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**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. 121/2025/EZ**

**DHARMA MOILA KHADAN UCCHED COMMITTEE
PASCHIM MEDINIPUR**

.....APPLICANT(S)

VERSUS

STATE OF WEST BENGAL

..... RESPONDENT(S)

**AFFIDAVIT FILED BY THE WEST BENGAL
POLLUTION CONTROL BOARD**

INDEX

SL No	PARTICULARS	ANNEXURE	PAGE
1.	Affidavit		01 - 05
2.	Copy of the letters issued of the State Board	"R1"(colly)	06 - 12
3.	Copy of the Joint Inspection Report dated 10.09.2025	"R2"	13 - 15

Filed by

**DIPANJAN GHOSH
ADVOCATE
HIGH COURT AT CALCUTTA**



BEFORE THE NATIONAL GREEN TRIBUNAL
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STATE OF WEST BENGAL

..... RESPONDENT(S)

AFFIDAVIT FILED BY THE WEST BENGAL
POLLUTION CONTROL BOARD

Most Respectfully Sheweth

I, Sri Swarup Kumar Mandal, son of Shri Barendra Mandal,
aged about 57 years, by Religion - Hindu, by Occupation-Service,
working for gain at West Bengal Pollution Control Board, having
office at 10A, Block- LA, Sector- III, Bidhannagar, Kolkata - 700
106, do hereby solemnly declare and say as follows:-

24 MAR 2026

01. That, I am the Chief Engineer, West Bengal Pollution Control Board (hereinafter will be referred to as the 'State Board') and I am well acquainted with the facts and circumstances of the case. I have been duly authorized by the Respondent No. 03, to affirm this Affidavit on its behalf and as such, I am competent to do so.

02. That, this affidavit is being affirmed in pursuant to the order passed by this Hon'ble Tribunal dated 06.02.2026.



03. That, the State Board had issued letter vide Memo dated 24.08.2015, 04.08.2016, 21.06.2017, 27.10.2021, 29.11.2023 and 28.11.2025 respectively to the Chairman, Midnapore Municipality, requesting his good office to apply for Consent to Operate as well as implement proper Solid Waste Management Facility within Midnapore Municipality as per Solid Waste Management Rules, 2016 and its amendments.

Copy of the letters of the State Board are annexed herewith and marked with letter "R1" (colly).

24 MAR 2026

04. That, the Hon'ble Tribunal vide order dated 29.07.2025, constituted a Committee to visit the site in question and thereafter submit a Fact Finding Report on affidavit. The said Committee during inspection on 10.09.2025 also advised the Municipal Representatives to obtain Consent to Operate from the State Board at the earliest and ensure timely submission of Annual Return.

But, till date no such application has been received by the State Board from the concerned Municipality.

Copy of Joint Inspection Report is annexed herewith and marked with letter "R2".

05. It is therefore respectfully prayed that Hon'ble Tribunal may pass such order/orders as it deems fit and proper in the interest of justice.



Swarup Kumar Mandal
DEPONENT

24 MAR 2026

VERIFICATION

I, Sri Swarup Kumar Mandal, son of Shri Barendra Mandal, aged about 57 years, by Religion - Hindu, by Occupation-Service, working for gain at West Bengal Pollution Control Board, having office at 10A, Block- LA, Sector- III, Bidhannagar, Kolkata - 700 106, do hereby solemnly declare and say as follows:-

1. That, I am the Chief Engineer, West Bengal Pollution Control Board and I am well acquainted with the facts and circumstances of the instant Original Application.
2. That, the statements made in paragraph 1 of this affidavit is true to my knowledge and belief.
3. That, the statements made in paragraphs 2 to 4 of this affidavit are my information derived from the records available in the office of the State Board which I verily believe to be true and the rest are my respectful submission before this Hon'ble Tribunal.



Swarup Kumar Mandal
DEPONENT

[Signature]
Identified and corrected by me
Advocate
WBPCB

Solemnly Affirmed &
Declared Before Me
On Identification

[Signature]
SARBANI MITRA
NOTARY
Regd. No.- 5515/08
Mob.- 8777398277

24 MAR 2020



Haldia Regional Office
 Supermarket Building, PO & PS-Durgachak,
 Haldia, Purba Medinipur. 721 602.
 Telefax # (03224) 274190
 Internet: www.wbpcb.gov.in

Memo No. 451-1024/WPB(HRO)-0/2015.

