

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

In the matter of: -

Saheb Shaw & Ors

.... Applicants

-Versus-

The West Bengal Pollution

Control Board & Ors.

.... Respondents

INDEX

Sl No.	Particulars of Documents	Annexure	Page No.
1.	Affidavit		1-7
2.	A copy of the relevant Record of Rights	R- 1	8
3.	A copy of the notification dated 20.07.2017	R- 2	9
4.	Copies of the letters dated 25.02.2025	R- 3 Collectively	10-11
5.	A copy of the relevant inspection/status report dated 06.03.2025	R- 4	12-15
6.	Copy of the memo dated 28/29.05.2025	R- 5	16
7.	Copies of the hearing notice dated 03.06.2025 and the attendance sheet of the hearing dated 09.06.2025	R- 6 Collectively	17-18
8.	Copy of the notice dated 09.01.2026	R- 7	19
9.	Copy of the notice dated 10.03.2026	R- 8	20

Filed by

Debasree Dhamali

Ms. Debasree Dhamali

Advocate

High Court, Calcutta

Ph No. - 9007035518

Email- ddhamali@gmail.com



18 MAR 2026

X

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. 176/2025/EZ

In the matter of: -

Saheb Shaw & Ors

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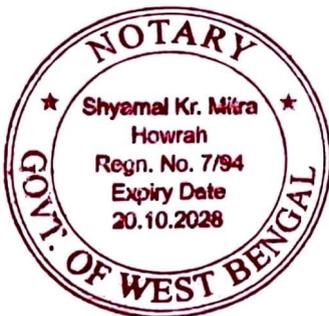
.... Respondents

Sl. No. C-422/2026

COUNTER AFFIDAVIT ON BEHALF OF THE ~~APPLICANT~~ RESPONDENT NO. 8,
BALLY MUNICIPALITY

I, Ranjan Kumar Paul, son of Binoy Krishna Paul, aged about 49 years, by occupation - service, by faith - Hindu, presently serving as the Executive Officer, Bally Municipality, having my office at 384, G.T. Road, Bally, Howrah- 711 201, do hereby solemnly affirm and say as follows :-

1. That I am holding the post of Executive Officer in Bally Municipality and as such I am well aware of the facts and circumstances from which the instant application arises. I have been duly authorised to affirm this affidavit on behalf of the Bally Municipality and I am competent to do so.
2. That a copy of the Original Application being O.A. No. 176 of 2025/EZ was served upon the answering respondent. Upon receiving the same, the said application along with annexures was handed over to the undersigned. I have gone through the contents of the said application and have understood the meaning and purport thereof. Since the relevant records had to be collected from different departments of Bally Municipality and necessary instructions were required to be obtained from the concerned authorities, there might be a slight delay in filing the present affidavit and such delay may kindly be condoned.



18 MAR 2026

3. That this affidavit is filed for the purpose of placing the correct facts before this Hon'ble Tribunal and to deal with the allegations made in the Original Application.

4. At the very outset it is most respectfully submitted that there has been no negligence, inaction or deliberate lapse on the part of Bally Municipality in discharging its statutory duties regarding protection and restoration of water bodies within its jurisdiction. The answering respondent has taken necessary administrative steps after receiving complaints regarding alleged filling up of water body situated within the jurisdiction of Bally Municipality.

5. Before dealing with the contents of the said Original Application paragraph-wise, the answering respondent humbly submits the following facts for proper adjudication of the matter by this Hon'ble Tribunal.

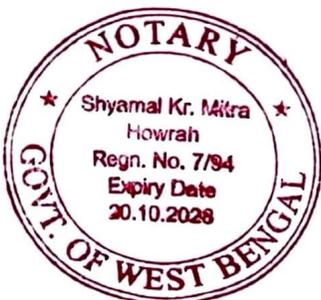
- I. It is respectfully submitted that the land in question situated at Mouza - Liluah, J.L. No. 12, P.S. - Liluah, District - Howrah, particularly L.R. Dag No. 620, is recorded in the official Record of Rights as "Pukur" (water body) measuring approximately 0.2300 acre. The said classification clearly establishes that the land in question is a water body and is required to be preserved in accordance with the provisions of the West Bengal Inland Fisheries Act, 1984 and other environmental laws.

A copy of the relevant Record of Rights is annexed hereto and marked with the letter "R-1".

- II. It is further submitted that under the provisions of the West Bengal Inland Fisheries Act, 1984 (as amended from time to time) the Executive Officer of the Municipality within the municipal jurisdiction is designated as the Competent Authority for taking appropriate measures regarding protection and restoration of water bodies. In this regard reference may be made to the Notification No. 1748-Fish/C-1/9R-03/2017 dated 20.07.2017 issued by the Fisheries Department, Government of West Bengal, whereby the Executive Officer of the Municipality has been authorised to exercise powers under the said Act within the municipal limits.

A copy of the said notification is annexed hereto and marked with the letter "R-2".

- III. That Bally Municipality received certain complaints from certain local residents alleging illegal filling up of the said water body by certain



18 MAR 2026

private persons. Upon receipt of the complaint, my predecessor in office initiated necessary administrative action and the answering respondent referred the matter to the concerned authorities including the Block Land and Land Reforms Officer (BL&LRO) for verification of the land classification and the physical status of the land in question. A complaint was also lodged before the police authority on the basis of the complaint received by the Bally Municipality.

Copies of the letters dated 25.02.2025 are annexed hereto and marked with the letter "R- 3" collectively.

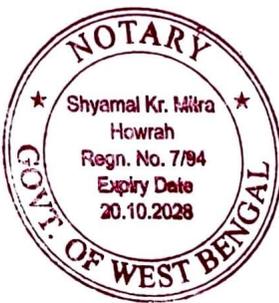
- IV. That on the basis of the complaint received by the authorities regarding illegal filling up of water body, a field inspection was conducted by the concerned authorities and a report dated 06.03.2025 regarding the status of the land was submitted before the municipal authority indicating the condition of the said water body and the alleged encroachment thereon.

A copy of the relevant inspection/status report dated 06.03.2025 received by Bally Municipality is annexed hereto and marked with the letter "R-4".

- V. That from the said status report it is revealed that that the said plot measuring approximately 0.2300 acres is recorded as "Pukur" (pond) in the C.L.R. in the names of Sri Amar Nath Mishra (Khatian No. 256) and Sri Kashinath Mishra (Khatian No. 863). However, a portion of the plot at the south-east corner measuring about 1420 sq. ft. (0.0325 acres) is occupied by a tin-shaded structure, allegedly used as a godown by one Sri Ananda Sarkar, while a 15 ft. wide public road runs through the plot and a local club, namely Nabodaya Pally Samiti, along with an adjoining playground, is situated on the western side; further, the remaining portion at the north-east corner is low-lying marshy land, part of which has been found to be filled up with garbage.
- VI. That after receiving the said status report, on 28/29.05.2025 the answering respondent submitted the same before the Additional District Magistrate (L.R.) & D.L. & L.R.O., Howrah.

Copy of the memo dated 28/29.05.2025 is annexed hereto and marked with the letter "R- 5".

- VII. That on 03.06.2025 after receiving the inspection report, a hearing notice was issued by the Executive officer, Bally Municipality to the parties whereby they were directed to appear in person or through



18 MAR 2026

authorised representative before the office of the answering respondent on 09.06.2025 at 3.30 P.M. Subsequently, on 09.06.2025, a hearing was conducted in pursuance of the complaint dated 21.02.2025 of the applicant no. 5. That some of the applicants and the office bearers of respondent municipality were also present.

