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*[Handwritten signature]*

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 176/2025/EZ

In The Matter of:

Saheb Shaw & Ors.

... APPLICANT

VERSUS

West Bengal Pollution Control Board & Ors.

... RESPONDENT(S)

COUNTER AFFIDAVIT ON BEHALF OF THE RESPONDENT NUMBER 03,  
DISTRICT MAGISTRATE & COLLECTOR, HOWRAH.

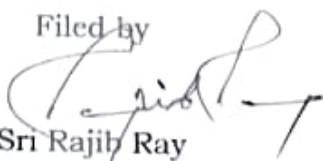
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2.	Letter sent to the Block Land and Land Reforms Officer, Bally Jagacha vide no. 233/Env. Dated 07-11-2025 seeking factual report regarding alleged illegal filling of pond/waterbody.	'R-1'	7



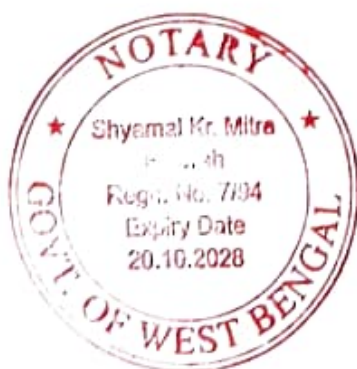
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Filed by



Sri Rajib Ray  
Advocate

For The State of West Bengal



05 JAN 2026

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
ORIGINAL APPLICATION NO. 176/2025/EZ

In The Matter of:  
Saheb Shaw & Ors.

... APPLICANT

VERSUS

West Bengal Pollution Control Board & Ors.

... RESPONDENT(S)

Sl. No. A-42/2026

COUNTER AFFIDAVIT ON BEHALF OF THE RESPONDENT NUMBER 03,  
DISTRICT MAGISTRATE & COLLECTOR, HOWRAH.

I, Deepap Priya, D/o Sri I. Palraj, by faith- Hindu, by occupation-service, presently posted as District Magistrate & Collector, Howrah, having office at New Collectorate Building, 3<sup>rd</sup> Floor, 6, Rishi Bankim Chandra Road, P.O & P.S & District: Howrah, Pin: 711101, do hereby solemnly affirm and declare as follows: -

1. That, I am working as District Magistrate & Collector, Howrah district, having my office at New Collectorate Building, 3<sup>rd</sup> Floor, 6, Rishi Bankim Chandra Road, P.O & P.S & District: Howrah, Pin: 711101, and



05 JAN 2026

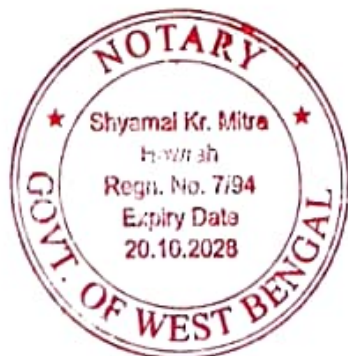
I am well acquainted with the facts and circumstances of the case and as such I am competent to swear, sign and affirm this Counter affidavit.

2. That this Counter affidavit is filed in compliance to the Solemn Order dated 28.10.2025, passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata.
3. That in pursuance to the above, the Block Land and Land Reforms Officer, Bally Jagacha was requested vide letter no. 233/Env. Dated 07-11-2025 seeking factual report regarding alleged illegal filling of pond/waterbody.  
The photocopy of the above -mentioned letter has been annexed herewith and marked as **"R-1"**.
4. That the Block Land and Land Reforms Officer, Bally Jagacha has submitted a report vide letter no. 6532/BJ/25 dated 08-12-2025 confirming the allegations as raised in the instant O.A.

The photocopy of the said letter is annexed herewith and marked as **"R- 2"**.

5. That the Sub-Divisional Officer, Sadar, Howrah vide letter no. 3422(3)/25/SS (C) dated 24-12-2025 has issued a show-cause notice to the concerned persons for illegal filling of waterbody at Liluah, Chakpara as alleged in the instant O.A.

