

Filed by
Vivek Kumar Pandey
Advocate

**BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH, FINANCE CENTRE
3rd FLOOR, NEW TOWN, KOLKATA
(Under Section 18(1) read with Sections 14 and 15 of The
National Green Tribunal Act, 2010)
Original Application No.32/2025/EZ of 2024/EZ**

In the matter of:-

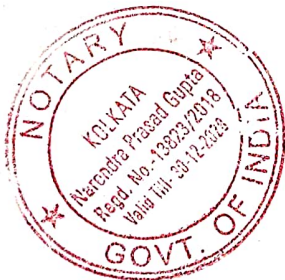
Biswajit Dutta Choudhury

.....Applicant

Versus

The State of West Bengal &Ors.

..... Respondents



Advocate-on-record

Vivek Kumar Pandey

Advocate

Enrolment No. F/4524/3697/2021

High Court at Calcutta

Mobile-7003855179

Email-id vivek.legal98@gmail.com

Biswajit Dutta Choudhury

18 DEC 2024

Filed by
Vivek Sarkar
Advocate.

BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH, FINANCE CENTRE
3rd FLOOR, NEW TOWN, KOLKATA
(Under Section 18(1) read with Sections 14 and 15 of The
National Green Tribunal Act, 2010)

Original Application No. of 2024/EZ

In the matter of :-
Biswajit Dutta Choudhury

.....Applicant

Versus

The State of West Bengal & Ors.

..... Respondents

INDEX

Sl. No.	Description	Annexure	Pages
1.	List of dates		A
2.	Synopsis		B
3.	Original application		1-26
4.	Verification		27
5.	Affidavit		28
6.	Copies of the representation and/or complaint dated 26.09.2023 and 22.11.2023 alongwith hand naksa of the land.	"A"	29-38
7.	Copies of the record of rights with representation.	"B"	39-48
8.	Copy of the Memo dated 07.08.2024 and also memos dated 22.07.2024.	"C"	46-48
9.	Copy of the RTI letter dated 12.09.2024.	"D"	49-51
10.	Vakalatnama		



Biswajit Dutta Choudhury

Filed by
Advocate

**BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH, FINANCE CENTRE
3rd FLOOR, NEW TOWN, KOLKATA
(Under Section 18(1) read with Sections 14 and 15 of The
National Green Tribunal Act, 2010)**

Original Application No. of 2024/EZ

In the matter of :-
Biswajit Dutta Chowdhury

.....Applicant

Versus

The State of West Bengal & Ors.

..... Respondents

LIST OF DATES

- 2024: That the petitioner and other person of the locality made several representations to the different respondent authorities to investigate into the matter and prayer for dismantling the illegal construction of boundary wall and sluice gate which was blocked by the private respondent Nos. 11 and 12.
- 07.08.2024 : That the Chief Engineer, North East Irrigation and Waterways Directorate, Jalpaiguri i.e. respondent No.10 herein issued a Memo vide No. 565(1)/W-471-J dated 07.08.2024 to the District Magistrate, Jalpaiguri, the respondent No. 3 herein.
- 12.09.2024 : The petitioner made the application for Right to Information before the Block Land and Land Reforms Officer and The Chairperson of Jalpaiguri Municipality to status and nature of the land in question but the respondent authorities did not take any step into the matter.



Biswajit Dutta Chowdhury

Filed by:
Vivek Chatterjee
Advocate.

**BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH, FINANCE CENTRE
3rd FLOOR, NEW TOWN, KOLKATA
(Under Section 18(1) read with Sections 14 and 15 of The
National Green Tribunal Act, 2010)
Original Application No. of 2024/EZ**

In the matter of :-
Biswajit Dutta Choudhury

.....Applicant

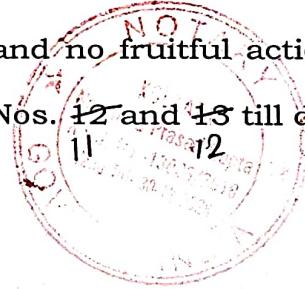
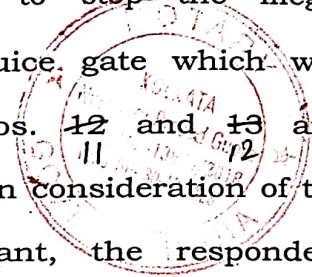
Versus

The State of West Bengal &Ors.

..... Respondents

SYNOPSIS

The present application, inter alia, has been filed before the Hon'ble National Green Tribunal for directions to stop the illegal construction of boundary wall and sluice gate which was blocked by the private respondent Nos. 12 and 13 and investigate into the matter because of non consideration of the several representations of the applicant, the respondent authorities did not stop the illegal construction work and not any investigate into the said matter and no fruitful action was taken against the private respondent Nos. 12 and 13 till date.



Biswajit Dutta Choudhury

3. Chief Environment Officer,
Department of Environment, Prani
Sampad Bhawan, 5th Floor, Block -
LB-II, Salt Lake, Sector-III,
Bidhannagar, Kolkata- 700106.

Email Id : environmentwb@gmail.com

4. Member Secretary, West
Bengal Pollution Control Board,
Paribesh Bhawan, Plot No. 10A,
Block No.LA, Sector-III, Bidhannagar,
Kolkata- 700106.

Email Id :

ms.wbpcb-wb@bangla.gov.in

5. Director, State Water
Investigation Directorate, West
Bengal, Nirman Bhawan, Top Floor,
Salt Lake City, Kolkata - 700091.

Email Id : directorswid@gmail.com

6. West Bengal Wetland
Authority, service through the
Member Secretary, Department of
Environment, Government of West
Bengal, having its office at 5th Floor,
Prani Sampad Bhawan, Block-LB-III,
Salt Lake, Sector-II, Bidhannagar,
Kolkata-700106.

Email id: ctockwma@gmail.com



Biswanjit Dutta Chowdhary

Filed by
Nishu Chauhan
Advocate

7. The District Magistrate,
Jalpaiguri, having its office at P.O. &
District- Jalpaiguri, Pin-735101.
Email :dm-JIP@gmail.com

8. The Superintendent of Police,
Jalpaiguri, having its office at P.O. &
District- Jalpaiguri, Pin-735101.
Email :spjgwb@gmail.com

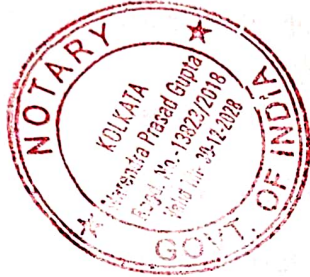
9. The Chairman, Jalpaiguri
Municipality, having its office at P.O.
& District- Jalpaiguri, Pin-735101.
Email:- Jalpaigurimunicipality@
Gmail.com



10. Regional Director, Central
Ground Water Board, Eastern
Region office at at Bhujalika, C P
Block-6 Sector-V, Bidhannagar,
Kolkata, West Bengal 700091, email :
rder-cgwb@nic.in

Biswanjit Gupta Chauhan

Filed by:
 Vivek Debby
 Advocate



12. Ashoke Jindal, resident of Lichutola, Dinbazar, Jalpaiguri, Pin- 735102.

13. M/s. Maa Kamakkha Developer Partner Mr. Sanjay Singhania, S/O Sankar Lal Singhania, having its office Model Town, Haidar Para, P.O & P.S- Bhakti nagar, District- Jalpaiguri, West Bengal- 735101.

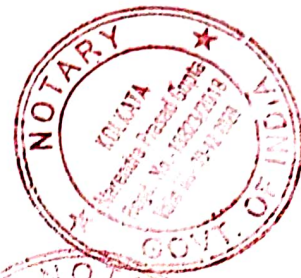
.... Respondents

MOST RESPECTFULLY SHEWETH: -

1. The address of the applicant is given above for the service of notices of the application.
2. The addresses of the respondents are given above for the service of the notices of the application.
3. The applicant above named begs to present the original application challenging inaction on the part of the respondent concerned for not taking the measures to take steps to stop the illegal construction of boundary wall on approximately 8.00 acres of land including 2.32 acres of vested land appertaining plot no. 256, 270 & 274 plus and RS 90,91,92,93,94,105,734,735,736,737, RS Sheet no. 13 of Mouza- Kharia and sluice gate, which was blocked by the private respondent Nos. 11 and 12.

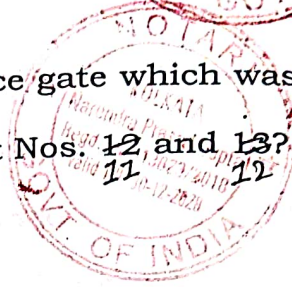
4. **POINTS OF LAW :-**

Biswanjit Dutta Chowdhury



Filed by
Vivek Chakraborty
Advocate

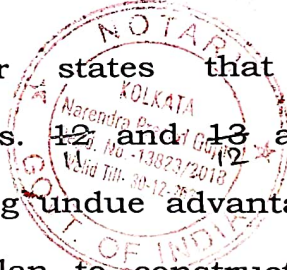
736 and 737 and sluice gate which was blocked by
the private respondent Nos. 12 and 13? vlsby



5. FACTS OF THE CASE:-

(a) That the petitioner is a social worker and also the Secretary of Paribesh O Aamra Jalpaiguri, a social welfare non-profitable organization who is sensible and responsible citizen of India like to canvas his grievance against the inaction on the bring the fen part of the respondents did not take effective steps for illegally purchased the water bodies land and constructed boundary wall on the said land by the private respondents.

