

BEFORE THE NATIONAL GREEN TRIBUNAL
(EASTERN ZONE BENCH, KOLKATA)
Original Application No. 135/2023/EZ



Mousri Jana

...Applicant

Versus

The State of West Bengal & Ors.

....Respondents

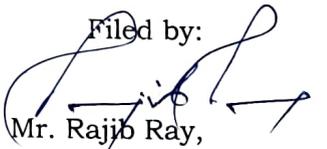
Rejoinder on behalf of Respondent No. 9, the District Magistrate, South 24 Parganas, to the Affidavit-in Reply dated 17.01.2025 filed by the Applicant.

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Filed by:



Mr. Rajib Ray,
Advocate,

Bar Association Room No. 13,
High Court, Calcutta
Mob-9830132729/7980422764
Email: rajib.ray23@gmail.com

02 APR 2025

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Si. No. 156 Date

BEFORE THE NATIONAL GREEN TRIBUNAL
(EASTERN ZONE BENCH, KOLKATA)
Original Application No. 135/2023/EZ



**BEFORE THE NOTARY PUBLIC
AT ALIPORE POLICE COURT**

Mousri Jana

...Applicant

Versus

The State of West Bengal & Ors.

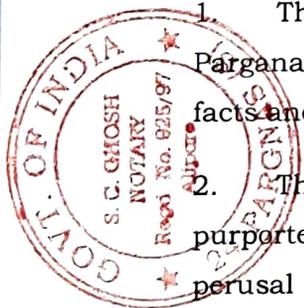
....Respondents

Rejoinder on behalf of Respondent No. 9, the District Magistrate, South 24 Parganas, to the Affidavit-in Reply dated 17.01.2025 filed by the Applicant.

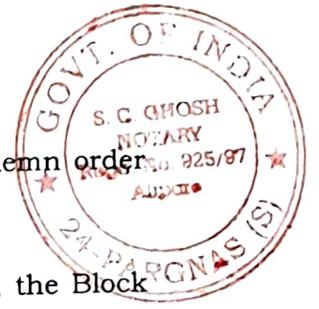
I, Sumit Gupta, Son of Shri S.K. Gupta, aged about 42 years, by religion - Hindu, by occupation- Government Service, presently posted as the District Magistrate & Collector, South 24 Parganas, having office at New Administrative Building, Alipore, Kolkata- 700027, do hereby solemnly affirm and say as follows:

1. That I am working for gain as the District Magistrate, South 24-Parganas, Alipore, Kolkata- 700027. I have made myself acquainted with the facts and circumstances of this case and competent to affirm this affidavit.

2. That I have read a copy of the Affidavit-in Reply dated 17.01.2025 purported to have affirmed by Mousri Jana, the applicant herein and on perusal of the same, I have understood the purports and contents thereof. I have been advised to deal with and/or traverse only those allegations of the said application which are material for proper adjudication of the case, which I hereby do, save and except what are specifically admitted herein all the statements made in paragraphs of the said applications are denied and as if they have been traversed in seriatim.



02 APR 2025



3. That this affidavit is being affirmed in pursuant to the solemn order passed by the Hon'ble Tribunal on 24.02.2025.

4. That in compliance with the said Order dated 24.02.2025, the Block Land & Land Reforms Officer Canning- I, duly submitted its report bearing memo no. 352/BL-CN-I/2025 dated 28.03.2025 and placed the following facts, which are germane for the purpose of adjudication of this matter :-

(i) That in respect of the allegation as based at Para-3 of the Affidavit in reply, it is to state that excavation has been done on LR plot no 4578, 4575, 4572, 4565, 4566 and 4546 of mouza Matla to restore the plots in Compliance to the Solemn Order to the recorded classification, i.e, water body with standard depth of about 5 feet (approx) as also captured in photos and the photographs are enclosed.

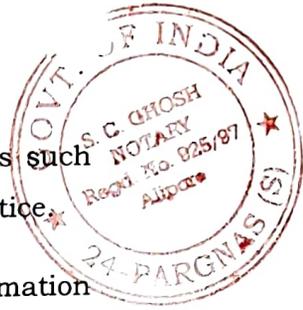
(ii) That in respect of the inter connection pond/ponds and as a downward stream of the river is not a factual assertion. The Mouza map clearly indicates that between the suit plots and the river, there are many plots which are agricultural/non-agricultural but not water body. The illustration is provided vide enclosed copy of Mouza map and plot information. According to the mouza map there is a distance near about approx 2300 feet between the suit plots and the River Bidyadhari which is commonly named as Matla River.

