

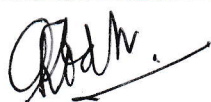
TRIPURA HUMAN RIGHTS COMMISSION
KUNJABAN : AGARTALA

Complaint No. 98 of 2025

(Complaint : Jayanta Bhattacharjee & Nikhil Debnath)

ORDER SHEET

Sl No	Date	Order	Note				
06	22.10.2025	Today the matter is taken up. In pursuance of the order dated 19.09.2025 passed by this Commission, the Revenue Department, Government of Tripura (L.R.Cell) had issued a Memorandum under reference No.F.4(10)-RCC/2025, dated 13.10.2025. The said Memorandum is reproduced hereunder, for convenience, in extenso: “No.F.4(10)-RCC/2025 Government of Tripura Revenue Department (L.R.Cell) <u>Memorandum</u> Whereas, Tripura Human Rights Commission has passed an order dated 19/09/2025 in connection with the Complaint No.98 of 2025 communicated by the Secretary, Tripura Human Rights Commission vide No.F.THRC/3392 dated 22/09/2025. In compliance to the order a team is hereby formed to conduct the survey, the team shall comprise of the following members: <table><tr><td rowspan="3">DCM, Agartala East Revenue Circle, Sadar (Team Leader)</td><td>RI, Agartala East Revenue Circle</td></tr><tr><td>Surveyor, Agartala East Revenue Circle</td></tr><tr><td>Tehsildar, Sadar East Tehsil.</td></tr></table> DM & Collector, West District may include any other expert surveyor/revenue official in the team and issue necessary instruction to the concerned officer/officials for furnishing detailed report on the encroachment of MBB College lake by persons residing on the bank of the lake and various organization/Clubs to this office through	DCM, Agartala East Revenue Circle, Sadar (Team Leader)	RI, Agartala East Revenue Circle	Surveyor, Agartala East Revenue Circle	Tehsildar, Sadar East Tehsil.	
DCM, Agartala East Revenue Circle, Sadar (Team Leader)	RI, Agartala East Revenue Circle						
	Surveyor, Agartala East Revenue Circle						
	Tehsildar, Sadar East Tehsil.						



proper channel on or before 18th October, 2025.

The complainants shall be informed by the Team leader to remain present on the visit site at least 3(three) days prior to the date of visit.

.....”

In pursuance of the aforesaid Memorandum, the DM & Collector, West Tripura District, Agartala had issued an office order dated 14/15.10.2025 for the purpose of conducting survey/determination on the encroachment of MBB College lake by persons residing on the bank of the lake and various organizations and Clubs. The DM & Collector had also formed a team for this purpose and the team was asked to furnish report on or before 18.10.2025 for onwards transmission to the Revenue Department.

According to the said Office Order dated 14/15.10.2025, the team was comprised of; (1) Sri Abhijit Das, DCM, Agartala East Revenue Circle(Team Leader), (2) Sri Tapas Das, RI, O/O the DCM, Agartala East Revenue Circle, (3) Sri Indrajit Majumder, Surveyor, O/O DCM, Agartala East Revenue Circle, (4) Sri Koushik Chakraborty, Tehsildar, Dukli Revenue Circle, (5) Sri Bikash Paul, Tehsildar, Badharghat T.K., (6) Sri Samir Deb, Tehsildar, Agartala Revenue Circle, (7) Sri Kishore Das, Tehsildar, Indranagar T.K. and (8) Sri Nripendra Debbarma, Tehsildar, Sadar East T.K.

It is also specifically mentioned in the said Office Order dated 14/15.10.2025 that “*The complainant shall be informed by the team leader to remain present on the visit site at least 3(three) days prior to the date of visit.*”

Accordingly, the said constituted team had visited the lake area for survey and inspection for the purpose of furnishing report to the concerned office.

Today, Sri Akshay Bhau Bhorde, District Forest Officer, West Tripura District, Sri Rupan Das, Deputy Secretary,



Revenue Department, Government of Tripura, Sri Bishu Karmakar, Member Secretary, Tripura State Pollution Control Board and the complaints are present. We have heard them.

Submission on behalf of Forest Department:-

Sri Bhorde, DFO, in his submission has made it clear that in pursuance of the order passed by this Commission the Forest Department Officials led by Dr. K. Sashi Kumar, Secretary, Science and Technology Department and Chairman, Tripura Pollution Control Board had visited the MBB College lake area, particularly, Agartala Club Restaurant.

