

Dated :-25-07-2024

To,

The State of West Bengal, Service
through the Secretary, Government
of West Bengal, Panchayat & Rural
Development (P&RD) Department, Joint
Administrative Building , (6th to 10th Floor),
Block HC, Plot No. - 07, Sector III, Saltlake City ,
Kolkata - 700106

The Commissioner ,
Directorate of Panchayat & Rural Development
Department, Government of West Bengal, Jessop Building,
63, N.S.Road. Kolkata - 700001

The Howrah District Magistrate,
District Howrah - 711101

The District Engineer,
Howrah Zilla Parishad
10 Biblabi Haren Ghosh Sarani,
Howrah, West Bengal 711101

The Officer incharge
Domjur Police Station
Howrah Police

The Commissioner of Police
Howrah City Police
Howrah - 711101

The Domjur Block Development Officer
Baruipara, Domjur, Howrah - 711405

The Assistant Director of Fisheries, Howrah having its
Office at 62/2, Raser Marry Lane. Police Station Golabari
and District - Howrah - 711101

Judicial

Ranjana
21/7/24

NGT, EZB, KOLKATA

Receipt No. DAIT/EZB/1201/274

Date. 31/07/2024

National Green Tribunal Eastern Zone Bench Kolkata, service through the Registrar, Finance Centre West Bengal, 3rd Floor, New Town, Kolkata – 700157

The Divisional Fire officer, Fire Prevention Wing, West Bengal Fire & Emergency Services, situated premises no. 430, G.T.Road. (North). Police Station Golabari and District Howrah – 711101.

Sub:- Written Complaint against one (1) **Md Kalam** son of Md Islam (2) **Md Samser** son of Md Sattar residing at Village Bankra , Sardar Para, Post office Bankra, Police Station Domjur and District Howrah - 711403 for illegal construction without any sanction plan and Fire License from the concerned authority by filling up **Water Bodies** situated at agricultural land i.e. SALI LAND and raising multi-storied building over the SALI LAND which may be collapsed at any point of time and said illegal structures may take the life of 100 of Local person in one time uptill now developed Ground Plus Four (G+4) storied building which height is **exceeded 15.5 meters limit** (height of the building is 25 meters) without any Fire License.

Sir,

I , **SK. HARUN** son of Sk Halim residing at village Bankra , Garpa Natun Para, Unsani, Police station Domjur and District Howrah – 711302, beg to state that one (1) Md Kalam son of Md Islam (2) Md Samser

son of Md Sattar residing at Village Bankra , Sardar Para, Post office Bankra, Police Station Domjur and District Howrah - 711403 are very anti-social and local Gunda of the Locality of BankraNew Mondal Para, Howrah P.S. Domjur and District Howrah.

That the saidMd Kalam son of Md Islam (2) Md Samser son of Md Sattar residing at Village Bankra , Sardar Para, Post office Bankra, Police Station Domjur and District Howrah - 711403illegally and forcefully **filling up the Water Bodies situated atagricultural land / SALI LAND**at one piece and parcel of Sali land measuring about 0.0825 at Mouza Bankra, J.L. No. 55, Police Station Domjur and District Howrah ,L.R. Dag no. 3065, L.R. Khatian no. 12915, R.S Dag no. 3063, R.S Khatian no. 423, under the Jurisdiction of Bankra Gram Panchayat no : III , Bankra Rasikal, 28 Kamra,(which is morefully described in the **schedule "A"** hereunder) which is illegal and mal violation of the provision of the law of the land and for which I verbally aware the matter to the Domjur Police Station but all goes in vain and police authorities uptill now have not taken any actions against the said (1) Md Kalam son of Md Islam (2) Md Samser son of Md Sattar residing at Village Bankra , Sardar Para, Post office Bankra, Police Station Domjur and District Howrah - 711403 as "THEYARE LOCAL GUNDA AND HE HAVE GOOD RELATIONSHIP DOMJUR POLICE " .

