

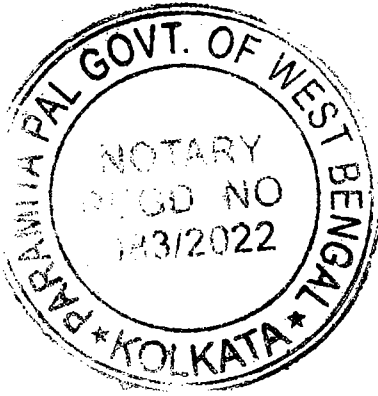
Serial No. 19/25  
As per Register of Notary

BEFORE THE NATIONAL GREEN TRIBUNAL EASTERN ZONE

BENCH, KOLKATA,

ORIGINAL APPLICATION NO.135 OF 2023/EZ

(Under Section 18(1) read with Sections 14, 15 of National Green  
Tribunal Act. 2010)



In the matter of :

Mousri Jana

.....Applicant

-Versus-

The State of West Bengal & Ors.

.....Respondents

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17 JAN 2025

BEFORE THE NATIONAL GREEN TRIBUNAL EASTERN ZONE

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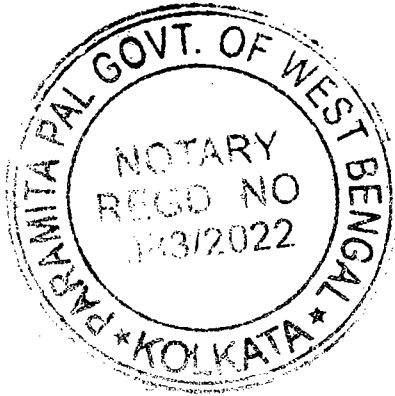
daughter of Mr. Nitai Jana

78/1, Baruipara Lane, Police  
Station - Dakshineswar, Post  
Office - Alambazar, Kolkata -  
700035.

.....Applicant

-Versus-

1. The State of West Bengal,  
service throught the Principal  
Secretary, Department of  
Environment, Pranisampad  
Bhawan, 5th Floor, Block LB-II,  
Salt Lake, Sector - III,  
Bidhannagar, Kolkata - 700106;  
Email : [psey.env-wb@gov.in](mailto:psey.env-wb@gov.in)



17 JAN 2025

2. West Bengal Pollution Control Board, service through the Chairman, Paribesh Bhawan, 10A, Block - LA, Sector -III, Bidhannagar, Kolkata - 700106.

Email : [chrnmn.wbpcb-wb@bangla.gov.in](mailto:chrnmn.wbpcb-wb@bangla.gov.in)

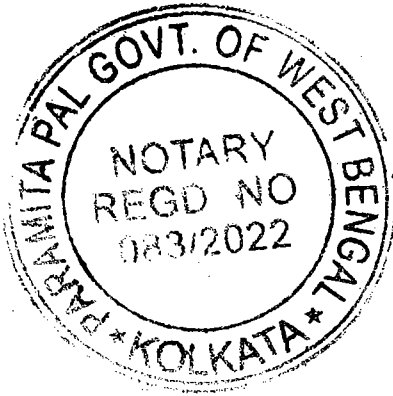
3. Member Secretary, West Bengal Pollution Control Board, Paribesh Bhawan, 10A, Block - LA, Sector-III, Bidhannagar, Kolkata - 700106.

Email : [ms.wbpcb-wb@bangla.gov.in](mailto:ms.wbpcb-wb@bangla.gov.in)

4. West Bengal Fisheries Department, service through the Secretary, having office at Benfish Tower, 8<sup>th</sup> Floor, 31, GN Block, Salt Lake, Sector -V, Kolkata - 700091.

Email : [prsecy.fisheries@gmail.com](mailto:prsecy.fisheries@gmail.com)

5. Block Land and Land Reforms Officer, Block - Canning-I, Post Office - Canning Town, Police



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Station – Canning, near Canning Bazar, Baruipur Canning Road, Malda, District - South 24 Parganas, PIN – 743329.

