

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
ORIGINAL APPLICATION NO.184/2025/EZ

S.L. NO. 1



In the matter of:

Subhas Datta

... Applicant.

Versus

State of West Bengal & Ors.

.... Respondents.

AFFIDAVIT ON BEHALF OF THE RESPONDENT NO. 3, DEPARTMENT OF  
FISHERIES.

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Filed by:

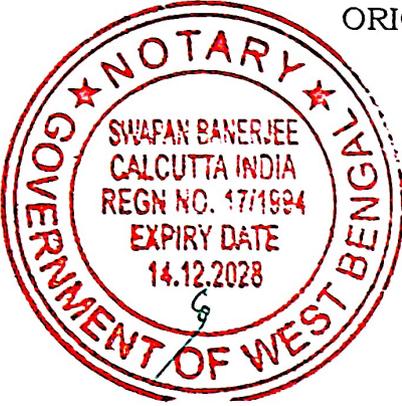
Mr. Rajib Ray,  
Advocate,

Bar Association Room No. 13,  
High Court, Calcutta  
Mob-9830132729/7980422764  
Email: [rajib.ray.official23@gmail.com](mailto:rajib.ray.official23@gmail.com)

21 JAN 2026

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

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Subhas Datta

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AFFIDAVIT ON BEHALF OF THE RESPONDENT NO. 3, DEPARTMENT OF  
FISHERIES.

I, Sri Anjan Karmakar, son of Late Abani Karmakar, aged about 57 years, by faith Hindu, by occupation Service, presently working as Deputy Secretary in the Department of Fisheries, Government of West Bengal, having office at Benfish Tower (7th & 8th Floor), 31, G.N. Block, Sector-V, Salt Lake City, Kolkata – 700091, do hereby solemnly affirm and state as follows:-

1. I am the Deputy Secretary of the Department of Fisheries, Government of West Bengal, being duly authorised to swear this affidavit on behalf of the Respondent No. 3. I have duly consulted the records available in my office and thereafter, I have made myself acquainted with the facts and circumstances of this case and competent to affirm this affidavit.

2. That this counter affidavit is being filed on behalf of the Respondent No. 3 in compliance with the orders passed by this Hon'ble Tribunal and to place on record the true and correct factual position so far as the Department of Fisheries is concerned.

3. That at the outset, it is submitted that the allegations made in the Original Application, insofar as they relate to the Respondent No. 3, are misconceived, generalized, and without appreciation of the limited statutory role of this Department. The allegations of inaction, negligence, or dereliction of duty on the part of Respondent No. 3 are specifically denied.

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4. That the Department of Fisheries is neither the authority responsible for sewage management, effluent discharge, nor solid waste disposal in Saheb Bandh, Purulia. The said functions fall within the domain of the local body and pollution control authorities. Any adverse impact on aquatic life, if at all, is attributable to discharge of untreated sewage, solid waste dumping, and municipal lapses, which are beyond the statutory control of this Respondent.

5. That the role of the Department of Fisheries is confined to (i) Assessment and management of fish population; (ii) Sustainable pisciculture practices; and (iii) Advisory and regulatory measures relating to fishing activities. The Department does not operate, maintain, or control any sewage treatment plant, drainage outlet, or municipal infrastructure connected with Saheb Bandh.

6. That pursuant to the order dated 09.10.2025 passed by this Hon'ble Tribunal, a Joint Committee was constituted, and the Department of Fisheries extended full cooperation to the said Committee.

7. Further, in compliance with the directions and based on Memo No. 3226-Fish/FI-15012(20)/4/2025-SECTION(FI) dated 24.12.2025, issued by the Department of Fisheries, the Assistant Director of Fisheries, Purulia was directed to conduct an assessment of fish population in Saheb Bandh and to take precautionary steps regarding fishing activities.

Photocopy of the said Memo dated 24.12.2025 is annexed hereto and marked as Annexure – "A".

8. That in compliance thereof, the Assistant Director of Fisheries, Purulia submitted a detailed Assessment Report dated 30.12.2025, wherein it has been categorically reported that:

- (i) Saheb Bandh presently contains approximately **11.5 Metric Tonnes of fish stock**;
- (ii) Multiple indigenous and carp varieties are available, including Rohu, Catla, Mrigal, Silver Carp, Grass Carp, Common Carp, Channa species, Magur, Singhi, Punti, Mourala, and Tilapia.

