

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. OF 2024**

**IN THE MATTER OF:
JAGANNATH MONDAL**

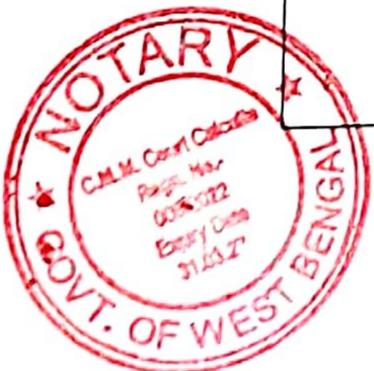
...Applicant

VERSUS

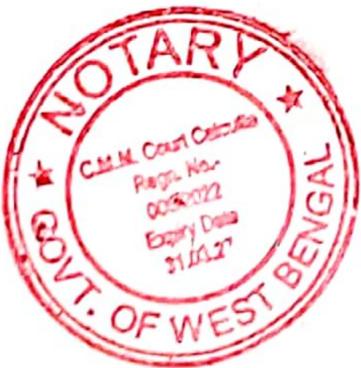
**STATE OF WEST BENGAL,
DEPARTMENT OF ENVIRONMENT & ORS**

...Respondents

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PLACE: KOLKATA

Brijesh Giri

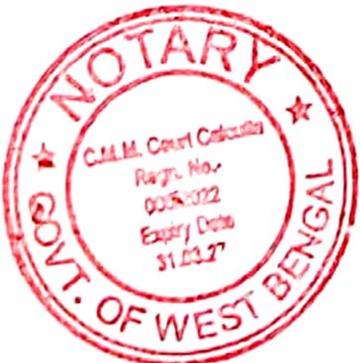
DATE: 15.04.2024

Brijesh Giri
Advocate

11, Hare Street,
Kolkata- 700 001, West Bengal
Ph: 80172 34521

List of Dates

S. No	Date	Particulars	Annexure No.
1	24.05.2022	Complaint Letter sent to Gram Panchayat, Fulur	P-3
2	27.05.2022	Agreement Letter between Petitioner & Private Respondent before Gram Panchayat & complaint to the Pradhan dt. 08.12.2022.	P-4
3	16.09.2022	Letter to S.D.O regarding illegal operation of Poultry Farm.	P-5
4	26.09.2022	Letter to Environmental Engineer & In-Charge, Durgapur Regional Office and letter by Board to Block Development Officer	P-6
5	07.12.2022	Legal Notice to the Chairman, West Bengal Pollution Control Board	P-7
6	06.03.2023	Letter to the Senior Scientist along with postal receipt.	P-8
7	28.11.2023	Legal Notice through Brijesh Giri, Advocate to all respondents	P-9
8	04.03.2024	West Bengal Pollution Control Board demanded Action Taken Report from Block Development Officer, Sainthia	P-10

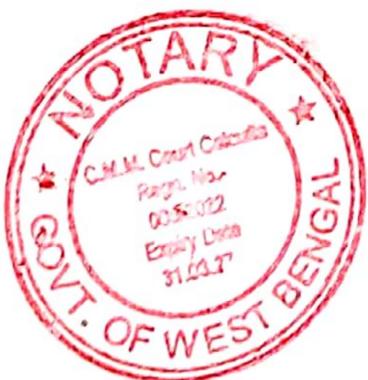


SYNOPSIS

In the present application, the petitioner, a resident of Village Fulur, P.S Sainthia, Distt Birbhum, has lodged a complaint against the operation of a poultry farm owned by Mr. Bikram Mondal. The farm, situated adjacent to the petitioner's residence, is alleged to be functioning in contravention of the prescribed rules and regulations, thereby rendering the vicinity uninhabitable. Despite the Panchayat's intervention and Mr. Mondal's initial acquiescence to cease operations, the farm continues to operate unlawfully.

Subsequent appeals to the Sub-Divisional Officer (SDO) of Suri, Birbhum, and the West Bengal Pollution Control Board have failed to elicit a response or remedial action. The Pollution Control Board's directive to the Block Development Officer (B.D.O) of Sainthiya Development Block, mandating compliance with the Central Pollution Control Board's environmental guidelines for poultry farms, has also been met with silence.

The petitioner, who is battling cancer, contends that the farm's continued operation in a residential area, in blatant disregard of environmental norms, poses a significant health risk to the local populace. With no effective remedy at hand and the authorities' apathetic stance exacerbating the situation, the petitioner seeks judicial intervention to address the grievance and alleviate the untenable conditions imposed by the illegal poultry farm operations.



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

Under Section 18(1) read with Section 14 & 15 of
The National Green Tribunal Act 2010

Application No _____ /2024

IN THE MATTER OF:

Jagannath Mondal, S/O Shankar
Mondal,
aged about 59 years, residing at:
Village: Fulur, P.S.: Sainthia, District:
Birbhum,
West Bengal, PIN- 731 234

...PETITIONER

-Versus-

1. State of West Bengal Department of
Environment,
through it's Additional Chief Secretary,
Email: psecy.env-wb@gov.in
Prani Sampad Bhawan, 5th Floor,
Block LB - 2, Sector- III, Salt Lake,
Kolkata - 700 106.
2. The West Bengal Pollution Control
Board, through it's its senior scientist
and in-charge public Grievance Cell
Email: ssc1.wbpcb-wb@bangla.gov.in
Mani Square, Block/Space- SIT
8th Floor, 164/1, Maniktala Main Road
Kolkata- 700 054
3. The Environment Engineer & In-Charge,
Durgapur Regional Office, West Bengal
Pollution Control Board,
Shahid Khudiram Sarani, City Center,



Durgapur, Paschim Bardhaman,
Email: sisir@wbpcb.gov.in
West Bengal- 713 216

4. The Chairman,
West Bengal Pollution Control Board,
Paribesh Bhavan,
1.O.A. Broadway Road, L.A Block,
Sector- III, Bidhan Nagar
Kolkata- 700 106
Email: chrnmn.wbpcb-wb@bangla.gov.in

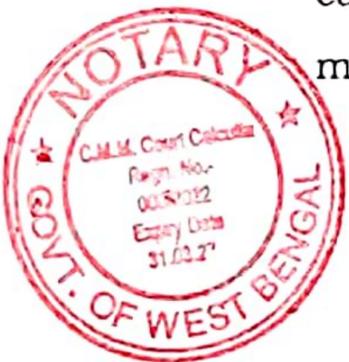
5. Block Development Officer,
Sainthia development block
Ahmadpur, district: birbhum,
PIN- 731 201
Email: bdosainthia@gmail.com
Phone: 70440-42636

6. Gram Pradhan
Village- Fulur, Gram Panchayat
Jiwe, Birbhum, P.S.: Santhia, District-
Birbhum,
West Bengal, Pin- 731 234

7. Bikram Mondal
S/O Mrityunjay Mondal
Village- Fulur, P.S.: Sainthia, P.O.:
Fulur,
District- Birbhum, West Bengal,
PIN- 731 234

...RESPONDENT

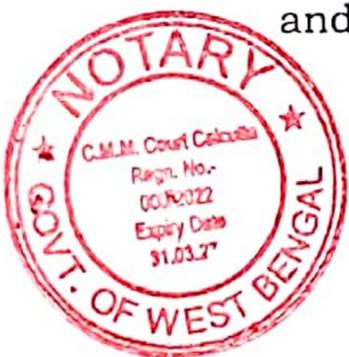
- I. The address of the Petitioner is given above for the service of notices of this application. The applicant, Jagannath Mondal is a resident of Village: Fulur, P.S.: Santhia, District: Birbhum, West Bengal and is a cancer patient. A copy of the Aadhar Card is enclosed herewith and marked as annexure "P-1"



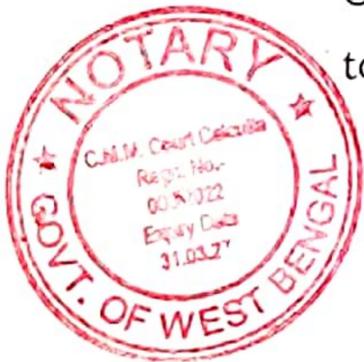
II. The addresses of the Respondents are given above for the service of notices of this application. The Respondent No. 1 to 5 are State Authorities as per definition of State in Article 12 of the Constitution of India. The Respondent No. 7 is the private respondent operating the illegal poultry farm in blatant violation of guidelines for poultry farms.

MOST RESPECTFULLY SHEWETH:

1. The Petitioner has been complaining of operation of an illegal poultry farm located at Dag No. 984 & 985, Khatian No. 356 and 1256, Village: Fulur, Block/ Municipality/ Ward – Sainthia Block, P.O.: Fulur BO, P.S: Sainthia, Dist.: Birbhum, PIN- 731234 which is adjoining his residence. Due to which daily life has been disrupted because Mr. Bikram Mondal, the Respondent No. 7 herein is operating an illegal poultry farm in violation of all rules and regulations which has made the entire locality uninhabitable. Such poultry farm is being operated adjacent to the residence of the petitioner without following any of the Environmental Guidelines for Poultry Farms issued by the Central Pollution Control Board on January 2022. A copy of the Environmental Guidelines for poultry farms is annexed herewith and marked as Annexure “P-2”.
2. The petitioner has complained of such an illegal operation of poultry farm to the Panchayat of Village Fulur in writing wide office memo no. 990/FGP/22 dated 24.05.2022, a copy of which along with its English translation has been annexed herewith and marked with letter “P-3”.



3. The private respondent herein, Mr. Bikram Mondal was summoned by the Panchayat of Village Fulur, and after hearing the complaint, he agreed to stop the illegal operation of poultry farm. However, he has not followed through and continues to operate the poultry farm illegally in the Fulur village. Unfortunately, despite his initial promise, he has failed to keep his word. Consequently, he persists in running the illegal poultry farm within the village, disregarding the community's concerns and the Panchayat's decision, the petitioner thereafter complained about such illegal operation of Poultry Farm to Pradhan, Fulur Panchayat. A copy of agreement arrived and duly signed by the private respondent in the abovementioned settlement letter along with its English translation and letter of complaint dated 08.12.2022 along with its English Translation is annexed herewith and marked with letter "P-4".
4. The petitioner was compelled to write a letter to the Sub-Divisional Officer of Suri, Birbhum, vide his letter dated 16/09/2022 complaining about the illegal operation of the poultry farm and the practices causing harm to the immediate locality, impacting both human health and the ecosystem. The poultry farm, operating without proper authorization, posed a significant threat to the local inhabitants of the area. The said letter along with its English translation is annexed herewith and marked with letter "P-5".
5. The petitioner, not receiving any reply from the Sub-Divisional Officer, approached the Regional Office of West Bengal Pollution Control Board, Shahid Khudiram Sarani, Durgapur, vide his letter dated 26/09/2022 informing of the dire situation and for taking cognizance of the issue. The board thereafter sent a letter to the Block Development Officer, Sainthia Development Block, directing the concerned authority to ensure that adherence to the Environmental Guidelines for Poultry



Farm issued by the Central Pollution Control Board in August 2021 is met with but the Block Development Officer is sitting tight over the matter in blatant disregard in relation to the instructions of the board and unemphatic approach of the department towards human life. A copy of the letter from the West Bengal Pollution Control Board was also forwarded to the petitioner herein.

The said letter dated 26/09/2022 of the petitioner to the Environmental Engineer & In-Charge, Durgapur Regional office of West Bengal Pollution Control Board along with its English translation and the letter bearing Memo No.¹⁵⁷²⁽¹⁾ PG/LD/03/2020 sent by the Board to the Block Development Officer are collectively annexed herewith and marked with letter "P-6".

