West Bengal. I am well acquainted with the facts and circumstances of the case and I have been duly authorized to affirm this affidavit on behalf of Respondent No. 7, i.e. Urban Development and Municipal Affairs Department, Government of West Bengal.

**3 1 JUL 2023**



2. That I say that the Hon'ble National Green Tribunal, has been pleased to pass an order dated 04.04.2022 directing *inter alia* that-

*"...In para 3 (p) of the affidavit, it is stated that the area of Mount 'B' will get cleared at the end of 150 days and accordingly an area of 27,778 square meters will be made available. After clearing the Mount 'B' area, the freed-up area (27,778 square meters) will be used for establishment of Material Recovery Facility (MRF) for municipal solid waste and construction of segregation shed, utilization/processing area for wet waste, etc. which is expected to use around 10,000 to 12,000 square meters. This will leave 16,000 square meters of free area which will be used for deposition of fresh legacy waste..."*

*...The submission appears to be reasonable. We grant the State Respondents 150 days to clear the entire legacy waste from Mount 'B'...*

*...So far as the clearing of legacy waste of Mount 'A' amounting to 4,50,000 metric tonnes of legacy waste as well as of Mount 'C' amounting to 1,50,000 metric tonnes are concerned, it is stated that for clearing the legacy waste at Mount 'A' will require 405 calendar days and Mount 'C' will require 175 calendar days i.e., total 730 days...*

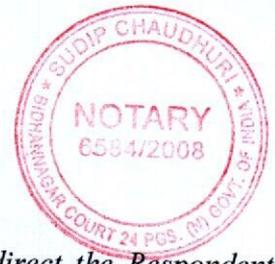
*...We consider the submission to be reasonable. Time as prayed is granted to the State Respondents for clearing the entire legacy waste of Mount 'A', Mount 'B' and Mount 'C' in a phased manner strictly as per the affidavit..."*

3. That I say that the Hon'ble National Green Tribunal, has been pleased to pass an order dated 13.10.2022 directing *inter alia* that-

*"...In this view of the matter, so far as the legacy waste of Mount 'B' is concerned, compliance has been made by the Respondents.*

*...We, therefore, close this M.A. No.20/2022/EZ in Execution Application No.03/2021/EZ arising out of Original Application No.70/2016/EZ...*

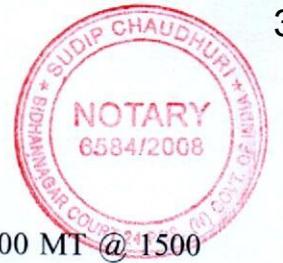
**31 JUL 2023**



...So far as Mount 'A' and Mount 'C' is concerned, we direct the Respondent No.7, State Respondent, to file his affidavit of compliance by 31.07.2023....”

