

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

Original Application No. 21/2021/EZ

Krishna Chandra Santra & Ors.

Applicant(s)

Versus

Pollution Control Board, West Bengal & Ors.

Respondent(s)

Date of hearing: 08.09.2021

**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. Prithwish Basu, Advocate for R-1 & 2,
Mr. Bikas Kargupta, Advocate for R-3, 4 & 5,
Mr. Samiran Giri, Advocate for R-8, 9 & 10,

ORDER

1. Mr. Nirbanesh Chatterjee, learned Counsel is present for the Applicant.
2. Mr. Prithwish Basu, learned Counsel is present for Respondent Nos. 1 & 2, West Bengal Pollution Control Board, Mr. Bikas Kargupta, learned Counsel is present for Respondent Nos. 3, 4 & 5, State Respondents, Govt. of West Bengal, and Mr. Samiran Giri, learned Counsel is present for Respondent Nos. 8, 9 & 10, Private Respondents.
3. From a perusal of the letter of the Block Land and Land Reforms Officer, Singur, Hooghly, dated 17.08.2021, it appears that encroachment in the water body has not been removed and restoration of the water body to its original character has yet to be carried out. All that is stated in the affidavit of the District Magistrate dated 06.09.2021 is that an FIR has been lodged against the Respondent Nos. 8, 9 & 10 under Section 4D of West Bengal Land Reforms Act, 1955.
4. Mr. Bikas Kargupta, learned Counsel states that certain formalities have to be completed in this regard and prays that some more time may be granted for filing the affidavit of compliance.
5. We, therefore, grant the State Respondents further three weeks time to remove the encroachment in the water body and restore the water body to

its original character and file an affidavit of compliance to be sworn by the District Magistrate, Hooghly before the next date of listing.

6. The Respondent Nos. 1 & 2, West Bengal Pollution Control Board, shall also file its affidavit indicating clearly as to what amount has been imposed by way of Environmental Compensation against the Respondent Nos. 8, 9 & 10 including penalty for violation of the environmental norms and the cost for restoration and restitution of the water body to its original character, before the next date of listing.

7. **List on 22.10.2021.**

.....
B. Amit Sthalekar, JM

.....
Saibal Dasgupta, EM

September 08, 2021
Original Application No. 21/2021/EZ
AK