

**BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH, KOLKATA
ORIGINAL JURISDICTION**

ORIGINAL APPLICATION NO. 159 OF 2025/EZB

(An application under section 18(1) read with Sections 14 and 15 of
National Green Tribunal Act, 2010)

In the matter of:
Paribesh Academy

... Applicant

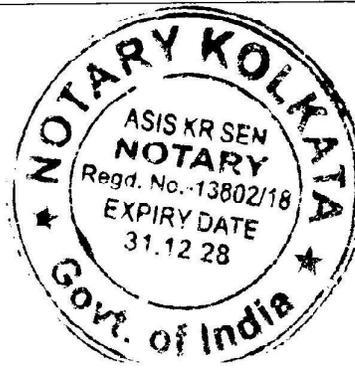
Versus

The State of West Bengal & Others

... Respondents

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A

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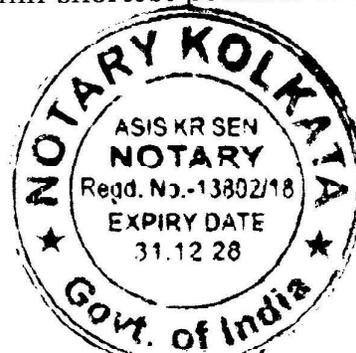
The State of West Bengal & Others

... Respondents

SYNOPSIS

The Applicant is seriously concerned and interested in protecting water bodies as well as environment of the locality and at present they are aggrieved by the illegal attempts made by the private respondent no. 11 to fill up water body/pond lying and situated at Village and Mouja Aminpur, P.O. Khamarchandi under Ashutosh Gram Panchayat, P.S. Haripal under Chandannagore Sub-Division, J.L. No. 71, L.R. Dag No. 301 and 302 in Khatian No. 817, District Hooghly and also cutting of trees in the adjacent area (hereinafter referred to as the said "water body").

That on the basis of a complaint received from the local people to the effect that the private respondent no. 11 has engaged himself in illegal filling up of the said water body lying and situated at Village and Mouja Aminpur, P.O. Khamarchandi under Ashutosh Gram Panchayat, P.S. Haripal under Chandannagore Sub-Division, J.L. No. 71, L.R. Dag No. 301 and 302 in Khatian No. 817, District Hooghly and also cutting of trees in the adjacent area, the Applicant society on 4th August 2024 filed a complaint before the respondent authorities thereby requesting them to take necessary action for the restoration of the water body and for the protection of the greenery within shortest possible time.



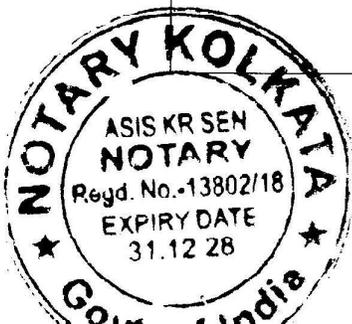
B

That in the investigation report the respondent no. 4 i.e. the Block Land & Land Reforms Officer, Haripal, Hooghly clearly mentioned that the Google Earth Satcllite Imagery dated February 2021, 16th January 2022 and 28th February 2022 clearly shows a large pond and dense vegetation at the specific latitude and longitude corresponding to Dag Nos. 301 and 302 (i.e. the said water body) and this suggests that the area had a well-defined water body and substantial greenery as 2022. The respondent no. 4 in his report further mentioned that these images taken in the year 2021 and 2022 provide concrete evidence that the land historically featured a substantial water body and greenery, which have since been altered or removed.

That it is very unfortunate that although several demand justices have been made before the statutory bodies, but as a matter of fact no effective steps have been taken by any of the above statutory bodies who have been impleaded in the instant application as respondents. Hence the applicant has no alternative but to file the instant Original Application so that this Hon'ble Tribunal may be pleased to pass an appropriate order restraining such illegal attempts of the private respondent from achieving their mischievous goal to fill up the said pond/water body permanently with a view to make permanent construction over the same.

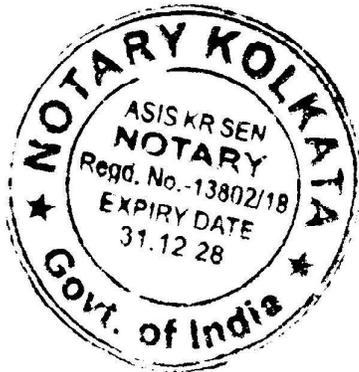
LIST OF DATES

Date	Particulars
4 th August 2024	The Applicant society on 4 th August 2024 filed a complaint before the respondent authorities thereby requesting them to take necessary action for the restoration of the water body and for the protection of the greenery within shortest possible time
30 th September 2024 And 7 th October 2024	Unfortunately, no steps were taken for restoration of the said water body by the statutory authorities. This prompted the Applicant to file two further representations before the statutory authorities on 30 th September 2024 and 7 th October 2024 thereby requesting to take necessary action for restoration of the said water body.
16 th December 2024	That taking advantage of such in action on the part of the statutory authorities, the private respondent no. 11 continued with the illegal work of filling up the said water body with trace, garbage and rubbishes and cutting of trees at a rapid pace. This prompted the



C

	petitioner to file another complaint on 16 th Dccember 2024 with the statutory authorities thereby requesting them to take appropriate steps for restoration of the said water body.
20 th January 2025	That on the basis of such complaints, ultimately the Block Land & Land Reforms Officer, Haripal, Hooghly being the respondent no. 4 herein made a detailed field investigation on 17 th January 2024 and filed a report on the basis of such investigation on 20 th January 2025 before the Sub-Divisional Officer, Chandannagore, Hooghly being the respondent no.5 herein.
	Hence this Application



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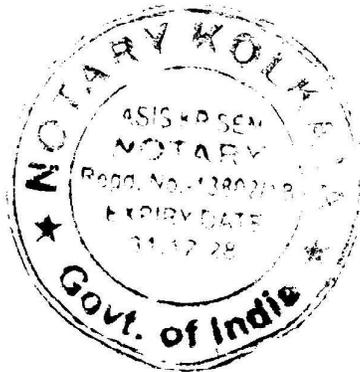
IN THE MATTER OF:

Paribesh Academy, a Society duly registered under the West Bengal Societies Registration Act, 1971 before the Registrar of Firms and Societies and Non-trading Corporation, West Bengal, having its office at Barabazaar, Chandannagar, P.O. and P.S. Chandannagar, District Hooghly, PIN 712 136, being represented by its President, Sri Biswajit Mukherjee.

.... APPLICANT

VERSUS

1. The State of West Bengal, service through the Chief Secretary, Government of West Bengal, having his office at Nabanna, 13th Floor, 325, Sarat Chatterjee Road, Shibpur, Howrah-711102. Email Id: cs-westbengal@nic.in.

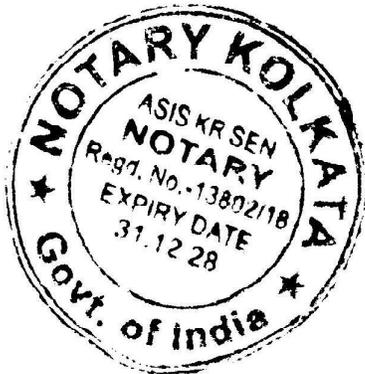


2. The District Magistrate, Hooghly, Government of West Bengal, office of the District Magistrate, Hooghly, New Administrative Building, Chinsurah, P.O. and P.S. Chinsurah, District Hooghly- 712 101. Email Id: dm-hoog@nic.in

3. The Additional District Magistrate and District Land and Land Reforms Officer, Hooghly, Jiban Paul's Garden, Kapasdanga, Chinsurah RS, P.O. and P.S. Chinsurah, District Hooghly - 712103. Email Id: dllrohugli@gmail .com

4. The Block Land & Land Reforms Officer, Haripal, Hooghly, P.S. Haripal, P.O. - Khamarchandi, District - Hooghly, PIN - 712405. Email Id: bllroharipal@gmail.com

5. The Sub-Divisional Officer, Chandannagore Sub-Division, Laxmiganj Bazar, Barabazar, Chandannagar, West Bengal 712136. Email Id: sdochandannagar@gmail.com



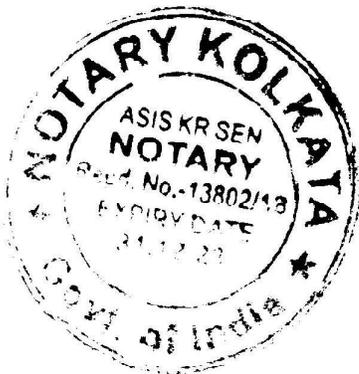
6. The Chairman, West Bengal Pollution Control Board having its office

at Paribesh Bhawan, 10A, Block LA, Sector III, Salt Lake City, Kolkata-700 098. Email Id: net.wbpcb-wb@bangla.gov.in

7. The Divisional Forest Officer, Howrah-Hooghly Division, No. 5, First Floor, Stadium Complex, Grand Trunk Road, M.G. Road, Dalmia Park, Howrah Railway Station, Shibpur, Howrah - 711101. Email Id: dfohowrah@gmail.com.

8. The Director of Fisheries, Government of West Bengal, Meen Bhawan, 31, G. N. Block, Sector-V, Salt Lake City, Kolkata - 700091. Email Id: dsfisheries@gmail.com

9. The Officer in Charge, Haripal Police Station, Aminpur, P.O. Haripal, District Hooghly, PIN-712405. Email Id: haripalps@gmail.com



10. The Prodhan, Haripalashutosh Gram Panchayat, Village and P.O. Haripal, Ashutosh, District- Hooghly, Pin- 712403. E-mail Id: haripalashutosh@yahoo.in

11. Sri Asish Ghosh, son of Late Mukul Ghosh, Aminpur, P.O. Khamarchandi, P.S. Haripal, District Hooghly - 712405.

.... RESPONDENTS

1. The address of the applicant is as given above for the service of notices of this application and that of his representatives.

2. The addresses of the respondents are as given above for service of notice of this application and that of their representatives.

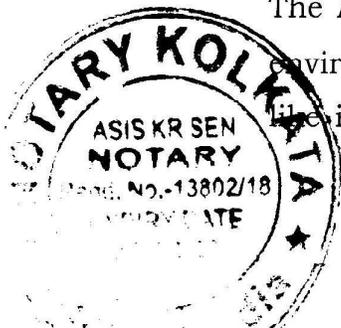
3. The applicant above named beg to present the Memorandum of Application against inaction/wrong action on the part of the respondent Nos. 1 to 10 on the grounds set out hereunder.

4. **FACTS IN BRIEF:**

a) The Applicant is a Registered Societies under the West Bengal Societies Registration Act, 1961 having their Registered Offices at the addresses as mentioned hereinabove.

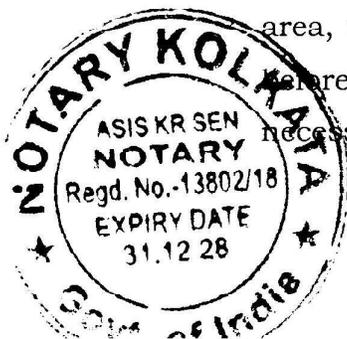
b) The Applicant Society was established for imparting awareness and for training the students on the issues of protection of environment from pollution. The Applicant Society regularly arranges 'Environment Fairs" for generating awareness amongst the public at large regarding environment pollution and related issues like causes of environment pollution and how to restrict it.

The Applicant Society is also working tirelessly for protection of environment and also raising their voices in respect of the issues like illegal pond filling and cutting /butchering /felling of trees,



controlling noise pollution and other environmental issues arising from the environment crimes.

- c) The Respondent Nos. 1 to 10 discharges public duties and therefore obligated to act in accordance with law in strict compliance of the Constitution of India. The Respondent No. 11 is an individual who has indulged himself in the illegal work of filling up of a pond/water body and cutting of trees as morefully described hereunder.
- d) The Applicant is seriously concerned and interested in protecting water bodies as well as environment of the locality and at present they are aggrieved by the illegal attempts made by the private respondent no. 11 to fill up water body/pond lying and situated at Village and Mouja Aminpur, P.O. Khamarchandi under Ashutosh Gram Panchayat, P.S. Haripal under Chandannagore Sub-Division, J.L. No. 71, L.R. Dag No. 301 and 302 in Khatian No. 817, District Hooghly and also cutting of trees in the adjacent area (hereinafter referred to as the said "water body").
- e) That on the basis of a complaint received from the local people to the effect that the private respondent no. 11 has engaged himself in illegal filling up of the said water body lying and situated at Village and Mouja Aminpur, P.O. Khamarchandi under Ashutosh Gram Panchayat, P.S. Haripal under Chandannagore Sub-Division, J.L. No. 71, L.R. Dag No. 301 and 302 in Khatian No. 817, District Hooghly and also cutting of trees in the adjacent area, the Applicant society on 4th August 2024 filed a complaint before the respondent authorities thereby requesting them to take necessary action for the restoration of the water body and for the



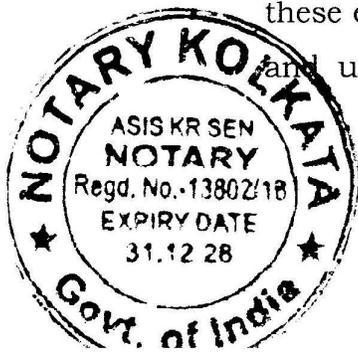
protection of the greenery within shortest possible time. A copy of the said complaint dated 4th August, 2024 is annexed hereto and marked as "Annexure- A".

