

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, FINANCE CENTRE,
3RD FLOOR, NEW TOWN, KOLKATA

Original Application No. 154/2024/EZ
[Earlier O.A. No. 722/2024/PB]

S.133.D.08/09/2025



In the matter of:

News item titled "Birbhum- a proposed Coal mine in West Bengal and the related health hazards" appearing in the Hindu dated 12.05.2024

...Applicant (s)

Versus

The Central Pollution Control Board & Ors.

...Respondent (s)

ACTION TAKEN REPORT FILED ON BEHALF OF THE RESPONDENT NO.4
THE DISTRICT MAGISTRATE, BIRBHUM.

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Filed by:-

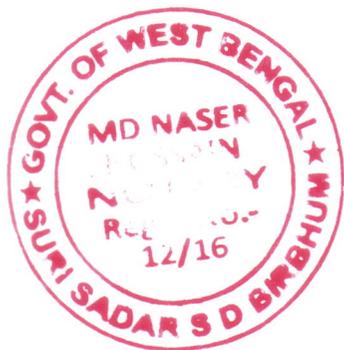
Sudip Kumar Dutta
Advocate
(M): 9874782072



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, FINANCE CENTRE,
3RD FLOOR, NEW TOWN, KOLKATA

Original Application No. 154/2024/EZ
[Earlier O.A. No. 722/2024/PB]

S.L. No. 33 Dt. 08/08/2025



In the matter of:

News item titled "Birbhum- a proposed Coal mine in West Bengal and the related health hazards" appearing in the Hindu dated 12.05.2024

...Applicant (s)

Versus

The Central Pollution Control Board & Ors.

...Respondent (s)

ACTION TAKEN REPORT FILED ON BEHALF OF THE RESPONDENT NO.4
THE DISTRICT MAGISTRATE, BIRBHUM.

I, Shri. Bidhan Chandra Ray, Late Srish Chandra Ray, aged about 55 years, by faith Hindu working for gain as the District Magistrate and Collector, District- Birbhum, having office at P.O. & P.S. Suri, District Birbhum, West Bengal , PIN 731101, do hereby solemnly affirm and say as under :-

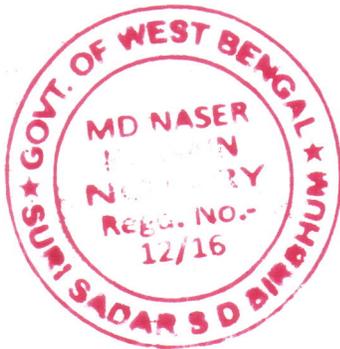
1. That I am presently posted as the District Magistrate and Collector, Birbhum District having my office at Suri, Post Office & Police Station- Suri, District- Birbhum, West Bengal. I am the Respondent No.4 and I have made myself acquainted with the facts and circumstances of the case and as such I am competent to swear sign and affirm this affidavit.
2. That, the deponent has already filed his Reply Affidavit dated 22.11.2024 and Further Action Taken Report dated 20.03.2025 to the instant Original Application before this Hon'ble Tribunal and the facts and points of law stated thereat are not reiterated herein for the sake of brevity and to avoid prolixity and the deponent craves kind leave of this Hon'ble to refer to and rely upon the same as and when necessary.

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MD NASER HOSSAIN
NOTARY
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3. That, this Hon'ble Tribunal, by solemn order dated 21.03.2025 after considering the Affidavit dated 20.03.2025 of the deponent, was pleased to observe, inter alia, as follows:

"2. In the affidavit of the District Magistrate, Birbhum dated 20.03.2025 averments have been made in paragraphs 4 and 5 with regard to certain illegal Stone Crushing Units and notices issued to them. It is also stated that 78 Stone Crushing Units have also filed their replies which has been forwarded by the Block Land & Land Reforms Officer, Md. Bazar to the Additional District Magistrate and the District Land & Land Reforms Officer, Birbhum.



3. If illegal Stone Crushing Units are carrying on operation in contravention of law meaning thereby that they are illegal, Environmental Compensation has to be determined against them after due compliance of the principles of natural justice giving the violators an opportunity of being heard."

This Hon'ble Tribunal was further pleased to direct the State respondent to file further affidavit.

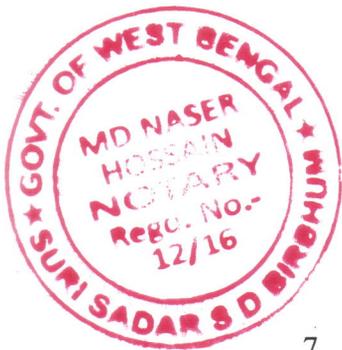
4. Subsequently, when the present matter was further taken up for hearing on 26.05.2025, this Hon'ble Tribunal, while considering the submission made on behalf of the Respondent No.4 that action has been taken by the said Respondent/District Magistrate and notices have been issued to the project proponents, was pleased to direct to place the details of the action taken by way of an affidavit. Hence, this Action Taken Report by way of Affidavit is being filed by the deponent in compliance and obedience to the solemn aforesaid order dated 26.05.2025 passed by this Hon'ble Tribunal.

5. It is reiterated that as per the report received from the concerned Block Land & Land Reforms Officer, Md. Bazar Block, 229 number of stone crushing units were found operating under the PS- Md. Bazar, the list of which has already been placed before this Hon'ble Tribunal by affidavit dated 20.03.2025 filed by the deponent vide Annexure-R-2 to the said affidavit.

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6. It is further submitted that in order to comply with the solemn direction dated 21.03.2025 of this Hon'ble Tribunal thereby to determine the nature of legality or otherwise of operation of these stone crushing units, individual notice dated 04.04.2025 was issued by the deponent to each of these 229 stone crushing units asking them to submit copies of the relevant permission/consent /license /other pertinent documents related to their stone crushing units, before the Block Land & Land reforms Officer, Md. Bazar Block within two weeks from the date of receipt of the said notice.



Specimen copy of one of such notice dated 04.04.2025 issued to these stone crushing units by the deponent is annexed hereto as Annexure-R-1.

7. That, in response to the said notice dated 04.04.2025, it appears that 74 number of stone crushing units submitted certain documents related to their respective stone crushing units while the remaining 155 number of stone crushing units did not turn up before the said Block Land & Land Reforms Officer to submit their relevant documents.
8. That, after scrutiny of those certain documents as submitted by these 74 stone crushing units before the lock Land & Land Reforms Officer, it appears that :

- (I) 18 number of stone crushing units have their subsisting Consent to Operate with respect to their stone crushing units;
- (II) 56 number of stone crushing units had Consent to Operate at material point of time, which have since been expired on different dates, but did not have valid Consent to Operate now;
- (III) The remaining 155 number of stone crushing units did not turn up before the Block Land & Land Reforms Officer to submit their relevant documents and in such

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circumstances, these 155 number of stone crushing units are treated to have no valid Consent to Operate at any point of time.

