

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
(Through Video Conferencing)**

Original Application No. 108/2021/EZ

Rasulpur Dana Welfare Society Applicant(s)  
Versus

West Bengal Pollution Control Board Respondent(s)

Date of hearing: 18.11.2021

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER  
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER**

For Applicant(s) : Ms. Paushali Banerjee, Advocate

For Respondent(s) : Mr. Sibojyoti Chakraborty, Advocate for R-3,5&6  
Mr. Dipanjan Ghosh, Advocate for R-1  
Mr. Surendra Kumar, Advocate for R-4

**ORDER**

1. Ms. Paushali Banerjee, Ld. Counsel is present for the applicant.
2. Mr. Sibojyoti Chakraborty, Ld. Counsel is present for the State of West Bengal, District Magistrate, Purba Bardhaman, the Block Land and Land Reforms Officer, Memari-1 and the District Land and Land Reforms Officer, Rajbari, Purba Bardhaman. Mr. Dipanjan Ghosh, Ld. Counsel is present for Respondent No. 1, West Bengal State Pollution Control Board. Mr. Surendra Kumar, Ld. Counsel is present for Respondent No. 4, Central Pollution Control Board.
3. This application has been filed by the applicant alleging that Respondent Nos. 7, 8 & 9 are destroying the two ponds in the Dag No. 463 and Dag No. 25, J.L. No. 135, Mouza-Baidyadanga under Memari-1 Block, Rasulpur in Purba Bardhaman and are converting the two ponds into garbage dumps. It is further alleged that unauthorized and illegal construction are being raised by them in collusion with Respondent No. 2, the Panchayat Pradhan Nimo-1, Memari-1, Purba Bardhaman destroying the two ponds.
4. Matter requires consideration.
5. Issue notice to the respondents returnable within four weeks.
6. Mr. Dipanjan Ghosh, Ld. Counsel, who is present in the Court, is directed to accept notice on behalf of West Bengal State Pollution Control Board. Mr. Sibojyoti Chakraborty, Ld. Counsel is authorized to receive notices on behalf of

State of West Bengal and the District Magistrate, Purba Bardhaman, the Block Land and Land Reforms Officer, Memari-1 and the District Land and Land Reforms Officer, Rajbari, Purba Bardhaman. Mr. Surendra Kumar, Ld. Counsel is present and accepts notice on behalf of Respondent No. 4, Central Pollution Control Board.

7. All the respondents shall file their counter affidavits within four weeks.
8. Considering the urgency of the matter, we direct District Magistrate, Purba Bardhaman, Respondent No.3 to file his affidavit within two weeks along with inspection report to clarify what is the ground level situation in the area in question for which purpose he will constitute an Inspection Committee.
9. We also direct West Bengal State Pollution Control Board, Respondent No. 1 to file his affidavit within two weeks.
10. **List on 17.12.2021.**

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**B. Amit Sthalekar, JM**

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**Saibal Dasgupta, EM**

November 18, 2021  
O.A. No. 108/2021/EZ  
AKC