(b) Your petitioner states that the private respondents Nos. 12 and 13 alongwith their associates taking undue advantage of Khatian has taken a plan to construct a residential complex on water body (being a part river karala) which is situated at the backside of Viswa Bangla, Krirangan, Jalpaiguri. The entire area in question covers more than 8.00 acres of land and contains 1000 cusec water every day during rainy season which has balanced the weather of the area under Jalpaiguri municipality.



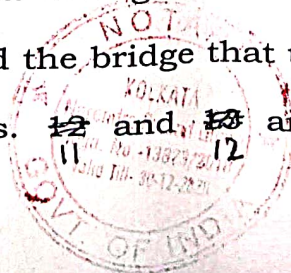
Biswasit Putta Choudhary

Filed by
Vivek Pandey
Advocate

(c) Your petitioner states that Jalpaiguri itself is a flood prone area and the drainage system of the town is also unplanned and faulty inspite of the best effort by the Municipality. Moreover in 1968, the most devastating flood was witnessed by the people of Jalpaiguri where more than 5000 people were died and it is regarded as 2nd of its kind in the world after Italy. So the people of this region face various problems in the rainy season due to water logging and preservation of water.

(d) Your petitioner states that water body in question actually divided the town into two parts viz. the east and the west and town people took boat service to cross the river upto 2008. But in 2009 onwards Siliguri Jalpaiguri Development Authority constructed embankment on both sides of the river and built a concrete bridge over the river enabling the people to cross the river without any problem and the boat service was seized to operate on and from 2010 till date.

(e) That taking the advantage of the embankment and the bridge that the said private respondents Nos. ~~12~~ and ~~13~~ are trying his lebel best to ^{stop}



Biswasjit Dutta chowdhary

surpass the provision of L.R. Act, 1955 alongwith provision of Bio-diversity Act of 2002 for their personal interest whereas Section 12 of L.R. Act, 1955 clearly lays down that any water body adjacent to river will be vested to the State straightway without any delay and Section 4(c) also states the right of raiyat to possess different class of land wherein the water body is not included.

(f) Your petitioner further states that some miscreants and uneithical motivated people in every place have been trying to misguide the concerned department, respondent herein having for their own interest which ultimately malign the image of State Government without any reason all though the Government is trying to run the administration transparently and in accordance with law.



(g) That your petitioner states that on 26.09.2023 and 22.11.2023 the Secretary of that social welfare society namely 'Joutha Paribesh Mancha', Jalpaiguri made several verbal prayer and written representation and/ or complaint

Biswanjit Jutha chowdhary

filed by
 Mr. Prakash Chandra
 Advocate

Land and Land Reforms Officer i.e. the respondent Nos.3 and 4 herein to take steps and/or investigate the illegal approval of construction work on water body being part of river Karala and also complained against unlawful recording of the water body in the names of some persons in Mouza-Kharia, Sheet No.13, R.S. Plots No. 90, 91, 92, 93, 94, 105, 734, 735, 736 and 737 but the said respondent authorities did not take any step and/or investigate into the matter.

Xerox copies of the representation and/or complaint dated 26.09.2023 and 22.11.2023 alongwith hand naksa of the land is annexed herewith and collectively marked as Annexure "A".

Xerox copies of the record of rights with representation are annexed herewith and collectively marked as "B".



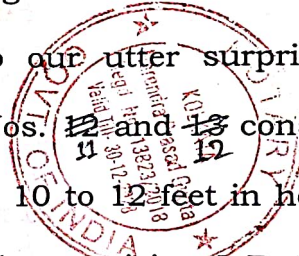
(h) Your petitioner states that the private respondents and their associates have purchased illegally and arbitrarily 8.00 acres more or less of land (as per their version) in Mouza- Kharia Sheet No. 81 (L.R.). The land in question is water body being a part of river Karala which contains one thousand cusec of water during rainy season. The said landed

Biswanath Prasad Choudhary

Filed by
Vivek Saxena
Advocate

property happens to be water body for last more than 80 years and the best recorded "Dahala" as per R.O.R. and a boat service was available upto 2008. But in 2009 Siliguri Jalpaiguri Development Authority constructed pucca road and a concrete bridge on that area for better communication purpose. After that, the area has become well connected with both the parts. The private respondents have taken advantage of this construction of road.

- (i) Your petitioner states that the Government of West Bengal has made it clear that nothing can be done after changing the class of land as recorded in the ROR. But to our utter surprise the said private respondent Nos. ~~12~~ ¹¹ and ~~13~~ ¹² constructed a boundary wall which is 10 to 12 feet in height. Moreover 2.32 acres of land comprising L.R. Plot Nos. 256, 270, 274 has been recorded vested to the State as per R.O.R. being a part of that area. To construct boundary wall no permission was accorded from the Jalpaiguri Municipality (as per verbal version of the Chairperson).

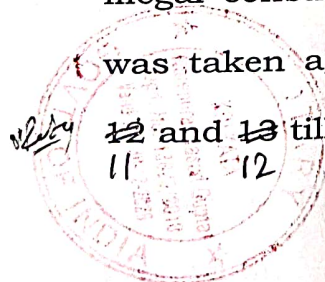
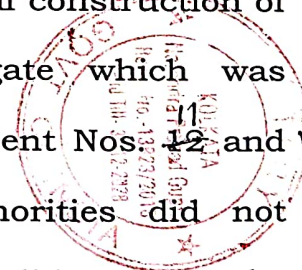
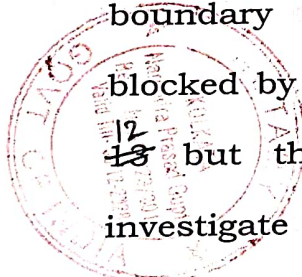


Biswanil Jutta Chauhan

*Filed by
Vivek Chakraborty
Advocate.*

(j) Your petitioner further states that at the same time the private respondent Nos. ~~12~~ and ~~13~~ have also most illegally and arbitrarily blocked the mouth of sluice gate being constructed by Irrigation Department but no permission was accorded from the Irrigation Department, Jalpaiguri (as per version of Superintending Engineer, Irrigation Department). The Superintending Engineer assured the local people to investigate the matter but nothing was done.

(k) Your petitioner states that the petitioner and other person of the locality made several representations to the different respondent authorities to investigate into the matter and prayer for dismantling the illegal construction of boundary wall and sluice gate which was blocked by the private respondent Nos. ~~12~~ and ~~13~~ but the respondent authorities did not investigate into the matter and did not stop the illegal construction work and no fruitful action was taken against the private respondent Nos. ~~12~~ and ~~13~~ till date.



Biswajit Dutta choudhary

Filed by
Anupam
Advocate

(1) Your petitioner states that the Chief Engineer, North East Irrigation and Waterways Directorate, Jalpaiguri is respondent No. 10 herein issued a Memo vide No. 565(1)/W-471-J dated 07.08.2024 to the District Magistrate, Jalpaiguri, the respondent No. 3 herein that "a copy of the letter of the convenor, Joutha Paribesh Mancha, Jalpaiguri, as received vide his memo under reference that to their information, a group of builders constructed a concrete fencing adjacent to river Karala which causing blockage the sluice gate situated on the right bank of river Karala in the backside of Viswa Bangla Krirangan, Jalpaiguri. Our departmental officers also visited the said location and according to their inspection report this type of blockage may cause water logging in that region and affect the stability of the river embankment. It is here to mention that the embankment at the said location has been constructed by the North Bengal Development Department and already informed to the Executive Engineer, NBDD and also to the Chairman, Jalpaiguri Municipality by the



Biswanath Dutta Choudhary

Superintending Engineer, North East Irrigation, Circle-II Irrigation and Waterways Directorate to look into the matter vide his Memo NO. 58/1(30/22-P) dated 19.01.2024. The matter may be taken up with NBDD" but till date the said respondent, so authority did not take any step into the matter. Xerox copy of the Memo dated 07.08.2024 and also memos dated 22.07.2024 are annexed herewith and collectively marked as Annexure "C".

- (m) Your petitioner states that on 12th September, 2024 the petitioner made the application for Right to Information before the Block Land and Land Reforms Officer and The Chairperson of Jalpaiguri Municipality asking to status and nature of the land in question but the respondent authorities did not take any step into the matter. The Xerox copy of the RTI letter dated 12.09.2024 are annexed hereto and collectively marked as Annexure "D".



- (n) That as the respondent authority is not showing any interest towards immediate granting appropriate effective steps for illegal sell and/or

Biswajit Jutta Choudhary

purchase of the land of water bodies in Mouza-Kharia Sheet No. 81 (L.R.). The land in question is water body being a part of river Karala which contains one thousand cusec of water during rainy season, the petitioner is compelled to approach this court for the end of justice.