Photocopies of said report dated 28.03.2025 and the Mouza Map along with the Plot Information are herewith and marked as 'Annexure R/1' collectively.

5. That it is being humbly submitted before this Hon'ble Tribunal in the light of the reports stated above and gathered from the records by the answering respondent herein may kindly be considered by the Hon'ble Tribunal, Kolkata for disposal of the instant Original Application.



02 APR 2025



6. It is therefore respectfully prayed that Hon'ble Tribunal may pass such other order or orders as it deem fit and proper in the interest of justice.
7. That the statements made in paragraph 1 to 4 are based on information derived from the records, which are usually kept and maintained by the answering respondent in the ordinary course of business, which I verily believe to be true and the statements made in paragraphs 5 are my humble submissions before this Hon'ble Tribunal.

Prepared in my office


Advocate


Deponent
District Magistrate,
South 24-Parganas



02 APR 2025

VERIFICATION



I, Sumit Gupta, District Magistrate, South 24 Parganas, do hereby verify that the contents of the report in the form of affidavit are true and correct to the best of my knowledge and belief. No part of the report is false and nothing material has been concealed there from.

Verified at Kolkata on this 2nd day of April, 2025

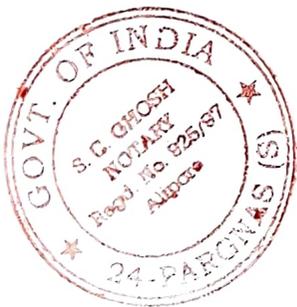
Identified by me

Nabakumar Mukhopadhyay
Advocate
Alipore Police Court
Enri. No-WB/2037/1999

For the State of West Bengal

Sumit Gupta
DEPONENT

District Magistrate,
South 24-Parganas.



Solemnly Affirmed & Declared
before me on Identification

S. C. Ghosh
S. C. GHOSH, Notary
Alipore Police Court, Kol-27
Reg. No. 925/97 Govt. of India

02 APR 2025



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Amexnx - 1/1

GOVERNMENT OF WEST BENGAL
Office of the Block Land & Land Reforms Officer
Canning - I, South 24-Parganas
Email ID: bllrocann1@gmail.com

Memo No. 352 /BL-Can-1/2025

Dated: 28/03/2025

To
The Additional District Magistrate
&
District Land & Land Reforms Officer,
South 24 Parganas.

Sub: Report in connection with Affidavit-in-reply as filed by the
Petitioner in connection with O.A case no. 135/2023/EZ
before the National Green Tribunal Eastern Zone Bench,
Kolkata.

Respected Sir,

In connection with the above mentioned subject the
undersigned is furnishing the report as below:

1. That in respect of the allegation as based at Para-3 of the Affidavit-in-reply, it is to state that excavation has been done on LR plot no 4578, 4575, 4572, 4565, 4566 and 4546 of mouza Matla to restore the plots in Compliance to the Solemn Order to the recorded classification, i.e, water body with standard depth of about 5 feet(apprx) as also captured in photos and the photographs are enclosed.
2. That in respect of the inter connection pond/ponds and as a downward stream of the river is not a factual assertion. The Mouza map clearly indicates that between the suit plots and the river, there are many plots which are agricultural/non-agricultural but not water body. The illustration is provided vide enclosed copy of Mouza map and plot information. According to the mouza map there is a distance near about approx 2300 feet between the suit plots and the River Bidyadhari which is commonly named as Matla River.
Mouza map and plot information are enclosed.

Enclose: As stated.

Your's faithfully,


28/3/2025
Assistant Director

And

Block Land & Land Reforms Officer
Canning-I, South -24 Parganas

Government of West Bengal

Office of the Block Land and Land Reforms Officer

- Plot Information-

District- South 24 Parganas Mouza- Matla Plot No. - 4563 Former Plot No. - 3663		Block - Canning - I J.L.No - 68 Category - Bastu (Homestead)		Police Station - Canning Land Area (Acre) - 0.0600	
Khatian No.	Class	Share	Portion size (A)	Description of the landlord	Comments
1/1	Vastu	1.0000	0.0600	On behalf of the Government of West Bengal, father- Collector, Village- self, Khasmahal Khatian.	Vide Order No.6180GE(M),Dt 01.09.1990 Asst.Secy LR & 2046 LR Dt- 22.12.99 of ADM & DLLRO
		1.0000	0.06		