Date: 24/8/2015

To
 The Chairman
 Midnapore Municipality
 PO - Midnapore
 Paschim Medinipur

Sub. : Non-Compliance of the Environment (Protection) Act, 1986, the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.

Sir,

It may be noted that under the provision of the above mentioned Acts, all the ULBs are required to submit Application for obtaining "Consent to Operate" of the State Pollution Control Board. But it is to be mentioned here that as per our available office records, it is found you have not yet applied for Consent to operate to this Board.

Hence, you are hereby requested to apply for "Consent to Operate" with necessary fees and arrears, if any, and other relevant documents within 30 (thirty) days from the date of issuance of this letter.

This may be treated as extremely urgent.

Yours faithfully,

B.K.Pal

Environmental Engineer

Environmental Engineer

West Bengal Pollution Control Board
 Haldia Regional Office

emo no. 451/1-1024/WPB(HRO)-0/2015. Dt. 24/8/2015

Copy to:

The SFA, Camac Street, C.E. Kolkata-700 33



7



WEST BENGAL POLLUTION CONTROL BOARD
 Haldia Regional Office
 Supermarket Building, PO & PS-Durgachak,
 Haldia, Purba Medinipur, 721 602.
 Telefax # (03224) 274190
 Internet: www.wbpcb.gov.in
 Date: 04/08/2016

Memo No. 1472 -4024/WPB(HRO)-O/2015

To
 The Chairman
 Midnapore Municipality
 PO - Midnapore
 Paschim Medinipur

Reminder - I

Sub.: Non-Compliance of the Environment (Protection) Act, 1986, the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.

Ref.: This office memo no. 454-4024/WPB(HRO)-O/2015 dtd 24/08/2015.

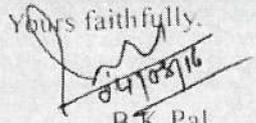
Sir,

It may be noted that under the provision of the above mentioned Acts, all the ULBs are required to submit Application for obtaining "Consent to Operate" of the State Pollution Control Board. But it is to be mentioned here that as per our available office records, it is found you have not yet applied for Consent to operate to this Board and have not submitted any water cess return as per the Water (Prevention & Control of Pollution) Act, 1977, as amended.

Hence, you are hereby requested to **apply for "Consent to Operate"** with necessary fees and arrears, if any, and other relevant documents within **30 (thirty) days** from the date of issuance of this letter and also submit arrear water cess return to till date immediately.

This may be treated as extremely urgent.

Yours faithfully,


 B.K. Pal

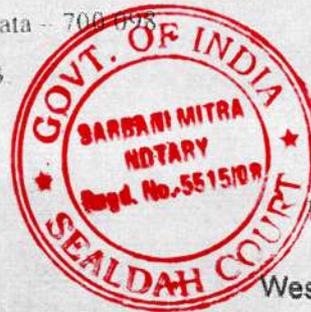
Environmental Engineer

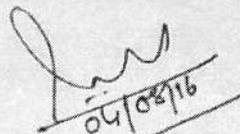
Date: 04/08/2016

Memo No. 1472(2) -4024/WPB(HRO)-O/2015

Copy forwarded for information to -

1. The CE (O&E), WBPCB, Paribesh Bhaban, Kolkata - 700 098
2. The SEE (CSCO), Tollygunge, Kolkata - 700 033.




 B.K. Pal

Environmental Engineer

Environmental Engineer
 West Bengal Pollution Control Board
 Haldia Regional Office



Memo No. **6035** -4024/WPB(HRO)-O/2015

To
The Chairman
Midnapore Municipality
PO – Midnapore
Paschim Medinipur

Reminder - 2

Sub. : Non-Compliance of the Environment (Protection) Act, 1986, the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.

Ref.: This office memo no. 454-4024/WPB(HRO)-O/2015 dtd 24/08/2015 & 1472-4024/WPB(HRO)-O/2015 dtd 04/08/2016.

Sir,

It may be noted that under the provision of the above mentioned Acts, all the ULBs are required to submit Application for obtaining "Consent to Operate" of the State Pollution Control Board. But it is to be mentioned here that as per our available office records, it is found you have not yet applied for Consent to operate to this Board and have not submitted any water cess return as per the Water (Prevention & Control of Pollution) Act, 1977, as amended.

Hence, you are hereby requested to apply for "Consent to Operate" with necessary fees and arrears, if any, and other relevant documents within 30 (thirty) days from the date of issuance of this letter and also submit arrear water cess return to till date immediately.

This may be treated as extremely urgent.