9. It is submitted that therefore, these 211 number of stone crushing units (56 units having no subsisting valid Consent to Operate as of now plus 155 units having no Consent to Operate at any point of time) are found to be operating in contravention of law and hence illegal and as such environmental compensation against them is to be determined in compliance to the solemn direction dated 21.03.2025 of this Hon'ble Tribunal.
10. It is further submitted that while considering the said issue of determination, the deponent took into consideration the solemn order dated 15.11.2016 passed by this Hon'ble Tribunal in O.A. No. 41/2015/EZ and the order dated 22.10.2017 passed by this Hon'ble Tribunal in O.A. No. 44/2015/EZ, which pertains to an identical issue of illegal operation of stone crushing units. Vide the aforesaid order dated 15.11.2016 passed in O.A. No. 41/2015/EZ, this Hon'ble Tribunal was pleased to observe, inter alia, as follows:



"... As regard payment of penalty, in view of the fact that the concerned respondents/stone crusher units against whom orders of closure were issued, as they were admittedly found to be operating the units without necessary clearances required under the Air Act and Water Act, we hold that they have degraded the environment. It is well settled position that actual degradation environment need not necessarily be proved but can be reasonably inferred from the fact that the mandatory requirements of the law were not complied with.....Thus, in exercise of the powers vested upon this Tribunal under Sec. 20 of the NGT Act, 2010, we hold that the persons running the stone crusher units without mandatory clearance under the law are liable to pay environment compensation in the manner stated herein after.... We categorise the stone crusher units into two:-

Category-I: Those units which did not have any consent at any point of time but were running such units illegally;

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Category-II: Those units which possessed consent to operate the validity of which expired and were not renewed but the units continued to be operated illegally.

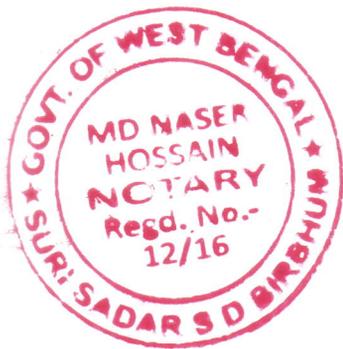
The first category shall be liable to pay Rs. 1.5 Lakhs and the second category Rs. 1.00 Lakh as penalties following the 'polluter's pay' principle....No consent to operate shall be granted without the applicant's first paying the penalty as indicated above. The applicants who have been granted CTOs prior to this date, shall be permitted to operate their stone crusher units only after the above prescribed penalty is paid by them. The penalty shall be deposited in the regional offices of PCB ..."

11. That, this Hon'ble Tribunal, by order dated 11.10.2017 passed in O.A. No. 44/2015/EZ along-with certain connected applications, was further pleased to observe, inter alia, as follows:

"...As already observed in our order dated 27.7.2017 it had been made abundantly clear after a detail hearing that the only question that remained to be decided in these matters was as to whether the applicants would be held liable to pay penalty in terms of our order passed in OA 41/2015/EZ and that as it was an admitted position that the applicants had been operating their stone crusher units without consents to operate even before they were granted such consent, there could be no doubt that they were liable to pay penalty of Rs. 1.5 lakh as they fell under category I, i.e., those who did not have any consent to operate at any point of time at all..."

Server copy of the aforesaid order dated 11.10.2017 passed by this Hon'ble Tribunal in O.A. No. 44/2015/EZ along-with certain connected applications, is annexed hereto as Annexure-R-2.

12. It is most respectfully submitted that following the aforesaid observation and determination made by this Hon'ble Tribunal in the order dated 15.11.2016 passed in O.A. No. 41/2015/EZ with regard to the environmental compensation against the illegally operated stone crushing units falling under the Category-I and Category-II, as the case may be, the deponent has categorized the 211 number of stone crushing units in issue who are found to be operating without valid subsisting Consent to Operate in to the Category-I and Category-II on

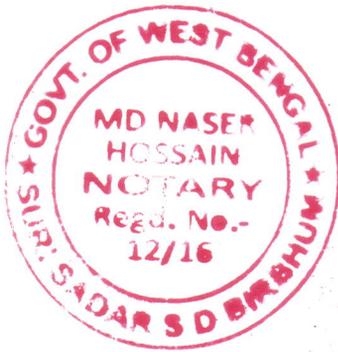


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the basis of the scrutiny of the documents so far submitted by the appearing stone crushing units before the Block Land & Land Reforms Officer, Md. Bazar. Such categorization has been made in terms of the fact that those 155 crushing units who did not have Consent to Operate at any point of time at all, are categorized into the Category-I and those 56 units who had their Consent to Operate which have since been expired but not renewed till date, are categorized into the Category-II.

13. It is further most respectfully submitted that after such categorization and following the aforesaid determination of environmental compensation made by this Hon'ble Tribunal on earlier occasion vide order dated 15.11.2016 passed in O.A. No. 41/2015/EZ, the deponent has determined the penalty to be imposed upon these violating 211 crushing units as Rs.1,50,000/- against those 155 units falling under Category-I and Rs.1,00,000/- against those 56 units falling under Category-II. The deponent has issued individual orders dated 07.08.2025 being Memo No. M&M/4142 /DL&LRO(B)/2025 dated 07.08.2025 to these 211 stone crushing units imposing the aforesaid penalty against them with direction to (i) not to resume/continue operation in their stone crushing units until obtainment of requisite license/permission/consent from the competent authority and (ii) to pay the aforesaid penalty with the regional office of the WBPCB within one month from the date of receipt of the said order and to obtain requisite permission/consent thereof following the due procedure. It has been clarified in the said order dated 07.08.2025 that payment of the penalty will not ipso facto create any right in favour of the violating stone crusher units to grant the requisite permission/consent by the competent authority, for which they have to follow the relevant procedure to apply and such application will be dealt in by the competent authority in accordance with law.



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14. It is further submitted that copies of the said order dated 07.08.2025 have been also communicated to different necessary authorities including the Superintendent of Police, Birbhum who has been

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requested to make arrangements to ensure that these violating stone crushing units do not resume/continue operation till obtainment of requisite consent/permission.

Specimen copy of two such order dated 07.08.2025 issued to the 211 number of violating stone crushing units, are annexed hereto as Annexure-R-3.

15. It is most respectfully submitted that the deponent has taken every and immediate further steps and/or action in compliance to the solemn direction of this Hon'ble Tribunal, as placed hereinabove and the deponent craves leave of this Hon'ble Tribunal to file supplementary affidavit in future, if so necessary.

16. The statements made in paragraphs 1 and 2 of the foregoing affidavit are true to my knowledge, those made in paragraphs 3 to 14 are information derived from the available records, which are available in the office of the deponent and the rest are my humble submission before this Hon'ble Tribunal.

17. That it is most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to pass necessary Order/Orders as deems fit for the ends of justice.

Bidhan Chandra Roy

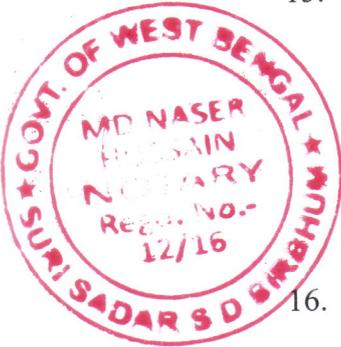
Deponent
District Magistrate
Birbhum

Identified by me.

solemnly affirmed on
day of 08/08/2025 202...
by deponent Bidhan Chandra Roy
Identified by
Sk. Alauddin Advocate

Sk. Alauddin
08.08.2025

SK. ALAUDDIN
Advocate
SURI JUDGE'S COURT
Enrollment No.-WB-1528/1983



M. Hossain
MD NASER HOSSAIN
NOTARY
SURI SADAR COURT, BIRBHUM
REGD-12/16

08/8/2025



Annexure-R-1

**Government of West Bengal
Office of the District Magistrate
Birbhum**

Memo No. M&M/ 1630 (1) /DL&LRO(B)/2025

Date : 04 / 04 /2025.

