

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.161/2024/EZ

Jagriti Bhattacharya

Applicant(s)

Versus

State of West Bengal & Ors.

Respondent(s)

Date of hearing: 12.08.2024

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER  
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : Mr. Meghnad Dutta, Advocate a/w  
Mr. Abhishek Shaw, Advocate

**ORDER**

1. Heard Mr. Meghnad Dutta assisted by Mr. Abhishek Shaw, learned Counsel appearing for the Applicant.
2. This Original Application has been filed by the Applicant, alleging that digging process has been initiated and construction operations for installation of borewell has been commenced at the Emami City situated at 2, Jessore Road, Golpark, Kolkata. It is also alleged that digging and construction activities of the borewell were being done at the instance of Private Respondents and Members of the Emami City Apartment Owner's Association (Respondent No.13 herein).
3. It is stated by the Applicant that in the 2<sup>nd</sup> week of May, 2024, she had filed a an RTI Application in this regard and in reply thereto she was informed by the State Water Investigation Directorate vide letter dated 06.05.2024 that her RTI application had been transferred to the Geologist, Geological Sub-Division III-D, SWID, to provide reply.

4. It is stated that by a further communication dated 03.05.2024 the Applicant was informed by the Member Secretary, DLGWRA, District North 24 Parganas and Geologist, Geological Sub-Division III-D, that 'no permit' was granted from the office of the undersigned in the name and address of the Unit.
5. Matter requires consideration.
6. Issue notice to the Respondents, returnable within four weeks.
7. Mr. Sibojyoti Chakraborty, learned Counsel who is present (in Virtual Mode), accepts notice on behalf of the Respondent Nos.1, 2, 3, 6, 9 & 10, State Respondents, Government of West Bengal.
8. Mr. Dipanjan Ghosh, learned Counsel who is present in Court, accepts notice on behalf of the Respondent No.5, West Bengal Pollution Control Board.
9. Mr. Ashok Prasad, learned Counsel who is present in Court, accepts notice on behalf of the Respondent No.12, Central Ground Water Board.
10. The Applicant is directed to delete the Respondent No.4, West Bengal Pollution Control Board through the Chairman, since the Member Secretary, West Bengal Pollution Control Board, is already impleaded as Respondent No.5 in the array of Respondents.
11. The Applicant is also directed to delete the Respondent No.8, Chairman, South Dumdum Municipality, since the Executive Officer, South Dumdum Municipality, is already impleaded as Respondent No.7 in the array of Respondents.
12. The Applicant also directed to delete the Respondent No.11, Member Secretary, Central Ground Water Authority, since the Regional Director, Central Ground Water Board, is already impleaded as Respondent No.12 in the array of Respondents.

13. Issue notice to the Respondent Nos.7, 13 & 14, returnable within four weeks.
14. All the Respondents shall file their counter-affidavits within four weeks.
15. The Counsel for the Applicant shall serve e-copy/soft copy of the Original Application along with all its annexures upon the Counsel for the Respondents who have accepted notice in the case, within 48 hours.
16. **List on 20.09.2024.**

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**B. Amit Sthalekar, JM**

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**Dr. Arun Kumar Verma, EM**

August 12, 2024,  
Original Application No.161/2024/EZ  
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