

Re: ORDER passed in Original Application No. 258/2024

From : Consultant Judicial-NGT(P.B.) <judicial-ngt@gov.in>
Subject : Re: ORDER passed in Original Application No. 258/2024
To : Judicial Section <ngtjudicial-kolkata@gov.in>
Reply To : Consultant Judicial-NGT(P.B.) <judicial-ngt@gov.in>

Mon, Jul 29, 2024 02:23 PM

 2 attachments

From: "Consultant Judicial-NGT(P.B.)" <judicial-ngt@gov.in>
To: "Judicial Section" <ngtjudicial-kolkata@gov.in>
Sent: Monday, July 29, 2024 2:21:29 PM
Subject: Fwd: ORDER passed in Original Application No. 258/2024

From: "Consultant Judicial-NGT(P.B.)" <judicial-ngt@gov.in>
To: "Sumit Gupta" <dm-ali@nic.in>, "DM North Twenty Four Parganas" <dm-bar-wb@nic.in>, "dm s24pgs" <dm.s24pgs@gmail.com>, mc@kmcgov.in, secykmc@gmail.com, ms@wbpcb.gov.in, "RAJESH KUMAR" <ms.wbpcb-wb@bangla.gov.in>
Sent: Wednesday, May 22, 2024 12:49:17 PM
Subject: ORDER passed in Original Application No. 258/2024

Respected Sir/Madam,

I am directed to forward a copy of the **Order dated 16/05/2024 passed in Original Application No. 258/2024 Banibrata Mukherjee Applicant(s) Versus State of West Bengal Respondent(s)**. for your kind perusal & necessary action. for further correspondence please send all the documents on the new mail-id i.e.

judicial-ngt@gov.in

Kindly acknowledge the same.

REGARDS
CONSULTANT (Judicial)
(N.G.T.)(P.B.) New Delhi

 **OA NO 258 of 2024 LP No 2059.pdf**
18 MB

 **Banibrata Mukherjee.pdf**
264 KB

Observations of Research Coordinator as per Rule 9, Form 4 of NGT
Act, 2010

Letter Petition (Regn No.2059/LP/2023) dated 18.09.2023

Diary No. 2055-2065/LP/2023

Dated 18.09.2023

S. no	Issue raised	Significance	Suggested solutions
1	Filling up of applicant's own pond of 15 Kathas situated under RS DAG No. 13844, Behala Kolkatta by Behala Diamond Club under the garb of Hindu sentiment and festival of Durga Puja or any other puja, erecting a bamboo structure upon the filled up area. The pond is reportedly shrinking and fish is dying due to dumping of plastic and all kinds of Garbage. The said pond has been filled up gradually and in the last 2/3 years about 700-800 square feet have been filled up out of initial area of 15 Kathas/Cottahs.	<p><i>Repeat of Letter Petition (Regn No.2040/LP/2023) dated 18.09.2023, Diary No. 2035-2044/LP/2023, Dated 18.09.2023. Illegally filling up pond (measuring about 12 Kottah) behind the premises nos. 14/1,16/A, 18 and 45/7 Becharam Chatterjee Road Behala, Kolkata within the jurisdiction of Parnasree Police Station. Some portion of the said pond is filled up with rubbish waste and buildup unauthorized construction. This pond belongs and exists more than 80 years in this area and playing important role to prevent fire.</i></p> <p>Following matter has been considered by Tribunal relating to filling up of a water body in Kolkata</p> <ol style="list-style-type: none">1. Application is registered based on a complaint received by post/e-mail Original Application No. 99/2023 dated 16.03.2023 1. Grievance in this application is against filling up of a water body within the mill premises of Howrah Jute Mills at G.T Road, Howrah (South), Kolkata. The said water body was in existence for the last hundred years. Further allegation is of illegal cutting of more than one thousand fully grown trees for construction purposes. The applicant represents union of workers and claims to be conversant with the facts alleged 2. In view of above, the State PCB, State Wetland Authority, Divisional Forest Officer, Kolkata and District Magistrate, Howrah South may take action following due	Application may be considered in view of direction of Tribunal on the matter as referred.

