

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. 91/2023/EZ



In The Matter of:
Nirmal Kumar Singha

... Applicant

Versus

State of West Bengal & Ors.

... Respondents

AFFIDAVIT ON BEHALF OF THE RESPONDENT NUMBER 11,
DIVISIONAL FOREST OFFICER, BANKURA (NORTH) DIVISION,
DISTRICT BANKURA.

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Filed by
Sibojyoti Chakrabarti
SIBOJYOTI CHAKRABARTI

Advocate

For The State of West Bengal

Email: subho.advocate@gmail.com

(M): 9007035534

21 JUL 2024

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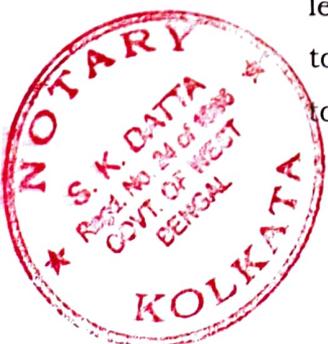
I, Sri PRADIP BAURI, S/o Gorachan Bauri, aged about 45 years, by
occupation- service and presently posted as Divisional Forest Officer,
Bankura (North) Division, having office at Machantala, Bankura,
District: Bankura, Pin: 722101, do hereby solemnly affirm and submit
as follows:-

1. That I am the Divisional Forest Officer, Bankura (North) Division,
having office at Machantala, Bankura, District: Bankura, Pin:
722101, being impleaded as respondent number 11 above-named. I,
on behalf of the respondent number 11, am competent to swear and
affirm this affidavit for and on behalf of myself and the Department.
2. That this deponent has been impleaded as a respondent being
respondent number 11, vide Solemn Order dated 24.01.2024, passed
by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata.

3. That this affidavit is being filed in compliance and obedience to the Solemn Order dated 08.05.2024, passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata.
4. That in the Solemn Order interalia the Hon'ble Tribunal has been pleased to observe that "the requisite Form-III dated 18.05.2023 has been filed with the affidavit of the Divisional Forest Officer, Bankura (North) Division, which mentions as one of the conditions that- 'The Applicant (if not a developer) shall take up plantation of 1942 number of trees over the Plots No. permit'. within months from the date of issue of this We find that the Forest Range Officer has not even cared to fill up the gaps to show which are the plots where plantation is to take place of one thousand nine hundred and forty two trees or the number of months within which such plantation is to take place"
5. In this regard it is submitted that inadvertently the same has been made and the concerned officer has been cautioned with respect to such mistakes by this deponent and a letter to that effect has also been issued to the concerned Forest Range Officer vide letter 1545/5m ; dated, Bankura, the 16/07/2024

Photocopy of the letter dated 16/07/2024 as referred to issued to the concerned Forest Range Officer is annexed herewith and marked with the letter 'R-1'.

6. That it has being further observed by the Hon'ble Tribunal that among other conditions given in the Application Form, condition no.4 requires that the Applicant should inform the undersigned i.e. Forest Range Officer, Gangajalghati Range in writing immediately on completion of the plantation of trees.
7. In this regard it is stated that a letter has been issued to the applicant letter memo no. 322/GG 28 dated 24.06.2024 requiring the applicant to inform the Range Officer & Competent Authority, Gangajalghati as to whether condition 4 has been complied and if so the details of the



same be communicated to the Range Officer & Competent Authority, Gangajalghati.

Photocopy of the letter memo no. 322/GG 28 dated 24. 06.2024 written by the Range Officer & Competent Authority, Gangajalghati to the applicant is annexed herewith and marked with the letter "R-2".