Copies of the hearing notice dated 03.06.2025 and the attendance sheet of the hearing dated 09.06.2025 are annexed hereto and marked with the letter "R- 6" collectively.

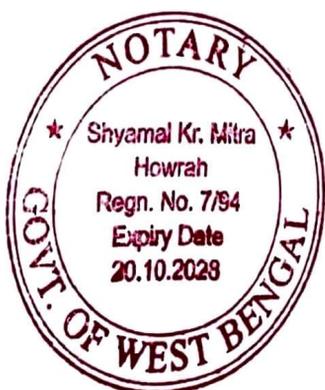
- VIII. Subsequently, after considering the record as well as the inspection report and being satisfied that there is illegal filling of water body, vide a notice under Section 17A of the West Bengal Inland Fisheries Act, 1984 dated 09.01.2026 issued by the Executive Officer, Bally Municipality being the Competent Authority under the West Bengal Inland Fisheries Act, 1984, directed the respondent nos. 12 to restore the "Pukur" in question in its original position at his/her own cost as per the sketch map prepared by the Block Land and Land Reforms Officer, Bally-Jagacha within 15 days from receipt of the said notice and report the office of the answering respondent immediately after completion of the same.

Copy of the notice dated 09.01.2026 is annexed hereto and marked with the letter "R- 7".

- IX. That since the said respondents has not yet been complied with the previous notice dated 09.01.2026 within the stipulated period, the answering respondent again issued a notice Section 17A of the West Bengal Inland Fisheries Act, 1984 on 10.03.2026 by directing the them to restore the "Pukur" in question in its original position at his/her own cost as per the sketch map prepared by the Block Land and Land Reforms Officer, Bally-Jagacha within 15 days from receipt of the said notice.

Copy of the notice dated 10.03.2026 is annexed hereto and marked with the letter "R- 8".

- X. The answering respondent further submits that Bally Municipality remains committed to protection of water bodies within its jurisdiction and has been taking administrative steps within its statutory powers to address the grievances raised by the applicants.
6. Without prejudice to the aforesaid submissions and while fully relying upon the same, the answering respondent now proceeds to deal with the allegations made in the said application paragraph-wise.



18 MAR 2026

7. With reference to the statements made in paragraph nos. 1, 2, 3, 4, 5 and 6 of the said application, the answering respondent denies and disputes each and every allegation contained therein, save and except those which are matters of record. It is submitted that the allegations made in the said paragraphs primarily relate to inter se disputes between private parties, and the answering respondent refrains from making any specific comment thereon.
8. With reference to the statements made in paragraph nos. 7, 8, 9, 10 and 11 of the said application, the answering respondent denies and disputes the same as being incorrect and misleading. It is specifically denied that no action has been taken by the respondent Municipality despite receipt of complaints. In this regard, the answering respondent repeats and reiterates the statements made in paragraphs 5 hereinabove.
9. With reference to the statements made in paragraph no. 12 and the grounds taken thereunder, it is submitted that the same are neither cogent nor sustainable in law, and no relief can be granted to the applicants on the basis thereof. The applicants are not entitled to any reliefs as claimed against the answering respondent. Further submissions with regard to the grounds and prayers shall be made at the time of hearing of the present application. In the aforesaid circumstances, I file this affidavit before the Hon'ble Tribunal with undertaking that I shall carry out all further directions as may be passed by this Hon'ble Tribunal.
10. That the statements made in paragraphs 1 and 2 are true to my knowledge, the statements made in paragraph 5 is derived from records which I verily believe to be true and the rest are my humble submissions before this Hon'ble Tribunal.

Ranjan Kumar Paul

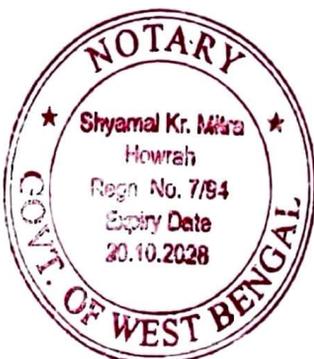
Deponent

Identified by me

Debasree Dhamali

Advocate

For Bally Municipality



18 MAR 2026

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VERIFICATION

Verified at Howrah by the deponent abovenamed on this 18th Day of March, 2026 and say that the contents of this affidavit made in paragraphs 1 and 2 are true to my knowledge, the statements made in paragraph 5 is derived from records which I verily believe to be true and the rest are my humble submissions before this Hon'ble Tribunal.

Ranjan Kumar Paul.

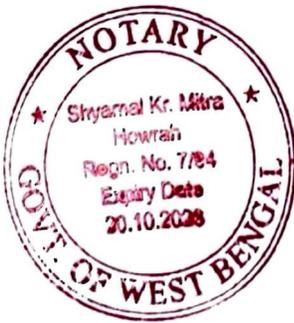
Deponent

Identified by me

Debasree Dhamali

Advocate

For Bally Municipality



SOLEMNLly AFFIRMED & DECLARED
BEFORE ME ON IDENTIFICATION


SHYAMAL KR. MITRA
NOTARY HOWRAH

18 MAR 2026

পশ্চিমবঙ্গ সরকার
সমষ্টি ভূমি ও ভূমি সংস্থার আধিকারিকের করণ
-দাঙ্গের তথ্য-



জেলা- হাওড়া	ব্লক- বাণী-জগাছা	[০৫০৩০১২]
মৌজা- লিলুয়া	জে.এল.নং- ১২	থানা- লিলুয়া
দাগ নং- ৬২০	শ্রেণী- পুকুর	জমির পরিমাণ(এ)- ০.২৩০০
সাবেক দাগ নং- ৬২০		

খতিয়ান নং	শ্রেণী	অংশ	অংশ পরিমাণ(এ)	রায়তের/লেসীর বিবরণ	মন্তব্য
২৫৬	পুকুর	০.৫০০০	০.১১৫০	অমর নাথ মিত্র পিতা-বিহেশ্বর নাথ সং-নিজ	
৮৬৩	পুকুর	০.৫০০০	০.১১৫০	কাশীনাথ মিত্র পিতা-রামনাথ সং-নিজ	
		১.০০০০	০.২৩		

~~SA~~

ENGLISH TRANSLATION

Government of West Bengal
Land & Land Reforms and Refugee Relief and Rehabilitation Department
- Land Information -

District - Howrah Block - Bally-Jagacha [0200001]

Mouza - Liluah J.L. No. - 12 Police Station - Liluah

Dag No. - 620 Classification - Pukur Total Land Area (acre) - 0.2300

R.S. Dag no. 620

Khatian-wise Description

Khatian No.	Class	Share	Share Area (acre)	Name of Raiyat / Details	Remarks
256	Pukur	0.5000	0.1150	Amar Nath Misra Father- Biseswar Nath Address- self	
863	Pukur	0.5000	0.1150	Kashi Nath Misra Father- Ramnath Address- self	
		1.0000	0.23**		

O. No. 1486
Dt. 16.8.17

Reserve
21/8/17

Department of Fisheries, Aquaculture, Aquatic Resources and Fishing Harbour
I.T. Building (7th & 8th Floor),
M.G.A. Block, Sector-V, Salt Lake City, Kolkata - 700 091.

