

20.06.2024
Item No.17
PG/KS
Ct. No.1

W.P.A.(P) 186 of 2024
Bappa Mandal & Ors.
Versus
The State of West Bengal & Ors.

Mr. Simanta Kabir
Mr. Agniswar Chowdhury
Mr. Avik Pramanick

.....for the Petitioners

Mr. Sk. Md. Galib
Ms. Sujata Mukherjee

.....for the State

1. The petitioners in this writ petition filed as a public interest litigation have sought for appropriate direction to the respondent authorities for providing the basic facilities in the area.
2. One such facility they have sought for, which appears to be wholly reasonable is clean, safe drinking water.
3. The Executive Engineer, Malda Arsenic Area W/S Division, P.H. Engineering Directorate has submitted a statement of fact dated 14th May, 2024 from which it is stated that due to insufficient water pressure in the area, household connections could not be provided and in the light of the huge demand for drinking water, it has been provided by rationing. It is further stated that to mitigate the problem an augmentation of surface water based piped water supply scheme has been sanctioned on 4th August, 2023 amounting to Rs.804,27,62,000.00 and the project is currently under

progress and expected to be completed by March, 2025.

Upon completion, all related issues will be resolved and the department will be able to provide household connections to all households of the said villages.

4. Further, it is submitted that in the meantime, for an intermediate relief, the department has already constructed 2 Community Water Purification Plants (CWPP) at the location of 52 Bigha village and made a request to the residents for collecting arsenic-free drinking water from these Community Water Purification Plants.
5. Thus, it prima facie appears that the authorities are taking appropriate action but, nonetheless the ailments, which may affect an individual on account of high content of arsenic in the water is a very serious issue. Therefore, the authorities while advising the residents to collect arsenic-free drinking water from the Community Water Purification Plants (CWPP) should ensure that the water purification plants are maintained properly and periodic water samples to be drawn to test the efficiency of the water purification plants. In this regard, an inspection, once in three months will be a reasonable time and the area in and around the water purification plants should be kept neat and clean as the photographs show a very ugly appearance.

6. With regard to the other amenities sought for by the writ petitioners in the representation, which appears to be a mass petition are also appears to be basic amenities such as roads etc.
7. These matters can be considered by the District Magistrate in accordance with law.
8. Therefore, we direct the petitioners to submit a copy of the representation dated 2nd February, 2024 along with the copy of the order in the office of the District Magistrate, Malda to enable the District Magistrate to consider the grievances as pleaded by the petitioners and others and take action in accordance with law.
9. With the above observation, writ petition stands disposed of.
10. No costs.
11. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)