Ratna
27.01.2023 *Ratna*
27.01.2024

		process of law. State PCB will be the nodal agency for coordination and compliance. The Application is disposed of. 2 A copy of this order along with copy of the complaint be forwarded to State PCB, State Wetland Authority, Divisional Forest Officer, Kolkata and District Magistrate, Howrah South by email for compliance.	
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Pratima
Pratima

Pratima Akolkar
Research Co-ordinator (NGT)
11.01.2024

Email

2059/4/2023
18/9/23

23 Public Grievance

Fwd: SUBJECT - FORMAL COMPLAINT AGAINST BEHALA DIAMOND CLUB FOR GRADUALLY FILLING UP MY ANCESTRAL POND**From :** Registrar General <rg.ngt@nic.in>

Mon, Sep 04, 2023 03:21 PM

Subject : Fwd: SUBJECT - FORMAL COMPLAINT AGAINST BEHALA DIAMOND CLUB FOR GRADUALLY FILLING UP MY ANCESTRAL POND

6 attachments

To : Public Grievance <publicgrievance-ngt@gov.in>**From:** mukherjeebanibrata1965@gmail.com**To:** "Behala PS" <ps.behala@kolkatapolicе.gov.in>, cm@wb.gov.in, "SAUMYA ROY,IPS" <dc.southwest@kolkatapolicе.gov.in>, mayor@kmcgov.in, advocatеarindampaul@gmail.com, "CP, Kolkata" <cp@kolkatapolicе.gov.in>, "ss environment wb" <ss.environment.wb@gmail.com>, "dm s24pgs" <dm.s24pgs@gmail.com>**Cc:** "abhimanyu mukherjee93" <abhimanyu.mukherjee93@gmail.com>, drparthabmukherjee@gmail.com, "Registrar General" <rg.ngt@nic.in>**Sent:** Sunday, September 3, 2023 6:26:30 PM**Subject:** Fwd: SUBJECT - FORMAL COMPLAINT AGAINST BEHALA DIAMOND CLUB FOR GRADUALLY FILLING UP MY ANCESTRAL POND

IMG dated 3.9.23.jpg

IMG-20230716-WA0009.jpg

IMG_2 dated 03.09.23.jpg

Respected Honourable Chief Minister/ Police Commissioner- KP, /Mayor- Kolkata Corporation/ OC Behala Police Station

In Spite of the repeated complaints against Behala Diamond Club for gradually filling up my Pond of 15 Kathas and currently prevailing Sec-144(2), in that particular space of my area, the Behala Diamond Club with Ms. Debjani Mukherjee and their club committee have erected a bamboo structure upon the filled up area of my pond.

This is a regular phenomenon every year and under the garb of Hindu sentiment and festival of Durga Puja or any other Puja, this club gradually fills up my pond and so far have more or less filled up 800 sq. ft. of my pond from the south-eastern side.

I therefore request all of you not to give any permission of performing Durga Puja upon the filled up land of my pond by this particular Behala Diamond Club and immediately dismantle the bamboo structure erected by them.

I have enclosed 3 attachments- A) the Sec-144(2) intimation which Behala Police Station had issued to me on 15/7/2023. B) 2 Photographs of the bamboo structure erected upon the filled up pond area dated 03.09.23 (Today).

You are advised to take serious cognizance of the matter and not permit the Behala Diamond Club to perform any puja illegally upon the filled up area of my pond. I have written more than 14 times regarding this in the last 2 years without any heed.

Moreover **PIL has been filed against Behala Diamond Club, OC Behala Police Station, DC South West, me, my younger brother & 8 others, at the Hon'ble Calcutta High Court- Appellate Side- W.P.A.(P) 230 OF 2022, in the month of May 2022, pertaining to filling up of my own pond and the Case is continuing.**

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hence take the matter with utmost seriousness and act accordingly with today's evidence.

Regards,

Banibrata Mukherjee

321, Diamond Harbour Road, PO & PS- Behala, KOL-700034.

Chamber Address- 21B, Iswar Ganguly Street, Kalighat, Kol-700026.

DATED-3rd September 2023.

