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118

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO.118/2024/EZ

In The Matter of:
Environment Warrior
... Applicant(s)



Versus

West Bengal Pollution Control
Board & Ors.

... Respondent(s)

COUNTER AFFIDAVIT ON BEHALF OF THE RESPONDENT NUMBER
03, DISTRICT MAGISTRATE & COLLECTOR, DISTRICT HOOGHLY.

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2.	Photocopy of the Inspection Report as stated above dated 12.08.2024 and forwarded to the Block Land & Land Reforms Officer, Serampore-Uttarpara, Hooghly and the Record of Rights are collectively annexed herewith	'R-1'	11-14
3.	Photocopy of the letter dated 14.08.2024 written by the	'R-2'	15

22 AUG 2024

	Regional Manager, Hooghly Region, West Bengal State Electricity Distribution Company Limited (WBSEDCL) to the Sub Divisional Officer (SDO) Serampore stating that the electricity connection in respect to M/s Sunil Foam (P) limited has been disconnected physically is annexed herewith		
4.	Photocopy of the letter dated 13.08.2024 written by the Block Land & Land Reforms Officer, (B. L. & L. R.O), Serampore-Uttarpara, Hooghly to the Block Development Officer (BDO) Serampore-Uttarpara, Hooghly is annexed herewith	'R-3'	16
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7.	Photocopy of the letter dated 21.08.2024, written by the Additional District Magistrate (LR) & District Land & Land Reforms Officer (D. L. & L. R. O), Hooghly to the the Block Land & Land Reforms Officer (B. L. & L. R. O) Serampore-Uttarpara is annexed herewith	'R-6'	20



8.	Photocopy of the letter dated 21.08.2024 issued by the Block Land & Land Reforms Officer (B. L. & L. R. O) Serampore-Uttarpara under section 4 C (5) of the West Bengal Land Reforms Act, 1955 to M/s Sunil Foam Pvt Limited is annexed herewith	'R-7'	21
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Filed by

Sibojyoti Chakrabarti

SIBOJYOTI CHAKRABARTI

Advocate

For The State of West Bengal

Email: subho.advocate@gmail.com

(M): 9007035534



- 4 -

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. 118/2024/EZ



In The Matter of:
Environment Warrior
... Applicant(s)

Versus
West Bengal Pollution Control
Board & Ors.

... Respondent(s)

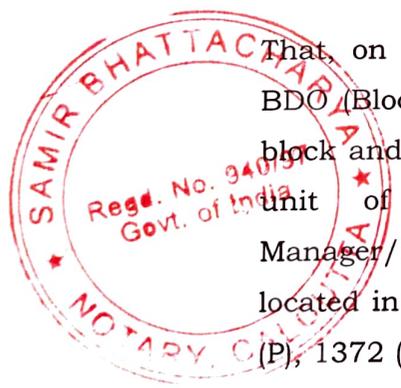
COUNTER AFFIDAVIT ON BEHALF OF THE RESPONDENT NUMBER
03, DISTRICT MAGISTRATE & COLLECTOR, DISTRICT HOOGHLY.

I, Smt. Mukta Arya, W/o Ashwani Kumar, aged about 43 years, by
occupation- service and presently posted as District Magistrate &
Collector, District: Hooghly, having office at New Administrative
Building, 2nd Floor, P.O.-Chinsurah, Chinsurah, Hooghly, Pin: 712101,
do hereby solemnly affirm and submit as follows:-

That, I am the District Magistrate & Collector, District: Hooghly,
having office at New Administrative Building, 2nd Floor, P.O. & P.S.-
Chinsurah, Chinsurah, Hooghly, Pin: 712101, being impleaded as
respondent number 03 of above-named matter. I, on behalf of the
respondent number 03, am competent to swear and affirm this
affidavit for and on behalf of myself.



2. That, this deponent has been impleaded as a respondent being respondent number 03, vide Solemn Order dated 11.07.2024, 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 11.07.2024, 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 present original application has been taken up on a letter petition received by email dated 01.04.2024 alleging that inspite of a notice of closure having been passed with disconnection of electricity vide order dated 30.11.2023 against the respondent number 4 herein namely M/s Sunil Foam (P) Limited the said respondent is still continuing operation".
5. That, subsequent to the Solemn Order dated 11.07.2024 the Revenue Inspector, Rishra RI Office had inspected the premises of the unit being respondent number 4 on 12.08.2024 and had found the following observations.



