

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA, WEST BENGAL  
FINANCE CENTRE, 3<sup>RD</sup> FLOOR, NEW TOWN

MEMORANDUM OF APPLICATION

[Under Section 18(1) read with Sections 14, 15 and 17 of the National Green  
Tribunal Act, 2010]

Original Application no. 70 of 2025

Between

Jayprakas Chaudhuri

..... Applicant.

AND

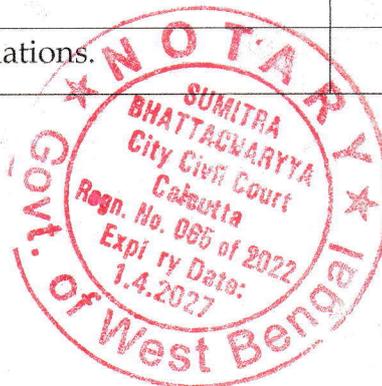
State of West Bengal & Ors.

..... Respondents

INDEX

Sl No.	PARTICULARS	ANNEXURE	PAGE
1.	Synopsis.		3-4
2.	List of Dates.		5-6
3.	Application		7-18
4.	Verification		19
5.	Copy of Plot informations.	A	20-23A

10 FEB 2025



6.	Copy of Memo dated 13.02.2006.	B	24
7.	Copy of complaint dated 06.06.2009.	C	25
8.	Copy of Memo dated 05.04.2010 and 27.05.2010.	D	26-27
9.	Copy of Memo dated 18.08.2010, 30.12.2010, 23.06.2011.	E	28-30
10.	Copy of complaint dated 02.02.2024.	F	31-32
11.	Copy of Memo dated 11.03.2024.	G	33
12.	Vakalatnama		



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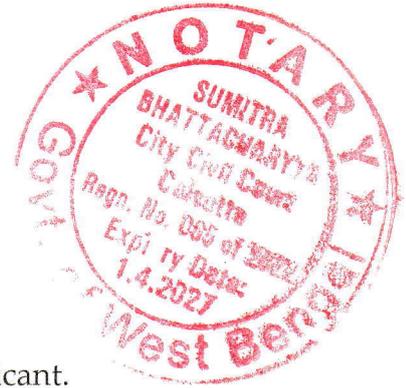
AND

State of West Bengal & Ors.

..... Respondents

**SYNOPSIS**

During 2000 – 2004, three big water bodies at Dag no. 132 and 135 within the Jadavpur Co-operative Land and Housing Society were filled up partially with truck loads of fly ash and debris by the then authorities of the said Co-operative. From the khatian and plot information of 132 and 135 in the official website of land and land Reforms and Refugee Relief and Rehabilitation Department, that the said plots are water body and fishing pond. Such filling



of water body was done by the private respondents herein without obtaining any permission from any corner. In pursuance of complaint a hearing was conducted by the West Bengal Pollution Control Board on 13.02.2006. Cooperative lodged complaint before the Officer-in-charge, Purba Jadavpur Police Station on 06.06.2009 for filling up of big pond in the North-West corner of the cooperative and F.I.R was registered being FIR No. 199/09 dated 30.12.2009 and chargesheet submitted. But no such penal action was taken in pursuant to the said FIR. vide Memo dated 27.05.2010 once again said Deputy Director of Fisheries, Kolkata Zone requested Superintendent of Police, South-24-parganas to identify the place of occurrence and to take cognizable offence so that necessary suitable measures can be taken against the culprits. That vide Memo dated 30.12.2010, the Environmental Engineer (PG & A Cell), West Bengal Pollution Control Board once again requested the Officer-in-Charge, Jadavpur (East) P.S to take necessary action and also asked the Director General (PMU) Convenor Water Body Management Board, Kolkata Municipal Corporation for restoration of filled up water body. That inspite of repeated directions from all concerned department no necessary steps taken to stop unauthorised filling up of wet land and illegal construction over the same by creating new plots being no. 180A to 180E, 66A and 66B in Dag no. 135 and Plot no. 75A in Dag no. 132. In blatant violation of the law of the land, the offenders in day light filling up the water body. Hence, this application



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EASTERN ZONE BENCH, KOLKATA, WEST BENGAL  
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**MEMORANDUM OF APPLICATION**

[Under Section 18(1) read with Sections 14, 15 and 17 of the National Green  
Tribunal Act, 2010]

Original Application no.                      of 2024

**Between**

Jayprakas Chaudhuri

..... Applicant.

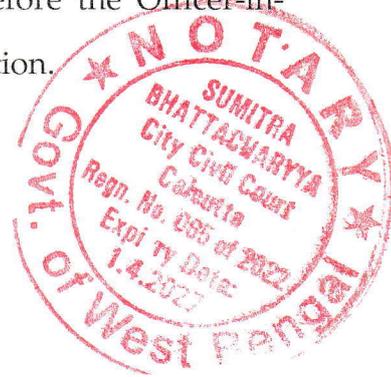
AND

State of West Bengal & Ors.

..... Respondents

**LIST OF DATES**

- 2000-2004                      : Three moderately big water bodies at Dag no. 132 and 135 within the Jadavpur Co-operative Land and Housing Society were filled up partially with truck loads of fly ash and debris.
- 13.02.2006                     : Hearing was conducted by the West Bengal Pollution Control Board, but none appeared.
- 06.06.2009                    : Cooperative lodged complaint before the Officer-in-charge, Purba Jadavpur Police Station.

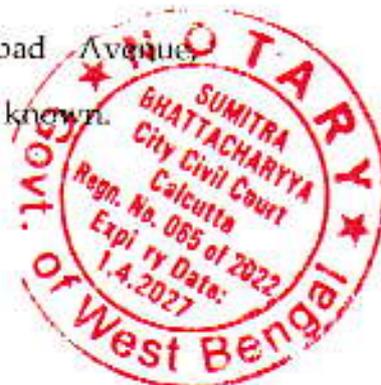


- 05.04.2010 : Deputy Director of Fisheries, Kolkata Zone informed the Superintendent of Police, South-24-Parganas that he personally enquired the alleged spots and found illegal filling of Dag nos. 132 and 135.
- 30.12.2010 : Environmental Engineer (PG & A Cell), WBPCB once again requested the Officer-in-Charge, Jadavpur (East) P.S to take necessary action and also asked the Director General (PMU) Convenor Water Body Management Board, Kolkata Municipal Corporation for restoration of filled up water body.
- 22.11.2017 : Cooperative once again constrained to send complaint before the Deputy Director of Fisheries, Kolkata Zone.
- 02.02.2024 : Once again sent complaint through email to the Principal Secretary, Environment Department and to East Kolkata Wetlands Management Authority for taking necessary steps against the filling up land.
- 11.03.2024 : Chief Technical Officer, EKWMA informed the Municipal Commissioner, Kolkata Municipal Corporation about such illegal filling up of water body in the aforestated area and requested him to enquire into the matter upon taking necessary action.
- : Hence, this application.





