

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.235/2024/EZ

Ankur Sharma

Applicant(s)

Versus

State of West Bengal & Ors.

Respondent(s)

Date of hearing: 02.01.2025

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : Mr. Ankur Sharma, in person

ORDER

1. Heard Mr. Ankur Sharma, the Applicant, appearing in person.
2. By way of the present Original Application, the Applicant is seeking directions to the civic body to install pyre fumes collection system in Crematoriums throughout the twin cities of Howrah and Kolkata to control pollution generated by traditional wood pyre cremation method.
3. The Application is also directed against air pollution caused by furnaces of electric cremation incinerators in different places of Howrah and Kolkata emitting thick black smoke into the air thereby causing environmental pollution. A list of Crematoriums within the jurisdiction of Howrah Municipal Corporation (H.M.C.) and the Kolkata Municipal Corporation (K.M.C.) has been given by the Applicant in para 5 of the Original Application which reads as under :-

Howrah :

- i. Shibpur Burning Ghat at 95, Jagat Banerjee Ghat Road, Shibpur, Howrah – 711102;*
- ii. Salkia Burning Ghat at 8, Brindaban Gutta Lane, Howrah – 711106;*

- iii. *Banstala Burning Ghat at 25, Dr. Gangadhar Mukherjee Road, Howrah – 711101;*
- iv. *Pathak Ghat at 1, Pathak Ghat Lane, Bally, Howrah – 711201;*
- v. *Mora Para Ghat at 5/31/1, Asutosh Mukherjee Road, Howrah – 711201.*

Kolkata :

- i. *Shanagar Burning Ghat at 113, Tollygunge Road, Kolkata – 700026;*
- ii. *Nimtola Burning Ghat at 2p, Strand Bank Road, Kolkata – 700006;*
- iii. *Sri Sri Ramkrishna Mahashasan Burning Ghat at 5, Chandra Kumar Roy Lane, Kolkata – 700036;*
- iv. *Kashimitra Burning Ghat at 1, Strand Bank Road, Kolkata – 700006;*
- v. *Garia Adi Mahasamsan Burning Ghat at 138, Boral Main Road, Kolkata – 700084;*
- vi. *Sirity Burning Ghat at B. L. Saha Road, Kolkata – 700041;*
- vii. *Birjunala Burning Ghat at Z-20, Lenin Road, Kolkata – 700044.”*

- 4. It is stated that many of these Crematoriums are located within residential areas due to rampant growth of cities. It is also stated that the traditional wood cremation uses around 300-500 kgs. of wood to cremate one body; many a times electric Crematorium incinerators are found to be non functional as a result of which the relatives of the deceased are forced to use the Wood Cremation Method instead.
- 5. The Applicant states that from the website of Press Information Bureau (PIB) he has learnt that the National Environmental Engineering Research Institute (NEERI) has developed Pyre Fume Collection System (PFCS) and that such system has already been installed at the Nigam Bodh Ghat in New Delhi. It is stated that from another news item the Applicant has learnt that the Kolkata Municipal Corporation has installed Air Pollution Control Device

(APCD) over the Wood Pyres at Sri Sri Ramkrishna Mahashasan Burning Ghat (also known as Cossipore Burning Ghat) in 2012 but on the Applicant's visit on 30.10.2024, the Burning Ghat was found to be in a very poor condition due to lack of maintenance.

6. Matter requires consideration.
7. Issue notice to the Respondents, returnable within four weeks.
8. Mr. Sudip Kumar Dutta, learned Counsel who is present (in Virtual Mode), accepts notice on behalf of the Respondent Nos. 1, 2 and 5, State Respondents, Government of West Bengal.
9. Ms. Paushali Banerjee, learned Counsel who is present (in Virtual Mode), accepts notice on behalf of the Respondent No. 3, Department of Urban Development and Municipal Affairs (UD&MA), Government of West Bengal.
10. Mr. Dipanjan Ghosh, learned Counsel who is present (in Virtual Mode), accepts notice on behalf of the Respondent No.4, West Bengal Pollution Control Board.
11. Ms. Amrita Pandey, learned Counsel who is present (in Virtual Mode), accepts notice on behalf of the Respondent No.6, Howrah Municipal Corporation.
12. Mr. Ayush Kumar Dadhich, learned Counsel who is present (in Virtual Mode), accepts notice on behalf of the Respondent No.7, Kolkata Municipal Corporation.
13. All the Respondents shall file their counter-affidavits within four weeks.
14. Considering the allegations made in the Original Application, we deem it appropriate to constitute a Fact Finding Committee comprising of the following members:-

- i) District Magistrate, Howrah or his representative not below the rank of Additional District Magistrate (ADM);
 - ii) Senior Scientist, West Bengal Pollution Control Board;
 - iii) The Municipal Commissioner, Howrah Municipal Corporation or any Senior Officer nominated by him;
 - iv) The Municipal Commissioner, Kolkata Municipal Corporation or any Senior Officer nominated by him; and
 - v) The Applicant
15. The Committee shall visit the respective Burning Ghats and submit its Report on affidavit within four weeks with regard to the allegations made in the Original Application.
16. The Committee shall also intimate the Applicant the date and time of such visit so that the Applicant may also be present during the inspection, if he so desires.
17. The District Magistrate, Howrah shall be the Nodal office for all logistic purposes and for filing the Fact finding Report on affidavit.
18. If environmental violations are found, the Committee shall also suggest remedial measures and action proposed to be taken.
19. The Counsel for the Applicant shall serve e-copy/soft copy of the Original Application along with all its annexures upon Mr. Sudip Kumar Dutta, Ms. Paushali Banerjee, Mr. Dipanjan Ghosh, Ms. Amrita Pandey and Mr. Ayush Kumar Dadhich, learned Counsel for the Respondents, within 24 hours.
20. **List on 21.02.2025.**

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B. Amit Sthalekar, JM

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Dr. Arun Kumar Verma, EM

January 02, 2025,
 Original Application No.235/2024/EZ
 SKB