

Before the Hon'ble National Green Tribunal,
Eastern Zone Bench at Kolkata

MEMORANDUM OF APPLICATION

[Under Section 18(1) read with Sections 14 & 15 and under
Section 18(2) of the National Green Tribunal Act, 2010]

Original Application No. **91** /2025/EZ

Sibnath Chakraborty

..... Applicant

-Versus-

The State of West Bengal & Ors.

..... Respondents

Compilation – I

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Compilation – II

Sl. No.	Particulars	Annexure
1.	Photocopy of the land records.	'P-1' (25)
2.	Photocopies of the mass petitions by local citizens.	'P-2' (26-29)
3.	Photocopy of the representation on behalf of the Applicant.	'P-3' (30-32)
4.	Photographs of the pond & cautionary board and photocopies of the letters issued by Howrah Municipal Corporation.	'P-4' (33-39)
5.	Photocopy of representation on behalf of the Applicant.	'P-5' (40-41)
6.	Photocopy of complaint dated 06.06.2023	'P-6' (42)
7.	Photocopy of complaint dated 14.03.2024.	'P-7' (43)
8.	Photocopy of complaint dt. 18.12.2024 and some photographs.	'P-8' (44-45)
9.	Present photographs of the pond as captured on 12.04.2025	'P-9' (46-48)



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**[Under Section 18(1) read with Sections 14 & 15 and under
Section 18(2) of the National Green Tribunal Act, 2010]**

Original Application No. /2025/EZ

IN THE MATTER OF :

Sibnath Chakraborty, son of Late
Sachindranath Chakraborty, resident
of 258/1, Sarat Chatterjee Road, P.S.
– Chatterjeehat, District – Howrah,
West Bengal, PIN – 711 102.

..... Applicant

-VERSUS-

1. The State of West Bengal
service through the Chief
Secretary, Government of West
Bengal having office at
NABANNA (13th Floor), 325,
Sarat Chatterjee Road, Shibpur,
Howrah – 711 102.

Email : cs-westbengal@nic.in



2. Department of Environment, Government of West Bengal service through its Additional Chief Secretary, having office at PRANISAMPAD BHAWAN, Block : L B-II (5th Floor), Salt Lake, Sector--III, Bidhannagar, Kolkata - 700 106. Email : acsenvwb@gmail.com

3. West Bengal Pollution Control Board service through its Member Secretary having office at PARIBESH BHAWAN, 10A, Block-LA, Sector-III, Salt Lake City, Kolkata - 700 106. Email: ms.wbpcb-wb@bangla.gov.in

4. The Principal Secretary, Department of Fisheries, Government of West Bengal, having office at BENFISH TOWER, 31-GN Block, Sector-V, Salt Lake, Kolkata -700091. Email : prsecy.fisheries@gmail.com

5. The District Magistrate, Howrah having office at New Collectorate Building, 7, Rishi

Bankim Chandra Road, Howrah –
711 101.

Email: dmhowrahwb@gmail.com

6. The Additional District
Magistrate (Land Reforms) and the
District Land and Land Reforms
Officer, Howrah having office at
12, Nityadhan Mukherjee Road,
Howrah – 711 101. Email :
dllrohowrah2017@gmail.com

7. The Commissioner, Howrah
Municipal Corporation and the
Competent Authority under the
West Bengal Inland Fisheries Act,
1984 having office at 4, M. G.
Road, Howrah – 711 101. Email :
commissioner.howrah@gmail.com

8. The Officer-in-Charge, Town
Survey Unit having office at 3,
Kartick Dutta Road, Howrah–711
101. Email:
townsurveyunithowrah@gmail.com

9. The Inspector-in-Charge,
Chatterjeehat Police Station having
office at 749, Sarat Chatterjee
Road, Howrah – 711 104. Email :
chatterjeehatps@gmail.com.



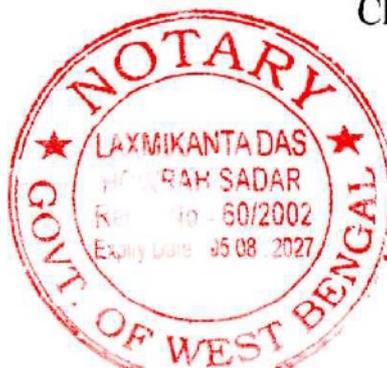
10. Arundhati Chatterjee Paul Chowdhury, daughter of Late Biswanath Chatterjee resident of 318, Circular Road, P.O. Shibpur, Howrah - 711 102.

11. Ashish Chatterjee son of Late Haribhola Chatterjee resident of 229, Sarat Chatterjee Road, P.O. Shibpur. Howrah – 711 102.

12. Samir Hazra son of Late Kanai Lal Hazra resident of 253/3, Sarat Chatterjee Road, P.O. Shibpur, Howrah – 711 102.

13. Smriti Hazra wife of Late Nemai Chandra Hazra resident of 253/3, Sarat Chatterjee Road, P.O. Shibpur, Howrah – 711 102.

14. Soumyadeb Sett son of Late Madan Mohan Sett resident of 159/1, Sarat Chatterjee Road, P.S. Chatterjeehat, Howrah – 711 104.



..... Respondents

TO

THE HON'BLE CHAIRMAN AND HIS COMPANION
MEMBERS OF THE NATIONAL GREEN TRIBUNAL.

Synopsis

HUMBLE APPLICATION SUBMITTED BY THE APPLICANT
ABOVE NAMED

The Applicant is a citizen of India. Instant application has been filed by the Applicant against dumping of garbage, and desperate attempt to fill up a huge water body / pond admeasuring about 14 Cottahs at holding No. 253, Sarat Chatterjee Road (Formerly : 325, Circular Road), P.S. – Chatterjeehat erstwhile Shibpur, Howrah - 711 102 (Ward no. 38) and recorded in R.S. Plot nos. 89, 90 and 118 (L.R. Plot nos. 85, 100 and 143), Mouza - Shibpur, Sheet No. 85, JL No. 1. The impugned pond is located near the State Secretariat, "Nabanna". The Applicant along with other residents of the area lodged numerous complaints with the concerned state authorities. Yet, the authorities failed to take any stern step against the polluters. The Respondent Nos. 10 to 14 hereinabove, the co-owners of the pond, are close to fill up the pond completely. The owners are steadily dumping garbage and earth into the pond aiming at filling the pond / water body entirely. A portion of the said pond has already been encroached / filled up by the co-owners.

It is submitted that the present Application has been made seeking for appropriate directions to stop all dumping of garbage and earth into the said pond, removal of encroachments/constructions raised upon the pond illegally, and a direction seeking immediate restoration of the pond in its original size and character.



Sheer inaction as stated hereinabove of the Respondent Authorities has resulted in devastation of the ecology of the impugned pond. In spite of complaints to the state administrative authorities, no effective steps were taken by the Respondent Authorities, and finding no alternative, the Applicant was compelled to approach this Hon'ble Tribunal for justice.

List of Dates

23/05/2022	Mass Petition was submitted by local residents to the authorities
25/07/2022	Reminder to Mass Petition was submitted by local residents to the authorities.
26/09/2022 29/09/2022	Representation on behalf of the Applicant and a corrigendum letter was submitted to the authorities.
15/10/2022	Letter was sent from Assistant Engineer (Survey) HMC to 7 nos. recorded owners/occupiers of pond directing them to clean the entire water body and remove all the weeds.
15/10/2022	Letter was sent from Executive Engineer (Survey), H.M.C. to the Officer-in-Charge, Town Survey Unit requesting to ensure demarcation of the area of the water body and to provide the details of present owner/owners.
19/01/2023	Representation on behalf of the Applicant was submitted to the authorities.
06/06/2023	The Applicant lodged complaint with the authorities.
14/03/2024	The Applicant lodged complaint with the authorities.
18/12/2024	The Applicant lodged complaint with the authorities.



FACTS IN BRIEF

MOST RESPECTFULLY SHEWETH :

1. That the Applicant is a citizen of India and resides at the address mentioned in the cause title herein above. The Applicant is filing the instant application under Section 14 and 15 read with Section 18 of the National Green Tribunal Act, 2010.
2. That the Respondent no. 1 is the State of West Bengal. The Respondent no. 2 herein is responsible for preservation of environment and ecology in State. The Respondent no. 3 herein is the regulatory authority for implementation of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Rules made thereunder. The Respondent no. 4 enforces fisheries related laws and policies like the West Bengal Inland Fisheries Act. The Respondent no. 5 is the head of District Administration. The Respondent no. 6 is the District Land and Land Reforms Officer, Howrah. The Respondent no. 7 is the head of the local civic body and the ex-officio Competent Authority under the West Bengal Inland Fisheries Act, 1984. The Respondent no. 8 is the head of the local police station. The Respondent no. 9 is the head of the Town Survey Unit.
3. That the recorded owners of the pond are as follows :
 - (i) Late Biswanath Chatterjee ;
 - (ii) Late Haribhola Chatterjee ;
 - (iii) Late Kanai Lal Hazra ;

- (iv) Late Nemaï Chandra Hazra ;
- (v) Late Madan Mohan Sett ;
- (vi) Shri Dipak Krishna Dhara ;
- (vii) Smt. Sabita Mukherjee.

Serial (i) to (v) are deceased, the legal heirs of serial nos. (i) to (v) are impleaded as Respondent nos. 10 to 14 respectively. Details or whereabouts of other two recorded owners of the pond i.e. Shri Dipak Krishna Dhara and Smt. Sabita Mukherjee are not available with the Applicant.