4. The Kolkata Municipal Corporation, service through the Municipal Commissioner, 5, S.N. Banerjee Road, Kolkata- 700013. Email id- mc@kmcgov.in
5. The Director General (Project Management Unit), Convenor Water Body Management Board, The Kolkata Municipal Corporation, 5, S.N. Banerjee Road, Kolkata- 700013. Email id- dg bldg@kmc.gov.in
6. The District Magistrate, South-24-Parganas, 25, Belvedere Road, Alipore, Kolkata- 700027. Email id- dm.s24pgs@gmail.com
7. West Bengal Fisheries Department, service through the Additional Chief Secretary, Benfish Tower, 31 GN Block, 8<sup>th</sup> floor, IT Building, Salt Lake, Sector V, Kolkata – 700091, Email id- prsecy.fisheries@gmail.com
8. The Officer-in-Charge, Purba Jadavpur Police Station, 305, Mukundapur Main Road, Satyajit Kanan, Mukundapur, Kolkata- 700099. Email id- ps.pjadavpur@kolkatapolice.gov.in
9. Sachin Das, residing at Plot no. 180E, Nayabad Avenue, Mukundapur, P.S- Panchasayar, Kolkata- 700094. Email Id : Not Known.
10. Biswajit Roy, Plot no. 180B, Nayabad Avenue, Mukundapur, P.S- Panchasayar, Kolkata- 700094. Email Id : Not known.
11. Mahadev Das, residing at Plot no. 180A, Nayabad Avenue, Mukundapur, P.S- Panchasayar, Kolkata- 700094. Email Id : Not known.



12. Basudev Roy, residing at Plot no. 75A, Nayabad Avenue, Mukundapur, P.S- Panchasayar, Kolkata- 700094. Email Id : Not known.

..... Respondents

**MOST RESPECTFULLY SHEWETH :**

1. The applicant is a law abiding citizen of India and residing at the address as stated in the cause title and is a member of Jadavpur Co-operative Land and Housing Society Ltd. (hereinafter called and referred to as 'said Co-operative').

2. That the address of the respondents are stated above for the purpose of service of notices pertaining to the instant application, All the acts, actions and inactions of the respondent authorities are amenable to the jurisdiction of this Tribunal.

**3. FACTS IN BRIEF :**

(i) That during 2000 – 2004, three moderately big water bodies at Dag no. 132 and 135 within the Jadavpur Co-operative Land and Housing Society were filled up partially with truck loads of fly ash and debris by the then authorities of the said Co-operative. That the purpose was to create some additional Housing plot. That from the khatian and plot information of 132 and 135 from the official website of land and land Reforms and Refugee Relief and Rehabilitation Department, that the said plots are water body and fishing pond.

Copy of the said Plot informations are annexed hereto and marked with the letter 'A'.



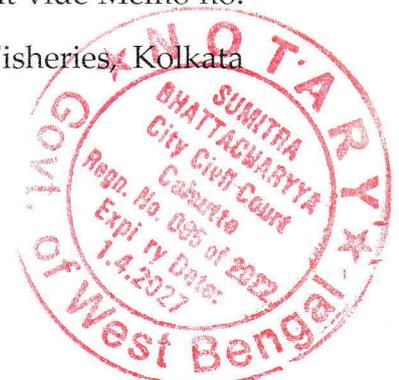
(ii) That the said filling of water body was done by the private respondents herein without obtaining any permission from the Registrar of Cooperatives, Govt. of West Bengal, who are the controlling authorities of said cooperative being Jadavpur Co-operative Land and Housing Society Ltd. and/or no permission was taken from any authorities. That the offenders as well as the then Secretary, Board of Directors were also in collusion to regarding filling up of water body as the same will be evident, when in pursuance of complaint a hearing was conducted by the West Bengal Pollution Control Board on 13.02.2006. But none appeared on behalf of Developer and for the said cooperative.

Copy of the said Memo dated 13.02.2006 is annexed hereto and marked with the letter 'B'.

(iii) That once again some members of said Cooperative lodged complaint before the Officer-in-charge, Purba Jadavpur Police Station on 06.06.2009 for filling up of big pond in the North-West corner of the cooperative and prayed for their intervention against such illegal works. That pursuant to the said complaint a F.I.R was registered being FIR No. 199/09 dated 30.12.2009 and chargesheet was submitted.

Copy of the said complaint dated 06.06.2009 is annexed hereto and marked with the letter 'C'.

(iv) That although FIR was registered against the illegal offenders, but no such penal action was taken in pursuant to the said FIR. That vide Memo no. 204/1(3)sch-47F dated 05.04.2010, the Deputy Director of Fisheries, Kolkata



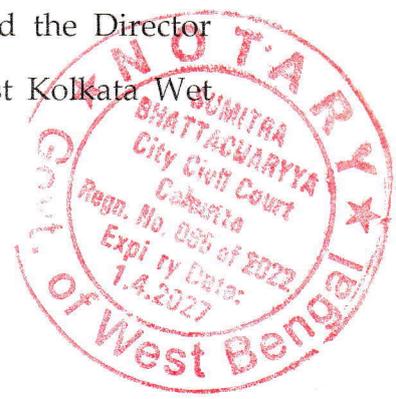
Zone informed the Superintendent of Police, South-24-Parganas that he personally enquired the alleged spots and found illegal filling of Dag nos. 132 and 135 of Mouza- Nayabad. But no action was taken up against law breakers.

That vide Memo dated 27.05.2010 once again said Deputy Director of Fisheries, Kolkata Zone informed Superintendent of Police, South-24-parganas and informed that he requested PSI of Purba Jadavpur P.S to identify the place of occurrence, and to take cognizable offence so that necessary suitable measures can be taken against the culprits.

Copy of the said Memo dated 05.04.2010 and 27.05.2010 are annexed hereto and marked with the letter 'D'.

(v) That vide Memo dated 18.08.2010, the Executive Engineer (C), Project Management Unit, Kolkata Municipal Corporation informed the person responsible of the said Cooperative about some development work undertaken by filling up wet land without permission of KMC and in contravention of West Bengal Town & Country (Planning & Development) Act, 1979 and directed to restore the land to it's condition within one month.

That vide Memo dated 30.12.2010, the Environmental Engineer (PG & A Cell), West Bengal Pollution Control Board once again requested the Officer-in-Charge, Jadavpur (East) P.S to take necessary action and also asked the Director General (PMU) Convenor Water Body Management Board, Kolkata Municipal Corporation for restoration of filled up water body. It is to be stated further that vide Memo dated 23.06.2011 informed the Director General (PMU) about illegal filing of water body under East Kolkata Wet



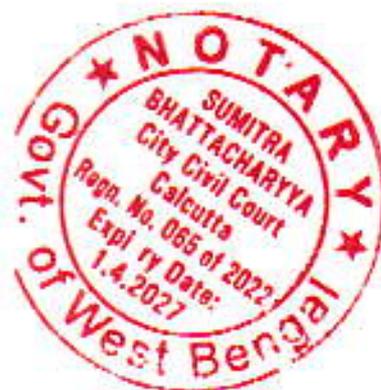
Land & Construction of Building at the site in question located at the Jadavpur Co-operative land & Housing Society Land, Mouza- Nayabad, K>C Ward no. 109, Borough XII, Purba Jadavpur PS, Kolkata 94 & 99.

Copy of the said Memo dated 18.08.2010, 30.12.2010, 23.06.2011 are annexed hereto and marked with the letter 'E'.

(vi) That inspite of repeated directions from all concerned department no necessary steps taken to stop unauthorised filling up of wet land and illegal construction over the same. That the said private respondents by filling up entire southern part of pond of Dag no. 135 created new plots being no. 180A to 180E, 66A and 66B wherein said private respondents Biswajit Roy Sachin Das, Mahadev Das are residing. that by filling up north west part of pond of Dag no. 132 said private respondent Basudev Roy created a new plot being 75A and started residing over there upon construction of unauthorised building.

It is unfortunate that even after making repeated complaints no steps were taken and the applicant once again sent complaint through email to the Principal Secretary, Environment Department and to East Kolkata Wetlands Management Authority on 02.02.2024 inter-alia with a prayer for taking necessary steps against the new construction which are under progress upon filling up land.

Copy of the said complaint dated 02.02.2024 is annexed hereto and marked with the letter 'F'.



