

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

O.A. No. 114/2015/EZ

SUBRATO MOOKHERJEE

VS

**GENERAL MANAGER, KOLAGHAT THERMAL
POWER STATION & ORS**

CORAM: **Hon'ble Mr. Justice S.P.Wangdi, Judicial Member**

PRESENT:

Applicant	:	None
Respondent No. 1 & 4	:	Mr. Anindya Mitra, Sr. Advocate Mr. N.C.Bihani, Advocate
Respondent No. 2 & 5	:	Mr. Rajib Roy, Advocate
Respondent No. 3	:	Mr. Dipanjan Ghosh, Advocate
Respondent No. 6	:	Mr. Surendra Kumar, Advocate
Respondent No. 7	:	Mr. Kallol Basu, Advocate Mr. Nilanjan Pal, Advocate

Date & Remarks	Orders of the Tribunal
Item No. 3 14th December 2017.	<p>The reports of the Central Pollution Control Board, the Respondent No. 6, the State PCB, Respondent No. 3 and the affidavit on behalf of the respondent No. 1, on the emission level as directed vide order dated 15.11.2017, filed by Mr. Surendra Kumar, Ld. Advocate and Mr Sibojyoti Chakraborti, Ld. Advocate, are ordered to be taken on record.</p> <p>The two reports indicate different views inasmuch as</p>

while in the report of the CPCB ,mentions the pollution level of the Plant during the forenoon and afternoon as being far above 100 mg/Nm³ the one filed by the SPCB shows it to be much below the upper mark of 100 mg/Nm³ at 53,26 mg/Nm³ .

In order to resolve this discrepancy, Mr. A. Mitra, Ld. Sr. Advocate for the Respondent Power Plant, suggests constitution of a joint committee consisting of members of both the CPCB and State PCB which would once again ascertain the emission level. We find the suggestion to be acceptable and accordingly direct the CPCB and PCB to constitute a team consisting of one Senior Scientist each from the two Boards. The team shall once again check the emission level and ascertain as to whether it complies with the prescribed level of emission at 100 mg/Nm³ as required under the guidelines prescribed by the MOEF as this was expected to be achieved by 7.12.2017. In order to facilitate such inspection for assessment, Unit No. 2 is permitted to run on trial basis for two weeks and thereafter the

team shall assess the emission level and submit a report on the next date.

The team of Scientists constituted by this order shall intimate the respondents of the date and time of their visit on the 16th day which will commence from tomorrow.

List on 15.1.2018.

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Justice S.P.Wangdi, JM

14-12-2017



