

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONAL BENCH, KOLKATA,
MEMORANDUM OF APPLICATION

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

Original Application No. **175** of 2025 E.Z.

Between
Jabbar Ali Peada,
... Petitioner
Versus
The State of West Bengal & Ors.
... Respondents

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Bratati Pramanick

BRATATI PRAMANICK
Advocate
Bar Association Room No. 5
High Court at Calcutta
Kolkata-700001
(M) 8777846433
bratati7495pramanick@gmail.com
Enrollment No. F/1785/2018

23 MAY 2025



LIST OF DATES

<u>DATES</u>	:	<u>PARTICULARS</u>
April, 2024	:	The Power Press was set up by the private respondent no. 10.
2 nd May, 2024	:	The applicant made representation to the respondent nos. 3 and 7 about the illegal running of the factory.
17 th May, 2024	:	The applicant further made a representation to the respondent nos. 3 and 7 regarding the illegal running of the factory.
21 st March, 2025	:	A representation was filed by the applicant through his Advocate to the respondent nos. 3 and 7.
May, 2025	:	Inspite of the said representations no steps have been taken by the respondent authorities and the respondent no. 10 is still continued to run the said factory.
May, 2025	:	Hence this application.

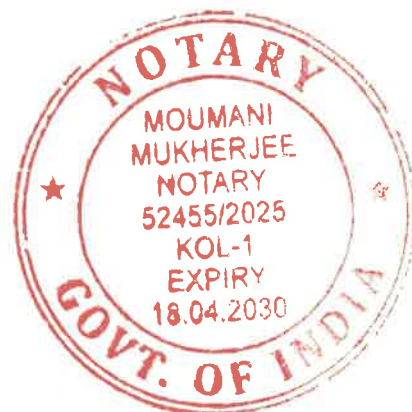


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SYNOPSIS

The Power Press Machine Factory was set up by the private respondent no. 10 at the residential area wherein the applicant lives and the said Power Press Machine Factory is being running since April, 2024. For running of the said Power Press Machine Factory from the residential area the applicant is facing undue hardship. The applicant has made representation before the concerned authorities in written, but no steps has been taken by the respondent nos. 3 and 7. Thereafter, the applicant through its Advocate made two representations before the respondent nos. 3 and 7. In spite of the said representations no steps have been taken by the respondent authorities and the respondent no. 10 is still continued to run the said factory, for that the applicant is facing extreme difficulty and which is creating great difficulty to lead his livelihood.

Hence this application.



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DISTRICT- NORTH 24 PARGANAS

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONAL BENCH, KOLKATA,
WEST BENGAL FINANCE CENTRE, 3RD FLOOR,
NEW TOWN, KOLKATA

MEMORANDUM OF APPLICATION

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

Original Application No. of 2025 E.Z.

Between

Jabbar Ali Peada, son of Late Year Ali
Peada, residing at Hatiara, Methupara,
P.O.- Hatiara, Police Station- Eco
Park, District- North 24 Parganas,
Kolkata-700157;

....APPLICANT

Versus

1. The State of West Bengal, through
the Principal Secretary, Department
of Environment, Government of
West Bengal, Prani Sampad
Bhawan, 10A, Block-LB, Sector-III,
Bidhannagar, Kolkata- 700106,
(Email-acsenwb@gmail.com)

2. The West Bengal Pollution Control
Board, through the Member
Secretary, Department of
Environment, Government of West
Bengal, Paribesh Bhawan, 10A,
Block-LA, Sector-III, Bidhannagar,



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Kolkata-700098 (Email- ms.wbpcb-wb@bangla.gov.in)

3. The Chairman, West Bengal Pollution Control Board, Paribesh Bhawan, 10A, Broadway Road, LA Block, Sector-3, Bidhannagar Kolkata, West Bengal- 700106 (Email: chairman@wbpcb.gov.in);

4. Bidhannagar Municipal Corporation, having office at Poura Bhawan, FD-415A, Block- FD, Sector-III, Salt Lake City, Kolkata- 700106 (Email: bidhannagar.corporation@gmail.com);

5. The Mayor, Bidhannagar Municipal Corporation, having its office at Poura Bhawan, FD-415A, Block- FD, Sector-III, Salt Lake City, Kolkata-700106 (Email: bidhannagar.corporation@gmail.com);

6. The Mayor-in-Council, Bidhannagar Municipal Corporation, having its office at FD-415, Bidghannagar, Salt Lake City, Kolkata- 700106 (Email: bidhannagar.corporation@gmail.com);



7. The Commissioner, Bidhannagar Municipal Corporation, having its office at FD-415, Bidhannagar, Salt Lake City, Kolkata-700106 (Email: bidhannagar.corporation@gmail.com);
8. The Principal Chief Conservator of Forests, (HoFF), Department of Forest, Government of West Bengal, Block- LA-10A, Aranya Bhawan, Kolkata-700106 (Email: ccfhc.frd-wb@bangla.gov.in);
9. The Officer-in-Charge, Eco Park Police Station, having its office at Jatragachi, Deshbandhu Nagar, Kolkata-700156 (Email: oc.ecoparkps-bdn@policewb.gov.in)

and

ecoparkpolicestation@gmail.com);

10. Abdul High Piada, son of Aujbilla Ali Piada, working for gain at Dag No. 441, Mouza- Hatiara, J.L. No. 14, P.S.- Eco Park, District- North 24 Parganas, Pin- 700157;

...RESPONDENTS

The humble petition of the applicants above named –

MOST RESPECTFULLY SHEWETH:



1. The applicant is a peace loving and law-abiding citizen of Union of India and resides at the address mentioned in the cause title hereinabove.
2. The applicant states that by reason of wrongful and arbitrary acts committed by the respondents and their unconscionable inaction, as more fully described hereafter, the rights of your applicant have been wrongfully invaded and/or impaired and the applicant have suffered immense loss, prejudice and injury.
3. The addresses of the respondents are stated above for the purpose of service of notices pertaining to the instant application. All the acts, actions and inactions of the respondent authorities being subject matter of the instant application are amenable to the jurisdiction of this Hon'ble Tribunal.
4. The applicant above named begs to present this Memorandum of Application against the purported inaction on the part of the state respondents against illegal act of operating a power press machine operated factory without requisite permissions in a residential locale, particularly by the private respondent no. 10 on the facts and grounds set out hereunder.

FACTS IN BRIEF:-

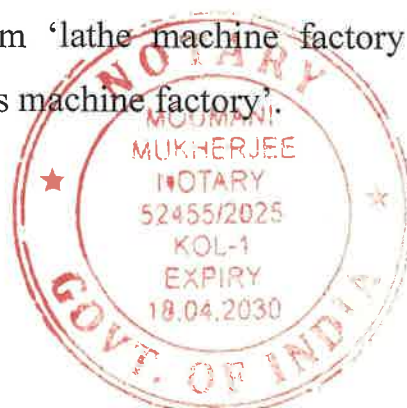
5. The applicant states that he has been peacefully residing at the address mentioned in the cause title herein above since childhood and the said neighbourhood has a peaceful and tranquil environment.
6. The applicant states that sometime in April, 2024 a Power Press Factory has been set up and is being operated within the neighbourhood from the premises being R.S. Dag No. 441, Mouza- Hatiara, J.L. No. 14, P.O.- Hatiara, P.S- Eco Park, District- North 24 Parganas, Pin- 700157 (hereinafter referred to as the 'said factory').
7. The applicant states that the said factory is being operated by the respondent no. 10.

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8. The applicant states that the said factory is being operated not only in the morning but sometimes also at night and due to the operation of the said factory, the peace and tranquillity in the neighbourhood is being affected as an incessant horrible sound is being generated.
9. The applicant states that neither the private respondent no. 10 have any authorisation to run the said factory nor the respondent no. 10 is following the requisite norms of running the said factory. The applicant on several occasions protested against running of the said factory but the private respondent is continuing with his illegal act of running the said factory. Most surprisingly, despite informing the respondent Municipal Corporation no steps have been taken by them to stop the said factory.
10. The applicant states that he is a heart patient who has not been able to sleep properly since the operation of the said factory.
11. The applicant states that upon enquiry from the workers of the said factory on how a license was issued in favour of running the said factory in a residential area, was informed that there was no existing license as on date.
12. The applicant states that the traffic in this neighbourhood has significantly increased due to the said factory since heavy goods vehicles deliver raw materials and pick up finished goods from the said factory.
13. The applicant states that the he informed the Respondent no. 3 and respondent no. 7, about the illegal running of the said factory by way of a representation dated 2nd May, 2024 which was received by the respondent no. 3 and 7 on 3rd May, 2024. The applicant again made another representation through his Learned Advocate on 17th May, 2024 but till date no steps have been taken by the respondent authority in pursuance to the applicant's representations. It is stated that in the said representations the term 'lathe machine factory' has been inadvertently used instead of 'power press machine factory'.

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Copies of the representations dated 2nd May, 2024 and 17th May, 2024 with seal and stamp of receipt by the respondents are annexed hereto and collectively marked with the letter 'A'.

14. The applicant states that the applicant further made a representation through his Learned Advocate on 21st March, 2025 before the Respondent no. 3 and 7, thereby ventilating his grievances and requesting for immediate steps to be taken.

A copy of the representation dated 21st March, 2025 is annexed hereto and marked with the letter "B".

15. The applicant states that the incessant running of the power press factory without any license has resulted in the loss of peace and harmony in the neighbourhood.

16. The applicant is shocked at how such factory can be operated in a residential building. It is for the authorities to look into the matter whether requisite permissions have been granted towards the operation of such machine and if so granted, how the authorities could grant such permission in a residential building. The applicant puts the respondent authorities to strict proof thereto, on the license, if any, granted in favour of the private respondent.

17. In respect of Kolkata Municipal Corporation, certain guidelines are followed for the purpose of running power operated machines, the same would be also applicable in respect of Bidhannagar Municipal Corporation. The procedure for setting up a power operated machine in a factory/workshop is clearly mentioned in the circular available in the Kolkata Municipal corporation's Website. It is stated in such circular that in case of power-driven machine, Horse Power of the Motor is to be mentioned, intimation/permission of West Bengal Pollution Control Board is also necessary and in case of workshop dealing with hazardous items, prior Fire License/NOC is also required.