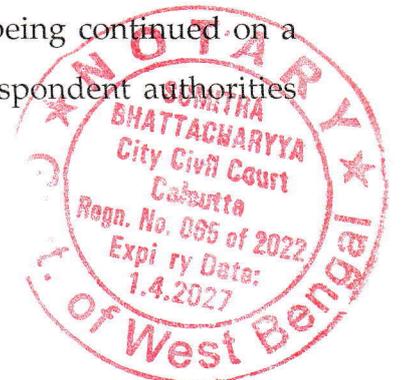
(vii) That vide Memo no. 124-SWA/EN/04/2023(Link-3) dated 11.03.2024 , the Chief Technical Officer, EKWMA informed the Municipal Commissioner, Kolkata Municipal Corporation about such illegal filling up of water body in the aforesaid area and requested him to enquire into the matter upon taking necessary action.

Copy of the said Memo dated 11.03.2024 are annexed hereto and marked with the letter 'G'.

(viii) It is the specific contention of the applicant herein that in blatant violation of the law of the land, the offenders in day light filling up the water body one on north west and other one entire south direction upon constructing over the said filled land, but inspite of having full knowledge of the same, the respondent authorities are silent over the matter without taking any measure which calls for immediate interference and scrutiny by the National Green Tribunal.

(ix) The applicant states that the private respondents are carrying on with the operation of unauthorised construction by filling up the wet land on a day to day basis and the cause of action is continuing on day to day basis and the applicant is suffering prejudice and irreparable loss and injury for the inaction of respondent authorities.

(x) The applicant has made out a strong prima facie case for intervention of this Hon'ble Tribunal and such filling up of land is being continued on a day to day basis by the private respondents and the respondent authorities



have failed to take cognizance of the issue and necessary steps for prevention of water body.

(xi) The balance of convenience is in favour of passing of orders as prayed for hereinbelow by the applicant including passing of interim order for immediate redressal of the grievance of the applicant.

(xii) The applicant has no other adequate and/or alternative and/or efficacious remedy and the reliefs sought for herein, if granted, would be full, adequate and proper.

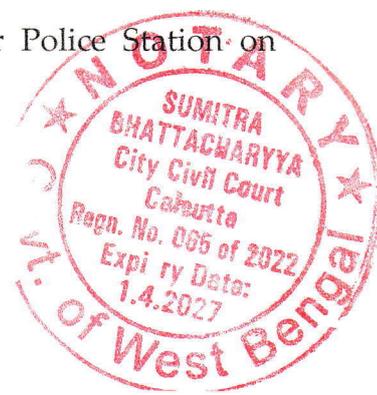
(xiii) Unless orders as prayed for herein are passed, the applicant will suffer irreparable loss and injury.

(xiv) This application is made bonafide and for the ends of justice.

#### 4. GROUNDS :

I. For that filling of water body was done without obtaining any permission from the Registrar of Cooperatives, Govt. of West Bengal, who are the controlling authorities of said cooperative being Jadavpur Co-operative Land and Housing Society Ltd. and/or no permission was taken from any authorities.

II. For that some members of said Cooperative lodged complaint before the Officer-in-charge, Purba Jadavpur Police Station on



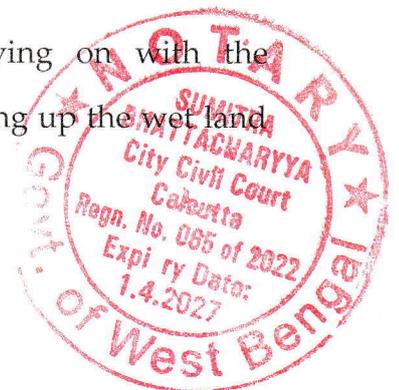
06.06.2009 for filling up of big pond in the North-West corner of the cooperative and prayed for their intervention against such illegal works. That pursuant to the said complaint a F.I.R was registered against one Sanjay Nandy and Kumar Kartick being FIR No. 199/09 dated 30.12.2009 and chargesheet submitted.

- III. For that although FIR was registered against the illegal offenders, but no such penal action was taken in pursuant to the said FIR.
- IV. For that vide Memo no. 204/1(3)sch-47F dated 05.04.2010, the Deputy Director of Fisheries, Kolkata Zone informed the Superintendent of Police, South-24-Parganas informed that he personally enquired the alleged spots and found illegal filling of Dag nos. 132 and 135 of Mouza- Nayabad, but no action was taken up against law breakers.
- V. For that vide Memo dated 18.08.2010, the Executive Engineer (C), Project Management Unit, Kolkata Municipal Corporation informed the person responsible of the said Cooperative about some development work undertaken by filling up wet land without permission of KMC and in contravention of West Bengal Town & Country (Planning & Development) Act, 1979 and directed to restore the land to it's condition within one month.
- VI. For that vide Memo dated 30.12.2010, the Environmental Engineer (PG & A Cell), West Bengal Pollution Control Board



once again requested the Officer-in-Charge, Jadavpur (East) P.S to take necessary action and also asked the Director General (PMU) Convenor Water Body Management Board, Kolkata Municipal Corporation for restoration of filled up water body.

- VII. For that inspite of repeated directions from all concerned department no necessary steps taken to stop unauthorised filling up of wet land and illegal construction over the same and as a result the members of said Cooperative once again constrained to send complaint dated 22.11.2018 before the Deputy Director of Fisheries, Kolkata Zone, Govt. of West Bengal.
- VIII. For that even after making repeated complaints no steps were taken and the applicant once again sent complaint through email to the Principal Secretary, Environment Department and to East Kolkata Wetlands Management Authority on 02.02.2024.
- IX. For that in blatant violation of the law of the land, the offenders in day light filling up the water body one on north west and other one entire south direction upon constructing over the said filled land, but inspite of having full knowledge of the same, the respondent authorities are silent over the matter without taking any measure which calls for immediate interference.
- X. For that the private respondents are carrying on with the operation of unauthorised construction by filling up the wet land



on a day to day basis and the cause of action is continuing on day to day basis and the applicant is suffering prejudice and irreparable loss and injury for the inaction of respondent authorities.

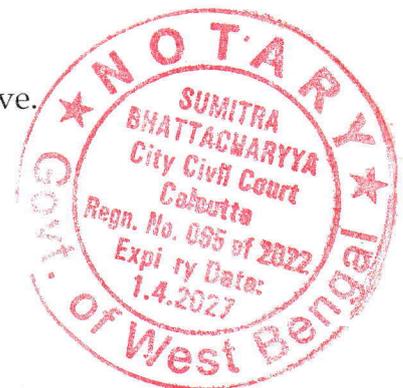
**5. LIMITATION :**

The applicant declares that the cause of action in the instant case, accrues and continues from day to day. Such cause of action is renewing on day to day basis and as such the question of applicability of the limitation prescribed in Section 14(3) of the National Green Tribunal Act, 2010 does not arise.

**6. INTERIM PRAYER :**

Pending final disposal of the application the applicant seeks insurance of the following interim orders :

- a) An interim order of injunction directing the respondents and/or their servants and/or their employees and/or their agents to take necessary steps against the filling up of water body at Dag nos. 132 and 135 of Mouza- Nayabad on north west side and entire Southern side and to stop unauthorised construction which are under progress upon filling up water body.
- b) Ad-interim order in terms of prayer (a) as above.



7. **PRAYER :**

In view of the facts mentioned in paragraph 3 & 4 above the applicant prays for the following reliefs :

- a) Mandatory order commanding the respondents each one of them, their men, agents, assigns, subordinates to take necessary action against illegal filling up of water body at Dag nos. 132 and 135 of Mouza- Nayabad on north west side and entire Southern side and to restore the land to it's original condition.
- b) An order directing the respondents each one of them, their men, agents, assigns, subordinates to demolish the unauthorised construction constructed over the said wet land at Dag nos. 132 and 135 of Mouza- Nayabad upon illegal filling up the water body and constructed without obtaining permission from Kolkata Municipal Corporation.
- c) An order directing the Officer-in-Charge of Purba Jadavpur Police Station to take necessary steps against the private respondents.
- d) Any other order and/or orders, direction and/or directions as this Hon'ble Tribunal may deem fit and proper.
- e) Cost and/or incidental to the instant application.



