

ORDER passed in Original Application No. 731/2024

From : Consultant Judicial-NGT(P.B.) <judicial-ngt@gov.in> Wed, Jul 24, 2024 06:08 PM
Subject : ORDER passed in Original Application No. 731/2024 2 attachments
To : Sh. RAJA CHATTERJEE Registrar <registrarngt-kolkata@gov.in>, Judicial Section <ngtjudicial-kolkata@gov.in>
Reply To : Consultant Judicial-NGT(P.B.) <judicial-ngt@gov.in>

Respected Sir/Madam,

I am directed to forward a copy of the **Petition & Order dated 05/07/2024 passed in Original Application No. 731/2024 News Item titled "Soil dumping: Umiam river cries for help" appearing in thehillongtimes.com dated 26.05.2024** . for your kind perusal & necessary action.

भवदीय / Regards ☺
परामर्शदाता (न्यायिक) / Consultant (Judicial) ☺
राष्ट्रीय हरित अधिकरण / National Green Tribunal ☺
प्रधान न्यायपीठ / Principal Bench ☺
नई दिल्ली / New Delhi - 110001 ☺



-  **OA NO 731 of 2024 Suo Motu Soil Dumping Nongpoh.pdf**
289 KB
-  **Soil dumping Umiam river cries for help.pdf**
322 KB

The Shillong Times

The Shillong Times

ESTABLISHED 1945

MEGHALAYA

Soil dumping: Umiam river cries for help

By: From Our Correspondent May 26, 2024

From Our Correspondent

NONGPOH, May 25: The uncontrolled dumping of soil into the Umiam river at a construction site near the Umiam bridge has led to severe pollution, turning the river's once-crystal-clear water into a troubling shade of orange. This environmental degradation has been observed along the river stretch from Umiam to Dwar Ksuid downstream.

The Umiam river, traditionally used by many downstream villages for washing clothes, irrigation, and other purposes, has been significantly impacted by this pollution. The sudden change in the river's colour and its now mud-laden waters have sparked outrage among local residents who rely on the river for their daily needs.

During a site visit on Saturday, it was evident that the primary source of the pollution is the unregulated dumping of soil on the riverbank near the Umiam bridge. This area is currently undergoing extensive earthworks for the construction of a hotel, which has led to significant amounts of soil entering the river. "The pollution of the Umiam River has not only caused immense inconvenience to the downstream communities who depend on it, but it also poses a serious threat to aquatic life," said a concerned local villager.

"The soil dumping is not limited to the hotel construction site; similar activities are also occurring in the Mawiong area," he added.

The environmental and ecological consequences of this pollution are profound. The sedimentation can suffocate fish and other aquatic organisms; disrupt the natural flow and quality of the water, and ultimately lead to a loss of biodiversity in the river ecosystem. Local residents and environmental advocates are calling for immediate intervention by authorities to halt the soil dumping and implement measures to restore the health of the Umiam river. They emphasise that without prompt action, the river's degradation will continue, exacerbating the negative impacts on both human and ecological communities downstream.

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 731/2024

News Item titled "Soil dumping: Umiam river cries for help" appearing in theshillongtimes.com dated 26.05.2024

Date of hearing: 05.07.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

ORDER

1. This Original Application is registered *suo-motu* on the basis of the news item titled "Soil dumping: Umiam river cries for help" appearing in theshillongtimes.com dated 26.05.2024.
2. The matter relates to the uncontrolled dumping of soil into the Umiam River at a construction site near the Umiam bridge in Shillong (Meghalaya), which has led to severe pollution, turning the river's once-crystal-clear water into a concerning shade of orange. As per the article the environmental pollution has been observed along the river stretch from Umiam to Dwar Ksuid downstream.
3. The news item highlights that the Umiam River was traditionally used by many villagers for irrigation, washing clothes, and other purposes, which has been significantly impacted by this pollution. There is outrage among the locals who rely on the river water for their daily needs against the sudden change in the river's colour and its now mud-laden waters. As per the article, the primary source of the pollution is the unregulated dumping of soil on the riverbank near the Umiam bridge

as this area is currently undergoing heavy earthwork construction of a hotel, which has led to significant amounts of soil entering the river.

4. The news item alleges that the pollution of the Umiam River has not only caused immense inconvenience to the downstream communities who depend on it, but it also poses a serious threat to aquatic life. As per the article, the soil dumping is not only occurring at the hotel construction site, but similar activities are also taking place in the Mawiong area. The sedimentation due to the above activities can suffocate fishes and other aquatic organisms in the river and disrupt the natural flow and quality of the water, ultimately leading to a loss of biodiversity in the river ecosystem.

5. The above news item indicates violation of the provisions of the Water (Prevention and Control of Pollution) Act, 1974; Solid Waste Management Rules, 2016, Environment Protection Act, 1986 and C & D Waste Management Rules, 2016.

6. The news item raises substantial issue relating to compliance of the environmental norms and implementation of the provisions of scheduled enactment.

7. Power of the Tribunal to take up the matter *suo-motu* has been recognized by the Hon'ble Supreme Court in the matter of "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors.*" reported in 2021 SCC Online SC 897.

8. Hence, we implead the following as respondents in this matter:

- i. Meghalaya State Pollution Control Board, Through its Member Secretary
Arden Lumpyngngad Shillong - 793014

- ii. Central Pollution Control Board, through its Member Secretary
Parivesh Bhawan, East Arjun Nagar, Delhi-110032
- iii. Ministry of Environment, Forest and Climate Change, through
Regional Office, Kolkata
Ministry of Environment, Forest and Climate Change, Integrated
Regional Office, B-198, Sector-III, Salt Lake City, Kolkata -
700106
- iv. Deputy Commissioner, Ri Bhoi District
Office of the Deputy Commissioner, Ri-Bhoi District,
Nongpoh, Meghalaya - 793102

9. Let notice be issued to the above Respondents for filing their
response before the Eastern Zonal Bench of the Tribunal.

10. Since the matter relates to the Eastern Zonal Bench, Kolkata,
therefore, OA is transferred to the Eastern Zonal Bench for appropriate
further action. Let the original record of this OA be transferred to the
Eastern Zonal Bench, Kolkata.

11. List before Eastern Zonal Bench at Kolkata on 05.09.2024

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

July 05, 2024
O.A. No. 731/2024
HB