Government of West Bengal

Office of the Block Land and Land Reforms Officer

- Plot Information-

District- South 24 Parganas Mouza- Matla Plot No. - 4574 Former Plot No.- 3674		Block - Canning - I J.L.No - 68 Category - Danga		Police Station - Canning Land Area (A) - 0.1100	
Khatian No.	Class	Share	Portion size (A)	Description of the landlord	Comments
4461	Danga/Vastu	0.5000	0.0600	Nilima Biswas Wife of- SatendraNath Village- self	
4462	Danga/Vastu	0.5000	0.0500	Nirmal Chandra Biswas Son of Yajneshwar Village- self	
		1.0000	0.11		

Government of West Bengal

Office of the Block Land and Land Reforms Officer

- Plot Information-

District- South 24 Parganas Mouza- Matla Plot No. - 4562 Former Plot No. - 3662		Block - Canning - I J.L.No - 68 Category - Bastu (Homestead)		Police Station - Canning Land Area (Acre) - 0.2900	
Khatian No.	Class	Share	Portion size (A)	Description of the landlord	Comments
4451	Bastu	0.3793	0.1100	Iusuf Ali Mir Son of Enantaj Village- self	House- I
4452	Bastu	0.3450	0.1000	Ganesh Chandra Mandal Son of Fakir Village- self	House- I
4553	Bastu	0.1724	0.0500	Abani Kumar Mandal Son of Kedar Village- self	House- I
10123	Bastu	0.1033	0.0300	Bimal Krishna Mandal Son of Fakirchand Village- self	House- I Two khatian merge one khatian
		1.0000	0.29		

Government of West Bengal

All Land and Land Reforms Officer's reason

- Plots Information-

District- South 24 Parganas Mouza- Matla Plot No. - 4579 Former Plot No. - 3679		Block - Canning - I J.L.No - 68 Category - Shali		Police Station - Canning Land Area (A) - 0.1600	
Khatian No.	Class	Share	Portion size (A)	Description of the landlord	Comments
4468	Shali/Vastu	0.2500	0.0400	Rabindra Kumar Biswas Son of Sanjit Village- self	
4465	Shali/Vastu	0.2500	0.0400	Sukhendu Biswas Son of Sanjit Village- self	
7156	Shali/Vastu	0.0219	0.0035	Saikat Acharya Son of Susanta Village- self	
7157	Shali/Vastu	0.2719	0.0435	Basumati Acharya Wife of Susanta Village- self	
7644	Shali/Vastu	0.0330	0.0330	Tapan Maiti Son of Sitanath Village- self	
		1.0000	0.16		

Government of West Bengal

Office of the Block Land and Land Reforms Officer

- Plots Information-

District- South 24 Parganas Mouza- Matla Plot No. - 4581 Former Plot No. - 3681		Block - Canning - I J.L.No - 68 Category - Vastu		Police Station - Canning Land Area (A) - 0.4900	
Khatian No.	Class	Share	Portion size (A)	Description of the landlord	Comments
1/1	Vastu	1.0000	0.4900	On behalf of the Government of West Bengal, father-Collector, Village- self, Khasmahal Khatian.	
		1.0000	0.49		

Government of West Bengal

Office of the Block Land and Land Reforms Officer

- Plots Information-

District- South 24 Parganas Mouza- Matla Plot No. - 4576 Former Plot No. - 3676		Block - Canning - I J.L.No - 68 Category - Vastu		Police Station - Canning Land Area (A) - 0.1700	
Khatian No.	Class	Share	Portion size (A)	Description of the landlord	Comments
1/1	Vastu	1.0000	0.1700	On behalf of the Government of West Bengal, father-Collector, Village- self, Khasmahal Khatian.	
		1.0000	0.17		

Government of West Bengal

Office of the Block Land and Land Reforms Officer

- Plot Information-

District- South 24 Parganas Mouza- Matla Plot No. - 4559 Former Plot No. - 3659		Block - Canning - I J.L.No - 68 Category - Shali		Police Station - Canning Land Area (A) - 0.9100	
Khatian No.	Class	Share	Portion size (A)	Description of the landlord	Comments
4407	Shali	1.0000	0.9100	Lalu Mani Son of Dashay Village- self	
		1.0000	0.91		

Government of West Bengal

Office of the Block Land and Land Reforms Officer

- Plot Information-

District- South 24 Parganas Mouza- Matla Plot No. - 4509 Former Plot No. - 3609		Block - Canning - I J.L.No - 68 Category - Alluvial Land		Police Station - Canning Land Area (A) - 0.1700	
Khatian No.	Class	Share	Portion size (A)	Description of the landlord	Comments
4407	Alluvial Land	1.0000	0.1700	Lalu Mani Son of Dashay Village- self	
		1.0000	0.17		

