

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

O.A. No. No. 58/2015/EZ

**Pranabananda Chakrabarty
VS**

West Bengal Pollution Control Board & Ors.

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

PRESENT: **Applicant : Ms. Soumali Basu. Advocate.
Respondent No. 1,2, 3 &4 : None.**

Date & Remarks	Orders of the Tribunal
Item No. 1 5th August, 2015.	<p>Heard Id. counsel appearing for the applicant.</p> <p>It is alleged in this application that Respondent No. 4 is running a manufacturing unit viz. melting of brass and copper materials for manufacturing utensils in a residential area and particularly in the ground floor of the premises wherein the applicant is residing. It is further alleged in the application that unit is under red category industry under the Classification chart issued by the State Pollution Control Board and no consent to operate has been obtained from the PCB. Having regard to pollution factor as made in the pleadings, we are of the view that it is a fit case for admission to deal with the issue on applying the environmental jurisprudence by answering substantial question of law. Hence the application stands admitted. Let notice be issued on usual terms by dasti/registered post with A/D and speed post. Leave is granted to the applicant to add Kolkata Municipal Corporation as a party respondent through the Municipal Commissioner. The State Pollution Control Board viz. Respondent No. 1 and added respondent viz. Kolkata Municipal Corporation are directed to submit a status report in respect of the operation of the unit by Respondent No. 4. It is</p>

needless to say that the PCB and Kolkata Municipal Corporation will take all steps and measures if there is a breach of environmental law and action taken report to that effect be filed by them on the next date of hearing in accordance with law. Reply, if any, to such reports be filed by Respondent No. 4 on the next date of hearing.

Matter stands adjourned to 28.08.2015.

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Justice Pratap Kumar Ray, JM

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Prof. (Dr.) P. C. Mishra, EM

