

01/2025
 Serial No.....
 As per Register of Notary

Filed by
 Arvind Roy Samyad
 Advocate

BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

O.A. No. 163/2024/EZ

In the matter of:

Subrata Mallick

.....Applicant(s)

Versus

Eastern Coalfields Limited and others

.....Respondent (s)

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Filed by:

Debasish Saha Advocate
 for the
 State of W.B.

30 JAN 2025

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Filed by
Anirup Roy
Son of
Abu cante**BEFORE THE NATIONAL GREEN TRIBUNAL****EASTERN ZONE BENCH, KOLKATA****O.A. No. 163/2024/EZ****In the matter of:****Subrata Mallick****.....Applicant(s)****Versus****Eastern Coalfields Limited and others****.....Respondent (s)****AFFIDAVIT FILED BY THE CHAIRMAN, ASANSOL DURGAPUR****DEVELOPMENT AUTHORITY, (RESPONDENT NO. 8)**

I, Sri Tanmoy Roy, Son of Late Shakti Pada Roy, aged about 65 years, by faith Hindu, by occupation Service, working for gain as the Officer-On-Special Duty, Asansol Durgapur Development Authority, residing at Bhiringi, Durgapur-713213, District- Paschim Bardhaman, West Bengal and duly authorised for swearing and filing an Affidavit before Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata on behalf of the Respondent No.8 in terms of an Authorisation bearing Memo No.ADDA-11016 (15)/1/2025-DGP-LAW(ADDA)/72 dated 29-01-2025 do hereby solemnly affirm and state as follows-

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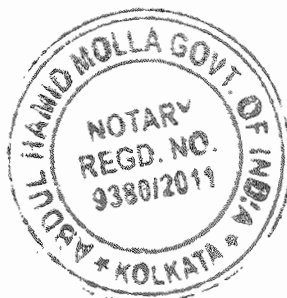
1. I am the authorised representative of the Respondent No. 8, that is, the Chairman, Asansol Durgapur Development Authority. I have duly consulted the records available in my office and thereafter, I have made myself well acquainted with the facts and circumstances of the case and, as such, am competent to affirm this Affidavit.

2. That this affidavit is being affirmed pursuant to the solemn order passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata, in short Hon'ble N. G. T., Eastern Zone Bench, Kolkata on 20.11.2024 wherein Hon'ble N. G. T., Eastern Zone, Kolkata has been pleased to observe the following vide Para (10) of the aforesaid solemn order "*The Respondent No. 8, Asansol Durgapur Development Authority shall file their counter affidavit within four weeks.*

3. That the instant Original Application has been filed with respect to the Raniganj Coalfield area wherein it has been alleged that the said Raniganj Coalfield area is facing subsidence in consequence of the fact that the upper coal horizons having shallow depths were constructed in the past and are reported to be standing on pillars by the Original Applicant, resultantly, the old workings are becoming abandoned mines, getting water logged, thereby, the stability of the mines are getting affected, the coal pillars in the old workings are reduced due to ageing. It is further being apprehended by the Original Applicant that dewatering of the old workings by itself may trigger subsidence and may also lead to fire.

4. That the Original Application indicates that the Original Applicant has approached Hon'ble National Green Tribunal, in short N.G.T., E.Z., KOL for having the following reliefs: -

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Filed by
Adv. R. Sanyal
Advocate

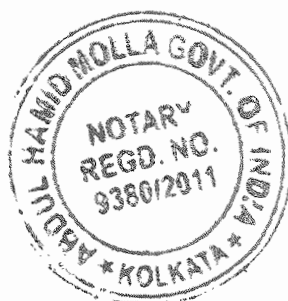
- (a) To direct the Respondent Authorities to take necessary action for filling the digging area of the mine.
- (b) To direct the Respondent Authorities for submitting a Report before the Hon'ble Tribunal regarding the collapse of the houses in the mine area by which the inhabitant of the area are getting directly affected and steps which have been taken against the miscreant persons/mafias.

In order to stop the illegal mining in the Eastern Coalfield Area, specifically in Pandabeswar, Bahula, Domhani and Jamuria Village area, an interim relief has also been prayed for.

5. That it appears from the paragraph (7) of the solemn Order dated November 20, 2024 of the Hon'ble N.G.T./, E.Z., KOL that "Asansol Durgapur Development Authority is a necessary party to the present proceedings since they have been tasked with preparation of Master Plan of the rehabilitation of the persons affected by subsidence of Coalfields in the area."

6. That the Master Plan for the Raniganj Coalfield Area was approved in the year 2009 by the Central Government of India. The answering Respondent crave leave for producing a copy of the said Master Plan at the time of hearing.

7. That in accordance with the conditions laid down in the Master Plan for the Raniganj Coalfield Area, it was incumbent upon the answering Respondent to cater provision for housing for the people belonged to non-CIL (non-Coalfield India Limited), now, the Eastern Coalfields Limited, in short E.C.L., who have been affected on account of subsidence in the mining areas under the control of the Respondent No.1, that is, the Eastern Coalfields Limited, in pursuance of the funds to be released from time to time by the Central Government India.



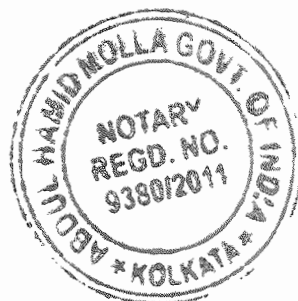
30 JAN 2025

8. That with the intervention of the State of West Bengal, the Raniganj Master Plan has witnessed a multiple revision and one of the instances are available in the Notification bearing No. 286-CI/O/COAL/02/10/MINES (Pt-I) dated April 17, 2015 whereby and whereunder the Principal Secretary to the Government of West Bengal in the Commerce & Industries Department was pleased to constitute a committee under the chairmanship of the Hon'ble M.I.C., Labour Department, Government of West Bengal for the purpose of expediting the implementation of the Rehabilitation Plan and allied matters. The said Committee has been constituted by involving the heads of various departments. The true copy of the said Notification dated April 17, 2015 is annexed hereto and marked **Annexure-P1**.

9. That subsequent thereto, the High Powered Central Committee, in short HPCC had conducted the 13th Meeting at New Delhi on October 17, 2016 for monitoring implementation of Jharia and Raniganj Master Plan and one of the major observations made by the said Committee amongst several other observations is reproduced below:-

“CEO, ADDA informed that govt of WB has decided to get the houses for rehabilitation conducted by the State Housing Board or similar body through a Committee under the Chief Secretary, Government of West Bengal. However, it was clarified that ADDA was the nodal agency for the purpose of rehabilitation as per Cabinet’s approval and as such will be treated as the nodal agency for the purpose of implementation of Master Plan.” The true copy of the said HPCC Meeting dated October 17, 2016 is annexed hereto and marked **Annexure-P2**.