10 FEB 2025

Solely Affirmed and  
Declared before me U/S 139  
CPC, (C)

*Sumitra Bhattacharyya*  
Notary

Sumitra Bhattacharyya  
Notary, Govt. of W.B.  
Regd. No. 065 of 2022  
City Civil Court, Calcutta



## VERIFICATION

I, the Deponent above-named, do hereby verify and declare that the statements made in paragraphs are true and correct to the best of my knowledge and information and I believe that nothing material has been concealed there from.

Verified at Kolkata on 10<sup>th</sup> day of ~~August~~<sup>February</sup>, 2025

Prepared by me

*Krishnendu Bose*

Advocate

*Chandhuri*

DEPONENT

(JAYRAKAS CHAUDHURI)



Annexure-A

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20



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Land and Land Reforms and Refugee Relief and Rehabilitation Department



Citizen Services



Know Your Property



Query Search



Public Grievance



Mouza Information

Special Citizen Service  
(RCCMS)

## KHATIAN &amp; PLOT INFORMATION

Mouza IdentificationCode Wise / Name Wise: \*  Code Wise  Name Wise

District:\*

[ 16 ] SOUTH 24 PARGANAS

Block:\*

[ 30 ] Kolkata

Mouza:\*

[ 025 ] Nayabad

Choose Your Language:

Bengali

Option:Khatian Type: \*  Normal Khatian  Lease Khatian  FHTD Khatian Search By Khatian Search By Plot

Plot No.\*

132 /

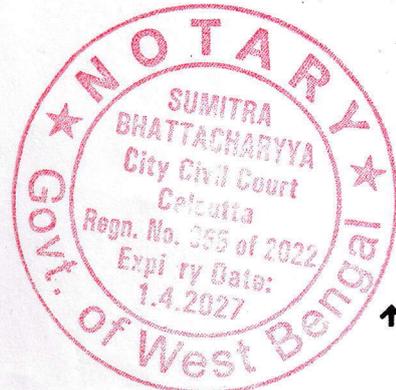
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VIEW

LIVE



**(Live Data As On 27/02/2024,13:44:12)**

জে.এল নং 025 থানা যাদবপুর

দাগ নং	শ্রেণী	জমির মোট পরিমাণ(একর)	দাগের ম্যাপ
132	বিল মাছ চাষ	7.76	

খতিয়ান নং	স্বামীর নাম	পিতা/স্বামী	অংশ	অংশ পরিমাণ(একর)	মন্তব্য
131	স্বর ময়ী স্ট্রিটের এ স্ক্রিকিউটার	শচীন্দ্র নাথ ক শ্যা	0.7386	5.7215	Nil
290	জয়ন্তী বিকাশ ধার	ধীরেন্দ্র লাল	0.0074	0.0574	Nil
393	অরুণ বর্ধন	ভূপেন্দ্র মোহন	0.0037	0.0287	Nil
394	মধুছন্দা বর্ধন	অরুণ	0.0037	0.0287	Nil

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

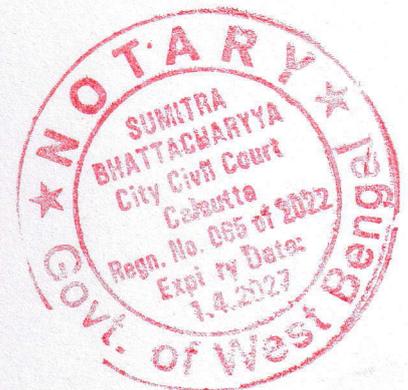


J.L No. 025

P.S Jadavpur

Dag no.	Classification	Area (Acre)	Dag map
132	Fishery	7.76	

Khatian no.	Rayat	Father/ Husband	Share	Share (Acre)	Remarks
131	Swarmoye State Executor	Sachindra Nath Kashyap	0.7386	5.7215	Nil
290	Jayati Bikas Dhar	Dhirendra Lal	0.0074	0.0574	Nil
393	Arup Bardhan	Bhupendra Mohan	0.0037	0.0287	Nil
394	Madhuchanda Bardhan	Arup	0.0037	0.0287	Nil





Search

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 Land and Land Reforms and Refugee Relief and Rehabilitation Department


Citizen Services



Know Your Property



Query Search



Public Grievance



Mouza Information


 Special Citizen Service  
 (RCCMS)

## KHATIAN & PLOT INFORMATION

### Mouza Identification

 Code Wise / Name Wise: \*  Code Wise  Name Wise

District:\*

[ 16 ] SOUTH 24 PARGANAS

Block:\*

[ 30 ] Kolkata

Mouza:\*

[ 025 ] Nayabad

Choose Your Language:

Bengali

Option:

**LIVE**
 Khatian Type: \*  Normal Khatian  Lease Khatian  FHTD Khatian
 Search By Khatian Search By Plot

Plot No.\*

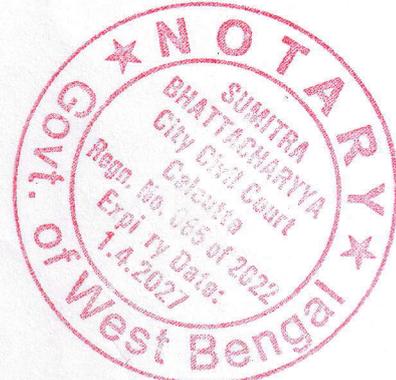
135 /

Enter Captcha\*

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VIEW



**(Live Data As On 27/02/2024,13:46:02)**

জে.এল নং 025 থানা যাদবপুর

দাগ নং	শ্রেণী	জমির মোট পরিমাণ(একর)	দাগের ম্যাপ
135	বিল	19.79	

খতিয়ান নং	বায়তের নাম	পিতা/স্বামী	অংশ	অংশ পরিমাণ(একর)	মন্তব্য
131	স্বর ময়ী স্টেটের এ স্মিকিউটার	শচীন্দ্র নাথ ক শ্যা	0.7444	14.6451	Nil
1435	অভিজিত দাস	মুকুন্দ বিহারী	0.0029	0.0574	Nil
1436	উমা চক্রবর্তী	মলয়	0.0021	0.0416	Nil
1439	নৃপেন্দ্র গোস্বামী	নর্মদা কুমার	0.0029	0.0574	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.