No. 1748-Fish/C-19R-03/2017

Dated, Kolkata, the 20th July, 2017.

D
v. Chitra

NOTIFICATION

24/18

In exercise of the power conferred by clause (ii) of section 7 of the West Bengal Inland Fisheries Act, 1984 (West Bengal Act XXV of 1984) as subsequently amended (hereinafter referred to as the said Act), and in supersession of all previous notifications in this regard, the Governor is hereby pleased to declare the following authorities to be the competent authority under the said Act:

- (i) Municipal Commissioner / Commissioner / Executive Officer of Municipal Corporation / Municipalities / Notified area authority within their respective jurisdiction.
- (ii) District Magistrate within their respective revenue districts except the municipal areas mentioned above.

By order of the Governor.

Sd/- S. K. GUPTA

Principal Secretary to the Govt. of West Bengal

Dated, Kolkata, the 20th July, 2017.

No. 1748/1(51)-Fish/C-19R-03/2017

Copy forwarded for information to:

- 1) The Ld. Land Reforms Commissioner, Land & Land Reforms & Refugee Relief & Rehabilitation Department.
- 2) The Principal Secretary, Environment Department.
- 3) The District Magistrate _____ (All Districts).
- 4) The Municipal Commissioner, _____ Municipal Corporation (All Municipal Corporation).
- 5) The Chairman, _____ (All notified area)
- 6) The Executive Officer, _____ (All Municipalities).
- 7) The Director of Fisheries, West Bengal.
- 8) The Deputy Director of Fisheries, Kolkata Zone.
- 9) The Assistant Director of Fisheries, _____

Asst. Secy. R.N. Saha
21/8/17

(Signature)

Joint Secretary to the Govt. of West Bengal

9X

Government of West Bengal
Department of Fisheries, Aquaculture, Aquatic Resources and Fishing Harbour
 1, B.B.D. Bag (South), 3rd Floor,
 Salt Lake Sector-V, Kolkata - 700091

No. 1745-Fish/C-IV/3S-05/2017

Dated, Kolkata, the 20th July, 2017

NOTIFICATION

In exercise of the power conferred by clause (a) of section 2 of the West Bengal Inland Fisheries Act, 1984 (West Bengal Act XXV of 1984) as subsequently amended from time to time, the Governor is hereby pleased to declare, in supersession of all previous notifications in this behalf, the following authorities to be the competent authority under the said Act.

- (i) Mayor / Commissioner / Chairman / Executive Officer of Municipal Corporation / Municipality / Notified Area Authority within their respective jurisdiction.
- (ii) District Magistrate within their respective revenue districts except areas mentioned above.

By order of the Governor,

Sd/- S. K. GUPTA
 Principal Secretary to the Govt. of West Bengal

No. 1745/1(5)-Fish/C-IV/3S-05/2017

Dated, Kolkata, the 20th July, 2017

Copy forwarded for information to:-

1. The Ld. Land Reforms Commissioner, Land & Land Reforms & Refugee Relief & Rehabilitation Department.
2. The Principal Secretary, Environment Department.
3. The District Magistrate _____ (All Districts).
4. The Municipal Commissioner _____ Municipal Corporation (All Municipal Corporation).
5. The Chairman _____ (All Municipalities).
6. The Executive Officer _____ (All Municipalities).
7. The Director of Fisheries, West Bengal.
8. The Deputy Director of Fisheries, Kolkata Zone.
9. The Assistant Director of Fisheries _____

Sd/-

Joint Secretary to the Govt. of West Bengal



Bally Municipality

384, G.T. Road, Bally, Howrah-711201

Tel.No.: 2641-3636, Fax: 2641-5846

Memo No. BM/01274/Law/Admin/24-25

Dated 25th February, 2025

From: The Executive Officer,
Bally Municipality.

To: Block Land & Land Reforms Officer,
Bally Jagachha,
229, G.T. Road,
P.O. Belurmah,
Howrah-711202.

Sub.: Request for status report.

Ref.: Complaint dated 21.02.2025 against illegal activities at the area
near Nabaday Pally Samity, Chakpara Battala Bazar, Liluah,
Howrah-711204.

In connection with the letter under reference, this is to request you to make an physical enquiry in the respective area near Nabaday Pally Samity, Chakpara Battala Bazar, and send a status report of the same to this end at the earliest. Photocopy of the above noted complaint is attached herewith for ready reference.

Your prompt cooperation in the matter is highly solicited.

Encl.: As above.


25.02.2025
Executive Officer,
Bally Municipality

Memo No. BM/01274/(1-4)/Law/Admin/24-25

Dated 25.02.2025

Copy for information to :

- 1) Additional Director of Fisheries, Howrah,
Raghav Plaza, 3rd Floor, 62/2, Rose Marry Lane, Howrah-711101,
- 2) Administrator, Bally Municipality.
- 3) Sri Molay Lohar, SAE. -- do -
- 4) I/C, Law Section. -- do -
- 5) Smt. Moumita Roy,
I/1, Chakpara Nabaday Pally, P.O. Bhattanagar, Howrah-711203


25.02.2025
Executive Officer,
Bally Municipality

BALLY MUNICIPALITY

384, G.T. Road, Bally, Howrah-711201
Tel. No.: 2654-2236/2654-0079

Memo No. BM/00127/4/1/Law/Admin/24-25

Dated 25th February, 2025

From : The Executive Officer,
Bally Municipality.

To : Block Land & Land Reforms Officer,
Bally Jagacha,
229, G.T. Road,
Howrah-711102.

Sub.: Request for status report.

Ref.: Complaint dated 21.02.2025 against illegal activities at the area near Nabaday Pally Samity, Chakpara Batala Bazar, Liluah, Howrah-711204.

Sir,

In connection with the letter under reference, this is to request you to make a physical enquiry in the respective area near Nabaday Pally Samity, Chakpara Batala Bazar and send a status report of the same to this office at the earliest. Photocopy of the above noted complaint is attached herewith for your reference.

Your prompt cooperation in the matter is highly solicited.

Encl.: As above.

Sd/-
Executive Officer
Bally Municipality

Memo No. BM/00127/4/1/Law/Admin/24-25

Dated 25.02.2025

Copy forwarded for information to :

1. Additional Director of Fisheries, Howrah, Baghajatin Plaza, 3rd Floor, 622, Rose Mary Lane, Howrah-711101.
2. Administrator, Bally Municipality.
3. Sri Molay Lohar, S.A.E. - do -
4. I/C, Law Section.
5. S.H., Chakpara Nabaday Pally, P.O. Bhattanagar, Howrah-711203.

Sd/-
Executive Officer
Bally Municipality



BALLY MUNICIPALITY

384, G.T. Road, Bally, Howrah-711201

Tel.No.: 2654-2236, Fax: 2654-0079

Memo No. BM/01273/Law/E.O./24-25

Dated 25th February, 2025

From: The Executive Officer,
Bally Municipality

To : The Inspector-in-charge,
Liluah Police Station,
Liluah, Howrah.

Sub. : Request for necessary action.

Ref.: Complaint dated 21.02.2025 against illegal activities at the area
near Nabaday Pally Samity, Chakpara Battala Bazar, Liluah,
Howrah-711204.

Enclosed please find herewith the above noted complaint filed by one Moumita Roy of I/I,
Chakpara Nabadaypally, P.O. Bhattanagar, P.S. Liluah, Howrah, which will speak for itself for favour of
your information and taking necessary action as per prevailing regulations.

