

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

Original Application No. 21/2021/EZ

Krishan Chandra Santra & Ors.

Applicant(s)

Pollution Control Board, West Bengal & Ors.

Respondent(s)

Date of hearing: 17.06.2021

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

For Applicant(s) : Mr. Nirbanesh Chatterjee, Advocate

For Respondent(s) : Mr. Pritwish Basu, Advocate for R-1 & 2  
Mr. Bikas Kargupta, Advocate for R-3 to  
7,

**ORDER**

1. Heard Mr. Nirbanesh Chatterjee learned Counsel for the Applicant.
2. Mr. Bikas Kargupta, learned Counsel is present for Respondent No. 3, District Magistrate, Hooghly, Respondent No. 4, Block Development Officer, Singur Block, Singur, District Hooghly, Respondent No. 5, Block Land and Land Reforms Officer, Singur Block, Singur, District Hooghly, Respondent No. 6, Savadhipati, Hooghly Zila Parishad, District Hooghly and Respondent No. 7, Pradhan, Baruipara Paltagarh Gram Panchayat, Baruipara, Singur, District Hooghly and Mr. Prithwish Basu, learned Counsel is present for Respondent No. 1,

Chairman, Pollution Control Board, West Bengal and Respondent No. 2, Environment Engineer, Hooghly Regional Office West Bengal Pollution Control Board, Department of Environment, District-Hooghly respectively.

3. The allegation raised in this original application is that the Respondent No. 8, 9 and 10 are raising illegal construction and filling the construction material in Bill (Big Pond/Vast Water Reservoir) which is connected with the Damodar Valley Corporation Canal.
4. The Applicants are co-owners of Plot No. 88, JL. No. 80 of Mouza, P.S. Singur under Baruipara Paltagarh Panchayat and have been using this water body as a source of irrigation for their agricultural fields but due to the illegal activities of the Respondent No. 8, 9 and 10, the said Bill is being destroyed.
5. In our opinion, matter requires consideration as considerable question of environment arises.
6. At this stage, we feel that it would be appropriate to call for a counter affidavit to be filed by the Respondent No. 3-District Magistrate, Hooghly and also the Respondent No. 1- West Bengal Pollution Control Board.
7. Issue notice to the Respondent Nos. 8, 9 &10, returnable within four weeks.
8. The Respondents shall file their counter-affidavits within three weeks.

9. The Respondent Nos. 1 and 3 shall also conduct a site inspection of the Bill in question and ascertain as to whether any illegal construction is being made by the Respondent No. 8, 9 and 10 and as to whether a Grill Factory is functioning in the area near to the plot in question and that construction material is being deposited in the said Bill in violation of the Construction and Demolition (C&D) Waste Management Rules, 2016.
10. The Respondent Nos. 1 and 3 shall also ascertain damage caused to the water body and calculate the environmental compensation which may be recovered from the polluters.
11. This report shall be filed as annexure along with their counter affidavits.
12. The applicant shall serve the e-copy/soft copy of the Original Application along with its annexures on all the Respondents within 48 hours.
13. The Respondents shall also serve the e-copy/soft copy of their counter affidavit along with their report to the Applicant before the next date of listing.
14. **List on 23.07.2021.**

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B. Amit Sthalekar, JM

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Saibal Dasgupta, EM

June 17, 2021  
Original Application No. 21/2021/EZ  
MN