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BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONAL BENCH, KOLKATA, WEST BENGAL  
FINANCE CENTRE, 3<sup>rd</sup> FLOOR, NEW TOWN

IN

ORIGINAL APPLICATION NO. 138 / 2025 / EZ

1. A 28 of / 2026 / EZ

BETWEEN

Biplab Kumar Chowdhury

... Applicant

Versus

West Bengal Pollution Control Board & Ors.

... Respondents

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BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONAL BENCH, KOLKATA, WEST BENGAL  
FINANCE CENTRE, 3<sup>rd</sup> FLOOR, NEW TOWN

**MEMORANDUM OF APPLICATION**

[Under Section 18(1) read with Sections 14, 15 and 17 of the National  
Green Tribunal Act, 2010]

Original Application No. 138 of 2025/EZ

1A of 2026/EZ

**Between**

Biplab Kumar Chowdhury, son of Late Birendranath Chowdhury,  
residing at 108, M.B. Road, Purbita, Sukanta Sarani, Police Station –  
Airport, Birati, Kolkata- 700051.

... Applicant

And

- 1) The State of West Bengal, service through the Additional Chief Secretary, Environmental Department, Government of West Bengal, having its office at 5<sup>th</sup> Floor, Prani Sampad Bhawan, LB-2, Sector-III, Salt Lake, Kolkata-700098. Email – psecy.env-wb@gov.in
- 2) West Bengal Pollution Control Board, Environmental Department, Government of West Bengal, represented by its Member Secretary, having office at PARIVESH Bhawan 10A, Block-LA, Sector-III, Bidhannagar, Kolkata-700106. Email – ms@wbpcb.gov.in

- 3) The Chief Secretary, Government of West Bengal, Nabanna, 13<sup>th</sup> Floor, 325, Sarat Chatterjee Road, Mandirtala, Shibpur, Howrah – 711102. Email – cs-westbengal@nic.in
- 4) The Principal Secretary, Department of Industry, Commerce and Enterprises (ICE), Government of West Bengal, Shilpa Sadan, 6<sup>th</sup> Floor, 4 Abanindranath Tagore Sarani (Camac Street), Kolkata – 700016. Email – secci@wb.gov.in
- 5) The Deputy Secretary (Mines Branch), Department of Industry, Commerce and Enterprises (ICE), Government of West Bengal, Shilpa Sadan, 6<sup>th</sup> Floor, 4 Abanindranath Tagore Sarani (Camac Street), Kolkata – 700016. Email – srlo.ice-wb@bangla.gov.in
- 6) The Chairman and Managing Director, West Bengal Mineral Development & Trading Corporation Limited, having its office at 3rd Floor, DJ – 10 (WBIIDC Building), DJ Block, Sector – II, Salt Lake City, Kolkata – 700091. Email – mdwbmdtcl@gmail.com
- 7) The State Level Environment Impact Assessment Authority, Department of Environment, service through Chairman, Government of West Bengal, Pranisampad Bhawan, Block – LB-II, Salt Lake, Sector-III, Bidhannagar, Calcutta – 700106, email-environmentwb@gmail.com, Mobile – 033-23350238.

...Respondents

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BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONAL BENCH, KOLKATA, WEST BENGAL  
FINANCE CENTRE, 3<sup>RD</sup> FLOOR, NEW TOWN

[Application under Section 18(1) read with Section 14, 15 and 17 of the  
National Green Tribunal Act, 2010]

Original Application No. 138/2025/EZ

I.A. No. \_\_\_\_\_ of 2026

In the matter of:

An application for appointment of a  
committee and inspection by them  
of the premises being the subject  
matter of the instant case

And

In the matter of:

Biplab Kumar Chowdhury

.....Applicant.

AND

State of West Bengal and others

.....Respondents

MOST RESPECTFULLY SEWETH:

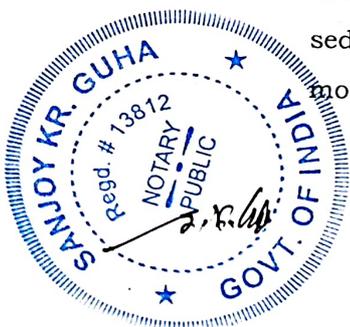
1. The Applicant is a citizen of India and the person aggrieved and interested in the Original Application filed before this Hon'ble Tribunal.
2. The Applicant has preferred the present Original Application seeking stoppage of small-scale sand mining activities proposed at 151 locations pursuant to a tender floated on 20th December, 2024. The 151 sites are distributed across different rivers and



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districts within the State. Multiple mining sites have been proposed along particular rivers and river stretches, for example five sites on one river, ten on another, and so on. It is contended that such concentration of multiple small-scale mining leases along the same river or river stretch results in river-wise cluster formation. Such cluster formation gives rise to cumulative and compounded environmental impacts which have not been assessed or mitigated, as set out in the Original Application.

