



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
I. A. No. 44 of 2025/EZ
(Arising out of ORIGINAL APPLICATION NO. 120/2024/EZ)



In The Matter of:
An application Under Section 19(4)(a)
read with Under Section 18 (1) of the
National Green Tribunal Act, 2010 for
rectification of the Solemn Order dated
23.01.2025 passed by the Hon'ble
National Green Tribunal, Eastern Zone
Bench, Kolkata passed in the instant
original application No. 120/2024/EZ;

AND

In The Matter of:
West Bengal Tribal Development
Department, Government of West
Bengal, having office at Adivasi
Bhawan, Premises No. 2221, NewTown,
Action Area-III A, Kolkata: 700160,
being represented by its Principal
Secretary.

E-mail: secretarytdd@gmail.com

..... Applicant.

-Versus-

Sushil Murmu, & Ors.

.....Respondents

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Filed by

Sibojyoti Chakrabarti

SIBOJYOTI CHAKRABARTI

Advocate

For The State of West Bengal

Email: subho.advocate@gmail.com

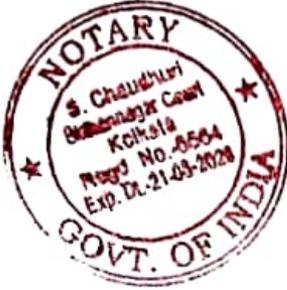
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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

I. A. No. _____ of 2025/EZ

(Arising out of ORIGINAL APPLICATION NO. 120/2024/EZ)



In The Matter of:

An application Under Section 19(4)(a) read with Under Section 18 (1) of the National Green Tribunal Act, 2010 for rectification/modification of the Solemn Order dated 23.01.2025 passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata passed in the instant original application No. 120/2024/EZ;

AND

In The Matter of:

West Bengal Tribal Development Department, Government of West Bengal, having office at Adivasi Bhawan, Premises No. 2221, NewTown, Action Area-III A, Kolkata: 700160, being represented by its Principal Secretary.

E-mail: secretarytdd@gmail.com

-Versus-

1. Sushil Murmu, S/o Somchand Murmu, residing at P.O- Ranga, District: Purulia, P.S- Baghmundi, Pin: 723152, West Bengal.

Email: sankarprasadpani@gmail.com



Respondent No. 1/Applicant in O. A

2. The Union of India, through its Secretary, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jorbagh, New Delhi: 110003.

E-mail: secy-moef@nic.in

3. Additional Chief Secretary, Department of Forest, Government of West Bengal having office at Aranya Bhawan, 10A, Block-LA, Sector-III, Bidhannagar, Kolkata: 700106.

Email: acsforestwb@gmail.com

4. Secretary, Ministry of Tribal Affairs,
Government of India, 416, 4th Floor, B-
Wing, Ministry of Tribal Affairs, Shastri
Bhawan, New Delhi: 110001.

Email: secy-tribal@nic.in



5. Secretary, Backward Classes Welfare
Department, Government of West
Bengal, Administrative Building, SDO,
Bidhannagar, DJ-4, Salt Lake, Sector-
II, Kolkata: 700091.

Email: secretarybcw@gmail.com

6. Divisional Forest Officer, Purulia
Division, P.O & District: Purulia, West
Bengal, Pin: 723101.

Email: dfopur-wb@nic.in

7. District Collector, Purulia, having
office at Old Collectorate Building,
Purulia, Pin: 723101, West Bengal.

Email: dm-pur-wb@nic.in,

dmpuruliawb@gmail.com



8. West Bengal State Electricity Distribution Company Limited, represented through its Chairman and managing Director, having office at Vidyut Bhawan, (5th Floor, 'B', Block) Salt Lake City, Block-DJ, Sector-II, Kolkata: 700091.

Email: cmd@wbsedcl.in

9. Power Department, Government of West Bengal through its Secretary, having office at Bidyut Unnayan Bhawan, 3/C, LA Block, 5th & 6th Floor, Sector-III, Salt Lake City, Kolkata: 700106.

Email: powersecy@wb.gov.in

.....Respondents

To,

The Hon'ble Chairperson and His Companion Members of the said Hon'ble Tribunal.

The Humble petition on behalf of the applicant as above named most respectfully



SHEWETH:

1. That the instant original application has been filed by the applicant and the same is 'Lis Pendens' for adjudication before this Hon'ble Tribunal.

