

73/2022
Serial No.....
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 OF THE
INSPECTION REPORT

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, Pin Code No.

22 DEC 2022

Abdul Jabber Ali

742121, do hereby solemnly affirm and declare 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 xxxxxxxx~~ ~~dated 02.12.2022~~ was served upon my Learned Advocate on 05.12.2022 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 ~~ma~~ contained in paragraphs 1 and 2 are the matters of record and it is the duty of the deponent to prove the same.
4. With regard to the statements made in paragraphs 3 and 4



Muhammad Hamid Molla

of the said affidavit(report) are matters of record and I say that the concerned respondent has inspected the M/S. India-3 Brick Field on 3.11.2022 located at Village Bhola , P.S. Nowda in the district of Murshidabad and further I say that the ~~Inspector~~ Inspection Report dated 4.11.2022 clearly indicates the illegality and violation of the guidelines and Memorandums in setting up the New Brick Field which will borne out from the Inspection Report annexure 'R' of the said affidavit.

5. With regard to the statements contained in paragraphs 5 and 6 of the said affidavit (report) are travesty of truth and I say that the respondent Nos. 9 to 13 withheld the construction works of the Brick Field after getting the notice from the Hon'ble National Green Tribunal. The respondent Nos. 9 to 13 started the construction for the alleged M/S India-3 Brick Field since the month of October,2020 and damaged the surrounding agricultural lands and village roads for setting up the M/S. India-3 Brick Field violating all norms and guidelines but the concerned State respondents failed to take proper steps in accordance with law inspite of the mass petitions of the said villagers. The state respondents state that the unit is in-operative but the other equipments are still subsisting there and the applicants are apprehending that the private respondents will



Handwritten signature in blue ink.

✓ start the M/S Brick Field ~~for use~~ at any time if the state respondents will not take necessary steps for closing and removing the alleged constructions.

5(A). With regard to the statements contained in paragraphs 7, 8 and 9 of the said affidavit (report) are the exact position of the said unit and I say the respondent Nos. 1, 2 and 3 admitted the illegality of the respondent Nos. 9 to 13 for setting the alleged M/S. India 3 Brick Field but till date the said respondents did not remove the "structure and other equipments from the said plot being No. 1584 of Mouza Chadkathi J.L. No.19 P.S. Nowda, District - Murshidabad inspite of the Mass petition dated 20.10.2022 of the Villagers.

6. That your applicants submit that your Lordships would be graciously pleased to direct the State respondents to take immediate steps for removing the entire construction on the basis of the 'Imputation Report' Annexure-"R" of the affidavit and save the Air and environmental land Pollution for the ends of justice.

Abdul Molla



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-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 5(A) are true to the best of my knowledge derived from the records and those contained in paragraph No. 6 is my respectful submission before this Hon'ble Tribunal.

IDENTIFY THE PERSONS
Prepared in my Office.
WHO SIGN IN MY PRESENCE

Adv. Haam - All-Rashid

ADVOCATE
Enrolment No. WB/591A/1982

22 DEC 2022

Copy of the above

The deponent is known to me
and Identified by me

Adv. Haam - All-Rashid,
Advocate



Solemnly affirm and declare
before me on identification by
Ld. Advocate

ABDUL HAMID MOLLA
Notary Public
Government of India
Reg. No.- 9380/2011
High Court, Calcutta
M-9831104098

22 DEC 2022

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Board & Ors.

...Respondents



22 DEC 2022

REJOINDER on behalf of the applicants
of the Inspection Report

Mr. MD. HARUN-ALL-RASHID
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