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

ORIGINAL APPLICATION NO. 174 of 2025 (EZ)



Asgar Ali Piada.

..Applicant.

VERSUS

The State of West Bengal & Ors.

..Respondents.

AFFIDAVIT-IN-OPPOSITION BY THE
RESPONDENT NUMBER 11 .

INDEX

Sl No.	Particulars	Page No.
1.	INDEX	1
2	SYNOPSIS	2
3	AFFIDAVIT	3-7
4	Copy of Closure Letter issued by the Range Officer, Barasat Social Forestry Range	8

FILED BY: **PANTHU RAI**
ADVOCATE
F-1296/2016
Email: panthu92@gmail.com

Panthu Rai

07 APR 2026

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**SYNOPSIS**

Respondent No. 11 is wrongly impleaded in the present Original Application, as no activity was being carried on from the premises on the date of filing or registration of the OA. The shop/premises of Respondent No. 11 was closed and sealed on 30.04.2025 pursuant to action taken by the Forest Department, much prior to filing of the Original Application on 24.05.2025 and its registration on 16.09.2025. The closure and seizure have been confirmed repeatedly through official inspections and communications dated 09.12.2025 and 14.01.2026, which categorically establish that:

the saw mill was unlicensed, the machinery was sealed, and no activity was resumed thereafter.

The Respondent was not operating a saw mill, but was only engaged in the sale of finished wooden goods involving minor craft work, which did not cause any pollution or environmental degradation. The Original Application contains vague and unsubstantiated allegations, without any data, measurements, inspection findings or expert reports demonstrating pollution attributable to Respondent No. 11. There exists no continuing cause of action, and therefore the proceedings against Respondent No. 11 are misconceived and liable to be dismissed.

07 APR 2026

SL. NO. 219
DT. 07.04.26AFFIDAVIT

I, Nuruddin Piada, son of Late Afsar Ali Piada, aged about ... years, by occupation working for gain, having my place of work at Dag No. 444, Mouza-Hatiara, J.L. No. 14, P.S.-Eco Park, District-North 24 Parganas, PIN-700157, do hereby solemnly affirm and state as follows:

1. That I am the Respondent No. 11 in the present Original Application and am well acquainted with the facts and circumstances of the case. I am competent and authorised to swear this affidavit.
2. That save and except what are specifically admitted herein, all the allegations, statements, averments and insinuations made in the Original Application are denied and disputed as false, baseless, misconceived and not maintainable either in law or on facts.
3. That at the outset, I state that no saw mill or similar industrial activity is presently operating at or from the premises referred to in the Original Application, and the allegations sought to be made against this Respondent are wholly incorrect and misleading.
4. That the Range Officer, Barasat Social Forestry Range, vide letter dated 30.04.2025, issued a closure letter to this

07 APR 2026

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Respondent, pursuant to which the concerned shop/premises was closed forthwith, and since the said date no activity of any nature whatsoever has been carried on by this Respondent from the said premises.

5. That thereafter, field enquiries were conducted and the Divisional Forest Officer, 24 Parganas (North) Division, Barasat, was duly informed by communications dated 09.12.2025 and 14.01.2026, that upon inspection at Hatiara R.S. Dag No. 441, J.L. No. 14, Bidhannagar Municipal Corporation, P.O.-Hatiara, P.S.-Eco Park, it was found that the saw mill of this Respondent had already been closed and seized on 30.04.2025, and the said closure was re-verified and observed on 09.12.2025 and again on 13.01.2026, with no resumption of activities whatsoever.

6. That it is further submitted that vide Letter dated 05.05.2025, the Divisional Forest Officer, 24-Parganas (North) Division, duly informed the Conservator of Forests, Administration, Publicity & Marketing, and the Member Secretary, State Level Committee on Wood-Based Industries, regarding the enquiry conducted in respect of an illegal and unlicensed saw mill located at Hatiara Methopara, P.S.-Eco Park, within Barasat Social Forestry Range. The said enquiry was conducted on 30.04.2025 by the Range Officer, Barasat Social Forestry Range, Barasat, wherein it was clearly observed and recorded that the

07 APR 2026

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saw mill was unlicensed, and that the machinery installed therein had been locked and sealed by the Forest Department.

