

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**EASTERN ZONE BENCH, KOLKATA**

ORIGINAL APPLICATION NO. 88/2024/EZ

In the matter of:

BINAY BASFORE

..... Applicant

versus

THE STATE OF WEST BENGAL & Ors.

..... Respondents

AFFIDAVIT ON BEHALF OF THE RESPONDENT NUMBER 12, MD.**MOINUDDIN ANSARI**

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Date: 29.01.2025



Place: Kolkata

DRAWN BY:

Rashmi Singhee

Advocate

Address and email phone

FILED BY: Ravi Ranjan Kumar, Advocate



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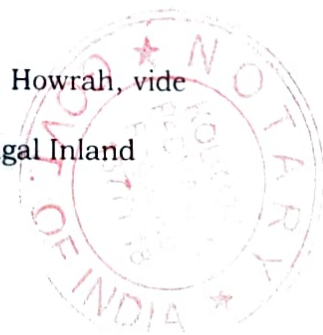
..... Respondents

AFFIDAVIT ON BEHALF OF THE RESPONDENT NUMBER 12, MD.

MOINUDDIN ANSARI

I, Md. Moinuddin Ansari, son of Md. Harique, residing at Kathsiri, Banipur, Howrah, West Bengal, do hereby solemnly affirm and state as follows:-

1. That I have been communicated with a copy of the order in O.A. No. 88/2024/EZ from the Learned Counsel for the State associated with the instant case.
2. That this affidavit is being filed in compliance to the Solemn Order dated 06.12.2024 passed by this Hon'ble Tribunal.
3. That I am the owner of the waterbody situated at Plot No. 305, J.L. No. 32, Khatian No. 1128, Mouza Banipur, Sankrail, District Howrah (hereinafter referred to as "the said waterbody").
4. That I was served with a notice from the District Magistrate, Howrah, vide memo dated 17.01.2025, under Section 17A of the West Bengal Inland



Fisheries Act, 1984, directing me to restore the said waterbody to its original position at my own cost within 15 days.

The Photocopy of the aforesaid notice is annexed herewith and marked as "**R-1**".

5. That I was also served with a notice from the Pradhan, Banipur-1 Gram Panchayat, dated 14.01.2025, directing me to clean the said waterbody and land within 10 days due to its unsanitary condition.

The Photocopy of the aforesaid notice of the Pradhan, Banupur-I Gram Panchayat is annexed herewith & marked as "**R-2**".

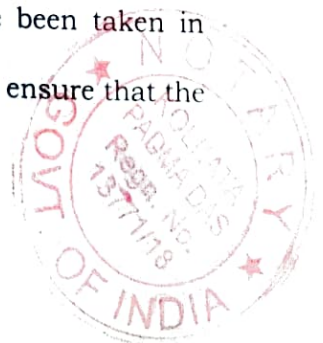
6. That I had submitted a written communication to the Pradhan, Banipur-1 Gram Panchayat on 27.01.2025, informing them of the completion of the cleaning work and requesting a site visit for inspection and verification.

A copy of the aforesaid communication is annexed herewith and marked as "**R-3**".

7. That I further assure this Hon'ble Tribunal of my intention to utilize the said waterbody for sustainable pisciculture practices in the future. Such use will not only prevent the growth of aquatic weeds and pollution but also contribute to the preservation of the natural ecosystem of the waterbody.

8. That I state that there has been no intentional or deliberate violation on my part regarding the maintenance of the said waterbody and its compliance with the provisions of the West Bengal Inland Fisheries Act, 1984. Any deviation in the past was inadvertent and unintentional.

9. That I respectfully submit that all necessary steps have been taken in compliance with the directions issued by the authorities to ensure that the



said waterbody is maintained in its proper condition and remains fit for fisheries and other lawful activities.

The photographs of the cleaned site are annexed herewith and marked as "R-4".

10. That the neighbours have in fact been dumping their waste and have continually been illegally filling up the said waterbody. Every time such neighbours have dumped any waste, I ensured earnest efforts to have it removed, as maintaining the said waterbody was in my own interest.
11. That the statements made in the above paragraphs are true to my knowledge and belief as per the records available in the office of the deponent, and the rest are my humble submissions before the Hon'ble Tribunal.
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.

Mr. Moineedeen Ansari

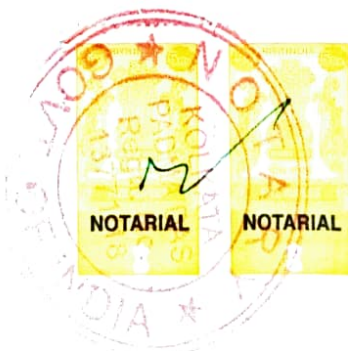
Identified by me

Deponent

Ravikant Kumar
Advocate
F/321/255/2018

SOLEMNLY AFFIRMED AND DECLARED
BEFORE ME ON IDENTIFICATION

[Signature]
PADMA DAS
NOTARY



29 JAN 2025

VERIFICATION

I, Md. Moinuddin Ansari, son of Md. Harique, residing at Banipur Kaathsidhi, Sankrail, Howrah, 711304, 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 and I believe that nothing material has been concealed there from.