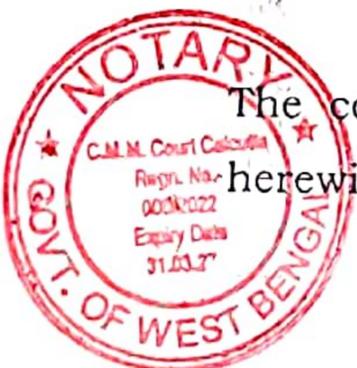
6. It is pertinent to mention here that the petitioner has also sent notice dated 07.12.2022 through his Advocate to the Chairman, West Bengal Pollution Control Board, complaining about such illegal operation of poultry farm and further requested the chairman to remove the poultry farm to somewhere else citing new rules, i.e. the poultry farm should be at least 500 meters away from residential area and to see that the pollution level is maintained in this area after proper field inquiry. The said notice is annexed herein and marked with letter "P-7".

7. The petitioner states that the poultry farm is operating in flagrant disregard of environmental guidelines. It is handling birds above 25,000 without obtaining the Consent to Establish/Consent to Operate from the State Board. The petitioner submits that the poultry farm operated by the private respondent is in violation to the law laid down in Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.



8. The petitioner submits that the poultry farm is being operated in a residential area and in complete disregard to the established ^{biting} criteria as laid down in the Environmental Guidelines for Poultry Farm in January 2022. These guidelines apply to all types of poultry farms, emphasizing that operations of poultry farm should be located at least 500 meters away from residential zones to prevent nuisance caused by odours and flies.
9. The petitioner states that the Environmental Guidelines issued by the Central Pollution Control Board mentions the Gaseous emissions and feed mill dust and also the management of solid waste including dead birds, litter, manure and hatchery debris. These guidelines highlight the potential risks posed by such pollution to human health.
10. The petitioner submits that the poultry farm is emitting, noxious and toxic gases, such as ammonium hydrogen sulphide with no proper measures to disperse it, which is extremely harmful and the whole village is suffering. The dead bodies of the birds are being littered everywhere and emitting a horrid smell and has not been disposed of properly.
11. The petitioner to address the issue as mentioned here in above has written to the Senior Scientist and in charge Public Grievance Cell, Department of Environment Government of West Bengal regarding the deteriorating environmental conditions on 06.03.2023. The said officer sent a notice to the Block Development Officer, Sainthia block for submitting Action Taken Report but sadly no response or steps has been taken by the Block Development officer till the filing of this petition.

The copy of the said letter along with postal receipt are annexed herewith and marked with Letter "P-8".



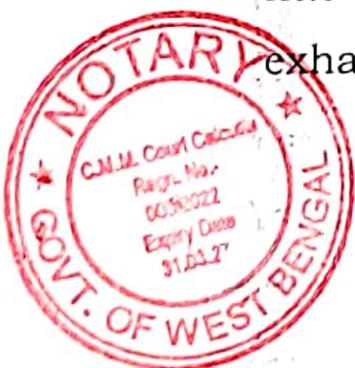
12. Thereafter the petitioner has written notice through his Advocate Mr. Brijesh Giri, on 28.11.2023 to the authorities concerned with a copy being forwarded to the Gram Pradhan and the private respondent herein asking for the relief which the petitioner is rightfully entitled for and the said notice has been received by all the addressees.

A copy of the said notice dated 28.11.2023 and the track report evincing receipt of the said notice is annexed herewith and collectively marked with letter "P-9"

13. That after the receipt of the aforesaid notice the Respondent No. 2 authority has asked for the Action Taken Report (ATR) from the Block Development Officer, Sainthia Block dated 04.03.2024, a copy of the said letter addressed to the Block Development Officer is annexed herewith and marked with letter "P-10".

14. The petitioner submits that his right to life is under threat due to the conditions created by the running of the poultry farm by the private respondent. The right to life of the innocent villagers as enshrined in Article 21 of the Constitution of India is also being affected by the private respondent. The clean air and water is guaranteed to the citizens are being deprived in such uninhabitable surroundings due to the noxious fumes generated from poultry farm which has made the situation unbearable.

15. The petitioner having no efficacious alternative remedy available has approached this Hon'ble Court for relief. The petitioner has exhausted all avenues of recourse to justice.

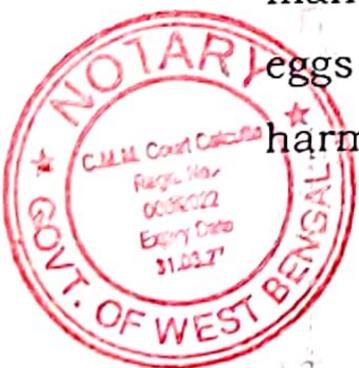


LIMITATION

There is an ongoing cause of action in view of inaction by the State Respondents in regard to complaints dated 28/11/2023 and complaints made earlier. The private respondent No. 7 Mr. Bikram Mondal is still running the illegal poultry farm which is harmful for the village of Fulur. The application is not barred by limitation.

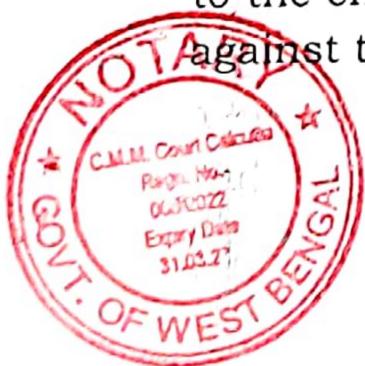
GROUNDS

- A. The substantial issue is that the private respondent is operating the illegal poultry farm from the Village Fulur in complete disregard to the laws as laid down in the Water (Prevention and Control of Pollution) Act, 1974 and Air (prevention and control of pollution) Act, 1981 and the guidelines issued by the Central Pollution Control Board in January 2022.
- B. The poultry farm is being operated by the private respondent handling birds above 25,000 at a single location without obtaining the Consent to Establish and Consent to Operate as per the Central Pollution Control Board guidelines for poultry farms management released in January 2022.
- C. The poultry farm is emitting noxious and toxic gases such as Ammonia and Hydrogen Sulphide with no proper measures to disperse it. These gases are emitted from the excreta generated by the birds which is extremely harmful and the whole villages suffering.
- D. The solid waste from poultry farms includes poultry droppings, manure, litter, dead birds, and hatchery waste like spoilt or unhatched eggs and feathers and other deposited wastes. These materials emit harmful gases and harbor pathogenic germs and parasites.



Additionally, they serve as breeding grounds for flies and rodents, leading to significant hygiene issues and risks of severe health hazards to the petitioner.

- E. The accumulation of wastewater resulting from the overflow of water used for cleaning and leftover water consumed by birds serves as a breeding ground for flies, including mosquitoes, houseflies and other insects. These insects pose health risks to both the petitioner and other inhabitants of the village. This situation violates the Right to Life, as enshrined under Article 21 of the Constitution of India
- F. The dead birds are left unattended for days without paying regards to the burial methods to be followed for operating poultry forms as mentioned in the Central Pollution Control Board guidelines issued in the month of January 2022.
- G. The poultry farm is sitting adjoining the residence of the petitioner which is violative of the Central Pollution Control Board guidelines issued in January 2022. These guidelines stipulate that poultry farms should be at least 500 meters away from residential zones to prevent nuisances caused by odour and flies. This proximity is causing severe health issues for the petitioner, especially considering his existing battle with cancer.
- H. The private respondent has made the life of the petitioner and other villages unbearable by depriving them of their Right to Life under Article 21 of The Indian Constitution which guarantees clean air, water and habitable surroundings.
- I. In spite of several complaints and letters written to the respondent authorities, no action has been taken to address and improve the situation. Such blatant disregard in relation to the instructions and unempathetic approach of the department towards human life is deeply concerning.
- J. The private respondent has already inflicted significant damage to the environment in the Village Fulur in a fragile ecosystem which is against the spirit of precautionary principle.



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PRAYER

It is therefore most respectfully prayed that this Hon'ble Court may graciously be pleased to:

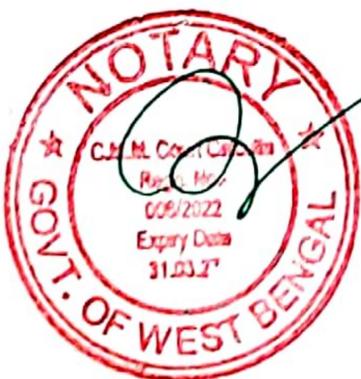
- i. Admit the Petition.
- ii. Issue notice to the Respondents.
- iii. Issue appropriate order/orders, direction/directions to the private respondents.
- iv. Issue appropriate order/orders, direction/directions to Respondent Authorities for taking steps for discontinuing the illegal operation of poultry farm in Village Fulur, District Birbhum by the Private Respondent.

And Pass such other or further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.

And for this act of kindness the petitioner is in duty bound shall ever pray.

By the Applicant Through

Bijesh Ghosh
ADVOCATE



BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO OF 2024

IN THE MATTER OF:

JAGANNATH MONDAL

...Applicant

VERSUS

STATE OF WEST BENGAL,

DEPARTMENT OF ENVIRONMENT & ORS

...Respondents

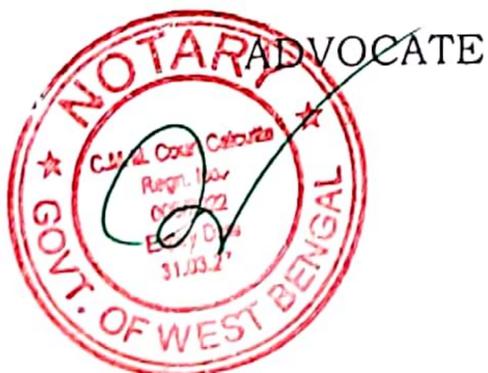
AFFIDAVIT

I, Jagannath Mondal aged about 59 years S/O Shankar Mondal residing at Village Fulur, P.S Sainthia, District Birbhum, West Bengal, Pin 731 234 do hereby solemnly affirm and declare as under-

1. That, I am the applicant in the above mentioned original application and I am competent to swear this affidavit.
2. That I am fully conversant with the facts and circumstances of the case.
3. That I have read over the contents of the accompanying affidavit and the same is true and correct and is drafted on my instructions.

Identified by me

Brishesh Giri



SOLEMNLY AFFIRMED

&
Declared Before me
on Identification Adv.