Your prompt action in this regard is highly solicited.

Encl. As stated above.

25.02.2025
Executive Officer
Bally Municipality

Memo No. BM/01273/(1-5)/Law/E.O./24-25 Dated 25.02.2025

Copy forwarded for information to

- 1) Additional Director of Fisheries, Howrah,
Raghav Plaza, 3rd Floor, 62/2, Rose Mary Lane, Howrah-711101.
- 2) The Administrator, Bally Municipality,
- 3) Sri Molay Lohar, SAE, Bally Municipality
- 4) I/C, Law Section, -- do -
- 5) Smt. Moumita Roy,
I/I, Chakpara Nabaday Pally, P.O. Bhattanagar, Howrah-711203

25.02.2025
Executive Officer
Bally Municipality

-1X-A-

BALLY MUNICIPALITY**384, G.T. Road, Bally, Howrah-711201****Tel. No.: 2654-2236/2654-0079**

Memo No. BM/01273/Law/E.O./24-25

Dated 25th February, 2025

From : The Executive Officer,
Bally Municipality.

To : The Inspector-in-charge,
Liluah Police Station.
Liluah, Howrah

Sub.: Request for necessary action.

Ref.: Complaint dated 21.02.2025 against illegal activities at the area near Nabaday Pally Samity, Chakpara Batala Bazar, Liluah, Howrah-711204.

Sir,

Enclosed please find herewith the above noted complaint filed by One Moumita Roy of 1/1, Chakpara Nabadaypally, P.O. Bhattanagar, P.S. Liluah, Howrah, which will speak for itself for favour of your information and taking necessary action as per prevailing regulations.

Your prompt action in this regard highly solicited.

Encl.: As above.

Sd/-
Executive Officer
Bally Municipality

Memo No. BM/01273/(1-5)/Law/E.O./24-25

Dated 25.02.2025

Copy forwarded for information to :

1. Additional Director of Fisheries, Howrah,
Raghav Plaza, 3rd Floor, 62/2, Rose Mary Lane, Howrah-711101.
2. Administrator, Bally Municipality.
3. Sri Molay Lohar, S.A.E. Bally Municipality
4. I/C, Law Section.
5. Smt. Moumita Roy
1/1, Chakpara Nabaday Pally, P.O. Bhattanagar, Howrah-711203.

Sd/-
Executive Officer
Bally Municipality

Ameruwa 200

12

2c/law
My discuss
with SAE (M. Lohar)



GOVERNMENT OF WEST BENGAL

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

Memo No : 1567 /BJ/25

Date: 06 /03 /2025

To
The Executive Officer
Bally Municipality

Department-	Lo.
Date of Receipt-	7/3/25
No of Registrar	BM 03975/R/24-25

Sub : Status Report regarding Illegal filling up a water body near Nabaday Pally Samity, Chakpara Battala Bazar, Liluah, Howrah

Ref : Your office Memo No. BM/01274/Law/Admin/24-25 dt. 25.02.2025

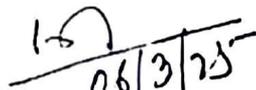
Sir,

In reference to the subject above, this is to inform you that a complaint was received from Baby Roy & 22 ors on 28.01.2025 to this end and an enquiry was conducted on 29.01.2025 along with A. S. I Sri Mirza B. Beg. Liluah, P S and in presence of some local people. As per physical enquiry report, it is revealed that entire area of L R Plot No. 620 is measuring about 0.2300 acres under Mouza Liluah, J L No. 12 as per C L R and the classification of the plot is "Pukur" has been filled up partly which is complete violation of the provision of the W. B. L. R Act. 1955.

The undersigned has issued Notice u/s 4 C (5) W. B. L. R Act. 1955 to the recorded owner of the suit land through Liluah Police Station vide Memo No. 799/BJ/25 dt. 31.01.2025.

The copy of field enquiry report along with image, location map and plot information are being annexed herewith for your information.

- Encl : i) Field enquiry report
- ii) Image
- iii) Location Map
- iv) P I
- v) Notice u/s 4 C (5)


 06/3/25
 Assistant Director, W. B. L. R. S
 &
 B. L & L. R. O., Bally Jagacha, Howrah
 Assistant Director, W. B. L. R. S
 &
 B. L & L. R. O., Bally Jagacha
 Date : 06.03.2025

Memo No: 1567 /1(2)/BJ/25

Copy forwarded for information to :

- 1) The A. D. M and D. L & L. R. O., Howrah - For his kind information.
- 2) The S. D. O., Sadar, Howrah - For her kind information.

Assistant Director, W. B. L. R. S
 &
 B. L. & L. R O., Bally Jagacha, Howrah

GOVERNMENT OF WEST BENGAL

Office of the Block Land & Land Reforms Officer, Bally-Jagacha

229, G.T. Road, Belur Bazar, Howrah

e-mail: bllroballyjagachaalternate@gmail.com

Memo No: 1567/BJ/25

Date: 06/03/2025

To

The Executive Officer

Bally Municipality

Sub: Status Report regarding Illegal filling up a water body near Nabaday Pally Samity,
Chakpara Battala Bazar, Liluah, Howrah

Ref: Your office Memo No. BM/01274/Law/Admin/24-25 dt. 25.02.2025

Sir,

In reference to the subject above, this is to inform you that a complaint was received from Baby Roy & 22 ors on 28.01.2025 to this end and an enquiry was conducted on 29.01.2025 along with A.S.I Sri Mirza B. Beg, Liluah, P.S. and in presence of some local people. As per physical enquiry report, it is revealed that entire area of L.R Plot No. 620 is measuring about 0.2300 acres under Mouza Liluah, J.L. No. 12 as per C.L.R. and the classification of the plot is "Pukur" has been filled up partly which is complete violation of the provision of the W.B.L.R. Act, 1955.

The undersigned has issued Notice u/s 4 C (5) W.B.L.R. Act, 1955 to the recorded owner of the suit land through Liluah Police Station vide Memo No. 799/BJ/25 dt. 31.01.2025.

The copy of field enquiry report along with image, location map and plot information are being annexed herewith for your information.

Encl: i) Field enquiry report,

ii) Image,

iii) Location Map,

iv) PI,

v) Notice u/s 4 C (5)

Sd/-

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

&

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

Memo No.- 1567/1(2)/BJ/25

Date :- 06.03.2025

Copy forwarded for information to :

- 1) The A.D.M. and D.L. & L.R.O., Howrah- For his kind information
- 2) The S.D.O., Sadar, Howrah- For her kind Information

To,
The B.L&L.R.O and Asst. Director,
Bally- Jagacha,
Howrah.

[Subject: Physical enquiry report regarding illegal filling up of pond located over L.R plot no. 620 within mouza – Liluah, J.L no. - 12.]

Sir,

In compliance with your order, We, the undersigned, along with A.S.I Sri Mirza B. Beg and other Police personnel of Liluah P.S in presence of some local people have conducted a physical enquiry at L.R plot no. 620 corresponding R.S plot no: 620 of different khatians within mouza – Liluah, J.L no. – 12 on 29.01.2025 at 04.45 p.m.

