

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONAL BENCH, KOLKATA, WEST BENGAL
O.A. NO. 130/2024/EZ
(Earlier O.A. No. 597/2024/EZ)**

IN THE MATTER OF:

News item titled "Drain Water Supplied to Drink in Silchar National Highway Road Residents Suffering" appearing in Barak Bulletin dated 19.04.2024.

(Tribunal on its own motion)

...Applicant

Versus

Assam Public Health and Engineering Department &
Ors.

..Respondents

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Filed by:

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONAL BENCH, KOLKATA, WEST BENGAL
O.A. NO. 130/2024/EZ
(Earlier O.A. No. 597/2024/EZ)**

Instrument No. 960
Date: 23-7-24

IN THE MATTER OF:

News item titled "Drain Water Supplied to Drink in Silchar National Highway Road Residents Suffering" appearing in Barak Bulletin dated 19.04.2024.

(Tribunal on its own motion)

.Applicant

Versus

1. Assam Public Health and Engineering Department,
Through its Secretary.
2, Milanpur Road, West Jyotinagar,
Bamunimaidan, Guwahati, Assam-781004

..Respondent No. 1

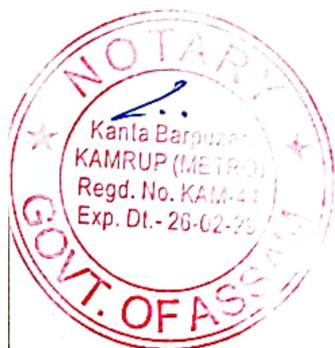
2. Central Pollution Control Board (CPCB)
Through its Member
Secretary, Parivesh Bhawan, East Arjun Nagar,
Delhi-110032

..Respondent No. 2

3. Deputy Commissioner, Silchar,
Barrack Valley Division,
Cachar, Assam

...Respondent No. 3

AND



Diganta Kumar Baruah

IN THE MATTER OF:

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**REPLY ON BEHALF OF THE
RESPONDENT NO.1 i.e. ASSAM
PUBLIC HEALTH AND
ENGINEERING DEPARTMENT
REPRESENTED BY ITS
SPECIAL SECRETARY TO THE
GOVERNMENT OF ASSAM.**

MOST RESPECTFULLY SUBMITTED AS UNDER: -

I, Diganta Kumar Baruah, aged about 61 years, son of Late Kumud Chandra Baruah under the office of the Public Health Engineering Department, Assam Secretariat, Government of Assam, Dispur, Guwahati, Pin- 781006 within the district of Kamrup (M), Assam do hereby solemnly affirm and state as follows:

1. That the deponent is presently serving as Special Secretary to the Government of Assam, Public Health Engineering Department. The deponent has been served with a copy of the original application, which he has perused and understood the contents thereof. Being acquainted with the facts and circumstances of the case, the deponent is competent to swear and sign the present affidavit.
2. That save and except the statements made in the Original Application, which are categorically admitted herein below, the rest of the statements and averments made in the Original Application may be deemed to have been denied by the deponent.



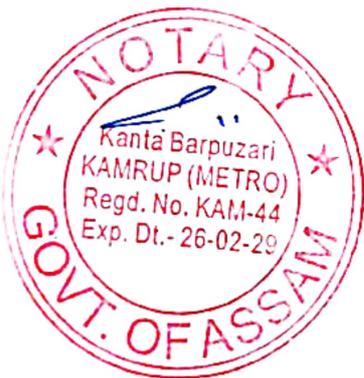
Diganta Kumar Baruah

3. That the aforesaid Original application has been registered Suo-Moto by the Hon'ble National Green Tribunal, Principal Bench, New Delhi vide Order dated 25.04.2024 on the basis of a News item published in 'Barak Bulletin' dated 19.04.2024, which pertains to failure in supply of clean and potable drinking water in Silchar, Assam. According to the news item, installation of direct home to home gas pipeline has severely affected the supply of drinking water to the residents of National Highway Road, Ward No. 17, Silchar.

Upon receipt of the notice dated 05.07.2024, the Chief Engineer (PHE) Water, Assam vide letter dated 12.07.2024, while requesting Learned Additional Advocate General, Assam to appear before the Hon'ble Tribunal, also directed the Additional Chief Engineer, (PHE) Barak Valley Zone, Cachar, Silchar to gather necessary information and to submit report on or before 20.07.2024. Accordingly, an enquiry was caused by the Superintending Engineer, PHE and a report was prepared, which was placed before the Chief Engineer (PHE), Water, Assam vide letter dated 16.07.2024.