- (o) The respondent authorities have, however, turned a blind eye and a deaf ear in the present matter.
- (p) For reasons unknown, the respondent authorities have not taken any action and/or steps and/or measures against the wrong doers despite being aware and/or having notice of the same.
- (q) The inaction on the part of the respondent authorities have encouraged the wrong doers to continue with their digging process, construction operations resulting in extraction of the ground water.
- (r) Your petitioner states that the present application has been filed, inter alia, due to the inaction and/or non-action on the part of the respondent authorities in allowing the illegal extraction of the ground water.



Biswanjit Gupta Choudhary

- (s) Your petitioner submits that the ground water forms an important part of the environment and helps in ecological balance.
- (t) Your petitioner also submits that the respondent authorities are under statutory duty and obligation to stop the construction of the illegal boundary wall. It is really alarming that an environmental resource is being lost due to the deliberate and/or intentional inaction on the part of the respondent authorities who have remained as mere spectators towards the illegal activities of the private respondents on water bodies.
- (u) Your petitioner further states and submits that the water body is an important part of the environment and it cannot be wasted and/or mis-utilized at the whims and fancies of the private respondents. The water bodies are therefore required to be protected for a proper and healthy environment.
- (v) Your petitioner submits that no person has any legal right and/or authority to construct a residential building and take out the water bodies.
- (w) Your petitioner submits that under the aforesaid facts and circumstances, it is a fit case wherein this Learned



Biswanath Dutta Chatterjee

Tribunal should exercise its powers and jurisdiction under the National Green Tribunal Act, 2010 and pass an order to protect, preserve and conserve the ground water and environment.

- (x) Your petitioner submits that if the illegal construction of boundary wall on the water bodies is allowed to be constructed, the people of this region face various problems in the rainy season due to water logging and preservation of water which would cause irreparable loss and injury and there would be great danger to the environment and blatant violation of the Water (Prevention and Control) Act and other pollution laws.
- (y) Your petitioner submits that there exists an immediate necessity for passing of an interim order by this Learned Tribunal since the illegal activities are going on each and every day.
- (z) In the absence of an appropriate order and/or direction by this Learned Tribunal, the private respondents would continue with the illegal and wrongful construction of boundary wall. The valuable water bodies would be lost in a span of time.

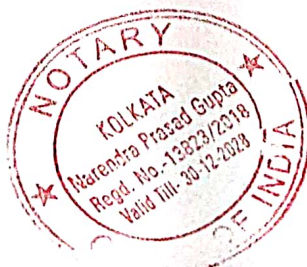


Biswasi Dutta Choudhary

- (aa) Your petitioner has made out a strong prima facie case for intervention of this Learned Tribunal. There is extreme urgency in the matter since the illegal activities are being carried out each and every day. The balance of convenience is in favour of passing interim order.
- (bb) Your petitioner craves leave to amend, alter and modify the grounds if necessary.
- (cc) There is no other alternative and/or efficacious and speedy remedy available to your petitioner and the relief as prayed for hereinbelow if granted would save and protect, preserve and conserve water bodies and the environment.
- (dd) Your petitioner has not moved any application and/or filed any other case or proceeding before any Court of law on the same and similar cause of action.
- (ee) This application is made bonafide and in the interest of justice.

6. **GROUND**S

Being aggrieved by and/or dissatisfied with the illegal activities on the part of the respondent authorities, the



Biswas Dutt Choudhary

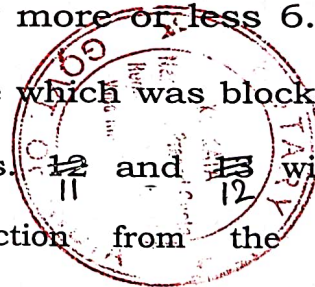
Filed by:
(Signature)
 Advocate.

applicant begs to move the application before this Learned Tribunal, inter alia, amongst other :-

- I. **FOR THAT** the respondent authorities have not taken steps and/or action against the illegal and wrongful construction of boundary wall on the water bodies by the private respondents

- II. **FOR THAT** the construction of boundary wall of the water bodies is being done in complete violation and/or in contravention of the provisions of law with regard to extraction of ground water.

- III. **FOR THAT** the illegal construction of boundary wall in Mouza- Kharia Sheet No. 81 (L.R.), L.R. Plot Nos. 256, 270, 274 having an area of 2.32 acres of vested land and Mouza-Kharia, Sheet No.13, R.S. Plots No. 90, 91, 92, 93, 94, 105, 734, 735, 736 and 737 covering more or less 6.00 acres of land and sluice gate which was blocked by the private respondent Nos. ~~12~~¹¹ and ~~13~~¹² without any permission and/or sanction from the concerned authorities which are required to be obtained before initiation of the boring process.



Bigwanjit Jutta Chowdhary

- IV. **FOR THAT** that the aforesaid construction for boundary wall on the water bodies is therefore absolutely and wholly illegal and it is against the face of various problems in the rainy season due to water logging and preservation of water.
- V. **FOR THAT** your petitioner has made a application for RTI dated 12.09.2024 to the concerned authorities to take immediate action to stop the said illegal construction of boundary wall on water bodies but inspite of receipt of the said written representations, the respondent authorities have taken took no steps and/or action to stop the illegal construction of boundary wall.
- VI. **FOR THAT** the activities of the private respondents are seriously affecting the area in the rainy season due to water logging and preservation of water.
- VII. **FOR THAT** The respondent authorities have, however, turned a blind eye and a deaf ear in the present matter.
- VIII. **FOR THAT** the inaction on the part of the respondent authorities have encouraged the wrong doers to continue with their illegal construction on boundary wall in the water bodies.



Biswadipta Gupta Chowdhary

- IX. FOR THAT** the present application has been filed, inter alia, due to the inaction and/or non-action on the part of the respondent authorities in allowing the illegal constructing of the boundary wall.
- X. FOR THAT** the water body is important part of the environment and helps in ecological balance
- XI. FOR THAT** the respondent authorities are under statutory duty and obligation to stop the construction of the boundary wall. It is really alarming that an environmental resource is being lost due to the deliberate and/or intentional inaction on the part of the respondent authorities who have remained as mere spectators towards the illegal activities of the private respondents of construction on water bodies.
- XII. FOR THAT** the ground water is an important part of the environment and it cannot be wasted and/or mis-utilized at the whims and fancies of the private respondents. The ground water is therefore required to be protected for a proper and healthy environment.
- XIII. FOR THAT** no person has any legal right and/or authority to extract water bodies by a construction without obtaining permission from the authorities.



Biswajit Dutta Choudhary

XIV. FOR THAT under the aforesaid facts and circumstances, it is a fit case wherein this Learned Tribunal should exercise its powers and jurisdiction under the National Green Tribunal Act, 2010 and pass an order to protect, preserve and conserve the water bodies and environment.

XV. FOR THAT if the illegal construction of boundary wall is allowed to be constructed, the problem in the rainy season due to water logging and preservation of water which would cause irreparable loss and injury and there would be great danger to the environment and blatant violation of the Water (Prevention and Control) Act and other pollution laws.

XVI. FOR THAT there exists an immediate necessity for passing of an interim order by this Learned Tribunal since the illegal activities are going on each and every day.

XVII. FOR THAT in the absence of an appropriate order and/or direction by this Learned Tribunal, the private respondents would continue with the illegal and wrongful construction of boundary wall on water bodies. The people of this region face various problems in the rainy season due to water logging and preservation of water.



Biswanath Gupta Chowdhary

Filed by
Vivek Chaudhary
Advocate.

7. LIMITATION

The present application is being filed within the prescribed time period provided under section 14(3) of the National Green Tribunal, 2010. Your petitioner states that prays before the respondent authorities to stop the illegal construction of boundary wall in Mouza- Kharia Sheet No. 81 (L.R.), L.R. Plot Nos. 256, 270, 274 in area of 2.32 acres of vested land and Mouza-Kharia, Sheet No.13, R.S. Plots No. 90, 91, 92, 93, 94, 105, 734, 735, 736 and 737 having more or less 6.00 acres of land and sluice gate which was blocked by the private respondent Nos. ~~12~~ and ~~13~~, was completely shocked, surprised and bewildered. The applicant states that this application is within the period of limitation and the cause of action is continuing till today.



8. PRAYER :-

In view of the above facts and circumstances, it is humbly prayed before this Hon'ble Tribunal to pass the following orders/directions :-

- a. To direct the concerned respondent authorities to forthwith to stop the illegal construction of boundary wall in Mouza- Kharia Sheet No. 81 (L.R.), L.R. Plot Nos. 256, 270, 274 in area of 2.32 acres and Mouza-Kharia, Sheet No.13, R.S. Plots No. 90, 91, 92, 93, 94, 105, 734,

Biswasjit Prasad Chaudhary

Filed by
Vivek Chatterjee
Advocate.