The photocopy of the said show-cause notice issued by the Sub-Divisional Officer, Sadar, Howrah is annexed herewith and marked as **"R- 3"**.



05 JAN 2026

6. That it is therefore respectfully prayed that Hon'ble Tribunal may pass such order/orders as it deems fit and proper in the interest of justice.

Identified by me

  
Advocate

For The State of West Bengal

  
Deponent

District Magistrate  
&  
Collector, Howrah



  
05 JAN 2026

~~X~~

VERIFICATION

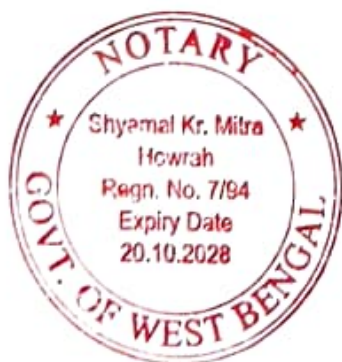
I, Dr. Deepap Priya P, the deponent above- named, do hereby verify and declare that the statements made in the aforesaid paragraphs are true and correct to the best of my knowledge and information and I believe that nothing material has been concealed there from.

Verified at \_\_\_\_\_ on \_\_\_\_\_ day of December, 2025.

  
Identified by me

Advocate  
State of West Bengal

  
Deponent  
District Magistrate  
&  
Collector, Howrah



SOLEMNLY AFFIRMED & DECLARED  
BEFORE ME ON IDENTIFICATION

  
SHYAMAL KR. MITRA  
NOTARY HOWRAH

05 JAN 2026

-X-

R-1



GOVERNMENT OF WEST BENGAL  
OFFICE OF THE DISTRICT MAGISTRATE & DISTRICT COLLECTOR  
HOWRAH  
(ENVIRONMENT CELL)

Memo No.: 233 /Env.

Date: 07/11/2025

To  
The Block Land & Land Reforms Officer,  
Bally-Jagacha.  
Howrah.

**Sub : Seeking factual report regarding alleged illegal filling of pond/waterbody as alleged in O.A. No. 176/2025/EZ.**

With reference to find above, please enclosed the O.A. being No. 176/2025/EZ in the matter of Saheb Shaw & Ors. - vs - West Bengal Pollution Control Board & Others along with solemn order of Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata.

The land in question where illegal filling of pond/waterbody has been alleged belongs to Mouza - Liluah, J.L. No. - 12, L.R. Dag No. 620.

You are requested to make a spot enquiry regarding the matter and submit a factual report with copy of record, GPS tagged photos and sketch map at the earliest.


Encl : as stated.



*07/11/25*  
Additional District Magistrate (Environment)  
&  
District Land and Land Reforms Officer  
Howrah

05 JAN 2026

R-2



GOVERNMENT OF WEST BENGAL

Office of the Block Land & Land Reforms Officer, Bally-Jagachha  
229, G.T.Road, Belur Bazar, Howrah  
e-mail : hlrballyjagachhaalternate@gmail.com

Memo No : 6532 /BJ/25

Date: 07/12/2025

To  
The Additional District Magistrate (Environment)  
&  
District Land & Land Reforms Officer  
Howrah.

**Sub:** Report regarding illegal filling of water body near Liluah, Chakpara, Battala Bazar as alleged in O.A. No. 176/2025/EZ, in the matter of Saheb Shau & Ors -vs- West Bengal Pollution Control Board, at Hon'ble National Green Tribunal.  
**Ref:** Memo no. 233/Env, Dated 07/11/2025

Respected Sir,

In reference to the subject above, it is inform to your kind end that earlier a petition was received on 28<sup>th</sup> Jan. 2025 regarding illegal filling of water body near Liluah Chakpara Battala Bazar. A Joint field verification was conducted on 31<sup>st</sup> Jan. 2025 over LR Plot 620, RS Plot 620 under Mouza - Liluah, JL No. 12. From the field verification, it is revealed that a part of the water body was filled up with garbage and a pacca structure (a local club named Naboday Pally Samiti) had been constructed over the same plot. Previously the undersigned send the report to the S.D.O, Sadar, Howrah, (copy enclosed).

