

**Before the National Green Tribunal,
(Eastern Zone Bench, Kolkata)**

Original Application No. 01/2024/EZ

Ankur Sharma

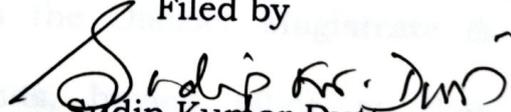
-Versus-

The State of West Bengal & Ors.

INDEX

	Particulars	Pages
1.	Affidavit	1-11
2.	Letter for Joint Inspection (Annexure-R/1)	12-13
3.	Report of the Committee (Annexure-R/2)	14-242 B

Filed by


Sudip Kumar Dutta

Advocate for the State of West Bengal

Date: 05.04.2024



Before the National Green Tribunal,

(Eastern Zone Bench, Kolkata)

Original Application No. 01/2024/EZ

Ankur Sharma

-Versus-

The State of West Bengal & Ors.

**REPORT OF THE COMMITTEE IN THE FORM OF
AFFIDAVIT SUBMITTED BY THE DISTRICT
MAGISTRATE, SOUTH 24 PARGANAS DISTRICT,
GOVERNMENT OF WEST BENGAL**

I, Sumit Gupta, Son of Shri. S.K. Gupta, aged about 41 years, by religion - Hindu, by occupation- Government Service, presently posted as the District Magistrate & Collector, South 24 Parganas, having office at New Administrative Building, Alipore, Kolkata- 700027, do hereby solemnly affirm and say as follows:



1. That I am working for gain as the District Magistrate, South 24-Parganas, Alipore, Kolkata- 700027. I have made myself well acquainted with the facts and circumstances of the case. I am affirming this report in the form of affidavit and I am duly authorized to do so.
2. That in furtherance to the solemn Order dated 18.01.2024, the deponent is filing the report of the committee in the form of the Affidavit.
3. That this affidavit is being solemnly affirmed and filed in view of the solemn Order dated 18.01.2024 passed by this Hon'ble Tribunal, whereby the Hon'ble Tribunal has been pleased to direct that- Considering the allegations made, we deem it appropriate to constitute a Committee to elicit the veracity of the allegations comprising of the following Members:-
 - (i) Senior Scientist from the West Bengal Pollution Control Board,
 - (ii) Deputy Director General, MoEF & CC, Integrated Regional Office, Kolkata, or his representative of senior rank,



(iii) Senior Representative from the East Kolkata Wetlands Management Authority, and

(iv) District Magistrate, South 24 Parganas, or his representative not below the rank of Additional District Magistrate.

The Committee shall inspect the site in question and submit its report within four weeks with regard to the allegations made in the Original Application.

The District Magistrate, South 24 Parganas, shall be the Nodal Office for all logistic purposes and for filing the Report of the Committee on affidavit.

4. That in compliance to the solemn order a letter for joint inspection vide Memo.No. 57/Con/DM dated- 02.02.2024, scheduled to be held on 07.02.2024 was forwarded to all the concerned members of the committee.

The copy of the letter is annexed herewith and marked as Annexure- R/1.



5. That the joint inspection was conducted on 07/02/2024 at 12 noon at the below noted plots.

- 1) LR Plot no-186 (RS Plot no-154) Area-12.90 Acre,
- 2) LR Plot no-192 (RS Plot no-130) Area-17.20 Acre,
- 3) LR plot no-215 (RS Plot no-131) Area-8.74 Acre,
- 4) LR Plot no-223 (RS Plot no-152) Area-5.67 Acre
- 5) LR plot no-226 (RS Plot no-157) Area-9.24 Acre,
- 6) LR Plot no-228 (RS Plot no-159) Area-13.89 Acre,
- 7) LR Plot no-229 (RS Plot no- 160) Area- 3.40 Acre,
- 8) LR plot no-230 (RS Plot no-161) Area-3.56 Acre,
- 9) LR plot no-232 (RS Plot no-164) Area-5.72 Acre
- 10) LR plot no-234 (RS Plot no-156) Area-8.20 Acre

Totalling to 88.52 Acres at Mouza- Atghara, J.L no-05 under Block- Sonarpur,

The inspection was conducted by the following members:

- i) The Scientist E, Sub-Office Kolkata (representing the Deputy Director General of Forest (C), Regional Office, Bhubaneswar, MOEF&CC);
- ii) The Senior Representative from EKWMA;
- iii) The Environmental Engineer, Salt Lake Regional Office, WBPCB and



- iv) The Additional District Magistrate & District Land & Land Reforms Officer, South 24 Parganas along with the Block Land & Land Reforms Officer, Sonarpur.

Observation of the Committee during the site visit:

The allegations as made by the applicant in the Original Application were physically verified and it was observed that most of the areas of the suit plots are more or less converted into residential area due to rapid urbanization.

The Committee observed that several buildings/houses in different categories have been raised including Godown, Health Centre, Garage, Temple etc., Bituminized road was found in most of the areas which are being maintained by the local Gram Panchayat. Electricity to various houses via electric poles were also found in the said plots. Several scheme plots were found carved from the original RS/LR plots which are mostly enclosed with boundary walls.