735, 736 and 737 and sluice gate which was blocked by the private respondent Nos. 12 and 13;

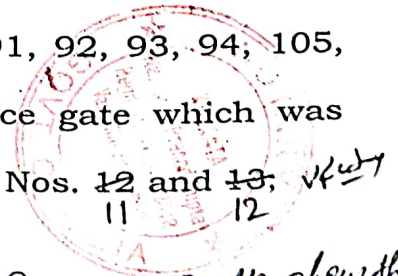
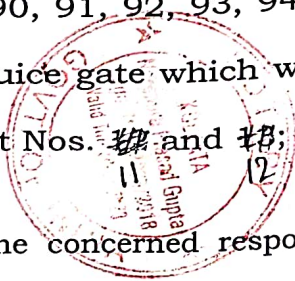
b. To direct the concerned respondent authorities to stop the illegal construction of boundary wall in Mouza-Kharia Sheet No. 81 (L.R.), L.R. Plot Nos. 256, 270, 274 in area of 2.32 acres and Mouza-Kharia, Sheet No.13, R.S. Plots No. 90, 91, 92, 93, 94, 105, 734, 735, 736 and 737 and sluice gate which was blocked by the private respondent Nos. ~~11~~ and ~~13~~;

c. To direct the concerned respondent authorities to refrain from the construction of boundary wall by the private respondent;

d. To direct the concerned respondent authorities to restore the property to its original position;

e. To direct the concerned respondent authorities to undertake all necessary measures to see that there is no construction of any illegal construction of boundary wall in Mouza-Kharia Sheet No. 81 (L.R.), L.R. Plot Nos. 256, 270, 274 in area of 2.32 acres being vested land and Mouza-Kharia, Sheet No.13, R.S. Plots No. 90, 91, 92, 93, 94, 105, 734, 735, 736 and 737 and sluice gate which was blocked by the private respondent Nos. ~~12~~ and ~~13~~;

Biswajit Gupta Chowdhary



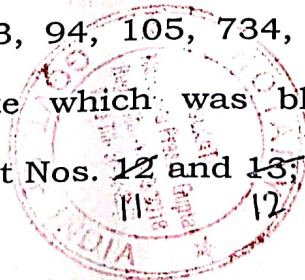
Filed by
Vivek Kumar
Advocate

- f. To direct the concerned respondent authorities to comply and/or act in accordance with the provisions of the Water (Prevention and Control) Act and other pollution laws.
- g. To direct the concerned respondent authorities to take steps and/or initiate legal proceedings in accordance with law against the polluters to protect the environment;
- h. To pass such other order or orders, direction or directions as this Hon'ble Tribunal may deem fit and proper to protect and preserve the environment and for the ends of justice.

INTERIM ORDER:-

It is specifically prayed that this Hon'ble Tribunal may be pleased to pass the following interim reliefs during pending and disposal of Original application:-

- a) To direct the concerned respondent authorities to forthwith stop the illegal construction of boundary wall in Mouza- Kharia Sheet No. 81 (L.R.), L.R. Plot Nos. 256, 270, 274 in area of 2.32 acres being vested land and Mouza-Kharia, Sheet No.13, R.S. Plots No. 90, 91, 92, 93, 94, 105, 734, 735, 736 and 737 and sluice gate which was blocked by the private respondent Nos. 12 and 13;



Biswajit Dutta Chowdhary

Filed by:
 Vivek Singh
 Advocate.

- b) To direct the concerned respondent authorities to stop the illegal construction of boundary wall in Mouza-Kharia Sheet No. 81 (L.R.), L.R. Plot Nos. 256, 270, 274 in area of 2.32 acres and Mouza-Kharia, Sheet No.13, R.S. Plots No. 90, 91, 92, 93, 94, 105, 734, 735, 736 and 737 and sluice gate which was blocked by the private respondent Nos. 12 and 13;
- c) To direct the concerned respondent authorities to stop illegal construction of boundary wall by the private respondent;
- d) To direct the concerned respondent authorities to restore the property to its original position;
- e) To direct the concerned respondent authorities to undertake all necessary measures to see that there is no construction of any boundary wall in Mouza- Kharia Sheet No. 81 (L.R.), L.R. Plot Nos. 256, 270, 274 in area of 2.32 acres and Mouza-Kharia, Sheet No.13, R.S. Plots No. 90, 91, 92, 93, 94, 105, 734, 735, 736 and 737 and sluice gate which was blocked by the private respondent Nos. 12 and 13;



Biswanath Jutta Chowdhary

- f) To direct the concerned respondent authorities to comply and/or act in accordance with the provisions of the Water (Prevention and Control) Act and other pollution laws.
- g) To direct the concerned respondent authorities to take steps and/or initiate legal proceedings in accordance with law against the polluters to prevent the environment;
- h) Ad-interim order in terms of prayer above;
- i) Costs;
- j) To pass such other order or orders, direction or directions as this Hon'ble Tribunal may deem fit and proper for the ends of justice.

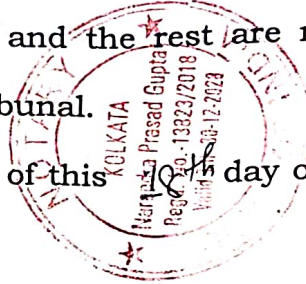


Biswajit Datta Choudhary

VERIFICATION

I, Biswajit Dutta Choudhury, the applicant herein do verify that the statements made in paragraph Nos. 1 to 5 are true to my knowledge and belief and the rest are my humble submissions before this Hon'ble Tribunal.

I sign this verification of this 18th day of December, 2024 at my Lawyer's chamber.



Date : 18/12/2024

Place : Kolkata.

Biswajit Dutta Choudhury
DEPONENT

Filed by
Advocate
Advocate





13/24

Sl. No.

AFFIDAVIT

I, Biswajit Dutta Choudhury, son of Birendra Dutta Choudhury, aged about 58 years, by faith-Hindu, by occupation-social worker, residing at Pabitra Nagar Colony, Jalpaiguri, Pin-735101 and also the Secretary of Paribesh O Aamra, Jalpaiguri, Pabitra Nagar colony, District-Jalpaiguri, Pin-735101, do hereby solemnly affirm and say as follows :-

1. I am the applicant herein and competent to make and affirm this affidavit. I am well conversant and fully acquainted with the facts and circumstances of the case.
2. The statements made in paragraph Nos. 1 to 5 are true to my knowledge and the rest are my humble submissions before this Hon'ble Tribunal.

Prepared in my office
and identified by me

Narendra Prasad Gupta
Advocate
F/4524/3697/2024

Biswajit Dutta Choudhury
DEPONENT

NARENDRA PRASAD GUPTA
NOTARY
GOVERNMENT OF INDIA
REGN. NO. 13823/2018
&
ADVOCATE, HIGH COURT CALCUTTA
8, Old Post Office Street (Ground Floor)
Opp. F-Gate (High Court)
Mob. -8910576674
9833135090

L.T.I.(s)/Signatures(s) of the
Executant/s attested by me on Identification

N.P. Gupta
NARENDRA PRASAD GUPTA, NOTARY
Advocate, HIGH COURT, KOLKATA
Regd. No.-13823/2018, Govt. 'India

18 DEC 2024



JOUTHA PARIBESH MANCHA

C/O- Jalpaiguri Welfare Organization,
Club Road, P.O. and Dt.- Jalpaiguri

Contact No : 9749335625/ 7063839770/ 9475809287/ 9832373600

Dated - Jalpaiguri
26.09.2023.



To
The District Magistrate
Jalpaiguri

Sub: Deputation in regard to prevent illegal Construction work on water body being part of river Karala

Respected Madam,

We, on behalf of our organisation, convey our gratitude to you for giving us appointment out of your busy schedule and at the same time like to draw your kind attention to the following few facts which require your kind intervention.

i) That one person along with his associates, taking undue advantage of khatian has taken a plan to construct a residential complex on water body (being a part of river karala) which is situated at the backside of Viswa Bangla Krirangan, Jalpaiguri. The area in question covers more than 4.00 acres of land and contains 10.000 cusec water every day during rainy season.

ii) That Jalpaiguri itself is a flood prone area and the drainage system of the town is also faulty in spite of the best effort by the municipality. Moreover in 1968, the most devastating flood was witnessed by the people of Jalpaiguri which is regarded as 2nd of its kind in the world after Italy. So the people of this region face various problems in the rainy season due to water logging.

iii) That the water body in question actually divided the town in to two parts viz the east and the west and town people took boat service to cross the river up to 2008. But in 2009 onwards S.J.D.A. constructed embankment on both sides of the river and built a concrete bridge over the river enabling the people to cross the river without any problem. And the boat service was seized to operate, on and from 2010.

iv) That taking the advantage of the embankment and the bridge that the said person is trying his level best to surpass the provisions of L.R.Aact 1955 along with provisions of Bio diversity Act of 2002 for his personal interest whereas section 12 of L.R.Aact 1955 clearly lays down that any water body adjacent to river will be vested to the state straightway and section 4 (c) also states the right of rayat to possess different cases of land wherein the water body is not included.

L.A.55

Attested by me.
Narendra Prasad Gupta
Advocate



JOUTHA PARIBESH MANCHA

C/O- Jalpaiguri Welfare Organization,
Club Road, P.O. and Dt.- Jalpaiguri
Contact No : 9749335625/ 7063839770/ 9475809287/ 9832373600

v) That some miscreants in every place have been trying to misguide the concerned department for their own interest which ultimately malign the image of state Govt. without any reason though the Govt. is always trying to run the administration transparently .

Under these premisses we fervently request your good office to consider our prayer so that illegal activities by any person will be stopped permanently
With deep regards.