10. That in pursuance of the meeting conducted on September 26, 2016 in the chamber of the Chief Secretary, Government of West Bengal with regard to implementation of Master Plan for rehabilitation in RCF area, it was decided inter alia that the entire project for rehabilitation under RCFA will be



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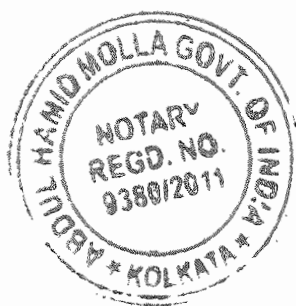
undertaken by the Housing Department, Government of West Bengal and the E.C.L. Cell, which has been created under the supervision of the answering respondent/Asansol Durgapur Development Authority will continue to assist and coordinate with the Housing Department, Government of West Bengal for the purpose, as intervened and decided in the meeting, as referred to hereinbefore.

Following thereto, the Asansol Durgapur Development Authority by convening its 131st Board Meeting held on November 28, 2016 has handed over to the Housing Department, State of West Bengal the funds for the E.C.L. Rehabilitation with a commitment to assist, as may be deemed fit by the Government of West Bengal.

The true copy of the said Meeting dated September 26, 2016 alongwith the proceedings of the 131st Board meeting of ADDA dated 28-11-2016 are annexed hereto and collectively marked **Annexure-P3**.

11. That later on by way of a Notification bearing No. 210-CI/O/COAL/02/10/MINES (Pt-VI) dated September 16, 2020, major changes in the implementation of the Raniganj rehabilitation Plan has been taken up by the Government of West Bengal and it has been notified by the Additional Secretary, Department of Industry, Commerce and Enterprises, Mines Branch, Government of West Bengal that:-

- (a) Industry, Commerce and Enterprises (IC & E) Department is the nodal department of the Government of West Bengal for the RCFA Project.
- (b) Housing Department of Government of West Bengal is the nodal department for construction of houses/flats under RCFA Project.
- (c) Asansol Durgapur Development Authority (ADDA) has been entrusted to coordinate the entire rehabilitation work on behalf of the Government of West Bengal.



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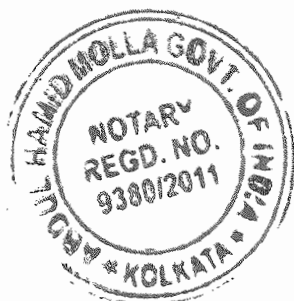
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In consequence thereof, the entire responsibility for implementation of the Raniganj Master Plan vis-à-vis to accommodate the affected families on account of subsidence in the coal mining areas at Raniganj has been handed over to the Housing Department, State of West Bengal under the supervision of the nodal agency, that is, the Industry, Commerce and Enterprises Department, State of West Bengal with an endeavour on the part of ADDA to coordinate in the said project.

The true copy of the said Meeting dated September 16, 2020 is annexed hereto and marked **Annexure-P4**.

12. That the answering Respondent would like to bring on record the Contents of the Letter dated January 18, 2023 addressed to the Chief Secretary to the Government of West Bengal by the Under Secretary to the Government of India being captioned as "Permission for expenditure on ongoing/committed works under Jharia and Raniganj Master Plan from the balance available with CIL", such letter is self-explanatory and a copy thereof is annexed hereto, the said Letter is germinating the seeds for issuance of the letter dated 05-07-2024 addressed to the CMD, ECL by the Under Secretary to the Government of India being captioned as "Status of committed works under Raniganj master Plan-reg.".

The said Letters have been issued from time to time by the appropriate authority by keeping in view the fact that the Original Master Plan, as was approved in the year 2009 was in force for a period of 10 years from the date of issuance of the same, since, the appropriate authorities are committed in covering the interests of the affected families on account of subsidence in the mining areas, even, for the present, therefore, the said letters bears resemblance so far the point of rehabilitation is concerned. The true copy of the letters dated January 18, 2023 and 05-07-2024 are annexed hereto and collectively marked **Annexure-P5**.



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13. That in the wake of the Meeting convened by the Additional Secretary, Department of Industry, Commerce and Enterprises, Mines Branch, Government of West Bengal vide Memo bearing No. 636 (6)-ICE-2011 (99)/71/2022-MINES SEC dated 12-12-2024, the responsibilities as entrusted to ADDA in terms of the aforesaid Meeting for preparation of the Lease Deeds and certain other responsibilities have been complied with and are being coordinated on regular basis with the Housing Department, State of West Bengal, as a consequence of the said Meeting, another Meeting has been held on 14-12-2024 on the issues related to RCFA Rehabilitation Project in the Circuit House, Asansol wherein the Chief Executive Officer of the answering Respondent was being directed to sent the revised proposal to the Department of Industry, Commerce and Enterprises, State of West Bengal for taking necessary action at their end and accordingly, the same has been followed by the answering Respondent. The true copies of the aforesaid communications dated 12-12-2024 and 14-12-2024 are annexed hereto and collectively marked **Annexure-P6.**

14. That on the face of the Original Application, the role of the answering Respondent is limited to coordinate with the Housing Department, and other government authorities in State of west Bengal in causing rehabilitation of the identified beneficiaries thereby, nothing remains with the answering Respondent to usher any relief against illegal coal mining in the Raniganj Coal Field Area, with regard to which, the Original Applicant has approached the Hon'ble National Green Tribunal by filing the instant Original Application.

15. That it is being humbly submitted before this Hon'ble Tribunal that in the light of the facts and reports discussed and gathered from the records by the



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Avirup Roy Sanyal

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answering respondent herein may kindly be considered by the Hon'ble N.G.T., E.Z., KOL for disposal of the instant Original Application.

16. That 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.

17. The statements made in paragraph (1) to (6) are based on information derived from the records, which are usually kept and maintained by the answering respondent in the ordinary course of business, which I verily believe to be true and the statements made in paragraphs (7) to (16) are my humble submission before this Hon'ble Tribunal.

IDENTIFY THE PERSONS WHO SIGN IN MY PRESENCE

Prepared in my office

Avirup Roy Sanyal

Advocate

ADVOCATE
ENROLL NO
(M) NO

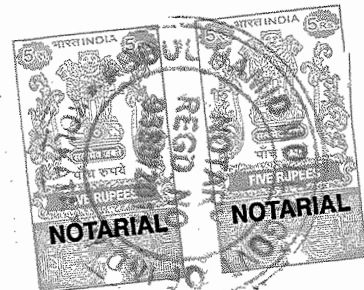
F/1294/861/2017

Avirup Roy
Deponent



ABDUL HAMID MOLLA
NOTARY
Advocate, High Court, Calcutta
Reged. No. 9380/2011
Government of India
High Court Calcutta
Gate No 'E'
M-9831104098

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Government of West Bengal
Commerce & Industries Department
4, Abanindranath Tagore Sarani (Camac Street)
Kolkata - 700 016

No.: 286-CI/O/COAL/02/10/MINES(Pt-I)

Dated, Kolkata, the 17th April, 2015

NOTIFICATION

Raniganj Rehabilitation Plan for the subsidence zone of Raniganj Coal Field Area has been under consideration of Government of West Bengal. In view of the need to expedite the implementation of rehabilitation plan, ascertain public opinion, to finalise components of the Plan and to facilitate its implementation, it is decided to constitute the following Committee:

- 01 Shri Moloy Ghatak, Hon'ble MIC, Labour Department, Government of West Bengal - Chairman;
- 02 Two Public Representatives nominated by Govt. of West Bengal;
- 03 District Magistrate, Bardhaman;
- 04 Commissioner of Police, Asansol;
- 05 Superintendent of Police, Bardhaman;
- 06 Chief Executive Officer, Asansol Durgapur Development Authority - Convenor;
- 07 Representative of ECL;
- 08 Representative of CMPDIL;
- 09 Representative of Disaster Management Department, Govt. of West Bengal;
- 10 Representative of Commerce & Industries Department, Govt. of West Bengal;
- 11 Representative of Land & Land Reforms Department, Govt. of West Bengal;
- 12 Three local resident representatives nominated by the Government of West Bengal;
- 13 Environmental Expert nominated by the Government of West Bengal

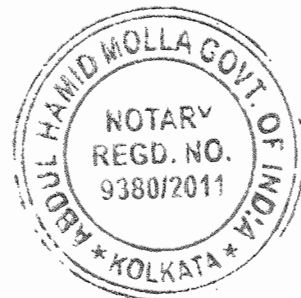
Terms of Reference of the Committee are as under:

- 1) To generate public opinion of residents of subsidence zone;
- 2) To recommend any changes in the components of Raniganj rehabilitation plan;
- 3) To suggest ways to expedite implementation;
- 4) To facilitate implementation of the Plan;
- 5) Any other terms of reference as determined by the Government.

The Committee will start functioning immediately. This issues with the approval of the Hon'ble Chief Minister, West Bengal.

Sd/-

Principal Secretary to the
Government of West Bengal



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No.:286/1(17)-CI/O/COAL/02/10/MINES(Pt-I).

Dated, Kolkata, the 17th April, 2015.

Copy forwarded for information and necessary action to the

- 01 Land & Land Reforms Commissioner & Ex-Officio Additional Chief Secretary, Land & Land Reforms Department, Govt. of West Bengal
- 02 Principal Secretary of this Department
- 03 Principal Secretary, Environment Department, Government of West Bengal
- 04 Secretary of this Department
- 05 Principal Secretary, Disaster Management Department, Govt. of West Bengal
- 06 District Magistrate, Bardhaman
- 07 Director, Directorate of Mines & Minerals, West Bengal
- 08 Chief Executive Officer, Asansol Durgapur Development Authority.
- 09 Commissioner of Police, Asansol
- 10 Superintendent of Police, Bardhaman
- 11 Secretary to the Hon'ble Chief Minister, West Bengal
- 12 OSD to the Chief Secretary, West Bengal
- 13 OSD to the Hon'ble MIC, Commerce & Industries Department, Government of West Bengal
- 14 PS to the Hon'ble MIC, Labour Department, Government of West Bengal
- 15 Chief Mining Officer, West Bengal
- 16 General Manager, ECL
- 17 General Manager, CMPDIL

Kaly
Deputy Secretary to the
Government of West Bengal



Record Note of discussions of the 13th meeting of High Powered Central Committee (HPCC) for monitoring implementation of Jharia and Raniganj Master Plan held on 17.10.2016 at New Delhi.

List of participants is enclosed at Annexure.

At the outset Secretary (Coal) welcomed the participants and requested CEOs of JRDA and ADDA to indicate the status of implementation of the Master Plan. On the basis of the status indicated it was decided that:

Jharia Master Plan:

- (i) DC, Dhanbad/ Managing Director, JRDA apprised regarding construction of houses and rehabilitation of non-BCCL families. He mentioned about increasing the house area from 38.92 sq.m. to 50 sq.m. and construction of G+3 building with updated technology of pre-fabricated structure. It was also informed that due to non-availability of SoR for pre-fabricated structures, JRDA is not in a position to float the tenders leading to delay in construction of houses. However JRDA is following up with CPWD for SOR preparation and it is expected that SoR will be available by 30th Nov., 2016. In regard to increase in house area, it was not agreed to and JRDA was asked to proceed with already approved unit area i.e. 38.92 sq.m.

Action: JRDA

- (ii) It was noted that the fund utilisation by JRDA is Rs.336.45 Cr. DC Dhanbad was advised to ensure utilisation of fund by expediting rehabilitation of affected families as per the provisions of Master Plan.

Action: JRDA

- (iii) Representative of BCCL mentioned that as per the NRSC study 2014, the fire area has reduced from about 9 sq.km to 2.18 sq.km in BCCL lease hold area. Further, NRSC has been requested to repeat the satellite Thermal Infra-Red (TIR) survey which would start by Dec., 2016 and the report submission would be by March, 2017. The findings of the survey would facilitate BCCL in final Action Plan for speedier liquidation of the fire area. BCCL was advised to ensure timely completion of survey. This would also help in publishing the data as per the 3rd party certification for validation.



(13)

- (iv) Further it was mentioned that the rehabilitation of BCCL families is ahead of schedule and is expected to be completed in time.

Action: BCCL

- (v) DDG, DGMS mentioned about the danger due to non-shifting of Dhanbad-Chandrapura and Adra-Gomoh Railway Lines quickly. Representative of Railways was asked to convey the same to the competent authority to ensure safety of affected Railway lines through necessary actions.

Action: Ministry of Railways

- (vi) DDG, DGMS further mentioned about the danger due to non-shifting of petrol pump near Jharia Town. DC Dhanbad was advised to ensure shifting of Petrol pump and further it was advised to put banners, notices and videography of the areas so that awareness among the people can be created of the impending danger.

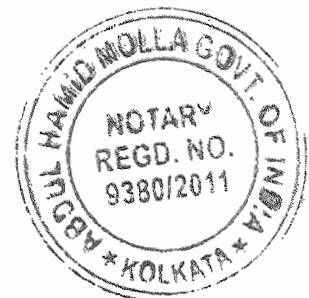
Action: JRDA/BCCL

- (vii) Secretary (Mines), Govt. of Jharkhand mentioned that a water tank owned by MADA is not included in Master Plan and is required to be shifted. It was also noted that unstable infrastructure like RSP College, NH-32 and other additional structures / locations were not included in the approved Master Plan. After deliberations it was agreed to include RSP college and water tank owned by MADA for shifting under Master Plan utilizing the existing budget.

- (viii) Secretary (Mines), Govt. of Jharkhand mentioned that some legal title holders can be shifted with monetary compensation equivalent to the R&R package is provided. Though no such provision is existing in the approved Master Plan, however, State Govt may examine such cases for taking a view.

Action: Secretary (Mines), Govt of Jharkhand

- (ix) As per the communication of CS, Jharkhand, BCCL was directed to issue NOC for the area proposed to be taken by NHA for Road construction immediately. However, BCCL may indicate about the danger due to fire and subsidence in the subject area.



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Action: BCCL

Raniganj Master Plan

- (i) CEO, ADDA informed that on physical verification of Non-LTH households conducted by ADDA discrepancy was observed which is being verified. It was advised to get it completed at the earliest.