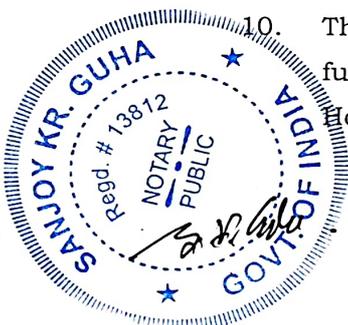
3. The matter was heard and admitted by this Hon'ble Tribunal and a counter affidavit has been filed by Respondent No. 6. The Applicant has filed a rejoinder traversing and denying the averments made in the counter affidavit.
4. Upon perusal of the counter affidavit, it appears that the Respondents have sought to justify the impugned mining activities by treating each lease as an isolated and independent project. The counter affidavit fails to evaluate or take into account the cumulative environmental impact arising from multiple leases operating simultaneously along the same river channels and river stretches.
5. The Respondents have not produced or relied upon any river-wise cumulative impact assessment study, hydro-geomorphological analysis, sediment budget study, sediment transport modelling, or independent groundwater impact assessment that examines the collective effects of multiple leases along the same river stretch. In the absence of such scientific and river-specific evaluation, the justification advanced by the Respondents is incomplete, arbitrary and environmentally unsustainable.
6. The Applicant has demonstrated in the rejoinder and on record that clustered sand extraction along a river system may result in lowering and incision of riverbed levels, destabilisation and collapse of riverbanks, alteration of natural sediment transport and sediment budget, changes in flow velocity and channel morphology, reduction in groundwater recharge and lowering of



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groundwater table, degradation of aquatic habitats and fisheries, loss of riparian vegetation, and consequential harm to livelihoods of local communities dependent on riverine resources.

7. The questions raised in the present Original Application are technical and scientific in nature and require objective, independent expert examination on the ground. The grant, supervision and monitoring of mining leases are matters in which State authorities are involved; hence inspection and assessment conducted solely by State officials or State instrumentalities may not sufficiently allay legitimate concerns regarding impartiality and independence of the fact-finding process.
8. In order to ascertain the true nature and extent of the environmental impact of the proposed and ongoing mining activities at the said locations, it is necessary and expedient that this Hon'ble Tribunal be pleased to constitute an independent Expert Committee comprising members who are not officials of the State or its instrumentalities.
9. Such Expert Committee may comprise, inter alia, the following independent experts drawn from reputed academic, research or national institutions and not serving under the administrative control of the Respondent State: an eminent river geomorphologist and fluvial sedimentologist to act as Chair, a hydrogeologist, an aquatic ecologist and fisheries scientist, an environmental hydrologist with sediment transport expertise, and a social impact expert experienced in river-dependent livelihoods. The Committee may be assisted by independent laboratories for water, sediment and groundwater analysis and may co-opt additional specialists as necessary.
10. The said Committee may be directed to perform the following functions and to submit its interim and final reports before this Hon'ble Tribunal:



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- a) Identify and map the river-wise distribution of all 151 mining sites and group them according to river basin and discrete river stretches;
- b) Obtain geo-referenced lease boundaries and/or capture coordinates on the ground; compute inter-periphery and inter-site distances and, using accepted technical criteria, determine whether multiple sites along each river constitute cluster formation;
- c) Carry out geo-spatial mapping and algorithmic cluster detection and produce maps showing clusters, cluster extents, and cluster separation distances;
- d) Undertake independent sampling and laboratory analysis of river water, sediments and groundwater at representative points within and around identified clusters and at control locations, preserving chain of custody;
- e) Conduct hydro-geomorphological field surveys including bed-level surveys and cross-sections, perform sediment budget assessment and remote-sensing time-series analysis where available, and undertake groundwater monitoring and piezometric measurements to assess impacts;
- f) Assess cumulative and cluster impacts of multiple mining leases on river morphology, sediment transport regimes, groundwater recharge and levels, aquatic ecology and fisheries, riparian vegetation, and socio-economic effects on dependent communities;
- g) Review compliance records, monitoring data, licence conditions and the tender and allotment process to identify procedural or substantive shortcomings; and
- h) Submit an interim report to this Hon'ble Tribunal flagging any immediate and urgent environmental or public-safety risks requiring provisional mitigation measures and a final



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comprehensive report containing findings, conclusions and remedial or restrictive recommendations.

11. Unless an independent Expert Committee is appointed and a scientific, river-wise cumulative impact assessment is carried out, there is a grave apprehension that irreversible environmental degradation, loss of livelihoods and long-term adverse geomorphological changes may ensue as a result of large-scale clustered extraction carried out under the guise of multiple small-scale leases.
12. The Applicant has made out a strong prima facie case on the record and the balance of convenience and public interest lies in favour of the Applicant. Irreparable injury and environmental damage will result if interim protective measures are not directed at the earliest.
13. The Applicant has not filed any other application in respect of the same cause of action before any other forum.
14. The Applicant craves leave to make further and detailed submissions of fact and law at the time of hearing and to place additional material and expert evidence as may be necessary.

