

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

Original Application No. 42/THC/2014/PB/5/EZ
With
M.A. 1088/2016/EZ, M.A. 1090/2016/EZ & 1092/2016/EZ

**Environment Pollution &
Health Hazards in the State
Vs**

State of Meghalaya & Ors.

CORAM: Hon'ble Mr. Justice S.P.Wangdi, Judicial Member
Hon'ble Prof. (Dr.) P. C. Mishra, Expert Member

PRESENT:

Applicants	: None
Respondent No.1	: Dr. B.P.Todi, Advocate General Mr. Dipak Dey, Advocate Mr. Dipanjan Dey, Advocate
Respondent No. 2	: Mr. Ankit Todi, Advocate Mr. C.H.Mowlong, Advocate
Respondent No. 4	: Mr. Philemon Nongbri, Advocate
Respondents 6 - 11	: Mr. L.D.Chowdhury, Advocate
Respondents 12 to 14	: Mr. Philemon Nongbri, Advocate

Date & Remarks	Orders of the Tribunal
Item No. 1 24 th March , 2017.	<p>M.A. 1088/2016/EZ, M.A. 1090/2016/EZ & 1092/2016/EZ :</p> <p>Inspection reports filed by Mr.C.H.Mowlong, Ld. Advocate for the State PCB, respondent No. 2, in respect of the applicants hotels of these MAs are ordered to be taken on record.</p> <p>By order dated 10.2.2017, we had directed the Meghalaya State PCB to verify the claim of these hotels that they had complied with the directions of the</p>

Board.

Upon perusal of the reports filed today by the State PCB, it appears that so far as MA 1088/2016/EZ (Ri-Kynjai Serenity) of Respondent No. 12 is concerned, it is stated that the hotel was found to be compliant in all respects except the observation that effluent was found over-flowing from the screening chamber due to irregular maintenance.

Mr. Philemon Nongbri, Ld. Advocate appearing for the respondent No. 12 submits that the defect has since been set right after it was pointed out by the PCB and that the over flow was not in the nature of defect but a maintenance issue, a fact which is not denied by Mr. Monlong, Ld. Advocate for the State PCB. Ld. counsel for the respondent No. 12 undertakes that the applicant hotel shall ensure that the ETP is maintained on a regular basis so that no such overflow occurs.

So far as the other two hotels, viz. Royal Heritage Tripura Castle, Respondent No. 13 and Hotel Centre Point, Respondent No.14, which are the applicants in the OA No. 1090/2016/EZ and MA No. 1092/2016/EZ respectively, are concerned, it is stated in the reports of the State PCB that they are compliant in all respects.

In view of this nothing further would remain for us to determine in these MAs.

The MAs stand accordingly disposed of with the

direction that the State PCB shall undertake regular inspections of the hotels.

O.A. 42(THC)/2014/PB/5/EZ :

Action taken report filed on behalf of the Meghalaya Urban Development Authority (MUDA), respondent No. 4, by Mr Philemon Nongbri, Ld. Advocate is ordered to be taken on record.

Dr. B.P.Todi, Ld. Advocate General, State of Meghalaya, appearing for the State submits that detailed affidavit as directed vide earlier order has been prepared and will be filed today. Let it be taken on record subject to rectification of defects, if any.

We shall consider the affidavits of the State of Meghalaya and MUDA on the next date.

Since this matter is being considered along with OA 146/2014/PB/10/2015/EZ and OA 15/2016/EZ in which Mr. Nababrata Bhattacharya and Mr. James Kurbah respectively are the applicants, we direct them to be present on the next date to assist us on the issues raised by them in the applications filed by them. It is made clear that they shall deal with each of the aspects set out by them in their application in seriatim.

State respondent including MUDA, respondent No. 4 shall also enlighten us on the steps taken by them for implementation of the Solid Waste Management Rules, 2016, Bio-Medical Waste Management Rules, 2016 and

Plastic Waste Management Rules, 2016 in the State.

List on 18.5.2017.

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Justice S.P.Wangdi, JM
24-3-2017

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Prof. (Dr.) P. C. Mishra, EM
24-3-2017