During the physical enquiry, it appears that the entire area of L.R plot no. 620 is measuring about 0.2300 acres as per C.L.R and the 'Pukur' classified L.R plot is recorded in the name of Sri Amar Nath Mishra (vide khatian no. 256) and Sri Kashinath Mishra (vide khatian no. 863) as per C.L.R, plot information attached for your ready reference.

That, a tin-shaded structure is situated over some portion measuring about 1420 Sq.ft or, 0.0325 acre appx. at the South-East corner of the suit pond, sketch map attached for your ready reference.

According to some local people, the alleged tin-shaded structure is owned by Sri Ananda Sarkar, S/o- Sri Anill Sarkar and it is used as a go-down of decorators items.

That, a 15 feet wide public road is also runs through the said plot.

That, a Local club named Nabodaya Pally Samiti and a playground adjacent to the club are also situated over some portion at the Western side of the said plot.

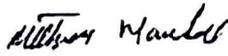
That, the remaining portion at the North-East corner of the said plot is lying as low-marshy land at present and some part of this portion has been filled up by garbages, photograph attached for your ready reference.

Hence, the physical enquiry report has been submitted to you for your kind information and taking further necessary action.

Date : 31.01.2025

Submitted by,


Revenue Officer
Bally-Jagacha, Howrah


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

To,

The B.L.&L.R.O. and Asst. Director,

Bally-Jagacha,

Howrah.

[Subject: Physical enquiry report regarding illegal filling up of pond located over L.R plot no. 620 within mouza - Liluah, J.L. no. 12]

Sir,

In compliance with your order, We, the undersigned, along with A.S.I. Sri Mirza B. Beg and other Police personnel of Liluah P.S. in presence of some local people have conducted a physical enquiry at L.R. plot no. 620 corresponding R.S. plot no. 620 of different khatians within mouza Liluah, J.L. no. 12 on 29.01.2025 at 04.45 p.m.

During the physical enquiry, it appears that the entire area of L.R. plot no. 620 is measuring about 0.2300 acres as per C.L.R. and the 'Pukur' classified L.R. plot is recorded in the name of Sri Amar Nath Mishra (vide khatian no. 256) and Sri Kashinath Mishra (vide khatian no. 863) as per C.L.R.

That, a tin-shaded structure is situated over some portion measuring about 1420 Sq.ft or, 0.0325 acre appx. at the South-East corner of the suit pond.

According to some local people, the alleged tin-shaded structure is owned by Sri Ananda Sarkar, S/o- Sri Anill Sarkar and it is used as a go-down of decorators items.

That, a 15 feet wide public road also runs through the said plot.

That, a Local club named Nabodaya Pally Samiti and a playground adjacent to the club are also situated over some portion at the Western side of the said plot.

That, the remaining portion at the North-East corner of the said plot is lying as low-marshy land at present and some part of this portion has been filled up by garbages.

Hence, the physical enquiry report has been submitted to you for your kind information and taking further necessary action.

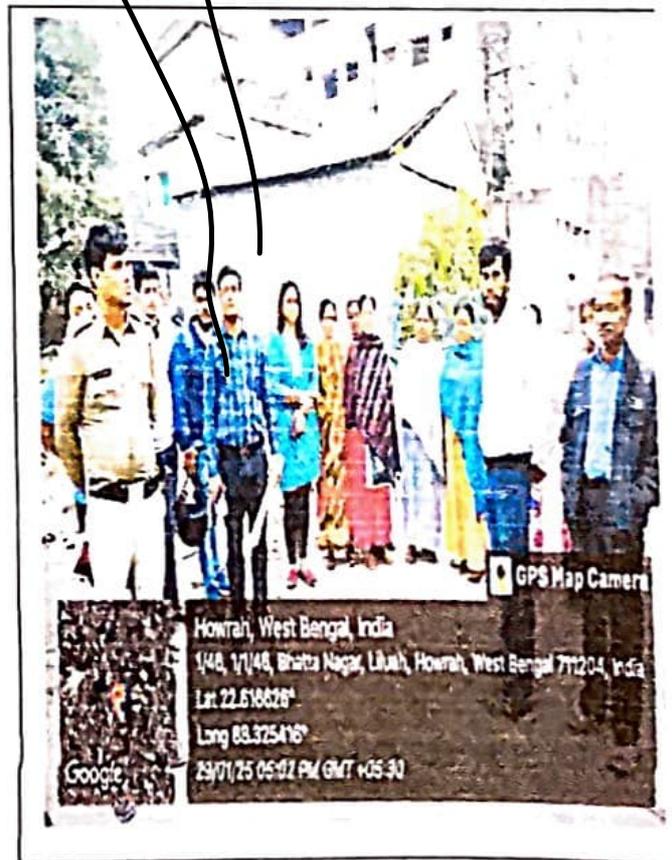
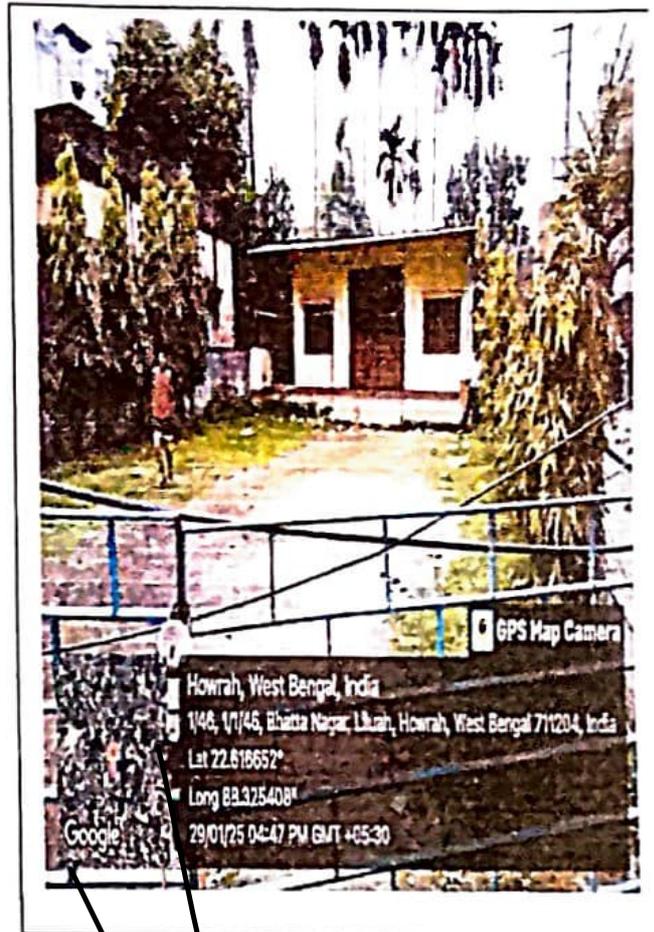
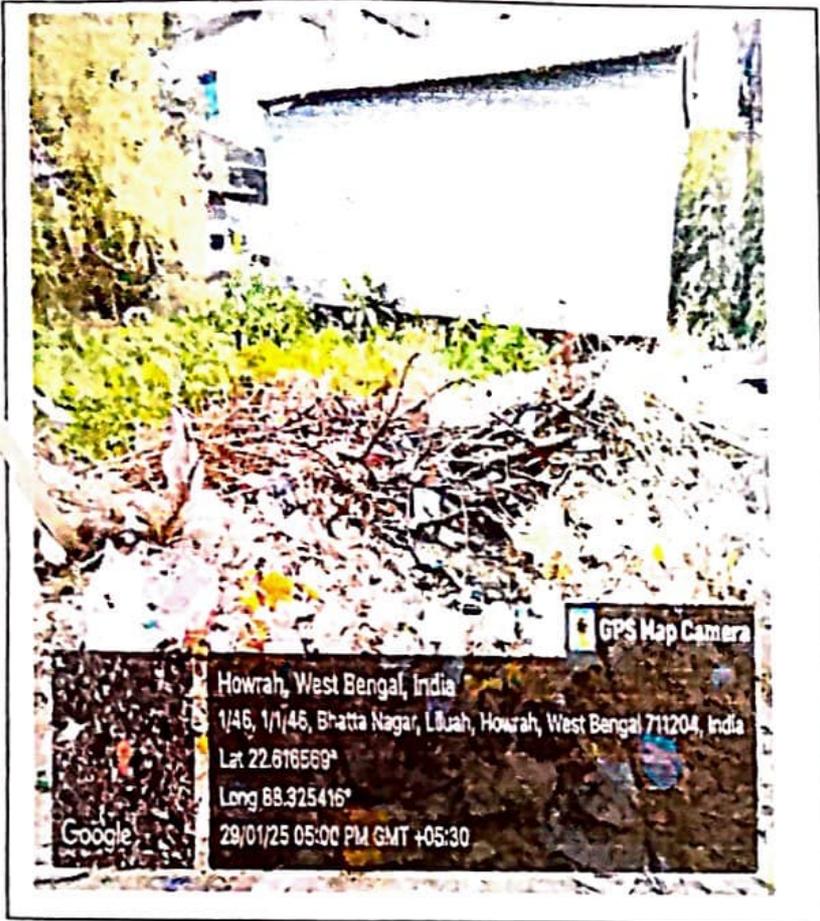
Date: 31.01.2025

