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LAY NOTE BEFORE THE HON'BLE MEMBERS  
NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA

O.A. No. 117/2023/EZ

Aparna Sarkar Vs. State of West Bengal &amp; Ors.

Date: 22.03.2025

The present Original Application has been taken up on the basis of a complaint submitted by one Ms. Aparna Sarkar of Siliguri, West Bengal before the Registrar, National Green Tribunal, Eastern Zone Bench, Kolkata. The allegation in her complaint dated 20.08.2023 is that despite strict ban on the use of plastic carry bags, sale and manufacturing of plastic carry bags in ecologically sensitive areas of Kalimpong and Darjeeling district including Siliguri Sub Division of West Bengal is carrying on rampantly and totally unchecked. It is also alleged that there is unhindered use of thermocol items in the Siliguri Municipal Corporation area due to online food delivery services which has led to an alarming level of pollution in the Mahananda river within the Siliguri Municipal Corporation area.

It is further alleged that pollution is being caused in the Mahananda river from rearing of cattle on the river banks and untreated sewage is being discharged into the river including other rivers like Panchnai, Jorapani, Rongtong, Balason etc. It is alleged that huge amount of thermocol waste generated from boxes containing fish are being openly dumped into the rivers adjacent to fish markets particularly Jorapani and Balason. The waste generated from the Siliguri Regulated Market (SRM) is not being properly processed and is being dumped in the neighbourhood wetland or burnt in the open causing severe air and soil pollution; biodegradable and nonbiodegradable wastes are also not being segregated and processed by the SMC. The case has been disposed of vide order dt. 30.04.2024 with the following observations:

"20. From the affidavit of the Siliguri Municipal Corporation, we find that work towards environment cleanliness is being carried out by the Corporation but no timelines have been given. However, we are of the view that the entire cleaning of legacy garbage and collected waste in the drains and way side, including road side garbage and garbage in localities, colonies and wards, needs to be completed within six months i.e. by 31.10.2024. The Municipal Commissioner, Siliguri Municipal Corporation, shall file affidavit of compliance showing full compliance by 15.11.2024.

21. Having said that considering that the maintenance of cleanliness and removal of garbage from the municipal limits of the Siliguri Municipal Corporation is an ongoing process, we direct that the Corporation shall endeavor on a regular basis to prevent collection of garbage at any point or drain or ward or lane or bylane and ensure compliance of the environmental norms at all-time as per provisions of the Solid Waste Management Rules, 2016 and Plastic Waste Management Rules, 2016. 22. With the aforesaid directions, the Original Application No.117/2023/EZ is disposed of."

In this regard, it is submitted that the Municipal Commissioner, Siliguri Municipal Corporation has not filed affidavit of compliance to above mentioned directions as on date.

Therefore, if approved, M.A. may be registered in the instant case for the purpose of compliance of order of the Hon'ble Tribunal as the O.A. has already been disposed of.

Placed for appropriate order/direction.

S/d  
Section OfficerS/d  
Ld. Deputy RegistrarS/d  
Ld. RegistrarS/d  
Hon'ble Expert MemberS/d  
Hon'ble Judicial Member