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BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 124/2024/EZ

ABHIJIT SARKAR & ORS.

.....APPLICANT(S)

VERSUS

STATE OF WEST BENGAL & ORS.

.....RESPONDENT(S)

REPORT ON AFFIDAVIT FILED BY THE WEST
BENGAL POLLUTION CONTROL BOARD.

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Filed by



ADVOCATE

SL. NO. 78 Dt.- 15 JUL 2024



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BENGAL POLLUTION CONTROL BOARD.

Most Respectfully Sheweth

I, Sri Subrata Ghosh, son of Shri Biswanath Ghosh, aged about 60 years, by faith-Hindu, Occupation- Service, residing at Narkelbagan, Gorosthan, Chinsurah, District - Hooghly, do hereby solemnly declare and say as follows:-

15 JUL 2024



01. That, I am the Officer on Special Duty (OSD), West Bengal

Pollution Control Board (hereinafter will be referred to as the 'State Board') and I am well acquainted with the facts and circumstances of the case. I have been duly authorized by the Respondent No. 1, to affirm this Affidavit on its behalf and as such, I am competent to do so.

02. That, this affidavit is being affirmed in pursuant to the order passed by this Hon'ble Tribunal dated 06.05.2024.

03. That, in compliance to the order of the Hon'ble National Green Tribunal dated 06.05.2024, a Committee was constituted comprising of the following members:

- (a) Representatives of West Bengal Pollution Control Board,
- (b) The District Magistrate, Kolkata.

The said Committee was directed to inspect the site in question and thereafter submit its report.

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04. That, as there is no District Magistrate, Kolkata, and the area falls within South 24 Parganas, hence, District Magistrate, South 24 Parganas was included in the Committee.
05. That, the said Committee visited the site behind premises no. 14/1, 16/A, 18 and 45/7 Becharam Chatterjee Road, Behala, Kolkata- 700034, Borough No. 14, Ward No. 130, within the jurisdiction of Kolkata Municipal Corporation, on 28/06/2024 during 11.15 AM.
06. That, from the said inspection conducted on 28.06.2024, the Committee members made the following observations:
- At present there is a pond of area around 6 Cottahs inside the boundary wall. The total area is 12 Cottah.
- Land information of the plot- Mouza: Behala; JL No. 102, RS plot No. 8481; LR plot No 8481. The classification of land is Pukur.
07. That, during inspection, one of the complainant informed that approximately 5 years ago the filling up of pond was started.

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Some illegal constructions were also observed during inspection.

Though the area of the pond is reduced, it was observed that no filling activity was going on.

08. That, the Committee members further remarked that:

- (i) Illegal construction needs to be demolished by the suitable authority.
- (ii) Pond needs to be cleaned.

Copy of the inspection report of the Committee is annexed herewith and marked with letter "R".

09. It is therefore respectfully prayed that Hon'ble Tribunal may pass such order/orders as it deems fit and proper in the interest of justice.

Sd/-
D. P. Singh
Advocate
WBPCB

Sd/-
DEPONENT

15 JUL 2024

VERIFICATION



I, Sri Subrata Ghosh, son of Shri Biswanath Ghosh, aged about 60 years, by Religion - Hindu, by Occupation- Service, residing at Narkelbagan, Gorosthan, Chinsurah, District-Hooghly, do hereby solemnly declare and say as follows:-

1. That, I am the Officer on Special Duty (OSD), West Bengal Pollution Control Board and I am well acquainted with the facts and circumstances of the instant Original Application.
2. That, the statements made in paragraph 1 of this affidavit is true to my knowledge and belief.
3. That, the statements made in paragraphs 2 to 8 of this affidavit are my information derived from the records available in the office of the State Board which I verily believe to be true and the rest are my respectful submission before this Hon'ble Tribunal.

D. J. Ghosh

Identified and corrected by me
Advocate
WBPCB

S. Subrata Ghosh
DEPONENT

solemnly Affirmed &
Declared Before Me
On Identification By

[Signature]
SARBANI MITRA
NOTARY
Regd. No.-5515/08

15 JUL 2024



INSPECTION REPORT

Reference Application No :208/2024 of direction date 6.05.24 of Hon'ble NGT

1. Address of the inspecting side : Behind the premises no 14/1,16/A,18 and 45/7 Becharam Chatterjee Road Behala, Kolkata-700034, Boough No. 14, Ward No 130, KMC.
2. Name of the Police Station : Parnasree
3. Name of Electricity Supply : CESC
4. Date & Time of Inspection : 28.06.24 during 11.15 AM
5. Name of Inspecting Officer : 1.Mr Pritam Halder, Revenue Officer, Office of the BL&LRO Kolkata
2. Dr Bithika Goswami. EE, Alipore RO, WBPCB
6. Representative met with : 1.Mr. Abhijit Sarkar resides 8/1 B.C Road approximately 15 feet away from the inspecting side.
2.Mr. Gouranga Chatterjee resides near the inspecting side.
8. Observations :

At present there is a pond of area around 6 Cottah inside the boundary wall (figure 1,2). The total plot area is 12 Cottah.

Land information of the plot – Mouza : Behala; JL no 102. RS plot no 8481; LR plot no;8481; Classification – Pukur.

One of complainant during inspection informed that before approximate 5 years the filling the pond was started. Some illegal constructions are also observed during inspection (figure 3,4). As per record, though the area of the pond is reduced but from the distribution of the trees surrounding the pond, it is also observed that very recent there is no filling activity is going on.

Remarks

1. Illegal construction needs to be demolished by the suitable authority.
2. Pond needs to be clean.

Pritam Halder, 28/06/24

Mr Pritam Halder, Revenue Officer, Office of the BL&LRO Kolkata

B. Goswami, 28.06.24

(B. Goswami), EE, Alipore R. O, WBPCB



Fig. 1



Fig. 2



Fig. 3



Fig. 4



Pritam Haddu, 28/06/24
Bithika Gulwami. 28/06/24

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