Government of West Bengal

Office of the Block Land and Land Reforms Officer

- Plot Information-

District- South 24 Parganas Mouza- Matla Plot No. - 4532 Former Plot No. - 3632		Block - Canning - I J.L.No - 68 Category - Alluvial Land		Police Station - Canning Land Area (A) - 0.2200	
Khatian No.	Class	Share	Portion size (A)	Description of the landlord	Comments
4463	Alluvial Land	1.0000	0.2200	Ajit Kumar Biswas Son of Haripada Village- self	
		1.0000	0.22		

Government of West Bengal

Office of the Block Land and Land Reforms Officer

- Plot Information-

District- South 24 Parganas Mouza- Matla Plot No. - 4516 Former Plot No. - 3616		Block - Canning - I J.L.No - 68 Category - Alluvial Land		Police Station - Canning Land Area (A) - 0.1000	
Khatian No.	Class	Share	Portion size (A)	Description of the landlord	Comments
4463	Alluvial Land	1.0000	0.1000	Banga Lal Sardar Son of - Mahendra Village- self	
		1.0000	0.1		

Government of West Bengal

Office of the Block Land and Land Reforms Officer

- Plot Information-

District- South 24 Parganas Mouza- Matla Plot No. - 4553 Former Plot No. - 3653		Block - Canning - I J.L.No - 68 Category - Vastu		Police Station - Canning Land Area (A) - 0.1600	
Khatlan No.	Class	Share	Portion size (A)	Description of the landlord	Comments
4441	Vastu	0.4375	0.0700	Vaskar Sardar Son of Sripati Village- self	House - 4
4442	Vastu	0.0625	0.0100	Subir Sardar Son of Sripati Village- self	House - 4
4443	Vastu	0.0625	0.0100	Asim Sardar Son of Satish Village- self	House - 4
4444	Vastu	0.0625	0.0100	Asit Sardar Son of Satish Village- self	House - 4
4445	Vastu	0.0625	0.0100	Mamata Sardar Son of Satish Village- self	House - 4
4446	Vastu	0.2500	0.0400	Sripati Sardar Son of Sitanath Village- self	House - 4
		0.9375	0.15		

Government of West Bengal

Office of the Block Land and Land Reforms Officer

- Plot Information-

District- South 24 Parganas Mouza- Matla Plot No. - 4539 Former Plot No. - 3639		Block - Canning - I J.L.No - 68 Category - Vastu		Police Station - Canning Land Area (A) - 0.8500	
Khatian No.	Class	Share	Portion size (A)	Description of the landlord	Comments
1/1	Vastu	1.0000	0.8500	On behalf of the Government of West Bengal, father-Collector, Village- self, Khasmahal Khatian.	
		1.0000	0.85		

[Handwritten Signature]
18/11/24

Rtd. Senior Interpreting Officer (C),
O. S. High Court, Calcutta

19.

Plot - 4546



Latitude: 22.318379
Longitude: 88.670347
Elevation: 14.68±7 m
Accuracy: 5.3 m
Time: 30-12-2024 16:41
Note: 4546

Powered by NoteCam

- 20 -

Plot - 4566



Latitude: 22.318854
Longitude: 88.669567
Elevation: 13.28±5 m
Accuracy: 4.6 m
Time: 30-12-2024 16:35
Note: 4566

Powered by NoteCam



Latitude: 22.31886
Longitude: 88.669414
Elevation: 12.88±21 m
Accuracy: 3.8 m
Time: 30-12-2024 16:33
Note: 4565



98

06
039
3 m

16:24

Plot - 4575

Powered



- 25 -

21
3877
1 m
16:16

Plot-4578

Powered



Mouza. Matla, NO-75
Sheet No-9
P.S - Canning.
Dist. South 24 Parganas.



Scale - Not to scale

Mouza - Matla
Suit Plot = ■
Intervening
Plots between
Suit-plots = ■
and river



Barruipur to Canning Road.



Assistant Director
and
Block Land & Land Reforms Officer
Canning-I South 24 Parganas
L & LR and RR & R Dept. W.B.

Prepared by
Mujibar Ali Misri
(Amil)

BEFORE THE HON'BLE NATIONAL
GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

O. A. NO. 135/2023/EZ

In the matter of:

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...Applicant

Versus

The State of West Bengal & Ors.

...Respondents

Affidavit on behalf of the Respondent
No. 9, the District Magistrate, South 24
Parganas.

RAJIB RAY

Advocate

Bar Association Room No. 13,

High Court, Calcutta

Mob-9830132729/7980422764

Chamber: 28, Fakir Chand Mitra

Street, Kolkata- 700009.

Email: rajib.ray23@gmail.com