

7/24  
S.L. No. ....

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

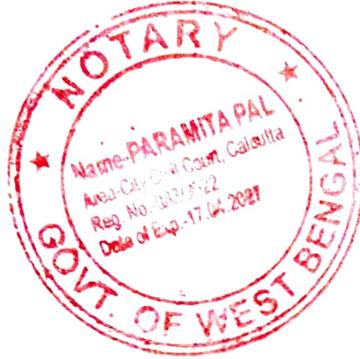
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 64/2022/EZ

In The Matter of:

Nabendu Kumar Bandopadhyay

... Applicant



Versus

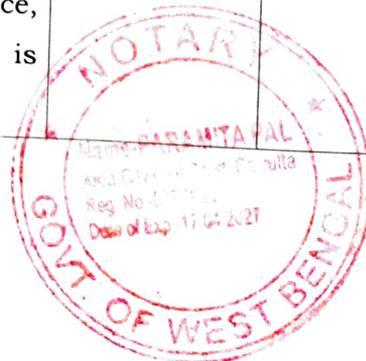
State of West Bengal & Ors.

... Respondents

AFFIDAVIT ON BEHALF OF THE RESPONDENT NUMBER 05, THE COMMISSIONER OF POLICE, BARRACKPORE POLICE COMMISSIONERATE, BARRACKPORE.

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01 MAY 2024

Filed by

*Sibojyoti Chakrabarti*

SIBOJYOTI CHAKRABARTI

Advocate

For The State of West Bengal

Email: [subho.advocate@gmail.com](mailto:subho.advocate@gmail.com)

(M): 9007035534



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 64/2022/EZ



In The Matter of:

Nabendu Kumar Bandopadhyay

... Applicant

Versus

State of West Bengal & Ors.

... Respondents



AFFIDAVIT ON BEHALF OF THE RESPONDENT NUMBER 05, THE COMMISSIONER OF POLICE, BARRACKPORE POLICE COMMISSIONERATE, BARRACKPORE.

I, Sri Alok Rajoria, son of Raghuvir Prasad Sharma, aged about 43 years, by occupation - Service, working for gain as Commissioner of Police, Barrackpore Police Commissionerate, having office at 58/A New, B.T Road, Ward No.20, Near- Brigade Main Gate, Barrackpore, PIN - 700120, do hereby solemnly affirm and say as follows:-

1. That this affidavit is being filed in compliance to the Solemn Order dated 08.02.2024 & 06.03.2024, as passed by the Hon'ble Tribunal.

01 MAY 2024

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2. That pursuant to the Solemn Order, the Deputy Commissioner of Police, South Zone, Barrackpore City Police, District: North (24) Parganas vide letter dated 14.03.2024 had informed the Commissioner of Police, Barrackpore City Police, regarding the latest status of the plot of land in question which is the subject matter of the instant original application.
3. That the latest status as stated in the report is as follows:
- (i) That as per available Police Station record, it could be learnt that no complain/petition is received by Nager Bazar Police Station till now. Hence, a local enquiry has been made regarding the above noted matter.
  - (ii) During local enquiry the Officer-in-Charge, Nager Bazar Police Station visited the premises no. 100, Dum Dum Road, P.S- Nager Bazar, District- North (24) Parganas and also contacted with South Dum Dum Municipality. It could be revealed that a joint field visit report of inspection conducted by the Department of Environment, Govt. West Bengal on 23.06.2023 at premises no: 100, Dum Dum Road was submitted to Hon'ble National Green Tribunal, Eastern Zone Branch, Kolkata. The



report was prepared in presence of Mr. K Balamurugan, Chief Environment Officer, Department of Environment, Ms. Shama Parveen, ADM 86 DL and LRO, North 24 Parganas; Ms. Mrinmayee Biswas, Sub Assistant Engineer, South Dum Dum Municipality; Mr. Samit Dutta, Environment Engineer, WBPCB, Ms. Pausali Mukherjee, Senior Law Officer, Depart of Environment, Dr. Rajarshi Chakraborty, Environment officer, Environment Department, Govt. of West Bengal; Mr. Tarak Nath Das, Technical Assistant, State Wetland Authority ; Mr. Pradip Kr. Giri, DL LRO, North 24 Parganas, Mr. Monish Jhunjhunwala, Project Proponent and they mentioned that:

- (A) No water body was observed in the project site including Dag No. 732.
- (B) No permanent construction was observed. The land was vacant except for a small site office. An iron made structures was also observed.
- (C) Entire project site is secured by a boundary wall.
- (D) The representative from L & LR Dept. identified the location of Dag No. 732 within the project site and produced a records of rights (RoR) showing that Dag No. 732 has already



been converted to 'Bastu', (Dag No. 732 consists of 1.5562 acre).