- f) Unfortunately, no steps were taken for restoration of the said water body by the statutory authorities. This prompted the Applicant to file two further representations before the statutory authorities on 30th September 2024 and 7th October 2024 thereby requesting to take necessary action for restoration of the said water body. Copies of the said representations dated 30th September 2024 and 7th October 2024 are annexed hereto and collectively marked as Annexure- "B".
- g) That taking advantage of such in action on the part of the statutory authorities, the private respondent no. 11 continued with the illegal work of filling up the said water body with trace, garbage and rubbishes and cutting of trees at a rapid pace. This prompted the petitioner to file another complaint on 16th December 2024 with the statutory authorities thereby requesting them to take appropriate steps for restoration of the said water body. Copy of the said complaint dated 16th December 2024 is annexed hereto and marked as Annexure- "C".
- h) That on the basis of such complaints, ultimately the Block Land & Land Reforms Officer, Haripal, Hooghly being the respondent no. 4 herein made a detailed field investigation on 17th January 2024 and filed a report on the basis of such investigation on 20th January 2025 before the Sub-Divisional Officer, Chandannagore, Hooghly being the respondent no.5 herein. Copy of the said



investigation report dated 20th January, 2025 is annexed hereto and marked as Annexure-“D”.

- i) That in the investigation report the respondent no. 4 i.e. the Block Land & Land Reforms Officer, Haripal, Hooghly clearly mentioned that the Google Earth Satellite Imagery dated February 2021, 16th January 2022 and 28th February 2022 clearly shows a large pond and dense vegetation at the specific latitude and longitude corresponding to Dag Nos. 301 and 302 (i.e. the said water body) and this suggests that the area had a well-defined water body and substantial greenery as 2022. The respondent no. 4 in his report further mentioned that these images taken in the year 2021 and 2022 provide concrete evidence that the land historically featured a substantial water body and greenery, which have since been altered or removed.
- j) That the respondent no. 4 being the Block Land & Land Reforms Officer, Haripal, Hooghly in his report further mentioned that presently the pond previously observed in satellite imagery no longer exists as a defined water body and instead the area now appears predominantly as open land with some water logging in Dag no. 302 attributed to earlier soil excavation activities.
- k) That the respondent no. 4 being the Block Land & Land Reforms Officer, Haripal, Hooghly in his report also mentioned that the analysis of satellite imagery corroborates the claim that the area previously hosted a significant pond and dense vegetation and these environmental features were integral to the land's character and utility. However, over time, the pond and vegetation have

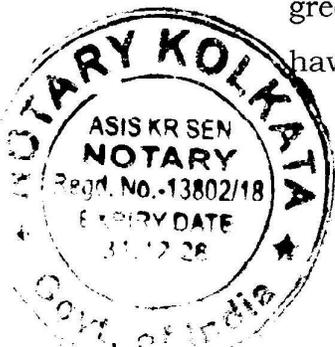


been removed or altered due to human intervention including soil excavation.

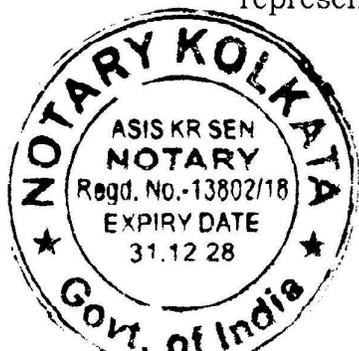
- l) That the respondent no. 4 being the Block Land & Land Reforms Officer, Haripal, Hooghly in his report finally recommended that considering the historical alterations to the land, efforts should be initiated to restore greenery and rehabilitate the area which can include replanting trees and creating designated green spaces to offset the environmental impact. As the findings indicate that historical modifications to the land have occurred, measures to ensure ecological restoration and sustainability should be encouraged.

- m) That a copy of the aforesaid report was forwarded to the Applicant Society. On receipt of such report, the Applicant Society filed another representation before the concerned respondent authorities on 21st January 2025 thereby requesting them to take necessary action for the restoration of the water body and for the protection of greenery within shortest possible time. A copy of the said representation dated 21st January 2025 is annexed hereto and marked as Annexure- "E".

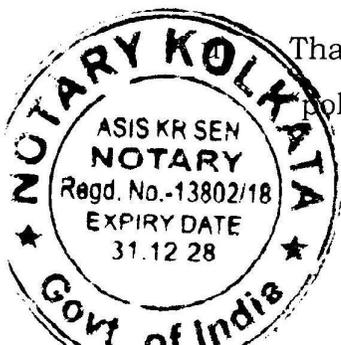
- n) Unfortunately, even after issuance of the aforesaid notice by the Block Land & Land Reforms Officer, Haripal, Hooghly and receipt of the same, the statutory authorities have till now failed and/or neglected to take any steps although it is now clear that the concerned area had a well-defined water body and substantial greenery as 2022 and such substantial water body and greenery have since been altered or removed manually.



- o) That the respondent no. 4 being the Block Land & Land Reforms Officer, Haripal, Hooghly although in his report further mentioned that presently the pond previously observed in satellite imagery no longer exists as a defined water body and instead the area now appears predominantly as open land with some water logging in Dag no. 302 attributed to earlier soil excavation activities but the statutory authorities have not taken any step for restoration of the said water body.
- p) That the respondent no. 4 being the Block Land & Land Reforms Officer, Haripal, Hooghly although in his report also mentioned that the analysis of satellite imagery corroborates the claim that the area previously hosted a significant pond and dense vegetation and these environmental features were integral to the land's character and utility and over time, the pond and vegetation have been removed or altered due to human intervention including soil excavation, but the statutory authorities have not taken any step for restoration of the said water body.
- q) That the Applicant submits that the statutory respondent authorities ought to have taken immediate steps for restoration of the water body and greenery at the concerned area on the basis of the report filed by the Block Land & Land Reforms Officer, Haripal, Hooghly but for reasons best known to them, the respondent authorities are sitting idle without taking any steps either on the basis of the said report or on the basis of numerous representations and complaints filed by the petitioner.



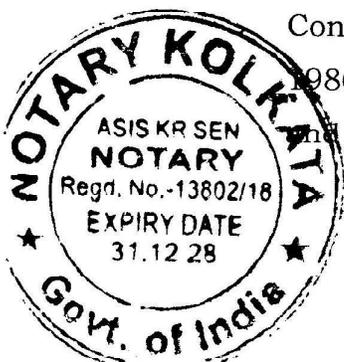
- r) That it is very unfortunate that, inspite of receiving numerous representations and complaints filed by the petitioner, the respondent authorities failed to take any steps against the private respondent no. 11, which prompted the private respondent no. 11 to resume filling up the said water body in a more rapid, constructive and systematic manner.
- s) It is very unfortunate that in the instant matter although the respondent authorities have received requests from the Applicant to restore the original condition of the pond by removing the soil and rubbish from the same but till date, neither the private respondent no. 11 has complied with the said order nor the statutory authorities have taken any steps either to restore the said water body in its original condition or taken any steps against the private respondent no. 11 in accordance with law.
- t) That it is very unfortunate that although several demand justices have been made before the statutory bodies, but as a matter of fact no effective steps have been taken by any of the above statutory bodies who have been impleaded in the instant application as respondents. Hence the applicant has no alternative but to file the instant Original Application so that this Hon'ble Tribunal may be pleased to pass an appropriate order restraining such illegal attempts of the private respondent from achieving their mischievous goal to fill up the said pond/water body permanently with a view to make permanent construction over the same.



That the applicant submits that the definition of the term "pollution" amongst other also include any act which endangers

or is harmful or is injurious to the life and health of animals or plants or of aquatic organisms and the term 'pollution' also includes the alteration of physical properties of water. Thus, if a water body which is used for fishing purposes or is useful for the purpose of drinking water by the animals or helps watering of the plantations or aquatic organisms like, fish, crabs, frogs etc. is filled up and turned into solid land, such act would be covered in the term "pollution". This is all the more because of the definition of the "stream" which includes inland water and sub-terranean waters also. There can be no doubt that the Water Act, 1974 prevents the contamination of the water by any chemical discharge of the effluent any industry or that it prevents the alteration of the chemical properties of water by the discharge of sewage or any other liquid or gaseous or solid substance into the water including filling up the same by rubbish and/or earth. Therefore, an act of completely destroying any water body by filling up same would also be an act of pollution and in contravention of the Water Act, 1974. Further establishing the pucca structures and for that purpose illegally filling up the water bodies or encroaching upon the same, would also entitle the State Board under the Act to rise up and question the propriety or legality of such act. It is not only the not only the surface water with which the Act is concerned, but also the inland waters and sub-terranean waters. Therefore, the instant act of filling up of water body by the private respondents clearly violates the provisions of the Water Act, 1974.

- v) The applicant further submits that the West Bengal Pollution Control Board has been recognized by the Environment Act of 1986 to take care of the environment which includes water, air and land and interrelationship which exists among and between



water, air and land and human beings, other living creatures, plants, microorganism and property and therefore the instant act of filling up of water body by the private respondents clearly violates the provisions of the Water Act, 1974 as well as Air Act, 1981 and the Environment (Protection) Act, 1986.

- w) The applicant in that backdrop submits that unless the prayers made hereinbelow are granted in favour of the applicant with utmost promptitude either in interim or ad-interim form, your applicant would suffer irreparable loss and injury in the form of losing his spirited social welfare activities which is now pertinently required for supporting the affected person who are not getting legal assistance from the statutory authorities who are supposed to act lawfully to shield the evilness of such bad and illegal activities for building a graceful and healthy society.
- x) Your applicant states that your applicant has strong prima-facie case and balance of convenience and inconvenience stand in favor of the applicant and delay in delivering the order as prayed for hereinbelow in interim or ad-interim form would frustrate the purpose of delivering justice in favor of the applicant upon adjudication of the issue involved in this Original Application.

5. **GROUND:**

That being highly aggrieved by and/or dissatisfied with the inaction and/or non-action on the part of the statutory respondent authorities in not restoring the said water body illegally and unauthorizedly, lying and situated at Village and Mouja Aminpur, P.O. Khamarchandi under Ashutosh Gram Panchayat, P.S. Haripal under Chandannagore Sub-Division, J.L. No. 71, L.R. Dag No. 301 and 302 in Khatian No. 817, District



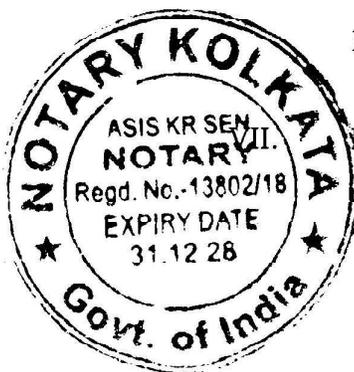
Hooghly and also cutting of trees in the adjacent area, the applicant begs to move this application on the following amongst other grounds:

- I. FOR THAT the even after issuance of the aforesaid notice by the Block Land & Land Reforms Officer, Haripal, Hooghly and receipt of the same, the statutory authorities have till now failed and/or neglected to take any steps although it is now clear that the concerned area had a well-defined water body and substantial greenery as 2022 and such substantial water body and greenery have since been altered or removed manually.
- II. FOR THAT the respondent no. 4 being the Block Land & Land Reforms Officer, Haripal, Hooghly although in his report further mentioned that presently the pond previously observed in satellite imagery no longer exists as a defined water body and instead the area now appears predominantly as open land with some water logging in Dag no. 302 attributed to earlier soil excavation activities but the statutory authorities have not taken any step for restoration of the said water body.
- III. FOR THAT the respondent no. 4 being the Block Land & Land Reforms Officer, Haripal, Hooghly although in his report also mentioned that the analysis of satellite imagery corroborates the claim that the area previously hosted a significant pond and dense vegetation and these environmental features were integral to the land's character and utility and over time, the pond and vegetation have been removed or altered due to human intervention



including soil excavation, but the statutory authorities have not taken any step for restoration of the said water body.