To,

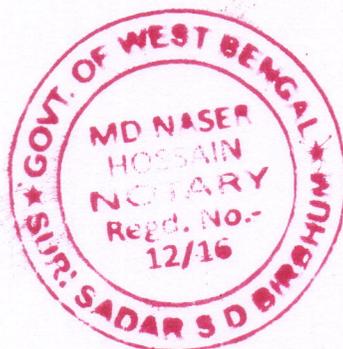
Name of Stone Crusher : Dharmaraj Stone Crusher
Name of Proprietor/Owner : Dilip Pal
Location of the Crusher : Patharchal
Name of Mouza & JL No. : Nischintapur-37
P.S. & District : Md. Bazar, Birbhum.

NOTICE

Whereas the Hon'ble NGT, Eastern Bench, Kolkata, vide solemn order dated 21.03.2025 passed in Original Application No. 154/2024/EZ (Earlier O.A. No. 722/2024/PB) in the matter of Re: News item titled "Birbhum—a proposed Coal mine in West Bengal and the related health hazards" appearing in "The Hindu" dated 12.05.2024, was please to observe that "...If these Stone Crushing units are carrying on operations in contravention of law meaning thereby that they are illegal, Environmental Compensation has to be determined against them..." and directed the State Respondents to file a further affidavit, inter alia, on action taken.

In view to comply with the aforesaid solemn order of the Hon'ble NGT, **you are requested to submit copies of all Permissions/Consents/Licenses/all relevant Documents related to your stone crushing unit, in the office of the BL&LRO, Md. Bazar within two weeks from the date of receipt of this notice.**

If you fail to submit these copies of documents within the aforesaid time period, determination of legality or illegality of your crushing unit shall be made on the basis of information/data/documents, as available in the concerned offices.




**District Magistrate
Birbhum.**



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**Government of West Bengal
Office of the District Magistrate
Birbhum**

Memo No. M&M/ 1630 (229) /DL&LRO(B)/2025

Date : 04 / 04 /2025.

To,

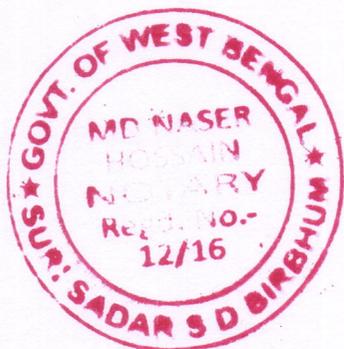
Name of Stone Crusher : M/S Tribal Stone Crusher
Name of Proprietor/Owner : Md Firoj Ali
Location of the Crusher : Panchami
Name of Mouza & JL No. : Pachami-03
P.S. & District : Md. Bazar, Birbhum.

NOTICE

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If you fail to submit these copies of documents within the aforesaid time period, determination of legality or illegality of your crushing unit shall be made on the basis of information/data/documents, as available in the concerned offices.



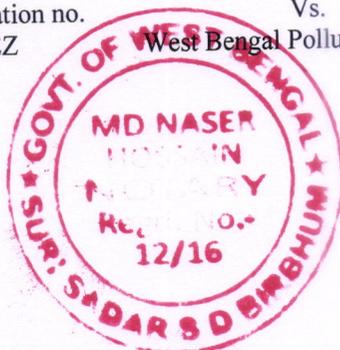
**District Magistrate
Birbhum.**

Annexure-R-2

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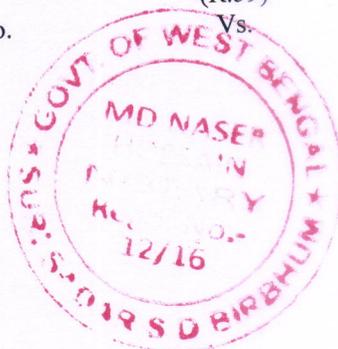
**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

<u>Item No.</u>	<u>Application No.</u>	<u>Parties</u>
2. Original Application O.A 44/2015/EZ	Joydeep Mukherjee Vs.	
M.A. No. 47/2017/EZ In Original Application no. 44/2015/EZ	Pollution Control Board, West Bengal & Ors. M/s Moien Stone Crusher (R.555) Vs. West Bengal Pollution Control Board & Ors.	
M.A. No. 48/2017/EZ In Original Application no. 44/2015/EZ	M/s Motherland Stone Crusher (R.559) Vs. West Bengal Pollution Control Board & Ors.	
M.A. No. 49/2017/EZ In Original Application no. 44/2015/EZ	M/s Karmakar Industries (R.65) Vs. West Bengal Pollution Control Board & Ors.	
M.A. No. 50/2017/EZ In Original Application no. 44/2015/EZ	M/s New Baba Bashukinath Stone Crusher (R.525) Vs. West Bengal Pollution Control Board & Ors.	
M.A. No. 51/2017/EZ In Original Application no. 44/2015/EZ	M/s V.S.P Stone Crusher (R.544) Vs. West Bengal Pollution Control Board & Ors.	
M.A. No. 52/2017/EZ In Original Application no. 44/2015/EZ	M/s Kali Mata Stone Crusher (R.554) Vs. West Bengal Pollution Control Board & Ors.	
M.A. No. 53/2017/EZ In Original Application no. 44/2015/EZ	M/s Loknath Baba Stone Crusher (R.476) Vs. West Bengal Pollution Control Board & Ors.	
M.A. No. 54/2017/EZ In Original Application no. 44/2015/EZ	M/s New Mollah Stone Product (R.98) Vs. West Bengal Pollution Control Board & Ors.	
M.A. No. 55/2017/EZ In Original Application no. 44/2015/EZ	M/s Kalyaneswari Stone Crusher (R.64) Vs. West Bengal Pollution Control	



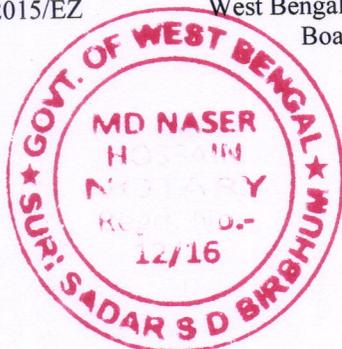


M.A. No. 56/2017/EZ In Original Application no. 44/2015/EZ	Board & Ors. M/s Pachami Granite (R.104) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 57/2017/EZ In Original Application no. 44/2015/EZ	M/s Bhai Bhai Stone Crusher (R.47) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 58/2017/EZ In Original Application no. 44/2015/EZ	M/s Pachami Stone Works (R.536) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 59/2017/EZ In Original Application no. 44/2015/EZ	M/s Saheb Stone Crusher (R.550) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 60/2017/EZ In Original Application no. 44/2015/EZ	M/s R.K. Enterprise (R.521) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 61/2017/EZ In Original Application no. 44/2015/EZ	M/s Maa Kali Stone Crusher (R.561) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 62/2017/EZ In Original Application no. 44/2015/EZ	M/s West Wind Stone Crusher (R.29) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 63/2017/EZ In Original Application no. 44/2015/EZ	M/s Panchami Stone Product Unit-II (R. 492) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 64/2017/EZ In Original Application no. 44/2015/EZ	M/s C.S.D Stone (R.539) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 65/2017/EZ In Original Application no. 44/2015/EZ	M/s A.K. Enterprise (R.552) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 66/2017/EZ In Original Application no. 44/2015/EZ	M/s Unique Stone Product (R.562) Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 67/2017/EZ In Original Application no.	M/s Joy Ma Tara Stone Products (R.59) Vs.



