

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONAL BENCH KOLKATA
IN**

O.A. No. 158 of 2024 (EZ)
(Earlier Original Application No. 731 of 2024 (PB))

IN THE MATTER OF:

News item titled "Soil Dumping Umiam river cries for help" appearing in theshillongtimes.com dated 26.05.2024

INDEX

S. No.	Particulars	Page No.
1	Reply on behalf of the Respondent No. 2, Central Pollution Control Board.	1-4
2	Annexure-I : Water quality data of Umiam Lake in Shillong (Meghalaya) monitored under NWMP during 2023	5

SI/Instrument No. 31
Date 20.11.2024



(Mantu Kumar Choudhury)
Scientist 'F' & RD Shillong
Central Pollution Control Board

Filed Through Counsel

Dated: 20th November 2024

Place: Shillong



एम. के. चौधुरी/ M. K. Choudhury
वैज्ञानिक 'एफ' / Scientist 'F'

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण वन और जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(Ministry of Environment, Forest & Climate Change, Govt. of India)
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Regional Directorate - Shillong
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**REPLY ON BEHALF OF THE RESPONDENT No. 2: CENTRAL
POLLUTION CONTROL BOARD (CPCB)**

1. That, the Hon'ble NGT vide order dated 05.09.2024, impleaded CPCB as one of the respondent on the matter of soil dumping into the Uiam river bank leading to river pollution. Thereby, the reply is made in succeeding paragraphs.
2. That, CPCB is a statutory Board constituted under Section 3 of The Water (Prevention and Control) Act, 1974. It performs the functions under The Water (Prevention and control) Act, 1974, The Air (Prevention and control) Act, 1981 and The Environment (Protection) Act, 1986.
3. That, the matter is related to a news article wherein allegations related to uncontrolled dumping of soil into the Uiam River at a construction site near the Uiam bridge in Shillong (Meghalaya) has been reported.
4. It is also reported that the dumping of soil has led to severe pollution, which affects the daily needs of the locals in relation to water and causing a serious threat to aquatic life including disruption of the natural flow and quality of water leading to the loss of bio-diversity.
5. That, State Pollution Control Boards (SPCBs) and Pollution Control Committees (PCCs) are empowered under section 17 of Water (Prevention and Control of Pollution) Act, 1974, to regulate water




Page | 1

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pollution including abatement of pollution of streams and wells in the respective State/ UT.

6. That, as per Rule 6 of Construction and Demolition Waste Management Rules, 2016, local bodies are responsible for implementation of C&D Waste Management Rules, 2016.
7. That, as per Rule 8 of C&D waste Management Rules, 2016, State Pollution Control Boards (SPCBs)/Pollution Control Committees (PCCs) are responsible to monitor the implementation of C&D Waste Management Rules, 2016 by the concerned local bodies and by the competent authorities in any given state / UT.
8. That, Central Pollution Control Board in coordination with State Pollution Control Boards (SPCBs) / Pollution Control Committees (PCCs) has established a National Water Quality Monitoring Network Programme (NWMP) under Control of Pollution Scheme of Ministry of Environment, Forest & Climate Change. Currently, under this network 2155 Rivers, 909 stagnant water bodies (558 Lakes, 151 Ponds, 102 Tanks), 1233 Groundwater locations, 227 Marine locations and 212 other water bodies are monitored at 4736 locations.
9. That, under this network, there are four monitoring locations at Umiam Lake, all of which are located at the upstream of concerned area i.e. Umiam Bridge; there are no locations under NWMP at downstream of the area of concern.
10. That, the water quality data of Umiam Lake in Shillong monitored during 2023 (Annexure-I), when compared with the Primary Water Quality Criteria for Outdoor Bathing, was found to be non-complying at all the four locations.
11. That, it is humbly submitted that in case of uncontrolled dumping of soil into the Umiam River at a construction site near the Umiam bridge in Shillong (Meghalaya) causing disruption of the natural flow, the concerned state agencies shall effectively implement and enforce provisions of the C&D Waste Management Rules, 2016 as mentioned in Para 6 and 7 above.



Page | 2

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12. That, the answering respondent herein craves leave of the Hon'ble Tribunal to file additional reply, in future, if required.
13. That, in view of the submissions made in preceding paragraphs, the answering respondent i.e. CPCB shall abide by the orders/directions passed by the Hon'ble Tribunal in the instant matter.



(Mantu Kumar Choudhury)
Scientist 'F' & RD Shillong
Central Pollution Control Board

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AFFIDAVIT

I, Mantu Kumar Choudhury, Son of Late A.C. Choudhury, aged about 59 years by Occupation Service, having office at the Regional Directorate, Central Pollution Control Board (CPCB), BSNL, CTO Building, Shillong – 793001 do hereby solemnly affirm, declare on oath and state as under:-

1. That the deponent is authorized representative to represent the Respondent CPCB in the present case, and as such, I am well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent and authorized to verify, sign and swear this affidavit on behalf of the Respondent CPCB.
2. That the accompanying reply may be read part and parcel of the present affidavit.
3. That the accompanying reply has been drafted and filed under my instructions and authority the contents thereof are true and correct on the basis of the record maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.

DEPONENT

[Signature]

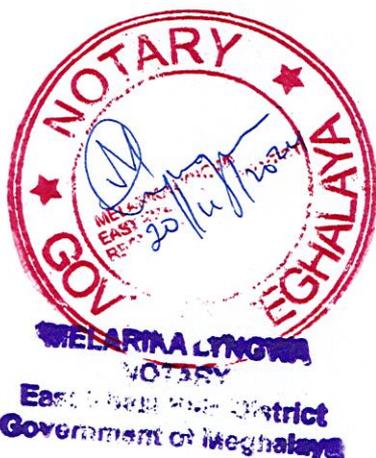
VERIFICATION

Verified at Shillong on this day of 20th November, 2024 that the contents of the above reply are correct and true on the basis of the record of the cases as mentioned in the day to day affairs of the CPCB. Nothing has been concealed therefrom or mis-stated.

Verified at Shillong on this the 20th November, 2024.

DEPONENT

[Signature]



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Page | 4

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Annexure-I

**Water quality data of Umiam Lake in Shillong (Meghalaya) monitored under
NWMP during 2023**

S. No	Name of Monitoring location	Dissolved Oxygen (mg/L)		Biological Oxygen Demand (mg/L)		pH		Total Coliform (MPN/100 mL)	
		Min	Max	Min	Max	Min	Max	Min	Max
Designated Best Use Water Quality Criteria (Class B: Outdoor bathing)		>5mg/L		<3mg/L		6.5-8.5		<500MPN/100 mL	
1	UMIAM LAKE AT BARAPANI	5.6	7.4	3.2	5.3	7.0	8.4	1700	3600
2	UMIAM LAKE AT OUTFALL OF UMIAM INTO LAKE	4.1	6.9	3.9	7.9	6.9	8.2	2300	4500
3	UMIAM LAKE AT MIDDLE POINT	5.5	7.2	3.3	5.6	7.1	8.4	1400	3000
4	UMIAM LAKE NEAR UNION CHRISTIAN COLLEGE	5.3	7.2	3.4	6.4	7.0	8.3	1700	4300




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