

Public Interest Complaint under Sections 14, 15 & 18 of the NGT Act, 2010 against illegal open dumping and mismanagement of Solid Municipal Waste, Bio-Medical Waste and animal carcasses abutting Panihati Playground, Panihati Municipality, North 24 Parganas, West Bengal – causing grave environmental pollution, public health hazard and violation of SWM Rules, 2016, Bio-Medical Waste Rules, 2016 and Air & Water (Prevention & Control of Pollution) Acts.

2254/LP/2025
27/11/2025

chandan choudhary < cchandan984@gmail.com >

Thu, 13 Nov 2025 2:33:45 PM +0530

To "publicgrievance-ngt"<publicgrievance-ngt@gov.in>,"rg.ngt"
<rg.ngt@nic.in>,"registrarngt-kolkata"<registrarngt-kolkata@gov.in>

To,

13/11/2025.

Date-

The Hon' ble Chairperson,

The Hon' ble Principal Bench / Eastern Zone Bench National Green Tribunal,

Subject: Public Interest Complaint under Sections 14, 15 & 18 of the NGT Act, 2010 against illegal open dumping and mismanagement of Solid Municipal Waste, Bio-Medical Waste and animal carcasses abutting Panihati Playground, Panihati Municipality, North 24 Parganas, West Bengal - causing grave environmental pollution, public health hazard and violation of SWM Rules, 2016, Bio-Medical Waste Rules, 2016 and Air & Water (Prevention & Control of Pollution) Acts.

Respected Sir,

I, Aman Gupta, son of Sujit Kumar Gupta of Purbasa Abasan, North 24 Parganas, West Bengal 700157, within the local limits of Eco Park police station, a concerned citizen and regular visitor to Panihati Playground, am filing this complaint in public interest on behalf of thousands of residents, sportspersons and passers-by who are being subjected to severe environmental degradation and health risks. I may be contacted at 8777426460 / cchandan984@gmail.com.

The Respondents in this matter are: (1) The Principal Secretary, Department of Urban Development & Municipal Affairs, Government of West Bengal, Poura Bhawan, Salt Lake, Kolkata - 700106; (2) The Chairperson, Panihati Municipality, B.T. Road, Panihati, North 24 Parganas - 700114; (3) The District Magistrate, North 24 Parganas, Barasat - 700124; (4) The Member Secretary, West Bengal Pollution Control Board, Paribesh Bhawan, Salt Lake, Kolkata - 700098; and (5) The Chief Medical Officer of Health, North 24 Parganas.

The violation is occurring on an open road side immediately abutting the historic Panihati Playground (existing for over 40 years) along the main approach road in front of its primary entrance gate, Ward No. __, Panihati Municipality. The site is surrounded by high-rise residential buildings, bustling streets, shops, commercial establishments and small-to-medium factories, and lies hardly five metres from the playground boundary. Geo-tagged photographs and Google Earth screenshots are annexed as Annexure-B and Annexure-C.

For several months, a massive un-segregated garbage mound, - approximately 5-10 feet high and 40-50 feet wide - has been allowed to accumulate through unchecked open dumping. It comprises household refuse, market waste, plastic packaging, food scraps, construction debris and discarded items from nearby shops, establishments and factories. Shockingly, the pile is heavily contaminated with regulated Bio-Medical Waste including soiled plaster casts, blood-stained cotton swabs and gauze, used diapers and sanitary napkins, expired medicines in original packaging, soiled linen, mattresses, bed-sheets, and discarded needles, syringes and glass vials. Decomposed carcasses of dogs, cats, poultry and rodents are also openly visible. The putrid stench of decomposing organic matter and carcasses is detectable from 200-300 metres, causing nausea, respiratory distress and public nuisance under the Air (Prevention & Control of Pollution) Act, 1981.

This illegal dump has transformed into a perennial breeding ground for flies, mosquitoes, rodents, stray dogs and cats, while the abundant rodent population attracts snakes, including venomous species. Leachate from the pile threatens surface run-off and endangers the pristine pond inside the playground, which is meticulously maintained by the Playground Committee through voluntary human effort. The Committee has been forced to permanently lock the main entrance gate to shield children, sportspersons and senior citizens from direct exposure to the dump, needles and animals.

