

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA**

I.A. No.        /2022 / EZ

ORIGINAL APPLICATION NO. 200F 2022(EZ)

BETWEEN

IN THE MATTER OF :

**BOARD OF TRUSTEES FOR SYAMA PRASAD  
MOOKERJEE PORT , KOLKATA**

.....Applicant

Versus

**SUPROVA PRASAD & Ors.**

... Respondents

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Filed by

*Prithwish Kumar Basu*

Prithwish Kumar Basu.

ADVOCATE



04 AUG 2022

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA**

**I.A.No. /2022/ EZ**

**Original Application No. 20/2022/EZ**

In the matter of :

Board of Trustees for Syama Prasad  
Mookerjee Port, Kolkata.

....Applicant(s)

Versus

Suprova Prasad & Ors.

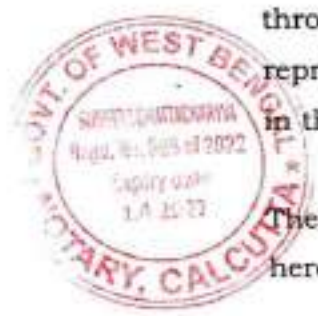
.....Respondents

Humble petition on behalf of the applicant  
above named -

**Most Respectfully Sheweth :-**

01. The applicant here in is the Respondent no. 7 in the original application being O.A. No. 20 / 2022 / EZ.

02. That since 12.07.2022 the Respondent no. 7/ applicant herein has been represented in the hearings before this Hon'ble Tribunal through its authorized Advocates and the names of the advocates representing the applicant/ Respondent have been duly recorded in the order passed by the Hon' ble Tribunal.



The photocopy of the said order dated 12.07.2022 is annexed hereto and marked with the letter P-1.

03. The applicant being a responsible authority and in compliance to the previous order passed by the Hon'ble Tribunal in connection to O.A. 20/ 2022/ EZ has duly affirmed two affidavits, one on behalf of the Respondent No. 7 itself and the other by the Manager (Environment) of the Board of Trustees for Syama Prasad Mookherjee Port, Kolkata and the same were duly filed before the Hon' ble Tribunal prior to the date of the hearing on 12.07.2022.

04. That, when the matter was taken up for hearing the Hon'ble Tribunal, the said two Affidavits were taken on record and the submission of two affidavits in compliance of the order passed by the Hon'ble Tribunal were also noted, however, when the order dated 12.07.2022 was made available on server, it transpired that the order only records filing of the affidavit behalf of the Manager (Environment) of the Board of Trustees for Syama Prasad Mookherjee Port, Kolkata but the factum of filing of an affidavit on behalf of the Respondent No. 7/ applicant herein, affirmed by its Chief Engineer, was inadvertently not recorded in the order.
05. The error in the order dated 12.07.2022 came to the knowledge of the applicant herein after the said order was available on the server of the Hon'ble National Green Tribunal on 13.07.2022. Immediately the said error was pointed out by the officials and the advocate representing the applicant herein.
06. Thereafter on 15.07.2022, the Advocate on Record of the applicant herein checked with the registry for verifying the fact that the online uploading of the two affidavits were done properly or not and in the verification process it is found that the two affidavits has been duly uploaded in the registry of the Hon'ble National Green Tribunal.
07. On 18.07.2022, the Advocate on Record of the applicant herein had also mentioned the matter before the Hon' ble Tribunal for correction of the order and the Tribunal after hearing the submissions was pleased to direct the applicant herein to file one application for the modification/ correction of the order dated 12/07/2022 passed in connection to O.A. 20/ 2022/ EZ .
08. In accordance to the directions passed by this Hon'ble Tribunal, this application has been filed by the respondent no. 7/ applicant herein for modification and/or correction of the order dated 12.07.2022 to the extent of recording the fact of filing of the



affidavit on behalf of the Board of Trustees for Syama Prasad Mookherjee Port, Kolkata, being the Respondent No. 7 in the Original Application and the Applicant herein, in compliance of the order passed by the Hon'ble National green Tribunal dated 12.05.2022.

09. That it is pertinent to mentioned herein that the affidavits filed on behalf of the SYAMA PRASAD MOOKERJEE PORT, (SMP) KOLKATA, one was duly affirmed by Mr. Partha Pratim Dutta, Senior Manager SMP, Kolkata and another was duly affirmed by Mr. Gautam Mandal, Chief Engineer, SMP, Kolkata. The recording of second affidavit filed on behalf of the SMP, Kolkata, the Respondent No. 7 in the Original Application and the Applicant herein, is not reflected from the order sheet available in the official web portal of the Hon' ble Tribunal.

10. That in the above stated facts, the applicant through its authorized advocate hereby submit this application for the modification/ correction of the order dated 12/07 /2022 in connection to O.A. 20/ 2022/ EZ to the extent of recording the fact of filling of the affidavit on behalf of the Board of Trustees for Syama Prasad Mookherjee Port, Kolkata, being the Respondent No. 7 in the Original Application and the Applicant herein, in compliance of the order passed by the Hon'ble National green Tribunal dated 12.05.2022..

The photocopy of the affirmed affidavit is annexed hereto and marked with the letter P-2.

11. This application is made bonafide and for the ends of Justice

The applicant herein being the Respondent no. 7 of the Original application being O.A. 20/ 2022/EZ therefore humbly prays for the modification/ correction of the order



passed on 12.07.2022 to the extent of recording the fact of filing of the affidavit on behalf of the Board of Trustees for Syama Prasad Mookherjee Port, Kolkata, being the Respondent No. 7 in the Original Application and the Applicant herein, in compliance of the order passed by the Hon'ble National green Tribunal dated 12.05.2022 ;

And or to pass such order/ orders as Hon' ble Tribunal may deem fit and proper;



**VERIFICATION**

Verified at Kolkata by the deponent above named on this the \_\_\_\_\_ day  
of ~~July~~<sup>August</sup>, 2022 and say that the contents of this affidavit made in paragraph  
nos. 1 is true to my knowledge and those made in paragraphs no. 2  
to 5 are true to my information derived from records and rest are my  
respectful submission before this Hon'ble Tribunal.

**SIGNATURE**

Verified by me

*Pi. Anish Kumar Dasu.*

Advocate



S.L. No. 54/22

## AFFIDAVIT

I, Prithwish Kumar Basu, son of Sri Prasanta Kumar Basu, aged about 35 years, by faith-Hindu, by Profession- Practicing Lawyer, residing at 22, West Road, Kolkata-700075, do hereby solemnly affirm and state as follows:-

1. That I am the Advocate appearing for the application of this application and as such, I am well conversant with the facts and circumstances of the instant case. I have been duly authorized by the applicant to affirm this affidavit on their behalf and I am competent to do so.

2. That the statements made in paragraphs 1-10 are true to my knowledge and the rest are my humble submissions before this Hon'ble Court.



Prithwish Kumar Basu.  
Deponent WBF/1520/11464/2010.



Solemnly Affirmed and  
Declared before me U/S 139  
CPC, (C) CRPC

Sumitra Bhattacharyya  
Notary

Sumitra Bhattacharyya  
Notary, Govt. of W.B.  
Regd. No. 065 of 2022  
City Civil Court, Calcutta



04 AUG 2022

Identified by me

Advocate

Item No. 06

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
(Through Video Conferencing)**

Original Application No.20/2022/EZ

Suprova Prasad

Versus

Applicant(s)

Ministry of Environment, Forests and  
Climate Change &Ors.

