

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

Original Application No. 14/2017/EZ

Tribunal on its Own Motion

Applicant(s)

Versus

State of West Bengal & Ors.

Respondent(s)

Date of hearing: 08.02.2022

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

For Applicant(s) : *Suo-Motu*,

For Respondent(s): Mr. Subhas Datta, Amicus Curiae,  
Mr. Rajib Ray, Advocate for R-1, 2, 4 & 5,  
Mr. Ashokk Kumar Banerjee, Sr. Advocate a/w  
Ms. Paushali Banerjee, Advocate for R-3,  
Mr. Dipanjan Ghosh, Advocate for R-8,  
Mr. Gora Chand Roy Chodhury, Advocate for R-9,  
Mr. Ashok Prasad, Advocate for R-10, 11 & 13,

**ORDER**

1. Mr. Subhas Datta, the learned Amicus Curiae, is present.
2. One affidavit dated 04.02.2022 has been filed on behalf of the Respondent No.4, Irrigation and Waterways Department, Govt. of West Bengal; the same is taken on record.
3. One affidavit dated 07.02.2022 has been filed on behalf of the Respondent No.3, Urban Development and Municipal Affairs Department, Govt. of West Bengal; the same is taken on record.
4. In the affidavit of Urban Development and Municipal Affairs Department dated 07.02.2022, the short term and long term measures have been given for cleaning of the Kestopur and Bagjola Canals. It would be necessary to reproduce the chart give in the para 5 of the affidavit which reads as under:-

## Short Term On- Going Measures



### Details of Netting done in the outfalls/drains with frequency of cleaning.

Sl. No.	ULB Name	No of Drains/Outfalls draining into river	No of drains covered under netting	No of drains not covered under netting	Target date of completion of netting of all the drains	Present Status	Manner of transporting the collected waste to dump site
1	Kolkata MC	14	12	2	March, 2022	Screen installed and cleaned regularly	Transported by covered vehicle
2	Bidhanagar MC	6	6	0	NA	Screen installed and cleaned regularly	Transported by covered vehicle
3	Dum Dum	2	2	0	NA	Screen installed and cleaned regularly	Transported by covered vehicle
4	South DumDum	4	3	1	March, 2022	Screen installed and cleaned regularly	Transported by covered vehicle
5	North DumDum	1	1	0	NA	Screen installed and cleaned regularly	Transported by covered vehicle
6	Kamarpati	12+4	16	0	NA	Screen installed and cleaned regularly	Transported by covered vehicle
7	Madhyamgram	2	2	0	NA	Screen installed and cleaned regularly	Transported by covered vehicle

## Liquid Waste Management

### Details of Functional STPs

Sl no.	Location	Installed capacity	Current Status	Name of Drains/Outfalls connected with STP
1.	<u>BSIP Plant</u>  Treating the effluent of 17 Wards of BMC.	27 MLD	Fully Operational.	Cantonment canal



### Long Term Measures

#### Number of STPs under different stages of execution

Sl No	Location	Proposed Capacity	Target date of completion	Present Status
1	<u>For Kestopur Khal</u>  Within the premises of existing Bagjola STP at PrafullaKanan , Kestopur	41 MLD	May' 2024	Under tendering stage. Notice issued for Tendering on 03-02-2022
2.	<u>For Bagjola Khal</u>  Beside Banhoogly lake, Banhoogly	8.7 MLD	May' 2024	Under tendering stage. Notice issued for Tendering on 03-02-2022
3.	<u>For Bagjola Khal</u>  Within existing Bagjola STP at PrafullaKanan , Kestopur	33 MLD	May' 2024	Under tendering stage. Notice issued for Tendering on 03-02-2022
4.	<u>For Bagjola Khal</u>  Beside NajrulMaidan at PrafullaKanan , Kestopur	27 MLD	May' 2024	Under tendering stage. Notice issued for Tendering on 03-02-2022
5.	<u>For Bagjola Khal</u>  At Jaragachhi (Under BMC area)	7.5 MLD	May' 2024	Under tendering stage. Notice issued for Tendering on 03-02-2022

GOVERNMENT  
Of Odisha

Details of Functional STP (Of Odisha)

Sl. no	Location	Installed capacity	capacity currently utilised
1	Mathkal, Ward no.: 3, South Dum Dum Municipality  Baranagar-Kamarhati STP Complex (KMDA)-  Presently it is treating the faecal sludge generated in South Dum Dum Municipality	30 KLD	30 KLD  (Input of septage is in the tune of 22-30 KLD)

Number of PSTPs under different stages of execution (to be executed shortly)

Sl. No	Location	Proposed Capacity	Target date of completion	Present Status
1.	Mathkal, Ward no.: 3, South Dum Dum Municipality  Baranagar-Kamarhati STP Complex (KMDA) - under implementation for North Dum Dum, Dum Dum and Baranagar Municipality through State Fund	30 KLD	March' 2022	80 % complete

**Solid Waste Management**

Sl. No.	Name of the ULB	Daily waste collected (TPD)	Daily waste Processed (TPD)	Manner of transportation to the dumpsite and frequency of the same
1	Dum Dum	62.09	The dry waste is being recycled partially. Wet waste will be started soon. Agency engaged and installation of machineries are in progress	Daily, As collected through covered vehicle.
2	North Dum Dum	165		Daily, As collected through covered vehicle.
3	South Dum Dum	372		Daily, As collected through covered vehicle.
4	Kamarhati	159.99		Daily, As collected through covered vehicle.
5	Madhyamgram	58		Partially processed through interim CPU. Agency engaged for 100% processing of waste.

