

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

**Original Application No. 80/2015/EZ**

**BIMAL SINGH KARNAWAT & ORS  
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:** **Applicants : Mr. Somnath Saha, Advocate  
Respondents : None**

<b>Date &amp; Remarks</b>	<b>Orders of the Tribunal</b>
<p><b>Item No. 1 4<sup>th</sup> September, 2015.</b></p>	<p>Heard Id. Advocate appearing for the applicants. It is alleged that respondent Nos. 5 to 7 are operating and manufacturing HD &amp; Polymer products in a residential area without having any consent to operate from the PCB though the industry is coming under the red category industry in terms of classification of industries made by the said Board. It is further alleged that there is emission of fugitive toxic gases viz. carbon monoxide, chlorine hydrochloric acid, dioxin, furans, amines, nitrites etc. due to such illegal operation as mentioned in the pleadings. Considering that an issue relating to substantial question of environmental degradation, particularly air pollution under Air (Prevention &amp; Control of Pollution) Act, 1981, has been raised, the application is admitted for adjudication.</p> <p>Registry is directed to issue notice on usual terms i.e. by Dasti, speed post or registered post returnable by four weeks.</p> <p>Status report be filed by WBPCB and respondent No. 3 by the next date.</p> <p>Leave granted to the applicant to add Environment Deptt. of Govt. of West Bengal, and Licensing Deptt. of KMC as party respondents. The added parties are directed to file status report.</p> <p>Reply, if any, be filed by the respondents within 3 weeks along with</p>

the status report. Rejoinder, if any, be filed within one week thereafter.

In the meantime, the PCB is directed to take all steps and measures in accordance with law for protection of environment from the pollutants as being emitted by the unit operated by respondent Nos. 5 to 7 and action taken report be filed on the next date.

**Matter is posted to 7.10.2015.**

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Justice Pratap Kumar Ray, JM

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