Action: ADDA

- (ii) It was noted that diversion of one of the D.B. roads out of three numbers is not required. For the diversion of other two roads land acquisition is under process. For diversion of D.B. road at Ratibati colliery DGCA land is required for which Regional Executive Director, AAI, Eastern Regional has been approached by ADDA. A copy of the letter written to DGCA was requested to be sent to MoC so that the issue can be taken up at appropriate level.

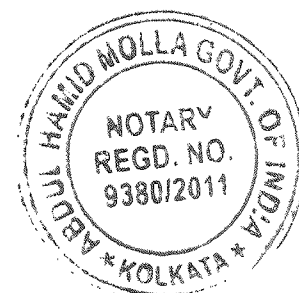
Action: ADDA

- (iii) CEO, ADDA informed that ADDA has got NOC for 514.96 acres of land from ECL. On physical verification of 401.91 acres of vested land, it has been found that 239.55 acres of land is suitable for rehabilitation. Availability of water has been found in only 209 acres of land, on which only a part of the non-LTH persons can be rehabilitated. He requested that NOC for balance 651.57 acres of land may be made available at the earliest. It was assured the NOC for the balance land would be examined and would be made available by 31.10.2016 by ECL.

Action: ECL

- (iv) Director (Tech.), ECL informed that RITES submitted revised FSR for diversion of Andal-Sitarampur Railway line and that Eastern Railway demanding payment of 'Codal Charges'. ECL has requested Railway authority for dispensation of 'Codal Charges'. Since the diversion of the said line is to be done by Railways the codal charges proposed may be dispensed with by the Railways.

Action: Ministry of Railways



2016

File No.22020/02/2016-CRC-II(Part-III)

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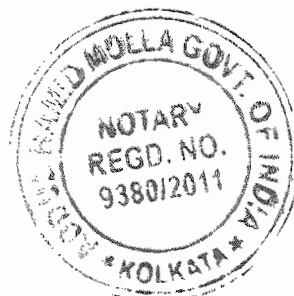
(v) Director (Tech.), ECL mentioned that study report of CIMFR in regard to shifting of NH-2 will be submitted by 07.11.2016. Decision for shifting of NH-2 will be taken by NHAI on receipt of the stability report. It was advised to expedite the matter.

Action: ECL/CIMFR

(vi) CEO, ADDA informed that govt. of WB has decided to get the houses for rehabilitation constructed by the State Housing Board or similar body through a committee under the Chief Secretary, Government of West Bengal. However it was clarified that ADDA was the nodal agency for the purpose of rehabilitation as per Cabinet's approval and as such will be treated as the nodal agency for the purpose of implementation of Master Plan.

(vii) ECL proposed to rehabilitate unstable Location No 65 & 80 namely New Kenda on its own on the land of the company. The proposal for obtaining NOC from MOC for transfer of land at the earliest for taking a view in the matter.

Action: ECL



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LIST OF PARTICIPANTS**ANNEXURE**

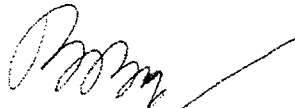
1. Shri Anjaneyulu dodde, DC, Dhanbad
2. Shri Shashank Sethi, CEO , ADDA
3. Shri Sanjibon Ray, Dy. DG, DGMS
4. Shri Ajay Kumar Singh, Director(Tech), ECL
5. Shri Bijay Kumar Gupta, Incharge officer, JRDA
6. Shri Sunil Dalela, Chief of Construction, JRDA
7. Shri Manwendra Kumar, CMPDI, Ranchi
8. Dr. E.V.R Raju, Dy. GM(Env.) , BCCL
9. Shri G. Prasad, RD, RI-I, CMPDIL
10. Shri B. Dutta, ECL
11. Shri Abu Bakar Siddique, Mines Commissioner, Govt of Jharkhad
12. Shri A.K. Dubey, Ex. Dir, Ministry of Railyways
13. Shri D. Gangopadhyay, Direcotr(Tech), BCCL
14. Shri Shekhar Saran, CMD, CMPDIL
15. Shri S.K. Barnwal, Secretary, Deptt of Industry and Mines, Govt. of Jharkhand

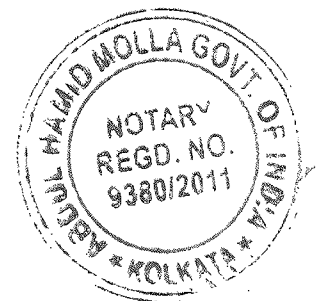


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Minutes of the meeting held in the chamber of Chief Secretary, Govt. Of West Bengal on 26.09.2016 with regard to implementation of Master Plan for rehabilitation in RCF area

- Current status of rehabilitation activities of ECL in the RCFA was reviewed in detail.
- Modalities for executing the project were discussed in detail. It was decided that the entire project for rehabilitation under RCFA will be undertaken by the Housing Deptt. All construction work will be taken up on the lines of G+3 building model (16 flats per building / tower).
- On the availability of land, it was intimated that 239 acres of vested land is available for construction purpose in Asansol sub-division. NoC from ECL is awaited for another 764 acres of vested land. It was intimated that more land may not be required within Asansol sub-division.
- In Durgapur sub-division, total requirement of land is 88 acres, out of which nearly 26 acres of vested land is available. Further, 62 acres of land needs to be determined for building the balance of the rehabilitation project to be located in the sub-division.
- The proposal made by ADDA vide no. ADDA/ASL/1542/XI-1/09/RR dated 09.03.2016 for acquisition of additional land from BAPL in Durgapur sub-division was presented before the meeting. It was decided that this issue will be taken forward by the C&I Deptt. in consultation with Housing, L&LR and Finance Deptts.
- **Phase-I of the project may be initiated immediately on the available 26 acres of vested land in Durgapur and about 1000 acres of vested land available in Asansol as indicated above.**
- ECL cell presently working at ADDA will be retained for the time being and shall work on detailment basis for the Housing Deptt. Funds for ECL rehabilitation presently with ADDA will be handed over to the Housing Deptt., with a certain provision set aside for providing local assistance to implement the project.


 (Basudeb Banerjee)
 Chief Secretary to the
 Government of West Bengal



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MM

PROCEEDINGS FOR 131st BOARD MEETING OF ADDA
HELD ON 24-11-2016

affected area. Moreover 80 N-LTH households were found to have shifted and whereabouts of 2122 N-LTH households could not be traced out. Verification could not be conducted to ascertain the homestead plot of 2513 households comprised in four locations due to public resistance. As XISS has claimed that they have conducted demographic survey exclusively in the affected area shown by the ECL Authority, the list of households found situated outside the affected area is being sent to ECL Authority for their comments in this regard.

- iii. On verification of valuation sheets submitted by XISS gross irregularities were detected. Concerned valuation sheets were returned to XISS for assessment of valuation afresh and necessary correction. XISS has assessed the valuation afresh and resubmitted the valuation sheets after effecting necessary correction. So far corrected valuation sheets in respect of 3204 households have been received. Valuation sheets in respect of 707 households are yet to be received from XISS. Checking and verification of the reassessed valuation of structures is under process and will be made ready for publication immediately after completion.