----- Forwarded message -----

From: **Banibrata Mukherjee** <mukherjeebanibrata1965@gmail.com>

Date: Tue, Mar 28, 2023 at 1:23 AM

Subject: Fwd: SUBJECT - FORMAL COMPLAINT AGAINST BEHALA DIAMOND CLUB FOR GRADUALLY FILLING UP MY ANCESTRAL POND

To: ngtpb.pg@gmail.com <ngtpb.pg@gmail.com>, dm.s24pgs@gmail.com <dm.s24pgs@gmail.com>, <cm@wb.gov.in>, <cp@kolkatapolice.gov.in>, <jc-bl.ctd-wb@nic.in>

Cc: <ps.behala@kolkatapolice.gov.in>, <dc.southwest@kolkatapolice.gov.in>, <mayor@kmcgov.in>, <drparthabmukherjee@gmail.com>, Abhimanyu Mukherjee <abhimanyu.mukherjee93@gmail.com>, <advocatearindampaul@gmail.com>, <rghc_cal@rediffmail.com>, <calcuttahighcourtprotocol@gmail.com>

Mail Dated 28th March 2023.

Sir/Madam,

Take cognizance of the trail mails which I have been repeatedly writing for the last 2 years and take necessary action. My pond is shrinking and fish is dying due to dumping of plastics and all kinds of Garbage by Behala Diamond Club in collusion with Behala Police Station. My pond has been filled up gradually and in the last 2/3 years about 700 to 800 square feet have been filled up out of the initial area of 15 Kathas/Cottahs.

Regards,

Advocate Banibrata Mukherjee- Engineer Commissioner, Surveyor and Valuer of Alipore Judges' Court.

----- Forwarded message -----

From: **Banibrata Mukherjee** <mukherjeebanibrata1965@gmail.com>

Date: Tue, 28 Mar 2023, 00:48

Subject: Fwd: SUBJECT - FORMAL COMPLAINT AGAINST BEHALA DIAMOND CLUB FOR GRADUALLY FILLING UP MY ANCESTRAL POND

To: <cm@wb.gov.in>, <ps.behala@kolkatapolice.gov.in>, <dc.southwest@kolkatapolice.gov.in>, <mayor@kmcgov.in>, Special Secretary <ss.environment.wb@gmail.com>, <cp@kolkatapolice.gov.in>

Cc: <advocatearindampaul@gmail.com>, Abhimanyu Mukherjee <abhimanyu.mukherjee93@gmail.com>, <rg.ngt@nic.in>, <drparthabmukherjee@gmail.com>

Mail Dated 28th March 2023.

Sir/Madam,

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Pursuant to my numerous emails earlier regarding the above subject and facts lodging formal complaint against Behala Diamond Club and complicit and tacit support of the local Behala Police Station towards regular filling up of my pond from the southern bank, I feel helpless and I want concrete action against the perpetrators- The unauthorized Club along with all the incompetent of Police officers of Calcutta police starting from the CP and The Mayor of Calcutta Corporation.

Moreover I had informed all concerned that PIL has been filed against Behala Diamond Club, OC Behala Police Station, DC South West, me, my younger brother & 8 others, at the Hon'ble Calcutta High Court- Appellate Side- W.P.A.(P) 230 OF 2022, in the month of May 2022, pertaining to filling up of my own pond situated under RS DAG no-13844. I find that the DM, KMC Officials and the BL & LRO can't even prepare their Affidavit till date. Are we to understand that this total Administration is being run by inefficient intellectual retarded idiots or a bunch colluded people who don't care to look at misery of an ordinary citizen of India? My younger brother- Brigadier Dr Partha Mukherjee who is also a Defendant in the case is an Army Officer and I write on his behalf as well.

What do you want me to do? I am instructing my Ld. Advocate to call you at the stand physically and give your testimony.

Please take cognizance of the matter and act accordingly. You can also allow me to cut out 700 to 800 square feet of the filled up land by the Behala Diamond Club from the southern bank of my pond so that the original pond size is restored to more or less 15 Cottahs even through administrative channels and resolve the problem. The KMC Mayor has all the means at his disposal to cut out 700 to 800 square feet from the southern side of my pond and restore my 15 katha pond to more or less its original area and keep ecological balance.

Thanks and looking for your active cooperation and response.

Adv Banibrata Mukherjee,
Engineer Commissioner, Surveyor and Valuer- Alipore Judges' Court.

