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04.07.2024
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No.25442 of 2022

M/s. Adyama Trade Link Private Limited
Vs.
The State of West Bengal & Ors.

Mr. Somnath Roy Chowdhury
...for the petitioners

Mr. Sanjoy Saha
Mr. Subhasish Bhattacharya
...for the respondent no. 3

Mr. Chandi Charan Dey, learned AGP
Mr. Anirban Sarkar
...for the State

Notwithstanding a categorical direction dated June 27, 2024 on the West Bengal Mineral Development and Trading Corporation Limited (WBMDTCL), there has been no compliance with the same. Significantly, a copy of the order was also served on the Chairman, WBMDTCL.

Pursuant to the order dated June 27, 2024, an unaffirmed copy of a Report is relied on by WBMDTCL. The Advocates appearing on behalf of WBMDTCL undertake to file the same after affirmation by the Commissioner on or before the returnable date.

It appears from the said Report that the stalemate caused in promptly granting of leases of sand blocks is primarily on the ground that in terms of a Notification issued by the Ministry of

Environment, Government of India no sand block can be renewed until it falls in the potential zone. The procedure also requires a District Survey Report and compliance with other formalities. In this connection, the State relies on an order dated February 14, 2023 passed by the National Green Tribunal, Eastern Zone Branch, Kolkata in O.A. No. 74 of 2022.

Prima facie, in the garb of administrative formalities, statutory compliances and red tapism leases of sand blocks across the State have not been promptly renewed nor reaucted for years if not decades. This is unacceptable as well as commercially imprudent.

In view of the above, the State Authorities and the respondent no. 3 are directed to file separate Reports as to what steps are being taken to remedy the situation.

Let this matter appear on July 29, 2024 for further hearing.

(Ravi Krishan Kapur, J.)