A notice u/s 4 C(5) of W. B. L. R Act. 1955 has been issued from this end on 31.01.2025 (copy enclosed) and subsequently the same 2<sup>nd</sup> notice was also issued from this end on 13.05.2025 (copy enclosed).

On 29<sup>th</sup> May, 2025, a joint field enquiry has been conducted over the same plot with a team of Revenue Officer, Revenue Inspector, engineer of Bally Municipality named Sri Malay Lohar and Sri S. Chatterjee, S.I of Bally Municipality. Again a joint field enquiry with the police personnel of Liluah P.S. was conducted on 11.11.2025

As per joint field enquiry report dated 11.11.2025, it is revealed that:

The said plot classified as "Pukur" (as per CLR) was physically found to be partly filled up. The said land physically 0.2300 acre in area is recorded in the name of Sri Amar Nath Mishra (Kh. No. 256) and Sri Kashinath Mishra (Kh No. 256). Plot Information is attached for your ready reference.

A tin shed structure was found at the South-East corner of the suit land measuring approximately about 1420 sq. ft. or 0.0325 acre more or less in area.

A local club named Nabodaya Pally Samiti along with a children play ground was found on the western Part of the suit plot. As per local residents, the said club has been existed over the suit plot for more than 20 years and has been engaged in various social works for the sake of locals.

Whereas, a 15 feet approx wide public passage was also found running through the said land.

The remaining portion in the North east corner is still lying as low and marshy and at the time of enquiry, the said portion was found being filled up with domestic waste.

Sending herewith the report to your kind end for taking necessary action.

Enclo: -  
i. Joint field enquiry report dated: 11.11.25  
ii. GPS image  
iii. LR plot information, being No.620

Expiry Date  
20.10.2028

Yours Faithfully

  
Assistant Director, W.B.L.R.S.,

Assistant Director & W.L.L.  
B.L & L.R.O., Bally-Jagachha, Howrah  
B.L & L.R.O. Bally-Jagachha

05 JAN 2026

To  
The Assistant Director WBLRS &  
The B.L. & L.R.O.  
Bally Jagacha Block  
Sadar, Howrah

Sub- Joint Inspection Report regarding Illegal pond filling over LR Plot no.- 620, Mouza-Liluah,  
JL No.- 012

Sir,

In pursuance of your direction vide the subject stated above, the undersigned conducted a joint inspection along with police personnel of Liluah P.S. over R.S. & L.R. Plot no.- 620 located at Mouza-Liluah., JL No.-12 pertaining to different Khatians within the jurisdiction of Bally Municipality, Howrah on 11/11/2025. The field enquiry shed light on the following facts-

The said plot classified as Pukur (as per CLR) was physically found to be partly filled up. The said land physically 0.2300 acre in area is recorded in the name of Sri Amar Nath Mishra (Kh. No.- 256) and Sri Kasinath Mishra (Kh. No.-863). Plot information is attached for your ready reference.

A tin shade structure was found at the South-East corner of the suit land measuring approximately about 1420 sq. ft. or 0.0325 acre more or less in area.  
A local club named Nabodaya Polley Samity along with a children play ground was found on the western part of the suit plot. As per local residents, the said club has been engaged in various social works for the sake of locals.

Whereas, a 15 feet approx wide public passage was also found running through the said land.

The remaining portion in the North East corner is still lying as low and marshy, and at the time of enquiry, the said plot was found being filled up with domestic waste.

So, the report is submitted to you for your kind information and taking further action.