Respondent(s)

Date of hearing: 12.05.2022

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER  
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER**

For Applicant(s) : Ms. Paushali Banerjee, Advocate

For Respondent(s): Mr. Soumitra Mukherjee, Advocate for R-1 (in virtual mode),  
Mr. Ashok Prasad, Advocate for R-2 (in virtual mode),  
Mr. Dipanjan Ghosh, Advocate for WBPCB,  
Mr. Rajib Ray, Advocate for R-5 (in virtual mode),  
Mr. Sibojyoti Chakraborty, Advocate for R-6 (in virtual mode),

**ORDER**

1. Ms. Paushali Banerjee, learned Counsel for the Applicant, is physically present in court.
2. One amended Memo of Parties has been filed by the Applicant; the same is taken on record.
3. One Affidavit dated 11.05.2022 has been filed by Respondent No.3, West Bengal Pollution Control Board, the same is taken on record.
4. One affidavit dated 11.05.2022 has been filed by Urban Development & Municipal Affairs Department, Government of West Bengal, the same is taken on record.
5. Issue notice to the newly added Respondent No.7, Kolkata Port Trust (Syama Prasad Mookerjee Port Trust, Kolkata) through its Chairman and Respondent No.8, National Mission for Clean Ganga returnable within four weeks.
6. The Respondent Nos.7 & 8 shall file its affidavit within four weeks.



7. In the affidavit of the West Bengal Pollution Control Board mentions several non-compliances of environmental norms and also the authorities responsible for checking the same have been noticed.
8. The inspection report of an inspection carried out on 25.04.2022 reads as under:

*"The observations of the visit on both sides of river Hooghly are as follows:*

- ❖ *Conditions of water quality appear to be very poor near confluence point of Tolly Nullah. However, dredging works was also in progress for de-siltation.*
- ❖ *Release/ leakage of waste water through a good number of drains along left bank (Daighat-discharge of back-wash of Water Treatment Plant), ghat near Millennium Park, Sova Bazar Chat, Bag Bazar Ghat, Dilar Jang Ghat, Sutanuti Ghat, Sarbamangala Ghat, Ratan Babu Ghat etc.) and also in right bank (Shibpur-Ramsrishnapur areas).*
- ❖ *Existence of the cattle sheds and liquid waste discharge in the right bank (Ramchandrapur/Chora Bustee area of Howrah).*
- ❖ *Non-existence as well as poor condition of screens/penstock gates in different major drains/outlets.*
- ❖ *Huge discharge noticed through open gates at Circular Canal near Belgachia under the control and managed by the Department of irrigation.*
- ❖ *Accumulated municipal solid waste/construction & Demolition wastes in both bank of river Hooghly.*
- ❖ *Encroachment of river bank near Posta/Boro-Bazar/Nimtala area in the left bank and Ramchandrapur Ghat, Howrah.*



- ❖ Solid waste dump adjacent to few ghats (judges Chat, BabuGhat, PhoolGhat (mallickGhat), near Howrah Bridge, JagganathGhat, Bag Bazar Ghat, etc.)
- ❖ Few Ghats (Baje-KadamtalaGhat, TaktaGhat, prince ghat (South), champatalaghat&kumartuliGhat, NimtalaGhat, AtheritalaGhat, Mayer Ghat etc.,) were found in improved condition having IEC material in place and waste collection bins were also provided.
- ❖ Erosions near Millennium Park.

**Action Plan and measures for restitution of the Ghats.**

- Information has not been provided by the Kolkata Municipal corporation (KMC) Authority in the template shared with KMC. In the absence of such information, it becomes difficult to appraise the protocols being followed for up keeping of ghats, examine arrangements of KMC to keep the ghats in good shape and consequent condition of ghats.
- The Principal Secretary, Department of UD & MA, Govt. of West Bengal has constituted a highlevel committee with targetoriented approach for better co-ordination among different agencies for improvement of conditions of different ghats in the KMC area (Copy enclosed as Annexure-II). The committee will report to The Principal Secretary, Department of Ud&MA, fortnightly.
- As regards control of erosion, the KoPT (ShyamaprasadMukhopadhye Port Trust) may be directed to take necessary measures following the direction issued by the Hon'ble NGT Eastern Zone Bench in connection with O.A. No.08/2015/EZ dated 13.09.2017 (Annexure-IV). The KoPT, being the custodian of the land on shores within 45.7 m of High Water mark at spring tide and the competent authority having good repository of hydro-morphological data of river Hoogli in this stretch of river with required expertise, to take up the rehabilitation work near Millennium Park covering around 1 Km, both upstream & downstream combined to prevent further erosion.



- Overall status of 43 Ganga Towns in West Bengal regarding sewage generation, treatment capacity and proposal for new/renovation/under construction as reported to National Mission for Clean Ganga by West Bengal State Project Management Group, government of West Bengal dated 22.04.2022 for a period up to march, 2022 in compliance with Hon'ble NGT Order OA 200/2014 is tabulated below;

Overall status of the 43 Ganga Tows in West Bengal as Annexure-III

<b>I</b>	<b>Estimated Sewage Generation</b>	<b>1401 MLD</b>
<b>II</b>	<b>Details of Sewage Treatment Plants:</b>	
	<b>Existing No. of operational STPs and treatment capacity (in MLD): (15nos. Ganga Town)</b>	<b>21(294.75 MLD)</b>
	<b>No of STPs under construction (6nos. Ganga Town)</b>	<b>9(178.5 MLD)</b>
	<b>No of STPs under renovation (13 nos. Ganga town)</b>	<b>16(295.96 MLD)</b>
	<b>No of STPs under proposal/tendering stage (11 nos. Ganga Town)</b>	<b>15(217.13 MLD)</b>
	<b>Total treatment capacity</b>	<b>986.34 MLD</b>
<b>III</b>	<b>Gap in treatment capacity</b>	<b>414.66 MLD</b>

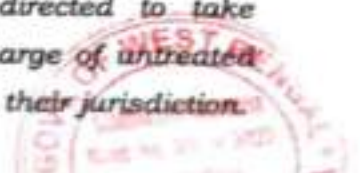
To address the gap of 414.58 MLD, List of proposals for additional treatment capacity of 550 MLD (based on estimated population in 2036) by setting up new STPs in 16 Ganga Towns and by capacity augmentation of existing STPs, estimated amount of Rs.2,885 crores shall be sent to NMCg for consideration under NamamiGange-II project.



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*KMDA has already taken necessary steps for preparation of DPRs of Katwa, Chakda, Shantipur, Murshidabad, Jiajung-Ajimjung, Krishnagar, Diamond Harbour, Uluberia, Ghulia, Pujali and haldia Urban areas. Proposal for setting up of new STPs and augmentation of existing STPs in KMC & HMC area in progress.*

- *The flows into Canals/drains are controlled and regulated through an existing Lock-gate. That the Lock-gate arrangement ensures that during high tides, water from the river Hooghly flows into the Canals/drains while the same recedes during low tides. The cycle of high-low tides is semi-diurnal. The Canals/drains geometry has become distorted due to heavy siltation. That due to excessive siltation the longitudinal sectional profile of the Canals/drains might have been disturbed which is affecting the functioning of the Canals/drains as a mechanism to bring fresh water from Hooghly and thereafter to act as a flushing Canal connected to Bidyadhari river.*
- *The authorities of Kolkata Municipal Corporation & Howrah Municipal Corporation may be directed to take necessary measures for installation and repairing of screen/ Penstock Gates as the case may be within 45 days.*
- *The authorities of Kolkata Municipal Corporation & Howrah Municipal Corporation may be directed to take necessary measures to control discharge untreated domestic sewage into the river Hooghly at an earliest.*
- *The authority of Department of Irrigation, govt. of west Bengal may be directed to take necessary measures to control untreated waste water discharge from the Circular Canal into the river.*
- *The Fort William Authority may be directed to take necessary measures to control the discharge of untreated waste water into the river Hooghly within their jurisdiction.*