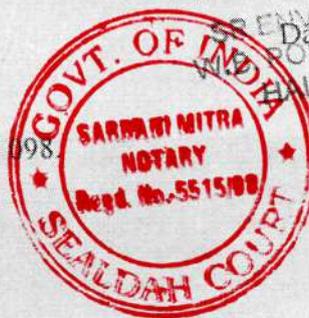
Yours faithfully,

Memo No. **6035(1-2)** -4024/WPB(HRO)-O/2015

Copy forwarded for information to -

- ✓ 1. The SEE(O&E), WBPCB, Paribesh Bhaban, Kolkata – 700 098
- ✓ 2. The SEE (CSCO), Tollygunge, Kolkata – 700 033.

ofc



Mardi
21/06/17
S. Mardi
Sr. Environmental Engineer

SR ENVIRONMENTAL ENGINEER
W.B. POLLUTION CONTROL BOARD
HALDIA REGIONAL OFFICE
Date: 21/06/2017

Mardi
21/06/17
S. Mardi
Sr. Environmental Engineer

SR ENVIRONMENTAL ENGINEER
W.B. POLLUTION CONTROL BOARD
HALDIA REGIONAL OFFICE



Memo No. 3054 - 4024 / WPB (HRO) - 0 / 2015,

Dated: 27/10/2015

To
The Chairman
Midnapore Municipality
Municipal Office Road
P.O. - Midnapore
Paschim Medinipur - 721101

Reminder-3

Sub: Non-Compliance of the Environmental (Protection) Act, 1986, the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981.

Sir,

It may be noted that under the provision of the above mentioned Acts, all the ULBs are required to submit application for obtaining "Consent to Operate" of the State Pollution Control Board. But it is to be mentioned here that as per our available office records, it is found that you have not yet applied for Consent to Operate to this Board.

Hence, you are hereby requested to apply for "Consent to Operate" with necessary fees and arrears, if any, and other relevant documents within 30(thirty) days from the issuance of this letter. You are also required to implement proper Solid Waste Management facility within your Municipality as per the Solid Waste Management Rules, 2016 and its amendment if any.

This may be treated as extremely urgent.

Yours faithfully,

M
27/10/15

AEE & I/C,
Haldia R.O.
WBPCB

Memo No. 3054/1 - 4024 / WPB (HRO) - 0 / 2015, Dated: 27/10/2015

Copy forwarded for information to
The CE (O & E Cell), WBPCB, Paribesh Bhaban, Kolkata 700106

M
27/10/15

AEE & I/C,
Haldia R.O.
WBPCB



etc



LIFE
Lifestyle for
Environment

WEST BENGAL POLLUTION CONTROL BOARD
(Department of Environment, Govt. of West Bengal)
Haldia Regional Office
Raghunathchak, P. O. – Barhghasipur, P. S. – Bhabanipur
Dist - Purba Medinipur, Pin – 721 657
☎ (03224) 291293 / 291294
Website: www.wbpcb.gov.in

Memo No: 886 -4024/WPB (HRO)-O/2015

Date: 29/11/23

To
The Chairman
Midnapore Municipality
Near Kotwali Bazar
P.S- Kotwali
Dist: Paschim Medinipur- 721101

Reminder-4

Sub: Non-Compliance of the Environment (Protection) Act, 1986, The Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981 and the Solid Waste Management Rules, 2016 and its amendment thereafter.

Ref: 1) Our office reminder letter-03 vide Memo no: 3054-4024/WPB(HRO)-O/2015 dated 27.10.2021.

Sir,

It may be noted that under the provision of the above-mentioned Acts, all the ULBs are required to submit application for obtaining “**Consent to Operate**” of the State Pollution Control Board. But it is to be mentioned here that as per our available office records, it is found that you have not yet applied for “**Consent to Operate**” to this Board.

Hence, you are hereby requested to apply for “**Consent to Operate**” with necessary fees and arrears and other relevant documents within **30(thirty) days** from the issuance of this letter. You are also required to implement proper Solid Waste Management facility within your municipality as mentioned in Clause 15 of Solid Waste Management Rules, 2016 and its amendment thereafter.

This may be treated as extremely urgent.

