

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

Appeal No.11/2023/EZ

M/S Majhulia Sugar Industries Private Limited Appellant(s)

Versus

State of Bihar & Ors Respondent(s)

Date of hearing: 03.03.2023

**CORAM: HON’BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
 HON’BLE PROF. A. SENTHIL VEL, EXPERT MEMBER**

For Appellant(s) : Mr. Kallol Basu, Advocate a/w
 Ms. Sneha Singh, Advocate

ORDER

1. Heard Mr. Kallol Basu, learned Counsel assisted by Ms. Sneha Singh, learned Counsel appearing for the Appellant.
2. The Appellant in the present Appeal is seeking quashing of the order dated 07.12.2022 issued by the Bihar State Pollution Control Board, whereby the Appellant Unit has been directed to deposit Environmental Compensation of Rs. 58,80,000/- (Rupees Fifty Eight Lakhs Eighty Thousand only).
3. The case of the Appellant, *inter-alia*, is that though the impugned order is based upon the water samples collected by the Bihar State Pollution Control Board from the Unit of the Appellant but prior to collection of the samples notice as required under Section 21 of the Water (Prevention and Control of Pollution) Act, 1974 has not been given to him.
4. In our opinion, matter requires consideration.
5. Issue notice to the Respondents, returnable within two weeks.

6. The learned Counsel for the Applicant is directed to delete the Respondent No.1, Govt. of Bihar, through its Secretary, Sugar Cane Industries Department, from the array of Respondents and re-number the Respondents.
7. Ms. Amrita Pandey, learned Counsel who is present in Court, accepts notice on behalf of the Bihar State Pollution Control Board.
8. The Respondents shall file their counter-affidavit within two weeks.
9. **List on 29.03.2023.**

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B. Amit Sthalekar, JM

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Prof. A. Senthil Vel, EM

March 03, 2023
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