- *The Railway Authority (Chakra Rail) may be directed to take necessary measures for management of domestic sewage and also management of solid wastes in different railway stations within their jurisdiction in the left bank of river Hooghli.*
  - *Howrah Municipal Corporation & Howrah Municipal Corporation may be directed to clear all the accumulated garbage including C&D Waste in consultation with KoPT within 45 days.*
  - *KoPT may be directed to extend all kind of assistance to KMC, HMC, Railway Authority and other stakeholders.*
  - *KMC, HMC &KoPT may be directed to arrange strict vigilance throughout the year in different ghats and bank of the river under their respective jurisdiction to control littering of wastes.*
  - *KMC, HMC &KoPT may be directed to arrange sufficient publicity by way of public addressing system, distribution IEC materials, fixing of permanent banners etc., involving all stakeholders in different ghats as well as on river banks."*
9. Photographs have also been filed as Annexure-C from page nos.39 to 48, the same are taken on record, and shall be treated as part of the original application.
10. The affidavit of the Urban Development and Municipal Affairs Department does not give any Action Plan for cleaning/removal of garbage piling up on the banks of the river Hooghly on the stretch of 13.5 KM (approx.) from Daighat near Wattganj to Ratan Babu Ghat, Baranagar.
11. The Kolkata Port Trust (Syama Prasad Mookerjee Port Trust, Kolkata) will also in its affidavit state specifically what action is



being taken by them for cleaning this stretch and what Action Plan they have prepared to ensure that in future such garbage does not pile up, and also whether it is under implementation at all.

12. We also find from the report that Shri P.P. Datta, Manager (Environment) was nominated by the Kolkata Port Trust as a member of the Committee constituted by this Tribunal.
13. We, therefore, direct Shri P.P. Datta, Manager (Environment) to file his personal affidavit in this matter.
14. Paragraphno.5 & 6 of the affidavit of Kolkata Municipal Corporation are also being extracted hereinunder: -

*"5. That it is submitted with regard to Solid Waste Management, KMC is having following activities:*

*Waste Generation: 4500 Ton per day (TPD)*

*Processing facilities:*

*Windrow Composting - 500 TPD*

*Organic Waste Converter (OWC) - 2 TPD*

*Plastic Waste processing - 2 TPD*

*Construction and Demolition Waste - 500 TPD (at Pathuriaghat treatment plant under construction)*

*Bio-CNG Plant at Dhapa - 5 TPD (Under Construction)*

*Other processing facilities like Mechanical Biological treatment (MBT), In vessel composting Material Recovery Facility (MRF) will be taken up after reclamation of land at Dhapa & Garden Reach.*

*Bio-mining project at Dhapa : 3,10,803.314 MT removed till date and Bio-mining project at Garden Reach : Work order issued.*

*6. That with regard to the Liquid Waste Management under the jurisdiction of KMC area are as follows:*

*Total Sewage generation = 1400 MLD*



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- i. Sewage treated naturally in fisheries of East Kolkata Wetland (EKW) = 910 MLD
- ii. Sewage treated in existing five numbers of STP - 179 MLD

Name of STP	Capacity (MLD)
Bangur STP	52
Gardenreach STP	57
Baghajatin STP	15
South Suburban (Keorapukur) STP	45
Hatisur STP	10

STP under construction = 85 MLD (Under KEIP)

STP for which Tender Invited = 49 MLD (Under KEIP Tender 23 MLD & Tolly Nullah 26.06 MLD)

Proposed STP under KEIP = 70 MLD (Tranche - 3, STP of Approx. 70 MLD is under consideration for Ward 108, 109 and Ward 110)

A considerable portion of the sewage is treated in Septic Tanks in added areas i.e., area of Brough-XI, XII, XIII, XIV and XVI.\*

15. The statistics which are given in paragraph no.5 & 6 of the affidavit of the Kolkata Municipal Corporation are for the whole of the City of Kolkata. This affidavit does not address itself specifically to the issues in the present original application particularly the 13.5 KM stretch from Daighat near Wattganj to Ratan BabuGhat, Baranagar.
16. The inspection report of the Committee further mentions that a questioner (Template) for information on different drains/sanitation facilities/cleanliness/solid waste management of different ghats prepared by NMCG were provided to authorities of Kolkata Municipal Corporation well in advance before the affidavit but no information in this regard has been placed before the Committee.



17. We direct the Kolkata Municipal Corporation in its affidavit to address this aspect of the matter also and file the required information before the Tribunal.
18. We also direct the Applicant to implead the Howrah Municipal Corporation in the array of Respondents today itself.
19. The Howrah Municipal Corporation shall also file its counter-affidavit with regard to solid waste dump adjacent to PhoolGhat and Baje-KadamtalaGhat. The affidavit shall also state the measures taken for installation and repairing of screen/Penstock Gates and measures taken to control discharge of untreated domestic sewage into the river Hooghly.
20. The Howrah Municipal Corporation shall also submit its Action Taken Report with regard to cleaning of all accumulated garbage including Construction & Demolition Waste.
21. The Report of the Committee further mentions that the Principal Secretary, Department of Urban Development & Municipal Affairs, Government of West Bengal has constituted a High-Level Committee with target-oriented approach for better coordination among different agencies for improvement of conditions of different ghats in the Kolkata Municipal Corporation area. The Committee is required to report to the Principal Secretary, Department of Urban Development & Municipal Affairs, Government of West Bengal fortnightly. This Committee comprises of the following members: -

1	Sri Binod Kumar, IAS, Principal Secretary to the Govt. of West Bengal & Municipal Commissioner, Kolkata Municipal Corporation	- Chairman
2	Shri H. Mondal, Secretary, Kolkata	- Member

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	Municipal Corporation	Convenor
3	Shri P.K. Dua, DG Civil	- Member
4	Shri S. Bhowmik, DG Lighting	- Member
5	Shri S. Chatterjee, DG SWM	- Member

22. The Department of Urban Development & Municipal Affairs, Government of West Bengal shall file its affidavit stating how many meetings have been held and what has transpired in those meetings by filing the Minutes of the Meeting.
23. Let all the affidavits be filed within four weeks.
24. **List on 12.07.2022.**

.....  
**B. Amit Sthalekar, JM**

.....  
**Saibal Dasgupta, EM**

May 12, 2022,  
 Original Application No. 20/2022/EZ  
 MN



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Item No. 04

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
(Through Video Conferencing)**

Original Application No.20/2022/EZ

Suprova Prasad

Applicant(s)

Versus

Ministry of Environment Forest &  
Climate Change & Ors.

Respondent(s)

Date of hearing: 12.07.2022

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER  
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER**

For Applicant(s) : Ms. Paushali Banerjee, Advocate (in Virtual Mode)

For Respondent(s): Mr. Soumitra Mukherjee, Advocate for R-1, (in Virtual Mode)  
Mr. Ashok Prasad, Advocate for R-2,  
Mr. Dipanjan Ghosh, Advocate for R-3,  
Mr. Rajib Ray, Advocate for R-5, (in Virtual Mode)  
Mr. Nayan Chand Bihani, Advocate a/w Mr. Sibojyoti  
Chakraborty, Advocate for R-6, (in Virtual Mode)  
Mr. Kallol Basu, Adv. (in Virtual Mode) a/w  
Mr. Aditya Sarkar, Adv. & Mr. Prithwish Basu, Adv. for R-7,  
Mr. Sandipan Banerjee, Advocate a/w Ms. Amrita Pandey,  
Advocate for R-9,

**ORDER**

1. Ms. Paushali Banerjee, learned Counsel is present for the Applicant.
2. One affidavit dated 04.07.2022 has been filed by one Mr. Partha Pratim Datta, Manager (Environment) of the Board of Trustees for Syama Prasad Mookherjee Port, Kolkata (formerly Kolkata Port Trust); the same is taken on record.
3. In pursuance of the directions given in para 19 of our order dated 01.04.2022, the Urban Development and Municipal Affairs Department, Govt. of West Bengal has filed an affidavit of compliance dated 11.07.2022; the same is taken on record.