A copy of the guidelines procured from the Kolkata Municipal Corporation website is annexed hereto and marked with the letter 'C'.

18. The applicant states as per the Noise Pollution (Regulation and Control) Rules, 2000 it is stated that in a residential area the ambient air quality standard in

respect of noise shall be 55db in day time and 45db in night time in residential areas. It would be apparent to a local resident or passerby alike that when the machine is operational, it clearly emits a much noise much higher than the permissible limit

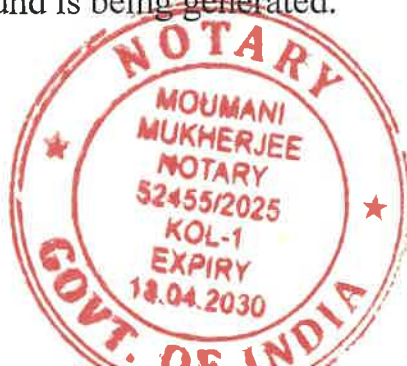
A copy of the Noise Pollution (Regulation and Control) Rules,2000 is annexed hereto and marked as Annexure "D".

19. The applicant states that the respondent authorities have acted contrary to the principles of reasonableness by granting requisite permission, if at all any, to the private respondent for operation of the said factory from a residential building.
20. The applicant states that the respondent authorities have acted contrary to the principles of reasonableness by granting trade license, if at all any, to the private respondent for operation of the said factory from a residential building.
21. The applicant submits that the respondent authorities have acted contrary to the principle of reasonableness, non-arbitrariness which is of prime importance and basis of governmental action.
22. Being aggrieved by and dissatisfied with the non-consideration of the applicant's representation the applicant begs to move this instant application on the following amongst other -

G R O U N D S

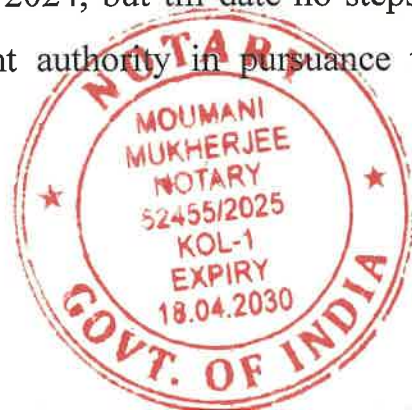
- I. FOR THAT the said factory is being operated not only in the morning but sometimes also at night.
- II. FOR THAT due to the operation of the said factory, the peace and tranquillity in the neighbourhood is being affected as an incessant horrible sound is being generated.

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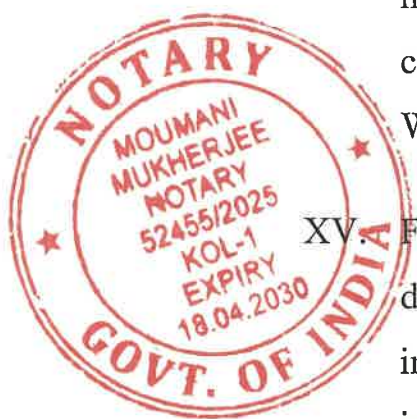


- III. FOR THAT neither the private respondents have any authorisation to run the said factory nor the respondents are following the requisites of running the said factory.
- IV. FOR THAT the applicant on several occasions protested against running of the said factory but the private respondents are continuing with his illegal act of running the said factory.
- V. FOR THAT despite informing the respondent Municipal Corporation no steps have been taken by them to stop the said factory.
- VI. FOR THAT the applicant is a heart patient who has not been able to sleep properly since the operation of the said factory.
- VII. FOR THAT upon enquiry from the workers of the said factory on how a license was issued in favour of running the said factory in a residential area, was informed that there was no existing license as on date.
- VIII. FOR THAT the traffic in this neighbourhood has significantly increased due to the said factory since heavy goods vehicles deliver raw materials and pick up finished goods from the said factory.
- IX. FOR THAT the applicant informed the Respondent no. 3 and 7, about the illegal running of the said factory by way of a representation dated 2nd May, 2024 which was received by the respondent no. 4 on 3rd May, 2024, but till date no steps have been taken by the respondent authority in pursuance to the petitioner's representation.

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- X. FOR THAT the applicant states that the applicant made a series of representation through his Learned Advocate on 2nd May, 2024, 17th May, 2024 and 21st March, 2025 before the Respondent nos. 3 and 7, ventilating his grievances and requesting for immediate steps to be taken.
- XI. FOR THAT the incessant running of the power press machine from factory without any license has resulted in the loss of peace and harmony in the neighbourhood.
- XII. FOR THAT the applicant is shocked at how such factory can be operated in a residential building. It is for the authorities to look into the matter whether requisite permissions have been granted towards the operation of such machine and if so granted, how the authorities could grant such permission in a residential building.
- XIII. FOR THAT the applicant puts the respondent authorities to strict proof thereto, on the license, if any, granted in favour of the private respondents.
- XIV. FOR THAT the procedure for setting up a power operated machine in a factory/workshop is clearly mentioned in the circular available in the Kolkata Municipal corporation's Website.
- XV. FOR THAT it is stated in such circular that in case of power-driven machine, Horse Power of the Motor is to be mentioned, intimation/permission of West Bengal Pollution Control Board is also necessary and in case of workshop dealing with hazardous items, prior Fire License/NOC is also required.
- XVI. FOR THAT as per the Noise Pollution (Regulation and Control) Rules, 2000 it is stated that in a residential area the ambient air quality standard in respect of noise shall be 55db in day time and 45db in night time in residential areas. It would be apparent to a



local resident or passerby alike that when the machine is operational, it clearly emits a much noise much higher than the permissible limit

XVII. FOR THAT the respondent authorities have acted contrary to the principles of reasonableness by granting requisite permission, if at all any, to the private respondents for operation of the said factory from a residential building.

XVIII. FOR THAT the respondent authorities have acted contrary to the principles of reasonableness by granting trade license, if at all any, to the private respondents for operation of the said factory from a residential building.

XIX. FOR THAT the respondent authorities have acted contrary to the principle of reasonableness, non-arbitrariness which is of prime importance and basis of governmental action.

LIMITATION:

The applicant declares that the cause of action in the instant case, accrues on April, 2024 and continues from day-to-day. Such cause of action is renewing on a day-to-day basis and as such the question of applicability of the limitation prescribed in Section 14 (3) of the National Green Tribunal Act, 2010 does not arise.



INTERIM PRAYER:

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

- A) An interim order of injunction directing the state respondents and/or their servants and/or their employees and/or their agents to take adequate measures to restrict the private respondent from operating the power press machine operated factory at Dag No. 441, J.L. No. 14, Ward- Bidhannagar Corporation, P.O.- Hatiara, P.S.- Eco Park,

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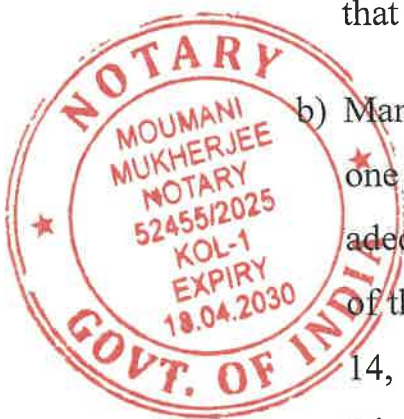
District- North 24 Parganas, Pin- 700157 in any manner whatsoever, till the disposal of the instant application,

- B) Ad-interim order in terms of prayers (a) as above.
- C) Order of stay of the illegal activities of the respondent no.10 for illegally operating the power press machine operated factory at Dag No. 441, J.L. No. 14, Ward- Bidhannagar Corporation, P.O.- Hatiara, P.S.- Eco Park, District- North 24 Parganas, Pin- 700157 till the disposal of the matter.

PRAYER

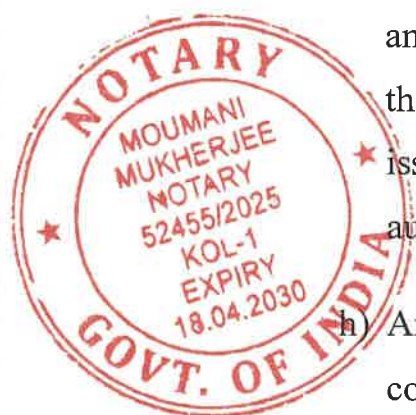
In view of the facts mentioned in paragraphs 1 to 30 above the applicants pray for the following reliefs..

- a) Mandatory order be issued commanding the State respondents each one of them and their men, agents, assigns and subordinates to certify and transmit to this Hon'ble Tribunal all records forming the basis of their inaction regarding illegal operation of the power press machine operated factory at Dag No. 441, J.L. No. 14, Ward- Bidhannagar Corporation, P.O.- Hatiara, P.S.- Eco Park, District- North 24 Parganas, Pin- 700157 and also to stop the illegal action of respondent no. 10 so that conscionable justice may be rendered.
- b) Mandatory order be issued commanding the State respondents and each one of them and their men, agents, assigns and subordinates to take adequate measures against the respondent no. 10 from illegal operation of the power press machine operated factory at Dag No. 441, J.L. No. 14, Ward- Bidhannagar Corporation, P.O.- Hatiara, P.S.- Eco Park, District- North 24 Parganas, Pin- 700157 in any manner whatsoever;
- c) Mandatory order be issued commanding the State respondents and each one of them and their men, agents, assigns and subordinates to take adequate measures-to-prevent the illegal operation of the respondent no 10 causing noise pollution.