Encl:-

J. M. Jalpaiguri
Memo no. 3882 dt 26.9.2023

D. No - 3882
dt - 26/9/23

Sincerely yours

Biswas Jyoti Choudhary

Convener
Joutha Paribesh Mancha
Jalpaiguri



Attested by me
V. K. Dasgupta
Advocate

JOUTHA PARIBESH MANCHA

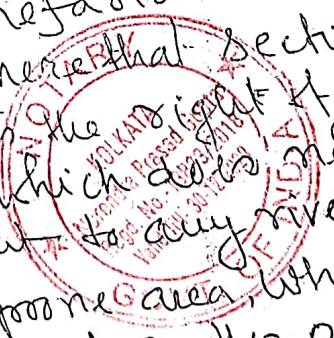
C/O- Jalpaiguri Welfare Organization,
Club Road, P.O. and Dt.- Jalpaiguri
Contact No : 9749335625/ 7063839770/ 9475809287/ 9832373600

To
The District Land and Land Reforms Officer
Jalpaiguri

Sub: Complaint against unlawful recording of water body in the names of some purchasers below scheduled of Land.

We, on behalf of our organization, would like to draw your kind attention to the following few facts:-
1) that water body adjacent to river Karala has been recorded unlawfully by Sadar B.L. & L. R.O. in the names of some purchasers. It may be mentioned here that section 12 of L.R. Act 1955 clearly states that any water body adjacent to any river will be vested to the state without any reference. The water body in question is still a part of Karala and it contains ten (10) thousand cucc. every year during rainy season. And if the said water body is covered and building is built the entire area will lose the biodiversity of the region. It is evident that a group of people in the name of development tries to purchase all those water bodies for their own interest which ultimately destroy the biodiversity of the region.

2) that we strongly object such nefarious work of the concerned officers. It may also be mentioned here that section 4(e) of the L.R. Act 1955 clearly states the right of ryot to hold different classes of land which does not allow to hold water body adjacent to any river.
3) that Jalpaiguri itself is a flood prone area, which was well evident in the 1968 flood. It is designed on the 2nd of its kind after that of Italy.



Attended by me
V. Sadey
Advocate

JOUTHA PARIBESH MANCHA

C/O- Jalpaiguri Welfare Organization,
Club Road, P.O. and Dt.- Jalpaiguri
Contact No : 9749335625/ 7063839770/ 9475809287/ 9832373600

Under these premises, we fervently request your good office to make a field enquiry for verifying our complaint so lodged and take necessary steps to cancel those khataims so manufactured as per 51A(4) of the L. R. Act 1955 and do the justice to the people of the town.
Thanking you.

sincerely yours,
Prismit Dutta Choudhury

Land Schedules
Mouza - Kharia
Sheet no - 13
PLA S - 91, 92, 93, 94,
105, 734, 735, 736, 737

Convener
Joutha Paribesh Mancha
Jalpaiguri



Attated by me
Prasanna
Advocate.

Typed copy

33

JOUTHA PARIBESH MANCHA

C/o. Jalpaiguri Welfare Organisation

Club Road, P.O. and Dt. Jalpaiguri

Contact No. 9749335625/7063839770/9475809297/9832373600

To
The District Land and Land Reforms Officer
Jalpaiguri

Sub: Complain against unlawful recording of
water body in the names of some purchasers on
below scheduled of land.

Sir,

We, on behalf of our organisation, would like to draw your kind
attention to the following few facts;-

- I) That water body adjacent to river Karala has been recorded
unlawfully by Sadar B.L. & L.R.O. in the names of some purchasers.
It may be mentioned here that section 12 of L.R. Act 1955 clearly
states that any water body adjacent to any river will be vested to the
state without any reference. The water body in question is still a part
of river Karala and it contains ten (10) thousand cusec water every
year during rainy season and if the said water body is covered and
building is built the entire area will witness water logging everywhere
and at the same time destroy the biodiversity of the region. It is
evident that a group of people in the name of development tries to
purchase all those water bodies for their own interest which
ultimately destroy the biodiversity of the region.
- II) That we strongly object such nefarious work of the concerned officer,
it may also be mentioned here that section 4(c) of the L.R. Act, 1955
clearly states the right of rayat to hold different classes of land which
does not allow to hold water body adjacent to any river.
- III) That Jalpaiguri itself is a flood prone area, which was well evident in
1968 still designed as the 2nd of its kind after that of Italy.



Attended by m.e.
V. K. Dey
Adv.

Typed copy

34

JOUTHA PARIBESH MANCHA

C/o. Jalpaiguri Welfare Organisation
Club road, P.O. and Dt. Jalpaiguri
Contact No. 9749335625/7063839770/9475809297/9832373600

Under these premises, we fervently request your good office to make a field enquiry for verifying our complaint so lodged and take necessary steps to cancel those Khatians so manufactured U/s. 51A(4) of the L.R. Act 1955 and do the justice to the people of the town.

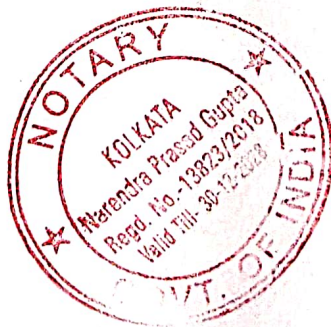
Thanking you,

Sincerely yours

Sd/- Biswajit Bhattacharya

Land schedule

Mouza Kharia
Sheet No. 13
R.S. Plots 91, 92 90, 93, 94, 105, 734, 735, 736, 737



Attested by me.
V. Prasad
Adv.

জন্ম- জলপাইগুড়ি খতিয়ান নং- ২৬৯

[০৭০২২৬৭]



মৌজা- খরিয়া সিট নং- জে.এল.নং- ০০৭
৪১

খানা- কোতোয়ালী

37

(১) রাজস্ব-

টাকা

খতিয়ান তৈরির তারিখ - 16/11/2021

(২) জমির পরিমাণ(এ)- ৩.৭৮৪৭

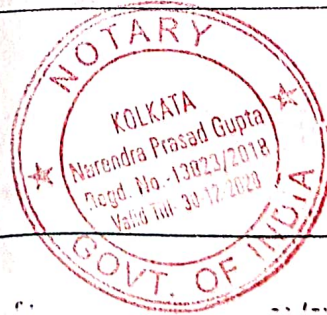
(৩) মোট দাগের সংখ্যা- ৯

	(৪) অত্রস্বত্বের দখলকারের বিবরণ	(৫) স্বত্ব	(৬) মন্তব্য
নাম-	মা কামাঙ্গা	রায়ত	
পিতা-	ডেভলপারস		
ঠিকানা-	নিজ		

(৭) অত্রস্বত্বের নিজ দখলীয় জমি

দাগ নং	জমির শ্রেণী	মন্তব্য	দাগের মোট পরিমাণ(এ)	দাগের মধ্যে অত্রস্বত্বের অংশ	দাগের মধ্যে অত্রস্বত্বের জমির অংশের পরিমাণ	
					একর	হেক্টর
২৩৫	দহলা		০.৪৮৭৮	০.৩০৭২	০.১৪৯৯	
২৩৬	দহলা		০.১৫২৮	০.৫১৭৭	০.০৭৯১	
২৩৭	দহলা		০.৪৫৪০	১.০০০০	০.৪৫৪০	
২৩৮	দহলা		০.৪৬৬৫	১.০০০০	০.৪৬৬৫	
২৩৯	দহলা		০.৫৬৯৬	০.৭৬২৪	০.৪৩৪৩	
২৪০	দহলা		০.৩৬১৭	০.৯৯৯৭	০.৩৬১৭	
২৪১	দহলা		০.৬২৮০	১.০০০০	০.৬২৮০	
২৪২	দহলা		০.৬২৯২	০.৯২৪৬	০.৫৮১৮	
২৪৩	দহলা		০.৬৪৫২	০.৯৭৫৫	০.৬২৯৪	
২৪৪	দহলা					

মোট দাগের সংখ্যা- নয় মাত্র



Attended by me
K. S. Adv. Advocate.