That the said assessment clearly establishes that there is no extinction or collapse of fish population in Saheb Bandh as alleged in the Original Application.



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Photocopy of the said Report dated 30.12.2025 is annexed hereto and marked as Annexure - "B".

9. That it is submitted that, as a precautionary and preventive measure, fishing activities in highly weeded areas of Saheb Bandh have been temporarily prohibited until restoration measures improve the ecological balance. Necessary instructions to this effect were duly communicated to the concerned Fish Production Group and relevant authorities.

10. The Department of Fisheries has acted diligently, promptly, and strictly in accordance with the directions of this Hon'ble Tribunal and within the scope of its statutory mandate.

11. It is respectfully submitted that this answering respondent shall abide by any order or direction, passed by this Hon'ble Tribunal.

12. That the statements made in paragraph 1 to 08 are based on information derived from the record which are usually kept and maintained by the answering respondent in the ordinary course of business and which I believe to be true and rest thereof are my humble submission before this Hon'ble Tribunal.

Prepared in my office



Advocate

*Anjan Karmakar*  
Deponent



Solemnly affirmed and declared  
before me on identification

*Swapan Banerjee*

**SWAPAN BANERJEE**  
Notary, Calcutta, India  
Govt. of W.B. Regn. No: 17/1994  
D-18/1, Karunamoyee Housing  
Estate Calcutta-700 091

21 JAN 2026

Annexure - A' 5

**Government of West Bengal**

Department of Fisheries Aquaculture aquatic resources & Fishing Harbours,  
31, GN Block, IT Building, 7 th & 8th Floor, Sector- V, Salt Lake, Kolkata-700091.

No. 3226-Fish/FI-15012(20)/4/2025-SECTION(FI)

Date:24/12/2025

From : The Deputy Secretary to the Government of West Bengal.

To : The Assistant Director of Fisheries, Purulia.

**Sub:** Submission of report on assessment of fish population in Saheb Bandh, Purulia in compliance with NGT directions in O.A. No. 184/2025/EZ – Reg.

**Ref:** Hon'ble NGT (EZB) Order dated 09.10.2025 in O.A. No. 184/2025/EZ (Subhas Datta vs. State of West Bengal & Ors.).Joint Committee Inspection Report dated 18.11.2025 submitted by WBPCB vide affidavit dated 19.12.2025.

Sir,

The undersigned is directed to refer to the above subject and to state that, in pursuance of the Joint Committee's recommendation on pollution and preservation of Saheb Bandh (76-acre heritage water body, Purulia), the Department of Fisheries has been directed to **“conduct an assessment of the fish population in Saheb Bandh and take steps to prevent fishing activities in highly weeded areas until restoration measures improve the ecological balance”**.

In the above circumstances, the undersigned is further directed to request you to submit a report on the said observation of the Committee to this Department by **05.01.2026** without fail, so that necessary onward action may be taken from this end.

This may be treated as MOST URGENT.

Encl: As Stated.

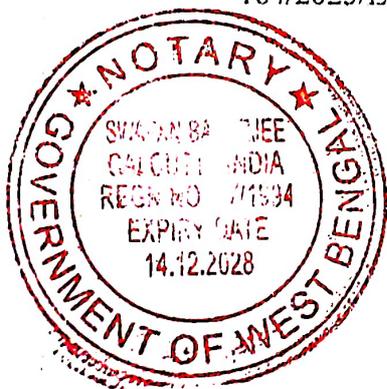
Yours faithfully,

Deputy Secretary  
to the Govt. of West Bengal

11(1)  
No. 3226-Fish/FI-15012(20)/4/2025-SECTION(FI)

Date:24/12/2025

1. The Director of Fisheries, Govt. of West Bengal.(He is requested to submit a report on the basis of the direction of the Hon'ble NGT (EZB) Order dated 09.10.2025 in O.A. No. 184/2025/EZ to this Department by **05.01.2026**).



etc

Deputy Secretary  
to the Govt. of West Bengal

21 JAN 2026

Annexure - 'B' - 6



Government of West Bengal  
Office of the Assistant Director of Fisheries  
MEEN BHABAN, Huchukpara, Purulia - 723101  
Mail Id- [adf.purulia2023@gmail.com](mailto:adf.purulia2023@gmail.com)

Memo No.: 563 / ADF / Purulia

Date: 30/12/2025

To,  
The Deputy Secretary to the Govt. of West Bengal  
Department of Fisheries, Benfish Tower (7<sup>th</sup> & 8<sup>th</sup> floor),  
31 G.N. Block, Salt Lake City, Sector-V, Kolkata-700091

Sub.: Submission of report on assessment of fish population in Saheb Bandh, Purulia in compliance with NGT directions in O.A. No. 184/2025/EZ – Reg.

