

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(Through Video Conferencing)**

Original Application No. 48/2021/EZ

Nabin Kisan

Applicant(s)

Versus

State of Odisha & Ors.

Respondent(s)

Date of hearing: 06.01.2022

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER**

For Applicant(s) : Mr. Shreyan Das, Advocate

For Respondent(s) : Mr. Sailaza Nandan Das, ASC for R-1 & 3,
Mr. Dipanjan Ghosh, Advocate for R-4,
Mr. Surendra Kumar, Advocate for R-5,
Mr. Debasish Ghosh, Advocate for R-6

ORDER

1. Mr. Shreyan Das, learned Counsel is present for the Applicant.
When the case is next listed the name of Mr. Shreyan Das shall be printed in the cause list as counsel for the Applicant.
2. Mr. Debasish Ghosh, learned Counsel files vakalatnama on behalf of the Respondent No.6, Ministry of Environment, Forests and Climate Change
3. No one is present on behalf of the Respondent No.2 nor has any affidavit been filed.
4. By our order dated 29.09.2021, we had imposed personal cost of Rs. 25,000/- (Rupees Twenty Five Thousand only) on the sub-Collector-cum-Administrator, Belpahar Municipality directing him to pay the said amount to the Odisha State Pollution Control Board and file an affidavit annexing the proof of payment. Such affidavit has also not been filed.
5. The observations of the Committee constituted by the Tribunal and its recommendation and conclusion have been quoted in the order

of the Tribunal dated 29.09.2021. Since, no affidavit has been filed, we do not know whether any remedial action has been taken by Respondent No.2, Belpahar Municipality.

6. The Report of the Committee is quite clear that the Belpahar Municipality has not provided proper drainage, network for collection of waste water including sewage and sludge water and also has not installed Sewage Treatment Plant (STP) of adequate capacity, it has not been obtained Consent to Establish (CTE) or Consent to Operate (CTO) and, therefore, is in violation of the provisions of the Environment (Protection) Act, 1986 and the Water (Prevention and Control of Pollution) Act, 1974.
7. We, therefore, direct the District Magistrate, Jharsuguda to lodge First Information Report (FIR) against the sub-Collector-cum-Administrator, Belpahar Municipality and file affidavit of compliance by the next date of listing.
8. The District Magistrate shall also go through the findings of the Committee, its observations, conclusion and recommendation and inform the Tribunal what action has been taken at his end by the State Government.
9. **List on 04.02.2022.**

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B. Amit Sthalekar, JM

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Saibal Dasgupta, EM

January 06, 2022
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MN