4. We, therefore, direct the Applicant to implead the Urban Development and Municipal Affairs Department, Govt. of West Bengal, through its Principal Secretary, in the array of Respondents as Respondent No.10 within 24 hours.
5. In para 7 (H) of the affidavit, the Action Taken/Status Report on Tolly Nullah Project has been given by the Urban Development and Municipal Affairs Department, Govt. of West Bengal, which reads as under:-

*"H) The following are the Action Taken/Status Report on Tally's Nullah Project:*

*(i) After several rounds of discussion with the delegates from the World Bank, NMCG and SPMG and after subsequent site inspection of lead-consultant engaged by NMCG, the necessary measures are being taken for preparation of fresh DPR as per current condition leading to Population projection, change in city of pipe to DWC for 400/500 diameter, inclusion of zero desalting and lining, enhancement of trenchless technology, inclusion of fully automated systems PSs and penstock gets wherever applicable and obtaining the clearance for the lands for STP at Bansdroni and Kudghat Bus Terminus.*

*(ii) Further, flow measurements at salient points of the existing networks are expected to be completed by 4<sup>th</sup> Week of June, 2022. Present water quality measurements by the registered agencies of WBPCB at salient points of Tally's Nullah are expected to be completed by 2<sup>nd</sup> week of July, 2022.*

*(iii) Soil investigation at different vulnerable zones by Jadaupur University is expected to be completed by 3<sup>rd</sup> Week of July, 2022. The draft for fresh DPR is expected to be submitted to WBSPMG/NMCG by 4<sup>th</sup> Week of August, 2022.*

*(iv) Desilting and dredging of Tally's Nullah including cleaning rubbish, garbage and bushes on both banks from Chetla Bridge to confluence point of River Ganga (Phase -1) for a stretch of 4.7 km out of State funding has been taken up to minimize the*



pollution by maintaining the natural flow. The physical progress of work under Phase-I is 25% till date.

(v) Similar desilting and dredging of Tolly's Nullah under Phase-II from Kudghat metro Station to Chetla Bridge for a stretch of 5.37 km out of State funding will be taken up and is currently under technical bid evaluation stage.

(vi) Repairing and beautification of Ghats along Tally's Nullah is also under tendering process and is expected to be completed by February, 2023."

6. The report on preparation of the Detailed Project Report of 'Pollution Abatement of Tolly Nalla' has been given at page no. 150-155 of the paper book which reads as under:-

**"Report on preparation of DPR of 'Pollution abatement of Tolly's Nullah'**

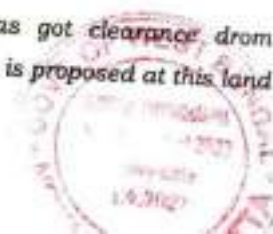
The entire Tolly's Nullah basin under the jurisdiction of The Kolkata Municipal Corporation has been divided into six zones on the basis of the disposal of the effluent from several pumping stations along the Tolly's Nullah.

**Zone-1:**

- This zone comprises mainly of some portions of Rajpur & Sonarpur Municipal (RMSM) area and some portion of the KMC area.
- The area under RPSP is mainly un-sewered
- A box drain is proposed to be constructed along the Canal Bank Road to connect to the SutiKhal. At present it ultimately flows towards the DKW.
- Presently, the SutiKhal is suffering from a huge solid waste dumping problem at the starting point near Garia Station. In the next course the SutiKhal has already been converted to a box drain. So, to eliminate this solid waste dumping problem the initial portion of the SutiKhal is proposed to be converted to a covered box drain to join the existing box drain in the downstream portion.

**Zone-2:**

- The land of Brij Road has got clearance from KMDA. A new STP of 10MLD is proposed at this land



for accommodating the waste water coming Naktala Pumping Station catering the waste water from Naktala area as well as Brij Road Pumping Station catering the area under its jurisdiction.

- DWF from the nearby area of RPSP Municipality (southern side of the Tolly's Nullah) will be accommodated in the Brij road Pumping Station.
- The Naktala Pumping station is to be constructed as a new one, in the open filed in front of the existing one as the old one is in dilapidated condition.
- The Brij Road Pumping station is proposed to be newly constructed.
- The Proposed STP at Brij Road will cater the DWF from Brij Road & Naktala PS.

**Zone-3:**

- This zone comprises of a series of pumping stations on the southern bank of Tolly's Nullah like Kamdahari, Rathtala, Usha Gate, Bansdroni and Kalitala.
- The pumping stations at Rathtala and Bansdroni are defunct as well as in vulnerable conditions.
- Whereas, the augmentation of the volume of the sump in the other P.S. in this zone are seemed to be not required. Only renovation of the sumps and automation may be incorporated in these pumping stations.
- But the new pumping stations are required to be constructed in these two zones Bansdroni & Rathtala.
- At Bansdroni the existing pumping station is required to be shifted to a new plot which is under I&WD, Government of West Bengal.
- Another piece of land for the proposed STP has been selected at Bansdroni site which is under the R&R Department, Government of West Bengal.
- This proposed STP may cater the DWF from Kamdahari PS, Rathtala PS, Usha Gate, Bansdroni PS and kalitala PS.



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- But the clearance of the land has still not been obtained. If the occupancy of the land be obtained this zone may be finalized.
- The Rathala PS will be constructed dismantling the existing one.

**Zone-4:**

- This zone comprises of the pumping stations of Moor Avenue, Izzatullah and Canal Road.
- The flow from this pumping stations will move to Keorapukur STP.
- This zone is highly dependent on the finalization of the discharge point of Zone-3.
- The existing pumping station at Moor Avenue is not functional. So, the new pumping station is proposed to be done at Moor Avenue dismantling the existing one.
- A new pumping station at Canal road is also proposed to cater the enhanced flow of the projected population as well as to accommodate the flow from Izzatullah pumping station.

**Zone-5:**

- This zone comprises of the Charu Avenue Pumping Station, the DWF of which will be discharged to the proposed STP of Golf Garden.
- The land at Golf Garden has got its clearance from KMDA.

**Zone-6:**

- This zone comprises of the area from the confluence point of Tolly's Nullah upto Chetla.
- The pumping stations under the jurisdiction of this zone are hastings, Thackeray, Sashi Sekhar, kalighat and Chetla.
- A new sump at Chetla pumping station is required to be constructed to cater the enhanced flow of the projected population as well as to accommodate the DWF coming directly from Taratala area.
- All the other pumping stations are required to be renovated and augmented electro-mechanically.



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- The DWF from these stations will flow to EKW through Ballygunge Drainage Pumping Station.

The following activities are under process:-

- The flow calculation based on the population forecasting up to 2055 has already been done.
- Based on the flow the DWF and SWF calculation has already been done.
- The required sizes of the sump of pumping stations have been calculated.
- The new sumps that are required to be constructed have been identified.
- The proposed mini pumping stations have already been indentified and civil design has completed.
- The number & location of Trestle bridges (each at Kudghat, Chetla, Thackeray and Izzatullah) required has already been fixed.
- The proposed drainage networks corresponding to the pumping stations have already been identified.
- Estimates of all the completed part of the project are in progress.

Moreover, the following activities are already under process:-

- The soil investigations at the proposed seven new pumping is being performed under Jadavpur University, the report of which is expected to be completed by the 3<sup>rd</sup> week of July, 2022.
  - The quotations for water quality testing at salient points on Tally's Nullah has already been floated and the report of which is expected to be obtained by the end of July, 2022.
  - The survey works of the existing and proposed pumping stations are in progress which is expected to be obtained by the month of July, 2022.
- The consultant for the electro-mechanical schemes as well as devices has already been engaged. The Knee knots of the preparation of the DPR are:

- To get over the land at Bansdroni for proposed Pumping Station and STP's as early



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as possible/ To get confirmation for handing of said lands.

ii) To obtain the rates of electro-mechanical devices from the manufacturers.

iii) The protective measures to be taken in the vulnerable zones along Tally's Nullah are yet to be determined based on the soil report, which will ultimately be reflected in estimate part of the DPR."