N. Das Gupta
NOTARY
N. DAS GUPTA
C.M.M. Court
Govt W.B

30 APR 2024

Nirmalya Das Gupta

DEPONENT

Nirmalya Das Gupta
NIRMALYA DAS GUPTA
Advocate Cum Notary
REGN NO.-006/2022
C.M.M. Court Calcutta

BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO OF 2024

IN THE MATTER OF:

JAGANNATH MONDAL

...Applicant

VERSUS

STATE OF WEST BENGAL,

DEPARTMENT OF ENVIRONMENT & ORS

...Respondents

VERIFICATION

Verified on this the 30th April, 2024 at Kolkata that the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

Identified by

Brijesh Gini

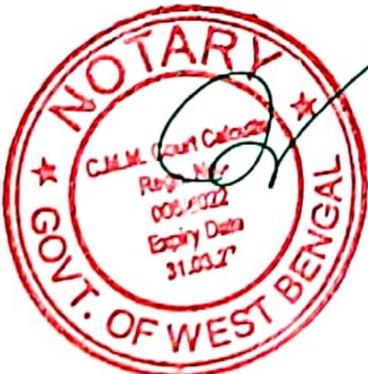
Advocate

জগন্নাথ মন্ডল

DEPONENT

CERTIFICATE

That the contents of the affidavit have been explained in Bengali Language



'17'

Annexure - P - 1



ভারতীয় বিশিষ্ট পরিচয় প্রাধিকারক
 ভারত সরকার
 Unique Identification Authority of India
 Government of India

তালিকাভুক্তির আই ডি / Enrollment No : 1058/33020/04964

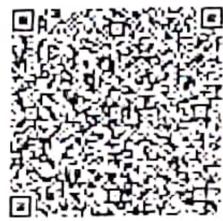
To
 JAGANNATH MONDAL
 জগন্নাথ মন্ডল
 PHULUR
 Phulur
 Fulur, Birbhum
 West Bengal - 731234

02/02/2014



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আপনার আধার সংখ্যা / Your Aadhaar No. :

7991 0625 3323

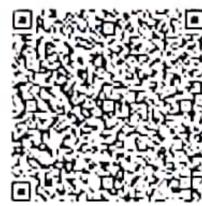
আধার - সাধারণ মানুষের অধিকার

ভারত সরকার
 Government of India
 জগন্নাথ মন্ডল
 JAGANNATH MONDAL
 পিতা শংকরপদ মন্ডল
 Father SHANKARPADA MONDAL



জন্মতারিখ/DOB 13/02/1965
 পুরুষ / Male

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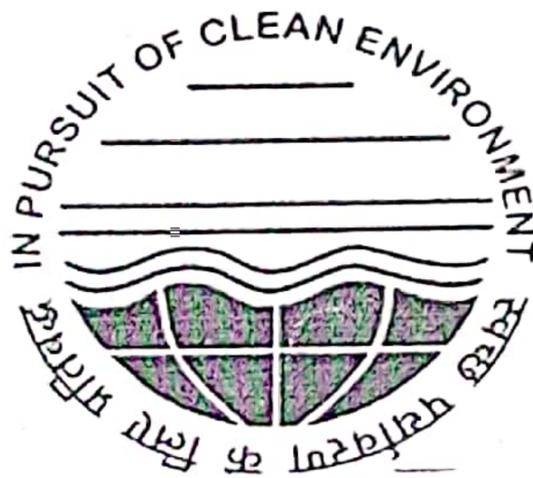


আধার - সাধারণ মানুষের অধিকার

শ্রী জগন্নাথ মন্ডল

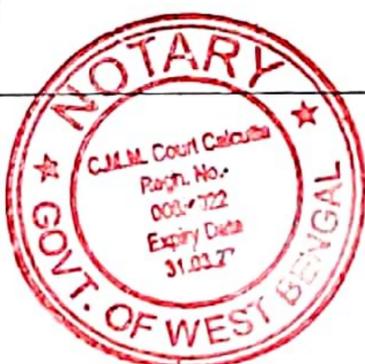


Environmental Guidelines for Poultry Farms



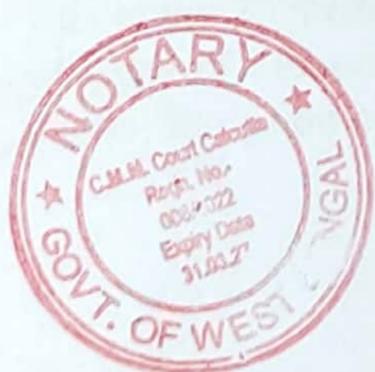
Central Pollution Control Board
(Ministry of Environment, Forest and Climate Change, Govt. of India)
Parivesh Bhawan, East Arjun Nagar
Delhi-110032

(January 2022)



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1.0 Background

Guidelines for Poultry farms were developed in the year 2015, which was applicable to poultry farms handling above 1.0 lac birds. As per CPCB classification of industrial sectors, 'Poultry, Hatchery and Piggery' are categorized into 'Green'.

In the matter of O.A. No. 681 of 2017, Hon'ble NGT, passed the following order on 16th September, 2020:

'...Accordingly we allow this application and direct CPCB to revisit the guidelines for categorizing the poultry farms as Green category and exempting their regulation under Air, Water & EP Act. CPCB may issue fresh appropriate orders within three months and in if no further order is issued, all the State PCBs/PCCs will require enforcement of consent mechanism under the above acts after 01.01.2021 for all Poultry Farms above 5000 birds in the same manner as is being done for farms having more than one lac birds. Till then, even without such consent mechanism, the state PCBs/PCCs may strictly enforce the environmental norms and take appropriate remedial action against the any violation of water, air and soil standards statutorily laid down.'

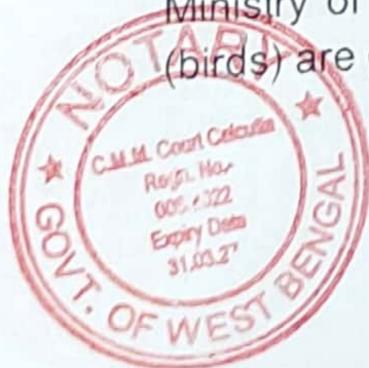
Subsequent to the aforesaid order, Hon'ble NGT (PB) in the matter of O.A. No. 320/2021 (Gauri Maulekhi Vs. Union of India & Ors) passed the following order on 10.12.2021

"...Accordingly, we direct that while the impugned guidelines be immediately enforced, all poultry farms above 5000 birds will also be covered by the said guidelines latest from 1.1.2023. The siting criteria should apply to all consents/renewals hereafter for the above size of the poultry farms. CPCB may issue revised guidelines to all the State PCBs/PCCs in terms of the above order within one month."

2.0 Poultry farming

Poultry farms refers to breeding, hatcheries, layer and broiler farms. Poultry farming is the rearing of domesticated birds such as chickens, turkeys, ducks, goose etc. for the purpose of farming meat or eggs for food. Chickens raised for eggs are usually called laying hens or layers while chickens raised for meat are often called broilers. Chicken are most numerous and popular domesticated poultry species, while other species, e.g. duck, goose form a very small proportion of activities in comparison. Poultry farming in India has witnessed a spectacular growth and transformed itself into a vibrant agri- industry. The leading states having poultry farms are Tamil Nadu, Andhra Pradesh, Telangana, West Bengal followed by Maharashtra, Karnataka, Assam, Haryana, Kerala and Odisha.

As per the 20th livestock census carried out by Department of Animal Husbandry & Dairying, Ministry of Fisheries, Animal Husbandry & Dairying, the state-wise number of poultries (birds) are given below:



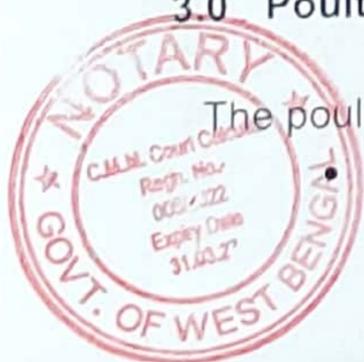
'21'

Sl.No.	States/UTs	Nos of Poultries (birds) in millions
1	Andhra Pradesh	107.863
2	Arunachal Pradesh	1.599
3	Assam	46.712
4	Bihar State	16.525
5	Chhattisgarh	18.711
6	Goa State	0.349
7	Gujarat	21.773
8	Haryana State	46.24
9	Himachal Pradesh	1.341
10	Jammu & Kashmir	7.366
11	Jharkhand	24.832
12	Karnataka State	59.494
13	Kerala State	29.771
14	Madhya Pradesh	16.659
15	Maharashtra	74.297
16	Manipur	5.897
17	Meghalaya	5.379
18	Mizoram	2.047
19	Nagaland	2.838
20	Odisha	27.439
21	Punjab	17.649
22	Rajasthan	14.622
23	Sikkim State	0.580
24	Tamil Nadu	120.781
25	Telangana State	79.999
26	Tripura	4.168
27	Uttar Pradesh	12.515
28	Uttarakhand	5.018
29	West Bengal	<u>77.322</u>
30	Andaman & Nicobar Islands	1.289
31	Chandigarh	0.048
32	Dadra Nagar Haveli	0.089
33	Daman & Diu	0.018
34	Delhi	0.043
35	Lakshadweep	0.226
36	Pondicherry	0.236
	Total	851.809

3.0 Poultry Farming Process

The poultry farming consist of the following unit operations.

Breeder Farms (Breeding)



- Hatchery Farm (Hatching)
- Layer farm &
- Broilers

3.1 Breeder Farms(Breeding)

Breeder farms specialize in the production of fertilized eggs for either broiler or egg production. Specific ratios of male/female breeders are used to ensure the fertility of hatching eggs. In India both layer and broiler breeders are predominantly housed in cages and the fertile eggs are obtained by artificial insemination. The eggs are collected daily, assessed for quality and stored in plastic / pulp trays in a controlled environment before being transferred to the hatchery for the production of commercial chicks. At the end of their productive phase, breeders are removed and sold for meat processing or byproducts.

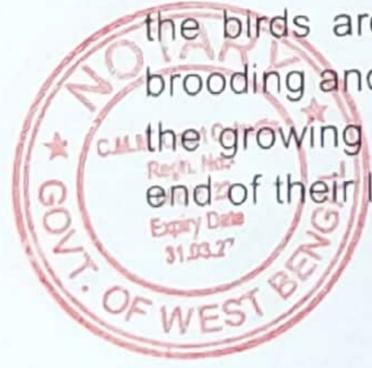
3.2 Hatchery farms (Hatching)

The eggs collected from Breeder farms are hatched at special hatcheries. These are centralized facilities and receive fertilized eggs from its own or several other breeder farms. The eggs are stored for a period of 4 to 10 days before being placed in incubators that control temperature and humidity to stimulate embryonic development. Hatching typically takes 21 days. The chicks are vaccinated, graded for uniform quality and dispatched to destinations for further rearing. The day-old broiler chicks are delivered to broiler farms straight run (un-sexed). Chicks from egg laying stock are gender sorted and the female chicks alone are delivered for egg production while male chicks are killed and disposed-off.

3.3 Layer (Egg production)

In the layer farms, egg laying hens are reared for egg production. Typical egg laying cycle starts around 18 weeks age of the bird and continues upto 72-75 weeks of age and thereafter diminished gradually to become uneconomical. Birds less than six months of age are termed as pullets and are raised either on floor or on the cages little away from adult farms located in the same or at different premises. The birds are kept and raised in three different houses based on its age i.e. a) Chick house: 0 to 45 days, b) Grower House: 45 days to 18 weeks and c) Layer House: 18 weeks to 72 to 75 weeks. The birds start laying eggs from 18 weeks onwards.

There are two phases of growing period i.e. brooding and growing phase. The brooding phase extends from day one to three to four weeks depending upon the season of rearing. During this period, the birds are provided extra warmth in an enclosed quarter by means of gas brooders, electric hovers, infra-red bulbs or coal brooders. After this initial period, the birds are moved to growing establishments which are typically open houses. The brooding and growing houses may be deep litter type or cage type. After the completion of the growing phase, the birds are moved to laying cages where they remain there till the end of their laying cycle (72 to 75 weeks of age).



3.4 Broiler (Meat Production)

Broiler birds are raised especially for meat production for 40 to 45 days or up to weight gain of 2.5 to 3.0 Kg. Most of broiler birds gain slaughter weight (2.5 kg to 3.0 kg) within 40 to 45 days. Broilers are most commonly reared in deep litter shed, where feed and water is given by hanging feeder and watering. After cleaning of the deep litter shed, rice husk, saw dust, groundnut hulls, wood shavings, and dried leaves bed of 3" thickness is prepared by scratching. Chicks are moved in the shed freely. Depending on the weight of the bird, the birds are sold for slaughtering from 40th to 45th days.

The rearing of birds is of two types:

3.4.1 Deep Litter System

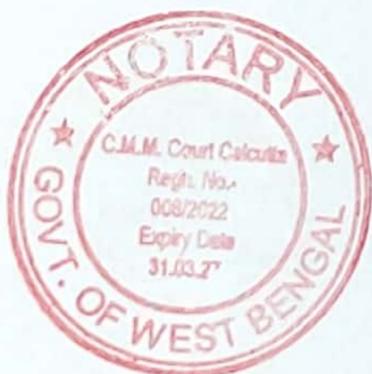
Birds are kept on litter floor which is covered with different kinds of agro materials like rice husk, saw dust, groundnut hulls, wood shavings and dried leaves etc. depending on their availability. Initially, the depth of the agro material is approx 5 to 6 cm and then topped up by another 5 to 6 cm as the birds grow in size. The birds may remain on this system upto six weeks in case of broilers from where they go for slaughtering. In case of layer, they remain upto 18 weeks of age or may be shifted to cages. The majority of broilers are housed in deep litter sheds. Feed and water are provided manually in small farms and with automatic equipment in large farms.