Email : [bdocng12014@gmail.com](mailto:bdocng12014@gmail.com)

6. The Executive Officer, Canning-I Panchayat Samity, Canning, South 24 Parganas, Pin – 743329.

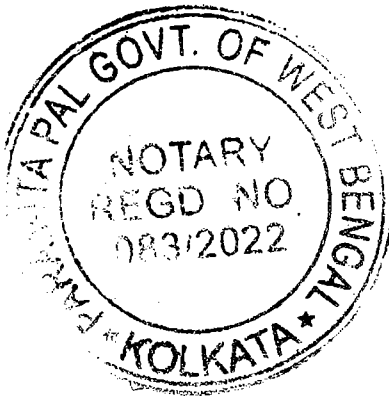
Email : [sdocan@gmail.com](mailto:sdocan@gmail.com)

7. The Sub-Divisional Officer, Canning, Canning-Basanti Road, Matla, Post Office – Canning Town, District - South 24 Parganas, West Bengal, Pin – 743329.

Email : [sdocan@gmail.com](mailto:sdocan@gmail.com)

8. Pradhan, Canning –I, Gram Panchayat, Post Office – Canning, Police Station – Canning, PIN – 743329.

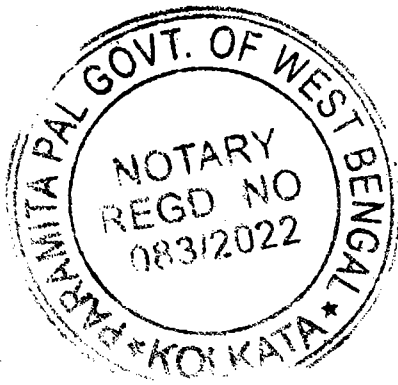
Email : [sdocan@gmail.com](mailto:sdocan@gmail.com)



17 JAN 2025

9. District Magistrate, South 24 Parganas, having office at Alipore, South 24 Parganas, Kolkata - 700027.

Email : [dm.s24pgs@gmail.com](mailto:dm.s24pgs@gmail.com)



10. Secretary Land Reforms and Revenue, Department of Land Reforms, having office at Nabanna, 325, Sarat Chatterjee Road, Mandirtala, Shibpur, Howrah - 711102.

Email : [seclr@wb.gov.in](mailto:seclr@wb.gov.in)

.....Respondents

11. Uttam Das,

son of Late Bihari Lal Das,

of Village - Mithakhali, Post

Office - Canning Town, Police

Station - Canning, Sub-Registry

Office - Matla, District - South 24

Parganas, Pin - 743329.

12. Pallab Sardar, son of Pranab

Sardar, of Village - Mithakhali,

17 JAN 2025

Post Office and Police Station -  
Canning, District - South 24  
Parganas, Pin - 743329.



13. Ayan Sardar,  
Son of Gopal Sardar, Nationality  
- Indian, by faith - Hindu,  
Profession - Business, of Village -  
Mithakhali, Post Office and Police  
Station - Canning, District -  
South 24 Parganas, Pin -  
743329.

....Added Respondents

**Affidavit-in-Reply to the compliance Report by the District  
Magistrate, South 24 Parganas, Government of West Bengal.**

I, Mousri Jana, daughter of Mr. Nitai Jana, aged about 28 years,  
by faith -Hindu, by Profession- Practicing Lawyer, residing at 78/1,  
Baruipara Lane, Police Station - Dakshineswar, Post Office -  
Alambazar, Kolkata - 700035, do hereby solemnly affirm and say as  
follows:-

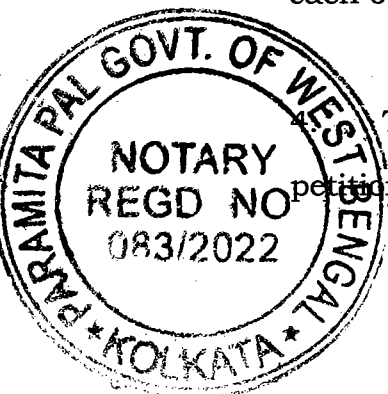
1. That the matter was filed by the petitioner to address the  
problem of ecological impacts of indiscriminate filling up of  
ponds/Beels (Larger Ponds) making a natural water channel mainly in

17 JAN 2025

and around the Matla River and partially also of Vidhyadhari River which is a contributory River to Matla River.

2. That on 21<sup>st</sup> October, 2024 the Block Land and Land Reforms Officer, Canning -I vide Memo No.3259/SDO/CNG as well as Block Development Officer vide Memo No.2541/BDO/CNG-I dt. 22<sup>nd</sup> October, 2024 stated that some plot in an around that area has been restored but some of them could not be completed due to different reason. However, in the 3<sup>rd</sup> and final compliance report it is mentioned that all 6 plots being LR Plot No.4575, 4578, 4572, 4565, 4566 & 4546 has now been completely restored to there original nature and character.