----- Forwarded message -----

From: **Banibrata Mukherjee** <mukherjeebanibrata1965@gmail.com>

Date: Mon, 26 Sept 2022, 20:50

Subject: Fwd: SUBJECT - FORMAL COMPLAINT AGAINST BEHALA DIAMOND CLUB FOR GRADUALLY FILLING UP MY ANCESTRAL POND

To: <ps.behala@kolkatapolice.gov.in>, <cp@kolkatapolice.gov.in>, <dc.southwest@kolkatapolice.gov.in>, <mayor@kmcgov.in>, Special Secretary <ss.environment.wb@gmail.com>, <cm@wb.gov.in>

Cc: <advocatearindampaul@gmail.com>, <abhimanyu.mukherjee93@gmail.com>

MAIL DATED 26th SEPTEMBER-2022

Dear Sirs/ Madam- BEHALA POLICE STATION/ KMC

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Pursuant to my trail mail dated 23rd August 2022, wherein I had informed you about the nefarious activities carried out by Behala Diamond Club and had requested you to prevent them from carrying Durga Puja upon filled up my Pond area, you have just been a mute spectator and have allowed them to carry out construction of Puja Pandal upon my filled up pond area from the southern side of my remaining pond area. I am enclosing 2 more photographs where you can observe the extent of levelling of the land which has been done by Behala Diamond Club further encroaching and filling up my pond area. They have done brick soling in the area also.

I had informed you about the **PIL, which has been filed against Behala Diamond Club, OC Behala Police Station, DC South West, me, my younger brother & 8 others, at the Hon'ble Calcutta High Court- Appellate Side- W.P.A.(P) 230 OF 2022, in the month of May 2022, pertaining to filling up of my own pond situated under RS DAG no-13844. But in spite of knowing you have not taken any action.**

I feel helpless when the State Administration remains silent & enjoys the fun from the pain faced by an ordinary citizen like me. You have basically allowed the construction of Durga Puja pandal to be constructed by connieving and underhand collusion with Behala Diamond Club. Now they have filled up about 700 sq. ft. of my pond from the southern side and you are remaining quiet. I am unable to fathom your silence & inaction and this area is only 100 meters from the Behala police station & opposite to Behala Girls School. I will show all these mails to The Hon'ble Calcutta High Court & inform them about your collusion with the club during hearing of the matter.

Banibrata Mukherjee

Permanent Address- 321, Diamond Harbour Road,
Behind Behala Police Station,
Kolkata-700034.

----- Forwarded message -----

From: **Banibrata Mukherjee** <mukherjeebanibrata1965@gmail.com>
Date: Tue, Aug 23, 2022 at 4:14 PM
Subject: Fwd: SUBJECT - FORMAL COMPLAINT AGAINST BEHALA DIAMOND CLUB FOR GRADUALLY FILLING UP MY ANCESTRAL POND
To: <cm@wb.gov.in>, <cp@kolkatapolice.gov.in>, <ps.behala@kolkatapolice.gov.in>, <dc.southwest@kolkatapolice.gov.in>, <mayor@kmcgov.in>, <splcp2@kolkatapolice.gov.in>, Special Secretary <ss.environment.wb@gmail.com>

To Behala Police Station/DC South West/ Mayor KMC

SUBJECT - FORMAL COMPLAINT AGAINST ONE BEHALA DIAMOND CLUB FOR GRADUALLY FILLING UP MY ANCESTRAL POND UNDER RS. DAG NO-13844, SITUATED ONLY 100 METERS FROM BEHALA POLICE STATION DENIAL OF PERMISSION FOR PERFORMING DURGA PUJA OF 2022.

Dated-23rd August 2022

Respected Sirs/Madam,

I wish to inform you that this Behala Diamond Club has been gradually filling up my ancestral pond from the southern embankment, situated within our Premises no-139, Diamond Harbour Road/ Holding no- 321, Diamond Harbour, just behind Behala Police Station, for the last 15/16 years under the garb of a Title suit no-21 of 2007, by way of adverse possession.

The relevant RS Dag no of my pond is 13844 & is situated almost opposite to Behala Girls School. They have not only forcibly occupied my Pond embankment under Dag no-13845, for the last 15 years & they have been constantly filling up my pond with all kinds of plastic garbage & throwaway building materials & rubbish, into my pond on purpose since as per Status injunction order against me under Misc. Case no-46 of 2007 & subsequent Quo order of 8th Additional District Judge, Alipore Court.

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My hands are tied & due to injunction order against me, I am unable to access the southern embankment of my pond

They have gradually filled up about 500 Sq. Ft. to 600 sq. ft. or more of my ancestral pond, situated under Dag no-13844 in the last 14 to 15 years. My pond is shrinking from the Southern side & I am tired of cleaning up my pond with the help of local fishermen.