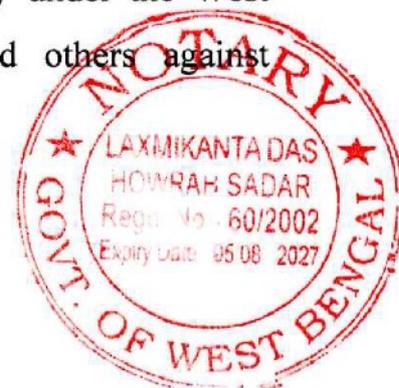
4. The Respondent Nos. 10 to 14 i.e. the co-owners of a large pond / water body, admeasuring about 14 Cottahs have been filling the said pond comprised in H.M.C. holding no. 253, Sarat Chatterjee Road (Formerly : 325, Circular Road), P.S. - Chatterjeehat erstwhile Shibpur, Howrah – 711 102 (Ward No. 38) and recorded in R.S. Plot nos. 89, 90 and 118 (L.R. Plot nos. 85, 100 and 143), Mouza – Shibpur, Sheet No. 85, JL No. 1.
5. That the Applicant is filing this Application against encroachment of a pond / water body located at 253, Sarat Chatterjee Road, P.S. - Chatterjeehat, Howrah – 711 102 (Ward no. 38), and against continuous dumping of garbage and earth into it aiming to steadily fill the pond by violating the environment norms and rules.
6. Your Applicant states that the said pond is recorded as “Pukur” in the land records admeasuring about 14 Cottahs.

Photocopies of the current land records obtained online are annexed herewith and collectively marked as ‘P-1’.

7. Your Applicant states that the impugned pond was originally used for fisheries. Tonnes of fish happened to be harvested in the impugned pond few years ago.
8. Your Applicant states that the impugned pond is located at a stone throw distance from 'Nabanna' (State Secretariat). However, after shifting of the state head quarters to 'Nabanna' sometime in the year 2013, real estate developers are eyeing to get hold of the pond, like several other properties, and to convert it into a housing complex.
9. Your Applicant states that the pond remained healthy till the year 2021. In the month of April, 2022 the co-owners of the pond and their agents started dumping debris into the southern portion of the impugned pond and encroached a portion of the said pond. Your Applicant along with other residents of the locality lodged several verbal and written complaints / mass petitions with the state administrative authorities, as a result of which land sharks could not proceed with their illegal acts.

Photocopies of the mass petitions by local citizens are annexed herewith and collectively marked by the letter and figure 'P-2'.

10. Your Applicant states that the Applicant through his Learned Advocate made representation vide letter dated 26.09.2022 along with a corrigendum letter dated 29.09.2022 with the Competent Authority under the West Bengal Inland Fisheries Act, 1984 and others against attempts to fill up the impugned pond.

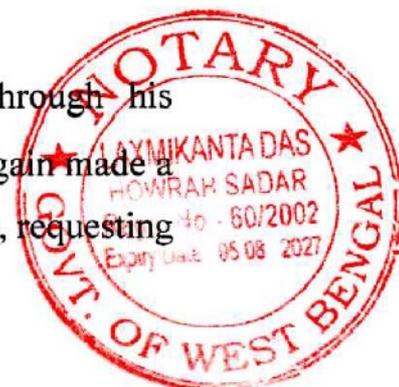


Photocopies of the said letters are annexed herewith and collectively marked by the letter and figure 'P-3'.

11. Your Applicant states that in October, 2022 Howrah Municipal Corporation installed cautionary boards in the vicinity of pond stating therein that any damage to the pond will draw penal actions and issued letters dated 15.10.2022 to the recorded owners of the pond to clean the said pond. The Howrah Municipal Corporation vide letter dated 15.10.2022 also requested the Officer-in-Charge, Town Survey Unit, Howrah i.e. Respondent no. 8 herein to ensure demarcation of the area of the waterbody and to provide the details of the present owner/owners.

Some photographs of the pond, photographs cautionary boards displayed in October, 2022 and copies of the letters are annexed herewith and collectively marked by the letter and figure 'P-4'.

12. That due to cautionary boards displayed by Howrah Municipal Corporation, the pond owners also caused cleaning of the impugned pond. The pond remained somewhat clean for few months.
13. Your Applicant states that again since January, 2023 the land owners and/or other unknown persons started dumping debris into the impugned pond after dismantling all cautionary boards.
14. Your Applicant states that your Applicant through his Learned Advocate vide letter dated 19.01.2023 again made a representation with the state authorities, inter alia, requesting them to take necessary actions.



A photocopy of the said letter is annexed herewith and marked by the letter and figure 'P-5'

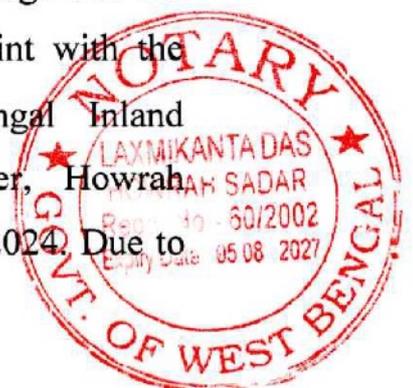
15. Your Applicant yet again vide letter dated 06.06.2023 made representation with the state authorities narrating therein how some unidentified persons have started dumping garbage and earth into the said pond, and requested the Commissioner, Howrah Municipal Corporation and ex-officio Competent Authority under the West Bengal Inland Fisheries Act, 1984 to take over possession and control of the said water body/pond.

A photocopy of the said letter is annexed herewith and marked by the letter and figure 'P-6'.

16. The pond was again cleaned by the authorities and/or the owners of the pond shortly thereafter. However, suddenly from 06.03.2024 some miscreants restarted dumping earth and garbage during the wee hours causing massive damage to the pond. Your Applicant again lodged a complaint with the authorities vide letter dated 14.03.2024.

A photocopy of the said complaint is annexed herewith and marked by the letter and figure 'P-7'.

17. Your Applicant states that in pursuance to the complaint of your Applicant, the pond was again cleaned up by H.M.C. and cautionary banner was put up. Curiously, however, since 25.11.2024 miscreants are, again, dumping garbage into the pond. Your Applicant again lodged a complaint with the Competent Authority under the West Bengal Inland Fisheries, Act 1984 and the Commissioner, Howrah Municipal Corporation vide letter dated 18.12.2024. Due to



apathy shown in identifying the wrongdoers, and staying hands against such wrongdoers it has become rule of the city Howrah that the wrongdoers are left scot-free in repetitive occasions at the cost of the civic body of the city vis-à-vis the tax payers.

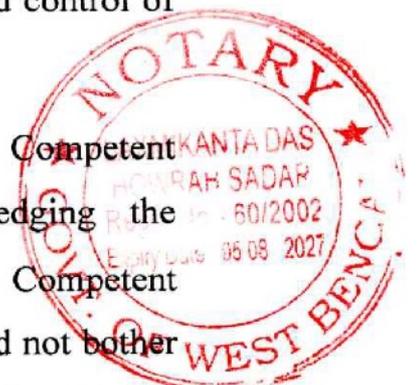
A photocopy of the said complaint and photograph of the cautionary banner are annexed herewith and collectively marked by the letter and figure 'P-8'.

18. That the ecology of the pond is deteriorating steadily in spite of numerous complaints and intervention of the authorities. The ecology of the pond is devastated. The owners of the pond are attempting to turn the pond into solid land by destructing its ecology and dumping earth and debris into it.

Present photographs of the pond as captured on 12.04.2025 are annexed herewith and marked by the letter and figure 'P-9'.

19. That the West Bengal Inland Fisheries Act, 1984 empowers the Competent Authority to take over possession and control of any pond facing similar threat. The Commissioner, Howrah Municipal Corporation is the competent authority under the said Act. However, he did not incline to exert its statutory authority by taking over possession and control of the impugned pond without fear and pressure.

20. That in spite of numerous complaints to the Competent Authority and being aware, and acknowledging the devastation of the ecology of the pond, the Competent Authority chose to sit tight over the issue and did not bother to act in accordance with the essence of the West Bengal

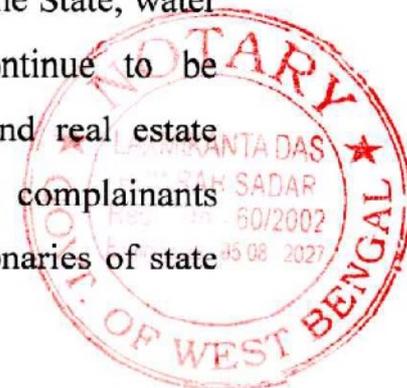


Inland Fisheries Act, 1984 by not taking over control and possession of the pond.

21. That there are many other water bodies in and around the said pond. However, by now many of them have already been filled up and the remaining ones are under similar threat due to the exponential expansion of real-estate projects in the area including due to sheer inaction of the statutory authorities who are empowered to deal with matters related to the environment and pollution.
22. That the owners of the said pond are desperately trying to fill up the large pond comprised in municipal holding no. 253, Sarat Chatterjee Road (Formerly : 325, Circular Road), P.S. – Chatterjeehat erstwhile Shibpur, Howrah – 711 102 (Ward No. 38) and recorded in Mouza - Shibpur, Sheet No. 85. Some portion of the pond has already been encroached from its southern side by illegally changing the nature & character of that portion to 'land' after obtaining mutation from H.M.C. wrongfully as 253/3 and 253/4, Sarat Chatterjee Road, a multi-storied building alongwith a garage have been constructed on the said portion.
23. That the ecology of the area is devastated due to continuous dumping of waste and other debris into the said pond by the Private Respondents.
24. That most alarming is the fact that the illegal encroachment of the pond is being done near the State Secretariat, 'Nabanna'. If such illegal act of filling and encroachment of water body is unstoppable near the State Secretariat, then what will be the fate of other water bodies located far away from the Secretariat.