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- d) Mandatory order be issued commanding the respondents, their men, agents, servants and/or assigns to direct the respondent Municipal Corporation to file a report as to whether certificate of any enlistment is granted in favour of the respondent in respect of running of the said factory.
- e) An order commanding the respondents, their men, agents, servants and/or assigns to direct the respondent Municipal Corporation to ensure that the nonfunctioning of the said factory till consideration of representations dated 2nd May, 2024, 17th May, 2024 and 21st March, 2025 made by the applicant;
- f) An order commanding the respondents, their men, agents, servants and/or assigns to direct the respondent authorities to file an interim report to the effect as to whether any trade license has been issued in favour of running the said factory;
- g) An order commanding the respondents, their men, agents, servants and/or assigns to transmit to this Hon'ble Court the entire records and/or proceedings forming subject matter of the instant case, and thereby cancellation or revocation of any such trade license, if at all, issued in favour of the private respondents by the respondent authorities.
- h) An order prohibiting the respondents from running the said factory till consideration of the applicant's representation 2nd May, 2024, 17th May, 2024 and 21st March, 2025 made by the applicant.
- i) Mandatory order be issued commanding the State respondents and each one of them and their men, agents, assigns and subordinates to take adequate measures to demolish the illegal power press machine operated factory at Dag No. 441, J.L. No. 14, Ward- Bidhannagar Corporation, P.O.- Hatiara, P.S.- Eco Park, District- North 24 Parganas, Pin- 700157 and restore it to its original nature and position;



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- j) Order of stay of the all-illegal activities of all respondent no. 10 without the permission of the West Bengal Pollution Control BOARD till the disposal of the matter;
- k) Any other appropriate direction/directions and/or order/orders as this Hon'ble Tribunal may deem fit and proper,
- l) Cost of and/or incidental to the instant application;

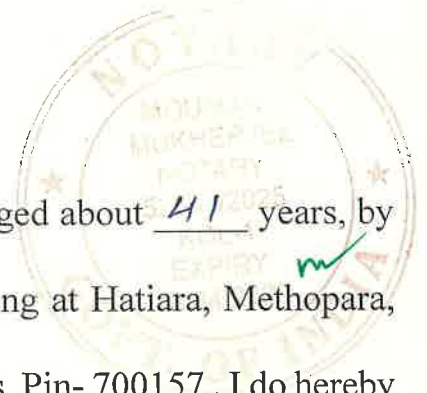
For this act of kindness your petitioner/applicant is duty bound shall ever pray.

Jabbay Ali Peada
SIGNATURE OF THE APPLICANT



VERIFICATION

I, Jabbar Ali Peada, son of Late Year Ali Peada, aged about 41 years, by faith- Muslim, by occupation- unemployed, residing at Hatiara, Methopara, P.S.- Eco Park, Hatiara, District- North 24 Parganas, Pin- 700157 . I do hereby verify this application and state that I am competent to verify this instant application. I do hereby verify that the contents of the paragraphs of the instant application are true to the best of my knowledge and belief and/or based on information and/or derived from source which I verily believe to be true and the rest are my humble submission before this Hon'ble Tribunal based on legal advice and I have not suppressed any material facts and circumstances



Jabbar Ali Peada

SIGNATURE OF THE APPLICANT

Identified by me,

Bratati Bramanick

Advocate

Place: Kolkata

Date: 23rd May, 2025

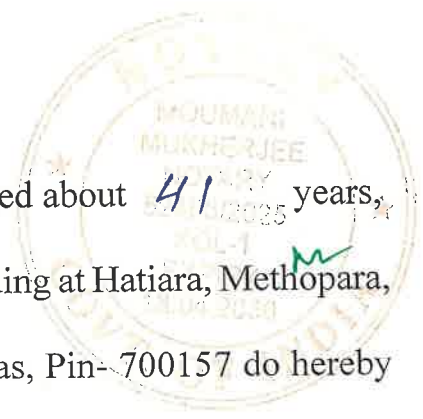


Sl. NO. 13/25 Dt. 23.05.2025 15

①

AFFIDAVIT

I, Jabbar Ali Peada, son of Late Year Ali Peada, aged about 41 years, by faith- Muslim, by occupation- unemployed, residing at Hatiara, Methopara, P.S.- Eco Park, Hatiara, District- North 24 Parganas, Pin- 700157 do hereby solemnly affirm and say as follows:



1. That I am the applicant herein and as such I am well acquainted with the facts and circumstances of this Application and I am competent to affirm this Affidavit.
2. The statements made in paragraphs 1 to 16 and 18 to 22 are true to the best of my knowledge and belief and paragraph 17 are information based on records which I verily believe to be true and the rest are my humble submissions before this Hon'ble Bench.

Jabbar Ali Peada
DEPONENT

Prepared in my office

Identified by me,

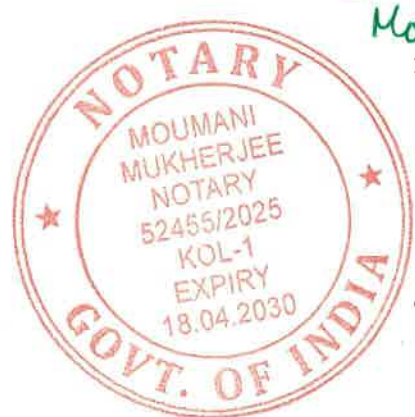
Bratati Pramanick
Advocate

Bratati Pramanick
Advocate

Solemnly Affirm and declared before me on Identification by the Ld. Advocate

Moumani Mukherjee

MOUMANI MUKHERJEE
NOTARY
Govt. of India



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16

ANNEXURE 'A'

To

Date : 02.05.2024

1. The Chairman,
The West Bengal Pollution Control Board,
Paribesh Bhawan, 10A, Broadway Road,
LA Block, Sector-3, Bidhannagar, Kolkata,
West Bengal - 700106.
2. The Commissioner Bidhannagar Municipal Corporation,
Poura Bhawan,
FD Block, 415A, Sector-III,
Salt Lake City,
Kolkata-700106.

Sub: To stop illegal without any license a lathe machine factory in our locality.

Sir,

AW

I am Md. Jabber Piada son of Late Eyer Ali Piada, residing at Hatiara, Methupara, P.O.- Hatiara, Police station - Eco Park, District - North 24 Parganas, Kolkata -700157 to bring to your kind attention a pressing issue that has been affecting the peace and well being of our locality of a lathe machine factory operating by Abdul High Piada son of Late Aujbill Piada and his son Elishruddin Piada resulting in significant sound pollution. My mother Nurzazan Bibi and other family member also. I am a heart patient and over the past few weeks, the residents of our locality have been subjected to incessant noise emanating from the operation of a big lathe machine factory. This continuous disturbance has not only disputed the tranquillity of our community but has also affected the quality of life and sleep patterns of the residents, including children and the elderly.

I request your intervention to investigate and put an end to the illegal operation of a big Lathe machine factory in our locality.

Thanking you,

Schedule of the illegal Lathe machine

P.O.- Hatiara, P.S.- Eco-Park, Dist.- North 24 Parganas, in R.S. Dag No. 441, Mouza Hatiara, J.L. No. 14, District North 24 Parganas.

Yours faithfully,

✓ Jabbar Ali Piada
Jabber Ali Piada



17

3

Priyam Misra

Advocate
High Court, Calcutta
And
Presidency Small Causes Court at Calcutta
2 & 3 Kiran Sankar Roy Road
Kolkata -700001.

Chamber/Residence
53, Munshi Sadruddin Lane,
Police Station - Jorasanko,
Kolkata-700007
Mob-9073281474
Gmail id-priyammisra2@gmail.com

To

Date: 17.05.2024

- (1) The Chairman,
The West Bengal Pollution Control Board,
Paribesh Bhawan, 10A, Broadway Board,
LA Block, Sector-3, Bidhannagar, Kolkata
West Bengal -700106.
- (2) The Commissioner Bidhannagar Municipal Corporation
Poura Bhawan, FD Block, 415A, Sector-III,
Salt Lake City, Kolkata-700106.
- (3) The Chairman,
Bidhannagar Municipal Corporation, Poura Bhawan,
FD Block, 415A, Sector-III,
Salt Lake City, Kolkata-700106.
- (4) The Mayor, Bidhannagar Municipal Corporation,
Poura Bhawan, FD Block, 415A, Sector-III,
Salt Lake City, Kolkata-700106.
- (5) The Mayor-in-Charge, Bidhannagar Municipal Corporation,
Bidhannagar Municipal Corporation, Poura Bhawan, FD Block,
415A, Sector-III, Salt Lake City, Kolkata-700106.
- (6) Commissioner of Police,
Bidhannagar Police Commissionerate
Police Head quarter, Sector-III, Salt Lake, Stadium Road,
Kolkata -700106.
- (7) The Inspector-in-Charge,
ECO-Park Police Station, Jatragachi,
Deshbandhu nagar, New Town, West Bengal,
Pini - 700156.

Sir(s),

My client:

Md. Jabbar Ali Piada son of Late Eyer Ali Piada,
residing at Hetiara, Methopore, P.O.- Hatiara,
P.S.- Eco Park, Kolkata -700157.



18 4

Priyam Misra

Advocate
High Court, Calcutta
And
Presidency Small Causes Court at Calcutta
2 & 3 Kiran Sankar Roy Road
Kolkata -700001.

Chamber/Residence
53, Munshi Sadruddin Lane,
Police Station - Jorasanko,
Kolkata-700007
Mob-9073281474
Gmail id-priyammisra2@gmail.com

Sub: Prayer for taking suo moto F.I.R. and to stop illegal Lathe Machine without any licence in my client locality.

Sir,

Under instruction from and on behalf of my above named client, I do address to you as under:-

That my above named client is absolute and joint owner of above mentioned address to bring to your kind attention a pressing issue that has been affecting the peace and well being of my clients locality of a big Lathe Machine operating by Abdul High Piada son of Aujbill Ali Piada and his son Eliashuddin Piada creating significant sound pollution. My client mother Nurzzan Bibi's is heart patient and over the past few weeks the residents of his locality have been subjected to incessant noise emanating from the operation of big Lathe Machine. In this regard my client submitted complain before you're the Chairman of West Bengal Pollution Control Board and the Commissioner Bidhannagar Municipal Corporation. He is pressing the notice through Pen as a last and final reminder for illegal action against the Abdul High Piada and his son Ellasuddin Piada to stop illegal Lathe Machine of my clients locality as early as possible without any further delay.

This is for your kind information waiting for for action against the offender.