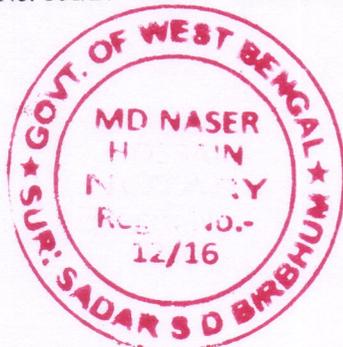
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44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 68/2017/EZ	M/s Bholu Baba Stone Crusher (R.484)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 69/2017/EZ	M/s A.K. Industries (R.509)s
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 70/2017/EZ	M/s N.S. Stone Crusher (R.500)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 71/2017/EZ	M/s Bhai Bhai Stone Crusher Unit-II (r.48)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 72/2017/EZ	M/s Rangamati Stone Crusher (R.119)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 73/2017/EZ	M/s Choudhury Stone Crusher (R.548)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 74/2017/EZ	M/s United Stone Crusher (R.140)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 75/2017/EZ	M/s Panchami Black Stone (R.542)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 76/2017/EZ	M/s Sairam Stone Crusher (R.126)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 77/2017/EZ	M/s Gour Hari Stone Crusher (R.505)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 78/2017/EZ	M/s Damrai Chandi Stone Crusher (R.540)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.



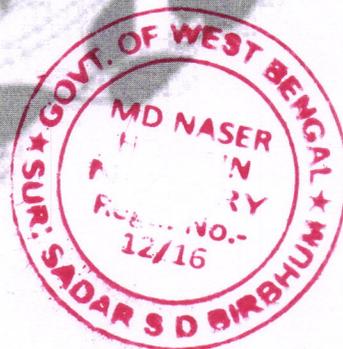


- M.A. No. 79/2017/EZ
In
Original Application no.
44/2015/EZ
- M.A. No. 80/2017/EZ
In
Original Application no.
44/2015/EZ
- M.A. No. 81/2017/EZ
In
Original Application no.
44/2015/EZ
- M.A. No. 82/2017/EZ
In
Original Application no.
44/2015/EZ
- M.A. No. 83/2017/EZ
In
Original Application no.
44/2015/EZ
- M.A. No. 84/2017/EZ
In
Original Application no.
44/2015/EZ
- M.A. No. 85/2017/EZ
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Original Application no.
44/2015/EZ
- M.A. No. 86/2017/EZ
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Original Application no.
44/2015/EZ
- M.A. No. 87/2017/EZ
In
Original Application no.
44/2015/EZ
- M.A. No. 88/2017/EZ
In
Original Application no.
44/2015/EZ
- M.A. No. 100/2017/EZ
In
Original Application no.
44/2015/EZ
- M.A. No. 101/2017/EZ
- M/s Panchami Stone Quarry
(R.543)
Vs.
West Bengal Pollution Control
Board & Ors.
- M/s New Lakshmi Mata
Enterprise (R.95)
Vs.
West Bengal Pollution Control
Board & Ors.
- M/s N. Hossain Stone Com
(R.547)
Vs.
West Bengal Pollution Control
Board & Ors.
- M/s Panchami Syndictae
(R.105)
Vs.
West Bengal Pollution Control
Board & Ors.
- M/s Maa Durga Stone Crusher
(R.73)
Vs.
West Bengal Pollution Control
Board & Ors.
- M/s Robiul Islam Mollah
(R.545)
Vs.
West Bengal Pollution Control
Board & Ors.
- M/s Lakshmi Mata Enterprise
(R.68)
Vs.
West Bengal Pollution Control
Board & Ors.
- M/s Bhola Nath Stone Crusher
(R.533)
Vs.
West Bengal Pollution Control
Board & Ors.
- M/s J.B. Industries (R.532)
Vs.
West Bengal Pollution Control
Board & Ors.
- M/s Mondal Stone Product
(R.482)
Vs.
West Bengal Pollution Control
Board & Ors.
- M/s Beacon Stone Product
(R.44)
Vs.
West Bengal Pollution Control
Board & Ors.
- M/s Black Stone Crusher (R.49)



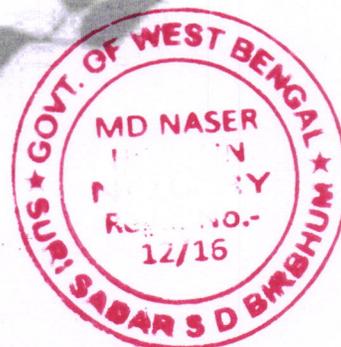
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In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 102/2017/EZ	M/s Jeet Stone Crusher (R.57)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 103/2017/EZ	M/s L.G. Enterprise (R.66)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 104/2017/EZ	M/s Maa Ganga Stone Product (R.75)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 105/2017/EZ	M/s Mondal Stone Crusher (R.88)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 106/2017/EZ	M/s Modina Stone Crusher (R.85)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 107/2017/EZ	M/s New Raja Enterprise (R.99)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 108/2017/EZ	M/s New Santu Enterprise (R.101)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 109/2017/EZ	M/s Panchami Unique Stone Product (R.107)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 110/2017/EZ	M/s Raisa Enterprise (R.111)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 111/2017/EZ	M/s Raj Stone Product (R.116)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 112/2017/EZ	M/s Sapta Sikha Stone Works (R.128)
In	Vs.
Original Application no. 44/2015/EZ	West Bengal Pollution Control Board & Ors.
M.A. No. 113/2017/EZ	M/s Garai Stone Industries (R.480)
In	

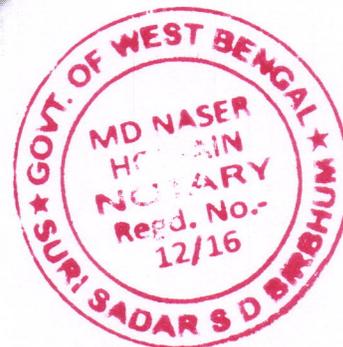


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Original Application no. 44/2015/EZ	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 114/2017/EZ In	M/s Raghunath Enterprise (R.488)
Original Application no. 44/2015/EZ	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 115/2017/EZ In	M/s Bengal Stone Crusher (R.511)
Original Application no. 44/2015/EZ	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 116/2017/EZ In	M/s Ranu Stone Crusher (R.512)
Original Application no. 44/2015/EZ	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 117/2017/EZ In	M/s Data Stone Crusher (R.574)
Original Application no. 44/2015/EZ	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 118/2017/EZ In	M/s Gitanjali Enterprise (578)
Original Application no. 44/2015/EZ	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 119/2017/EZ In	M/s Joy Ganga Stone Comany (R.58)
Original Application no. 44/2015/EZ	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 131/2017/EZ In	M/s B Das & Company (R.42)
Original Application no. 44/2015/EZ	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 132/2017/EZ In	M/s Raja Enterprise (R.117)
Original Application no. 44/2015/EZ	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 133/2017/EZ In	M/s Malleswar Stone Crusher (R.80)
Original Application no. 44/2015/EZ	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 134/2017/EZ In	M/s Suraj Stone Product (R.138)
Original Application no. 44/2015/EZ	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 135/2017/EZ In	M/s Jyoti Stone Crusher (R.479)
Original Application no. 44/2015/EZ	Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 136/2017/EZ In	M/s Kalyan Bose & Company (R.514)