Copies of the letters dated 12.07.2024 & 16.07.2024 along with report of the Superintending

Pijanta Kumar Boruah

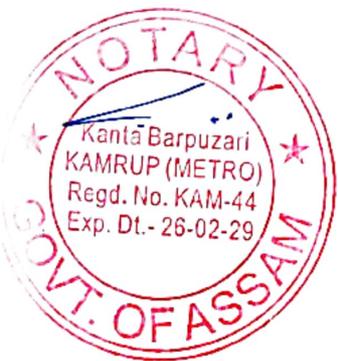


4-
Engineer are annexed herewith and marked as **ANNEXURES- A & B** respectively.

4. That as per the report it reveals that water supply in Silchar urban area is done by the Town Water Supply Scheme at Sadarghat, which is maintained by Public Health Engineering Department on behalf of Silchar Municipal Board that collects water tariffs. The water contamination was caused by the National Highway Road due to damage of the distribution pipeline network at various adjacent areas like Link Road, National Highway Road and several of its bye lanes. The damage was done due to installation of direct home gas pipeline by Gas Agency (Purba Bharati Gas) working in Silchar Town Area, which was done without informing the Public Health Engineering Department Authorities.

As per the report, field workers from Silchar Division No. 1 and Silchar Municipal workers were deployed at various locations, who visited the affected locations and requested the residents to cooperate and report if there was any interruption in water supply. The repairing works in and around the affected areas were started from the month of March, 2024 and the repairing works of the damaged pipeline have been executed without any disruption of water supply. The Department immediately acted

Dijanta Kumar Baruah



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upon the complaints of the residents and many damages were repaired. Since there were large scale pipeline damages, the repairing works could be completed on 26.05.2024. As on date, no new damages of water pipeline are being reported from the said areas, according to the report of the Executive Engineer, Silchar, Division No. 1.

A Copy of photographs showing repairing works is annexed herewith and marked as **ANNEXURE- C**.

5. That the deponent begs to state that in light of the facts and circumstances as narrated herein above, the prayer made in the original application are adequately addressed and as such the same may be disposed of by this Hon'ble Tribunal by passing appropriate directions, as may be deemed necessary.
6. That the statements made in this paragraph and in paragraphs ___ of this affidavit are true to my knowledge and those made in paragraphs ____ being matters of record are true to my information derived therefrom, which I believe to be true and the rest are my humble submissions before this Hon'ble Court.

On oath I swear this, that my declaration is true that it conceals nothing and that no part of it is false, so help me God.

And I sign this affidavit on this the 23rd day of July, 2024 at



Kanta Kumar Baruah

Guwahati.

Identified by me

Ratul Talukdar
23/07/2024
Advocate's Clerk



Diganta Kumar Boruah

DEPONENT

Spl. Secretary
to the Govt. of Assam
Public Health Engineering Deptt.
Dispur, Guwahati-06

Qvi.

Mrs Kanta Barpuzari
Notary, Govt. of Assam
Regn. No. KAM-44
Kamrup Metro Assam

Solemnly affirmed and declared before
me by the deponent who is identified by
Mr/Ms... *Ratul Talukdar*
Advocate/Advocate's Clerk at Guwahati on
this *23rd* day of *July* 20*24*

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Amuzer: A

**GOVERNMENT OF ASSAM
OFFICE OF THE CHIEF ENGINEER (PHE), WATER, ASSAM
HENGRABARI, GUWAHATI-36.**

No. E- 521449/8

To,

✓ Mr. P. N. Goswami, Standing Counsel, PHED, Assam,
Gauhati High Court, Guwahati-1.

Subject:- Regarding- Original Application No. 130/2024/EZ (Earlier OA No. 597/2024/EZ).

Sir,

In pursuance of the aforementioned matter, please find herewith a copy of the Notice dated **5th July 2024**, along with Original Application No. 130/2024/EZ (Earlier OA No. 597/2024/EZ) and the Order dated **24th May 2024**, received from Deputy Registrar, the National Green Tribunal Eastern Zone Bench, Kolkata wherein the Secretary to the Government of Assam, PHE Department, is asked to appear on **25th July 2024** at 10:00 A.M before the Hon'ble National Green Tribunal, Eastern Zone Bench at Finance Centre, 3rd Floor, Block III, Action Area-II, New Town, Kolkata (W.B)-700161 in person or through a pleader.