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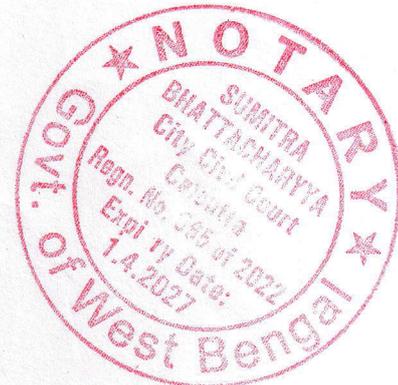
## Support

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

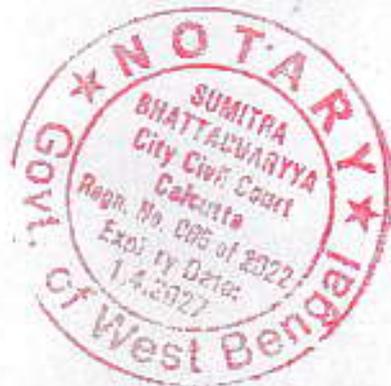


J.L. No. 025

P.S- Jadavpur

Dag no.	Classification	Area (Acre)	Dag map
135	Fishery	19.79	

Khatian no.	Rayat	Father/ Husband	Share	Share (Acre)	Remarks
131	Swarmoye State Executor	Sachindra Nath Kashyap	0.7444	14.6451	Nil
1435	Avijit Das	Mukunda Bihari	0.0029	0.0574	Nil
1436	Uma Chakraborty	Moloy	0.0021	0.0416	Nil
1439	Nripendra Goswami	Narmada Kumar	0.0029	0.0574	Nil





WEST BENGAL POLLUTION CONTROL BOARD  
Paribesh Bhawan, 10A, Block LA, Sector III, Salt Lake  
Kolkata - 700 098, Ph: 335 8212, Fax : 335 6730

Annexure-B

24

1. Date of Meeting with time : 08-02-2006  
at 1550 Hrs
2. Purpose of the meeting : To discuss regarding filling up of a water body by Shri  
Tarun Kumar Mukherjee, Purbachal, Kolkata-700091
3. Venue of the Meeting : 'Paribesh Bhawan', Salt Lake, Kolkata.
4. Convener of the Meeting : Legal Cell.

### RECORD OF PROCEEDINGS

Nobody appeared on behalf of the Developer and similarly, none appeared on behalf of the complainant. It is a complaint against filling up of a pond. The Officer in Charge, Jadavpur Police Station (East), is requested to oversee that the said pond may not be filled up in any manner. A copy of the inspection report may also be sent to the Officer in Charge, Jadavpur (East) Police Station for his information and record.

Sd/-

( Biswajit Mukherjee )

Sr. Law Officer

W. B. Pollution Control Board.

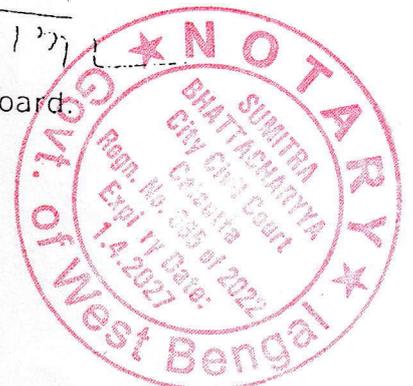
No. 3095(1-9) -5L/WPB-X/98-01/2005 (Pt. VII)

Dated : 13 / 2 / 2006.

Copy forwarded to :-

1. Mr. Tarun Kumar Mukherjee, Purbachal Cluster XIII Flat No H/B 700091, West Bengal.
2. The Environmental Engineer, Salt Lake Regional Office, WBPCB.
3. The Sr. Environmental Engineer-Camac Street R.O., WBPCB.
4. The Officer in Charge, Jadavpur (East) Police Station, Kolkata.
5. Jadavpur Co-Operative Land & Housing Society Ltd., Nayabad, Kolkata-700099.

( Biswajit Mukherjee )  
Sr. Law Officer,  
W. B. Pollution Control Board.



# Annexure - C

25

From: Dr. Suman Kanti Nandy  
P. 350, Jadavpur Co-op. St.  
Rohini's Soc. Ltd.  
Kolkata - 700 099.

The Officer-in-Charge  
Purba Jadavpur Police Station  
Mokundapur, Kolkata 700 099

Dated, Kolkata  
6-6-2009.

Sub: Unauthorised filling-up of water body in Jadavpur Co-operative, Nayabad.

Sir,

We, the members of Jadavpur Co-operative Land and Housing Society Ltd., Nayabad, like to draw your kind attention to the illegal filling-up of a big pond near the north-east corner of this co-operative by some unknown person/persons. A bamboo piling has been erected parallel to one bank of the pond, and huge amount of rubbish materials are being piled-up on the adjacent side, obviously with the intention to fill-up and grab part of this pond.

As you might be knowing the last executive body of the Co-operative has been dissolved by the Co-operation Directorate, Govt. of West Bengal and the appointed Administrator is not being able to function due to certain sub-judice stalemate, the premises of the Co-operative has become a free-for-all activities by vested interests.

In this context we further like to bring to your notice of a Record of Proceedings of a meeting held on 08/02/06 issued on 13/02/06 by the Sr. Law Officer of West Bengal Pollution Control Board, Salt Lake, Kolkata-98 requesting you to oversee any attempt of filling-up of another pond in the Co-operative, (photo-copy enclosed). We sought your help in another such attempt on 04/02/07, (copy of our application enclosed).

We hope, you will extend your help to prevent such illegal and anti-environment-friendly activities in the greater interest of the society.

Enclosure: As stated - 2 Nos.

Yours faithfully,

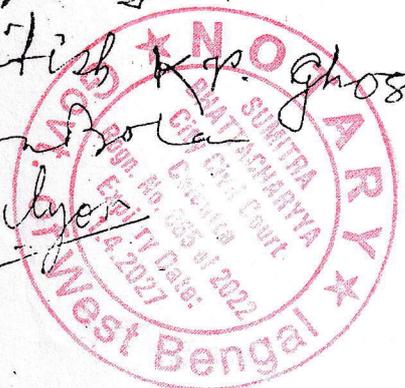
Dr. Suman Kanti Nandy  
Bimal Kumar Basu  
Joydeep Das - De.

Braja Ballar Ghosh

Swapan Ghosh

Gitish K. Ghosh  
Rudra

Uday



Annexure-D

Government of West Bengal  
Office of the Deputy Director of Fisheries, Kolkata Zone  
9A, Esplanade East, Kolkata-700069.

Memo. No.

Date:

26

To  
The Superintendent of Police,  
South 24 Parganas, Alipore, Bhabani Bhaban,  
Kolkata - 27.

Sup: Procrastinating and dilatory tactics of the Officer-in-Charge of Purba-Jadabpur P.S. against the offenders of illegal filling of tanks with respect to Dag Nos. 132 and 135, Mouza - Nayabad under Jadabpur Co-operative Land & Housing Society Ltd., 6/85, Bijoygarh, Kolkata - 700032.

Sir,

Apropos the captioned subject I would like to inform you that I personally enquired the alleged spots and found illegal filling going on at the above dag nos. 132 and 135 of Mouza - Nayabad and an F.I.R. was lodged on 30.12.2009 (F.I.R. No. 199/09) against the offenders at the said P.S. (a photocopy of the F.I.R. was also sent to your kind end). It is to be added that we also provided the Inland Fisheries Act, 1993 (amended from time to time) to the above P.S. But uptil now, the Officer-in-Charge of the P.S. did not undertake any action against the law breakers. Due to inordinate delay to bring the culprits to book, it may be presumed that the hub, concatenation and domain of the P.S. is at present not in line with the laws of our Land. To inculcate the confidence of common people and to safe guard the laws and divinities of Government Institutions, the Purba-Jadabpur P.S. need be stoked from your kind end to get the desired result.

Yours faithfully,

sd/

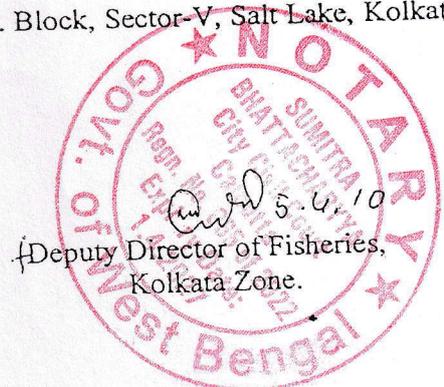
Deputy Director of Fisheries,  
Kolkata Zone.