Kindly help me to stop this illegal action of gradually filling up where they are doing bit by bit continuously & I am unable to stop it, from the southern bank of my ancestral pond.

Moreover a PIL has been filed against Behala Diamond Club, OC Behala Police Station, DC South West, me, my younger brother & 8 others, at the Hon'ble Calcutta High Court- Appellate Side- W.P.A.(P) 230 OF 2022, in the month of May 2022, pertaining to filling up of my own pond situated under RS DAG no-13844.

Therefore, I advice the Officers of Behala Police Station, KMC Officials not to give any permission to Behala Diamond Club for performing Durga Puja on the Southern embankment of my pond which is basically a filled up area of my Pond under RS Dag no-13844 for this year of 2022 OR till such time the PIL is disposed off by Hon'ble Calcutta High Court .

I have enclosed 3 photographs showing the dumped garbage upon my pond & a letter issued by Hon'ble Special Secretary Environment Department- Government of West Bengal dated 26/11/2021.

Best Regards

BANIBRATA MUKHERJEE

Permanent Address- 321, Diamond Harbour Road,
Behind Behala Police Station,
Kolkata-700034.

Chamber Address- 21B, Iswar Ganguly Street, Kalighat, Kolkata- 700026.
DATE-23/08/2022.

----- Forwarded message -----

From: **Banibrata Mukherjee** <mukherjeebanibrata1965@gmail.com>
Date: Mon, Nov 29, 2021 at 11:42 AM
Subject: Fwd: SUBJECT - FORMAL COMPLAINT AGAINST BEHALA DIAMOND CLUB FOR GRADUALLY FILLING UP MY ANCESTRAL POND
To: <nathtapas822@gmail.com>

----- Forwarded message -----

From: **Banibrata Mukherjee** <mukherjeebanibrata1965@gmail.com>
Date: Thu, 25 Nov 2021, 19:27
Subject: Fwd: SUBJECT - FORMAL COMPLAINT AGAINST BEHALA DIAMOND CLUB FOR GRADUALLY FILLING UP MY ANCESTRAL POND
To: <acsenvwb@gmail.com>, <environmentwb@gmail.com>, <paushalipahari@gmail.com>, <cm@wb.gov.in>, <registrarngt-kolkata@gov.in>, <rg.ngt@nic.in>, <cp@kolkatapolice.gov.in>, <dc.southwest@kolkatapolice.gov.in>, <ps.behala@kolkatapolice.gov.in>, <mayor@kmcgov.in>, <calcuttahighcourtprotocol@nic.in>, <calcuttahighcourtprotocol@gmail.com>, <rghc_cal@rediffmail.com>
Cc: <abhimanyu.mukherjee93@gmail.com>, <dassumit34@gmail.com>

Respected Madam/Sirs,

Reminder-3.

----- Forwarded message -----

From: **Banibrata Mukherjee** <mukherjeebanibrata1965@gmail.com>
 Date: Sun, Nov 21, 2021 at 12:54 PM
 Subject: Fwd: SUBJECT - FORMAL COMPLAINT AGAINST BEHALA DIAMOND CLUB FOR GRADUALLY FILLING UP MY ANCESTRAL POND
 To: <acsenvwb@gmail.com>, <environmentwb@gmail.com>, <paushalipahari@gmail.com>, <cm@wb.gov.in>, <registrarngt-kolkata@gov.in>, <rg.ngt@nic.in>, <cp@kolkatapolice.gov.in>, <dc.southwest@kolkatapolice.gov.in>, <ps.behala@kolkatapolice.gov.in>, <mayor@kmcgov.in>
 Cc: <abhimanyu.mukherjee93@gmail.com>, <dassumit34@gmail.com>

SUBJECT - FORMAL COMPLAINT AGAINST BEHALA DIAMOND CLUB FOR GRADUALLY FILLING UP MY ANCESTRAL POND UNDER RS. DAG NO-13844, SITUATED ONLY 100 METERS FROM BEHALA POLICE STATION.

REMINDER-2

Honourable Minister-In Charge- Department of Environment, Govt. Of West Bengal.