3.4.2 Cage System

This is widely practiced system for housing commercial layers, breeder layers and of late even broiler breeders. The birds are generally housed in cages erected on raised platforms in open sheds. These cages are arranged in rows. Three or four birds are accommodated in each cage with provision of drinking water and feeding. The water is provided through a nipple fitted to a closed pipe running at head height of the bird. Feed is placed in a trough attached to the front of the cage and distributed often manually or by automation. The droppings of birds slip through perforations instantaneously and are collected on the floor.

4.0 Classification of Poultry Farms

Backyard poultry is typically owned by small and marginal farmer and comprises of few birds, largely for self-consumption and very small quantities get commercially sold. The poultry farming practiced by the rural and tribal farmers under free range or backyard or semi-intensive systems is usually referred to as rural poultry farming.



Based on the number of handling of birds, Poultry farms may be classified into three categories.

- Small (5,000-25,000 bird)
- Medium (above 25,000-1,00,000 birds).
- Large (above 1,00,000 birds)

The poultry farms under small category are in un-organized sector run by economically weaker farmers and are of rural background.

5.0 Environmental issues & Current practices to address the environmental issues in Poultry Farms

Environmental nuisance arising from poultry farms is due to the generation of NH₃ & H₂S gases causing odor, dust from feed mill, storage & management of Solid Waste (Manure, Dead Birds and Hatchery Waste) also causing odour & water from cleaning operations. Breeding of flies and rodents etc. are the other issues in poultry farms.

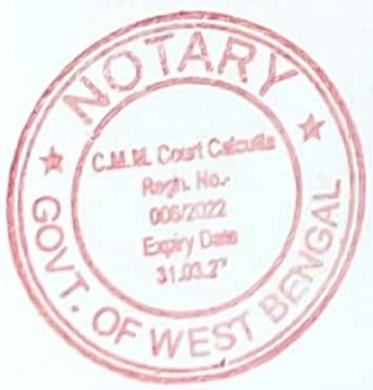
(i) Gaseous emission (NH₃ & H₂S) and Feed Mill Dust

- The gaseous emission viz Ammonia (NH₃) and Hydrogen Sulphide (H₂S) are emanated from the excreta generated from the birds causes odour. The odour is produced due to anaerobic conditions in the litter occurs due to its storage at one place for longer period. The general practice followed by poultry farms to control odour is by maintaining good ventilation and free flow of air.
- Dust is generated from the feed mill operation during mixing and grinding of various ingredients of feed. The feed mill operations are typically located inside the mill buildings. Dust extraction systems are generally used to collect the dust and to improve the shop floor environment.

(ii) Solid Waste

Sources of solid waste are (i) Poultry droppings/Manure/Litter (ii) Dead Birds & (iii) Hatchery Waste.

- In case of cage system, excreta are collected just below the bird cages directly on ground, made of stone slabs or concrete or impermeable compacted clay. Litter is collected and kept dry by maintaining good ventilation and free air flow to undergo aerobic composting. The manure is removed once in four to six months & sold to the farmers. In deep litter system, excreta are collected in bed made up of agro residue (rice husk, saw dust, groundnut hulls, wood shavings, and dried leaves) itself. Once in a day or two days the bed is scratched for mixing of litter. Once the chicken is sold for meat, the bed (rice husk, saw dust, groundnut hulls, wood shavings, and dried leaves) is removed once the cycle of 42 to 45 days gets over along with the excreta and sold as



manure. The shed is washed and lime is applied as disinfectant and allows the area for quarantine period.

- Death of the birds in poultry farms is a common phenomenon and their disposal is an issue. Dead birds cause nuisance, odor and aesthetic problems like disease, insect, rodent and predator problems if the birds are not disposed immediately. Dead birds are either burned at relatively high temperatures using different fuels which causing atmospheric pollution and also odour nuisance or buried in the burial pit in the premises.
- During hatching operation, large quantity of solid waste comprising of egg shells, unhatched eggs, dead embryos and chickens and a viscous liquid from eggs etc is generated. This waste is disposed through open burning or through rendering plant.

(iii) *Waste water generation from cleaning operation*

- Water in poultry farms is used for drinking of birds, sprinkling during the summer and for cleaning sheds and equipment in between batch replacement.
- As such there is no process waste water generation from the poultry farming. However, wastewater is generated during cleaning operations. The waste water is collected in holding tank and utilized in gardening in the premises.

(iv) *Other issues:*

- Breeding of flies and rodents, etc. are the other issues in poultry farms

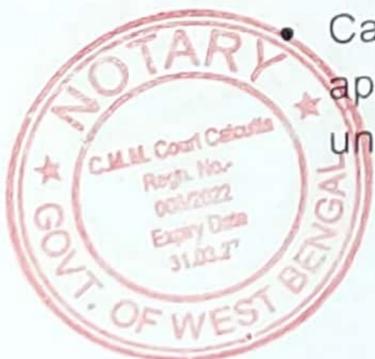
6.0 Environmental Guidelines for Poultry Farms farms:

Following are the revised guidelines addressing environmental issues of Poultry Farms.

6.1 Gaseous emission (NH₃ & H₂S) and Feed Mill Dust

(i) *Minimization of odour/gaseous pollution*

- Proper ventilation and free flow of air over manure collection points to keep it dry shall be ensured.
- Manure should be protected from Run-off water and from unwanted pests/insects.
- Well-designed storage facilities should be provided to contain manure /litter.
- Carcasses of dead birds shall be promptly collected on regular basis and disposed appropriately without damaging the environment as per the prescribed methods under section 6.2 (iii) of the guidelines.



(ii) Dust from Feed Mills

- Feed mill and Go-down should be located on a well elevated ground preferably near the entrance of the farm and isolated from other poultry sheds.
- Dust collector system should be installed to control emissions from mixing and grinding section of the feed mill.
- Workers in the feed mill shall be provided with dust masks to protect them from dust.
- Provision for vehicle tyre dip shall be made at the entrance to remove impurities/dust carried by vehicle tyres;
- Floor of the feed mill and Go-down shall be concrete and raised above the ground level by a minimum of 2 feet.

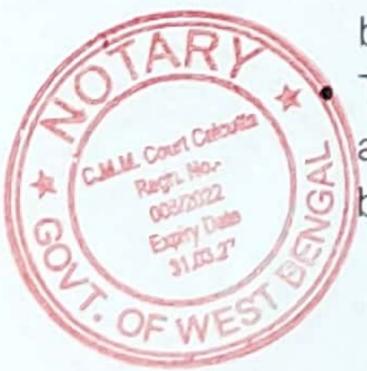
6.2 Management of solid wastes (Solid Wastes contains Manure/litter, Hatchery Debris and Dead Birds)

(i) Manure handling and disposal

- Proper ventilation and free flow of air over manure collection points to keep it dry (by blowing dry air over it or by conveying ventilation air through the manure pit) shall be ensured to prevent obnoxious odour in the area.
- Poultry housing shall be ventilated allowing sufficient supply of fresh air to remove humidity, dissipate heat and prevent build-up of gases such as methane, carbon dioxide, ammonia, etc.
- Excreta shall be scratched at least once in two days as needed for mixing of litter and to keep bedding material (rice husk, saw dust, wood shavings etc.) dry in case of deep litter houses the waste material. This waste shall be utilised for composting after completion of the cycle.
- Manure collected under cages on high raised platforms shall be stored for further processing and utilized by using following options:

Sl. No.	Poultry Farms	Methods for Disposal/Utilization of manure
1.	Small Poultry Farms	• Composting
2.	Medium & Large Poultry Farms	• Composting or Biogas production for disposal/utilization of manure/litter • Combination of any of the methods for disposal/utilization of manure/litter
3.	Poultry Farms in Cluster	• Common facilities for Biogas production or Composting or their combination

- Land application of manure to the nutritional requirements of soil and crop shall be balanced.
- The litter / manure storage facilities shall be minimum 2 m above the water table and of adequate size based on type and number of birds handled. Its base should be constructed with stone slabs or concrete or impermeable compacted clay.



- Manure shall be protected from run off water and cover it to avoid dust and odours in storage pits. The dry manure dump shall be covered with permanent roof or with plastic / similar material to prevent air emissions and the precipitation falling on it.
- Mortalities on farm by proper animal care and disease prevention program shall be reduced.
- Proper facilities (Burial Pit/Composting/Incineration) shall be provided for Collection, storage, transport and disposal of dead birds
- Domestic hazardous wastes (vaccines, vials, medicines, syringes, etc.) shall be disposed as per provisions of "Solid Waste Management Rules, 2016".

Composting of Manure:

- Proper mixing the waste with a carbon rich material (e.g., paddy straw / husk, wood shavings) should be done in the pits. Carbon to nitrogen ratios of 20-25:1 is usually recommended. Pure manure can also be composted following the procedure and monitoring all parameters. The composting facilities may be designed through expert institutions in the field as per the size of poultry farms.
- Periodic stirring of compost material should be done for its proper mixing.
- Moisture levels should be maintained between 35 to 50%.
- Temperature monitoring should be done to determine composting conditions.

(ii) Hatchery Waste

- Efforts shall be made in converting the shells to animal feed to supply as a source of calcium, especially for poultry feeds.
- Extrusion with soya bean meal can be used to make a shell/hatchery meal.
- Un-hatched eggs shall be disposed of by composting or rendering.

(iii) Dead Birds Disposal

The dead birds arising from day to day farm activity shall be separated from other live birds promptly and stored in closed containers and disposed off within 24 hours by following any of the disposal methods.

A) Burial Method:

- The dead birds arising from day to day farm activity should be separated from other live birds promptly and should be stored in closed containers \ disposed off within 24 hours
- The dead bird burial pit shall be of minimum 3 to 4 m in depth and 0.8 to 1.2 m diameter and this size may vary as per the capacity of poultry farm and shall be located above minimum 3 m from the ground water table.



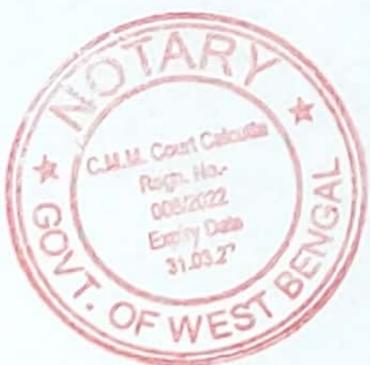
- The dead bird burial pit shall be provided with a vermin/fly proof cover made up of wooden / metal / concrete having a central operable lid of proper size for day to day dropping of carcasses.
- Carcasses shall be covered by a thin layer of soil (at least 40 cm deep) along with calcium hydroxide.
- When the pit is full, a compacted soil cover of 0.5 m shall be provided with the top of the covered soil well above the ground level.
- The distance between any two burial pits should not be less than 1 m.