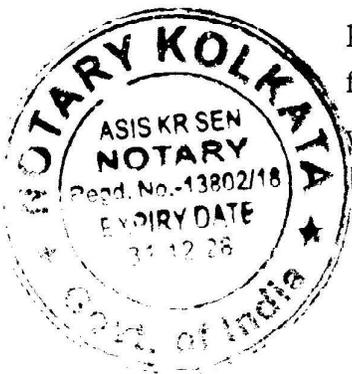
- IV. FOR THAT the statutory respondent authorities ought to have taken immediate steps for restoration of the water body and greenery at the concerned area on the basis of the report filed by the Block Land & Land Reforms Officer, Haripal, Hooghly but for reasons best known to them, the respondent authorities are sitting idle without taking any steps either on the basis of the said report or on the basis of numerous representations and complaints filed by the petitioner.
- V. FOR THAT it is very unfortunate that, inspite of receiving numerous representations and complaints filed by the petitioner, the respondent authorities failed to take any steps against the private respondent, which prompted the private respondent to resume filling up the said water body in a more rapid, constructive and systematic manner.
- VI. FOR THAT in the instant matter although the respondent authorities have received requests from the petitioners to restore the original condition of the pond by removing the soil and rubbish from the same but till date, neither the private respondent has complied with the said order nor the statutory authorities have taken any steps either to restore the said water body in its original condition or taken any steps against the private respondents in accordance with law.



FOR THAT it is very unfortunate that although several demand justices have been made before the statutory

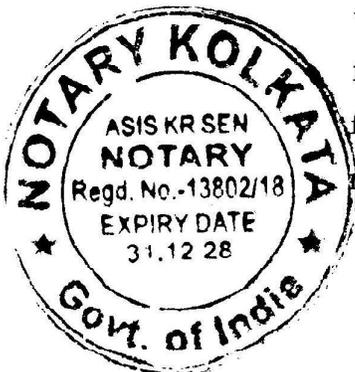
bodies, but as a matter of fact no effective steps have been taken by any of the above statutory bodies who have been impleaded in the instant writ petition as respondents. Hence the petitioner has no alternative but to file the instant public interest litigation so that this Hon'ble Court may be pleased to pass an appropriate order restraining such illegal attempts of the private respondent from achieving their mischievous goal to fill up the said pond/water body permanently with a view to make permanent construction over the same.

- VIII. FOR THAT the purported attempt to fill up the said water body and cutting of trees are highly illegal and unauthorized and the person who is trying to commit the said mischief are liable to be punished.
- IX. FOR THAT the Government authorities are vested with constitutional as well as statutory duties to maintain water bodies and the matters connected therewith or incidental thereto with a view to ensuring the ecological and environmental security of the State.
- X. FOR THAT the respondent authorities have failed to appreciate that the said water body amongst other natural resources, are basically held by the Government in trusteeship for the free and unimpeded for the use of the general public and in various judgments the Hon'ble Supreme Court has enunciated this particular doctrine of public trust, as the resources like air, sea, waters and the forests have such a great importance to the people as a whole, that it would be totally unjustified to make them a

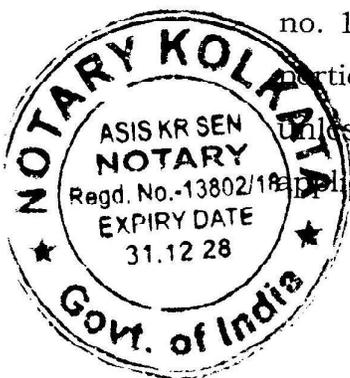


subject of private ownership. Therefore, if any government department fails to protect such public property they are liable to be held committing breach of public trust.

- XI. FOR THAT it is the duty of the concerned respondent authorities to notify and declare the concerned area to be a protected water body on consideration of the fact that the said water body is of adequate ecological, faunal and foral, geo-morphological, natural or geological significance for the purpose of protecting, propagating and developing water bodies, lives or its environment. The Government authorities also owe a duty to protect such water body which they have miserably failed to do.
- XII. FOR THAT the callous and negligent attitude of the respondent State authorities towards the illegal acts and conducts of the private respondents, if not restricted, at the outset, can destroy the ecological balance of the said locality.
- XIII. FOR THAT the concerned respondent authorities ought to have taken administrative as well as police help for ensuring stoppage of filling up work done by the private respondent which they have willfully failed to do so.
- XIV. FOR THAT there are several judgments passed by both the Hon'ble Apex Court and this Hon'ble Court to the effect that water bodies which are permanent in nature cannot be filled up for any purpose and it is one of the most important fundamental duties of the government to protect such natural resources.



- XV. FOR THAT the action of the respondent State authorities in collusion with the private respondent will completely destroy the ecological balance of the locality.
- XVI. FOR THAT the private respondents in connivance with the State Authorities have purported to bypass the spirit of several judgments delivered by the Hon'ble Supreme Court as well as by this Hon'ble Court with regard to restrictions on filling up any water body having permanent nature.
- XVII. FOR THAT the purported acts and conducts on the part of the respondent State authorities are arbitrary, illegal, unreasonable, unjust, unfair, unlawful and violative of the rights of the petitioner as protected under the Constitution of India.
- XVIII. FOR THAT that acts and conducts of the respondents are bad in law on other grounds, which the applicant craves leave too urge at the time of hearing.
6. The applicant submits that unless the prayers as prayed for herein below are passed the applicant will suffer irreparable loss, prejudice and injury.
7. That there is great urgency in moving this application as the private respondent no. 11 has already filled up majority of the water body and have constructed buildings over the same and the construction still going and it is likely that the private respondent no. 11 is going to create third party interest very soon by selling portions in the said illegal construction raised by them and unless necessary restrictions are imposed upon them, the instant application filed by the applicant shall become infructuous.



8. The balance of convenience is in favour of orders as prayed for herein.
9. Unless orders are passed as prayed for, your applicant shall suffer irreparable loss and prejudice.
10. This application is bonafide and made for the interest of justice.

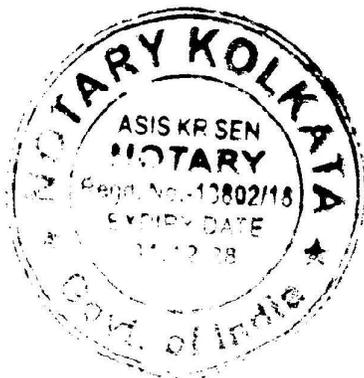
LIMITATION:

The applicant states that the application is within time prescribed. On coming to see that the private respondent no. 11 has already filled up majority of the water body and has constructed buildings over the same and the construction still going, the applicant made complaints before the statutory authorities and since the respondent authorities failed to response to such complaint, the applicant decided to move this application. Present application is thus not barred by time.

PRAYER

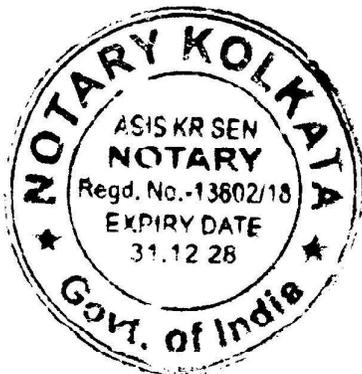
In the aforesaid circumstances, the applicant prays that this Hon'ble Tribunal will be gracious enough and pleased to grant:

- a. An order commanding the respondents, each one of them and their men / agents / servants to forthwith restrain the private respondent no. 11 from filling up the said water and/or from making any construction of permanent and



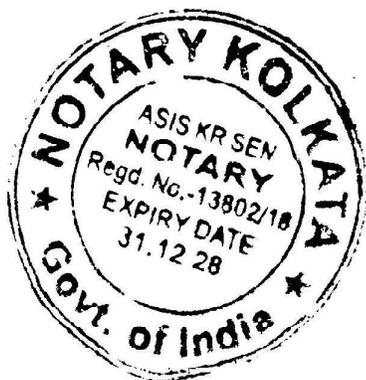
temporary nature in respect of the said water body/pond lying and situated at Village and Mouja Aminpur, P.O. Khamarchandi under Ashutosh Gram Panchayat, P.S. Haripal under Chandannagore Sub-Division, J.L. No. 71, L.R. Dag No. 301 and 302 in Khatian No. 817, District Hooghly and also cutting of trees in the adjacent area;

- b. An order commanding the respondents, each one of them and/or their man / agents / servants to forthwith restore the said water body/pond lying and situated at Village and Mouja Aminpur, P.O. Khamarchandi under Ashutosh Gram Panchayat, P.S. Haripal under Chandannagore Sub-Division, J.L. No. 71, L.R. Dag No. 301 and 302 in Khatian No. 817, District Hooghly and also by planting of trees in the adjacent area in its original condition, shape and size;
- c. An order commanding the respondents, each one of them and/or their man / agents /



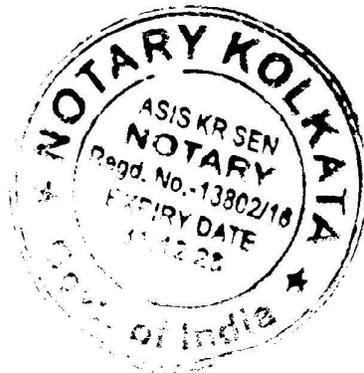
servants to forthwith demolish any construction work, made by the private respondent over the said water body/pond lying and situated at Village and Mouja Aminpur, P.O. Khamarchandi under Ashutosh Gram Panchayat, P.S. Haripal under Chandannagore Sub-Division, J.L. No. 71, L.R. Dag No. 301 and 302 in Khatian No. 817, District Hooghly;

- d. An order commanding the respondents, each one of them and/or their man / agents / servants to forthwith take all steps to ensure the preservation of the said water body/pond lying and situated at Village and Mouja Aminpur, P.O. Khamarchandi under Ashutosh Gram Panchayat, P.S. Haripal under Chandannagore Sub-Division, J.L. No. 71, L.R. Dag No. 301 and 302 in Khatian No. 817, District Hooghly and plantation of trees in the adjacent area;
- e. An order commanding the respondents, each one of them



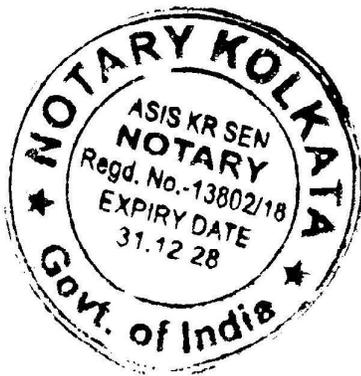
and/or their man / agents / servants to forthwith take appropriate legal actions against the private respondent for illegally filling up the said water body/pond lying and situated at Village and Mouja Aminpur, P.O. Khamarchandi under Ashutosh Gram Panchayat, P.S. Haripal under Chandannagore Sub-Division, J.L. No. 71, L.R. Dag No. 301 and 302 in Khatian No. 817, District Hooghly and also for illegal cutting of trees in the adjacent area;

- f. An order do issue directing the respondent authorities to forthwith restore the said water body in its original shape and size, lying and situated at Village and Mouja Aminpur, P.O. Khamarchandi under Ashutosh Gram Panchayat, P.S. Haripal under Chandannagore Sub-Division, J.L. No. 71, L.R. Dag No. 301 and 302 in Khatian No. 817, District Hooghly and also planting of trees in the adjacent area;



- g. An order do issue directing the respondents and/or their men/ agents/ servants to forthwith take step for excavating the filled up portion of the said water body and for demolition of the unauthorized construction made by the private respondent over the said water bodies;
- h. Ad-interim orders in terms of prayers (f) and (g) as above.
- i. Orders as to costs.
- j. Such other order and/or direction as Your Lordships may deem fit and proper.

And for this act of kindness the petitioner, as in duty bound shall ever pray



Biswajit Mukherjee

APPLICANT

Baranagar, Baranagar
roughly-712100, West Bengal

VERIFICATION

I, Biswajit Mukherjee, son of Late Ajit Kumar Mukherjee, age about 72 years, by occupation – retired employec, by religion – Hindu, residing at Burra Bazar, Chandannagore, District Hooghly 712136, do hereby declare and state that the contents of paragraph Nos. 1 to 4(r) are true to my knowledge, which includes information derived from records which I verily believe to be true and the rest are my humble submissions before this Hon'ble Tribunal.