To Dr. Ratna Dey Nag./ Respected Shri Vivek Kumar-IAS, / Smt. Paushali Mukherjee (Pahari) WBLS,

I have been repeatedly writing to everyone, in the Authority & State & District Administration for help, so that my ancestral water body can be saved from **Behala Diamond Club** who have been forcefully occupying our property under Dag no-13845 & gradually filling up my ancestral pond under R.S. Dag no-13844. I cultivate fish here in this pond & due to gradual & continuous filling by this Club, who want to occupy my pond for nefarious motives, have been dumping building debris, plastic bags & all kinds of Garbage & my fish are dying. The pond is shrinking gradually & the Behala Diamond Club has given a written statement in Alipore Court, that they have been occupying the embankment measuring 1 Katha 7 Chittacks, since last 53 years & have obtained an INJUNCTION against us, since 2007. I have been spending thousands of rupees every year to clean up my pond for the last 12 to 14 years which this Club & its members have been doing and I am employing local fishermen to remove plastic packets & all kinds of unhygienic garbage which is being dumped into my pond under Dag no-13844 from the embankment under RS. Dag no-13845.

I want to cut out the remaining land area of my property under Dag no-13845 & also cut out & remove the solid garbage already dumped into my pond under RS. Dag no-13844 and enlarge the pond, near to its original area.

However, to do so, I need your Protection, along with the protection of local police, since I feel threatened that, if I do so unilaterally, this Club will complain at Alipore Court, against me & I may be penalized. The district Administration must be beside me for protection. Subsequently after cutting away the filled up area & then I wish to erect a 4 feet guard wall upon the embankment, to stop any further rubbish fill-up, & only in this my Pond can be saved & also bring it back to its near original Area.

I feel helpless & sought your direct involvement, so that I can save my ancestral water body.

Regards,

BANIBRATA MUKHERJEE
 Permanent Address- 321, Diamond Harbour Road,
 Behind Behala Police Station,
 Kolkata-700034.

----- Forwarded message -----

From: **Banibrata Mukherjee** <mukherjeebanibrata1965@gmail.com>
 Date: Sun, Nov 14, 2021 at 7:23 PM
 Subject: SUBJECT - FORMAL COMPLAINT AGAINST BEHALA DIAMOND CLUB FOR GRADUALLY FILLING UP MY ANCESTRAL POND

To: <rg.ngt@nic.in>, <registrarngt-kolkata@gov.in>
Cc: <cm@wb.gov.in>, <cp@kolkatapolice.gov.in>, <ps.behala@kolkatapolice.gov.in>, <dc.southwest@kolkatapolice.gov.in>, <mayor@kmcgov.in>

SUBJECT - FORMAL COMPLAINT AGAINST BEHALA DIAMOND CLUB FOR GRADUALLY FILLING UP MY ANCESTRAL POND UNDER RS. DAG NO-13844, SITUATED ONLY 100 METERS FROM BEHALA POLICE STATION.

HONOURABLE JUSTICE ADARSH KUMAR GOEL/ RESPECTED Sri RAHUL ROY/
RESPECTED Ms. SWATI BHANGALIA-IPS,

RESPECTED SIRs/ MADAM,

I am lodging this formal complaint against one Behala Diamond Club, who have been gradually filling up my ancestral pond under Dag no-13844, situated almost opposite to Behala Girls School. They have not only forcibly occupied my Pond embankment under Dag no-13845, for the last 14 years & they have been constantly filling up my pond with all kinds of plastic garbage & throwaway building materials & rubbish, into my pond on purpose.

They have gradually filled up about 500 Sq. Ft. or more of my ancestral pond, situated under Dag no-13844 in the last 10 to 12 years. My pond is shrinking from the Southern side & I am tired of cleaning up my pond. Kindly help me to stop this illegal action of gradually filling up where they are doing bit by bit continuously & I am unable to stop it, from the southern bank of my ancestral pond.

I have been cultivating fish since 1999, through the help of local fishermen & fishes are dying due to dumping of plastics & garbage. This local Behala Diamond Club has obtained an injunction against me & my brother under "adverse possession" & have stated that they been enjoying our property under RS. Dag no-since last 60 years or so.

I am not allowed to enter the remaining pond embankment portion under Dag no-13845 & taking advantage of this, they are gradually taken over portion of southern side of my pond area by filling up garbage, since remaining portion of Pond embankment is under their illegal possession since 2007.