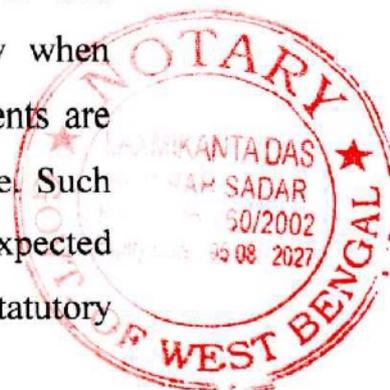


25. Your Applicant states that the Statutory Authorities entrusted with the duty to prevent filling of water bodies must monitor and take actions where they find any breach of the law. In the present case, however, it is observed that the authorities did not take any stern legal steps as a result of which the environment is being plundered thereat. Your Applicant wonders that there is barely any coordination among the statutory authorities in the State.
26. Your Applicant states that filling of water area is barred by law which clearly puts a restriction on filling of any water area in part or full including embankment or naturally or artificially depressed land holding with a view to convert it into solid land for the purpose of construction of any building thereupon or for any other purpose.
27. Your Applicant states that the impugned pond is being filled up and numerous other water bodies in the adjoining areas are also being filled up by greedy promoters thereby damaging the ecology of the entire area as a whole.
28. That it is quite unclear what forbids the Department of Environment, Government of West Bengal from implementing environmental norms and taking actions against wilful and desperate violators of such norms. If the Department of Environment, Government of West Bengal will continue to show a lackadaisical approach towards acting on complaints by common citizens of the State, water bodies left throughout the State will continue to be encroached and filled up by land sharks and real estate mafias often coupled with severe threats to complainants being identified to the flouters by the functionaries of state



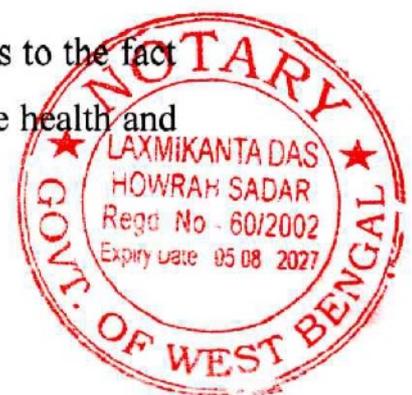
authorities. This tantamount to direct threat and challenge to the wishes of law makers of the country.

29. The Hon'ble Supreme Court of India has extended the scope of Article 21 of the Constitution of India by declaring the right to a decent living and clean environment as a Fundamental Right. The framers of the Constitution even prescribed duty upon the citizens to make every effort to keep the environment clean and to protect its forests, rivers, water-bodies, and to have compassion for the living creatures. That is the constitutional scheme in relation to the protection of the environment with particular reference to rivers and water-bodies.
30. Appropriate directions of varied dimensions and of serious consequences in accordance with the law are required to be passed by this Hon'ble Tribunal to protect the pond situated at 253, Sarat Chatterjee Road (Formerly : 325, Circular Road), P.S. – Chatterjeehat erstwhile Shibpur, Howrah – 711 102 (Ward No. 38) and such other or further orders to penalize the polluters, and restore the pond to its original status in terms of water quality, purity and its bio-diversity.
31. It can hardly be disputed that a major part of the State of West Bengal is eco-sensitive and geologically fragile. Indiscriminate, unauthorised constructions in guise of development will be opposed to the geographical and ecological characteristics of the State, particularly when such construction activities, projects and developments are carried out in areas which are ecologically sensitive. Such development would be completely opposed to the expected norms of 'Sustainable Development' which finds a statutory



expression in the provisions of Section 20 of the National Green Tribunal Act, 2010. Every area has to be developed keeping in mind the limitation expressed by nature itself, and environmental and ecological status of that area. In the city and its suburbs, healthy abundant water bodies are the backbone of healthy ecosystem services. They also provide productive livelihood resources. The water bodies throughout the state are being filled up rapidly and desperately. Therefore, there should be a priority to conserve and protect the water bodies, reinforce their ecosystem services and ecology of the entire state.

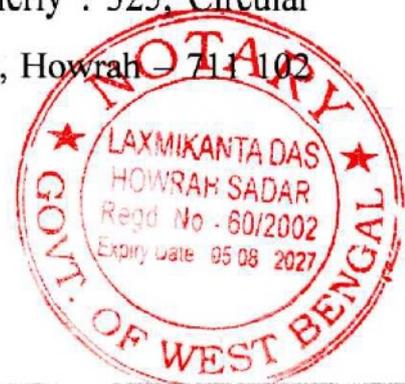
32. It is submitted that the conducts of the Respondent Authorities are contrary to every environmental legislation and principles of environmental protection. In spite of issuing directions and getting knowledge about further damages being done to the nature by the Private Respondents, the authorities chose to sit tight over the issue for their own reasons that have become order of the day.
33. It is submitted that due to rapid growth of the district and population explosion, the water bodies in the area are getting highly deteriorated in every respect. Excessive construction activities by filling water bodies particularly in developing areas are causing huge damage to the environment. Rampant discharge of toxic sewage and construction debris into the water bodies is further deteriorating the environment.
34. It is submitted that the Respondents are oblivious to the fact that rampant vanishing of water bodies is a grave health and hygiene concern.



35. It is submitted that due to aforesaid illegal activities of the Private Respondents, the impugned pond is turning toxic due to continuous encroachments and pollution. It will render to be unfit to support any life form.
36. It is submitted that despite repeated complaints, the ecology of the pond is being devastated. The Respondent Authorities have miserably failed in performing their duties.
37. It is submitted that the detrimental effects of the filling of ponds/water bodies and constructions thereupon is a grave concern which needs no elaboration.
38. The Respondents are in violation of several environmental laws and norms so far as the manner in which the pond/water body at 253, Sarat Chatterjee Road (Formerly : 325, Circular Road), P.S. – Chatterjeehat erstwhile Shibpur, Howrah – 711 102 (Ward No. 38), is concerned.
39. That the Applicant having felt it necessary to protect the environment, ecology of the impugned pond / water body, which is being filled by the Private Respondents. Therefore, your Applicant begs to move the present application on the following amongst other grounds :

GROUNDS

- A. For that the Respondent Nos. 10 to 14 have knowingly devastated the ecology of the area by way of encroaching the pond situated at 253, Sarat Chatterjee Road (Formerly : 325, Circular Road), P.S. – Chatterjeehat erstwhile Shibpur, Howrah – 711 102 (Ward No. 38).



B. For that the Applicant has enough evidence to prove the devastation of the impugned water body caused by Private Respondents.

C. For that the Applicant has drawn the attention of the concerned government authorities on several occasions vide letters to awaken their conscience, which are enclosed herewith for kind consideration of this Hon'ble Tribunal.

D. For that the government authorities ought to have taken stern legal actions against the perpetrators behind the illegal encroachment of the impugned pond / water body.

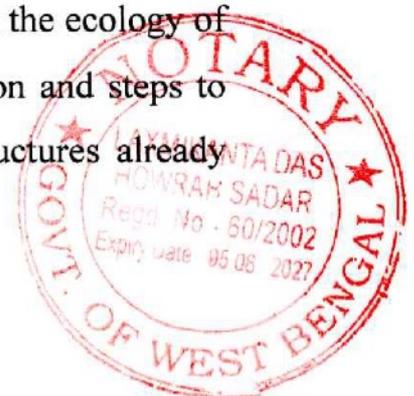
E. For that the Respondent Authorities have a duty under the law to restore the impugned pond to its natural state and maintain the pond free from any concrete/cemented structures and contamination.

F. For that the failure of the Respondent Authorities to perform their duties has resulted in the present predicament and violation of several environmental laws.

G. For that the Respondent Authorities ought to have considered that filling of any water body is against environmental laws.

H. For that the Respondent Authorities ought to have prevented the wrong-doers from causing damage to the impugned pond.

I. For that the Respondent Authorities ought to have taken stern lawful steps against the perpetrators to prevent the ecology of the entire area and impugned pond from devastation and steps to prevent construction and/or demolish concrete structures already made over it with due process of law.



J. For that the Respondent Authorities ought to have been more vigilant in monitoring the activities in and around water bodies, and not sitting tight even after receiving information of violations.

K. For that the Respondents ought to have maintained the ecology of the impugned pond intact in its original nature, size, form and character to ensure healthy quality of water.

L. For that the failure of the Respondents is violative of several environmental laws. It is also against the concept of sustainable development.

M. For that Section 18(1) read with Sections 14 & 15 of the National Green Tribunal Act, 2010, the Hon'ble Tribunal has ample jurisdiction to adjudicate this matter.

N. For that under Section 18(2) of the National Green Tribunal Act, 2010, your Applicant is competent to file this Application before the Hon'ble Tribunal.

LIMITATION :

The Applicant declares that as per the National Green Tribunal Act, 2010, this Application is well within the prescribed time since there is continuous cause of action. The last cause of action arose on 25.11.2024 when the Applicant noticed that garbage is dumped into the said pond/water body and lodged a complaint with the authorities vide letter dated 18.12.2024. There is continuous and recurring cause of action because the pond is lying in a deplorable condition and is being dumped with garbage and debris continuously.



INTERIM RELIEF :

Pending disposal of the Application, the Applicant prays that this Hon'ble Tribunal may be pleased to :

A. Constitute a committee comprising of officials from West Bengal Pollution Control Board, Howrah Municipal Corporation, Department of Environment, Government of West Bengal and the District Administration to visit the site in question and submit a report before this Hon'ble Tribunal with remedial measures for restoring the damages already caused to the impugned pond/water body located at 253, Sarat Chatterjee Road (Formerly : 325, Circular Road), P.S. – Chatterjeehat erstwhile Shibpur, Howrah – 711 102 (Ward No. 38) and recorded in R.S. Plot nos. 89, 90 and 118 (L.R. Plot nos. 85, 100 and 143), Mouza – Shibpur, Sheet No. 85, JL No. 1.;

B. Direct the Respondents to immediately clean and remove all encroachments from the pond at 253, Sarat Chatterjee Road (Formerly : 325, Circular Road), P.S. – Chatterjeehat erstwhile Shibpur, Howrah – 711 102 (Ward No. 38) and recorded in R.S. Plot nos. 89, 90 and 118 (L.R. Plot nos. 85, 100 and 143), Mouza – Shibpur, Sheet No. 85, JL No. 1.

C. Direct the Respondents not to permit dumping of construction debris or any kind of wastes into the impugned pond.

D. And pass any such further order or orders as this Hon'ble Tribunal may deem fit, proper and necessary upon considering the facts and circumstances of the case.

