

Government of West Bengal
Office of the District Land & Land Reforms Officer
Purba Medinipur::Tamluk

Memo No. / LR/NGT/Order/15 Dated; Tamluk,/...../2015

To
The Sub Divisional Land & Land Reforms Officer (All)
.....
The Block Land & Land Reforms Officer (All)
.....

Sub. : To submit report in connection with Order dt. 20.02.2015 passed
In O.A. No. 2/2015/EZ by the National Green Tribunal, Kolkata

Ref. : No. 104/PRO/NGT/EZB/Kol/2015 dt. 21.02.2015 of NGT, Kolkata

Enclosed please find herewith the copy of True Copy of the Order dt. 20.02.2015 passed in O.A. No. 2/2015/EZ passed by the Hon'ble National Green Tribunal, Kolkata Bench, which is self – explanatory.

She / he is , therefore, directed to go through the Judgment passed in the above referred case and submit the respective desired authenticated report to this end for onward submission of the same to the Hon'ble Court in due course.

This is **EXTREMELY URGENT**.

Enclo. : 03 (three) copies.

self
Additional District Magistrate &
District Land & Land Reforms Officer
Purba Medinipur :: Tamluk

Memo No. 726 (29) / (3) LR/NGT/Order/15 Dated; Tamluk, 25/2/2015

Copy forwarded for information to :-

1. The D.L.R&S, W.B, 35, Gopal Nagar Road, Alipur, Kolkata – 700 027.
2. The Deputy Registrar, National Green Tribunal , Eastern Zone Bench, Finance Centre, 3rd Floor, Block – IIIB, Action Area-II, New Town, Kolkata – 700 157.
3. C.A. to District Magistrate & Collector, Purba Medinipur.

Banerjee
Additional District Magistrate &
District Land & Land Reforms Officer
Purba Medinipur :: Tamluk

Jan
25/2/15

NATIONAL GREEN TRIBUNAL

Eastern Zone Bench, Kolkata
Finance Centre, 3rd Floor, Block- IIIB
Action Area- II, New Town, Kolkata-700 157

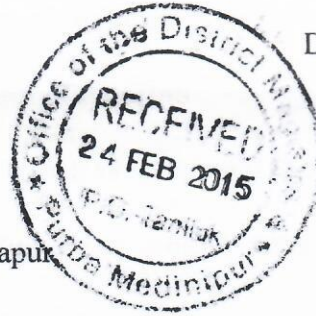
Phone : 033-23...
Tele Fax : 033-23...

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25/2*

No.104/PRO/NGT/EZB/kol/2015

Date: 21.02.2015

From: Subodh Sharma, WBSL
Deputy Registrar.



To: The District Magistrate, East Midnapur
D.M. Office, Tamluk,
P.O. Tamluk,
District : East Midnapur - 721636.

(Respondent No.6)

**Sub: True copy of Order dt. 20th February, 2015 passed in
O.A No. 2/2015/EZ.**

**Ref: O.A No. 2/2015/EZ. (Joydeep Mukherjee Vs. Pollution Control Board,
West Bengal & Ors.).**

Sir,

In compliance of Order of the Hon'ble National Green Tribunal,
Kolkata Bench dated 20.02.15 passed in O.A No. 2/2015/EZ. (Joydeep
Mukherjee Vs. Pollution Control Board, West Bengal & Ors.), I am directed to
send you the true copy of the said Order, for your kind information and
necessary compliance.

*P. B 26-C
24.2.15*

Encl: As above.

Yours faithfully,

*S. Sharma
21.02.15*

Deputy Registrar

SUBODH SHARMA, WBSL
Deputy Registrar
National Green Tribunal
Eastern Zone Bench, Kolkata

*ASD M (LR)
urgent
27/2/15*

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**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

Original Application No.2/2015/EZ
Original Application No. 3/2015/EZ

Joydeep Mukherjee

Vs

Pollution Control Board, West Bengal & Ors.

CORAM: Hon'ble Mr. Justice Pratap Kumar Ray, Judicial Member
Hon'ble Prof. (Dr.) P. C. Mishra, Expert Member

PRESENT: Applicant : Mr. Joydeep Mukherjee, Advocate.
Respondent No. 1 to 10 : None.

Date & Remarks	Orders of the Tribunal
Item No. 1 20 th February, 2015.	<p data-bbox="517 1025 1375 1106">Heard Id. Advocate Mr. Joydeep Mukherjee appearing in person for the applicant. None appears for the respondents.</p> <p data-bbox="517 1137 1375 1218">Both O.As have been taken up together since similar issues are involved. Hence we pass a common order.</p> <p data-bbox="517 1249 1375 1554">Having regard to the pleadings made alleging the illegal operation of the brick fields without environmental clearance by competent authority and consent to operate by the West Bengal Pollution Control Board, as the case may be, we find a substantial point for our intervention under environmental jurisprudence. Hence both the applications are admitted for hearing.</p> <p data-bbox="517 1585 1375 1711">Notice be served by dasti/speed post along with the copy of the applications to all the respondents on usual terms by the registry.</p> <p data-bbox="517 1742 1375 2136">Let status reports be filed by the West Bengal Pollution Control Board and Principal Secretary, Department of Land and Land Reforms viz. Respondent No. 1 & 2 on the issue in question giving details of the brick field owners who are operating illegally without consent to operate from the State Pollution Control Board. Let such status reports be filed by three weeks and let copies of the same be served to the respective parties. Rejoinder, if any, to such status reports be filed by the applicant within one week thereafter.</p> <p data-bbox="571 2168 1375 2204">In the meantime, the State Pollution Control Board is</p>

directed to take appropriate steps and measures in accordance with law viz. **The Water (Prevention and Control of Pollution) Act, 1974 & The Air (Prevention and Control of Pollution) Act, 1981** relating to closure of the units, if any, who are operating without consent to operate from the State Pollution Control Board.

(The respective District Magistrates of the concerned Districts are directed to prepare the list of the brick fields who are operating without consent to operate from State Pollution Control Board by making inspection through the Block Land and Land Reforms Officer and District Land and Land Reforms Officer. Such list of the said officers be filed by those District Magistrates on the next date of hearing in the form of an affidavit. Copy of report to be served in advance to West Bengal Pollution Control Board for their statutory action against illegal operation of units.)

It is further alleged in the application viz. O.A. 3/2015/EZ that the brick field owners are drawing underground water installing the pumps: The concerned District Magistrates, State Pollution Control Board and the Principal Secretary, Deptt. Of Land and Land Reforms are also to identify such illegal installation of pumps to draw ground water for preparation of bricks and to mention whether such drawal of ground water without valid permission from the competent authority is legal or not & steps as taken thereof.

Let this order be served by registry to non-appearing respondents, concerned District Magistrates & District land and Land Reforms Officer & Block Land and Land Reforms Officer for compliance.

Matter stands adjourned to 07.04.2015.

.....Sd/-.....

Justice Pratap Kumar Ray, JM

.....Sd/-.....

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

TRUE COPY

S. Sharma
21.02.15

SUBODH SHARMA, WBLS
Deputy Registrar
National Green Tribunal
Eastern Zone Bench, Kolkata