

06.09.2022
Ct. 5
D/L 24
ab

WPA 19201 of 2022

Umapada Hati

-Vs-

The Union of India & Ors.

Ms. Pampa Dey (Dhabal)

.... for the petitioner

Mr. Rajarsi Basu

... for the respondent no. 1

Mr. Ayan Banerjee,
Ms. Debasree Dhamali,
Ms. Riyal Ghosh

... for the private respondent

Mr. Raja Saha

... for the State

The complaint of the petitioner relates to a 'Puffed Rice Mill' which, according to the petitioner, is contributing the air pollution in the area.

The respondents are represented and the learned counsel submit that the said Mill was set up after obtaining requisite permissions from all statutory bodies including the Pollution Control Board.

Section 14 of The National Green Tribunal Act, 2010, provides that the Tribunal shall have the jurisdiction over all civil cases where a substantial question relating to environment or enforcement of any legal right relating to environment or where such

question arises out of the implementation of the enactments specified in Schedule I. Schedule I contains “The Air (Prevention and Control of Pollution) Act, 1981”. According to the counsel appearing for the respondents, this is the relevant Act for the present complaint. This Court agrees with such submission.

WPA 19201 of 2022 is disposed of with a liberty given to the petitioner to approach the Green Tribunal, Eastern Zone, for appropriate relief.

(**Moushumi Bhattacharya, J.**)