PRAYER

For the reasons stated above, it is humbly prayed that this Hon'ble Tribunal may be pleased to :

- A. Admit the Application and issue notice upon the Respondent Authorities ;
- B. Direct the Respondent Authorities to safeguard the impugned pond from any contamination or pollution ;
- C. Direct the Respondents to immediately clean and remove all encroachments from the impugned pond located at 253, Sarat Chatterjee Road (Formerly : 325, Circular Road), P.S. Chatterjeehat erstwhile Shibpur, Howrah-711 102 (Ward No. 38) and recorded in R.S. Plot nos. 89, 90 and 118 (L.R. Plot nos. 85, 100 and 143), Mouza – Shibpur, Sheet No. 85, JL No. 1 ;
- D. Impose exemplary penalty upon the perpetrators in regards to the concept of “Polluter pays Principal” ;
- E. Direct the Respondent Authorities to take all necessary steps to ensure that the ecology of the impugned pond is restored and healthy quality of water is maintained ;
- F. Direct the Competent Authority under West Bengal Inland Fisheries Act, 1984 to take over management and control of the impugned pond u/s 8 of the said Act ;
- G. Issue an order to constitute a high level committee to monitor the restoration of the said water body / pond with its actual area and submit periodical reports to this Hon'ble Tribunal ;
- H. And pass any such further order or orders as this Hon'ble Tribunal may deem fit, proper and necessary upon considering the facts and circumstances of the case.

VERIFICATION

I, Sibnath Chakraborty, son of Late Sachindranath Chakraborty, aged about 64 years, residing at 258/1, Sarat Chatterjee Road, P.S. – Chatterjeehat, District – Howrah, West Bengal, PIN – 711 102, state that I am the Applicant of this Application. I do hereby verify the contents of paragraphs no. 1 to 18 and the rest are true to the best of my knowledge, and are my humble prayers before your Lordship and I have not suppressed any material facts herein.

Date: 16/04/2025

Place: Howrah

Sibnath Chakraborty
Applicant

Verified by me!

Ankur Sharma
F/497/330/2021

**Before the Notary Public
Howrah**

AFFIDAVIT

SL. NO. K/A/21102/25

I, Sibnath Chakraborty, son of Late Sachindranath Chakraborty, aged about 64 years, residing at 258/1, Sarat Chatterjee Road, P.S. – Chatterjeehat, District – Howrah, West Bengal, PIN – 711 102, state that I am the Applicant of this Application and I am well conversant with the facts and circumstances of the instant Original Application and I am competent to swear and affirm this Affidavit. I do hereby verify the contents of paragraphs no. 1 to 18 and the rest are true to the best of my knowledge, and are my humble prayers before your Lordship and I have not suppressed any material facts herein.

Date: 16/04/2025

Place: Howrah

Sibnath Chakraborty
Applicant

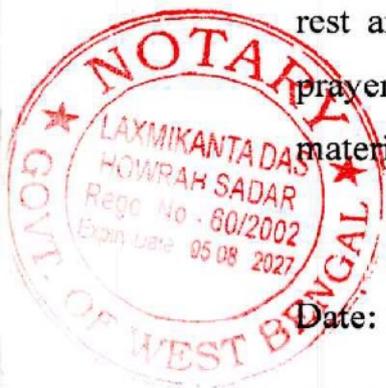
Identified by me
Ankur Sharma
F/497/330/2021

**SOLEMNLY AFFIRMED & DECLARED
BEFORE ME BY THE DEPONENT ON
IDENTIFICATION OF ADVOCATE**

**Place Judges' Court
Howrah - 711101
W.B. India**

19 APR 2025

19.04.25
LAXMIKANTA DAS
NOTARY HOWRAH
Govt. of West Bengal





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Land & Land Reforms and Refugee Relief and Rehabilitation Department

বাংলারভূমি

Revenue Court Case
Management System
(RCCMS)

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Public Grievance



Mouza Information

KHATIAN & PLOT INFORMATION

Mouza Identification

Code Wise / Name Wise: * Code Wise Name Wise

District:*

[05] HOWRAH

Block:*

[15] HAORA TOWN SURVEY UNIT

Mouza:*

[185] Shibpur Sheet - 85

Choose Your Language:

English

Option:

LIVEKhatian Type: * Normal Khatian Lease Khatian FHTD Khatian Search By Khatian Search By Plot

Plot No. *

85 /

Enter Captcha*

8 W U 6 M 2 cap

VIEW

(Live Data As On 12/05/2025,16:16:22)

J.I No 1 Thana Shibpur

Dag No	Shreni	Zamir Moat Pariman(ekar)	Dager Myap
85	Pukur	0.0065	Click Here

Khatian No	Raiter Nam	Pita/swami	Ansh	Ansh Pariman(ckar)	Mantaby
222	Dbipakachran Chattapadhyay	Gbankrishna	0.2500	0.0016	Nil
235	Nabindr Chatt apadhyay	Prasanna	0.2500	0.0016	Nil
537	Satyabrat Chat tapadhyay	Kamalkrishna	0.2500	0.0016	Nil
614	Haribhola Cha	Rajanikanta	0.2500	0.0017	Nil

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Land & Land Reforms and Refugee Relief and Rehabilitation Department

বাংলারভূমি

Revenue Court Case
Management System
(RCCMS)

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Public Grievance



Mouza Information

KHATIAN & PLOT INFORMATION

Mouza Identification

Code Wise / Name Wise: * Code Wise Name Wise

District:*

[05] HOWRAH

Block:*

[15] HAORA TOWN SURVEY UNIT

Mouza:*

[185] Shibpur Sheet - 85

Choose Your Language:

English

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

Plot No. *

143 /

Enter Captcha*

K A C M F T cap

VIEW

(Live Data As On 12/05/2025,16:24:26)

J.I No 1 Thana Shibpur

Dag No	Shreni	Zamir Moat Pariman(ekar)	Dager Myap
143	Pukur	0.2555	Click Here

Khatian No	Raiter Nam	Pita/swami	Ansh	Ansh Pariman(ekar)	Mantaby
185	Tarak Mukhop adhyay	Kailash Chand ra	0.2500	0.0639	Nil
222	Dbipakachran Chattapadhyay	Gbankrishna	0.0625	0.0160	Nil
235	Nabindr Chatt apadhyay	Prasanna	0.0625	0.0160	Nil
463	Ranisundari M	Bholanath	0.5000	0.1278	Nil

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Land & Land Reforms and Refugee Relief and Rehabilitation Department

বাংলারভূমি

Revenue Court Case
Management System
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Public Grievance



Mouza Information

KHATIAN & PLOT INFORMATION

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

District:*

[05] HOWRAH

Block:*

[15] HAORA TOWN SURVEY UNIT

Mouza:*

[185] Shibpur Sheet - 85

Choose Your Language:

English

Option:

LIVE

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

Plot No.:

100 /

Enter Captcha*

M G J 4 P S

cap

VIEW

(Live Data As On 12/05/2025,16:17:53)

J.I No 1 Thana Shibpur

Dag No	Shreni	Zamir Moat Pariman(ekar)	Dager Myap
100	Pukur Pad	0.0201	

Khatian No	Raiter Nam	Pita/swami	Ansh	Ansh Pariman(ekar)	Mantaby	
4	Ajit Kumar M ukhopadhyay	Tarak		0.0313	0.0006	Nil
20	Abani Kumar Mukhopadhya y	Tarak		0.0313	0.0006	Nil
185	Tarak Mukhop adhyay	Kailash Chand ra		0.1250	0.0025	Nil

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To

1. The District Magistrate, Howrah
"New Collectorate Building"
7, Rishi Bankim Chandra Road
Howrah - 711 101
Phone No. : 2638-1826.

RECEIVED
CONTAINS NOT VERIFIED
23 MAY 2022
DISTRICT MAGISTRATE
HOWRAH

Dated : 23.05.2022

2. The A.D.M. & D.L. & L.R.O., Howrah
12, Nityadhan Mukherjee Road
Howrah - 711 101
Phone No. : 2641-2749.

RECEIVED
23 MAY 2022
Contents not verified

3. The Officer-in-Charge
Town Survey Unit
3, Kartick Dutta Road
Howrah - 711 101
Phone No. : 2638-0178.

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23/5/22
TOWN SURVEY UNIT
Contents Not Verified

dkr. no. 778 / 23.5.22

4. The Commissioner
Howrah Municipal Corporation
4, Mahatma Gandhi Road
Howrah - 711 101
Phone No. : 2641-3636.

25 MAY 2022

5. The Public Grievance Cell
West Bengal Pollution Control Board
"Paribesh Bhawan"
10A, Block-LA, Sector-III, Salt Lake City
Kolkata - 700 106
Phone No. : 2335-8212.

Received
26.5.22

6. The Commissioner of Police, Howrah
28, Nityadhan Mukherjee Road
Howrah - 711 101
Phone No. : 2641-2626.

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RECEIVED SECTION
OFFICE OF THE COMMISSIONER OF POLICE
HOWRAH

Respected Sir / Madam,

Sub : Complaint against filling up of a Pond/Tank and unauthorized conversion of the said Waterbody in the Holding No. 253, Sarat Chatterjee Road (Formerly : 325, Circular Road), P.S. Chatterjeehat, Howrah-711 102 (Ward No. 38), adjacent to NABANNA, after obtaining the mutation certificate in an unlawful manner.

4102
23/5/22

This is an endeavor to draw your kind attention to the fact that a full-fledged Pond/Tank (Photo-copy of Plan showing the Land & Tank is enclosed) admeasuring about 10½ Cottahs area of established utility to the neighbourhood, since more than 3 decades, is being filled up by some miscreants. The said Pond/Tank is located at Holding No. 253, Sarat Chatterjee Road (Formerly : 325, Circular Road), Sheet No. 85, Daag Nos. 85, 100 and 143, Mouja - Shibpur, PS : Shibpur (Now Chatterjeehat), Howrah-711 102 (Porcha enclosed). It may also be mentioned in this context that the said Pond/Tank is a listed Pond/Tank in all Government / Municipal Records.

SAHNIKANTA DAS
HOWRAH SADAR
Regd No. 6712002
Expiry Date 06/08/2022
GOVT. OF WEST BENGAL

Contd..

(2)

Newspaper feature in "Ei Samay" elaborated the utter negligence of the civic authority in cleaning and maintenance of this Pond/Tank in its 24th September, 2018 Edition (copy enclosed). This is to notify you that, we had left no stone unturned to draw attention of the Administrative Authorities vide letters dt. 04.08.2021, 16.08.2021 & 27.09.2021 (copies enclosed), the Officer-in-Charge, Town Survey Unit vide RTI Reply dt. 04.01.2019 (copy enclosed), the ADM (LR) & DL & LRO vide RTI 1st Appeal correspondences dt. 15.12.2018 (copy enclosed), the SPIO, Sub-Divisional Land & Land Reforms Office vide RTI Application dt. 06.09.2018 (copy enclosed), Howrah Municipal Corporation vide RTI correspondences dt. 22.06.2018 (copy enclosed), the Assistant Engineer, Borough-VI vide letter dt. 24.06.2015 (copy enclosed) and many other authorities. But now, it appears that our plea fell into deaf ears and no action had been initiated so far to compel the miscreants to refrain from their attempts to fill-up the Waterbody. This inaction has inseeded further enthusiasm to allure anti-socials in the vicinity.

