

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 943/2018

Monojit Das

Applicant(s)

Versus

State of West Bengal

Respondent(s)

Date of hearing: 22.04.2019

CORAM:

**HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s):

ORDER

The issue for consideration is the violation of environmental law in raising illegal constructions on two sides of the river bank barrage near Balasan river and Chamta river, near Siliguri town in West Bengal.

Vide order dated 21.12.2018, a report was sought from the District Magistrate, Jalpaiguri. The District Magistrate, vide report sent by e-mail dated 27.03.2019, has merely stated that the area in question falls in Darjeeling District. If it was so, the District Magistrate, Jalpaiguri could have communicated the order to the concerned District Magistrate, instead of simply writing to this

Tribunal that the area falls in District Darjeeling, thereby causing huge delay in further action.

Be that as it may, we now direct the District Magistrate, Darjeeling to furnish a report, in terms of order dated 21.12.2018.

A copy of order dated 21.12.2018, along with the complaint and a copy of this order be sent to the District Magistrate of Darjeeling for compliance by e-mail.

Needless to say that order of the National Green Tribunal is binding as a decree of Court and non-compliance is actionable by way of punitive action including prosecution, in terms of the National Green Tribunal Act, 2010.

List for further consideration on 07.08.2019.

Adarsh Kumar Goel, CP

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

April 22, 2019
Original Application No. 943/2018
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