Memo. No. 204/1(3)Sch-47F/

Date: 05.4.10

Copy forwarded to:

1. The Principal Secretary to the Govt. of West Bengal, Deptt. of Fisheries, Writers' Buildings, Kolkata - 700001.
2. The Director of Fisheries, West Bengal, 31, G.N. Block, Sector-V, Salt Lake, Kolkata - 700091.
3. Dr. Swapan Kr. Nandy, the complainant.



27

Government of West Bengal  
Office of the Deputy Director of Fisheries, Kolkata Zone  
9A, Esplanade East, Kolkata-700069.

Memo. No. 319

Date: 27.5.10

To  
The Superintendent of Police,  
South 24 Parganas, Alipore, Bhabani Bhaban,  
Kolkata - 27.

**Sub:** Procrastinating and dilatory tactics of the Officer-in-Charge of Purba-Jadabpur P.S.  
against the offenders of illegal filling of tanks with respect to Dag Nos. 132 and 135,  
Mouza - Nayabad under Jadabpur Co-operative Land & Housing Society Ltd., 6/85,  
Bijoygarh, Kolkata - 700032.

Ref: Our earlier correspondence to your kind end with our no. 204/Sch-47F dated 05.04.10

Apropos the captioned subject under reference I would like to once again approach to you that recently on 20.05.10, I have a letter of Mr. Jyotirmay Biswas, PSI of Purba-Jadavpur P.S., requesting us to identify the place of occurrence and that to after elapsing a prolonged period of time. A simple enquiry to the said society would have easily enabled them to identify the alleged spots. Without causing an enquiry, they have been undertaking dilly-dally techniques so that the alleged tanks become completely filled up by the miscreants. It is to be noted here that I made an F.I.R. on this subject on 30.12.09 to the above P.S.

To safeguard the laws of the Land and the sanctity of Govt. Departments, I again like to bring to your kind notice about the cognizable offence and to take suitable measures so that the water bodies with Dag Nos. 132 and 135 are saved and the culprits are brought to book.

Yours faithfully,

  
27-05-10  
Deputy Director of Fisheries,  
Kolkata Zone.

Memo. No. 319/1(2)

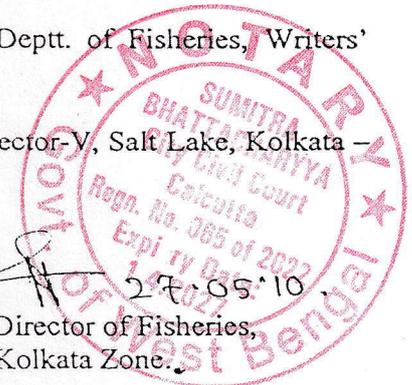
Date: 27.5.10

Copy forwarded for favour of kind information to:

1. The Principal Secretary to the Govt. of West Bengal, Deptt. of Fisheries, Writers' Buildings, Kolkata - 700001.
2. The Director of Fisheries, West Bengal, 31, G.N. Block, Sector-V, Salt Lake, Kolkata - 700091.

3. Copy to the Complainer  
Dr. S. Nandi.  


  
27.05.10  
Deputy Director of Fisheries,  
Kolkata Zone.



Annexure-E

28

OFFICE OF THE PROJECT MANAGEMENT UNIT  
THE KOLKATA MUNICIPAL CORPORATION  
48, MARKET STREET, KOLKATA - 700 087

Notice No. PMU/12/10-11

From: Executive Engineer (Civil)  
Project Management Unit

Date: 18.08.2010

To  
The Person Responsible  
Jadavpur Co-operative Land & Housing Society Ltd.  
6/85, Bijoygarh, Kolkata - 700 032.  
Ward No. 109, Borough No. XII.

Sir/Madam,

**Sub: Alleged illegal filling of waterbody at Jadavpur Co-operative Land & Housing Society Ltd. under Mouza- Nayabad, Dag no 132 & 135 in Ward No. 109 under Borough No. XII. in contravention to the notification made under the West Bengal Town & Country (Planning & Development) act 1979.**

It has come to the notice of the Kolkata Municipal Corporation that some development work has been undertaken by you or your agent which will include filling up of the wet land/Tank without obtaining permission from the Kolkata Municipal Corporation and in contravention of the provisions of the West Bengal Town & Country (Planning & Development) Act, 1979 and the notification issued there-under by the Kolkata Metropolitan Development Authority.

Under the provision of the act, character of the existing land use should not be changed without obtaining permission from K.M.C. Under the circumstances, when you are filling a tank/low land at the above mentioned site, you are violating the legal parameters enforced by the State Government and the local authorities and hence and have made yourself liable to be prosecuted under the provisions of the Act and notification issued by the Kolkata Metropolitan Development Authority under the West Bengal Town and Country (Planning & Development) Act, 1979.

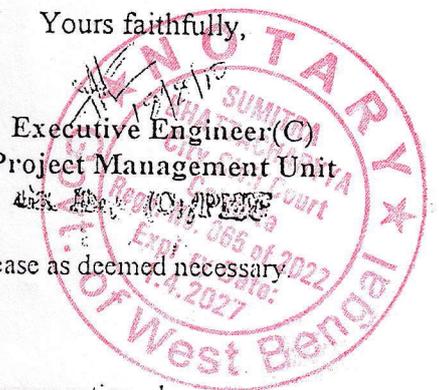
Please, therefore, take notice under Section 53 of the said Act that unless you take action to restore the land to its condition before the said development work took place within a period of one month from the date of receipt thereof, proceedings in accordance with law will be taken against you without any further reference to you which please note.

Yours faithfully,

Executive Engineer (C)  
Project Management Unit

Copy forwarded to:

- i) D.G. (Civil) for information and actions as deemed necessary
- ii) Executive Engineer (Br. - XII) for information and necessary action please as deemed necessary
- iii) D.G. (Building) for information and actions as deemed necessary please.
- iv) Chief Valuer & Surveyor, for his information please.
- v) Assessor Collector (J.U) for information and necessary action please.
- vi) Officer-in-Charge, East Jadavpur Police Station for information and necessary action please
- vii) Local Councillor (ward No. 109) for information and necessary action please.



All Communication to State Board should be addressed with Number, Date and Subject.



WEST BENGAL POLLUTION CONTROL BOARD  
Paribesh Bhawan, 10A, Bidck - LA, Sector III,  
Bidhannagar, Kolkata - 700 098  
Ph.: (033)2335 9088 / 8212, Fax : (033)2335-8073  
Website : [www.wbpcb.gov.in](http://www.wbpcb.gov.in)

Memo No. 4063 5L/W.P.B./2010/

Dated: 30/12/2010

To  
The Officer In-Charge  
Jadavpur (East) P.S

Sir,

Enclosed please find a copy of a Record Of Proceedings issued by West Bengal Pollution Control Board following a Hearing ( dt-08.02.2006 ) which is self explanatory. Please note that a copy of the same had been sent to your good office accordingly for your kind information and necessary action regarding the matter.

However, the Board has received further current allegations regarding fresh violations of the R O P directions on grounds which implies a continuation of the original environmental hazards leading to an extremely sensitive issue like filling of water body under East Calcutta Wet land for the sake of commercial constructions.

Accordingly I have been directed to request you once again to kindly take necessary action whatsoever required for this matter that may finally confirm compliance of the directions forwarded by the said R.O.P for the issue.