7. In para 8 (a) of the affidavit, a Tabular Chart has been filed showing Status Report of the Outfalls/Ghats on river Hooghly and corrective actions taken which read as under:-

**"Status Report of the outfalls on river Hooghly (from Daighat to Rantan Babu Ghat) identified by the NGT on the inspection held on 25.04.2022.**

Sl. No.	Outfall	Condition	Remarks and current status
I.	Doighat	One 450 mm diameter Hooghly river raw water pressure release pipe line is there, which discharges raw water of river Hooghly itself to maintain pressure of raw water intake pumping station situated beside bank of river Hooghly. From the raw water	No issue is there.



		intake pumping station unfiltered water is supplied to the city of Kolkata.	
2	Tolly's Nullah	Dirty water coming from Tolly's Nullah to River Hooghly.	Report on preparation of DPR of 'Pollution Abatement of Tolly's Nullah' is placed below.
3	Hooghly Bridge	Little leakage found near Hooghly bridge (2 nos. approx 900 diameter)	This is under the purview
4	Chandpal Ghat	No leakage found	No leakage found during inspection.
5	Millenium Park	Little leakage found from the penstock gate.	Penstock gate has been repaired.
6	Jackson Ghat	No leakage found	No leakage found during inspection.
7	Jagannath ghat	Major leakage found from the Penstock gate.	Penstock gate has been repaired.
8	Nimtala Ghat	No leakage found	No leakage found during inspection.
9	Sovabazar Ghat	No leakage found	No leakage found during



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			<i>inspection.</i>
10	Bagbazar Ghat	<i>Little leakage found from the penstock gate.</i>	<i>Penstock gate has been repaired.</i>
11	Circular Canal	<i>Dirty water coming from Circular Canal to River Hooghly (One flap shutter was opened)</i>	<i>Circular Canal is under jurisdiction of Irrigation Department, Govt. of W.B.</i>
12	Dilarjung Gate	<i>Leakage from penstock gate was found.</i>	<i>The gate will be thoroughly repaired during desilting of Dilarjung road box drain of size 10'X10' in phases. It involves around Rs.3.00 crore. Proposal for fund provision has already been sent to UD&amp;MA Dept, Government of West Bengal which is under active consideration.</i>
13	Jain Medical College	<i>Non-gated outfall observed</i>	<i>Penstock gate has been installed.</i>
14	Sarbamangala Ghat	<i>There is existing flap shutter gate</i>	<i>Repairing work has been</i>



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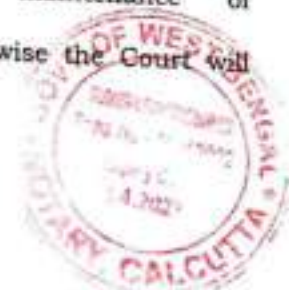
		<i>which is blocked by brick work but little leakage found beside the gate structure.</i>	<i>completed.</i>
15	<i>Ratan Babu ghat</i>	<i>There is an outfall of approx 1800mm diameter which was blocked by brick work but leakage was found.</i>	<i>Repairing work has been completed.</i>

8. The averments of this affidavit show that some actions are still under progress.
9. We, therefore, direct the Urban Development and Municipal Affairs Department, Respondent No.10, to file additional affidavit bringing on record the Status Report of the remedial actions taken within six weeks.
10. In para 20 of our previous order dated 01.04.2022, we had directed the National Mission for Clean Ganga, Respondent No.8, to file its affidavit but till date the same has not been filed.
11. No Counsel is present for Respondent No.8, National Mission for Clean Ganga. Let fresh notices be issued to the Respondent No.8, National Mission for Clean Ganga, returnable within four weeks.
12. The Respondent No.8 shall file its counter-affidavit within four weeks.
13. Mr. Ashok Prasad, learned Counsel states that he is authorized to appear on behalf of the Respondent No.7 but he does not have Vakalatnama with him. Let him file the Vakalatnama within one week if he is engaged in this matter.



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14. The Respondent No.9, Howrah Municipal Corporation has not filed its counter-affidavit.
15. Ms. Paushali Banerjee, learned Counsel shall serve e-copy/soft copy of the Original Application along with all its annexures upon Ms. Amrita Pandey, learned Assisting Counsel of Mr. Sandipan Banerjee, Counsel for Respondent No.9, within 24 hours, who may file counter-affidavit within four weeks thereafter.
16. Mr. Nayan Chand Bihani, learned Counsel assisted by Mr. Sibojyoti Charkaborty, learned Counsel appearing (in Virtual Mode) for Respondent No.6, Kolkata Municipal Corporation, prays for and is granted four weeks time for filing counter-affidavit.
17. Mr. Rajib Ray, learned Counsel appearing (in Virtual Mode) for Respondent No.5, Central Pollution Control Board, states that the Central Pollution Control Board does not want to file a separate counter-affidavit since they were part of the Committee constituted by the Tribunal and they adopt the report of the Committee. He further states that there are no allegations against the Central Pollution Control Board and, therefore, he has instructions not to file counter-affidavit.
18. We are surprised at the stand of the Counsel since the Central Pollution Control Board is a rule framing authority for the entire country and, therefore, they are armed with their guidelines for maintenance of ghats/embankments in question in the present case which should be filed by them.
19. We, therefore, direct the Central Pollution Control Board to bring on record its guidelines regarding maintenance of ghats/embankments within four weeks otherwise the Court will



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draw adverse inference against the Central Pollution Control Board for withholding material information from the Tribunal.

20. Ms. Paushali Banerjee prays for and is granted four weeks time for filing rejoinder affidavit.
21. **List on 30.08.2022.**

.....  
**B. Amit Sthalekar, JM**

.....  
**Saibal Dasgupta, EM**

July 12, 2022,  
Original Application No.20/2022/EZ  
AK



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S.L. No. 30

BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 20/2022/EZ

IN THE MATTER OF:  
SUPROVA PRASAD



... Applicant

Versus

MINISTRY OF ENVIRONMENT, FORESTS AND  
CLIMATE CHANGE & ORS.

... Respondents

AFFIDAVIT ON BEHALF OF THE BOARD OF TRUSTEES FOR  
SYAMA PRASAD MOOKERJEE PORT, KOLKATA,  
RESPONDENT NO. 7 HEREIN.

INDEX

Sl No	PARTICULARS	ANNEXURE	PAGE
1.	Affidavit		
2.	Copy of the Order dated 12.05.2022 passed by the NGT	R1	7-16
3.	Copy of the letter dated 28.06.2022	R2	17

Filed by

Prithwish Kumar Basu.  
~~Prithwish Kumar Basu~~

ADVOCATE

Gautam Mandal / গৌতম মন্ডল  
Chartered Engineer (সিভিল ইঞ্জিনিয়ার)  
Civil Engineering Department  
SMP Port, Kolkata

04 JUL 2022



BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 20/2022/EZ

IN THE MATTER OF :  
SUPROVA PRASAD



... Applicant

Versus

MINISTRY OF ENVIRONMENT, FORESTS AND  
CLIMATE CHANGE & ORS.

... Respondents

AFFIDAVIT ON BEHALF OF THE BOARD OF TRUSTEES FOR  
SYAMA PRASAD MOOKERJEE PORT, KOLKATA,  
RESPONDENT NO. 7 HEREIN.