2. That the deponent in the instant application has been authorized to file the instant application and swear affidavit by the Principal Secretary of the West Bengal Tribal Development department, Government of West Bengal.

Copy of the authorization to the deponent to file the instant application and swear affidavit by the Principal Secretary of the West Bengal Tribal Development department, Government of West Bengal is annexed herewith and marked with the letter 'P-1'.

3. That in Solemn Order dated 23.01.2025 in paragraph number 3 it has been observed by the Hon'ble Tribunal "Mr Sibojyoti Chakrabarti, Learned Counsel appearing on behalf of the respondent number 8, Tribal Development Department, Government of West Bengal states that the affidavit has been prepared but notary could not be done as today is a state holiday. Let the same be filed within 48 hours".

4. That it is pertinent to mention that the Learned Counsel had prayed time for filing affidavit on behalf of the respondent number 9 i.e the

Power Department, Government of West Bengal and not the Tribal Development Department, Government of West Bengal in as much as the affidavit has already been submitted on behalf of the Tribal Development department, Government of West Bengal vide affidavit dated 12th August, 2024.

5. That it is humbly submitted that the words in paragraph 3 of the Solemn Order dated 23.01.2025 "Mr Sibojyoti Chakrabarti, Learned Counsel appearing on behalf of the respondent number 8, Tribal Development Department, Government of West Bengal may kindly be rectified to the extent respondent number 9, the Power department, Government of West Bengal, instead of respondent number 8, Tribal Development Department, Government of West Bengal.
6. That this rectification is much necessary and it is humbly prayed that this rectification may kindly be allowed.
7. That this application is made bonafide and unless this application is allowed by this Hon'ble Tribunal the applicant will suffer irreparable loss and injury.



Under the above circumstances it is most humbly prayed before Your Lordships may kindly be pleased to allow this application and rectify/modify the Solemn Order dated 23.01.2025 passed by this



Hon'ble Tribunal to the extent as specified in paragraph 5 of this Interlocutory Application in connection with the instant original application and to pass such further Order/Orders as to this Hon'ble Tribunal may deem fit and proper for the ends of justice.

And For This Act of Kindness Your Applicant as in duty bound shall ever pray.

VERIFICATION:

I, the deponent within named, do hereby verify and declare that the statements made in the aforesaid paragraphs are true and correct to the best of my knowledge and information and I believe that nothing material has been concealed there from.

to [Verified at Kolkata on the ^{7th}....Day of April, 2025.

Identified by me

Sibojyoti Chakrobarti

Advocate

07.04.2025

State of West Bengal

S. Chaudhuri
S. CHAUDHURI
* NOTARY *
GOVT. OF INDIA
Regd. No.-0584/08
Bidhannagar Court
Dist.-North 24 Pgs.

Sankar Das
Deponent

SANKAR DAS, WBSB
Joint Secretary
to the Govt. of West Bengal
Tribal Development Department

BEFORE THE NOTARY PUBLIC
AT BIDHANNAGUR
DIST. NORTH 24 PARGANAS



I, Sri Sankar Das, S/o Late Sudhir Chandra Das, aged about 59 years, by faith- Hindu, by occupation- service and presently posted as Joint Secretary, West Bengal Tribal Development Department, Government of West Bengal having office at Adivasi Bhawan, Premises No. 2221, New Town, Action Area-III A, Kolkata: 700160, do hereby solemnly affirm and state as follows :-

1. That I am presently posted as Joint Secretary, West Bengal Tribal Development Department, Government of West Bengal having office at Adivasi Bhawan, Premises No. 2221, New Town, Action Area-III A, Kolkata: 700160 being the applicant in the instant Interlocutory Application and well conversant with the fact and circumstance of the case and I am competent to sign and swear this affidavit.
2. That I have been duly authorized by the Principal Secretary to swear this affidavit on behalf of the West Bengal Tribal Development Department, Government of West Bengal.
3. That I have read and Understood the contents of the accompanying application and say that the facts stated above are true and correct as per the records as available in the department and legal advice received by me are the best of my knowledge and belief.