Sd/-

(Anindya Das Gupta)

Environmental Engineer(PG & A Cell)  
West Bengal Pollution Control Board

Dated: 30/12/2010

Memo No. 4063(2) 5L/W.P.B./2010/

Copy Forwarded to :

JRCS

1. Sri Biswajit Pramanik CDO (KMAH), Sole administrator- The Jadavpur Co-Operative Land & Housing Society Ltd .245 B B Ganguly Street Kolkata-700012

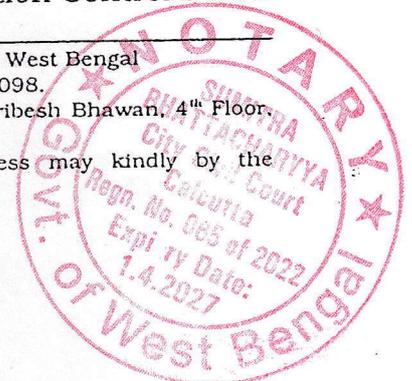
2. Dr . S. K. Nandy P-350 Jadavpur Co -Op L& H Sty ltd. Nayabad Avenue Kol-700094

Anindya Das Gupta 30/12/10  
(Anindya Das Gupta)

Environmental Engineer(PG & A Cell)  
West Bengal Pollution Control Board

Visiting time to meet the Officers of the Public Grievance Assistance Cell of the West Bengal Pollution Control Board at 'Paribesh Bhawan', Salt Lake, Kolkata-700 098.

- \* Every Tuesday and Friday - Public Grievance Assistance Cell, Paribesh Bhawan, 4<sup>th</sup> Floor, From 16.00 Hrs. to 17.30 Hrs.
- \* At the time of submitting complaint, full communicating address may kindly by the complainant.



Memo No. -13/WPB-X/98-01(Part VII) 2005/Pond

Dated: 23/06/2011

The Director General ( PMU )  
 Conyenor Water Body Management Board  
 The Kolkata Municipal Corporation  
 5 S.N.Bannerjee Road  
 Kolkata 700013

Sub: Illegal filling of water body under East Kolkata Wet Land & Contruction of Building at the site- in - question located at the Jadavpur Co-Operative Land & Housing Society Ltd , Mouza Nayabad, KMC Ward No 109, Borough X11, Purba Jadavpur PS Kolkata 94& 99.

Sir,

Enclosed please find the copies for documents & details of a case regarding filling & illegal utilization portion of a designated water body for which the Board has conducted hearings on 05.02.05 & 08.02.06 . Accordingly I have been directed to forward the matter to your good office for kind consideration & further necessary actions that may ensure proper maintenance of the water body and also possible restoration of filled up portion of the same .

*Anindya Das Gupta* 23.06.11  
 (Anindya Das Gupta)

Environmental Engineer(PG & A Cell)  
 West Bengal Pollution Control Board

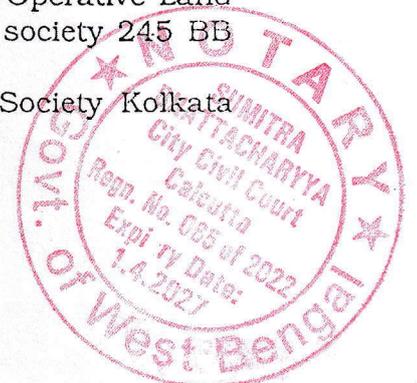
Dated: 23/06/2011

Memo No - 1517 (5)

Memo No. -13/WPB-X/98-01(Part VII) 2005/Pond

Copy to:

1. Dy Director of Fisheries 9A Esplanade East Kolkata-700001
2. MIC, Kolkata Municipal Corporation ( Environment) 6 S N Bannerjee Road Kolkata-700071
3. IC Purba Jadavpur PS Kolkata-700091
4. Sri Biswajit Pramanic Sole Administrator Jadavpur Co-Operative Land & Housing Society Ltd , C/O Jt Director of Co Operative society 245 BB ganguly Street Kolkata -700012
- ✓ 5. Dr S K Nardi 350 Jadavpur Co-op land & Housing Society Kolkata -700094





**Annexure F**

**31A**

East Kolkata Wetlands Management Authority EKWMA <ctoekwma@gmail.com>

**Fwd: Illegal filling of waterbody of Jadavpur Cooperative Land and Housing Society Ltd. (Regd. No. 116/Cal of 1965 at Mouza Nayabad, Ward No 109, Borough XII)**

1 message

**Additional Project Director** <apdiczmp.wb@gmail.com>

To: East Kolkata Wetlands Management Authority EKWMA <ctoekwma@gmail.com>

East Kolkata Wetlands Management Authority	2 February 2024 at 13:08
Docket No. 086/24	
Date 02/02/2024	

----- Forwarded message -----

From: **Smt. Tripti Sah, IFS** <ms.wbbb@nic.in>

Date: Thu, Feb 1, 2024 at 12:11 PM

Subject: Fwd: Illegal filling of waterbody of Jadavpur Cooperative Land and Housing Society Ltd.(Regd. No. 116/Cal of 1965 at Mouza Nayabad, Ward No 109, Borough XII)

To: apdiczmp wb <apdiczmp.wb@gmail.com>

TA,  
*(Signature)*  
02/02/24

From: acsenvwb@gmail.com

To: "Smt. Tripti Sah, IFS" <ms.wbbb@nic.in>

Sent: Wednesday, January 31, 2024 11:33:14 AM

Subject: Fwd: Illegal filling of waterbody of Jadavpur Cooperative Land and Housing Society Ltd.(Regd. No. 116/Cal of 1965 at Mouza Nayabad, Ward No 109, Borough XII)

----- Forwarded message -----

From: **ROSHNI SEN** <psecy.env-wb@gov.in>

Date: Wed, 31 Jan, 2024, 11:32

Subject: Fwd: Illegal filling of waterbody of Jadavpur Cooperative Land and Housing Society Ltd.(Regd. No. 116/Cal of 1965 at Mouza Nayabad, Ward No 109, Borough XII)

To: acsenvwb <acsenvwb@gmail.com>

From: "jchlsl abashik" <jchlsl.abashik@gmail.com>

To: "ROSHNI SEN" <psecy.env-wb@gov.in>

Cc: "RAJESH KUMAR" <ms.wbpcb-wb@bangla.gov.in>, secykmc@gmail.com, mc@kmcgov.in, mayor@kmcgov.in

Sent: Wednesday, January 31, 2024 7:15:02 AM

Subject: Re: Illegal filling of waterbody of Jadavpur Cooperative Land and Housing Society Ltd.(Regd. No. 116/Cal of 1965 at Mouza Nayabad, Ward No 109, Borough XII)

Respected Madam,

Construction on an illegally filled water body is still going on. No action has been taken yet. Could you please look into the matter?

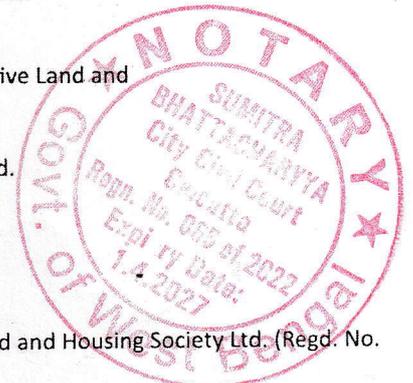
Regards

Members of Cooperative

On Thu, Jan 18, 2024 at 9:33 PM Jadavpur Cooperative <jchlsl.abashik@gmail.com> wrote:

To  
The Principal Secretary,  
Environment Department,  
5th Floor, Pranisampad Bhawan  
Block LB-II, Salt Lake, Sector III,  
Bidhannagar, Kolkata 700016

From:  
Members, Jadavpur Cooperative Land and  
Housing Scty Ltd.  
C/O J. P. Chowdhuri  
269 Jadavpur Coop L & H S Ltd.  
Nayabad, Kolkata 700094  
Mob: 9830293243  
Dated: 20-03-2021



Sub: Illegal filling of waterbody and illegal construction in Jadavpur Cooperative Land and Housing Society Ltd. (Regd. No. 116/Cal of 1965 at Mouza Nayabad, Ward No 109, Borough XII)

Respected Madam,

During 2000 – 2004, three moderately big water bodies at Dag No 132 & 135 within the cooperative were filled up partially with truckloads of fly ash and debris by the then authorities of this cooperative. The purpose was to create some additional housing plots. But this was done without obtaining any permission from the Registrar of Cooperatives, Govt. of West Bengal – who are the controlling authorities of all registered cooperatives in the state.