2. Change of implementing Agency.

- i. As per direction of the Hon'ble Chief Minister in the Administrative meeting held on 05.08.2016 at Sanskriti Lokmancha, Burdwan, ADDA will no longer be the nodal agency for this project. Accordingly a Committee chaired by Chief Secretary to the Government of West Bengal has taken up the matter. So far three meetings of the committee headed by the Chief Secretary, Govt. of West Bengal have been held on 09.08.2016, 26.09.2016 and 25.10.2016. In the second meeting of the committee headed by the Chief Secretary, Govt. of West Bengal held on 26.09.2016, it has been decided inter alia that the entire project for rehabilitation under RCFA will be undertaken by the Housing Deptt. All construction work will be taken up on the lines of G+3 building model (16 flats per building/tower) and ECL cell presently working at ADDA will be retained for the time being and shall on detailment basis for the Housing Deptt. Funds for ECL rehabilitation presently with ADDA will be handed over to the Housing Department, with a certain provision set aside for providing local assistance to implement project.
- ii. On 04.11.2016 a meeting was held under the Chairmanship of Hon'ble MIC, Housing Department in presence of Hon'ble MIC, Labour and Law Department and officials of Housing Department, ECL, ADDA, CMERI Durgapur and BDO Jamuria. Prior to the aforesaid meeting Hon'ble MIC,


Chairman
Asansol Durgapur Development Authority

Page 36 of 90





ANNEXURE- P-4



Government of West Bengal
Department of Industry, Commerce & Enterprises
Mines Branch
4, Abanindranath Tagore Sarani (Camac Street), Kolkata-700 016

No. 210-CI/O/COAL/02/10/MINES (Pt- VI)

Dated, Kolkata, the 16th September, 2020Memorandum

The undersigned is directed to send herewith a copy of record notes of the meeting held on 03.09.2020 at 5-00 p.m. through Video Conference (VC) under the Chairmanship of the Chief Secretary, WB, from his office at Nabanna for your kind information and taking necessary action.

Sd/-

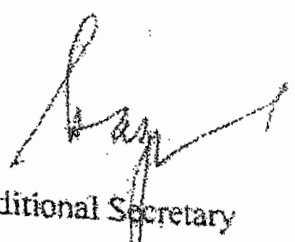
Additional Secretary
Department of Industry, Commerce & Enterprises

No. 210/1(8)-CI/O/COAL/02/10/MINES (Pt- VI)

Dated, Kolkata, the 16th September, 2020

Copy forwarded for kind information and taking necessary action to:

- 1) The OSD to the Chief Secretary, West Bengal
- 2) PA to the CMD Coal India Ltd
- 3) PA to the Principal Secretary, L & L R and R& R Department, West Bengal.
- 4) PA to the CMD, Eastern Coalfields Ltd
- 5) PA to the Secretary, Housing Department, West Bengal
- 6) PA to the Secretary, IC & E Department
- 7) The District Magistrate, Paschim Bardhaman
- 8) The CEO, ADDA


Additional Secretary



RECORD NOTES OF THE MEETING ON REHABILITATION ISSUES IN RANIGUNJ COAL FIELD AREA (RCFA)

Date: 03-09-2020

Participants

1. Shri Rajiva Sinha, Chief Secretary, West Bengal
2. Shri Pramod Agarwal, CMD, Coal India Ltd
3. Shri Manoj Pant, Principal Secretary, L&LR and R&R, Govt of West Bengal
4. Shri Onkar Meena, Secretary, Housing Dept, Govt of West Bengal
5. Shri P. Majhi, District Magistrate, Paschim Bardhaman
6. Shri P. Mishra, CMD, Eastern Coalfields Ltd
7. Shri P.R. Chaudhuri, CEO, ADDA
8. Srmt. Sunrita Hazra, Addl Secretary, IC&E Dept.

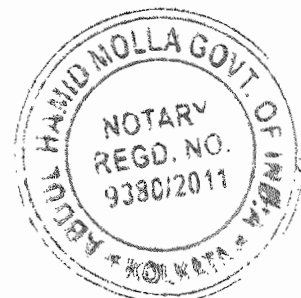
Shri Rajiva Sinha, Chief Secretary, West Bengal took the Chair and presided over the meeting.

Background

There are 142 unstable, subsidence prone locations in Raniganj Coal Field area (RCFA) spread over Asansol and Durgapur subdivisions. A comprehensive Master Plan for rehabilitation of inhabitants from subsidence prone areas to safer locations was prepared by the CMPDIL in 2006 (updated in 2008) involving a cost of Rs.2610.10 crore.

Initial Survey for this Rehabilitation Project was published in 2013-2014. During the revised survey conducted in 2017, total number of beneficiaries were estimated to be 28,991 with 6101 Legal Title Holders, 22668 Non- Legal Title Holders and 222 being Institutions.

- Industry, Commerce and Enterprises (IC&E) Department is the nodal department of Government of West Bengal for the RCFA project.
- Housing Department of Government of West Bengal is the nodal department for construction of houses/flats under RCFA project.
- Asansol Durgapur Development Authority (ADDA) has been entrusted to coordinate the entire rehabilitation work on behalf of Government of West Bengal.



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Discussions and Decisions

Land

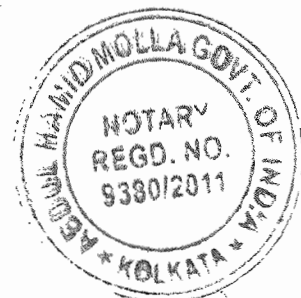
1. 302.5 acres of land is required for construction of G+3 buildings with 80 flats per acre. Out of this, 150.88 acres were identified and handed over to the Housing Department for construction of flats.
2. The rest 211 acres of land has also been identified by ECL. This entire land, spread into different parcels, would be physically verified by ADDA and District Magistrate, Paschim Bardhaman by 10 September, 2020.
3. Once done, office of the Land Reforms Commissioner, West Bengal will undertake examination of the finally recommended land vis-à-vis the land records.
4. Concurrence of Eastern Coalfield Limited / Coal India Limited will be obtained wherever required.
5. This entire exercise of finalization of total required land for RCFA would be completed by 21 September, 2020.

Flats

1. Housing Department has started construction of 9,600 flats on approx. 130 acres of land.
 - a. Andal: 5664 flats
 - b. JL 02, Baraboni: 1904 flats
 - c. Bijoy Nagar: 2032 flats
2. Out of these 5,000 flats (multiple locations) are targeted to be completed within 30 November, 2020.
3. Remaining 4,600 nos. are targeted to be completed by 31 March, 2021.
4. Construction work over approx. 20 acres of land could not be taken up at Namokesia Mouza because of local protest. Alternative site would be required to be identified.

CMD CIL and CMD ECL assured of action on fast track from their side to complete the RCFA project within the shortest possible time.


Rajiva Sinha



22 ANNEXURE-P-5

No. 22020/2/2005-CRC-II (VOL-V)

Government of India
Ministry of Coal
(MPS Section)

Room No. 622-A, Shastri Bhawan,
New Delhi dated 18th January, 2022

To,

The Chief Secretary,
Government of WB,
Kolkata-West Bengal

Subject: Permission for expenditure on ongoing/committed works under Jharia and Raniganj Master Plan from the balance available with CIL.