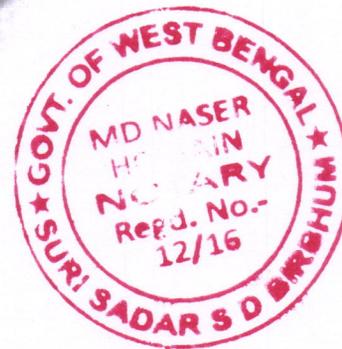
Original Application no. 44/2015/EZ
 Vs.
 West Bengal Pollution Control Board & Ors.
 M.A. No. 137/2017/EZ
 In
 M/s Chanda Stone Crusher (R.515)
 Original Application no. 44/2015/EZ
 Vs.
 West Bengal Pollution Control Board & Ors.
 M/s Netaji Stone Crusher (R.518)
 M.A. No. 138/2017/EZ
 In
 M/s Netaji Stone Crusher (R.518)
 Original Application no. 44/2015/EZ
 Vs.
 West Bengal Pollution Control Board & Ors.
 M/s Rinki Stone Crusher (R.519)
 M.A. No. 139/2017/EZ
 In
 M/s Rinki Stone Crusher (R.519)
 Original Application no. 44/2015/EZ
 Vs.
 West Bengal Pollution Control Board & Ors.
 M/s Rani Stone Crusher (R.576)
 M.A. No. 140/2017/EZ
 In
 M/s Rani Stone Crusher (R.576)
 Original Application no. 44/2015/EZ
 Vs.
 West Bengal Pollution Control Board & Ors.
 M/s Kajal Stone Product (R.62)
 M.A. No. 141/2017/EZ
 In
 M/s Kajal Stone Product (R.62)
 Original Application no. 44/2015/EZ
 Vs.
 West Bengal Pollution Control Board & Ors.
 M/s Maa Durga Stone Crusher (R.73)
 M.A. No. 142/2017/EZ
 In
 M/s Maa Durga Stone Crusher (R.73)
 Original Application no. 44/2015/EZ
 Vs.
 West Bengal Pollution Control Board & Ors.
 M/s Maa Tara Stone Crushing (R.79)
 M.A. No. 143/2017/EZ
 In
 M/s Maa Tara Stone Crushing (R.79)
 Original Application no. 44/2015/EZ
 Vs.
 West Bengal Pollution Control Board & Ors.
 M/s Pal Stone Crusher (R.106)
 M.A. No. 144/2017/EZ
 In
 M/s Pal Stone Crusher (R.106)
 Original Application no. 44/2015/EZ
 Vs.
 West Bengal Pollution Control Board & Ors.
 M/s Sankha Laghu & O.B.C Stone Crusher (R.127)
 M.A. No. 145/2017/EZ
 In
 M/s Sankha Laghu & O.B.C Stone Crusher (R.127)
 Original Application no. 44/2015/EZ
 Vs.
 West Bengal Pollution Control Board & Ors.
 M/s Shib Durga Stone Product (R.134)
 M.A. No. 146/2017/EZ
 In
 M/s Shib Durga Stone Product (R.134)
 Original Application no. 44/2015/EZ
 Vs.
 West Bengal Pollution Control Board & Ors.
 M/s Sri Krishna Stone Crusher (R.137)
 M.A. No. 147/2017/EZ
 In
 M/s Sri Krishna Stone Crusher (R.137)
 Original Application no. 44/2015/EZ
 Vs.
 West Bengal Pollution Control Board & Ors.



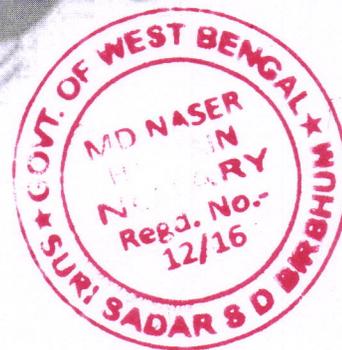
M.A. No. 148/2017/EZ
In
Original Application no.
44/2015/EZ
M.A. No. 149/2017/EZ
In
Original Application no.
44/2015/EZ
M.A. No. 150/2017/EZ
In
Original Application no.
44/2015/EZ
M.A. No. 151/2017/EZ
In
Original Application no.
44/2015/EZ
M.A. No. 152/2017/EZ
In
Original Application no.
44/2015/EZ
M.A. No. 153/2017/EZ
In
Original Application no.
44/2015/EZ
M.A. No. 154/2017/EZ
In
Original Application no.
44/2015/EZ
M.A. No. 155/2017/EZ
In
Original Application no.
44/2015/EZ
M.A. No. 158/2017/EZ
In
Original Application no.
44/2015/EZ
M.A. No. 159/2017/EZ
In
Original Application no.
44/2015/EZ
M.A. No. 160/2017/EZ
In
Original Application no.
44/2015/EZ
M.A. No. 161/2017/EZ
In
Original Application no.

M/s K.P. Enterprise (R.475)
Vs.
West Bengal Pollution Control
Board & Ors.
M/s Mariam Stone Product
(R.478)
Vs.
West Bengal Pollution Control
Board & Ors.
M/s Bubai Ghosal (R.487)
Vs.
West Bengal Pollution Control
Board & Ors.
M/s Radha Gobinda Enterprise
(R.489)
Vs.
West Bengal Pollution Control
Board & Ors.
M/s K.G.N Stone Crusher
(R.508)
Vs.
West Bengal Pollution Control
Board & Ors.
M/s R B N Stone Product
(R.577)
Vs.
West Bengal Pollution Control
Board & Ors.
M/s Hari Sadhay Stone Crusher
(R.55)
Vs.
West Bengal Pollution Control
Board & Ors.
M/s Pratima Stone Crusher
(R.568)
Vs.
West Bengal Pollution Control
Board & Ors.
M/s Stone India (R.402)
Vs.
West Bengal Pollution Control
Board & Ors.
M/s Sahana Stone Crusher
(R.125)
Vs.
West Bengal Pollution Control
Board & Ors.
M/s Dighal Gram Stone Crusher
(R.510)
Vs.
West Bengal Pollution Control
Board & Ors.
M/s S.S.P. Stone Crusher
(R.497)
Vs.

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44/2015/EZ West Bengal Pollution Control Board & Ors.
M.A. No. 162/2017/EZ M/s Ghosh Enterprise (R.362)
In Vs.
Original Application no. West Bengal Pollution Control
44/2015/EZ Board & Ors.
M.A. No. 163/2017/EZ M/s Associated Enterprise
In (R.41)
Original Application no. Vs.
44/2015/EZ West Bengal Pollution Control
Board & Ors.
M.A. No. 164/2017/EZ M/s Y.M. Stone Chips (R.142)
In Vs.
Original Application no. West Bengal Pollution Control
44/2015/EZ Board & Ors.
M.A. No. 165/2017/EZ M/s Shiv Shakti Stone Product
In (R.134)
Original Application no. Vs.
44/2015/EZ West Bengal Pollution Control
Board & Ors.
M.A. No. 166/2017/EZ M/s Aditi Stone Crusher (R.565)
In Vs.
Original Application no. West Bengal Pollution Control
44/2015/EZ Board & Ors.
M.A. No. 167/2017/EZ M/s Kalimata & Kalimata Stone
In Crusher (R.554)
Original Application no. Vs.
44/2015/EZ West Bengal Pollution Control
Board & Ors.
M.A. No. 168/2017/EZ M/s Swarnamayi Stone Crusher
In (R.139)
Original Application no. Vs.
44/2015/EZ West Bengal Pollution Control
Board & Ors.
M.A. No. 169/2017/EZ M/s M S Stone Crusher (R.71)
In Vs.
Original Application no. West Bengal Pollution Control
44/2015/EZ Board & Ors.
M.A. No. 170/2017/EZ M/s Sri Gobinda Stone Product
In (R.136)
Original Application no. Vs.
44/2015/EZ West Bengal Pollution Control
Board & Ors.
M.A. No. 171/2017/EZ M/s Shri Paresnath Industries
In (R.108)
Original Application no. Vs.
44/2015/EZ West Bengal Pollution Control
Board & Ors.
M.A. No. 172/2017/EZ M/s Abdul Hamid Stone
In Crusher (R.485)
Original Application no. Vs.
44/2015/EZ West Bengal Pollution Control
Board & Ors.
M.A. No. 173/2017/EZ M/s Dewanganj Stone Company
In (R.570)



