

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.158/2023/EZ

In Re: “Banks of the Circular Canal are getting “Stolen” regularly near Galiff Street: wastes and garbage spreading pollution” – News item published in Bartaman, Daily Bengali Newspaper, dt.15.10.2023, Kolkata

Applicant(s)

Date of hearing: 17.10.2023

**CORAM: HON’BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON’BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

ORDER

1. In the ‘Bartman, Daily Bengali News Paper, dated October 15, 2023, Kolkata, the following article was published in vernacular, the English translation of which reads as under:-

“Banks of the Circular Canal are getting “stolen” regularly near Galiff Street: wastes and garbage spreading pollution

October 15th, 2023, Kolkata: *The Circular Canal situated at Galiff Street in North Kolkata is getting narrowed down due to encroachment. The banks of the canal are gradually getting “stolen” every day. Additionally, the locals residing by the canal have constructed toilets along the banks using bamboos and other materials resulting in the sloth movement of water through the circular canal.*

Wastes and garbage have been spotted flowing through the canal, heavily and wastes from different parts are getting dumped there. The human wastes and faeces of the residents living by the canal are getting dumped in there too resulting in swarming up of flies, mosquitoes and other insects, spreading foul smell and in the entire area, making it difficult to survive. The dumping of wastes in the canal on a regular basis has resulted in the manifold increase of pollution. This has created strong discontent among the residents of the locality. Since lot of

people visit and travel through this area. Every Sunday, a market is organized dealing with birds and trees which and is attended by people from Kolkata and its surroundings. Eventually the visitors are also dissatisfied and irritated due the pollution and it is impossible to pass by the area without covering up the face. Apart from the pollution in the canal and illegal encroachment on its banks, the visuals of drying up dirty and soiled clothes and other materials is resulting in aesthetic pollution too.

Sukhen Kanjilal, a resident of Bhupen Basu Avenue stated that sometimes, speed boats or smaller boats are being deployed to stir up the water in the canal. However, there have been no traces or instances of cleaning up the canal on a large scale, till date. This has eventually resulted in the increase in pollution in and around the canal. Another resident of Khudiram Basu Sarani, Samaresh Samanta, an aged person stated that garbage and other wastes are being dumped and piled up on the banks of the canal. Apart from cleaning up the dumped garbage, if dredging is being done in the canal, then the speed and flow of water in it will improve.

In this regard, Sri Tarun Saha, Chairman of KMC Borough no. 01, has stated that there are certainly a few issues; however the complaints of the local residents are completely not true in its totality. According to him, the Corporation is vigilant and aware about the canal.

2. We, therefore, take-up this matter *suo-motu* for consideration.
3. Issue notice to the following Respondents who shall be arrayed as

Respondents in the present case:-

1. Department of Irrigation and Waterways, through its Principal Secretary, Government of West Bengal, Jalsampada Bhavan, Western Block, 1st Floor, Block DF, Sector-I, Salt Lake City, Kolkata – 700091,
2. Deptt. of Environment, through its Principal Secretary, Govt. of West Bengal, 5th Floor,

Pranisampad Bhawan, Block-LB-II, Salt Lake,
Sector-III, Bidhannagar, Kolkata – 700106,

3. Deptt. of Urban Development and Municipal Affairs, through its Principal Secretary, Govt. of West Bengal, Nagarayan, DF-8, Sector-I, Salt Lake City Kolkata – 700064,
 4. Kolkata Municipal Corporation, through its Commissioner, 5, S.N. Banerjee Road, Kolkata – 700013,
 5. West Bengal Pollution Control Board, through its Member Secretary, 10A, LA Block, Sector-3, Bidhannagar, Kolkata – 700106,
4. Mr. Rajib Ray, learned Counsel who is appearing (in Virtual Mode), accepts notice on behalf of the Respondent Nos. 1&2, State Respondents, Government of West Bengal.
 5. Mr. Sibojyoti Chakraborty, learned Counsel who is appearing (in Virtual Mode), accepts notice on behalf of the Respondent No.4, Kolkata Municipal Corporation.
 6. Mr. Dipanjan Ghosh, learned Counsel who is present in Court, accepts notice on behalf of the Respondent No.5, West Bengal Pollution Control Board.
 7. Issue notice to the Respondent No.3, Department of Urban Development and Municipal Affairs, returnable within four weeks.
 8. All the Respondents shall file their counter-affidavits within four weeks.
 9. The Office of the Tribunal shall provide e-copy/soft copy of the Original Application along with all its annexures upon Mr. Rajib

Ray, Mr. Sibojyoti Chakraborty and Mr. Dipanjan Ghosh, learned
Counsel for the Respondents within 48 hours.

10. **List on 29.11.2023.**

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B. Amit Sthalekar, JM

October 17, 2023,
Original Application No.158/2023/EZ
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Dr. Arun Kumar Verma, EM