Submitted by:

Sd/-

Revenue Officer

Bally-Jagacha, Howrah.



16

Amesake - P.F. 206



BALLY MUNICIPALITY
384, G.T. Road, Bally, Howrah-711201
Tel.No.: 2654-2236/2654-0079

Memo No. BM/00192/Law/Admin/25-26

Dated 28th May, 2025
29

From: The Executive Officer,
Bally Municipality.

To: The Additional District Magistrate (L.R.) &
District Land & Land Reforms Officer,
Howrah

Sub.: Submission of status report.

Ref.: Complaint dated 21.02.2025 against illegal activities at the area
near Nabaday Pally Samity, Chakpara Battala Bazar, Liluah,
Howrah-711204

Sir,

Apurpos of the above this is to inform that the undersigned had received a complaint from one permanent resident of T.T. Chakpara Nabaday Pally, Liluah, Bhattanagar, namely Moumita Roy and others on 21.02.2025 through WhatsApp in respect of a complaint regarding filling of a water body in their area. In response thereto the undersigned would like to inform you as under :

- 1) The Inspector In-charge, Liluah PS, was requested to take necessary action in the matter in accordance with law vide Memo No. BM/01273/Law T.O./24-25 dated 25.02.2025.
- 2) The Block Land & Land Reforms Officer, Bally Jagacha, was requested to make a physical enquiry regarding the complaint and to furnish a status report at the earliest vide Memo No. BM/01274.Law/Admin.24-25 dated 25.02.2025.
- 3) A status report regarding illegal filling up of a water body near Nabaday pally Samity, Chakpara Battala Bazar, Liluah, Howrah, was received on 07.03.2025 from the Director, W.B.L.R.S. & B.L.&L.R.O., Bally Jagacha. It appears from the said report that a Notice u/s 4 C (5) W.B.L.R. Act, 1955, has been issued by the Director, W.B.L.R.S. & B.L.&L.R.O., Bally Jagacha, to the recorded owner of the suit land through Liluah Police Station vide Memo No. 799 BJ 25 dated 31.01.2025 (annexed).

This is for your kind perusal and information

Encl.: As above

Yours faithfully
[Signature]
28.05.2025
Executive Officer,
Bally Municipality

Memo No. BM/00192/(1-4)/Law/Admin/25-26

Dated 28.05.2025
29

Copx for information to :

- 2) Administrator, Bally Municipality,
- 3) Sri Malay Mohan SAE. -- do--
- 4) T.C. Law Section, -- do

[Signature]
28.05.2025
Executive Officer,
Bally Municipality

[Signature]

BALLY MUNICIPALITY

384, G.T. Road, Bally, Howrah-711201

Tel. No.: 2654-2236/2654-0079

Memo No.: BM/00192/Law/Admin/25-26

Dated: 28/29th May, 2025

From: The Executive Officer,

Bally Municipality

To: The Additional District Magistrate (L.R.) &

District Land & Land Reforms Officer,

Howrah

Sub.: Submission of status report.

Ref.: Complaint dated 21.02.2025 against illegal activities at the area near Nabaday Pally Samity, Chakpara Battala Bazar, Liluah, Howrah-711204.

Sir,

Apropos of the above this is to inform that the undersigned had received a complaint from one permanent resident of 1/1, Chakpara Naboday Pally, Liluah, Bhattanagar, namely Moumita Roy and others on 21.02.2025 through WhatsApp in respect of a complaint regarding filling of a water body in their area. In response thereto the undersigned would like to inform you as under:

1) The Inspector In-charge, Liluah P.S. was requested to take necessary action in the matter in accordance with law vide Memo No. BM 01273/Law/Admin/24-25 dated 25.02.2025.

2) The Block Land & Land Reforms Officer, Bally Jagacha, was requested to make a physical enquiry regarding the complaint and to furnish a status report at the earliest vide Memo No. BM 01274/Law/Admin/24-25 dated 25.02.2025.

3) A status report regarding illegal filling up of a water body near Nabaday Pally Samity, Chakpara Battala Bazar, Liluah, Howrah, was received on 07.03.2025 from the Director, W.B.L.R.S. & B.L.&L.R.O., Bally Jagacha. It appears from the said report that a Notice u/s 4C (5) W.B.L.R. Act, 1955, has been issued by the Director, W.B.L.R.S. & B.L.&L.R.O. Bally Jagacha, to the recorded owner of the suit land through Liluah Police Station vide Memo No. 799/BJ/25 dated 31.01.2025 (annexed).

This is for your kind perusal and information.

Encl.: As above

Yours faithfully,

Sd/-

Executive Officer,

Bally Municipality

Memo No.: BM/00192/(1-4)/Law/Admin/25-26

Dated :-28/29.05.2025

Copy for information to:

1) Administrator, Bally Municipality

2) Sri Molay Lohar, SAE -do-

3) Law Section -do-

Sd/-

Executive Officer,

Bally Municipality



Bally Municipality

384, G.T. Road, Bally, Howrah-711201

Tel.No.:2641-3636. Fax: 2641-5846

Memo No. BM/00229/(2)/Law/Admin/25-26

Dated 3rd June, 2025

From : The Executive Officer,
Bally Municipality

To : 1) Smt. Moumita Roy, 2) General Secretary,
1/1, Chakpara Naboday Pally, Naboday Pally Samity
P.O. Liluah, Howrah-711204 Chakpara Naboday Pally

Sub. : Notice of Hearing

Ref.: Compliant letter dated 21.02.2025 filed by one Moumita Roy and others against illegal filling of a water body near Naboday Pally Samity, Chakpara, Liluah, Howrah.