It will not be out of place to mention here that the West Bengal Pollution Control Board, vide their letter no. 969 - PG/LD/03/2020 dated 30.10.2021 (copy enclosed), had already directed the Commissioner of Howrah Municipal Corporation for taking necessary action in this regard but the HMC authority was averse to respond till date, which please note.

It is relevant to bring up here that a portion of the said Pond/Tank has already been converted to land most illegally from its southern side and after obtaining mutation wrongfully as 253/4, Sarat Chatterjee Road, a multistoried building alongwith a garage have been constructed on the said portion, which is evident from the aforesaid journalist's report in "Ei Samay" and also evident from the said WBPCB letter.

In view of the aforesaid developments, for the sake of ecological balance in the area, for fire safety requirements and to protect the law of the land, we, the inhabitants of Ward No. 38, earnestly request to all of you to take immediate harsh action to save the rapidly disappearing aquatic landscape and the aquatic flora and fauna therein, for which we shall ever remain grateful to you.

Thanking you,

Yours faithfully,

Encl : As above

cc : The Officer-in-Charge
Chatterjeehat Police Station
749, Sarat Chatterjee Road
Howrah - 711 104
Phone No. : 2667-2031.

Shyamal Dutta *Shyamal Dutta*
R/o. 257/1, Sarat Chatterjee Road, How-2.

Pradip Kundu *Pradip Kundu*
R/o. 258, Sarat Chatterjee Road, How-2.

Sibnath Chakraborty *Sibnath Chakraborty*
R/o. 258/1, Sarat Chatterjee Road, How-2.

Tanushree Chatterjee (Nandi) *Tanushree Chatterjee*
R/o. 258/2, Sarat Chatterjee Road, How-2.

Sanjit Nandi *Sanjit Nandi*
R/o. 253/1, Sarat Chatterjee Road, How-2.

Abhijit Chongdar *Abhijit Chongdar*
R/o. 256/1, Sarat Chatterjee Road, How-2.

Jibesh Chandra Das *Jibesh Chandra Das*
R/o. 256/3, Sarat Chatterjee Road, How-2.

Haridas Dey
256/5, Sarat Chatterjee Rd.
Howrah - 2.

Received
Contents Not Verified
5/11/22
Chatterjee Hat PS
Howrah City Police



REMINDER

Dated : 25.7.2022

To
 1. The District Magistrate, Howrah
 "New Collectorate Building"
 7, Rishi Bankim Chandra Road
 Howrah - 711 101
Phone No. : 2638-1826

RECEIVED
 CONTAINS NOT VERIFIED
 25 JUL 2022
 DISTRICT MAGISTRATE
 HOWRAH

2. The A.D.M. & D.L. & L.R.O., Howrah
 12, Nityadhan Mukherjee Road
 Howrah - 711 101
Phone No. : 2641-2749

D. L. & L. R. O
 HOWRAH
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 25 JUL 2022
 contents not verified

6152
 25.7.22

3. The Officer-in-Charge
 Town Survey Unit
 3, Kartick Dutta Road
 Howrah - 711 101
Phone No. : 2638-0178

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 28/7/22
 TOWN SURVEY UNIT
 Not Verified
 হাওড়া মিউনিসিপ্যাল কর্পোরেশন
 কেন্দ্রীয় বিতরণ শাখা
 26 JUL 2022
 যাচাই না করি

1372/26.7.22

4. The Commissioner
 Howrah Municipal Corporation
 4, Mahatma Gandhi Road
 Howrah - 711 101
Phone No. : 2641-3636

5. The Public Grievance Cell
 West Bengal Pollution Control Board
 "Paribesh Bhawan"
 10A, Block-LA, Sector-III, Salt Lake City
 Kolkata - 700 106
Phone No. : 2335-8212

Received
 Contents not
 Verified
 28.07.22

6. The Commissioner of Police, Howrah
 28, Nityadhan Mukherjee Road
 Howrah - 711 101
Phone No. : 2641-2626

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 CONTENTS NOT VERIFIED
 27/7/22
 at 13:25pm

Respected Madam / Sir,

RECEIVED SECTION
 OFFICE OF THE COMMISSIONER OF POLICE
 HOWRAH

Sub : Gentle Reminder to our Mass Petition vide letter dated 23.5.2022 against filling up of a Pond/Tank and unauthorized conversion of the said Waterbody in the Holding No. 253, Sarat Chatterjee Road, P.S. Chatterjeehat, Howrah - 711 102 (Ward No. 38), adjacent to NABANNA, after obtaining the Mutation Certificate in an unlawful manner.

Please let us know, what steps have been taken from your end against our Mass Petition dated 23.5.2022 (copy enclosed), to restrict the illegal filling up of Pond/Tank situated at holding no. 253, Sarat Chatterjee Road, P.S. Chatterjeehat, Howrah-711 102 and unauthorized conversion of the said Waterbody.

LAJIKANTA DAS
 HOWRAH SADAR
 Regd No - 60/2002
 Expiry Date - 05-08-2027
 GOVT. OF WEST BENGAL

Contd.

(2)

This unlawful activity of pond filling is being carried out for such a long period of time with sheer impunity and without any concern for safety of public or concern for law. Surprisingly, this is happening in close vicinity to NABANNA. If no action is being taken as of yet, the law abiding citizens of our society will lose faith on the Administrative Authorities.

It will not be out of place to mention here that the West Bengal Pollution Control Board, vide their Memo No. 735-PG/LD/03/2020 dated 23.06.2022 (copy enclosed), has already directed the Commissioner of Howrah Municipal Corporation for taking necessary action in this regard but the HMC authority is unwilling to respond till date, which please note.

It is relevant to bring up here that a portion of the said Pond/Tank has already been converted to land most illegally from its southern side and after obtaining mutation wrongfully as 253/4, Sarat Chatterjee Road, a multistoried building alongwith a garage have been constructed on the said portion, which is evident from the journalist's report in "Ei Samay" and also clear from the WBPCB's Letter dated 30.10.2021 (copies already attached with our Mass Petition).

We, the inhabitants of Ward No. 38, earnestly demand for immediate clearance of garbage and restoration of the said Waterbody with its actual area, in the interest of local people. We hope our complaint against illegal filling up, steps to reinstate the Waterbody, if filled up and action against the offender with the ambit of existing relevant act / rules will be taken care of.

Thanking you,

Yours faithfully,

Encl : As above

cc : **The Officer-in-Charge**
Chatterjeehat Police Station
749, Sarat Chatterjee Road
Howrah - 711 104
Phone No. : 2667-2031.

Sibnath Chakraborty *Sibnath Chakraborty*
R/o. 258/1, Sarat Chatterjee Road, Shibpur, How-2.

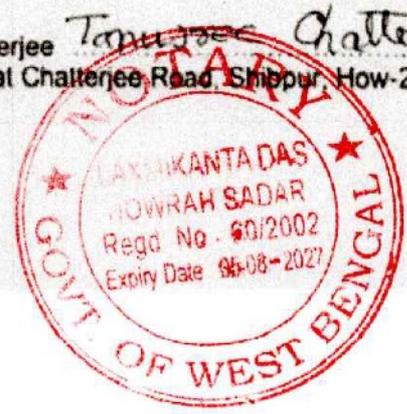
Shyamal Dutta *Shyamal Dutta*
R/o. 257/1, Sarat Chatterjee Road, Shibpur, How-2.

Pradip Kundu
R/o. 258, Sarat Chatterjee Road, Shibpur, How-2.

Sanjit Nandi *Sanjit Nandi*
R/o. 253/1, Sarat Chatterjee Road, Shibpur, How-2.

Tanusree Chatterjee *Tanusree Chatterjee*
R/o. 258/2, Sarat Chatterjee Road, Shibpur, How-2.

Received
Contents Verified
Chatterjeehat PS
Howrah City Police
28/7/22



ANKUR SHARMA

Advocate

High Court, Calcutta

Chamber: 13/3, Dr. P.K. Banerjee Road

Howrah, PIN – 711101

Mob: (+91)9433883322

Email: adv.ankursharma9@gmail.com

Date : 26.09.2022

The Competent Authority
under the West Bengal Inland Fisheries Act, 1984 &
The Commissioner
Howrah Municipal Corporation
4, M.G. Road, Howrah – 711 101.

26/09/2022
RECEIVED
CONTENTS NOT VERIFIED
LAW DEPARTMENT
H.M.C.

My client : Mr. Sibnath Chakraborty
R/o. 258/1, Sarat Chatterjee Road,
P.S. – Chatterjeehat, Howrah – 711 102

Sir,

Under instructions from and on behalf of my above named client I write to you as follows :

1. That my client along with other residents of the area lodged numerous complaints against filling of water body/pond at R.S. Dag no. 85, 100 and 143, Mouza – Shibpur Sheet no. 85, P.S. Chatterjeehat (erstwhile comprised in Shibpur P.S.) corresponding to municipal holding no. 253, Sarat Chatterjee Road (formerly : 325, Circular Road), P.S. Chatterjeehat, Howrah – 711 102 (Ward No. 38, HMC), adjacent to the State Secretariat "Nabanna" (copies enclosed for your ready reference).
2. That the said water body is being filled up and encroached steadily. The perpetrators/polluters stopped their illegal acts of filling and encroachment of the water body for about a year. However, from April, 2022 the polluters/perpetrators again started dumping wastes and earth into the said water body/pond aiming at encroaching a portion of the water body on the southern side.
3. That the said filling and encroachment of water body/pond is not only against environmental norms and laws but also is a sheer violation of section 17A of the West Bengal Inland Fisheries Act, 1984.
4. That the said water body/pond was also used by local residents for pisciculture activities. However, now due to excessive pollution fishes are unable to thrive in the said water body/pond.
5. That you are well conversant about your powers under section 17A (2) empowering you to take over management and control of any water area in the circumstances stated therein. The West Bengal Inland Fisheries Act, 1984 also provides for penal actions against the polluter/perpetrator.

