

30.09.2024
Sl. No. 63
g.b.
Court No.07

W.P.A. 22549 of 2024

Sri Rabindranath Raptan
-Vs-
The State of W. B. & Ors.

Mr. Joy Chakraborty
Mr. Ranjit Malakar
.....For the Petitioner

Ms. Sonal Sinha
Ms. Munmun Ganguly
.....For the State

Mr. Ranjit Singh
Mr. Amar Singh
Ms. Puja Shett
Mr. Ratul Deb Banerjee
.....For the Respondent No.9

Affidavit of service filed in court today is taken on record.

The grievance of the petitioner is that the Inspector-in-charge of Jibantala Police Station is not taking any step to ensure compliance of the orders passed by the West Bengal Pollution Control Board dated June 27, 2024.

The petitioner alleges that the private respondent herein is running a gate and grill manufacturing unit without maintaining the environmental norms.

The learned advocate appearing for the private respondent submits that the private respondent is carrying on the said business strictly in terms of the directions contained in the order dated June 27, 2024.

Heard the learned advocate for the State.

It appears from the order dated June 27, 2024 of the West Bengal Pollution Control Board that the private respondent was directed to comply with the following directions. The relevant portion of the order dated 27th June, 2024 is extracted hereinbelow:

"We, however, direct the respondent unit to:

(1) Avoid nuisance causing by noise generation due to their operation, taking adequate noise control measures which may include, but not

limited to, measures like installation of acoustic insulation panels, use of rubber pads, shifting of noise producing equipment's etc., so that sound does not travel outside the respondent unit beyond the permissible limit;

(2) Restrict manufacturing/repairing activities in between 9 A.M. to 6 P.M. only and

(3) Do not undertaken their Manufacturing/repairing activities under any circumstances be either in the open or on the public roadway.

We make it clear that the respondent unit shall maintain environmental norms strictly and take all necessary measures so that the people living in the neighbourhood may not suffer due to its activities in any way, whatsoever.

The Block Development Officer, Canning-1 Development Block, may be kept informed of this order passed by the State Board today.

The Officer in Charge, Jibantala Police Station is requested to oversee the compliance of this order. In case of any violation of this order, he is at liberty to take necessary action in accordance with law.”

It appears from the said order that the Officer-in-charge, Jibbantala Police Station was requested to oversee the compliance of the said order.

In view thereof, this court directs the Officer-in-charge, Jibantala, Police Station to see that the order of the Pollution Control Board dated June 27, 2024 is not violated by the private respondent herein.

In case, the said order is violated, the Inspector-in-Charge, Jibantala Police Station shall take steps accordingly.

With the above observation and direction, the writ petition stands disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties after completion of all necessary formalities.

(Hiranmay Bhattacharyya, J.)