Kindly lodge this complaint with utter seriousness. My brother & I being the landlord since the demise of my Father, Late Debabrata Mukherjee, are the joint owners of the remaining embankment area on the southern side of my pond under Dag no-13845. I do not stay permanently at my Behala residence, but visit my home once a week since 2014/2015. My younger brother Brigadier Dr. Partha Brata Mukherjee, has a transferable job with the Indian Army, hence he can not help me physically.

I have mailed to The Honourable CM, Commissioner Of Kolkata Police, Officer Incharge Behala Police Station, Deputy Commissioner etc., against the Club for stopping them filling up my ancestral pond but to no avail. Sir, Please help me & my brother through District Administration so that the gradual filling is stopped & permit me to enlarge our ancestral pond by 500 to 700 sq. ft. by cutting away the filled up portion, which has been happening.

However, to do so, I need your Protection, along with the protection of local police, since cutting away the filled up area & then erecting a 3 to 4 feet guard wall upon the embankment, to stop rubbish fill-up, will save my Pond & also bring it back to its original Area.

Thanking You,

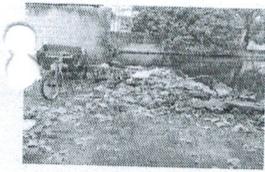
Yours Faithfully,

BANIBRATA MUKHERJEE- Engineer Commissioner- Alipore Judges' Court.
Permanent Address- 321, Diamond Harbour Road,
Behind Behala P.S.
Kolkata-700034.



19-12-1.jpg
212 KB

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19-12-2.jpg
333 KB



19-12-3.jpg
200 KB



2049_EN_1P-01_2021(PT.1).pdf
235 KB



20220925_111316.jpg
13 MB



20220925_111358.jpg
11 MB

32





33





34

Government of West Bengal
Environment Department
Pranisampad Bhaban, 5th Floor, LB-2, Sector-III, Salt Lake, Kolkata-106.

No:- 2049/EN/IP-01/2021(Part-1)

Dated- 26.11.2021

From: The Special Secretary
To the Govt. of West Bengal

- To:-
1. The Commissioner,
Kolkata Municipal Corporation,
5 S.N. Banerjee Road, Esplanades,
Kolkata-13
 2. The Additional District Magistrate
District Land and Land Reforms Officer
South 24 Parganas, West Bengal
New Treasury Building (8th & 9th Floor)
Alipore, Kolkata-27

Sub:- Complaint against filling of ancestor pond of Sri Banibrata Mukherjee by the Behala Diamond Club

Sir,

Apropos the reference on the cited subject, I am directed to forward the aforementioned complaint of Sri Banibrata Mukherjee, 321, Diamond Harbour Road, Kolkata-34, which is self explanatory, for your kind perusal and for taking suitable action at your end.

You are requested to send an action taken report to this end.

Yours faithfully,


Special Secretary

to the Govt. of West Bengal

Encl: As stated

No:- 2049/1(1)-EN/IP-01/2021(Part-1)