Photocopy of the letter dated 14.03.2024 written by the Deputy Commissioner of Police, South Zone, Barrackpore City Police, District: North (24) Parganas to the Commissioner of Police, Barrackpore City Police, is annexed herewith and marked the letter 'R-1'.

4. That it is most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to pass necessary Order/Orders as is deemed fit for the ends of justice.

Identified by me  
*Sibajyoti Chakrabarti*  
Advocate 01/05/2024  
State of West Bengal

Deponent

Commissioner of Police  
Barrackpore Police Commissionerate

Security verified and confirmed  
before me on the affidavit

*PPal*

PARAMITA PAL  
City Civil Court  
Kolkata  
Reg No- 053/2022

01 MAY 2024



VERIFICATION



I, the deponent above- named, do hereby verify and declare that the statements made in the aforesaid paragraphs are true and correct to the best of my knowledge and information derived from the records as available in the office and I believe that nothing material has been concealed there from.

Verified at Barrackpore on the 1<sup>st</sup> Day of May 2024.

Identified by me

*Sibojyoti Chakrabarti*  
Advocate 01/05/2024  
State of West Bengal

Deponent

Courthouse, Barrackpore  
Barrackpore Police Station, Barrackpore

01 MAY 2024



**Govt. of West Bengal**  
**Office of the**  
**DEPUTY COMMISSIONER OF POLICE, SOUTH ZONE**  
**Barrackpore City Police**  
155, BT Road, Panihati, Kolkata - 700114  
Ph +91-33-25234999



Memo No. *1021/Dep South Zone/24.*

Dated - 14/03/2024

To  
The Ld. Commissioner of Police  
Barrackpore Police Commissionerate

Ref: Your good office memo no. 766/Legal Cell/CP BKPC dt. 02.03.24.

Sub: Factual report.

Sir,

As kindly order, I have discussed this matter with OC Nager Bazar PS and asked him to submit a factual report. After perusal of report I want to make the following points:

1. With available PS record it could be learnt that no complain/petition is received by Nager Bazar PS till now. Hence, a local enquiry has been made regarding the above noted matter from their end.

2. During local enquiry OC Nager Bazar PS visited the premises no. 100, Dum Dum Road, PS- Nager Bazar, District- North 24 Parganas and also contacted with South Dum Dum Municipality and it could be revealed that a joint field visit report of inspection conduct by the Department of Environment, Govt. West Bengal on 23.06.2023 at premises no: 100, Dum Dum Road was submitted to Hon'ble National Green Tribunal, Eastern Zone Branch, Kolkata. This report prepared in presence of Mr. K Balamurugan, Chief Environment Officer, Department of Environment, Ms. Shama Parveen, ADM & DL and LRO, North 24 Parganas; Ms. Mrinmayee Biswas, Sub Assistant Engineer, South Dum Dum Municipality; Mr. Samit Dutta, Environment Engineer, WBPCB, Ms. Pausali Mukherjee, Senior Law Officer, Depart of Environment, Dr. Rajarshi Chakraborty, Environment officer, Environment Department, Govt. West Bengal; Mr. Tarak Nath Das, Technical Assistant, State Wetland Authority ; Mr. Pradip Kr. Giri, SRO-II, DL & LRO, North 24 Parganas, Mr. Monish Jhunjunwala, Project Proponent and they mentioned that:

A. No water body was observed in the project site including Dag No. 732.

B. No permanent construction was observed. The land was vacant except for a small site office. An iron made structures was also observed.

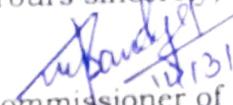
C. Entire project site is secured by a boundary wall.

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D. The representative from L&LR Dept. identified the location of Dag No. 732 within the project site and produced a records of rights (RoR) showing that Dag No. 732 has already been converted to 'Bastu', (Dag No. 732 consists of 1.5562 acre).

This is for your kind perusal.

Encl: As above.

Yours sincerely,

  
12/3/24  
Deputy Commissioner of Police  
South Zone, Barrackpore

Deputy Commissioner of Police  
South Zone Barrackpore

BEFORE THE HON'BLE NATIONAL  
GREEN TRIBUNAL EASTERN ZONE  
BENCH, KOLKATA

O. A. NO. 64/2022/EZ

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RESPONDENT NUMBER 05, THE  
COMMISSIONER OF POLICE,  
BARRACKPORE POLICE  
COMMISSIONERATE,  
BARRACKPORE.



SIBOJYOTI CHAKRABARTI

Advocate

For The State of West Bengal

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