3. That from the photographs attached with the compliance report it can be clearly seen that in the name of the restoration the respondent Government authorities has done perfunctory work and to hoodwink this Hon'ble Tribunal efforts has been made and some shallow excavation has been done and no measures of the depth has been given of the ponds which are interconnected, to this Hon'ble Tribunal and if given, it would have been clear that the depths of the excavation is 2 to 3 facts. Whereas, before filling up, those interconnected ponds were 8 to 10 feet deep, and were connected to each other till the Matla River.



The interconnection of the pond is a sine qua none as your petitioner has already stated that the downward stream of the already

17 JAN 2025

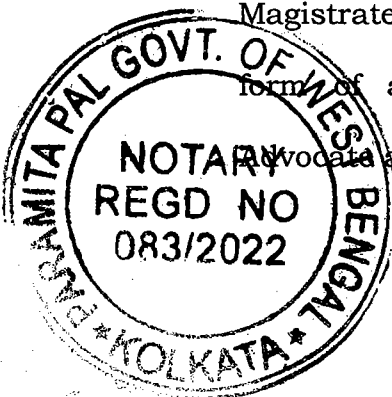
filed up the Rivers cause inundation of the entire area at the time of monsoon and this ponds/beels which were interconnected was natural water disperser of canning-I area, which has been clogged by indiscriminate filing up of natural water resources, such as the ponds and Beels (Larger ponds) for which the ecological balance of the area has already been destroyed.

The photocopies of the entire area along with the Google map is annexed hereto show the extent of clogging in the area is annexed hereto and marked as annexure "A".

5. That short sided and lackdical work of the District Magistrate and Block Land and Land Reforms Officer and Block Development Officer has not at all address the problem and it will take only 2 to 3 days to fill up those ponds/beels through an excavatory and an entire area will be inundated in the monsoon season.

6. That the persons responsible are land mafia's in the area filling up ponds. They will change the nature of the land anytime they may find any opportunity.

7. That as per the direction of the Learned Tribunal the petitioner filed this exception to the compliance Report by the District Magistrate, South 24 Parganas, Government of West Bengal in the form of affidavit which was already served before the Learned Advocate appearing on behalf of the respondents.



11 7 JAN 2025

Photostat copy of the order dated 03.01.2025 and the copy of the Email sending report are annexed hereto and collectively marked as annexure "B".

8. That the statements made in paragraph no.1 to 5 are knowledge and rest are my humble submission before this Learned Tribunal.

Prepared in my office

*Tanuta Guray*  
Advocate

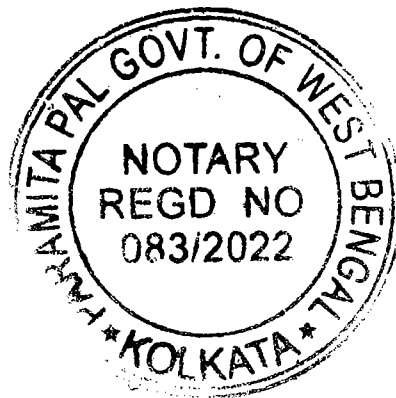
*Moubri Jana*  
DEPONENT

Identified by me

*Tanuta Guray*  
Advocate

Solemnly affirmed and declared  
Before me on Identification

*Plat*  
PARAMITA PAL  
City Civil Court  
Kolkata  
Reg. No. 083/2022



10 7 Jan 2025

'9'

Annexure - A'



17 JAN 2025



PARAMITA PAL GOVT. OF WEST BENGAL  
NOTARY  
REGD NO  
0831/2022  
KOLKATA

17 JAN 2025



PARAMITA PAL GOVT. OF WEST BENGAL  
NOTARY  
REGD NO  
083/2022  
KOLKATA

17 JAN 2025



PARAMITA PAL GOVT. OF WEST BENGAL  
NOTARY  
REGD NO  
083/2022  
KOLKATA

17 JAN 2025

Item No.04

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.135/2023/EZ

Mousri Jana

Applicant(s)

Versus

State of West Bengal &amp; Ors.