Ref.: Memo No.: 3226-Fish/FI-15012(20)/4/2025-SECTION(FI), dated: 24/12/2025 of the Office of the Department of Fisheries, Govt. of West Bengal

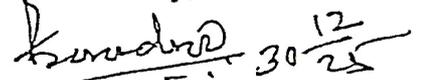
Sir,

With reference to the subject mentioned above and in pursuance of the Joint Committee's recommendation on pollution and preservation of Saheb Bandh (76-acre heritage water body of Purulia), I am submitting the assessment of the fish population in Saheb Bandh in Annexure I, as sought for.

In the present circumstances & in compliance with NGT directions necessary steps have been taken from this end to prevent the fishing activities in highly weeded areas until restoration measures improve the ecological balance of Saheb Bandh, Purulia is enclosed please find herewith.

This is for favour of kind information and taking necessary action.

Yours faithfully,

 30/12/25

Assistant Director of Fisheries  
Purulia

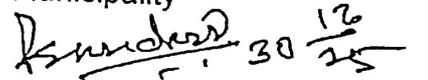
Enclosure: Annexure I

Memo No.: 563 /1(6)/ ADF / Purulia

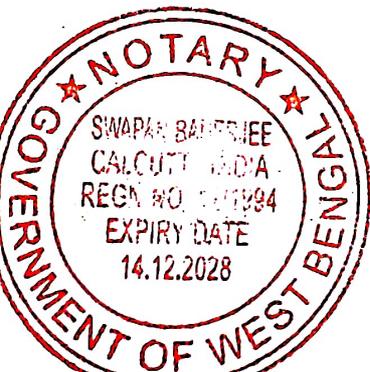
Date: 30/12/2025

Copy forwarded for information to

1. The Director of Fisheries, West Bengal.
2. The District Magistrate, Purulia
3. The Additional District Magistrate (ZP), Purulia
4. The Deputy Director of Fisheries, Western Zone, Medinipur
5. The Chairman, Purulia Municipality
6. The Fishery Extension Officer, Purulia I, Additional Charge of Purulia Municipality

 30/12/25

Assistant Director of Fisheries  
Purulia



21 JAN 2026

7-

## Annexure I

### Assessment of fish population in Saheb Bandh, Purulia as on 30/12/2025

Fish species available:

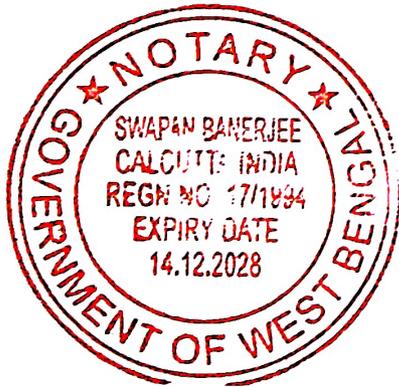
List of commonly and frequently found fish species during harvest / catch by the fishers.

1. Rohu (*Labeo rohita*)
2. Catla (*Catla catla*)
3. Mrigal (*Cirrhinus mrigala*)
4. Silver carp (*Hypophthalmichthys molitrix*)
5. Grass carp (*Ctenopharyngodon Idella*)
6. Common carp (*Cyprinus carpio*)
7. Sal (*Channa marulius*)
8. Lata (*Channa gachua*)
9. Koi (*Anabas testudineus*)
10. Singi (*Heteropneustes fossilis*)
11. Magur (*Clarias batrachus*)
12. Punti (*Puntius ticto*)
13. Mourala (*Amblypharyngodon mola*)
14. Tilapia (*Oreochromis niloticus*)

Fish Stock: At present there are about 11.5 MT fish stock in Saheb Bandh

# The data has been collected from the daily catch by the fishers of the Nagmata Keot Fish Production Group, Ward No. 19, Pokabandh, PO: Purulia, Purulia 723101, doing pisciculture at Saheb Bandh.