During their visit, after inspection of the lake, restaurant and its surroundings, they came to a finding that the said restaurant is far from following the rules and regulations. According to them, it is not a simple restaurant, but also used as a banquet hall and also it arranges marriage and other similar nature of ceremonies. For that reason, the entire area, in and around the said restaurant, are badly polluting the water of the lake and all waste products are being drained to the lake, which are badly affecting the life of the aquatic animals. It also create soil erosion increasing the risk of natural disaster.

Mr. Bhorde, DFO, further submits that normally that the nocturnal animals, birds and bats start their actual life in the evening after dark. The high voltage LED lights installed/posted in and around the lake were found to be enough to disrupt the normal life of the aquatic animals, birds and bats. According to the officials of the Forest Department and Science and Technology Department, ultimately it would appear as hazardous to the life of aquatic animals now exist in the lake, entire water body will be polluted. It is pertinent to mention herein that for the last two years the movement of number of migratory birds is reduced substantially.

This Commission has requested the officer concerned,

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i.e., Mr. Bhorde, DFO, to make some suggestion as to how this problem can be resolved in the interest of protecting the environment and the lives of animals, and further to restore the previous beauty of the area around the lake. Mr. Bhorde has suggested that the voltage, i.e., power of LED lights, should be reduced and should not be 200 volts to save the lives of the animals. The authority concerned of the State Pollution Department should take adequate measures to regulate the restaurant constructed adjoining the lake. He further suggested that all environment related laws should be enforced.

At this juncture, Mr. Bhorde has submitted that he is representing the Forest Department and Wetland Authority, and not the Pollution Department. Sri K. Sashi Kumar represented the team on behalf of the State Wetland Authority as Chairman of the State Pollution Control Board and as the Secretary, Science and Technology Department. Mr. Bhorde has also submitted that they have prepared a report after inspection and it is mentioned in the report that the waste products coming out from the restaurant as well as the houses adjoining to the lake are badly affecting the lake water and such products violate different provisions of Environment Act and Water Act. Further, such infringement is gradually spoiling or destroying the ecological balance of the environment as well as the water of the lake. The DFO has furnished the detailed report.

The para-wise comments and action taken report as approved by the Forest Department in compliance of the order dated 19.09.2025 of this Commission is reproduced hereunder:

"Para-wise Comments and Action Taken Report"

In response to the order of the Tripura Human Rights Commission, Kunjaban, Agartala (Complaint No. 98 of 2025)

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Para 1. Distinction between Water Body, Lake and Wetland

-As per the Wetlands (Conservation and Management) Rules, 2017:

-A Water Body refers to any natural or artificial depression that retains water, including ponds, tanks, and reservoirs.

-A Lake is a large, perennial or seasonal inland water body holding standing water. typically formed through natural hydrological processes.

-A Wetland is characterized as an area of marsh, swamp. or shallow water supporting hydrophytic vegetation, excluding river channels and paddy fields.

Accordingly, while every lake constitutes a water body, only those that fulfill ecological and hydrological criteria under Rule 4 of the 2017 Rules can be designated as wetlands. It may kindly be noted that the MBB College Lake presently is not a notified wetland.

Para 2. Declaration of Bird/Bat Zone around MBB College

No specific notification or declaration has been issued by the Forest Department declaring any portion of the MBB College Lake or its periphery as a Bird Zone or Bat Conservation Zone. However, avifaunal presence in the lake area is naturally supported by the aquatic ecology and nearby vegetation, which are being preserved.

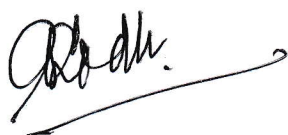
Para 3. Impact of Floating Platforms, Footpaths, and Artificial Lighting

The floating platforms and pedestrian footpaths constructed around the lake are primarily for regulated human movement and controlled eco-tourism. These structures are designed with minimal interference to the vegetation and aquatic fauna.

Lighting around the lake, if operated judiciously, is not likely to cause significant ecological imbalance. Nevertheless, it is recommended that all non-essential lighting around the lake be turned off post 10:00 PM daily to minimize light pollution and prevent disturbance to nocturnal fauna, including migratory bird species that frequent the site during winter months.