Yours Faithfully,

Amr 29.11.23

Environmental Engineer & In-Charge
Haldia Regional Office
WBPCB





LiFE
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Environment

11

WEST BENGAL POLLUTION CONTROL BOARD
(Department of Environment, Govt. of West Bengal)
Haldia Regional Office
Raghunathchak, P. O. – Barghasipur, P. S. – Bhabanipur
Dist - Purba Medinipur, Pin – 721 657
☎ (03224) 291293 / 291294
Website: www.wbpcb.gov.in

99

Memo No: 487 -4024/WPB (HRO)-O/2015

Date: 28/11/2025

To
The Chairman
Kharagpur Municipality
Keshiary Road, Near Jhapatapore Fire Brigade
Kharagpur
Dist: Paschim Medinipur- 721301

Reminder-5

Sub: Non-Compliance of the Environment (Protection) Act, 1986, The Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981 and the Solid Waste Management Rules, 2016 and its amendment thereafter.

Ref: 1) Our office reminder letter-03 vide Memo no: 3059-4024/WPB(HRO)-O/2015 dated 27.10.2021.
2) Our office reminder letter-04 vide Memo no: 379-4024/WPB(HRO)-O/2015 dated 29.11.2023

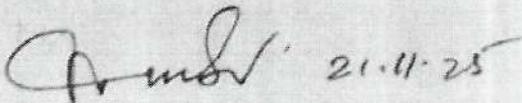
Sir,

It may be noted that under the provision of the above-mentioned Acts, all the ULBs are required to submit application for obtaining "Consent to Operate" of the State Pollution Control Board. But it is to be mentioned here that as per our available office records, it is found that you have not yet applied for "Consent to Operate" to this Board.

Hence, you are hereby requested to apply for "Consent to Operate" with necessary fees and arrears and other relevant documents within 30(thirty) days from the issuance of this letter. You are also required to implement proper Solid Waste Management facility within your municipality as mentioned in Clause 15 of Solid Waste Management Rules, 2016 and its amendment thereafter.

This may be treated as extremely urgent.

Yours Faithfully,


Environmental Engineer & In-Charge
Haldia Regional Office
WBPCB



**Summary of letter issued to municipalities w.r.t apply for Authorization/CTO Fresh/CTO
Renewal**

Sl No.	Description	Memo No	Dated
1	First letter	448 to 460-4024/WPB(HRO)-O/2015	24.08.2015
2	Reminder 1	1469 to 1478-4024/WPB(HRO)-O/2015	04.08.2016
3	Reminder 2	6032 to 6044-4024/WPB(HRO)-O/2015	21.06.2017
4	Reminder 3	3053 to 3066-4024/WPB(HRO)-O/2015	27.10.2021
5	Reminder 4	373 to 385-4024/WPB(HRO)-O/2015	29.11.2023



:: JOINT INSPECTION REPORT ::

1. **Reference** : Compliance of direction dated 29.07.2025 of Hon'ble NGT passed in connection with Original Application No. 121/2025/EZ and subsequent order of Hon'ble National Green Tribunal, Eastern Zone to constitute a Committee comprising of the following members:
- District Magistrate, District- Paschim Medinipur or his representative not below the rank of Additional District Magistrate (ADM);
 - Senior Scientist, West Bengal Pollution Control Board; and
 - Senior Scientist, Central Pollution Control Board.
- The Committee shall visit the site and submit a Fact-Finding Report.
2. **Name & Address of the site** : Dharma Dumping Ground (Mentioned as Dharma Moila Khadan), Mouza- Hosnabad (JL no. 200), Dharma, Medinipur, District- Paschim Medinipur, PIN- 721101
3. **Name of the Police Station** : Kotwali
4. **Date & Time of Inspection** : 10.09.2025 during 10:30a.m. to 11:50a.m.
5. **Name of Inspecting Officer** : 1. Suman Sourav Mohanty, IAS, ADM (LR) & DL & LRO, Paschim Medinipur.
2. Sisir Mondal, Environmental Engineer & In-Charge, Haldia Regional Office, WBPCB.
3. Toufic Aslam, Scientist 'C', CPCB.
6. **Representative met with** : During inspection officials from Medinipur Municipality were met with.
7. **Status of CTE / CTO** : Municipality has been advised to obtain necessary Consent from the State Board, and to submit Annual Return in time.
8. **Statement of Complainant** : Dharma Moila Khadan Uchhed Committee, Midnapore has approached the Hon'ble NGT against the Environmental Pollution affecting health, water contamination and economic issues arising due to waste disposal and burning of plastic, etc. at Moila Khadan.
9. **Brief Introduction of Dumpsite as provided by the Municipality representatives** : Dharma Dumping Ground has been used as primary Municipal Solid Waste (MSW) disposal site for Medinipur Municipality since 1950. The dumpsite covers approximately 11.20 acres. The waste from 25 (twenty-five) wards, having estimated population of 2,20,312 (1,69,127 as per 2011 census), is brought here. The municipality generates approximately 103.06 TPD (tonnes per day) municipal solid waste, for disposal. All the waste are collected through door-to-door, of which 78% of the waste are segregated and source before bringing it to the dumpsite through designated vehicles.