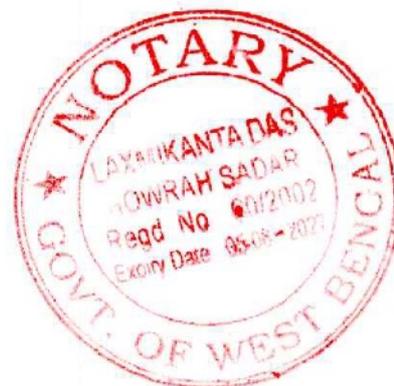


6. I am instructed to convey that you are requested to take sterns steps as you are empowered under the West Bengal Inland Fisheries Act, 1984 including taking over management and control of the said water body upon due inspection at site aiming at restoring the water area and making it fit for pisciculture activities, failing which my client will be at liberty to take legal recourse and you shall be responsible for any costs or consequences resulting thereof.
7. A copy of this notice is retained at my office for future action/reference as may be required.

Thanking you,

Anbu Shan

Advocate



Date : 29.09.2022

The Competent Authority
under the West Bengal Inland Fisheries Act, 1984 &
The Commissioner
Howrah Municipal Corporation
4, M.G. Road, Howrah – 711 101.

My client : Mr. Sibnath Chakraborty
R/o. 258/1, Sarat Chatterjee Road,
P.S. – Chatterjeehat, Howrah – 711 102

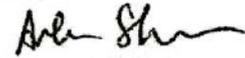
Ref : My letter dated 26.09.2022.

Sir,

Under instructions from and on behalf of my above named client I write to you as follows :

1. That there were some errors in the previous letter dated 26.09.2022 (copy of the said letter is enclosed herewith for your ready reference). The L.R. Plot numbers were inadvertently stated as R.S. Plot numbers. May kindly also note the R.S. Plot numbers of the water body as plot nos. 89, 90 and 118.
2. A copy of this notice is retained at my office for future action/reference as may be required.

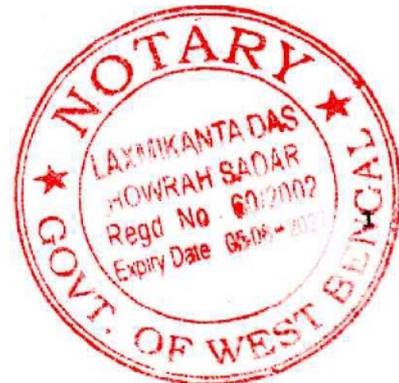
Thanking you,



Advocate

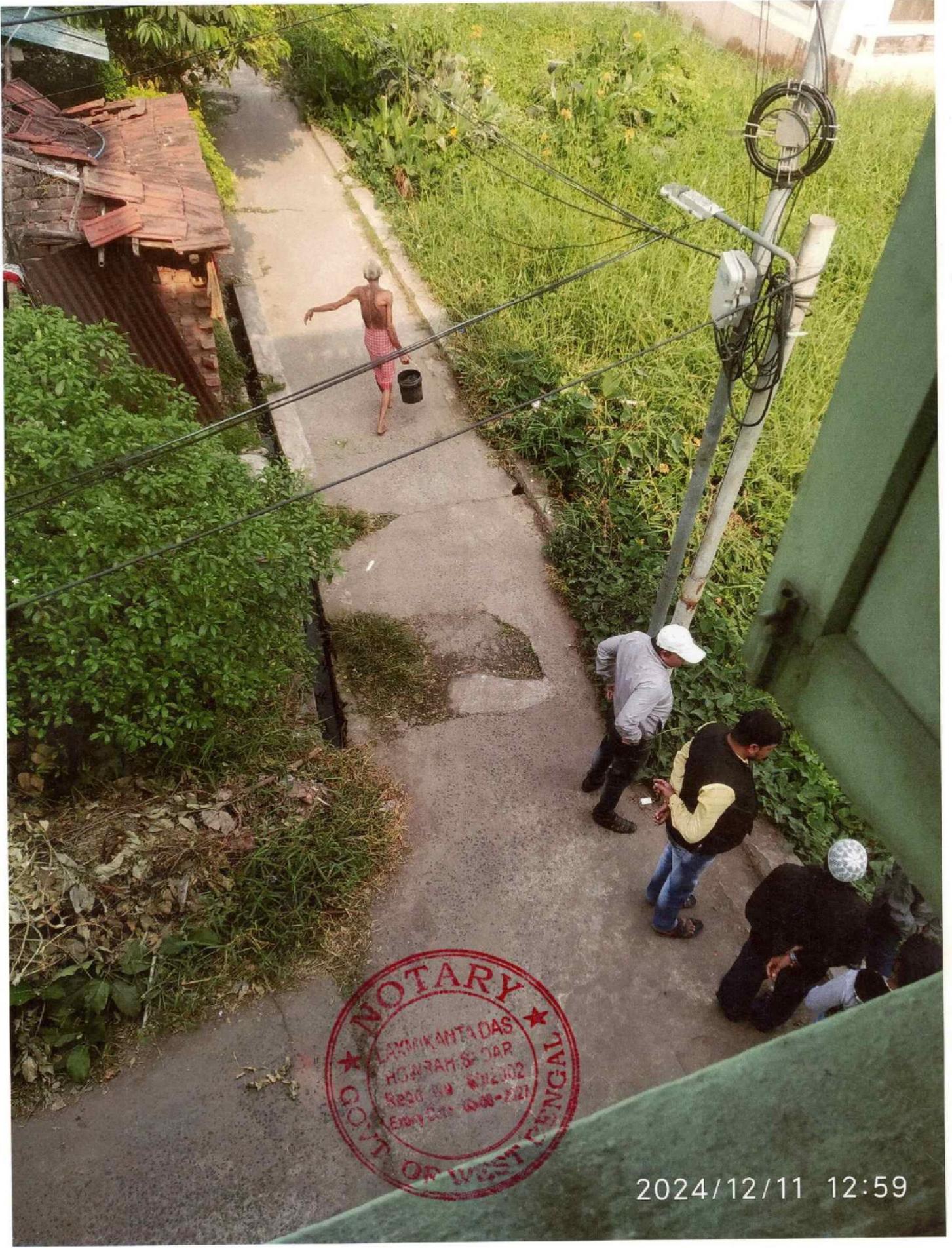
Encl : As stated above.

SA
29/09/22
RECEIVED
CONTENTS NOT VERIFIED
LAW DEPARTMENT
H.M.C.





NOTARY
★ LAXMIKANTA DAS ★
HOWRAH SADAR
Regd No. 001/2002
Expiry Date 06-06-2027
GOVT. OF WEST BENGAL



NOTARY
LAMRIKANTA DAS
HONORABLE JAR
REGD NO. 412/02
EXPIRY DATE 10-08-2021

2024/12/11 12:59



WEST BENGAL
Every Day



16-08-2027
OF WEST BENG



হাওড়া পৌর নিগম

৪, মহাত্মা গান্ধী রোড, হাওড়া-৭১১ ১০১

প্রেমিসেস নাম্বার : ২৫৩, শরৎ চ্যাটার্জী রোড (৩২৫, সার্কুলার রোড), হাওড়া-৭১১ ১০২, ওয়ার্ড নং-৩৮

জনসাধারণের জ্ঞাতার্থে বিজ্ঞপ্তি

এতদ্বারা জনসাধারণগণকে অবহিত করা হচ্ছে যে, প্রাপ্ত তথ্যানুসারে উপরোক্ত প্রেমিসেসটির জমিগত শ্রেণী, জমিসহ জলাশয়।

এই পরিপ্রেক্ষিতে, উপরোক্ত প্রেমিসেসে বর্জ্য নির্মাণ সামগ্রী অথবা জৈব ও অজৈব পুর-জঞ্জাল প্রভৃতি উৎক্ষেপণ/স্তুপীকৃত করা।

পশ্চিমবঙ্গ ইনল্যান্ড ফিসারিস আইন, ১৯৮৪ এর সংশ্লিষ্ট ধারা এবং এই আইনের অন্তর্ভুক্ত নীতি/নির্দেশানুসারে, কঠোরভাবে নিষিদ্ধ এবং কেহ যদি এই ধরনের দুষ্কর্মের সঙ্গে জড়িত থাকেন এবং উপরোক্ত আইনের বলে দোষী সাব্যস্ত হলে যথা নির্দিষ্ট আইন মোতাবেক সাজাপ্রাপ্ত হবেন।

অমত্যানুসারে
যথোপযুক্ত কর্তৃপক্ষ
হাওড়া পৌর নিগম





HOWRAH MUNICIPAL CORPORATION

Survey Department, 6th Floor, Annex Building
Howrah 711 101

Tel: (+91-33) 268-3211-13,

WEBSITE: www.myhmc.in,

EMAIL: survey@myhmc.in/hmc.survey249@gmail.com

No: AE/SVD/142/2022-23

Date: 15/10/2022

To,

1. Sri Biswanath Chatterjee
 2. Sri Haribhola Chatterjee
 3. Sri Dipak Krishna Dhara
 4. Sri Kanailal Hazra
 5. Sri Nema Ch. Hazra
 6. Smt. Sabita Mukherjee
 7. Sri Madan Mohan Sett
- (HMC Recorded Owners/Occupiers)
253, Sarat Chatterjee Road
(325, Circular Road)
Police Station: Chatterjeehat.
Howrah-711102.

Ref: Letter received dated 26/09/2022 of Mr. Ankur Sharma (Advocate) *Enclosure

Sub: Cleaning up of a waterbody located at Holding no. 253, Sarat Chatterjee Road (Formerly: 325, Circular Road), PS - Chatterjeehat, Howrah-711102, Ward No. 38.

Sir,

In reference to the above said subject matter you are hereby directed to clean the entire waterbody and remove all the weeds as soon as possible because, it has been filled with water-hyacinths, mud and mire, and this has become a potential source of environmental pollution.

