

BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA

O.A. No. 125/2017/EZ

SUNIL MONDAL  
VS

WEST BENGAL POLLUTION CONTROL BOARD & ORS

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

PRESENT: Applicant : Mr. Nilanjan Paul, Advocate  
Mr. Sunit Kr. Roy, Advocate  
Respondents No. 1,2 : Mr. Dipanjan Ghosh, Advocate  
Respondent No. 6 : Ms. Malabika Roy Dey, Advocate  
Other Respondents : None

Date & Remarks	Orders of the Tribunal
Item No. 6 12 <sup>th</sup> October, 2017.	<p>Affidavit-in-reply filed on behalf of the Respondent No.6 to the affidavit-in-opposition of Respondent No. 1, i.e., the State PCB, by Ms. Malabika Roy Dey, Advocate, is ordered to be taken on record.</p> <p>By order dated 07.09.2017, the State PCB had been directed to consider the application for consent to operate submitted by Respondent No.6 and pass an appropriate order in accordance with law. Mr. Dipanjan Ghosh, Id. Advocate for the State PCB, however, prays for further time to file a report on that.</p> <p>Upon our query, Ms. Malabika Roy Dey submits</p>

that the work of installation of ETP and Emission Control System is in the process and as per her instructions, it will take a period of about 1-1<sup>1</sup>/<sub>2</sub> months more to complete.

In view of this, we grant the Respondent No. 6 two months' time for installation of ETP and Emission Control System. The State PCB shall monitor such installations and also consider the disposal of the application for consent to operate.

Ld. counsel for Respondent No.6 submits that the Respondent is being singled out when none of the hotels in Burdwan town, which are large in number, also do not comply with the pollution norms.

Mr. Nilanjan Paul, Id. counsel for the applicant shall take steps to identify the non-compliant hotels and submit a list along with the names of the owners and their addresses before the next date. Ms. Malabika Roy Dey shall on her part, advise the Respondent No.6 to assist Mr. Pal to furnish the information.

The State PCB shall also inspect all the hotels in Burdwan town and submit a report on the compliance of the pollution norms without fail before the next date.

In the event the Respondent No.6 fails to install the ETP/STP and Emission Control System within the period stipulated, necessary directions for closure of the unit shall be issued on the next date.

**List on 14.11.2017.**

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Justice S.P. Wangdi, JM  
12-10-2017

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Prof.(Dr.) P.C. Mishra, EM  
12-10-2017