In this context, you are requested to appear before the aforesaid Hon'ble Tribunal on behalf of the Secretary to the Government of Assam, PHE Department, in consultation with the Addl. Chief Engineer (PHE), Barak Valley Zone, Cachar, Silchar, Assam, for further necessary action.

Enclosed:- As stated above.

Yours faithfully,

Signed by

Gayatri Bhattacharyya

Date: 12-07-2024 16:52:06

Chief Engineer (PHE) Water, Assam,
Hengrabari, Guwahati-36.

Memo No.E- 521449 /8(A)

Copy to: -

1. The Mission Director, JJM, Assam, Cum Secretary to the Govt. of Assam, Public Health Engineering Department, Dispur, Guwahati-6 for favour of kind information.
2. The Addl. Chief Engineer (PHE), Barak Valley Zone, Cachar, Silchar, Assam for immediate needful action. **The copy of the aforementioned matter is enclosed herewith for ready reference and he is directed to gather necessary information from concern Division and submit the required reply on or before 20-07-2024 positively along with relevant documents to the Standing Counsel, PHE Department, Assam as well as to the undersigned for further necessary action. The matter may please be treated URGENT and responded to accordingly.**

e-signed

Chief Engineer (PHE) Water, Assam,
Hengrabari, Guwahati-36.

EE(L)
PT 8
17/07

Annexure B 8

Alexander Kalita, P. An.
17.7.2024/5

GOVERNMENT OF ASSAM
OFFICE OF THE SUPERINTENDING ENGINEER (PHE)
CACHAR CIRCLE, SILCHAR

No. SE/PHE/CCS/TB-5/2024-25/ — 238 — Dt. 16 / 07 / 2024.

To
✓ The Chief Engineer, Water
Assam, Hengrabari,
Guwahati - 36

Sub:- Issue of Water supply in Silchar National Highway Road under Green Tribunal

Ref:- ORIGINAL APPLICATION NO. 130/2024/EZ (Earlier OA No. 597/2024/EZ)

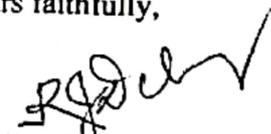
Sir,

With reference to the above subject, I have the honour to report you regarding the issue of water supply in Silchar National Highway Road against the news item titled "drain water supplied to drink in Silchar National Highway Road Residents Suffering" appearing in Barak bulletin dated. 19-04-2024 as mentioned which the National Green tribunal took cognizance of.

This is for favour of your kind disposal.

- Encl: 1. Report
2. Photograph from field

Yours faithfully,


Superintending Engineer (PHE)
Cachar Circle: Silchar

Memo.NO. SE/PHE/CCS/TB-5/2024-25/ _____ Dated _____ / _____ / 2024.

Copy to :

1. The Mission Director, JJM, Assam, Hengrabari, Guwahati - 36 for favour of kind information.
2. The Addl. Chief Engineer (PHE) Barak Valley Zone, Silchar-14 for favour of kind information.
3. The Executive Engineer (PHE) Silchar Division No. I for information

Office of the Chief Engineer (PHE)W
Assam, Hengrabari, Guwahati-36
Receipt No. 8409-11
Date 17-7-24


Superintending Engineer (PHE)
Cachar Circle: Silchar

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REPORT

Water supply in Silchar urban area is done by Town water supply scheme at Sadarghat which is maintained by PHED on behalf of Silchar Municipal Board which collects water tariff.

The water contamination issue mentioned in the news item dated 19.04.2024 arose in the National Highway Road due to damage of distribution pipeline network at various adjacent areas like Link Road, National Highway Road and its many bye-lanes. The damage was perceived due to installation of direct home gas pipeline by Gas Agencies working in the Silchar Town areas which was done without informing the PHE Authorities.

Due to large numbers of pipeline damages at different locations, our field workers from Silchar division-I (who look after water supply in the Silchar Municipality Area) and Silchar Municipality Workers were deployed at various pin points. Moreover, the field workers visited the affected roads and bye-lanes and verbally requested the residence of the said areas to cooperate and report if there were any interruptions or problems in their water supply.