Thanking you

Yours Faithfully

*Encl: As stated above

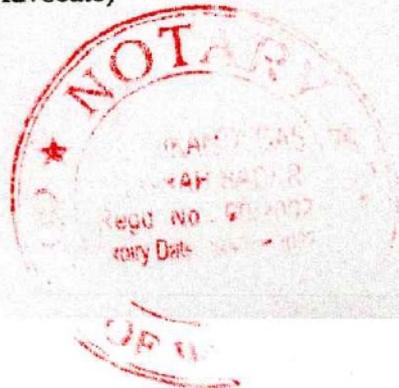
Sd/-
Assistant Engineer (Survey)
Howrah Municipal Corporation

Memo No: AE/SVD/142/1-5(04)/22-23.

Date: 15/10/2022

Copy forwarded for information:-

1. Commissioner, HMC.
2. Secretary, HMC
3. Executive Engineer (Survey), HMC.
- ✓ Ankur Sharma (Advocate)
5. Office copy.



15/10/22
Assistant Engineer (Survey)
Howrah Municipal Corporation

Survey Department,
Howrah Municipal Corporation



HOWRAH MUNICIPAL CORPORATION

Survey Department, 6th Floor, Annex Building
Howrah 711 101

Tel: (+91-33) 268-3211-13.

WEBSITE: www.myhmc.in.

EMAIL: survey@myhmc.in/hmc.survey249@gmail.com

No: *EE/SVD/141/2022-23*

Date: 15/10/2022

To
Officer in Charge
Town Survey Unit
3, Kartick Dutta Road
Howrah- 711 101.

Ref: Letter received dated 26/09/2022 of Mr. Ankur Sharma (Advocate).

*Enclosure

Sub: Information seeking for present owner/occupier of a waterbody located at Holding no. 253, Sarat Chatterjee Road (Formerly : 325, Circular Road), PS - Chatterjeehat, Ward No. 38, Howrah 711 102, as per LR record / map including demarcation of the tank portion at the site.

Sir,

In reference to the above mentioned subject & the letter in reference you are hereby requested to ensure demarcation of the area of the waterbody and let us know present owner/owners of that premises no. as indicated above from your office records as soon as possible, because it has been filled with huge quantity of water-hyacinths, mud and mire, leading to severe environmental pollution.

Thanking you.

Yours Faithfully

*Encl: As stated above

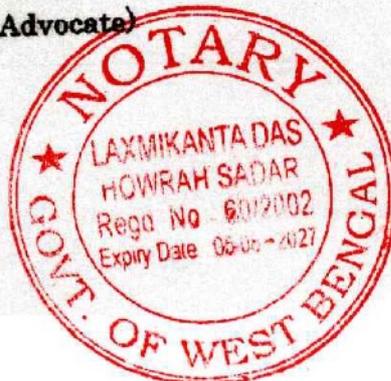
Sd/-
Executive Engineer (Survey)
Howrah Municipal Corporation

Memo No: *EE/SVD/141/1-5(oh)/2022-23*

Date: 15/10/2022

Copy forwarded for information:-

1. Chairman, BOA
2. Secretary, HMC
3. Assistant Engineer (Survey), HMC
4. Ankur Sharma (Advocate)
5. Office Copy.



15/10/22
Executive Engineer (Survey)
Howrah Municipal Corporation
EXECUTIVE ENGINEER
Survey Department
Howrah Municipal Corporation

ANKUR SHARMA

Advocate

High Court, Calcutta

Chamber: 13/3, Dr. P.K. Banerjee Road

Howrah, PIN - 711101

Mob: (+91)9433883322

Email: adv.ankursharma9@gmail.com

The Competent Authority
under the West Bengal Inland Fisheries Act, 1984 &
The Commissioner
Howrah Municipal Corporation
4, M. G. Road
Howrah - 711 101.

Date : 19.1.2023

19/01/2023
RECEIVED
CONTENTS NOT VERIFIED
LAW DEPARTMENT
H.M.C.

My Client : Mr. Sibnath Chakraborty
R/o. 258/1, Sarat Chatterjee Road
P.S. Chatterjeehat, Howrah - 711 102

Sir,

Ref : My letters dated 26.09.2022 and 29.09.2022 regarding filling of water body / pond at R.S. Plot Nos. 89, 90 and 118, Mouza - Shibpur, Sheet No. 85, P.S. Chatterjeehat, Howrah - 711 102 (Ward No. 38, HMC), adjacent to the State Secretariat "Nabanna".

Under instructions from and on behalf of my above-named client, I write to you as follows :

1. In continuation to my letters dated 26.09.2022 and 29.09.2022 (copies attached for your ready reference), I bring to your kind notice that the water body has now got entirely covered in water-hyacinths. Local residents are still dumping garbage into the water body in spite of noticing 4 (four) nos. of cautionary banners installed by your office.
2. It is pertinent to mention that neither stern steps nor any proceedings have yet been initiated from your end as required under the West Bengal Inland Fisheries Act, 1984, thereby appearing to me that you are abetting similar illegal activities in and around the city area.

Under the circumstances, you are requested through this letter to initiate appropriate legal actions as warranted under the Act against the said illegal activity in the interest of honouring the law as you are empowered under West Bengal Inland Fisheries Act, 1984 in 10 days time to avoid any inference that you are with hands tied in the face of undue pressure from the persons associated with the perpetrators of illegal activities in the city.



Contd.. 2

(2)

In case of your inaction and/or non-action, my client shall have no other options left but to approach the judiciary to seek redress, and you shall be held responsible for all consequences thereof.

Thanking you,

Amu Gh

Advocate

Encl : As stated above

Fisheries Department
 20 JAN 2023
 Govt. of West Bengal

cc :

- ✓ 1. The Secretary
Department of Fisheries
Government of West Bengal
- ✓ 2. The Chief Environment Officer
Department of Environment
Government of West Bengal
- ✓ 3. The District Magistrate
Howrah
- ✓ 4. The A.D.M. & D.L. & L.R.O.
Howrah
- ✓ 5. The Member Secretary
West Bengal Pollution Control Board
- ✓ 6. The Commissioner of Police, Howrah
Howrah Police Commissionerate

RECEIVED
 S.R.A.
 2200 JAN 2023
 Signature with Date.....
 Contents not verified
 Department of Environment
 Govt. of West Bengal

RECEIVED
 Content Not Verified
 2-4 JAN 2023
 DISTRICT MAGISTRATE
 HOWRAH 12:50
 NOON

RECEIVED
 20 JAN 2023
 WEST BENGAL POLLUTION CONTROL BOARD
 Saldaha, Kol-750 098

- For kind information and taking necessary steps.

D. L. & L. R. O.
 HOWRAH
 RECEIVED
 24 JAN 2023
 Contents not verified

NOTARY
 LAKSHMIKANTA DAS
 HOWRAH SADAR
 Regn No 60/2002
 EXPIRE DATE 15/05/2023
 GOVT. OF WEST BENGAL

RECEIVED
 19.1.23

Dated : 06.06.2023

To
The Competent Authority
Under the West Bengal Inland Fisheries Act, 1984 &
The Commissioner
Howrah Municipal Corporation
4, M. G. Road, Howrah - 711 101.

Ref : Complaint against filling up of water body/pond at R.S. plot nos. 89, 90, 118,
Mouza-Shibpur, Sheet no. 85, P.S. Chatterjeehat, Howrah - 711 102 (Ward no. 38, HMC).

Sir,

I lodged complaints against filling of water body/pond at the above-mentioned dag nos. through my Learned Advocate vide his letters dated 26.09.2022 and 19.01.2023.

H.M.C. officially carried on an inspection at site in October, 2022 and subsequently cleaned portion of the said water body/pond. Some banners were also installed by the H.M.C. drawing attention of the general public towards the fact that any damage to the water body will attract penal actions.

The quality of the water body/pond improved after intervention of the H.M.C. However, suddenly since 20.05.2023, some unidentified persons have started dumping garbage and earth into the said water body/pond.

The condition of the water body/pond has started deteriorating all of a sudden. All banners installed by H.M.C. have been dismantled by miscreants. It also transpires that the owners of the said water body/pond are trying to gradually fill the said water body and sell it off.

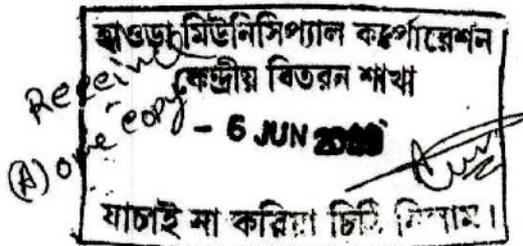
In view of above, you are requested to take stern legal steps to protect the said water body/pond. May kindly consider taking possession and control of the said water body/pond from its current owners for protecting the said water body/pond.

Thanking you,

Truly yours,

Sibnath Chakraborty

Sibnath Chakraborty
258/1, Sarat Chatterjee Road
P.S. Chatterjeehat, Howrah - 711 102
Mob : 9831394819



Encl : Letters as stated above.

cc :

The District Magistrate
Howrah

✓ The Commissioner of Police
Howrah City Police



RECEIVED
CONTENTS NOT VERIFIED
S. Deb
6-6-23
RECEIVED SECTION
OFFICE OF THE COMMISSIONER OF POLICE
HOWRAH



Dated : 14.03.2024

To
 The Competent Authority
 Under the West Bengal Inland Fisheries Act, 1984 &
 The Commissioner
 Howrah Municipal Corporation
 4, M. G. Road, Howrah - 711 101.

Ref : Complaint against filling up of water body/pond at R.S. plot nos. 89, 90, 118,
 Mouza-Shibpur, Sheet no. 85, P.S. Chatterjeehat, Howrah - 711 102 (Ward no. 38, HMC).

Sir,

I lodged complaints against filling of water body/pond at the above-mentioned dag nos. through my Learned Advocate vide his letters dated 26.09.2022 and 19.01.2023, and my letter dated 06.06.2023.

H.M.C. officials carried on an inspection at site in October, 2022 and subsequently cleaned portion of the said water body/pond. Some banners were also installed by the H.M.C. drawing attention of the general public towards the fact that any damage to the water body will attract penal actions.