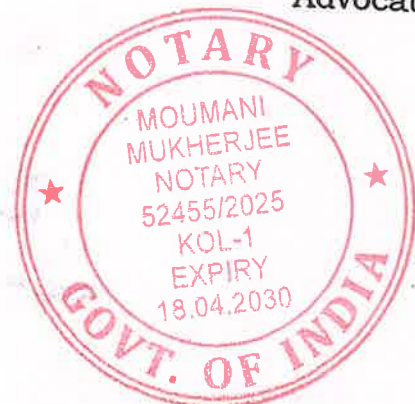
Schedule of the illegal Lathe Machine

P.O.- Hatiara, P.S.- Eco Park, Dist.- North 24 Parganas in R.S. Dag No. 441, Mouza - Hatiara, J.L. No. 14, District - North 24 Parganas.

Thanking you,

Priyam Misra
Advocate
HIGH COURT, CALCUTTA
Mob:- 9073281474

Yours faithfully,
Priyam Misra
Advocate



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ANNEXURE 'B'

BRATATI PRAMANIK
Advocate

High Court at Calcutta
Punwani Chamber,
7B, K.S. Roy Road, 3rd Floor,
Kolkata- 700001
(M): 8777846433

Date: 21.03.2025

To,

1. The Commissioner,
Bidhannagar Municipal Corporation,
Poura Bhawan,
FD Block, 415A, Sector III,
Salt Lake City,
Kolkata-700106
2. The Chairman,
The West Bengal Pollution Control Board,
Paribesh Bhawan, 10A, Broadway Road,
LA Block, Sector-3, Bidhannagar Kolkata,
West Bengal- 700106

**Sub: To stop illegal power press machine from factory in the
locality running without a license**

My client: Jabber Ali Piada

Sir/Mam,

This is in pursuance to my client's earlier representation dated 2nd May, 2024 and 10th March, 2025. It is to bring to your notice that in both the earlier representations the term 'lathe machine factory' has been used in place of 'power press factory'. My client is being aggrieved by the sound incessant noise generated from the constant running of the power press machine, so for the ends of justice the inadvertence made in the previous representations may be considered or my client will suffer loss and injury.

This is to inform you that my client, son of Late Eyer Ali Piada, residing at Hatiara, Methupada, P.O.- Hatiara, Police Station- Eco Park, District- North 24 Parganas, Kolkata- 700157 is living in harrowing conditions and hence wants to bring to your kind attention a pressing issue that has been affecting the peace



Bratati7495pramanick@gmail.com

BRATATI PRAMANIK
Advocate

High Court at Calcutta
Punwani Chamber,
7B, K.S. Roy Road, 3rd Floor,
Kolkata- 700001
(M): 8777846433

and wellbeing of the locality. The operation of a power press machine from a factory being operated by Abdul Hai Piada, son of Late Aujbill Piada and his son Elishruddin Piada, is resulting in significant noise pollution in the neighbourhood.

The procedure for setting up a power press operated machine in a factory/workshop is clearly mentioned in the circular available in the Kolkata Municipal corporation's Website. It is stated in such circular that in case of power-driven machine, Horse Power of the Motor is to be mentioned, intimation/permission of West Bengal Pollution Control Board is also necessary and in case of workshop dealing with hazardous items, prior Fire License/NOC is also required.

As per the Noise Pollution (Regulation and Control) Rules, 2000 it is stated that in a residential area the ambient air quality standard in respect of noise shall be 55db in day time and 45db in night time in residential areas. It would be apparent to a local resident or passerby alike that when the machine is operational, it clearly emits a much noise much higher than the permissible limit.

My client is shocked at how such power press machine can be operated in a residential building. It is for the authorities to look into the matter whether requisite permissions have been granted towards the operation of such machine and if so granted, how the authorities could grant such permission in a residential building.

My client's mother Nurzazan Bibi, who is a senior citizen and other family members are also affected by it. My client is a heart patient and over the past few weeks, my client has been subjected to incessant noise emanating from the operation of a big power press factory, for which he is unable to get proper sleep. This continuous disturbance has not only disputed the tranquility of the



Bratati7495pramanick@gmail.com

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BRATATI PRAMANIK
Advocate

High Court at Calcutta
Punwani Chamber,
7B, K.S. Roy Road, 3rd Floor,
Kolkata- 700001
(M): 8777846433

community but has also affected the quality of life and sleep patterns of the residents, including children and the elderly.

This above subject matter requires your intervention to investigate and put an end to the illegal operation of a big power press factory in the locality.

Schedule of the illegal power press factory

P.O.- Hatiara, P.S.- Eco Park, District- North 24 Parganas, in R.S. Dag No. 441, Mouza- Hatiara, J.L. No. 14, District- North 24 Parganas.

(K)

भारतीय डाक
India Post
EW163869553H ITR:6987163869
SP TREASURY BUILDING SO 700001
Counter No:2, 24/03/2025, 13:30
To: THE CHAIRMAN, LA BLOCK, SEC 3
PIN: 700106, Bidhan Nagar IB Market SO
From: BRATATI PRA, 7B, K.S ROY ROAD
Wt: 30gms
Amt: 17.70, Tax: 2.70, Amt. Paid: 18.00 (Cash)
(Track on www.indiapost.gov.in)
(Dial 18002664069) (Wear mask - Stay safe)

भारतीय डाक
India Post
EW163869847IH ITR:6987163869
SP TREASURY BUILDING SO 700001
Counter No:2, 24/03/2025, 13:30
To: THE COMMISSIONER, FD BLOCK 415A SE
PIN: 700106, Bidhan Nagar IB Market SO
From: BRATATI PRA, 7B, K.S ROY ROAD
Wt: 30gms
Amt: 17.70, Tax: 2.70, Amt. Paid: 18.00 (Cash)
(Track on www.indiapost.gov.in)

Thanking You,

Bratati Pramanick



Bratati7495pramanick@gmail.com



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* Indicates a required field.

* Consignment Number

EW163869855IN

Track More

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Treasury Building SO	24/03/2025 13:30:36	700106	17.70	Inland Speed Post	Bidhan Nagar IB Market SO	25/03/2025 15:42:31

Event Details For : EW163869855IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
25/03/2025	15:42:31	Bidhan Nagar IB Market SO	Item Delivered(Addressee)
25/03/2025	09:39:07	Bidhan Nagar IB Market SO	Out for Delivery
25/03/2025	08:17:51	Bidhan Nagar IB Market SO	Item Received
25/03/2025	06:04:15	KOLAP TMO	Item Dispatched
25/03/2025	05:30:14	KOLAP TMO	Item Received
25/03/2025	04:58:50	Kolkata NSH	Item Dispatched
25/03/2025	03:42:25	Kolkata NSH	Item Bagged
24/03/2025	23:29:23	Kolkata NSH	Item Received
24/03/2025	15:54:22	Treasury Building SO	Item Dispatched
24/03/2025	15:53:52	Treasury Building SO	Item Bagged
24/03/2025	13:30:36	Treasury Building SO	Item Booked

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* Consignment Number

EW163869847IN

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Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Treasury Building SO	24/03/2025 13:30:36	700106	17.70	Inland Speed Post	Bidhan Nagar IB Market SO	25/03/2025 15:27:16

Event Details For : EW163869847IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
25/03/2025	15:27:16	Bidhan Nagar IB Market SO	Item Delivered(Addressee)
25/03/2025	10:25:39	Bidhan Nagar IB Market SO	Out for Delivery
25/03/2025	08:17:51	Bidhan Nagar IB Market SO	Item Received
25/03/2025	06:04:15	KOLAP TMO	Item Dispatched
25/03/2025	05:30:14	KOLAP TMO	Item Received
25/03/2025	04:58:50	Kolkata NSH	Item Dispatched
25/03/2025	03:42:25	Kolkata NSH	Item Bagged
24/03/2025	23:29:23	Kolkata NSH	Item Received
24/03/2025	15:54:22	Treasury Building SO	Item Dispatched
24/03/2025	15:53:52	Treasury Building SO	Item Bagged
24/03/2025	13:30:36	Treasury Building SO	Item Booked

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ANNEXURE 'C'**SPECIFIC REQUIREMENTS FOR ALL THE TRADES:**

1. Photocopy of current rent receipt / challan from rent control (for tenants) or current K.M.C Property Tax Receipt /Bill (for owner of the trading premises);
2. In case of Rent-free trading spaces, Current consent letter in original, mentioning the area along with Current C.E of the consenter if the said consenter doing any Trade along with current Rent Receipt / Receipts from Rent Control or Current K.M.C Property Tax Receipt/ Bill of the Consenter.
3. Copy of agreement / Certified copy of conveyance Deed or in case of I.G.R. Receipt copy which duly certified by the respective Advocate for confirming I.G.R. for registration of purchase/received copy of an application for Mutation.

Sl. No.	Nature Of Trade	Specific Requirements
001	Amusement Park	Current Clearance/Permission from Amusement Department, K.M.C.
002	Analyst with Laboratory	Nil
003	Art Gallery/Exhibition Gallery	Nil
004	ATM Banking	Declaration from the particular Bank along with current C.E. of the declared Bank.
005	Auction House	Nil
006	Band Supplier	Nil
007	Beauty Parlour (Non A/C)	Nil
008	Beauty Parlour /Saloon (With A/C)	Nil & In case of Audio visual arrangement Permission from Amusement Department. K.M.C.
009	Billiard/Snooker Room Keeper	Current Clearance/Permission from Amusement Department, K.M.C.
010	Block Maker/Seller	Nil
011	Blood Bank	Permission from Directorate of Health, West Bengal.
012	Boarding/Guest House (Lodging only With/Without A/C)	Clearance/Permission from Police or an application for information to the Police for such Clearance/Permission and Fire NOC/Licence from WBF&ES.
013	Boat Owner/Supplier	Nil
014	Boating Resort (Without Food)	Current Clearance/Permission from Amusement Department, K.M.C.
015	Boating Resort (With Food)	Current Clearance/Permission from Amusement Department, K.M.C.
016	Book Maker for Race Horses	Nil
017	Bottle Seller	Nil
018	Bottles/Utensils Cleaner	Nil
019	Bullion Merchant	Permission/Clearance from R.B.I.
020	Cable TV Operator/Sub Agent thereof	Permission/Confirmation From Post & Telegraph Department. A confirmation of Agent is required in case of sub-Agent or Operator
021	Call Centre	Clearance/Permission from Amusement Department, K.M.C. /Application to Police authorities.