The Panihati Playground hosts daily cricket and football practice sessions, inter-club tournaments and evening walks for senior citizens. Young aspirants and amateur players frequent the ground almost every day. The proximity of the dump - barely five metres away - exposes them to imminent risks of vector-borne diseases such as malaria, dengue and chikungunya; zoonotic infections including rabies and leptospirosis; needle-stick injuries; and bites from snakes, stray dogs, feral cats or rodents. The locked gate and pervasive odour have severely curtailed public access to this vital community space.

Despite repeated oral and written complaints to the Panihati Municipality (copies annexed as Annexure-A), no meaningful action has been taken. The Municipality has abjectly failed to enforce door-to-door collection, source segregation, establishment of material recovery facilities or transportation to a sanitary landfill as mandated under the Solid Waste Management Rules, 2016. Local clinics, nursing homes and pharmacies continue to dispose of Bio-Medical Waste in violation of the Bio-Medical Waste Management Rules, 2016, without any enforcement by the West Bengal Pollution Control Board or the Health Department.

It is a matter of deep irony and shame that the Playground Committee can preserve a pond in its most natural and pristine form through regular voluntary efforts, yet the same civic consciousness and administrative vigour are conspicuously absent from the State and Municipal authorities. This chronic neglect constitutes a gross failure of statutory duties under Rules 4, 15, 16 and 22 of the SWM Rules, 2016; Rules 4, 7 and 8 of the BMW Rules, 2016; and Sections 2(c) of the Air Act and relevant provisions of the Water Act. It also amounts to public nuisance under Sections 268, 269 and 270 of the IPC.

In view of the above, I most respectfully pray that this Hon'ble Tribunal be pleased to:

(A) Immediate Interim Relief:

1. Direct the Respondents to **remove the entire garbage mound** under the supervision of a Local Committee comprising the District Magistrate, SDO, Municipal Chairperson, a WBPCB official and two local residents;
2. **Prohibit further dumping** by erecting barricades and deploying security personnel;
3. **Disinfect and treat the site** to eliminate disease vectors.

(B) Final Relief:

1. Direct Panihati Municipality to **frame and implement a time-bound Solid Waste Management Action Plan** ensuring 100 % door-to-door collection, segregation at source, and establishment of composting/MRF units;
2. Direct all bulk waste generators (shops, clinics, factories) to register and comply with SWM and BMW Rules;
3. Impose **environmental compensation** on the Municipality for past negligence;
4. Order **bio-remediation** of contaminated soil and regular monitoring of ground-water around the playground pond;
5. Constitute a **Monitoring Committee** to submit compliance reports every 30 days for six months.

Annexures:

- **Annexure-A:** 15 geo-tagged photographs depicting the garbage mound, BMW items, carcasses, locked gate and proximity to playground.
- **Annexure - B:** Google Earth screenshot with marked location.

It is most respectfully prayed that this Hon' ble Tribunal take the complaint on record, issue notice to the Respondents, grant the interim and final reliefs prayed for, and pass any other order(s) as deemed fit in the interest of justice, public health and environmental protection.

Date: 13 November 2025 Place: Panihati, West Bengal

Yours sincerely,

Aman Gupta,
son of Sujit Kumar Gupta of Purbasa Abasan,
North 24 Parganas, West Bengal 700157,
within the local limits of Eco Park police station.

1 Attachment(s)

Complaint Waste Dumping Pa...

1.2 MB

To,

Date-13/11/2025.

The Hon'ble Chairperson,

The Hon'ble Principal Bench / Eastern Zone Bench National Green Tribunal,

Subject: Public Interest Complaint under Sections 14, 15 & 18 of the NGT Act, 2010 against illegal open dumping and mismanagement of Solid Municipal Waste, Bio-Medical Waste and animal carcasses abutting Panihati Playground, Panihati Municipality, North 24 Parganas, West Bengal – causing grave environmental pollution, public health hazard and violation of SWM Rules, 2016, Bio-Medical Waste Rules, 2016 and Air & Water (Prevention & Control of Pollution) Acts.

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The violation is occurring on an open road side immediately abutting the historic **Panihati Playground** (existing for over 40 years) along the main approach road in front of its primary entrance gate, Ward No. __, Panihati Municipality. The site is surrounded by high-rise residential buildings, bustling streets, shops, commercial establishments and small-to-medium factories, and lies hardly five metres from the playground boundary. Geo-tagged photographs and Google Earth screenshots are annexed as **Annexure-B** and **Annexure-C**.