The current physical status of every plot involved in the Original Application as submitted by the Office of the Block Land & Land Reforms Officer, Sonarpur, South 24



Parganas vide Memo no. 662/BLR-SNP/2023 dated 16.02.2024 is furnished below:

Block- Sonarpur

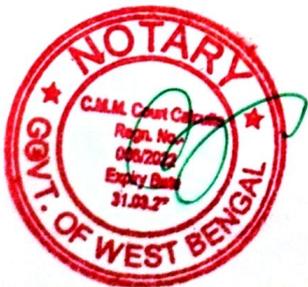
Mouza- Atghara

J.L no-05

Serial no	Plot no.	Area (Acre)	Classification in RS Record	Classification in LR Record	Present Status of the plot	Whether the plot is within the EKWMA Area or not
1	LR-186 RS-154	12.90	Bil	Bil	1) Total number of Double storied Building- 7 2) Asbestos and Tin shed roofing house-95 3) Godown-2 4) Garage-1 5) Rest area is filled with "Hoglabon" in scattered way.	E.K.W.M.A Area
2	LR-192 RS-130	17.20	Bil	Bil	1) Total number of double storied building-20 2) Asbestos and Tin shed roofing house -152 3) Scheme plot with boundary wall-85 4) Under construction Building-15 5) Garage-3 6) Health Center-1 (Ranapara Roy Clinic) 7) Hyundai Company Taxi garage- 1 8) Koyal Bhaban Resort-1	DO



					<p>9) Hosiery Factory (Ganzi Karkhana)-1</p> <p>10)A Proposed Mini PWSS under PHE Department at the eastern side of the plot.</p>	
3	LR-215 RS-130	8.75	Bil	Bil	<p>1) Double storied Building-3</p> <p>2) Under construction Building -4</p> <p>3) Asbestos and Tin shed roofing house -6</p> <p>4) Water body more or less 02.00 Acre</p>	DO
4	LR-223 RS-152	5.67	Bil	Bil	<p>1) Double storied building-2</p> <p>2) Under construction building-2</p> <p>3) Asbestos and Tin shed roofing house -7</p> <p>4) Rest portion of land is filled with Hoglabon.</p>	Do
5	LR-226 RS-157	9.24	Bil	Bil	<p>1) Double Storied building -5</p> <p>2) Asbestos and Tin shed roofing house -20</p> <p>3) Decorators Store house-3</p> <p>4) Dhaba-2</p> <p>5) Under Construction building-35</p> <p>6) Scheme plot with boundary</p>	Do



					wall-35 7) Temple-1	
6	LR-228 RS-159	13.89	Bil	Bil	1) Double Storied Building-5 2) Asbestos and Tin shed roofing house -15 3) Scheme plot with boundary wall-25 4) Rest portion of the plot at southern side is covered with "Nolbon".	Do
7	LR-229 RS-160	3.40	Shali	Bil	1) Asbestos and Tin shed roofing house -3 2) Rest portion of the plot at southern side adjacent to LR plot no-230 is covered with "Nolbon".	Do
8	LR-230 RS-161	3.56	Bil	Bil	1) Tin shed roofing house-1 2) Rest portion of the plot is covered with "Nolbon"	Do
9	LR-232 RS-164	5.72	Bil	Shali	1) The plot is presently used for fish production.	Do
10	LR-234 RS-156	8.20	Bil	Bil	1) Double Storied Building-50 2) Asbestos and Tin shed roofing house -40 3) Under construction houses-5 4) Scheme plot	Do



					with boundary wall- 21	
					5) Lord Shiba Temple-1	
					6) Kali Mondir (Paresh Saha Kali mondir)-1	
					7) Resort-1	
					8) Xerox shop-1	

The copy of the Joint Committee Report is annexed herewith and marked as Annexure- R/2.

6. That in view of the facts and circumstances stated above, it is most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to pass such further order or orders as deemed fit and proper in the interest of justice.

7. That the Statement made in paragraph No. 1 is true to my knowledge and those made in paragraph 2 to 5 hereof are based on information derived from the records including facts & figures which I verified and believe to be true to the best of my knowledge and belief and rest are my humble submissions before the Hon'ble Tribunal.


DEPONENT
District Magistrate,
South 24-Parganas



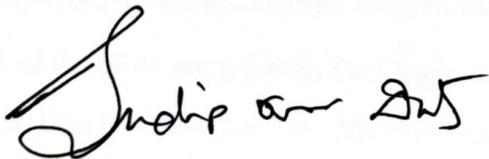
09/24

VERIFICATION

I, Sumit Gupta, District Magistrate, South 24 Parganas, do hereby verify that the contents of the report of the committee in the form of affidavit are true and correct to the best of my knowledge and belief. No part of the report is false and nothing material has been concealed there from.

Verified at Kolkata on this 05th day of April, 2024.

Identified by me



Advocate

For the State of West Bengal




NIRMALYA DAS GUPTA
Advocate Cum Notary
REGN NO.-006/2022
C.M.M. Court Calcutta


DEPONENT
District Magistrate,
South 24-Parganas

SOLEMNLY AFFIRMED
&
Declared Before me
on Identification Adv.

NOTARY
N. DAS GUPTA
C.M.M. Court
Govt W.B

06 APR 2024