38

Type copy

Dist: Jalpalguri
Mouza:Kharla, Sheet
No.81

Khatian No. 269
J.L. No. 007

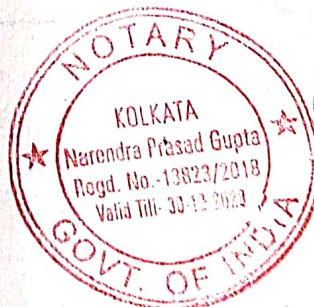
(0702267)
P.S. Kotwali

1. Tax amount
2. area of land 3.7847
3. Total Dag Nos. 9
Date of Khatian prepared on 16.11.2021

	4. description of processors	5. Nature	6. Remarks
Name: Father: Address:	Maa Kamaksha Developers Lease	Rayat	

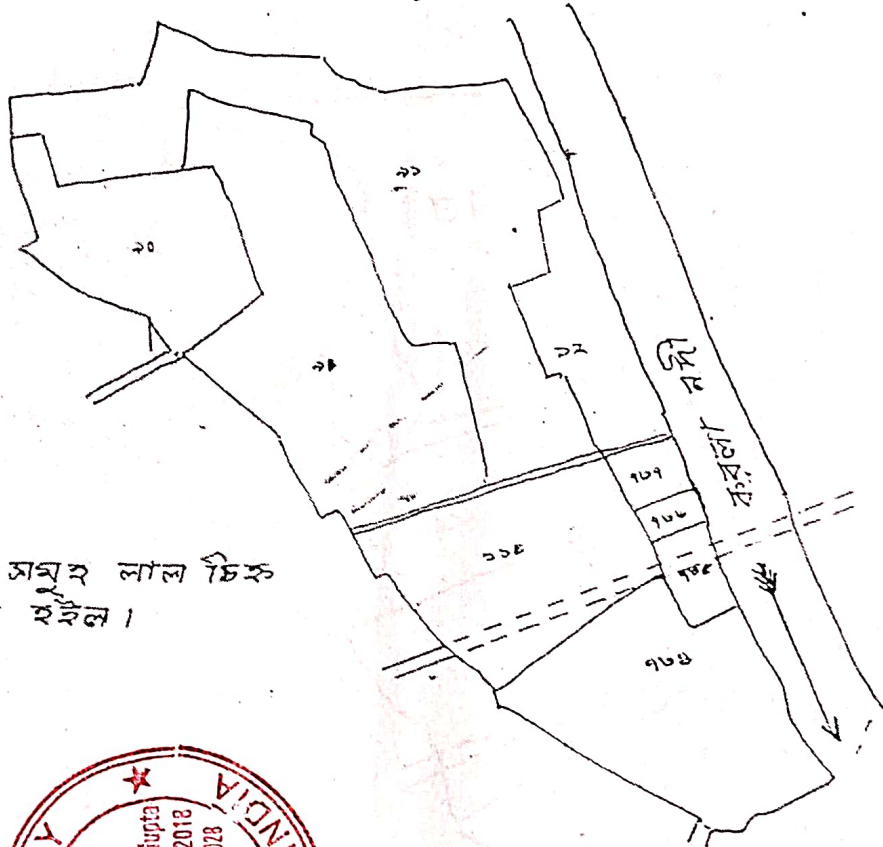
7. own possessor land

Dag No.	Nature of land	Land of dag	Land of the possessor	Area of Land of the possessor in Dag.
235	Dahola	0.4878	0.3072	0.1499
236	Dahola	0.1528	0.5177	0.0791
259	Dahola	0.4540	1.0000	0.4540
260	Dahola	0.4665	1.0000	0.4665
261	Dahola	0.5696	0.7624	0.4343
262	Dahola	0.3617	0.9997	0.3617
263	Dahola	0.6280	1.0000	0.6280
271	Dahola	0.6292	0.9286	0.5818
272	Dahola	0.6452	0.9755	0.6291
	Total Dag: Nine			

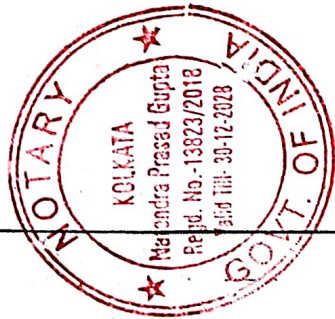


Attested by me
V. Vassey
Advocate.

মোজা খাড়া
সিট নং ১৩
জে,এল,নং ৭
জিলা জলপাইগুড়ি।
স্কেল ১৩" = ১ মাইল



উল্লেখিত দাগ মামুদ লাল চিহ্ন
দ্বারা দেখানো হইল।



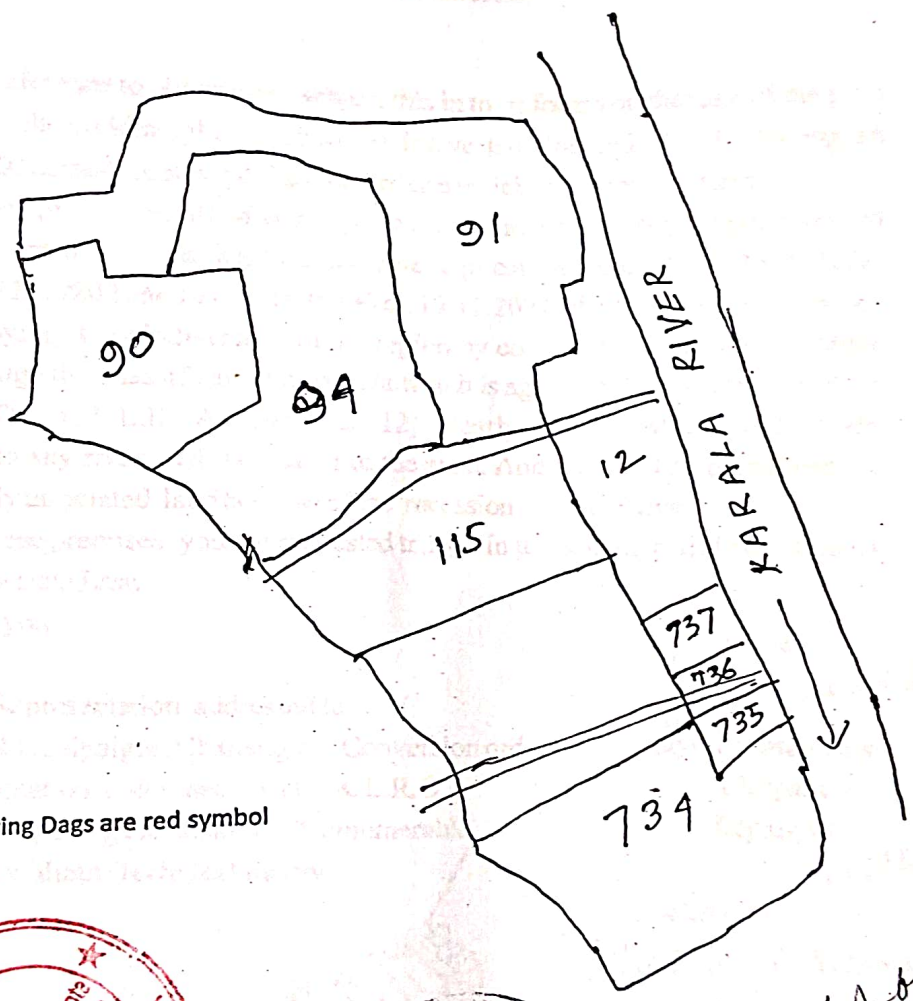
প্রস্তুতকারক
শ্রী কামল কুমার রায়
আম্বিন

Attested by me.
Virendra Prasad
Advocate.

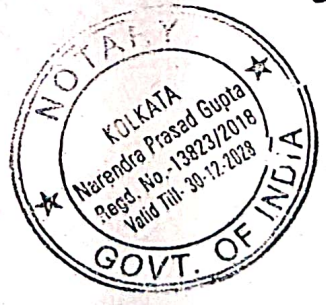
40

Type copy

Mouza: Kharia
Sheet No.13
J.L. No.7,
District-Jalpaiguri
Scale 16" = 1 mile



Following Dags are red symbol



Attested by me
V. K. Das
Atroc



PARIBESH O AAMRA JALPAIGURI

PABITRA NAGAR, JALPAIGURI

Contact No. 9749335625, 9832373600, 7908689461



Ref. No.....

Date 17.01.2025

To
The Executive Officer
Jalpaiguri Municipality
Jalpaiguri

Sub: Representation for non approval in respect of Building plan submitted by one M/s Maa Kamakhya Developer as the same is planned on a vested plot No. 274 (LR) having an area of 1.00 acres of land.

Sir,

With reference to above cited subject this in to inform you that one of the plots on which the building plan is submitted, is a vested plot viz 274 (L.R) having an area of 1.00 acres of land as per land record and which is a criminal offence.

Further ,we on behalf of our organization have submitted application to National Green Tribunal West bengal vide application No. 190213400542202, 190022022319202 and 1912240049340 dt. 19.12.2024. challenging the Developer for destroying the biodiversity of the region by constructing building on water body, though the classification is dahala which is agri land being a part of river Karala . The W.B. L.R. Act 1955 (u/s 12) clearly states that any water body adjacent to any river will be vested in the state. And the land so mentioned is completely alluviated land because of the recession of karala River .

Under these premises you are requested to look in to the matter and do justice as per appropriate Law.

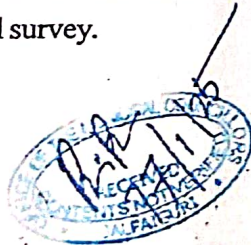
Thanking you

- Enco: 1. Representation addressed to D.L.&L.R.O Jalpaiguri Challenging Conversion order .
- 2. Representation addressed to D.L.&L.R.O Jalpaiguri opposing the creation of innumerable L.R. Plots without Technical survey.

yours
Jyoti Prosad Roy
(Jyoti Prosad Roy)

Ukilpara
Jalpaiguri

17.01.2025
President
Paribesh O Aamra
Jalpaiguri .



Attested by me
N. Prasad
Adv.