**Kolkata Municipal Corporation (KMC)**

**Daily waste collected (TPD):** 4500 MT. KMC has engaged agencies in 27 wards for collection of segregated recyclable waste including plastic from each house hold and other establishment. The segregated wastes are transported to recyclers. The process is being done under supervision of KMC employees.

Tender for segregation of all 144 wards is under process.

**Daily Waste Processed:**

Dry: 13 MT

Wet: 509 TPD

**Manner of transportation to the dumpsite and frequency of the same:**

- 1) From primary transfer station waste in compactors containers are transported to Dumpsite by using Hool loader.
- 2) Waste are collected in Moveable compactors and transported to Dumpsite.
- 3) Waste are collected in storage point and transported to Dumpsite by using covered Tipper trucks.

**Disposal of Waste:** Modified land filling in regular manner.

**Mechanism of real time Monitoring:** KMC has its Vehicle tracking System for real time monitoring and 5 nos. weigh bridges are used for weighing of waste, having CCTV surveillance.

**Bidhannagar Municipal Corporation (BMC)**

**Daily waste collected (TPD):** 400 TPD

**Manner of transportation to the dumpsite and frequency of the same:** Daily, as collected through covered vehicle and collected waste being transported to Dhapa site of KMC.

**Long Term Measures  
Legacy Waste Management**



Sl No	Name of the ULB	Location of the dumpsite	Quantity of legacy waste dumped	Quantity processed	Remaining to be processed	Type of processed waste	Final disposal of processed waste (type wise)	Target date of completion of remediation	Target date of reclamation of land	Present Status
	South Dum Dum, North Dum Dum, South Dum Dum	Belghoria Express Way (Promod Nagar)	1200000	70000	1130000	MSW	Compost - Farmers RDF - Cement Kilns Inert - Landfill/ Road Construction/Filling Suppliers	01.04.2024	31.12.22	70% done
	Kamarchati	(Punjab Vihar), Agatpara East Station Road	300000	0	300000	MSW	Compost - Farmers RDF - Cement Kilns Inert - Landfill/ Road Construction/Filling Suppliers	01.04.2024	31.12.22	To be started within 15 <sup>th</sup> March, 2022
	Madhyamgram	Ward 2	116068	NIL	116068	MSW	NA	March' 2023	March' 2023	i) Windrows are continued. ii) Guard cabin, security guard, manpower is deployed iii) Weigh bridge installed however, calibration stamping not done yet. iv) Trommel installation Completed
	Bidhannagar MC	Moller Bheri	300000	1.1 lakh	1.9 lakh	MSW	Compost - Farmers RDF - Cement Kilns Inert - Landfill/ Road Construction/Filling Suppliers	31.10.2022	31.12.22	40% Done

**Kolkata Municipal Corporation (KMC)**

**Location of the dumpsite:** 1. Dhapa Dumpsite under Ward 58 of KMC.

**Quantity of legacy waste dumped:** 40 lakh MT (approx)

**Quantity processed:** 1.79 Lakh MT

**Remaining to be processed:** 38.21 lakh MT

**Type of processed waste:** Legacy Waste

**Final disposal of the processed waste (type wise):**

- 1) *Finest fraction (<4mm)-Bio-earth: It can be utilized as soil improver. Agreement executed with Usha Agro Fertilizer.*
- 2) *Coarser-Fraction of lower size materials (4mm<materials<20mm) agreement executed with Swastik Enterprise for processing of material.*
- 3) *Lighter mid and large size of the RDF fraction [minor fraction (4mm<materials<20mm) and major fraction (20mm<materials<75mm) and materials>150mm)]. Agreement executed with Dalima Cement for co-processing of materials.*
- 4) *Heavier mid and larger size C&D fraction [minor fraction 200mm<materials<75mm and Major fraction (75mm<materials<150mm) and (materials>150mm)]-C&D waste. Agreement executed with Swastik Enterprise for processing of materials. Some portion is sent to Pathargatha which will be used in C&D plant after starting the plant.*
- 5) *Recyclable fraction [(4mm<materials<20mm) and (20mm<materials<75mm)] sending to authorized recyclable unit of PCB.*
- 6) *Process rejects-some (maximum 5-10% of total) left over waste will be utilized as cover materials in active dumpsite and in future it will be used for Scientific Landfill.*

**Target date of completion of Bio-remediation:** To be completed within June 2024.

**Target date of reclamation of land:** will be reclaimed within June 2024.

**Present status:** ongoing

**Mechanism for real time monitoring:** Weigh bridges are integrated with E-quarry software along with web enable RFID System under CCTV surveillance for Real time monitoring.”