That, on 12.08.2024 the Revenue Inspector, along with CI of the BDO (Block Development Office) Serampore-Uttarpara Development block and officer of the Dankuni Police Station jointly inspected the unit of respondent number 4, and spoke with the Manager/Supervisor Sri Sanatan Mitra. It was found that the unit is located in Plot Numbers 1366(P), 1367 (P), 1368 (P), 1370 (P), 1371 (P), 1372 (P), 1377 (P) of Mouza- Mollarber, J. L. No. 22, Khatian No. 5105, Dankuni, District: Hooghly it was recorded in the name of Sunil Foam (P) ltd in a low land, and 80% filled with Rubbish and that presently the unit was closed with no electricity as the same has been disconnected by the electricity authority. The representative of the unit informed that the unit has applied for

conversion in the office of the Additional District Magistrate (LR) & District Land & Land Reforms Officer, Hooghly and the said application is presently pending.

That, the Revenue Inspector, Rishra RI Office has also enclosed the Record of Rights (ROR) for the plot of land on which the unit of the respondent number 4 is situated.

Photocopy of the Inspection Report as stated above dated 12.08.2024 and forwarded to the Block Land & Land Reforms Officer, Serampore-Uttarpara, Hooghly and the Record of Rights are collectively annexed herewith and marked with the letter "R-1".

6. That, the Regional Manager, Hooghly region, West Bengal State Electricity Distribution Company Limited (WBSEDCL) vide letter dated 14.08.2024 has informed the Sub Divisional Officer (SDO) serampore that the electricity connection in respect to M/s Sunil Foam (P) limited bearing Consumer ID 950083107 has been disconnected physically on 19.01.2024 as per direction of the West Bengal Pollution Control Board.

Photocopy of the letter dated 14.08.2024 written by the Regional Manager, Hooghly region, West Bengal State Electricity Distribution Company Limited (WBSEDCL) to the Sub Divisional Officer (SDO) Serampore stating that the electricity connection in respect to M/s Sunil Foam (P) limited has been disconnected physically is annexed herewith and marked with the letter 'R-2'.

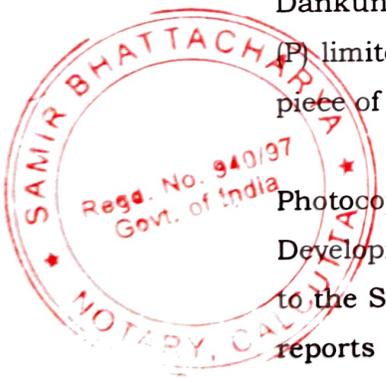
7. That, thereafter the Block Land & Land Reforms Officer, (B. L. & L. R.O), Serampore-Uttarpara, Hooghly vide letter dated 13.08.2024 had informed the Block Development Officer (BDO) Serampore-Uttarpara, Hooghly, that a joint inspection was done on 12.08.2024 by the C.I Serampore- Uttarpara and R.I Rishra G. P enclosing the report from

where it has been stated that 80% of the land covered with rubbish as the land is low in nature some portions of the land is lying vacant and other part is covered with bushes and the classification of the land is as shown "SALI".

Photocopy of the letter dated 13.08.2024 written by the Block Land & Land Reforms Officer, (B. L. & L. R.O), Serampore-Uttarpara, Hooghly to the Block Development Officer (BDO) Serampore-Uttarpara, Hooghly is annexed herewith and marked with the letter "R-3".

- 8. That, subsequently the Block Development Officer (BDO), Serampore-Uttarpara Development block had sent enquiry report to the Sub Divisional Officer (SDO) Serampore with regard to enquiry of the unit of respondent number 4, vide letter dated 13.08.2024.

In the enquiry report it has been observed that the unit has no electricity connection, and the unit is non operational and the representative of the unit also stated that the unit is non operational and the piece of land on which it is situated is low land located in Plot Numbers 1366(P), 1367 (P), 1368 (P), 1370 (P), 1371 (P), 1372 (P), 1377 (P) of Mouza- Mollarber, J. L. No. 22, Khatian No. 5105, Dankuni, district: Hooghly was recorded in the name of Sunil Foam (P) limited moreover no dumped garbages could be traced around the piece of land.



Photocopies of the letter dated 13.08.2024 written by the Block Development Officer (BDO), Serampore- Uttarpara Development Block to the Sub Divisional Officer (SDO) Serampore along with the Enquiry reports are collectively annexed herewith and marked with the letter "R-4".