Verified at Kolkata on day of January, 2025.

Identified by me

Ravi Ranjan Kumar

Advocate

Deponent

Md. Moinuddin Ansari

(Respondent no.12)



GOVERNMENT OF WEST BENGAL
Office of the District Magistrate & Collector, Howrah

Email: dm-how-wb@nic.in

Memo No. DM/ADF/Illegal Filling/02/1(5)

Dated: 17/01/2025

To

Maimuddin Ansari, S/o MD. Harik of Banipur (Kath Ciri), Sankrail, Howrah. (Owner of the waterbody)

Sub: Notice U/S 17A OF THE WEST BENGAL INLAND FISHERIES ACT, 1984, in respect of complaint alleging illegally filling up a pond Plot No-305 J.L No-32 Khatian No-1128 Mouza Banipur, Sankrail Howrah.

Ref: Enquiry Report in connection with the matter.

Whereas it has been noticed that the water body described above under your control is being filled up and the water body is excessively infested with aquatic weeds making it not congenial for Pisciculture and as per provisions made under Section 17A of the West Bengal Inland Fisheries Act, 1984 and amended from time to time, you, being the owner of the water body, are hereby directed to take necessary steps to restore the water body to its original position at your own cost within 15 days from the date of the receipt of this notice and report to this office immediately after completion of work failing which you will be liable for legal action as per the provision laid down in the Inland Fisheries Act, 1984 and amended from time to time.


District Magistrate,
Howrah

Memo No. DM/ADF/Illegal Filling/02/1(5)

Dated: 17/01/2025

Copy forwarded for kind information and taking necessary action to:

1. The Director of Fisheries, West Bengal.
2. The Additional District Magistrate (LR), Howrah.
3. The Additional District Magistrate (Panchayat).
4. The Assistant director of Fisheries, Howrah.
5. The Block Dev Officer, Sankrail Dev Block, Howrah.


District Magistrate,
Howrah

Received on
18/01/25 at 5.20 P.M.

Md. Maimuddin Ansari



OFFICE OF THE

Ph.: 2679-1364 / 1119

BANUPUR-1 GRAM PANCHAYAT**বানুপুর (১) গ্রাম পঞ্চায়েত**

POST : BANIPUR, P.S.: SANKRAIL, DIST.: HOWRAH

Prodhan

E-mail : banupur1gp@gmail.com

Upa-Prodhan

Anjali Kumari Ram

Raj Kumar Gupta

Ref. No. Banu-1/291/2014-15

Date 14.01.2015

নোটিশ

✓ প্রতি,

মহম্মদ মইনুদ্দিন আনসারী,
পিতা- মহা হারিক,
বানীপুর, মধ্যপাড়া,
থানা- সাকরাইল,
জেলা- হাওড়া-৭১১৩০৪



বিষয়ঃ আপনার নিজস্ব পুকুর ও জমিটি আগামী দশ দিনের মধ্যে জরুরী ভিত্তিক পরিষ্কার করার জন্য বলা হইতেছে।

মহাশয়,

আপনাকে জানানো যাইতেছে যে, বানীপুর মৌজা, জে.এল. নং ৩২ অধীন বানীপুর মধ্যপাড়ায় অবস্থিত আপনার দেওয়া বাউন্ডারির মধ্যে যে, পুকুর ও জমি রহিয়াছে তাহা খুবই অস্বাস্থ্যকর অবস্থায় আছে। তাই আপনাকে ১০ দিনের মধ্যে উক্ত জায়গা (পুকুর ও জমি) পরিষ্কার করার জন্য বলা হইল।

আদেশানুসারে,

প্রধান

বানুপুর-১ গ্রাম পঞ্চায়েত

Prodhan

Banipur-1 G.P.
Banipur, Howrah

প্রতিলিপি প্রেরণ করা হইলঃ-

- ১) মাননীয়, এ.ডি.এম (এল.আর), হাওড়া।
- ২) মাননীয়, বি.ডি.ও, সাকরাইল ব্লক, হাওড়া।
- ৩) মাননীয়, বি.এল. এন্ড এল. আর. ও, সাকরাইল ব্লক, হাওড়া।



To,
The Prodhhan,
Banipur-1 Gram Panchayat
Banipur, Howrah - 711304

Sub: To visit my land, inspect & enquire

Respected Madam.

As per the notice vide memo no. Banu-1/291/ 2024-25 dt. 14.01.25, regarding my Land, pukur parh and pukur, which is in JL, 32, Mouza : Banipur Dist, Howrah, to clean the land and pond.

Madam I would like to inform you that as per notice I have made clean the pond, which was covered with hyacinth and Land which was Covered with weeds and small wild plants.

I therefore request you to visit my land, and allowed me to do fisheries in pond, so that, I Could keep the pond clean in future too, some photos are attaching for your kind view.