Original Application no. 44/2015/EZ Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 174/2017/EZ In M/s Ashirbad Stone Product (R.164)
Original Application no. 44/2015/EZ Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 175/2017/EZ In M/s New Panchami Stone Crusher (R.573)
Original Application no. 44/2015/EZ Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 176/2017/EZ In M/s Jugal Kishori Stone Product (R.61)
Original Application no. 44/2015/EZ Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 177/2017/EZ In M/s National Stone Enterprise (R.490)
Original Application no. 44/2015/EZ Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 178/2017/EZ In M/s Mondal Stone Product (R.482)
Original Application no. 44/2015/EZ Vs. West Bengal Pollution Control Board & Ors.
M.A. No. 179/2017/EZ M/s Panchami Stone Enterprise (R.486)
M.A. No. 233/2017/EZ To Vs.
M.A. NO. 295/2017 & West Bengal Pollution Control Board & Ors.
M.A. NO. 309/2017
M.A. NO. 310/2017/EZ In
Original Application no. 44/2015/EZ

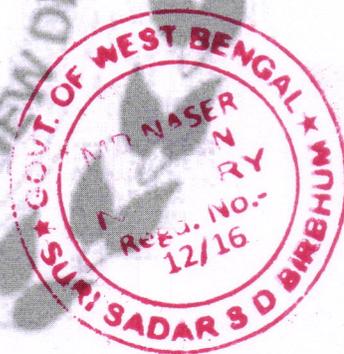
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CORAM:

Hon'ble Mr. Justice S.P.Wangdi, Judicial Member
Hon'ble Prof. (Dr.) P. C. Mishra, Expert Member

PRESENT:

Applicant : Ms. Leena Mukherjee, Advocate
Respondent No.1 : Mr. Sibojyoti Chakraborti, Advocate
Respondent No. 2 & 3 : Mr. Rajib Ray, Advocate
Respondent No. 4 : Mr. Binod Kumar Gupta, Advocate
Ms. Aishwarya Rajyashree, advocate
Respondent No. 5 : Mr. Surendra Kumar, Advocate
Applicants in MAs : Mr. Ambar Majumdar, Advocate
Mr. Biswajib Ghose, Advocate
Mr. Avirup Chatterjee, Advocate



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Date & Remarks	Orders of the Tribunal
<p>Item No. 2 11th October, 2017.</p>	<p>These MAs arising out of OA 44/2015/EZ are taken up together for disposal since similar questions are involved.</p> <p>As already observed in our order dated 27.7.2017 it had been made abundantly clear after a detail hearing that the only question that remained to be decided in these matters was as to whether the applicants would be held liable to pay penalty in terms of our order passed in OA 41/2015/EZ and that as it was an admitted position that the applicants had been operating their stone crusher units without consents to operate even before they were granted such consent, there could be no doubt that they were liable to pay penalty of Rs. 1.5 lakh as they fell under category I, i.e., those who did not have any consent to operate at any point of time at all.</p> <p>Today, Mr. Amber Mukherjee, Id. advocate for the applicants in the MAs submits that he would not press the MAs and would comply with the findings of the Tribunal but only prays that the District Magistrate be directed to consider their cases based on the documents, which had been sought for under the RTI</p>



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Act, 2005, with regard to which reply dated 21.8.2017 had been sent to the applicants by the Dy. Magistrate & Dy. Collector and SPIO, Sadar, Suri, Birbhum district:

Notwithstanding the established fact that the applicants are liable to pay the penalty, we direct the District Magistrate, Birbhum to consider the pleas expressed by the applicants in these MAs before finally directing them to pay the penalty as per our directions. This shall be done within a month from hence.

The letter produced before us by Mr. Majumdar be taken on record and marked with letter A for identification.

For the reasons stated above, in our opinion, nothing further would remain for our determination in these cases and accordingly the MAs stand disposed of.

O.A. 44/2015/EZ :

For the same reasons alluded to above, the OA also stands disposed of.

No order as to costs.

.....
Justice S.P.Wangdi, JM

11-10-2017

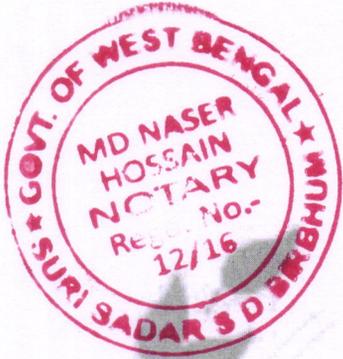
.....
Prof. (Dr.) P. C. Mishra, EM

11-10-2017



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Annexure-R-3 24



**Government of West Bengal
Office of the District Magistrate
Birbhum**

Email :: dm-bir@nic.in

Memo No. M&M/4142(1)/DL&LRO(B)/2025

Date: 07.08.2025

To,
Name of Stone Crushing Unit : Dharmaraj Stone Crusher
Name of Proprietor/Owner : Dilip Pal
Address : Patharchal, PS-Md.Bazar, Dist.-Birbhum
Mouza where crushing unit is located : Nischintapur-37
P.S. & District : Md. Bazar, Birbhum.

Sub: Operation of Stone Crushing Unit without obtaining requisite Consent to Establish/Consent to Operate from the WBPCB and imposition of Environment Compensation in terms of the solemn order dated 21.03.2025 passed by the Hon'ble NGT, Eastern Zone Bench in O.A. No. 154/2024/EZ..

Whereas, in terms of the solemn order dated 21.03.2025 by the Hon'ble National Green Tribunal, Eastern Zone Bench passed in O.A. No. 154/2024/EZ (Earlier O.A. No.722/2024/PB) in the matter of Re: News item titled "Birbhum- a proposed Coal mine in West Bengal and the related health hazards" appearing in "The Hindu" dated 12.05.2024 as regards determination of Environmental Compensation against the Stone Crushing Units operating illegally in contravention of law, Notice being Memo No. M&M/1630/DL&LRO(B) dated 04.04.2025 was issued to the 229 number of stone crushing units under PS- Md. Bazar asking them to submit copies of all permissions/consents/licenses/relevant documents related to their stone crushing units in the office of the BL&LRO, Md. Bazar within two weeks from the date of receipt of the said notice;

And whereas, in terms of the said direction vide the Notice dated 04.04.2025, the appearing stone crushing units have submitted certain documents as available to them, in connection with their respective crushing units;

And whereas, after scrutiny of the said documents, as submitted by the appearing stone crushing units before the BL&LRO, Md. Bazar Block, it appears that your stone crushing unit is being operated/run by you without valid subsisting Consent/Permission/Clearance from the appropriate authority from the period from Since inception till date;

And whereas, in earlier occasion, the Hon'ble National Green Tribunal, Eastern Zone vide Order dated 15.11.2016 passed in O.A. No. 41/2015/EZ read with the Order dated 11.10.2017 passed in O.A. No. 44/2015/EZ in the matter of Joydeep Mukherjee Vs. WBPCB & Os., categorized the stone crushing units into two as follows:

Category-I : Those units which did not have any consent at any point of time but running illegally;

Category-II : Those units which possessed consents to operate the validity of which expired and were not renewed but continuing to be operating illegally.