B) Composting

- The composting facility shall not be located within 300 m from the nearest dwelling and 100 m from any well or water course.
- The capacity of the composting facility shall be sufficient to handle the average mortalities on the farm.
- The roof of the composting facility shall be permanent with concrete bottom.
- The composting facility shall be secured with link mesh all around raised to a height of 1.5 m above the ground level to avoid the predation by straw dogs etc.
- A proper mixture of smaller and larger particle sizes to obtain an optimum air exchange within the mixture and build-up of temperature.
- Moisture content of the composting pile shall be approximately 60%. More than this may result in odour problems and less than this will reduce the efficiency of the composting process.
- Carbon and nitrogen are vital nutrients for the growth and reproduction of bacteria and fungi. The carbon-to-nitrogen ratio shall be in the range of 20:1 and 25:1 for proper composting. This is obtained by carefully balancing the dead bird and carbon sources.
- The optimum temperature for composting is 54 to 66°C which pasteurizes the compost. If temperature falls below 49°C after a week or so, the material should be moved to the secondary stage unit. To facilitate the easy transfer of the first stage material to the secondary stage, the proper designing of the primary stage (first stage) facility is desirable as illustrated in figure 5.5. Failure to do so will result into poor compost. The temperature in the secondary stage unit will begin to raise as beneficial bacterial activity begins and will peak in 5 to 10 days.

6.3 Waste water Management

- The waste water generated from the cleaning operations (after each batch removal) shall be collected in appropriate holding tank and put to use in the green belt. Efforts may be made for dry cleaning of the sheds with use of disinfectant so as to avoid use of water.



- Water use and spills from drinking devices shall be reduced by preventing overflow or leakages and using calibrated, well-maintained self-watering devices;
- Improve drainage, reduce standing water and water ditches to control mosquitoes and flies
- Use of pressure pumps, hot water or steam in cleaning activities instead of cold water and plain water scrubs may be encouraged to improve sanitation and reduce the quantities of wash water.

6.4 Other issues

- *Control of Flies:* Proper treatment and disposal of manure, ventilation of sheds, control of temperature, good sanitation, swift repairs of leaks, avoidance of feed spills, prompt removal of broken eggs and dead birds shall be ensured for control of flies in the poultry farms. The farm should have provisions of wire nettings, traps, fly-repellents, insecticides etc.
- *Control of Rodents:* Methods for the control of rodents may include: i) Exclusion ii) Trapping Glue boards iii) Tracking powder iv) rodent proof doors and windows to eliminate rodents/pest infestation.
- As per Bureau of Indian Standards 1374: 2007, on poultry feed specifies that the use of antibiotic growth promoters is not recommended in poultry feed, hence use of antibiotics should not be mixed with feed or administered for non-therapeutic purposes without prescription for diseased birds. ***Regulation for use of antibiotics shall be regulated as per the advisory/directions issued by Department of Animal Husbandry, Dairying and Fisheries and Ministry of Health and the Drug Controller General of India.***

7 Siting Criteria

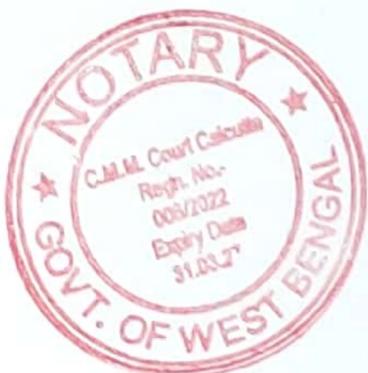
New Poultry Farms (Set up after issuance of Guidelines) should preferably be established

- 500 m from residential zone in order to avoid nuisance caused due to odour & flies
- 100 m from major water course like River, Lakes, canals and drinking water source like wells, summer storage tanks, in order to avoid contamination due to leakages/spillages, if any.
- 100 m from national Highway (NH) and 50 m from State Highway (SH) in order to avoid nuisance caused due to odour & flies.
- 10-15 m from rural roads/internal roads/village pagdandis
- The Poultry sheds should not be located within 10 m from farm boundary for cross ventilation and odour dispersion



8.0 Regulatory/ Monitoring Mechanism for Poultry Farms

- SPCBs/PCCs shall upload Environmental Guidelines on their website.
- Guidelines shall be applicable to all the category of Poultry Farms.
- Poultry Farms handling birds above 25,000 at single location will have to obtain consent to establish (CTE) and consent for operate (CTO) under the Water Act, 1974 & Air Act 1981 from State Pollution Control Board/Pollution Control Committee.
- As per the directions of Hon'ble NGT dated 10.12.2021 (O.A. No. 320/2021: Gauri Maulekhi Vs. Union of India & Ors, poultry farms handling above 5,000 birds at single location shall also obtain consent to establish (CTE) and consent for operate (CTO) under the Water Act, 1974 & Air Act 1981 from State Pollution Control Board/Pollution Control Committee w.e.f. 01.01.2023
- The Poultry Farms are categorized under "Green" Category, therefore validity of consent will be 15 yrs.
- Animal Husbandry Department of the State/Districts to assist the poultry farms for implementation of Guidelines.



মাননীয়,

31

Annexure - P-3

প্রিয়ানু-অস্থান
ফুলুর-গ্রাম-পঞ্চায়েত-
বিভাগ, বাঁকড়া-

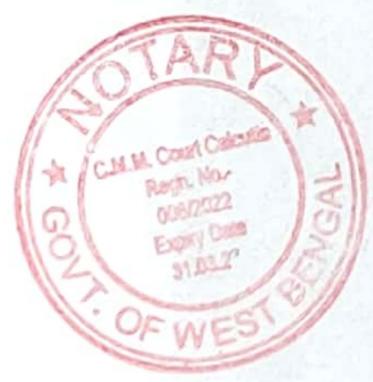
বিষয়: শোলি-ছাত্র-বন্ধু-ক্লাব-জন্য-আবেদনপত্র,

অস্থান,

বিশেষ-স্বাক্ষরকারীজন-আমরা-বাঁকড়া-জেলার-
অধিকার-প্রাধিকার-থানার-ফুলুর-গ্রাম-পঞ্চায়েত-
সমিতি, পিন-নং-৭৩১২৩৪, আমাদের-বাঁকড়া-কাছে-
স্বাক্ষর-অবলম্বিত-বিক্রয়-শুলি-বিক্রয়-অবলম্বিত-
স্বাক্ষর-আছে, যে-স্বাক্ষর-বিক্রয়-অবলম্বিত-শোলি-
ছাত্র-বন্ধু-ক্লাব-শুরু-করেছে। উল্লেখিত-
প্রিন্সিপাল-শোলি-ছাত্র-ক্লাব-আমরা-প্রতি-
অস্বাভাবিক-মত, দাবী-দুর্ভাগ্য-ছাত্র-ছাত্রী-
আমাদের-সমন্বিত-অনুশাসনা-হয়ে-উঠবে,
আমাদের-স্বাক্ষর-শক্তি-স্বীকার-হতে-সম্মত,

অতঃপর,

আমাদের-বিষয়-আমাদের-শিক্ষার্থীর-
সকলের-স্বাক্ষর-দিকটা-থোপাল-রোধে, আমান-
স্বাক্ষর-অবলম্বিত-প্রিন্সিপাল-শোলি-
ছাত্র-বন্ধু-ক্লাব-বন্ধু-ক্লাব-দেব-তাহলে-আমরা-
সকলে-আমাদের-প্রতি-কৃতজ্ঞ-থাকবে,



বন্দনা বাঈ
Member
FULUR GRAM PANCHAYAT
তার-24/05/22

স্বাক্ষর
ফুলুর-গ্রাম-পঞ্চায়েত
১/ শ্রী উৎসব্রত চন্দ্র
২/ Bikash Kumar Mondal

To,
Panchayat Pradhan,
Fulur Gram Panchayat,
Dist. Birbhum

Sub: Request to shutdown Poultry Farm

Sir,

We the undersigned are the permanent residents of village Fulur, Dist. Birbhum, P.S.- Sainthia, pin- 731234. Near to our residence one Bikram Mondal, S/O Late Mrityunjoy Mondal has started a poultry farm in his own place. If the poultry farm started in the locality then we the residents will be in a very difficult situation. Due to bad odour the place will become inhabitable for us and which may cause to our health.

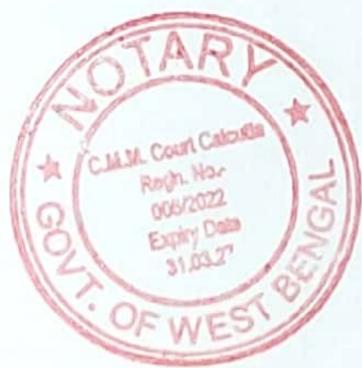
Hence, it is requested to you please initiate an investigation procedure, keeping in mind the health issues of our family and stop the poultry farm and oblige.

Thanking You,

Villagers of Fulur village,

1. Jagannath Mondal
2. Bikash Kumar Mondal

Member
Fulur Gram Panchayat
Bandana Bagdi
Date: 24.05.2022



গাম পঞ্চায়েতের অন্তর্গত ফুলুর মৌজার ৯৮৪ ও ৯৫২ দাগে পল্ট্রি ফার্ম নির্মাণ বন্ধ করা
(সংক্রান্ত)

প্রথম পক্ষ

দ্বিতীয় পক্ষ

১. জগন্নাথ মন্ডল, গ্রাম+পোঃ- ফুলুর

১. বিক্রম মন্ডল, পিতা:- মৃত্যুঞ্জয় মন্ডল, গ্রাম+পোঃ- ফুলুর

২. বিকাশ কুমার মন্ডল, গ্রাম+পোঃ- ফুলুর

৩. রবীন্দ্রনাথ মন্ডল, গ্রাম+পোঃ- ফুলুর

৪. উত্তম মন্ডল, গ্রাম+পোঃ- ফুলুর

উপরোক্ত প্রথম পক্ষ গনের অভিযোগের ভিত্তিতে (২০/০৫/২০২২) অফিস মেমো নং :- 990/F'GP/22 dt 24/05/2022 দ্বিতীয় পক্ষকে ২৭/০৫/২০২২ বেলা ২.০০ ঘটিকায় মিমাংসার উদ্দেশ্যে প্রথম পক্ষ গন সহ গ্রাম পঞ্চায়েত কার্যালয়ে উপস্থিত হওয়ার জন্য অনুমতি দেওয়া হয় এবং সংশ্লিষ্ট সময়ে উভয় পক্ষের উপস্থিতিতে মিমাংসা প্রক্রিয়া শুরু হয়।

বিভিন্ন কথকথানের মাধ্যমে দেখায়, দ্বিতীয় পক্ষের কাছে পঞ্চায়েত হইতে প্রদত্ত কোনো "No Objection certificate" নাই। এছারাও ফুলুর মৌজার ৯৮৪ ও ৯৫২ দাগে পল্ট্রি ফার্ম নির্মাণ হলে অবধারিত পরিবেশ দূষণের সম্ভবনা থেকে যায়। যাহা বর্তমান পঞ্চায়েত আইনের পরিপন্থি।

সুতরাং মিমাংসা সভায় সকলের উপস্থিতিতে উপরোক্ত জায়গায় পল্ট্রি ফার্ম নির্মাণকার্য বাতিল করা হয়, যাহা উভয় পক্ষ সর্বাঙ্গিকরনে মেনে নেয়।

ইম পক্ষ :-

শ্রী বিক্রম মন্ডল
স্বাক্ষর

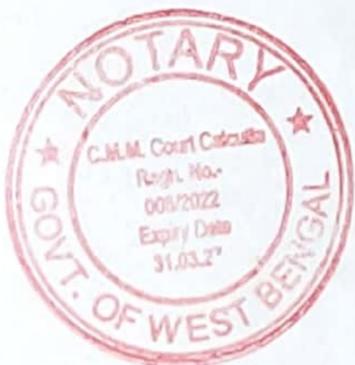
দ্বিতীয় পক্ষ :-

শ্রী বিকাশ কুমার মন্ডল
স্বাক্ষর

তারিখ - ২৭/০৫/২২

Signature 27.05.22

Prodhan
Fatur Gram Panchayat
Uwe. Prodhan



Settlement Letter

(Gram Panchayat Fulur Mouza - Stopping of construction of poultry farm on
Dag no. 984, 952.)