Most Respectfully Sheweth:

I, Gautam Mandal, son of *Late Amulya Kumar Mandal*, by  
Religion - Hindu, aged about 58 years, by Occupation-Service,  
and working for gain at 15, Strand Road, Kolkata- 700001, do hereby  
solemnly declare and say as follows:-

1. That, I am the Chief Engineer and the Authorized Signatory of  
the Board of Trustees for Syama Prasad Mookherjee Port, Kolkata (in  
short "SMP", the Respondent No. 7 herein and in such capacity, I am  
well acquainted with the facts and circumstances of the case. I have  
been duly authorized by the Respondent No. 7 to make and affirm  
this Affidavit on its behalf and as such, I am competent to do so.

2. This affidavit is being affirmed in pursuance to the solemn  
order passed by the Hon'ble Tribunal on 12.05.2022, a copy whereof  
is annexed hereto and marked as R-1.

*Gautam Mandal*  
Gautam Mandal / গৌতম মন্ডল  
Chief Engineer / মুখ্য প্রকিন্দা  
Civil Engineering Department  
SMP Port, Kolkata



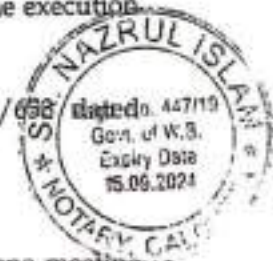
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3. That, in compliance of the order passed by the Hon'ble National Green Tribunal dated 12.05.2022 the Respondent No. 7 states as follows:-

- i. SMP does not discharge any sewage water in the river.
- ii. SMP do not have any operations or activity in the mentioned Ghats accordingly there is no chance of involvement of SMP dumping the solid waste in the Ghats forming subject matter of the instant proceedings.
- iii. SMP has hardly any involvement or contributions in the water pollution in the Ganges as mentioned in the application .
- iv. Collection and accumulation of garbage from the Ghats were all along done by the KOLKATA MUNICIPAL CORPORATION through its waste management team.
- v. SMP can only assist the municipal authorities in discharging their waste management responsibility. It is pertinent to mention here that the waste management is not the core activity of SMP and also the activities of SMP does not cause accumulation of garbage in the Ghats.
- vi. Towards compliance of the order dated 12.05.22 passed by the Hon'ble NGT in the instant application, the Chairman of SMP has requested the officials of Kolkata Municipal Corporation to prepare an action plan for compliance of cleaning of Ganga Ghats and assured maximum possible assistance by SMP to fulfill the execution of the action plan for the cleaning the Ghats and banks.

The copy of the said letter vide no. Civ/1941/NGT/638 dated 28.06.2022 is annexed hereto and marked as R2.



4. That, in pursuance to the letter dated 28.06.2022; one meeting has been held between the Officials of SMP and KMC on 30.06.2022. The said meeting was chaired by the Municipal Commissioner of Kolkata Municipal Corporation. In the said meeting, the officials of the concerned authorities discussed and have agreed on the following point:-

*Gautam Mandal*  
 Chief Engineer / *मुख्य अभियंता*  
 Civil Engineering Department  
 SMP Port, Kolkata



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- I. SMP, Kolkata will clean the garbage at slope portion of the river for the 6 ghats as per the original application on regular basis. However, KMC officials insisted on cleaning all the ghats in the stretch of 13.5 km, but it was agreed to start with 6 ghats.
- II. After cleaning the garbage, the same will be kept in the solid waste reception facility adjacent to the Ghats. KMC will install & maintain the garbage reception facility.
- III. All the solid wastes will be disposed by KMC from the waste reception facility for further processing.
- IV. The frequency of cleaning will be decided as per the requirement.
- V. KMC will elaborate the assistance required from SMP, Kolkata.
- VI. SMP, Kolkata informed that a comprehensive Detail Project Report for beautifying some portions of the Riverfront stretch has already been taken up by SMP, Kolkata at a total cost of Rs. 70 crores.
- VII. SMP, Kolkata is going to undertake bank protection work in Outtram Ghat and Jorabagan area at an estimated cost of Rs. 12 crore.

5. In terms of the order passed by the Hon'ble National Green Tribunal dated 12.05.2022, SMP, Kolkata further states the actions taken in the subject matter, in the following manner:

- i. SMP has already undertaken the renovation of number of Ghats like Mayer Ghat and Judges' Ghat.
- ii. SMP regularly maintain river traffic police jetty,
- iii. SMP provides assistance during idol immersion like providing floating barge with crane facility to clear immersion debris at Bajekadam to laghat with technical support and man power. At Judge's Ghats both man power and technical support is provided for cleaning the river Ganges this service is provided during the days of immersion for Durga Puja and Kali Puja.
- iv. SMP is going to take up bank protective work at Outtram Ghat and Jorabagan area for which the total estimated cost is estimated to be Rs. 12 cores as already mentioned above herein.



*(Signature)*  
Geulam Mandal / গৌলাম মন্ডল  
Chief Engineer / মুখ্য अभियंता  
Civil Engineering Department  
SMP Port, Kolkata

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6. That, in compliance of the order passed by the Hon'ble National Green Tribunal dated 12.05.2022, SMP, Kolkata has prepared an action plan for cleaning the Ghats in the following manner:

- i. SMP will provide PVC garbage collection bin at all the six Ghats as mentioned in consultation with KMC.
- ii. SMP will provide sign boards displaying prohibition of garbage dumping at the river side and encouraging the people to use vat as provided by SMP.
- iii. SMP will carry out inspection from time to time both from land and also from water to check accumulation of garbage at the ghats and the municipal authority will suitably be inform accordingly.
- iv. SMP will also inform the local police authorities about prohibition of waste dumping in the river side.
- v. SMP will assist Kolkata Municipal Corporation in cleaning the Ghats as mentioned in the prayer of the application and the modalities of cleaning the Ghats will be fixed after further discussions on the proposals of the K.M.C and preparation of Detail Project report for beautifying the river stretch by SMP, Kolkata.



It is therefore respectfully prayed the Hon'ble tribunal may pass such orders/ order as it deem fit and proper in the interest of justice.

8. The statements made in paragraphs 1 and 2 herein are true to my knowledge, those made in paragraphs 3 to 5 are based on information derived from records which I verily believe to be true and the rests are my humble submissions before this Hon'ble Tribunal.



Solemnly Affirmed and Declared before me U/S 139 CPC, U/S 297 (C) CrPc

SK. Nazrul Islam  
Notary, Govt. of W.B.  
Regd. No. 447/19  
City Civil Court, Calcutta

*[Signature]*

DEPONENT IDENTIFIED BY ME

04 JUL 2022

PROC-175

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**VERIFICATION**

Verified at Kolkata by the deponent above named on this the \_\_\_\_\_ day of July, 2022 and say that the statements made in paragraph nos. 1 and 2 are true to my knowledge, those made in paragraphs 3 to 5 are based on information derived from records which I verily believe to be true and the rests are my humble submissions before this Hon'ble Tribunal.



DEPONENT



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Item No. 06

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
(Through Video Conferencing)**

Original Application No.20/2022/EZ

Suprova Prasad

Applicant(s)

Versus

Ministry of Environment, Forests and  
Climate Change &Ors.

