

10.08.2022
Ct. 5
D/L 8
ab

WPA 16043 of 2022

Bamacharan Acharya

-Vs-

The State of West Bengal & Ors.

Mr. Subhas Chandra Atha,
Ms. Payel Paramanik

... for the petitioner

Ms. Sutanu Chakrabarty

... for the State

Mr. Soumya Mukherjee

... for the West Bengal Pollution Control Board

Mr. Soumik Ganguli,
Ms. Chandana Chakraborty

... for the respondent no. 8

Mr. Samiran Mandal,
Mr. Abhinaba Dan

... for the respondent no. 9/private respondent

The petitioner complains of the environmental disturbance faced by the petitioner from a Puffed Rice Mill carried on by the private respondent adjacent to the petitioner's house. The petitioner made several representations to the Pradhan of the Gram Panchayat in November and December, 2020 and also filed an application for stoppage and removal of the Mill to the District Magistrate, Bankura and other officials in October, 2021. The Pradhan wrote two letters to the

private respondent in December, 2020 and in March, 2021 for stoppage of the Mill. The petitioner complains that the private respondent has not taken any steps with regard to such instructions.

The West Bengal Pollution Control Board is represented.

Learned counsel appearing for the Pollution Control Board submits that the Puffed Rice Mill comes under the “Green Category” and requires no objection for starting such Mill. Counsel also submits that the Board shall make requisite enquiry to ascertain whether the private respondent has complied with the requirements under the Acts.

WPA 16043 of 2022 is accordingly disposed of with a direction on the Environmental Engineer-in-charge of the Regional Office of the Pollution Control Board to make necessary inspection of the private respondent’s Mill and pass a reasoned order upon such enquiry. The concerned officer shall be entitled to hear the relevant parties before passing the reasoned order. The entire exercise shall be completed within a period of six weeks from date. A copy of the reasoned order shall be made available to the parties before the Court within a week from the date of passing such order.

(Moushumi Bhattacharya, J.)