Apurpos of the above this is to inform you that a hearing will be held on **09.06.2025 at 3:30 PM** at the office chamber of the undersigned at Bally Municipality, in respect of the land in question at Chakpara, Liluah, Howrah-711204.

You are hereby requested to remain present in the hearing in person or through your authorized representative as per schedule date, time and place along with all the relevant documents, if any, as applicable

You are also requested to bring with you one ID proof in original and a photocopy of the same to be submitted to the undersigned.

pl 03.06.2025
Executive Officer,
Bally Municipality

Memo No. BM/00229/(2-6)/Law/Admin/25-26 dated 03.06.2025

Copy forwarded for information to :

- 1) District Magistrate, Howrah,
- 2) Additional District Magistrate (Land Reforms), Howrah,
- 3) The Administrator, Bally Municipality,
- 4) The Block Land & Land Reforms Officer, Bally Jagacha, Bally, Howrah
-- With a request to remain present in the hearing with a status report of the land in question.
as per schedule.
- 5) Sri Molay Lohar, SAE, Bally Municipality, -- with a request to remain present in the hearing
as per schedule.
- 6) I/C. Law Section, Bally Municipality,

pl 03.06.2025
Executive Officer,
Bally Municipality

BALLY MUNICIPALITY

384, G.T. Road, Bally, Howrah-711201
Tel. No.: 2654-2236/2654-0079

Memo No. BM/00229/(2)/Law/Admin/25-26

Dated: 3rd June, 2025

From: The Executive Officer,
Bally Municipality

To: 1) Smt. Moumita Roy,
1/1, Chakpara Naboday Pally,
P.O. Liluah, Howrah-711204

2) General Secretary,
Nabaday Pally Samity,
Chakpara Naboday Pally

Sub: Notice of Hearing

Ref: Complaint letter dated 21.02.2025 filed by one
Moumita Roy and others against illegal filling of a water
body near Nabaday Pally Samity, Chakpara, Liluah,
Howrah.

Apropos of the above this is to inform you that a hearing will be held on 09.06.2025
at 3:30 PM at the office chamber of the undersigned at Bally Municipality in respect
of the land in question at Chakpara, Liluah, Howrah-711204.

You are hereby requested to remain present in the hearing in person or through your
authorized representative as per scheduled date, time and place along with all the
relevant documents, if any, as applicable.

You are also requested to bring with you one ID proof in original and a photocopy of
the same to be submitted to the undersigned.

Sd/-
Executive Officer,
Bally Municipality

Memo No. BM/00229/(2-6)/Law/Admin/25-26

dated 03.06.2025

Copy forwarded for information to:

- 1) District Magistrate, Howrah,
- 2) Additional District Magistrate (Land Reforms), Howrah,
- 3) The Administrator, Bally Municipality,
- 4) The Block Land & Land Reforms Officer (B.L. & L.R.O.), Bally Jagacha, Bally,
Howrah — With a request to remain present in the hearing with a status report
of the land in question as per schedule.
- 5) Sri Molay Lohar, SAE, Bally Municipality — With a request to remain present
in the hearing as per schedule.
- 6) I/C, Law Section, Bally Municipality



Bally Municipality

384, G.T. Road, Bally, Howrah-711201
Tel.No. 033 26542236/26540079

Attendance Sheet of Hearing dated 09/06/2025 at 03:30 P.M. (9.06.25)
Ref. No. BM/000229/(2)/Law/Admin/25-26 dated 09/06/2025

Sl. No.	Name	Designation	Signature
1	Smt. Moumita Roy	Complainer	Moumita Roy.
2		General Secretary, Nabaday PallySamity	Absent
3		Block & Land Reforms Officer, Bally-Jagachha	Absent
4	Sri Molay Lohar,	SAE(Bally Municipality)	Molay Lohar
5	Sri Dilip Kumar Bag	I/c, Law Section Bally Municipality	Dilip
6	Sahes Shaw.	Complainant	Sahes Shaw.
7	Pritom Das	—do—	Pritom Das
8	Sanjoy Show	—do—	Sanjoy Show
9	Pratima Dhar	—do—	Pratima Dhar

The above noted persons remain present in the hearing and heard by the hearing officials. The matters of complaints has been heard from the complainants and they are directed to submit a representation in writing for next course of action in the matter by next day.

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Amexu 2 1-1



BALLY MUNICIPALITY

384, G.T. Road, Bally, Howrah-711201

Tel.No.: 2654-2236/2654-0079

Memo No. BM/O 1199/(3)/Law/E.O./25-26

Dated 9th January, 2026

To: 1) Amai Nath Mishra
S/o, Bireswar Nath,
P.O. Liluah, Howrah-711204.

2) Kashi Nath Mishra
S/o, Ram Nath,
P.O. Liluah, Howrah-711204

3) Ananda Sarkar
S/o, Monomali Sarkar,
P.O. Liluah, Howrah-711204

Sub. : NOTICE U/S 17A OF THE WEST BENGAL INLAND FISHERIES ACT, 1984, arising out of the complaint dated 21.02.2025, in respect of the area near Nabaday Pally Samity, Chakpara Battala Bazar, Liluah under Dag No. 620, Khatian No. 256 and 863, J.L. No. 12, Mauza Liluah.

AND

Re.: Report of B.L. & L.R.O. Bally-Jagacha dated 06.03.2025.

AND

Our office Memo No. BM/00229/(2)/Law/Admin/25-26 dated 03.09.2025

Apropos of the above this is to inform that to the effect of the above noted complaint this office obtained an enquiry report along with a sketch map provided by the B.L. & L.R.O. Bally-Jagacha. It appears from the said report that the L.R plot No. 620(P) under RS plot No. 620 is classified as "Pukur" and the same has been filled up illegally as alleged which is a punishable offence committed by the responsible person(s) due to violation of the act ibid. The pond in question must be restored in its original position by the person(s) at his/her/their own cost as per demarcated areas with specific measurements as shown in the said sketch map.

Hence, as per the provision made under section 17A, of the West Bengal Inland Fisheries Act, 1984, you are hereby directed to restore the "Pukur" in question in its original position strictly as per the sketch map prepared by the Block Land and Land Reforms Officer, Bally-Jagacha which is enclosed herewith for your ready reference, within 15 days from the date of receipt of this letter and report this office immediately after completion of the same, failing which necessary steps will be taken against you in accordance with law.

Encl.: As above


Executive Officer,
Bally Municipality
Dated 09.01.2026.

Memo No. BM/O 1199/(3-7)/Law/E.O./25-26

Copy forwarded for information to :

- 1) The Administrator, Bally Municipality,
- 2) The Assistant Director, West Bengal Fisheries Dept.
- 3) The Block Land & Land Reforms Officer, Bally Jagacha,
- 4) Sri Ayan Banerjee, Advocate, residing at 48/2, Dingsaipara, Bally, Howrah.
- 5) Sri Malay Lohar, SAE, Bally Municipality,
- 6) I C. Law Section, -- do --
- 7) CA to the District Magistrate, Howrah, for kind perusal of DM madam.