Thanking You,

Yours faithfully

Md. Moinuddin Ansari
27/01/25
Md Moinuddin Ansari

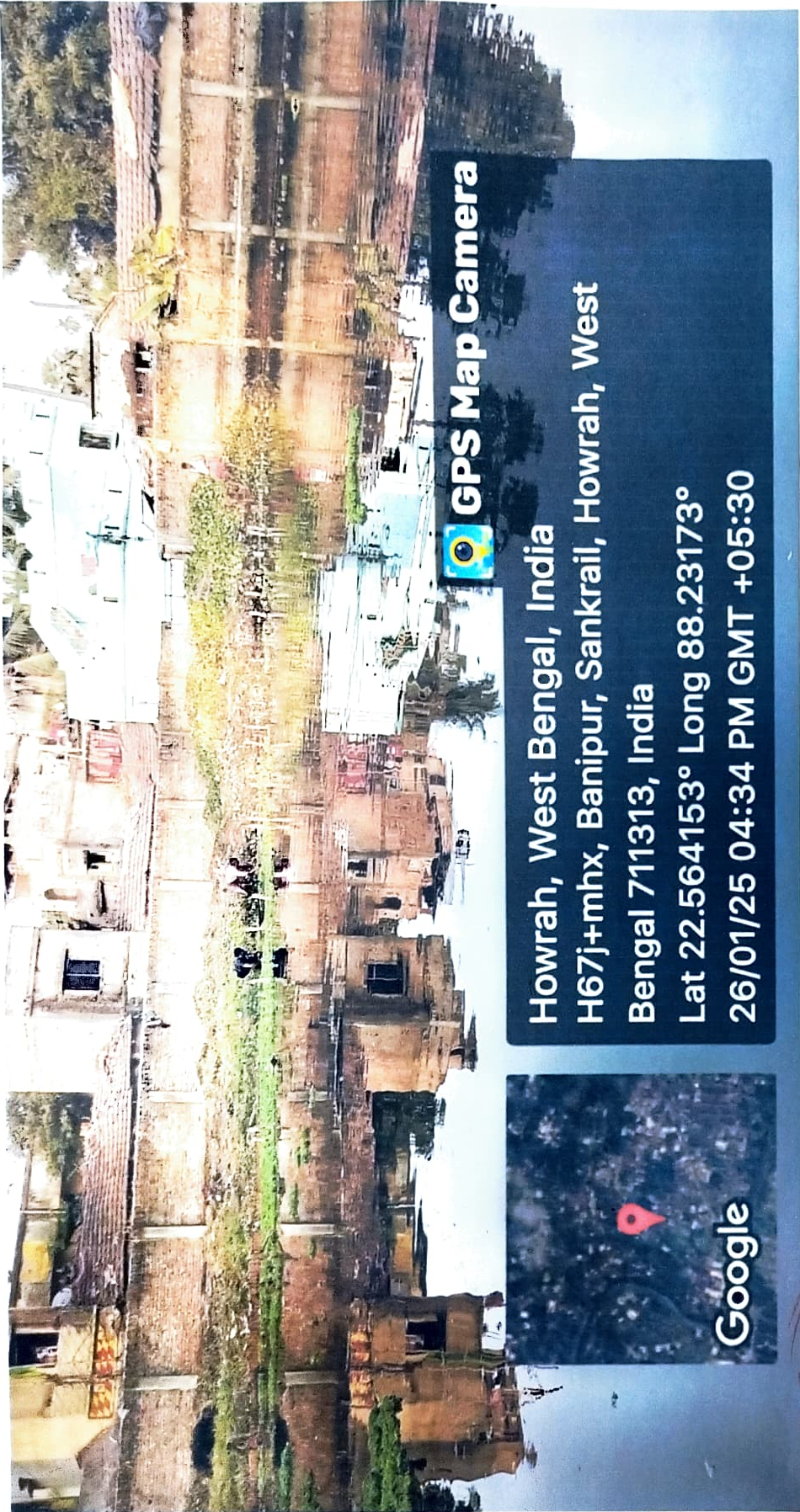
S/o Md Harique

Kathsiri, Banipur, Howrah

Mob. No. 6290044036

Date : -27/01/2025