- 9. That, the Sub Divisional Officer (SDO) Serampore vide letter dated 14.08.2024 had informed the District Magistrate, District: Hooghly the

report as available from the Regional Manager WBSEDCL that the electricity connection of M/s Sunil Foam (P) Limited had been physically disconnected on 19.01.2024 and that the unit is non operational.

That, the piece of land on which M/s Sunil Foam (P) Limited is situated is recorded in its name and the same is a low land located in Plot Numbers 1366(P), 1367 (P), 1368 (P), 1370 (P), 1371 (P), 1372 (P), 1377 (P) of Mouza- Mollarber, J. L. No. 22, Khatian No. 5105, Dankuni, district: Hooghly in which apparently 80% of the total area has been filled up, however no dumped garbage could be traced around the piece of land.

Photocopy of the letter dated 14.08.2024 written by the Sub Divisional Officer (SDO) Serampore to the District Magistrate, District: Hooghly is annexed herewith and marked with the letter "R-5".

10. That subsequently vide letter dated 21.08.2024, the Additional District Magistrate (LR) & District Land & Land Reforms Officer (D. L. & L. R. O), Hooghly had informed the Block Land & Land Reforms Officer (B. L. & L. R. O) Serampore-Uttarpara, that from the enquiry report of the Revenue Inspector, Rishra RI dated 05.02.2024 that M/s Sunil Foam Pvt. Limited has constructed a warehouse over an area of 0.08 acre in L. R. Plot No. 1372, which is classified as Sali at Mouza- Mollarber, J. L. No.-22, and the said construction has been done in violation of the provisions of section 4C of the West Bengal Land Reforms Act, 1955 and accordingly the B. L. & L. R.O had been directed to issue notice Under section 4 C(5) of the West Bengal Land Reforms Act, 1955, for restoration of the plot of land to its original classification within 07 (even) days from the date of receipt of notice.



Photocopy of the letter dated 21.08.2024, written by the Additional District Magistrate (LR) & District Land & Land Reforms Officer (D. L.

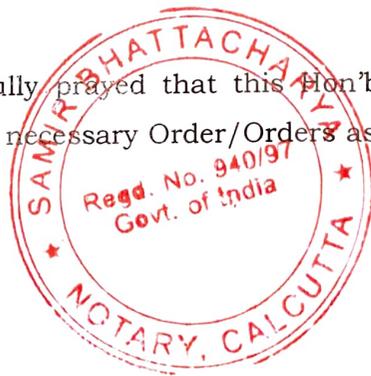
-9-

& L.R.O), Hooghly to the Block Land & Land Reforms Officer (B.L. & L.R.O) Serampore-Uttarpara is annexed herewith and marked with the letter "R-6".

11. That accordingly vide letter dated 21.08.2024 on the same date the Block Land & Land Reforms Officer (B. L. & L. R. O) Serampore-Uttarpara had issued notice under section 4 C (5) of the West Bengal Land Reforms Act, 1955 to M/s Sunil Foam Pvt Limited inter alia directing the said unit to restore the land to its original character/nature under section 4C (5) of the West Bengal Land Reforms Act, 1955, within a period of 07 (seven) days from the receipt of the letter failing which action will be taken under section 4D of the West Bengal Land Reforms Act, 1955 and other relevant provisions of law.

Photocopy of the letter dated 21.08.2024 issued by the Block Land & Land Reforms Officer (B. L. & L. R. O) Serampore-Uttarpara under section 4 C (5) of the West Bengal Land Reforms Act, 1955 to M/s Sunil Foam Pvt Limited is annexed herewith and marked with the letter "R-7".

12. 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

Sebojyoti Chakrabarti
Advocate 22/08/2024
State of West Bengal

Mukh Anand

Deponent
DISTRICT MAGISTRATE
HOOGHLY

Samir Bhattacharya
Notary Govt. of India
Regd. No.- 940 / 97
CITY CIVIL COURT, CALCUTTA

Solemnly Affirmed and
Declared before me U/S 139
CPC, U/S 297 (C) CRPC

22.8.24
Notary

12 2 AUG 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 as per records available in the office of the District Magistrate & Collector, District Hooghly and I believe that nothing material has been concealed there from.

(u) Verified at Kolkata on the 22nd Day of August, 2024.