Date- 27.11.25  
Enclosure-PI & GPS Photo

Yours faithfully

*Sohail Ahmed Mistry*

Revenue Inspector  
Office of the B.L. & L.R.O  
Bally-Jagacha,  
Howrah

*Abn Jatin Sarkar*

Revenue Inspector  
Office of the B.L. & L.R.O  
Bally-Jagacha,  
Howrah

*Mithun Mandal*

Revenue Inspector  
Office of the B.L. & L.R.O  
Bally-Jagacha,  
Howrah



05 JAN 2026



05 JAN 2026



পশ্চিমবঙ্গ সরকার

সমষ্টি ভূমি ও ভূমি সংস্থার আধিকারিকের করণ

-দাগের তথ্য-



জেলা- হাওড়া  
 মৌজা- পিলুয়া  
 দাগ নং- ৬২০  
 মাবেক দাগ নং- ৬২০

রক- বাধী-জগাছা  
 জে.এল.নং- ১২  
 শ্রেণী- পুকুর

খানা- পিলুয়া  
 জমির পরিমাণ(এ)- ০.১৩০০

[০৫০৩০১২]

খতিয়ান নং	শ্রেণী	অংশ	অংশ পরিমাণ(এ)	স্বামীর/স্বামীর বিবরণ	মন্তব্য
২৫৬	পুকুর	০.৫০০০	০.১১৫০	অমর নাথ মিত্র পিতা-বিশ্বেশ্বর নাথ মাং-নিজ	
৮৬০	পুকুর	০.৫০০০	০.১১৫০	কাশীনাথ মিত্র পিতা-রামনাথ মাং-নিজ	
		১.০০০০	০.২৩		



Authenticated

*K. Mitra*  
 Revenue Officer  
 Bally-Jagachh Howrah

(•উল্লিখিত খতিয়ানের যথার্থ অংশ পরিমাণ, এ খতিয়ানে উক্ত দাগে অংশ অনুসারে নির্ধারিত হইবে।)

For Office Use Only

Page ১ of ১

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05 JAN 2026

Type Copy

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## Government of West Bengal

Department of Land & Land Reforms and Refugee Relief & Rehabilitation  
- ROR (Record of Rights) Information -District: Howrah  
Mouza: LiluahBlock: Bally-Jagacha  
I.L. No.: 12

Police Station: Liluah

Plot No.: 620  
Sabek dag No -620

Classification-Pukur

Total Area-0.23 acre



## Plot Details

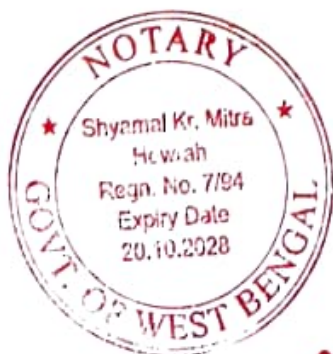
Khatian No.	Area (Acre)	Share	R.S./L.R. Classification	Owner's Name
256	0.115 acre	5000	Pukur	Amar Nath Mishra S/o- Biswswar Nath Address-Self
863	0.115 acre	5000	Pukur	Kashi Nath Mishra S/o- Ram Nath Address-Self

0.23 10000

Note:(The computation of share is based on total plot area. The share of holdings may change as per field verification.)

