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

O.A. No. 39/2014/EZ

## JOYDEEP MUKHERJEE VS POLLUTION CONTROL BOARD & ORS

CORAM: Hon'ble Mr. Justice Pratap Kumar Ray, Judicial Member

Hon'ble Prof. (Dr.) P. C. Mishra, Expert Member

PRESENT: Applicant : None

Respondent No. 1 : Ms. Arpita Chowdhury, Advocate : Mr. Bikas Kar Gupta, Advocate

Other Respondents : None

	Orders of the Tribunal
Date & Remarks	
Item No. 5	
28 <sup>th</sup> August,	Seen the Registry's note. It appears that there are in total 832
2015.	illegal brick fields, owners of which have been added as respondents in
	the d <mark>istrict of Bur</mark> dwan in lieu of 8 <mark>31 as indicat</mark> ed earlier.
	So far as district of Birbhum is concerned, there is no change in the
113	number of added respondents.
1	So far as district of Murshidabad is concerned, there are in fact a
	total of 687 illegal brick field owners. However, earlier 356 such brick
2	field owners were added as parties in this proceeding. The left out 331
	brick field owners as indicated in the list, as produced before us, are
	now added as party respondents. The Registry to take action to add
	them as party respondents in this proceeding. Let notice be issued to
	these added respondents directing them to show cause why they shall
	not be liable to pay a compensation to the tune of Rs. 2 lakhs each for
	polluting the environment of the locality by not following the
	environmental norms and causing degradation of environment by
	operating the units without taking consent to establish and consent to
	operate from the PCB. They will file their respective affidavits
	answering the above issue within four weeks.

Registry is directed to issue show cause notice along with a copy of this order to the respective added respondents in the above line through the concerned DL & LRO, Murshidabad, who shall serve the notice to the individual brick field owners with the help of O/C of local police stations where the owners of the respective brick field reside. SP Murshidabad is directed to cooperate with the DL & LRO for compliance of this order. The DL & LRO will file service return on the next date.

As suggested by the Ld. Advocates present, and also considering that the huge numbers of parties are involved in the three districts concerning in this OA, we have decided for the sake of convenience to consider each district on separate dates.

Accordingly, the matter is adjourned to **28.9.2015** when we will consider the case of brick field owners belonging to **Murshidabad** district only.

Similarly, the cases of brick field owners of **Burdwan district** will be heard on **29.9.2015**;

And the cases of brick field owners of **Birbhum district** will be taken up on **30.9.2015**.

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	Justice Pratap Kumar Ray	, JM
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Prof. (Dr.) P. C. Mishra, EM