8. That it is also observed by the Hon'ble Tribunal that "The question which also remains unanswered in the affidavit of the Divisional Forest Officer, Bankura (North) Division, is that once the signature of the Applicant-Nirmal Kumar Singha, on the notarized affidavit submitted by the Applicants of the Application Form submitted before the Forest Range Officer having been found to be fraudulent by the Questioned Document Examination Bureau, what action has been taken by the Divisional Forest Officer, Bankura (North) Division, against the persons playing fraud upon the Government Officers".
9. That in this regard it is stated that the Original Notarised Affidavit and other relevant documents have been seized by the Gangajalghati Police Station and as such without the Original Notarised Undertaking the Forest department cannot commence any Prosecution Offence Report and submit the same for taking cognizance before the Learned Chief Judicial Magistrate, Bankura.
10. 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

Prabojyoti Chakrabarti

Advocate

20.07.2024

State of West Bengal

Pradip Bose

Divisional forest Officer,
Bankura (North) Division.

Divisional Forest Officer
Bankura (North) Division

21 JUL 2024

SANTOSH KUMAR DATTA
NOTARY

60/1A, Hari Ghosh Street
Kolkata-700006

Regn. No.- 24 of 1998.

S.L. NO. 01/21/7/2024

Solemnly Affirmed

&
Declared before me
on Identification of Advocate

S. K. DATTA
S. K. DATTA
NOTARY

21.7.2024



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 and I believe that nothing material has been concealed there from.

Verified at Kolkata on the 19th Day of July, 2024.

Identified by me

Sibajyoti Chakrabarti

Advocate

20.07.2024

State of West Bengal

Pondip Pal

Divisional forest Officer,
Bankura (North) Division.
Divisional Forest Officer
Bankura (North) Division

21 JUL 2024



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Government of West Bengal
Directorate of Forests

Office of the Divisional Forest Officer, Bankura (North) Division

Machantala, Bankura, Pin: 722101

Phone: (03242-250758) – Fax: (03242-256556), e-mail: dfoban-wb@nic.in & dfo_bkn@yahoo.com

Visit us at: www.bankuraforest.in

Memo. No- 1545/5m

;

Dated, Bankura, the 16/07/2024

From :: The Divisional Forest Officer,
Bankura (North) Division.

To :: Shri Pradip Kumar Ghosh
Range Officer, Gangajalghati Range.

Sub :: Reprimand.

It has come to the notice of the undersigned that while issuing permit no. 38/GG/2023-24 dated 18/05/2023 by you to Sri Tarun Kumar Singha, you have not mentioned the plot no. & the period within which the plantation is to be carried out. Such an act was a gross negligence on your part as a Competent Authority. You are hereby cautioned regarding making such mistake in future.


Divisional Forest Officer,
Bankura (North) Division.



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Government of West Bengal
Directorate of Forests
Office of the Forest Range Officer
Gangajalghati Forest Range
Bankura (North) Division.

Memo No: 322/GG-28

Dated: 24.06.2024

To,

Sri Tarun Kumar Singha
S/O-Ardhendu Singha
Vill+P.O-Kapista, P.S-Gangajalghati,
Dist-Bankura.

Subject: Plantation.

Ref no: Honourable NGT Application no-91/2023/EZ.

&

Permit No-38/GG/2023-24

It is hereby informed to you that, 219 nos Akashmoni trees and 752 Eucalyptus trees were given felling permission at mouza-koro, JL no-105, Plot no-815 vide Permit no-38/GG/2023-24, Dated 18.05.2023. In this respect you are directed to complete that 1942 numbers trees planting work at mouza-Koro, JL no-105, Plot no-815 within 23.08.2024 from the date of the receipt of this letter.

After completion of the plantation work, you are to submit a compliance report to the under signed without failed by 24.08.2024.

Sdr

Forest Range Officer
Gangajalghati Range

Memo No-322/GG-28 dated 24.06.2024

✓ Copy forwarded to The Divisional Forest Officer/ Bankura (North) Division for his information



Forest Range Officer
Gangajalghati Range

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

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... RESPONDENT(S)

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SIBOJYOTI CHAKRABARTI

Advocate

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