In the premises aforesaid, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to:

- a. Constitute an independent Expert Committee, comprising members who are not officials of the State or its instrumentalities, to inspect and scientifically assess the environmental impact of the 151 small-scale sand mining sites forming the subject matter



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of the present Original Application and to undertake river-wise cluster analysis and cumulative impact assessment as described in paragraph 10 above;

b. Direct the said Committee to identify river-wise clusters, compute inter-site and inter-periphery distances, map cluster extents, undertake field hydro-geomorphological and groundwater studies, carry out independent sampling and laboratory analysis of water, sediments and groundwater, assess ecological and socio-economic impacts, review compliance records, and submit an interim and a final report before this Hon'ble Tribunal within such time as may be fixed by this Hon'ble Tribunal;

c. Pending receipt of the Committee's final report, direct suspension of further sand extraction activities pursuant to the tender dated 20th December, 2024 and, where warranted by the Committee's preliminary inspection, direct suspension of mining operations in those rivers or river stretches where multiple sites exist and where there is prima facie risk of cluster formation and cumulative environmental harm;

d. Direct the Respondents to preserve all records, monitoring data and site-level



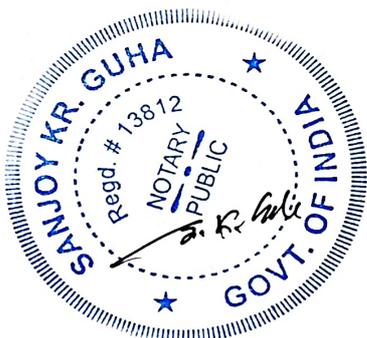
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documentation and to provide the Expert Committee with access to geo-referenced lease data, tender documents, monitoring records and personnel required for the Committee to perform its mandate; and

e. Pass such further and other order or orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS THE APPLICANT AS IN DUTY BOUND SHALL EVER PRAY.

*Biswajit Kumar Chowdhury*



21 FEB 2026

VERIFICATION

I, Biplab Kumar Chowdhury, son of Late Birendranath Chowdhury, about 61 years, by Occupation- Business, by faith - Hindu, residing at 108 M.B. Road, Purbita, Sukanta Sarani, Police Station-Airport, Birati, Kolkata-700051. I am the applicant in the instant original application and a social and environmental activist and I do hereby verify that the contents of the paragraphs 1 to 10 are true to my belief and/or based on information and/or derived from sources which I verify believe to be true and rest of the paragraphs are my humble submissions before this Hon'ble Bench and I have not suppressed any material facts and circumstances.

*Biplab Kumar Chowdhury*

Signature of the Applicant

Prepared in my office and

Signed in my presence

*Dipankar Thakur*

Advocate

Solemnly Affirmed Before Me

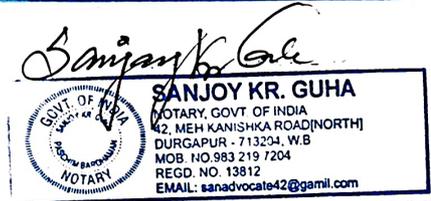
This Day 21/2/26

By B.K. Chowdhury

I.D. By D. Thakur Advocate



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Depanjan Adv...  
19:58



BEFORE THE HONBLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
Original Application No. 138/2025/EZ

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OA 138/2025/EZ, Rejoinder

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24 February 2026

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EASTERN ZONAL BENCH, KOLKATA, WEST BENGAL  
FINANCE CENTRE, 3<sup>RD</sup> FLOOR, NEW TOWN



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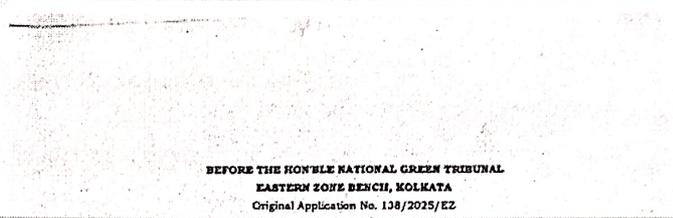


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10 February 2026

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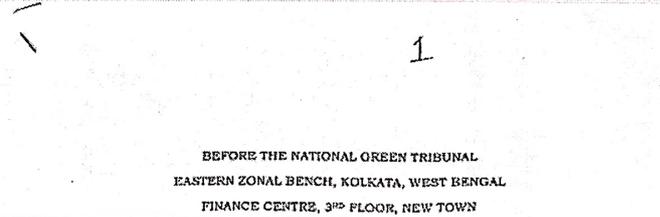
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Message



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BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
ORIGINAL APPLICATION NO. 123/2025/EZ

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10 February 2026

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Okay 18:26