

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.133/2023/EZ

Serajul Islam & Anr. Applicant(s)
Versus
The State of West Bengal & Ors. Respondent(s)

Date of hearing: 16.02.2024

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : Ms. Nasreen Islam, Advocate

For Respondent(s): Mr. Sudip Kuamr Dutta, Advocate for R-1 to 7 & 11
(in Virtual Mode),
Mr. Sibojyoti Chakraborty, Advocate for R-8&9
(in Virtual Mode),
Mr. Dipanjan Ghosh, Advocate for R-10 (in Virtual Mode),
Mr. Supratick Syamal, Advocate and
Ms. Samosreedebi Dutta, Advocate for R-16&17
(in Virtual Mode)

ORDER

1. Counter-affidavits have not been filed by Respondent Nos.13, 14 & 15.
2. Mr. Mostafijur Rahaman, learned Counsel for Respondent Nos.13, 14 & 15, is not present today even though the link was also sent to the learned Counsel.
3. Committee Report on affidavit dated 15.02.2024 has been by Respondent No.8, West Bengal Pollution Control Board; the same is taken on record.
4. In this affidavit, in paragraph-6 (e), there is categorically averment that there is evidence of illegal extraction beyond the plots cited in the Original Application and the District Administration may fix responsibility, ascertain the quantum of rock extracted illegally, and estimate the amount of revenue loss.

5. In paragraph-6 (f) of the affidavit, it is stated that while unlawful quarrying activities in the area have left the surroundings derelict to a significant extent, the dereliction caused by the quarrying activities can be mitigated to a significant extent but cannot be reversed through human intervention, as such necessary reclamation may be undertaken at the earliest.
6. In view of the averments in the affidavit of the Officer on Special Duty (OSD), West Bengal Pollution Control Board, we direct the Respondent No.2, Additional Chief Secretary, Department of Environment, Govt. of West Bengal and Respondent No.5, District Magistrate, Birbhum, to take immediate steps to prevent illegal mining and file affidavit.
7. Let the affidavit be filed by the next date of listing.
8. **List on 03.04.2024.**

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B. Amit Sthalekar, JM

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Dr. Arun Kumar Verma, EM

February 16, 2024,
Original Application No.133/2023/EZ
MN