

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA**

M.A. 34/2017/EZ  
IN  
O.A. No. 59/2015/EZ

**BIPLAB KUMAR CHOWDHURY**

VS

**WEST BENGAL POLLUTION CONTROL BOARD & ORS**

CORAM: **Hon'ble Mr. Justice S.P.Wangdi, Judicial Member**  
**Hon'ble Prof. (Dr.) P. C. Mishra, Expert Member**

PRESENT: **Applicant** : Mr. Sakabda Roy, Advocate  
**Respondent Nos. 1 & 2** : Mr. Sibojyoti Chakraborti, Advocate  
**Respondent 3 to 8** : Mr. Rajib Ray, Advocate

Date & Remarks	Orders of the Tribunal
<p>Item No. 1 14<sup>th</sup> March, 2017.</p>	<p>This MA has been filed against the State respondents for non-compliance of the order dated 9.8.2016 by which it had been directed that the entire activities relating to sand mining and other cognate activities should be brought within the ambit of the direction issued by the MOEF in compliance to <b>Deepak Kumar's case</b> and until this was done, the State respondents should not permit any sand mining operation without obtaining EC as required under the law.</p> <p>Heard.</p> <p>Issue notice returnable in three weeks.</p> <p>Since Mr. Sibojyoti Chakraborti, Ld. Advocate and Mr. Rajib Ray, Ld. Govt. Advocate are present before us and accept notices on behalf of the respondents No. 1 and 2, the State PCB and the respondents No. 3 to 6, the</p>

State respondents, respectively, notices stand dispensed with in respect of those respondents. Ld. Advocate for the applicant is directed to serve copies of the MA upon the ld. advocates appearing for the respondents.

Since it is submitted that copies of the application have already been served upon the respective respondents and affidavit of service has been filed in that regard, need to file requisites also stand dispensed with.

It is stated in the application as also orally submitted by the Ld. counsel for the applicant that despite specific prohibition on sand mining vide aforesaid order, the said activities are continuing unabated at various parts of the State. The areas specifically mentioned by the Ld. Advocate for the applicant are Hooghly and Bankura districts. Let the respondents file their affidavit-in-opposition and state on the factual aspects set out in the MA without fail before the next date with advance copies on the other side.

**List on 17.4.2017.**

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Justice S.P.Wangdi, JM  
14-3-2017

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Prof. (Dr.) P. C. Mishra, EM  
14-3-2017

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