Identified by me

Prepared in my office

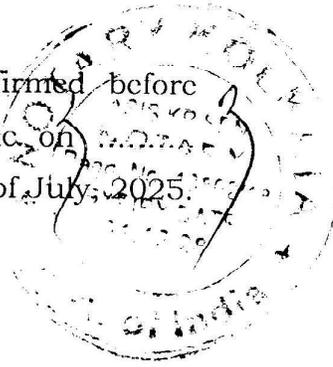
Bikash Shaw
Advocate

Biswajit Mukherjee

DEPONENT

The President
Paribesh Academy,
Chandannagore, Hooghly
District, West Bengal

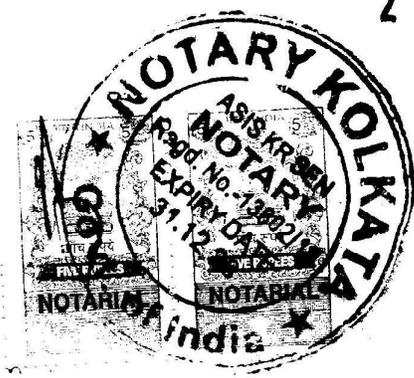
Solemnly affirmed before
Notary Public, on
this the day of July, 2025



1. Signatures of the Executants
Attested by me on Identification

Asis K. Sen

ASIS KUMAR SEN
City Civil Court
Kolkata
Reg. No. 13802/18 Govt. of West Bengal



20 AUG 2025



ANNEXURE - "A" 24

পরিবেশ আকাদেমি • বড়বাজার, চন্দননগর - ৭১২১৩৬

PARIBESH ACADEMY • BARABAZAR, CHANDANNAGAR, HOOGHLY, (W. B.)

Received
Content not Verified)
12.8.24.
Receiving Officer
Hooghly Collectorate

Dated: 04/08/2024

1. The District Magistrate- Hooghly,
Government of West Bengal,
Office of the District Magistrate-Hooghly,
New Administrative Building, Chinsurah,
Hooghly- 712 101
2. The Sub-Divisional Officer,
Office of the Sub-Divisional Officer,
Chandannagar Sub-Division, Hooghly- 712 136
3. The Superintendent of Police,
Hooghly Rural,
Office of the Superintendent Police
Kamarkundu, Singur, Hooghly- 712 407
4. The Divisional Forest Officer,
Howrah Hooghly Division,
No:5, 1st Floor, Stadium Complex,
Grand Trunk Rd, M.G. Road, Dalmia Park,
Howrah Railway Station, Shibpur, Howrah- 711101

o/c

Sub: Complaint against the filling of water body and butchering of trees Village- Aminpur, P.O- Khamarchandi, under Ashutosh Gram Panchayat, P.S.- Haripal, under Chandannagar Sub-Division, Hooghly, Dag No. 301, 302 and Khatian No. 817

Ref: West Bengal Land and Land Reforms Act, 1955 and
West Bengal Inland Fisheries Act, 1984 as amended time to time and
West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act, 2006

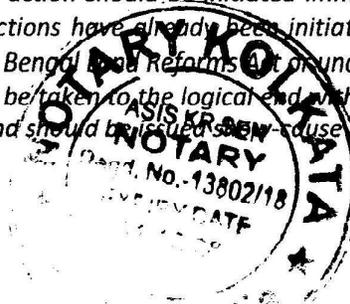
Sir(s),

As per the Article under 51A of the Constitution of India, every citizen have some responsibility to protect environment as enumerated in our Constitution of India, where in it has mentioned that to protect and improve the natural environment including forest, river and wildlife, every citizen should take part to protect natural environment.

2. That our organization has received a complaint from the different environment conscious people from the aforementioned area that one Shree Asish Ghosh is engaged to filled up water body and butchering of matured trees at Village- Aminpur (Near Excise Office), P.O- Khamarchandi, under Ashutosh Gram Panchayat, P.S.- Haripal, under Chandannagar Sub- Division, Hooghly, Dag No. 301, 302 and Khatian No. 817. Photographs of such area are enclosed here with as Annexure-A.

3. That further it can be mentioned that upon hearing Hon'ble High Court at Calcutta was pleased to pass an order on 18/04/2023 in connection of WPA 283 of 2021, wherein Hon'ble Court was pleased to hold that filling of the pond need to be controlled. Relevant portion of the order reads as follows:

Accordingly, the writ petitions stand disposed of by directing the respondent nos. 9 to 21 to immediately cause an inspection of all the areas falling in their jurisdiction and wherever there has been illegal change of character of the land action should be initiated immediately under the provisions of the relevant enactment. In cases, where actions have already been initiated and show-cause notice has been issued under the provisions of the West Bengal Land Reforms Act or under the provisions of the West Bengal Inland Fisheries Act, such action should be taken to the logical end with expedition. The persons responsible for illegal change of character of the land should be issued show-cause notices and an enquiry should be





(2)

conducted and final order should be passed within the time stipulated under the relevant statute. If the change of character of the land is illegal, it goes without saying that the building put up in those lands are also illegal. Therefore, the respondents are directed to issue necessary notice preventing any construction being put up in those properties where there is a change of character of the land and where enquiries or proceedings have already commenced and also to ensure that no new construction is permitted nor any application for grant of permission should be entertained by the respondents till the enquiry is completed in terms of the above direction under the relevant statute.

The aforementioned order of Hon'ble Chief justice of Hon'ble High Court at Calcutta dated 18/04/2023 has communicated to the all concerned for taking necessary action on 18/05/2023 but it is observed that concerned municipalities, corporations, panchayats, land reforms department are not considered the order of the Hon'ble High Court at Calcutta in proper manner and therefore there are large number of complaints are coming into the newspaper and also electronic media in respect of filling of water body and change of the land character violating the West Bengal Land and Land Reforms Act, 1955 and West Bengal Inland Fisheries Act, 1984 as amended time to time.

4. That further it can be mentioned that recently Hon'ble Division Bench, Hon'ble High Court at Calcutta presided by Hon'ble Chief Justice was pleased to pass an order in connection with **WPA(P) 210 of 2024**, in respect of similar matter on 20/06/2024 directing the Competent Authorities to restore the water body in its original form within a period of 6 weeks from the communication of the order.

In similar circumstances, Hon'ble Nation Green Tribunal, Eastern Zone Bench, Kolkata was pleased to pass an order on 10/07/2024, in connection with **Original Application No. 88/2024/EZ**, directing the District Authority to take appropriate action for restoration of the water body within 4 days from the date of communication of the order.

5. That further it can be mentioned that as per the provision under West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act, 2006, no one is allowed to butchered any trees without prior permission from the Forest Department but it is reported that large number of matured trees are butchered in the aforementioned area without permission of the Forest Department.

In view of the above and taking into the consideration of the judicial pronouncements and in conformity of the statutory provisions as laid down under West Bengal Land and Land Reforms Act, 1955 and West Bengal Inland Fisheries Act, 1984 as amended time to time and West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act, 2006, necessary action may please be taken for the restoration of the water body and for the protection of the greenery within shortest possible time under intimation to our organization and oblige.

Encl: as stated

Yours faithfully,

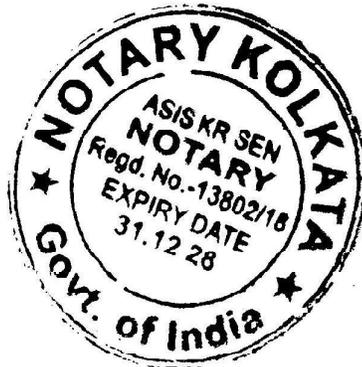
(Biswajit Mukherjee)

President

Mail: biswajit.envlaw@gmail.com

Copy forwarded to:

The Officer In Charge,
Haripal Police Station,
Haripal, Hooghly- 712 405



(Biswajit Mukherjee)



Filling of water body and butchering of trees at Village- Aminpur, P.O- Khamarchandi, under Ashutosh Gram Panchayat, P.S. Haripal, Hooghly, Dag No. 301, 302 and Khatian No. 817

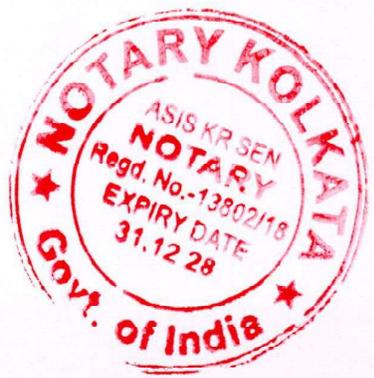
B. K. Chatterjee

~~28~~
~~28~~
27

भारतीय डाक
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RL CHANDANHAGAR SO HOOGHLY (711466)
Counter No:1.05/08/2024.10:27
To:DIVISIONAL FO,SHIRPUR,HOWRAH
PIN:711101, Howrah HO
From:BISWAJIT MU.PRESIDENT PARIRE
Wt:20gms,REG=17.0
Amt:25.96,Tax:3.96,Amt.Paid:26.00(Cash)
<Track on www.indiapost.gov.in>
(Dial 18002666868) (Wear Masks Stay Safe)

भारतीय डाक
PW792856008IN IVR:8287792856008
RL CHANDANHAGAR SO HOOGHLY (711466)
Counter No:1.05/08/2024.10:27
To:OFFICER IN CHARGE HARIPAL US
PIN:712405, Khamarchandi SO
From:BISWAJIT MU.PRESIDENT PARIRE
Wt:20gms,REG=17.0
Amt:25.96,Tax:3.96,Amt.Paid:26.00(Cash)
<Track on www.indiapost.gov.in>
(Dial 18002666868) (Wear Masks Stay Safe)

भारतीय डाक
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From:BISWAJIT MU.PRESIDENT PARIRE
Wt:20gms,REG=17.0
Amt:25.96,Tax:3.96,Amt.Paid:26.00(Cash)
<Track on www.indiapost.gov.in>
(Dial 18002666868) (Wear Masks Stay Safe)





পরিবেশ আকাদেমি •
PARIBESH ACADEMY •

ANNEXURE - "B" 20

বড়বাজার, চন্দননগর - ৭১২১৩৬

BARABAZAR, CHANDANNAGAR, HOOGHLY, (W. B.)

1. The District Magistrate- Hooghly,
Government of West Bengal,
Office of the District Magistrate-Hooghly,
New Administrative Building, Chinsurah,
Hooghly- 712 101
2. The Sub-Divisional Officer,
Office of the Sub-Divisional Officer,
Chandannagar Sub-Division, Hooghly- 712 136
3. The Superintendent of Police,
Hooghly Rural Police,
Office of the Superintendent Police
Kamarkundu, Singur, Hooghly- 712 407
4. The Divisional Forest Officer,
Howrah Hooghly Division,
No: 5, 1st Floor, Stadium Complex,
Grand Trunk Rd, M.G. Road, Dalmia Park,
Howrah Railway Station, Shibpur, Howrah- 711101

Dated: 30/09/2024

ofc

Received Contents not verified
30/9/24
Receiving Section
S.D.O.'s Office
Chandernagore, Hooghly

Sub: Complaint against the filling of water body and butchering of trees Village- Aminpur, P.O-
Khamarchandi, under Ashutosh Gram Panchayat, P.S.- Haripal, under Chandannagar Sub-
Division, Hooghly, Dag No. 301, 302 and Khatian No. 817

Re: West Bengal Land and Land Refórms Act, 1955 and
West Bengal Inland Fisheries Act, 1984 as amended time to time and
West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act, 2006

Ref: Our letter dated 04/08/2024

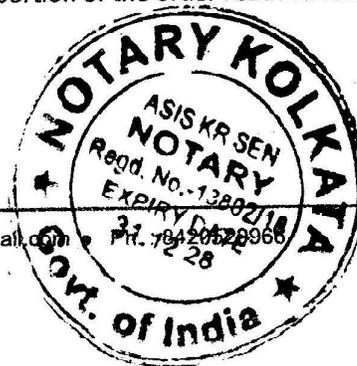
Sir(s),

Please find the copy of the letter dated 04/08/2024 for your ready reference.

2. Our organization has received a letter on 18/09/2024 from the local people of this area i.e. Village-
Aminpur, P.O- Khamarchandi, under Ashutosh Gram Panchayat, P.S.- Haripal, under Chandannagar Sub-
Division, Hooghly that once again filling of the water body has started by the local miscreants. Some
environmental activists have visited the site and it is observed that filling of the water body are in
process and number of trees have butchered. Most of the portion of the water body under question has
filled up without giving any cognizance to the law and also violating the order of the Hon'ble High Court
at Calcutta. Recent photographs of the filling of the water body are enclosed here with for your ready
reference.