Para 4. Ecological Disturbances and Preventive Measures

Minor ecological disturbances occurred due to the clearing of dense shrubs and undergrowth along the



walking paths. These activities were undertaken solely for ensuring public safety and to prevent the habitation of venomous reptiles and other potentially dangerous fauna that may pose health risks to visitors.

To maintain ecological equilibrium and prevent further degradation, the following measures are in force and/or proposed:

1. Waste Management: Absolute prohibition of solid and liquid waste disposal into the lake.
2. Pollution Control: Coordination with Tripura State Pollution Control Board (TSPCB) for regular water quality assessment.
3. Noise and Light Regulation: Restriction on high-decibel sound systems and bright floodlights, especially during migratory seasons.
4. Community Awareness: Sensitization programmes on the ecological significance of MBB Lake through local institutions and eco-clubs.

Para 5. Soil Erosion, Slope Stability, and Vegetative Cover

Scientific observation reveals that the MBB College Lake area has a gentle gradient, and the shoreline slope is stable, reducing risks of erosion or landslide. The banks are naturally fortified with grass, shrubs, and tree roots that provide adequate soil binding. The existing tree cover -predominantly *Ficus benghalensis*, *Albizia lebbeck*, *Syzygium cumini*, and *Terminalia arjuna*-is sufficient to sustain microclimatic balance, enhance carbon sequestration, and prevent siltation of the lake ecosystem.

Para 6 & 7. Discharge of Wastewater from Agartala Club Restaurant

An inspection was conducted by Dr. K. Sasikumar, Chief Conservator of Forests, and Shri Akshay Balu Bhorde, IFS, District Forest Officer, West Tripura. It was found that untreated wastewater from the restaurant operated by Agartala Club (north of the lake) was being discharged into the lake.

The Tripura State Pollution Control Board (TSPCB) has already taken cognizance of this violation, issued a show cause notice under relevant environmental regulations, and directed the establishment of an on-site wastewater treatment system to prevent further contamination.

Para 8. Migratory Birds and Artificial Lighting

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The developmental works implemented near the lake are not expected to significantly impact the seasonal visitation of migratory birds. However, to mitigate potential disturbance, the Urban Development Department has been requested to ensure that street and decorative lighting around the lake be switched off after 10:00 PM, especially during migratory months (November to February), to align with standard wildlife protection practices.

Para 9 & 10. Regulation of Light Intensity

It is advised that the illumination intensity in and around the lake area should not exceed 50 lux post 10:00 PM, in accordance with ecological lighting standards for urban biodiversity conservation.

Para 11. Wetland Status under the 2017 Rules

MBB College Lake is not presently a notified wetland under the Wetlands (Conservation and Management) Rules, 2017. However, its ecological attributes are being maintained as per the conservation ethos of the Forest Department and State Pollution Control Board.

Para 12. Tree Felling Record

No tree felling or removal activity has taken place within the designated lake zone during the last five years. The standing vegetation is under strict protection and subject to periodic monitoring.

Conclusion

The Forest Department reiterates its commitment to uphold ecological integrity, protect local biodiversity, and ensure sustainable co-existence between public utility and environmental conservation. Continuous coordination is being maintained with the Tripura State Pollution Control Board (TSPCB) and Urban Development Department for integrated management of the MBB College Lake ecosystem in alignment with State and Central environmental laws.”

The above report is kept as a part of the record and will be a part of this order passed today for ready reference and for the purpose of issuance of further order/s.

Submission on behalf of State Revenue Department:-

Mr. Rupan Das, Deputy Secretary, being the authorized representative of the Revenue Department appearing personally before this Commission has submitted that in



pursuance of the directions of this Commission vis-à-vis Memorandum dated 13.10.2025 and the Office Order dated 14/15-10-2025 that a team led by Sri Abhijit Das, DCM, Agartala East Revenue Circle visited the subject area accompanied by the complainants and other officials.

The team had surveyed the water body, which is commonly known as MBB College lake verified whether the area of the water body or wetland is encroached by any houses adjoining to the lake or Clubs or by any restaurant. The necessary report has been submitted by the DM & Collector, West Tripura, Agartala, and it was placed before the Revenue Department. The officials of the Revenue Department are examining the pros and cons of the report.

Mr. Das, Deputy Secretary has sought for two weeks' time to place the report before this Commission. The prayer is allowed. The Revenue Department shall furnish the report positively within two weeks.

