

**Item No.01:-**

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

[Through Physical Hearing (Hybrid Option)]

**Original Application No.240 of 2024 (EZ)**

IN THE MATTER OF:

Ashish Kumar

...Applicant(s)

***Versus***

The State of West Bengal & Ors.

...Respondent(s)

**Date of hearing: 24.02.2025.**

**CORAM:**

**HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER**

**HON'BLE Dr. ARUN KUMAR VERMA, EXPERT MEMBER**



For Applicant(s):

Mr. Rajan Shaw, Adv.

For Respondent(s):

Mr. Rajib Ray, Adv. for R-1, 4, 7, 8, 10.  
Mr. Ashok Prasad, Adv. for R-3.  
Mr. Ghanshyam Pandey, Adv. for R-5.  
Mr. Dipanjan Ghosh, Adv. for R-6  
Mr. Debasish Saha, Adv. a/w.  
Mr. Avirup Roy Sanyal, Adv. for R-11.  
Mr. Ayan Banerjee, Adv. a/w.  
Ms. Riya Ghosh, Adv. for R-12.

**ORDER**

**1.** The report of the Fact Finding Committee is uploaded, which has imposed a penalty of Rs.12,75,000/- (Rupees Twelve Lakhs Seventy-Five Thousand only) on the Project Proponent for environmental damage. The District Magistrate, Paschim Burdwan has accepted the findings of the Fact Finding Committee.

**2.** The learned counsel appearing for Respondent No.12 viz., Bengal Shristi Infrastructure Development Limited seeks time to file a response to the report of the Fact Finding Committee. He has stated that the report has not been made available to him.

**3.** Meanwhile, the Project Proponent claims to have applied for the Environmental Clearance under the violation category, as the constructions were commenced before obtaining the Environmental Clearance. The process of the same has already been stayed by the Hon'ble Supreme Court of India in **Writ Petition (Civil) No.1394 of 2023** dated 02.01.2024.

**4.** Until the Project Proponent obtains Environmental Clearance, any construction activities undertaken would be a violation. Therefore, it would be appropriate for the Project Proponent to refrain from proceeding with the work. However, at the request of the learned counsel appearing for the Project Proponent, post the matter on **02.04.2025**.



**Smt. Justice Pushpa Sathyanarayana, JM**

**Dr. Arun Kumar Verma, EM**

O.A. No.240/2024 (EZ)  
24<sup>th</sup> February, 2025. Mn.