

Item No. 01

Court No.1

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

Original Application No. 20/2022/EZ

Suprova Prasad

Applicant(s)

Versus

Ministry of Environment Forest &
Climate Change & Ors.

Respondent(s)

Date of hearing: 16.02.2022

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. SENTHIL VEL, EXPERT MEMBER**

For Applicant(s) : Ms. Paushali Banerjee, Advocate

For Respondent(s) : Mr. Dipanjan Ghosh, Advocate for WBPCB,

ORDER

1. Heard Ms. Paushali Banerjee, learned Counsel for the Applicant.
2. This Original Application has been filed by the Applicant alleging large scale pollution at various ghats in the river Hooghly. The various ghats referred to are Ahiritola Ghat, Nimtala Ghat, Mayer Ghat, Sutanuti Ghat, Kumortuli Ghat and Cosipore Ghat. Photographs by way of evidence have been filed as Annexures-C, D, E, F, G & H (from page no. 39 onwards) to the Original Application, which show the amount of filth that has been littered all along the ghats.
3. Annexure-I, (page no. 49 of the paper book), has been filed to the Original Application, which is stated to be a report of the West Bengal Pollution Control Board as far back as 2003 and its results and observations paint a very dismal picture existing as far back as 2003.
4. Annexure-K (page no. 54 of the paper book), has been filed to the Original Application, which is stated to be a report of National

Inventory Sewage Treatment Plants of March, 2021, which suggest that the installed capacity of Sewage Treatment Plants (STPs) is 897 (16.43%) against the sewage generation of 5,457 MLD. It is also stated that there is a gap of 4,560 MLD (83.57%) in the treatment of sewage. This shows that 83.57% i.e., 4,560 MLD of untreated sewage is being allowed to flow into the river Hooghly. It is also stated that out of 897 MLD (16.43%) of installed Sewage Treatment Plants capacity, the operational capacity is only 337 MLD (37.56%) and actual utilized capacity is 213 MLD (63.20%), and the complied capacity of Sewage Treatment Plants is only 126 MLD.

5. Ms. Paushali Banerjee, learned Counsel for the Applicant submits that the figures prepared by the Respondents, West Bengal Pollution Control Board and the Central Pollution Control Board, itself show that in the name of Sewage Treatment Plants only some shoddy paper work has been done and that more than 83% of untreated sewage is allowed to be drained into the river Hooghly everyday thereby threatening the lives and health of millions of residents of the city of Kolkata who depend for their survival and livelihood on the water of the Hooghly river.
6. Ms. Banerjee further submitted that even out of the installed 897 MLD (16.43%) capacity of Sewage Treatment Plants only 219 MLD (63.20%) is being utilized.
7. Considering the grave situation of the pollution in the river Hooghly as emanating from the own documents of the West Bengal Pollution Control Board and the Central Pollution Control Board and the current photographs filed as Annexures-C, D, E, F, G & H (from page no. 39 onwards) to the Original Application, we issue notice to the Respondents, returnable within four weeks.

8. All the Respondents shall file their counter-affidavits within four weeks.
9. We also deem it proper to constitute a Committee comprising of the following Members:-
 - (i) A Senior Scientist from the Central Pollution Control Board, Regional Office, Kolkata;
 - (ii) A Senior Scientist from the Ministry of Water Resources, River Development and Ganga Rejuvenation;
 - (iii) Dr. Tapas Kumar Gupta, Chief Technical Advisor, West Bengal Pollution Control Board.
10. The Committee shall inspect the ghats in question as mentioned in the Original Application and submit its report along with complete Action Plan for restoration and remedial measures to prevent further pollution in the river Hooghly within four weeks.
11. The Respondent No.3, West Bengal Pollution Control Board shall be the Nodal Office for filing the report of the Committee and for all logistic purposes.
12. Ms. Paushali Banerjee, learned Counsel shall serve e-copy/soft copy of the Original Application along with all its annexurs upon Mr. Dipanjan Ghosh, learned Counsel for West Bengal Pollution Control Board. Mr. Ghosh shall also communicate this order to the Central Pollution Control Board for compliance.
13. **List on 01.04.2022.**

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B. Amit Sthalekar, JM

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Dr. A. Senthil Vel, EM

February 16, 2022
Original Application No. 20/2022/EZ
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