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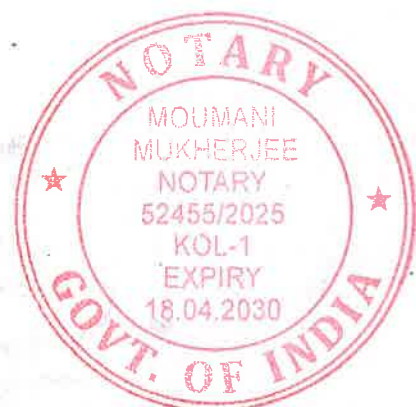
022	Caterer	Nil
023	Ceremonial House (Area upto 2,500 Sq.Ft.)	Application in the specific formal to be submitted along with the necessary documents as mentioned in the annexure to the application form as per Kolkata Municipal Corporation (Control, Restraint and Levy of Fees and Charges upon premises permitted to let out for holding Ceremonial Functions) Regulations, 2003 & WBF&ES NOC
024	Ceremonial House (Area 2,501 - 4,000 Sq.Ft.)	As Serial No. 23
025	Ceremonial House (Area 4,001 - 5,500 Sq.Ft.)	As Serial No. 23
026	Ceremonial House (Area 5,501 - 7,500 Sq.Ft.)	As Serial No. 23
027	Ceremonial House (Area Above 7,500 Sq.Ft.)	As Serial No. 23
028	Chain/Jack Pulley Seller/Renter/ Repairer	Nil
029	Charitable Dispensary/Medication Centre	Nil
030	Charitable Hospital	Registration under Clinical Establishment Act. From Govt. of W.B.
031	Cigarette/Biri/Hucca-Tobacco/ Khaini/Zarda/Betel/Pan Masala Seller/Supplier	Nil
032	Cinema/Film/TV Serial/ Programme Producer/Distributor	Nil
033	Cinema/Film/TV Serial/Programme Studio	Fire NOC/Licence from WBF&ES
034	Cinema/Theatre/Auditorium	Clearance/Permission from Amusement Department, K.M.C. & Fire NOC/Licence.
035	Circus Owner	Permission from Park & Squire and Amusement Department, K.M.C.
036	Cloth Printer (Manually)	Nil
037	Cloth Printer (Power Driven)	Nil
038	Collection Centre for ...	Nil
039	Commercial School/College/ Tuitton in Group (Non Technical)	Nil
040	Commercial School/College/ Tuitton in Group (Technical)	Nil
041	Commercial Theatre Group	Nil
042	Commercial Centre/ConferenceRoom Owner(Letting of Office/Table space)	Nil
043	Commercial/Members' Club without Restaurant without Bar	Clearance from Amusement Department, K.M.C.
044	Commercial/Members' Club with Bar with/without Restaurant	Clearance/Permission from Amusement Department, K.M.C.; Excise Permission/Licence in case of Bar, Application to police authorities



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045	Commission Agent/Broker of (non food items)	Membership Certificate from S.E.B.I. in case of Share Broker.
046	Commission Agent/Broker of (Food Items)	Nil
047	Company registered under Company's Act 1956 (dealing Non food) /Bank/Financial Institution area upto 1,000 Sq.Ft.)	Memorandum and Article of Association, Certificate of Incorporation/Certificate of Commencement in case of Public Limited Company and Form-18/INC-22 and Form-32/DIR-12 and also Money Receipt of the same. In case of Amalgamation of Companies Form-21 and Money Receipt and necessary order passed by Hon'ble High Court. For Branch/Branches of a Company (Ltd.) copy Of current C.E. of the Registered office (if within K.M.C. Area), copy of Board of Resolution mentioning for opening of such branch, Date of Commencement, Location and Area and List indicates Names of Director (Within/Without K.M.C. area). In case of Bank/Financial Institute permission from R.B.I
048	Company registered under Company's Act 1956 (dealing Non food) /Bank/Financial Institution area 1,001 - 2,000 Sq.Ft.)	As Serial No. 047
049	Company registered under Company's Act 1956 (dealing Non food) /Bank/Financial Institution area 2,001 - 3,000 Sq.Ft.)	As Serial No. 047
050	Company registered under Company's Act 1956 (dealing Non food) /Bank/Financial Institution area above 3,000 Sq.Ft.)	As Serial No. 047
051	Company registered under Company's Act 1956 (Dealing Food Items)/Bank/Financial Institution area upto 1,000 Sq.Ft.)	As Serial No. 047 & In case of Canteen declaration for run a Canteen from concerned Regional Office
052	Company registered under Company's Act 1956 (Dealing Food Items)/Bank/Financial Institution area 1,001 - 2,000 Sq.Ft.)	As Serial No. 051
053	Company registered under Company's Act 1956 (Dealing Food Items)/Bank/Financial Institution area 2,001 - 3,000 Sq.Ft.)	As Serial No. 051
054	Company registered under Company's Act 1956 (Dealing Food Items)/Bank/Financial Institution area above 3,000 Sq.Ft.)	As Serial No. 051
055	Computer Education Institution	Nil
056	Consumer Co-Operative/Body of Individuals (Dealing Non Food Items)	Certificate Of Co-Operative Society in case of Consumer Co-Operative
057	Consumer Co-Operative/Body of Individuals (Dealing Food Items)	As Serial No. 056



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058	Contractor (Civil/Mechanical/ Electrical), Builder, Developer & alike	Professional Document for Civil & Mechanical for confirming said profession and 'Form-E' for confirming Electrical Profession as supervisor.
059	Contractor /Supplier of Security Guards / Nurses / Ayas /Labours /House Keepers & alike	Nil
060	Courier Service/Logistic Management	In case of own vehicle, Certificate for fitness. Blue Book. Current Tax Receipt from R.T.A. & clearance certificate, from Pollution Control Board. In case of hire vehicles agreement if any or a declaration. In case of Logistic Management Custom Clearance is the additional requirement if necessary.
061	Cycle/Cycle Rickshaw/ Animal Drawn Carriage Repairer	Nil
062	Data Processing/Electronic Data Conversion Centre	Nil
063	Decorator/Flower Decorator	Nil
064	Dental Clinic (Total Area Upto 300 Sq.Ft.)	Nil
065	Dental Clinic (Total Area 301 - 800 Sq.Ft.)	Nil
066	Dental Clinic (Total Area above 800 Sq.Ft.)	Nil
067	Departmental Store (Seller of Food & Non Food Items covering area above 1,000 Sq.Ft.)	Clearance/Permission from Amusement Department, K.M.C for using TV/Music System
068	Desk Top Publisher (DTP)	Nil
069	Doctors' Clinic (of any Pathos)	Nil
070	Doctors' Polyclinic	Nil
071	Dyer	Nil
072	Earth Pot/Idol/Image Ornaments/ Handicrafts Maker/Seller/Supplier	Nil
073	Eating House/Restaurant/Eating House cum Restaurant/Fast Food Centre (Area upto 150 Sq.Ft.)	Fire Licence /NOC. *Exemption from Fire Licence if area less than 300 sq.ft. & Licence uses Coal/Diesel/Micro-oven/Town gas as fuel.This has to be certified by Licencee through an Indemnity bond.
074	Eating House/Restaurant/Eating House cum Restaurant/Fast Food Centre (Area 151 - 300 Sq.Ft.)	Do
075	Eating House/Restaurant/Eating House cum Restaurant/Fast Food Centre (Area 301 - 500 Sq.Ft.)	Fire Licence/NOC is mandatory for area more than 300 sq.ft.
076	Eating House/Restaurant/Eating House cum Restaurant/Fast Food Centre (Area 501 - 1,000 Sq.Ft.)	Do
077	Eating House/Restaurant/Eating House cum Restaurant/Fast Food Centre (Area 1,001 - 1,500 Sq.Ft.)	Do



078	Eating House/ Restaurant (Area 1,501 - 2,500 Sq.Ft.)	Do
079	Eating House/Restaurant/Eating House cum Restaurant/Fast Food Centre (Area above 2,500 Sq.Ft.)	Do
080	Egg Seller	Nil
081	E-Mail/E-Commerce/Internet/Cyber Café Services	Clearance/Permission from Amusement Department, K.M.C , Application to Police Authorities.
082	Embroiderer (Manual)	Nil
083	Fancy Fish Seller/Supplier	Nil
084	Financer	Permission/Clearance from R.B.I.
085	Fish/Dry Fish/Meat/Tallow/Fowl/ Crab/Sea Food Seller/Supplier	In case of Meat Seller glass window should be fixed in front of the shop/a declaration for fixing glass window within a month after getting C.E.
086	Flower Seller/Supplier	Nil
087	Garage (Parking only)	Clearance From Police/Application to the Police Authority for such Permission of Parking.
088	Godown/Warehouse/Aarat/Store/ Stockist of Non Food Items	a) For non hazardous items -NIL b) Fire Licence for hazardous items.
089	Godown/Warehouse/Aarat/Store/ Stockist of Food Items	Permission From Police And Excise In Case of Licenced Foreign/Country Liquor.
090	Gold/Silver/Copper/Tin/Brass Smith & alike	Nil
091	Gymnasium/Health Club	Clearance/Permissioin from Amusement Department, K.M.C.
092	Hatchery Owner	Nil
093	Health Resort	Clearance/Permission from Amusement Department, K.M.C.
094	Horse Dealer	Nil
095	Horse (Race Horse) Dealer	Nil
096	Hotel Without Star (Food & Lodging, Without Bar & With/Without A/C)	Application to Police authorities, permission from Amusement Department, K.M.C. in case of arrangement of Audio Visual System, Fire Licence/NOC.
097	Hotel Without Star (Food & Lodging, With Bar & With/Without A/C)	Application to Police and necessary permission as regards Excise in case of Bar (On Shop) , permission from Amusement Department, K.M.C. in case of arrangement of Audio Visual System & Fire Licence/ NOC.
098	Hotel 1-Star (Without Bar & With/Without A/C)	Application to Police and permission from appropriate authority for confirming status of Star, permission from Amusement Department, K.M.C. in case of arrangement of Audio Visual System & Fire Licence/ NOC.