For Office Use Only

Date/Time: 08/12/2025 - 03:26 PM



Page: 1 of 1

08.12.25  
Revenue Officer  
Bally-Jagacha, Howrah

05 JAN 2026

# LOCATION MAP

-X2-

IN PART OF R.S DAG NO. - 620

IN PART OF L.R DAG NO. - 620

L.R KHATAN NO.S INVOLVED - 256 and 863

WITHIN MOUZA-LILUAH

J.L NO. : 12, DIST- HOWRAH

TOTAL AREA OF LAND - 0.2300 Acre

THE HIGHLIGHTED AREA SHOWN IN MOUZA SHEET REFLECTS THE POND

ALLEGED PORTION SHOWN IN RED BORDER 

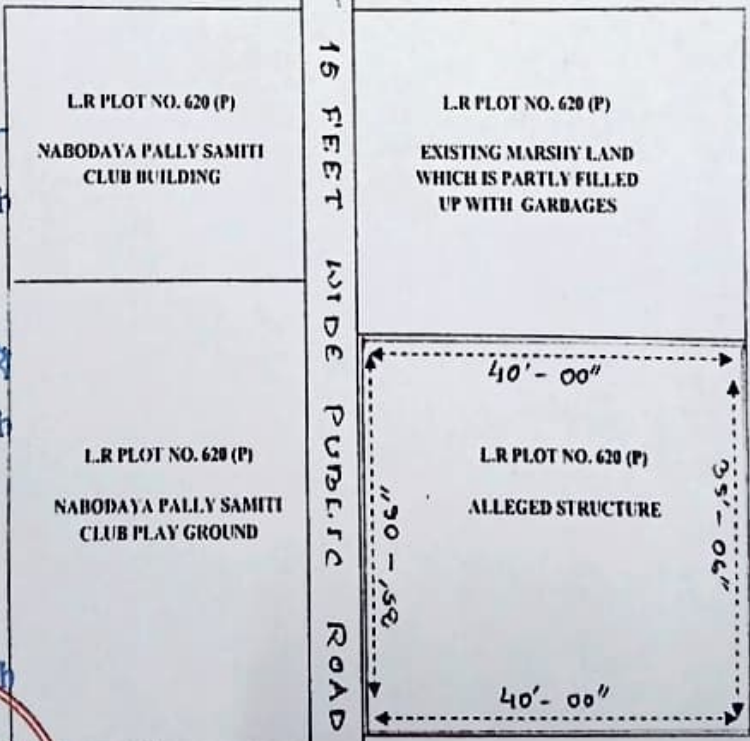


NOT TO SCALE

*Abu Jafar Sarkar*  
Revenue Inspector  
Bally-Jagacha, Howrah

*Schaid Ahmed Misty*  
Revenue Inspector  
Bally-Jagacha, Howrah

*Mithun Mandal*  
Revenue Inspector  
Bally-Jagacha, Howrah



**NOTARY**  
 ★ Shyamal Kr. Mitra  
 Howrah  
 Regn. No. 7194  
 Expiry Date  
 20.10.2028  
 ★  
**GOVT. OF WEST BENGAL**

05 JAN 2026



GOVERNMENT OF WEST BENGAL  
Office of the Block Land & Land Reforms Officer, Bally-Jagacha  
229, G.T.Road, Belur Bazar, Howrah  
e-mail : blloballyjagachaalternate@gmail.com

Memo No : 3403 /BJ/25

Date: 29 /05 /2025

To  
The Sub-Divisional Officer  
Sadar, Howrah

Sub : Report regarding illegal filling of water body near Liluah, Chakpara, Battala Bazar.

Respected Madam.

In reference to the subject above, it is inform to you that a petition has been received on 28<sup>th</sup> Jan. 2025 regarding illegal filling of water body near Liluah Chakpara Battala Bazar. A joint field verification was conducted on 31<sup>st</sup> Jan. 2025 over L R Plot 620, RS Plot 620 under Mouza - Liluah, J L No. 12. From the field verification, it is revealed that a part of the water body was filled up with garbage and a pacca structure (a local club named Nabaday Pally Samiti) had been constructed over the same plot.

A notice u/s 4 C(5) of W. B. L. R Act. 1955 has been issued from this end on 31.01.2025 (copy enclosed) and subsequently the same 2<sup>nd</sup> notice was also issued from this end on 13.05.2025 (copy enclosed).

Today i.e. 29<sup>th</sup> May, 2025, a joint field enquiry has been conducted over the same plot with a team of Revenue Officer, Revenue Inspector, engineer of Bally Municipality named Sri Malay Lohar and Sri S. Chatterjee, S. I of Bally Municipality.

As per joint field enquiry report dated 29.05.2025, it is revealed that :

The said plot classified as "Pukur" (as per CLR) was physically found to be partly filled up. The said land physically 0.2300 acre in area is recorded in the name of Sri Amar Nath Mishra (Kh. No. 256) and Sri Kashinath Mishra (Kh No. 256). Plot Information is attached for your ready reference.

A tin shed structure was found at the South-East corner of the suit land measuring approximately about 1420 sq. ft. or 0.0325 acre more or less in area.

A local club named Nabodaya Pally Samiti along with a children play ground was found on the western part of the suit plot. As per local residents, the said club has been existed over the suit plot for more than 20 years and has been engaged in various social works for the sake of locals.