Identified by me

Sibojyoti Chakrabarti
Advocate 22/08/2024
State of West Bengal

Mukh Anjan
Deponent
DISTRICT MAGISTRATE
HOOGHLY



Amazone - R-1' - 11-

ENQUIRY REPORT

In pursuance of your instruction, we, the undersigned, have jointly visited the unit of M/s Sunil Foam (P) Ltd.(herein after referred to as the unit),located at Mouza-Mollaber, P.O.&P.S.-Dankuni, Hooghly, 712310, on 12.08.2024 to enquire upon the matter on whether the electricity of M/s Sunil Foam(P) Ltd. has been disconnected or not and whether the said unit still continuing its operation. Findings are enumerated below-

1)) During the visit, prima facie it appears that the unit has no electricity connection and the unit is presently non-operational. The representative of the owner of the unit Sri Sanatan Mitra has stated before the visiting team that the electricity of the unit was disconnected and presently the unit is completely non-operational. However, the matter of electricity disconnection can be further affirmed by the WBSEDL authority.



(MONAJ DAS)
Industrial Development Officer
Serampore-Uttarpara Dev. Block



(RAJU GHOSH)
Inspector of Co-operative Societies
Serampore-Uttarpara Dev. Block

জেলা- হুগলী খতিয়ান নং- ৪০৪৫ [০৬০৯০২২]

মৌজা- মোল্লারবেড় জে.এল.নং- ২২ থানা- শ্রীরামপুর



(১) রাজস্ব- ০.০০ টাকা

(২) জমির পরিমান(এ)- ০.৫০০০

(৩) মোট দাগের সংখ্যা- ৫

	(৪) অগ্রস্বত্বের দখলকারের বিবরণ	(৫) স্বত্ব	(৬) মন্তব্য
নাম-	সঞ্জীব দাস	রায়ত	
পিতা-	সমীর কুমার		
ঠিকানা-	নিজ		

(৭) অগ্রস্বত্বের নিজ দখলীয় জমি

দাগ নং	জমির শ্রেণী	মন্তব্য	দাগের মোট পরিমান(এ)	দাগের মধ্যে অগ্রস্বত্বের অংশ	দাগের মধ্যে অগ্রস্বত্বের জমির অংশের পরিমান
					একর হেক্টর
১৩৪৩/১৯৭০	শালি	গত খং নং - 5250,5968 হস্তান্তরের ধরণ - রে: ক: মূলে, রে: ক: মূলে	০.৬১০০	০.০০০১	০.০০০০
১৩৪৪	শালি	গত খং নং - 5250,5968 হস্তান্তরের ধরণ - রে: ক: মূলে, রে: ক: মূলে	০.৫০০০	০.৫১১৪	০.২৫০০
১৩৬৬	শালি	গত খং নং - 5105 হস্তান্তরের ধরণ - রে: ক: মূলে	০.৭৮০০	০.০০০২	০.০০০০
১৩৭২	শালি	গত খং নং - 5105 হস্তান্তরের ধরণ - রে: ক: মূলে	০.৭৫০০	০.০৪৩৮	০.০৩০০
১৩৭৮	শালি	গত খং নং - 5428,5454,5455	০.৭৯০০	০.২৬০৮	০.২১০০

13/08/24

12-A

District- Hooghly Khatian No - 4045 [0609022]
 Mouza- Mollarber J.L. No - 22 P.S. Srirampur

(1) Revenue- 0.00 Rs
 (2) Area of land (A) - 0.5000 (3) Total number of plots - 5

(4) Details of the possessor in this ROR		(5) Status	(6) Remarks
Name-	Sanjib Das	Raiyat	
Father-	Samir Kumar		
Address-	self		

(7) Details of the owners possession in this ROR

Plot No.	Classification of land	Comment	Total Area of the Plot (acre)	Share of the Plot in this ROR	Area of the Plot in this ROR	
					Acre	Hectre
1343/1970	Shali	Transferred to Kh No. 5250,5968 mode of transfer - vide Reg. Deed	0.6100	0.0001	0.0000	
1344	Shali	Transferred to Kh No. 5250,5968 mode of transfer - vide Reg. Deed	0.5000	0.5114	0.2500	
1366	Shali	Transferred to Kh No. 5105 mode of transfer - vide Reg. Deed	0.7800	0.0002	0.0000	
1372	Shali	Transferred to Kh No. 5105 mode of transfer - vide Reg. Deed	0.7500	0.0438	0.0300	
1378	Shali	Transferred to Kh No. 5428, 5454, 5455	0.7900	0.2608	0.2100	

authenticated by -

23/08/24.

