

- 961 -

BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 171/2016 (EZB)

IN THE MATTER OF:

SUBHAS DATTA

.... APPLICANT

-VERSUS -

STATE OF WEST BENGAL & ORS.

... RESPONDENT(S)

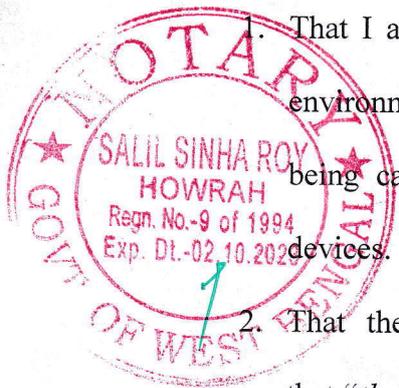
**SUPPLEMENTARY AFFIDAVIT ON USE OF ROAD SIDE SMALL HOT MIX
PLANT WITHOUT POLLUTION CONTROL DEVICE**

Most Respectfully Sweath:

I, Subhas Datta, aged about 73 years, son of Late Baneswar Datta, by Religion-Hindu, by Occupation-Chartered Accountant, residing at 25/1, Guitendal Lane, P.S.+P.O.+Dist. – Howrah, Pincode-711101, do hereby solemnly declare and say as follows: -

1. That I am the Applicant of the Original Application No 171 of 2016 filed on the environmental disorders being caused through the process of road/pavement repairing being carried out by Hot Mix/Batch Mix Plant without proper pollution control devices.

2. That the Hon'ble Tribunal had directed vide order dated 14TH January 2020 that "the State of West Bengal was permitted to act in terms of the recommendations contained in the affidavit filed by the Central Pollution Control Board (CPCB)." The

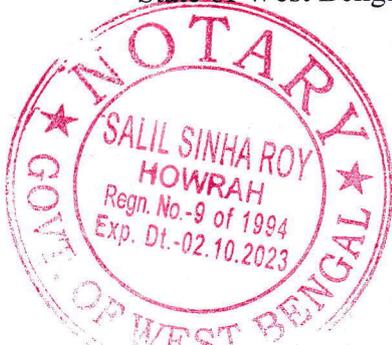


07 FEB 2022

recommendations of CPCB has inter alia, vide affidavit filed before the Tribunal, page no. 405 has recommend as follows:-

“For maintenance purpose and emergent repairing of the bituminous road surface also, ‘Small Manually Operated and Mobile Machines’ (putting them by the side of the roads), having no in built ‘Pollution Control Unit’ should be discouraged and banned completely”

3. That in order to combat the severe air pollution in the State of West Bengal and in the city of Calcutta/Howrah the Hon’ble Tribunal has properly directed all concerned to act in terms of the recommendations given by the CPCB. But it is a sorry state of affairs that the same old polluting practices are being perpetuated throughout the State as well as in the city of Calcutta on which the applicant had filed photographs before the Tribunal in the past.
4. That on 3rd February 2022 while travelling from the residents to the Eastern Zone Bench of the National Green Tribunal at a point adjacent to Bagjola Canal near HIDCO the Applicant has observed that the polluting practice was being carried out by the agency engaged for the repairing the road. The photographs of such operation have been taken, which are enclosed and marked as Annexure-S/A/1.
5. That in spite of the best efforts initiated by the Hon’ble Tribunal such wrong practice has not been discontinued for which further directions from the Hon’ble Court have become necessary.
6. That in view of the above facts/position the Hon’ble Tribunal may be pleased to pass appropriate orders/directions for total improvement of the environmental health of State of West Bengal.



SOLEMNLY AFFIRMED & DECLARED
BEFORE ME ON IDENTIFICATION

SALIL SINHA ROY
NOTARY HOWRAH

07 FEB 2022

Sublensalts
DEPONENT

IDENTIFIED BY ME &
SIGNED/L.T.I. TAKEN IN MY PRESENCE

Kalipada Ghosh
Advocate

- 963 -

AFFIDAVIT / VERIFICATION

SL. NO. A-4704

I, Subhas Datta, son of Late Baneswar Datta, aged about 73 years, by occupation – Chartered Accountant, by religion – Hinduism, residing at 25/1, Guitendal Lane, Post Office, Police Station and District – Howrah, Pin – 711101, do hereby declare and state that the contents of the paragraph Nos 2,4 are true to my knowledge and the contents of paragraph No 3 information derived from the relevant records which I verily believe to be true and the rests are my respectful submissions before the Hon'ble Tribunal.

Prepared by me in my office.

Subhas Datta
(Subhas Datta)

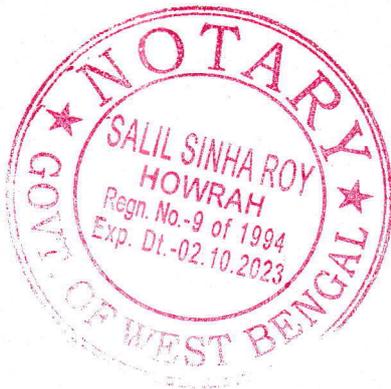
APPLICANT – IN-PERSON

Self-affirmation on
this 7th day of February, 2022

Subhas Datta
DEPONENT

IDENTIFIED BY ME &
SIGNED/L.T.I. TAKEN IN MY PRESENCE

Kalipada Ghosh
Advocate



SOLEMNLY AFFIRMED & DECLARED
BEFORE ME ON IDENTIFICATION

Salil Sinha Roy
SALIL SINHA ROY
NOTARY HOWRAH

07 FEB 2022



Photographs taken on 03.02.22 showing the use of road side Hot Mix Plant being used at New Town adjacent to HIDCO.

07 FEB 2022