

Item No. 05

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
(Through Video Conferencing)**

Original Application No. 474/2018 (EZ)
(Earlier O.A. No. 30/2014 (EZ))

Joydeep Mukherjee

Applicant(s)

Versus

Chief Secretary, Govt. of West Bengal & Ors. Respondent(s)

Date of hearing: 29.07.2019

**CORAM: HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

For Applicant(s): : Ms. Leena Mukherjee, Advocate

For Respondent (s): : Ms. Arpita Chowdhury, Advocate for Respondent No.2
: Mr. Bikas Kargupta, Advocate for Respondent
Nos.1,3-7
: Mr. Surendra Kumar, Advocate for Respondent
No.114

ORDER

1. Pursuant to the order dated 15.01.2019, affidavits have been filed on behalf of the District Magistrate and Collector, Birbhum and the Chief Engineer, Planning and W.Q.M, Public Health Engineering Directorate, Government of West Bengal.
2. Upon perusal of the report submitted by the District Magistrate and Collector, Birbhum, it appears that necessary steps against discharge of municipal solid waste and plastic bags have been taken to keep the Tarapith area clean by appointing a garbage clearance agency for collection of waste material from the periphery of Maa-Tara Temple and both the sides of river Dwarka where hotels, guest houses and shops are situated. As per the report, Tarapith area will be declared as a plastic free zone within two months in respect of which necessary directions have already been issued. Several works have been undertaken through expert agencies to address the solid, liquid and plastic waste

management in a professional manner. The electric crematorium has been completed upto 95 % and would be finally completed by April, 2019. Of the two Lifting Stations, Lifting Station-1 has been completed upto 20 % and in respect of Lifting Station-2 an area of 0.21 acres of land at Atla Mouza (Plot No. 2858) has been handed over to the Public Health Engineering Department, Birbhum demarcation in respect of which has been completed on 07.01.2019 by the Land Revenue Department.

3. Acquisition of 14.682 hectare of forest land for Mega Tourism Project and 4.9 acre of forest land for the purpose of setting up STP have been completed in as much as stage 1 clearance have been granted by the Ministry of Environment, Forest & Climate Change against payment of Net Present Value (NPV) and Cost of Compensatory Afforestation (CA). The amount towards NPV has now been finally provided by the PHE DTE, Birbhum Division to the tune of Rs. 2,61,54,444/- which has since been transferred to the Department of Forest. Thus, the work for construction of STP will be commenced immediately. The work on modular kitchen with solar hot water system has since been completed. Infrastructure for dumping ground and collection of solid waste generated by the hoteliers, local residents and temples is under process. For this, two plots of land at Vatina Mouza measuring 23.6 acres and at Radipur Mouza measuring 27 acres have been identified which has since been approved.

4. At this stage, Mr. Bikas Kargupta, Learned Advocate, referring to the affidavit filed by the Chief Engineer, Planning & W.Q.M, Public Health Engineering Directorate, Government of West Bengal, submits that the work on Lifting Station -2 has been completed to about 70 % with the balance 30 % expected to be completed by September 2019 and, the

work on Lifting Station -1 has been completed to about 50 % and the remaining balance 50 % expected to be completed by November 2019.

5. Considering the fact that the works are now progressing, albeit slowly, we expect the concerned authorities to complete it in entirety within the time frame indicated by them in their affidavits.
6. It may be noted that we are deeply concerned with the matter relating to the construction of STP as that is the primary requirement to be fulfilled if the river Dwarka is to be made pollution free. We, therefore, direct the State and the District Magistrate, Birbhum to ensure that this work is completed expeditiously. As it is stated by the Mr. Bikas Kargupta, Learned Advocate, that all works towards that end, that is, issuing of NIT, selection of the contractor and budgetary allocation except for transfer of forest land, have been completed, we expect the project to be completed within a period of 6 months from the date when procession of land is handed over by the Forest Department to the PHED. We expect the land to be handed over within 15 days from hence.
7. The PHED and the District Magistrate, Birbhum shall submit a report of compliance after 6 months.
8. With the above directions we dispose off this Original Application with no order as to cost.

S.P. Wangdi, JM

Dr. Satyawan Singh Garbyal, EM

29th July, 2019

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