These people, the then Secretary and the Board of Directors were also oblivious that they were trespassing the domain of some other concerned institutions who reacted by inviting them for discussions. But these defaulters didn't care to attend any such summons or discussions and heed notices issued by them.

We enclose herewith copies of some such letters. From the letter of the W.B. Pollution Control Board, it seems that they have left it to the responsibility of the local police to prevent further.

The Department of Fisheries lodged an FIR (FIR No.199/09) on 30-12-2009 at Purba Jadavpur PS. after visiting the site. A necessary charge sheet based on this FIR had been formed and submitted to the Alipur Sadar Court in July 2010. The outcome of this charge sheet is not known.

The Kolkata Municipal Corporation desired that the offenders take action to restore the land to its condition before the said development work.

Meanwhile, decades have passed and no fruitful effort for the restoration of the ponds is visible.

The Board of Directors of the Cooperative is now defunct by the verdict of 10-01-2018 by the Division Bench of Calcutta High Court in the disposal of WP 20934 (W) of 2017" and the cooperative is now under the charge of a Special Officer of the Directorate of Cooperative, Govt of West Bengal.

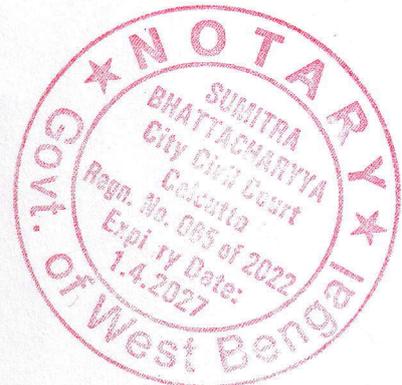
Nowadays it is found that new construction works are under progress on this illegally filled-up land.

We therefore sought your kind instructions and guidance in these circumstances.

Thanking you  
Yours faithfully  
(Members of Cooperative)

Enclosed copies of the letter

1. No. 3095 (1-4) - 5L/WPB-X/98-01/2005 (Pt. VII), Dt: 13-02-2006
2. No. 3737 (1-4) – 13/WPB-X/98-01 (Pt. VII) , Dt: 25-02-2005
3. No. 818(5) 367L/WPB/2015/Pond , Dt: 18-09-2018
4. Memo No. 4063(2)%I/W.P.B./2010 , Dt: 30-12-2010
5. Memo No. 204/1(3)SCH-47F/ , Dt: 05-04-2010
6. FIR
7. Notice No. PMU/12/10-11 , Dt: 18-08-2010
8. MAT 2107 of 2017 with CAN 11746 of 2017





Amended 5  
33

**State Wetlands Authority**  
**Department of Environment, Government of West Bengal**  
Pranisampad Bhavan, 5<sup>th</sup> Floor, LB-2, Sector-III, Salt Lake, Kolkata - 700 106

No. 124 -SWA/EN/04/2023-24 (Link-3)

Date: 11.02.2024

From: Chief Technical Officer,  
East Kolkata Wetlands Management Authority (EKWMA)

To: Municipal Commissioner  
Kolkata Municipal Corporation

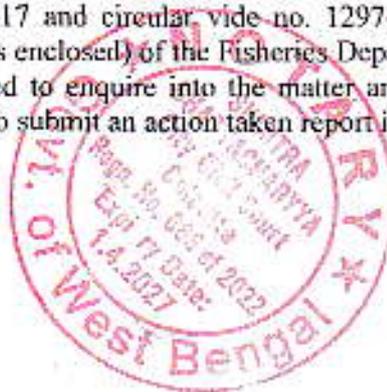
Sub: Complaint for illegal filling of water body and illegal construction at Mouza Nayabad, KMC Ward No. 109, Borough XII in Jadavpur Cooperative Land and Housing Society Ltd.

Sir,

Please find enclosed herewith the copy of the letter received on 02.02.2024, which is self-explanatory. Pertinently, the water body in question as mentioned in the letter is situated at Dag Nos. 132 and 135, Mouza Nayabad, JI. No. 25 under Kolkata Municipal Corporation Ward No. 109, Borough XII in Jadavpur Cooperative Land and Housing Society Ltd. and falls under the jurisdiction of Kolkata Municipal Corporation.

As Municipal Commissioner is the Competent Authority for conservation of water body in their respective jurisdiction in pursuance of the notification vide no. 1748-Fish/C-1/9R-03/2017 dated 20.07.2017 and circular vide no. 1297-Fish/FI-15012/2/2023-SECTION (FI dated 16.05.2023 (copies enclosed) of the Fisheries Department, Government of West Bengal, you are further requested to enquire into the matter and take necessary action accordingly. You are also requested to submit an action taken report in this regard at the earliest.

Yours sincerely,



Chief Technical Officer, EKWMA

Encl: As stated.

No. 124(14)-SWA/EN/04/2023-24 (Link-3)

Date: 11.02.2024

Copy forwarded for kind information and further communication to:

1. Additional Chief Secretary, Fisheries Department, Govt. of West Bengal.
2. PS to Minister-In-Charge, Environment Department, Govt. of West Bengal.
3. PS to Additional Chief Secretary, Environment Department, Govt. of West Bengal.
4. Members, Jadavpur Cooperative Land and Housing Society Ltd. (jchlsl.abashik@gmail.com)

Chief Technical Officer, EKWMA

J. Chandhuri

"VAKALATNAMA"

Before the Hon'ble National Green Tribunal at Eastern Zone Bench, Judge, W.B. O. A Sult/Case No. at 2025

Jayprakash Chaudhuri Plaintiff Applicant Appellant -VS- State of West Bengal for Defendant Opp. Party Respondent

KNOW ALL MEN by these on behalf of Applicant that I/We do hereby in my / our name and my / our behalf constitute and appoint Sri Krishnendu Bera, Advocate, High Court, Calcutta, 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 purpose to do all acts and things, whatsoever in that connection including compromise of the above matter disposing in or withdrawing money from filing or taking out of appeal, document and payment order from Court referring matters in dispute between the parties here to arbitration, withdrawing the above matters with liberty file fresh suit, sending properties released from attachment filing 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 if done by me / us to all intents and purposes.

10.02.2025 Date

ADVOCATES- Krishnendu Bera, Advocate, High Court, Calcutta, 7, old Post office Street, 3rd Floor, Room No. 14, Kishore Towers Bldg. No. F/1864/2010. Mob: 9804470535

Subscribed by

WITNESSES

Before me this 12th day of March 1902  
W. B. [Signature]

Received the valuation from  
my client and accepted by me

Krishna Rao

Advocate.

Subscribed by  
Krishna Rao  
12th March 1902

Krishna Rao  
Advocate  
12th March 1902

BEFORE THE NATIONAL GREEN  
TRIBUNAL  
EASTERN ZONAL BENCH, KOLKATA,  
WEST BENGAL



O.A. No. of 2025/EZ

In the matter of :

Jayprakas Chaudhuri

.....Applicant

-Versus-

The State of West Bengal & Ors.

....Respondents.

ORIGINAL APPLICATION

Krishnendu Bera ,  
Advocate, High Court, Calcutta.  
7, Old Post Office Street,  
1<sup>st</sup> Floor, Room no. 14, Kolkata- 700001.  
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Email : krishnendubera87@gmail.com