BEFORE THE NATIONAL GREEN TRIBUNAL EASTERN ZONE BENCH, KOLKATA

Original Application No. 32/2014/EZ

Joydeep Mukherjee Vs. Chief Secretary, Govt. of 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 (in person)

Respondent Nos. 1 to 14 : None appeared.

Respondent No. 15 : Ms. Debjani Roy Choudhury, Advocate

Mr. Chandranath Chattopadhyay, Advocate

Respondent No. 16 : Mr. Subir Kumar Roy, Advocate

Mr. Diganta Mukherjee, Advocate

	Orders of the Tribunal
Date & Remarks	
Item No. 1	
1 st December 2014	Heard the applicant appearing in person as well as the learned advocates appearing for the parties.
MAIN	From the records it appears that the respondents have duly been served, but except respondent nos. 15 & 16 nobody appears for hearing today.
	It is alleged in this application that the respondent nos. 9 to 16 who are owners of the respective brick kilns/ fields are operating the same without proper trade licence and pollution clearance certificate. Having regard to environmental issue as urged this application is admitted.
	The respondents, Principal Secretary, Department of Land and
	Land Reforms, West Bengal and the Chairman, State Pollution Control Board, West Bengal are directed to submit Status Report in respect of working of those brick kilns/fields of the respondents 9 to 16 of this application. In the Status Report they must disclose the following points:
	 i) Whether those respondents are operating the brick kilns/fields with proper trade licence as are required under the Panchayet and/or Municipal Act as the case may be;
	ii) Whether they have been granted consent to establish and/or operate the brick kilns/fields by the State

Pollution Control Board; Whether the environmental clearance, if required, were iii) taken by those respondents. Such Status Report should be filed by the aforesaid respondents by three weeks. In the meantime, for violation of environmental laws, if any, competent authority should take all steps. All the respondents are directed to file their respective reply, if any, within three weeks and rejoinder if any within two weeks. Leave is granted to file additional documents, if any, by the applicant. Let this order be communicated to all non appearing respondents by the applicant by registered post today. Registry is directed to communicate this order to non-appearing respondents. Issue notice. Stand over to 14th January 2015. Justice Pratap Kumar Ray, JM Prof. (Dr.) P. C. Mishra, EM