

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 2746 of 2016

***Khannagar Khapuria Silpanchal Puja Petitioner
Committee***

Mr. K.K. Rout, Advocate

-versus-

State of Odisha and Others Opposite Parties

Mr. Debakanta Mohanty, Addl. Govt. Advocate

Mr. Debasis Nayak, Advocate (CMC)

Mr. D. R. Tripathy, Executive Engineer, CMC,

Dr. K. Murugesan, Member Secretary, State Pollution Control
Board,

Mr. B. P. Das, Advocate for Opp. Party No.5

**CORAM:
THE CHIEF JUSTICE
JUSTICE R.K. PATTANAİK**

**ORDER
28.03.2022**

Order No.

20. 1. The Central Laboratory of the State Pollution Control Board, Orissa has placed a Test Report of samples taken up the water flowing through the Kathajodi river. Dr. K. Murugesan, Member Secretary, State Pollution Control Board (SPCB) is present in virtual mode. He states that total Coliform and Faecal Coliform in Kathajodi is far above the permissible limit and to use his word, the situation is 'alarming'.
2. The Executive Engineer (EE) of the Cuttack Municipal Corporation (CMC) is present in virtual mode along with Mr. Debasis Nayak, learned Standing Counsel for CMC. After being informed of the Test Report, the Standing Counsel states that the

sluice gate through which the untreated effluent is being discharged into the Kathajodi river will be closed immediately and the water diverted to the existing sewerage treatment plant to ensure that untreated effluents are not discharged into the Kathajodi river.

3. This still does not fully meet the requirement particularly considering that the monsoon season is eminent. The EE informs the Court that Japan International Cooperation Agency (JICA) is presently undertaking the work of construction of the sewerage system as well as drainage system, which is around 70% and 50% complete respectively.

4. It appears that these systems may not be ready by the time the monsoon arrives in Odisha this year. Some corrective action will have to be taken on urgent basis anticipating the monsoon. A direction is issued to the EE, CMC to personally file an affidavit by Monday i.e. 4th April, 2022 listing out the steps that he proposes to take to ensure non-discharge of untreated effluent into the Kathajodi river.

5. The Managing Director, WATCO will also be remain present in virtual mode on the next date to explain what steps have been taken to ensure availability of clean drinking water in Cuttack and what is the action plan in that regard. An affidavit should be filed by the Managing Director, WATCO in this regard by the next date.

6. Dr. K. Murugesan, Member Secretary, SPCB states that he too will file an affidavit explaining what kind of interventions are

necessary by other municipal corporations in Odisha to reduce the discharge of untreated effluent into various rivers, nalas, streams in Odisha. This will help the Court to focus on situations which need immediate attention at the hands of the local bodies.

7. List on Monday i.e. on 4th April, 2022 at 10.30 AM.

(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge

M. Panda