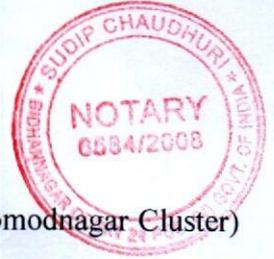
4. That I state that an updated report on the actions taken by State Urban Development Agency (SUDA) on behalf of Urban Development and Municipal Affairs Department is stated below:
  - i. As already submitted through an affidavit dated 16.03.2022 on behalf of the Urban Development and Municipal Affairs Department in accordance with the direction of Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata, vide an order dated 24.02.2022, that there were three mounds of Legacy Waste at at Pramodnagar/ Rajivnagar Dumpyard.
    - Mount 'A'= 4,50,000 MT or 5,00,000m<sup>3</sup>
    - Mount 'B'= 2,50,000 MT or 2,77,778 m<sup>3</sup>
    - Mount 'C' = 1,50,000 MT or 1,66,667 m<sup>3</sup>
  - ii. As per Affidavit submitted on 28.09.2022 on behalf of the Urban Development and Municipal Affairs Department in accordance with the direction of Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata, vide an order dated 15.09.2022, the entire legacy waste that lay at Mount "B" at Pramodnagar/ Rajivnagar, North 24 Parganas had been cleared on 20.09.2022.
  - iii. After Mount 'B' got cleared from the site, the balance quantity of legacy waste that requires to be cleared from the other two mounds of the Rajivnagar site is as follows :
    - Mount 'A'= 4,50,000 MT or 5,00,000m<sup>3</sup>
    - Mount 'C' = 1,50,000 MT or 1,66,667 m<sup>3</sup>
    - Total = 6,00,000 MT or 540000 m<sup>3</sup>
  - iv. **At present the waste of Mount "A" is being processed.**
  - v. **From 21.09.2022, processing done till date is 3,12,000 MT or 3,46,667 m<sup>3</sup>.**
  - vi. **Due to the processing and disposal of legacy waste from Mount 'A' the height of Mount 'A' got reduced from approx average height of 23 m to 10 m from existing ground level.**
  - vii. The balance quantity of legacy waste that is still lying at the site is 2,88,000 MT or 3,20,000 m<sup>3</sup> [6,00,000 – 3,12,000 = 2,88,000 MT = 3,20,000 m<sup>3</sup>].

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- viii. Time required to clear the balance quantity of legacy waste i.e., 2,88,000 MT @ 1500 MT/day =  $2,88,000 \text{ MT} / 1500 \text{ MT} = 192$  days i.e. from 1<sup>st</sup> Aug 2023 to 29<sup>th</sup> Feb 2024 (as per Affidavit dated 16<sup>th</sup> March 2022).
- ix. Extra 20 to 30 days may be required to clear the total remaining legacy waste due to the monsoons.
- x. **A Material Recovery Facility of approx. 1000 sq.m area at the adjacent site of Rajibnagar at an approx distance of 50 metres has been set up, where the dry municipal solid waste processing has been initiated.**
- xi. The Action Taken Report and the detail calculation sheet showing the proposed time management taking into consideration the legacy waste both in terms of weight and volume along with the present challenges has been annexed as **Annexure "A"** and **Annexure "B"** respectively.
- xii. That in **Annexure "B"** the whole calculation has been done considering the weight and volume of legacy waste and accumulated fresh waste along with the present challenges.
- xiii. It is to mention that the processing of accumulated fresh waste which got converted to legacy waste @ 750MT for 1 year has not yet been initiated at the site due to the following reason:
- xiv. That Barasat Municipality which is at an approx distance of 20-25 KM from the Rajibnagar Dumpsite has started disposal of its daily fresh waste at the Rajibnagar site due to certain unavoidable circumstances and as a temporary measure the segregated fresh waste has been disposed at the space which had got reclaimed due to processing of legacy waste from Mount 'B' and also above the legacy waste at Mount 'C'.
- xv. It was required to consider as an interim arrangement due to local agitation at their site and as Barasat Municipality has no other alternative site to dispose of their daily fresh waste.
- xvi. Daily rate of incoming fresh waste from Barasat Municipality is 150 MT /day and arriving from 1st October 2022 i.e. from the festive season of West Bengal i.e. from Durga Puja onwards.
- xvii. It is to mention that as of now the accumulated Fresh Waste:
- From 21.09.2022 to 30.09 2022 @750 Mt x 10 days = 7500 MT

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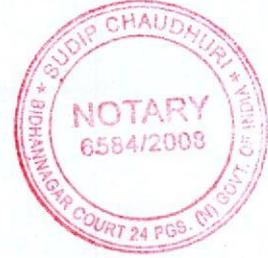