Respondent(s)

Date of hearing: 12.05.2022

CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKHAR, JUDICIAL MEMBER  
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER

For Applicant(s) : Ms. Paushali Banerjee, Advocate

For Respondent(s): Mr. Soumitra Mukherjee, Advocate for R-1 (in virtual mode),  
Mr. Ashok Prasad, Advocate for R-2 (in virtual mode),  
Mr. Dipanjan Ghosh, Advocate for WBPCB,  
Mr. Rajib Ray, Advocate for R-5 (in virtual mode),  
Mr. Sibojyoti Chakraborty, Advocate for R-6 (in virtual mode),**ORDER**

1. Ms. Paushali Banerjee, learned Counsel for the Applicant, is physically present in court.
2. One amended Memo of Parties has been filed by the Applicant; the same is taken on record.
3. One Affidavit dated 11.05.2022 has been filed by Respondent No.3, West Bengal Pollution Control Board, the same is taken on record.
4. One affidavit dated 11.05.2022 has been filed by Urban Development & Municipal Affairs Department, Government of West Bengal, the same is taken on record.
5. Issue notice to the newly added Respondent No.7, Kolkata Port Trust (Syama Prasad Mookerjee Port Trust, Kolkata) through its Chairman and Respondent No.8, National Mission for Clean Ganga returnable within four weeks.
6. The Respondent Nos.7 & 8 shall file its affidavit within four weeks.



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7. In the affidavit of the West Bengal Pollution Control Board mentions several non-compliances of environmental norms and also the authorities responsible for checking the same have been noticed.

8. The inspection report of an inspection carried out on 25.04.2022 reads as under:

*"The observations of the visit on both sides of river Hooghly are as follows:*

- ❖ *Conditions of water quality appear to be very poor near confluence point of Tolly Nullah. However, dredging works was also in progress for de-siltation.*
- ❖ *Release/ leakage of waste water through a good number of drains along left bank (Daighat-discharge of back-wash of Water Treatment Plant), ghat near Millennium Park, Sova Bazar Chat, Bag Bazar Ghat, Dilar Jang Ghat, Sutanuti Ghat, Sarbamangala Ghat, Ratan Babu Ghat etc.,) and also in right bank (Shibpur-Ramsrishnapur areas).*
- ❖ *Existence of the cattle sheds and liquid waste discharge in the right bank (Ramchandrapur/Chora Bustee area of Howrah).*
- ❖ *Non-existence as well as poor condition of screens/penstock gates in different major drains/outlets.*
- ❖ *Huge discharge noticed through open gates at Circular Canal near Belgachia under the control and managed by the Department of irrigation.*
- ❖ *Accumulated municipal solid waste/construction & Demolition wastes in both bank of river Hooghly.*
- ❖ *Encroachment of river bank near Posta/Boro-Bazar/Nimtala area in the left bank and Ramchandrapur Ghat, Howrah.*



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- ❖ Solid waste dump adjacent to few ghats (Judges Ghat, BabuGhat, PhoolGhat (mallickGhat), near Howrah Bridge, JagganathGhat, Bag Bazar Ghat, etc.)
- ❖ Few Ghats (Baje-KadamtalaGhat, TaktaGhat, prince ghat (South), champatalaghat&kumartuliGhat, NintalaGhat, AtheritalaGhat, Mayer Ghat etc.,) were found in improved condition having IEC material in place and waste collection bins were also provided.
- ❖ Erosions near Millennium Park.

**Action Plan and measures for restitution of the Ghats.**

- > Information has not been provided by the Kolkata Municipal Corporation (KMC) Authority in the template shared with KMC. In the absence of such information, it becomes difficult to appraise the protocols being followed for up keeping of ghats, examine arrangements of KMC to keep the ghats in good shape and consequent condition of ghats.
- > The Principal Secretary, Department of UD & MA, Govt. of West Bengal has constituted a highlevel committee with targetoriented approach for better co-ordination among different agencies for improvement of conditions of different ghats in the KMC area (Copy enclosed as Annexure-II). The committee will report to The Principal Secretary, Department of Ud&MA, fortnightly.
- > As regards control of erosion, the KoPT (ShyamaprasadMukhopadhyay Port Trust) may be directed to take necessary measures following the direction issued by the Hon'ble NGT Eastern Zone Bench in connection with O.A. No.08/2015/EZ dated 13.09.2017 (Annexure-IV). The KoPT, being the custodian of the land on shores within 45.7 m of High Water mark at spring tide and the competent authority having good repository of hydro-morphological data of river Hoogli in this stretch of river with required expertise, to take up the rehabilitation work near Millennium Park covering around 1 Km, both upstream & downstream combined to prevent further erosion.



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- Overall status of 43 Ganga Towns in West Bengal regarding sewage generation, treatment capacity and proposal for new/renovation/under construction as reported to National Mission for Clean Ganga by West Bengal State Project Management Group, government of West Bengal dated 22.04.2022 for a period up to march, 2022 in compliance with Hon'ble NGT Order OA 200/2014 is tabulated below:

Overall status of the 43 Ganga Towns in West Bengal as Annexure III

I	Estimated Sewage Generation	1401 MLD
II	Details of Sewage Treatment Plants:	
	Existing No. of operational STPs and treatment capacity (in MLD): (15 nos. Ganga Town)	21(294.75 MLD)
	No of STPs under construction (6 nos. Ganga Town)	9(178.5 MLD)
	No of STPs under renovation (13 nos. Ganga town)	16(295.96 MLD)
	No of STPs under proposal/tendering stage (11 nos. Ganga Town)	15(217.12 MLD)
	Total treatment capacity	986.34 MLD
III	Gap in treatment capacity	414.66 MLD

To address the gap of 414.66 MLD, List of proposals for additional treatment capacity of 350 MLD (based on estimated population in 2036) by setting up new STPs in 16 Ganga Towns and by capacity augmentation of existing STPs, estimated amount of Rs.2885 crores shall be sent to NMCG for consideration under NamamiGange-II project.



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KMIA has already taken necessary steps for preparation of 100% of Kottam, Chelche, Choudyan, Choudhuland, Japany, Japany, Kishanagar, Diamond, Dhanraj, Dhanraj, Dhanraj, Dhanraj, Dhanraj and other 100% areas. Proposal for setting up of new 100% and augmentation of existing 50% in KBR & HRB area is proposed.

> The flows into Cumbhachitta are controlled and regulated through an existing lock gate. Had the lock gate arrangement existed, that during high tides, water from the river through flows into the Cumbhachitta while the same reverses during low tides. The cycle of high low tides is not altered. The Cumbhachitta quantity has become diluted due to heavy siltation. Had due to excessive siltation the longitudinal section profile of the Cumbhachitta might have been disturbed which is affecting the functioning of the Cumbhachitta as a mechanism to bring fresh water from through and therefore to act as a flushing canal connected to Durgachitta river.

> The authorities of Kollata Municipal Corporation / through Municipal Corporation may be directed to take necessary measures for installation and repairing of sewage treatment plant in the case may be within 45 days.

> The authorities of Kollata Municipal Corporation & through Municipal Corporation may be directed to take necessary measures to control discharge untreated domestic sewage into the river through at an outlet.

> The authority of Department of Irrigation, Dept of Irrigation may be directed to take necessary measures to control untreated waste water discharge from the Cumbhachitta into the river.

> The Poch Wilam Authority may be directed to take necessary measures to control the discharge of untreated waste water into the river through within their jurisdiction.



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- The Railway Authority (Chakra Rail) may be directed to take necessary measures for management of domestic sewage and also management of solid wastes in different railway stations within their jurisdiction in the left bank of river Hooghli.
  - Howrah Municipal Corporation & Hourah Municipal Corporation may be directed to clear all the accumulated garbage including C&D Waste in consultation with KoPT within 45 days.
  - KoPT may be directed to extend all kind of assistance to KMC, HMC, Railway Authority and other stakeholders.
  - KMC, HMC & KoPT may be directed to arrange strict vigilance throughout the year in different ghats and bank of the river under their respective jurisdiction to control littering of wastes.
  - KMC, HMC & KoPT may be directed to arrange sufficient publicity by way of public addressing system, distribution IEC materials, fixing of permanent banners etc., involving all stakeholders in different ghats as well as on river banks.\*
9. Photographs have also been filed as Annexure-C from page nos. 39 to 48, the same are taken on record, and shall be treated as part of the original application.
10. The affidavit of the Urban Development and Municipal Affairs Department does not give any Action Plan for cleaning/removal of garbage piling up on the banks of the river Hooghly on the stretch of 13.5 KM (approx.) from Daighat near Wattganj to Ratan Babu Ghat, Baranagar.
11. The Kolkata Port Trust (Syama Prasad Mookerjee Port Trust, Kolkata) will also in its affidavit state specifically what action is



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being taken by them for cleaning this stretch and what Action Plan they have prepared to ensure that in future such garbage does not pile up, and also whether it is under implementation at all.