Submission on behalf of the complainant:-

Sri Nikhil Debnath and Sri Jayanta Bhattacharjee are present today on behalf of their organization. They have submitted that in pursuance of the invitation made by the DM & Collector, West Tripura District, Agartala under Office Order dated 14/15-10-2025 they accompanied the survey team on the said date for investigating the entire water body and the environmental aspect concerning the life of the aquatic animals, migratory birds and bats, etc. They found substantial encroachment of the water body. Their total submissions are in line with the report furnished today by the Forest and Wetland authority department. They are also agreeable to the suggestions made by Mr. Bhorde, authorized representative of the said department.

At this juncture, the complainant have submitted that the



entire inspection and survey was made in a congenial atmosphere, but it was very surprising and unfortunate too that in the evening of the same day they found a “Notice” in the website and Facebook, issued by the Agartala Smart City Limited stating *inter alia* that “Today some unknown persons claiming to be from Tripura Human Rights Commission forcefully entered MBB lake without taking any entry tickets & accompanied by several cameraman, who also didn’t take any entry tickets. On asking they were not able to show any order from Human Rights Commission or their identity cards. They have further indulged in spreading misinformation with unknown vested interests through various Facebook pages. Pls ignore these. We are in the process of identifying these trespassers & FIR will be lodged against them. Further, reportedly they indulged in verbally abusing ticketing staff at entry gates.

Mr. Bhattacharjee & Mr. Debnath, representing their organization, have submitted that this notice issued by the Agartala Smart City Lt. was/is unwarranted, unauthoritative and arbitrary. Further, the said notice is a glaring instance of abusing executing power, which is violative of Article 14 and 21 of the Constitution of India. The members of the survey team accompanied by them visited the water body and the lake in pursuance of the office order dated 14/15-10-2025. No officials on behalf of the Agartala Smart City Ltd. had ever asked any question or demanded any tickets from them. No officials restrained their movements in and around the lake during inspection. The contents of the notice are the products of a person having imbalanced mind and is a proof of madness. Such erratic behavior is not expected from the authority of Agartala Smart City Limited. In furtherance thereof, the accusations made in the notice are malicious, defamatory and



intimidating.

In view of the submissions highlighted hereinabove and on perusal of the notice issued by the Agartala Smart City Ltd. this Commission has taken cognizance of the notice. After perusal of the notice, we find that no name of the authority is mentioned in the notice. Only it is stated that the notice is issued by the "Agartala Smart City Ltd." Even the notice was not signed by the issuing authority.

In view of this, we issue notice upon the Chief Executive Officer of Agartala Smart City Ltd. to apprise/inform the Commission in writing about the genuineness and authenticity of the notice and whether the said notice was actually issued by the Agartala Smart City Ltd., and if the CEO of the Agartala Smart City Ltd. finds that the said notice was issued by the Agartala Smart City Ltd., then the CEO is directed to furnish his response or comments over the contents of the notice within a period of three weeks from the date of receipt of the copy of this order positively.

The complainants have submitted that today they have filed a complaint due to issuance of the said "Notice" by the Agartala Smart City Ltd. The said complaint is taken to the record.

The complainants have further submitted that no steps are taken by the Agartala Smart City Ltd. to prevent the throwing of plastic products and unwanted materials in the lake, accumulation thereof, which may pollute the quality of water of the lake. So, according to them, Agartala Smart City Ltd. may be asked to take appropriate adequate measures to prevent the water pollution and to take necessary measures so that no unwanted materials are fallen in the lake.

Submission on behalf State Pollution Control Board :-

During the course of hearing, Mr. Bishu Karmakar, the



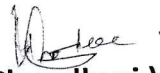
Member Secretary, Tripura State Pollution Control Board appears personally and has submitted that they inspected the pollution related issues affecting environment in and around the lake and the forestry thereof. They found one restaurant adjoining to the lake, which has/had no permission from the pollution control board and it is evinced that the restaurant and the marriage hall therein have wholly violated the provisions of Environment Act and Water Act and is running without permission of their Department, which is mandatory. Having found this, they have issued show cause notice upon the restaurant authority and are waiting for the reply. It is further submitted by Sri Karmakar that they have submitted a report to this Commission. This report will form a part of this record.

Send a copy of this order to the CEO, Agartala Smart City Limited for his response/comments within three weeks from the date of receipt of this order.

List it on 14/11/2025 for response/comments of the CEO, Agartala Smart City Limited.



(Justice Arindam Lodh)
Chairperson



(Udit Choudhuri)
Member