Dated- 26.11.2021

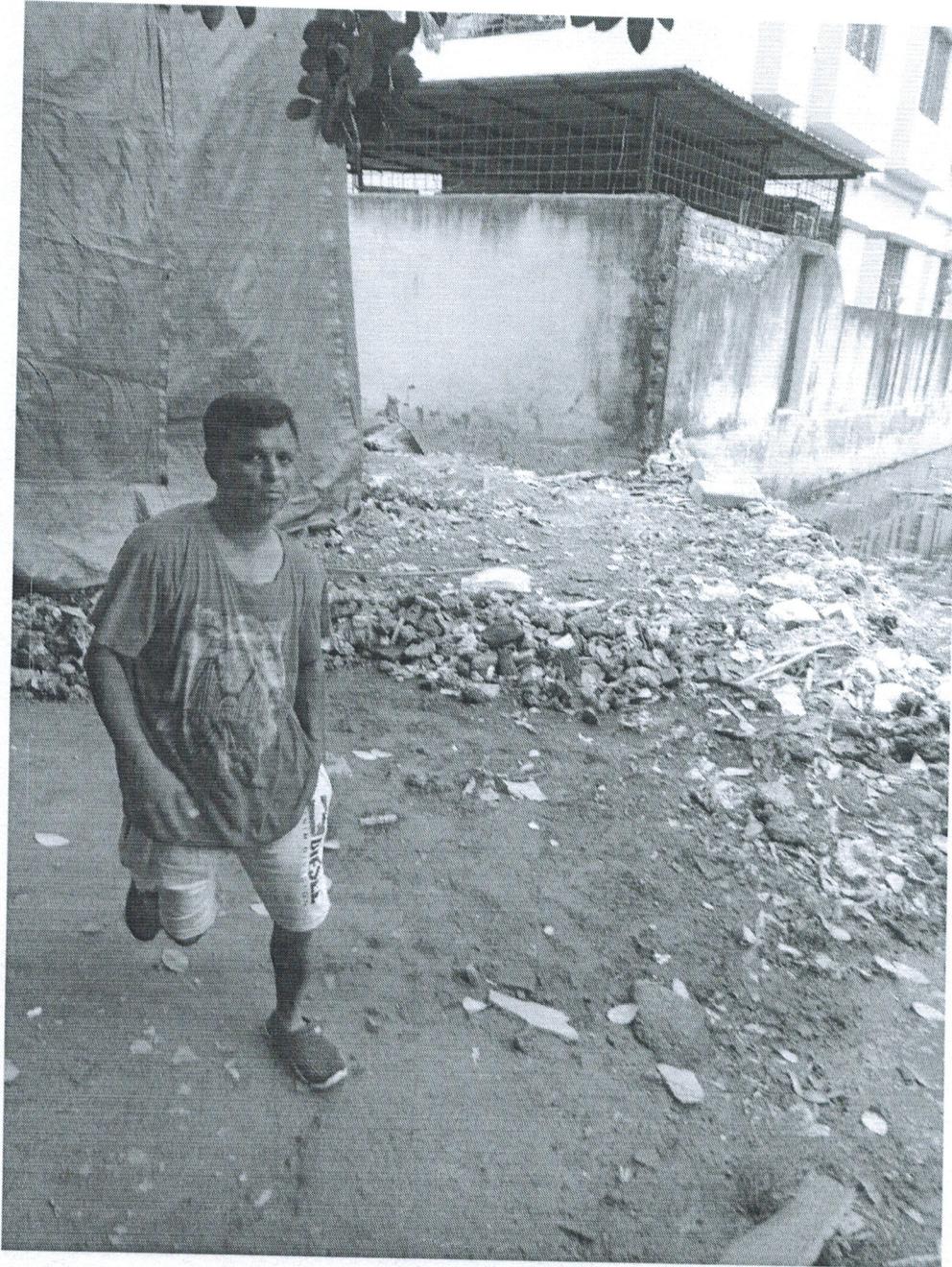
Copy forwarded for information to :

Sri Banibrata Mukherjee through email address: mukherjeebanibrata1965@gmail.com


Special Secretary

to the Govt. of West Bengal

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3c



**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No.258/2024

Banibrata Mukherjee

Applicant(s)

Versus

State of West Bengal

Respondent(s)

Date of hearing: 16.05.2024

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

ORDER

1. This Original Application under Sections 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as '**NGT Act, 2010**') has been registered in exercise of *suo-moto* jurisdiction on a letter petition dated 03.09.2023 sent by Mr. Banibrata Mukherjee, resident of 321, Daimond Harbour Road, Behind Behala, P.A, Kolkata, complaining that on said land measuring 15 Kathas, there exist a pond but, a private individual namely Behala Diamond Club through its representatives including Management Committee of the said Club is filling the pond illegally and has erected bamboo structure upon the filled up area of the said pond and thereby, area of pond have been reduced.

2. In our view, the above complaint at the first instance can be looked into by District Administration and concerned authorities hence, we constitute a Joint Committee comprising District Magistrate, Kolkata, Commissioner, Municipal Corporation, Kolkata and representative of West Bengal Poolution Control Board.

3. District Magistrate, Kolkata shall be the Nodal Agency for compliance and co-ordination.

4. The said Committee shall visit the site, collect relevant information and submit factual Report. If it finds that pond is existing which is being filled in illegally, the said Committee shall take appropriate steps for preventing such activities and for restoration of the pond area to its original condition within three months.

5. The above Committee shall submit Compliance Report \to Registrar General of this Tribunal within 15 days after expiry of three months and Registrar, if finds necessary, shall place the matter before the Bench for further orders.

6. With the above directions, Original Application is disposed.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

May 16, 2024
Original Application No.258/2024
PU