(Live Data As On 11/01/2025,12:55:55)

জে.এল নং : 007 খাসা : কোতোয়ালী

খতিয়ান নং :	259
স্বামতের নাম :	শফর সরকার
পিতা/স্বামী :	মুত গোদাল চন্দ্র সরকার
ঠিকানা :	নিজ
জমির পরিমাণ:	0.7379 একর
দাগের সংখ্যা:	4
খতিয়ান তৈরীর তারিখ :	10/02/2021

অগ্রস্বরের দাগের বিবরণ ও পরিমাণ:

দাগ নং	শ্রেণী	অংশ	অংশ পরিমাণ(একর)	মহলব্য
261 (CC)	দহলা	0.2293	0.1306	Nil
262 (CC)	দহলা	0.0003	0.0001	Nil
264	দহলা	0.4814	0.2000	Nil
274	পতিত	0.1432	0.4072	Nil

Content of this page is near exact replication of land record database collocated at the central server and in case of any factual error(s) in the content, viewer(s) is/are advised to contact the concerned BL&LRO office for authentication.

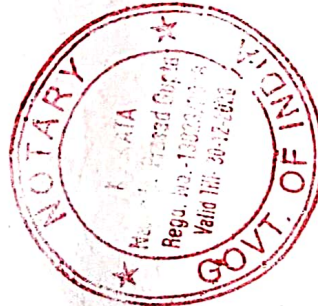
Get Started

[Home](#)[Profile](#)[About Land Reforms](#)[Site Map](#)

About Us

[Administrative Setup](#)[ARTI](#)[LMTC](#)[Land Policy](#)

Support



Attended by me.
Nirupa Dasgupta
Advocate.

LAND AND LAND REFORMS AND REFUGEE RELIEF ND
REHABILITATION DEPARTMENT
(Live Data As on 11.01.2025, 12:55:55)

J.L> No. 007 Police Station : Kotwali

Khatian No. 259

Rayat's Name : Sankar Sarkar

Father/Husband : Late Gopal Chandra Sarkar

Address : Sole

Land measurement : 0.7379 Acre

Dag No. : 4

Date of Khatian : 10.02.2021

Description of Dag No. & Measurement

Dag No.	Class	Part	Part measurement (Acre)	Remarks
261(CC)	Dahala	0.2293	0.1306	Nil
262(CC)	Dahala	0.0003	0.0001	Nil
264	Dahala	0.4814	0.2000	Nil
274	Vested	0.1432	0.4072	Nil

Content of this page is near exact replication of land record database collected at the central server and in case of any factual error(s) in the content, viewer(s) is/are advised to contact the concerned BL&LRO office for authentication.

Get Started

- Home
- Profile
- About Land Reforms
- Site Map

- About Us
- Administrative Setup
- ARTI
- LMTC
- Land Policy

Support



Attested by me.
V. Prasad
Adv.

276

দহলা

0.535

[Click Here](#)

খতিয়ান নং	স্বামীর নাম	পিতা/স্বামী	অংশ	অংশ পরিমাণ(একর)	মন্তব্য
148	বিপ্লব কুমার নন্দী	মনোরঞ্জন ন ন্দী	0.0002	0.0001	Nil
204	প্রেমানন্দ গুহ	রামানন্দ গুহ	0.0129	0.0069	Nil
273	লছমি দেবী আগরওয়াল	মৃত কিশোরীলাল আগরওয়াল	0.1645	0.0880	Nil
277	মা কামাক্ষ্যা	পক্ষে পাট	0.3177	0.1700	Nil

Content of this page is near exact replication of land record database collocated at the central server and in case of any factual error(s) in the content, viewer(s) is/are advised to contact the concerned BL&LRO office for authentication.

Get Started

[Home](#)

[Profile](#)

[About Land Reforms](#)

[Site Map](#)

About Us

[Administrative Setup](#)

[ARTI](#)

[LMTC](#)

[Land Policy](#)

Support

[FAQ \(helpTopic\)](#)

[Help](#)

[Forum](#)

[Web Information Manager \(webInformationManager\)](#)

Legal



Attended by me,
Deputy
Advocate.

276

Dahala

0.535

Khatian No.	Rayat's name	Father/Husband	Part	Part measurement (Acr)	Remarks
148	Biplab Kumar Nandy	Manoranjan Nandy	0.0002	0.0001	Nil
204	Premananda Guha	Ramananda Guha	0.0129	0.0069	Nil
273	Lachmi Debi Agarwal	Late Kishorilal Agarwal	0.1645	0.0880	Nil
277	Maa Kamakhya	Favour Part	0.3177	0.1700	Nil

Content of this page is near exact replication of land record database collected at the central server and in case of any factual error(s) in the content, viewer(s) is/are advised to contact the concerned BL&LRO office for authentication.

Get Started

Home
Profile
About Land Reforms
Site Map

About Us
Administrative Setup
ARTI
LMTC
Land Policy

Support
FAQ (help topic)
Help
Forum
Web Information Manager (webinformation Manager)

Legal



Attended by me.
V. K. Dey
Adv.

Amexur - "C"

1360

W-471-J

46



GOVERNMENT OF WEST BENGAL
IRRIGATION & WATERWAYS DIRECTORATE
OFFICE OF THE CHIEF ENGINEER, NORTH EAST
CLUB ROAD, JALPAIGURI

MEMO NO. 565(1)/W-471-J

DATED: 07.08.24

The District Magistrate,
Jalpaiguri.

Sub:-Regarding Deputation against blocking of sluice gate over the river Karala by the builders.

Ref: - Memo No. Nil dated 05.01.2024 of the Conveynor, Joutha Paribesh Mancha, Jalpaiguri.

Madam,

In connection with the above noted subject, I am to enclosed herewith a copy of the letter of the Conveynor, Joutha Paribesh Mancha, Jalpaiguri, as received vide his memo under reference for your ready reference.

According to their information, a group of builders constructed a concrete fencing adjacent to river Karala which causing blockage the sluice gate situated on the right bank of river Karala in the back side of Viswa Bangla Krirangan, Jalpaiguri. Our Departmental Officers also visited the said location and according to their inspection report this type of blockage may cause waterlogging in that region and affect the stability of the river embankment. It is here to mention that the embankment at the said location has been constructed by the North Bengal Development Department and already informed to the Executive Engineer, NBDD and also to the Chairman, Jalpaiguri Municipality by the Superintending Engineer, North East Irrigation Circle-II, Irrigation & Waterways Directorate to look into the matter vide his Memo No. 58/1(30/22-P dated 19.01.2024

The matter may be taken up with NBDD.

Encl:- As stated

Yours faithfully

etc

(K. Bhoomik)

Chief Engineer, North East
Irrigation & Waterways Directorate
Club Road, Jalpaiguri

MEMO NO. 565(1)/W-471-J

DATED: 07.08.24

Copy forwarded for information to:

1. The Chief Engineer, North Bengal Development Department, Siliguri.
2. The Superintending Engineer, North East Irrigation Circle-II, Irrigation & Waterways Directorate, Club Road, Jalpaiguri with reference to his Memo No. 317/22-P dated 22.07.2022
3. The Conveynor, Joutha Paribesh Mancha, Jalpaiguri.

Attended by me
✓ Pankaj Adhikari



etc

(K. Bhoomik)

Chief Engineer, North East
Irrigation & Waterways Directorate
Club Road, Jalpaiguri



GOVERNMENT OF WEST BENGAL
OFFICE OF THE SUB DIVISIONAL OFFICER, SADAR SUB DIVISION,
JALPAIGURI

Email id :-sdosadarjal@gmail.com:: Telephone No:- 03561232017(Office)

Memo No. 1990 / PG

Dated. 22nd July, 2024

To
The Executive Engineer,
Irrigation & Waterways Deptt.,
Jalpaiguri.

Sub : Complaint regarding illegal Construction.

You are requested to peruse the complaint filed by one Shri Biswajit Datta Chowdhury as Secretary of one organization, as per their letterhead going by the name of "PARIBESH -O-AMRA", Jalpaiguri. It alleges, obstruction of sluice gate.

You are requested to enquire into the matter whether the same is true.

You may take necessary action as per law and inform the concerned with a copy to this end,

Encl: As stated

Memo No. 1990/102 PG
Copy forwarded for information to :

1. CA to the District Magistrate, Jalpaiguri.
2. Shri Biswajit Datta Chowdhury, complainant.


Sub - Divisional Officer
Sadar, Jalpaiguri

Dated: 22nd July, 2024


Sub - Divisional Officer
Sadar, Jalpaiguri



Attended by me
N. Prasad
Advocate.



GOVERNMENT OF WEST BENGAL
OFFICE OF THE SUB DIVISIONAL OFFICER, SADAR SUB DIVISION,
JALPAIGURI

Email id :-sdosadarjal@gmail.com:: Telephone No:- 03561232017(Office)

Memo No. 199/11 PG

Dated. 22nd July, 2024

To
The Chairperson,
Jalpaiguri Municipality,
Jalpaiguri.

Sub : Complaint regarding illegal Construction.

Madam,

You are requested to peruse the complaint filed by one Shri Biswajit Datta Chowdhury as Secretary of one organization, as per their letterhead going by the name of "PARIBESH -O-AMRA", Jalpaiguri. It alleges, illegal construction in government land, inter alia.


You are requested to enquire into the matter whether any construction as alleged has taken place without sanctioned plan. Your good office may take necessary action following provisions of law. An action taken report shall be appreciated.

