

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

O.A. No. 70/2016/EZ

TRIBUNAL ON ITS OWN MOTION
(REGARDING DUMPING OF GARBAGES
AT RAJIV NAGAR, NORTH 24 PARGANAS

VS

STATE OF WEST BENGAL & ORS

CORAM:

Hon'ble Mr. Justice S.P.Wangdi, Judicial Member
Hon'ble Prof. (Dr.) P. C. Mishra, Expert Member

Respondents No. 1 & 7 : Mr. Sudip Kr. Dutta, Advocate
Respondent No. 2 : Mr. Dipanjan Ghosh, Advocate
Respondent No.3 : Mr. Somnath Ghosal, Advocate
Respondent No. 4 : Mr. Prasenjit De, Advocate
Respondent No. 5 & 8 : None.
Respondent No. 6 : Mr. Sudarshan Ray, Advocate
Other Respondents : None

Date & Remarks	Orders of the Tribunal
Item No. 7 21 st November, 2016.	<p>Affidavit filed today by the Respondent No.7, i.e., Department of Municipal Affairs, Govt. of West Bengal, pursuant to our directions issued on the earlier date, is ordered to be taken on record.</p> <p>In view of the averments contained in the affidavit, the Respondent No.3, i.e., Kamarhati Municipality stands deleted from the array of the parties. M.A. 1203/2016/EZ filed by Respondent No. 3 stands disposed off accordingly.</p> <p>It also appears from the affidavit filed today that the area where the garbage is being dumped falls within the jurisdiction of several number of</p>

Municipalities, viz., South Dum Dum, Dum Dum, North Dum Dum and New Barrackpore Municipalities and that garbage from these municipalities are being dumped there. In the affidavit filed by Respondent No.7 on 06.10.2016, various steps taken by these municipalities have been indicated. It has also been stated that the Department has provided these municipalities with compact machines, both movable and stationary, as well as providing fund for procuring battery operated hydraulic Tipper. We may refer to paragraphs 4 (a) to 4(e) and 5 of the said affidavit. We are, however, concerned with the fact that no specific municipality or authority has been charged with the responsibility of monitoring the dumping site as required under the law.

We, therefore, direct Respondent No. 7, viz., Department of Municipal Affairs, to monitor the activities of all the municipalities in dealing with the area in question, particularly with the dumping and disposal of waste materials. We are heartened to note the initiative taken by the Department to hold a joint meeting of the concerned municipalities on 09.08.2016. We are of the view that such meetings should be held regularly to achieve the object of regulating and monitoring garbage disposal and its management in the area.

Each of the municipalities which are responsible for dumping wastes at the site and the Respondent

No.7, shall file action taken report on or before the next date. The reports shall deal specifically with the manner in which the **Solid Waste Management Rules, 2016** is being implemented.

List on 23.12.2016.

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Justice S.P.Wangdi, JM
21.11.2016

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Prof. (Dr.) P. C. Mishra, EM
21.11.2016