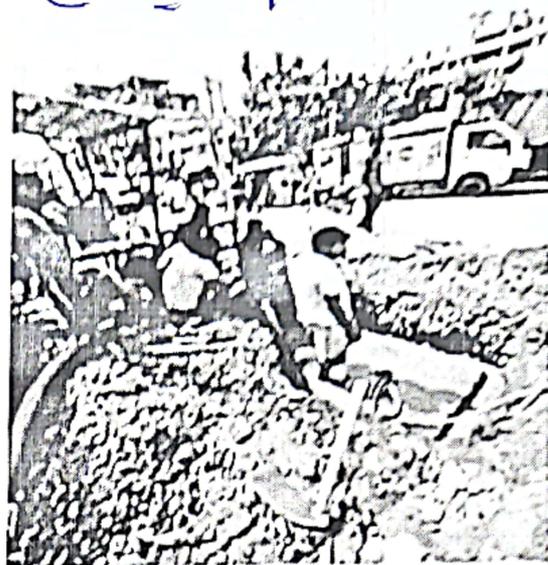
The repairing works in and around the affected areas were started from the month of March, 2024 and the repairing works of the damaged pipeline had to be executed without any disruption of water supply. The complaint of the people of the news item was immediately acted upon by the field staff and many damages were repaired. Due to the large scale of pipeline damages, the repairing works were completed on 26-05-2024. As on date, no new damages of water contamination are being reported from the said areas, as reported by Executive Engineer (PHE) Division-I. The photographs of the repairing works undertaken by the field staff are attached hereby for information.

The problem was to continue with the normal water schemes in the affected area of town while trying to repair the pipes as well. Without any special equipments etc the workers had to rely on traditional methods of trial and error to locate leakage and repair - all beneath the soil.

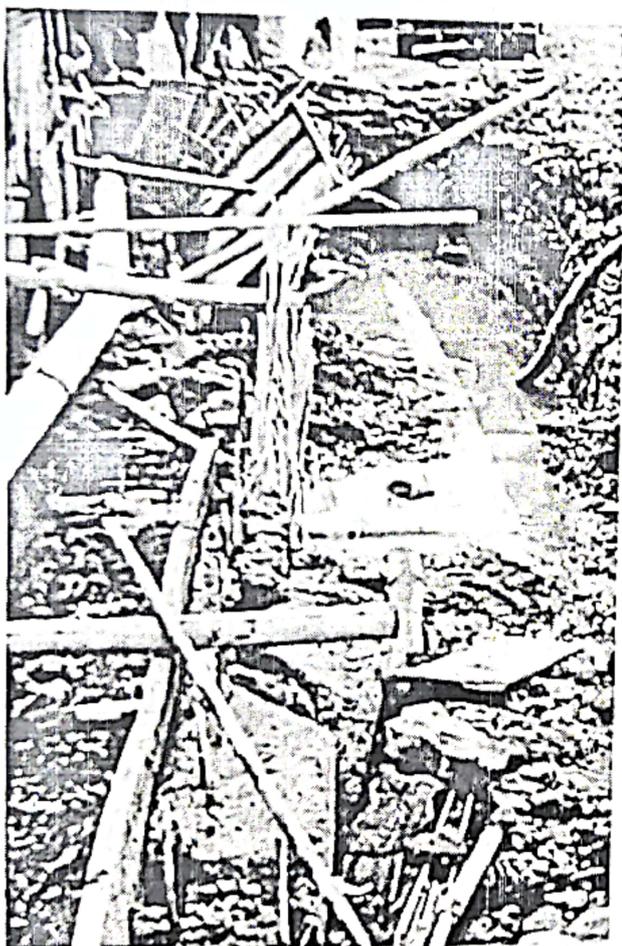

Superintending Engineer (PHE)
Cachar Circle: Silchar



Water-Pipeline damage by Gas-pipeline



pipeline repairing works on 4/5/24



pipeline repairing works on 31/3/2024



pipeline repairing works on 26/5/24

[Handwritten signature]

Junior Engineer (PHE)
Silchar Sub-Division No.-1, Silchar

[Handwritten signature]

ASSTT. EXECUTIVE ENGINEER (PHE)
SILCHAR SUB-DIVISION I, SILCHAR