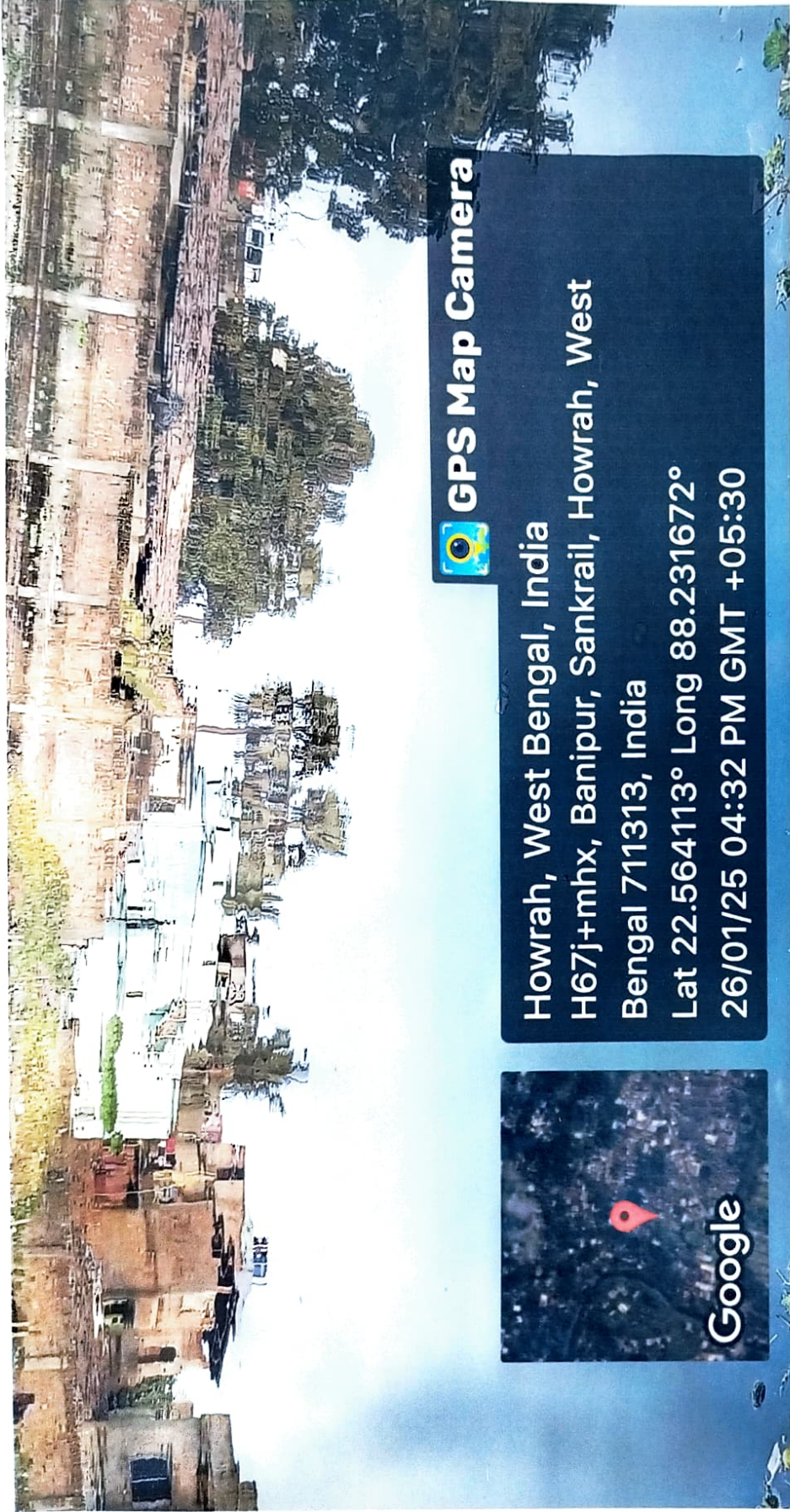
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H67j+mhx, Banipur, Sankrail, Howrah, West
Bengal 711313, India
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26/01/25 04:34 PM GMT +05:30