For Office Use Only.

Page 1 of 2

Assistant Director
 and
 Block Land & Land Reforms Office
 Serampore - Uttarpara

13-

জেলা- হুগলী খতিয়ান নং- ৪০৪৫ [০৬০৯০২২]
মোজা- মোল্লারবেড় জে.এল.নং- ২২ থানা- শ্রীরামপুর



(১) রাজস্ব- ০.০০ টাকা
(২) জমির পরিমাণ(এ)- ০.৫০০০ (৩) মোট দাগের সংখ্যা- ৫

	(৪) অগ্রস্বত্বের দখলকারের বিবরণ	(৫) স্বত্ব	(৬) মন্তব্য
নাম-	সঞ্জীব দাস	রায়ত	
পিতা-	সমীর কুমার		
ঠিকানা-	নিজ		

দাগ নং জমির শ্রেণী মন্তব্য দাগের মোট দাগের মধ্যে দাগের মধ্যে
পরিমাণ(এ) অগ্রস্বত্বের অংশ অগ্রস্বত্বের জমির
অংশের পরিমাণ
একর হেক্টর

১৩৭৮

হস্তান্তরের ধরণ - রে: ক:
মূলে, রে: ক: মূলে, রে: ক: মূলে

মোট দাগের সংখ্যা- পাঁচ মাত্র

13/08/24

13-A

District- Hooghly Khatian No - 4045 [0609022]
 Mouza- Mollarber J.L. No - 22 P.S. Srirampur

(1) Revenue- 0.00 Rs
 (2) Area of land (A) - 0.5000 (3) Total number of plots - 5

(4) Details of the possessor in this ROR		(5) Status	(6) Remarks
Name-	Sanjib Das	Raiyat	
Father-	Samir Kumar		
Address-	self		

Plot No.	Classification of land	Comment	Total Area of the Plot (acre)	Share of the Plot in this ROR	Area of the Plot in this ROR	
					Acre	Hectre
1378		mode of transfer - vide Reg. Deed				
Total number of plots - five only						

For Office Use Only.

Page 2 of 2

authenticated by

 23/08/2024
 Assistant Director
 and
 Block Land & Land Reforms Office
 Serampore - Uttarpara

জলা- হুগলী খতিয়ান নং- ৫১০৫

[০৬০৯০২২]



মৌজা- মোল্লারবেড় জে.এল.নং- ২২

থানা- শ্রীরামপুর

(১) রাজস্ব- টাকা খতিয়ান ভেরির তারিখ - 15/07/2021

(২) জমির পরিমাণ(এ)- ২.৭৩০০ (৩) মোট দাগের সংখ্যা- ৭

	(৪) অত্রস্বত্বের দখলকারের বিবরণ	(৫) স্বত্ব	(৬) মন্তব্য
নাম-	সুনীল ফোম প্রাইভেট লি.	রায়ত	
পিতা-	পঞ্চে ডাইরেক্টর		
ঠিকানা-	৩১ গণেশ চন্দ্র অ্যাভেনিউ বউবাজার, কলকাতা ৭০০০১৩		

(৭) অত্রস্বত্বের নিজ দখলীয় জমি

দাগ নং	জমির প্রেনী	মন্তব্য	দাগের মোট পরিমাণ(এ)	দাগের মধ্যে অত্রস্বত্বের অংশ	দাগের মধ্যে অত্রস্বত্বের জমির অংশের পরিমাণ	
					একর	হেক্টর
১৩৬৬	শালি		০.৭৮০০	০.৭৯৬৯	০.৬২০০	
		আগত খং নং - 4045,5097				
১৩৬৭	শালি		০.২৭০০	১.০০০০	০.২৭০০	
		আগত খং নং - 4045,5097				
১৩৬৮	শালি		০.২৬০০	১.০০০০	০.২৬০০	
		আগত খং নং - 4045				
১৩৭০	শালি		০.২৩০০	১.০০০০	০.২৩০০	
		আগত খং নং - 4045				
১৩৭১	শালি		০.৬১০০	০.৯৯১৮	০.৬১০০	
		আগত খং নং - 4045,5097				
১৩৭২	শালি		০.৭৫০০	০.৯৫৬২	০.৭১০০	
		আগত খং নং - 4045				
১৩৭৭	শালি		২.২২০০	০.০১৩৯	০.০৩০০	
		আগত খং নং - 4825				

