

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

**Original Application No.17/2015/EZ**

**Sailen Mondal**

**Vs**

**Howrah Municipal Corporation & Ors.**

**CORAM: Hon'ble Mr. Justice Pratap Kumar Ray, Judicial Member  
Hon'ble Prof. (Dr.) P. C. Mishra, Expert Member**

**PRESENT: Applicant : In person.  
Respondent Nos. 1 to 4 : None.**

<b>Date &amp; Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No. 3 23<sup>rd</sup> March, 2015.</b>	<p style="text-align: center;">Heard applicant, a social activist of Howrah city appearing in person.</p> <p style="text-align: center;">It is alleged by the applicant that so many ponds, which are recorded for use by general public in the record of rights of Land Revenue Department and under the control and supervision of Howrah Municipal Corporation, are being filled up for illegal purpose by way of dumping the construction debris. It is his further contention that despite bringing notice of this fact to the said Corporation no effective result has come up. It is further alleged by the applicant that corporation itself in respect of some cases is engaged in dumping municipal solid waste as well as discharging untreated waste water into those ponds. Thus all such activities of the corporation as well as by private builders have led to the shrinkage in the pond area as well as contamination of pond water causing breach of the provision of <b>The Water (Prevention and Control of Pollution) Act, 1974</b> as well as <b>The Environmental (Protection) Act, 1986</b>. Several</p>

photographs have been annexed to identify the issue on the abuse of our precious water resource in terms of pollution with reference to the contention made in the application.

Having regard to such, we are of the view that a strong substantial environmental issue has been made out by the applicant for effective adjudication of this matter. A list of those ponds have been mentioned at paragraph 6 of the application, out of which some have already been filled up and some are in the process of filling up illegally.

Considering this, we are passing interim order restraining the Howrah Municipal Corporation, developer, contractor and all persons concerned from doing any work relating to filling up of aforesaid water bodies by dumping garbage and construction debris as well as discharging untreated waste water into the ponds, as mentioned in paragraph 6 of the application until further order of this Tribunal.

The corporation is also directed to take all steps and measures for removal of construction debris, plastics and other waste materials from those ponds forthwith and to seal waste water pipe/drain by which untreated liquid wastes are being discharged into the ponds. A compliance report to be filed before us on the next date of hearing.

The Commissioner of Police, Howrah Police Commissionerate and District Magistrate, Howrah both are also directed to take steps and measures in accordance with law to comply with the direction passed by this Tribunal today and submit their respective status reports in respect of the physical conditions with regard to environmental issues and the extent of encroachment, as mentioned in paragraph 6 of the application

in detail on the next date of hearing.

State Pollution Control Board is also directed to file status report in respect of the environmental conditions, by chemical analysis of water sample and physical conditions of ponds as mentioned in paragraph 6 of the application. For proper adjudication the State Pollution Control Board be added as party respondent in this case.

Registry is directed to incorporate the name of the State Pollution Control Board as party respondent in this application. Let notice be served upon all the respondents by dasti/speed post/registered post on usual terms and conditions along with the application. Let this order be communicated by the registry to all the respondents including the added respondent for necessary compliance.

**Matter stands adjourned to 27.04.2015.**

Justice Pratap Kumar Ray, JM

Prof. (Dr.) P. C. Mishra, EM