

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

Original Application No. 51/2016/EZ

Ambarnath Sengupta

Applicant(s)

Versus

State of West Bengal & Ors.

Respondent(s)

Date of hearing: 12.08.2021

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

For Applicant(s) : Mr. Ambar Nath Sengupta in person.

For Respondent(s) : Mr. Sudip Kumar Dutta, Advocate for Respondent
Nos. 1 & 3
Mr. Sibojyoti Chakraborty, Advocate for
Respondent Nos. 2 & 4.
Mr. Surendra Kumar, Advocate for R/12, 25
Ms. Aishwarya Rajyashree, Advocate for
Respondent No. 13
Mr. Prasenjit Mahapatra, ASC for
Respondent No.14, State of Odisha
Mr. Gautam Chaudhury, Advocate for Respondent
No.15, State of Assam.
Ms. Enatoly K. Sema, Advocate for
Respondent Nos. 16 & 19
Mr. Dipankar Saha, Advocate for
Respondent No. 17
Mr. Ashok Prasad, Advocate for
Respondent No. 18
Ms. Amrita Pandey, Advocate for
Respondent No. 24

ORDER

1. Mr. Ambarnath Sengupta, Applicant in person is present.
2. Mr. Sudip Kumar Dutta, Ld. Counsel is present for Respondent Nos. 1 & 3, State Respondents, Govt. of West Bengal. Mr. Sibojyoti Chakraborty, Ld. Counsel is present for Respondent Nos. 2 & 4, West Bengal State PCB and the Kolkata Municipal Corporation. Mr. Surendra Kumar, Ld. Counsel is present for Respondent No. 12 & 25. State of Bihar and the CPCB. Ms. Aishwarya Rajyashree, Advocate for Respondent No. 13, State of Jharkhand. Mr. Prasenjit Mahapatra, Ld. ASC is present for Respondent No. 14, State of Odisha.

3. No one is present for the State of Assam. Earlier Mr. Gautam Chaudhury, Ld. Counsel was representing the State of Assam. He is present today in another matter. We direct him to take notice of this case on behalf of State of Assam and assist the Court.
4. Ms. Enatoly K. Sema, Ld. Counsel is present for Respondent Nos. 16 & 19, State of Meghalaya and Nagaland.
5. No one is present on behalf of State of Manipur, Respondent No. 17. Previously, Mr. Dipankar Saha, Ld. Counsel was representing the State of Manipur. Today he is present in another case. We direct him to take notice on behalf of State of Manipur and assist the Court.
6. Mr. Ashok Prasad, Ld. Counsel is present for Respondent No. 18, State of Arunachal Pradesh
7. Ms. Amrita Pandey, Ld. Counsel is present on behalf of Respondent No.24, Howrah Municipal Corporation.
8. No one is present for State of Tripura. Let notice be issued to the Chief Secretary, State of Tripura to instruct a counsel be present on the next date fixed.
9. No one is present on behalf of State of Sikkim. Let notice be issued to the Chief Secretary, Govt. of Sikkim to instruct the counsel to be present on the next date fixed.
- 10.No one is also present on behalf of Union Territory of Andaman and Nicobar Administration. Let notice also be issued to the Chief Secretary, A&N Administration, Port Blair to engage some responsible counsel to assist this Court on the next date and inform us as to whether directions given by the Tribunal to frame rules with regard to idol immersion have been complied with or not before the next date fixed.
- 11.Mr. Surendra Kumar, Ld. Counsel for Respondent No.25, CPCB states that his file is lying in his chamber. In this virtual proceedings, we do not know from where he is sitting and addressing the Court. Let the notice be issued to CPCB to instruct a counsel to be present on their behalf on the next date with the file of the case and ensure that he is prepared with the case.
- 12.We find that controversy involved in this O.A. is with regard to framing of rules by the various State Governments within the jurisdiction of the Eastern Zone

Bench of NGT as well as the Administration of A&N. There is another O.A. No. 24/2018/EZ (Ambarnath Sengupta Vs. State of West Bengal) wherein the issue is absolutely identical to the present case. We direct that this case be connected with the O.A. 24/2018/EZ and listed together on the next date. The various State Governments and U.T. will disclose to the Court through their counsel whether their rules regarding idol immersion etc. have been framed in compliance with the directions given by this Tribunal in its judgment dated 06.10.2017.

13. List on 22.09.2021.

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B. Amit Sthalekar, JM

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Saibal Dasgupta, EM

August 12, 2021
O.A. No.51/2016/EZ
AKC