- From 1st Oct 2022 to 31st July 2023 @750 MT/day (from Promodnagar Cluster) + 150 MT/day from Barasat i.e. @900 MT/day which may continue up to 250 days = 2,25,000 MT.
  - Total Waste accumulated = 7,500 + 2,25,000 = 2,32,500 MT or 2,58,333 cu.m.
- xviii. This situation may prevail for the next 5 months i.e., tentatively another 900 x 150 days = 1,35,000 MT of waste will accumulate at the Rajibnagar site.
- xix. The next 5 months have been considered as a period for the construction of a fresh waste processing plant at Barasat Municipality to process the incoming fresh waste from Barasat Municipality.
- xx. To process the additional quantity of accumulated fresh waste at Rajibnagar Dumpsite a special drive is being taken from the Department of UD & MA to call separate tenders and engage a separate agency to process the waste at different locations where fresh waste processing is just to take off and which may be at an average distance of about 10 to 15 KM.
- xxi. It is, therefore, humbly prayed and requested for consideration of the above-stated matter to meet up the challenges.
5. That the statements made in Paragraph 1 to 4 are true to my knowledge and based on the information derived from the available office records and is my humble submission before this Hon'ble National Green Tribunal.

  
**S. CHAUDHURI**  
 \*NOTARY\*  
 GOVT. OF INDIA  
 Regd. No.-6584/08  
 Bidhannagar Court  
 Dist.-North 24 Pgs.

  
**DEPONENT**  
**Joly Chaudhuri, WBCS (Exe.)**  
 Additional Secretary  
 UD & MA Department  
 Govt. of West Bengal  
 and  
 Additional Director, SUDA

**3 1 JUL 2023**



### VERIFICATION

I, the deponent above named do hereby verify that the contents of the above affidavit are true which are derived from the relevant office records. No part of it is false and nothing material has been concealed there from.

Verified at Kolkata on this 31<sup>st</sup> July, 2023

*Joly Chaudhuri*

**DEPONENT**

Joly Chaudhuri, WBCS ( Exe.)  
Additional Secretary  
UD & MA Department  
Govt. of West Bengal  
and  
Additional Director, SUDA

The deponent is identified by me.

*Manoj Basu*

**Advocate**

MANOJ BASU  
Advocate  
Enrolment No.-F-247/2008  
Bidhan Nagar Court  
Kolkata-700091

MANOJ BASU  
Advocate  
Enrolment No.-F-247/2008  
Bidhan Nagar Court  
Kolkata-700091

*S. Chaudhuri*

**S. CHAUDHURI**  
\*NOTARY\*

GOVT. OF INDIA  
Regd. No.-6584/08  
Bidhannagar Court  
Dist.-North 24 Pgs.

**31 JUL 2023**



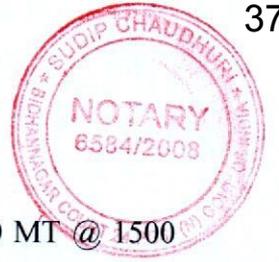
## ANNEXURE A

### Action Taken Report as on 31.07.2023 regarding clearing of Legacy Waste at Pramodnagar/ Rajivnagar, North 24 Parganas:

In reference to the Orders passed by Hon'ble NGT, Eastern Zone Bench, Kolkata, the Action Taken Report is placed below:

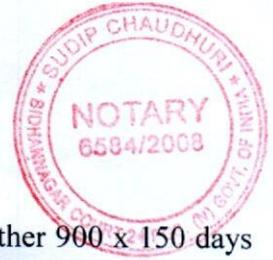
- i. As already submitted through an affidavit dated 16.03.2022 on behalf of the Urban Development and Municipal Affairs Department in accordance with the direction of Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata, *vide* an order dated 24.02.2022, that there were three mounts of Legacy Waste at at Pramodnagar/ Rajivnagar Dumpyard.
  - Mount 'A' = 4,50,000 MT or 5,00,000m<sup>3</sup>
  - Mount 'B' = 2,50,000 MT or 2,77,778 m<sup>3</sup>
  - Mount 'C' = 1,50,000 MT or 1,66,667 m<sup>3</sup>
- ii. As per Affidavit submitted on 28.09.2022 on behalf of the Urban Development and Municipal Affairs Department in accordance with the direction of Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata, *vide* an order dated 15.09.2022, the entire legacy waste that lay at Mount "B" at Pramodnagar/ Rajivnagar, North 24 Parganas had been cleared on 20.09.2022.
- iii. After Mount 'B' got cleared from the site, the balance quantity of legacy waste that requires to be cleared from the other two mounts of the Rajivnagar site is as follows :
  - Mount 'A' = 4,50,000 MT or 5,00,000m<sup>3</sup>
  - Mount 'C' = 1,50,000 MT or 1,66,667 m<sup>3</sup>
  - Total = 6,00,000 MT or 540000 m<sup>3</sup>
- iv. At present the waste of Mount "A" is being processed.
- v. From 21.09.2022, processing done till date is 3,12,000 MT or 3,46,667 m<sup>3</sup>.
- vi. Due to the processing and disposal of legacy waste from Mount 'A' the height of Mount 'A' got reduced from approx average height of 23 m to 10 m from existing ground level.
- vii. The balance quantity of legacy waste still lying at the site is 2,88,000 MT or 3,20,000 m<sup>3</sup> [6,00,000 – 3,12,000 = 2,88,000 MT = 3,20,000 m<sup>3</sup>].

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- viii. Time required to clear the balance quantity of legacy waste i.e., 2,88,000 MT @ 1500 MT/day =  $2,88,000 \text{ MT} / 1500 \text{ MT} = 192$  days i.e. from 1<sup>st</sup> Aug 2023 to 29<sup>th</sup> Feb 2024 (as per Affidavit dated 16<sup>th</sup> March 2022).
- ix. Extra 20 to 30 days may be required to clear the total remaining legacy waste due to the monsoons.
- x. A Material Recovery Facility of approx. 1000 sq.m area at the adjacent site of Rajibnagar at an approx distance of 50 metres has been set up, where the dry municipal solid waste processing has been initiated.
- xi. It is mentioned that it has not been possible to construct a Fresh Waste Processing Plant of 750 MT/ day, a Fresh Waste Processing Plant of an area of 10000 to 12000 sq.m at the proposed site (as per the affidavit dated 16<sup>th</sup> March 2022) and the processing of accumulated fresh waste which got converted to legacy waste @ 750MT for 1 year has not yet been initiated at the site due to the following reason:
- xii. That Barasat Municipality which is at an approx distance of 20-25 KM from the Rajibnagar Dumpsite has started disposal of its daily fresh waste at the Rajibnagar site due to certain unavoidable circumstances and as a temporary measure the segregated fresh waste has been disposed at the space which had got reclaimed due to processing of legacy waste from Mount 'B' and also above the legacy waste at Mount 'C'.
- xiii. It was required to consider as an interim arrangement due to local agitation at their site and as Barasat Municipality has no other alternative site to dispose of their daily fresh waste.
- xiv. Daily rate of incoming fresh waste from Barasat Municipality is 150 MT /day and arriving from 1<sup>st</sup> October 2022 i.e. from the festive season of West Bengal i.e. from Durga Puja onwards.
- xv. It is to mention that as of now the accumulated Fresh Waste:
- From 21.09.2022 to 30.09 2022 @750 Mt x 10 days = 7500 MT
  - From 1st Oct 2022 to 31st July 2023 @750 MT/day (from Promodnagar Cluster) + 150 MT/day from Barasat i.e. @900 MT/day which may continue up to 250 days = 2,25,000 MT.
  - Total Waste accumulated = 7,500 + 2,25,000 = 2,32,500 MT or 2,58,333 cu.m.