First Party-

1. Jagannath Mondal
2. Bikash Kumar Mondal
3. Rabindra Nath Mondal
4. Uttam Mondal

Second Party-

1. Bikram Mondal
S/O Mritunjay Mandal

On allegations of abovementioned first party, by letter on 20.05.2022 vide Memo No 990/FGP/22 received on Dated-24/05/2022, on 27.05.2022 at 2 PM for purpose of meeting in presence of First Party and whole Panchayat, permission is granted. The proceedings commence in presence of both parties. During the deliberations, it was determined that the Second Party did not have a No Objection Certificate from the Gram Panchayat, apart from this, in Fulur Mouza Daag abovementioned, if poultry farm is constructed then a strong possibility of pollution remains, if so happens is against rules of current panchayat. Afterwards, in attendance of Entire Gram Panchayat Committee, the construction of Poultry farm is banned which the second party agreed to without objection.

Undersigned

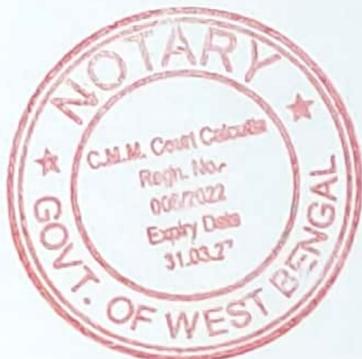
First Party

1. Bikram Mandal

Second Party

1. Bikash Kumar Mondal
2. Jagannath Mandal

Date-27/05/22



To the Pradhan,
Fulur Gram Panchayat,
Dist- Birbhum

Sub- Application for closure of Poultry farm which is operating in disregard of Order of Panchayat.

Sir,

The following undersigned, Village and P.O Fulur, P.S- Sainthia, Dist.- Birbhum, Pin- 731 23. In our locality, a person named Bikram Mondal son of Late Mrityunjoy Mondal is about to start operation of Poultry Farm, due to which we have filed a complaint to Panchayat, being office memo no. 990/FGP/22dt, dated 24.05.2022. On the basis of said complaint letter the Panchayat asked both parties to be present before it for settlement. In the settlement meeting, Bikram Mondal agreed not to continue construction or operation of the poultry farm, of which we have the letter. But in present, Bikram Mondal has started the operation of Poultry farm and rearing of chickens which is unhealthy for the environment. The Dag. No. Or poultry farm is 984, J.L. No. 117.

Therefore, if you shut down the poultry farm and restore the clean and healthy environment, we will be grateful to you.

Obliged,

Mr. Jagannath Mondal

Bikash Kumar Mondal

Dated: 08.12.2022

To '37'
The S.O.
S.O. office
Suri,
Birbhum.

Annexure-P-5

Sub: - খোন্দি ফার্ম বন্ড করার জন্য আবেদনপত্র।

ব্রাহ্মণ্য,

নিম্ন আফিসকাধীন আবাদে গ্রাম + খোন্দি -
ফুলুর, থানা - সাঁইখিয়া, পি.ন নং - ৭৩১২৩৪, জেলা
বীরভূমের খাচী কামিন্দা, আবাদে আড়া প্রসন্ন বিক্রম
মণ্ডল, পি.ন - মূহুরায় মণ্ডলের জায়গা আছে, দাগ
নং - ২৮৪, জেল এল নং - ৩৩৭। বিক্রম মণ্ডল এ জায়গায়
খোন্দি ফার্ম করেছে যাতে ফলস্বরূপ আবাদে আড়াপি
বসবাসে অনুশোষণী হয়ে উঠছে, পরিচর্যা দুস্বপ্ন হচ্ছে।
আড়াতে ক্যান্সার রোগী জগন্নাথ মণ্ডল, যাতে রেডিয়ারে বড়
ধরনের আর্থিক সমস্যা দেখা দিতে পারে। এই বিষয়ে
ফুলুর পঞ্চায়েতে জানানা হয়েছিল। পঞ্চায়েত প্রধানে দুই
অঙ্কে ডেকেছিলেন, বিক্রম মণ্ডল প্রধানে আশঙ্ক করে
যে খোন্দি ফার্ম করে না তাই পঞ্চায়েত জায়গায়, যাতে বিমার্গ
পত্র আবাদে করে আছে। বিমার্গ সা করা হয়েছে
২৭/০৫/২০২২ তারিখে। বিমার্গ সা পর চর্চানে বিক্রম
মণ্ডল এ একই জায়গায় খোন্দি ফার্ম করে সুবাসি
খালত করছে, যা আবাদে আরও অপ্রতিকূল।

অতএব, পঞ্চায়েতকে অমান্য করে জনস্বার্থ
এলাকায় অর্ন্ত খোন্দি ফার্ম বন্ড করার সুযোগ
করলে আমরা আপনাকে কৃতজ্ঞ থাকব।



তারিখ: 16/09/22

চিহ্নিত

- ১। শ্রী কাম প্রসন্ন মণ্ডল
- ২। Bikash Kumar Mondal
- ৩। সুব্রত মণ্ডল
- ৪। বিকাশ মণ্ডল
- ৫। শ্রী বিকাশ মণ্ডল



'38'

P-5

To,

The SDO Office,
Shiuri, Birbhum

Subject: Application letter for shutdown of Poultry Farm

Sir,

The following undersigned reside at Gram Fulur, P.S: Saintiya, Pin Code: 731 234, Dist.: Birbhum, adjacent to our place, one Bikram Mandal, S/O Late Mrityunjoy Mandal having property in Dag No. 984, J.L 117. Bikram Mondal has constructed a poultry farm due to which our locality has become uninhabitable. The atmosphere is getting polluted. In the locality a cancer Patient named Jagannath Mondal used to reside, he may suffer from sever health issues in future. On this subject entire Panchayat was informed and both sides were informed. Bikram Mondal assured the Panchayat Pradhan that he will not open Poultry Farm. We have resolution Letter of same dated 27.05.2022, even after that Bikram mandal has opened a Poultry Farm at same place and started farming chicken which is harmful to our health.

Hence, it is prayed to the Panchayat to shutdown the poultry farm which has already violated the order of the Gram Panchayat and obliged.

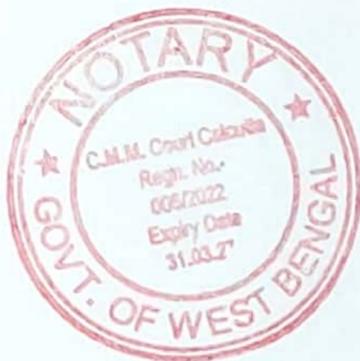
Undersigned

Jagannath Mondal

Bikash Kumar Mondal

Uttam Mondal

Dated: 16.09.2022



10 The Pollution Control Board
 W.B. Pollution Control Board
 Sahid Khudiram Sarani
 City Centre
 Durgapur

K.E.
 Annexure - P-6

39

সহায়তা

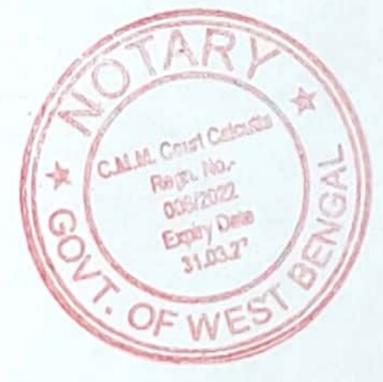
নিম্নে প্রাপ্তকর্তৃপক্ষের আদেশ, প্রায় + মো:-
 ফুলুর, থানা - সোঁয়েখিয়া, জেলা - বীরভূমের প্রাক্তন মালিক, 3
 পিতা নং - ৭০৩২০৪। আমাদের আড়ারে বিক্রম মণ্ডল,
 পিতা - মৃদু মণ্ডল মণ্ডলের জায়গা আছে, দাগ নং ৩৮৪৩
 ৩৫২। যে জায়গায় বিক্রম মণ্ডল পোল্লি ফার্ম নির্মাণ
 করেছে। যখন ফার্ম নির্মাণ করতে শুরু করে তখন আড়া
 থেকে objection করে অস্থায়ীতে আবেদন করা হয়।
 আবেদনের বিত্তিতে উক্ত অঙ্ককে ফুলুর অস্থায়ীতে ডাকা
 হয়ে সিদ্ধান্ত সাধু জন্য ২৪/০৫/২০২২ তারিখে। বিক্রম
 মণ্ডল ফুলুর অস্থায়ীতে প্রথম সহায়তাক আশ্রয় করেন
 যে, পোল্লি ফার্ম করতে যা ডেভেলপমেন্ট জায়গায়। ফুলুর
 অস্থায়ীতে সিদ্ধান্ত সাধু পরে প্রতিলিপি আশ্রয় দরখাস্ত
 সঙ্গে সোঁয়েখিয়া দিলাম। উক্ত মণ্ডল বিক্রম মণ্ডল ডেভেলপমেন্ট
 দাগ নম্বরে পোল্লি ফার্ম নির্মাণ করে সুবর্ণী পালন করতে
 শুরু করে দিয়েছে, যা আমাদের আশ্রয় অনুমোদন
 হয়ে উঠেছে। প্রকৃত সুবর্ণী ছড়ানো, যা আমাদের আশ্রয়
 পরেও অতিকারক।

অতএব আশ্রয় যদি জনস্বার্থে এলাকায় পোল্লি
 ফার্ম শুরু করতে সুব্যবস্থা করেন তখন আমরা উপস্থিত
 হব।

26/9/22

চিহ্নিত
 শ্রী বিকাশ কুমার মন্ডল

Bikash Kumar Mondal
 উত্তম মণ্ডল
 বিকাশ কুমার মন্ডল
 শ্রী বিকাশ কুমার মন্ডল



'40'

P-6

To,

WBPCB

Sahid Khudiram Sarani

City Centre

Durgapur

Sir,

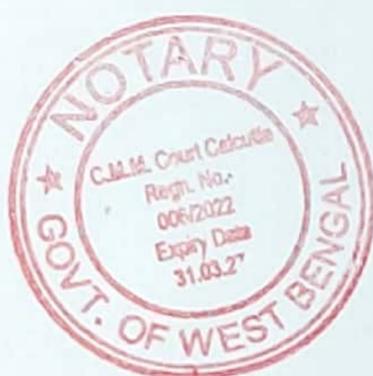
Following undersigned are permanent residents of Gram Panchayat Fulur, P.S.- Sainthia, Dist.: Birbhum, Pin: 731 234. In our locality one Vikram Mandal S/O Mrityunjoy Mondal hold a land bearing DaG No: 984, 952. In that place Vikram Mandal has established a poultry farm. When he began to construct the poultry farm, the locals objected and requested the Panchayat about the same. Upon that request, both the parties were called upon by the Panchayat to find a solution on date 28/05/2022. Vikram Mandal ensured the Fulur Panchayat that he will not establish a poultry farm in that place. Fulur panchayat's resolution letter is attached herewith. Presently Vikram Mandal has established a poultry farm in the above stated DAG No. and has started its operations. The poultry farm has led to inhabitable environment and has caused extreme smell which is harmful to our health.

Hence, we will be grateful if you take initiative to shutdown the poultry farm and oblige.

Undersigned,

Jagannath Mandal, Bikas kr Mondal, Uttam Mandal,

Date 26/09/22



All Communication
to State Board
should be
addressed with
Number Date and
Subject.



WEST BENGAL POLLUTION CONTROL BOARD
(Department of Environment, Government of West Bengal)
Mani Square, Block/Space-8IT
8th Floor, 164/1, Maniktala Main Road, Kolkata - 700 054
website: www.wbpcb.gov.in, Tel No. (033) 2320-0042
e-mail: net.wbpcb-wb@bangla.gov.in

Memo No.

PG/LD/03/2020

Date: / / 2022

To
The Block Development Officer,
Sainthia Development Block,
Ahmadpur,
Dist. - Birbhum,
Pin - 731201.