For several months, a massive un-segregated garbage mound – approximately 5–10 feet high and 40–50 feet wide – has been allowed to accumulate through unchecked open dumping. It comprises household refuse, market waste, plastic packaging, food scraps, construction debris and discarded items from nearby shops, establishments and factories. Shockingly, the pile is heavily contaminated with regulated **Bio-Medical Waste** including soiled plaster casts, blood-stained cotton swabs and gauze, used diapers and sanitary napkins, expired medicines in original packaging, soiled linen, mattresses, bed-sheets, and discarded needles, syringes and glass vials. Decomposed **carcasses of dogs, cats, poultry and rodents** are also openly visible. The putrid stench of decomposing organic matter and carcasses is detectable from 200–300

metres, causing nausea, respiratory distress and public nuisance under the Air (Prevention & Control of Pollution) Act, 1981.

This illegal dump has transformed into a perennial breeding ground for **flies, mosquitoes, rodents, stray dogs and cats**, while the abundant rodent population attracts **snakes**, including venomous species. Leachate from the pile threatens surface run-off and endangers the **pristine pond** inside the playground, which is meticulously maintained by the Playground Committee through voluntary human effort. The Committee has been forced to **permanently lock the main entrance gate** to shield children, sportspersons and senior citizens from direct exposure to the dump, needles and animals.

The **Panihati Playground** hosts daily cricket and football practice sessions, inter-club tournaments and evening walks for senior citizens. Young aspirants and amateur players frequent the ground almost every day. The proximity of the dump – barely five metres away – exposes them to imminent risks of **vector-borne diseases** such as malaria, dengue and chikungunya; **zoonotic infections** including rabies and leptospirosis; **needle-stick injuries**; and bites from **snakes, stray dogs, feral cats or rodents**. The locked gate and pervasive odour have severely curtailed public access to this vital community space.

Despite **repeated oral and written complaints** to the Panihati Municipality (copies annexed as **Annexure-A**), no meaningful action has been taken. The Municipality has abjectly failed to enforce **door-to-door collection, source segregation**, establishment of **material recovery facilities** or transportation to a **sanitary landfill** as mandated under the Solid Waste Management Rules, 2016. Local clinics, nursing homes and pharmacies continue to dispose of Bio-Medical Waste in violation of the Bio-Medical Waste Management Rules, 2016, without any enforcement by the West Bengal Pollution Control Board or the Health Department.

It is a matter of deep irony and shame that the Playground Committee can preserve a pond in its most natural and pristine form through regular voluntary efforts, yet the same civic consciousness and administrative vigour are conspicuously absent from the State and Municipal authorities. This chronic neglect constitutes a **gross failure of statutory duties** under Rules 4, 15, 16 and 22 of the SWM Rules, 2016; Rules 4, 7 and 8 of the BMW Rules, 2016; and Sections 2(c) of the Air Act and relevant provisions of the Water Act. It also amounts to **public nuisance** under Sections 268, 269 and 270 of the IPC.

In view of the above, I most respectfully pray that this Hon'ble Tribunal be pleased to:

(A) Immediate Interim Relief:

1. Direct the Respondents to **remove the entire garbage mound** under the supervision of a Local Committee comprising the District Magistrate, SDO, Municipal Chairperson, a WBPCB official and two local residents;

2. **Prohibit further dumping** by erecting barricades and deploying security personnel;
3. **Disinfect and treat the site** to eliminate disease vectors.

(B) Final Relief:

1. Direct Panihati Municipality to **frame and implement a time-bound Solid Waste Management Action Plan** ensuring 100 % door-to-door collection, segregation at source, and establishment of composting/MRF units;
2. Direct all bulk waste generators (shops, clinics, factories) to register and comply with SWM and BMW Rules;
3. Impose **environmental compensation** on the Municipality for past negligence;
4. Order **bio-remediation** of contaminated soil and regular monitoring of ground-water around the playground pond;
5. Constitute a **Monitoring Committee** to submit compliance reports every 30 days for six months.

