

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

M.A. No. 768/2013

In

Appeal No. 43/2013 (THC)

(W.P. No. 15441/2010 of Calcutta High Court)

Biswanath Mondal V/s State of West Bengal & Ors.

CORAM: HON'BLE SHRI JUSTICE DR. P. JYOTHIMANI, JUDICIAL MEMBER
HON'BLE DR. G.K. PANDEY, EXPERT MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER
HON'BLE SHRI RANJAN CHATTERJEE, EXPERT MEMBER

Original Appellant : None appeared
Respondents No. 1, 2 & 4: Mr. Bikas Kar Gupta, Mr. Amit Agrawal and
Mr. N.C. Bihani, Advs.

Date and Remarks	Orders of the Tribunal
Item No. 2 September 25, 2013	<p>We have heard Learned Counsel for the Miscellaneous Appellant. There is no appearance on behalf of the original Appellant. The Miscellaneous Appellant has filed this case after serving notice on the Appellant. However, we have taken up this case for the reason that this Tribunal in the final judgment dated 21.08.2013 has partly allowed and set aside the order of the WB Pollution Control Board (WBPCB). In the final judgment which admittedly has become final, there has been a direction that it is open to the WB PCB to take an independent decision in accordance with the powers available under the Air (Prevention & Control of Pollution) Act in consultation with the CPCB if the reduction of the noise level emanating from firecrackers is found necessary for certain specific reasons and that decision should be taken within a period of four (4) weeks.</p> <p>The WBPCB has filed present application for the purpose of extension of time by another period of four (4) weeks.</p> <p>While granting time, and reiterating the final decision by this Tribunal, we make it very clear that it is appreciable that the WBPCB makes independent decision within a period of four (4) weeks from today. Accordingly, the application stands closed. Learned Counsel appearing for the Pollution Control Board would submit that the State</p>

Pollution Control Board is taking all necessary steps and make consultation with CPCB. There appears to be a meeting held on 19.09.2013 and has been adjourned to 27.09.2013.

Thus, M.A. No. 768/2013 stands disposed of.

....., JM
(Dr. P. Jyothimani)

....., EM
(Dr. G.K. Pandey)

....., EM
(Prof. A.R. Yousuf)

....., EM
(Ranjan Chatterjee)