Whereas, a 15 feet approx wide public passage was also found running through the said land.

The remaining portion in the North east corner is still lying as low and marshy and at the time of enquiry, the said portion was found being filled up with domestic waste.

Sending hewith the report to your kind end for taking necessary action.

Encl: i) Joint Field enquiry report dated 29.05.25

ii) GPS image

iii) L R Plot Information being No. 620

Yours faithfully,

*[Signature]*  
29/5/25  
Assistant Director, W. B. L. R. S.,  
Assistant Director, W.B.L.R.S.

B. L & L. R. O., Bally-Jagacha, Howrah  
B.L. & L.R.O.  
Date : 29 /05 /2025

Memo No. : 3403 /I(3)/B-J /25

Copy forwarded to :

i) The A. D. M and D. L & L. R. O., Howrah - For his kind information.

ii) The S. D. L & L. R. O., Sadar, Howrah - For his kind information.

iii) The Executive Officer, Bally Municipality, Howrah - For his kind information.

*[Signature]*  
29/5/25  
Assistant Director, W. B. L. R. S.

&

B.L. & L.R.O., Bally-Jagacha, Howrah



05 JAN 2026



**GOVERNMENT OF WEST BENGAL**  
Office of the Block Land & Land Reforms Officer, Bally-Jagacha  
229, G.T.Road, Belur Bazar, Howrah  
e-mail : blloballyjagachaalternate@gmail.com

Memo No. 2157(4) /BJ/25

Date : 13/05/2025

**NOTICE**

u/s 4 C (5) of W. B. L. R Act. 1955

**1<sup>st</sup> Reminder****(Through Liluah Police Station)**

To

- i) Amar Nath Mishra, S/o Bisheswar Nath, Liluah, Howrah, PIN - 711204  
ii) Kashinath Mishra, S/o, Ramnath, Liluah, Howrah, PIN - 711204

A complain has been received on 28<sup>th</sup> January, 2025 against illegal activities and safety hazards at Naboday Pally Samiti adjacent to Bot Tala Bazar, Liluah.

In this regard Sri Arpan Paul, R O and Sri Mithun Mandal, R I are directed to conduct an enquiry on 29<sup>th</sup> January, 2025 over Mouza- Liluah, L R Plot No. 620, R S Plot No. 520, classified as "Pukur".

As per enquiry report submitted by Sri Arpan Paul, R O and Sri Mithun Mandal, R I, revealed that the water body at Mouza - Liluah, J L No. 12, L R Plot No. 620, R S Plot No. 620, classified as "Pukur" has been filled up partly which is complete violation of the provision of the W. B. L. R Act. 1955. Such an act on your part has lead to decrease in the size/area of the water body.

Hence, you are directed to refrain yourselves from such an act and restore the water body to its original area/ size within 10 (ten) days after receiving of the letter, otherwise action will be taken as per law.

Land Schedule : -

Mouza - Liluah, J L No. 12

L R Plot No. 620, R S Plot No. 520

Classification - Pukur

*(Signature)*  
13/5/25  
Assistant Director, W. B. L. R. S

&  
B. L & L. R. O., Bally-Jagacha, Howrah

Memo No. 2157(4) B-J/25

Date : 13 / 05 / 2025

Copy forwarded to

- i) The A. D. M and D. L & L. R.O., Howrah - For his kind information.  
ii) The S. D. O. Sadar, Howrah - For her kind information.  
iii) The S. D. L. & L. R. O., Sadar, Howrah - For his kind information.  
iv) The I. C. Liluah Police Station - For his kind information and taking necessary action.