Executive Officer
Bally Municipality

BALLY MUNICIPALITY
384, G. T. Road, Bally, Howrah-711201
Tel. No. 2654-2236/2654-0079

Memo No. BM/0199/9/(3)/Law/EO/25-26

Dated 9th January, 2026

To :

1) Amar Nath Mishra,	2) Kashi Nath Mishra,	3) Ananda Sarkar,
S/o Bireswar Nath	S/o Ram Nath	S/o Monomali Sarkar
P.O. Liluah, Howrah-	P.O. Liluah, Howrah-	P.O. Liluah, Howrah-
711204	711204	711204

Sub.: NOTICE U/S 170 OF THE WEST BENGAL MUNICIPAL ACT, 2006 ISSUED AGAINST ILLEGAL DISPOSAL/FILLING UP OF THE COMPLAINT DATED 21.02.2025, IN RESPECT OF THE AREA NEAR NABADAY PALLY SAMITY, CHAKPARA BATALA BAZAR, LILUAH UNDER P.S. LILUAH, HOWRAH.

AND

Ref.: Report of B.L. & L.R.O., Bally-Jagacha dated 03.09.2025.

AND

Our office Memo No. BM/00229/2/9/Law/Admin/25-26 dated 03.09.2025.

Apropos of the above this is to inform that to the effect of the above noted complaint this office obtained an enquiry report along with a sketch map provided by the B.L. & L.R.O., Bally-Jagacha. It appears from the said report that the L.R. Plot No. 620 (P) under R.S. plot No. 620 is classified as "Pukur" and the same has been filled up illegally as alleged which is a punishable offence committed by the responsible person(s) due to violation of the act. The pond in question must be restored in its original position by the person(s) at his/her/their own cost as per demarcated areas with specific measurements as shown in the said sketch map.

Hence, as per the provision made under section 17A of the West Bengal Inland Fisheries Act, 1984, you are hereby directed to restore the "Pukur" in question in its original position strictly as per the sketch map prepared by the Block Land and Land Reforms Officer, Bally-Jagacha which is enclosed herewith for your ready reference, within 15 days from the date of receipt of this letter and report this office immediately after completion of the same, failing which necessary steps will be taken against you in accordance with law.

Encl.: As Above

Sd/-

Executive Officer
 Bally Municipality
 Dated 09.01.2026

Memo No. BM/0199/9/3/Law/E.O./25-26

Copy forwarded for information to :

1. The Administrator, Bally Municipality.
2. The Assistant Director, West Bengal Fisheries Deptt.
3. The Block Land & Land Reforms Officer, Bally Jagacha.
4. Sri Ayan Banerjee, 48/2, Dingsaipara Road, Bally, Howrah
5. Sri Nilay Sardar, S.A.E., Bally Municipality.
6. I.C. Law Section.
7. C.A. to the District Magistrate, Howrah, for kind perusal of DM madam.



BALLY MUNICIPALITY

384, G.T. Road, Bally, Howrah-711201
Tel No 2654-2236/2654-0079

Memo No. BM/02738/(3)/Law/E.O./25-26

Dated 10th March, 2026

To : 1) Amar Nath Mishra
S o. Bireswar Nath,
P.O. Liluah, Howrah-711204.

2) Kashi Nath Mishra
S o. Ram Nath,
P.O. Liluah, Howrah-711204

3) Ananda Sarkar
S o. Monomali Sarkar,
P.O. Liluah, Howrah-711204

Sub. : NOTICE U S 17A OF THE WEST BENGAL INLAND FISHERIES ACT, 1984, arising out of the complaint dated 21.02.2025, in respect of the area near Nabaday Pally Samity, ChakparaBattala Bazar, Liluah under Dag No. 620, Khatian No. 256 and 863, J.L. No. 12, Mauza Liluah.

AND

Re.: Report of B.L.& L.R.O. Bally-Jagacha dated 06.03.2025,

AND

Our office Memo No. BM 01199 (3) Law/E.O./25-26 dated 09.01.2026

Apropos of the above this is to inform that the above noted notice was issued to you by the undersigned with a direction to restore the "Pukur" in question in its original position as per the above noted Memo No. within 15 days from the date of receipt of the same. It appears that after elapse of more than the stipulated time you have not yet complied the order of the undersigned till date.

You are hereby directed once again to comply the above noted direction immediately, failing which, this municipal authority will be compelled to take appropriate steps against you in accordance with law without any further notice.

Executive Officer,
Bally Municipality
dated 10.03.2026

Memo No. BM/02738/3-6/Law/E.O./25-26

Copy forwarded for information to :

- 1) Administrator, Bally Municipality
- 2) The Assistant Director, West Bengal Fisheries Dept., Howrah
- 3) The Block Land & Land Reforms Officer, Bally Jagacha,
- 4) Sri Ayan Banerjee, Advocate, 48/2, Dingsaipara Road, Bally, Howrah
- 5) Sri Molay Lohar, SAE, Bally Municipality,
- 6) I C, Law Section. -- do --

Executive Officer,
Bally Municipality

BALLY MUNICIPALITY

384, G.T. Road, Bally, Howrah-711201
Tel. No.: 2654-2236/2654-0079

Memo No. BM/02788/ (3)/Law/E.O./25-26 Dated: 10 March, 2026

To:

- | | | |
|--|---|--|
| 1) Amar Nath Mishra,
S/o Bireshwar Nath
P.O. Liluah, Howrah-
711204 | 2) Kashi Nath Mishra,
S/o Ram Nath
P.O. Liluah, Howrah-
711204 | 3) Ananda Sarkar,
S/o Monomali Sarkar
P.O. Liluah, Howrah-
711204 |
|--|---|--|

Sub.: NOTICE U/S 17A OF THE WEST BENGAL INLAND FISHERIES ACT, 1984, arising out of the complaint dated 21.02.2025, in respect of the area near Nabaday Pally Samity, Chakpara Battala Bazar, Liluah under Dag No. 620, Khatian No. 256 and 863, J.L. No. 12, Mauza Liluah.

AND

Re.: Report of B.L.& L.R.O. Bally-Jagacha dated 06.03.2025,

AND

Our office Memo No. BM 01199 (3) Law E.O./25-26 dated 09.01.2026

Apropos of the above this is to inform that the above noted notice was issued to you by the undersigned with a direction to restore the "Pukur" in question in its original position as per the above noted Memo No. within 15 days from the date of receipt of the same. It appears that after elapse of more than the stipulated time you have not yet complied the order of the undersigned till date.

You are hereby directed once again to comply the above noted direction immediately, failing which, this municipal authority will be compelled to take appropriate steps against you in accordance with law without any further notice.

Memo No. BM/02738/3-6/Law/E.O./25-26

Copy forwarded for information to:

- 1) Administrator, Bally Municipality
- 2) The Assistant Director, West Bengal Fisheries Dept., Howrah
- 3) The Block Land & Land Reforms Officer, Bally Jagacha
- 4) Sri Ayan Banerjee, Advocate, 48/2, Dingsaipara Road, Bally, Howrah
- 5) Sri Molay Lohar, SAE, Bally Municipality
- 6) I/C. Law Section

Sd/-
Executive Officer
Bally Municipality

✕

215

BEFORE THE HON'BLE NATIONAL
GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO.

176/2025/EZ

In the matter of: -

Saheb Shaw & Ors.

.....Applicants

-Versus-

The West Bengal Pollution Control
Board & Ors.

.....Respondents

COUNTER AFFIDAVIT ON BEHALF
OF RESPONDENT NO. 8, BALLY
MUNICIPALITY

Ms. Debasree Dhamali

Advocate

High Court, Calcutta

Ph No. - 9007035518

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Enrolment No. WB/1729/2010