13/08/24

মোট দাগের সংখ্যা- সাত মাত্র

14-A

District- Hooghly	Khatian No - 5105	[0609022]
Mouza- Mollarber	J.L. No - 22	P.S. Srirampur
(1) Revenue-	Rs	Date of creation of Khatian 15/07/2021
(2) Area of land (A) -	2.7300	(3) Total number of plots - 7

	(4) Details of the possessor in this ROR	(5) Status	(6) Remarks
Name-	Sunil Foam Pvt Ltd.	Raiyat	
Father-	Director on behalf of		
Address-	31 Ganesh Chandra Avenue Boubazar, Kolkata 700013		

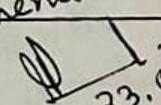
(7) Details of the owners possession in this ROR

Plot No.	Classification of land	Comment	Total Area of the Plot (acre)	Share of the Plot in this ROR	Area of the Plot in this ROR	
					Acre	Hectre
1366	Shali	Source Kh No. 4045,5097	0.7800	0.7969	0.6200	
1367	Shali	Source Kh No. 4045,5097	0.2700	1.0000	0.2700	
1368	Shali	Source Kh No. 4045	0.2600	1.0000	0.2600	
1370	Shali	Source Kh No. 4045	0.2300	1.0000	0.2300	
1371	Shali	Source Kh No. 4045,5097	0.6100	0.9918	0.6100	
1372	Shali	Source Kh No. 4045	0.7500	0.9562	0.7100	
1377	Shali	Source Kh No. 4825	2.2200	0.0139	0.0300	

Total number of plots - seven only

For Office Use Only.

Page 1 of 1

authenticated by

 23.08.24.
 Assistant Director
 and
 Block Land & Land Reforms Office
 Srirampur

Amex - R-2' 15 2196



WEST BENGAL STATE ELECTRICITY DISTRIBUTION COMPANY LIMITED
(A GOVERNMENT OF WEST BENGAL ENTERPRISE)

Hooghly Region
Administrative Building
Ram Mandir, P.O. Chinsura(R.S)
Dist. Hooghly, Pin 712 102.

Ph: 033-26860424
Fax: 033-26868352

WBSEDCL

Memo. No. RM/HG/Bulk/Misc./ 220

Date: 14.08.24

To,
The Sub-Divisional Officer,
Serampore,
Hooghly.

Sub: Status of Electricity Connection i.r.o. M/s. Sunil Foam (P) Ltd.
Ref: Your letter bearing memo no. 49/R.M./Srp. dated 12.08.2024.

Sir,

In reference with your letter, mentioned above, this is to inform you that the Electricity Connection in respect of M/s. Sunil Foam (P) Ltd., bearing Con ID - 950083107 had been disconnected physically on 19.01.2024. as per direction of Pollution Control Board.

Thanking you,

Yours faithfully


14/08/24
(M. Roy)

Regional Manager,
Hooghly Region, WBSEDCL.

Amexne - 'R-3' - 16 -



Government of West Bengal
Office of the BLOCK Land & Land Reforms Officer,
Serampore-Uttarpara :: Hooghly.
Email: blrosu@gmail.com

Memo No.: 1697 /B. L.S. U/ 24

Date: 13/08/2024

To
The Block Development Officer
Serampore-Uttarpara
Hooghly

Sub: Enquiry report in respect of OA No. 118/2024/EZ in the matter of Environment Warrior vs WB PCB & others.
Ref: His office Memo no. 1059/SU dt 12.08.24

In view of the above subject, a joint inspection was conducted on 12/08/2024 by the C.I, Serampore-Uttarpara Block Development Office and R.I, Rishra G.P of the BL&LRO, Serampore Uttarpara. The joint inspection report is also attached herewith for his perusal. It appears from the joint inspection report that 80% of the land covered with rubbish as the land is low in nature. Secondly, some portion of the land is lying vacant and other part is covered with bushes.

The plot information of concerned plots i.e, MOUZA- MOLLARBER, JL NO- 22, LR KHATIAN- 4045 & 5105 with classification SALI are also enclosed for ready reference.

This is for kind information.

- Enclosure: 04 sheets.