The quality of the water body/pond improved after intervention of the H.M.C. However, again since 20.05.2023 some unidentified persons started dumping garbage and earth into the said water body/pond. I again lodged compliant vide above referred letter dated 06.06.2023 as a result the H.M.C. and/or owners of the pond cleaned the water body/pond.

The pond was healthy for few months, however, from 6th March, 2024 some miscreants and/or the owner of the pond have started dumping garbage and earth into the pond during the wee hours.

The condition of the water body/pond has started deteriorating again. The owners of the said pond are attempting to sell the pond to some persons who were found to be carrying out a survey of the pond on 10.03.2024.

In view of above, you are requested to take possession and control of the said water body/pond from its current owners in order to protect the existence of the said water body/pond.

Thanking you,

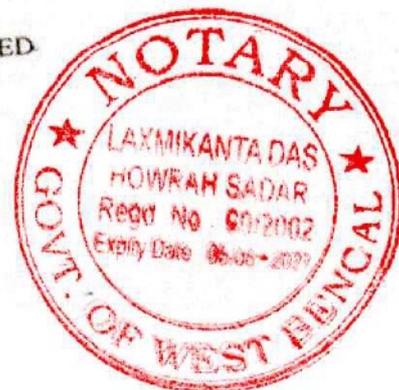
Truly yours,

Sibnath Chakraborty

Sibnath Chakraborty
 258/1, Sarat Chatterjee Road
 P.S. Chatterjeehat, Howrah - 711 102
 Mob : 9831394819

Encl : Letters as stated above.

Anil Bose
 18/03/2024
 RECEIVED
 CONTENTS NOT VERIFIED
 LAW DEPARTMENT
 H.M.C.



Dated : 18.12.2024

S. Panja

RECEIVED 18-12-24

CONTENTS NOT VERIFIED
LAW DEPARTMENT
H.M.C.

To
The Competent Authority
Under the West Bengal Inland Fisheries Act, 1984 &
The Commissioner
Howrah Municipal Corporation
4, M. G. Road, Howrah - 711 101.

Ref : Complaint against filling up of water body/pond at R.S. plot nos. 89, 90, 118,
Mouza-Shibpur, Sheet no. 85, P.S. Chatterjeehat, Howrah - 711 102 (Ward no. 38, HMC).

Sir,

I lodged complaints against filling of water body/pond at the above-mentioned dag nos. through my Learned Advocate vide his letters dated 26.09.2022 and 19.01.2023, and my letters dated 06.06.2023 and 14.03.2024.

H.M.C. officials carried on an inspection at site in October, 2022 and subsequently cleaned portion of the said water body/pond. Some banners were also installed by the H.M.C. drawing attention of the general public towards the fact that any damage to the water body will attract penal actions.

The quality of the water body/pond improved after intervention of the H.M.C. However, again since 20.05.2023 some unidentified persons started dumping garbage and earth into the said water body/pond. I again lodged complaint vide above referred letter dated 06.06.2023 as a result the H.M.C. and/or owners of the pond cleaned the water body/pond.

The pond was healthy for few months, however, from 6th March, 2024 some miscreants and/or the owner of the pond started dumping garbage and earth into the pond during the wee hours. Again, after lodging my complaint on 14.03.2024 the pond was cleaned by H.M.C. however, since 25th November, 2024 the pond is being dumped with garbage.

The condition of the water body/pond has started deteriorating again. After every complaint the situation improves but again after few months miscreants starts dumping garbage into the pond. Stern and effective steps need to be taken in order to curb this ongoing menace. The only solution to curb this menace is taking over possession and control of the said water body/pond by your office.

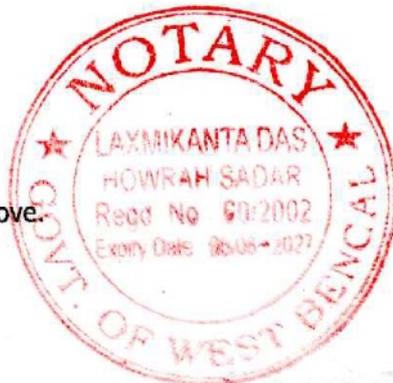
In view of above, you are requested to take possession and control of the said water body/pond from its current owners in order to protect the existence of the said water body/pond.

Thanking you,

Truly yours,

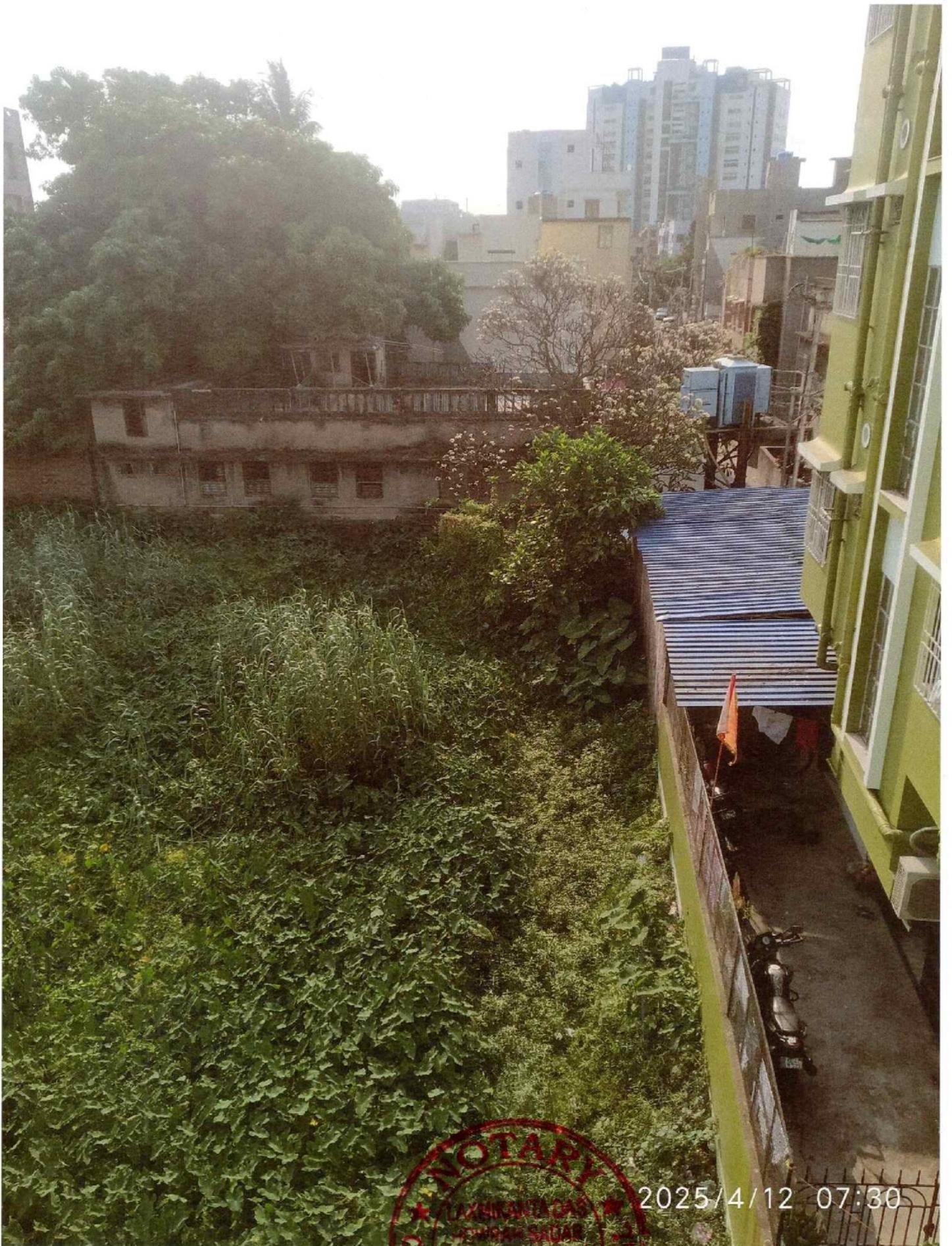
Sibnath Chakraborty

Sibnath Chakraborty
258/1, Sarat Chatterjee Road
P.S. Chatterjeehat, Howrah - 711 102
Mob : 9831394819



Encl : Letters as stated above.





NOTARY
LAXMIKANTHA DAS
KOLKATA
Regd No - 60/2002
Expiry date 05 08 2027
GOVT. OF WEST BENGAL

2025/4/12 07:30



2025/4/12 07:31





2025/4/12 07:30

NOTARY
★ **LAMUKANTADAS** ★
RI. ARAH SADAR
Reg. No. - 60/2002
Expiry Date: 05/08/2022
GOVT. OF WEST BENGAL

Before the Hon'ble National Green Tribunal

O. A. No. of 2024

Sibnath Chakraborty

Appellant / Applicant/
Petitioner

-Versus-

Respondent / Opposite
Party / Defendant

Vakalatnama on behalf of Sibnath Chakraborty (Applicant)

Know all men by these presents that by the Vakalatnama I/We appoint the Advocates noted below or any one of them, my/our lawful Advocate/Advocates for filing Memorandum of Appeal or Application or Petition for entering appearance in the above matter for appearing in, conducting and arguing in the same, for moving the Court in any matter connected therewith, for preparing the paper-book in the case and for putting the papers, petition, etc. on my/our behalf for filing or taking back fresh suits etc. for signing and filing petitions of compromise in connections with the said matter and for taking copies of paper from the record and I/We further say that any act done by my/our said Advocate or Advocates or by any of them after accepting this Vakalatnama shall be considered as my/our own true and lawful act.

And I/We further hereby agree and undertake to pay the said Advocate/Advocates his or their fees as settled all other sums that may be necessary to carry out his requisitions of the Court and otherwise to enable the Advocate/Advocates to conduct the case properly. Failing which the Advocate/Advocates after notice to me/us will be at liberty to withdraw from further conducting the case.

IN WITNESS WHERE OF I/We sign and execute this Vakalatnama on this the 2nd day of April 2025

NAME OF ADVOCATE

ANKUR SHARMA
13/3, Dm. P. k. Banerjee Road
Howrah - 711 01
Mob: 9433 8833 22
Email: adv. ankursharma9@gmail.com

Received the vehalatrane
on behalf of the client
and accepted the
same upon satisfaction

Anu Shu
Advocate
F/497/300/2021