099	Hotel 1-Star (With Bar & With/Without A/C)	Clearance/Permission from Police And necessary Permission as regards Excise in case of Bar (On Shop) and permission from appropriate authority for confirming status of star & permission from Amusement Department, K.M.C. in case of arrangement of Audio Visual System & Fire Licence/ NOC.
100	Hotel 2-Star (Without Bar & With/Without A/C)	Application to Police and permission from appropriate authority for confirming status of. Star & permission from Amusement Department, K.M.C. in case of arrangement of Audio Visual System & Fire Licence/ NOC.
101	Hotel 2-Star (With Bar & With/Without A/C)	Application to Police And necessary Permission as regards Excise in case of Bar (On Shop) and permission from appropriate authority for confirming status of star & permission from Amusement Department, K.M.C. in case of arrangement of Audio Visual System& Fire Licence/ NOC.
102	Hotel 3-Star	As Serial No 101
103	Hotel 4-Star	As Serial No 101
104	Hotel 5-Star	As Serial No 101
105	Hotel 5-Star Deluxe	As Serial No 101
106	Hotel Above 5-Star Deluxe	As Serial No 101
107	Importer/Exporter (of Non Food Items)	Import & Export Certificate (I.E.C.) from Ministry of Commerce, Govt. of India.
108	Importer/Exporter (of Food Items)	As Serial No. 107
109	Jatra, Paalaa Gaan, Opera & Alike	Nil
110	Kiosk/Stall of Non Food Items (in Separate Identified Campus or Assessable Premises)	C.E. may be issued only the name of Actual Tenant No consent of Sub-Tenant will be entertained only consent may be obtained from Secretary Of Co-Operative Society for trading in such Cases/Clearance from appropriate authority of Govt. Markets/K.M.C. Markets/Like Campus Of K.M.C. K.P.T, K.I.T, K.M.D.A. Etc.
111	Kiosk/Stall Of Food Items (in Separate Identified Campus or Assessable Premises)	As Serial No. 110
112	Kite Maker And/Or Seller/Supplier	Nil
113	Laundry (Ironing Only)	Nil
114	Laundry (Without Workshop)	Nil
115	Laundry (With Workshop)	Nil
116	Lelsure Plex	Clearance/Permission from Amusement Department., K.M.C. and application to the Police for such Permission/Clearance.
117	Licenced Country Liquor Off Shop	Application to Police and necessary Permission as regards Excise, wherever applicable.
118	Licenced Country Liquor On Shop	As Serial No. 117 & Fire Licence/ NOC.
119	Licenced Foreign Liquor Off Shop	As Serial No. 117



120	Licenced Foreign Liquor on Shop (With/Without Restaurant)	As Serial No. 117 & Fire Licence/ NOC.
121	Licenced Ganja/Optom/Pachai/Todi/Bhang Shop	Application to Police for such permission and necessary Permission as regards Excise, wherever applicable.
122	Manufacturer of Country Liquor	As Serial No. 117 & Fire Licence/ NOC.
123	Manufacturer of Mineral Water	Clearance/Permission from Water Supply/Tubewel Department
124	Market / Shopping Mall Owner	In case of Market having permanent structure or structure, a certified copy of Inspection Book from Assessment Department, K.M.C. Sanctioned Plan from Building Department, K.M.C. in case of Shopping Mall & Fire Licence / NOC.
125	Marriage Bureau	Nil
126	Mobile Outlet (3-Wheeler) of Non Food Items (Should have separate Office/Factory Premises)	Permission from Police and Certificate for Fitness from R.T.A. for current year is necessary and also should have separate office/factory with current C.E.& Fire Licence/ NOC as may be applicable.
127	Mobile Outlet (3-Wheeler) of Food Items (Should have separate Office/Factory Premises)	As Serial No. 126
128	Mobile Outlet (4-Wheeler) of Non Food Items (Should have separate Office/Factory Premises)	As Serial No. 126
129	Mobile Outlet (4-Wheeler) of Food Items (Should have separate Office/Factory Premises)	As Serial No. 126
130	Mobile STD / 1SD / PCO Both	Documents of approval and deposited money receipt of P & T / BSNL. In case of private sector, approved documents with money receipt & communication address should be mentioned in the application form which should be within the K.M.C. jurisdiction.
131	Money Lender/Changer	Current Permission/Clearance From R.B.I.
132	Mortuary	Clearance/Permission from Police and Directorate of Health, Govt. of West Bengal.
133	Motor Training Institute	Permission/Clearance from R.T.A.
134	Multiplex	Application to Police & Amusement Department, K.M.C. & Fire Licence/ NOC.
135	News Paper/Periodical/Journal Publisher (Without Press)	A Declaration For Not To Print Or Publish Any Unconstitutional Articles/Matters or legally banned.
136	News Paper/Periodical/Journal Publisher (With Press)	As Serial No. 135 & Fire Licence/ NOC
137	Nursery of Plants/Mushroom Culture	Nil
138	Nursery School/Creche	Fire Licence/ NOC.
139	Nursing Home/Private Hospital (Having No. of Beds Upto 10)	Registration Under Establishment Of Clinical Act, Govt. Of W.B. And Clearance/Permission from West Bengal Pollution Control Board, Govt. of W.B. & Fire Licence/ NOC.



140	Nursing Home/Private Hospital (Having No. of Beds More Than 10)	As Serial No. 139
141	Office/Chamber/Studio of...	Rent Bill/Agreement/Live & Licence/Lease Deed & Certificate of Enlistment of consenter
142	Organisation for Performing/Visual Art	Nil
143	Organiser of Exhibition / Fair / Fete / Mela	Permission/Clearance from Police, Organizer as regards Park & Square and Amusement Department, (K.M.C.) wherever necessary.
144	Owner Of Public Carriage (For each Car With/Without Office)	Permission/Clearance from R.T.A.
145	Owner of Tele Commission Tower (for each Tower)	Permission from Building Department, K.M.C.
146	Pathological/Diagnostic Centre/Laboratory Clinic for X-Ray /ECG /USG /MRI /CT Scan & alike	Registration Under Establishment Clinical Act, Govt. of W.B.
147	Paying-Guest House (Upto 5 Beds)	Clearance/Permission from Police or Application to Police for such Permission/Clearance.
148	Petrol Pump Without Hydraulic Machine	Permission/Clearance from HP, IBP, IOC and alike and Fire Licence/Necessary Permission from Director of West Bengal Fire Services or Explosive Licence and Declaration for number of using Hydraulic Machine.
149	Petrol Pump With Hydraulic Machine(s)	As Serial No. 148
150	Photographer With Studio & Processing Laboratory	Nil
151	Photo processing laboratory (with or without studio)	Nil
152	Photo copier only	Nil
153	Physiotherapy Clinic/Yoga Centre (with instruments)	Nil
154	Planetarium	Clearance/Permission From Amusement Department, K.M.C.
155	Private School/College	Nil
156	Professional(S) (Without Office/ Chamber/ Studio/ Laboratory)	Necessary documents for confirming profession wherever applicable.
157	Professional(S) (With Office/ Chamber/ Studio/ Laboratory)	Necessary documents for confirming profession wherever applicable.
158	Publisher/Seller/Supplier of Book	A Declaration from Publisher is necessary for not to publish any un constitutional book or legally banned also for seller/supplier.
159	Race Course	Clearance/Permission From Police And Amusement Department, K.M.C.
160	Renter Of...	Nil
161	Research Organisation (Non Profit)/ Welfare Organisation/Non Govt. Organization (NGO)	Certificate/Documents for Confirming Organization/ Trade
162	Retail Seller/Supplier of Non Food Items	Nil



163	Retail Seller/Supplier of Food Items	Nil
164	Rubber Stamp Maker and/or Seller	Nil
165	Saloon (Non A/C)	Nil
166	Seller of Livestock (Birds)	Declaration for kind of Birds & only upon permission from appropriate govt. authority (i.e. Forest Deptt. & alike)
167	Seller of Livestock (Animals)	Declaration for kind of Animals & as in Serial No.166
168	Sharpener	Nil
169	Shawl Repairer/Mender/Darkner	Nil
170	Sign Board/Banner Maker	Nil
171	Stall (Temporary) Holder Of Non Food Items In Fair/ Fete/ Mela	Permission/Clearance from Police, Organiser as regards Park & Square and Amusement, (K.M.C) Wherever Necessary
172	Stall (Temporary) Holder of Food Items in Fair/Fete/Mela	As Serial No. 171
173	STD/ISD/PCO/FAX Booth/Centre (Static)	Documents for Approval and Deposited Money Receipt of P & T/BSNL. In case of Private sector an approval from the said Private Company along with Money Receipt
174	Sweetmeat Seller/Supplier (Non A/C)	Nil
175	Sweetmeat Seller/Supplier (With A/C)	Nil
176	Sweetmeat Seller/Supplier With Workshop (Total Area Upto 200 Sq.Ft.)	Fire licence/ NOC. *Exemption from Fire Licence if area less than 300 sq.ft. & Licence uses Coal/Diesel/Micro-oven/Town gas as fuel. This has to be certified by Licencee through an Indemnity bond.
177	Sweetmeat Seller/Supplier with Workshop (Total Area 201 - 400 Sq.Ft.)	For area greater than 300 sq. ft. fire Licence is mandatory.
178	Sweetmeat Seller/Supplier with Workshop (Total Area 401 - 750 Sq.Ft.)	Do
179	Sweetmeat Seller/Supplier with Workshop (Total Area 751 - 1,000 Sq.Ft.)	Do
180	Sweetmeat Seller/Supplier with Workshop (Total Area 1,001 - 1,500 Sq.Ft.)	Do
181	Sweetmeat Seller/Supplier with Workshop (Total Area Above 1,500 Sq.Ft.)	Do
182	Tailor	Nil
183	Vegetable (any item) Seller/Supplier	Nil
184	Video Library/Video Games Parlour	Clearance/Permission from Amusement Department., K.M.C.
185	Watch/Clock Repairer/Seller	Nil