The Hon'ble National Green Tribunal vide the aforesaid order, was pleased to impose a fine of Rs. 1.5 Lakhs for Category-I and Rs. 1.00 Lakh for the Category-II, which was to be submitted with the WBPCB.



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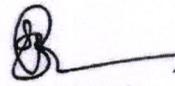
And whereas, while adopting the aforesaid method and manner of imposition of such penalty, it appears that your stone crushing falls within the Category- I and therefore, you are liable to pay a fine of Rs. 1,50,000 (Rs. One Lakh Fifty Thousands only).

You are therefore directed to:

1. Not to resume/continue operation in your stone crushing unit until you obtain the requisite license/consent/permission from the competent authority;
2. Pay the aforesaid fine of Rs. 1,50,000 (Rs. One Lakh Fifty Thousands only) with the regional office of the WBPCB within one month from the date of receipt of this order and to obtain requisite consents/permission thereof in respect of your crushing unit following the relevant procedure.

In the event of failure of the aforesaid directions, legal action shall be taken against your crushing unit strictly in accordance with the law.

It is clarified that payment of the aforesaid fine shall not *ipso facto* create any right or equity in favour of you to grant/issue requisite consent/permission by the competent authority, for which you have to follow the relevant procedure to apply and such application shall be dealt with by the competent authority in accordance with law.


District Magistrate
Birbhum.

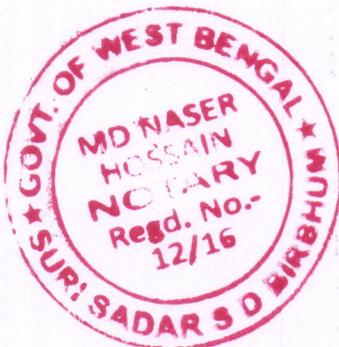
Date: 07.08.2025

Memo No. M&M/4142(1)/1(9)/DL&LRO(B)/2025

Copy forwarded for information and necessary action to:

1. The Superintendent of Police, Birbhum with a request to make necessary arrangements to ensure that the stone crushing unit in issue does not resume/continue its operation till he obtains the requisite consents/permissions.
2. The Additional District Magistrate and District Land & Land Reforms Officer, Birbhum.
3. The Sub-Divisional Officer, Suri Sadar Sub-Division, Birbhum.
4. The Environment Engineer and In-Charge, WBPCB, Durgapur Regional Office.
5. The Sub-Divisional Land & Land Reforms Officer, Suri Sadar Sub-Division, Birbhum.
6. The Block Development Officer, Md. Bazar Dev. Block, Birbhum.
7. The Block Land & Land Reforms Officer, Md. Bazar Block, Birbhum.
8. The Mining Officer, Suri Zone.
9. The Officer-in-Charge, Md. Bazar Police Station.


District Magistrate
Birbhum.



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**Government of West Bengal
Office of the District Magistrate**

Birbhum

Email :: dm-bir@nic.in

Memo No. M&M/4142(88)/DL&LRO(B)/2025

Date: 07.08.2025

To,
Name of Stone Crushing Unit : Bulu Stone Crusher
Name of Proprietor/Owner : Abdul Bulu
Address : Talabandh, PS-Md.Bazar, Dist.-Birbhum
Mouza where crushing unit is located : Nischintapur-37
P.S. & District : Md. Bazar, Birbhum.

Sub: Operation of Stone Crushing Unit without obtaining requisite Consent to Establish/Consent to Operate from the WBPCB and imposition of Environment Compensation in terms of the solemn order dated 21.03.2025 passed by the Hon'ble NGT, Eastern Zone Bench in O.A. No. 154/2024/EZ..

Whereas, in terms of the solemn order dated 21.03.2025 by the Hon'ble National Green Tribunal, Eastern Zone Bench passed in O.A. No. 154/2024/EZ (Earlier O.A. No.722/2024/PB) in the matter of Re: News item titled "Birbhum- a proposed Coal mine in West Bengal and the related health hazards" appearing in "The Hindu" dated 12.05.2024 as regards determination of Environmental Compensation against the Stone Crushing Units operating illegally in contravention of law, Notice being Memo No. M&M/1630/DL&LRO(B) dated 04.04.2025 was issued to the 229 number of stone crushing units under PS- Md. Bazar asking them to submit copies of all permissions/consents/licenses/relevant documents related to their stone crushing units in the office of the BL&LRO, Md. Bazar within two weeks from the date of receipt of the said notice;

And whereas, in terms of the said direction vide the Notice dated 04.04.2025, the appearing stone crushing units have submitted certain documents as available to them, in connection with their respective crushing units;

And whereas, after scrutiny of the said documents, as submitted by the appearing stone crushing units before the BL&LRO, Md. Bazar Block, it appears that your stone crushing unit is being operated/run by you without valid subsisting Consent/Permission/Clearance from the appropriate authority from the period from 01-Feb-22 till date;

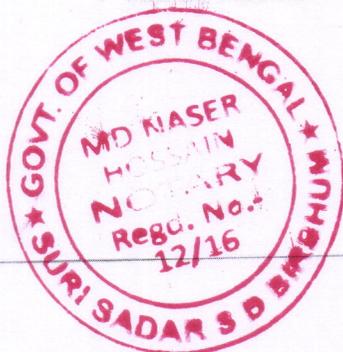
And whereas, in earlier occasion, the Hon'ble National Green Tribunal, Eastern Zone vide Order dated 15.11.2016 passed in O.A. No. 41/2015/EZ read with the Order dated 11.10.2017 passed in O.A. No. 44/2015/EZ in the matter of Joydeep Mukherjee Vs. WBPCB & Os., categorized the stone crushing units into two as follows:

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Category-II : Those units which possessed consents to operate the validity of which expired and were not renewed but continuing to be operating illegally.

The Hon'ble National Green Tribunal vide the aforesaid order, was pleased to impose a fine of Rs. 1.5 Lakhs for Category-I and Rs. 1.00 Lakh for the Category-II, which was to be submitted with the WBPCB.

Page 1 of 2



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And whereas, while adopting the aforesaid method and manner of imposition of such penalty, it appears that your stone crushing falls within the Category- II and therefore, you are liable to pay a fine of Rs. 1,00,000 (Rs. One Lakh only).

You are therefore directed to:

1. Not to resume/continue operation in your stone crushing unit until you obtain the requisite license/consent/permission from the competent authority;
2. Pay the aforesaid fine of Rs. 1,00,000 (Rs. One Lakh only) with the regional office of the WBPCB within one month from the date of receipt of this order and to obtain requisite consents/permission thereof in respect of your crushing unit following the relevant procedure.

In the event of failure of the aforesaid directions, legal action shall be taken against your crushing unit strictly in accordance with the law.

It is clarified that payment of the aforesaid fine shall not *ipso facto* create any right or equity in favour of you to grant/issue requisite consent/permission by the competent authority, for which you have to follow the relevant procedure to apply and such application shall be dealt with by the competent authority in accordance with law.


District Magistrate
Birbhum.