 13/08/24
Assistant Director and
Block Land & Land Reforms Office
Serampore-Uttarpara, Hooghly.
Assistant Director
and
Block Land & Land Reforms Office:
Serampore - Uttarpara

Amexv - (R-4) - 12-



E-mail:
bdoserampore@gmail.com
Phone: 033-2662 0082
Add: 21, Rabindra Bhaban
Road,

Government of West Bengal
Office of Block Development Officer
Serampore - Uttarpara Development Block
Serampore, Hooghly.

Memo No. 1070/SU

Date 13/08/2024.

To
The Sub-Divisional Officer
Serampore Sub-Division.

Sir,

Sending herewith the Enquiry Report in pursuance of your office Memo No.49/RM/Srp dt.12.08.2024 for your kind perusal and necessary action please.

Yours faithfully,

Block Development Officers
Serampore-Uttarpara Dev. Block



E-mail :
bdoserampore@gmail.com
Phone : 033-2662 0082
Add : 21, Rabindra Bhaban
Road,

Government of West Bengal
Office of Block Development Officer
Serampore – Uttarpara Development Block
Serampore, Hooghly .

ENQUIRY REPORT

In pursuance of Memo No. 49/RM/Srp. dt.12.08.2024 of the Sub-Divisional Officer, Serampore Sub-Division ,I, the undersigned would like to state that Officers of this Block ,the BL&LRO Office, Serampore and Dankuni P.S. have jointly visited the unit of M/s Sunil Foam (P) Ltd.(herein after referred to as the unit),located at Mouza-Mollaber, P.O.&P.S.-Dankuni, Hooghly,712310, on 12/08/2024. Findings are enumerated below-

- 1) During the visit, prima facie it appears that the unit has no electricity connection and the unit is presently non-operational. The representative of the owner of the unit Sri Sanatan Mitra has stated before the officers visited that the electricity of the unit was disconnected and presently the unit is completely non-operational. However, the matter of electricity disconnection can be further affirmed by the WBSEDCL authority.
- 2) As per report of the R.I the piece of land is a low land and recorded in the name of Sunil Foam (P) Ltd. located in Mouza-Mollaber [J.L No.-22, Khatian No-5105, Dag No-1366(P),1367(P),1368(P),1370(P),1371(P),1372(P) & 1377(P)] is partially ,apparently 80% of the total area, filled up .However, any dumped garbage could not be traced around the piece of land in question.

Block Development Officer
Serampore-Uttarpara Dev. Block



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-18-

GOVERNMENT OF WEST BENGAL
OFFICE OF THE SUB-DIVISIONAL OFFICER
SERAMPORE :: HOOGHLY

e-mail : sdoserampore18@gmail.com/electionsrp2017@gmail.com

Memo No. 50 RM./Srp

Date: 14.08.2024

To
The District Magistrate,
Hooghly.

Sub: O.A. No. 118/2024/EZ in the matter of Environment Warrior vs WB PCB & others.

Ref: Your Office Memo No. 1267/R.M., Dated: 08.08.2024

Madam,

In reference to the subject matter as stated above the undersigned would like to inform you that:-

1] As per the report available from the Regional Manager, Hooghly region WBSEDCL the electricity connection in respect of M/S Sunil Foam (P) Ltd. bearing consumer ID No. 950083107 has been disconnected physically on 19.01.2024 according to the direction of the West Bengal Pollution Control Board. As per spot enquiry done, it has been observed that the unit has no electricity connection and more over the unit is presently non-operational.

2] The piece of land is a low land and it is recorded in the name of Sunil Foam (P) Ltd. located in Mouza - Mollarber, J.L. No.- 22, Khatiyon No. -5105, Dag No.-1366(P), 1367(P), 1368(P), 1370(P), 1371(P), 1372(P), which is partially (apparently 80% of the total area) filled up.

However, no dumped garbage could be traced around the piece of land in question.

All the enquiry report is enclosed for your kind perusal.

Endo: As stated

Yours faithfully.


Sub-Divisional Officer,
Serampore, Hooghly.

Amare - 2-6)

19-20-

File No.HGLY-19015(30)/97/2023-LLR AND RRD(HGLY)



GOVERNMENT OF WEST BENGAL
OFFICE OF THE ADDITIONAL DISTRICT MAGISTRATE AND
DISTRICT LAND & LAND REFORMS OFFICER, HOOGHLY
JIBAN PAUL'S GARDEN, HOOGHLY - 712103
PH. - (033) 26802097/98, FAX - 91-33-26800578

Email : dllrohugli@gmail.com

Memo No. HGLY-19015(30)/97/ 3661 /2023-LLR AND RRD(HGLY), Dt.- 21/8/2024

To
The B.L.& L.R.O. Serampore-Uttarpara,
Hooghly.