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- xvi. This situation may prevail for the next 5 months i.e., tentatively another 900 x 150 days = 1,35,000 MT of waste will accumulate at the Rajibnagar site.
- xvii. The next 5 months have been considered as a period for the construction of a fresh waste processing plant at Barasat Municipality to process the incoming fresh waste from Barasat Municipality.
- xviii. To process the additional quantity of accumulated fresh waste at Rajibnagar Dumpsite a special drive is being taken from the Department of UD & MA to call separate tenders and engage a separate agency to process the waste at different locations where fresh waste processing is just to take off and which may be at an average distance of about 10 to 15 KM.
- xix. It is, therefore, humbly prayed and requested for consideration of the above-stated matter to meet up the challenges.

S.K. Mishra  
31/07/2023  
AE/SUDA.

  
31/07/2023  
Executive Engineer  
State Urban Development Agency  
UD & MA Department  
Govt. of West Bengal

  
S. CHAUDHURI  
\*NOTARY\*  
GOVT. OF INDIA  
Regd. No.-6584/08  
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Joly Chaudhuri, WBCS (Exe.)  
Additional Secretary  
UD & MA Department  
Govt. of West Bengal  
and  
Additional Director, SUDA

31 JUL 2023



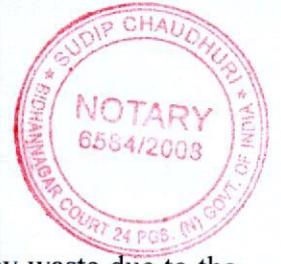
## ANNEXURE B

**The calculation sheet showing the proposed time management taking into consideration the legacy waste both in terms of weight and volume regarding clearing of legacy waste at Pramodnagar/Rajivnagar, North 24 Parganas:**

The calculation sheet showing the proposed time management taking into consideration the legacy waste both in terms of weight and volume has been annexed below:

- a) The Department of Urban Development and Municipal Affairs had filed an affidavit dated 05.09.2022 along with an Action Taken Report dated 31.08.2022 regarding the clearing of legacy waste of mount 'B'. The State Respondent had prayed for and was granted 15 days more to remove the entire legacy waste from Mount 'B'.
- b) Accordingly, Mount 'B' got cleared on 20.09.2022 for a volume of 2,77,778 m<sup>3</sup> or 2,50,000 MT. The State Respondent had filed an affidavit dated 28.09.2022 along with an Action Taken Report dated 20.09.2022.
- c) After Mount 'B' got cleared from the site, the remaining total quantity of legacy waste that requires to be cleared from the other two mounts of the Rajivnagar site is as follows :
  - Mount 'A' = 4,50,000 MT or 5,00,000 m<sup>3</sup>
  - Mount 'C' = 1,50,000 MT or 1,66,667 m<sup>3</sup>
  - Total = 6,00,000 MT or 540000 m<sup>3</sup>
- d) From 21.09.2022 the quantity of legacy waste got processed from Mount 'A' @ 1000 MT per day for 312 days = 1000 MT x 312 days = 3,12,000 MT or 3,46,667 m<sup>3</sup>.
- e) To date, the quantity of legacy waste still lying at the site is 2,88,000 MT or 3,20,000 m<sup>3</sup> [6,00,000 – 3,12,000 = 2,88,000 MT = 3,20,000 m<sup>3</sup>].
- f) Due to the processing and disposal of legacy waste from Mount 'A' the height of Mount 'A' got reduced from approx average height of 23 m to 10 m from existing ground level [Photograph is annexed herewith and marked as **Annexure C**].
- g) Time required to clear the balance quantity of legacy waste i.e., 2,88,000 MT @ 1500 MT/day = 2,88,000 MT/1500 MT = 192 days i.e. from 1<sup>st</sup> Aug 2023 to 29<sup>th</sup> Feb 2024 (as per Affidavit dated 16<sup>th</sup> March 2022).

