

S. NO. 24/2022
As per Register of Notary



BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONAL BENCH, KOLKATA, WEST BENGAL
FINANCE BUILDING CENTRE, 3RD FLOOR
NEW TOWN

An application under section 18(1)
read with section 14 of the National
Green Tribunal Act, 2016.

O. A. No. 147 of 2022 EZ

Between

Abdul Jabber Ali & Others.

... Applicants

- Versus -

The West Bengal Pollution Control

Board and Others ... Respondents.



REJOINDER ON BEHALF OF THE APPLICANTS AGAINST THE
AFFIDAVIT IN OPPOSITION DATED 02.12.2022 OF THE
RESPONDENT NO. 4.

I, Abdul Jabber Ali, son of Late Abu Bakker Sk., aged about
57 years, by faith - Islam, by occupation - cultivation,
residing at Village - Bhola, Post Office - Gangadhari,
Police station - Nowda in the District of Murshidabad,

22 DEC 2022

আব্দুল জব্বার আলি

-: 2 :-

Pin Code No. 742121, do hereby solemnly affirm and state as follows :-

1. That I am the applicant No.1 in the Original Application as such I am well acquainted with the facts and circumstances of the case and I have been authorised by the other applicants to sign and swear this rejoinder on their behalf.
2. That the copy of the affidavit-in-opposition (hereinafter called the said affidavit) affirmed by one Sri Anshul Gupta dated 02.12.2022 was served upon my Learned Advocate on 05.02.2022 who readover and explained the contents and purports thereof and I understood the same. I have been advised to traverse only those portions of the affidavit what are material for disposal of the Original Application and I deny and dispute the statements and allegations made in the affidavit dated 02.12.2022 save and except the matters of record and what are not admitted by me shall be treated as denied.
3. With regard to the statements contained in paragraphs 1 and 2 are the matters of record and it is the duty

महोदय कोर्टात सादर
Gurpreet Singh



of the deponent to prove the same.

4. With regard to the statements contained in paragraphs 3 and 4 of the said affidavit are denied save and except the matters of record, and I say that the respondent No.4 admitted the statements narrated in the Original Application which will borne out from the 'Inspection Report' filed by the respondent Nos. 1, 2 and 7 on 02.12.2022 and I say that the respondent Nos.9 to 13 started to set up the new Brick Field (namely M/s. Indian-3) on 20th October,2020 upon the Plot being No.1584 of Mouja Chokathi, J.L.No.19, Police Station - Nowda in the district of Murshidabad violating all the guidilines and Memorandums dated 27.10.2016 and 27.01.2022 issued by the Land and Land Reforms Department, Government of West Bengal, but the respondent Nos.4, 6 and 7 did not take any action against the respondent Nos.9 to 13 before filing of the Original Application before the Hon'ble National Green Tribunal inspite of several Mass Petitions from the poor farmers against the said Brick Field namely 'M/s. India-3' and I reiterate what have stated in the Original Application save as aforesaid I reserve

Amjad Hussain



-: 4 :-

my right to comment on those paragraphs at the time of hearing.

5. With regard to the statements contained in paragraphs 5 and 6 of the said affidavit are disputed save and except the matters of record and I say that the respondent No.4 did not take any action in view of the guidelines and Memorandums dated 27.10.2016, whereas the Memo.No.1251-(M&M) dated 29.05.2015 has been inserted in the said Memorandum ~~and~~ dated 27.01.2022 and I say that Memorandum is annexed hereto only for home work. The respondent Nos.4 and 6 enquired the matter on their own way without notice to any of the mass petitioners. The respondent No.4 admitted in those paragraphs, the illegal activities of the respondent Nos.9 to 13 for setting up the 'M/s. India-3' Brick Field violating all norms and guidelines, save as aforesaid I reserve my right to comment on those paragraphs at the time of hearing.



6. With regard to the statements contained in paragraphs 7, 8 and 9 of the said affidavit are travesty of truth save and except the matters of record and I

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-: 5 :-

say that thousand of farmers of the sourrunding 'M/s India-3' Brick Field could not harvest their lands ~~and~~ and faced heavy agricultural loss due to the construction of the alleged Brick Field. The roads of the Village Bhola have damaged due to the transportation of the respondent Nos.9 to 13 for setting up of the said Brick Field.

7. That I most humbly and respectfully submit that Your Lordships would be graciously pleased to direct the respondent NOS.1, 4, 6 and 8 to take immediate steps against the 'M/s India-2' Brick Field on the basis of the guidelines and Memorandums and the "Inspection Report" dated 04.11.2022 for removing the other equipments to close the unit of the respondent Nos. 9 to 13 and save the life and livelyhood (agricultural lands) of the poor Farmers of Village - Bhola, P.S. Nowda in the district of Murshidabad for the ends of justice.



মুহুরতঃ সত্য

V E R I F I C A T I O N

I, Abdul Jabber Ali, son of Late Abu Bakker Sk., aged about 57 years, by faith - Islam, by occupation - cultivation, residing at Village - Bhola, P.O. Gangadhari, P.S. Nowda in the District of Murshidabad, Pin Code No.742121, do hereby solemnly affirm and state as follows :-

1. That I am the applicant No.1 in the Original Application as such I am well acquainted with the facts and circumstances of the case and I have been authorised by the other applicants to sign and swear this rejoinder on their behalf.
2. That the statements contained in paragraphs 1 to 6 are true to the best of my knowledge derived from the records and those contained in paragraph 7 are my respectful submission before this Hon'ble Tribunal.

Prepared in my Office,
WHO SIGN IN MY PRESENCE

Adv. Hasun-All-Rashid,

Advocate
ENROLL NO

Enrolment No. WB/591A/1982.

মুহুরতঃ স্বাক্ষর করিয়া

The deponent is known to me
and identified by me.

Adv. Hasun-All-Rashid,

Advocate.

ABDUL HAMID MOLLA
NOTARY
Advocate, High Court, Calcutta
Reged. No. 9380 / 2011
Government of India
High Court Calcutta
Gate No. 'E'
M:-9831104098
22 DEC 2022



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... Applicants

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... Respondents.



22 DEC 2022

REJOINDER ON BEHALF OF THE APPLICANTS
AGAINST THE AFFIDAVIT-IN-OPPOSITION
DATED 02.12.2022 OF THE RESPONDENT
NO.4.

Mr. MD. HARUN-ALL-RASHID
Advocate
High Court, Calcutta,
Bar Association, Room No.4,
Kolkata-700001.
Mob.: 9836144648