186	Weigh Bridge (With/Without Computer)	Nil
187	Whole Seller/Dealer/Distributor/Merchant Of Non Food Items	Permission for Distributorship from respective organization is necessary in case of a Distributor/Dealer
188	Whole Seller/Dealer/Distributor/Merchant of Food Items	As Serial No. 187
189	Workshop/Factory of Non Food Items (Area upto 200 Sq.Ft.)	In case of Power Driven Machine-H/P of Motor to be mentioned. Intimation/Permission of West Bengal Pollution Control Board. Fire Licence /NOC in case of workshop dealing with hazardous items.
190	Workshop/Factory Of Non Food Items (Area 201 - 500 Sq.Ft.)	As Serial No. 189
191	Workshop/Factory of Non Food Items (Area 501 To 1000 Sq.Ft.)	As Serial No. 189
192	Workshop/Factory of Non Food Items (Area 1,001 To 2,000 Sq.Ft.)	As Serial No. 189
193	Workshop/Factory of Non Food Items (Area 2,001-3,000 Sq.Ft.)	As Serial No. 189
194	Workshop/Factory of Non Food Items (Area above 3,000 Sq.Ft.)	As Serial No. 189
195	Workshop/Factory of Food Items (Area upto 200 Sq.Ft.)	As Serial No. 189
196	Workshop/Factory of Food Items (Area 201 - 500 Sq.Ft.)	As Serial No. 189
197	Workshop/Factory of Food Items (Area 501 - 1,000 Sq.Ft.)	(In case of Power Driven Machine-H/P of Motor to be mentioned in case of an 'area covering more than 500 Sq. Ft. receipt of an application to West Bengal Pollution Control Board is necessary)
198	Workshop/Factory of Food Items (Area 1,001 - 2,000 Sq.Ft.)	As Serial No. 203
199	Workshop/Factory of Food Items (Area 2,001 - 3,000 Sq.Ft.)	As Serial No. 203
200	Workshop/Factory of Food Items (Area above 3,000 Sq.Ft.)	As Serial No. 203
201	X-Ray Clinic only	Registration Under Clinical Establishment Act, Govt. Of W.B.
202	Yoga Centre (Without Instruments)	Nil

Note: For Trades/Businesses carried on at WBIDC/ WBSIDC areas, permissions/occupancy proof from the Authorities of WBIDC/WBSIDC along with Fire Clearance/NOC from WBF&ES in favour of the respective Industrial area will be mandatory.



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ANNEXURE 'D'

MINISTRY OF ENVIRONMENT & FORESTS
The Noise Pollution (Regulation and Control) Rules, 2000;

(As amended till 10/08/2017 vide S.O. 2555(E))

S.O.123 (E).- Whereas the increasing ambient noise levels in public places from various sources, inter-alia, industrial activity, construction activity, (*fire crackers, sound producing instruments*)¹, generator sets, loud speakers, public address systems, music systems, vehicular horns and other mechanical devices have deleterious effects on human health and the psychological well being of the people, it is considered necessary to regulate and control noise producing and generating sources with the objective of maintaining the ambient air quality standards in respect of noise;

Whereas a draft of Noise Pollution (Control and Regulation) Rules, 1999 was published under the notification of the Government of India in the Ministry of Environment and Forests vide number S.O. 528 (E) dated the 28th June, 1999 inviting objections and suggestions from all the persons likely to be affected thereby, before the expiry of the period of sixty days from the date on which the copies of the Gazette containing the said notification are made available to the public-

And whereas copies of the said Gazette were made available to the public on the 1st day of July, 1999.

And whereas the objections and suggestions received from the public in respect of the said draft rules have been duly considered by the Central Government-

Now therefore, In exercise of the powers conferred by clause (ii) of sub-section (2) of section 3, sub-section (1) and clause (b) of sub-section (2) of section 6 and section 25 of the Environment (Protection) Act, 1986 (29 of 1986) read with rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following rules for the regulation and control of noise producing and generating sources, namely:

The Noise Pollution (Regulation and Control) Rules, 2000

1. Short title and commencement.

- (1) These rules may be called the Noise Pollution (Regulation and Control) Rules, 2000.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.- In these rules, unless the context otherwise requires,

- (a) "Act" means the Environment (Protection) Act, 1986 (29 of 1986);
- (b) "area/zone" means all areas which fall in either of the four categories given in the Schedule annexed to these rules;

1. In the said rules, in the opening para/portion after the words 'construction activity' additional words as at (1) above have been inserted vide **S.O.50 dated 11/01/2010.**



[(c) "authority" means and includes any authority or officer authorised by the Central Government, or as the case may be, the State Government in accordance with the laws in force and includes a District Magistrate, Police Commissioner, or any other officer not below the rank of the Deputy Superintendent of Police designated for the maintenance of the ambient air quality standards in respect of noise under any law for the time being in force;]²

[(d) "court" means a governmental body consisting of one or more judges who sit to adjudicate disputes and administer justice and includes any court of law presided over by a judge, judges or a magistrate and acting as a tribunal in civil, taxation and criminal cases;

(e) "educational institution" means a school, seminary, college, university, professional academies, training institutes or other educational establishment, not necessarily a chartered institution and includes not only buildings, but also all grounds necessary for the accomplishment of the full scope of educational instruction, including those things essential to mental, moral and physical development;

(f) "hospital" means an institution for the reception and care of sick, wounded, infirm or aged persons, and includes government or private hospitals, nursing homes and clinics;]³

[(g) "person" shall include any company or association or body of individuals, whether incorporated or not;]⁴

(h) "State Government" in relation to a Union territory means the Administrator thereof appointed under article 239 of the Constitution.

[(i) "public place" means any place to which the public have access, whether as of right or not, and includes auditorium, hotels, public waiting rooms, convention centres, public offices, shopping malls, cinema halls, educational institutions, libraries, open grounds and the like which are visited by general public; and

(j) "night time" means the period between 10.00 p.m. and 6.00 a.m.]⁶

3. Ambient air quality standards in respect of noise for different areas/zones.

(1) The ambient air quality standards in respect of noise for different areas/zones shall be such as specified in the Schedule annexed to these rules.

(2) The State Government (shall categorize)⁵ the areas into industrial, commercial, residential or silence areas/zones for the purpose of implementation of noise standards for different areas.

2. In rule 2 for clause "(c) "authority" means any authority or officer authorized by the Central Government, or as the case may be, the State Government in accordance with the laws in force and includes a District Magistrate, Police Commissioner, or any other officer designated for the maintenance of the ambient air quality standards in respect of noise under any law for the time being in force;" has been substituted with a new clause as at (2) above vide **S.O.1046 (E) dated 22/11/2000.**
3. In rule 2, after Clause (c) new clause (d) (e) & (f) have been inserted as at (3) above vide **S.O.1046 dated 22/11/2000.**
4. In rule 2, clause (d) & (e) have been re-numbered as clauses (g) and (h) respectively and for (g) as so renumbered "(g) "person" in relation to any factory or premises means a person or occupier or his agent, who has control over the affairs of the factory or premises;" has been substituted as at (4) above vide **S.O. 1046 (E) dated 22/11/2000.**
5. In sub-rule (2) of rule 3 of the said rules, for the words "may categorize", the words "shall categorize" has been substituted as at (5) above vide **S.O.1046 dated 22/11/2000**
6. In the said rules, in rule 2, after clause (h), the following clauses (i) & (j) have been inserted as at (6) above vide **S.O. 50 dated 11/01/2010.**



(3) The State Government shall take measures for abatement of noise including noise emanating from vehicular movements, (blowing of horns, bursting of sound emitting fire crackers, use of loud speakers or public address system and sound producing instruments)⁹ and ensure that the existing noise levels do not exceed the ambient air quality standards specified under these rules.

(4) All development authorities, local bodies and other concerned authorities while planning developmental activity or carrying out functions relating to town and country planning shall take into consideration all aspects of noise pollution as a parameter of quality of life to avoid noise menace and to achieve the objective of maintaining the ambient air quality standards in respect of noise.

(5) An area comprising not less than 100 metres around hospitals, educational institutions and courts may be declared (by the State Government)¹⁴ as silence area/zone for the purpose of these rules.

{Provided that, an area shall not fall under silence area or zone category, unless notified by the State Government in accordance with sub-rule(2).}¹⁴

4. Responsibility as to enforcement of noise pollution control measures.

(1) The noise levels in any area/zone shall not exceed the ambient air quality standards in respect of noise as specified in the Schedule.

(2) The authority shall be responsible for the enforcement of noise pollution control measures and the due compliance of the ambient air quality standards in respect of noise.

[(3) The respective State Pollution Control Boards or Pollution Control Committees in consultation with the Central Pollution Control Board shall collect, compile and publish technical and statistical data relating to noise pollution and measures devised for its effective prevention, control and abatement.]⁸

5. Restrictions on the use of loud speakers/public address system (and sound producing instruments).¹⁰

(1) A loud speaker or a public address system shall not be used except after obtaining written permission from the authority.

[(2) A loud speaker or a public address system or any sound producing instrument or a musical instrument or a sound amplifier shall not be used at night time except in closed premises for communication within, like auditoria, conference rooms, community halls or during a public emergency.]¹¹

[(3) Notwithstanding anything contained in sub-rule (2), the State Government may subject to such terms and conditions as are necessary to reduce noise pollution, permit use of loud speakers or public address systems and the like during night hours (between 10.00 p.m. to 12.00 midnight) on or during any cultural, religious or festive occasion of a limited duration not exceeding fifteen days in all during a calendar year and the concerned State Government or District Authority in respect of its jurisdiction as authorized by the concerned State Government shall generally specify in advance, the number and particulars of the days on which such exemption should be operative.