12. We also find from the report that Shri P.P. Datta, Manager (Environment) was nominated by the Kolkata Port Trust as a member of the Committee constituted by this Tribunal.
13. We, therefore, direct Shri P.P. Datta, Manager (Environment) to file his personal affidavit in this matter.
14. Paragraphs 5 & 6 of the affidavit of Kolkata Municipal Corporation are also being extracted hereinunder:-

\*5. That it is submitted with regard to Solid Waste Management, KMC is having following activities:

Waste Generation: 4500 Ton per day (TPD)

Processing facilities:

Windrow Composting - 500 TPD

Organic Waste Converter (OWC) - 2 TPD

Plastic Waste processing - 2 TPD

Construction and Demolition Waste - 500 TPD (at Pathurighat treatment plant under construction)

Bio-CNG Plant at Dhapa - 5 TPD (Under Construction)

Other processing facilities like Mechanical Biological treatment (MBT), In vessel composting Material Recovery Facility (MRF) will be taken up after reclamation of land at Dhapa & Garden Reach.

Bio-mining project at Dhapa : 3,10,803.314 MT removed till date and Bio-mining project at Garden Reach : Work order issued.

6. That with regard to the Liquid Waste Management under the jurisdiction of KMC area are as follows:

Total Sewage generation = 1400 MLD



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- i. Sewage treated naturally in fisheries of East Kolkata Wetland (EKW) = 910 MLD
- ii. Sewage treated in existing five numbers of STP - 179 MLD

Name of STP	Capacity (MLD)
Bangur STP	52
Gardenreach STP	57
Baghajatin STP	15
South Suburban (Kesrapukur) STP	45
Hatisur STP	10

STP under construction = 85 MLD (Under KEUP)

STP for which Tender invited = 49 MLD (Under KEUP Tender 23 MLD & Tolly Nullah 26.05 MLD)

Proposed STP under KEUP = 70 MLD (Tranche - 3, STP of Approx. 70 MLD is under consideration for Ward 108, 109 and Ward 110)

A considerable portion of the sewage is treated in Septic Tanks in added areas i.e., area of Brough-XI, XII, XIII, XIV and XVI.\*

15. The statistics which are given in paragraph no.5 & 6 of the affidavit of the Kolkata Municipal Corporation are for the whole of the City of Kolkata. This affidavit does not address itself specifically to the issues in the present original application particularly the 13.5 KM stretch from Daighat near Wattganj to Ratan BabuGhat, Barnagar.
16. The inspection report of the Committee further mentions that a questioner (Template) for information on different drains/sanitation facilities/cleanliness/solid waste management of different ghats prepared by RMCG were provided to authorities of Kolkata Municipal Corporation well in advance before the affidavit but no information in this regard has been placed before the Committee



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17. We direct the Kolkata Municipal Corporation in its affidavit to address this aspect of the matter also and file the required information before the Tribunal.
18. We also direct the Applicant to implead the Howrah Municipal Corporation in the array of Respondents today itself.
19. The Howrah Municipal Corporation shall also file its counter-affidavit with regard to solid waste dump adjacent to PhoolGhat and Baje-KadamtalaGhat. The affidavit shall also state the measures taken for installation and repairing of screen/Penstock Gates and measures taken to control discharge of untreated domestic sewage into the river Hooghly.
20. The Howrah Municipal Corporation shall also submit its Action Taken Report with regard to cleaning of all accumulated garbage including Construction & Demolition Waste.
21. The Report of the Committee further mentions that the Principal Secretary, Department of Urban Development & Municipal Affairs, Government of West Bengal has constituted a High-Level Committee with target-oriented approach for better coordination among different agencies for improvement of conditions of different ghats in the Kolkata Municipal Corporation area. The Committee is required to report to the Principal Secretary, Department of Urban Development & Municipal Affairs, Government of West Bengal fortnightly. This Committee comprises of the following members: -

1	Srs. Binod Kumar, IAS, Principal Secretary to the Govt. of West Bengal & Municipal Commissioner, Kolkata Municipal Corporation	- Chairman
2	Shri H. Mondal, Secretary, Kolkata	- Member



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	Municipal Corporation	Convener
3	Shri P.K. Das, DG Civil	- Member
4	Shri S. Bhowmik, DG Lighting	- Member
5	Shri S. Chatterjee, DG SWM	- Member

22. The Department of Urban Development & Municipal Affairs, Government of West Bengal shall file its affidavit stating how many meetings have been held and what has transpired in those meetings by filing the Minutes of the Meeting.
23. Let all the affidavits be filed within four weeks.
24. List on 12.07.2022.

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B. Anil Sahaikar, JM

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Sahil Dasgupta, EM

May 12, 2022,  
Original Application No. 20/2022/EM  
MDR



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विनीत कुमार, भार.वि.इं.से.  
अध्यक्ष  
Vinit Kumar, LR.S.E.E.  
Chairman



15, स्ट्रैंड रोड  
कोलकाता-700 001  
दूरभाष :  
फ़ोन : 2230-5370  
फैक्स : 2230-4901

15, Strand Road  
Kolkata-700 001  
Phone :  
Office : 2230 5370  
Fax : 2230 4901

Dated: 28.06.22

No. Civ/1941/NGT/ 653

Shri Binod Kumar, IAS  
Municipal Commissioner,  
Kolkata Municipal Corporation,  
5, S.N. Banerjee Road,  
Kolkata - 700 013

Sub: Cleaning of Gangaghat as per NGT order dated 12.05.2022 against  
OA No. 20/2022/EZ : Suprovo Prasad Vs MoEF&CC and others.

Sir,

You are aware that the subject order has given certain directive to Kolkata Port Trust (presently Syama Prasad Mookerjee Port, Kolkata) and KMC regarding cleaning of different Ganga ghats and banks within the stretch of 13.5 km (approx) from Daighat to Ratanbabu Ghat, Baranagar.

In this regard it may be noted that the waste management is not the core competence of this organization. Accordingly, it is requested to prepare an action plan for compliance of the subject order as a whole. SMP, Kolkata will extend maximum possible assistance to fulfill the execution of the action plan for cleaning the ghats and banks. It is also suggested & confirmed that Syama Prasad Mookerjee Port, Kolkata (SMPK) will not object if KMC impose any fine or charges to the polluters and collect the same. KMC in turn will utilize the fund for preventing the piling of garbage and cleaning the same along the river bank.

A discussion with the concerned officials of your department may be arranged in this regard.

Yours sincerely,

*Vinit Kumar*  
(Vinit Kumar)  
Chairman



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 NATIONAL GREEN TRIBUNAL  
 EASTERN ZONE BENCH,  
 KOLKATA  
 ORIGINAL APPLICATION NO.  
 20/2022/EZ

SUPROPA PRASAD  
 ..... APPLICANT



VERSUS  
 MINISTRY OF  
 ENVIRONMENT, FORESTS  
 AND CLIMATE CHANGE &  
 ORS.

.....RESPONDENT(S)



AFFIDAVIT ON BEHALF OF  
 THE RESPONDENT NO. 7, THE  
 BOARD OF TRUSTEES FOR  
 SYAMA PRASAD MOOKERJEE  
 PORT, KOLKATA

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 ADVOCATE  
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