Annexures:

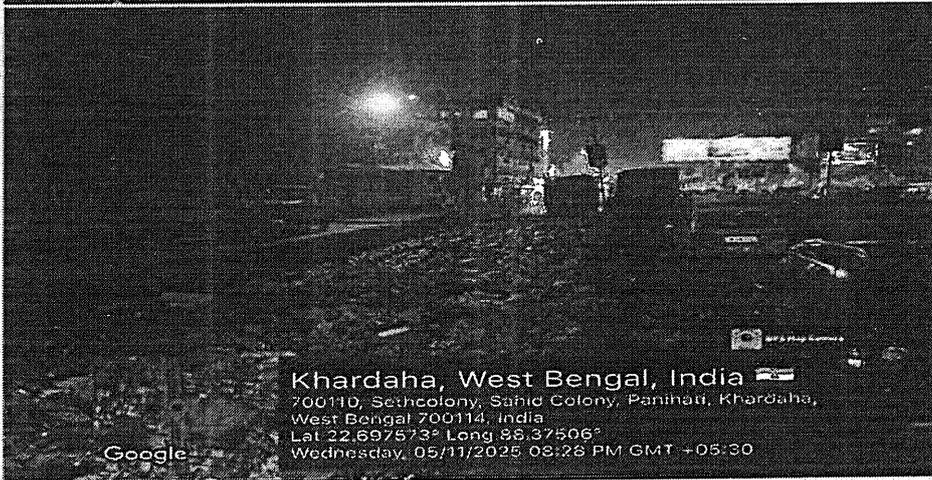
- **Annexure-A:** 15 geo-tagged photographs depicting the garbage mound, BMW items, carcasses, locked gate and proximity to playground.
- **Annexure - B:** Google Earth screenshot with marked location.

It is most respectfully prayed that this Hon'ble Tribunal take the complaint on record, issue notice to the Respondents, grant the interim and final reliefs prayed for, and pass any other order(s) as deemed fit in the interest of justice, public health and environmental protection.

Date: 13 November 2025 **Place:** Panihati, West Bengal

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North 24 Parganas, West Bengal 700157,
within the local limits of Eco Park police station.









Item No. 03

Court No. 2

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

Original Application No. 109/2026

Aman Gupta

Applicant

Versus

State of West Bengal & Ors.

Respondents

Date of hearing: 23.02.2026

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE MR. ISHWAR SINGH, EXPERT MEMBER**

Applicant: None for the Applicant.

ORDER

1. Mr. Aman Gupta made complaint dated 13.11.2025 on Public Grievances Portal of this Tribunal which has been treated and registered as O.A. No. 109/2026 for exercise of suo moto jurisdiction in view of law laid down by Hon'ble Supreme Court in ***Municipal Corporation of Greater Mumbai vs. Ankita Sinha, (2022) 13 SCC 401.***

2. The relevant part of the complaint enumerating grievances of the applicant is reproduced as follows:-

xxx.....xxx.....xxx

"Subject: Public Interest Complaint under Sections 14, 15 & 18 of the NGT Act, 2010 against illegal open dumping and mismanagement of Solid Municipal Waste, Bio-Medical Waste and animal carcasses abutting Panihati Playground, Panihati Municipality, North 24 Parganas, West Bengal causing grave environmental pollution, public health hazard and violation of SWM Rules, 2016, Bio-Medical Waste Rules, 2016 and Air & Water (Prevention & Control of Pollution) Acts.

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5. *Constitute a Monitoring Committee to submit compliance reports every 30 days for six months.*

Annexures:

Annexure-A: 15 geo-tagged photographs depicting the garbage mound, BMW items, carcasses, locked gate and proximity to playground.

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3. None has appeared for the Applicant today and the Applicant has not produced any material available with him in support of the averments made in the original application.

4. We have gone through the original application.

5. Even though the present case has been listed before this Bench by registering original application on the basis of complaint made by the Applicant with approval and under order of Hon'ble Chairperson, but in view of the facts and circumstances of the case including the fact that the place of accrual of cause of action lies within jurisdiction of the Eastern Zone Bench of this Tribunal at Kolkata, we are of the considered view that it will be appropriate if the case is heard by the Eastern Zone Bench of this Tribunal at Kolkata.

6. Accordingly, the Registry is directed to list the matter before the Eastern Zone Bench of this Tribunal at Kolkata on 23.03.2026 after obtaining orders from Hon'ble the Chairperson for transfer of the case, if so required.

7. The Registry is directed to inform the Applicant about the date of hearing fixed and to ask the Applicant to join the proceedings physically or

through V.C. and to produce the material available with him on the date fixed before the Eastern Zone Bench of this Tribunal at Kolkata.

Arun Kumar Tyagi, JM

Ishwar Singh, EM

February 23rd, 2026
Original Application No. 109/2026
AB