  
Assistant Director of Fisheries 30/12/25  
Purulia



21 JAN 2026



Government of West Bengal  
Office of the Assistant Director of Fisheries  
MEEN BHABAN, Huchukpara, Purulia - 723101  
Mail Id- [adf.purulia2023@gmail.com](mailto:adf.purulia2023@gmail.com)

Memo No.: 557 / ADF/ Purulia

Date: 29/12/2025

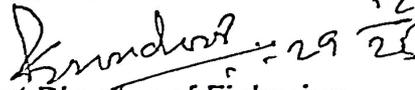
To,  
The Group Leader,  
Nagmata Keot Fish Production Group,  
Ward No. 19, Pokabandh, PO: Purulia  
Purulia 723101

Sub.: Prevention of fishing activities in highly weeded areas of Saheb Bandh

Ref.: Memo No.: 3226-Fish/FI-15012(20)/4/2025-SECTION(FI), dated: 24/12/2025 of the Office of the Department of Fisheries, Govt. of West Bengal

With reference to the subject mentioned above and in pursuance of the Joint Committee's recommendation on pollution and preservation of Saheb Bandh (76-acre heritage water body of Purulia), I am directed to inform you that "Fishing activities in highly weeded areas are strictly prohibited until restoration measures improve the ecological balance of Saheb Bandh, Purulia". In this regard, sufficient flex may be exhibited in highly weeded areas of Saheb Bandh.

This may be treated as MOST URGENT.

  
Assistant Director of Fisheries  
Purulia

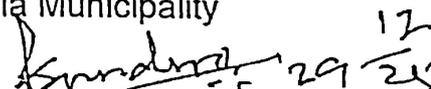
Memo No.: 557/1(7)/ADF/ Purulia

Date: 29/12/2025

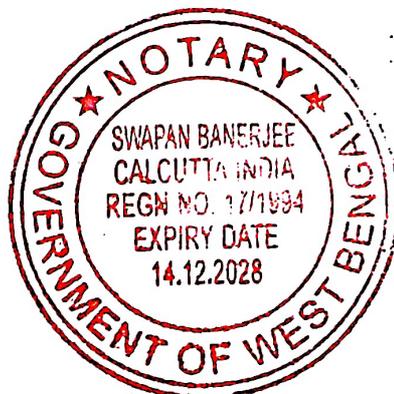
Copy forwarded for information to

1. The Deputy Secretary to the Govt. of West Bengal, Department of Fisheries, Benfish Tower (7<sup>th</sup> & 8<sup>th</sup> floor), 31 G.N. Block, Salt Lake City, Sector-V, Kolkata-700091
2. The Director of Fisheries, West Bengal.
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5. The Deputy Director of Fisheries, Western Zone, Medinipur
6. The Chairman, Purulia Municipality
7. The Fishery Extension Officer, Purulia I, Additional Charge of Purulia Municipality



  
Assistant Director of Fisheries  
Purulia

গ্রুপ লিডার  
নাগমাত কেওট মৎস্য জীব উৎপাদন গ্রুপ  
পুকুরিয়া



21 JAN 2026

BEFORE THE HON'BLE NATIONAL  
GREEN TRIBUNAL  
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O. A. NO. 184/2025/EZ

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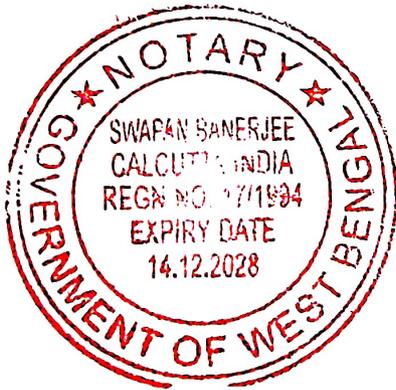
..Applicant.

Versus

State of West Bengal & Ors.

.... Respondents.

Counter affidavit on behalf of the  
respondent no. 3, Department of  
Fisheries, Government Of West  
Bengal.



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Advocate

Bar Association Room No. 13,

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Mob-9830132729/7980422764

Chamber: 28, Fakir Chand Mitra

Street, Kolkata- 700009.

Email: rajib.ray.official23@gmail.com