Identified by me

Sibajyoti Chakrabarti
Advocate

07.04.2025

State of West Bengal

Sankar Das
Deponent

SANKAR DAS, WBSS
Joint Secretary
to the Govt. of West Bengal
Tribal Development Department

S. Chaudhuri
S. CHAUDHURI
★ NOTARY ★
GOVT. OF INDIA
Regd. No.-8684/88
Bidhannagar Court
Dist.-North 24 Pgs.

07 APR 2025



Government of West Bengal

Tribal Development Department

Adivasi Bhawan, Premises No.2221, Action Area - IIIA,

Rajarhat-Newtown, Kolkata -700160

Website: www.adibasikalyan.gov.in

Ph No.: 6810-5918

E-mail: jstddwb65@gmail.com

BEFORE THE Hon'ble NATIONAL GREEN TRIBUNAL, EZB, KOLKATA

O. A. No. 120/2024/EZ

(Sushil Murmu Versus State of West Bengal & Ors.)

AUTHORISATION TO SWEAR AFFIDAVIT & I. A. APPLICATION

I, SMT. CHOTEN DHENDUP LAMA, W/o Dr. Jaidev Sanjiv Rajpal, aged about 51 years, being the Principal Secretary, Tribal Development Department, Government of West Bengal having office at ADIVASI BHAWAN, Premises no. 2221, New Town, Action Area-III A, Kolkata: 700160, being do hereby authorise Sri Sankar Das, Joint Secretary, Tribal Development Department, Government of West Bengal, to swear and affirm the affidavit I. A. Application on behalf of the Tribal Development Department, Government of West Bengal in connection with the above matter pending before the Hon'ble National Green Tribunal, EZB, Kolkata.

The Signature of Sri Sankar Das,
Joint Secretary,
Tribal Development Department,
Government of West Bengal is
attested by below as above

Choten D. Lama, IAS
Principal Secretary
Tribal Development Department
Government of West Bengal

Principal Secretary,
Tribal Development Department,
Government of West Bengal

Choten D. Lama, IAS
Principal Secretary
Tribal Development Department
Government of West Bengal

Item No.06

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.120/2024/EZ

Sushil Murmu

Applicant(s)

Union of India & Ors.

Versus

Respondent(s)

Date of hearing: 23.01.2025

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : Mr. Sankar Prasad Pani, Adv. a/w
Mr. Ashutosh Padhy, Adv. (in Virtual Mode)

For Respondent(s): Mr. Sourav Haldar, Adv. for R-1 (in Virtual Mode),
Mr. Sibojyoti Chakrabarti, Adv. for R2,4,5,6,8 & 9,
Mr. Ashok Prasad, Adv. for R-3,
Mr. Dipanjan Ghosh, Adv. for R-7

ORDER

1. Mr. Sankar Prasad Pani, assisted by Mr. Ashutosh Padhy, learned Counsel is present (in Virtual Mode) on behalf of the Applicant.
2. Affidavit dated 10.12.2024 has been filed on behalf of the Respondent No.7, West Bengal State Electricity Distribution Company Limited (WBSEDCL); the same is taken on record.
3. Mr. Sibojyoti Chakrabarti, learned Counsel appearing on behalf of the Respondent No.8, Tribal Development Department, Government of West Bengal states that the affidavit has been prepared but notary could not be done as today is a State holiday. Let the same be filed within 48 hours.
4. **List on 07.04.2025.**

.....
B. Amit Sthalekar, JM

.....
Dr. Arun Kumar Verma, EM

January 23, 2025,
Original Application No.120/2024/EZ
SKB

< Sent

13



Sibojyoti Chakrabarti

1:35 PM

To: sankar, Dipanjan & 2 more... >



service of IA in O. A. No. 120/2024/EZ

Dear sir,

Kindly find enclosed soft copy of IA in connection with the above captioned matter pending before Hon'ble NGT EZB Kolkata for your kind perusal.

Thanks & Regards

Sibojyoti Chakrabarti

Advocate

The State of West Bengal



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BEFORE THE HON'BLE
NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH,
KOLKATA

I.A. No. of 2025/EZ

(Arising out of ORIGINAL
APPLICATION NO. 120/2024/EZ)

In The Matter of:

The Tribal Development
department, Government of West
Bengal

... Applicant

Versus

Sushil Murmu & Ors.

... Respondents

**INTERLOCUTORY
APPLICATION ON BEHALF OF
THE APPLICANT**

Filed by

SIBOJYOTI CHAKRABARTI

Advocate

For The State of West Bengal

Email:

subho.advocate@gmail.com

(M): 9007035534



07 APR 2025