Work related to legacy waste disposal are being carried out under supervision of Municipal Engineering Directorate and State Urban Development Agency (SUDA).

10. Observations:

: The dumpsite is located on the eastern side of the road connecting Kharagpur to Mohanpur under Hosnabad Gram Panchayat area and owned by Medinipur Municipality. There are multiple residential dwellings situated on the Northern, Southern and Western (across the road) sides approximately 100 metres from the boundary, but some dwellings on the North-eastern boundary are much closer. There is a garage along the road, situated on the Northern boundary and an LPG Gas warehouse on the southern side. The rest of the area along the boundaries were low land and was found inundated in some places. Boundary walls were present along the dumpsite, along with an elevated metallic boundary in some areas.

During inspection, the dumpsite was receiving fresh MSW from designated vehicle. Leachate water was found to be accumulated in areas where fresh and legacy waste were stored, but the dumpsite does not have any Leachate Treatment Plant to treat this. The Municipality has installed a trommel machine of 40 Ton/hour capacity and was in operation, the separated good earth and inert were being kept near the trommel and the segregated recyclable waste (Refused Derived Fuel) from the trommel were being sent to Integrated Cement Plant in Orissa as informed by the Municipality along with a photocopy of its invoice.

During inspection, it was informed that M/s. Aakansha Enterprises was engaged as a micro-planner, through tendering procedure by SUDA for processing of this legacy solid waste by bio-mining. The agency will dispose of 2.64 Lakh MT of this waste through their contract period, i.e. within December 2026. According to Municipalities representatives, as of now, 2456 MT of legacy waste has been processed, of which 1350 MT is good earth, 860 MT is inert, 126 is RDF (Refused Derived Fuel) and moisture. However, a significant amount of dense black leachate was noticed. Considerable amount of good-earth and inert was found to be dumped near the trommel. During inspection, the trommel was in operation. Obnoxious/filthy smell was felt within the dump site and scavenger birds were also observed. It may be mentioned that, few packets of bio-medical waste, used napkin, diapers were observed just outside the boundary wall of dumping ground. Nowhere, outbreak of fire was noticed.

The weighbridge has been installed and its calibration will be completed in approximately seven days and another trommel machine will also be installed soon as per information provided by the representative of M/s Aakansha Enterprises with installation of real time monitoring system.

During inspection, a drone was used for taking birds-eye-view of the



11. Recommendations:

dumping grounds and some of the photographs are attached.

- a) The municipality may be directed to strictly comply with all the provisions of MSW Rules 2016 (as amended thereof).
- b) Proper leachate collection and adequate treatment facility to be installed. The treated leachate shall be recycled or utilized as permitted, otherwise should be released into the sewerage line, after meeting the standards as specified in Schedule-II of SWM Rules, 2016. In no case, leachate shall be released into open environment.
- c) Processed solid waste, i.e. inert, good-earth and RDF to be evacuated/removed or disposed scientifically to create space for fresh waste treatment and disposal.
Analysis of various screened fraction materials, i.e. RDF, fine earth/bio earth, etc. to be carried out prior to its disposal/utilization.
- d) Proper gate and CC TV cameras to be installed to prevent unauthorised people and stray animal to enter into the dump site and make vigil over illegal dumping of BMW outside the dump site.
- e) All records to be kept and maintained as per SWM Rules, 2016.
- f) Initiatives to be taken in war footing manner to dispose the legacy solid waste.
- g) Plantation with long trees may be developed along the periphery of the boundary wall of the dump site.

Sisir Mondal

(Sisir Mondal)

Environmental Engineer
Haldia Regional Office
WBPCB

SISIR MONDAL

Environmental Engineer
Haldia Regional Office
West Bengal Pollution Control Board

Helam

(Toufic Aslam)
Scientist 'C'

Regional Directorate, Kolkata
CPCB

Suman Sourav Mohanty

(Suman Sourav Mohanty)
ADM (LR) & DL & LRO
Paschim Medinipur



BEFORE THE NATIONAL GREEN TRIBUNAL
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AFFIDAVIT FILED BY THE WEST BENGAL
POLLUTION CONTROL BOARD

DIPANJAN GHOSH
ADVOCATE
HIGH COURT AT CALCUTTA