Encl: As stated

Memo No. 199/1(2) PG

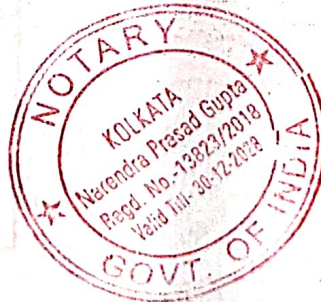
Copy forwarded for Information to :

1. CA to the District Magistrate, Jalpaiguri.
2. Shri Biswajit Datta Chowdhury, complainant


Sub - Divisional Officer
Sadar, Jalpaiguri.

Dated. 22nd July, 2024

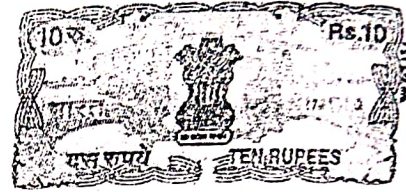

Sub - Divisional Officer
Sadar, Jalpaiguri.



Attended by me
V. Parsey
Advocate

Annexure "D"

1927



APPLICATION UNDER RTI-2005 ACT

To:

The BLRO [Block Land and Land Reforms Officer], Jalpaiguri-Sadar Block, West Bengal
Sir,

I shall seek some information from you under the RTI-2005 Act based on the background below:

Background: I would like to bring to your knowledge some background of the vast stretch of marshy low land [popularly called Jalabhumi in Bengali [and "WETLAND" in English] by the local people] as visible to the left of the approach road to the new Karla Bridge [that approach road to the new Karla Bridge starts from the Gourio Math] and also may be reached by walking a few yards from an dilapidated old Masjid [remains of that old structure still exists at the end of a lane] in the Old Police Line area, Jalpaiguri. Copy of the letter issued to us by the Chief Engineer [Mr. Krishendu Bhowmick] is attached in the Annexure-I in support of the information along with some more annexures in support of this Application.

Long ago as early as in early 1954, this Jalabhumi [wetland] was connected with the river Karla by a few "Hume-Pipes" and was also fed with seasonal rain water. The local people used to take bath and swim at noon and some people used to fishing and also used to roam with small boats.

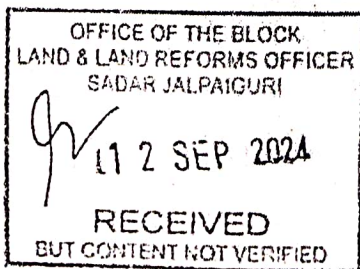
Later after the construction of the new Karla Bridge, an Embankment was constructed along the western side river Karla by the Irrigation Department leaving the vast land of that Jalabhumi along with some low land which was connected with that Jalabhumi.

Over the years the two lands continued to be filled with huge "Kachuripanaplants " and ultimately transformed into a single vast stretch of low land of about 17 "bighas" of land.

After searching about the status of that vast land, we have got the information that the vast low land has been recorded under RS-Plot Nos, 90,91,94,115 and 735-737. Mouza Kharia, Sheet No-Rs 13, LR-81.

In view of the above, I would like to seek the following information under the RTI-2005 Act:

1. Present status of the above land as now exists in government record(s) like (i) Jalabhumi [wetland], (ii) Low land (iii) barren land (iv) Khas land etc...



*Attended by me,
V. Prasad
Advocate*

50

2. Whether conversion of the entire land of about 17 seventeen) bighas or more has been made by the competent Administrative Authority with peer review after verification of all necessary papers and official documents required for the purpose of conversion of the nature of the land in question in order to avoid future complicity as we apprehend now.
3. Whether the land as referred to above has been recorded in the name of any person with due clearance of all taxes and inform the name and address of that person(s) in whose favour the land has been recorded by you as the BL&LRO.
4. Whether that land has been sold-out or not and whether the name of the purchaser has been recorded in the LR-Khatian.

I would like to request you to kindly send the above information to the questions as mentioned in 1-4 above with sufficient clarity and leaving no scope of any ambiguity and in compliance of all necessary official records and documents, within thirty working days from the receipt of this Application.

Necessary Application Fee of Rs. 10/- is affixed below

Sincerely yours

Jyoti Prasad Roy
(Jyotiprosad Roy)

President
Paribesh O Aamra Paribesdh O Aamra
Ukil Para, Jalpaiguri-735101
m-9434217139

Biswajit Dutta Chowdhury
(Biswajit Dutta Chowdhury)

Secretary
SECRETARY
PARIBESH O AAMRA JALPAIGURI
PABITRA NAGAR, JALPAIGURI



*Attended by me
V. K. Roy
Advocate*

40

58



APPLICATION UNDER RTI-2005 ACT

To:

Dated: September _____, 2024.

The Chairperson, Jalpaiguri Municipality, Jalpaiguri-735101, West Bengal
Madam,

I shall seek some information from you under the RTI-2005 Act based on the background below:

Background: I would like to bring to your knowledge some background of the vast stretch of marshy low land [popularly called Jalabhumi in Bengali [and "WETLAND" in English] by the local people] as visible to the left of the approach road to the new Karla Bridge [that approach road to the new Karla Bridge starts from the Gourio Math] and also may be reached by walking a few yards from an dilapidated old Masjid [remains of whose old structure still exists at the end of a lane] in the Old Police Line ,Jalpaiguri. Copy of the letter issued to us by the Chief Engineer [Mr. KrishenduBhowmick] is attached in the Annexure-I in support of the information along with some more annexures in support of this Application.

Long ago as early as in early 1954, this Jalabhumi was connected with the river Karla by a few "Hume-Pipes" and was also fed with seasonal rain water. The local people used to take bath and swim at noon and some people used to fishing and also used to make roaming with small boats.

Later after the construction of the new Karla Bridge, an Embankment was constructed along the river Karla by the Irrigation Department leaving the vast land to western side of the embankment and that wetland along with some low land which was connected with that wetland.

Over the years the vast stretch of lands were filled with 'kachuripans-plants " and ultimately transformed into a single vast low land of about 2(two) "bighas" or more.

After searching about the status of that vast land, we have got the information that the vast low land has been recorded under RS-Plot Nos, 90,91,94,115 and 735-737. We do not know whether any conversion of the about 17 bighas of land has been made in favour of any person by the competent Administrative Authority taking sufficient care,peer review and after verification of all necessary papers and official documents as might be required for the purpose of conversion of the nature of the land

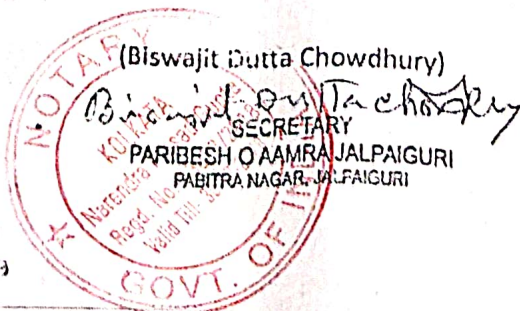
Under the RTI-2005 Act we like to know from you if the Jalpaiguri Municipality has received any Plan along with legal papers of the land for construction of any building on the said land and whether that plan has been sanctioned or not or under consideration for sanction of that plan for any construction. Necessary Application Fee of Rs. 10/- is affixed below

Handwritten note: Affixed by me
for my
Advocate

Sincerely yours
(Signature)
Jyotiprasad Roy

PRESIDENT
PARIBESH O AAMRA JALPAIGURI

U Kilpara
Jalpaiguri



Biiswajit Dutta choudhary

"VAKALATNAMA"

In the at
Before Ld National Green Tribunal, Kolkata, Judge
Sult/Case No. at 201 Signature

Biiswajit Dutta choudhary

Plaintiff
Applicant
Appellant

-VS-

The state of West Bengal & ors.

Defendant
Opp. Party
Respondent

KNOW ALL MEN by these I, Biiswajit Dutta choudhary s/o, Biiswajit
Dutta choudhary, residing at Pabitra Nagar colony, Jalkiguri, west Bengal - 735101
that I/We do hereby in my / our name and my / our behalf constitute and appoint Sri Vivek Kumar
Pandey, Sri kalyan kumar chakraborty Adv.,
true and lawful Pleader / Advocate & Attorneys to appear and act for me / us in the
matter noted above to the suit written statement, conduct suit, appeal from original
suit order etc. and for that puse to do all acts and things, whatsoever in that
connection including compromise of the above matter disposing in or withdrawing
money from filling or taking out of appear, document and payment order from Court
referring matters in dispute between the parties here to arbitration, withdrawing the above
matters with liberty title fresh suit, sending properties released from attachment filling execution
or Miscellaneous cases and other petitions, bidding at execution sale, obtaining payment from
us our Court. Withdrawing custody and other fees and doing on my / our behalf such other acts
in the above matters as are necessary and proper

I/We hereby agreeing to ratify and confirm all acts so done by the said Advocate or Attorneys as
my / our own acts and as it done by
me / us to all igtents and purposes.

Date... 18 December 2024

ADVOCATES—

Sri kalyan kumar chakraborty.
Advocate.
WB/619/381/1997
Room No. 10; Bar Association
High court, Calcutta - 700001
Ph :- 9804523293

Vivek kumar Pandey
Advocate.
F/4524/3697/2021
Room No. 10; Bar Association
High court, Calcutta, - 700001;
Ph :- 7003855179
Email :- vivek.legal98@gmail.com