Sub: Complaint against poultry farm of Bikram Mondal of Village - Fulur, P.S - Sainthia, P.O - Fulur, Dist. - Birbhum,
Pin - 731234 allegedly causing nuisance in the locality.

Sir,

Please find enclosed a complaint petition from Jagannath Mandal & Others against the poultry farm of Bikram Mandal situated at Village - Fulur, P.S - Sainthia, P.O - Fulur, Dist. - Birbhum, Pin - 731234.

Kindly note that the Central Pollution Control Board has issued a guideline on Poultry Farms in August, 2021 which is enclosed herewith for your ready reference.

Please note that any poultry farm i.e., handling birds above 25000 (twenty-five thousand) at a single location need to obtain Consent to Establish/Consent to Operate of the State Board as per the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

You are therefore, requested to oversee the compliance of such guidelines and issue necessary directions to the unit as deemed fit and proper. In case of non-compliance and/or if it is found that the poultry farm is not suitable in that location and creating hazards in the neighbourhood, you are at liberty to exercise your good office for taking necessary action against the poultry farm under intimation to the State Board.

Yours faithfully,

Sd/-

Senior Scientist and In-charge
Public Grievance Cell

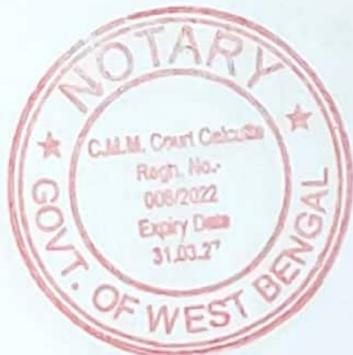
Enclo: As stated.

Memo No. 1572 - PG/LD/03/2020
(1)

Date: 29 / 12 / 2022

Copy forwarded for information to: -

- ✓ Jagannath Mandal & Others of Village - Fulur, P.S - Sainthia, P.O - Fulur, Dist. - Birbhum, Pin - 731234.
- Environmental Engineer & In-charge, Durgapur Regional Office, Sahid Kshudiram Sarani, City Centre, Durgapur, Paschim Bardhaman - 713216.



Senior Scientist and In-charge
Public Grievance Cell

'43'

Annexure - P. 8

To
The Senior Scientist and in charge Public grievance cell,
Department of Environment Government of West Bengal,
Mani Square Block / Space SIT
8th Floor 164/1 Maniktala Main Road, Kolkata,
700054.

Sir,

with ref. to your letter dt. 29.12.22 under Memo no. PG/
LD/03/2020 I Jagannath Mondal s/o Lt. Shankar Mondal of vill.
Fulur P.O. Fulur P.S. Sainthia Dist. Birbhum beg to inform
you that despite the letter sent to B.D.O. Sainthia in respect
of the setting up of a poultry firm by Bikram Mondal and
spreading of pollution around the area no positive step
has been taken as yet and also the guidelines framed in your
letter have not at all followed. Air Pollution by this illegal
poultry firm has been continuing unabated and track consign-
ment, post office, shows that B.D.O. Sainthia received your
letter on 17.2.23. but nothing has been done so far to check
this audacious attitude of owner of a poultry firm, putting
the member of people in and around the area in unnecessary
trouble and breathing hardship.

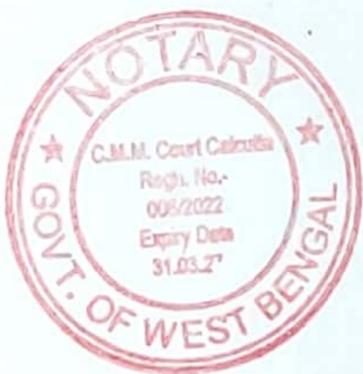
I pray to you to take all possible measure so that
pollution in an area must be stopped and people live
peacefully and without any pollution whatsoever.

Thanking you,

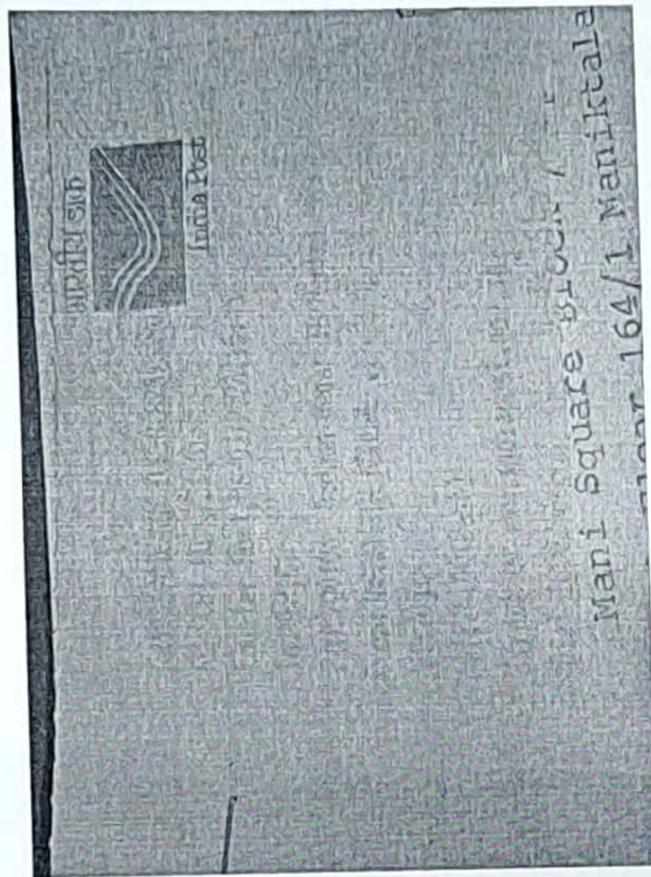
Yours faithfully

শ্রী জগন্নাথ মন্ডল

06/3/23



44



RW5936 90264 IN

BRIJESH GIRI

Advocate

High Court, Calcutta

'45' Annexure - P-9

Chamber:

11, Hare Street,
Kolkata - 700001

(M): 8017234521/6388736166

Email: brijeshgiri1581@gmail.com

Date-28.11.2023

To,

1. The West Bengal Pollution Control Board,
(Department of Environment, Government of West Bengal)
Mani Square, Block/Space- SIT
8th Floor, 164/1, Maniktala Main Road
Kolkata- 700 054
2. The Environment Engineer In-Charge,
Durgapur Regional Office,
Sahid Khudiram Sarani, City Center,
Durgapur, Paschim Bardhaman, West Bengal- 713 216
3. The Chairman,
Paribesh Bhavan Canteen
1.0.A. Brody Road
L.A. Block, Sector- III
Bidhannagar Kolkata-700 106
4. Block Development Officer
Sainthia Development Block
Ahmadpur, Distt.- Birbhum
Pin- 731 201

My Client- Jagannath Mondal S/O Shankar Mondal, Village- Fulur, P.S-
Santiya, District- Birbhum, Pin- 731 234, West Bengal

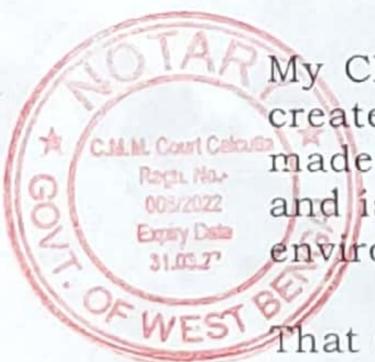
Sir(s),

Under instructions from and on behalf of my client, I address you as follows:-

That my client Jagannath Mondal residing at Village- Fulur, P.S- Santiya, District- Birbhum, Pin- 731 234, West Bengal had complained to the Panchayat of Village Fulur with reference to Office Memo No. 990/FGP/22 regarding illegal operation of Poultry Farm adjoining his property due to which his daily life has been disrupted. Mr. Bikram Mondal has set up his Poultry Farm at DAG No. 984 and 985, Khatiyon No. 356 and 1256 in Three Satak of Land which is adjoined to My Client's Home situated at Dag No. 986.

My Client is suffering from Cancer and the pollution and other conditions created by poultry farm in violation of all rules and regulations and have made the entire locality uninhabitable. Mr. Bikram Mondal has constructed and is operating the illegal poultry farm, which has resulted in pollution of environment and has caused health hazards.

That even after agreeing to stop the illegal operation of Poultry Farm before the Panchayat, Mr. Bikram Mondal continues to operate an illegal poultry



Brijesh Giri

BRIJESH GIRI

Advocate

High Court, Calcutta

'46'

Chamber:

11, Hare Street,
Kolkata - 700001

(M): 8017234521/6388736166

Email: brijeshgiri1581@gmail.com

farm.

Thereafter my client has written to Sub Divisional Officer of Suri, Birbhum with reference to letter dated 16.09.2022 complaining about it and regarding to dangers that the Poultry Farm possesses to the local inhabitants of the area and the pollution and harm being done to locality.

That my client even approached to the regional office of the West Bengal State Pollution Control Board, Shahid Khudiram Sarani, Durgapur in a Letter dated 26.09.2022 informing of the dire situation and taking cognizance of the issue the board has sent a letter to Block Development Officer, Sainthia Development Block having Memo No. PG/LD/03/2020 in which directed the concerned authority to see that the compliance of Guidelines on Poultry Farms in August, 2021 to be complied with but sadly no action has been taken by the abovementioned Block Development Officer in regard to the instructions. Such blatant disregard in relation to the instructions and unempathic approach of the department towards human life is concerning.

That it is pertinent to mention that the Poultry Farm is in complete violation of Environmental Guidelines for Poultry Farms. In any poultry farm i.e., handling birds above 25000 (twenty-five thousand) at a single location need to obtain Consent to Establish/Consent to Operate of the State Board as per the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981. As per the Environmental guidelines issued by Central Pollution Control Board mentioned in Section 6 regarding Gaseous Emissions and Feed Mill Dust and Management of Solid Waste including Dead Birds, Litter, Manure and Hatchery Debris. These guidelines shall be applicable to all categories of poultry farms. And as to begin operations as per Section 7 (Siting Criteria) which says 500 m from residential zone in order to avoid nuisance caused due to odour & flies.

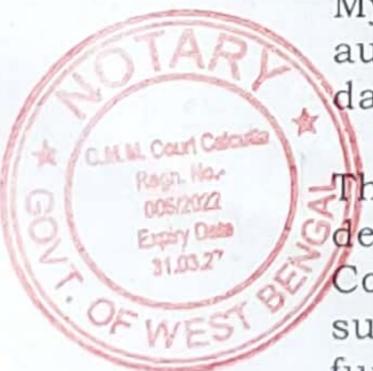
That, the aforesaid Poultry farm is emitting noxious and toxic gases such as Ammonia and Hydrogen Sulphide with no proper measures to disperse it which is extremely harmful and the whole village is suffering. The dead bodies of birds are littered everywhere emitting a horrid smell and has not been disposed of properly.

That my client also wrote a letter regarding the deteriorating environmental conditions to Block Development Officer, Fulur which was received on 02.02.2023 but no response has come forward from its end till date. My client's legally permissible requests were likewise not complied with.

My client inspite of all the efforts made has not received any reliefs from the authorities mentioned above till date and the poor person is passing his days in fear for his health and life and in abject misery.

That is to be noted that by creating such conditions Mr. Bikram Mondal is depriving my client of his Right to Life under Article 21 of the Indian Constitution which guarantees clean air and water and inhabitable surroundings. Also the lives of villagers are being affected as due to noxious fumes generated from poultry farm has made everyone's lives unbearable.

Brijesh Giri



BRIJESH GIRI

Advocate

High Court, Calcutta

'47'

Chamber:

11, Hare Street,
Kolkata - 700001

(M): 8017234521/6388736166

Email: brijeshgiri1581@gmail.com

That I have exhausted all avenues of recourse of justice. My client has been running from pillar to post for justice and had submitted all necessary papers with regard to his claim but in spite of that he did not get any relief.