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- h) Extra 20 to 30 days may be required to clear the total remaining legacy waste due to the monsoons.
- i) It is mentioned that to keep our commitment a Material Recovery Facility of approx. 1000 sq.m area at the adjacent site of Rajibnagar at an approx distance of 50 metres, where the dry municipal solid waste processing has been initiated [Photograph is annexed herewith and marked as **Annexure D**].
- j) It is mentioned that it has not been possible to construct a Fresh Waste Processing Plant of 750 MT/ day, a Fresh Waste Processing Plant of an area of 10000 to 12000 sq.m at the proposed site (as per the affidavit dated 16<sup>th</sup> March 2022) and the processing of accumulated fresh waste which got converted to legacy waste @ 750MT for 1 year has not yet been initiated at the site due to the following reason:
- k) That Barasat Municipality which is at an approx distance of 20-25 KM from the Rajibnagar Dumpsite has started disposal of its daily fresh waste at the Rajibnagar site due to certain unavoidable circumstances and as a temporary measure the segregated fresh waste has been disposed at the space which had got reclaimed due to processing of legacy waste from Mount 'B' and also above the legacy waste at Mount 'C'.
- l) It was required to consider as an interim arrangement due to local agitation at their site and as Barasat Municipality has no other alternative site to dispose of their daily fresh waste.
- m) Daily rate of incoming fresh waste from Barasat Municipality is 150 MT /day and arriving from 1st October 2022 i.e. from the festive season of West Bengal i.e. from Durga Puja onwards.
- n) It is to mention that as of now the accumulated Fresh Waste:
- From 21.09.2022 to 30.09 2022 @750 Mt x 10 days = 7500 MT
  - From 1st Oct 2022 to 31st July 2023 @750 MT/day (from Promodnagar Cluster) + 150 MT/day from Barasat i.e. @900 MT/day which may continue up to 250 days = 2,25,000 MT.
  - Total Waste accumulated = 7,500 + 2,25,000 = 2,32,500 MT or 2,58,333 cu.m.
- o) This situation may prevail for the next 5 months i.e., tentatively another 900 x 150 days = 1,35,000 MT of waste will accumulate at the Rajibnagar site.

31.11.2023



- p) The next 5 months have been considered as a period for the construction of a fresh waste processing plant at Barasat Municipality to process the incoming fresh waste from Barasat Municipality.
- q) To process the additional quantity of accumulated fresh waste at Rajibnagar Dumpsite a special drive is being taken from the Department of UD & MA to call separate tenders and engage a separate agency to process the waste at different locations where fresh waste processing is just to take off and which may be at an average distance of about 10 to 15 KM.
- r) It is, therefore, humbly prayed and requested for consideration of the above-stated matter to meet up the challenges.

S.K. Mishra.  
31.07.2023  
AE/SUDA.

  
31/07/2023.  
Executive Engineer  
State Urban Development Agency  
UD & MA Department  
Govt. of West Bengal

  
S. CHAUDHURI  
\*NOTARY\*  
GOVT. OF INDIA  
Regd. No.-6584/08  
Bidhannagar Court  
Dist.-North 24 Pgs.

  
Joly Chaudhuri, WBCS (Eve.)  
Additional Secretary  
UD & MA Department  
Govt. of West Bengal  
and  
Additional Director, SUDA

31 JUL 2023



# Rajibnagar NGT Related Photos

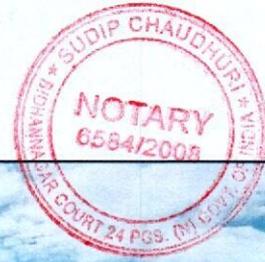
26.07.2023

1



Height of Mount A on April 2021 : Approx 23 Mts Average

2



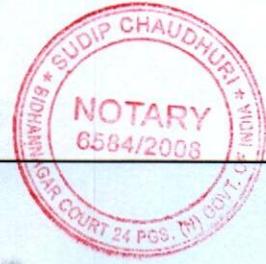
Present Average Height of Mount A : 10 Metres

3



Existing Legacy Waste Processing Plant at Rajibnagar  
5 Series of Trommels in operation

4



5



6



Sorting of Dry Waste at MRF facility, Rajinagar



7



Incoming fresh wet waste at Mount B area



8