Sir,

I am to refer to the letter No. 1034-CS/2022 dated 05.12.2022, requesting this Ministry to release of fund of Rs. 300.00 Cr complete the pending works of ongoing constructions and Rs. 57.00 Cr for purchase of 17.23 acres of land.

2. This issue was discussed in a meeting held on 27.12.2022 under the chairmanship of Secretary, Coal, wherein Secretary, Industry, Commerce & Enterprises Department, Government of West Bengal was present. Copy of the Minutes of the said meeting is enclosed. After detailed discussion, the following decisions were taken in the meeting:

(a) Completion of ongoing construction work & cluster based shifting to be followed, so that a continuous piece of land gets vacated & ECL to secure that land.

(b) Govt. of West Bengal to provide phased requirement of fund for completion of projects & ensure shifting of families. Time bound action plan for construction and shifting to be communicated to Ministry of Coal.

(c) ADDA to develop a systematic approach so that allotment & shifting are done regularly & in an organized manner.

(d) Coal India Limited will provide the funding for ongoing projects as committed limited to Rs 300 Cr as approved by WB Govt.

3. In view of the above, Government of WB is requested to take necessary action as per above decisions and provide phased requirement of fund for completion of projects to Coal India Limited for reimbursement.

Yours sincerely,

Encl.: As above.



(Hitlar Singh)

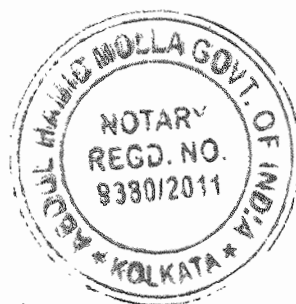
Under Secretary to the Government of India

Email: hitlar.singh85@nic.in

Tel. No. 011-23582268

Copy for kind information and necessary action to:

1. The Chairman, Coal India Limited, Kolkata.
2. Secretary, Industry, Commerce & Enterprises Department, Government of West Bengal
3. CMD/ECL
4. CEO/ADDA



Minutes of Meeting regarding the continuation of funding for Raniganj Master Plan held on 27.12.2022.

A meeting regarding the continuation of funding for the Raniganj Master Plan was held on 27.12.2022 under the chairmanship of the Secretary (Coal). The list of participants is placed at Annexure - A.

2. At the outset, Secretary (Coal) welcomed all the participants and asked Secretary, Industry, Commerce & Enterprises Department, Government of West Bengal for making the presentation.

3. During the presentation following points were deliberated:

3.1. There was considerable delay in starting the construction of houses on account of various difficulties faced by Govt. of West Bengal in the identification of vacant land due to heavily inhabited areas.

3.2. It was also noted that as per the Master Plan, ₹2661.73 Cr was sanctioned and to date, ₹581.14 Cr have been released.

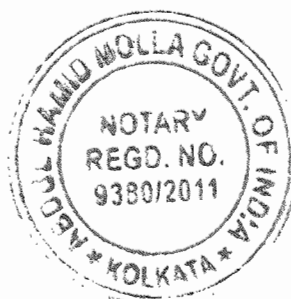
3.3. Regarding land requirement of 362.5 acres, 150.86 acres have been handed over to the Department of Housing, Government of West Bengal by ADDA. The land utilised to date is 146.03 acres. The additional fund of Rs. 57 Crores is required for the purchase of 27.231 Acres of Land from BAPL for a speedy rehabilitation process.

3.4. Secretary, Industry, Commerce & Enterprises Department, Government of West Bengal also deliberated on the status of construction of ongoing projects of 10144 flats which have been taken up for construction and requirement of Rs 300 crore for completing the existing construction work.

4. It was mentioned that the revised proposal for rehabilitation of entire families may be discussed in due course but priority need to be given to complete the ongoing housing project works and to rehabilitate the eligible families. It was noted that the total cost of ongoing construction was around 934 Crores & land of 27.61 acres is required for existing construction.

5. Chairman, Coal India Ltd. suggested that funds for completion of ongoing projects may be made. It was suggested that habitation wise complete "allotment and evacuation" approach should be followed. After rehabilitation, land must be made available to ECL. It was further highlighted that the cooperation of Govt. of West Bengal will be required to check further encroachment in that area.

6. Secretary (Coal) advised to follow cluster based approach for shifting of houses and handing over vacated area to ECL for fencing etc.



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7. Additional Secretary (Coal) suggested that State Government may consider imposition of moratorium on alienation of these houses.

8. CMD, ECL mentioned that number of unstable sites are 141 instead of 142. location no. 22 is overlapping.

9. Following decisions were taken in the meeting:

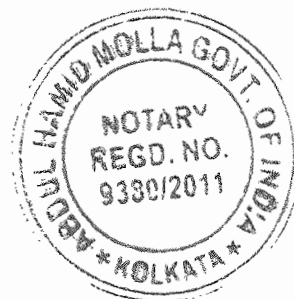
9.1. Completion of ongoing construction work & cluster based shifting to be followed, so that a continuous piece of land gets vacated & ECL to secure that land.

9.2. Govt. of West Bengal to provide phased requirement of fund for completion of projects & ensure shifting of families. Time bound action plan for construction and shifting to be communicated to Ministry of Coal.

9.3. ADDA to develop a systematic approach so that allotment & shifting are done regularly & in an organized manner.

9.4. Coal India will provide the funding for ongoing projects as committed.

Meeting ended with vote of thanks to the chair.



(25)

Annexure n

List of participants-**From Ministry of Coal**

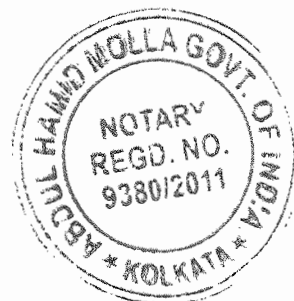
1. Shri Amrit Lal Meena, Secretary (Coal)
2. Shri Vinod Kumar Tiwari, AS (coal)
3. Shri Amresh Pandey, Director Technical
4. Shri Peeyush Kumar, OSD, MoC
5. Shri Hittar Singh, US, MoC
6. Shri Sachin Malpa, DM, MoC

From West Bengal Govt

1. Smt. Vandana Yadav, Secretary, Industry, Commerce & Enterprises Department, Government of West Bengal
2. CEO, ADDA

From Coal India Ltd.

1. Shri Pramod Agrawal, Chairman, Coal India Ltd.
2. Shri A.P. Panda, CMD, ECL
3. Shri A.S. Bapat, ED (Environment)





F. No- 22020/02/2016-CRC-II(Part-III)(Part-I) [E-354568]

Government of India

Ministry of Coal

[MPS Section]

Room No. 622-A, Shastri Bhawan

New Delhi Dated 05.07.2024

To

CMD, ECL

Subject: Status of committed works under Raniganj Master Plan –reg

Sir,

I am directed to refer to Ministry's letter no. 22020/2/2005-CRC-II (VOL-V) dated 18th January 2023 (copy enclosed) regarding permission to release Rs. 300 Cr to Govt of West Bengal for completion of ongoing/committed works and to request you to provide detailed status of expenditure and completion of committed works.