Google

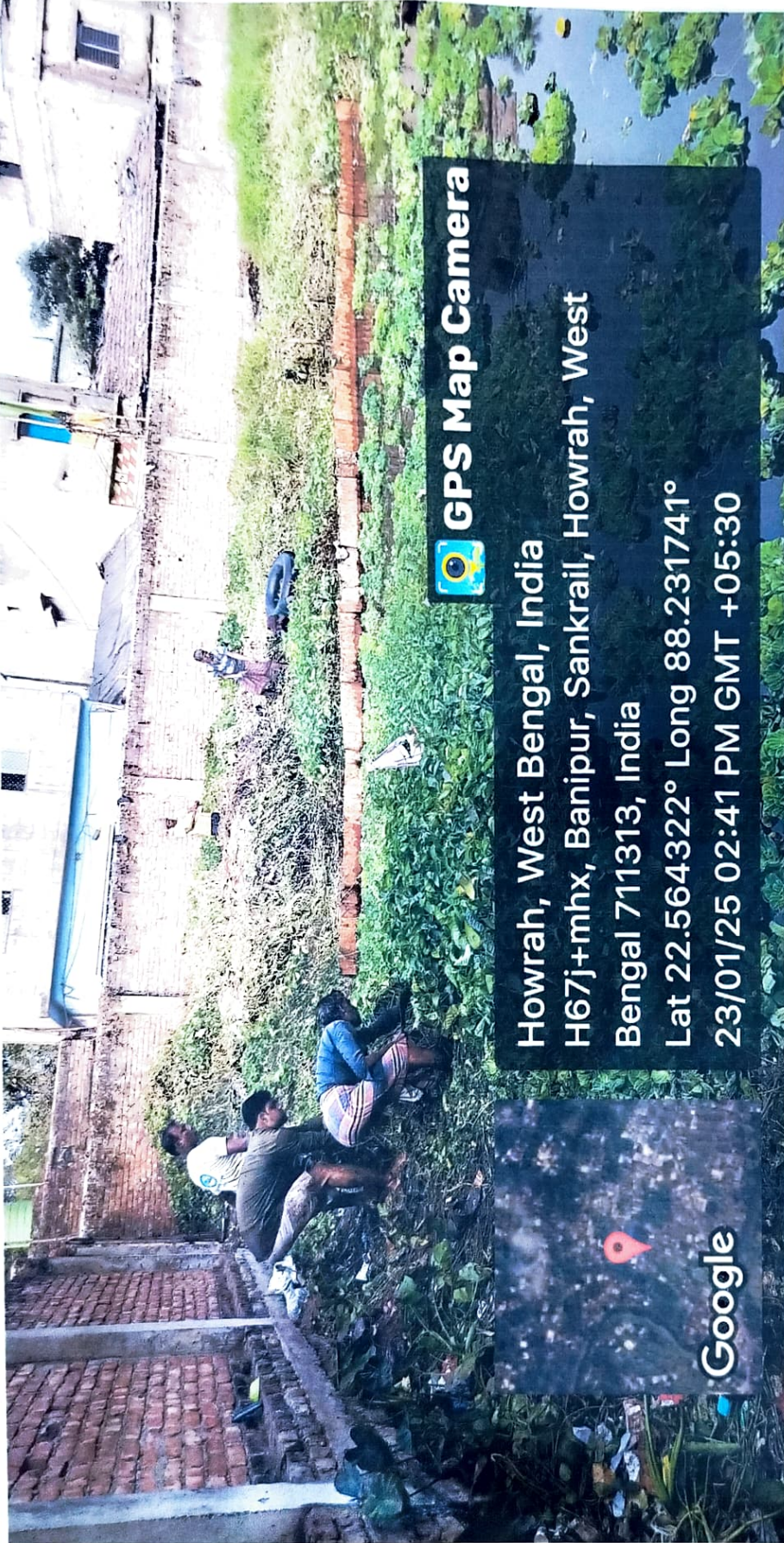




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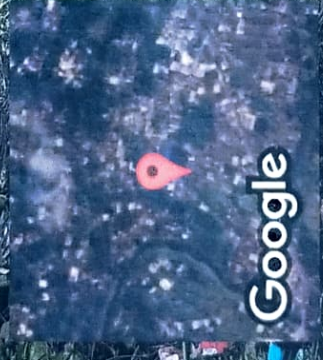
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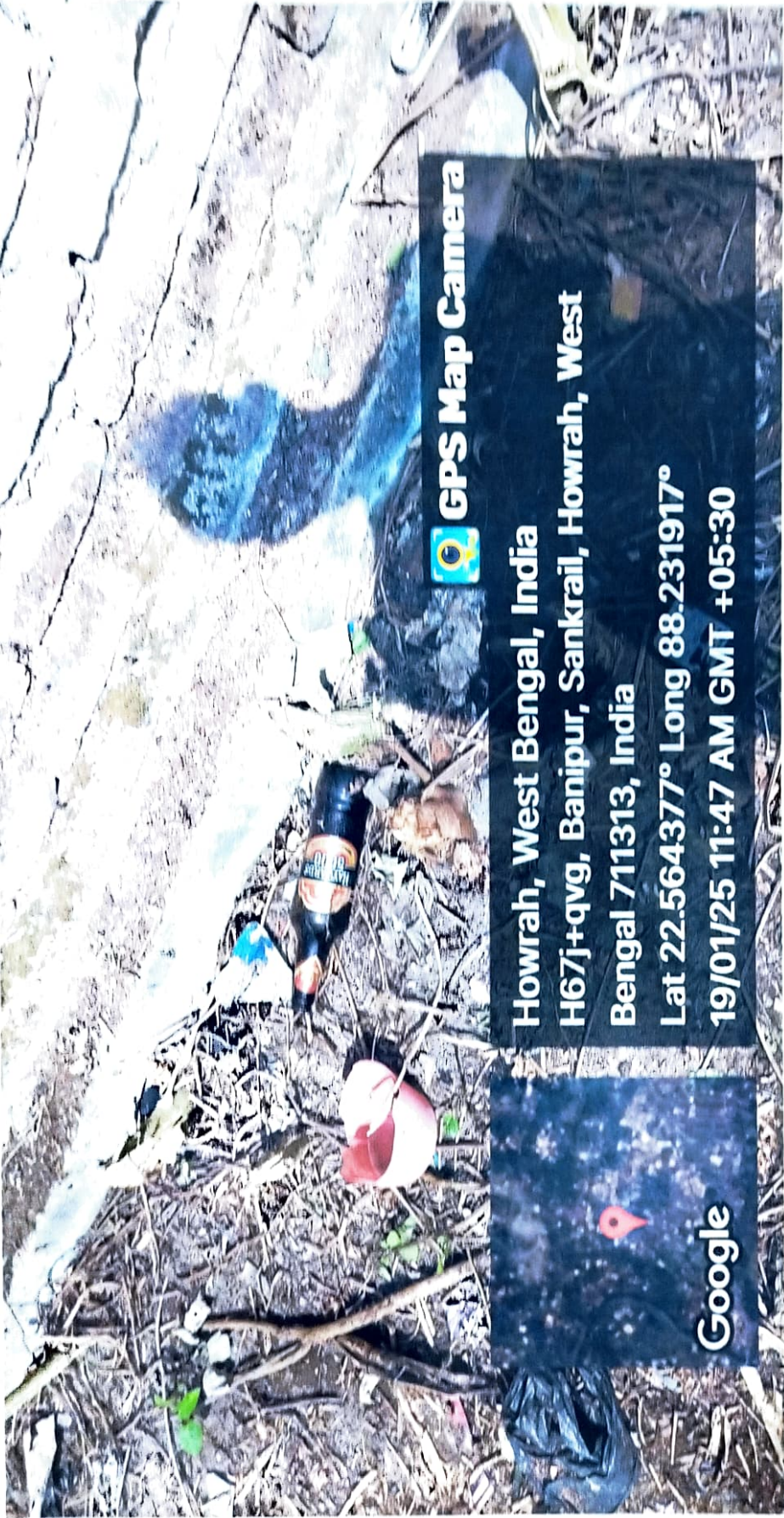