Explanation.- For the purposes of this sub-rule, the expressions-

(i) "festive occasion" shall include any National function or State function as notified by the Central Government or State Government; and



(ii) "National function or State function" shall include"-

- (A) Republic Day;
- (B) Independence Day;
- (C) State Day; or
- (D) such other day as notified by the Central Government or the State Government.]¹⁵

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7. In rule 5 after sub-rule (2) new rule 3 has been inserted as at (7) above vide S.O. 1088 (E) dated 11/10/2002.
 8. In rule 4 after sub-rule (2) new sub-rule (3) has been inserted as at (8) above vide S.O. 1569 (E) dated 19/09/2006.
 9. In the said rules, in rule 3, in sub-rule (3) after the words "noise emanating from vehicular movements, the additional words as at (9) above have been inserted vide S.O. 50 dated 11/01/2010.
 10. In rule 5, for heading after the words "public address system" new words has been inserted as at (10) vide S.O. 50 dated 11/01/2010.
 11. In rule 5, sub-rule (2) has been substituted by new sub-rule as at (11) above vide S.O. 50 dated 11/01/2010.
 12. In rule 5, in sub-rule (3) for the words "public address systems during night hours" has been substituted by new words as at (12) above vide S.O. 50 dated 11/01/2010.
 13. In rule 5, in sub-rule (3) after the words "a limited duration.....a calendar year" new sentence has been added as at (13) above vide S.O. 50 dated 11/01/2010.
 14. In rule 3, in sub-rule (5) after the words "may be declared" the words "by the State Government" shall be inserted and there after new proviso is inserted as at (a) above vide S.O. 2555 dated 10/08/2017.
 15. In rule 5, for the existing sub-rule "(3) Notwithstanding anything contained in sub-rule (2), the State Government may subject to such items and conditions as are necessary to reduce noise pollution permit use of loudspeakers or (public address system and the like during night hours)¹² (between 10.00 p.m. to 12.00 midnight) on or during any cultural or religious festive occasion of a limited duration not exceeding fifteen days in all during a calendar year.]⁷ (The concerned State Government shall generally specify in advance, the number and particulars of the days on which such exemption would be operative)¹¹." a new para is inserted as at (b) above vide S.O. 2555 dated 10/08/2017.



[(4) The noise level at the boundary of the public place, where loudspeaker or public address system or any other noise source is being used shall not exceed 10 dB (A) above the ambient noise standards for the area or 75 dB (A) whichever is lower;

(5) The peripheral noise level of a privately owned sound system or a sound producing instrument shall not, at the boundary of the private place, exceed by more than 5dB (A) the ambient noise standards specified for the area on which it is used.]¹⁶

[5A. Restrictions on the use of horns, sound emitting construction equipments and bursting of fire crackers.

(1) No horn shall be used in silence zones or during night time in residential areas except during a public emergency.

(2) Sound emitting fire crackers shall not be burst in silence zone or during night time.

(3) Sound emitting construction equipments shall not be used or operated during night time in residential areas and silence zones.]¹⁷

6. Consequences of any violation in silence zone/area.

Whoever, in any place covered under the silence zone/area commits any of the following offence, he shall be liable for penalty under the provisions of the Act:

(i) whoever, plays any music or uses any sound amplifiers,

(ii) whoever, beats a drum or tom-tom or blows a horn either musical or pressure, or trumpet or beats or sounds any instrument, or

(iii) whoever, exhibits any mimetic, musical or other performances of a nature to attract crowds.

[(iv) whoever, bursts sound emitting fire crackers; or

(v) whoever, uses a loud speaker or a public address system.]¹⁸

7. Complaints to be made to the authority.

(1) A person may, if the noise level exceeds the ambient noise standards by 10 dB(A) or more given in the corresponding columns against any area/zone (or, if there is a violation of any provision of these rules regarding restrictions imposed during night time,)¹⁹ make a complaint to the authority.

(2) The authority shall act on the complaint and take action against the violator in accordance with the provisions of these rules and any other law in force.

16. In rule 5, after sub-rule (3) new sub-rules (4) & (5) have been inserted as at (16) above vide S.O. 50 dated 11/01/2010.

17. In the said rules, after rule 5, new rule 5A has been inserted as at (17) above vide S.O.50 dated 11/01/2010.

18. In the said rules, in rule 6, after the clause (iii) new clauses (iv) & (v), as at (18) above have been inserted vide S.O. 50 dated 11/01/2010.

19. In the said rules, in rule 7 in sub-rule (1), after the words "in corresponding columns..... & ending with.....area/zone", new sentence as at (19) above has been inserted vide S.O.50 dated 11/01/2010.



8. Power to prohibit etc. continuance of music sound or noise.

(1) If the authority is satisfied from the report of an officer in-charge of a police station or other information received by him (including from the complainant)²⁰ that it is necessary to do so in order to prevent annoyance, disturbance, discomfort or injury or risk of annoyance, disturbance, discomfort or injury to the public or to any person who dwell or occupy property on the vicinity, he may, by a written order issue such directions as he may consider necessary to any person for preventing, prohibiting, controlling or regulating:

(a) the incidence or continuance in or upon any premises of -

(i) any vocal or instrumental music,

(ii) sounds caused by playing, beating, clashing, blowing or use in any manner whatsoever of any instrument including loudspeakers, (public address systems, horn, construction equipment, appliance or apparatus)²² or contrivance which is capable of producing or re-producing sound, or

[(iii) sound caused by bursting of sound emitting fire crackers, or]²³

(b) the carrying on in or upon, any premises of any trade, avocation or operation or process resulting in or attended with noise.

(2) The authority empowered under sub-rule (1) may, either on its own motion, or on the application of any person aggrieved by an order made under sub-rule (1), either rescind, modify or alter any such order:

Provided that before any such application is disposed of, the said authority shall afford to the applicant (and to the original complainant, as the case may be)²¹ an opportunity of appearing before it either in person or by a person representing him and showing cause against the order and shall, if it rejects any such application either wholly or in part, record its reasons for such rejection.

20. In rule 8, in sub-rule (1) after the words "received by him" the words "including from the complainant" has been inserted as at (18) above vide S.O. 1569 (E) dated 19/09/2006

21. In rule 8, in sub-rule (2) in the proviso, after the words "afford to the applicant", the words "and to the original complainant, as the case may be", has been inserted as at (19) above vide S.O. 1569 (E) dated 19/09/2006

22. In the said rules, in rule 8, in sub-rule (1), in clause (a) in sub-clause (ii), for the words, "public address systems, appliance or apparatus" new words have been substituted as at (20) above vide S.O. 50 dated 11/01/2010.

23. In the said rules, in rule 8, in sub-rule (1), in clause (a) after sub-clause (ii) new sub-clause (iii) as at (21) above has been inserted vide S.O. 50 dated 11/01/2010.



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SCHEDULE
(see rule 3(l) and 4(l))

Ambient Air Quality Standards in respect of Noise

Area Code	Category of Area/Zone	Limits in dB(A) Leq *	
		Day Time	NightTime
(A)	Industrial area	75	70
(B)	Commercial area	65	55
(C)	Residential area	55	45
(D)	Silence Zone	50	40

Note:-

1. Day time shall mean from 6.00 a.m. to 10.00 p.m.
2. Night time shall mean from 10.00 p.m. to 6.00 a.m.
3. Mixed categories of areas may be declared as one of the four above mentioned categories by the competent authority.

*dB(A) Leq denotes the time weighted average of the level of sound in decibels on scale A which is relatable to human hearing.

A "decibel" is a unit in which noise is measured.

"A", in dB(A) Leq, denotes the frequency weighting in the measurement of noise and corresponds to frequency response characteristics of the human ear.

Leq : It is an energy mean of the noise level, over a specified period.

24. In the schedule to the said rules, for the note 3 and the entries thereto. "Silence zone is defined as an area comprising not less than 100 metres around hospitals, educational institutions and courts. The silence zones are zones which are declared as such by the competent authority." has been substituted as at (22) above vide S.O. 1046 (E) dated 22/11/2000.

25. In the schedule to the said rules, in the note, paragraph ("3. Silence zone is an area comprising not less than 100 meters around hospitals, educational institutions and courts, religious places or any other area which is declared as such by the competent authority ")²² has been omitted as may be seen above vide S.O. 2555 (E) dated 10/08/2017.

Note: The Principal rules were published in the Gazette of India vide Notification number S.O. 123(E) dated 14 February, 2000 and subsequently amended vide

- 1) S.O.1046(E) dated 22/11/2000;
- 2) S.O.1088(E) dated 11/10/2002;
- 3) S.O.1569(E) dated 19/09/2006;
- 4) S.O.50(E) dated 11/01/2010;
- 5) S.O.2555(E) dated 10/08/2017;



Signature Jabba of Ali Peada

VAKALATNAMA

In the _____ at
Before Ld _____ Judge
Suit/Case No. _____ at 201

Jalhar Ali Peada

Plaintiff
Application
Application

-Vs-

The State of West Bengal & Ors.

Defendant
Opp. Party
Respondent

KNOWN ALL MEN by these that I/We

do hereby in my/our name and my/(our behalf constitute and appoint Sri Bratati Pramanick
true and lawful Pleader/Advocate & Attorneys to appear and act for me/us in
the matter noted above to the suit written statement, conduct suit, appeal from
original suit order etc. and for that purpose to do all acts and things, whatsoever
in that connection including compromise of the above matter disposing in or
withdrawing money from filling or taking out of appear, document and payment
order from court referring matters in dispute between the parties here to
arbitration, withdrawing the above matters with liberty title fresh suit, sending
properties released from attachment filling execution or Miscellaneous cases and
other petitions, bidding at execution sale, obtaining payment from us our Court,
Withdrawing custody and other fees and doing on my/our behalf such other
acts in the above matters as are necessary and proper

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

Date. 2.3./05/202 5

ADVOCATES

BRATATI PRAMANICK
Advocate

HIGH COURT, CALCUTTA
BAR ASSOCIATION, ROOM NO. 5
Mobile : 8777846433
Email: bratati.pramanick@gmail.com

Enrollment no - F/1785/2018

Bhatnagar Bhamanick
Advocate

DISTRICT : NORTH 24 PARGANAS
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

O. A. of 2025 E.Z.

Between

In the matter of:

Jabbar Ali Peada

.... Applicant

-Vs-

The State of West Bengal & Ors.

...Respondents



23 MAY 2025

APPLICATION

BRATATI PRAMANICK
Advocate
Bar Association Room No. 5
High Court at Calcutta
Kolkata-700001
(M) 8777846433
bratati7495pramanick@gmail.com
Enrollment No. F/1785/2018