2. The earlier timeline for completion of construction and shifting was March 2024. It is further requested you to provide revised timeline.

Signed by

Hitlar Singh

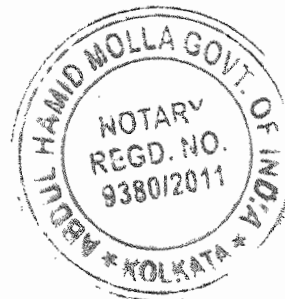
Date: 05-07-2024 14:03:44
(Hitlar Singh)

Under Secretary to the Govt. of India

E-mail: hitlar.singh85@nic.in

Encl: As above

Copy to: CEO, ADDA





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ANNEXURE-P-6

Government of West Bengal
Department of Industry, Commerce and Enterprises
MINES BRANCH
4, Abanindranath Tagore Sarani (Camac Street)
Kolkata - 700 016

No. 636(6)-ICE-12011(99)/71/2022-MINES SEC

Date: 12.12.2024

From: The Additional Secretary
to the Government of West Bengal

To : 1. The Principal Secretary, Housing Department.
 2. The Principal Secretary, Public Health Engineering Department.
 3. District Magistrate, Paschim Bardhaman.
 4. CEO, Asansol Durgapur Development Authority.
 5. Commissioner, Durgapur Municipal Corporation.
 6. Chairman and Managing Director, Easter Coalfield Limited.

Sub: Minutes of the Meeting on RCFA Rehabilitation Project.

Sir,

I am directed to forward the Minutes of the Meeting in connection with Rehabilitation Project under Raniganj Coal Field Area (RCFA) held on 22.11.2024 at Shilpa Sadan, Department of Industry, Commerce and Enterprises, which was chaired by the Principal Secretary, Department of Industry, Commerce & Enterprises.

This is for your kind perusal and necessary action.

Encl : As stated

Yours faithfully,

12/12/24

Additional Secretary
to the Government of West Bengal

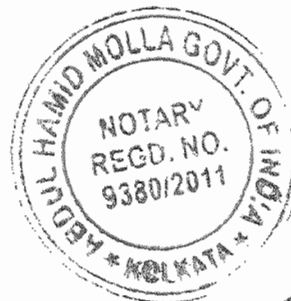
No. 636(6)/2(2)-ICE-12011(99)/71/2022-MINES SEC

Date: 12.12.2024

Copy forwarded to :

1. P.S. to Principal Secretary, ICE Department with request to place it for kind appraisal of the authority.
2. P.S. to Secretary (Mines Branch), ICE Department with request to place it for kind appraisal of the authority.

Additional Secretary



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Minutes of the Meeting on RCFA Project Matters.**Venue : 5th Floor Conference Hall, Shilpa Sadan, Kolkata****Date & Time : 22.11.2024 at 12 noon.****Attendees : Sheet enclosed.**

The meeting was chaired by Principle Secretary, Industry, Commerce & Enterprises Department.

Key points of the project and latest progress were summarized by CEO, ADDA as follows:-

- Total no. of beneficiaries in the entire project is 28991.
- 6101 are Legal Title Holder (LTH), 22688 are Non-Legal Title Holder (NLTH) and 222 are Institutions.
- 10144 flats were taken up for construction against DPR of 11072 flats.
- 160 flats at Bijohnagar site have already been handed over and distributed among the beneficiaries at Chhatimdanga.
- At present 3728 flats at Dakshinkhanda site and 416 flats at Daskeary-03 site are ready for distribution. Another 1872 at Dakshinkhanda site and 1456 flats at Daskeary-03 site would be ready by December, 2024 for distribution.

Site wise updates on the Rehabilitation Project were given by CEO, ADDA as follows :

Dakshinkhanda Site:

- Total flats planned: 5600
- Completed flats : 3728
- Remaining 1872 to be handed over by December, 2024.
- **Issues to be addressed:**
 - As per DPR there was provision for 354 blocks but ongoing constructions are for 350 flats.
 - Issue of approach roads or further separate entrances pending to be resolved with the intervention of BAPL/WBIDC.
 - Technical bid for construction of boundary will be held by the end of November, 2024.
 - Dispute of land wherein land has been encroached has been taken up by district administration.
 - Durgapur Municipal Corporation (DMC) has initiated process of augmenting drinking water supply to Dakshinkhanda site by floating second Tender call.



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Bijohnagar and Daskeary-02 sites:

- Total flats planned: 2672
- Completed and handed over and distributed 160 flats at Bijohnagar site.
- Tender has been floated five times but not matured. Further afresh tender will be floated shortly.
- Housing Department will take special initiative for making the flats habitable at the earliest, wherein construction has been temporarily halted.
- Issue of engagement of security personnel to be disposed shortly.

Daskeary-03 site:

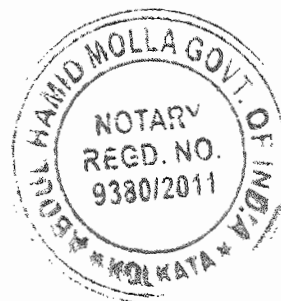
- Total flats planned: 1872
- Completed: 416
- Rest 1456 will be handed over by December 2024.

It was mentioned by CEO, ADDA that in the CS meeting dated 05.12.2017 it had been resolved that project-affected families would get a settlement of 99-year lease with transferrable rights on nominal rent. In the CS meeting dated 11.08.2017 it had also been resolved that entire land for construction of housing complexes would be under the ownership of the ADDA.

District Magistrate informed that meetings have been conducted under the chairmanship of Hon'ble MIC, Labour Deptt and Law & Judicial Deptt, with ECL officials, Housing Deptt, DMC, local MLAs, public representatives and LTH beneficiaries for resolving the issues of compensation and shifting the inhabitants from the unstable locations in the project.

Decisions taken in the meeting:-

1. Cash benefits/additional benefits for Legal Title Holders: The District Magistrate will consider drafting a proposal revision by following model of Jharia Master Plan and the proposal will be sent to IC&E Department for taking up with GoI.
2. Matter of cash compensation will be taken into consideration for both LTH and NLTH when allotment of ongoing flats is exhausted.
3. Housing Department will take special initiatives for constructing and making habitable the ongoing flats situated at Daskeary-02 and Bijohnagar at the earliest.
4. Respective Departments will be requested for sanction of health sub-centre, school and Anganwadi centre for the site to make it a planned and ideal living colony.



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5. There is a demand from local people for area is to be identified for cattle sheds. Area left for four blocks at Dakshinkhanda site would be converted into cattle sheds. Housing Department will propose a change in Master Plan for this purpose. Area identification for cattle sheds will be taken up through joint visit by Housing Department and ADDA.
6. Intervention of BAPL/WBIDC is required for approach road and additional separate entrances.
7. Provision of L&LR and RR&R Department will be followed over LR Provisions for setting a 10-year lock-in period for the flat allottees prior to transfer. IGR rate for valuation of land with structure will be adopted.
8. ADDA will share draft of Deeds for :
 - a. From ECL to ADDA
 - b. From L&LR and RR&R Department to ADDA
 - c. From ADDA to LTH and NLTH

In the draft Deed to the beneficiaries provision of transfer by sub-lease with transferrable rights fixing 10-year lock-in period, may be brought in for greater acceptance of the deed.