3. That further it can be mentioned that upon hearing Hon'ble High Court at Calcutta was pleased to
pass an order on 18/04/2023 in connection of WPA 283 of 2021, wherein Hon'ble Court was pleased to
hold that filling of the pond need to be controlled. Relevant portion of the order reads as follows:

1





পরিবেশ আকাদেমি • বড়বাজার, চন্দননগর - ৭১২১৩৬
PARIBESH ACADEMY • BARABAZAR, CHANDANNAGAR, HOOGHLY, (W. B.)

Accordingly, the writ petitions stand disposed of by directing the respondent nos. 9 to 21 to immediately cause an inspection of all the areas falling in their jurisdiction and wherever there has been illegal change of character of the land action should be initiated immediately under the provisions of the relevant enactment. In cases, where actions have already been initiated and show-cause notice has been issued under the provisions of the West Bengal Land Reforms Act or under the provisions of the West Bengal Inland Fisheries Act, such action should be taken to the logical end with expedition. The persons responsible for illegal change of character of the land should be issued show-cause notices and an enquiry should be conducted and final order should be passed within the time stipulated under the relevant statute. If the change of character of the land is illegal, it goes without saying that the building put up in those lands are also illegal. Therefore, the respondents are directed to issue necessary notice preventing any construction being put up in those properties where there is a change of character of the land and where enquiries or proceedings have already commenced and also to ensure that no new construction is permitted nor any application for grant of permission should be entertained by the respondents till the enquiry is completed in terms of the above direction under the relevant statute.

The aforementioned order of Hon'ble Chief Justice of Hon'ble High Court at Calcutta dated 18/04/2023 has communicated to the all concerned for taking necessary action on 18/05/2023 but it is observed that concerned municipalities, corporations, panchayats, land reforms department are not considered the order of the Hon'ble High Court at Calcutta in proper manner and therefore there are large number of complaints are coming into the newspaper and also electronic media in respect of filling of water body and change of the land character violating the West Bengal Land and Land Reforms Act, 1955 and West Bengal Inland Fisheries Act, 1984 as amended time to time.

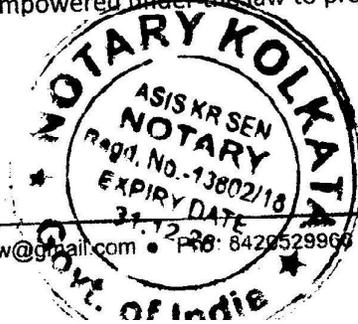
4. That further it can be mentioned that recently Hon'ble Division Bench, Hon'ble High Court at Calcutta presided by Hon'ble Chief Justice was pleased to pass an order in connection with **WPA(P) 210 of 2024**, in respect of similar matter on 20/06/2024 directing the Competent Authorities to restore the water body in its original form within a period of 6 weeks from the communication of the order.

In similar circumstances, Hon'ble Nation Green Tribunal, Eastern Zone Bench, Kolkata was pleased to pass an order on 10/07/2024, in connection with **Original Application No. 88/2024/EZ** directing the District Authority to take appropriate action for restoration of the water body within 4 days from the date of communication of the order.

5. That further it can be mentioned that as per the provision under West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act, 2006, no one is allowed to butchered any trees without prior permission from the Forest Department but it is reported that large number of matured trees are butchered in the aforementioned area without permission of the Forest Department.

6. That it is surprising to note that despite the existence of the different statutes for prevention and control of filling of the water body and butchering against the trees, none of the authority i.e. District Authority, Police Authority, Local Authorities and Forest Department has not taken any action even after receiving the complaint due to some obscure reasons. In fact, we the law abiding people are demanding "Justice for Environment" because as we observed justice is denied almost in every aspect of environment matter though statutory authorities are empowered under the law to protect environment from degradation.

2



30



পরিবেশ আকাদেমি • বড়বাজার, চন্দননগর - ৭১২১৩৬

PARIBESH ACADEMY • BARABAZAR, CHANDANNAGAR, HOOGHLY, (W. B.)

In view of the above and taking into the consideration of the judicial pronouncements and in conformity of the statutory provisions as laid down under West Bengal Land and Land Reforms Act, 1955 and West Bengal Inland Fisheries Act, 1984 as amended time to time and West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act, 2006, necessary action may please be taken for the restoration of the water body and for the protection of the greenery within shortest possible time under intimation to our organization within 4 weeks failing which we may approach before the Hon'ble High Court at Calcutta and Hon'ble National Green Tribunal.

Encl: as stated

Yours faithfully,

(Biswajit Mukherjee)

President

Mail: biswajit.envlaw@gmail.com

Copy forwarded to:

The Officer In Charge,
Haripal Police Station,
Haripal, Hooghly- 712 405

(Biswajit Mukherjee)



3

31

RW784253116IN IVR:8287784253116
 RL CHANDANNAGAR SO HOOGHLY
 Counter No:1,30/09/2024,10:
 To:THE OFFICER I,HARIPAL PO
 PIN:712405, Khawarchandi SO
 From:BISWAJIT MUKHERJEE,BARABAZAR
 Wt:30gms,REG=17.0
 Amt:31.86,Tax:4.86,Amt.Paid:32.00(Cash)
 <Track on www.indiapost.gov.in>
 <Dial 18002666868> <Wear Masks, Stay Safe>

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 Wt:30gms,REG=17.0
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 <Track on www.indiapost.gov.in>
 <Dia) 18002666868> <Wear Masks, Stay Safe>

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 RL CHANDANNAGAR SO HOOGHLY
 Counter No:1,30/09/2024,10:
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 From:BISWAJIT MUKHERJEE,BARABAZAR
 Wt:30gms,REG=17.0
 Amt:31.86,Tax:4.86,Amt.Paid:32.00(Cash)
 <Track on www.indiapost.gov.in>
 <Dial 18002666868> <Wear Masks, Stay Safe>





NITI Aayog
WB/2020/0258052

SAVE TREE SAVE WORLD

1. The Chief Secretary, secretary@nitiaayog.gov.in Mobile - 913085 7763 900 7159552

Nabanna, 13th Floor,

325, Sarat Chatterjee Road,

Mandirtala, Shibpur,

Howrah-711102

2. The Director General of Police

Bhawani Bhawan,31/A

Alipore Police Line

Alipore, Kolkata -700027

3. The Principal Secretary Environment,

Prani Sampad Bhavan, Sector-III,

Salt Lake, Kolkata-700098

Nabanna, Howrah-711102

4. Additional Chief Secretary land,

Nabanna, Sarat Chatterjee Road,

Mandirtala, Shibpur,

Howrah-711102

5. The District Magistrate,

Hooghly district,

Chinsurah, West Bengal-712101

6. The Additional District Magistrate Land,

Hooghly district,

Chinsurah, West Bengal-712101

7. The Sub-Divisional Officer

Chandannagar Subdivision,

Hooghly 712136,

8. The Superintendent of Police,

Hooghly Rural,

Office of Superintendent police,

Kamarkundu, Singur

Hooghly - 712407

9. Officer-in-Charge Haripal PS

Aminpur, Haripal

Hooghly, 712405

NITI Aayog
WB/20200258052
SAVE TREE SAVE WORLD

To,

1. The Chief Secretary,
Nabanna, 13th Floor,
325, Sarat Chattejee Road, Mandirtala,
Shibpur, Howrah – 711102.
2. The Director General of Police,
Bhawani Bhawan,
31/A, Alipore Police Line, Alipore, Kolkata – 700027.
3. The Principal Secretary Environment,
Prani Sampad Bhavan, Sector-III, Salt Lake,
Kolkata – 70098. Nabanna, Howrah – 711102.
4. Additional Chief Secretary Land,
Nabanna, 13th Floor,
325, Sarat Chattejee Road, Mandirtala,
Shibpur, Howrah – 711102.
5. The District Magistrate,
Hooghly District, Chinsurah,
West Bengal – 712101.
6. The Additional District Magistrate Land,
Hooghly District, Chinsurah,
West Bengal – 712101.
7. The Sub-Divisional Officer,
Chandannagar Sub-Division,
Hooghly – 712136.
8. The Superintendent of Police,
Hooghly Rural, Office of Superintendent Police,
Kamarkundu, Singur, Hooghly 712407.
9. Officer-In-Charge
Haripal P.S. Aminpur, Haripal,
Hooghly – 712405.

34
33

Sub - Complain against merciless tree felling and infilling of a waterbody in Vill- Aminpur, P.O- Khamarchandi, P.S- Haripal, Dist-Hooghly, under Ashutosh Gram Panchayet, Plot No- 301,302 & Khatian no- 817

Sir,

With due respect, We the members of "Save tree Save World" want to raise the voice of protest against destruction of green and infilling of a water body in village of Aminpur of Haripal very near to the Haripal police station (District - Hooghly PIN-712405). A guy named Asish Ghosh (Son of Late Mukul Ghosh) is involved in destruction of environment by felling down of trees from 2019-2020. Now he is filling a water body illegally and selling the land recovered from pond filling. Purchaser of the property is also aware of infilling of pond but don't deny to buy. Our organization has been informed of this incident from some local environment conscious people, who are very much frightened to reveal their name publicly. This illegal incident has been informed to the concerning authority and local police station by "Poribesh academy" as well. But no legal action has been taken against this delinquent guy.

According to **Article 51A** of constitution of India, everyone has his own responsibility to protect environment. Thus, from the sake of our inner conscience, we decided to complain against it to the highest authority and protest against it till the end.

Further it is also mentioned that upon hearing Hon'ble Calcutta High Court was pleased to pass an order on **18/04/2023** in connection of **WPA 283 of 2021**, wherein Hon'ble court was pleased to hold that filling of pond needs to be controlled with immediate actions.

Recently Hon'ble Division Bench, Hon'ble Calcutta High Court presided by Hon'ble Chief Justice was pleased to pass an order in connection with **WPA(P) 210 of 2024** in respect of similar matter on **20/06/2024** directing competent authorities to restore water body in its original form within a period of **6 weeks** from the communication of order.

In similar circumstances Hon'ble National Green Tribunal, Eastern zone bench, Kolkata was pleased to pass an order **10/07/2024**, in connection with **Original Application No 88/2024/EZ** directing the District Authority to take appropriate action for restoration of water body within **4 days** from the date of communication of order

As per the provisions under **West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act, 2006**, no one is allowed to butcher any trees without prior permissions from Forest Department. But large number of mature trees are informed to be butchered in the aforesaid location without permission of Forest Department.

Supportive evidences, regarding the complaint such as photographs of pond filling, other documents and previous complain copy of "Poribesh academy", has been attached to this application.

3A

In view of above and taking into the consideration of Judicial pronouncements and in conformity of statutory provisions as laid down under **West Bengal Land and Land Reform Act, 1955** and **West Bengal Inland Fisheries Act, 1984** as amended time to time and **West Bengal Trees (Protection and Conservation in Non-Forest areas) Act, 2006**, we want you to take this matter in our own hand and seek drastic actions against this evildoer. We will be very much obliged if the previous conditions of the waterbody and greenery is regained.

Dated- 7/10/24

Yours faithfully,

CSIR SMTY GUPAR

9007169659

P. SAVE TREE SAVE WORLD
HOOGLY



পরিবেশ আকাদেমি • বড়বাজার, চন্দননগর - ৭১২১৩৬
 PARIBESH ACADEMY • BARABAZAR, CHANDANNAGAR, HOOGHLY, (W. B.)

Received
 Content not verified
 16.12.24
 Receiving Officer
 Hooghly Collectorate

Dated: 16/12/2024

1. The District Magistrate- Hooghly,
 Government of West Bengal,
 Office of the District Magistrate-Hooghly,
 New Administrative Building, Chinsurah,
 Hooghly- 712 101
2. The Sub-Divisional Officer,
 Office of the Sub-Divisional Officer,
 Chandannagar Sub-Division, Hooghly- 712 136
3. The Superintendent of Police,
 Hooghly Rural Police,
 Office of the Superintendent Police
 Kamarkundu, Singur, Hooghly- 712 407
4. The Divisional Forest Officer,
 Howrah Hooghly Division,
 No: 5, 1st Floor, Stadium Complex,
 Grand Trunk Rd, M.G. Road, Dalmia Park,
 Howrah Railway Station, Shibpur, Howrah- 711101

Sub: Complaint against the filling of water body and butchering of trees Village- Aminpur, P.O-
 Khamarchandi, under Ashutosh Gram Panchayat, P.S.- Haripal, under Chandannagar Sub-
 Division, Hooghly, Dag No. 301, 302 and Khatian No. 817

Re: West Bengal Land and Land Reforms Act, 1955 and
 West Bengal Inland Fisheries Act, 1984 as amended time to time and
 West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act, 2006

Ref: Our letter dated 04/08/2024 & 30/09/2024

Sir(s),

Please find the copy of the letter dated 30/09/2024 for your ready reference.