That due to the negligence by the Domjur police station the Guts of the said (1)Md Kalam son of Md Islam (2) Md Samser son of Md Sattar residing at Village Bankra , Sardar Para, Post office Bankra, Police Station Domjur and District Howrah - 711403 tremendously increased and now the said(1) Md Kalam son of Md Islam (2) Md Samser son of Md Sattar residing at Village Bankra , Sardar Para, Post office Bankra, Police Station Domjur and District Howrah - 711403afterfilling thewater bodies atSali Land/ Agricultural land which is morefully described in the Schedule Property "A"and above named person without obtaining any sanction plan of the schedule mentioned

property "A" started development work over the schedule mentioned property and further developing a multi storied building at the schedule mentioned property "A" and uptill now developed upto Ground Plus four (G + 4) without obtaining any sanction /building plan and said building is constructing in very bad manner without leaving passage and pillars are so weak and dilapidated in nature which may be collapsed at any point of time **which cost 100 of peoples life .**

That the said named (1) Md Kalam son of Md Islam (2) Md Samser son of Md Sattar residing at Village Bankra , Sardar Para, Post office Bankra, Police Station Domjur and District Howrah - 711403, constructed said building which is not in conformity with the safety requirements that have to met to protect the occupants of the building on the outbreak of fire and to be more specific once the construction is made of Ground plus four (G+4) storied building and **the height of the building exceeded 15.5 meters limit (height of the building is 25 meters) then in such case a second stair case within the building and connecting each and every floor is mandatory** and **secondly ,there is not enough space for fire tender to surround the building as per Kolkata Municipal Corporation Building Rules, 2009** and its pertain to mention as per Notification No. 43/MA/O/C-4/1A-5/2010 dated 15-02-2011, Kolkata Municipal Corporation Building Rules, 2009 shall be made applicable, mutatis mutandis to the jurisdictional limits of Howrah Municipal Corporation.

It is further stated that the above named person named (1) Md Kalam son of Md Islam (2) Md Samser son of Md Sattar residing at Village Bankra , Sardar Para, Post office Bankra, Police Station Domjur and District Howrah - 711403 have already constructed a ground floor plus four (G + 4) storied building and said (1) Md Kalam son of Md Islam (2) Md Samser son of Md Sattar residing at Village Bankra , Sardar Para, Post office Bankra, Police Station Domjur and District Howrah - 711403 are proceeding toward

constructing other extensions, and the structure of the said building is very dilapidated one and due to further construction its may be possible that basement pillar of the said building may collapsed at any time and for that hundred of people may lost their life and may suffer irreparable losses as **entire neighborhood are residential area and hundred of families** used to reside near the schedule mentioned dilapidated building which has no building plan and constructed over the very small piece of land and apart from that the said schedule mentioned **building wall and pillars are get cracked** due to over weighted and heavy pressure of above illegal floors constructed by the abovenamed persons and such illegal constructions are in gross violation of the Howrah Municipal corporation building Rules.

That I further states that as a responsible person of the locality the said dilapidated schedule mentioned property , it is my duty to inform you the situation and **if said schedule mentioned property may not demolished and stop further construction** it may be possible that said schedule mentioned building may be collapsed at any moment **which may takes the life hundred of humans** whose are residing near the said unauthorized illegal building which is morefully described in the schedule hereunder.

These activities are in clear violation of the laws governing urban planning and environmental conservation in West Bengal. According to [cite specific provisions of relevant laws, such as the West Bengal Town and Country Planning Act, 1979; West Bengal Municipal Act, 1993; or any other applicable legislation], any construction must adhere to approved sanction plans issued by the competent authority, in this case, Howrah Zilla Parishad.

Moreover, unauthorized filling of water bodies contravenes environmental protection laws that mandate the preservation and sustainable use of natural resources. Such actions not only endanger local ecosystems but also compromise the rights and safety of the community residing in the vicinity.

Therefore, I urge the Howrah Zilla Parishad to take immediate and decisive action to halt all illegal activities at the mentioned location. This should include a thorough investigation to identify the responsible parties and ensure that appropriate legal actions are taken against them in accordance with the provisions of the law.

In View of the circumstances as stated above I request you to cause inspection of the said plot of land which is morfully described in the schedule hereunder, to take a note of the unauthorized construction that is in progress, to issue an order of stoppage of construction and /or to initiate appropriate proceeding for demolition of the unauthorized construction to take necessary penal actions against the persons responsible / wrongdoers otherwise I have left with no option but to preferred one **PUBLIC INTEREST LITIGATION** before the Hon'ble Chief Justice of Calcutta High Court for the above mentioned said issues.

SCHEDULE PROPERTY -"A"

That all the piece and parcel of one piece and parcel of Sali land measuring about 0.0825 acre at Mouza Bankra, J.L. No. 55, Police Station Domjur and District Howrah , L.R. Dag no. 3065, L.R. Khatian no. 12915, R.S Dag no. 3063, R.S Khatian no. 423, under the Jurisdiction of Bankra Gram Panchayat no : , Bankra Rasikal, 28 Kamra,(which is morefully described in the **schedule "A"**.

Your Faithfully

SK Harun Ali

(SK. HARUN)

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