7. That it is further the case of this Respondent that the premises in question was not being used as a saw mill in the manner alleged in the Original Application. This Respondent was only engaged in the sale of finished wooden goods involving minor craft work on wood, and no sawing, cutting or processing activity causing air, noise or environmental pollution was carried on at any point of time.

8. That the allegations made in the Original Application are vague, general and unsupported by any material particulars, and no specific instance of pollution, inspection finding or expert report has been disclosed so far as Respondent No. 11 is concerned.

9. That it is further submitted that the Original Application was filed on 24.05.2025 and was registered on 16.09.2025, whereas the shop/premises of this Respondent had already been closed and sealed on 30.04.2025, much prior to both the filing and registration of the Original Application. Thus, there was no subsisting or continuing cause of action against this Respondent on the date of institution or thereafter.

10. That the continuation of proceedings against this Respondent, despite official records confirming closure and

07 APR 2026



seizure, is unjustified, unwarranted and amounts to abuse of the process of law.

11. That this Respondent categorically refutes and denies each and every allegation, claim, contention and aspersion made against Respondent No. 11 in the Original Application, whether express or implied, save and except those which are specifically admitted herein.

12. That this Respondent craves leave of this Hon'ble Tribunal to rely upon relevant inspection reports, closure letters, seizure records and official communications at the time of hearing, if so required.

PRAYER

In view of the facts stated hereinabove, this Respondent most respectfully prays that this Hon'ble Tribunal may be pleased to:

- a) **dismiss the Original Application** insofar as it relates to Respondent No. 11;
- b) hold that **no environmental violation subsists** against Respondent No. 11; and
- c) pass such further or other order(s) as this Hon'ble Tribunal may deem fit and proper.

Solemnly Affirm & Declared Before
me on Identification of Ld. Advocate

Bose

SAMRAT BOSE
NOTARY GOVT. OF INDIA
REGN NO. 53925/25
BIDHANNAGAR COURT

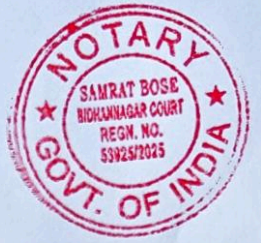
IDENTIFIED BY ME

07 APR 2026

Panther Rai
Advocate

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VERIFICATION



I, the above-named deponent, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge and belief, no part of it is false, and nothing material has been concealed therefrom. Verified at Kolkata on this 7th day of april, 2026

AFFIDAVIT IN OPPOSITION & RESPONSE NUMBER 11

ud. Norudelin Peuda
DEPONENT

FILED BY: PANTHURAI
ADVOCATE
F-1296/2016
Email: panthu92@gmail.com

Panthu Rai

07 APR 2026



Government of West Bengal
Directorate of Forests
Office of the Range Officer
Barasat Social Forestry Range
Rath tala, Barasat, North 24 Parganas



No. 66 /BST-28(Saw Mill)

Dated, the 30 / 04 / 2025

To : Md. Nuruddin Peada

Prop of. A.P. Saw Mill

Hatiara Methopara, PS.- ELO park

Dist - North 24 Pgs

Ph No - 8479071557 Sub: Closure of Illegal Saw Mill

This is to inform you that you are running your Saw Mill & other units A.P Saw Mill illegally (without Forest License) which is violation of section 3 (1)(b) of The West Bengal Forest (Establishment & Regulation of Saw Mill and other Wood Based Industries) Rules-1982

As per direction of higher authority & The DFO/24 Parganas(North) Division office order no.- 2027 /28-5 Dt. 08.11.2023 the undersigned being the Range Officer & Inspector of Saw Mill & other wood based Industries. Barasat S.F Range locked the machinery of your illegal, un-licensed Saw Mill & seized the timber.

Received one copy

Signature of the owner /
Representative of the Saw Mill

30/04/2025
Inspector of Wood Based Industries
Range Officer
Barasat S.F Range

Range Officer
Barasat S.F. Range
Barasat