

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

Original Application No.133/2023/EZ
(I.A. No.30/2024/EZ)

Serajul Islam & Anr.	Versus	Applicant(s)
State of West Bengal & Ors.		Respondent(s)

Date of hearing: 09.12.2024

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

For Applicant(s) : Ms. Nasreen Islam, Advocate

For Respondent(s) : Mr. Sudip Kumar Dutta, Advocate for R-1 to 7 & 11,
State Respondents,
Mr. Sibojyoti Chakrabarti, Advocate for R-8 & 9,
Mr. Dipanjan Ghosh, Advocate for R-10 (in Virtual Mode),
Mr. Mostafijur Rahaman, Advocate a/w
Afrin Begum, Advocate for R-13,14&15,
Mr. Supratick Shyamal, Advocate a/w
Mr. Alokesh Dalai, Advocate for R-16 & 17,
Mr. Argha Dip Das, Advocate for R-18 & 19 (in Virtual Mode)

ORDER

1. Ms. Nasreen Islam, learned Counsel is present for the Applicants.
2. Affidavit dated 07.12.2024 has been filed by the Respondent No.5, District Magistrate, Birbhum; the same is taken on record.
3. Affidavit dated 07.12.2024 has been filed by the Applicant; the same is taken on record.
4. Serious allegations have been made by the Applicant in the affidavit dated 07.12.2024.
5. We, direct the District Magistrate, District-Birbhum to file his affidavit giving para to para reply and be very clear in filing of his affidavit since in his affidavit of 07.12.2024 there is an admission that there was illegal mining on Plot No. 688 and part Plot No. 715. Question is how did this blasting and mining take place without the

Sub-Divisional Officer (SDO) on duty being aware of it which only prima facie shows the complicity of the Sub-Divisional Officer (SDO).

6. We, direct the District Magistrate, District-Birbhum to also state in his affidavit what disciplinary or criminal action has been taken against the concerned Sub-Divisional Officer (SDO).
7. **List on 07.02.2025.**

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B. Amit Sthalekar, JM

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Dr. Arun Kumar Verma, EM

December 09, 2024,
Original Application No.133/2023/EZ
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OM