2. Our organization has once again received a letter on 05/12/2024 from the local people of this area i.e. Village Aminpur, P.O- Khamarchandi, under Ashutosh Gram Panchayat, P.S.- Haripal, under Chandannagar Sub-Division, Hooghly that once again filling of the water body has started by the local miscreants. Some environmental activists have visited the site and it is observed that filling of the water body are in process and number of trees have butchered. Most of the portion of the water body under question has filled up without giving any cognizance to the law and also violating the order of the Hon'ble High Court at Calcutta. Recent photographs of the filling of the water body are enclosed here with for your ready reference.

3. That further it can be mentioned that upon hearing Hon'ble High Court at Calcutta was pleased to pass an order on 18/04/2023 in connection of WPA 283 of 2021, wherein Hon'ble Court was pleased to hold that filling of the pond need to be controlled. Relevant portion of the order reads as follows:

Received Contents not verified

18/12/24
 RECEIVED



B. Chatterjee

Dated: 16/12/2024

1. The District Magistrate – Hooghly,
Government of West Bengal,
Office of the District Magistrate – Hooghly,
New Administrative Building, Chinsurah,
Hooghly – 712 101.
2. The Sub-Divisional Officer,
Office of the Sub-Divisional Officer,
Chandannagar Sub-Division, Hooghly- 712 136
3. The Superintendent of Police,
Hooghly Rural Police,
Office of the Superintendent Police
Kamarkundu, Singur, Hooghly- 712 407
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Howrah Hooghly Division,
No. 5, 1st Floor, Stadium Complex,
Grand Trunk Rd, M.G. Road, Dalmia Park,
Howrah Railway Station, Shibpur, Howrah 711101.

35A
Type copy

Sub: Complaint against the filling of water body and butchering of trees Village- Aminpur, P.O. Khamarchandi, under Ashutosh Gram Panchayat, P.S.- Haripal, under Chandannagar Sub-Division, Hooghly, Dag No. 301, 302 and Khatian No. 817.

Re: West Bengal Land and Land Reforms Act, 1955 and
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পরিবেশ আকাদেমি • বড়বাজার, চন্দননগর - ৭১২১৩৬
PARIBESH ACADEMY • BARABAZAR, CHANDANNAGAR, HOOGHLY, (W. B.)

Accordingly, the writ petitions stand disposed of by directing the respondent nos. 9 to 21 to immediately cause an inspection of all the areas falling in their jurisdiction and wherever there has been illegal change of character of the land action should be initiated immediately under the provisions of the relevant enactment. In cases, where actions have already been initiated and show-cause notice has been issued under the provisions of the West Bengal Land Reforms Act or under the provisions of the West Bengal Inland Fisheries Act, such action should be taken to the logical end with expedition. The persons responsible for illegal change of character of the land should be issued show-cause notices and an enquiry should be conducted and final order should be passed within the time stipulated under the relevant statute. If the change of character of the land is illegal, it goes without saying that the building put up in those lands are also illegal. Therefore, the respondents are directed to issue necessary notice preventing any construction being put up in those properties where there is a change of character of the land and where enquiries or proceedings have already commenced and also to ensure that no new construction is permitted nor any application for grant of permission should be entertained by the respondents till the enquiry is completed in terms of the above direction under the relevant statute.

The aforementioned order of Hon'ble Chief justice of Hon'ble High Court at Calcutta dated 18/04/2023 has communicated to the all concerned for taking necessary action on 18/05/2023 but it is observed that concerned municipalities, corporations, panchayats, land reforms department are not considered the order of the Hon'ble High Court at Calcutta in proper manner and therefore there are large number of complaints are coming into the newspaper and also electronic media in respect of filling of water body and change of the land character violating the West Bengal Land and Land Reforms Act, 1955 and West Bengal Inland Fisheries Act, 1984 as amended time to time.

4. That further it can be mentioned that recently Hon'ble Division Bench, Hon'ble High Court at Calcutta presided by Hon'ble Chief Justice was pleased to pass an order in connection with **WPA (P) 210 of 2024**, in respect of similar matter on 20/06/2024 directing the Competent Authorities to restore the water body in its original form within a period of 6 weeks from the communication of the order.

In similar circumstances, Hon'ble Nation Green Tribunal, Eastern Zone Bench, Kolkata was pleased to pass an order on 10/07/2024, in connection with **Original Application No. 88/2024/EZ**, directing the District Authority to take appropriate action for restoration of the water body within 4 days from the date of communication of the order.

5. That further it can be mentioned that as per the provision under West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act, 2006, no one is allowed to butchered any trees without prior permission from the Forest Department but it is reported that large number of matured trees are butchered in the aforementioned area without permission of the Forest Department.

6. That it is surprising to note that despite the existence of the different statutes for prevention and control of filling of the water body and butchering against the trees, none of the authority i.e. District Authority, Police Authority, Local Authorities and Forest Department has not taken any action even after receiving the complaint due to some obscure reasons. In fact, we the law abiding people are demanding "Justice for Environment" because as we observed justice is denied almost in every aspect of environment matter though statutory authorities are empowered under the law to protect environment from degradation.



B. Chatterjee

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38

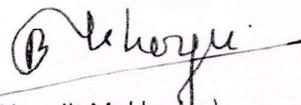


পরিবেশ আকাদেমি • বড়বাজার, চন্দননগর - ৭১২১৩৬
PARIBESH.ACADEMY • BARABAZAR, CHANDANNAGAR, HOOGHLY, (W. B.)

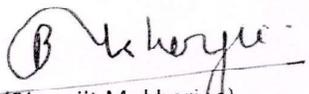
In view of the above and taking into the consideration of the judicial pronouncements and in conformity of the statutory provisions as laid down under West Bengal Land and Land Reforms Act, 1955 and West Bengal Inland Fisheries Act, 1984 as amended time to time and West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act, 2006, necessary action may please be taken for the restoration of the water body and for the protection of the greenery within shortest possible time under intimation to our organization within 4 weeks failing which we may approach before the Hon'ble High Court at Calcutta and Hon'ble National Green Tribunal.

Encl: as stated

Yours faithfully,


 (Biswajit Mukherjee)
 President
 Mail: biswajit.envlaw@gmail.com

Copy forwarded to:
 The Officer In Charge,
 Haripal Police Station,
 Haripal, Hooghly- 712 405


 (Biswajit Mukherjee)

PR10043605# 1117-8231-8231
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 From-81364111 Haripal, Hooghly
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PR10043605# 1117-8231-8231
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 PIN-711101, Barabaz, SD
 From-81364111 Haripal, Hooghly
 Mt-70qrs, REF-11 0
 (Track on www.indiapost.gov.in)
 (Total 1807565088 - Near Bank - Stay Safe)

PR10043605# 1117-8231-8231
 Counter No-1, 1117/2024, T...
 PIN-712005, Barabaz, SD
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 (Track on www.indiapost.gov.in)
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ANNEXURE - 'D'

38

**GOVERNMENT OF WEST BENGAL
OFFICE OF THE BLOCK LAND & LAND REFORMS OFFICER
HARIPAL, HOOGHLY**

Memo No

Dated:-

To,
The Sub-Divisional Officer,
Chandannagar, Hooghly.

Subject: Investigation Report Regarding Complaints by "Save Trees Save World" and "Paribesh Academy" Concerning Alleged Filling of Water Body and Cutting of Trees at Mouza Aminpur, J.L. No. 71, Dag Nos. 301 & 302

Reference:

1. Your Memo No. 390/C/CGR, dated 24/12/2024
2. Paribesh Academy," Barabazar, Chandannagar
 - Memo No. Nil, dated 18.12.2024
 - Memo No. Nil, dated 30.09.2024
 - Memo No. Nil, dated 04.08.2024

Respected Sir,

In reference to the above-mentioned memo, a detailed field investigation was conducted on **17/01/2024 at 11:45 AM** by the undersigned, along with the Revenue Inspector, Haripal Ashutosh Gram Panchayat, regarding the complaint lodged by "**Paribesh Academy," Barabazar, Chandannagar** concerning alleged environmental violations involving the filling of a water body and cutting of trees at **Mouza Aminpur, J.L. No. 71, Dag Nos. 301 and 302**. The investigation aimed to ascertain the veracity of the allegations and provide a factual account.

Findings:

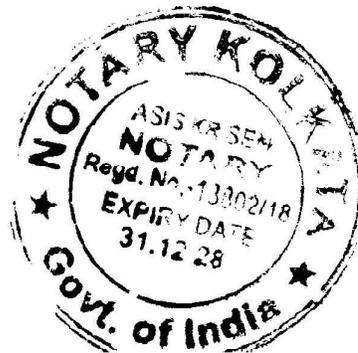
1. Land Classification as per L.R. Records:

- **Dag No. 301:** Classified as *Suna* (agricultural land). During the field investigation, the area was observed as open land with a partially demolished house. The records indicate that it was traditionally agricultural land, though the current state does not reflect active cultivation.
- **Dag No. 302:** Classified as *Bastu* (residential land). A minor portion was found waterlogged due to earlier soil excavation for elevating nearby land. This classification suggests the land was earmarked for residential purposes, though evidence of prior excavation indicates deviation from its intended use.

2. Observations on Google Earth Imagery:

A detailed analysis of satellite imagery from multiple years highlights significant environmental changes:

- **28/02/2022:** Satellite imagery shows a large pond and dense vegetation at the specific latitude and longitude corresponding to Dag Nos. 301 and 302. This suggests that the area had a well-defined water body and substantial greenery as recently as 2022.



GOVERNMENT OF WEST BENGAL
OFFICE OF THE BLOCK LAND & LAND REFORMS OFFICER
HARIPAL, HOOGHLY

Dated:-

Memo No

- **16/01/2022:** The imagery continues to confirm the presence of water bodies and numerous trees, indicating minimal disturbance during that period.
- **February 2021:** Imagery reveals a dense concentration of trees and a well-defined pond in the area. The natural landscape was intact, with the pond serving as an essential environmental feature.

These images provide concrete evidence that the land historically featured a substantial water body and greenery, which have since been altered or removed.

3. Current Observations on Land Use:

- **Water Body:** The pond previously observed in satellite imagery no longer exists as a defined water body. Instead, the area now appears predominantly as open land with some waterlogging in Dag No. 302, attributed to earlier soil excavation activities.
- **Local Inputs:** Conversations with local residents, including individuals such as Ashutosh Nandi, Amita Sarkar, and Chandranath Saha, revealed that the waterlogged area resulted from soil excavation activities carried out in the past. The extracted soil was reportedly used to elevate adjacent lands, contributing to the current state of the area. Embankments are being constructed around the waterlogged portion to prevent erosion of the adjoining lands.

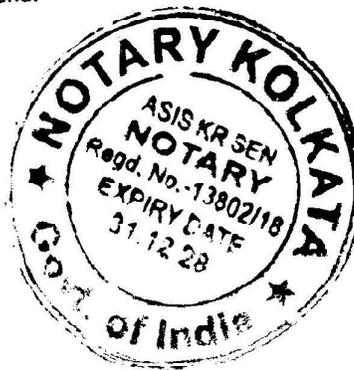
4. Statements:

- **Ashish Ghosh (alleged accused):** Mr. Ghosh denied any activities related to pond-filling or tree-cutting. He stated that the ongoing efforts are aimed at stabilizing the land and preventing soil erosion. He further emphasized that the construction of embankments is intended to protect surrounding lands from further degradation and not for any commercial or residential development.

Conclusion:

The investigation findings are summarized as follows:

- **Historical Alterations:** Analysis of satellite imagery corroborates the claim that the area previously hosted a significant pond and dense vegetation. These environmental features were integral to the land's character and utility. However, over time, the pond and vegetation have been removed or altered due to human intervention, including soil excavation.
- **Current Status:** The present field inspection did not reveal any ongoing activities related to tree-cutting or pond-filling. The area has transitioned to open land with minor waterlogging, and the observed activities are primarily aimed at land stabilization and erosion prevention.
- **Intentions of the Accused:** The actions of Mr. Ashish Ghosh appear to be focused on preventing further soil erosion and stabilizing the land. There is no evidence to suggest deliberate ecological harm or misuse of the land.