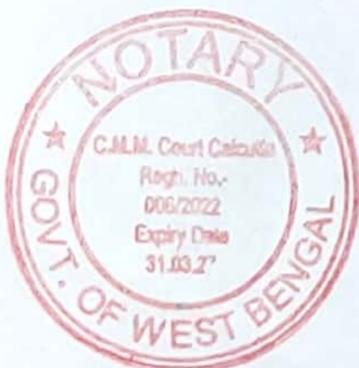
In the circumstances, I have been instructed to give you notice which I hereby do asking you to grant relief to my client as he is rightfully entitled for within a period of 15 days from the date of receipt of this notice failing which my client has been advised for taking legal recourse against you.

Thanking you,

Yours Sincerely

Brijesh Giri
Copy To; *Advocate.*

1. Gram Pradhan
Village- Fulur, Gram Panchayat
Jiwe, Birbhum
2. Bikram Mondal
S/O Mrintujay Mondal
Village- Fulur, P.S- Saintiya, P.O- Fulur
District- Birbhum, Pin- 731 234, West Bengal



48

FW454199223TH TUR:6987454199223
 SP KVI KATA FPN <700001>
 Counter No:11.28/11/2023.15:01
 To:RTKRAM MUKHAI SATHITA
 PIN:731234. Sainthia SN
 From:R GTRI ADV.11 HARE ST KVI
 Wt:20ms
 Amt:41.30(Cash)Taxes:6.30
 <Track on www.indiapost.nv.in>
 <Dial 18007666969> <Wear Masks. Stay Safe>



FW454199271TH TUR:6987454199271
 SP KVI KATA FPN <700001>
 Counter No:11.28/11/2023.15:01
 To:RDN SATHITHA AHMADPUR
 PIN:731201. Ahmadpur SN
 From:R GTRI ADV.11 HARE ST KVI
 Wt:20ms
 Amt:41.30(Cash)Taxes:6.30
 <Track on www.indiapost.nv.in>
 <Dial 18007666969> <Wear Masks. Stay Safe>



FW454199768TH TUR:6987454199768
 SP KVI KATA FPN <700001>
 Counter No:11.28/11/2023.15:01
 To:THE FF THEHARJE NIBHAPUR R. N.
 PIN:713216. City Centre SN
 From:R GTRI ADV.11 HARE ST KVI
 Wt:20ms
 Amt:41.30(Cash)Taxes:6.30
 <Track on www.indiapost.nv.in>
 <Dial 18007666969> <Wear Masks. Stay Safe>



FW454199254TH TUR:6987454199254
 SP KVI KATA FPN <700001>
 Counter No:11.28/11/2023.15:01
 To:SRAMPADHAN FLUR CP
 PIN:731234. Sainthia SN
 From:R GTRI ADV.11 HARE ST KVI
 Wt:20ms
 Amt:41.30(Cash)Taxes:6.30
 <Track on www.indiapost.nv.in>
 <Dial 18007666969> <Wear Masks. Stay Safe>



FW454199245TH TUR:6987454199245
 SP KVI KATA FPN <700001>
 Counter No:11.28/11/2023.15:01
 To:THE CHATRAMAN PARTESH KHANAN
 PIN:700106. Bidhan Nagar TR Market SN
 From:R GTRI ADV.11 HARE ST KVI
 Wt:20ms
 Amt:17.70(Cash)Taxes:2.70
 <Track on www.indiapost.nv.in>
 <Dial 18007666969> <Wear Masks. Stay Safe>



FW454199237TH TUR:6987454199237
 SP KVI KATA FPN <700001>
 Counter No:11.28/11/2023.15:01
 To:THE BR P C BWARD.144/1 H RD
 PIN:700054. Kachinachi SN
 From:R GTRI ADV.11 HARE ST KVI
 Wt:20ms
 Amt:17.70(Cash)Taxes:2.70
 <Track on www.indiapost.nv.in>



49'

भारतीय डाक विभाग / Department of Posts, India

निदेशक का कार्यालय, कोलकाता जी. पी. ओ./ O/o the Director, Kolkata G.P.O.

कोलकाता/ 7, Kollaghat Street, Kolkata700001 -

Phone: (033)-2243-8849/Fax: (033)-2210-5092/ e-mail: directorkolgpo@rediffmail.com

To
Brijesh Giri (Advocated)
High Court, Calcutta
11, Hare Street
Kolkata- 700001
Mob: 8017234521

CRM C. nos: - 2003565256, 2003565626, 2003565627, 2003565628, 20035656279 & 2003565690
dated at Kolkata GPO, the 11.03.2024

Subject: Regarding disposal of speed post letter nos – EW454199223IN, EW454199271IN, EW454199268IN, EW454199254IN, EW454199245IN and EW454199237IN all dated 28.11.2023.

Sir/Madam,

With reference to the subject mentioned above the delivery status of the articles under reference is tabulated below:-

Sl no	Article No	Delivery details
1	EW454199223IN	As per report received from Birbhum division article was delivered from Fukur B.O under Sainthia SO on 01.12.2023
2	EW454199271IN	As per report received from Birbhum division, article was delivered from Ahmedpur SO on 01.12.2023
3	EW454199268IN	As per report received from Asansol division, article was delivered from City Center SO on 29.11.2023
4	EW454199254IN	As per report received from Birbhum division, article was delivered from Jiwe BO under Sainthia SO on 05.12.2023
5	EW454199245IN	As per report received from Bidhan nagar IB SO, article was delivered on 29.11.2023
6	EW454199237IN	As per report received from Kankurgachi S.O, article was delivered on 29.11.2023

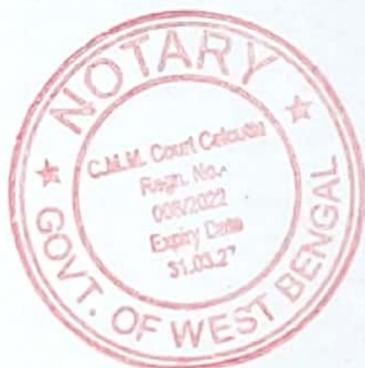
In this regard, it is pertinent to mention that electronic data preservation period for speed post article is 120 days from the date of generation as per departmental rule. This is for your information and the case is treated as closed at this end.

Yours faithfully

[Handwritten Signature]
11/3/24

In-charge (CB)/ प्रभारी (सी. बी)

Kolkata-G.P.O, Kolkata-700001/ कोलकाता जी. पी. ओ – 700001





LIFE
Lifestyle For
Environment

50' Annexure - 'P-10'
WEST BENGAL POLLUTION CONTROL BOARD

(Department of Environment, Government of West Bengal)

PG Cell and ANA&T Cell, Mani Square, 8th floor

Block / Space-8IT on Western Side,

164/J, Maniktala Main Road, Kolkata-700054

Ph.: 033-2202 3130 Website: www.wbpcb.gov.in

Complain Docket No. PCB8571

Memo No. : -PG/LD/03/2024

Dated: 04-03-2024

To
The Block Development Officer
Sainthia Block,
SH6, Ahmadpur,
Bhagabatipur,
Birbhum, Pin- 731201.

Sub: Complaint regarding creation of nuisance due to a poultry farm located at Dag No. 984 and 985, Khatian no. 356 and 1256, Vill -Fulur, Block/Municipality/ward -Sainthia Block, PO -Fulur BO, PS -Sainthia, Dist- Birbhum, Pin -731234.

Sir/Madam,

Enclosed please find herewith a complaint received by the State Board from Mr. Jagannath Mondal, forwarded by Mr. Britesh Giri, Advocate through letter by post against the respondent Mr. Bikram Mondal located at Dag No. 984 and 985, Khatian no. 356 and 1256, Vill -Fulur, Block/Municipality/ward -Sainthia Block, PO -Fulur BO, PS -Sainthia, Dist: Birbhum, Pin -731234.

Kindly note that the Central Pollution Control Board has issued an guideline on Poultry Farms in January, 2022 which states that "Any poultry farm i.e., handling birds above 25000 at a single location needs to obtain Consent to Establish (CTE) and Consent to Operate (CTO) under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981."

Accordingly, please send the **Action Taken Report (ATR)** to the undersigned at an early date if the complaint is found to be true and correct.

Yours faithfully,

Encl: As Stated

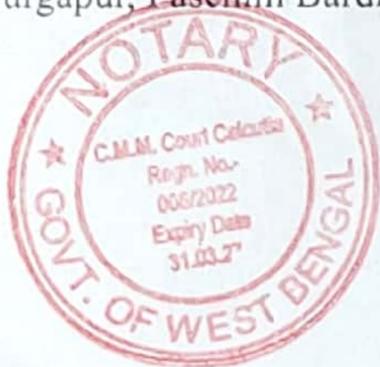
Sd/-
Senior Scientist and In-Charge
Public Grievance Cell

Memo No. 554 -PG/LD/03/2024
(1)

Dated: 04-03-2024

Copy forwarded for information to: -

1. Mr. Jagannath Mondal, forwarded by Mr. Britesh Giri, Advocate, Dag No. 986, Block/Municipality/ward - Sainthia Block, PO - Fulur BO, PS: Sainthia, Dist: Birbhum, Pin: 731234.
2. The Environmental Engineer & In- Charge, Durgapur Regional Office, Sahid Khudiram Sarani, City Centre, Durgapur, Paschim Bardhaman - 713216.



Senior Scientist and In-charge
Public Grievance Cell

VAKALATNAMA

In the Court of National Green Tribunal
Eastern Zone Bench, KOLKATA
 Case No. _____ of _____

Original Applications _____ of 2023.

Jagannath Mozal

APPLICANT
PETITIONER

-Versus-

State of West Bengal Department
of Environment & Forests

OPP. PARTY
RESPONDENT

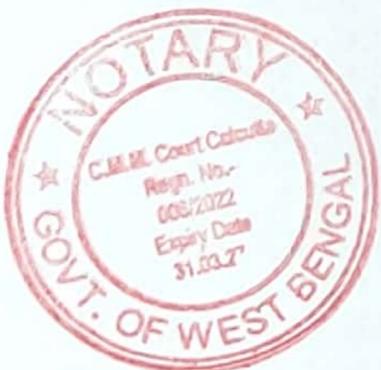
Vakalatnama on behalf of Jagannath Mozal know all men by these presents those by this Vakalatnama I/We appoint the Advocates / Pleaders noted below or any one of them as my / our lawful Advocate or Advocates for filling memorandum of appeal or petition for entering appearance in the above matter for appearing and conducting and arguing the same for depositing or withdrawing any money in connection therewith, for moving the Court in any matter connected therewith for preparing the Paper Book in the case and for putting in papers, petition etc. on my/our behalf for filing or taking back any documents for withdrawing suits or appeals or petitions with permission to institute fresh suits, appeals, petition etc. for signing and filing the petitions of compromise in connection with the said matter and for taking copies of paper from the Record and I/We further say that any act done by my / our said Advocate or Advocates or by any one of them after accepting this Vakalatnama, shall be considered as my/our own true and lawful act.

And I/We further hereby agree and undertake to pay the said Advocate of Advocates his or their fees as settled and all others sums that may be necessary to carry out the requisition of the Court and otherwise to enable the said Advocate or Advocates to conduct the case properly, failing which the said Advocate or Advocates after notice to me/us will be at liberty to withdraw from the further conduct of the case.

IN WITNESS WHEREOF I/We sign and execute this vakalatnama, on this the 30 day of April 2024

NAME OF THE ADVOCATE

Brijesh Giri, Advocate
11, Hare Street Kolkata - 700001
F.N. - WB/1476/2006
M - 8017234521
Email - brijeshgiri1581@gmail.com



Received the Vakalatnama from
the Executant, being satisfied
accepted the same
Brijesh Giri
Advocate
30/04/2024

Accepted the same
Smit Mondal
Advocate
30/04/2024.