

Item No. 04

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
(Through Video Conferencing)**

Original Application No. 12/2018 (EZ)

Anurup Panda

Applicant(s)

Versus

Member Secretary, WBPCB & Ors.

Respondent(s)

Date of hearing: 19.02.2019

**CORAM : HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s): Ms. M.G. Yogmaya, Advocate and Mr. Subhash Chandran, Advocate

For Respondent (s): Mr. Bikas Kargupta, Advocate for State of West Bengal .
Mr. Sibojyoti Chakraborty, Advocate for Respondent No. 1.
Mrs. Debanjana Ray Chaudhuri, Advocate for Respondent No. 7.

ORDER

1. We have heard the Learned Counsel for the parties.
2. Mr. Sibojyoti Chakraborty, Learned Counsel for the State Pollution Control Board submits that affidavit has been filed in terms of the directions issued earlier and, according to the Board the Respondent brick kiln is in possession of Consent to Establish and Consent of Operate. The Consent to Operate is stated to have been granted on 03.07.2017 and the Environmental Clearance on 15.05.2017.
3. Mr. Bikas Kargupta, Learned State Government Counsel submits that the brick kiln run by the Respondent is in order and compliant at present.
4. In view of the above, nothing further remains to be considered in this application and accordingly discharge the Respondent Nos. 6 to 8 from the case.
5. However, before finally disposing of the matter, we deem it necessary to observe that, considering the extent of pollution potential of the brick kilns and, the fact that the use of conventional chimney/stack has since been

improved by better technology termed as 'Zig Zag Technology' introduced by the CPCB, we expect the WBPCB to ensure that this technology is introduced in the State of West Bengal in the interest of the environment.

6. The Learned Counsel appearing today is not in a position to inform us as to whether such technology has been introduced or not as yet.
7. The State of West Bengal and the State Pollution Control Board shall submit a report on as to whether the Zig Zag Technology has been introduced or not within the time frame prescribed by the CPCB.
8. The report be filed within a period of one month from hence.
9. List this matter on 23.04.2019 for consideration of the report.

S. P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

February 19, 2019
O.A. No. 12/2018 (EZ)
HB