*(Signature)*  
13/5/25  
Assistant Director, W. B. L. R. S

&  
B.L & L.R.O., Bally-Jagacha, Howrah



05 JAN 2026



GOVERNMENT OF WEST BENGAL  
OFFICE OF THE SUB - DIVISIONAL OFFICER  
SADAR, HOWRAH

Memo No. 3422(3)/25/SS(c)

Date: 24/12/2025

To

- i) Shri Amar Nath Mishra,  
S/o Bisheshwar Nath Mishra,  
Liluah, Howrah - 711204
- ii) Shri Kashinath Mishra,  
S/o Ramnath Mishra,  
Liluah, Howrah - 711204
- iii) Authorized representative of Nabodaya Pally Samiti  
Liluah, Howrah-711204

**Sub: Notice Regarding illegal filling of water body at Liluah, Chakpara, Battala Bazar as alleged in O.A no- 176/2025/EZ in the matter of Saheb Shaw & Ors.-vs- West Bengal Pollution Control Board, at Hon'ble National Green Tribunal**

**Ref: BL&LRO's Office Memo No. 3403/BJ/25 dated. 29/05/2025 of BL & LRO, Bally Jagacha**

Whereas, it has been reported by the Block Land & Land Reforms Officer, Bally-Jagacha, Howrah, vide Memo No. 3403/BJ/25 dated 29.05.2025, that land recorded as "Pukur" (water body) as per C.L.R. situated at Mouza - Lilua, J.L. No. 12, corresponding to L.R. Plot No. 620 corresponding R.S. Plot No. 620, has been partly filled up unauthorisedly with garbage and domestic waste;

And

whereas, the matter relating to the said illegal filling up of water body is under consideration in O.A. No. 176/2025/EZ, titled Saheb Shaw & Ors. -vs- West Bengal Pollution Control Board & Ors., before the Hon'ble National Green Tribunal, Eastern Zone Bench;

And

whereas, a joint field enquiry conducted on 29.05.2025 revealed that portions of the said water body have been filled up and unauthorised structures exist over part of the said land, resulting in illegal change of character of the recorded water body (PUKUR);

And

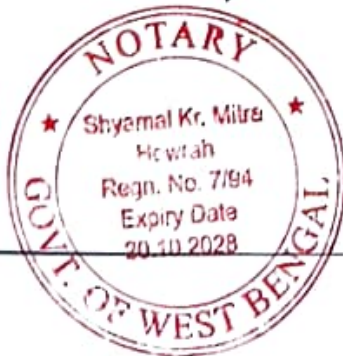
whereas, records reveal that land measuring 0.2300 acre under the said plot stands recorded in favour of Amar Nath Mishra and Kashinath Mishra in equal share.

Now

therefore, you are hereby called upon to show cause as to why action shall not be taken against you under the provisions of the West Bengal Land Reforms Act, 1955, including restoration of the water body to its original condition and removal of any unauthorised structures, if any.

You are further directed to appear in person or through an authorised representative before the undersigned on **31st December 2025 at 3:00 P.M. at the office of the undersigned**, along with all relevant documents in support of your claim, failing which the matter shall be heard and decided ex-parte without any further reference to you.

This notice is issued in compliance with the directions of the Hon'ble National Green Tribunal and without prejudice to any other action that may be taken under any other law for the time being in force.



*Arby*  
Sub - Divisional Officer  
Sadar, Howrah

05 JAN 2026

~~18~~

Memo No. 3422(3)/14/25/SS(C)

Date: 24/12/2025

Copy forwarded to:

1. The Additional District Magistrate (LR) and District Land & Land Reforms Officer, for kind information.
2. The Special Land Acquisition Officer (HIT) for kind information.
3. The Block Land & Land Reforms Officer, Bally -Jagacha with a direction to present on the date of hearing as mentioned above with all relevant documents.
4. The Inspector in Charge ,Lituah PS with a request to serve this notice to the persons/organisation as mentioned in serial no (i) to (iii) and sent a service return to this end before 30<sup>th</sup> December 2025.



Sub - Divisional Officer  
Sadar, Howrah



  
05 JAN 2026

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

O. A. NO. 176/2025/EZ

In The Matter of:

Saheb Shaw & Ors.

... APPLICANT

VERSUS

West Bengal Pollution Control Board & Ors

... RESPONDENT(S)

AFFIDAVIT ON BEHALF OF THE  
RESPONDENT NUMBER 03, THE  
DISTRICT MAGISTRATE &  
COLLECTOR, HOWRAH

Sri Rajib Ray

Advocate

For The State of West Bengal