 **GPS Map Camera**

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 Bengal 711313, India
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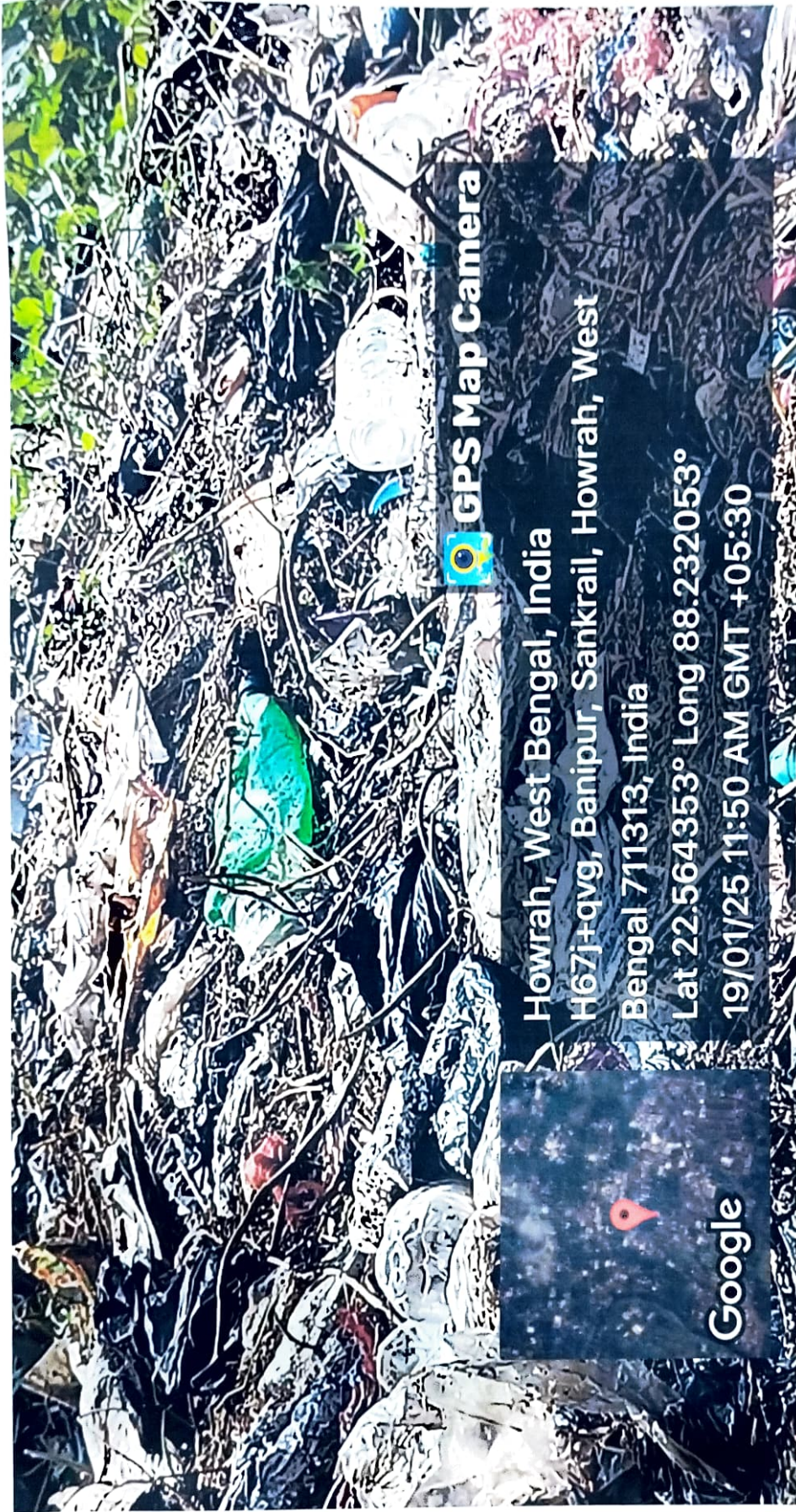