**GOVERNMENT OF WEST BENGAL
OFFICE OF THE BLOCK LAND & LAND REFORMS OFFICER
HARIPAL, HOOGHLY**

Memo No

Dated:-

- **Provision of U/S 4C(5) of the WBLR Act 1955** - As the land is classified as Shuna and Bastu, no direct allegation of change of classification on the suit plot is sustainable.

Recommendation:

1. **Restoration Efforts:** Considering the historical alterations to the land, efforts should be initiated to restore greenery and rehabilitate the area. This can include replanting trees and creating designated green spaces to offset the environmental impact.

This report is submitted for your kind information and necessary action. The findings indicate that historical modifications to the land have occurred. Measures to ensure ecological restoration and sustainability are encouraged.

SM
Siddhartha Sankar Mukhopadhyay
 Block Land and Land Reforms Officer
 Haripal, Hooghly

Memo No

Dated:-

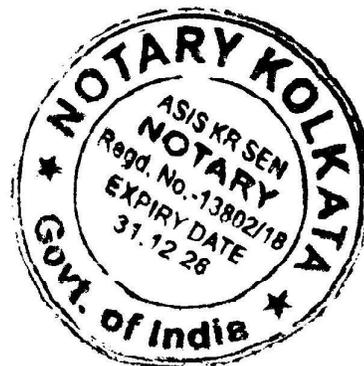
Copy to:

Dated:-

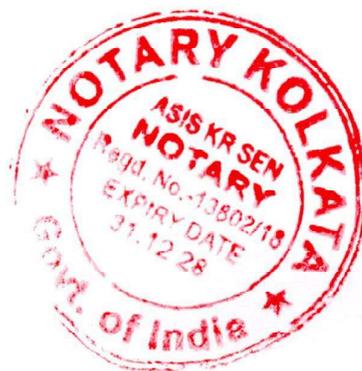
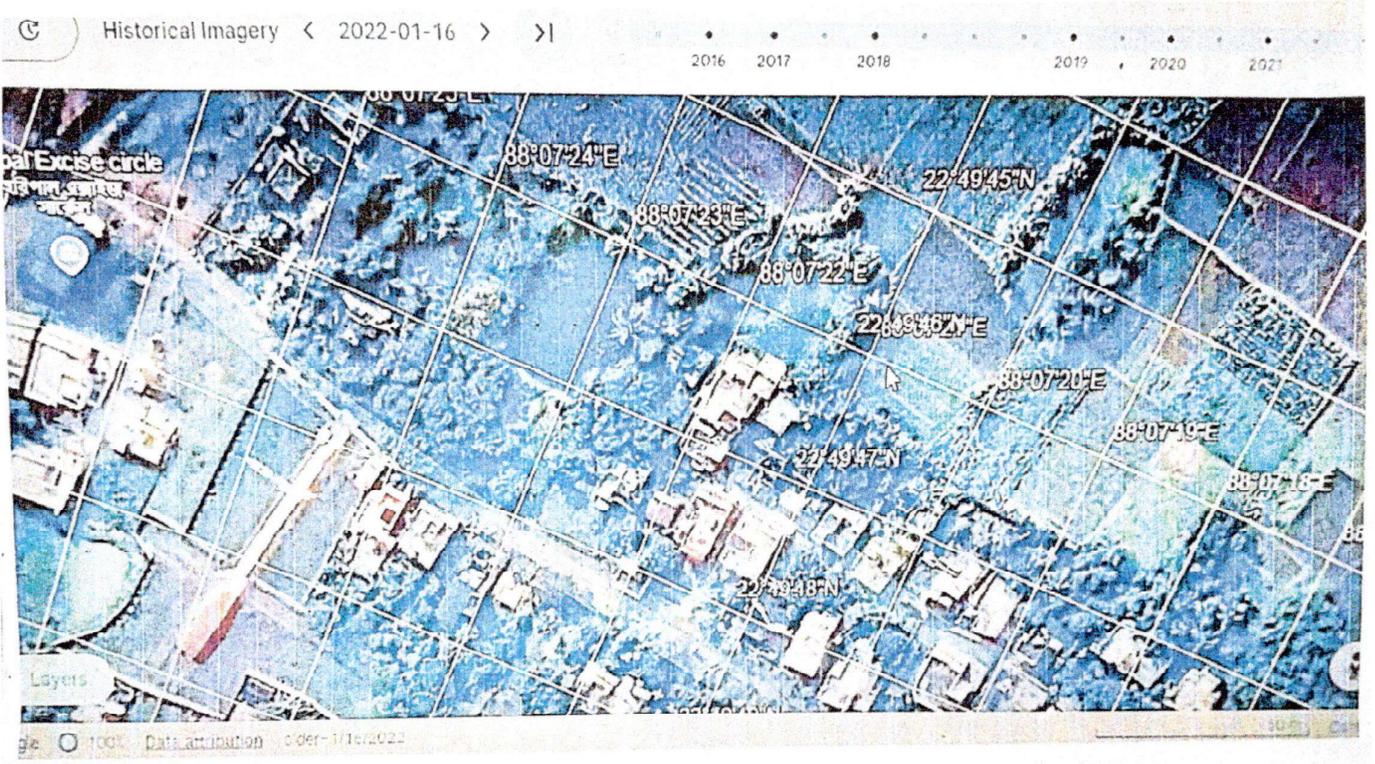
1. Additional District Magistrate and District Land and Land Reforms Officer, Hooghly for kind perusal.
2. Sub-Divisional Land and Land Reforms Officer, Hooghly for information.
3. Block Development Officer for information
4. Officer-In-Charge, Haripal Police Station - for information.
5. Paribesh Academy, Chandannagar, for their records.

20/12/25
Siddhartha Sankar Mukhopadhyay
 Block Land and Land Reforms Officer
 Haripal, Hooghly **Block Land & Land Reforms official**
 Haripal, Hooghly

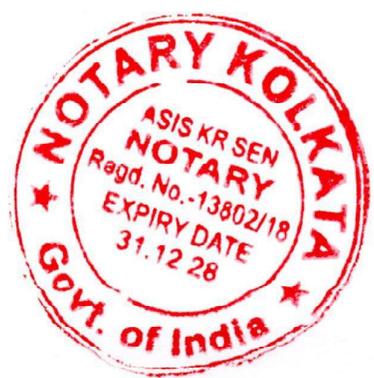
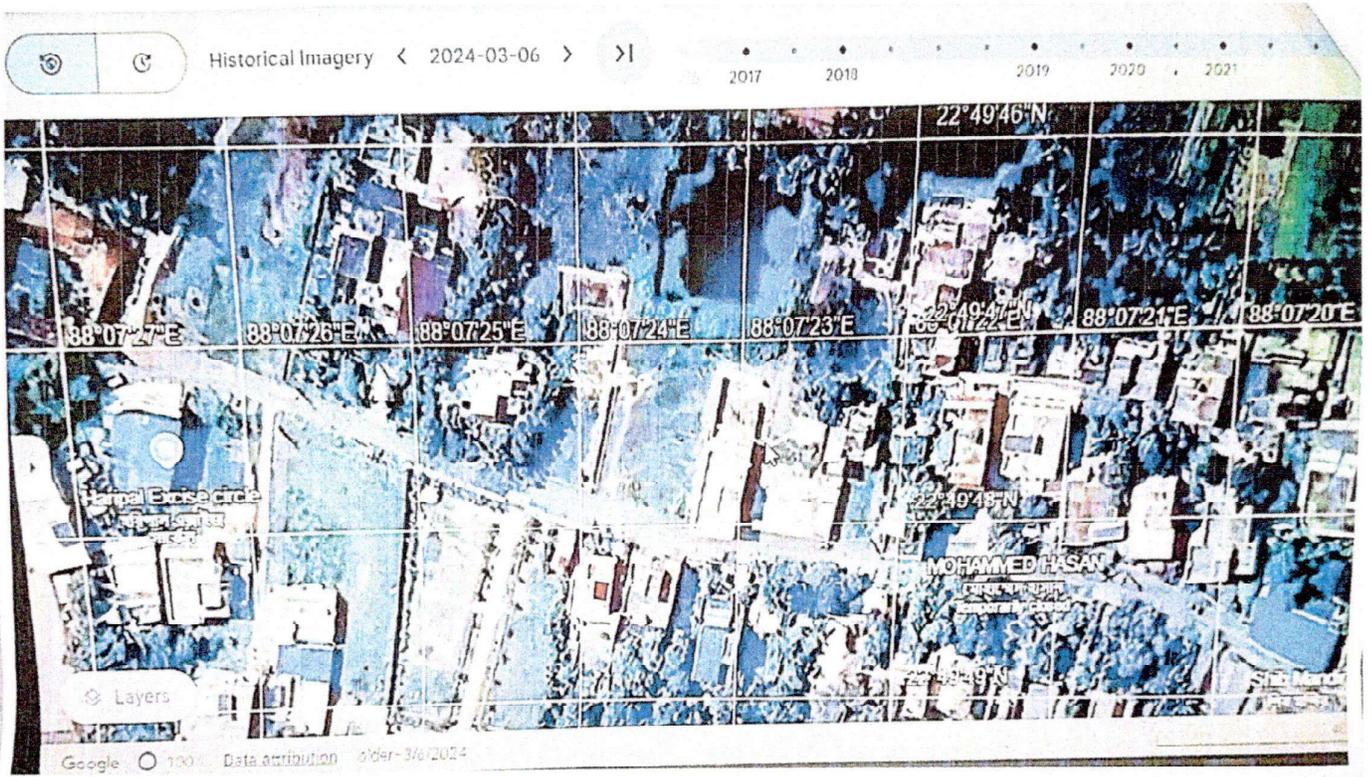
Attachment:- Photographs five copies.