5. So far as the target date for completion of STPs work is concerned, the target date given is May, 2024. Considering the seriousness of the pollution in the Bagjola and Kestopur Canals, we feel that the target date for completion of STPs work May, 2024 is not acceptable. We direct the Respondent No.3 that under the head of

long term measures for execution of different stages, the target date shall be June 2023.

6. So far as long terms measures for legacy waste management is concerned, we are of the view that the target for completion of bio-remediation work for Belghoria Express Way (Pramod Nagar) and Punjab Villa, Agarpara East Station Road, shall be 01.04.2023.
7. So far as the Dhapa Dump Site is concerned, it is stated that the quantity of legacy waste dumped is 40 lakh MT (Approx.) of which 1.79 lakh MT has been processed and the remaining amount is 38.21 lakh MT. The target date for completion of the bio-remediation work for Dhapa Dump Site is give as June, 2024 and target date for reclamation of the land is also given as June 2024.
8. We, therefore, direct the Respondents to complete the work of bio-remediation as well as reclamation of the Dhapa Dumpt Site positively by June, 2024 if necessary by increasing the number of trammels.
9. In para 4 of the affidavit, it is also stated that the Detailed Project Report (DPR) for both the projects i.e., Kestopur and Baghjola Canals have already been submitted to the Finance Department, Govt. of West Bengal, on 02.02.2022.
10. In the affidavit of Irrigation and Waterways Department, Govt. of West Bengal dated 12.12.2021, it is stated that the de-siltation work of Bhangore Kata Khal, Upper Baghjola Canal, Lower Bagjola Canal and Cantonment Canal, is expected to be started at the field in the fourth week of January, 2022 subject to administrative approval by the Finance Department, Govt. of West Bengal.
11. In para 10 of the affidavit, it is further stated that the de-siltation work for New Cut Canal and Kestopur Canal is expected to be



started at the field in the second week of February, 2022 subject to administrative approval by the Finance Department, Govt. of West Bengal.

12. In the latest affidavit dated 04.02.2022 filed by the Irrigation and Waterways Department, Govt. of West Bengal, it is stated the financial sanction for the scheme –‘De-siltation of Upper Bagjola Khal from Ch. 0.00 Km. to 4.10 Km. of Kamarhati Municipality, Baranagar Municipality, South Dum Dum Municipality, Dum Dum Municipality & Bidhannagar Municipal Corporation in Police Stations-Belghoria, Baranagar, Dum Dum, Lake Town, Baguihati within the North 24 Parganas’ has been received by the Irrigation and Waterways Department on 03.01.2022 from the Finance Department, Govt. of West Bengal.
13. In para 7 of the affidavit, it is stated that the Schemes:-
  - i) “Desiltation of Lower Bagjola Khal from 0.00 Km to 28.80 Km. by means of pontoon mounted excavator along with ancilliary protection and bank raising work in the Blocks of Rajarhat, Haroa, Bidhannagar Municipal Corporation, Bhangor-II, Police Stations-Baguiati, Newtown, Haroa, Kasipore in the District of North and South 24 Parganas”,
  - ii) “Desiltation of New Cut CANAL FROM Ch. 0.00 Km. to 0.10 Km. & Kestopur Canal from Ch. 0.00 Km. to 16.50 Km. in Kolkata Municipal Corporation, South Dum Dum Municipality, Bidhannagar Municipal Corporation and in Police Stations-Bidhannagar Electronic Campus and KLC within Districts Kolkata, North & South 24 Parganas”, and
  - iii) “Desiltation of Bhangore Kata Khal from Ch. 0.00 Km to 21.00 Km in Block Haroa, Bhangore-I & II in Police Stations-KLC, Kashipore,

Bhangore and Haroa in the Districts of North & South 24 Parganas”, have been submitted for grant of Financial Sanction to the Finance Department, Govt. of West Bengal on 21.12.2021.

14. In para 11 of the affidavit, it is also stated that the de-siltation and restoration of silted up cross-sections and long section works of Kestopur Canal System has already been considered in the schemes referred to in para 7 of the affidavit.
15. In para 12 of the affidavit, it is also stated that repair and renovation work of Lock-gates at Chitpur at offtake of Kestopur Canal System is ongoing under a separate work which is expected to be completed by June, 2022.
16. We direct the Respondent No.4 to complete this work positively by June, 2022.
17. We further direct the Chief Secretary, Govt. of West Bengal, to look into the matter personally and take necessary steps by issuing directions to the Finance Department, Govt. of West Bengal, for sanction of funds for the projects mentioned herein above by 31.03.2022.
18. We, therefore, direct this matter to be listed on 10.05.2022 by which date the said Respondents shall file their affidavits showing progress of work as mentioned in their affidavits.
19. **List on 10.05.2022.**

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**B. Amit Sthalekar, JM**

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**Saibal Dasgupta, EM**

February 08, 2022  
Original Application No. 14/2017/EZ  
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