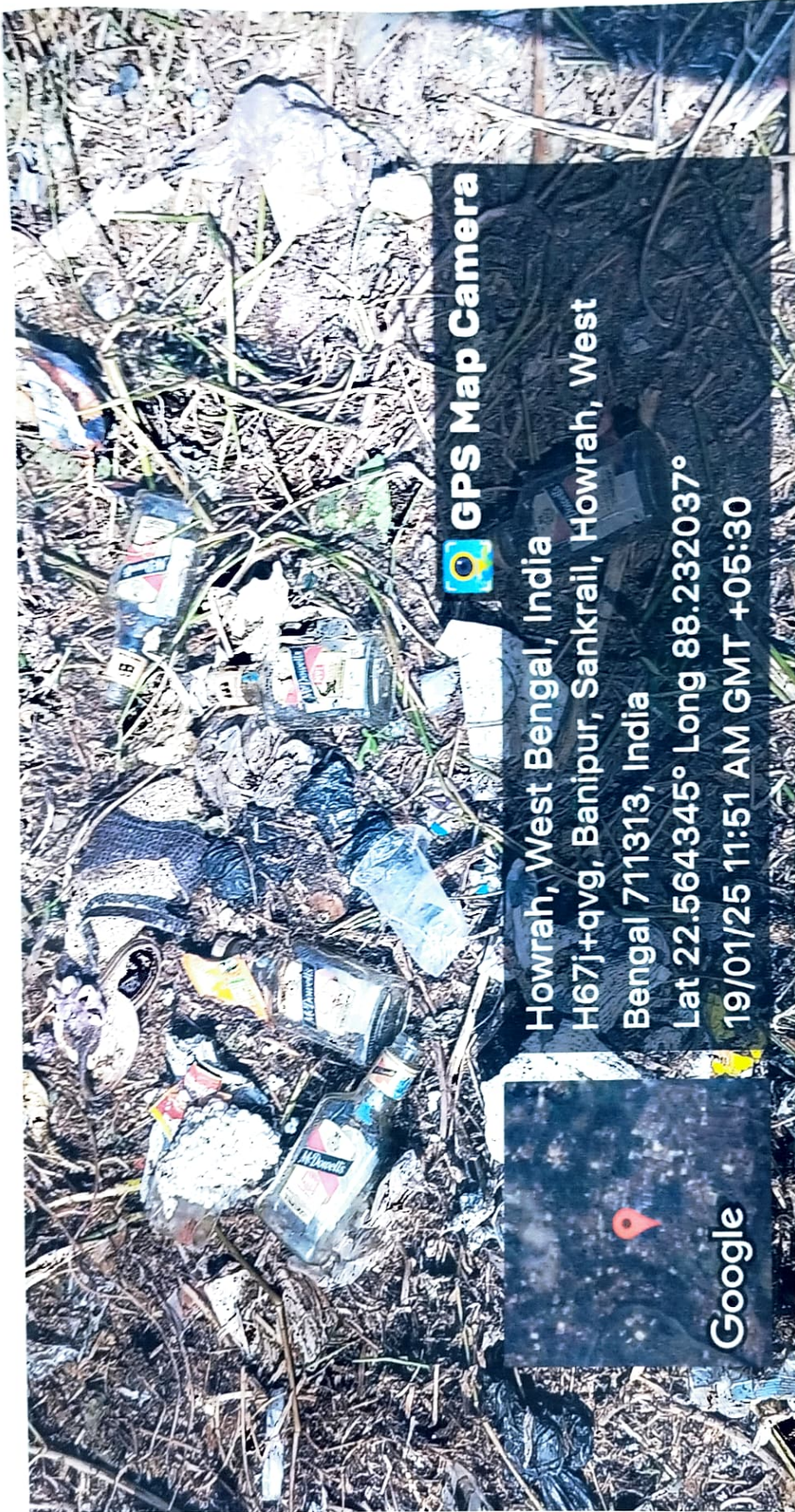
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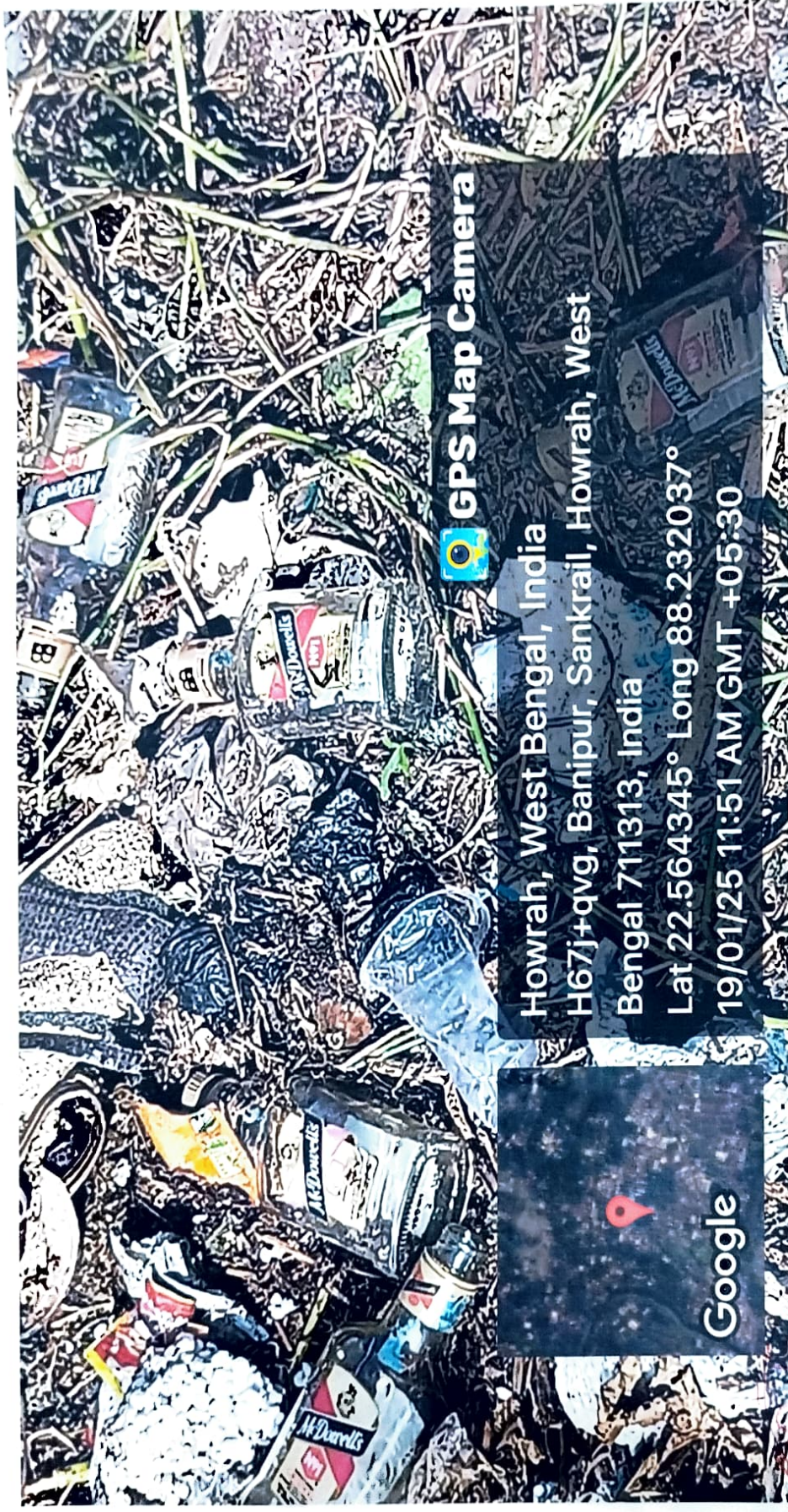
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H67j+qvg, Banipur, Sankrail, Howrah, West
Bengal 711313, India
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19/01/25 11:47 AM GMT +05:30

Google



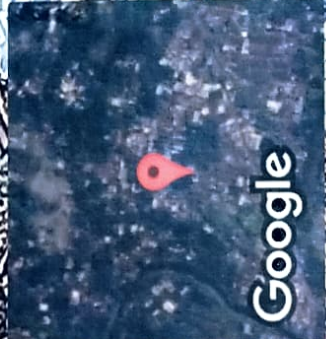






 **GPS Map Camera**

Howrah, West Bengal, India
H67j+qvg, Banipur, Sankrail, Howrah, West
Bengal 711313, India
Lat 22.564345° Long 88.232037°
19/01/25 11:51 AM GMT +05:30



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN BENCH, KOLKATA, WEST BENGAL**

ORIGINAL APPLICATION No. 88 OF 2024

IN THE MATTER OF:

BINAY BASFORE

.... APPLICANT

-VERSUS

THE STATE OF WEST BENGAL &
OTHERS

... . RESPONDENTS

AFFIDAVIT ON BEHALF OF THE
RESPONDENT NO. 12, MD.
MOINUDDIN ANSARI

RAVI RANJAN KUMAR, ADVOCATE

FOR RESPONDENT NO. 12