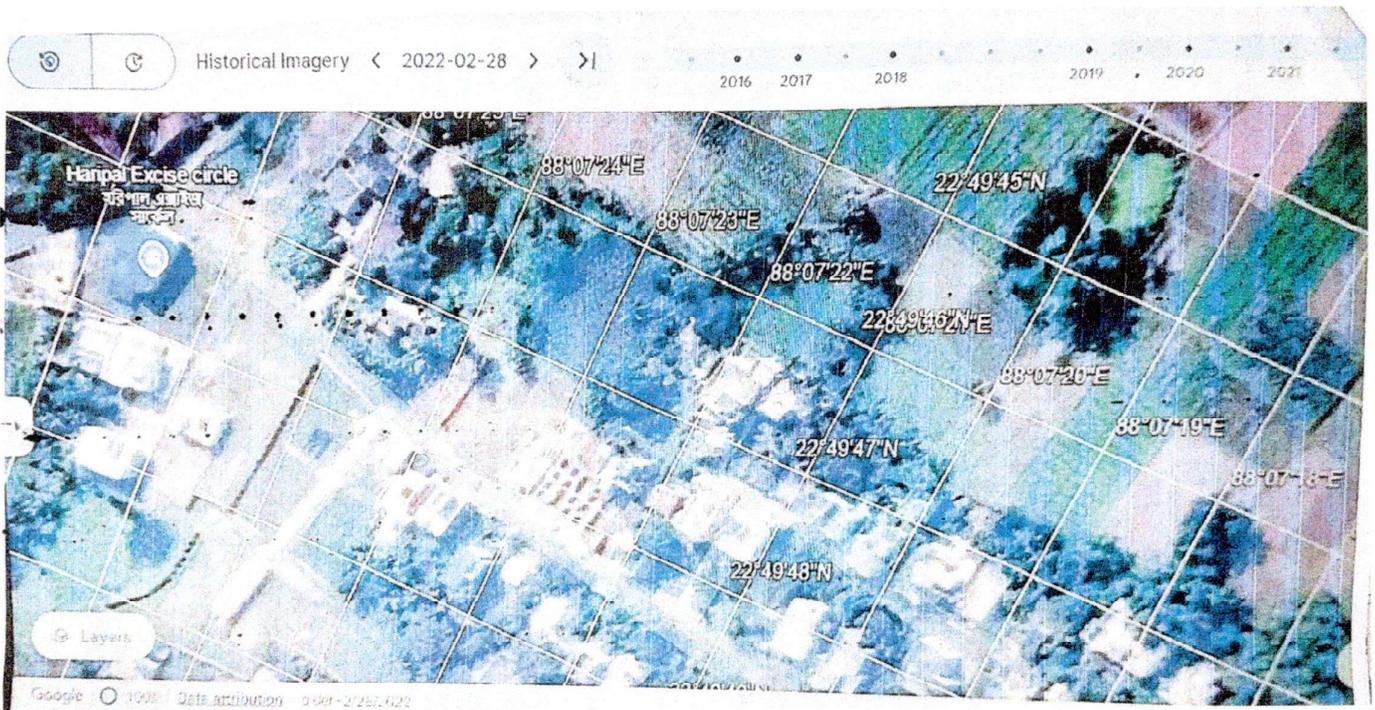
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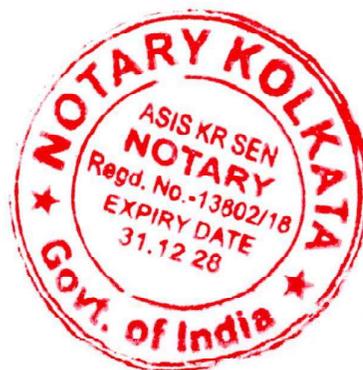
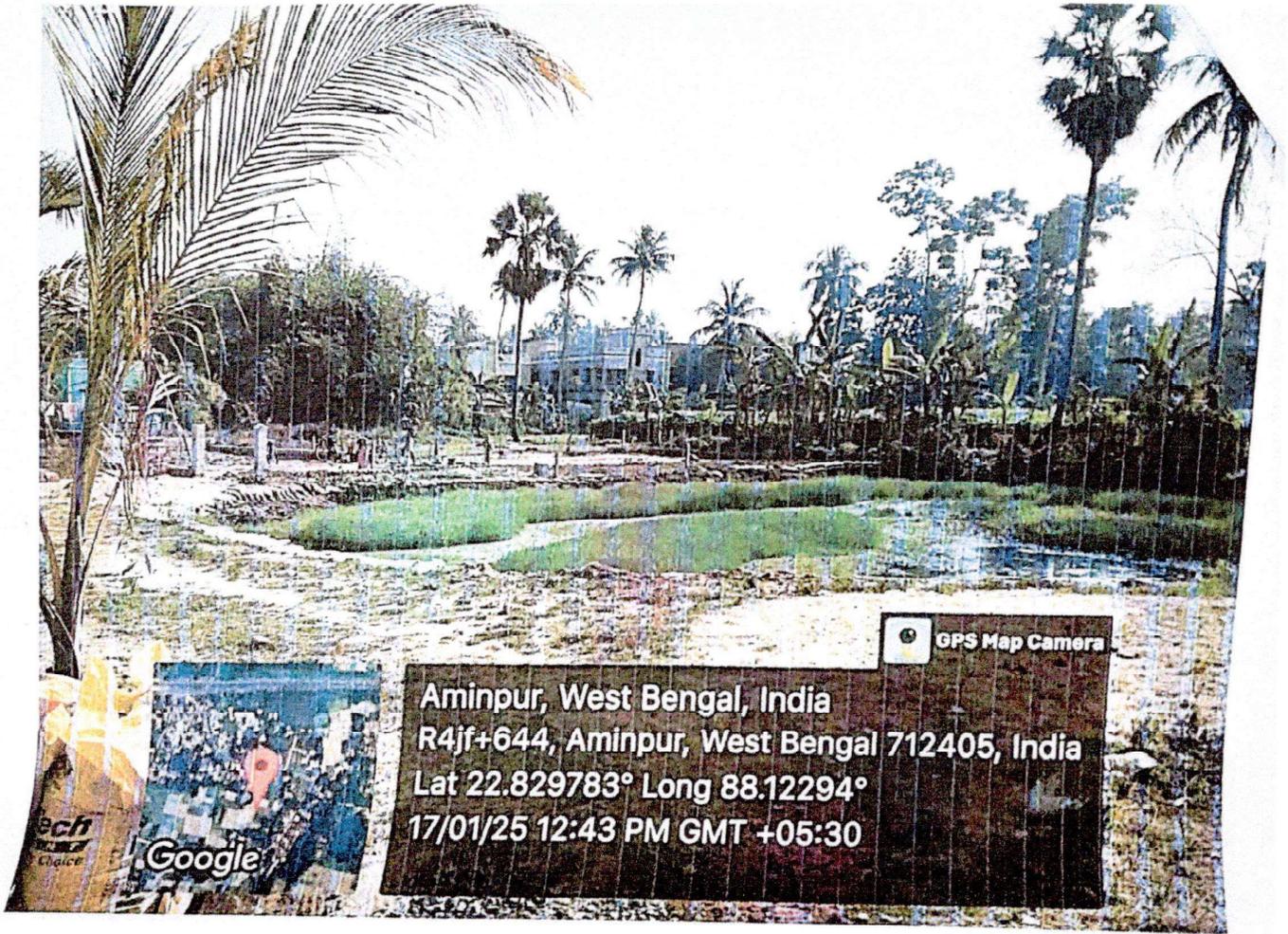
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4# 43



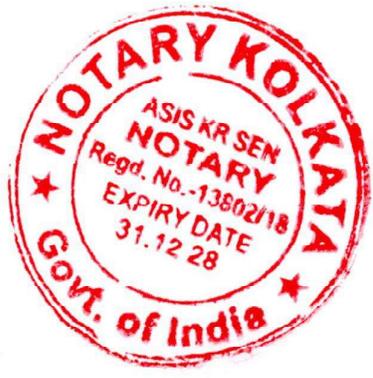
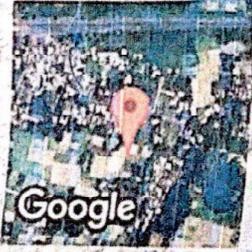
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Aminpur, West Bengal, India
R4jf+644, Aminpur, West Bengal 712405, India
Lat 22.829824° Long 88.122985°
17/01/25 12:42 PM GMT +05:30





পরিবেশ আকাদেমি • বড়বাজার, চন্দননগর - ৭১২১৩৬
 PARIBESH ACADEMY • BARABAZAR, CHANDANNAGAR, HOOGHLY, (W. B.)

Dated: 21/01/2025

1. The District Magistrate- Hooghly,
Government of West Bengal,
Office of the District Magistrate-Hooghly,
New Administrative Building, Chinsurah,
Hooghly- 712 101
2. The Addl. District Magistrate &
District Land & Land Reforms Officer-Hooghly,
Office of the District Land & Land Reforms Officer-Hooghly,
Jiban Paul Garden, Kapasdanga, Chinsurah RS,
Chinsurah, Hooghly- 712 103
3. The Sub-Divisional Officer,
Office of the Sub-Divisional Officer,
Chandannagar Sub-Division, Hooghly- 712 136
4. The Divisional Forest Officer,
Howrah Hooghly Division,
No: 5, 1st Floor, Stadium Complex,
Grand Trunk Rd, M.G. Road, Dalmia Park,
Howrah Railway Station, Shibpur, Howrah- 711 101

0/4

Received Contents not verified
 24/01/25
 Receiving Section
 S.D.O.'s Office
 Chandernagore, Hooghly

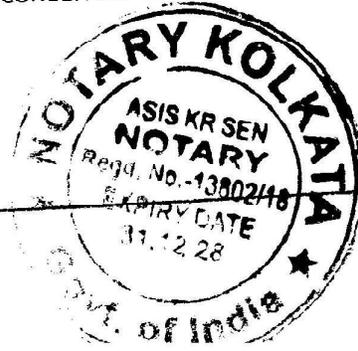
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 Khamarchandi, under Ashutosh Gram Panchayat, P.S.- Haripal, under Chandannagar Sub-
 Division, Hooghly, Dag No. 301, 302 and Khatian No. 817

Re: Order of the Hon'ble High Court at Calcutta dated 18/04/2023 in connection of WPA- 283
 of 2021 and order of the National Green Tribunal dated 10/07/2024, Original Application
 No. 88/2024/EZ

Ref: West Bengal Land and Land Reforms Act, 1955 and
 West Bengal Inland Fisheries Act, 1984 as amended time to time and
 West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act, 2006
 Ref: Our letter dated 04/08/2024, 30/09/2024 & 16/12/2024

Sir(s),

With reference to the above, I am inviting your attention that BL & LRO, Haripal,
 Hooghly has conducted an inspection of the aforementioned are and BL & LRO, Haripal,
 Hooghly has submitted a detailed report to the Sub-Divisional Officer, Chandannagar Sub-
 Division, Hooghly under intimation to the other concerned Government Department for taking
 necessary action.





পরিবেশ আকাদেমি • বড়বাজার, চন্দননগর - ৭১২১৩৬
PARIBESH ACADEMY • BARABAZAR, CHANDANNAGAR, HOOGHLY, (W. B.)

(2)

2. That report of the BL & LRO, Haripal, Hooghly has considered and it is a well-spoken report, wherein it is also recommended that the restoration process may be initiated by the Competent Authorities. Copy of the report is enclosed here with for your ready reference.

In view of the above and taking into the consideration of the report of BL & LRO, Haripal, Hooghly and along with the consideration of the judicial pronouncements and in conformity of the statutory provisions as laid down under West Bengal Land and Land Reforms Act, 1955 and West Bengal Inland Fisheries Act, 1984 as amended time to time and West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act, 2006, necessary action may please be taken for the restoration of the water body and for the protection of the greenery within shortest possible time under intimation to our organization within 4 weeks failing which we may approach before the Hon'ble High Court at Calcutta and Hon'ble National Green Tribunal as the case may be.

Encl: as stated

Yours faithfully,

(Biswajit Mukherjee)
President

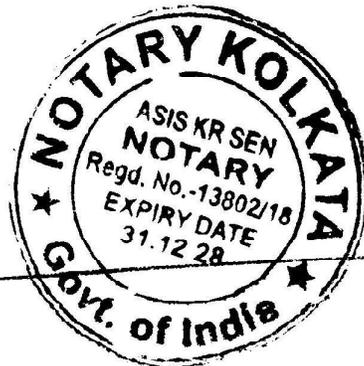
Mail: biswajit.envlaw@gmail.com

Copy forwarded to:

The Officer In Charge,
Haripal Police Station,
Haripal, Hooghly- 712 405

(He is requested to kindly take necessary action by which nobody can take any further action of filling of water body)

(Biswajit Mukherjee)



VAKALATNAMA

Paribesh Academy

Biswajit Mukherjee
President

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE, KOLKATA BENCH

O.A. No. _____ of 2025

In the matter of:
PARIBESH ACADEMY
... Applicant

Versus
THE STATE OF WEST BENGAL &
OTHERS
... Respondents

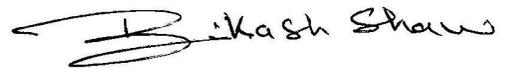
VAKALATNAMA ON BEHALF OF: Applicant

KNOW ALL MEN BY THIS presents that I/We do hereby put and depute in my place and stead Mr. Bikash Shaw, Advocate-on-record to act, Prosecute and defend in the above matter and to do all such acts, and things and pay all such fees and charges in connection therewith as he shall deem necessary and I undertake and promise to pay to the said Advocate -on-record all such costs charges and expenses as they may or shall from time to time suffer, incur or be put to in the premises and shall pay the balance of all costs and charges any expenses (if any) within one month after issue of the allocature.

IN WITNESS WHEREOF I sign and execute this vakalatnama on this 26th Day of August, 2025

Name of Advocate
Mr. Bikash Shaw, Advocate,
10, Old Post Office Street,
4th Floor, Room no -107/4,
Kolkata-700 001
Mobile No. 9999738942
Email id: bikash90999@gmail.com
Enrolment id: WB/954-A1/2014

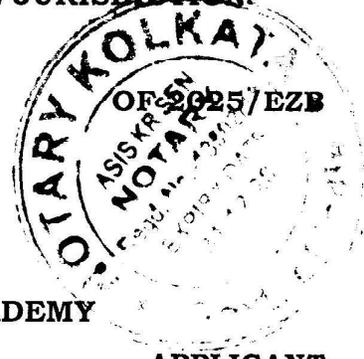
RECIVED THE VOKALATNAMA
FROM THE EXECUTANT
SATISFIED & ACCEPTED BY ME

Bikash Shraw

ADVOCATE

**BEFORE THE NATIONAL GREEN
TRIBUNAL,
EASTERN ZONE BENCH, KOLKATA
ORIGINAL JURISDICTION.**

O. A.NO.



PARIBESH ACADEMY

.... APPLICANT

VERSUS

**STATE OF WEST BENGAL AND
OTHERS**

.... RESPONDENTS

ORIGINAL APPLICATION

**ADVOCATE ON RECORD
Bikash Shaw, Advocate,
High Court, Calcutta
10, Old Post Office Street, 4th Floor,
Room No. 107/4, Kolkata-700 001
Mob No. 9999738942
Email id: bikash90999@gmail.com
Enrolment No. WB/954-A1/2014**