

Item No. 03

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

Original Application No. 12/2018 (EZ)

Anurup Panda

Applicant

Versus

Member Secretary, WBPCB & Ors.

Respondent(s)

Date of hearing: 18.11.2019

**CORAM : HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER  
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER  
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER**

For Applicant(s) : Mr. Subhash Chandran K.R. and Ms. Yogamaya M.G., Advocates

For Respondent (s) : Mr. Bikas Kargupta, Advocate for Respondent Nos. 2 to 5.  
Ms. Debanjana Ray Chaudhuri, Advocate for Respondent Nos. 6 to 8.

**ORDER**

1. The question that requires consideration in this case is as to whether the brick fields in the State of West Bengal has adopted the Zig Zag Technology in terms of the Central Pollution Control Board guidelines. On the last date, it had been clarified that the State was required to file a report as to whether or not such technology had been introduced in the State.
2. From the affidavits filed on behalf of the State of West Bengal it had been noted that out of 4506 numbers of brick fields operating in the State, only 2027 had adopted the Zig Zag Technology. 2475 out of those were adopting it and 04 had not initiated the process at all. This

was also the position stated by the State Pollution Control Board in their affidavit.

3. In view of the above position, the State PCB was directed to ensure that while those brick fields which had adopted the Zig Zag Technology may be permitted to operate subject to grant of consent to operate, the ones which were in the process of implementation ought not to be allowed to operate until the new technology had been installed. Similar direction was issued with regard to the 04 brick fields which have not yet initiated the process for adopting the new technology.
4. The State PCB was granted two months' time to complete the entire exercise. However, today, Mr. Sibojyoti Chakraborty, learned Counsel for the State Board prays for further time to do so. He also prays that directions be issued upon the Police Authorities to provide support to the Board in carrying out its operations.
5. The learned Counsel for the Applicant has placed before us a table which provides information with regard to the number of brick fields operating in the District, the number which had adopted the Zig Zag technology, those which were under process of adopting and those which had not yet initiated the process for doing so.
6. Let the copy of the information be furnished to the State PCB for taking needful action from their end.
7. In order to ensure efficacious and expeditious action on the part of the State PCB towards compliance of the order of the Tribunal, we

direct the Superintendents of Police of each of the concerned Districts to provide support to the Board. Mr. Bikas Kargupta, learned Counsel for the State of West Bengal shall ensure that this order is complied with.

8. List on 15.01.2020.

S. P. Wangdi, JM

Dr. Satyawan Singh Garbyal, EM

Saibal Dasgupta, EM

18<sup>th</sup> November, 2019  
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