Sub: Allegation against illegal construction by Sunil Foam Pvt. Ltd. at Mouza-Mollarber, JL No.-22.

Ref: Your office Memo No.1730/BLSU/2024 dtd. 20.08.2024.

In reference to above it appears from the physical enquiry report of the Revenue Inspector, Rishra RI Office dtd. 05.02.2024 that Sunil Foam Pvt. Ltd. has constructed a warehouse over an area of 0.08acre in LR Plot No.1372 classified as 'Sali' at Mouza-Mollarber, JL No.-22.

As the said construction has been done in violation of the provision of Section 4C of the WBLR Act, 1955, you are directed to issue notice u/s 4C(5) of the Act to the Director, Sunil Foam Pvt. Ltd., recorded owner of LR Kh No.5105, for restoration of the concerned plot of land to its original classification within 07(seven) days from the date of receipt of the notice.

You are directed to send the action taken report to this end immediately.


21.8.24
ADM & DL&LRO
Hooghly

Amour - (R-7)

20-21-



Government of West Bengal
Office of the BLOCK Land & Land Reforms Officer,
Serampore-Uttarpara :: Hooghly
Email: blrosu@gmail.com

Memo No.: 1745 /B. L.S. U/24

Date: 21/08/2024

To
The Director
M/s Sunil Foam(P) Ltd.
31, Ganesh Chandra Avenue
Bou bazaar, Kolkata 700013.

Sub: Notice u/s 4C (5) of the West Bengal Land Reforms Act, 1955

On field verification report of the R.I., Rishra R.I. Office, it is found that a warehouse has been constructed by you, i.e., Director, Sunil Foam Pvt. Ltd. over the land schedule as mentioned below. It was an illegal activity made by you to change the nature and character of the land schedule wherein the recorded classification of the land is "Shali", without any prior permission from the appropriate authority under section 4C of the WBLR Act 1955. Hence, you are directed to restore the nature and character of the land to its original character/nature under section 4C(5) of the WBLR Act 1955, within 7 (seven days) from the receipt of this notice, failing which action will be taken u/s 4D of the WBLR Act, 1955 and other relevant provisions of law.

Land Schedule:

Mouza- Mollarber,
J.L. N.O-22
L.R. Plot No.-1372.
Khatian No-5105
Classification- Shali
Area- 0.08 acre

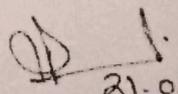

21.08.24.
Assistant Director and
Block Land & Land Reforms Officer
Serampore-Uttarpara, Hooghly
Assistant Director
and

Block Land & Land Reforms Officer
Serampore - Uttarpara Date: 21 / 08 / 2024

Memo. No. 1745 /1(6)/B.L.S.U./2024

Copy forwarded to for favour of Kind information to:

- 1) The Additional District Magistrate and District Land & Land Reforms Officer, Hooghly.
- 2) The Sub-Divisional Officer, Serampore.
- 3) The Deputy Director and Sub-Divisional Land & Land Reforms Officer, Serampore, Hooghly.
- 4) The Executive Officer, Serampore-Uttarpara Pachyat Samiti.
- 5) The IC, Dankuni Police Station, Chandannagore Police Commissionerate.
- 6) The Pradhan, Rishra Gram Pachyat.


21.08.24.
Assistant Director and
Block Land & Land Reforms Officer
Serampore-Uttarpara, Hooghly.
Assistant Director
and
Block Land & Land Reforms Officer
Serampore - Uttarpara

BEFORE THE HON'BLE
NATIONAL GREEN
TRIBUNALEASTERN ZONE
BENCH, KOLKATA



ORIGINAL APPLICATION NO.
118/2024/EZ

In The Matter of:
Environment Warrior

... Applicant

Versus

West Bengal Pollution Control
Board & Ors.

... Respondents

COUNTER AFFIDAVIT ON
BEHALF OF THE RESPONDENT
NUMBER 03, DISTRICT
MAGISTRATE & COLLECTOR,
DISTRICT HOOGHLY.

SIBOJYOTI CHAKRABARTI

Advocate

For The State of West Bengal

Email: subho.advocate@gmail.com

(M): 9007035534.