9. Regarding land of Daskeary-03, the ECL Authority will directly transfer the land to ADDA, or relinquish the land in favour of LR Department for it to resume the land and subsequent transfer to ADDA.
10. The provision of two football grounds may be physically identified by joint visit with Housing Department and ADDA.
11. For future maintenance of the housing complexes and related civic amenities like water supply, sanitation etc. ADDA will ensure tie up with concerned local bodies.

There being no other points for discussion, the meeting concluded with thanks to and from the Chair.

V. Y. Das
Principal Secretary

to the Govt. of West Bengal

Industry, Commerce & Enterprise Department



Minutes of the meeting held on 14.12.2024 on the issues related to RCFA Rehabilitation Project.

Venue : Circuit House, Asansol

Date : 14.12.2024

Time : 11:30 am

Shri Moloy Ghatak, Hon'ble MIC, Labour Department and Law & Judicial Department GoWB took the chair. The Hon'ble Chairman, ADDA, the Hon'ble MLA, Jamuria AC, the CEO, ADDA and other dignitaries have attended the meeting. (attendance sheet enclosed)

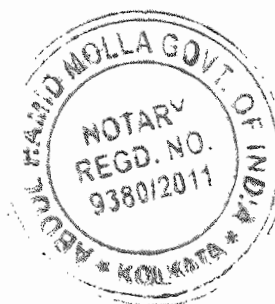
At the outset, the District Magistrate, Paschim Bardhaman welcomed all the dignitaries present in the meeting and appraised the House regarding the issues related to RCFA. He referred the meeting held on 03.12.2024 conducted by the BDO, Andal with local people representatives. He emphasized proposal for revision of R&R Package with a view of demand from the beneficiaries to be shifted.

BDO, Andal informed the House the following demands were stated by the local people in the local meeting held :

- a) The cut-off date should be revised to be on and from 2024 instead of 02.09.2007.
- b) LTH and NLTH should be shifted simultaneously to vacate a stretch of land.
- c) For Harishpur Village, some plots are not within the identified affected zone and these are to be included.
- d) Every adult member of a family should be included in the list of beneficiaries as the survey was conducted in 2007-08 and since then family sizes have naturally increased

Threadbare discussions were held on the aforesaid proposal and following was resolved :

- a. Extension of cut-off date require re-survey and it is a time-consuming process which is not warranted at this stage .
- b. Given the time since survey and consequent increase in family size, it was resolved that for identified beneficiaries will be given two flats per household or Rs. 5 lakh+ one flat per household
- c. The rate of the compensation against land was Rs. 63.66 lakh/Ha whereas given current rates it may be revised to Rs. 1.57 Crore/Ha. (land value has been calculated at the enhanced rate of 5% per annum since 2009 till date)
- d. Livelihood grant may be granted at enhanced rate of Rs. 500/day for two years (365 days x2) to be paid in two installments (LTH & NLTH)
- e. Rental assistance of Rs. one lakh for one year in two installments may be granted (LTH & NLTH)
- f. Shifting allowance of Rs. 50,000/- may be granted (LTH & NLTH)
- g. Hon'ble MIC proposed that the location/mouza like Harishpur Village which are partly under RMP (Raniganj Master Plan) and partly under ECL Project or Proposed Project Plan of ECL, the ECL Authority should adopt its own



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rehabilitation programme for such entire location/mouza and this is for avoiding disparity in benefits.

CEO ADDA was requested to communicated the above revised proposal to Industry, Commerce and Enterprises Department for further action in this regard .

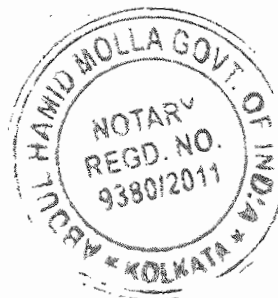
The Hon'ble MIC with grave concern informed that there is scarcity of usable water in Bijohnagar site. The PHE Authority informed that some works are pending there and the problem will be redressed shortly.

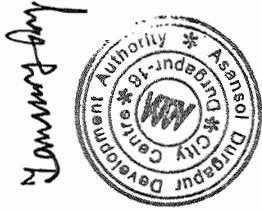
Secondly, it is learnt that some persons who claimed that their residences were in subsidence zone but at different times of survey, they were not found and accordingly their plot(s) could not be identified and now they claim rehabilitation benefits. The Hon'ble MIC opined that such cases may be considered separately in subsequent stages.

The meeting was ended the meeting with thanks to and from the Chair.

Ughalak

**Hon'ble Minister-In-Charge
Labour Deptt. and Law & Judicial Deptt.
Govt. of West Bengal
&
Chairman, District Level Committee
RCFA Rehabilitation Project**





District: West Midnapore

VAKALATNAMA

~~In the High Court at Calcutta~~

BEFORE THE NATIONAL GREEN TRIBUNAL EASTERN ZONE BENCH KOLKATA
Civil/Revisional/Appellate/Criminal/Constitutional Wit Jurisdiction

Vakalatnama for Appellant, Petitioner/Respondent/Opposite Party

O. A.

No. 163 of 2024/EZ

Subrata Mallick

Appellant/s

Petitioner/s

Eastern Coalfield Limited KOB.

Versus

Respondent/s

Opposite Party/ies

On behalf of the Respondent no: 2

Know all men by these presents that by Vakalatnama I/We appoint the Advocates, noted below or anyone of them as my/our lawful Advocate, or Advocates for filing the memorandum or appeal or petition for entering appearance in the above matter for appearing in, conducting and arguing the same, for depositing or withdrawing any money in connection there with, for moving the Court in any matter connected there with for preparing the Paper Book in the case and for putting in papers, petition etc. on my/our behalf for filing or taking back any documents for withdrawing suits or appeals or petitions with permission to institute fresh suits etc. for signing and filing the petitions of compromise in connection with the said matter and for taking copies of paper from the Record, and I/We further say that any act done by me/our said Advocate or Advocates or by anyone of them after accepting this Vakalatnama shall be considered as my/our own true and lawful act. To the above effect I/We execute this Vakalatnama.

Dated 29/01/2025

Received the vakalatnama from client satisfied and accepted.

AVIRUP ROY SANYAL (ADV) 9804721466, F/1294/861/2017
c/o. aviruprs@gmail.com

DEBASHIS SAHA [Adv]

Chamber. 223, 2nd Floor. Advocate

The Olisa offices. 4. Government place

North Kolkata - 700001.

M- 9830113860

Email. dsahaassociates@gmail.com Advocate

Enrollment no: WB/189/1999

Advocate

Advocate

Received the
 Vakalatnama from the
 executant, being satisfied
 Avirup Roy Sanyal
 Debashis Das
 Advocate

accepted
 the same