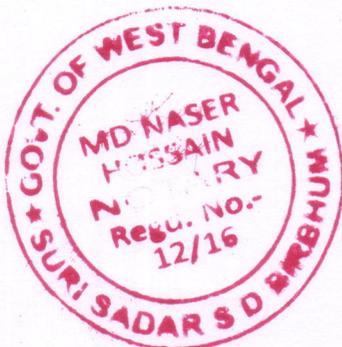
Memo No. M&M/4142(88)/1(9)/DL&LRO(B)/2025

Date: 07.08.2025

Copy forwarded for information and necessary action to:

1. The Superintendent of Police, Birbhum with a request to make necessary arrangements to ensure that the stone crushing unit in issue does not resume/continue its operation till he obtains the requisite consents/permissions.
2. The Additional District Magistrate and District Land & Land Reforms Officer, Birbhum.
3. The Sub-Divisional Officer, Suri Sadar Sub-Division, Birbhum.
4. The Environment Engineer and In-Charge, WBPCB, Durgapur Regional Office.
5. The Sub-Divisional Land & Land Reforms Officer, Suri Sadar Sub-Division, Birbhum.
6. The Block Development Officer, Md. Bazar Dev. Block, Birbhum.
7. The Block Land & Land Reforms Officer, Md. Bazar Block, Birbhum.
8. The Mining Officer, Suri Zone.
9. The Officer-in-Charge, Md. Bazar Police Station.


District Magistrate
Birbhum.



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Government of West Bengal
Office of the District Magistrate
Birbhum

Email :: dm-bir@nic.in

Memo No. M&M/4142(211)/DL&LRO(B)/2025

Date: 07.08.2025

To,
Name of Stone Crushing Unit : M/S Tribal Stone Crusher
Name of Proprietor/Owner : Md Firoj Ali
Address : Panchami, PS-Md.Bazar, Dist.-Birbhum
Mouza where crushing unit is located : Pachami-03

P.S. & District : Md. Bazar, Birbhum.

Sub: Operation of Stone Crushing Unit without obtaining requisite Consent to Establish/Consent to Operate from the WBPCB and imposition of Environment Compensation in terms of the solemn order dated 21.03.2025 passed by the Hon'ble NGT, Eastern Zone Bench in O.A. No. 154/2024/EZ..

Whereas, in terms of the solemn order dated 21.03.2025 by the Hon'ble National Green tribunal, Eastern Zone Bench passed in O.A. No. 154/2024/EZ (Earlier O.A. No.722/2024/PB) in the matter of Re: News item titled "Birbhum- a proposed Coal mine in West Bengal and the related health hazards" appearing in "The Hindu" dated 12.05.2024 as regards determination of Environmental Compensation against the Stone Crushing Units operating illegally in contravention of law, Notice being Memo No. M&M/1630/DL&LRO(B) dated 04.04.2025 was issued to the 229 number of stone crushing units under PS- Md. Bazar asking them to submit copies of all permissions/consents/licenses/relevant documents related to their stone crushing units in the office of the BL&LRO, Md. Bazar within two weeks from the date of receipt of the said notice;

And whereas, in terms of the said direction vide the Notice dated 04.04.2025, the appearing stone crushing units have submitted certain documents as available to them, in connection with their respective crushing units;

And whereas, after scrutiny of the said documents, as submitted by the appearing stone crushing units before the BL&LRO, Md. Bazar Block, it appears that your stone crushing unit is being operated/run by you without valid subsisting Consent/Permission/Clearance from the appropriate authority from the period from Since inception till date;

And whereas, in earlier occasion, the Hon'ble National Green Tribunal, Eastern Zone vide Order dated 15.11.2016 passed in O.A. No. 41/2015/EZ read with the Order dated 11.10.2017 passed in O.A. No. 44/2015/EZ in the matter of Joydeep Mukherjee Vs. WBPCB & Os., categorized the stone crushing units into two as follows:

Category-I : Those units which did not have any consent at any point of time but running illegally;

Category-II : Those units which possessed consents to operate the validity of which expired and were not renewed but continuing to be operating illegally.

The Hon'ble National Green Tribunal vide the aforesaid order, was pleased to impose a fine of Rs. 1.5 Lakhs for Category-I and Rs. 1.00 Lakh for the Category-II, which was to be submitted with the WBPCB.



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And whereas, while adopting the aforesaid method and manner of imposition of such penalty, it appears that your stone crushing falls within the Category- I and therefore, you are liable to pay a fine of Rs. 1,50,000 (Rs. One Lakh Fifty Thousands only).

You are therefore directed to:

1. Not to resume/continue operation in your stone crushing unit until you obtain the requisite license/consent/permission from the competent authority;
2. Pay the aforesaid fine of Rs. 1,50,000 (Rs. One Lakh Fifty Thousands only) with the regional office of the WBPCB within one month from the date of receipt of this order and to obtain requisite consents/permission thereof in respect of your crushing unit following the relevant procedure.

In the event of failure of the aforesaid directions, legal action shall be taken against your crushing unit strictly in accordance with the law.

It is clarified that payment of the aforesaid fine shall not *ipso facto* create any right or equity in favour of you to grant/issue requisite consent/permission by the competent authority, for which you have to follow the relevant procedure to apply and such application shall be dealt with by the competent authority in accordance with law.

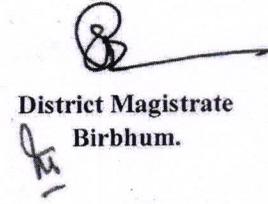

District Magistrate
Birbhum.

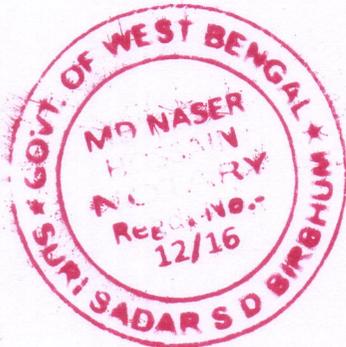
Memo No. M&M/4142(211)/1(9)/DL&LRO(B)/2025

Date: 07.08.2025

Copy forwarded for information and necessary action to:

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2. The Additional District Magistrate and District Land & Land Reforms Officer, Birbhum.
3. The Sub-Divisional Officer, Suri Sadar Sub-Division, Birbhum.
4. The Environment Engineer and In-Charge, WBPCB, Durgapur Regional Office.
5. The Sub-Divisional Land & Land Reforms Officer, Suri Sadar Sub-Division, Birbhum.
6. The Block Development Officer, Md. Bazar Dev. Block, Birbhum.
7. The Block Land & Land Reforms Officer, Md. Bazar Block, Birbhum.
8. The Mining Officer, Suri Zone.
9. The Officer-in-Charge, Md. Bazar Police Station.


District Magistrate
Birbhum.



BEFORE THE NATIONAL GREEN
TRIBUNAL EASTERN ZONE BENCH,
FINANCE CENTRE,
3RD FLOOR, NEW TOWN, KOLKATA.

Original Application No. 154/2024/EZ
[Earlier O.A. No. 722/2024/PB]

In the matter of:

News item titled "Birbhum- a proposed Coal
mine in West Bengal and the related health
hazards" appearing in the Hindu dated
12.05.2024

...Applicant (s)

Versus

The Central Pollution Control Board & Ors.

...Respondent (s)

ACTION TAKEN REPORT FILED ON
BEHALF OF THE RESPONDENT NO.4,
THE DISTRICT MAGISTRATE &
COLLECTOR, BIRBHUM.

Sudip Kumar Dutta
Advocate
Mobile No.9874782072