

OA-122/2026/EZ

To,

Date- 13th January, 2026.

The Registrar,
National Green Tribunal,
Eastern Zone Bench.
New Town, West Bengal 700156.

Subject: Public Interest Complaint regarding illegal, unauthorized hill-cutting, deforestation, improper dumping of construction waste and non-compliance with environmental laws by M/s SM Developers / SM Infrastructure (P) Ltd. (Project: "Suryavilas"), Gangtok, Sikkim.

Respected Hon'ble Members,

The undersigned is constrained to approach this Hon'ble Tribunal in public interest to bring to its notice grave, ongoing and state-sponsored environmental violations being committed by M/s SM Developers / SM Infrastructure (P) Ltd., in the name of the project "Suryavilas", located at JN Road, near Tamarind & Sidlon Hotel, Upper Tathangchen, Gangtok, Sikkim - 737103, in a fragile Himalayan hill ecosystem.

The matter is of extreme urgency and concern. Day and night, heavy machinery such as JCBs, excavators and earth-movers are being operated relentlessly for massive hill cutting, trimming and modification of natural mountain slopes. Large numbers of mature trees have been felled indiscriminately, and truckloads of excavated mud, debris and construction waste are being dumped in and around the project vicinity, including downhill areas, without any visible safeguards, containment measures or scientific planning.

This activity is being carried out openly and continuously, right under the nose of the local authorities, giving rise to a reasonable apprehension that the destruction is either unchecked or tacitly permitted, despite its manifest illegality.

Nature of Environmental Violations, Unauthorized Modification of Hills and Slopes, The natural topography of the hills is being altered through steep vertical cuts instead of scientifically approved terracing, destroying the natural buttresses that hold soil and rock together. Illegal Felling of Trees and Large-Scale Deforestation. Trees are being cut without transparency, public notice, or visible compliance with the Forest (Conservation) Act, 1980 and allied laws, directly weakening soil stability and ecological resilience.

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Improper Dumping of Construction and Excavation Waste: Mud, debris and waste material are being dumped indiscriminately, choking natural drainage channels and increasing the risk of landslides, flash floods and soil erosion. Non-Compliance with Environmental Clearance Norms: There is serious apprehension that the project is being executed without valid Environmental Clearance, Consent to Establish/Operate, approved Environmental Management Plan, or site-specific geotechnical and slope-stability studies, as mandated under law. Ecological and Human Risk, Mountains survive because of a delicate balance between rock, soil, trees, water and gravity. They are not inert masses of stone but finely balanced living systems shaped over millions of years. In fragile ranges like the Himalayas, which are geologically young and still evolving, the margin for error is almost zero.

Every tree felled weakens the soil's natural binding force. Every slope cut without scientific assessment destabilizes the terrain. Every blocked water channel converts rainfall into a destructive force. Landslides, collapsing roads, drying springs and loss of life are not isolated incidents—they are warnings written into the landscape.

Heavy concrete structures add unnatural load to slopes never designed to bear such stress. Blasting and deep cutting fracture rock strata from within, leading to cracks, subsidence and eventual slope failure. When this balance is disturbed, collapse becomes inevitable.

What is at stake is not merely scenic beauty, but human lives, livelihoods, water security and the stability of the land itself. Public Interest and Urgency.

The affected area is densely inhabited and located in a seismically sensitive and landslide-prone zone. Any slope failure or debris flow will endanger not only residents but also public roads and downstream settlements. The damage, once done, is irreversible on any human timescale.

Prayer.

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In view of the above, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to:

- a) **Direct immediate suspension** of all construction, excavation, hill-cutting and tree-felling activities at the project site;
- b) **Order a joint inspection** by an independent expert committee comprising officials from MoEF&CC, State Pollution Control Board, Forest Department and geotechnical experts;
- c) **Call for and examine all statutory approvals**, including Environmental Clearance, forest permissions, slope-stability reports and waste-management plans;
- d) **Direct restoration of damaged ecology** at the cost of the project proponent, including reforestation and slope stabilization;
- e) **Initiate proceedings for environmental compensation and penal action** for violations of environmental laws; and
- f) Pass any other order deemed fit in the interest of justice, environment and public safety.

The undersigned seeks the urgent intervention of this Hon'ble Tribunal before irreversible damage and potential loss of life occurs.

Biplab Das

Respectfully submitted,

Yours faithfully,

BIPLAB DAS

GRAM - NAWPALLI, P.O. Bachwa.

South 24 Parganas

07-8900252562.

Email - FENJAWED.official@gmail.com.