

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

Original Application No.12/2024/EZ

In Re. : '14 cottah Mahisbathan pond
turns into field, BMC steps, in Kolkata,
West Bengal'

Applicant(s)

Versus

State of West Bengal & Ors.

Respondent(s)

Date of hearing: 11.01.2024

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

For Applicant(s) : *Suo Motu*,

ORDER

1. This Original Application is being taken up *suo motu* in view of a news article published in National Daily 'The Times of India' on 05.01.2024, titled "**14-cottah Mahisbathan pond turns into field, BMC steps in**, Kolkata, West Bengal". The article reads as under:-

"A pond, spanning 12-14-cottah land at Mahisbathan behind Sector V, Salt Lake, has allegedly been filled up in a matter of a week, apparently to carry out constructions there. Alerted, the BMC promised to restore the water body to its original state. It is also sending a notice to police to find the accused.

TOI on Thursday visited the spot off a library in Mahisbathan in BMC Ward 28 and found the water body filled up with waste and debris. BMC MMiC (environment) Rahima Bibi Mondal said the matter was recently detected and the civic body was taking rectifying steps. "A notice is being sent to the police and the water body will be restored to its original state. It could not be found who were behind the illegal fill-up. The debris was suspected to have been dumped at night," Mondal said. Pointing out that water bodies in the area were often being filled up, in the guise of dumping waste there, she said, "We are keeping an eye out. No water body or pond can be filled up." BMC officials said they regularly cleaned up ponds in their area. "We

are conducting regular clean-up by manually dredging and picking up mud from the bed of the ponds so that people can use the water bodies,” said a civic official.

In BMC Ward 38, which covers Duttabad, there are 64 ponds. Ward authorities, with the help of boys from local clubs, clean up the water bodies every Sunday. “The exercise is aimed at preventing waste from getting piled up on the banks and stopping mosquito breeding,” said a Ward 38 official.”

2. Matter requires consideration since environmental questions are involved.

3. We, therefore, direct the following parties to be impleaded as Respondents in the present Original Application:-

1. Principal Secretary, Department of Environment, Govt. of West Bengal, Kolkata,

2. Principal Secretary, Department of Fisheries, Government of West Bengal,

3. West Bengal Pollution Control Board, through its Member Secretary, Kolkata,

4. Bidhannagar Municipal Corporation, through its Commissioner, Kolkata, and

5. District Magistrate, North 24 Parganas.

1. Issue notice to the Respondents, returnable within four weeks.

2. Mr. Sudip Kumar Dutta, learned Counsel who is present (in Virtual Mode), accepts notice on behalf of the Respondent Nos.1,2&5, State Respondents, Govt. of West Bengal.

3. Ms. Dipanjan Ghosh, learned Counsel present in Court, accepts notice on behalf of the Respondent No.3, West Bengal Pollution Control Board.

4. Issue notice to the Respondent No.4, returnable within four weeks.

5. All the Respondents shall file their counter-affidavits within four weeks.
6. The office of the Tribunal shall provide copy of the Original Application including the documents on record to Mr. Sudip Kumar Dutta and Mr. Dipanjan Ghosh, Counsel for Respondents within 48 hours.
7. **List on 07.02.2024.**

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B. Amit Sthalekar, JM

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Dr. Arun Kumar Verma, EM

January 11, 2024,
Original Application No.12/2024/EZ
AK