Respondent(s)

Date of hearing: 03.01.2025

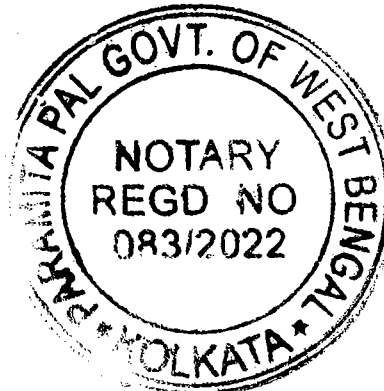
**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER  
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : Mr. Soumya Dasgupta, Advocate (in Virtual Mode)

For Respondent(s): Mr. Nayan Chand Bihani, Senior Advocate a/w  
Mr. Rajib Ray, Advocate for R-1,4,5,7,9 & 10  
(in Virtual Mode),  
Mr. Dipanjan Ghosh, Advocate for R-2 & 3 (in Virtual Mode)

**ORDER**

1. Mr. Soumya Dasgupta, learned Counsel is present (in Virtual Mode) for the Applicant. Learned Counsel may file his rejoinder response within two weeks.
2. Affidavit dated 02.01.2025 has been filed by the Respondent No.9, District Magistrate, South 24 Parganas; the same is taken on record.
3. Mr. Masud Karim, learned Counsel for the Respondent Nos.11, 12 and 13, Private Respondents, is not present. The Respondents were impleaded in the present proceedings by order dated 24.10.2024 in pursuance of the directions given by the Hon'ble High Court of Calcutta in W.P.A No. 18252 of 2024 (*Uttam Das and Others Vs. State of West Bengal and Others*).



17 JAN 2025

4. We, therefore, adjourn the case today giving one last opportunity to the Respondent Nos.11, 12 and 13 to appear and file their counter-affidavit.
5. **List on 24.02.2025.**

.....  
**B. Amit Sthalekar, JM**

.....  
**Dr. Arun Kumar Verma, EM**

January 03, 2025,  
Original Application No.135/2023/EZ  
OM



2  
17 JAN 2025

**TANUTA GURAY**

Advocate  
High Court, Calcutta  
Bar Association Room No.16

**Residence & Chamber :**

4/2B, Raja Rajendra Lal Mitra  
Road, Kolkata - 700085  
(M) : 9874456180  
Email : tanutaguray3@gmail.com

Date : 16.01.2025

- To
1. Mr. Nayan Chand Bihani,  
Senior advocate,  
High Court, Calcutta
  2. Mr. Rajib Ray  
Advocate
  3. Mr. Dipanjan Ghosh  
Advocate
  4. The District Land and Land Reforms  
Officer, South 24 Parganas
  5. Masud Karim  
Advocate  
High Court, Calcutta

Sub : **Original Application No.135 of 2023/EZ**  
**Mousri Jana**

.....Applicant

- Versus-

**The State of West Bengal & Ors.**

.....Respondents

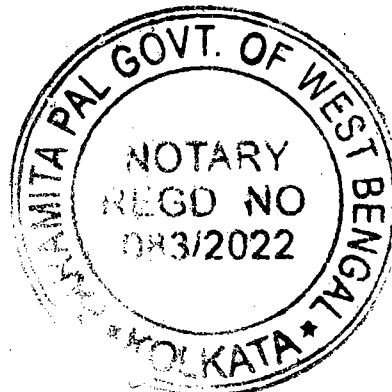
Respected Sir,

Enclosed please find herewith a scan copy of the exception to the compliance Report by the District Magistrate, South 24 Parganas, Government of West Bengal in the form of affidavit along with all annexures are annexed herewith which will be taken up before The Learned National Green Tribunal, or soon thereafter as and when the business of the Learned Tribunal permits.

Thanking you,

Yours faithfully

*Tanuta Guray*  
Advocate



17 JAN 2025

16



Tanuta Guray <tanutaguray2@gmail.com>

**Affidavit in reply on behalf of the petitioner regarding O.A. application 135 of 2023 Mousri Jana - versus- The State of West Bengal & Ors.**

1 message

Tanuta Guray <tanutaguray2@gmail.com>

17 January 2025 at 14:11

To: "dllro.s24pgs@gmail.com" <dllro.s24pgs@gmail.com>, nayanbihani bihani <nayanbihani@gmail.com>, dpnjngsh0@gmail.com, "Rajib Ray, Advocate" <rajib.ray.official23@gmail.com>, "masud.karim.1000@gmail.com" <masud.karim.1000@gmail.com>

Please find the attachment

 **mousri jana.pdf**  
892K

